



**BOARD OF ADJUSTMENT**

**MINUTES**

**May 28, 2020**

The Board of Adjustment of New Castle County held a public hearing on May 28, 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:  
*Aysha Gregory, Esq., Office of Law*  
*Melissa Hughes, Department of Land Use*  
*Janet Vinc, Department of Land Use*  
*Conor Gibbons, Department of Land Use*

MINUTES

The minutes of January 23, 2020 were presented for approval and Mr. Parker motioned to Grant the January 23, 2020 minutes and Mr. Burt seconded the motion, and the minutes were approved.

The minutes of February 13, 2020 were presented for approval and Mr. Parker motioned to Grant the February 13, 2020 minutes and Ms. Osegbu-Rivers seconded the motion, and the minutes were approved.

The minutes of February 27, 2020 were presented for approval and Mr. Parker motioned to Grant the February 27, 2020 minutes and M. Farmer seconded the motion, and the minutes were approved.

The minutes of March 12, 2020 were presented for approval and Mr. Burt motioned to Grant the March 12, 2020 minutes and Mr. Brooks seconded the motion, and the minutes were approved.

The minutes of April 23, 2020 were presented for approval and Mr. Parker motioned to Grant the April 23, 2020 minutes and Ms. Osegbu-Rivers 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. #2020-0166-A – Daisy Rivera.**

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

**VOTE: 6-0**

**ACTION: Grant– Area variance:** To construct an addition 18 feet from the W. Roosevelt Avenue right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. NC5 Zoning. CD 7TP 10-014.30-360.

### **2. App. #2020-0174-A – Suzanne Landi.**

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

**VOTE: 0-6**

**ACTION: Deny– Area variance:** To permit a 9-foot tall fence along the easterly side lot line (6-foot maximum fence height) see UDC Section 40.03.310.D. S Zoning. CD 2. TP 07-031.00-016.

### **3. App. #2020-0179-A – Steve Coviello**

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

**VOTE: 6-0**

**ACTION: Grant – Area variance:** To permit a lot width of 49.3 feet for Lots 163 & 164 (50-foot minimum lot width) see UDC Table 40.04.110.A. NC5 Zoning. CD 1. TP 07-042.40-447.

### **4. App. #2020-0076-A – Gable Signs & Graphics Inc**

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

**VOTE: 6-0**

**ACTION: Grant with Condition – Area variance:** To permit a 421 square foot wall sign (75-square foot maximum sign area) see UDC Table 40.06.060. OR Zoning. CD 1. TP 09-024.00-026.

**Condition: The text area of the sign shall not exceed 180 square feet.**

### **5. App. #2020-0100-A – Elmark Sign Company**

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

**VOTE: 6-0**

**ACTION: Grant– Area variances:** **1.** To permit 2 additional wall identification signs (1 wall or ground identification sign permitted) see UDC Table 40.06.060. **2.** To permit an 87 square foot wall identification sign on the easterly façade of the building (75-square foot maximum sign area) see UDC Table 40.06.060. OR Zoning. CD 2. TP 06-100.00-104.

### **6. App. #2020-0102- Dr. Manish Garg**

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

**VOTE: 6-0**

**ACTION: Grant with Conditions– Area variance to facilitate the recordation of a Land Development Plan:** **1.** To disturb 100% of a WRPA Recharge Area (50% maximum disturbance) see UDC Table 40.10.010. **2.** To provide 48% impervious coverage in WRPA Recharge Area (20% maximum impervious coverage) see UDC Section 40.10.160 **3.** To maintain paving 27 feet from the

Pulaski Highway right-of-way (40-foot paving setback) see UDC Table 40.04.110.B. **4.** To permit 80 parking spaces (95 parking spaces required) see UDC Table 40.03.522. ON Zoning. CD 11. TP 10-043.10-119.

**Conditions:**

- 1. The landscaping shall be consistent with the renderings submitted into evidence.**
- 2. The Applicant shall develop a plan to connect the existing roof's drainage to the new stormwater infiltration system and shall report to and collaborate with the Department thereon regarding the feasibility and implantation of the plan.**

Melissa Hughes  
Department of Land Use  
8/13/2020