

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: GUMBORO VOLUNTEER FIRE CO., INC. (Case No. 10908)

A hearing was held after due notice on December 12, 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 front yard setback requirement.

Findings of Fact

The Board found that the Applicant was seeking a variance of 20 feet from the 100 foot front yard setback requirement for an addition. The Applicant has requested that the aforementioned requested variance be granted as it pertains to certain real property located west of Route 26 (Millsboro Highway) north of Road 424 (Pear Tree Road); said property being identified as Sussex County Tax Map Parcel Number 3-33-11.00-19.00, 20.00, 23.00. After a hearing, the Board made the following findings of fact:

1. Greg Justice and Scott Hoffman testified on behalf of the Applicant. Mr. Justice is a member of the Gumboro Volunteer Fire Company and Mr. Hoffman is a registered professional engineer.
2. David Hutt, Esquire, also appeared on behalf of the Applicant.
3. The Board found that the existing building was initially constructed in the 1960s prior to the implementation of the Sussex County Zoning Code and that the existing building encroaches into the setback requirements.
4. The Board found that the Applicant seeks to construct an addition and that the addition will be located further from the road than the current building.
5. The Board found that the addition as proposed will enable the fire trucks to pull through to the rear of the building and is designed to afford trucks from having to back into the fire station from Route 26. Currently, the trucks have little room to turn on the Property and the increased size of Applicant's vehicles has led to an increased turning radius. The proposed addition will be designed to allow Applicant's vehicles to turn around on site and increase Applicant's ability to respond to emergencies in a timely manner.
6. The Board found that the Applicant has used the Property for operation of its emergency response activities for many years.
7. No persons appeared in opposition to the Application.
8. Ten (10) persons appeared in support of the Application.
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 and it will enable the Applicant to reasonably use the Property.

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