

## AGENDA

### BOARD OF ADJUSTMENT

**\*Revised 1/14/21**

Thursday, January 14, 2021

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 is listed below.**

**When: January 14, 2021 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/86305612711?pwd=VEdkb2pQV3Y5Qnp0Rkl1a08waUhrUT09>

**Passcode: 477620**

**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: 863 0561 2711**

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US: +19292056099,,86305612711# or +13017158592,,86305612711#

## AGENDA

**1. 2426 Eric Drive East, Wilmington, DE 19808. Area variance:** To maintain a dwelling 4 feet from the southerly side lot line (6-foot side yard setback) see UDC Table 40.04.110.B. Carmine Casper. NC6.5 Zoning. CD 9. (App 2020-0762-A) TP 08-038.30-320.

**2. 544 Way Road, Wilmington, DE 19807. Area variances:** **1.** To maintain a detached accessory structure 11 feet from the Way Road right-of-way (50-foot street yard setback) see UDC Section 40.03.410.A. **2.** To construct a detached accessory structure 15 feet from the Way Road right-of-way (50-foot street yard setback) see UDC Section 40.03.410.A. **3.** To construct an inground pool 30 feet from the Way Road right-of-way (50-foot street yard setback) see UDC Section 40.03.410.H. Nelson Whitlock III. SE Zoning. CD 2. (App 2020-0766-A) TP 07-011.00-107.

**3. 14 Andrew Lane, Bear, DE 19701. \*This agenda item has been withdrawn.**

**Area variances:** **1.** To construct a detached accessory structure 24 feet in height on a 0.76 acre lot (20-foot maximum height for detached accessory structures on lots 1-acre or less) see UDC Section 40.03.410.A. **2.** To construct a detached accessory structure 24 feet in height 15 feet from the unnamed road (40-foot street yard setback) see UDC Section 40.03.410.A. **3.** To construct a detached accessory structure 24 feet in height 10 feet from the rear property line (40-foot rear yard setback) see UDC Section 40.03.410.A. Suzanne Cullen. NC21 Zoning. CD 7. (App 2020-0763-A) TP 10-049.10-062.

**4. 204 Christiana Road, New Castle, DE 19720. Area variances:** **1.** To construct a dwelling 14 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.110.B. **2.** To construct a detached accessory structure 23 feet in height on a 0.56 acre lot (20-foot maximum height for detached accessory structures on lots 1-acre or less) see UDC Section 40.03.410.A. **3.** To construct a detached accessory structure 23 feet in height 3 feet from the rear property line (25-foot rear yard setback) see UDC Section 40.03.410.A. Raymond Weingartner. CN & NC6.5 Zoning (processed as NC6.5). CD 10. (App 2020-0726-A) TP 10-023.40-149.

**5. 1 Forge Drive, Newark, DE 19711. \*This agenda item has been continued to a future hearing date to be determined.**

**Area variances to facilitate the recordation of a Land Development Plan:** **1.** To permit a maximum net floor area ratio of 0.57 of (0.75 maximum net floor area ratio) see UDC Table 40.04.110.A. **2.** To permit paving 1 foot from the Forge Drive right-of-way (40-foot street yard paving setback) see UDC Table 40.04.110.B. **3.** To provide 0.0 bufferyard opacity along the Forge Drive right-of-way (0.5 bufferyard opacity required) see UDC Table 40.04.111.A. **4.** To provide 0.0 bufferyard opacity along the Harmony Road right-of-way (0.5 bufferyard opacity required) see UDC Table 40.04.111.A. **5.** To provide 0 street trees along the Marrows Road right-of-way (11 street trees required) see UDC Table 40.04.111.A. FNSS LLC. I Zoning. CD 5. (App 2020-0711-A) TP 09-021.00-014.

**6. 200 Happy Lane, Newark, DE 19711. \*This agenda item has been continued to a future hearing date to be determined.**

**Area variances to facilitate the recordation of a Land Development Plan:** **1.** To maintain paving 0 feet from the rear property line (10-foot other yard paving setback) see UDC Table 40.04.110.B. **2.** To permit paving 0 feet from the Ruthar Drive right-of-way (40-foot street paving setback) see UDC Table 40.04.110.B. **3.** To permit paving 0 feet from the Happy Lane right-of-way (40-foot street yard paving setback) see UDC Table 40.04.110.B. **4.** To permit 12 parking spaces (16 parking spaces required) see UDC Table 40.03.522 **5.** To permit a 0.0 bufferyard opacity along the Ruthar Drive right-of-way (0.5 bufferyard opacity required) see UDC Table 40.04.111.A **6.** To permit a 0.0 bufferyard opacity along the Happy Lane right-of-way (0.5 bufferyard opacity required) see UDC Table 40.04.111.A **7.** To permit 0 parking lot plant units (1 plant unit per 30 parking spaces, required) see UDC Table 40.04.111.A. **8.** To permit 0 on lot plant units per acre (6 on-lot plant units per 1-acre required) see UDC Table 40.04.111.A. **9.** To permit 0 open space plant units per acre (5 open space plant units per 1-acre required) see UDC

Table 40.04.111.À Sunbelt Rentals. I Zoning. CD 9. (App 2020-0730-A) TP 09-016.00-020.

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.