

## AGENDA

**\*REVISED 7/28/22**

### BOARD OF ADJUSTMENT

Thursday, July 28, 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: July 28, 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/87695350726?pwd=bUEydDBCcaTIQcldDeGEycEpDTHg1QT09>

Passcode: 259523

**Or One tap mobile:**

US: +19292056099,,87695350726# or +13017158592,,87695350726#

**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: 876 9535 0726

## AGENDA

**1. [434 Pencader Lane, Bear, DE 19701](#). Area variance:** To permit a detached accessory structure 24 feet in height (20-foot maximum height) see UDC Section 40.03.410.A. Gerard Baffone. NC40 Zoning. CD 11. (App 2022-0269-A) TP 11-041.00-026.

**2. 1101 Virginia Avenue, Newark, DE 19711. Area variance:** **1.** To maintain a dwelling 38 feet from the Virginia Avenue right-of-way (40-foot street yard setback) see UDC Table 40.04.110.B. **2.** To construct a detached accessory structure 4 feet from the westerly side lot line (12-foot side yard setback) see UDC Table 40.04.110.B. Carmine Casper. NC15 Zoning. CD 5. (App 2022-0310-A) TP 09-013.10-013.

**3. 1528 Old Coach Road, Newark, DE 19711. Area variance:** To construct a detached accessory structures in front of the primary dwelling on a 1.03 acre lot (no accessory structures shall be located in front of the primary dwelling on a lot less than 2-acres) see UDC Section 40.03.410.A. Mark Poulsen. NC21 Zoning. CD 9. (App 2022-0345-A) TP 08-048.00-026.

**4. 1800 Limestone Road, Wilmington, DE 19804. Area variances:** **1.** To maintain 2 wall identification signs (1-wall or ground identification sign permitted) see UDC Table 40.06.060. **2.** To permit a 33 square foot ground identification sign with a 13 square foot EVMS portion (20-square foot maximum sign area) see UDC Table 40.06.060. **3.** To permit a 33 square foot ground identification sign, with a 13 square foot EVMS portion, 13 feet from the Limestone Road right-of-way (20-foot ground sign setback) see UDC Table 40.06.060. HES Sign Services, Inc. S Zoning. CD 1. (App 2022-0259-A) TP 08-050.20-069.

**5. 721 E. Chestnut Hill Road, Newark, DE 19713. Area variance:** To permit a ground sign 15 feet from the E. Chestnut Hill Road right-of-way (40-foot ground sign setback) see UDC Table 40.06.060. The Journey. CN Zoning. CD 9. (App 2022-0266-A) TP 09-022.40-228.

**6. 5988 Philadelphia Pike, Claymont, DE 19703. Area variance:** To permit 44,220 cubic yards of net loss of floodplain storage (0 net loss of floodplain storage is permitted) see UDC Section 40.10.320.F. VanDemark & Lynch, Inc. HI Zoning. CD 8. (App 2022-0260-A) TP 06-073.00-001.

**\*This application has been continued to a future hearing date TBD.**

**7. 531 & 551 Vandyke Road and 540, 600 & 614 Pulaski Highway, New Castle, DE 19720. Area variances to facilitate the recordation of a Land Development Plan:** **1.** To construct 127,475 square feet of a heavy retail & service use (warehousing) on Lot 2 (50,000-square foot maximum) see UDC Section 40.033.300. **2.** To permit a maximum gross floor area ratio of 0.30 on Lot 2 (0.28 maximum gross floor area required) see UDC Table 40.04.110.A. **3.** To permit a maximum net floor area ratio of 0.40 on Lot 2 (0.37 maximum gross floor area required) see UDC Table 40.04.110.A. **4.** To provide 0.0 bufferyard opacity along the westerly side lot line on Lot 2 (0.1 bufferyard opacity required) see UDC Table 40.04.111.B. **5.** To permit paving on 15 feet from the Pulaski Highway right-of-way on Lot 1 (25-foot street yard setback) see UDC Table 40.04.110.B. **6.** To a 0.54 acre lot size for Lot 4 (1.00-acre minimum lot size) see UDC Table 40.04.110.B. **7.** To provide 0.1 bufferyard opacity along the easterly side lot line on Lot 4 (0.5 bufferyard opacity required) see UDC Table 40.04.111.B. **8.** To provide 0.0 bufferyard opacity along rear property line on Lot 4 (0.5 bufferyard opacity required) see UDC Table 40.04.111.B. **9.** To construct a ground sign 7 feet from the Pulaski Highway right-of-way (40-foot ground sign setback) see UDC Table 40.06.060. Route 40 LLC. CR Zoning. CD 7. (App 2022-0313-A) TPs 10-034.00-025, -026, -032 & -108.

**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.