

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: REBEKAH L. ELBOURN

Case No. 10819 – 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 yard setback requirement.

Finding of Facts

The Board found that the Applicant was seeking a variance from side yard setback requirements west of Road 5, 940' north of Route 9. The Applicant was requesting a 3' variance from the required 10' side yard setback for an existing accessory structure. After a hearing, the Board made the following findings of fact:

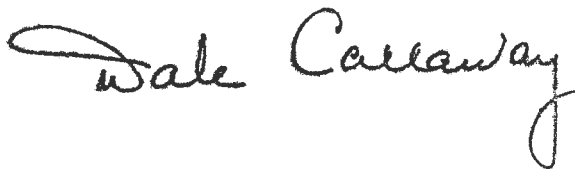
1. All of the improvements on the property have been present since 2002, and a Certificate of Occupancy was issued by the County.
2. A recent survey revealed the encroachments, none of which were created by the Applicant.
3. The property cannot be reasonably utilized without a variance, the variance is minimal, the lot is unique in size, and the variance will not alter the essential character of the neighborhood.
4. The Board determined that the application generally met the standards for granting a variance.
5. 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 August 15, 2011