

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

**IN RE: BENNETT D. ROBERTSON, LYNN D. WIDDOWSON &  
BRYCE L. WIDDOWSON Case No. 10859 – 2011**

A hearing was held after due notice on September 26, 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 southeast of Road 490, northeast Armiger Drive North, Lot 9, Phase III, Hill 'N Dale. The Applicant was requesting a 10' variance from the required 15' side yard setback for a proposed pole building. After a hearing, the Board made the following findings of fact:

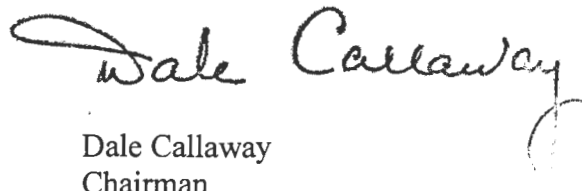
1. The Applicant indicated that because the Homeowners Association would not allow the proposed building to be less than 15' from the property line, a survey had been completed and the Applicant has been able to relocate the building so as not to necessitate a variance.

The Board denied the requested variance as it was no longer necessary.

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 November 8, 2011