

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: IVAN NIKOLOV SABROUTEV (Case No. 11145)

A hearing was held after due notice on January 28, 2013. 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 from the front yard, side yard, and rear yard setback requirements.

Findings of Fact

The Board found that the Applicant was seeking requesting a variance of 2 feet from the 10 feet side yard setback requirement for an existing open deck, a variance of 3.2 feet from the 10 feet side yard setback requirement for an existing manufactured home, a variance of 6.8 feet from the 10 feet rear yard setback requirement for an existing attached garage, a variance 39.6 feet from the 40 feet front yard setback requirement for an existing shed, and a variance of 22.8 feet from the 40 feet front yard setback requirement for an existing shed. The Applicant has requested that the aforementioned requested variances be granted as they pertain to certain real property located northwest of Route 48 (Zoar Road) approximately 1,800 feet south of Road 302A (Avalon Road); said property being identified as Sussex County Tax Map Parcel Number 2-34-15.00-27.01. After a hearing, the Board made the following findings of fact:

1. Ivan Sabroutev was sworn in and testified on behalf of the Application.
2. The Board found that Mr. Sabroutev testified that the manufactured home existed on the Property when his daughter purchased the lot.
3. The Board found that Mr. Sabroutev that he relocated the manufactured home so that he could build a dwelling on the Property.
4. The Board found that Mr. Sabroutev testified that the foundation for the dwelling is constructed.
5. The Board found that Mr. Sabroutev testified that he must sell his property in Bulgaria before he can complete the dwelling.
6. The Board found that Mr. Sabroutev testified that the manufactured home, attached garage, deck and shed will be removed when the dwelling is complete.
7. The Board found that Mr. Sabroutev testified that when he is able to begin construction on the dwelling he will resubmit plans and obtain a new building permit.
8. The Board found that Mr. Sabroutev testified that the sheds currently store materials needed to construct the dwelling.
9. The Board found that Mr. Sabroutev testified that his daughter has owned the Property for four (4) years.
10. The Board found that Mr. Sabroutev testified that the manufactured house has been on the Property before she purchased the Property.
11. The Board found that Mr. Sabroutev testified that his neighbors have no objection to the Application.
12. The Board found that Mr. Sabroutev submitted a statement from his daughter giving him permission to speak on her behalf.
13. The Board found that no parties appeared in support of or in opposition to the Application.
14. 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 since he plans to

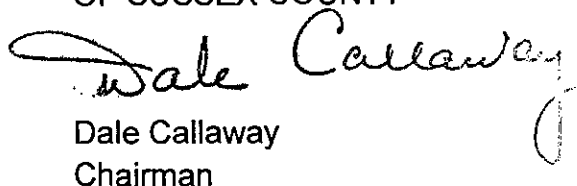
construct a new dwelling. The variance is necessary to enable reasonable use of the Property. The difficulty was not created by the Applicant. The variance will not alter the essential character of the neighborhood. The variance sought is the minimum variance necessary to afford relief.

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, Mr. Norman Rickard, and Mr. Brent Workman. 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 February 19, 2013