

## AGENDA

### BOARD OF ADJUSTMENT

Thursday, April 12, 2018

6:00 p.m.

Department of Land Use Conference Room

New Castle County Government Center

87 Reads Way, New Castle

**1. 44 Clipper Court, Bear, DE 19701. Area variances:** 1. To construct an enclosed porch 17 feet from the rear property line (40-foot rear yard setback) see UDC Table 40.04.110.B. 2. To maintain existing dwelling 32 feet from the rear property line (40-foot rear yard setback) see UDC Table 40.04.110.B. Aldo Gibellino. NC21 Zoning. CD 11. (App 2018-0118-A) TP 11-027.00-095.

**2. 418 Carver Drive, Wilmington, DE 19801. Area variance:** To construct a carport 0 feet from the southerly side lot line (6-foot side yard setback) see UDC Table 40.04.110.B. Erika Bender. NC5 Zoning. CD 10. (App 2018-0117-A) TP 10-005.40-106.

**3. 20 Meadow Road, New Castle, DE 19720. Area variance:** To construct an open porch 17 feet from the Meadow Road right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. Thomas E. Miller. NC6.5 Zoning. CD 7. (App 2018-0112-A) TP 10-012.40-051.

**4. 271 Carlow Drive, Wilmington, DE 19808. Area variances:** 1. To construct an enclosed porch 13 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.110.B. 2. To construct an enclosed porch 3 feet from the westerly side lot line (6-foot side yard setback) see UDC Table 40.04.110.B. Robert Hopkins. S Zoning. CD 9. (App 2018-0130-A) TP 08-049.10-072.

**5. 729 Noxontown Road, Townsend, DE 19734. Area variance:** To construct a dwelling with a maximum height of 44 feet (40-foot maximum building height) see UDC Table 40.04.110.B. Fred Sawyer. NC2A Zoning. CD 12. (App 2018-0155-A) TP 14-012.00-016.

**6. 211 Carroll Drive, New Castle, DE 19720. Area variances to facilitate the recordation of a Land Development Plan:** To maintain Landscape Surface Ratio (LSR) of 0.05 landscape surface ratio (0.10 minimum LSR required) see UDC Table 40.04.110.A. Carpenter Engineering. HI Zoning. CD 12. (App 2018-0128-A) TP 10-035.00-009.

**7. 5725 Kennett Pike, Wilmington 19807. Confirmation of a nonconforming use and Special Use Permit to mitigate a nonconforming use:** **1.** To maintain an existing nonconforming commercial use in a residential zoning district; to permit the continued and future use as assembly, retail, and office uses see UDC sections 40.08.300, 40.08.400 and 40.31.430. **2.** To maintain a 0.49 acre lot size (1.00 minimum lot size) see UDC Table 40.04.110.B. **3.** To maintain a 102 foot lot width (150-foot minimum lot width) see UDC Table 40.04.110.B. **4.** To maintain building 2 foot from the Kennett Pike right-of-way (40-foot side yard setback) see UDC Table 40.04.110.B. **5.** To maintain building 18 foot from the southerly lot line (30-foot side yard setback) see UDC Table 40.04.110.B. **6.** To maintain detached garage 3 feet from the northerly side lot line (30-foot side yard setback) see UDC Table 40.04.110.B. **7.** To maintain paving 0 feet from the Kennett Pike right-of-way (20-foot street yard paving setback) see UDC Table 40.04.110.B. **8.** To maintain paving 2 feet from the northerly side lot line (10-foot other yard paving setback) see UDC Table 40.04.110.B. **9.** To maintain paving 1 foot from the southerly side lot line (10-foot other yard paving setback) see UDC Table 40.04.110.B. **10.** To permit 0 on lot plant units per acre (6 on lot plant units per acre required) see UDC Table 40.04.111.A. **11.** To permit 0 open space plant units per acre (6 open space plant units per 1-acre required) see UDC Table 40.04.111.A. **12.** To permit 0 parking lot plant units per parking spaces (1 plant unit per 20 parking spaces required) see UDC Table 40.04.111.A. **13.** To provide a 0.0 bufferyard opacity along the Kennett Pike right-of-way (0.5 bufferyard opacity) see UDC Table 40.04.111.B. **14.** To provide a 0.0 bufferyard opacity along the northerly lot line (0.3 bufferyard opacity) see UDC Table 40.04.111.B. **15.** To provide a 0.0 bufferyard opacity along the easterly lot line (0.4 bufferyard opacity) see UDC Table 40.04.111.B. **16.** To provide a 0.0 bufferyard opacity along the easterly lot line (0.3 bufferyard opacity) see UDC Table 40.04.111.B. **17.** To provide 0 street trees along the Kennett Pike right-of-way (3 street trees required) see UDC Table 40.04.111.C. Robert Oliver. NC15, Hometown Overlay & Historic Overlay Zoning. CD 2. (App. 2017-0474-A) TP 07-007.00-107. **(Continued from the October 26, 2017 hearing).**

**8. 2201 Farrand Drive, Wilmington, DE 19808. Area variances to facilitate the recordation of a Land Development Plan:** **1.** To permit 246 parking spaces (364 parking spaces required) see UDC Table 40.03.522. **2.** To permit paving 5 feet from the Kirkwood Highway right-of-way (25-foot paving setback) see UDC Table 40.04.110.B. **3.** To provide no curbed island separating the required stacking spaces from the bypass lane/aisleway (a curbed island shall separate required stacking spaces from the bypass lane/aisleway), see UDC Section 40.03.316.C. Robert Stella. CR Zoning. CD 9. (App 2018-0047-A) TP 08-044.20-071.

**Individuals needing reasonable accommodations according to the *Americans with Disabilities Act*, please call 395-5400 (DRS, 1-800-232-5460) at least (5) business days before the meeting/hearing. Information is available in the Department of Land Use, New Castle County Government Center, 87 Reads Way, Corporate Commons, New Castle, DE from 8:00 a.m. to 4:00 p.m., or call 395-5400.**