

AGENDA

BOARD OF ADJUSTMENT

Thursday, July 26, 2018

6:00 p.m.

Department of Land Use Conference Room

New Castle County Government Center

87 Reads Way, New Castle

1. 1605 Maryland Avenue, Wilmington, DE 19805. Area variance: To construct an addition 3 feet from the rear property line (15-foot rear yard setback) see UDC Table 40.04.110.B. Wellington Reyes Toribio. NC5 Zoning. CD 1. (App 2018-0358-A) TP 07-039.40-176.

2. 435 Nilsen Road, Bear, DE 19701. Area variance: To construct an above ground pool 6 feet from the Route 896 right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. Jennifer Travalini. NCPUD Zoning. CD 11. (App 2018-0357-A) TP 11-032.10-073.

3. 900 W. Newport Pike, Wilmington, DE 19804. Area variances: **1.** To maintain a dwelling 8 feet from the Adelphia Avenue right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. **2.** To construct an addition 10 feet from the Adelphia Avenue right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. Keith A. Conard. CN Zoning (processed as NC5). CD 1. (App 2018-0309-A) TP 07-047.10-065.

4. 302 Virginia Avenue, Wilmington, DE 19805. Motion to rehear Application No. 2017-0357-A, in which variance number 5 was denied because the Applicant failed to convince the Board that an exceptional practical difficulty or unnecessary hardship exists. **Area variance:** To provide a lot size of 4,000 square feet for Lots 52 and 53 (5,000-square foot minimum lot size) see UDC Table 40.04.110.B. Marty Mellinger. NC5 Zoning. CD 9. (App. 2017-0357-A) TP 07-037.20-200.

5. 820 Pencader Drive, Newark, DE 19702. Special Use Permit: **1.** Special Use Permit to establish a high intensity recreational use in BP Zoning District see UDC Sections 40.03.210 & 40.31.430. **2.** To maintain existing bufferyard opacity along all property lines (additional 0.2 bufferyard opacity required along all property lines) see UDC Table 40.04.111.A. Michael Evans. BP Zoning. CD 11. (App 2018-0364-A) TP 11-020.00-042.

6. 15-27 McCullough Drive, New Castle, DE 19720. Area variances to facilitate the recordation of a Land Development Plan: **1.** To maintain paving

13 feet from the Industrial Boulevard right-of-way (40-foot paving setback) see UDC Table 40.04.110.B. **2.** To maintain paving 7 feet from the McCullough Drive right-of-way (40-foot paving setback) see UDC Table 40.04.110.B. **3.** To maintain 0.0 bufferyard opacity along the Industrial Boulevard right-of-way (0.5 bufferyard opacity) see UDC Table 40.04.111.B. **4.** To maintain a 0.0 bufferyard opacity along the McCullough Drive right-of-way (0.5 bufferyard opacity) see UDC Table 40.04.111.B. **5.** To permit 0 parking lot plant units per parking spaces (1 plant unit per 30 parking spaces required) see UDC Table 40.04.111.A. Dynamic Engineering Consultants. I Zoning. CD 7. (App 2018-0327-A) TP 10-014.00-066.

7. 15 Center Meeting Road, Wilmington, DE 19807. Area variances to facilitate the recordation of a Land Development Plan: **1.** To maintain a 0.88 acre lot size (1.00 minimum lot size) see UDC Table 40.04.110.B. **2.** To maintain a shed 0 feet from the easterly side lot line (30-foot side yard setback) see UDC Table 40.04.110.B. **3.** To construct an addition 8 feet from the easterly side lot line (30-foot side yard setback) see UDC Table 40.04.110.B. **4.** To permit paving 4 feet from the easterly side lot line (10-foot other yard paving setback) see UDC Table 40.04.110.B. **5.** To permit 9 parking spaces (22 parking spaces required) see UDC Table 40.03.522. **6.** To provide a 0.1 bufferyard opacity along the westerly side lot line (0.4 bufferyard opacity) see UDC Table 40.04.111.B. **7.** To provide a 0.0 bufferyard opacity along the easterly side lot line (0.5 bufferyard opacity) see UDC Table 40.04.111.B. 15 Center Meeting Road LLC. NC15 Zoning. CD 2. (App 2018-0325-A) TP 07-007.00-110.

8. 440 through 452 Moores Lane, New Castle, DE 19720. Area variances to facilitate the recordation of a Land Development Plan: **1.** To permit a 0.77 acre lot size for Lot 1 (1-acre minimum lot size required) sees UDC Table 40.04.110.B. **2.** To construct a building on Lot 1 0 feet from the northerly side lot line (20-foot side yard setback) see UDC Table 40.04.110.B. **3.** To construct a building on Lot 1 12 feet from the rear property line (20-foot side yard setback) see UDC Table 40.04.110.B. **4.** To permit a 0.0 bufferyard opacity for Lot 1 along the Moores Lane right-of-way (0.4 bufferyard opacity) see UDC Table 40.04.111.B. **5.** To permit a 0.63 acre lot size for Lot 2 (1-acre minimum lot size required) sees UDC Table 40.04.110.B. **6.** To maintain a building on Lot 2 8 feet from the northerly side lot line (20-foot side yard setback) see UDC Table 40.04.110.B. **7.** To permit paving on Lot 2 7 feet from the Moores Lane right-of-way (25-foot paving setback) see UDC Table 40.04.110.B. **7. 8.** To permit paving on Lot 2 0 feet from the southerly side lot line (5-foot other yard paving setback) see UDC Table 40.04.110.B. **9.** To permit paving on Lot 2 0 feet from the northerly side lot line (5-foot other yard paving setback) see UDC Table 40.04.110.B. **10.** To permit 0.0 bufferyard opacity for Lot 2 along the Moores Lane right-of-way (0.4 bufferyard opacity) see UDC Table 40.04.111.B. **11.** To permit 0 on lot plant units per parking spaces for Lot 2 (8 on lot plant units per acre) see UDC Table 40.04.111.A. **12.** To permit 0 open space plant units per acre for Lot 2 (6 open space plant units per 1-acre required) see UDC Table 40.04.111.A. **13.** To permit 0 open space plant units per acre for Lot 2 (1 plant unit per 20 parking spaces required) see UDC Table 40.04.111.A. **14.** To construct a ground sign 7 feet from the from the Moores Lane right-of-way (25-foot setback) see UDC Table 40.06.060. Moore Storage 440, LLC. CR Zoning. CD 7. (App 2018-0013-A) TPs 10-020.30-040 & 10-020.30-041.

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.