



BOARD OF ADJUSTMENT

MINUTES

January 7, 2021

The Board of Adjustment of New Castle County held a public hearing on January 7, 2021 utilizing ZOOM Webinar, beginning at 6:00 p.m.

Chairman David H. Burt,
presiding:

CALL TO ORDER – 6:00 p.m.

David H. Burt
Terry Parker
William Brooks
Edward Thomas
Izuru Osegbu-Rivers
Richard Farmer

Comprising a quorum of the Board; also:
Aysha Gregory, Esq., Office of Law
Melissa Hughes, Department of Land Use
Conor Gibbons, Department of Land Use
Janet Vinc, Department of Land Use
Klesa Achaibar, Department of Land Use

MINUTES

PUBLIC HEARING

NEW BUSINESS

The Board heard and received testimony on the following application(s) and took action on the applications as follows:

1. App. #2020-0729-A – Sheena & William Temple.

Mr. Parker moved to **Grant with Condition** the application; Mr. Farmer seconded the motion.

VOTE: 6-0

ACTION: Grant with Condition– Area variance: To construct an addition on to a detached accessory structure 2 feet from the rear property line (3-foot setback for detached accessory structures) see UDC Section 40.04.410.A. NC6.5 Zoning. CD 8. (App 2020-0729-A) TP 06-105.00-253.

CONDITION: The Applicants shall submit a signed document that details how and affirms that the addition will drain to the Subject Property’s rear yard or the street.

2. App. #2020-0761-A – Andrew Hults.

Mr. Brooks moved to **Grant** with Condition the application; Mr. Burt seconded the motion.

VOTE: 6-0

ACTION: Grant with Condition– Area variance: To construct an addition 15 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.110.B. NC6.5 Zoning. CD 12. (App 2020-0761-A) TP 10-044.30-207.

CONDITION: The screened porch shall not be further enclosed.

3. App. #2020-0732-A – Stephen Ford.

Mr. Burt moved to **Grant** Variance 1 and 2 and **Grant** Variance 3; Mr. Parker seconded the motion.

VOTE: 6-0

ACTION: Grant - Area variances: 1. To maintain a detached accessory structure 0 feet from the easterly side lot line (3-foot setback for detached accessory structure) see UDC Section 40.04.410.A. **2.** To maintain paving 0 feet from the easterly side lot line (2-foot paving setback) see UDC Section 40.04.110.E. **3.** To permit **40%** [**35%**]coverage of the rear yard with the construction of a 1,020 square foot detached accessory structure and maintaining existing detached accessory structure (30% maximum rear yard coverage) see UDC Section 40.03.410.A.4. NC6.5 Zoning. CD 2. (App 2020-0732-A) TP 06-077.00-358.

4. App. #2020-0714-A – Appoquinimink School District.

Mr. Burt moved to **Grant with Condition** the application; Mr. Thomas seconded the motion.

VOTE: 6-0

ACTION: Grant with Condition–Area variances to facilitate the recordation of a Land Development Plan: 1. To permit 1,478 parking spaces (2,670 parking spaces required) see UDC Table 40.03.522. **2.** To permit a 65 square foot wall identification for the elementary school (20-square foot maximum sign area) see UDC Table 40.06.060. **3.** To permit 1 additional identification sign (1 wall or ground identification sign permitted) see UDC Table 4w0.06.060. **4.** To permit a 100 square foot ground identification sign with 50 square feet of EVMS (Electronic Variable Message Sign) portion (20-square foot maximum sign area) see UDC Table 40.06.060. **5.** To construct 30, 30-foot high parking lot light poles (20-foot maximum height is permitted) see UDC Table 40.04.111.C. S Zoning. CD 12. (App 2020-0714) TP 13-007.00-016.

CONDITION: The signs shall be consistent with the renderings submitted into evidence.

Melissa A. Hughes
Melissa Hughes
Department of Land Use
3/17/2021