

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: DENNIS TONER

Case No. 10776 – 2011

A hearing was held after due notice on March 7, 2011. The Board members present were: Mr. Dale Callaway, Mr. Ronald McCabe, Mr. John Mills, and Mr. Jeff Hudson.

Nature of the Proceedings

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

Finding of Facts

The Board found that the Applicant was seeking a variance from front yard setback requirements north of Canal Crossing Road, east of Fillingame Way, Lot 60, Canal Corkran. The Applicant was requesting a 2' variance from the required 30' front yard setback. After a hearing, the Board made the following findings of fact:

1. The dwelling was constructed approximately 5 years ago, and the Applicant wishes to expand it to include an office/study.
2. The proposed addition is to measure 17'x13½', and only a small portion (approximately 20 square feet) of the addition will encroach.
3. The proposed location is the only one that fits within the general floor plan of the dwelling.
4. The Board determined that the variance would not alter the essential character of the neighborhood and was the minimum necessary to afford relief.
5. No persons appeared in opposition, and the owners' association approves.

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 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 April 15, 2011