

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: MARY ESPOSITO (Case No. 11167)

A hearing was held after due notice on March 4, 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 a variance from the separation requirement between units.

Findings of Fact

The Board found that the Applicant was seeking a variance of 3.6 feet from the 20 feet separation requirement between units, from the unit on Lot 15, and a variance of 2.6 feet from the 20 feet separation requirement between units from the existing deck on Lot 15 in a mobile home park. The Applicant has requested that the aforementioned requested variance be granted as it pertains to certain real property located northwest of Route 24 (John J Williams Highway) 1,275 feet southwest of Route 22 (Long Neck Road), being Lot 16 on Timber Circle within Timber Acres, a Mobile Home Park; said property being identified as Sussex County Tax Map Parcel Number 2-34-23.00-263.00 Unit 41070. After a hearing, the Board made the following findings of fact:

1. Mary Esposito and Edward Davidson were sworn in and testified on behalf of the Application.
2. The Board found that Ms. Esposito testified that the neighboring property (Lot 15) has a unit which is two (2) feet too close to her property and creates the need for the variance.
3. The Board found that Ms. Esposito testified that the unit on the neighboring property has been damaged recently and may be removed from the park.
4. The Board found that Ms. Esposito testified that she leased the Property (Lot 16) and that she placed a manufactured home on the Property in August 2012.
5. The Board found that Ms. Esposito testified that manufactured home on the Property is 26 feet wide.
6. The Board found that Ms. Esposito testified that the previous manufactured home on the Property was a singlewide home.
7. The Board found that Ms. Esposito testified that the manufactured home on Lot 15 is aligned crookedly on the lot.
8. The Board found that Ms. Esposito testified that the installer obtained the permit for the placement of the unit.
9. The Board found that Ms. Esposito testified that the Zoning Inspector made them aware of the encroachment.
10. The Board found that no parties appeared in support of or in opposition to the Application.
11. 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 the neighboring unit is not parallel with the lot line and that the neighboring unit will be removed. The variances are necessary to enable reasonable use of the Property. The difficulty was not created by the Applicant. The variances will not alter the essential character of the neighborhood. The variances sought are the minimum variances 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 April 2, 2013.