



BOARD OF ADJUSTMENT

MINUTES

April 22, 2021

The Board of Adjustment of New Castle County held a public hearing on April 22, 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:
Aysha Gregory, Esq., Office of Law
Melissa Hughes, Department of Land Use
Klesa Achaibar, Department of Land Us

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. #2021-0152-A – Joseph McCoy.

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

VOTE: 6-0

ACTION: Grant– Area variance: To permit a fence 7.5 feet in height along the Paper Mill Road right-of-way line (6-foot maximum fence height) see UDC Section 40.03.410.D. NC21 Zoning. CD 3. (App 2021-0152-A) TP 08-035.20-028.

2. App. #2021-0153-A – Rita Powell

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

VOTE: 5-0-1 (Thomas abstain)

ACTION: Grant with Condition– Area variance: To construct an addition 16 feet from the rear

property line (25-foot rear yard setback) see UDC Table 40.04.110.B. S Zoning. CD 12. (App 2021-0153-A) TP 14-013.31-297.

CONDITION: The screen porch not be further enclosed.

3. App. #2021-0154-A – SRA Home Products.

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

VOTE: 5-0-1 (Thomas abstain)

ACTION: Grant- Area variance: To construct an addition 19 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.110.B. NC21 CL Zoning. CD 11. (App 2021-0154-A) TP 11-016.40-110.

4. App. #2021-0155-A – Don Laubach.

Mr. Farmer moved to **Grant**; Ms. OsegbuRivers seconded the motion.

VOTE: 6-0

ACTION: Grant- Area variance: To construct an inground pool 25 feet from the Red Lion Road right-of-way (40-street yard setback) UDC Section 40.03.410.G. NC21 CL Zoning. CD 12. (App 2021-0155-A) TP 12-006.00-055.

5. App. #2021-0156-A – Stephen & Bonnie DiCampli

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

VOTE: 6-0

ACTION: Grant- Area variances to facilitate the recordation of a Land Development Plan: 1. To permit a lot width of 25 feet for Lot 3B (50-foot minimum lot width) see UDC Table 40.04.110.B. **2. To maintain a dwelling 22 feet from the New Street right-of-way for Lot 3A (25-foot street yard setback)** see UDC Table 40.04.110.B. NC5 Zoning. CD 9. (App 2021-0156-A) TP 08-045.10-076.

6. App. #2021-0154-A – DPIR2 DE 1 New Castle, LLC.

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

VOTE: 6-0

ACTION: Amend- Area variances: ~~1. To maintain 130 square foot ground identification Sign D along the Boxwood Road right of way (100 square foot maximum sign area) see UDC Table 40.06.060.~~ **2.** To maintain 130 square foot ground identification Sign D 20 feet from the Boxwood Road right-of-way (40-foot setback required) see UDC Table 40.06.060. **3.** To maintain 130 square foot ground identification Sign D 20 feet from the Centerville Road right-of-way (40-foot setback required) see UDC Table 40.06.060. **4.** To permit 4 additional ground identification signs (Signs B, C, H & I) along the Boxwood Road right-of-way (1 ground sign per street frontage) see UDC Table 40.06.060. **5.** To permit 1 additional ground identification sign (Sign P) along the Centerville Road right-of-way (1 ground sign per street frontage) see UDC Table 40.06.060. **6.** To permit 104 square foot sign area for ground Signs C & P (100-square foot maximum sign area) see UDC Table 40.06.060. **7.** To permit ground Signs B, C, H & I 20 feet from the Boxwood Road right-of-way (40-foot setback required) see UDC Table 40.06.060. **8.** To permit ground Signs A & P 20 feet from the Centerville Road right-of-way (40-foot setback required) see UDC Table 40.06.060. **9.** To permit 2 additional wall identification signs (Signs F & J) on the larger building (1 wall sign per principal use) see UDC Table 40.06.060. **10.** To permit 1 additional wall identification sign (Sign L) on the smaller building (1 wall sign per principal use) see UDC Table 40.06.060. **11.** To permit a 25 square foot instructional wall sign (Sign G) on the larger building (4 square foot maximum sign area for instructional signs) see UDC Section 40.06.040.A.2. **12.** To permit an 18 square foot instructional wall sign (Sign M) on the smaller building (4 square foot maximum sign

area for instructional signs) see UDC Section 40.06.040.A.2. **13.** To permit 2, 12 square foot instructional wall signs (Signs N & O) on the smaller building (4 square foot maximum sign area for instructional signs) see UDC Section 40.06.040.A.2. **14.** To permit 36, 6 square foot instructional signs (4 square foot maximum sign area for instructional signs) see UDC Section 40.06.040.A.2. **15.** To permit 15, 20 square foot instructional signs (4 square foot maximum sign area for instructional signs) see UDC Section 40.06.040.A.2. **16.** To permit 2, 30 square foot instructional signs (Signs AS-16 #1 & 2) (4 square foot maximum sign area for instructional signs) see UDC Section 40.06.040.A.2. **17.** To permit 10, 9 square foot instructional signs (4 square foot maximum sign area for instructional signs) see UDC Section 40.06.040.A.2. **18.** To permit 4, 31 square foot ground instructional signs (Signs PS1, PS2, PS3 & PS4) (4 square foot maximum sign area for instructional signs) see UDC Section 40.06.040.A.2. HI Zoning. CD 1. (App 2021-0136-A) TPs 07-042.10-052 & 143.

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

VOTE: 6-0

ACTION: Grant with Condition- Area variances: ~~**1.** To maintain 130 square foot ground identification Sign D along the Boxwood Road right-of-way (100 square foot maximum sign area) see UDC Table 40.06.060.~~ **2.** To maintain 130 square foot ground identification Sign D 20 feet from the Boxwood Road right-of-way (40-foot setback required) see UDC Table 40.06.060. **3.** To maintain 130 square foot ground identification Sign D 20 feet from the Centerville Road right-of-way (40-foot setback required) see UDC Table 40.06.060. **4.** To permit 4 additional ground identification signs (Signs B, C, H & I) along the Boxwood Road right-of-way (1 ground sign per street frontage) see UDC Table 40.06.060. **5.** To permit 1 additional ground identification sign (Sign P) along the Centerville Road right-of-way (1 ground sign per street frontage) see UDC Table 40.06.060. **6.** To permit 104 square foot sign area for ground Signs C & P (100-square foot maximum sign area) see UDC Table 40.06.060. **7.** To permit ground Signs B, C, H & I 20 feet from the Boxwood Road right-of-way (40-foot setback required) see UDC Table 40.06.060. **8.** To permit ground Signs A & P 20 feet from the Centerville Road right-of-way (40-foot setback required) see UDC Table 40.06.060. **9.** To permit 2 additional wall identification signs (Signs F & J) on the larger building (1 wall sign per principal use) see UDC Table 40.06.060. **10.** To permit 1 additional wall identification sign (Sign L) on the smaller building (1 wall sign per principal use) see UDC Table 40.06.060. **11.** To permit a 25 square foot instructional wall sign (Sign G) on the larger building (4 square foot maximum sign area for instructional signs) see UDC Section 40.06.040.A.2. **12.** To permit an 18 square foot instructional wall sign (Sign M) on the smaller building (4 square foot maximum sign area for instructional signs) see UDC Section 40.06.040.A.2. **13.** To permit 2, 12 square foot instructional wall signs (Signs N & O) on the smaller building (4 square foot maximum sign area for instructional signs) see UDC Section 40.06.040.A.2. **14.** To permit 36, 6 square foot instructional signs (4 square foot maximum sign area for instructional signs) see UDC Section 40.06.040.A.2. **15.** To permit 15, 20 square foot instructional signs (4 square foot maximum sign area for instructional signs) see UDC Section 40.06.040.A.2. **16.** To permit 2, 30 square foot instructional signs (Signs AS-16 #1 & 2) (4 square foot maximum sign area for instructional signs) see UDC Section 40.06.040.A.2. **17.** To permit 10, 9 square foot instructional signs (4 square foot maximum sign area for instructional signs) see UDC Section 40.06.040.A.2. **18.** To permit 4, 31 square foot ground instructional signs (Signs PS1, PS2, PS3 & PS4) (4 square foot maximum sign area for instructional signs) see UDC Section 40.06.040.A.2. HI Zoning. CD 1. (App 2021-0136-A) TPs 07-042.10-052 & 143.

CONDITION: **The Applicant shall construct signage in general accordance with the elevations submitted into evidence.**

Melissa A. Hughes

Melissa Hughes
Department of Land Use
5/24/2021