



BOARD OF ADJUSTMENT

MINUTES

January 13, 2022

The Board of Adjustment of New Castle County held a public hearing on January 13, 2022 utilizing ZOOM Webinar, beginning at 6:00 p.m.

Chairman David H. Burt,
presiding:

CALL TO ORDER – 6:00 p.m.

David Burt
Terry Parker
Edward Thomas
Mr. Farmer
Dr. Nina David

Comprising a quorum of the Board; also:
Mengting Chen., Office of Law
Melissa Hughes, Department of Land Use
Klesa Achaibar, Department of Land Use
Janet Vinc, Department of Land Use

MINUTES

The minutes of November 18, 2021 were presented for approval and Mr. Thomas motioned to **Grant** November 18, 2021 minutes and Mr. Burt seconded the motion, and the minutes were approved.

The minutes of December 2, 2021 were presented for approval and Mr. Thomas motioned to **Grant** December 2, 2021 minutes and Mr. Burt seconded the motion, and the minutes were approved.

The minutes of December 16, 2021 were presented for approval and Mr. Thomas motioned to **Grant** December 16, 2021 minutes and Mr. Burt 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. #2021-0718-A Brad Hansen.

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

VOTE: 5-0

ACTION: Grant with Condition – Area variance: Area variance: To construct an addition 20 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.110.B. S Zoning. CD 11. (App 2021-0718-A) TP 10-043.10-859.

CONDITION: The screened porch shall not be further enclosed.

2. App #2021-0765-A – Marc Iocono

Dr. David moved to Grant; Mr. Parker seconded the motion.

VOTE: 5-0

ACTION: Grant– Area variances: **1.** To construct a detached accessory structure in front of the primary dwelling on a 0.75 acre lot (no accessory structure shall be located in front of the dwelling on a lot less than 2-acres) see UDC Section 40.04.410.A. **2.** To construct a detached accessory structure 15 feet from the unnamed right-of-way (40-foot street yard setback) see UDC Table 40.04.110.B. Julie & NC21 Zoning. CD 11. (App 2021-0765-A) TP 11-019.00-017.

3. App. #2020-0768-A – Mohammad Khan.

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

VOTE: 5-0

ACTION: Grant - Area variance: To construct an addition 15 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.110.B. S Zoning. CD 6. (App 2021-0768-A) TP 11-037.30-229.

4. App. #2021-0719-A - Frank & Bernice Cioci

Mr. Burt moved to Grant with Condition; Mr. Parker seconded the motion.

VOTE: 5-0

ACTION: Grant with Condition - Area variances to facilitate the recordation of a Land Development Plan: **1.** To permit a 3.18 acre lot size exclusive of protected resources for Lot 1 (5-acre minimum lot size exclusive of protected resources) see UDC Table 40.04.110.B. The gross area for Lot 1 will be 8.02 acres. **2.** To permit a 1.64 acre lot size exclusive of protected resources for Lot 2 (5-acre minimum lot size exclusive of protected resources) see UDC Table 40.04.110.B. The gross area for Lot 2 will be 2.75 acres. SR Zoning. CD 6 (App 2021-0719-A) TP 15-022.00-208.

CONDITION: The Subject Property may not be further subdivided.

5. App. #2021-0766-A - WP Glasgow, LLC.

Mr. Burt moved to Grant with Condition; Mr. Thomas seconded the motion.

VOTE: 5-0

ACTION: Grant with Condition - Area variances: **1.** To permit 2 shopping center identification ground signs along the Pulaski Highway right-of-way (1 shopping center identification ground sign per street frontage) see UDC Table 40.06.060. **2.** To permit shopping center identification ground Sign A 8 feet from the Pulaski Highway right-of-way (40-foot ground sign setback) see UDC Table 40.06.060. **3.** To permit shopping center identification ground Sign B 8 feet from the Pulaski Highway right-of-way (40-foot ground sign setback) see UDC Table 40.06.060. CR Zoning. CD 11. (App 2021-0766-A) TPs 11-026.20-002, 11-026.20-003, 11-026.10-202 & 11-026.10-204 through 206.

CONDITION: The ground signs must be consistent with the renderings submitted into evidence or as approved by the Historic Review Board

Melissa A. Hughes
Melissa Hughes
Department of Land Use
3/7/2022