

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

**IN RE: STEVE LOEFFLER (Case No. 11015)**

A hearing was held after due notice on August 6, 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 variances of the side yard setback requirement.

Findings of Fact

The Board found that the Applicant was seeking a variance of 5 feet from the required 10 foot side yard setback requirement for a proposed manufactured home and a variance of eight feet from the required 10 foot side yard setback requirement for a proposed air conditioning unit, and a variance of 7 feet from the 10 foot side yard setback requirement for a proposed fireplace. The Applicant has requested that the aforementioned requested variance be granted as it pertains to certain real property located north of Route 54 (Lighthouse Road) east of Blue Teal Road, being Lot 28 within Swann Keys development; said property being identified as Sussex County Tax Map Parcel Number 5-33-12.16-488.00. After a hearing, the Board made the following findings of fact:

1. Darrell Grier appeared, testified, and presented the Application to the Board.
2. The Board found that Mr. Grier testified that the proposed manufactured home will serve as the Applicant's residence after retirement.
3. The Board found that Mr. Grier testified that the Property is only forty (40) feet wide and that the lot was not created by the Applicant.
4. The Board found that Mr. Grier testified that the variances will enable reasonable use of the Property.
5. The Board found that Mr. Grier testified that the variances, if granted, will not alter the character of the neighborhood.
6. The Board found that Mr. Grier testified that there are similar uses in the neighborhood.
7. The Board found that Mr. Grier testified that the existing unit measured twenty two (22) feet wide and that the proposed unit measures twenty four (24) feet wide.
8. The Board found that Mr. Grier testified that the proposed unit is the smallest unit possible which affords the Applicant a good floor plan.
9. The Board found that no parties appeared in opposition to or in support of the Application.
10. 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 due to its narrow size. The need for the variance was not created by the Applicant. The variances are necessary to enable reasonable use of the Property. The variances will not alter the essential character of the neighborhood and is the minimum variance to afford relief.

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*

Dale Callaway  
Chairman

If the use is not established within one (1) year from the date below the application becomes void.

Date September 11, 2012.