

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

**IN RE: ALBERT J. AND JACQUELINE M. LISIEWSKI Case No. 10816 – 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 front yard and side yard setback requirements.

Finding of Facts

The Board found that the Applicant was seeking a variance from front yard and side yard setback requirements east of Road 297 (Oak Orchard Road), northwest of Basin Road Drive, Lot 88, Fagan and Delaware Oyster Farms Development. The Applicant was requesting a 12.2' variance from the required 30' front yard setback and a 4.8' variance from the required 10' side yard setback for an existing dwelling. After a hearing, the Board made the following findings of fact:

1. The dwelling was built in 1971. A recent survey prepared for a closing revealed the existing encroachments.
2. Numerous variances have been granted in the area, as the lots are only 50' wide making improvements difficult.
3. The Applicant intends to remove the shed or put it into compliance.
4. The Board determined that the application generally met the standards for granting a variance. The encroachments present a practical difficulty not created by the Applicant, the variances are necessary to allow reasonable use of the property, and the variances will not alter the essential character of the neighborhood.
5. No persons appeared in opposition.

The Board granted the requested variances.

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.