

## AGENDA

### BOARD OF ADJUSTMENT

Thursday, October 8, 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: October 8, 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/84812001730?pwd=M1VuRlINbk5Rck5TemlNczdqN3RzZz09>

**Passcode: 333090**

**Or Telephone:**

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

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

**Webinar ID: 848 1200 1730**

**Or iPhone one-tap:**

US: +19292056099,,84812001730# or +13017158592,,84812001730#

## AGENDA

**1. 101 Hedgewick Drive, Newark, DE 19702. Area variance:** To construct an addition 12 feet from the Scotland Drive right-of-way (25-foot street yard setback see UDC Table 40.04.110.B. Eddie Riddle. NCPUD Zoning. CD 11. (App 2020-0519-A) TP 11-023.10-070.

**2. 332 Ratledge Road, Townsend, DE 19734. Area variance to facilitate the recordation of a Land Development Plan:** To permit a 2.06 acre lot size for Lot 2 (5.00-acre minimum lot size) see UDC Table 40.04.110.B. John Thomas. SR Zoning. CD 6. (App 2020-0500-A) TP 14-020.00-001.

**3. 2718 Naamans Road, Wilmington, DE 19810. Area variances:** **1.** To construct a temporary storage container 8 feet from the Andys Lane right-of-way (50-foot street yard setback) see UDC Table 40.04.110.B. **2.** To construct a

temporary storage container 40 feet from rear property line (50-foot rear yard setback) see UDC Table 40.04.110.B. **3.** To permit a landscape surface ratio (LSR) of 0.34 (0.50 minimum LSR required) see UDC Table 40.04.110.A. Palash Gupta. CN Zoning. CD. 2 (App 2020-0452-A) TP 06-021.00-058.

**4. 2470 & 0 Sunset Lake Road, Newark, DE 19702. Area variances to facilitate the recordation of a Land Development Plan:** **1.** To permit a 1.31 acre lot size (5.00-acre minimum lot size) see UDC Table 40.04.110.B. **2.** To permit a ground sign 10 feet from the Sunset Lake Road right-of-way (25-foot setback for ground sign under 50 square feet) see UDC Table 40.06.060. **3.** To provide a 0.0 bufferyard opacity along the Sunset Lake Road right-of-way (0.3 bufferyard opacity required) see UDC Table 40.04.111.A. **4.** To provide a 0.0 bufferyard opacity along the southerly side lot line (0.1 bufferyard opacity required) see UDC Table 40.04.111.A. **5.** To provide a 0.0 bufferyard opacity along the northerly side lot line (0.5 bufferyard opacity required) see UDC Table 40.04.111.A. **6.** To provide a 0.0 bufferyard opacity along the easterly side lot line (0.1 bufferyard opacity required) see UDC Table 40.04.111.A. BYN Holdings LLC. BP Zoning. CD 11. (App 2020-0459-A) TPs 11-023.00-014 & 11-023.00-013.

**5. 665 Churchmans Road, Newark, DE 19702. Area variances:** **1.** To maintain a 0.48 acre lot size (1.00 minimum lot size) see UDC Table 40.04.110.B. **2.** To maintain building 26 foot from the Churchmans Road right-of-way (40-foot street yard setback) see UDC Table 40.04.110.B. **3.** To maintain a building 21 feet from the westerly side lot line (30-foot side yard setback) see UDC Table 40.04.110.B. **4.** To maintain building 33 foot from the rear property line (40-foot rear yard setback) see UDC Table 40.04.110.B. **5.** To maintain paving 0 feet from the Gooding Drive right-of-way (20-foot street yard paving setback) see UDC Table 40.04.110.B. **6.** To maintain paving 3 feet from the rear property line (20-foot other yard paving setback) see UDC Table 40.04.110.B. **7.** To maintain paving 0 feet from the westerly side lot line (10-foot other yard paving setback) see UDC Table 40.04.110.B. **8.** To maintain a Landscape Surface Ratio (LSR) of 0.46 landscape surface ratio (0.50 minimum LSR required) see UDC Table 40.04.110.A. **9.** To maintain existing 0.0 bufferyard opacity along Churchmans Road right-of-way (0.4 bufferyard opacity required) see UDC Table 40.04.111.A. **10.** To maintain existing 0.0 bufferyard opacity along Gooding Drive right-of-way (0.2 bufferyard opacity required) see UDC Table 40.04.111.A. **11.** To maintain existing 0.0 bufferyard opacity along rear property line (0.4 bufferyard opacity required) see UDC Tables 40.04.111.A. **12.** To maintain existing 0.0 bufferyard opacity along westerly side lot line (0.4 bufferyard opacity required) see UDC Table 40.04.111.A. **13.** To maintain 0 street trees along the Churchmans Road right-of-way (3 street trees required) see UDC Table 40.04.111.C. **14.** To maintain Gooding Drive right-of-way (3 street trees required) see UDC Table 40.04.111.C. **15.** To maintain 0 on lot plant units per acre (6 on-lot plant units per 1-acre, 3 total plant units required) see UDC Table 40.04.111.A. **16.** To maintain 0 open space plant units per acre (5 open space plant units per 1-acre required, 1 total plant unit required) see UDC Table 40.04.111.A. **17.** To maintain 0 parking lot plant units (1 plant unit per 12 parking spaces, 2 total plant units required) see UDC Table 40.04.111.A. **18.** To maintain a ground sign 0 feet from the Churchmans Road right-of-way (25-foot sign setback) see UDC Table 40.06.060. **19.** Application to modify prior grant of relief conditioning use as medical office to Applicant's tenure. Brian F. Funk, Esq. NC6.5 Zoning. CD 1. (App 2020-0348-A) TP 09-019.00-029.

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.