



**BOARD OF ADJUSTMENT**

**MINUTES**

**January 23, 2020**

The Board of Adjustment of New Castle County held a public hearing on January 23, 2020 at the Department of Land Use Conference Room, New Castle County Government Center, 87 Reads Way, New Castle, Delaware, 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*  
*Melissa Hughes, Department of Land Use*  
*Janet Vinc, Department of Land Use*  
*Alec Davis, Department of Land Use*  
*Matthew Shank, 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. #2019-0731-A – AZ Wilmington, LLC.**

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

**VOTE: 6-0**

**ACTION: Grant with Conditions– Area variances to facilitate the recordation of a Land**

**Development Plan: 1.** To permit a maximum gross floor area ratio of 0.26 (0.18 maximum gross floor area ratio) see UDC Table 40.04.110.A. **2.** To construct a trash enclosure 3 feet from the rear property line (20-foot rear yard setback) see UDC Table 40.04.110.B. **3.** To permit paving 10 feet from the Concord Pike right-of-way (40-foot street yard paving setback) see UDC Table 40.04.110.B. **4.** To

permit paving 0 feet from the rear property line (10-foot other yard paving setback) see UDC Table 40.04.110.B. **5.** To permit paving 3 feet from the northerly side lot line (10-foot other yard paving setback) see UDC Table 40.04.110.B. **6.** To permit paving 3 feet from the southerly side line (10-foot other yard paving setback) see UDC Table 40.04.110.B. **7.** To permit a Landscape Surface Ratio (LSR) of 0.10 landscape surface ratio (0.45 minimum LSR required) see UDC Table 40.04.110.A. **8.** To permit a 0.1 bufferyard opacity along the Concord Pike right-of-way (0.3 bufferyard opacity) see UDC Table 40.04.111.A. **9.** To construct a ground sign 4 feet from the Concord Pike right-of-way (25-foot ground sign setback) see UDC Table 40.06.060. **10.** To construct a building 5 feet from the rear property line (20-foot rear yard setback) see UDC Table 40.04.110.B.

- Conditions:**
- 1. The parking space located in the northwesterly corner of the parking area, adjoining the turn-around area where the proposed trash enclosure is located, be marked off as not parking to allow vehicles to maneuver safely in and out of the dead-end parking aisle.**
  - 2. The landscaping shall be consistent with the renderings submitted into evidence.**
  - 3. The building elevations shall be consistent with the renderings submitted into evidence.**

Melissa Hughes  
Department of Land Use  
5/28/2020