



BOARD OF ADJUSTMENT

MINUTES

May 13, 2021

The Board of Adjustment of New Castle County held a public hearing on May 13, 2021 utilizing ZOOM Webinar, 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:
Mengting Chen, Esq., Office of Law
Melissa Hughes, Department of Land Use
Klesa Achaibar, Department of Land Use
Janet Vinc, 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. #2021-0019-A Matthew Patone.

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

VOTE: 6-0

ACTION: Grant– Area variances: Area variances 1. To maintain a dwelling 19 feet from the Norris Street right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. **2.** To enclose an existing open porch 19 feet the Norris Street right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. **3.** To permit 60% coverage of the rear yard area (30% maximum rear yard coverage) see UDC Section 40.03.410.A.4.t. **Matthew Patone.** NC5 Zoning. CD 9. (App 2021-0019-A) TP 08-051.10-027.

2. App. #2021-0192-A – Aaron Rotzinger.

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

VOTE: 6-0

ACTION: Grant– Area variances: 1. To construct an addition 17 feet from the Garnet Road right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. **2.** To construct an addition 22 feet from the Balsam Road right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. NC5 Zoning. CD 1. (App 2021-0192-A) TP 07-042.30-416.

3. App. #2021-0193-A – Roslyn Odoms.

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

VOTE: 6-0

ACTION: Grant with Condition- 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 12. (App 2021-0193-A) TP 14-013.31-121.

CONDITION: The screened porch shall not be further enclosed

4. App. #2021-0222-A – John Crosby

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

VOTE: 6-0

ACTION: Grant- Area variance: Area variance: To construct a detached accessory structure 2 feet from the rear property line (40-foot rear yard setback) UDC Section 40.03.410.A. NC21 Zoning. CD 9. (App 2021-0222-A) TP 08-053.40-065.

5. App. #2021-0223-A – Kevin Kain

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

VOTE: 6-0

ACTION: Grant- Area variance: To construct a 2-story addition 20 feet from the S. Rockfield Drive right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. NC10 Zoning. CD 2. (App 2021-0223-A) TP 06-020.00-213.

6. App. #2021-0124-A – Walter Carrow

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

VOTE: 6-0

ACTION: Grant- Area variances to facilitate the recordation of a Land Development Plan: To permit a lot width of 30 feet for Lot 4 (150-foot minimum lot width) see UDC Table 40.04.110.B. S Zoning. CD 6. (App 2021-0214-A) TP 13-021.00-015.

7. App. #2021-0151-A – Tupps Signs, Inc

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

VOTE: 6-0

ACTION: Grant- Area variances: 1. To permit 3 additional identification signs (1 identification sign per street frontage) see UDC Section 40.06.040.A. **2.** To permit 2, 54 square foot wall identification signs (20-square foot maximum sign area) see UDC Section 40.06.040.A. **3.** To permit 2, 32 square foot ground identification signs (20-square foot maximum sign area) see UDC Section 40.06.040.A. NCAP Zoning. CD 1. (App 2020-0151-A) TP 07-046.10-160.

Melissa A. Hughes
Melissa Hughes
Department of Land Use
6/4/2021