

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: WILBUR ROWE AND CAROL ROWE

(Case No. 11261)

A hearing was held after due notice on September 9, 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 separation requirement between units in a mobile home park.

Findings of Fact

The Board found that the Applicants were seeking a variance of 6.9 feet from the twenty (20) feet separation requirement between units in a mobile home park, and a 6.7 feet variance from the twenty (20) feet separation requirement between units in a mobile home park for a proposed sunroom. The Applicants have requested that the aforementioned requested variances be granted as they pertain to certain real property southeast of Route One, being southeast of Center Avenue, 250 feet south of Skyview Street, and being Lot 67 Block D within Sea Air Village, a Mobile Home Park; said property being identified as Sussex County Tax Map Parcel Number 3-34-13.00-310.00 Unit 47008. After a hearing, the Board made the following findings of fact:

1. Ronald Simmons was sworn in to testify on behalf of the Application.
2. The Board found that Mr. Simmons testified that he is a contractor for the Applicants.
3. The Board found that Mr. Simmons testified that the proposed sunroom will measure twelve (12) feet by twenty (20) feet and will be located on the front of the dwelling.
4. The Board found that Mr. Simmons testified that the lots are narrow in the park and that there is no other location on the lot for the proposed sunroom, which creates a difficulty.
5. The Board found that Mr. Simmons testified that the variances will enable reasonable use of the Property.
6. The Board found that Mr. Simmons testified that the variances will not alter the character of the neighborhood.
7. The Board found that Mr. Simmons testified that the park has multiple styles and mixed style additions.
8. The Board found that Mr. Simmons testified that the difficulty was not created by the Applicants.
9. The Board found that Mr. Simmons testified that the Applicants plan to make this their permanent residence and they need more space because the dwelling is small.
10. The Board found that Mr. Simmons testified that the variances will not be detrimental to public welfare.
11. The Board found that Mr. Simmons testified that addition should raise the values of homes in the neighborhood.
12. The Board found that Mr. Simmons testified that the variances do not impair the uses of adjacent and neighboring properties.
13. The Board found that Mr. Simmons testified that the variances sought are the minimum variances to afford relief and that the sunroom needs to be at least twelve (12) feet wide to allow for adequate use of the space.
14. The Board found that three (3) parties appeared in support of the Application.

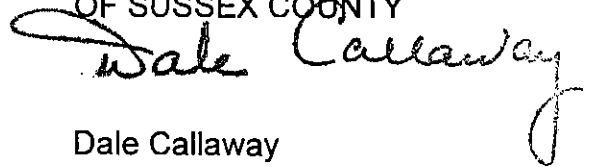
15. The Board found that no parties appeared in opposition to the Application.
16. Based on the findings above and the testimony presented at the public hearing and the public record, the Board determined that the Application met the standards for granting a variance. The Property is unique in shape and size. The Property is only forty (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 as the use is similar to other uses in 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 October 22, 2013