



**BOARD OF ADJUSTMENT**

**MINUTES**

**March 28, 2019**

The Board of Adjustment of New Castle County held a public hearing on March 28, 2019 at the Department of Land Use Conference Room, New Castle County Government Center, 87 Reads Way, New Castle, Delaware, 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**  
**Richard Farmer**  
**Izuru Osegbu-Rivers**

Comprising a quorum of the Board; also:  
*Aysha Gregory, Esq., Office of Law*  
*Janet Vinc, Department of Land Use*  
*Melissa Hughes, Department of Land Use*  
*John Gysling, 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. #2019-0117-A – Christina Bonner**

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

**VOTE: 6-0**

**ACTION: Grant – Area variance:** To maintain a dwelling 22 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.110.B. NC6.5 Zoning. CD 9. TP 08-060.10-189.

**2. App. #2019-0116-A – Matthew Brobst**

Mr. Brooks moved to **Grant** the application; Ms. Osegbu-Rivers seconded the motion.

**VOTE: 6-0**

**ACTION: Grant- Area variances:** **1.** To maintain a dwelling 42 feet from the Grears Corner Road right-of-way (50-foot street yard setback) see UDC Table 40.04.110.B. **2.** To construct an addition 48 feet from the Grears Corner Road right-of-way (50-foot street yard setback) see UDC Table 40.04.110.B. SR Zoning. CD 6. TP 14-019.00-046.

**3. App. #2019-0076-A – Douglas Campbell.**

Mr. Burt moved to **Grant** the application; Mr. Farmer seconded the motion.

**VOTE: 6-0**

**ACTION: Grant – Area variance:** To construct a detached accessory structure 7 feet from the rear property line (50-foot rear yard setback) see UDC 40.03.410.A. NC2A Zoning. CD 2. TP 07-022.00-017.

**4. App. #2019-0090-A – Ferenc Cserei.**

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

**VOTE: 6-0**

**ACTION: Grant – Area variance:** To construct a dwelling 26 feet from the Mill Race Road right-of-way (40-foot street yard setback) see UDC Table 40.04.110.B. NC15 Zoning, CD 8. TP 06-045.00-084.

**5. App. #2019-0086-A – Greg Feld.**

Mr. Parker moved to **Grant** the application; Mr. Burt seconded the motion.

**VOTE: 6-0**

**ACTION: Grant – Area variance:** To permit additional 37 square feet of sign area with 25 square foot EVMS (Electronic Variable Message Sign) to an existing shopping center identification ground sign 12 feet from the Naamans Road right-of-way (40-foot sign setback), see UDC Table 40.06.060. CN Zoning. CD 2. TP 06-021.00-058.

**6. App. #2019-0110-A – Dash-In Food Store Inc.**

Mr. Brooks moved to **Grant** the application; Ms. Osegbu-Rivers seconded the motion.

**VOTE: 6-0**

**ACTION: Grant – Area variances:** **1.** To construct a 117 square foot ground sign (100-square foot maximum sign area) see UDC Table 40.06.060. **2.** To construct a ground sign 2 feet from the Airport Road right-of-way (40-foot sign setback) see UDC Table 40.06.060. CN Zoning. CD 7. TP 10-029.00-003.

**7. App. #2019-0019-A – TowerNorth Development, LLC.**

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

**VOTE: 6-0**

**ACTION: Special Use Permit to permit a 198 foot tall cell tower disguised as a windmill:** Special Use permit to permit a 198 foot tall cell tower disguised as a windmill see UDC Sections 40.03.326 & 40.31.430. SR Zoning. CD 6. TP 15-008.00-016.

Melissa Hughes  
Department of Land Use  
5/9/2019