



BOARD OF ADJUSTMENT

MINUTES

July 16, 2020

The Board of Adjustment of New Castle County held a public hearing on July 16, 2020 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:
Mengting Chen, Esq., Office of Law
Melissa Hughes, Department of Land Use
Janet Vinc, Department of Land Use
Conor Gibbons, 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. #2020-0302-A – Windrush.

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

VOTE: 6-0

ACTION: Grant– Area variance: Area variance to facilitate the recordation of a Record Plan: To permit 74 percent disturbance in the floodplain/floodway (100 percent floodplain/floodway protection level) see UDC Table 40.10.110. CR Zoning. CD 4 (App 2020-0302-A) TP 06-139.00-017

2. App. #2020-0304-A – Steven King.

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

VOTE: 6-0

ACTION: Grant– Area variances: **1.** To maintain a dwelling 18 feet from the Cherry Lane right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. **2.** To maintain a garage addition 1 foot from the westerly side lot line (6-foot side yard setback) see UDC Table 40.04.110.B. NC5 Zoning. CD 10 (App 2020-0304-A) TP 10-15.20-025.

3. App. #2020-0310-A – Shelia Campbell

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

VOTE: 6-0

ACTION: Grant– Area variance: To maintain an addition 16 feet from the Anderson Drive right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. Shelia Campbell. NC5 Zoning. CD 10 (App 2020-0310-A) TP 10-005.40-012.

4. App. #2020-0272-A – Frank Devonshire

Mr. Burt 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 19 feet from the Spruce Avenue right-of-way (25-foot street yard setback) see UDC Section 40.04.110. NC6.5. Zoning. CD 1 (App 2020-0309-A) TP 07-035.20-094.

CONDITION: The porch shall remain open.

5. App. #2020-0273-A – Larson Engineering

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

VOTE: 6-0

ACTION: Grant with Condition– Area variances: **1.** To permit a 485 square foot ground sign aggregate (270 square feet maximum ground sign aggregate) see UDC Table 40.06.060. **2.** To permit a 360 square foot shopping center identification sign (300-square foot maximum sign area) see UDC Table 40.06.060. **3.** To permit 360 square foot shopping center identification sign 80 feet in height (45-foot maximum sign height) see UDC Table 40.06.060. **4.** To permit a 360 square foot shopping center identification sign 6 feet from the Interstate 295 right-of-way (40-foot ground sign setback) see UDC Table 40.06.060. **5.** To permit a 125 square foot additional ground sign (75-square foot maximum sign area) see UDC Table 40.06.060. **6.** To permit 125 square foot additional ground sign 110 feet in height (45-foot maximum sign height) see UDC Table 40.06.060. **7.** To permit 125 square foot additional ground sign 9 feet from the Interstate 295 right-of-way (40-foot ground sign setback) see UDC Table 40.06.060. CR Zoning. CD 7. (App 2020-0283-A) TP 10-015.00-001.

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

Melissa Hughes
Department of Land Use
10/5/2020