

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: MICHAEL AND KATHY NEWCOMB

Case No. 10897 – 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 minimum lot width requirement.

Finding of Facts

The Board found that the Applicant was seeking a variance from minimum lot width requirements northeast of Road 258 (Hudson Road), east of Hudson Street Extended, Lot 27, Creek Falls Farm, Phase III. The Applicant was requesting a 14.99' variance from the required 100' lot width for a parcel. After a hearing, the Board made the following findings of fact:

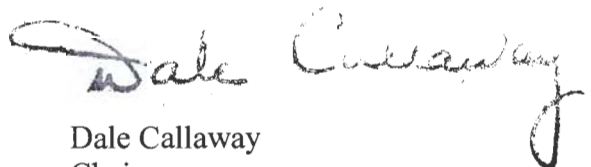
1. The subdivision was created with 110 lots, the great majority of which are approximately $\frac{3}{4}$ acres in size.
2. There were three large lots in the development, two of which have already been subdivided into smaller lots. The Applicant owns the remaining lot, and wishes to subdivide as well.
3. The existing cul-de-sac is the only thing preventing the Applicant from meeting the lot width and other requirements.
4. The Board determined that the Application generally met the standards for granting a variance. The property was unique in terms of its size and the fact that it was much larger than most other lots. That problem was not created by the Applicant, and the subdivision will actually bring the property more in character with the neighborhood.
5. The variance is relatively minimal.
6. No persons appeared in opposition.

The Board granted the requested 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 28, 2011.