

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: AMY R. FRIES AND MARK L. EISENHOWER

Case No. 10767 – 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 side yard and rear yard setback requirements.

Finding of Facts

The Board found that the Applicant was seeking a variance from side yard and rear yard setback requirements south of Route 1, northwest of Dodd Avenue, Lot 12, Block B, Ann Acres. The Applicant was requesting a 5' variance from the required 10' side yard setback for a dwelling, a 4.76' variance from the required 5' setback, and a 1.15' variance from the required 5' rear yard setback for an existing shed. After a hearing, the Board made the following findings of fact:

1. The existing dwelling was constructed in the 1950s and straddles two lots. The Applicant wishes to relocate the dwelling on to Lot 12, and free up the other lot.
2. The existing dwelling measures 34'x34', which is relatively small for a dwelling by comparison, but the dwelling still cannot fit on a single lot without a variance. The only alternative would be to tear the structure down.
3. The Applicant also wishes to move an existing shed which has similarly been located on the property since the 1950's.
4. The proposed variance exists as to the interior property line only.
5. The Board determined that the variance would not alter the essential character of the neighborhood and was the minimum necessary to afford relief.
6. The Applicant's neighbor approves of the variance, and no persons appeared in opposition.

The Board granted the requested variances.

Decision of the Board

Upon motion duly made and seconded, the application was granted. The Board member 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