

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: SUSAN THOMPSON

(Case No. 11365)

A hearing was held after due notice on April 14, 2014. 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.

Findings of Fact

The Board found that the Applicant was seeking a variance of 2.5 feet from the forty (40) feet separation requirement between units for a proposed set of steps and a variance of three (3) feet from the forty (40) feet separation requirement between units for an existing screen porch. The Applicant has requested that the aforementioned requested variances be granted as they pertain to certain real property located north of Road 361 (Muddy Neck Road and Kent Avenue) and the Assawoman Canal being Unit 41 of Bahamas Beach Cottages on New Providence Road; said property being identified as Sussex County Tax Map Parcel Number 1-34-17.00-44.00-Unit 41. After a hearing, the Board made the following findings of fact:

1. Susan Thompson and Rick Shafer were sworn in to testify on behalf of the Application.
2. The Board found that Ms. Thompson testified that she acquired the Property in 2000 and that the screen porch existed at that time.
3. The Board found that Ms. Thompson testified that the existing dwelling is too small for her growing family and the additional space will be a family room.
4. The Board found that Ms. Thompson testified that the steps need to be relocated in order to gain access to the dwelling because parking is under the dwelling.
5. The Board found that Ms. Thompson testified that the proposed steps are in line with the existing screen porch.
6. The Board found that Ms. Thompson testified that she was unaware the porch did not comply with the setback requirements.
7. The Board found that Mr. Shafer testified that he is the president of the homeowners association and that the homeowners association has no objection to the Application.
8. The Board found that no parties appeared in support of or in opposition to the Application.
9. 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. 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 May 20, 2014