

**BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY**

**IN RE: JOSEPH ANGLE**

**Case No. 10783 – 2011**

A hearing was held after due notice on April 18, 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 south of Route 54 (Lighthouse Road), northwest of Sunflower Blvd, Lot 226, Phase VIII, Americana Bayside. The Applicant was requesting a 4.8' variance from the required 10' rear yard setback for a proposed screened porch on an existing deck. After a hearing, the Board made the following findings of fact:

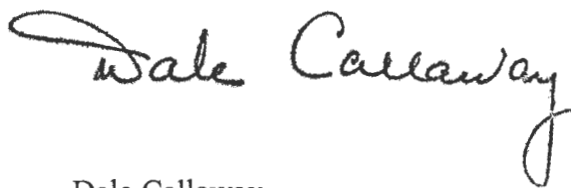
1. The Applicant purchased the property with a small porch and deck in place, but wishes to enclose an additional 8'x14' portion. That will create the need for a variance.
2. The Applicant acknowledged that the requirements for a variance could not be met, and that this was simply an improvement that was desired.
3. The Board determined that the Applicant did not prove the existence of a practical difficulty. There was nothing unique about the property, it was in the same condition in which it was purchased, it was being reasonably utilized without the variance requested, and the requested variance was unnecessary.

The Board denied the request for the variance.

Decision of the Board

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

**BOARD OF ADJUSTMENT  
OF SUSSEX COUNTY**



Dale Callaway  
Chairman

Date May 24, 2011