



BOARD OF ADJUSTMENT

MINUTES

August 11, 2022

The Board of Adjustment of New Castle County held a public hearing on August 11, 2022 utilizing ZOOM Webinar and located at the Multi-Purpose Room 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
Edward Thomas
Richard Farmer

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

MINUTES

The minutes of June 9, 2022 were presented for approval and Mr. Thomas motioned to **Grant** June 9, 2022 minutes and Mr. Parker 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. #2022-0426-A – Daralice Grayo.

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

VOTE: 4-0

ACTION: Grant– Area variance: To construct a dwelling 22 feet from the rear property line (40-foot rear yard setback) see UDC Table 40.04.110.B. NC21 Zoning. CD 12. (App 2022-0426-A) TP 12-035.40-014.

2. App #2022-0438-A – SRA Home Products.

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

VOTE: 4-0

ACTION: Grant– Area variance: To construct an addition 20 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.110.B. S Zoning. CD 12. (App 2022-0438-A) TP 13-014.34-236.

3. App #2021-0386-A – New Castle County Vocational Technical School District.

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

VOTE: 4-0

ACTION: Grant with Condition– Area variances: **1.** To maintain 3 identification Signs 1, 2 & 3 (1-wall or ground identification sign permitted) see UDC Table 40.06.060. **2.** To maintain a 41 square foot wall identification Sign 1 (20-square foot maximum sign area) see UDC Table 40.06.060. **3.** To permit 2 additional identification Signs 4 & 5 (1-wall or ground identification sign permitted) see UDC Table 40.06.060. **4.** To permit a 40 square foot ground identification Sign 4, with a 35 square foot Electronic Variable Message Sign (EVMS) portion (20-square foot maximum sign area) see UDC Table 40.06.060. S Zoning. CD 1. (App 2022-0386-A) TP 07-041.20-016.

CONDITION: The proposed ground identification Signs 4 and 5 shall be consistent with the renderings submitted into evidence.

4. App #2022-0448-A - Two Farms, Inc.

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

VOTE: 4-0

ACTION: Grant with Condition– Area variances: **1.** To permit a 162-square foot ground sign (150-square foot maximum sign area) see UDC Table 40.06.060. **2.** To permit a 162-square foot ground sign 4 feet from the S. Market Street right-of-way (40-foot ground setback) see UDC Table 40.06.060. **3.** To permit an instructional sign 0 feet from the S. Market Street right-of-way (2-foot setback) see UDC Section 40.06.040.A. CR Zoning. CD 10. (App 2022-0448-A) TP 10-001.00-012.

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

5. App #2022-0202-A - Kirkwood Properties, LLC

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

VOTE: 4-0

ACTION: Grant with Condition– Area variances to facilitate the recordation of a Land Development Plan: To permit a maximum gross floor area ratio of 0.93 (0.18 maximum gross floor area required) see UDC Table 40.04.110.A. Rich DSM Kirkwood Properties, LLC. CN Zoning. CD 9. (App 2022-0202-A) TPs 08-054.40-152 & 08-054.40-153.

CONDITION: The rear porch remain open and not be further enclosed.

Melissa A. Hughes

Melissa Hughes
Department of Land Use
10/25/2022