



BOARD OF ADJUSTMENT

MINUTES

August 19, 2021

The Board of Adjustment of New Castle County held a public hearing on August 19, 2021 utilizing ZOOM Webinar, beginning at 6:00 p.m.

Chairman David H. Burt,
presiding:

CALL TO ORDER – 6:00 p.m.

David Burt
William Brooks
Edward Thomas
Izuru Osegbu-Rivers
Richard Farmer

Comprising a quorum of the Board; also:
Mengting Chen., Office of Law
Melissa Hughes, Department of Land Use
Klesa Achaibar, Department of Land Use
Janet Vinc, 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. #2021-0429-A - Lynda Furlong.

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

VOTE: 1-4 (Brooks – Grant; Burt, Thomas, Farmer & Osegbu-Rivers- Deny)

ACTION: Deny– Area variance: To permit a fence 8 feet in height along easterly side lot line (6-foot maximum fence height) see UDC Section 40.03.410.D. Lynda Furlong. NC6.5 Zoning. CD 1. (App 2021-0429-A) TP 08-050.20-376.

2. App. #2021-0430-A – Ramesh C. Batta Associates, P.A.

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

VOTE: 5-0

ACTION: Grant- Area variance: To maintain a deck under construction 10 feet from the rear property line (11.25-foot setback for decks) see UDC Section 40.04.110.E. S Zoning. CD 12. (App 2021-0430-A) TP 13-019.31-100.

3. App. #2021-0434-A – Reybold Realty Associates, LLC.

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

VOTE: 5-0

ACTION: Grant- Area variances to facilitate the recordation of a Land Development Plan: **1.** To maintain a dwelling 19 foot from a private street for Lot 1 (20-foot street yard setback) see UDC Table 40.04.110.B. **2.** To maintain a dwelling 18 foot from a private street for Lot 77 (20-foot street yard setback) see UDC Table 40.04.110.B. **3.** To maintain 11 foot building spacing between Lots 75 and 76 (12-foot minimum building space) see UDC Table 40.04.110.B. **4.** To maintain 10 foot building spacing between Lots 78 and 79 (12-foot minimum building space) see UDC Table 40.04.110.B. **5.** To maintain 11 foot building spacing between Lots 79 and 80 (12-foot minimum building space) see UDC Table 40.04.110.B. **6.** To maintain 10 foot building spacing between Lots 80 and 81 (12-foot minimum building space) see UDC Table 40.04.110.B. **7.** To maintain 11 foot building spacing between Lots 100 and 101 (12-foot minimum building space) see UDC Table 40.04.110.B. **8.** To maintain a dwelling 4 feet from the rear property line for Lot 73 (5-foot rear yard setback) see UDC Table 40.04.110.B. CMM Zoning. CD 11. (App 2021-0434-A) TP 11-023.00-050.

Melissa A. Hughes

Melissa Hughes
Department of Land Use
9/20/2021