



BOARD OF ADJUSTMENT

MINUTES

August 20, 2020

The Board of Adjustment of New Castle County held a public hearing on August 20, 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
William Brooks
Edward Thomas
Izuru Osegbu-Rivers
Richard Farmer

Comprising a quorum of the Board; also:
Aysha Gregory, Esq., Office of Law
Conor Gibbons, Department of Land Use
Janet Vinc, 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. #2020-0289-A – Derek Patrick.

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

VOTE: 5-0

ACTION: Grant– Area variance: To construct an addition 20 feet from the Midfield Road right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. NC6.5 Zoning. CD 7. (App 2020-0289-A) TP 10-015.30-212.

2. App. #2020-0380-A – Rogelio Rodriguez Jr.

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

VOTE: 5-0

ACTION: Grant– Area variance: To construct an inground pool 32 feet from the Red Lion Road right-of-way (40-street yard setback) UDC Section 40.03.410.G.. NC21 Zoning. CD 12 (App 2020-

0380-A) TP 12-006.00-222.

3. App. #2020-0369-A – Kelly O’Donnell.

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

VOTE: 5-0

ACTION: Grant– Area variance: To construct a detached accessory structure 6 feet from the northerly side lot line (40-foot side yard setback) see UDC Table 40.03.410.A.. NC2A Zoning. CD 2. (App 2020-0369-A) TP 07-027.00-054.

4. App. #2020-0381-A – Shawn McCoy

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

VOTE: 5-0

ACTION: Grant– Area variance: To construct an addition 34 feet from the Dearborn Lane right-of-way (40-foot street yard setback) see UDC Table 40.04.110.B. NC21 Zoning. CD 6. (App 2020-0381-A) TP 11-041.40-031.

5. App. #2020-0396-A – Dan Johnson

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

VOTE: 5-0

ACTION: Grant– Area variances: **1.** To maintain a dwelling 22 feet from the Ponds Lane right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. **2.** To maintain a dwelling 19 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.110.B. **3.** To maintain a deck 2 feet from the rear property line (12.5-foot setback for decks) see UDC Section 40.04.110.E. **4.** To construct an addition 17 feet from the Ponds Lane right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. **5.** To construct an addition 22 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.110.B. NC15 Cluster Option Zoning. CD 2. (App 2020-0396-A) TP 07-027.30-084.

Melissa Hughes
Department of Land Use
10/13/2020