

Minutes of August 15, 1994

The regular meeting of the Sussex County Board of Adjustment was held Monday evening, August 15, 1994 in the County Council Chambers, Room 115, Courthouse, Georgetown, Delaware.

The meeting was called to order at 7:00 P. M. with Chairman McCabe presiding. The Board members present were: Mr. McCabe, Mr. Mills, Mr. Wheatley, Mrs. Hudson, Mr. Callaway, Mr. Jones-Attorney and Mr. Betts-Zoning Inspector III.

Motion was made by Mr. Callaway, seconded by Mrs. Hudson and carried unanimously that the minutes of August 1, 1994 be approved as circulated.

Case No. 5416--Shelley M. Hastings - West side of Route 13A, at the intersection of Route 539, Lot 100 within Green Acres Subdivision.

A special use exception to place a manufactured home in an AR-1 District on less than five acres for a permanent residence.

The case was presented by Mr. Betts. Shelley Hastings was sworn in and testified, requesting to place a 12' or 14'x 70' manufactured home on her property for her parents or family member to live in, probably her parents.

Mr. Jones, Attorney, explained to Ms. Hastings that although it is not a law it has been the Board's policy to consider manufactured homes on less than five acres if the property and manufactured home are to be in the name of the person living in the manufactured home.

Ms. Hastings stated that to have her parents name put on the deed could cause them to lose their disability. The manufactured home will be in Ms. Hastings name.

Ray Hastings was sworn in and testified, questioning the zoning for the rest of Green Acres with regards to manufactured home and names on the deeds. He was not opposed to the request.

There were no parties present in opposition.

Motion was made by Mr. Mills, seconded by Mrs. Hudson and carried unanimously that the case be taken under advisement.

At the conclusion of the public hearings, the Chairman referred back to this case. After some discussion, motion was made by Mr. Callaway, seconded by Mr. Mills and carried unanimously that the special use exception be granted with the stipulation that the manufactured home can not be rented.

Case No. 5417--David & Donna Owens - East side of Route 632, on the south side of the intersection with Route 611.

A special use exception to place a manufactured home in an AR-1 District on less than five acres for a permanent residence.

The case was presented by Mr. Betts. Donna Owens was sworn in and testified, requesting to place a manufactured home on their property. Ms. Owens stated that they have the property listed for sale, since they have decided to buy a home and no longer need the manufactured home. She questioned whether or not they could go ahead with the hearing in case someone else (whoever buys the property) wants to place a manufactured home there or if that person would have to make application. She stated they are under contract to purchase a home. The manufactured home would only be a back up if that failed.

Jerome Jackson was sworn in and testified in opposition to a single-wide manufactured home going on the property. He testified his contact states no single-wide manufactured homes.

Ms. Owens stated the unit would be a double-wide.

Anna Clifton was sworn in and testified in opposition and showed a contract stating double-wides with foundation.

Motion was made by Mr. Mills, seconded by Mr. Callaway and carried unanimously that the special use exception be granted, with the stipulation that the manufactured home be a double-wide with foundation and for the applicant only.

Case No. 5418--Vernon Ciekot - South side of Route 362,  $\frac{1}{4}$  mile south of Route 361.

A special use exception to place a manufactured home in an AR-1 District on less than five acres for a permanent residence.

The case was presented by Mr. Betts. Vernon Ciekot was sworn in and testified, requesting to place a new, double-wide manufactured home on his property for his use. He testified that there is vacant property on either side of his property and there are four other manufactured homes directly across the street. Pictures were presented along with specifications of the manufactured home.

Margaret S. & Allen L. Michael were sworn in and testified and questioned the age of the manufactured home and wanted to see pictures of the manufactured home. They testified they are in favor of the request.

Mr. Betts read letters in favor of the application from Anna & Renee Vincent, Vernon A. Burger and Walter A. & Roberta Kufera.

There were no parties present in opposition.

Motion was made by Mrs. Hudson, seconded by Mr. Mills and carried unanimously that the special use exception be granted.

Case No. 5419--BSW Builders - East side of Route 350,  $\frac{1}{2}$  mile north of Route 349, Lot 7, within Denton Woods.

A variance from the front yard setback requirements.

The case was presented by Mr. Betts. Timothy M. Blades was sworn in and testified representing BSW Builders and was represented by Bill Chasanov, Attorney. The applicant requested a 1.5' variance from the 30' front yard setback requirement for a dwelling on Lot 7, Denton Woods. Mr. Chasanov stated that the property is on a cul-de-sac, which he feels caused the encroachment. A survey done in 1993 revealed the setback violation. Mr. Chasanov stated that the applicants lot is very unique because it also has two frontages and is a small lot on a cul-de-sac. Mr. Chasanov also made reference to another lot in the development that was granted a variance. He presented a copy of the Finding of Facts from that hearing. Mr. Chasanov also referred to another variance request on this lot that was denied, but overturned by the Court. It was applied for by the owner. It was for the Court that the survey was done.

Mr. Jones, Attorney, explained to the Board that the Court agreed with the Board on their decision, but the decision went in favor of the applicant due to an error on the building permit.

There were no parties present in opposition.

Mr. Blades stated that he is a builder proposing to purchase the property.

When asked if the structure could be cut-off to correct the encroachment, it was stated it could be done. Mr. Blades stated part of the foundation could be moved.

Motion was made by Mrs. Hudson, seconded by Mr. Mills and carried unanimously that the case be taken under advisement.

At the conclusion of the public hearings, the Chairman referred back to this case. After some discussion, motion was made by Mr. Mills, seconded by Mr. Wheatley and carried unanimously that the variance be denied, finding the applicant had not met the requirements for the granting of a variance, the dwelling could be placed on the property and meet the setbacks, and a portion can be removed to meet the setbacks.

Case No. 5420--Sarah Parker - Southeast side of Route 431,  $\frac{1}{4}$  mile south of Route 322.

A special use exception to place a manufactured home on a medical hardship basis.

The case was presented by Mr. Betts. Alton W. Scott was sworn in and testified, requesting to place a 14'x 70' manufactured home on his property on basis of hardship for his 80 year old mother, Sarah Parker.

Mr. Betts read a letter from a doctor referencing the health of Mrs. Parker.

The Chairman explained to the applicant, that if approved, he would have to reapply every 2 years and when the hardship ceases, the manufactured home would have to be removed.

There were no parties present in opposition.

Motion was made by Mrs. Hudson, seconded by Mr. Wheatley and carried unanimously that the special use exception be granted on the basis of hardship for a period of two (2) years.

Case No. 5421--Edward J. Frederick - North side of Route 22, 2 miles east of Route 22C, Lot 16.

A special use exception to place a manufactured home in an AR-1 District on less than five acres for a permanent residence.

The case was presented by Mr. Betts. Bill Chasanov, Attorney, was present representing the applicant, who requested to place a 12'x 60' manufactured home on property for his use. He testified that there are other manufactured homes in the area.

Janet M. Kell who lives in Indian Landing North was sworn in and testified in opposition. She complained about the age of the manufactured home, debris on the property and feels the manufactured home will not meet the setbacks.

Mr. Betts stated that according to the drawing presented the manufactured home will meet the setbacks. He also feels Mrs. Kell may have the applicants property confused with the lot next to it.

Motion was made by Mr. Mills, seconded by Mrs. Hudson and carried unanimously that the case be taken under advisement.

At the conclusion of the public hearings, the Chairman referred back to this case. After some discussion, motion was made by Mr. Callaway, seconded by Mrs. Hudson and carried unanimously that the special use exception be granted, finding the use will not adversely affect the immediate area.

Case No. 5422--Deborah Ann Parker - East side of Route 562, 750 feet north of the intersection of Route 31 and Route 562, Lot 13, within Wheatley Farms, Inc. Subdivision.

A special use exception to place a manufactured home in an AR-1 District on less than five acres for a permanent residence.

The case was presented by Mr. Betts. Deborah Ann Parker was sworn in and testified, requesting to place a 1994, 28'x 60' double-wide manufactured home on property she is purchasing for her use. She stated there are three other manufactured homes in the area. There is a vacant lot and a house on either side of her property.

Dale Wheatley, seller of the property, was sworn in and testified in behalf of the applicant, stating that the Board has

granted other manufactured homes in the area.

There were no parties present in opposition.

Motion was made by Mr. Callaway, seconded by Mr. Wheatley and carried unanimously that the special use exception be granted.

Case No. 5423--Steven & Lisa Toomey - North side of Route 74, at the intersection of Route 442.

A special use exception to place a manufactured home on a medical hardship basis.

The case was presented by Mr. Betts. Steven and Lisa Toomey were sworn in and testified, requesting to place a new, 28'x 60' or 28'x 76' manufactured home on their property on basis of hardship. There is an existing single-wide manufactured home on the property that they will use for their friend they are going to care for. They will live in the new double-wide manufactured home. They stated their family had previously cared for the friend.

There were no parties present in opposition.

The Chairman explained that if approved, they would have to reapply every two years and remove the manufactured home when the hardship ceases.

Motion was made by Mr. Mills, seconded by Mrs. Hudson and carried unanimously that the special use exception be granted on the basis of hardship for a period of two (2) years.

Case No. 5424--Sherita Knight & Prentis Doughty - South side of Route 565, 3/4 mile west of Route 213.

A special use exception to place a manufactured home in an AR-1 District on less than five acres for a permanent residence.

The case was presented by Mr. Betts. Sherita Knight and Prentis Doughty were sworn in and testified, requesting to place a 1994, 14'x 80' manufactured home on property for their use. They stated there are other manufactured homes in the area. They stated they are purchasing the property from Kenneth Wilson.

Walter Price was sworn in and testified, questioning what is going on the property. He was concerned about a rumor that a kennel is to go on the property.

The applicants stated that no kennel is going on the property.

There were no parties present in opposition.

Motion was made by Mr. Callaway, seconded by Mr. Mills and carried unanimously that the special use exception be granted.

Case No. 5425--Mark Brittingham & Lisa Webb - North side of Route 471, 1,000 feet west of Route 432.

A special use exception to place a manufactured home in an AR-1 District on less than five acres for a permanent residence.

The case was presented by Mr. Betts. Mark Brittingham and Lisa Webb were sworn in and testified and were represented by John Sergovic, Attorney. The applicant requested to place a used double-wide manufactured home on property they are purchasing from James Brooks Mears, for their residence. Mr. Sergovic showed tax maps of the property and referenced other applications that have come before the Board, located in the same area. Mr. Sergovic questioned Mr. Brittingham who is a salesman for Beacon Homes. Mr. Brittingham explained the difference between manufactured homes and modulars. It was stated there would be an approximate \$2,000.00 difference in cost. It was stated that the location is a mixed area of both.

James B. Mears, Jr. was sworn in and testified in behalf responding to Mr. Sergovic's questions. Mr. Mears, son of the seller stated he has no ownership in the property. He feels a manufactured home will be an improvement to the area. He explained what exists in the area referencing chicken houses and a dirt hole. He stated he lives in a brick home and does not feel the manufactured home will devalue his property.

Rodney Mears was sworn in and testified in behalf, stating he lives 1 to 1½ miles away, in a Nanticoke Home. He feels the manufactured home will not have an adverse affect on the area. He stated it would be approximately 300 yards from the nearest Conaway farm.

Lorne Brasure was sworn in and testified in behalf of the applicant, stating he had an application on the agenda for a manufactured home too. He stated there is a cost of \$2,000.00 difference from a modular and he feels he will get more for the money with a manufactured home.

Mr. Sergovic referenced other hearings and the tax map parcels that were approved for manufactured homes. Copies of Finding of Facts of those hearings were presented. He feels the manufactured home will have no adverse impact on the area.

A letter was received from a person that was denied by the Board of Adjustment in the same area.

Dione Baker, Michael Townsend, Theresa Townsend, Sharon A. White, Wanda Layton and Phillip Lowe were sworn in and testified that they are in favor of the application.

Gary Lee Conaway was sworn in and testified in opposition and presented maps showing properties in the area. Also a petition with 40 signatures of people within a one mile radius. He stated Mr. Mears has enough property to create five acre parcels. He feels Mr. Mears could create more lots. He read from a prepared statement. He feels the County should follow their laws.

Roger W. Mitchell was sworn in and testified in opposition. He questioned Mr. Mears sons not being directly involved in the estate.

now, but will be someday. Mr. Mitchell owns 20 acres with a training track and does not want people trespassing on his property for his safety and theirs. He does not want a manufactured home park in the area.

Patricia Oliphant was sworn in and testified in opposition. She stated she and her sister own property in the area. She stated that she does not oppose the people, just the manufactured homes. She feels Mr. Mears has stip lotted the property and she does not feel manufactured homes are the best use for the property. She stated that there are six applications within six months. She questioned the land use.

Robert J. Timmons, owner of adjacent property was sworn in and testified in opposition. He stated that he had been before the Board before in opposition. He feels they should go with five acres.

Michael A. Betts was sworn in and testified in opposition stating he purchased land from Mr. Mears and was told at that time he would have to build a stick built house within five years, and he has built his home and his manufactured home is to be moved off the land. He feels you can tell the difference between a manufactured home and a modular and if there is only \$2,000.00 difference, it would be better to go with a modular.

Timothy Wade Mylan was sworn in and testified that he bought land from Granville Conaway for a home. He testified he was not before the Board to protest at previous hearings, because he was told by Mr. Mears that there would be no manufactured homes. He feels they will devalue property.

James L. Marvel was sworn in and testified in opposition, stating this was the third time before the Board for the same reasons. He wants to have his farm (250 acres) preserved by the State of Delaware and he feels if too many people move around the property it could prevent this. Also could cause problems with chicken houses in the area if Mr. Mears continues to develop. He read from an Al Johnson News Article pertaining to farmland and strip development.

Granville L. Conaway was sworn in and testified in opposition. He presented a layout of property in the area. He referenced land fills in the area and trailer parks. He feels if Mr. Mears wants a trailer park he has other property. He has 450 acres being tilled.

Bruce Edward Killen was sworn in and testified in opposition. He feels there should be a stipulation within five years to stick-build a home, with property Mr. Mears is selling. He feels Mr. Mears has other land near himself and his sons he could develop for manufactured homes.

Dorothy Conaway was sworn in and testified in opposition and read a random copy of a contract referencing cost, financing and future with manufactured homes.

Mr. Betts read a letter of opposition to this case and Case No. 5429 from, Dean A. & Donna Wootten. He also read a petition of opposition with 42 signatures, and a notorized statement from James B. Mears, Sr.

In rebuttal, Mr. Sergovic requested all testimony from this case be incorporated into Case No. 5492.

Mr. Jones stated that would be done when Case No. 5492 was heard.

Mr. Sergovic questioned Mr. Brittingham further about manufactured homes and modulars. He presented a document between Mr. Mears and Ronald Mason referencing five years and feels it was a five year lease. He questioned if there would be an adverse impact with manufactured homes on the lots since the Board already found four did not adversely affect the area.

Mr. Mitchell stated he does not want anymore neighbors. He feels the use will not affect the people in favor, but all of the property owners around.

Judith Mitchell was sworn in and testified in opposition stating a manufactured home has a title and depreciates just like a car.

Ms. Oliphant questioned the statement read by Mr. Betts from Mr. Mears and wanted to know if the heirs or others are bound by that statement. She questioned the time limit on a special use exception, and if it could be passed on to someone else. She feels too many exceptions have been made and they should stick to the Code.

Mr. Betts stated that there are eight homes and 4 manufactured homes within a  $\frac{1}{2}$  mile of the development.

Crystal Conaway was sworn in and testified in opposition, stating when Mr. Conaway sold his lots, the property was wooded. She feels Mr. Mears has 55 acres by him he could use.

Dorothy Conaway questioned if others could strip develop and questioned what it would look like if it was done. She stated in five years you could see what depreciates.

Motion was made by Mrs. Hudson, seconded by Mr. Mills and carried unanimously that the case be taken under advisement.

At the conclusion of the public hearings, the chairman referred back to this case. Motion was made by Mr. Mills, seconded by Mr. Wheatley and carried unanimously that the case be tabled.

Case No. 5426--Oby Lee Coffee Roastery - South side of Route One-  
A, 165.56 feet north of Route One, Lots  
3, 4, and 6, Block A, within Lincoln Park.

A variance from the front yard setback requirement.

The case was presented by Mr. Betts. Amy E. Arnold and Oby Lee Gale were sworn in and testified representing the application, requesting a 15' variance from the front yard setback requirement for a deck. The deck and handicap ramp needed for customer entrance on newly remodeled building, encroach into the setback. The addition will be no closer to the road than the existing porch. The property being Lots 3, 4 and 6 in Lincoln Park.

Mr. Betts read letters that were presented in favor from neighbors, Ann W. Newton, Frances Ann Motel; Jeffrey E. Zerby, Sr., Boardwalk Plaza Hotel and Elizabeth Hobbs.

Robert Witsil, Attorney, testified as a citizen, not an attorney, in favor of the variance. He testified he lives in Rehoboth. He stated it is a unique shaped property.

There were no parties present in opposition.

Motion was made by Mr. Callaway, seconded by Mr. Mills and carried unanimously that the variance be granted.

Case No. 5427--Roy Z. & Margaret R. Eby - North side of Route 36,  
¼ mile southwest of Route 628, Lot F,  
lands of Thomas J., Jr. & Cora Tennefoss.

A special use exception to operate a Bed and  
Breakfast Inn.

The case was presented by Mr. Betts. Roy and Margaret Eby and Olive and Roy Mast were present in behalf of the application and affirmed. Mr. & Mrs. Eby were represented by Robert Witsil, Attorney. The applicants requested to operate a Bed and Breakfast Inn on Lot F, Lands of Thomas J., Jr. & Cora Tennefoss. It was explained that Mr. & Mrs. Tennefoss no longer own the property. Pictures were presented and explained what is in the area. The Fire Marshall and Division of Public Health have approved the request. Several letters in favor of the request, seven signed by immediate neighbors were presented. It was stated that there is no high traffic generated, will not adversely affect the area and will have only six over night guests. Mr. Witsil stated there may be some question that the use might become a Group Home, but it will in fact be a Bed and Breakfast Inn. He stated that the Bed and Breakfast Inn will be managed by Olive and Roy Mast.

Mr. Betts read one of the seven form letters in favor.

Truman Schrock was present and affirmed. He stated he is a brother to Olive Mast. He stated he has sympathy for mentally retarded people, since he has a brother who is mentally ill, but would hate to see a Group Home in the Community. He stated if it meets the concerns he has no problem with the Bed and Breakfast, but no unsupervised home.

Mr. Jones stated that the Bed and Breakfast is for quests and not residents.

Mr. Schrock stated that with the exclamation made by Mr. Jones, he is in favor.

There were no parties present in opposition.

Motion was made by Mr. Wheatley, seconded by Mr. Callaway and carried unanimously that the special use exception be granted, with the stipulation the use be a Bed and Breakfast Inn and not a Group Home.

Case No. 5428--Randolph I. & Susan Penuel- North side of Route 74,  
one mile east of Route 447.

A special use exception to place a manufactured home in an AR-1 District on less than five acres for a permanent residence.

The case was presented by Mr. Betts. Randolph & Susan Penuel were sworn in and testified, requesting to place a 1995, 28'x 70' manufactured home on property for their residence. They testified that there are other manufactuerd homes in the area.

There were no parties present in opposition.

Motion was made by Mrs. Hudson, seconded by Mr. Wheatley and carried unanimously that the special use exception be granted.

Case No. 5429--Lorne Brasure - North side of Route 471,  $\frac{1}{4}$  mile west  
of Route 432.

A special use exception to place a manufactured home in an AR-1 District on less than five acres for a permanent residence.

The case was presented by Mr. Betts. Lorne Brasure sworn in on Case No. 5425 testified and was represented by John Sergovic, Attorney. Mr. Brasure requested to place a manufactured home on property he is purchasing from James Brooks Mears, for his residence. Mr. Sergovic requested that all testimony from Case No. 5425 be incorporated into this case. Mr. Brasure stated that he wants to put a manufactured home on the property. He stated it will cost less than a modular home. He stated he is not opposed to chicken houses being in the area. He will put the manufactured home on a foundation. He does not oppose planting or farmland in the area. Mr. Brasure stated the manufactured home will look like a home.

Rodney Mears sworn in on Case No. 5425 stated that there are 14 homes and 10 manufactured homes from end to end on Route 471.

Mr. Sergovic stated that manufactured homes are affordable housing for young people.

Mr. Brasure stated he will place a 1995, 26'x 52' manufactured home on the property. He presented a plan of the unit.

Mark Brittingham applicant of Case No. 5425 answered questions from Mr. Sergovic in regards to manufactured homes and modulars.

Mr. Jones, Attorney, stated that all testimony and exhibits from Case No. 5425 be incorporatated into this case.

Dorothy Conaway sworn in on Case No. 5425 was in opposition to this application also. She stated that 87 manufactured homes within a radius of their land are Mr. Mears. She stated there is nothing personal and she was in favor of Mr. Mears park when it was started.

Patricia Oliphant sworn in on Case No. 5425 was in opposition to this application. She referenced property owned by Mr. Mears.

She stated that if manufactured homes are equal to houses, then the County needs to change their rules. She stated they need to live within the rules.

Michael Betts sworn in on Case No. 5425 testified in opposition to this case. He stated that there are 6 stick built homes on the road and some manufactured homes on five acres, as much as half.

Donald Murray was sworn in and testified that he has bought Lot 6 in the development for his daughter to have a manufactured home (hearing forth coming). He feels Mr. Mears is giving young people a chance.

Granville Conaway sworn in on Case No. 5425 testified in opposition to this case. He stated that the Board should take into consideration the property owners who are in opposition, since they have to live with it.

Gary Conaway sworn in on Case No. 5425 testified in opposition to this case and stated he hates to see prime farmland wasted. He sees no reason the five acre law cannot be met, since Mr. Mears has enough land.

Tammy Betts was sworn in and testified in opposition stating they built a home and are trying to sell their manufactured home. She stated their manufactured home cannot be found in the blue books. They paid \$21,000.00 and will have to take an \$8,000.00 loss.

Motion was made by Mrs. Hudson, seconded by Mr. Wheatley and carried unanimously that the case be taken under advisement.

At the conclusion of the public hearings, the Chairman referred back to this case. Motion was made by Mr. Mills, seconded by Mr. Wheatley and carried unanimously that the case be tabled.

Case No. 5430--Papillion Island Trust - West end of Route 50A, 0.8  
mile west of Route One.

A special use exception to place a manufactured home type structure for a sales office.

The case was presented by Mr. Betts. There were no parties present in behalf of this application.

The Chairman tabled the case until the end of the public hearings to give the applicant or a representative a chance to appear.

At the conclusion of the public hearings, the Chairman referred back to this case. There were no parties present representing this case.

Motion was made by Mr. Callaway, seconded by Mr. Mills and carried unanimously that the special use exception be denied, due to no one being present representing this case and it cannot be reapplied for for one (1) year.

OLD BUSINESS

Case No. 5401 (cont'd.)--Robert I. Kaplan - Southeast side of Terrace Road, 93.5 feet northwest of Route One, Lot 23, Blk. C, Silve Lake Manor.

A variance from the minimum lot size requirement for a duplex and a variance from the height requirement for a fence.

The case was reviewed by Mr. Betts.

After some discussion, motion was made by Mr. Callaway, seconded by Mr. Mills and carried unanimously that the variances be granted, finding the uses will not adversely affect the neighboring properties.

Case No. 5410 (cont'd.)--Russell & Laura Hastings - North side of Route 515, at the intersection with Route 510.

A special use exception to place a second manufactured home on farm.

The case was reviewed by Mr. Betts.

Mr. Jones referenced the Zoning Code pertaining to relative on farm. He stated that the request cannot be granted as a second on farm, since the relative is not an immediate family member. The applicants could reapply on hardship basis.

Motion was made by Mr. Callaway, seconded by Mrs. Hudson and carried unanimously that the special use exception be denied, and the applicants be allowed to reapply for a hardship case and the fee be waived. They requested a letter be sent to the applicants.

Case No. 5415 (cont'd.)--Cornelis & Cornelia Dekievit - West side of Route One, 2 miles south of Route 26, on the east side of Belle Road, 490 feet north of Hassell Avenue, Lot 37, within Bay View Park.

A variance from the side yard setback requirement.

The case was presented by Mr. Betts.

After some discussion, motion was made by Mr. Callaway, seconded by Mr. Mills and carried unanimously that the variance be granted.

Case No. 5388 (cont'd.)--Michael Townsend, Sr. - North side of Route 471, ¼ mile west of Route 432, Lot No. 5.

A special use exception to place a manufactured home in an AR-1 District on less than five acres for a permanent residence.

The case was presented by Mr. Betts.

Motion was made by Mr. Mills, seconded by Mr. Wheatley and carried unanimously that the case be tabled.

OTHER BUSINESS

Case No. 5386--Thomas Shelar

Request for rehearing.

Mr. Betts stated that he had received a letter from Mr. Shelar requesting a rehearing on Case No. 5386, a request for a special use exception to place a manufactured home. The case was denied by the Board. Mr. Betts read the letter into the record.

After some discussion, motion was made by Mr. Callaway, seconded by Mr. Mills and carried unanimously that the request for a rehearing on Case No. 5386 be denied, finding the applicant had not met the requirements for granting a rehearing and no new evidence was presented.

Motion was made by Mr. Mills, seconded by Mrs. Hudson and carried unanimously that the meeting be adjourned.

Meeting adjourned at 10:28 P. M.