

## AGENDA

### BOARD OF ADJUSTMENT

Thursday, October 11, 2018

6:00 p.m.

Department of Land Use Conference Room

New Castle County Government Center

87 Reads Way, New Castle

1. **2003 Rising Sun Lane, Wilmington, DE 19807.** **Area variance:** To construct a second story addition 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 2018-0556-A) TP 07-030.40-003.

2. **805 Moores Lane, New Castle, DE 19720.** **Area variance:** To construct an addition 20 feet from the Moores Lane right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. **Ronald J. Brittingham.** NC6.5 Zoning. CD 7. (App 2018-0506-A) TP 10-015.30-013.

3. **2645 Majestic Drive, Wilmington, DE 19810.** **Area variance:** To construct an enclosed porch 25 feet from the rear property line (30-foot rear yard setback) see UDC Table 40.04.110.B. **Sally Hui McGowan.** NC10 Zoning. CD 2. (App 2018-0540-A) TP 06-032.00-187.

4. **29 Rose Lane, New Castle, DE 19720.** **Area variance:** To construct an enclosed porch 18 feet from the Rose Lane right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. **Francisco Antonio Hernandez Delacruz.** NCTH Zoning. CD 10. (App 2018-0501-A) TP 10-010.20-204.

5. **2A Irwin Avenue, New Castle, DE 19720.** **Area variance:** To construct a dwelling 7 feet from the Maple Avenue right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. **Jeff Brown.** NC5 Zoning. CD 10. (App 2018-0512-A) TP 10-005.30-043.

6. **4 Denny Road, Wilmington, DE 19809.** **Area variance:** To construct a stairway/fire escape 0 feet from the easterly side lot line (14-foot rear yard setback) see UDC Table 40.04.110.B. **Howard L. Robertson Inc.** CR Zoning. CD 8. (App 2018-0510-A) TP 06-150.00-295.

7. **5695 Summit Bridge Road, Townsend, DE 19734.** **Area variances:** 1. To maintain 2 identification signs (1 wall or ground identification sign permitted), see UDC Table 40.06.060.1. 2. To permit a third identification sign (1 wall or ground identification sign permitted), see UDC Table 40.06.060.1. 3. To maintain 1, 27

square foot identification wall sign (20-square foot maximum sign area) see UDC Table 40.06.060.1. **4.** To permit a 40 square foot ground sign (20-square foot maximum sign area) see UDC Table 40.06.060.1. **5.** To permit a ground sign 22 feet from the Summit Bridge Road right-of-way (25-foot setback) see UDC Table 40.06.060.1. **VFW Post 3792.** NC40 Zoning. CD 6. (App 2018-0509-A) TP 14-011.00-017.

**8. 120A Connemara Court, Middletown, DE 19709. Area variances:** **1.** To maintain a building 27 feet from the rear yard setback (40-foot rear yard setback) see UDC Table 40.04.110.B. **2.** To maintain a building 21 feet from the southerly side lot line (30-foot side yard setback) see UDC Table 40.04.110.B. **3.** To maintain a water tank 35 feet from the rear yard setback (40-foot rear yard setback) see UDC Table 40.04.110.B. **4.** To maintain a water tank 19 feet from the southerly side lot line (30-foot side yard setback) see UDC Table 40.04.110.B. **5.** To maintain paving 0 feet from the southerly side lot line (10-foot other yard paving setback) see UDC Table 40.04.110.B. **6.** To maintain a generator 26 feet from the easterly side lot line (30-foot side yard setback) see UDC Table 40.04.110.B. **7.** To maintain a generator 30 feet from the rear yard setback (40-foot rear yard setback) see UDC Table 40.04.110.B. **8.** To construct an addition 10 feet from the southerly side lot line (30-foot side yard setback) see UDC Table 40.04.110.B. **Tidewater Utilities Inc.** NC2A Zoning. CD 6. (App 2018-0293-A) TP 13-011.00-122. **(Continued from the August 9, 2018 hearing).**

**9. 1400 Foulk Road, Wilmington, DE 19803. Special Use Permit:** Special Use Permit to permit playing field lighting 500 feet from residential zoned properties along the rear property line and 500 feet from the residentially zoned property along the southerly side lot line, see UDC Section 40.22.740 & 40.31.430. **Brandywine School District.** S Zoning. CD 2. (App 2018-0467-A) TP 06-079.00-133.

**10. 2131 Pleasant Valley Road, Newark, DE 19702. Special Use Permit to permit the continued use of a Commercial Kennel and area variances:** **1.** Special Use Permit to permit an Agricultural Support and Other Rural Services use in a NC21 Zoning District to permit the continued use of a commercial kennel see UDC Sections 40.03.314 & 40.31.430. **2.** To maintain an outdoor dog run 40 feet from the southerly side lot line (150-foot setback) see UDC Section 40.03.314.B. **3.** To maintain an outdoor dog run 85 feet from the northerly side lot line (150-foot setback) see UDC Section 40.03.314.B. **4.** To provide a 0.0 bufferyard opacity along the northerly side lot line (0.8 bufferyard opacity) see UDC Table 40.04.111.B and Section 40.03.314.B. **5.** To provide a 0.0 bufferyard opacity along the rear property line (0.8 bufferyard opacity) see UDC Table 40.04.111.B and Section 40.03.314.B. **6.** To provide a 0.0 bufferyard opacity along the southerly side lot line (0.8 bufferyard opacity) see UDC Table 40.04.111.B and Section 40.03.314.B. **7.** To provide a 0.0 bufferyard opacity along the Pleasant Valley Road right-of-way (0.4 bufferyard opacity) see UDC Table 40.04.111.A. **8.** To provide 0 on-lot plant units per acre (6 plant units per acre) see UDC Table 40.04.111.A. **9.** To provide 0 open space plant units per acre (6 plant units per acre) see UDC Table 40.04.111.A. **10.** To provide 0 parking lot plant units per acre (1 plant unit per 12 parking spaces) see UDC Table 40.04.111.A. **11.** To provide 0 street trees along the Pleasant Valley Road right-of-way (8 street trees) see UDC Table 40.04.111.C. **12.** To permit paving 3 feet from the Pleasant Valley Road right-of-way (20-foot

paving setback) see UDC Table 40.03.110.B. **13.** To permit 6 parking spaces (13 parking spaces required) see UDC Table 40.03.522. **Douglas R. Jr. & Rita Holloway.** NC21 Zoning. CD 4. (App 2018-0505-A) TPs 11-020.00-031 & 11-020.00-034.

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.