

AGENDA

BOARD OF ADJUSTMENT

Thursday, August 23, 2018

6:00 p.m.

Department of Land Use Conference Room

New Castle County Government Center

87 Reads Way, New Castle

1. 515 Laurel Avenue, Wilmington, DE 19809. Variance: To maintain a dwelling 21 feet from the Pennrock Road right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. Lyndsie & Stephen Jones. NC6.5 Zoning. CD 8. (App 2018-0406-A) TP 06-094.00-196.

2. 18 Bentley Road, New Castle, DE 19720. Variances: **1.** To maintain a dwelling 34 feet from the rear property line (40-foot rear yard setback) see UDC Table 40.04.110.B. **2.** To construct an enclosed porch 18 feet from the Bentley Road right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. **3.** To construct an addition 18 feet from the rear property line (40-foot rear yard setback) see UDC Table 40.04.110.B. Anetha Brown. NCTH Zoning. CD 10. (App 2018-0435-A) TP 10-010.20-446.

3. 2003 Rising Sun Lane, Wilmington 19807. Confirmation of a nonconforming situation: **1.** To maintain an existing nonconforming residential use in a residential zoning district; to permit the continued use as 5 dwelling units located within 3 existing dwellings. **2.** To maintain a 0.24 acre lot size (1-acre minimum lot size) see UDC Table 40.04.110.B. **3.** To maintain a lot width of 46 feet (150-foot minimum lot width) see UDC Table 40.04.110.B. **4.** To maintain Dwelling 1 0 feet from the Rising Sun Lane right-of-way (40-foot street yard setback) see UDC Table 40.04.110.B. **5.** To maintain Dwelling 1 1 foot from the southerly side lot line (12-foot side yard setback) see UDC Table 40.04.110.B. **6.** To maintain Dwelling 2 0 feet from the easterly side lot line (12-foot side yard setback) see UDC Table 40.04.110.B. **7.** To maintain Dwelling 3 0 feet from the rear property line (40-foot rear yard setback) see UDC Table 40.04.110.B. **8.** To construct a second story addition on Dwelling 3 0 feet from the rear property line (40-foot rear yard setback) see UDC Table 40.04.110.B. Rising Sun 2003 LLC. S Zoning. CD 2. (App 2018-0108-A) TP 07-030.40-003.

4. 1386 School House Road, New Castle, DE 19720. Area variances to facilitate the recordation of a Land Development Plan: **1.** To provide a lot width of 0 feet for Parcel A-2 (300-foot minimum lot width) see UDC Table 40.04.110.B. **2.** To permit 2 parking spaces (6 parking space required) see UDC Table 40.03.522. Brett Whittleton, Expert Management, Inc. HI Zoning. CD 12. (App 2018-0418-A) TP 12-013.00-007.

5. 156 N. DuPont Highway, New Castle, DE 19720. Area variances to facilitate the

recording of a Land Development Plan: **1.** To permit 50% impervious coverage in a Class C Wellhead WRPA (20% maximum impervious) see UDC Section 40.10.162.A.2. **2.** To provide a lot width of 0 feet for Parcel 2 (100-foot minimum lot width) see UDC Section 40.04.110.B. **3.** To maintain a building on Parcel 2 4 feet from the southwesterly side lot line (20-foot side yard setback) see UDC Table 40.04.110.B. **4.** To maintain a building on Parcel 2 13 feet from the southerly side lot line (20-foot side yard setback) see UDC Table 40.04.110.B. **5.** To maintain a building on Parcel 2 13 feet from the southeasterly side lot line (20-foot side yard setback) see UDC Table 40.04.110.B. **6.** To maintain paving on Parcel 2 0 feet from the northeasterly side lot line (5-foot other yard paving setback) see UDC Table 40.04.110.B. **7.** To maintain paving on Parcel 2 0 feet from the southwesterly side lot line (5-foot other yard paving setback) see UDC Table 40.04.110.B. **8.** To maintain paving on Parcel 1 0 feet from the northeasterly side lot line (5-foot other yard paving setback) see UDC Table 40.04.110.B. Stahl Memorial Post No. 30. CR Zoning. CD 7. (App 2018-0402-A) TP 10-024.00-042.

6. 2209 Millers Road, Ardentown, DE 19810. Area variances to facilitate the recording of a Land Development Plan: **1.** To permit a 4.36 acre lot size (5-acre minimum lot size) see UDC Table 40.04.110.B. **2.** To permit an Institutional Residential (Type II) use take access from a local road (Institutional Residential (Type II) use shall take access from a collector road) see UDC Table 40.03.210.B. **3.** To permit a maximum gross floor area ratio of 0.52 of (0.46 maximum gross floor area ratio) see UDC Table 40.04.110.A. **4.** To maintain existing building 2 feet from the Millers Road right-of-way (40-foot street yard setback) see UDC Table 40.04.110.B. **5.** To maintain paving 5 feet from Millers Road (20-foot paving setback) see UDC Table 40.04.110.A. **6.** To maintain paving 10 feet from Swiss Lane (20-foot paving setback) see UDC Table 40.04.110.A. **7.** To maintain a 0.0 bufferyard opacity along Millers Road right-of-way (0.2 bufferyard opacity) see UDC Table 40.04.111.B. **8.** To maintain a 0.1 bufferyard opacity along Swiss Lane right-of-way (0.2 bufferyard opacity) see UDC Table 40.04.111.B. GR Loudon Limited, LLC. NC10 & Historic Overlay Zoning. CD 8. (App 2018-0355-A) TP 27-001.00-515.

7. 800 Delmarva Lane, Wilmington, DE 19801. Beneficial Use Appeal: To permit the construction of a pole barn and associated parking area on a portion of the parcel located within the 100-year floodplain: **1.** To disturb 0.4 acres of the 100-year floodplain (100% protection level) see UDC Table 40.10.010. **2.** To fill the floodplain +/- 1,000 cubic yards without providing compensatory storage (fill in a floodplain shall provide compensatory storage) per UDC Section 40.10.320.F. **3.** To increase the base flood elevation without providing mitigation per UDC Section 40.10.330.C. **4.** To construct a finished floor at 1.0 foot above the floodplain elevation (18" of freeboard required) for construction of a pole barn and associated parking on a portion of the parcel located within the 100-year floodplain per UDC Section 40.10.330.C. Delmarva Power & Light Co. HI Zoning. CD 10. (App 2018-0403-A) TP 07-044.10-001.

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.