

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

**IN RE: JESSICA CAMPBELL RAMIREZ**

**Case No. 10832 – 2011**

A hearing was held after due notice on August 8, 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 rear yard and side yard setback requirements.

Finding of Facts

The Board found that the Applicant was seeking a variance from rear yard and side yard setback requirements northwest of Road 270 (Wolf Neck Road). The Applicant was requesting a 0.6' variance from the required 5' rear yard setback for an existing shed, a 2.2' variance from the required 5' rear yard setback, and a 3' variance from the required 5' side yard setback for an existing block building. After a hearing, the Board made the following findings of fact:

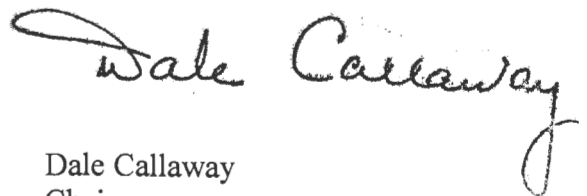
1. The Applicant purchased the property in 2008 with the offending structures already in place.
2. The block building was apparently built sometime in the 1970s. A survey recently completely revealed the encroachments.
3. Both of the buildings are set on block foundations and would be difficult to move.
4. The Board noted that a neighbor's garage also encroaches at the same corner, and that another encroaching shed has been removed. There are other variances in the neighborhood as well.
5. The Board determined that the application met the standards for granting a variance. The difficulty was not created by the Applicant, the existence of the structures for many years is part of the reasonable use of the property, the existence of the structures has not altered the character of the area, and the requested variances are the minimum necessary to afford relief.
6. 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 September 27, 2011