



BOARD OF ADJUSTMENT

MINUTES

March 9, 2023

The Board of Adjustment of New Castle County held a public hearing on March 9, 2023 utilizing ZOOM Webinar and located at the Multi-Purpose Room at the Gilliam Building at 67 Reads Way, New Castle, Delaware, beginning at 6:00 p.m.
Chairman David H. Burt,
presiding:

CALL TO ORDER – 6:00 p.m.

David Burt
Terry Parker
Nina David
Richard Farmer
Keith Rolph
Edward Thomas

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

MINUTES

PUBLIC HEARING

Swearing in of new Board Member Keith Rolph

NEW BUSINESS

1. App. #2023-0042-A – A. H. Davenport, LLC.

Mr. Rolph moved to **Grant**; Mr. Burt seconded the motion.

VOTE: 6-0

ACTION: Grant - Area variance: To construct an addition 21 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.110.B. S Zoning. CD 2. (App 2023-0042-A) TP 07-027.30-097.

2. App. #2022-0843-A – Colonial School District

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

VOTE: 6-0

ACTION: Grant with Condition– Area variances: 1. To permit a 131 square foot ground sign with a 45 square foot Electronic Variable Message Sign (EVMS) portion (100-square foot maximum sign area)

see UDC Table 04.06.060. **2.** To permit a 131 square foot ground sign with a 45 square foot EVMS portion 4 feet from the Airport Road right-of-way (40-foot ground sign setback) see UDC Table 40.06.060. **3.** To permit an 8 square foot instructional ground sign (4-square foot maximum sign area) see UDC Section 40.06.040.A. I Zoning. CD 7. (App 2022-0843-A) TP 10-017.00-005.

CONDITION: The Applicant shall construct signage in general accordance with the elevations submitted into evidence.

3. App. #2022-0827-A – Landmark Science and Engineering.

Mr. Burt moved to Amend to remove Variances 5 & 8; Mr. Parker seconded the motion.

VOTE: 6-0

ACTION: Amend to remove Variances 5 & 8– Area variances to facilitate the recordation of a Land Development Plan: **1.** To permit 514 parking spaces (1,571 parking spaces required) see UDC Table 40.03.522. **2.** To permit a 60 square foot ground sign with a 40 square foot Electronic Variable Message Sign (EVMS) portion (Sign 1) (20-square foot maximum sign area permitted in the S Zoning District) see UDC Table 40.06.060. **3.** To permit 2 additional wall signs (Sign 7 & 8) for a total of 3 (Signs 7, 8, 9) (1 identification sign (wall or ground) permitted in the S Zoning District) see UDC Table 40.06.060. **4.** To permit a 250 square foot wall sign (Sign 7) (20-square foot maximum sign area permitted in the S Zoning District) see UDC Table 40.06.060. ~~**5.** To permit a 144 square foot wall sign (Sign 8) (20 square foot maximum sign area permitted in the S Zoning District) see UDC Table 40.06.060.~~ **6.** To permit a 250 square foot wall sign (Sign 9) (20-square foot maximum sign area permitted in the S Zoning District) see UDC Table 40.06.060. **7.** To permit 4 additional wall signs (Sign 3,4,5 & 6) for a total of 5 (Signs 2,3,4,5 & 6) (1 wall sign per principal use permitted in the BP Zoning District) see UDC Table 40.06.060. ~~**8.** To permit a 625 square foot wall sign (Sign 3) (300 square foot maximum sign area permitted in the BP Zoning District) see UDC Table 40.06.060.~~ S and BP Zoning. CD 11. (App 2022-0827-A) TP 11-027.00-003.

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

VOTE: 6-0

ACTION: Grant with Conditions– Area variances to facilitate the recordation of a Land Development Plan: **1.** To permit 514 parking spaces (1,571 parking spaces required) see UDC Table 40.03.522. **2.** To permit a 60 square foot ground sign with a 40 square foot Electronic Variable Message Sign (EVMS) portion (Sign 1) (20-square foot maximum sign area permitted in the S Zoning District) see UDC Table 40.06.060. **3.** To permit 2 additional wall signs (Sign 7 & 8) for a total of 3 (Signs 7, 8, 9) (1 identification sign (wall or ground) permitted in the S Zoning District) see UDC Table 40.06.060. **4.** To permit a 250 square foot wall sign (Sign 7) (20-square foot maximum sign area permitted in the S Zoning District) see UDC Table 40.06.060. ~~**5.** To permit a 144 square foot wall sign (Sign 8) (20 square foot maximum sign area permitted in the S Zoning District) see UDC Table 40.06.060.~~ **6.** To permit a 250 square foot wall sign (Sign 9) (20-square foot maximum sign area permitted in the S Zoning District) see UDC Table 40.06.060. **7.** To permit 4 additional wall signs (Sign 3,4,5 & 6) for a total of 5 (Signs 2,3,4,5 & 6) (1 wall sign per principal use permitted in the BP Zoning District) see UDC Table 40.06.060. ~~**8.** To permit a 625 square foot wall sign (Sign 3) (300 square foot maximum sign area permitted in the BP Zoning District) see UDC Table 40.06.060.~~ S and BP Zoning. CD 11. (App 2022-0827-A) TP 11-027.00-003.

CONDITIONS: 1. The Applicant shall provide plantings along the Glasgow Avenue right-of-way in the area of the proposed and future parking areas, extending from the

existing vegetation to the end of the future parking area in order to provide screening from the residential community of Village of Long Neck located directly across Glasgow Avenue.

- 2. The proposed identification signs shall be consistent with the renderings submitted into evidence.**

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Melissa A. Hughes

Melissa Hughes
Department of Land Use
4/21/2023