

AGENDA

***Revised 1/10/23**

****Revised 1/17/23**

BOARD OF ADJUSTMENT

Thursday, January 26, 2023

6:00 p.m.

NOTE: In accordance with 29 Del. C. Section 10006A, Board of Adjustment Hearings will be held as a virtual meeting utilizing Zoom Webinar. The Multi-Purpose Room of the James H. Gilliam, Jr. Building, 67 Reads Way, New Castle, DE 19720 will be accessible during the scheduled hearing time for members of the public to attend the virtual meeting in-person.

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 posted below.

When: January 26, 2023 6:00 PM Eastern Time (US and Canada)
Topic: Board of Adjustment Hearing

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/87177670284?pwd=VkFJS0hoaGtXQ2lQdUoyZlZPOEpvUT09>

Passcode: 318902

Or One tap mobile:

US: +13017158592,,87177670284#,,,,*318902# or +13052241968,,87177670284#,,,,*318902#

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US: +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799 or +1 646 931 3860
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Webinar ID: 871 7767 0284

Passcode: 318902

AGENDA

1. **4 Cohee Circle, Wilmington, DE 19803.** **Area variance:** To maintain a dwelling 6 feet westerly side lot line (15-foot side yard setback) see UDC Table 40.04.110.B. **Ward & Taylor, LLC.** NC40 Zoning. CD 2. (App 2022-0824-A) TP 06-010.00-022.

2. **1004 Stonewood Road, Wilmington, DE 19810.** **Area variance:** To maintain a dwelling 2 feet northerly side lot line (6-foot side yard setback) see UDC Table 40.04.110.B. **Ward & Taylor, LLC.** NC6.5 Zoning. CD 8. (App 2022-0825-A) TP 06-46.00-088.

3. **3400 & 3408 Lancaster Pike, Wilmington, DE 19805.** **Area variances to facilitate the recordation of a Land Development Plan:** **1.** To permit 35 parking spaces (50 parking spaces required) see UDC Table 40.03.522. **2.** To permit paving 15 feet from the Lancaster Pike right-of-way (25-foot street yard paving setback) see UDC Table 40.04.110.B. **3.** To permit paving 0 feet from the rear property line (5-foot other yard paving setback) see UDC Table 40.04.110.B. **4.** To permit a Landscape Surface Ratio (LSR) of 0.19 (0.20 minimum LSR required) see UDC Table 40.04.110.A. **5.** To permit a 0.2 bufferyard opacity along the Lancaster Pike right-of-way (0.4 bufferyard opacity required) see UDC Table 40.04.111.A. **VanDemark & Lynch, Inc.** CR Zoning. CD 2 (App 2022-0698-A) TPs 07-033.30-054 & -063.

4. **601 N. Bayberry Parkway, Middletown, DE 19709.** **Area variances to facilitate the recordation of a Land Development Plan:** **1.** To permit 0.0 bufferyard opacity along the easterly side of N. Bayberry Parkway right-of-way located on the westerly portion of the subject property (0.3 bufferyard opacity required) see UDC Table 40.04.111.A. **2.** To permit 0.0 bufferyard opacity along the Boyds Corner Road right-of-way (0.3 bufferyard opacity required) see UDC Table 40.04.111.A. **3.** To permit 0.0 bufferyard opacity along the westerly side of N. Bayberry Parkway right-of-way located on the easterly portion of the subject property (0.3 bufferyard opacity required) see UDC Table 40.04.111.A. **4.** To permit 0 street trees along the easterly side of N. Bayberry Parkway right-of-way located on the westerly portion of the subject property (12 street trees required) see UDC Table 40.04.111.C. **5.** To permit 0 street trees along the Boyds Corner Road right-of-way (64 street trees required) see UDC Table 40.04.111.C. **6.** To permit 0 street trees along the westerly side of N. Bayberry Parkway right-of-way located on the easterly portion of the subject property (12 street trees required) see UDC Table 40.04.111.C. **7.** To permit 0.0 bufferyard opacity along the westerly side lot line located along Tax Parcel 13-013.00-066 (0.3 bufferyard opacity required) see UDC Table 40.04.111.B. **8.** To permit 0.0 bufferyard opacity along the easterly side lot line located along Tax Parcel 13-013.00-066 (0.3 bufferyard opacity required) see UDC Table 40.04.111.B. **M. Shane Minner.** S Zoning. CD 12. (App 2022-0490-A) TP 13-013.00-067.

5. **2575 Glasgow Avenue, Newark, DE 19702.** ****This application has been continued to a future hearing date to be determined.**

***Revised to designate the different Zoning District requirements for the sign variance requests.** **Area variances to facilitate the recordation of a Land Development Plan:** **1.** To permit 709 parking spaces (1,571 parking spaces required) see UDC Table 40.03.522. **2.** To permit a 60 square foot ground sign with a 40 square foot Electronic Variable Message Sign (EVMS) portion (Sign 1) (20-square foot maximum sign area **permitted in the S Zoning District**) see UDC Table 40.06.060. **3.** To permit 2 additional wall signs (Sign 7 & 8) for a total of 3 (Signs 7, 8, 9) (1 identification sign (wall or ground) **permitted in the S Zoning District**) see UDC Table 40.06.060. **4.**

To permit a 250 square foot wall sign (Sign 7) (20-square foot maximum sign area **permitted in the S Zoning District**) see UDC Table 40.06.060. **5.**To permit a 144 square foot wall sign (Sign 8) (20-square foot maximum sign area **permitted in the S Zoning District**) see UDC Table 40.06.060. **6.** To permit a 250 square foot wall sign (Sign 9) (20-square foot maximum sign area **permitted in the S Zoning District**) see UDC Table 40.06.060. **7.** To permit 4 additional wall signs (Sign 3,4,5 & 6) for a total of 5 (Signs 2,3,4,5 & 6) (1 wall sign per principal use **permitted in the BP Zoning District**) see UDC Table 40.06.060. **8.**To permit a 625 square foot wall sign (Sign 3) (300-square foot maximum sign area **permitted in the BP Zoning District**) see UDC Table 40.06.060. **Landmark Science and Engineering.** S and BP Zoning. CD 11 (App 2022-0827-A) TP 11-027.00-003.

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.