BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: **JASPER WOMACH**   Case No. 10829 – 2011

A hearing was held after due notice on July 25, 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 west of Route 1 (Coastal Highway), at the southeast corner of Gateway Drive and Manor Drive, Lot 9, Country Manor. The Applicant was requesting a 0.22' variance from the required 30' front yard setback for a non-conforming dwelling and a 5.56' variance from the required 30' front yard setback for a proposed pergola. After a hearing, the Board made the following findings of fact:

1.   The dwelling was built in the 1960s. The Applicant wishes to replace an existing porch with a pergola which will improve the appearance of the dwelling and the neighborhood itself.
2.   The Board determined that the application generally met the standards for granting a variance. There was a difficulty created not by the Applicant, but by the original placement of the house before a setback had been established. The front porch is in disrepair and the replacement structure will enable reasonable use of the property. The variance will not alter the essential character of the neighborhood and is the minimum necessary to afford relief.
3.   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 September 8, 2011 .