

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: JEAN A. WINGENROTH (Case No. 10943)

A hearing was held after due notice on February 20, 2012. The Board members present were: Mr. Dale Callaway, Mr. Jeff Hudson, Mr. Norman Rickard, and Mr. Brent Workman.

Nature of the Proceedings

This is an application for variances of the front yard setback, side yard setback, and maximum lot coverage requirements.

Findings of Fact

The Board found that the Applicant was seeking a variance of 1 foot from the 5 foot side yard setback requirement and a 4 foot variance from the 5 foot front yard setback requirement for an existing deck, and a variance of 350 square feet from the 35% maximum allowable lot coverage requirement for a dwelling in a mobile home park. The Applicant has requested that the aforementioned requested variances be granted as it pertains to certain real property located south of Road 22 (Long Neck Road) southwest of Marsh Clam Lane, being Lot 14B within White House Beach development; said property being identified as Sussex County Tax Map Parcel Number 2-34-30.00-6.00. After a hearing, the Board made the following findings of fact:

1. Bill Wingenroth testified on behalf of the Applicant. Mr. Wingenroth is the Applicant's husband.
2. The Board found that Mr. Wingenroth testified that he and the Applicant built a small deck to have easier access to their home because of medical problems and they installed handrails as well.
3. The Board found that Mr. Wingenroth testified that the Applicant obtained a building permit from Sussex County in July 2010 and that they obtained permission from White House Beach to construct the deck.
4. The Board found that Mr. Wingenroth testified that the Applicant received notice that the deck did not comply with the setback requirements. Mr. Wingenroth also testified that another deck and a shed located on the Property were placed there in the 1970s when the dwelling was placed on the Property.
5. No persons appeared in opposition to the Application.
6. Four (4) persons appeared in support of the Application.
7. Based on the findings above and the testimony presented at the public hearing and the public record, the Board determined that the application met the standards for granting a variance. The Property is unique in size due to its small width. The difficulty was not caused by the Applicant. The variances sought are the minimum to afford relief and will not alter the essential character of the neighborhood. The variances are 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. Dale Callaway, Mr. Jeff Hudson, 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.