

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: B.C.G. REAL ESTATE HOLDING, LLC

(Case No. 11388)

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 a special use exception to place an off-premise sign.

Findings of Fact

The Board found that the Applicant was seeking a special use exception to place an off-premise sign. This application pertains to certain real property located east of U.S. Route 13 (Sussex Highway) 120 feet north of Route 70 (Gordy Road); said property being identified as Sussex County Tax Map Parcel Number 3-32-1.00-105.00 part of. After a hearing, the Board made the following findings of fact:

1. The Board found that the Office of Planning & Zoning received no letters regarding to the Application.
2. William Glenn was sworn in to testify about the Application.
3. The Board found that Mr. Glenn testified that the proposed billboard will not block the view of any other signs in the area.
4. The Board found that Mr. Glenn testified that there are no dwellings within 300 feet of the proposed billboard.
5. The Board found that Mr. Glenn testified that the nearby area consists of mainly cornfields.
6. The Board found that Mr. Glenn testified that he purchased the Property from the adjacent property owner for the sole purpose to erect a billboard and that the adjacent property owner does not object to the Application.
7. The Board found that Mr. Glenn testified that the billboard would not affect any housing values and that there are not many houses nearby.
8. The Board found that Mr. Glenn testified that the billboard will be used to advertise his business at another location.
9. The Board found that Mr. Glenn testified that the majority of billboards in the area are currently leased.
10. The Board found that Mr. Glenn testified that the proposed billboard will meet all the required setbacks, square footage, and height requirements.
11. The Board found that Mr. Glenn testified that the proposed billboard will not have an adverse effect to the surrounding and adjacent neighboring properties.
12. The Board found that two (2) parties appeared in support of the Application.
13. The Board found that no parties appeared in opposition to the Application.
14. Based on the findings above and the testimony presented at the public hearing, the Board determined that the application met the standards for granting a special use exception because the use does not substantially affect adversely the uses of adjacent or neighboring properties. The Property is located along U.S. Route 13 which is a major road. The proposed billboard will not affect the views of any other signs in the area and the area surrounding the Property is mainly farmland. The Applicant has testified that the owner of adjacent property does not object to this Application. There was no evidence presented which would indicate that the proposed billboard would substantially affect adversely the uses of neighboring and adjacent properties.

The Board granted the special use exception application finding that it met the standard for granting a special use exception.

Decision of the Board

Upon motion duly made and seconded, the special use exception application was approved. The Board Members in favor were Mr. Dale Callaway, Mr. Jeff Hudson, Mr. John Mills, Mr. Norman Rickard, and Mr. Brent Workman. No Board Members voted against the Motion to approve the special use exception 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