

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

**IN RE: CHARLES V. RECTOR**

**Case No. 10848 – 2011**

A hearing was held after due notice on September 12, 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 minimum square footage and lot width requirement for two (2) parcels.

Finding of Facts

The Board found that the Applicant was seeking a variance from minimum square footage and lot width requirements for two parcels northeast of Road 361, 100' southeast of Road 368. The Board found that the Applicant was requesting a 2,020.6 sq. ft. variance from the required 20,000 sq. ft. minimum lot size requirement, and 13.86' and 16.33' variances from the required 150' lot width requirement for two parcels. After a hearing, the Board made the following findings of fact:

1. The Applicant has an existing parcel of approximately 1 acre with an existing dwelling. He wishes to subdivide and build a new dwelling on the vacant lot.
2. The Applicant claims that the prior owner told him there would be no problem with subdividing, but the Applicant did not seek to confirm that with the County. The testimony also suggested that the Applicant's purpose in purchasing the property was to subdivide.
3. The Board determined that the application did not meet the standards for granting a variance. It was clear that the property is being properly utilized without variances, and the difficulty offered to support the variances being requested was essentially self-created. In addition, there is nothing unique about the lot itself that would prompt the need for any variances.

The Board denied the requested variances.

Decision of the Board

Upon motion duly made and seconded, the application was denied. The Board members voting in favor of denial were: Mr. Callaway, Mr. McCabe, Mr. Mills, Mr. Workman and Mr. Hudson; voting against denial – none.

**BOARD OF ADJUSTMENT  
OF SUSSEX COUNTY**

  
Dale Callaway  
Chairman

Date October 18, 2011.