



BOARD OF ADJUSTMENT

MINUTES

June 22, 2023

The Board of Adjustment of New Castle County held a public hearing on June 22, 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
Edward Thomas

Comprising a quorum of the Board; also:
Mary Jacobson, Office of Law
Antoni Sekowski, Department of Land Use
Janet Vinc, Department of Land Use
Melissa Hughes, Department of Land Use
Klesa Achaibar, Department of Land Use

MINUTES

PUBLIC HEARING

OLD BUSINESS

NEW BUSINESS

1. App. #2023-0095-A – Xianglin Lu.

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

VOTE: 6 -0

ACTION: Grant - Area variance: To maintain paving 0 feet from the southerly side lot line (2-foot paving setback) see UDC Section 40.04.110.E. NC6.5 Zoning. CD 1. (App 2023-0095-A) TP 08-050.20-335.

2. App 2023-0294-A – Lisa & James Guerrieri, Jr.

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

VOTE: 6 -0

ACTION: Grant - Area variance: To maintain a ball court 25 feet from the Old Kennett Road right-of-way (50-foot street yard setback) see UDC Section 40.03.410.G. Lisa & James Guerrieri, Jr. NC2A Zoning. CD 2. (App 2023-0294-A) TP 07-011.00-013.

3. App 2023-0220-A – Premier A-2 Wilmington, DE LLC.

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

VOTE: 6 -0

ACTION: Grant with condition - Area variance: To permit a ground sign 7 feet from the Kirkwood Highway right-of-way (40-foot ground sign setback) see UDC Table 40.06.060. CR Zoning. CD. 1 (App 2023-0220-A) TP 07-037.10-010.

CONDITION: The proposed ground sign shall be consistent with the renderings submitted into evidence.

4. App 2023-0153-A – Country Creek, LLC.

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

VOTE: 6 -0

ACTION: Grant - Area variances to facilitate the recordation of a Land Development Plan: To permit a 0.0 bufferyard opacity along the southwesterly side lot line (0.1 bufferyard opacity required) see UDC Table 40.04.111.B. NC6.5 Zoning. CD 11. (App 2023-0153-A) TP 09-041.10-301.

5. App 2023-0075-A – Country Club Estates LLC.

Mr. Burt moved to **Adjourn meeting in continuation to the July 13, 2023 Hearing**; Mr. Rolph seconded the motion.

VOTE: 6 -0

ACTION: Adjourned meeting in continuation to the July 13, 2023 Hearing - Area variances to facilitate the recordation of a Land Development Plan: To permit 60 percent disturbance within a Water Resource Protection Area (WRPA) Recharge Area (50-percent protection level) see UDC Table 40.10.010. S Zoning. CD 6. (App 2023-0075-A) TPs 13-011.00-001, 13-011.00-002, 13-011.00-033, 13-011.00-162 & 13-011.00-163

Melissa A. Hughes

Melissa Hughes
Department of Land Use
7/18/2023