



BOARD OF ADJUSTMENT

MINUTES

January 22, 2026

The Board of Adjustment of New Castle County held a public hearing on January 22, 2026 utilizing ZOOM Webinar and located at the Government Center at 87 Reads Way, New Castle, Delaware, beginning at 6:00 p.m. Vice Chair Cora Castle presiding:

CALL TO ORDER – 6:00 p.m.

Terry Parker, Chair (Absent)
Cora Castle, Vice Chair
Nakishia Bailey
Mohammed Cisse (Absent)
Keith Rolph
Edward Thomas (Absent)
Chase Barnes

Comprising a quorum of the Board; also:
Helene Episcopo, Office of Law
Melissa Hughes, Department of Land Use
Klesa Achaibar, Department of Land Use

PUBLIC HEARING

OLD BUSINESS

NEW BUSINESS

1. App 2025-0752-A – Sarah Johnson

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

VOTE: 4 - 0

ACTION: Grant with Condition - Area variance: To construct an addition 15 feet from the Morehouse Drive right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. NC5 Zoning. CD 10 (App 2025-0752) TP 10-010.10-475.

CONDITION: The proposed porch addition shall remain open and not further enclosed.

2. App. 2025-0754-A – Jason Patterson & Marysia Stanton

Ms. Castle moved to **Grant**; Mr. Barnes seconded the motion

VOTE: 0 - 4 (Motion fails)

ACTION: Deny - Area variance: To permit a 6-foot tall fence within the street yard area along the Delaware Drive right of way, the street yard area along the Atlas Drive right-of-way and westerly property line (4-foot maximum fence height within the street yard area) see UDC Section 40.03.410.E.

NC5 Zoning. CD. 10 (App 2025-0754-A) TP 10-015.40-193.

3. App 2025-0769-A – Amral Khan

Mr. Barnes moved to **Grant**; Ms. Castle seconded the motion.

VOTE: 0 - 4 (Motion fails)

ACTION: Deny - Area variance: To maintain paving 0 feet from the easterly side lot line (2-foot paving setback) see UDC Section 40.04.110.E. NC5 Zoning. CD. 10 (App 2025-0769-A) TP 10-009.30-078.

4. App 2025-0782-A – A.S. Jacono

Ms. Castle moved to **Grant**; Mr. Rolph seconded the motion.

VOTE: 3 - 1 (Ms. Castle Oppose)

ACTION: Grant - Area variances: **1.** To permit a 25 foot tall detached accessory structure (maximum 23.8-foot height that is equal to that of the principal building on a lot greater than 1-acre) see UDC Section 40.03.410.A. **2.** To permit a detached accessory structure over 20-feet in height, 15 feet from the southerly side lot line (40-foot side yard setback for detached accessory structure over 20-feet in height) see UDC Table 40.03.410.A. **3.** To permit a detached accessory structure over 20-feet in height, 75 feet from the rear property line (100-foot rear yard setback for detached accessory structure over 20-feet in height) see UDC Table 40.03.410.A. SR Zoning. CD. 6 (App 2025-0782-A) TP 14-022.00-091.

5. App 2025-0709-A – Evernorth Health.

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

VOTE: 4 - 0

Ms. Castle moved to **Grant Variances 2 and 3 with Condition**; Mr. Barnes seconded the motion

VOTE: 3 - 1 (Ms. Castle Oppose)

ACTION: Grant with Condition - Area variances: **1.** To permit 2 additional identification signs (1 identification sign per building, wall or ground) see UDC Table 40.06.060. **2.** To permit a 238 square foot identification wall sign for Sign A (75-square-foot maximum sign area) see UDC Table 40.06.060. **3.** To permit a 83 square foot identification wall sign for Sign B (75-square foot maximum sign area) see UDC Table 40.06.060. OR Zoning. CD. 11 (App 2025-0709-A) TP 11-018.00-059.

CONDITION: The proposed wall signage shall be installed in general accordance with the renderings submitted into evidence.

6. App 2025-0608-A – Dakota Laidman-Murray.

Ms. Castle moved to **Amend Area Variance to construct a middle/high school and performing arts building 71 feet in height**; Mr. Rolph seconded the motion.

VOTE: 4 - 0

ACTION: Amend - Special Use Permit: Special Use Permit to permit playing field lighting structures located within 500 feet from residential zoned properties along the easterly and northerly property lines (Special Use Permit required when playing field light structure is located within 500-feet of a residential property) see UDC Sections 40.22.740 & 40.31.430. Area variance: To construct a middle/high school and performing arts building **75 [71]** feet in height (45-foot maximum building height) see UDC Table 40.04.110.B. S Zoning. CD 6 (App 2025-0608-A) TP 13-007.00-016.

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

VOTE: 4 - 0

ACTION: Grant with Condition - Special Use Permit: Special Use Permit to permit playing field

lighting structures located within 500 feet from residential zoned properties along the easterly and northerly property lines (Special Use Permit required when playing field light structure is located within 500-feet of a residential property) see UDC Sections 40.22.740 & 40.31.430. Area variance: To construct a middle/high school and performing arts building 71 feet in height (45-foot maximum building height) see UDC Table 40.04.110.B. S Zoning. CD 6 (App 2025-0608-A) TP 13-007.00-016.

CONDITION: The building elevations shall be in general accordance with the renderings submitted into evidence.

MINUTES

OTHER BUSINESS

Melissa A. Hughes

Melissa Hughes
Department of Land Use
02/14/2026