

## AGENDA

### BOARD OF ADJUSTMENT

Thursday, September 10, 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 10, 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/83381605595?pwd=cHdhM2xlekZSMXBHdkZianRiOWVCQT09>  
**Passcode: 014482**

#### **Or Telephone:**

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

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

**Webinar ID: 833 8160 5595**

#### **Or iPhone one-tap:**

US: +13126266799,,83381605595# or +19292056099,,83381605595#

## AGENDA

**1. 105 W. Cedarwood Drive, Middletown, DE 19709: Area variance:** To permit an inground pool 22 feet from the Bethel Church Road right-of-way (40-foot street yard setback) see UDC Section 40.03.410.G. Paul Hamon. NC21 Zoning. CD 12. (App 2020-0453-A) TP 11-055.00-038.

**2. 2310 St. Francis Street, Wilmington, DE 19808. Area variance:** To maintain a play structure over 6 feet in height 3 feet from the northerly side lot line (6-foot setback required) see UDC Section 40.03.410.C. Michael Boyer. NC6.5 Zoning. CD 9. (App 2020-0451-A) TP 08-044.30-292.

**3. 6 Dumphries Court, Townsend, DE 19734. Area variance:** To construct an

addition 13 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.110.B. Leonard Hiltz. S Zoning. CD 12. (App 2020-0450-A) TP 14-013.31-159.

**4. 2200 & 2202 Shipley Road, Wilmington, DE 19803. Area variances to facilitate the recordation of a Land Development Plan:** **1.** To permit a 0.50 acre lot size for Lot 1 (1.00 acre minimum lot size) see UDC Table 40.04.110.B. **2.** To permit a 0.43 acre lot size for Lot 2 (1.00 acre minimum lot size) see UDC Table 40.04.110.B. **3.** To permit a 0.70 acre lot size for Lot 3 (1.00 acre minimum lot size) see UDC Table 40.04.110.B. **4.** To permit a 0.62 acre lot size for Lot 4 (1.00 acre minimum lot size required) see UDC Table 40.04.110.B. **5.** To permit a 0.62 acre lot size for Lot 5 (1.00 acre minimum lot size) see UDC Table 40.04.110.B. **6.** To permit a 0.47 acre lot size for Lot 6 (1.00 acre minimum lot size exclusive of protected resources) see UDC Table 40.04.110.B. **7.** To permit a lot width of 98 feet for Lot 1 (150-foot minimum lot width) see UDC Table 40.04.110.B. **8.** To permit a lot width of 112.69 feet for Lot 2 (150-foot minimum lot width) see UDC Table 40.04.110.B. **9.** To permit a lot width of 20.38 feet for Lot 3 (150-foot minimum lot width) see UDC Table 40.04.110.B. **10.** To permit a lot width of 0 feet for Lot 4 (150-foot minimum lot width) see UDC Table 40.04.110.B. **11.** To permit a lot width of 0 feet for Lot 5 (150-foot minimum lot width) see UDC Table 40.04.110.B. **12.** To permit a lot width of 0 feet for Lot 6 (150-foot minimum lot width) see UDC Table 40.04.110.B. **13.** To maintain a dwelling 37 feet from the Shipley Road right-of-way (40-foot street yard setback) see UDC Table 40.04.110.B. **14.** To maintain a dwelling 12 feet from the Shipley Road right-of-way (40-foot street yard setback) see UDC Table 40.04.110.B. Astoria Builders, LLC. S Zoning. CD 2. (App 2020-0347-A) TPs 06-065.00-334 & 06-065.00-284.

**5. 10 Meco Circle, Wilmington, DE 19804. Special Use Permit and area variances:** **1.** Special Use Permit to establish a high intensity recreational use in I Zoning District see UDC Sections 40.03.210 & 40.31.430. **2.** To maintain paving 0 feet from the Meco Drive/Circle right-of-way (40-foot street yard paving setback) see UDC Table 40.04.110.B. **3.** To maintain paving 0 feet from the rear property (10-foot other yard paving setback) see UDC Table 40.04.110.B. **4.** To maintain paving 0 feet from the northeasterly side lot line (10-foot other yard paving setback) see UDC Table 40.04.110.B. **5.** To maintain paving 0 feet from the southwesterly side lot line (10-foot other yard paving setback) see UDC Table 40.04.110.B. **6.** To maintain a building 19 feet from the southwesterly side lot line (20-foot building setback) see UDC Table 40.04.110.B. **7.** To maintain a building 9 feet from the rear property line (20-foot building setback) see UDC Table 40.04.110.B. **8.** To maintain a Landscape Surface Ratio (LSR) of 0.00 landscape surface ratio (0.20 minimum LSR required) see UDC Table 40.04.110.A. **9.** To maintain existing 0.0 bufferyard opacity along Meco Drive/Circle right-of-way (0.7 bufferyard opacity required) see UDC Tables 40.03.210. & 40.04.111.A. **10.** To maintain existing 0.0 bufferyard opacity along rear property line (0.4 bufferyard opacity required) see UDC Tables 40.03.210 & 40.04.111.A. **11.** To maintain existing 0.0 bufferyard opacity along southwesterly side lot line (0.4 bufferyard opacity required) see UDC Tables 40.03.210 & 40.04.111.A. **12.** To maintain existing 0.0 bufferyard opacity along northeasterly side lot line (0.4 bufferyard opacity required) see UDC Tables 40.03.210 & 40.04.111.A. **13.** To maintain 0 street trees along the Meco Drive/Circle right-of-way (4 street trees required) see UDC Table 40.04.111.C. **14.** To maintain 0 on lot plant units per acre (6 on-lot plant units per 1-acre required, 7

total plant units required) see UDC Table 40.04.111.A. **15.** To maintain 0 open space plant units per acre (5 open space plant units per 1-acre required, 6 total plant units required) see UDC Table 40.04.111.A. **16.** To maintain 0 parking lot plant units (1 plant unit per 30 parking spaces, 1 total plant unit required) see UDC Table 40.04.111.A. Fran Simeone. I Zoning. CD 1. (App 2020-0171-A) TP 07-043.40-044.

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.