



**BOARD OF ADJUSTMENT**

**MINUTES**

**March 12, 2020**

The Board of Adjustment of New Castle County held a public hearing on March 12, 2020 at the Department of Land Use Conference Room, New Castle County Government Center, 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 H. Burt**  
**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*

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. #2020-0074-A – John Kuhn.**

Mr. Farmer moved to **Grant** the application; Ms. Osegebu-Rivers seconded the motion.

**VOTE: 5-0**

**ACTION: Grant– Area variance:** To construct an addition 23 from the rear property line (30-foot rear yard setback) see UDC Table 40.04.110.B. S Zoning. CD 12. (App 2020-0074-A) TP 13-014.34-146.

**2. App. #2020-0104-A – Hillcrest Associates Inc.**

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

**VOTE: 5-0**

**ACTION: Grant– Area variances:** **1.** To construct an addition 32 feet from the rear property line (40-foot rear yard setback) see UDC Table 40.04.110.C. **2.** To maintain a garage 27 feet from the rear property line (40-foot rear yard setback) see UDC Table 40.04.110.B. NC21 Zoning. CD 9. (App 2020-0104-A) TP 08-048.00-036.

**3. App. #2020-0075-A – AKP Holdings LLC**

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

**VOTE: 5-0**

**ACTION: Grant with Conditions – Area variances to facilitate the recordation of a Land Development Plan:** **1.** To permit a 0.56 acre lot size (1.00-acre minimum lot size) see UDC Table 40.04.110.B. **2.** To permit paving 0 feet from the rear property line (10-foot other yard paving setback) see UDC Table 40.04.110.B. **3.** To permit paving 0 feet from the westerly side lot line (10-foot other yard paving setback) see UDC Table 40.04.110.B. **4.** To permit 75 percent exterior storage (15-percent maximum exterior storage) see UDC Table 40.04.110.C. CR Zoning. CD 10. (App 2020-0075-A) TP 10-010.20-616.

**Conditions:**

- 1. Variances 2 and 3 shall be conditioned upon substantial compliance with the landscaping plan submitted into evidence and approved by the Department of Land Use and the construction of the 6-foot opaque fence.**
- 2. Variance 4 shall be allowed only if the Subject Property is used for temporary exterior storage only for the overflow purposes of vehicles currently registered and in working order while in the process of maintenance or repair.**

Melissa Hughes  
Department of Land Use  
5/28/2020