

**TOWN OF SOUTH BETHANY  
BOARD OF ADJUSTMENT PUBLIC HEARING  
FRIDAY, AUGUST 11, 2017 12 NOON  
MINUTES**

**BOARD:** Steve Bunoski, Chairman  
Martha Fields, Charlene Sturbitts, Al Rae  
**ABSENT:** Bob Buhner

**TOWN STAFF:** Joe Hinks, Code Enforcement Constable  
Janet Powell, Town Clerk/Recording Secretary

**APPLICANT:** BOA Application 4-2017, Maureen & Stephen Walker, 144 Elizabeth Way  
Mark Redden, AIA of Archology Architecture & Design Services, Milford, DE

Chairman Bunoski called the hearing to order at 12 noon. All parties were sworn in who requested standing during the hearing.

The hearing is a request for a variance of Article 145, Section 38 A(1). Mr. Mark Redden, representing Mr. & Mrs. Walker, requested a Variance from the 25 FT. front yard setback, totaling 4.75" (inches). Mr. Redden displayed a triangular shaped board measuring out exactly as the encroachment (4.75" inches) is on the house as an example. Although the house was built within the setbacks, due to surveyor error, the newly constructed home encroaches 4.75" (inches) towards the front property line.

Ms. Powell presented two emails; one from Constable Hinks stating he spoke directly to Mr. Pniewski on 10 Cleveland, who does not object to the variance and the second email from Mr. Kaswell's stating he does not object to the variance, but attached a letter regarding the town's variance process. Thirdly, Mr. Buhr, sworn in, stated he did not object to the variance.

Upon discussion, the Board voted for approval of the variance.

After the hearing, the Board continued with a meeting appointing Steven Bunoski, Chairman and Martha Fields, Secretary. The board also discussed how to avoid surveyor error at a homeowner's expense, since the last two hearings involved surveyor error. Mr. Bunoski wrote a letter to the Mayor stating Joseph Hinks has some ideas for potential remedies regarding this matter. No action was taken regarding Mr. Stuart Kaswell's letter that was noted on the Agenda.

The hearing was adjourned at 12:50 pm.

**Attachment:** 144 Elizabeth Way Variance Request  
Survey from John B. Roach Engineering LLC  
Two pages of enlarged survey provided by Mr. Hinks for easier viewing  
Agenda  
Displayed triangular wooden board shaped as the encroachment  
Correspondence stating no objection from Mr. Pniewski and Mr Kaswell  
Mr. Kaswell's letter  
Bunoski's letter to the Mayor