



BOARD OF ADJUSTMENT

MINUTES

May 14, 2020

The Board of Adjustment of New Castle County held a public hearing on May 14, 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:
Mengting Chen, 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. #2020-0155-A – Ward & Taylor LLC.

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

VOTE: 6-0

ACTION: Grant– Area variance: To maintain a dwelling 18 feet from the Odessa Avenue right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. NC6.5 Zoning. CD 8 TP 06-094.00-255

2. App. #2020-0146-A – Jane Baskins.

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

VOTE: 6-0

ACTION: Grant with Conditions– Area variance: To construct an addition 5 feet from the easterly side lot line (8-foot side yard setback) see UDC Table 40.04.110.B. NC10 Zoning. CD 9. TP 08-053.30-077.

Conditions:

- 1. The Applicant shall submit a signed document detailing how and affirming that the front half of new addition and expanded driveway will drain exclusively to the street and the rear half of the addition will drain either to the street or to the Applicant’s own rear yard**
- 2. The signed document shall be reviewed and approved by the Department prior to the construction of the addition**

3. App. #2020-0149-A – Gail Brooks

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

VOTE: 6-0

ACTION: Grant – Area variance: To construct an addition 2 feet from the easterly side lot line (6-foot side yard setback) see UDC Table 40.04.110.B. NC6.5 Zoning. CD 7. TP 10-023.10-225.

4. App. #2020-0164-A – Andrew DiMedio

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

VOTE: 6-0

ACTION: Grant – Area variance: To permit a lot width of 160 feet for Lot 4 (200-foot minimum lot width) see UDC Table 40.04.110.A. NC2-A Zoning. CD 6. TP 15-022.00-119.

5. App. #2020-0151-A – Vincenzo Carrieri-Russo

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

VOTE: 6-0

ACTION: Grant– Area variances: **1.** To permit a ground sign 0 feet from the Ice Cream Drive right-of-way (40-foot ground sign setback) see UDC Table 40.06.060. **2.** To permit a ground sign 0 feet from the unnamed alley right-of-way (40-foot ground sign setback) see UDC Table 40.04.110.B. **3.** To maintain Building 1 3 feet the Ice Cream Drive right-of-way (15-foot street yard setback) see UDC Table 40.04.110.B. **4.** To maintain Building 1 0 feet from the unnamed alley (15-foot street yard setback) see UDC Table 40.04.110.B. **5.** To maintain a Building 1 14 feet from the unnamed alley (15-foot street yard setback) see UDC Table 40.04.110.B. **6.** To maintain Building 2 0 feet from the unnamed alley (15-foot street yard setback) see UDC Table 40.04.110.B. CN Zoning. CD 8. TPs 06-068.00-033 & 06-081.00-057.

6. App. #2020-0145-A New Castle Hospitality

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

VOTE: 6-0

ACTION: Grant with Conditions– Area variances: **1.** To permit a 2.85 acre lot size (3.00 acre minimum lot size) see UDC Table 40.04.110.B. **2.** To permit a maximum gross floor area ratio (FAR) of 0.62 (0.50 maximum gross floor area ratio) see UDC Table 40.04.1110.A. **3.** To construct a building 33 feet from the Interstate 295 right-of-way (40-foot street yard setback) see UDC Table 40.04.110.B. **4.** To permit paving 7 feet from the Interstate 295 right-of-way (25-foot paving setback) see UDC Table 40.04.110.B. **5.** To provide a 0.0 bufferyard opacity along the Interstate 295 right-of-way (0.4 bufferyard opacity required) see UDC Table 40.04.111.A. **6.** To construct a ground sign 8

feet from the Interstate 295 right-of-way (40-foot ground sign setback) see UDC Table 40.06.060. CR Zoning. CD 7. TP 10-015.00-005.

Conditions:

- 1. The landscaping shall be consistent with the renderings submitted into evidence.**
- 2. The building elevations shall be consistent with the renderings submitted into evidence.**

Melissa Hughes
Department of Land Use
8/13/2020