



BOARD OF ADJUSTMENT

MINUTES

May 20, 2021

The Board of Adjustment of New Castle County held a public hearing on May 20, 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:
Aysha Gregory, Esq., 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 March 25, 2021 were presented for approval and Mr. Parker motioned to Grant the March 25, 2021 minutes and Mr. Burt 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. #2021-0215-A - Maria Blasucci.

Mr. Burt moved to **Grant** the application; Ms. Osegbu-Rivers seconded the motion.

VOTE: 5-0 (Parker – recuse)

ACTION: Grant– Area variances: 1. To maintain a dwelling 22 feet from the Prospect Drive right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. **2.** To maintain a dwelling 9 feet from the rear property line (15-foot rear yard setback) see UDC Table 40.04.110.B. **3.** To maintain a patio 0 feet from the rear property line (2-foot paving setback) see UDC Section 40.04.110.E. **4.** To construct an

inground pool 7 feet from an unnamed alley (25-street yard setback) UDC Section 40.03.410.G. **5.** To construct an inground pool 3 feet from the rear property line (6-foot setback) UDC Section 40.03.410.G. **6.** To permit pool equipment 5 feet from the unnamed alley (25-foot street yard setback) see UDC Section 40.03.410.G. NC6.5 Zoning. CD 2. (App 2021-0215-A) TP 06-077.00-419.

2. App. #2021-0225-A – Benjamin Lynster.

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

VOTE: 6-0

ACTION: Grant with Condition– Area variance: Area variance: To construct an addition 17 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.110.B. S Zoning. CD 12. (App 2021-0225-A) TP 14-013.31-127.

CONDITION: The addition shall either be an open or screened porch.

3. App. #2021-0134-A – E. Thomas Harvey.

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

VOTE: 6-0

ACTION: Grant- Beneficial Use Appeal to permit the construction of 9,700 square feet of paving on a portion of the parcel located within the 100-year floodplain and area variances: **1.** To disturb 0.06 acres of the 100-year floodplain (100% protection level) see UDC Table 40.10.010. **2.** To disturb 0.16 acres of the Riparian Buffer Area (RBA) (100% protection level) see UDC Table 40.10.010. **3.** To provide 22 parking spaces (95 parking spaces required) see UDC Table 40.03.522. HI Zoning. CD 10. (App 2021-0134-A) TP 10-011.00-011.

Executive Session:

Executive session regarding Application 2020-0730-A, 200 Happy Lane, Newark, DE 19711.

Melissa A. Hughes
Melissa Hughes
Department of Land Use
7/19/2021