

AGENDA

BOARD OF ADJUSTMENT

Thursday, May 26, 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: May 26, 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/87304336771?pwd=cFAzZXRhNDR4bUxxQStFOU1keVZFz09>

Passcode: 790528

Or One tap mobile:

US: +19292056099,,87304336771# or +13017158592,,87304336771#

Or Telephone:

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Webinar ID: 873 0433 6771

AGENDA

1. [2621 Alexander Calder Court, Middletown, DE 19709](#). **Area variance:** To construct an addition 19 feet from the rear property line (30-foot rear yard setback) see UDC Table 40.04.110.B. NT Builders, Inc. S Zoning. CF 12. (App 2022-0243-A) TP 13-008.32-015.

2. 309 Corbitt Circle, Bear, DE 19701. Area variances: **1.** To construct a detached accessory structure 25 feet in height (20-foot maximum height) see UDC Section 40.03.410.A. **2.** To construct a detached accessory structure 25 feet in height, 5 feet from the westerly side lot line (10-foot side yard setback height) see UDC Table 40.04.110.B. Jacob Lipton. S Zoning. CD 7. (App 2022-0258-A) TP 10-049.10-082.

3. 20 Forrest Avenue, Claymont, DE 19703. Area variances: **1.** To construct a carport 0 feet from the southeasterly side lot line (6-foot side yard setback) see UDC Table 40.04.110.B. **2.** To construct a detached accessory structure 1 foot from the rear property line (3-foot rear yard setback) see UDC Section 40.03.410.A. **3.** To construct a detached accessory structure 1 foot from the southeasterly side lot line (3-foot rear yard setback) see UDC Section 40.03.410.A. Keith Eisenhower. NC6.5 Zoning. CD 8. (App 2022-0261-A) TP 06-084.00-595.

4. 2509 Philadelphia Pike, Claymont, DE 19703. Area variances: **1.** To permit a pylon ground sign with a base consisting of metal (the base shall be constructed of permanent, durable materials such as concrete, brick, or stone) in the Design Review Advisory Committee (DRAC) of Claymont Manual of Design Guidelines by Sign Type Item 5.a per UDC Section 40.26.430.D. **2.** To permit a pylon sign 33 feet in height (pylon signs must be no higher than 18 feet) in the Design Review Advisory Committee (DRAC) of Claymont Manual of Design Guidelines by Sign Type Item 5.c per UDC Section 40.26.430.D. Joe Berl III. CN HT Zoning. CD 8. (App 2022-0225-A) TP 06-095.00-545.

5. 249 E. Chestnut Hill Road, Newark, DE 19713. Area variances to facilitate the recordation of a Land Development Plan: **1.** To construct an addition 31 feet from the E. Chestnut Hill Road right-of-way (40-foot street yard setback) see UDC Table 40.04.110.B. **2.** To permit a maximum net floor area ratio of 0.76 (0.57 maximum net floor area ratio) see UDC Table 40.04.110.A. Armento Associates LP. I Zoning. CD 5 (App 2022-0238-A) TP 11-006.10-073.

6. 1 E. 37th Street and 3710 & 3728 N. Market Street, Wilmington, DE 19802. Area variances to facilitate the recordation of a Land Development Plan: **1.** To permit a 0.63 acre lot size (1.00-acre minimum lot size) see UDC Table 40.04.110.B. **2.** To permit playground area 0 feet from the westerly side lot line (20-foot side yard setback) see UDC Table 40.04.110.B. **3.** To maintain paving 0 feet from the N. Market Street right-of-way (25-foot street yard paving setback) see UDC Table 40.04.110.B. **4.** To maintain paving 0 feet from the E. 38th Street right-of-way (25-foot street yard paving setback) see UDC Table 40.04.110.B. **5.** To maintain paving 0 feet from the westerly side lot line (5-foot other yard paving setback) see UDC Table 40.04.110.B. **6.** To maintain paving 0 feet from the rear property line (5-foot other yard paving setback) see UDC Table 40.04.110.B. **7.** To permit a Landscape Surface Ratio (LSR) of 0.00 (0.25 minimum LSR required) see UDC Table 40.04.110.A. **8.** To permit a 0.0 bufferyard opacity along the N. Market Street right-of-way (0.4 bufferyard opacity required) see UDC Table 40.04.111.A. **9.** To permit a 0.0 bufferyard opacity along the E. 38th Street right-of-way (0.3 bufferyard opacity required) see UDC Table 40.04.111.A. **10.** To permit a 0.0 bufferyard opacity along the E. 37th Street right-of-way (0.3 bufferyard opacity required) see UDC Table 40.04.111.A. **11.** To permit a 0.0 bufferyard opacity along rear property line (0.4 bufferyard opacity required) see UDC Table 40.04.111.A. **12.** To permit a 0.0 bufferyard opacity along westerly side lot line (0.2 bufferyard opacity required) see UDC Table 40.04.111.A. **13.** To permit 0 street trees along the N. Market Street right-of-way (3 street trees required) see UDC Table 40.04.111.C. **14.** To permit 0 street trees along the E. 38th Street right-of-way (4 street

trees required) see UDC Table 40.04.111.C. **15.** To permit 0 parking lot plant units (1 plant unit per 12 parking spaces, total 1 plant units required) see UDC Table 40.04.111.A. **16.** To permit 0 on-lot plant units (8 plant unit per acre (total of 5 plant units required) see UDC Table 40.04.111.A. Police Athletic League of Wilmington Inc. CR Zoning. CD 4. (App 2022-0305-A) TPs 06-144.00-008, 06-144.00-016 & -019.

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.