

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: RICHARD SEMONE (Case No. 11065)

A hearing was held after due notice on October 1, 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 side yard setback requirement.

Findings of Fact

The Board found that the Applicant was seeking a variance of 5.6 feet from the required 10 foot side yard setback requirement for a proposed addition to an existing attached garage. The Applicant has requested that the aforementioned requested variance be granted as it pertains to certain real property located northeast of Road 357 north of Bayberry Court, being Lot 51 within Quillen's Point development; said property being identified as Sussex County Tax Map Parcel Number 1-34-5.00-363.00. After a hearing, the Board made the following findings of fact:

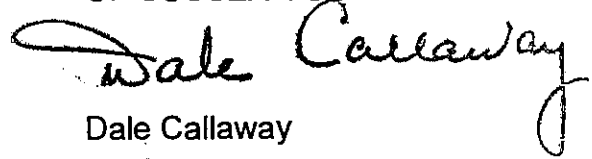
1. Robert Semone and Steven Doyle were sworn in and testified on behalf of the Application.
2. The Board found that Mr. Semone testified that the existing garage was built 10 years ago and that he would like to add a room over the garage.
3. The Board found that Mr. Doyle testified that the Board approved a variance for the Property in 2003.
4. The Board found that Mr. Doyle testified that the existing roof line will not change.
5. The Board found that Mr. Doyle testified that he obtained a building permit for the construction.
6. The Board found that Mr. Doyle testified that the lot is irregular in shape.
7. The Board found that no parties appeared in support of or in opposition to the Application.
8. The Board received four (4) letters in support of the Application.
9. 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 shape. The variance will enable reasonable use of the Property. The variance will not alter the essential character of the neighborhood. The variance sought is the minimum variance to afford relief.

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 approved. 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 November 2, 2012.