

**BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY**

**IN RE: ERNEST CASTAGNA AND LYNDA CASTAGNA (Case No. 10913)**

A hearing was held after due notice on December 19, 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 and side yard setback requirements.

Findings of Fact

The Board found that the Applicant was seeking a variance of 4.8 feet from the 10 foot side yard setback requirement for a proposed porch and a variance of 1.4 feet from the 10 foot front yard setback requirement for an existing manufactured home. The Applicant has requested that the aforementioned requested variance be granted as it pertains to certain real property located east of north of Route 54 northwest of Mallard Drive, being Lot 62 within Swann Keys development; said property being identified as Sussex County Tax Map Parcel Number 5-33-12.16-84.00. After a hearing, the Board made the following findings of fact:

1. Ernest Castagna and Lynda Castagna testified on behalf of the Applicants.
2. The Board found that the Applicants purchased the Property in 2001.
3. The Board found that the Applicants replaced the manufactured home on the Property in 2005.
4. The Board found that the Applicants propose to construct a porch on the Property that will measure 8 feet by 12 feet and that the proposed porch will allow the Applicants with easier access to their dwelling.
5. The Board found that the Applicants intend to remove existing steps which are separating from the dwelling.
6. The Board found that the Applicants stated that the variances will not interfere with the use of the adjacent property and that the adjacent property owner supports this Application.
7. No persons appeared in opposition or in support of the Application.
8. The Board received a letter of no objection to the Application from Paul Saville who owns a neighboring lot.
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 Property is unique due to the small size of the lot and the variances sought will not alter the essential character of the neighborhood.

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 22, 2012.