

AGENDA

BOARD OF ADJUSTMENT

***Revised 1/14/21**

Thursday, January 14, 2021

6:00 p.m.

In accordance with Governor Carney's Proclamation and the Declaration of a State of Emergency, New Castle County is holding all public meetings as telephone and video conferences, utilizing Zoom Webinar until further notice.

Additional information regarding Virtual Public Meetings may be found at: [Virtual Meetings-Land-Use](#)

ZOOM Webinar log-in beginning at 5:45 P.M. Log-in information is listed below.

When: January 14, 2021 6:00 PM Eastern Time (US and Canada)

Topic: Board of Adjustment Virtual Public Hearing

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/86305612711?pwd=VEdkb2pQV3Y5Qnp0Rkl1a08waUhrUT09>

Passcode: 477620

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799 or +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799

Webinar ID: 863 0561 2711

Or iPhone one-tap:

US: +19292056099,,86305612711# or +13017158592,,86305612711#

AGENDA

1. 2426 Eric Drive East, Wilmington, DE 19808. Area variance: To maintain a dwelling 4 feet from the southerly side lot line (6-foot side yard setback) see UDC Table 40.04.110.B. Carmine Casper. NC6.5 Zoning. CD 9. (App 2020-0762-A) TP 08-038.30-320.

2. 544 Way Road, Wilmington, DE 19807. Area variances: **1.** To maintain a detached accessory structure 11 feet from the Way Road right-of-way (50-foot street yard setback) see UDC Section 40.03.410.A. **2.** To construct a detached accessory structure 15 feet from the Way Road right-of-way (50-foot street yard setback) see UDC Section 40.03.410.A. **3.** To construct an inground pool 30 feet from the Way Road right-of-way (50-foot street yard setback) see UDC Section 40.03.410.H. Nelson Whitlock III. SE Zoning. CD 2. (App 2020-0766-A) TP 07-011.00-107.

3. 14 Andrew Lane, Bear, DE 19701. *This agenda item has been withdrawn.

Area variances: **1.** To construct a detached accessory structure 24 feet in height on a 0.76 acre lot (20-foot maximum height for detached accessory structures on lots 1-acre or less) see UDC Section 40.03.410.A. **2.** To construct a detached accessory structure 24 feet in height 15 feet from the unnamed road (40-foot street yard setback) see UDC Section 40.03.410.A. **3.** To construct a detached accessory structure 24 feet in height 10 feet from the rear property line (40-foot rear yard setback) see UDC Section 40.03.410.A. Suzanne Cullen. NC21 Zoning. CD 7. (App 2020-0763-A) TP 10-049.10-062.

4. 204 Christiana Road, New Castle, DE 19720. Area variances: **1.** To construct a dwelling 14 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.110.B. **2.** To construct a detached accessory structure 23 feet in height on a 0.56 acre lot (20-foot maximum height for detached accessory structures on lots 1-acre or less) see UDC Section 40.03.410.A. **3.** To construct a detached accessory structure 23 feet in height 3 feet from the rear property line (25-foot rear yard setback) see UDC Section 40.03.410.A. Raymond Weingartner. CN & NC6.5 Zoning (processed as NC6.5). CD 10. (App 2020-0726-A) TP 10-023.40-149.

5. 1 Forge Drive, Newark, DE 19711. *This agenda item has been continued to a future hearing date to be determined.

Area variances to facilitate the recordation of a Land Development Plan: **1.** To permit a maximum net floor area ratio of 0.57 of (0.75 maximum net floor area ratio) see UDC Table 40.04.110.A. **2.** To permit paving 1 foot from the Forge Drive right-of-way (40-foot street yard paving setback) see UDC Table 40.04.110.B. **3.** To provide 0.0 bufferyard opacity along the Forge Drive right-of-way (0.5 bufferyard opacity required) see UDC Table 40.04.111.A. **4.** To provide 0.0 bufferyard opacity along the Harmony Road right-of-way (0.5 bufferyard opacity required) see UDC Table 40.04.111.A. **5.** To provide 0 street trees along the Marrows Road right-of-way (11 street trees required) see UDC Table 40.04.111.A. FNSS LLC. I Zoning. CD 5. (App 2020-0711-A) TP 09-021.00-014.

6. 200 Happy Lane, Newark, DE 19711. *This agenda item has been continued to a future hearing date to be determined.

Area variances to facilitate the recordation of a Land Development Plan: **1.** To maintain paving 0 feet from the rear property line (10-foot other yard paving setback) see UDC Table 40.04.110.B. **2.** To permit paving 0 feet from the Ruthar Drive right-of-way (40-foot street paving setback) see UDC Table 40.04.110.B. **3.** To permit paving 0 feet from the Happy Lane right-of-way (40-foot street yard paving setback) see UDC Table 40.04.110.B. **4.** To permit 12 parking spaces (16 parking spaces required) see UDC Table 40.03.522 **5.** To permit a 0.0 bufferyard opacity along the Ruthar Drive right-of-way (0.5 bufferyard opacity required) see UDC Table 40.04.111.A **6.** To permit a 0.0 bufferyard opacity along the Happy Lane right-of-way (0.5 bufferyard opacity required) see UDC Table 40.04.111.A **7.** To permit 0 parking lot plant units (1 plant unit per 30 parking spaces, required) see UDC Table 40.04.111.A. **8.** To permit 0 on lot plant units per acre (6 on-lot plant units per 1-acre required) see UDC Table 40.04.111.A. **9.** To permit 0 open space plant units per acre (5 open space plant units per 1-acre required) see UDC

Table 40.04.111.À Sunbelt Rentals. I Zoning. CD 9. (App 2020-0730-A) TP 09-016.00-020.

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.