

**TOWN OF SOUTH BETHANY**  
**BOARD OF ADJUSTMENT PUBLIC HEARING MINUTES**  
**Friday, April 4, 2025 1:00 p.m.**

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

PRESENT: Steve Bunoski, Charlene Sturbitts, Jim Oliver, Patty Jaicks, and Barrett Edwards  
TOWN STAFF: Joe Hinks, Code Enforcement Officer; and Brittany Hollis, Administrative Assistant  
APPLICANT: **John & Marsha Butterfield**, 415 Victoria Road  
ATTENDANCE:

Chairman Steve Bunoski called the Meeting to order at 1:27 p.m. 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(D)(2), of the Zoning Code establishes a required 20-foot minimum rear yard setback for the Property. The Applicant is requesting a variance of varying widths up to a maximum of 1.6 feet from the rear yard setback to authorize existing conditions and to install and addition to the rear of the Property, as described further in the application materials submitted by the Applicants.

Administrative Assistant Brittany Hollis stated the public hearing notice for this meeting was posted on the property (415 Victoria Road) on February 28, 2025; the notice was published in the *Coastal Point* newspaper on February 28, 2025; it was posted at Town Hall and on four (4) other locations within Town on February 28, 2025; 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 February 28, 2025.

Building Official Joseph Hinks was sworn in and gave an overview of the application. Testifying that the structure as it sits is skewed on the Property, which in turn makes the setback lines skewed.

John and Marsha Butterfield were sworn in and testified that the back side of the house is skewed in relation to the Property lines. Their plan is to expand an existing three-seasons room on the second floor across the rear of the Property. In addition, they would like to add a patio on the first floor. With the Property currently encroaching 1.3 feet in the rear, the addition would increase that encroachment to a maximum of 1.6 feet into the rear yard setback.

Ms. Butterfield stated that during the winter months, the three-season room is closed off, limiting the usable space in the home. Granting the variance would allow the three-season room to be converted for year-round living.

No one provided testimony in opposition to the application.

Steve Bunoski, chairman, motioned to approve the request for a variance of varying widths up to a maximum encroachment of 1.6 feet into the rear yard setback to cover existing conditions and to allow for renovations to the Property. This includes the expansion of an existing living space and the addition of a small deck and spiral staircase. This motion was seconded by BOA member, Jim Oliver.

By vote of 4 yeas and 0 nays, the Board concludes that the Applicant met the standards necessary to demonstrate an exceptional practical difficulty. Therefore, **GRANTING** the Applicant's request for a maximum variance of 1.6 feet from the 20-foot front yard setback.

The hearing was adjourned at 1:40 p.m.