



**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:

**1. App. #2022-0122-A - Longo & Associates.**

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

lot line (2-foot paving setback) see UDC Section 40.04.110.E. **3.** To maintain pool decking 4 feet from the southerly side lot line (6-foot setback for pool decking) see UDC Section 40.03.410.H. NC6.5 Zoning. CD 9. (App 2022-0122-A) TP 09-017.30-055.

**2. App #2022-0123-A Michael Clifford.**

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.

**6. App. #2022-0153-A – Jed Patterson.**

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