

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: CLEAR CHANNEL OUTDOOR, INC.

Case No. 10846 – 2011

A hearing was held after due notice on August 22, 2011. The Board members present were: Mr. John Mills, Mr. Brent Workman and Mr. Jeff Hudson.

Nature of the Proceedings

This is an application for a special use exception to replace an existing billboard, a variance from the maximum height requirement, a variance from the allowable square footage of a billboard, variance from the front yard and side yard requirement for a billboard and a variance from the setback requirement from dwelling, church, school, public lands or other sign.

Finding of Facts

The Board found that the Applicant was seeking a special use exception to replace an existing billboard on a parcel east of U.S. Route 113, 430' north of Road 114, together with variances from maximum height limits, allowable square footage, front and side yard setbacks, and the setback from a dwelling, church, school, public lands or other sign. After a hearing, the Board made the following findings of fact:

1. The billboard is owned by Clear Channel Outdoor and has been in place since 2000. Clear Channel wishes to replace the older structure with a new one.
2. They application was amended to include a 12' variance from the 25' maximum height limit, a 552 sq. ft. variance from the 600 sq. ft. limit, a 19' variance from the required 50' side yard setback. Of those, only the height variance is new.
3. The billboard would be located in the same place as the older one, and the only difference would be in the height. Tri-Gas Oil Company has built a storage building which blocks a portion of the billboard, and the height variance is necessary to create clearance. Since the building itself cannot be relocated, raising the billboard is the only option.
4. There are numerous other billboards in the area, which is a commercial area.
5. No persons appeared in opposition.

The Board granted the special use exception, finding that it would not affect adversely the uses of neighboring and surrounding properties, and granted the variances as well.

Decision of the Board

Upon motion duly made and seconded, the application was granted. The Board members voting in favor were: Mr. Mills, Mr. Workman and Mr. Hudson; voting against – none.

BOARD OF ADJUSTMENT  
OF SUSSEX COUNTY



John Mills  
Vice-Chairman

If the use is not established within one (1)  
year from the date below the application  
becomes void.

Date October 18, 2011