

TOWN OF SOUTH BETHANY
BOARD OF ADJUSTMENT PUBLIC HEARING MINUTES

Friday, May 31, 2024, 1:00 p.m.

This meeting/hearing was conducted both in-person and electronically.

PRESENT: Marlin Van Horn, Steve Bunoski, Jim Oliver, Al Rae, Charlene Sturbitts, and Barrett Edwards
TOWN STAFF: Joe Hinks, Code Enforcement Officer; and Brittany Hollis, Administrative Assistant
APPLICANT: **Michelle Hooper**, 7 Logan Street
ATTENDANCE: Stacy Stratton

Chairman Bunoski called the Meeting to order at 1:00 p.m. Steve Bunoski followed with a motion to approve meeting minutes from the prior hearings held on March 22, 2024. BOA member Jim Oliver seconded the motion. Motion carried 3-0.

All parties were sworn in who requested testimony during the hearing.

PURSUANT TO 22 DEL.C. SECTION 327 (a) AND ARTICLE XI, Section 145-38(B)(1), of the Zoning Code establishes a required 25-foot minimum front yard setback for the Property. The Applicant is requesting a variance of 9.2 feet to modify the existing non-conforming entry steps to provide room to open the front door to the home.

Administrative Assistant Brittany Hollis stated the public hearing notice for this meeting was posted on the property (7 Logan Street) on April 26, 2024; the notice was published in the *Coastal Point* newspaper on April 26, 2024; it was posted at Town Hall and on four (3) other locations within Town on April 26, 2024; and was sent via mail to the property owner and owners of property within a radius of two-hundred (200) feet of the property on April 26, 2024.

Building Official Joseph Hinks was sworn in and gave an overview of the application. Testifying that the purpose of the variance was to allow the current front steps to be replaced and reconfigured. Doing so would allow easier access to the front of the home. Mr. Hinks reiterated that the front steps currently encroach a total of 9.2 feet into the front yard setback. Also indicating that there were really no other viable solutions given the original configuration of the dwelling on the Property.

The applicant, Michelle Hooper testified how difficult it is to enter her home. This is due to the narrow nature of the stairway and the direction in which the storm door swings open. Ms. Hooper also mentioned that the windows on either side of the door open outward. Meaning, if the windows are open, access to the front door is blocked. She also illustrated the layout of the home's interior layout. This supported the fact that both the front and storm door could not be altered in the direction by which they open. The Applicant's hope is to replace the deck and add steps to the opposite side of the landing, this would keep the encroachment the same. However, ideally, the Applicant would prefer to locate the steps to the front of the landing. Giving a more direct access to the landing and front entry. However, this would result in an encroachment of 12.6 feet.

Stacy Stratton, a neighbor to 7 Logan Street, was sworn in and questioned the size of the current structure. This was clarified by the Applicant. There were no other questions from Ms. Stratton.

No one provided testimony in opposition to the application.

Chairman Steve Bunoski motioned to grant the variance of 9.2 feet from the front yard setback. Allowing for the existing front door landing and stairs to be renovated to allow for an entrance on both sides of the landing in accordance with the dimensions as depicted in Option 2 in the application.

By a vote of 5 yeas and 0 nays, the motion was granted. The Board concluded that the Applicant did meet the standards necessary to demonstrate that an exceptional practical difficulty existed to warrant granting the requested front yard setback variance.

The hearing was adjourned at 1:46 p.m.