

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: MARSHALL PROPERTIES, LLC (Case No. 11069)

A hearing was held after due notice on October 15, 2012. The Board members present were: Mr. Dale Callaway, Mr. Jeff Hudson, Mr. John Mills, Mr. Norman Rickard, and Mr. Brent Workman.

Nature of the Proceedings

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

Findings of Fact

The Board found that the Applicant was seeking a special use exception to place a billboard. The Applicant has requested that the aforementioned requested special use exception be granted as it pertains to certain real property located northeast of Route 1 (Coastal Highway) approximately 220 feet northwest of Melson Road; said property being identified as Sussex County Tax Map Parcel Number 3-34-6.00-86.00. After a hearing, the Board made the following findings of fact:

1. Darlene Matthes and Lynn Rogers were sworn in and testified on behalf of the Applicant.
2. The Board found that Mr. Rogers testified that the proposed billboard will meet all required size and setback requirements for a billboard.
3. The Board found that Mr. Rogers testified that the proposed billboard will be a double-sided steel monopole structure measuring 12 feet by 24 feet.
4. The Board found that Mr. Rogers testified that the billboard will be 25 feet high.
5. The Board found that Mr. Rogers testified that the proposed billboard is smaller than other billboards in the area.
6. The Board found that Mr. Rogers testified that the billboard allows local business to advertise at a more affordable rate.
7. The Board found that Mr. Rogers testified that the billboard is located adjacent to commercial property.
8. The Board found that Mr. Rogers testified that the use will not substantially adversely affect the adjacent and neighboring properties.
9. The Board found that no parties appeared in opposition to or in support of the Application.
10. Based on the findings above and the testimony presented at the public hearing and the public record, the Board determined that the Application met the standards for granting a special use exception. The proposed use does not substantially affect adversely the uses of the adjacent and neighboring properties.

The Board approved the special use exception application finding that it met the standards for granting a special use exception.

Decision of the Board

Upon motion duly made and seconded, the Application was approved. The Board Members voting to approve the Application were Mr. Dale Callaway, Mr. Jeff Hudson, Mr. John Mills, and Mr. Norman Rickard. No Member voted against the Motion to Approve the Application.

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 November 7, 2012