

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: TEN PIN, LLC C/O CHRISTIAN HUDSON Case No. 10854 – 2011

A hearing was held after due notice on September 12, 2011. The Board members present were: Mr. Dale Callaway, Mr. Ronald McCabe, Mr. John Mills, Mr. Brent Workman and Mr. Jeff Hudson.

Nature of the Proceedings

This is an application for a special use exception to place a billboard.

Finding of Facts

The Board found that the Applicant was seeking a special use exception to place a billboard on a parcel northeast of Route 24 (John J. Williams Highway), approximately 1,360' east of Plantations Road. After a hearing, the Board made the following findings of fact:

1. The Applicant wishes to construct a billboard on a commercially zoned property along Route 24.
2. The proposed billboard will meet all required setback requirements.
3. The property was actually approved for the construction of 72 townhomes. The Applicant also owns the adjacent property. There are numerous commercial properties in the immediate vicinity, and billboards already exist nearby.
4. A billboard will be supported by a steel monopole structure and will be landscaped to create an attractive appearance.
5. Scott Burdette testified in opposition. He lives in the subdivision adjacent to the rear of the property, and feels that the billboard will have a negative effect on his property. He testified that he would prefer to see 72 townhomes rather than a billboard. He believes the billboard will be a distraction to drivers and will set a bad precedent.
6. Glen Piper, a licensed appraiser, testified on behalf of the Applicant. He pointed out that as required by the Code, the proposed billboard is more than the required 300' from any neighboring dwellings, and his professional opinion was that the billboard would have any adverse impact on any other properties in the area.

The Board granted the special use exception, finding that it would not affect adversely the uses of neighboring and surrounding properties, with the following conditions: (1) the Applicant must present a rental/lease agreement prior to the issuance of a building permit for construction of the billboard, (2) the landscaping proposed on the plan presented to the Board be provided when the billboard is constructed, and (3) a buffer of trees must be planted at the rear of the property as suggested by the Applicant.

Decision of the Board

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

BOARD OF ADJUSTMENT
OF SUSSEX COUNTY


Dale Callaway
Chairman

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

Date

October 8, 2011