



BOARD OF ADJUSTMENT

MINUTES

December 3, 2020

The Board of Adjustment of New Castle County held a public hearing on December 3, 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
Conor Gibbons, Department of Land Use
Janet Vinc, Department of Land Use

MINUTES

The minutes of October 10, 2020 were presented for approval and Mr. Parker motioned to Grant the October 10, 2020 minutes and Ms. Osegbu-Rivers seconded the motion, and the minutes were approved.

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. #2020-0571-A – Travis Starun.

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

VOTE: 6-0

ACTION: Grant– Area variance: To maintain an addition 15 feet from the Blue Hen Road right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. NC5 Zoning. CD 7. (App 2020-0671-A) TP 10-020.20-087.

2. App. #2020-0672-A – Tamara Jo Hutchinson, Trustee.

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

VOTE: 6-0

ACTION: Grant– Area variance: To construct a detached accessory structure 17 feet from the southwesterly side lot line (40-foot side yard setback) see UDC Section 40.03.410.A. SE Zoning. CD 2. (App 2020-0672-A) TP 07-013.00-069.

3. App. #2020-0674-A – Mark Shiwpal.

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

VOTE: 6-0

ACTION: Deny– Area variances To construct a carport 0 feet from the northerly side lot line (6-foot side yard setback) see UDC Table 40.04.110.B. NC6.5 Zoning. CD 5. (App 2020-0674-A) TP 09-033.10-257.

4. App. #2020-0681-A – Richard Tharp.

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

VOTE: 6-0

ACTION: Grant– Area variance: To construct a detached accessory structure 12 feet from the westerly side lot line (15-foot side yard setback) see UDC Section 40.03.410.A. NC40 Zoning. CD 6. (App 2020-0681-A) TP 15-016.00-210.

5. App. #2020-0710-A – Walter Medlock.

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

VOTE: 6-0

ACTION: Grant– Area variance: To construct a deck 11 feet from the rear property line (12.5-foot setback for decks) see UDC Section 40.04.110.E. ST Zoning. CD 12. (App 2020-0710-A) TP 13-008.41-226.

6. App. #2020-0535-A – Christine Larson.

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

VOTE: 6-0

ACTION: Grant– Area variances to facilitate the recordation of a Land Development Plan: 1. To permit a lot size of 1.16 acres exclusive of protected resources (5.00-acre minimum lot size exclusive of protected resources) see Table 40.04.110.B. The gross lot area for Lot 1 will be 4.54 acres. **2.** To permit a lot size of 1.59 acres exclusive of protected resources (5.00-acre minimum lot size exclusive of protected resources) see Table 40.04.110.B. The gross lot area for Lot 2 will be 3.88 acres. **3.** To permit a lot width of 275.75 feet for Lot 1 (300-foot minimum lot width) see UDC Table 40.04.110.B. **4.** To permit a lot width of 253.49 feet for Lot 2 (300-foot minimum lot width) see UDC Table 40.04.110.B. CR Zoning (processed as SR pending proposed rezoning). CD 6. (App 2020-0535-A) TP 14-010.00-011.

Melissa A. Hughes

Melissa Hughes
Department of Land Use
2/4/2021