

## BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

### IN RE: SCOTT STUMPF (Case No. 10956)

A hearing was held after due notice on March 19, 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 from the separation requirement between units in a mobile home park.

#### Findings of Fact

The Board found that the Applicant was a variance of 10 feet from the required 20 foot separation between units in a mobile home park for a proposed porch. The Applicant has requested that the aforementioned requested variances be granted as it pertains to certain real property located south of Route 1 (Coastal Highway) southeast of Center Avenue, being Lot D57 within Sea Air Mobile Home Park; said property being identified as Sussex County Tax Map Parcel Number 3-34-13.00-310.00. After a hearing, the Board made the following findings of fact:

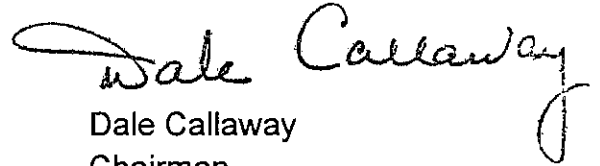
1. The Board found that Scott Stumpf testified on behalf of the Application.
2. The Board found that the Applicant testified that he placed a manufactured home on the last available lot in Sea Air Mobile Home Park and that he would like to construct a porch attached to the unit.
3. The Board found that the Applicant testified that the neighbor's unit is on the lot line and the steps on the neighbor's unit are actually on the Applicant's lot.
4. The Board found that the Applicant testified that a blanket variance granted for the park included the neighbor's steps.
5. The Board found that the Applicant testified that the deck would otherwise meet the setback requirements had the neighbor's unit and steps not encroached into the setback area.
6. The Board found that the Applicant testified that that the lot is unique in size and the difficulty was not created by the Applicant.
7. The Board found that the Applicant testified that most of the homes in the park have porches similar to the one proposed herein.
8. The Board found that the Applicant testified that the variance will enable reasonable use of the property, that it will not alter the character of the neighborhood since there are numerous porches in the park, and that it is the minimum variance to afford relief.
9. The Board found that no parties appeared in opposition to or in support of the Application.
10. The Board tabled its decision on this Application until its meeting on April 2, 2012.
11. At the April 2, 2012, meeting, the Board discussed this case.
12. 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 non-conforming lots adjacent to the Property create a uniqueness to the lot. The variance will enable reasonable use of the Property. The variance will not alter the essential character of the neighborhood and is the minimum variance to afford relief. The need for the variance was not created by the Applicant.

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. 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 April 17, 2012