

**AGENDA \*REVISED**

**BOARD OF ADJUSTMENT**

**Thursday, May 9, 2019**

**6:00 p.m.**

**Department of Land Use Conference Room**

**New Castle County Government Center**

**87 Reads Way, New Castle**

**1. 72 Oakmont Drive, New Castle, DE 19720 . Area variances: 1.** To maintain dwelling 34 feet from the rear property line (40-foot rear yard setback) see UDC Table 40.04.110.B. **2.** To construct a deck 24 feet from the rear property line (25-foot setback for decks) see UDC Section 40.04.110.E. **3.** To construct steps leading from a deck with a 12 square foot landing, 17 feet from the rear property line (25-foot setback for decks, stairs leading to a deck, with a landing area not greater than twenty-five (25) square feet may project an additional two (2) feet) see UDC Table 40.04.110.E. Moon Ki Joegh. NCTH Zoning. CD 10. (App 2019-0217-A) TP 10-005.40-329.

**2. 109 Lloyd Street, Wilmington, DE 19804 . Area variances: 1.** To maintain dwelling 6 feet from the Lloyd Street right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. **2.** To construct a second story addition 6 feet from the Lloyd Street right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. Hamada Kawi. NC5 Zoning. CD 1. (App 2019-0209-A) TP 07-041.40-217.

**3. 102 Hillview Avenue, New Castle, DE 19720 . Area variances: 1.** To maintain a dwelling 24 feet from the Hillview Avenue right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. **2.** To construct an addition 17 feet from the Hillview Avenue right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. Cornelius Walker Jr. NC5 Zoning. CD 10. (App 2019-0189-A) TP 10-010.20-580.

**4. 49 Devalinder Drive, Newark, DE 19702 . Area variance:** To construct an addition 21 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.110.B. Ferris Home Improvement. ST Zoning. CD 11. (App 2019-0190-A) TP 11-031.20-045.

**5. 4 Mollie Court, Newark, DE 19711 . Area variance:** To construct a dwelling 31 feet from the Mollie Court right-of-way (40-foot street yard setback) see UDC Table 40.04.110.B. William Wright. NC21 Zoning. CD 3. (App 2019-0200-A) TP 08-024.20-323.

**6. 1275 Cedar Lane Road, Middletown, DE 19709 . Area variances:** **1.** To permit 2 additional identification signs (1 wall or ground identification sign permitted) see UDC Table 40.06.60. **2.** To permit a 40 square foot wall sign (20-square foot maximum sign area) see UDC Table 40.06.60. **3.** To permit a 64 square foot wall sign (20-square foot maximum sign area) see UDC Table 40.06.60. Pietro D'Agostino. S Zoning. CD 12. (App 2019-0175-A) TP 13-013.00-006.

**7. 455 Stanton Christiana Road, Newark, DE 19713 . Area variance:** To permit a ground sign 1 foot from the Stanton Christiana Road right-of-way (40-foot sign setback) see UDC Table 40.06.60. Tupp Signs Inc. CR Zoning. CD 1. (App 2019-0177-A) TP 09-018.00-029.

**8. 249 E. Chestnut Hill Road, Newark, DE 19713 . \*THIS APPLICATION HAS BEEN CONTINUED TO MAY 23 so it WILL NOT BE HEARD AT THE MAY 9 HEARING.**

**Area variances to facilitate the recordation of a Land Development Plan:** **1.** To construct an addition 36 feet from the E. Chestnut Hill Road right-of-way (40-foot street yard setback) see UDC Table 40.04.110.B. **2.** To permit a net floor area ratio of 0.75 (0.57 maximum net floor area ratio) see UDC Table 40.04.110.A. **3.** To maintain paving 2 feet from the E. Chestnut Hill Road right-of-way (40-foot street yard paving setback) see UDC Table 40.04.110.B. **4.** To maintain paving 0 feet from the westerly side lot line (10-foot other yard paving setback) see UDC Table 40.04.110.B. **5.** To maintain paving 0 feet from the easterly side lot line (10-foot other yard paving setback) see UDC Table 40.04.110.B. **6.** To maintain paving 0 feet from the rear property line (10-foot other yard paving setback) see UDC Table 40.04.110.B. **7.** 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. Armemto Associates LP. I Zoning. CD 5 (App 2019-0130-A) TP 11-006.10-073.

**9. 4830 Kirkwood Highway, Wilmington, DE 19808 . Area variances to facilitate the recordation of a Land Development Plan:** **1.** To permit a 0.53 acre lot size (1.00 acre minimum lot size) see UDC Table 40.04.110.B. **2.** To construct a building 19 feet from the St. James Church Road right-of-way (40-foot street yard setback) see UDC Table 40.04.110.B. **3.** To construct a building 25 feet from the Kirkwood Highway right-of-way (40-foot street yard setback) see UDC Table 40.04.110.B. **4.** To permit paving 18 feet from the St. James Church Road right-of-way (25-foot paving setback) see UDC Table 40.04.110.B. **5.** To permit paving 0 feet from the Kirkwood Highway right-of-way (25-foot paving setback) see UDC Table 40.04.110.B. **6.** To permit 10 parking spaces (16 parking spaces required) see UDC Table 40.03.522. **7.** To provide 8 stacking spaces for 4 service bays (24 stacking spaces required, 6 stacking spaces per bay) see UDC Section 40.03.522. **8.** To provide a 0.2 bufferyard opacity along the St. James Church Road right-of-way (0.4 bufferyard opacity) see UDC Table 40.04.111.A. **9.** To provide a 0.0 bufferyard opacity along the Kirkwood Highway right-of-way (0.4 bufferyard opacity) see UDC Table 40.04.111.A. **10.** To provide a 0.3 bufferyard opacity along the rear property line (0.4 bufferyard opacity) see UDC Table 40.04.111.B. **11.** To provide 3 street trees along the Kirkwood Highway (4 street trees required) see UDC Table 40.04.111.C. **12.** To permit a ground sign 5 feet from the Kirkwood Highway right-of-way (25-foot sign setback) see UDC Table

40.06.060. Mid-Atlantic Lubes, LLC. CR Zoning. CD 1. (App 2019-0159-A) TP 08-044.30-087.

**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.**