

## AGENDA

### BOARD OF ADJUSTMENT

Thursday, September 12, 2019

6:00 p.m.

Department of Land Use Conference Room

New Castle County Government Center

87 Reads Way, New Castle

**1. 88 Ruby Drive, Claymont, DE 19703. Area variances:** **1.** To maintain a dwelling 18 feet from the Ruby Drive right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. **2.** To maintain a dwelling 21 feet from the Keats Drive right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. **3.** To maintain a dwelling 5 feet from the westerly side lot line (6-foot side yard setback) see UDC Table 40.04.110.B. Isaiah Lambert & Riya Kochulazar. NC6.5 Zoning. CD 8. (App 2019-0528-A) TP 06-057.00-045.

**2. 110 Marie Court, Newark, DE 19702. Area variances:** **1.** To construct a deck with gazebo 9 feet from the rear yard lot-line (25-foot rear yard setback) see UDC Table 40.04.110.B. **2.** To construct steps to a deck additional 4 feet into rear yard setback (Additional 2-feet for steps allowed) see UDC section 40.04.110.E.1.f Danielle Kester. NC6.5 Zoning. CD 11. (App 2019-0537-A) TP 09-033.40-004.

**3. 710 Greenwood Road, Wilmington, DE 19807. Area variance:** To construct an addition 15 feet from the rear property line (30-foot rear yard setback) see UDC Table 40.04.110.B. Sarah Cole. NC15 Zoning. CD 2. (App 2019-0529-A) TP 07-032.20-040.

**4. 23 Overlook Avenue, Wilmington, DE 19808. Area variance:** **1.** To construct an addition 13 feet from the Overlook Avenue right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. John Brown. NC5 Zoning. CD 9. (App 2019-0527-A) TP 08-045.10-152.

**5. 603 Central Avenue, New Castle, DE 19720. Area variances:** **1.** To construct a landing with stairs 1 foot from the rear property line (12-foot setback for landings/stairs) see UDC Section 40.04.110.E.1.g. **2.** To construct stairs 1 foot from the easterly side property line (3-foot setback for landings/stairs) see UDC Section 40.04.110.E.1.g Jeff Brannan. NC5 Zoning. CD 10. (App 2019-0428-A) TP 10-010.40-365.

**6. 11 South New Road, Middletown, DE 19709. Area variances:** **1.** To maintain a dwelling 20.5 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.110.B. **2.** To construct a deck 4 feet from the rear lot line

(25-foot rear yard setback) see UDC Table 40.04.110.B. Jeff Brannan. NC6.5 Zoning. CD 12. (App 2019-0494-A) TP 13-020.01-018.

**7. 4002 Delaware Street, Wilmington, DE 19808. Area variances:** **1.** To maintain a detached Accessory Dwelling Unit (ADU) on a 0.31 acre lot (2-acre minimum lot size) see UDC Section 40.03.410.H.7. **2.** To maintain a detached Accessory Dwelling Unit (ADU) on 6 feet from the rear property line (25-foot rear yard setback) see UDC Section 40.03.410.H.7. Nathan T. Noyes. NC5 Zoning. CD 9. (App 2019-0526-A) TP 08-044.20-227.

**8. 4755 Ogletown-Stanton Road, Newark, DE 19713. Area variances:** **1.** To maintain a ground sign 17 feet from the Churchmans Road (Route 58) right-of-way (25-foot setback) see UDC Table 40.06.060. **2.** To maintain a second ground sign 17 feet from the Churchmans Road (Route 58) right-of-way (25-foot setback) see UDC Table 40.06.060. **3.** To maintain a ground sign 24 feet from the Ogletown-Stanton Road (Route 4) right-of-way (25-foot setback) see UDC Table 40.06.060. Folkert Stakenburg. NCPUD Zoning. CD 1. (App 2019-0483-A) TP 09-017.00-030.

**9. 929 Crossan Road, Newark, DE 19711 . Area variances to facilitate the recordation of a Land Development Plan:** To provide 0.21 acres lot area for Lot 1, exclusive of protected resources (0.50-acre minimum lot area exclusive of protected resources) see Table 40.04.110.B. The gross lot area for Lot 1 will be 0.51 acres. Our4sons LLC. NC21 Zoning. CD 3. (App 2019-0281-A) TP 08-023.20-021.

**10. 27 Belmont Avenue, Wilmington, DE 19804. Area variances:** **1.** To maintain existing garage 4 feet from the easterly side lot line (30-foot setback) see UDC 40.04.110.B. **2.** To maintain existing structure 2.4 feet from southerly front lot line (40-foot setback) see UDC 40.04.110.B **3.** To maintain existing structure 8.1 feet from southerly rear lot line (40-foot setback) see UDC 40.04.110.B **4.** To maintain existing structure 10.5 feet from westerly side lot line (30-foot setback) see UDC 40.04.110.B **5.** To maintain existing shed 2.5 feet from rear lot line (40-foot setback) see UDC 40.04.110.B **6.** To maintain existing shed 2.8 feet from easterly side lot line (30-foot setback) see UDC 40.04.110.B **7.** To maintain existing parking lot 0 feet from southerly front lot line (20-foot setback) see UDC 40.04.110.B **8.** To maintain existing parking lot 0 feet from westerly side lot line (10-foot setback) see UDC 40.04.110.B **9.** To maintain existing sidewalk 3.5 feet from westerly lot line (10-foot setback) see UDC 40.04.110.B **10.** To maintain existing driveway 0 feet from easterly front lot line (10-foot setback) see UDC 40.04.110.B **11.** To maintain existing sidewalk 0 feet from easterly side lot line (10-foot setback) see UDC 40.04.110.B **12.** To maintain existing concrete steps 10.5 feet from northerly rear lot line (20-foot setback) see UDC 40.04.110.B **13.** To construct proposed handicap ramp 0 feet from westerly side lot line (10-foot setback) see UDC 40.04.110.B **14.** To construct proposed 32 square foot ground identification sign 5 feet from southerly front lot line (20 square foot maximum sign area) see UDC 40.06.060.1 **15.** To construct proposed 32 square foot ground identification sign 5 feet from southerly front lot line (20-foot setback) see UDC 40.06.060.1 **16.** To construct proposed 32 square foot ground identification sign 5 feet from northerly front lot line (20 square foot maximum sign area) see UDC 40.06.060.1 **17.** To construct proposed 32 square foot ground identification sign 5

feet from northerly front lot line (20-foot setback) see UDC 40.06.060.1 Wilmington Church of the Brethren. NC5 Zoning. CD 1. (App 2019-0480-A) TP 07-039.30-362.

**11. 3596 Wrangle Hill Road, Bear, DE 19701. Area variances to facilitate the recordation of a Land Development Plan:** **1.** To permit paving 3 feet along the Red Lion Road right-of-way (40-foot street yard paving setback) see UDC Table 40.04.110.B. **2.** To permit paving 3 feet along the Wrangle Hill Road right-of-way (40-foot street yard paving setback) see UDC Table 40.04.110.B. **3.** To provide 0.6 bufferyard opacity along rear property line (0.7 bufferyard opacity) see UDC Table 40.04.111.A. **4.** To provide 0.0 bufferyard opacity along the Red Lion Road right-of-way (0.3 bufferyard opacity) see UDC Table 40.04.111.A. **5.** To provide 0.0 bufferyard opacity along the Wrangle Hill Road right-of-way (0.3 bufferyard opacity) see UDC Table 40.04.111.A. Route 72 Partners, LLC. CN Zoning. CD 7. (App 2019-0246-A) TP 11-039.00-004.

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.