

AGENDA

BOARD OF ADJUSTMENT

Thursday, April 14, 2022

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: April 14, 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/88076557727?pwd=YncvMnBKTkxPSkh2by9XRIN2MXI4dz09>

Passcode: 083982

Or One tap mobile:

US: +13126266799,,88076557727# or +19292056099,,88076557727#

Or Telephone:

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

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

Webinar ID: 880 7655 7727

AGENDA

- 1. [19 Walker Drive, New Castle, DE 19720](#). Area variance:** To construct an addition 14 feet from the rear property line (15-foot rear yard setback) see UDC Table 40.04.110.B. George Gray. NC6.5 Zoning. CD 7. (App 2022-0170-A) TP 10-044.20-113.
- 2. [268 Carlow Drive, Wilmington, DE 19804](#). Area variance:** To construct an addition 15 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.110.B. Frank & Joyce Petty. S Zoning. CD 9. (App 2022-0171-A) TP 08-049.10-041.
- 3. [260 Deer Run Road, Townsend, DE 19734](#). Area variance:** To construct detached accessory structure 18 feet from the easterly side lot (40-foot side yard setback) see UDC Section 40.03.410.A. Alan Kocenko. SR Zoning. CD 6. (App 2022-0196-A) TP 15-011.00-087.
- 4. [200 Fenwick Avenue, Wilmington, DE 19804](#). Area variances:** **1.** To maintain a dwelling 12 feet from the rear property line (15-foot rear yard setback) see UDC Table 40.04.110.B. **2.** To construct a 2-story addition 12 feet from the rear property line (15-foot rear yard setback) see UDC Table 40.04.110.B. **3.** To construct a 2-story addition 7 feet from the Binstead Avenue right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. **4.** To construct an open porch addition 22 feet from the Binstead Avenue right-of-way (25-foot street yard setback) see UDC Table 40.04-110.B. Kendon Bahr. NC5 Zoning. CD 1. (App 2022-0156-A) TP 08-051.10-094.
- 5. [723 Bayview Road, Middletown, DE 19709](#). Area variances:** **1.** To construct a detached accessory structure 22 feet in height (20-foot maximum height) see UDC Section 40.03.410.A. **2.** To construct a detached accessory structure 22 feet in height 6 feet from the easterly side lot line (10-foot side yard setback) see UDC Section 40.03.410.A. **3.** To construct a detached accessory structure 22 feet in height 6 feet from the rear property line (40-foot rear yard setback) see UDC Section 40.03.410.A. **4.** To permit 33% coverage of the rear yard (30% maximum rear yard coverage) see UDC Section 40.03.410.A. Dale Godwin. NC21 Zoning. CD 12. (App 2022-0155-A) TP 13-014.00-007.
- 6. [1733 Old Coochs Bridge Road, Newark, DE 19702](#). Area variances to facilitate the recordation of a Land Development Plan:** **1.** To permit 60 percent disturbance within a WRPA Class C Wellhead (50-percent protection level) see UDC Table 40.10.010. **2.** To permit a restaurant use 198 feet from a residential use on a parcel zoned I (500-foot minimum from a residential use) see UDC Table 40.03.210.A. **3.** To permit a restaurant use to occupy 61 percent of the gross floor

area (GFA) on a parcel zoned I (maximum 10-percent of the GFA within any parcel in OR, BP or I Zoning Districts) see UDC Table 40.04.210.B. **4.** To maintain a dwelling 7 feet from the Old Cooches Bridge Road right-of-way (40-foot street yard setback) see UDC Table 40.04.110.B. **5.** To permit a 40 foot building height for the proposed restaurant use (30-foot maximum building height) see UDC Table 40.04.110.B. **6.** To provide a 0.0 bufferyard opacity along the Old Cooches Bridge right-of-way (0.5 bufferyard opacity required) see UDC Table 40.04.111.A. **7.** To permit paving 30 feet from the Old Coochs Bridge Road right-of-way (40-foot street yard paving setback) see UDC Table 40.04.110.B. The Farm at Cooches Bridge LLC. I Zoning. CD 11. (App 2022-0036-A) TP 11-014.00-042.

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.