

## BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

### IN RE: STEVEN ROYER (Case No. 10921)

A hearing was held after due notice on January 9, 2012. The Board members present were: Mr. Dale Callaway, Mr. Jeff Hudson, Mr. John Mills, Mr. Norman Rickard, and Mr. Brent Workman.

#### Nature of the Proceedings

This is an application for a variance of the side yard and rear yard setback requirements.

#### Findings of Fact

The Board found that the Applicants were seeking a variance of 5 feet from the 10 foot north side yard setback requirement for a covered deck, a variance of 5 feet from the required ten foot south side yard setback requirement for a proposed addition and screened porch, a variance of 5 feet from the required 20 foot rear yard setback requirement for a proposed addition and covered deck, and a variance of 8 feet from the 20 foot rear yard setback requirement for uncovered steps as it pertains to certain real property located south of Route 54, west of Grant Avenue, being Lot 37 within Cape Windsor development; said property being identified as Sussex County Tax Map Parcel Number 5-33-20.18-41.00. After a hearing, the Board made the following findings of fact:

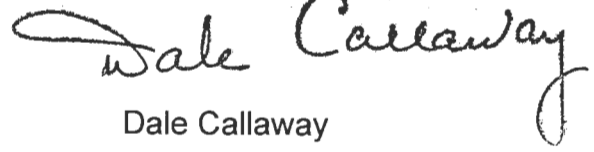
1. The Application was presented by the Applicants Steven Royer and Jennifer Royer.
2. The Applicants purchased the Property in May 2011 and they wish to develop their outdoor living areas near the existing dwelling.
3. The proposed additions meet the development's covenants and restrictions and are similar to other dwellings in the development.
4. The proposed garage expansion is designed for additional storage.
5. The addition will sit on the same footprint as an existing concrete pad.
6. The Applicants would expand a second floor bedroom if the variance was approved.
7. No persons appeared in opposition to the Application.
8. No persons appeared in favor of the Application.
9. The Board originally tabled the Application but rendered its decision at the meeting held on January 23, 2012.
10. Based on the findings above and the testimony presented at the public hearing, the Board determined that the Application failed to meet the standards for granting a variance.

The Board denied the variance application finding that it failed to meet the standards for granting a variance.

#### Decision of the Board

Upon motion duly made and seconded, the application was denied. The Board Members in opposition were Mr. Dale Callaway, Mr. Jeff Hudson, Mr. John Mills, Mr. Norman Rickard, and Mr. Brent Workman. No Board Members voted in favor of 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 February 21, 2012.