

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: BARRY WEIGHALL AND JEANNE WALSH

Case No. 10898 – 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 front yard setback requirement.

Finding of Facts

The Board found that the Applicant was requesting a variance from front yard setback requirements west of Route 5 at the northeast corner of Zachary Taylor Court and Betsy Ross Lane, Lot 23, Independence. The Applicant was requesting a 4.89' variance from the required 25' front yard setback for a proposed extension to an attached garage. After a hearing, the Board made the following findings of fact:

1. The existing garage was built in 2003, and the Applicant wishes to build an extension measuring 9'x18'.
2. The Board determined that the Application generally met the standards for granting a variance. The house was built before the Applicant understood that the larger garage could be constructed.
3. Unfortunately, because the improvements are completed, there is no way to now expand the garage without a variance. The variance is necessary to enable reasonable use of the property, will not alter the essential character of the neighborhood, and is the minimum necessary to afford relief.
4. 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.