

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: TODD STEVEN ERLANDSON (Case No. 11193)

A hearing was held after due notice on April 15, 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 side yard setback requirements.

Findings of Fact

The Board found that the Applicant was seeking a variance of 4 feet from both of the 10 foot side yard setback requirements for a proposed manufactured home, a variance of 7.5 feet from both of the 10 foot side yard setback requirements for proposed steps, and a variance of 8 feet from the 10 foot side yard setback requirement for a proposed air conditioning unit. The Applicant has requested that the aforementioned requested variances be granted as they pertain to certain real property located north of Route 54 (Lighthouse Road) southeast of Blue Teal Drive, being Lot 22 within Swann Keys development; said property being identified as Sussex County Tax Map Parcel Number 5-33-12.16-494.00. After a hearing, the Board made the following findings of fact:


1. Gil Fleming was sworn in to testify about the Application.
2. The Board found that the Office of Planning & Zoning received no letters regarding this Application.
3. The Board found that Mr. Fleming testified that the lot is 40 feet wide and is not wide enough for a doublewide manufactured home.
4. The Board found that Mr. Fleming testified that the proposed manufactured home will measure 28 feet by 72 feet.
5. The Board found that Mr. Fleming testified that very few manufactured homes are even 24 feet wide.
6. The Board found that Mr. Fleming testified that the Property is located within Swann Keys and that homes similar to the one proposed to be placed on the Property are not uncommon in the development.
7. The Board found that Mr. Fleming testified that the development was created as a mobile home park.
8. The Board found that Mr. Fleming testified that the variances will not alter the essential character of the neighborhood.
9. The Board found that Mr. Fleming testified that the lot is unique.
10. The Board found that Mr. Fleming testified that the lot is currently vacant.
11. The Board found that Mr. Fleming testified that there is adequate space for parking on the Property.
12. The Board found that no parties appeared in support of or in opposition to the Application.
13. 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 size as it is only 40 feet wide. The variances are necessary to enable reasonable use of the Property. The difficulty was not created by the Applicants. 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 May 21, 2013.