

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: TOMMY AND ELAINE STEPNEY

Case No. 10780 – 2011

A hearing was held after due notice on April 4, 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 corner side yard setback requirement.

Finding of Facts

The Board found that the Applicant was seeking a variance from corner side yard setback requirements west of Route 24, at the corner of Wandering Lane and Pickwicke Road, Lot 82, Fox Hollow. The Applicant was requesting a 12' variance from the required 15' side yard setback. After a hearing, the Board made the following findings of fact:

1. The Applicant obtained a building permit for a shed, which referenced the required 15' side yard setback. However, the Applicant assumed the street to be the property line, leading to the shed having been placed in violation of the setback.
2. The Applicant explained that she was able to obtain the building permit through the mail, and therefore was unable to question the permit.
3. An existing septic drain field and swimming pool prevent the shed from being moved into compliance. The lot is an odd shaped corner lot, with a limited building area.
4. No persons appeared in opposition.
5. The Board found that the application generally met the standards for granting a variance.

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 May 9, 2011