

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: RACHEL HUGHES

Case No. 10758 – 2011

A hearing was held after due notice on February 28, 2011. The Board members present were: Mr. Dale Callaway, Mr. Ronald McCabe, Mr. John Mills, Mr. Brent Workman and Mr. Jeff Hudson.

Nature of the Proceedings

This is an application for a variance from the rear yard setback requirement.

Finding of Facts

The Board found that the Applicant was seeking a variance from rear yard setback requirements east of Road 273A (Bald Eagle Road), east of Crazy Lane, Lot B, Section AA, Bay Vista. The Applicant was requesting a 2' variance from the required 10' rear yard setback for a second floor enclosed porch. After a hearing, the Board made the following findings of fact:

1. The Applicant has owned the property for 10 years and has refinanced twice since the purchase. A recently completed survey revealed a previously-unknown encroachment.
2. A certificate of compliance was issued in 1987 for the dwelling and all building permits for the property have such certificates.
3. The Board determined that the application generally met the standards for granting a variance.
4. No persons appeared in opposition.

The Board granted the requested variance.

Decision of the Board

Upon motion duly made and seconded, the application was granted. The Board members voting in favor were: Mr. Callaway, Mr. McCabe, Mr. Mills, Mr. Workman and Mr. Hudson; voting against – none.

BOARD OF ADJUSTMENT
OF SUSSEX COUNTY



Dale Callaway
Chairman

If the use is not established within one (1)
year from the date below the application
becomes void.

Date March 29, 2011