

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: REHOBOTH BEACH FILM SOCIETY

Case No. 10856 – 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 tent for a period of five (5) years.

Finding of Facts

The Board found that the Applicant was seeking a special use exception to place a tent for several days over a period of five (5) years on a parcel northeast of Route 1 (Coastal Highway), east of Nelson Road. After a hearing, the Board made the following findings of fact:

1. The Applicant wishes to utilize a tent for several days each of the next five (5) years in conjunction with the Rehoboth Beach Independent Film Festival at the Midway Shopping Center.
2. The tent is 50'x90' and used for ticket sales, merchandise sales, and a lounge area between films. It is set behind the shopping center and is not visible to Highway 1 traffic.
3. The Festival is held in November each year, and it is anticipated that the tent will go up on a Monday and be removed the following Monday.
4. The use of a tent by this Applicant has been approved by the Board in the past.
5. No persons appeared in opposition.

The Board granted the special use exception for seven days over each of the next five (5) years, finding that it would not affect adversely the uses of neighboring and surrounding properties, with the following conditions.

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 18, 2011.