



**BOARD OF ADJUSTMENT**

**MINUTES**

**December 19, 2019**

The Board of Adjustment of New Castle County held a public hearing on December 19, 2019 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**  
**Terry Parker**  
**William Brooks**  
**Edward Thomas**  
**Izuru Osegbu-Rivers**  
**Richard Farmer**  
**Monique Slowe**

Comprising a quorum of the Board; also:  
*Mengting Chen, Esq., Office of Law*  
*Melissa Hughes, Department of Land Use*  
*Conor Gibons, Department of Land Use*

MINUTES

The minutes of November 7, 2019 were presented for approval and Mr. Farmer motioned to Grant the November 7, 2019 minutes and Mr. Thomas 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. #2019-0755-A – CMH Homes**

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

**VOTE: 7-0**

**ACTION: Grant– Area variance:** To maintain a detached Accessory Dwelling Unit (ADU) 9 feet from the westerly side lot line (12-foot side yard setback) see UDC Section 40.04.110.B. S Zoning. CD 12. (App 2019-0755-A) TP 14-003.00-001.

**2. App. #2019-0748-A – Catholic Cemeteries, Inc.**

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

**VOTE: 7-0**

**ACTION: Grant with Condition – Area variances:** **1.** To permit an off-premise ground sign on a residentially zoned property (S Zoning) 0 feet from a residentially zoned property (100-foot minimum from residentially zoned property) see UDC Section 40.06.070.C.3. **2.** To permit a ground off-premise sign 12 feet from the Pike Creek Road right-of-way (50-foot setback) see UDC Section 40.06.07. **3.** To permit a ground off-premise sign 12 feet from the Kirkwood Highway right-of-way (50-foot setback) see UDC Section 40.06.070. S Zoning. CD 9. (App 2019-0748-A) TP 08-049.00-004.

**Condition: Upon use of the current St. Marks Property as a school, the off-premise sign shall be for the specific use of providing directional guidance for the high school and not for commercial advertising, and upon discontinuance of the specific use, the off-premise sign shall be removed and the variances for the off-premise sign shall become null and void.**

Melissa Hughes  
Department of Land Use  
01/23/2020