

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: LIGHTHOUSE SELF STORAGE

(Case No. 11224)

A hearing was held after due notice on June 17, 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 front yard setback requirement.

Findings of Fact

The Board found that the Applicant was seeking a variance of twenty (20) feet from the required sixty (60) feet front yard setback requirement for a proposed climate controlled mini storage building. The Applicant has requested that the aforementioned requested variance be granted as it pertains to certain real property located north of Route 54 (Lighthouse Road) approximately 1,000 feet east of Lynch Road (Road 378A); said property being identified as Sussex County Tax Map Parcel Number (5-33-17.00-83.01). After a hearing, the Board made the following findings of fact:

1. Douglas Clark was sworn in and testified about the Application.
2. The Board found that Mr. Clark testified that he is the owner of Lighthouse Self Storage and that the business was established in 2001.
3. The Board found that Mr. Clark testified that this variance is necessary for the final building to be placed on the Property.
4. The Board found that Mr. Clark testified that the previous setback requirement was forty (40) feet and that the setback requirement has changed since the existing buildings were constructed and completed in 2007.
5. The Board found that Mr. Clark testified that the proposed location was originally needed for a septic system but the Town of Selbyville now offers sewer to the Property.
6. The Board found that Mr. Clark testified that the unique shape of the lot prevents the building from being built in strict conformity with the Sussex County Zoning Code.
7. The Board found that Mr. Clark testified that the variance will enable reasonable use of the Property.
8. The Board found that Mr. Clark testified that the proposed building will measure seventy-five (75) feet by twenty-five (25) feet.
9. The Board found that Mr. Clark testified that the proposed building has been approved by the State Fire Marshal and storm water management approval has been granted.
10. The Board found that Mr. Clark testified that there is need for climate controlled storage units in the area.
11. The Board found that no parties appeared in support of or in opposition to the Application.
12. The Board found that the Office of Planning and Zoning received one (1) letter 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 based on the following reasons. The Property is unique due to the setback requirement changes and the availability of sewer. The difficulty was not created by the Applicant. The variance is necessary to enable reasonable use of the Property. The variance will not alter the essential character of the neighborhood. The variance will not be detrimental to the public welfare. 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 July 16, 2013