AGENDA

BOARD OF ADJUSTMENT

Thursday, June 13, 2019

6:00 p.m.

Department of Land Use Conference Room

New Castle County Government Center

87 Reads Way, New Castle

1. 542 Stonehaven Drive, Townsend, DE 19734. Area variance: To construct an addition 21 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.110.B. Milton Moore. S Zoning. CD 12. (App 2019-0256-A) TP 14-013.31-276.

2. 1224 Choptank Road, Middletown, DE 19709. Area variances: 1. To construct a detached accessory structure which covers 50 percent of the rear yard setback (30 percent maximum rear yard coverage) see UDC Section 40.03.410.A.4. 2. To construct a detached accessory structure 22 feet in height (20-foot maximum height for detached structures on lots 1-acre or less) see UDC Section 40.03.410.A. 3. To construct a 22 feet in height detached accessory structure 4 feet from the rear property line (40-foot rear yard setback) see UDC Table 40.04.110.B. Carole S. Feghali. S Zoning. CD 6. (App 2019-0277-A) TP 11-061.00-042.

3. 110 Pisces Drive, Bear, DE 19701. Area variance: To construct a dwelling 8 feet from the rear property line (20-foot rear yard setback) see UDC Section 40.04.110.B. Calatlantic Group Inc. ST Zoning. CD 12. (App 2019-0257-A) TP 10-048.30-147.

4. 112 Pisces Drive, Bear, DE 19701. Area variance: To construct a dwelling 19 feet from the rear property line (20-foot rear yard setback) see UDC Section 40.04.110.B. Calatlantic Group Inc. ST Zoning. CD 12. (App 2019-0258-A) TP 10-048.30-146.

5. 403 Sun Boulevard, Bear, DE 19701. Area variance: To construct a dwelling 18 feet from the rear property line (20-foot rear yard setback) see UDC Section 40.04.110.B. Calatlantic Group Inc. ST Zoning. CD 12. (App 2019-0260-A) TP 10-048.30-131.

6. 371 Sun Boulevard, Bear, DE 19701. Area variance: To construct a dwelling 14 feet from the rear property line (20-foot rear yard setback) see UDC Section 40.04.110.B. Calatlantic Group Inc. ST Zoning. CD 12. (App 2019-0261-A) TP 10-048.30-118.
7. **369 Sun Boulevard, Bear, DE 19701.** Area variance: To construct a dwelling 17 feet from the rear property line (20-foot rear yard setback) see UDC Section 40.04.110.B. Calatlantic Group Inc. ST Zoning. CD 12. (App 2019-0262-A) TP 10-048.30-117.

8. **367 Sun Boulevard, Bear, DE 19701.** Area variances: 1. To construct a dwelling 17 feet from the rear property line (20-foot rear yard setback) see UDC Section 40.04.110.B. 2. To construct a dwelling 12 feet from the Pisces Drive right-of-way (15-foot street yard setback) see UDC Table 40.04.110.B. Calatlantic Group Inc. ST Zoning. CD 12. (App 2019-0263-A) TP 10-048.30-116.

9. **249 E. Chestnut Hill Road, Newark, DE 19713.** Area variances to facilitate the recordation of a Land Development Plan: 1. To construct an addition 34 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. 8. To provide 0 street trees along the E. Chestnut Hill Road right-of-way (5 street trees required) see UDC Table 40.04.111.C. 9. To provide 0.0 bufferyard opacity along the E. Chestnut Hill Road right-of-way (0.5 bufferyard opacity) see UDC Table 40.04.111.A. 10. To provide 0.0 bufferyard opacity along easterly side lot line (0.2 bufferyard opacity) see UDC Table 40.04.111.A. 11. To provide 0.0 bufferyard opacity rear property line (0.0 bufferyard opacity) see UDC Table 40.04.111.A. Armento Associates LP. I Zoning. CD 5 (App 2019-0130-A) TP 11-006.10-073.

10. **668 Paper Mill Road, Newark, DE 19711.** Area variances to facilitate the recordation of a Land Development Plan: 1. To permit paving 8 feet from the Possum Park Road right-of-way (25-foot street yard paving setback) see UDC Table 40.04.110.B. 2. To permit paving 8 feet from the Paper Mill Road right-of-way (25-foot paving street yard setback) see UDC Table 40.04.110.B. 3. To construct a carwash 1 foot from the rear property line (20-foot rear yard setback) see UDC Table 40.04.110.B. 4. To permit a 0.0 bufferyard opacity along the Possum Park Road right-of-way (0.4 bufferyard opacity) see UDC Table 40.04.111.B. 5. To permit a 0.0 bufferyard opacity along the Paper Mill Road right-of-way (0.4 bufferyard opacity) see UDC Table 40.04.111.B. SMO Inc. CR Zoning. CD 9. (App 2019-0154-A) TP 08-047.00-008.

11. **1701 & 1703 Augustine Cut-Off, Wilmington, DE 19803.** Special Use Permit to construct 2-level parking structure and area variances: 1. Special Use Permit to permit a 2-level, 264-space parking structure pursuant to UDC Sections 40.04.320 (Parking Bufferyard Standards), 40.03.528 (Parking Structures) and 40.31.430 (Standards for Special Use Permit). 2. To permit a maximum gross floor area ratio of 0.66 of (0.50 maximum gross floor area ratio)
see UDC Table 40.04.110.A. 3. To permit 1,112 parking spaces (1,895 parking spaces required) see UDC Table 40.03.522. 4. To construct a 2-level parking structure 20 feet from the Augustine Cut-Off right-of-way (40-foot street yard setback) see UDC Table 40.03.110.B. 5. To permit paving 0 feet from the Augustine Cut-Off right-of-way (40-foot street yard setback) see UDC Table 40.03.110.B. 6. To permit paving 0 feet from the easterly side lot line (10-foot other yard paving setback) see UDC Table 40.03.110.B. 7. To permit paving 6 feet from the westerly side lot line (10-foot other paving setback) see UDC Table 40.03.110.B. 8. To permit 2 loading bays (3 loading bays required) see UDC Section 40.03.510. 9. To provide a 0.0 bufferyard opacity along the Augustine Cut-Off right-of-way (0.3 bufferyard opacity) see UDC Table 40.04.111.A. Incyte Corporation. OR Zoning. CD 2. (App 2019-0241-A) TPs 06-136.00-030, 06-136.00-126, 06-143.00-002 & 06-143.00-010.

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.