

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#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799 or +1 669 900 6833 or +1 253 215 8782
or +1 346 248 7799

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)

see UDC Section 40.03.410.A. Charles Briggs. NC40 Zoning. CD 12. (App 2022-0015-A) TP 13-009.00-180.

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.