



BOARD OF ADJUSTMENT

MINUTES

March 12, 2026

The Board of Adjustment of New Castle County held a public hearing on March 12, 2026 utilizing ZOOM Webinar and located at the Government Center at 87 Reads Way, New Castle, Delaware, beginning at 6:00 p.m. Chair Terry Parker presiding:

CALL TO ORDER – 6:00 p.m.

Terry Parker, Chair (Absent for Item 2)

Cora Castle, Vice Chair

Nakishia Bailey

Mohammed Cisse

Keith Rolph (Absent)

Edward Thomas

Chase Barnes

Comprising a quorum of the Board; also:

Mary Jacobson, Office of Law

Melissa Hughes, Department of Land Use

Klesa Achaibar, Department of Land Use

PUBLIC HEARING

MINUTES

The minutes of February 12, 2026 were presented for approval and Mr. Barnes motioned to Grant February 12, 2026 minutes and Mr. Parker seconded the motion, and the minutes were approved.

OLD BUSINESS

NEW BUSINESS

1. App 2026-0046-A – Aurelio Rojas Delao

Mr. Parker moved to **Grant**; Mr. Barnes seconded the motion.

VOTE: 5 - 1 (Ms. Castle Oppose)

ACTION: Grant - Area variance: To permit an addition 21 feet from the Boston Place right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. NC6.5 Zoning. CD. 7 (App 2026-0046-A) TP 10-019.40-233.

2. App. 2026-0053-A – Tee Nguyen

Ms. Castle moved to **Grant Variance 1**; Mr. Cisse seconded the motion

VOTE: 4 - 1 - 1 (Ms. Castle Oppose, Mr. Parker abstain)

ACTION: Grant - Area variances: 1. To permit an addition to the existing detached accessory structure 1 foot from the rear property line (3-foot rear yard setback) see UDC Section 40.03.410.A.

Ms. Castle moved to **Grant Variance 2**; Mr. Thomas seconded the motion

VOTE: 4 - 1 - 1 (Ms. Castle Oppose, Mr. Parker abstain)

ACTION: Grant - Area variances:

2. To permit an addition to the existing detached accessory structure 24 feet from the E. Rutherford Drive right-of-way (25-foot street yard setback) see UDC Section 40.03.410.A. NC6.5 Zoning. CD. 9 (App 2026-0053-A) TP 09-017.40-078.

3. App 2026-0054-A Megan & Kyle Durham

Ms. Castle moved to **Amend to variance to construct a deck 1 foot from rear property line**; Mr. Cisse seconded the motion.

VOTE: 6 - 0

ACTION: Amend - Area variance: To construct a deck 0 [1] feet from the rear property line (4 [12.5]-foot setback for decks) see UDC Section 40.04.110.E. NC6.5 Zoning. CD. 8 (App 2026-0054-A) TP 06-083.00-083.

Mr. Barnes moved to **Grant**; Mr. Parker seconded the motion.

VOTE: 6 - 0

ACTION: Grant - Area variance: Area variance: To construct a deck 1 feet from the rear property line (4 [12.5]-foot setback for decks) see UDC Section 40.04.110.E. NC6.5 Zoning. CD. 8 (App 2026-0054-A) TP 06-083.00-083.

4. App 2026-0066-A – Disabatino Landscaping

Ms. Castle moved to **Grant with Condition**; Mr. Thomas seconded the motion.

VOTE: 6 - 0

ACTION: Grant - Area variance: To construct a detached accessory structure 8 feet from the westerly side lot line (40-foot side yard setback) see UDC Section 40.03.410.A. NC2A Zoning. CD. 2 (App 2026-0066-A) TP 07-002.00-073.

CONDITION: The Applicant shall construct the greenhouse in general accordance with the renderings submitted into evidence.

5. App 2026-0019-A – BCP Associates LLC Ms. Castle moved to **Grant with Condition**; Mr. Barnes seconded the motion

VOTE: 6 - 0

ACTION: Grant with Condition - Area variances to facilitate the recordation of a Land Development Plan: 1. To permit 0 street trees along Boyds Corner Road right-of-way (65 street trees required) see UDC Table 40.04.111.A. 2. To permit 10 street trees along Route 301 right-of-way (15 street trees required) see UDC Table 40.04.111.A. S Zoning. CD. 6 (App 2026-0019-A) TP 13-012.00-043.

CONDITION: The Applicant shall provide landscaping in general accordance with the renderings submitted into evidence.

OTHER BUSINESS

Department of Land Use
3/26/2026