

**TOWN OF SOUTH BETHANY
BOARD OF ADJUSTMENT
PUBLIC HEARING AND MINUTES
Thursday, April 23, 2020 11 a.m.**

**This meeting was conducted electronically pursuant to
Governor Carney's State of Emergency Declaration effective March 13, 2020.**

PRESENT: Chairman Steve Bunoski, Charlene Sturbitts, Martha Fields, Al Rae
TOWN STAFF: Joe Hinks, Code Enforcement Officer and Janet Powell, Town Clerk
APPLICANT: Frank and Susan Proden, 500 N Ocean Drive, Lot 14
ABSENT: Frank and Susan Proden, 500 N Ocean Drive, Lot 14
ATTENDENCE: Cale Johnson, Cale Johnson Construction Inc. representing Mr. and Mrs. Proden

Chairman Bunoski called the Hearing to order at 11:00am. All parties were sworn in who requested testimony during the hearing.

The Hearing minutes for Stephen and Susan Soulas were approved.

Pursuant to 22 DEL. C SECTION 327 (A) and Article XI, Section 145-37A(1)(a)(c)20 FT front from the west property line and (c) 8' feet side yard setback requirements of the Code of South Bethany. The Board of Adjustment will hold a Public Hearing to consider the request of the owners at 500 North Ocean Drive, South Bethany for a variance request to rebuild their outside decks.

Mr. Cale Johnson explained the home was not built in compliance of the standard setbacks. Since the entire home and deck extension are not in compliance, replacing the deck needed a variance request. Mr. Johnson stated the main reason for the rebuilding of the deck was the worn condition of the existing deck. Mr. Johnson assured the Board members that he is tearing down the old deck and rebuilding new decking with no dimensional change; and Mr. Hinks will be approving the final project.

Mr. Joseph Hinks received a phone call from Dr. Denis Franks, 2 N 6th Street on March 16th questioning the variance posting notice. Mr. Hinks received a phone call from Mr. Jeffrey Crampton, 502 N Ocean Drive on March 17th questioning the variance posting notice. Upon discussion with Mr. Hinks, both men stated they had no issue with the repairing of the existing deck.

Upon deliberating various options to move the HVAC unit, a shower unit or stairs; the Board of Adjustment members felt that this case displayed exceptional practical difficulty. Mrs. Fields felt safety should be paramount regarding replacing an old deck. The Board of Adjustment members unanimously approved the request.

The hearing was adjourned at 11:48 a.m.

Exhibit 1 Variance application package including photos
Exhibit 2 Email correspondence from Joseph Hinks stating Mr. Hinks received two phones calls;
Dr. Franks, 2 N 6th Street and one call from Jeffrey Crampton, 502 N Ocean Drive.