



BOARD OF ADJUSTMENT

MINUTES

January 14, 2021

The Board of Adjustment of New Castle County held a public hearing on January 14, 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:
Mengting Chen, Esq., Office of Law
Melissa Hughes, Department of Land Use
Klesa Achaibar, 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. #2020-0762-A – Carmine Casper.

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

VOTE: 6-0

ACTION: Grant– Area variance: To maintain a dwelling 4 feet from the southerly side lot line (6-foot side yard setback) see UDC Table 40.04.110.B. Carmine Casper. NC6.5 Zoning. CD 9. (App 2020-0762-A) TP 08-038.30-320.

2. App. #2020-0766-A – Andrew Hults.

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

VOTE: 6-0

ACTION: Grant with Condition– Area variances: 1. To maintain a detached accessory structure 11 feet from the Way Road right-of-way (50-foot street yard setback) see UDC Section 40.03.410.A. **2.** To

construct a detached accessory structure 15 feet from the Way Road right-of-way (50-foot street yard setback) see UDC Section 40.03.410.A. **3.** To construct an inground pool 30 feet from the Way Road right-of-way (50-foot street yard setback) see UDC Section 40.03.410.H. Nelson Whitlock III. SE Zoning. CD 2. (App 2020-0766-A) TP 07-011.00-107.

CONDITION: The Applicant shall submit an elevation plan for the proposed accessory structure (pool house) to the Department of Land Use at the time when they apply for the building permit.

3. App. #2020-0726-A – Raymond Weingartner.

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

VOTE: 6-0

ACTION: Grant with Condition - Area variances: 1. To construct a dwelling 14 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.110.B. **2.** To construct a detached accessory structure 23 feet in height on a 0.56 acre lot (20-foot maximum height for detached accessory structures on lots 1-acre or less) see UDC Section 40.03.410.A. **3.** To construct a detached accessory structure 23 feet in height 3 feet from the rear property line (25-foot rear yard setback) see UDC Section 40.03.410.A. CN & NC6.5 Zoning (processed as NC6.5). CD 10. (App 2020-0726-A) TP 10-023.40-149.

CONDITION: The dwelling and detached accessory structure shall not be converted into a commercial use.

Melissa A. Hughes

Melissa Hughes
Department of Land Use
3/17/2021