

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: BRYAN D. DATTILO and ANGELA M. DATTILO (Case No. 11033)

A hearing was held after due notice on August 20, 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 required ten (10) acres or more to place a manufactured home and a variance of the minimum lot width requirement for a parcel.

Findings of Fact

The Board found that the Applicants were seeking a variance from the required ten (10) acres or more to place a manufactured home and a variance of 100 feet from the required 150 foot lot width requirement for a proposed manufactured home. The Applicants have requested that the aforementioned requested variances be granted as it pertains to certain real property located north of Road 505 (Ralphs Road) approximately 3,006 feet west of Road 509 (Susan Beach Road); said property being identified as Sussex County Tax Map Parcel Number 5-32-4.00-10.03. After a hearing, the Board made the following findings of fact:

1. Bryan Dattilo and Jansen Burton were present and sworn in to testify about the Application.
2. The Board found that Mr. Burton testified that the Applicants were approved by the Board in 2009 for the same request but the approval lapsed.
3. The Board found that Mr. Dattilo testified that he was unable to place the manufactured home on the Property within the time frame of the original approval due to financial reasons.
4. The Board found that Mr. Dattilo testified that he has owned the Property for thirty (30) years.
5. The Board found that Mr. Dattilo testified that he subdivided the Property to benefit his children.
6. The Board found that Mr. Dattilo testified that the Property consists of approximately five (5) acres.
7. The Board found that Mr. Dattilo testified that this Application is essentially the same as the application submitted to the Board in 2009.
8. The Board found that Mr. Dattilo testified that he already subdivided a parcel for his daughter.
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 Board previously approved these variances in 2009. The request will not have an adverse effect on neighboring properties.

The Board approved 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 approve. The Board Members voting to approve the Application were Mr. Dale Callaway, Mr. Jeff Hudson, Mr. John Mills, and Mr. Norman Rickard. No Member voted against the Motion to Approve 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 September 11, 2012.