AGENDA
BOARD OF ADJUSTMENT
Thursday, May 23, 2019
6:00 p.m.
Department of Land Use Conference Room
New Castle County Government Center
87 Reads Way, New Castle

1. **4 Dumphries Court, Townsend, DE 19734. Area variance**: To construct an addition 13 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.110.B. Larry Marshal. S Zoning. CD 12. (App 2019-0206-A) TP 14-013.31-158.

2. **213 Carlow Drive, Wilmington, DE 19808. Area variance**: To construct an addition 11 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.110.B. Jeff & Kim Miller. S Zoning. CD 9. (App 2019-0213-A) TP 08-049.10-114.

3. **4595 Summit Bridge Road, Middletown, DE 19709. Area variances**: 1. To construct a detached accessory structure 28 feet in height (20-foot maximum height for detached structures) see UDC Section 40.03.410.A. 2. To construct a detached accessory structure 4 feet from the rear property line (40-foot rear yard setback) see UDC Section 40.03.410.A. Bradley Rozmarynoski. S Zoning. CD 12. (App 2019-0235-A) TP 13-012.00-030.

4. **898 Sharpless Road, Hockessin, DE 19707. Area variances to facilitate the recordation of a Land Development Plan**: 1. To permit a lot size of 0.10 acres for Lot 1 (0.50-acre minimum lot size exclusive of protected resources) see Table 40.04.110.B. 2. To permit a lot size of 0.22 acres for Lot 2 (0.50-acre minimum lot size exclusive of protected resources) see UDC Table 40.04.110.B. 3. To disturb 0.71 acres/56 percent of the Cockeysville Formation Water Resource Area/WRPA of Lot 2 (50 percent protection level for Cockeysville WRPA) see UDC Table 40.10.010. J & B Contractors, LLC. NC21 Zoning. CD 3. (App 2019-0236-A) TP 08-008.00-041.

5. **2451 Frazer Road, Newark, DE 19702. Area variances**: 1. To permit 2 additional wall identification sign (1 wall or ground identification sign permitted) see UDC Table 40.06.60. 2. To permit an 80 square foot wall identification sign (20-square foot maximum) see UDC Table 40.06.060. Tupp Signs Inc. S Zoning. CD 11. (App 2019-0207-A) TP 11-025.00-169.

6. **520 Terminal Avenue, New Castle, DE 19720. Area variances to facilitate**
the recodard of a Land Development Plan: 1. To permit paving 0 feet from the northerly side lot line (10-foot other yard paving setback) see UDC Table 40.04.110.B. 2. To provide 0.0 bufferyard opacity along the Terminal Avenue right-of-way (0.5 bufferyard opacity) see UDC Table 40.04.111.A. 3. To provide a 0.0 bufferyard opacity along the northerly side lot line (0.2 bufferyard opacity) see UDC Table 40.04.111.B. F&H Transport Inc. HI & CR Zoning. CD 10. (App 2019-0218-A) TPs 10-002.30-075 through 10-002.30-078.

7. 249 E. Chestnut Hill Road, Newark, DE 19713. Area variances to facilitate the recodard of a Land Development Plan: 1. To construct an addition 36 feet from the E. Chestnut Hill Road right-of-way (40-foot street yard setback) see UDC Table 40.04.110.B. 2. To permit a net floor area ratio of 0.75 (0.57 maximum net floor area ratio) see UDC Table 40.04.110.A. 3. To maintain paving 2 feet from the E. Chestnut Hill Road right-of-way (40-foot street yard paving setback) see UDC Table 40.04.110.B. 4. To maintain paving 0 feet from the westerly side lot line (10-foot other yard paving setback) see UDC Table 40.04.110.B. 5. To maintain paving 0 feet from the easterly side lot line (10-foot other yard paving setback) see UDC Table 40.04.110.B. 6. To maintain paving 0 feet from the rear property line (10-foot other yard paving setback) see UDC Table 40.04.110.B. 7. 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. Armento Associates LP. I Zoning. CD 5 (App 2019-0130-A) TP 11-006.10-073.

8. 2115 Pulaski Highway, Newark, DE 19702. Area variances to facilitate the recodard of a Land Development Plan: 1. To permit 11 parking spaces (21 parking spaces required) see UDC Table 40.03.522. 2. To maintain existing building 10 feet from the easterly side lot line (20-foot side yard setback) see UDC Table 40.04.110.B. 3. To maintain existing paving 0 feet from the Pulaski Highway right-of-way (25-foot street yard paving setback) see UDC Table 40.04.110.B. 4. To maintain paving 0 feet from the easterly side lot line (5-foot other yard paving setback) see UDC Table 40.04.110.B. 5. To permit paving 0 feet from the Pulaski Highway right-of-way (25-foot street yard paving setback) see UDC Table 40.04.110.B. 6. To provide 0.0 bufferyard opacity along the Pulaski Highway right-of-way (0.4 bufferyard opacity) see UDC Table 40.04.111.A. 7. To disturb 0.168 acres of zone 2 of the riparian buffer area (100% protection level) see UDC Table 40.10.010. Newark Kubota, Inc. CR Zoning. CD 11. (App 2019-0216-A) TP 11-027.00-026.

9. 648 Caldwell Corner Road, Townsend, DE 19734. Special Use Permit to permit a 168 foot tall cell tower disguised as a windmill and area variances: 1. Special Use permit to permit a 168 foot tall cell tower disguised as a windmill see UDC Sections 40.03.326 & 40.31.430. 2. To permit paving 10 feet from the westerly side lot line (40-foot other yard paving setback) see UDC Table 40.04.110.B. TowerNorth Development, LLC. SR Zoning. CD 6. (App 2019-0132-A) TP 14-015.00-254.

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.
Area variance:

S. Zoning. To permit 11 parking spaces (21 feet net floor area ratio) see UDC Table 40.04.110.B.

I. Zoning. CD 5 (App 2019

To construct an addition 36 feet from the Pulaski Highway right (25-foot street yard setback) see UDC Table 40.04.110.B.

CR Zoning. CD 11. (App 2019

To permit paving 0 feet from the E. Chestnut Hill Road right (0.5 bufferyard opacity) see UDC Table 40.04.111.A.

To maintain paving 0 feet from the rear property line (5 feet of other yard paving setback) see UDC Table 40.04.110.B.

To provide a 0.0 bufferyard opacity along the Terminal Avenue way (0.5 bufferyard opacity) see UDC Table 40.04.111.A.

To provide 0.0 bufferyard opacity along the northerly side lot line (0.2 bufferyard opacity) see UDC Table 40.04.111.B.

Highway right (50 percent protection level for Cockeysville WRPA) see UDC Table 40.04.110.B.

Special Use permit to disturb 0.71 acres/56 percent of the Cockeysville Formation Water Resource Protection Area/WRPA of Lot 2 (50 percent protection level for Cockeysville WRPA) see UDC Table 40.04.111.B.

Area variances to facilitate the recordation of a Land Development Plan: 1.

7. To maintain paving 2 feet from the Pulaski Highway way (40-foot street yard setback) see

UDC Section 40.04.110.B.

To provide a 0.0 bufferyard opacity along the Terminal Avenue way (40-foot street yard setback) see UDC Section 40.04.111.A.

To maintain existing paving 0 feet from the Pulaski Highway way (25-foot street yard setback) see UDC Table 40.04.110.B.

To permit paving 10 feet from the rear property line (25-foot rear yard setback) see UDC Section 40.03.410.A.

3. To construct a detached accessory structure 28 feet in height (20-foot maximum height for detached structures) see UDC Section 40.03.410.A.

2. To permit a lot size of 0.22 acres for Lot 2 (0.50-acre minimum lot size exclusive of protected resources) see UDC Table 40.04.110.B.

1. Area variances: 1.