

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: FRANCIS G. AND MARY LOU BENTZ AND JENNIE M. BENTZ
Case No. 10804 – 2011

A hearing was held after due notice on June 20, 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 setback requirement.

Finding of Facts

The Board found that the Applicant was seeking a variance from side yard setback requirements southwest of Road 368 (Beaver Dam Road), south of Ocean Air Drive, Lot 16, Ocean Air. The Applicant was requesting a 3.1' variance from the required 10' side yard setback for an existing manufactured home. After a hearing, the Board made the following findings of fact:

1. The Applicant purchased the property in April 2011, as a result of a foreclosure.
2. A survey completed in connection with the Applicant's purchase revealed an encroachment which had not been previously discovered. The manufactured home has been on the property since 1985.
3. The Board found that the Applicant met the standards for granting a variance. There was a practical difficulty not created by the Applicant, a variance was necessary to continue reasonable use of the property, a variance will not alter essential character of the neighborhood, and the requested variance is the minimum necessary to afford relief.
4. 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 July 20, 2011.