BOARD OF ADJUSTMENT

MINUTES

April 7, 2022
The Board of Adjustment of New Castle County held a public hearing on April 7, 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
Richard Farmer
Dr. Nina David

Comprising a quorum of the Board; also:
Aysha Gregory, 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 February 24, 2022 were presented for approval and Mr. Parker motioned to Grant February 24, 2022 minutes and Mr. Thomas seconded the motion, and the minutes were approved.

The minutes of March 10, 2022 were presented for approval and Mr. Parker motioned to Grant March 10, 2022 minutes and Mr. Thomas 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:

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

VOTE: 5-0
ACTION: Grant – Area variances: 1. To maintain a dwelling 4 feet from the southerly side lot line (6-foot side yard setback) see UDC Table 40.04.110.B. 2. To maintain paving 0 feet from the southerly side
Mr. Burt moved to **Grant**; Dr. David seconded the motion.
**VOTE:** 5-0
**ACTION:** **Grant** - **Area variance:** To construct an addition 3 feet from the easterly side lot line (6-foot side yard setback) see UDC Table 40.04.110.B. NC6.5 Zoning. CD 3. (App 2022-0123-A) TP 08-036.10-025.

3. App #2022-0124-A – Carmine Casper

Mr. Burt moved to **Grant**; Mr. Farmer seconded the motion.
**VOTE:** 5-0
**ACTION:** **Grant** - **Area variance:** 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. David Balint. S Zoning. CD 12. (App 2022-0124-A) TP 13-003.40-123.

4. App. #2022-0128-A – David Lyons

Mr. Burt moved to **Grant**; Mr. Thomas seconded the motion.
**VOTE:** 5-0
**ACTION:** **Grant** - **Area variance:** To construct a deck 9 feet from the rear property line (25-[12.5]-foot setback for decks) see UDC Section 40.04.110.E. NC21 Zoning. CD 7. (App 2022-0126-A) TP 10-034.30-136.

**CONDITION:** The area under the second story deck remain open and not further enclosed.

5. App. #2022-0133-A – Mayra Alemar

Mr. Burt moved to **Grant**; Mr. Parker seconded the motion.
**VOTE:** 5-0
**ACTION:** **Grant** - **Area variances:** 1. To maintain stairs with a landing 0 feet from the easterly side lot line (3-foot setback for stairs) see UDC Section 40.04.110.E. 2. To construct an addition 14 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.110.B. 3. To construct a deck 12 feet from the rear property line (12.5-foot setback for decks) see UDC Section 40.04.110.E. NC6.5 Zoning. CD 9. (App 2022-0133-A) TP 08-039.10-264.


Mr. Burt moved to **Grant**; Mr. Parker seconded the motion.
**VOTE:** 5-0
**ACTION:** **Grant** - **Area variance:** To construct a detached accessory structure 15 feet from the northerly side lot line (40-foot setback detached accessory structure) see UDC Section 40.03.410.A. C2A Zoning. CD 2. (App 2022-0153-A) TP 07-023.00-034.

7. App. #2022-0154-A – Habitat for Humanity of New Castle County

Mr. Burt moved to **Grant**; Dr. David seconded the motion.
**VOTE:** 5-0
**ACTION:** Grant - Area variances: 1. To construct a dwelling 20 feet from the Dover Avenue right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. 2. To construct a dwelling 5 feet from the easterly side lot line (6-foot side yard setback) see UDC Table 40.04.110.B. 3. To construct a dwelling 5 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.110.B. NC5 Zoning CD 10. (App 2022-0154-A) TP 10-010.10-047.

Melissa A. Hughes
Melissa Hughes
Department of Land Use
5/12/2022