

**BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY**

**IN RE: INNS OF REHOBOTH BEACH LLC**

**(Case No. 11384)**

A hearing was held after due notice on May 5, 2014. 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 variance from the maximum allowed square footage for a wall sign.

Findings of Fact

The Board found that the Applicant was seeking a variance of seventy-four (74) square feet from the requirement that a wall sign be no larger than 150 square feet. The Applicant has requested that the aforementioned requested variance be granted as it pertains to certain real property located southwest of Route 1 (Coastal Highway) 260 feet northwest of Route 24 (John J. Williams Highway); said property being identified as Sussex County Tax Map Parcel Number 3-34-12.00-92.00. After a hearing, the Board made the following findings of fact:

1. The Board found that the Office of Planning & Zoning received no correspondence regarding the Application.
2. Dale McCalister and Marley Wade were sworn in to testify on behalf of the Application.
3. The Board found that Mr. McCalister submitted exhibits to the Board for its review.
4. The Board found that Mr. McCalister testified that he represents the Hampton Inn which is in the process of being remodeled.
5. The Board found that Mr. McCalister testified that there is currently one (1) sign on the north side of the building and that the Applicant would like to install a second sign on the south side of the building.
6. The Board found that Mr. McCalister testified that the second sign will provide better visibility to the shared entrance the Applicant shares with McDonald's along Route 24.
7. The Board found that Mr. McCalister testified that the Applicant's patrons often miss the entrance along Route 24 when they approach the hotel and create traffic problems.
8. The Board found that Mr. McCalister testified that the proposed sign needs to be large due to the size of the building.
9. The Board found that Mr. McCalister testified that the Property has entrances on two (2) different highways, including the shared entrance along Route 24, making this property unique.
10. The Board found that Mr. McCalister testified that the variance will enable reasonable use of the Property.
11. The Board found that Mr. McCalister testified that the use will not be detrimental to the public welfare and will actually benefit the public.
12. The Board found that Mr. McCalister testified that there will not be a substantial adverse effect to the surrounding properties.
13. The Board found that Mr. McCalister testified that McDonald's and a Japanese restaurant are neighbors to the Property and have signs along Route 1.
14. The Board found that Mr. McCalister testified that the existing ground sign will be refaced only but there will be no changes to its structure or size.

15. The Board found that no parties appeared in support of or in opposition to the Application.
16. Based on the findings above and the testimony and exhibits presented at the public hearing and the public record, the Board determined that the Application met the standards for granting a variance. The Property is unique due to its entrances along two (2) major roads, including its shared entrance along Route 24. The Applicant has demonstrated that the sign is needed due to those unique physical conditions. The variance is necessary to enable reasonable use of the Property. The difficulty was not created by the Applicant. The variance will not alter the essential character of the neighborhood. There are other commercial properties in the neighborhood and the signage is not out of character for the neighborhood. The variance sought is the minimum variance necessary to afford relief.

The Board approved the variance application finding that it met the standards for granting a variance.

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, Mr. Norman Rickard, and Mr. Brent Workman. 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 June 3, 2014