

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: TURNSTONE BUILDERS

Case No. 10809 – 2011

A hearing was held after due notice on July 11, 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 and rear yard setback requirements.

Finding of Facts

The Board found that the Applicant was seeking a variance from side yard and rear yard setback requirements east of Route 1 (Coastal Highway) at the southwest corner of Collins Avenue and Mary Avenue, Lot 5, Indian Beach Surf Club. The Applicant was requesting a 5' variance from the required 15' side yard setback and a 1' variance from the required 6' rear yard setback for a proposed in-ground pool. After a hearing, the Board made the following findings of fact:

1. The dwelling was built as a spec home. Lots in the subdivision are relatively small, but extremely expensive, and the Applicant wishes to build the pool to add enough value to cover the cost of the property.
2. There are a number of pools on lots throughout the development. The Applicant's pool will measure 16'x25'.
3. The property fronts on Mary Avenue, which is not a street used by vehicles. It is simply a pedestrian access that was never paved.
4. The Board determined that the variances will not alter the essential character of the neighborhood as there are a number of other variances nearby, as well as other pools.

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 August 15, 2011.