

**BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY**

**IN RE: ROBERT JEWETT and LAURITA JEWETT**

**(Case No. 11430)**

A hearing was held after due notice on August 4, 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 a variance from the lot width requirement.

Findings of Fact

The Board found that the Applicants were seeking a variance of 28.58 feet from the 100 feet minimum lot width requirement for a parcel. The Applicants have requested that the aforementioned requested variance be granted as it pertains to certain real property located east of Route 30 (Gravel Hill Road) and being located at the end of Snow Road and being a portion of Parcel B of the Robert A. Raley and Stanley L. Thompson Subdivision at the easterly end of Kawan Acres Subdivision; said property being identified as Sussex County Tax Map Parcel Number 2-34-15.00-3.07. After a hearing, the Board made the following findings of fact:

1. The Board found that the Office of Planning & Zoning received no correspondence regarding the Application.
2. Robert Jewett, Adam Doughty and Keith Doughty were sworn in to testify on behalf of the Application.
3. The Board found that Mr. Jewett testified that he purchased property in Kawan Acres approximately thirty (30) years ago with the understanding he could subdivide the lot.
4. The Board found that Mr. Jewett testified that he is unable to subdivide the Property without a variance because he does not have enough road frontage.
5. The Board found that Mr. Jewett testified that the Property consists of over eleven (11) acres but only has 150 feet of road frontage and abuts a cul-de-sac.
6. The Board found that Mr. Jewett testified that he proposed to subdivide the Property into two (2) lots (Lots A & B). This proposed subdivision has been approved by the Sussex County Planning & Zoning Commission contingent to approval of this variance request.
7. The Board found that Mr. Jewett testified that the variance is only needed for the Lot B and that the proposed Lot A does not need a variance.
8. The Board found that Mr. Jewett testified that he plans to sell to Adam Doughty Lot A which consists of 2.6 acres of the Property and he plans to retain Lot B.
9. The Board found that Mr. Jewett testified that the proposed Lot B would consist of approximately 9.5 acres.
10. The Board found that Mr. Jewett testified that he does not plan to further subdivide the lots.
11. The Board found that Keith Doughty testified that he has lived in the neighborhood for thirty (30) years.
12. The Board found that Keith Doughty testified that the variance will not alter the character of the neighborhood.
13. The Board found that Keith Doughty testified that the proposed dwelling to be placed on Lot A is similar to other dwellings in the neighborhood.
14. The Board found that Mr. Jewett testified that the Property is heavily wooded and the proposed dwelling will not be seen from the road.
15. The Board found that one (1) party appeared in support of the Application.
16. The Board found that no parties appeared in opposition to the Application. Based on the findings above and the testimony and evidence 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

variance is necessary to enable reasonable use of the Property. The Property is large but cannot be reasonably subdivided without a variance due to the lack of road frontage. The variance will enable the Applicants to subdivide the Property to create two large lots. The exceptional practical difficulty has not been created by the Applicants. The variance will not alter the essential character of the neighborhood. A similar variance has been granted in the neighborhood and the proposed Lot A will be used for a single family home which is consistent with the neighborhood. 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. Norman Rickard, and Mr. Brent Workman. Mr. John Mills 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 September 23, 2014.