AGENDA
BOARD OF ADJUSTMENT
Thursday, February 24, 2022
6:00 p.m.

*NOTE: The Board of Adjustment Hearing will be held ENTIRELY as a virtual meeting utilizing Zoom Webinar due to the January 3, 2022 State of Emergency declaration and in accordance with 29 Del. C. Section 10001 et.al. The Multi-Purpose Room, Gilliam Building, 67 Reads Way will NOT 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: February 24, 2022  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/82757105101?pwd=TURLOU5HdS9hK1BOT3dJaURBSFRpQT09
Passcode: 117264

Or One tap mobile:
US: +19292056099,,82757105101# or +13017158592,,82757105101#

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Webinar ID: 827 5710 5101

AGENDA

1. **502 Contemplation Way, Middletown, DE 19709.** Area variance: To construct an addition 21 feet from the rear property line (30-foot rear yard setback) see UDC Table 40.04.110.B. Warren Molzon. S Zoning. CD 6. (App 2022-0016-A) TP 13-012.24-058.

2. **403 Bluebird Haven, Middletown, DE 19709.** Area variances: 1. To maintain a dwelling 7 feet from the rear property line (20-foot rear yard setback) see UDC Table 40.04.110.B. 2. To construct a deck 7 feet from the rear property line (10-foot setback for decks) see UDC Section 40.04.110.E. Molly Hall. NC21 CL Zoning. CD 12. (App 2022-0004-A) TP 13-013.40-046.

3. **4 Isaiah Court, Bear, DE 19701.** Area variance: To construct an addition 27 feet from the rear property line (30-foot rear yard setback) see UDC Table 40.04.110.B. NT Building Inc. NC21 CL Zoning. CD 12. (App 2022-0014-A) TP 12-006.00-201.

4. **327 W. Windmill Way, Middletown, DE 19709.** Area variance: To construct a detached accessory structure 18 feet from the Zuider Zee Court right-of-way (40-foot street yard setback)
5. **4101 Old Capitol Trail, Wilmington, DE 19808.** Area variances to facilitate the recordation of a Land Development Plan: 1. To permit a 0.50 acre lot size (1.00-acre minimum lot size) see UDC Table 40.04.110.B. 2. To construct a building 5 feet for the westerly side lot line (20-foot rear yard setback) see UDC Table 40.04.110.B. 3. To construct a building 5 feet for the rear property line (20-foot rear yard setback) see UDC Table 40.04.110.B. 4. To construct a building 15 feet for easterly side lot line (20-foot rear yard setback) see UDC Table 40.04.110.B. 5. To permit paving 0 feet from the rear property line (5-foot other yard paving setback) see UDC Table 40.04.110.B. 6. To permit paving 0 feet from the easterly side lot line (5-foot other yard paving setback) see UDC Table 40.04.110.B. 7. To provide 0.1 bufferyard opacity along Old Capitol Trail right-of-way (0.4 bufferyard opacity) see UDC Table 40.04.111.B. 8. To provide 0.0 bufferyard opacity along rear property line (0.4 bufferyard opacity) see UDC Table 40.04.111.B. 9. To provide 0.0 bufferyard opacity along easterly side lot line (0.4 bufferyard opacity) see UDC Table 40.04.111.B. 10. To provide 1 street tree along the Old Capitol Trail right-of-way (2 street trees required) see UDC Table 40.04.111.C. Carmine Casper. CR Zoning. CD 9. (App 2021-0743-A) TP 08-044.20-070.

6. **1501 N. DuPont Highway, 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 (5-foot other yard paving setback) see UDC Table 40.04.110.B. 2. To permit paving 0 feet from the westerly side lot line (5-foot other yard paving setback) see UDC Table 40.04.110.B. 3. To permit paving 0 feet from the N. DuPont Highway right-of-way (25-foot street yard paving setback) see UDC Table 40.04.110.B. 4. To permit paving 0 feet from the Bacon Avenue right-of-way (25-foot street yard paving setback) see UDC Table 40.04.110.B. 5. To permit a Landscape Surface Ratio (LSR) of 0.14 landscape surface ratio (0.20 minimum LSR required) see UDC Table 40.04.110.A. 6. To provide 0 loading bays (1 loading bay required) see UDC Section 40.03.510. 7. To provide 0.0 bufferyard opacity along the N. DuPont Highway right-of-way (0.4 bufferyard opacity) see UDC Table 40.04.111.B. 8. To provide 0.0 bufferyard opacity along Bacon Avenue right-of-way (0.3 bufferyard opacity) see UDC Table 40.04.111.B. 9. To provide 0.0 bufferyard opacity along westerly side lot line (0.5 bufferyard opacity) see UDC Table 40.04.111.B. 10. To provide 0 street tree along the N. DuPont Highway right-of-way (3 street trees required) see UDC Table 40.04.111.C. 1501 North Dupont Highway LLC. CR Zoning. CD 7. (App 2021-0770-A) TP 10-014.00-015.

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.