



BOARD OF ADJUSTMENT

MINUTES

December 17, 2020

The Board of Adjustment of New Castle County held a public hearing on December 17, 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:
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. #2020-0708-A – Joseph Appiah.

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 3 feet from the easterly side lot line (6-foot side yard setback) see UDC Table 40.04.110.B. Joseph Appiah. NC6.5 Zoning. CD 2. (App 2020-0708-A) TP 06-021.00-330.

2. App. #2020-0704-A – Carmine Casper.

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

VOTE: 6-0

ACTION: Grant– Area variances: 1. To maintain a dwelling 30 feet from the Dexter Road right-of-way (40-foot street yard setback) see UDC Table 40.04.110.B. **2.** To construct an addition 27 feet from

the Dexter Road right-of-way (40-foot street yard setback) see UDC Table 40.04.110.B. NC15 Zoning. CD 2. (App 2020-0704-A) TP 06-100.00-035.

3. App. #2020-0709-A – Adena Brewington-Brown.

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

VOTE: 0-6

ACTION: Deny - Area variances: 1. To permit a detached Accessory Dwelling Unit (ADU) on a 0.55-acre parcel (greater than 2-acre minimum lot area required for a detached ADU) see UDC Section 40.03.410.H.7. **2.** To permit a detached ADU 7 feet from the rear property line (40-foot rear yard setback) see UDC Table 40.04.110.B and UDC Section 40.03.410.H.

VOTE: 6-0

ACTION: Grant - Area variance: 3. To maintain paving 0 feet from the southerly side lot line (2-foot paving setback) see UDC Section 40.04.110.E.1.e. NC21 Zoning. CD 2. (App 2020-0709-A) TP 06-004.00-011.

4. App. #2020-0682-A – Atlantic Dawn Properties.

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

VOTE: 6-0

ACTION: Grant– Area variance: To permit a 63 square foot wall sign (20-square foot maximum sign area) see UDC Table 40.06.060. S Zoning. CD 11. (App 2020-0682-A) TP 09-038.00-032.

5. App. #2020-0059-A – Cellco Partnership.

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

VOTE: 6-0

ACTION: Grant– Special Use Permit to permit a 125 foot tall cell tower disguised as a tree: **Special Use** Permit to permit a 125 foot cell tower disguised as a tree on residentially zoned property see UDC Sections 40.03.326 & 40.31.430. SR & CR Zoning. CD 12. (App 2020-0059-A) TP 14-007.00-015.

Melissa A. Hughes

Melissa Hughes
Department of Land Use
3/1/2021