

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: COLBY AND DANIELLE DRANSFIELD Case No. 10891 – 2011

A hearing was held after due notice on November 7, 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 south of Road 277 (Angola Road), East of Woodland Circle, Lot 62 and part of Lot 63, Angola by the Bay. The Applicant was requesting a 1' variance from the required 10' side yard setback for an existing dwelling, a 6.4' variance from the required 10' side yard setback for an existing deck, and a .1' variance from the required 5' side yard setback for an existing shed. After a hearing, the Board made the following findings of fact:

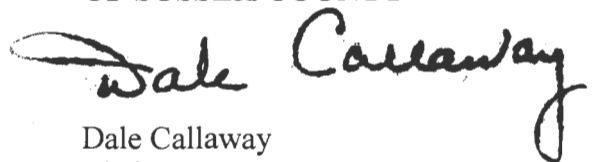
1. The Applicant's lot measures 75'x110', and the dwelling, one of the first to be built in the development, is more than 40 years old.
2. The variances were noted recently on a survey in connection with a transfer.
3. The variances will bring the property into compliance. Any other alternative would create a significant difficulty.
4. The Board found that the Application met the standards for granting a variance. The encroachments were not created by the Applicant, but by predecessors in interest. The variances are necessary to enable the current and reasonable use of the property, the long-time existence of the dwelling indicates that the variances will not be detrimental to the neighborhood, and the variances are the minimum necessary to afford relief.
5. 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 December 28, 2011