

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: DALE SIPPLE

Case No. 10798 – 2011

A hearing was held after due notice on May 16, 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 front yard setback requirement.

Finding of Facts

The Board found that the Applicant was seeking a variance from front yard setback requirements southwest of Route 1 at the east corner of Gainsborough Drive and Dartmouth Drive, Lot 1, Rolling Meadows. The Applicant was requesting a 5' variance from the required 30' front yard setback for an existing attached garage addition. After a hearing, the Board made the following findings of fact:

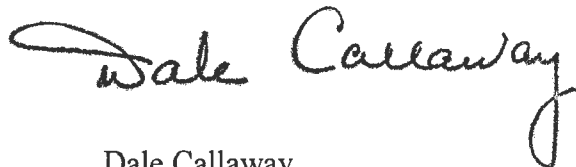
1. The Applicant is an animal trapper and needs additional storage space for traps and miscellaneous equipment.
2. The Applicant's builder obtained a permit for the addition, and did not take appropriate steps to ensure compliance with setbacks. The Applicant was unaware of the encroachment until receipt of a Notice of Violation from Planning & Zoning.
3. The structure cannot be seen from the road. The lot is a corner lot, with greater setbacks, and the structure does not encroach into the setback adjacent to any other neighbor.
4. The Board determined that the variance was necessary to enable reasonable use of the property, that it will not alter the essential character of the neighborhood, that it was created not by the Applicant, but by a contractor hired to build the addition, and was the minimum necessary to afford relief.
5. The Homeowners' Association supports the application and 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 June 20, 2011.