

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: ARTHUR LENZI

Case No. 10888 – 2011

A hearing was held after due notice on October 17, 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 and side yard setback requirements.

Finding of Facts

The Board found that the Applicant was seeking a variance from front yard and side yard setback requirements east of Route 5 (Oak Orchard Road), southwest of Forest Drive, approximately 700' northwest of Delaware Avenue and Basin Road, Lot 16, Blue Hen Oyster Farms. The Applicant was requesting a 20' variance from the required 30' front yard setback and a 2' variance from the required 10' side yard setback for a proposed manufactured home. After a hearing, the Board made the following findings of fact:

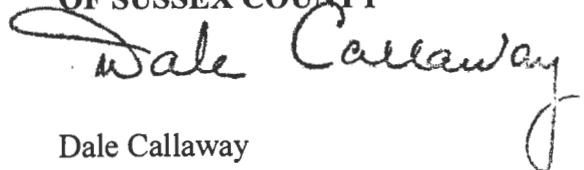
1. The development itself was created in the 1960s. The lot at issue measures just 54'x90'. A variance had been granted in 1983 for a singlewide mobile home.
2. The Applicant wishes to upgrade and place a doublewide on the property. The Applicant already owns the unit and it is currently located elsewhere.
3. The variance will allow for off-street parking, and there have been numerous variances granted in the development.
4. It is unlikely that any structure could be set on the property without a variance.
5. The Board determined that the Application met the standards for granting a variance. The lot was unique in size, and given the fact that variances were necessary to place a singlewide mobile home, it is unreasonable to believe that a doublewide, providing an upgrade to the area, could be granted without a variance.
6. The variance will allow for the reasonable use of the property, will not alter the essential character of the neighborhood, and is the minimum necessary to afford relief.
7. Thomas McKinney, the owner of the adjacent property, testified in support of the Application. No persons appeared in opposition.

The Board granted the 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 December 14, 2011.