

## AGENDA

### BOARD OF ADJUSTMENT

Thursday, June 13, 2019

6:00 p.m.

Department of Land Use Conference Room

New Castle County Government Center

87 Reads Way, New Castle

**1. 542 Stonehaven Drive, Townsend, DE 19734 . 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. Milton Moore. S Zoning. CD 12. (App 2019-0256-A) TP 14-013.31-276.

**2. 1224 Choptank Road, Middletown, DE 19709 . Area variances:** **1.** To construct a detached accessory structure which covers 50 percent of the rear yard setback (30 percent maximum rear yard coverage) see UDC Section 40.03.410.A.4. **2.** To construct a detached accessory structure 22 feet in height (20-foot maximum height for detached structures on lots 1-acre or less) see UDC Section 40.03.410.A. **3.** To construct a 22 feet in height detached accessory structure 4 feet from the rear property line (40-foot rear yard setback) see UDC Table 40.04.110.B. Carole S. Feghali. S Zoning. CD 6. (App 2019-0277-A) TP 11-061.00-042.

**3. 110 Pisces Drive, Bear, DE 19701 . Area variance:** To construct a dwelling 8 feet from the rear property line (20-foot rear yard setback) see UDC Section 40.04.110.B. Calatlantic Group Inc. ST Zoning. CD 12. (App 2019-0257-A) TP 10-048.30-147.

**4. 112 Pisces Drive, Bear, DE 19701 . Area variance:** To construct a dwelling 19 feet from the rear property line (20-foot rear yard setback) see UDC Section 40.04.110.B. Calatlantic Group Inc. ST Zoning. CD 12. (App 2019-0258-A) TP 10-048.30-146.

**5. 403 Sun Boulevard, Bear, DE 19701 . Area variance:** To construct a dwelling 18 feet from the rear property line (20-foot rear yard setback) see UDC Section 40.04.110.B. Calatlantic Group Inc. ST Zoning. CD 12. (App 2019-0260-A) TP 10-048.30-131.

**6. 371 Sun Boulevard, Bear, DE 19701 . Area variance:** To construct a dwelling 14 feet from the rear property line (20-foot rear yard setback) see UDC Section 40.04.110.B. Calatlantic Group Inc. ST Zoning. CD 12. (App 2019-0261-A) TP 10-048.30-118.

**7. 369 Sun Boulevard, Bear, DE 19701 . Area variance:** To construct a dwelling 17 feet from the rear property line (20-foot rear yard setback) see UDC Section 40.04.110.B. Calatlantic Group Inc. ST Zoning. CD 12. (App 2019-0262-A) TP 10-048.30-117.

**8. 367 Sun Boulevard, Bear, DE 19701 . Area variances:** **1.** To construct a dwelling 17 feet from the rear property line (20-foot rear yard setback) see UDC Section 40.04.110.B. **2.** To construct a dwelling 12 feet from the Pisces Drive right-of-way (15-foot street yard setback) see UDC Table 40.04.110.B. Calatlantic Group Inc. ST Zoning. CD 12. (App 2019-0263-A) TP 10-048.30-116.

**9. 249 E. Chestnut Hill Road, Newark, DE 19713 . Area variances to facilitate the recordation of a Land Development Plan:** **1.** To construct an addition 34 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. **8.** To provide 0 street trees along the E. Chestnut Hill Road right-of-way (5 street trees required) see UDC Table 40.04.111.C. **9.** To provide 0.0 bufferyard opacity along the E. Chestnut Hill Road right-of-way (0.5 bufferyard opacity) see UDC Table 40.04.111.A. **10.** To provide 0.0 bufferyard opacity along easterly side lot line (0.2 bufferyard opacity) see UDC Table 40.04.111.A. **11.** To provide 0.0 bufferyard opacity rear property line (0.0 bufferyard opacity) see UDC Table 40.04.111.A. Armento Associates LP. I Zoning. CD 5 (App 2019-0130-A) TP 11-006.10-073.

**10. 668 Paper Mill Road, Newark, DE 19711 . Area variances to facilitate the recordation of a Land Development Plan:** **1.** To permit paving 8 feet from the Possum Park Road right-of-way (25-foot street yard paving setback) see UDC Table 40.04.110.B. **2.** To permit paving 8 feet from the Paper Mill Road right-of-way (25-foot paving street yard setback) see UDC Table 40.04.110.B. **3.** To construct a carwash 1 foot from the rear property line (20-foot rear yard setback) see UDC Table 40.04.110.B. **4.** To permit a 0.0 bufferyard opacity along the Possum Park Road right-of-way (0.4 bufferyard opacity) see UDC Table 40.04.111.B. **5.** To permit a 0.0 bufferyard opacity along the Paper Mill Road right-of-way (0.4 bufferyard opacity) see UDC Table 40.04.111.B. SMO Inc. CR Zoning. CD 9. (App 2019-0154-A) TP 08-047.00-008.

**11. 1701 & 1703 Augustine Cut-Off, Wilmington, DE 19803 . Special Use Permit to construct 2-level parking structure and area variances:** **1.** Special Use Permit to permit a 2-level, 264-space parking structure pursuant to UDC Sections 40.04.320 (Parking Bufferyard Standards), 40.03.528 (Parking Structures) and 40.31.430 (Standards for Special Use Permit). **2.** To permit a maximum gross floor area ratio of 0.66 of (0.50 maximum gross floor area ratio)

see UDC Table 40.04.110.A. **3.** To permit 1,112 parking spaces (1,895 parking spaces required) see UDC Table 40.03.522. **4.** To construct a 2-level parking structure 20 feet from the Augustine Cut-Off right-of-way (40-street yard setback) see UDC Table 40.03.110.B. **5.** To permit paving 0 feet from the Augustine Cut-Off right-of-way (40-street yard setback) see UDC Table 40.03.110.B. **6.** To permit paving 0 feet from the easterly side lot line (10-foot other yard paving setback) see UDC Table 40.03.110.B. **7.** To permit paving 6 feet from the westerly side lot line (10-foot other paving setback) see UDC Table 40.03.110.B. **8.** To permit 2 loading bays (3 loading bays required) see UDC Section 40.03.510. **9.** To provide a 0.0 bufferyard opacity along the Augustine Cut-Off right-of-way (0.3 bufferyard opacity) see UDC Table 40.04.111.A. Incyte Corporation. OR Zoning. CD 2. (App 2019-0241-A) TPs 06-136.00-030, 06-136.00-126, 06-143.00-002 & 06-143.00-010.

**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.**