

**New Castle City Board of Adjustment
August 27, 2025 – 6:30 p.m.
1 Municipal Boulevard, New Castle, DE**

Members Present: Mayor Valarie W. Leary, Chair
Steve Zorrer
Robert Irwin
Assunta Scarpitti

Absent: Angel Ramos

Also Present: Max Walton, Esq., City Solicitor
Christopher Rogers, City Planner
Jeff Bergstrom, City Building Official

Mayor Leary convened the meeting at 6:30 p.m. Roll call followed and a quorum to conduct business was declared.

HEARING 2025-2- An application has been filed by Lennar, (*Owner & Applicant*), for a property located in the R-3 Zoning District at 590 Arrowgrass Lane, New Castle, DE 19720, Tax Parcel No. 21-020.00-016, to request a variance from the City of New Castle Zoning Code of 2.3 feet from the required 25 foot rear yard setback to permit the construction of a deck 22.7 feet from the rear lot line.

HEARING 2025-3- An application has been filed by Lennar, (*Owner & Applicant*), for a property located in the R-3 Zoning District at 606 Arrowgrass Lane, New Castle, DE 19720, Tax Parcel No. 21-020.00-024, to request a variance from the City of New Castle Zoning Code of 2.2 feet from the required 25 foot rear yard setback to permit the construction of a deck 22.8 feet from the rear lot line.

Mr. Walton stated Board of Adjustment Applications 2025-2 and 2025-3 were properly noticed and published per Code. He added that the Applications included Deed Restrictions that are irrelevant to the Hearings and were excluded from the Record.

The applicant, Mike Brown, was sworn in by Mr. Walton. Mr. Brown explained that the two lots in question consist of attached townhomes and a 2.3 foot variance from the rear yard setback is requested for both lots to permit the construction of a deck on each of the townhomes that is identical to the decks constructed on other townhomes in the development. In response to questions from Mr. Walton, Mr. Brown testified that:

- The nature of the Zone is residential.
- The homes are single-family attached dwellings.
- The character of the immediate vicinity uses is the same.

- Both townhomes back to a common area.
- If the restriction is removed it will not affect any neighboring properties or uses.
- The exceptional practical difficulty is the shape of the lots. The lots are somewhat pie-shaped and the curve of the lots does not allow the construction of the proposed decks because of the curve.

There were no questions from the Board members, and there were no members of the public to speak either in favor or in opposition of the applications.

Application 2025-02 – 590 Arrowgrass Lane

A motion was made by Mr. Zorrer to approve Application 2025-2 for a variance of 2.3 feet from the required 25 foot rear yard setback for property located at 590 Arrowgrass Lane, New Castle Delaware. The motion was seconded by Ms. Scarpitti.

Mr. Zorrer stated that he votes to approve granting the requested variance for the following reasons:

- The nature of the property is consistent with other townhomes in the development and all the decks are the same.
- The character of the immediate vicinity is the same.
- If the restriction were removed it would not affect the neighbors because they all have the same deck.
- The exceptional practical difficulty is the curve of the shape of the lot.
- Approving the setback will not negatively impact the neighbors.

Ms. Scarpitti stated that she votes to approve the requested variance for the reasons stated by Mr. Zorrer and because of the curving of the road.

Mr. Irwin stated that he votes to approve the requested variance for the reasons stated by Mr. Zorrer.

Mayor Leary stated that she votes to approve the requested variance for the reasons stated by Mr. Zorrer.

The motion passed unanimously.

Application 2025-03 – 606 Arrowgrass Lane

A motion was made by Mr. Zorrer to approve Application 2025-3 for a variance of 2.2 feet from the required 25 foot rear yard setback for property located at 606 Arrowgrass Lane, New Castle Delaware. The motion was seconded by Ms. Scarpitti.

Mr. Zorrer stated that he votes to approve granting the requested variance for the following reasons:

- The nature of the property is consistent with other townhomes in the development and all decks are the same.
- The character of the immediate vicinity is the same.
- If the restriction were removed it would not affect the neighbors because they all have the same deck.
- The exceptional practical difficulty is the curve of the shape of the lot.
- Approving the setback will not negatively impact the neighbors.

Ms. Scarpitti stated that she votes to approve the requested variance for the reasons stated by Mr. Zorrer and because of the curving of the road.

Mr. Irwin stated that he votes to approve the requested variance for the reasons stated by Mr. Zorrer.

Mayor Leary stated that she votes to approve the requested variance for the reasons stated by Mr. Zorrer.

The motion passed unanimously.

There being no further business to discuss, Mayor Leary called for a motion to adjourn.

A motion to adjourn was made by Mr. Irwin and was seconded by Ms. Scarpitti. The motion was unanimously carried and the meeting adjourned at 6:45 p.m.

Respectfully submitted,

Kathleen R. Weirich
City Stenographer