

AGENDA

BOARD OF ADJUSTMENT

Thursday, March 23, 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: March 23, 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/87900532201?pwd=TDZMWDNLdEJIU2wzbGFsaHRnNWFYUT09>

Passcode: 200609

Or One tap mobile:

US: +19292056099,,87900532201#,,,,*200609# or +13017158592,,87900532201#,,,,*200609#

Or Telephone:

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US: +1 929 205 6099 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799 or +1 646 931 3860 or +1 346 248 7799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 669 444 9171 or +1 669 900 6833 or +1 689 278 1000 or +1 719 359 4580 or +1 253 205 0468 or +1 253 215 8782

Webinar ID: 879 0053 2201

Passcode: 200609

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1. [2271 Pleasant Valley Road, Newark, DE 19702](#). **Area variance:** To maintain a dwelling under construction 6 feet from the southerly side lot line (10-foot side yard setback) see UDC

Table 40.04.110.B. **Ronald H. Sutton, Jr. PE.** NC21 Zoning. CD 5. (App 2023-0020-A) TP 11-020.00-003.

2. 395 Maryland Line Road, Townsend, DE 19734. Area variances: **1.** To construct a detached accessory structure 27 feet in height (20-foot maximum height) see UDC Section 40.03.410.A. **2.** To construct a detached accessory structure 27 feet in height 4 feet from the southerly side lot line (15-foot maximum height) see UDC Section 40.03.410.A. **Nikolas Dungan.** NC40 Zoning. CD. 6 (App 2023-0046-A) TP 14-018.00-039.

3. 210 S. Maryland Avenue, Wilmington, DE 19804. Area variances to facilitate the recordation of a Land Development Plan: **1.** To maintain a 0.81 acre lot size (1.0-acre minimum lot size required) see UDC Table 40.04.110.B. **2.** To permit a Landscape Surface Ratio (LSR) of 0.35 (0.45 minimum LSR required) see UDC Table 40.04.110.A. **3.** To maintain paving 0 feet from the S. Maryland Avenue right-of-way (40-foot paving setback) see UDC Table 40.04.110.B. **4.** To maintain paving 6 feet from the southerly side lot line (10-foot other yard paving setback) see UDC Table 40.04.110.B. **5.** To maintain paving 1 foot from the northerly side lot line (10-foot other yard paving setback) see UDC Table 40.04.110.B. **6.** To permit 2 parking spaces (9 parking spaces required) see UDC Table 40.03.522. **7.** To permit a 0.0 bufferyard opacity along the S. Maryland Avenue right-of-way (0.3 bufferyard opacity required) see UDC Table 40.01.111.B. **8.** To permit a 0.0 bufferyard opacity along the northerly side lot line (0.2 bufferyard opacity required) see UDC Table 40.01.111.B. **9.** To permit a 0.0 bufferyard opacity along rear property line (0.2 bufferyard opacity required) see UDC Table 40.01.111.B. **Raman Investment, LLC.** CN Zoning. CD 1. (App 2022-0678-A) TP 07-043.10-447.

4. 0 Brookhill Drive & 0 Old Baltimore Pike, Newark, DE 19702. Area variances to facilitate the recordation of a Land Development Plan: **1.** To permit a 0-foot lot width for Lot 3 (100-foot minimum lot width) see UDC Table 40.04.110.B. **2.** To permit a 0.0 bufferyard opacity along the Interstate 95 right-of-way (0.5 bufferyard opacity required) see UDC Table 40.04.111.A. **3.** To permit 0 street trees along the Interstate 95 right-of-way (3 street trees required (see UDC Table 40.04.111.C. **Fusco Woodland SPE LLC.** I Zoning. CD 5. (App 2022-0703-A) TPs 09-036.00-001 & 11-010.00-013.

5. 2105 & 2107 Philadelphia Pike, Claymont, DE 19703. Area variances to facilitate the recordation of a Land Development Plan: **1.** To permit a 0.1 bufferyard opacity along the northerly side lot line (0.6 bufferyard opacity required) see UDC Table 40.01.111.B. **2.** To permit a maximum net floor area ratio of 0.90 (0.37 maximum gross floor area required) see UDC Table 40.04.110.A. **3.** To permit a maximum gross floor area ratio of 0.68 (0.28 maximum gross floor area required) see UDC Table 40.04.110.A. **4.** To permit a 0.0 bufferyard opacity along the southerly side lot line (0.1 bufferyard opacity required) see UDC Table 40.01.111.B. **5.** To maintain a 2-story mini-storage building on Lot 1, 14 feet from the northerly side lot line (20-foot side yard setback) see UDC Table 40.04.110.B. **Nolen Properties.** CR HT Zoning. CD 8. (App 2022-0796-A) TPs 06-095.00-485, 06-095.00-582, 06-095.00-587, 06-095.00-588 & 06-120.00-270.

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.

