

AGENDA *REVISED 9/21/20

BOARD OF ADJUSTMENT

Thursday, September 24, 2020

6:00 p.m.

In accordance with Governor Carney's Proclamation and the Declaration of a State of Emergency, New Castle County is holding all public meetings as telephone and video conferences, utilizing Zoom Webinar until further notice.

Additional information regarding Virtual Public Meetings may be found at: [Virtual Meetings-Land-Use](#)

ZOOM Webinar log-in beginning at 5:45 P.M. Log-in information for this meeting is as follows:

**When: September 24, 2020 6:00 PM Eastern Time (US and Canada)
Topic: Board of Adjustment Virtual Public Hearing**

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/89066709789?pwd=a2VrY09jZlpYR3c2d1BMRlBqbXBvdz09>

Passcode: 243706

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099 or +1 253 215 8782 or +1 346 248
7799 or +1 669 900 6833

Webinar ID: 890 6670 9789

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AGENDA

1. **64 Millwood Drive, Middletown, DE 19709. Area variance:** To construct a detached accessory structure 26 feet in height 6 feet from the westerly side lot line (10-foot side yard setback for accessory structures taller than 20 feet on lots greater than 1 acre; accessory structures on lots greater than 1 acre shall not exceed the height of the primary dwelling) see UDC Section 40.03.410.A.7. Michael & Bernadette Kerr. NC40 Zoning. CD 6. (App 2020-0473-A) TP 11-056.00-082.

2. **10 Millbrook Road, Newark, DE 19713. Area variance:** To construct a detached accessory structure 12 feet from the Old Newark Road right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. Franklin Jones. NC6.5 Zoning. CD 5. (App 2020-0524-A) TP 11-003.10-075.

3. **2305 Hillside Road, Wilmington, DE 19810. Area variances:** **1.** To maintain a dwelling 19 feet from the rear property line (30-rear yard setback) see UDC Table 40.04.110.B. **2.** To construct an addition 19 feet from the rear property line (30-foot rear yard setback) see UDC Table 40.04.110.B. **3.** To construct a deck 6 feet from the rear property line (15-foot setback for decks) see UDC Section 40.04.110.E. Transition Engineering Surveying. NC10 Zoning. CD 8. (App 2020-0499-A) TP 16-004.00-617.

4. **1908 Kirkwood Highway (Capitol Trail), Newark, DE 19711. Area variances:** **1.** To construct a ground sign with a 37 square foot EVMS (Electronic Variable Message Sign) portion 2 feet from the Kirkwood Highway (Capitol Trail) right-of-way (40-foot setback for ground sign over 50 square feet) see UDE Table 40.06.060. **2.** To construct a ground sign with a 37 square foot EVMS (Electronic Variable Message Sign) portion 2 feet from the Harmony Road right-of-way (40-foot setback for ground sign over 50 square feet) see UDE Table 40.06.060. Jeffrey D'Ambrosia. CN Zoning. CD 9. (App 2020-0454-A) TP 08-054.40-147.

5. **2821 Pulaski Highway, Newark, DE 19702. *THIS APPLICATION HAS BEEN CONTINUED TO A FUTURE HEARING DATE IN NOVEMBER TBD.**

Area variances to facilitate the recordation of a Land Development Plan: **1.** To maintain a 0.35 acre lot size (1.00-acre minimum lot size) see UDC Table 40.04.110.B. **2.** To maintain a 63.5 feet lot width (100-foot minimum lot width) see UDC Table 40.04.110.B. **3.** To construct a building 4 feet from the easterly side lot line (20-foot building setback) see UDC Table 40.04.110.B. **4.** To permit 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 a 0.1 bufferyard opacity along the Pulaski Highway right-of-way (0.4 bufferyard opacity) see UDC Table 40.04.111. Michael Paraskewich. CR Zoning. CD 11. (App 2020-0397-A) TP 11-026.00-007.

6. **7525 Lancaster Pike, Hockessin, DE 19707. Area variances to facilitate the recordation of a Land Development Plan:** **1.** To permit a maximum building height of 49 feet (40-foot maximum building height) see UDC Table 40.04.110.B. **2.** To permit a maximum gross floor area ratio of 0.17 (0.12 maximum gross floor area ratio) see UDC Table 40.04.110.A. **3.** To permit a maximum net floor area ratio of 0.57 of (0.45 maximum net floor area ratio) see UDC Table 40.04.110.A. Hockessin IL-AL Investors, LLC. S Zoning, CD 3. (App 2020-0415-A) TP 08-007.00-024.

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.