

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

**IN RE: VOYD HARMON AND BETTY HARMON**

**(Case No. 10867)**

A hearing was held after due notice on September 26, 2011. The Board members present were: Mr. Dale Callaway, Mr. Jeff Hudson, Mr. Ronald McCabe, Mr. John Mills, and Mr. Brent Workman.

Nature of the Proceedings

This is an application for a variance of the minimum lot width requirement.

Findings of Fact

The Board found that the Applicants were seeking a variance of 4.67 feet from the 150 foot minimum lot width requirement for a parcel. The Applicants have requested that the aforementioned requested variance be granted as it pertains to certain real property located northeast of Road 310A (Warwick Road) approximately 1,282 feet west of Road 313A (Downs Landing Road; said property being identified as Sussex County Tax Map Parcel Number 2-34-33.00-51.00. After a hearing, the Board made the following findings of fact:

1. Voyd Harmon and Teresa Harmon testified on behalf of the Applicants.
2. The Board found that the Applicants sought to subdivide their property to allow for a family member to construct a dwelling on one of the new lots.
3. The Board found that a dwelling exists on the Property.
4. The Board found that the Applicants were unable to produce a survey of the Property at the hearing.
5. No persons appeared in opposition to or in favor of the Application.
6. The Board tabled the case and left the Application open for the Applicants to submit a survey of the proposed subdivision.
7. The Board found that the Property is 295.33 feet wide and could not be subdivided without a variance.
8. The Applicants submitted a proposed subdivision of the Property and the matter was discussed by the Board after due notice at the Board's hearing on December 12, 2011.
9. Based on the findings above and the testimony presented at the public hearing, the Board determined that the application met the standards for granting a variance. The variance would not alter the character of the neighborhood. The variance is the minimum relief necessary to afford relief.

The Board granted the variance application finding that it met the standards for granting a variance.

Decision of the Board

Upon motion duly made and seconded, the application was granted. The Board Members in favor were Mr. Dale Callaway, Mr. Jeff Hudson, Mr. Ronald McCabe, Mr. John Mills, and Mr. Brent Workman. No Members of the Board voted in opposition to the Application.

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 March 21, 2012.