The Board of Adjustment of New Castle County held a public hearing on May 18, 2023 utilizing ZOOM Webinar and located at the Government Center at 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 Burt  
Terry Parker  
Nina David  
Richard Farmer  
Keith Rolph (absent)  
Edward Thomas

Comprising a quorum of the Board; also:
Mary Jacobson, Office of Law
Richard Hall, Department of Land Use
Antoni Sekowski, Department of Land Use
Janet Vinc, Department of Land Use
Melissa Hughes, Department of Land Use
Alec Davis, Department of Land Use

MINUTES

PUBLIC HEARING

OLD BUSINESS

Adjourned meeting in continuation of Application 2022-0388-A, 20 Granite Road, Wilmington, DE 19803 adjourned from the April 13, 2023 Public Hearing.

App 2022-0388-A – Incyte Corporation

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

VOTE: 0 - 5 Motion fails

ACTION: Deny - Area variances to facilitate the recordation of a Land Development Plan: 1. To permit a maximum gross floor area ratio of 0.53 (0.50 maximum gross floor area required) see UDC Table 40.04.110.A. 2. To permit 1,952 parking spaces (3,295 parking spaces required) see UDC Table 40.03.522. S & OR. CD 2. (App 2022-0388-A) TPs 06-136.00-028 & 06-136.00-030.
NEW BUSINESS

1. App. #2023-0237-A – Apex Engineering Inc.
Mr. Burt moved to Grant with Condition; Mr. Thomas seconded the motion.
VOTE: 5 - 0
ACTION: Grant with Condition - Area variance: To maintain a dwelling under construction 33 feet from the Goldleaf Drive East right-of-way (40-foot street yard setback) see UDC Table 40.04.110.B. S Zoning. CD. 6 (App 2023-0237-A) TP 13-011.40-108.

CONDITION: The porch is to remain open and not further enclosed.

2. App 2023-0152-A – Fernando Jaimez
Mr. Burt moved to Grant with Condition; Mr. Parker seconded the motion.
VOTE: 5 - 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 9. (App 2023-0152-A) TP 08-049.10-110.

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

3. App 2023-0171-A – SRA Home Products
Mr. Burt moved to Grant; Mr. Parker seconded the motion.
VOTE: 5 - 0
ACTION: Grant - Area variances: To construct an addition 30 feet from the rear property line (40-foot rear yard setback) see UDC Table 40.04.110.B. NCTH Zoning. CD. 7 (App 2023-0171-A) TP 10-033.30-322.

Mr. Farmer moved to Grant; Mr. Parker seconded the motion.
VOTE: 5 - 0
ACTION: Grant - Area variance: To construct an addition 14 feet from the Northcrest Drive right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. NC6.5 Zoning. CD 2. (App 2023-0172-A) TP 06-024.00-147.

Mr. Burt moved to Grant with Condition; Mr. Thomas seconded the motion.
VOTE: 5 - 0
ACTION: Grant with Condition - Area variance: To permit an 8-foot tall fence along the rear property line (6-foot maximum fence height) see UDC Section 40.03.410.D. NC6.5 Zoning. CD 7. (App 2023-0204-A) TP 10-017.00-016.

CONDITION: The 8-foot tall fence shall only be located along the rear property line.
6. App 2023-0219-A – Adeline Brooks
Mr. Burt moved to Grant; Mr. Thomas seconded the motion.
VOTE: 5-0
ACTION: Grant - Area variance: To construct a detached accessory structure 10 feet from the Rockville Road right-of-way (25-foot street yard setback) see UDC Sections 40.03.410.A & Table 40.04.110.B. NC10 Zoning. CD 2. (App 2023-0219-A) TP 06-030.00-008.

Melissa Hughes
Department of Land Use
6/5/2023