



BOARD OF ADJUSTMENT

MINUTES

July 23, 2020

The Board of Adjustment of New Castle County held a public hearing on July 23, 2020 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
Janet Vinc, Department of Land Use
Conor Gibbons, 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. #2020-0334-A – Jay Brown.

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

VOTE: 6-0

ACTION: Grant– Area variance: To construct an addition 30 feet from the Overlook Drive right-of-way (40-foot street yard setback) see UDC Table 40.04.110.B. NC15 Zoning. CD 2. (App 2020-0334-A) TP 06-023.00-053.

2. App. #2020-0311-A – Steven King.

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

VOTE: 6-0

ACTION: Grant– Area variances to facilitate the recordation of a Land Development Plan: To permit a 0.62 acre lot size (1.00-acre minimum lot size) see UDC Table 40.04.110.B. NC21 Zoning (processed as CN pending proposed rezoning). CD 8. (App 2020-0311-A) TP 06-036.00-105.

3. App. #2020-0335-A – Coldwater New Castle SS LLC.

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

VOTE: 6-0

ACTION: Grant– Area variance: To permit 3 additional wall signs for one principal use (1-wall sign per principal use) see UDC Table 40.06.060. HI Zoning. CD 10. (App 2020-0335-A) TP 10-001.00-052..

4. App. #2020-0346-A – Keith Rudy, PE

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

VOTE: 6-0

ACTION: Grant– Area variances to facilitate the recordation of a Land Development Plan: **1.** To permit a 0.51 acre lot size for Lot 28 (1.00-acre minimum lot size) see UDC Table 40.04.110.B. **2.** To permit a 0.41 acre lot size for Lot 29 (1.00-acre minimum lot size) see UDC Table 40.04.110.B. **3.** To permit a 70 foot lot width for Lot 27 (150-foot minimum lot width) see UDC Table 40.04.110.B. **4.** To permit a 0 foot lot width for Lot 28 (150-foot minimum lot width) see UDC Table 40.04.110.B. **5.** To permit a 0 foot lot width for Lot 29 (150-foot minimum lot width) see UDC Table 40.04.110.B. S Zoning. CD 2. (App 2020-0346-A) TP 07-030.10-007.

5. App. #2020-0303-A – Landmark Science & Engineering

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

VOTE: 6-0

ACTION: Grant with Condition– Area variances to facilitate the recordation of a Land Development Plan: **1.** To permit a maximum gross floor area ratio of 0.43 (0.40 maximum gross floor area ratio) see UDC Table 40.04.110.A. **2.** To permit a Landscape Surface Ratio (LSR) of 0.17 landscape surface ratio (0.30 minimum LSR required) see UDC Table 40.04.110.A. **3.** To maintain paving 13 feet from the Pencader Drive right-of-way (40-foot street yard paving setback) see UDC Table 40.04.110.B. **4.** To maintain a 0.1 bufferyard opacity along the rear property line (0.4 bufferyard opacity required) see UDC Table 40.04.111.A. BP Zoning. CD 11. (App 2020-0303-A) TP 11-021.00-017.

CONDITION: The Applicant shall continue to work with the Department to develop an acceptable landscape plan.

Melissa Hughes
Department of Land Use
10/5/2020