

AGENDA

BOARD OF ADJUSTMENT

Thursday, May 23, 2019

6:00 p.m.

Department of Land Use Conference Room

New Castle County Government Center

87 Reads Way, New Castle

1. 4 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. Larry Marshal. S Zoning. CD 12. (App 2019-0206-A) TP 14-013.31-158.

2. 213 Carlow Drive, Wilmington, DE 19808. Area variance: To construct an addition 11 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.110.B. Jeff & Kim Miller. S Zoning. CD 9. (App 2019-0213-A) TP 08-049.10-114.

3. 4595 Summit Bridge Road, Middletown, DE 19709. Area variances: **1.** To construct a detached accessory structure 28 feet in height (20-foot maximum height for detached structures) see UDC Section 40.03.410.A. **2.** To construct a detached accessory structure 4 feet from the rear property line (40-foot rear yard setback) see UDC Section 40.03.410.A. Bradley Rozmarynoski. S Zoning. CD 12. (App 2019-0235-A) TP 13-012.00-030.

4. 898 Sharpless Road, Hockessin, DE 19707. Area variances to facilitate the recordation of a Land Development Plan: **1.** To permit a lot size of 0.10 acres for Lot 1 (0.50-acre minimum lot size exclusive of protected resources) see Table 40.04.110.B. **2.** To permit a lot size of 0.22 acres for Lot 2 (0.50-acre minimum lot size exclusive of protected resources) see Table 40.04.110.B. **3.** To disturb 0.71 acres/56 percent of the Cockeyville Formation Water Resource Area/WRPA of Lot 2 (50 percent protection level for Cockeyville WRPA) see UDC Table 40.10.010. J & B Contractors, LLC. NC21 Zoning. CD 3. (App 2019-0236-A) TP 08-008.00-041.

5. 2451 Frazer Road, Newark, DE 19702. Area variances: **1.** To permit 2 additional wall identification sign (1 wall or ground identification sign permitted) see UDC Table 40.06.60. **2.** To permit an 80 square foot wall identification sign (20-square foot maximum) see UDC Table 40.06.060. Tupp Signs Inc. S Zoning. CD 11. (App 2019-0207-A) TP 11-025.00-169.

6. 520 Terminal Avenue, New Castle, DE 19720. Area variances to facilitate

the recordation of a Land Development Plan: 1. To permit paving 0 feet from the northerly side lot line (10-foot other yard paving setback) see UDC Table 40.04.110.B. **2.** To provide a 0.0 bufferyard opacity along the Terminal Avenue right-of-way (0.5 bufferyard opacity) see UDC Table 40.04.111.A. **3.** To provide a 0.0 bufferyard opacity along the northerly side lot line (0.2 bufferyard opacity) see UDC Table 40.04.111.B. F&H Transport Inc. HI & CR Zoning. CD 10. (App 2019-0218-A) TPs 10-002.30-075 through 10-002.30-078.

7. 249 E. Chestnut Hill Road, Newark, DE 19713. 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. Armento Associates LP. I Zoning. CD 5 (App 2019-0130-A) TP 11-006.10-073.

8. 2115 Pulaski Highway, Newark, DE 19702 . Area variances to facilitate the recordation of a Land Development Plan: 1. To permit 11 parking spaces (21 parking spaces required) see UDC Table 40.03.522. **2.** To maintain existing building 10 feet from the easterly side lot line (20-foot side yard setback) see UDC Table 40.04.110.B. **3.** To maintain existing paving 0 feet from the Pulaski Highway right-of-way (25-foot street yard paving setback) see UDC Table 40.04.110.B. **4.** To maintain paving 0 feet from the easterly side lot line (5-foot other yard paving setback) see UDC Table 40.04.110.B. **5.** To permit paving 0 feet from the Pulaski Highway right-of-way (25-foot street yard paving setback) see UDC Table 40.04.110.B. **6.** To provide 0.0 bufferyard opacity along the Pulaski Highway right-of-way (0.4 bufferyard opacity) see UDC Table 40.04.111.A. **7.** To disturb 0.168 acres of zone 2 of the riparian buffer area (100% protection level) see UDC Table 40.10.010. Newark Kubota, Inc. CR Zoning. CD 11. (App 2019-0216-A) TP 11-027.00-026.

9. 648 Caldwell Corner Road, Townsend, DE 19734 . Special Use Permit to permit a 168 foot tall cell tower disguised as a windmill and area variances: 1. Special Use permit to permit a 168 foot tall cell tower disguised as a windmill see UDC Sections 40.03.326 & 40.31.430. **2.** To permit paving 10 feet from the westerly side lot line (40-foot other yard paving setback) see UDC Table 40.04.110.B. TowerNorth Development, LLC. SR Zoning. CD 6. (App 2019-0132-A) TP 14-015.00-254.

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.

