

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: LAURA MASON (Case No. 10938)

A hearing was held after due notice on February 6, 2012. The Board members present were: 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 front yard setback requirement.

Findings of Fact

The Board found that the Applicant was seeking a variance of 13 feet from the 30 foot front yard setback requirement for a proposed extension of a front porch. The Applicant has requested that the aforementioned requested variance be granted as it pertains to certain real property located east of Route 1 (Coastal Highway) southeast of Robinson Drive, being Lot 37 within Dodd's Addition development; said property being identified as Sussex County Tax Map Parcel Number 3-34-20.09-35.01. After a hearing, the Board made the following findings of fact:

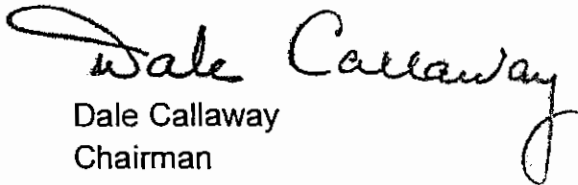
1. Laura Mason and Rick Banning testified on behalf of the Applicant. Mr. Banning is the builder of the proposed porch.
2. The Applicant seeks to extend her front porch so as to allow for handicap accessibility to the dwelling.
3. The Board found that the dwelling was built at the front setback requirement.
4. The Board found that the porch currently only extends four feet from the front of the dwelling and is not practical as intended.
5. The Board found that the porch cannot otherwise be developed to accommodate a wheelchair.
6. The Board found that the Applicant testified that there are other similar porches in the neighborhood.
7. No persons appeared in opposition to or in support of the Application.
8. 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 odd shape of the lot. The difficulty was not caused by the Applicant. The variance sought is the minimum to afford relief and will not alter the essential character of the neighborhood. The variance is needed to enable reasonable use of 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. Jeff Hudson, Mr. John Mills, Mr. Norman Rickard, and Mr. Brent Workman. No Member voted against 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.