AGENDA
*Revised 8/25/22

BOARD OF ADJUSTMENT

Thursday, August 25, 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: August 25, 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/87019248441?pwd=VXJkYXBlSkhGxWhp4Wk9jM1FxZz09
Passcode: 571682

Or One tap mobile:
US: +13017158592,,87019248441# or +13126266799,,87019248441#

Or Telephone:
Dial(for higher quality, dial a number based on your current location):
US: +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099 or +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833
Webinar ID: 870 1924 8441

AGENDA

1. 319 Martin Drive, New Castle, DE 19270. To maintain paving 0 feet from the southerly side lot line (2-foot paving setback) see UDC Section 40.04.110.E. John & Brenda Byrne. NC5 Zoning. CD 10. (App 2022-0436-A) TP 10-020.20-217.
2. **721 & 735 Cox Neck Road, New Castle, DE 19720.** Area variances: 1. To maintain a dwelling 1 foot from the westerly side lot line for 735 Cox Neck Road (10-foot side yard setback) see UDC Table 40.04.110.B. 2. To maintain paving 0 feet from the easterly side lot line for 735 Cox Neck Road (2-foot paving setback) see UDC Section 40.04.110.E. 3. To maintain paving 0 feet from the westerly side lot line for 721 Cox Neck Road (2-foot paving setback) see UDC Section 40.04.110.E. Albert Volpe & Brian Reeder. NC21 & S Zoning. CD 12. (App 2022-0443-A) TPs 12-029.00-003 & 12-029.00-005.

3. **1001 Rockland Road, Wilmington, DE 19803.** *This application has been continued to a future hearing date to be determined.*

Area variances: 1. To maintain pool deck ing 82 feet from the Rockland Road right-of-way (100-foot street yard setback) see UDC Table 40.04.110.B. 2. To construct a pergola 82 feet from the Rockland Road right-of-way (100-foot street yard setback) see UDC Table 40.04.110.B. Rockland Sports, LLC. SE Zoning. CD 2. (App 2022-0425-A) TP 06-099.00-001.

4. **2509 Philadelphia Pike, Claymont, DE 19703.** Motion to rehear Application No. 2022-0225-A, which was denied because the Applicant failed to appear at the public hearing held on May 26, 2022. 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. **1800 Fairfax Boulevard, Wilmington, DE 19803.** Area variances: 1. To permit 2 additional identification signs (1-wall or ground identification sign permitted) see UDC Table 40.06.060. 2. To maintain a ground identification sign 0 feet from the Fairfax Boulevard right-of-way (20-foot ground sign setback) see UDC Table 40.06.060. 3. To permit 2, 56 square foot ground identification with a 33 square foot Electronic Variable Message Sign (EVMS) portions on each sign (20-square foot maximum sign area) see UDC Table 40.06.060. 4. To permit 2, 56 square foot ground identification with a 33 square foot EVMS portions on each sign 6 feet from the Foulk Road right-of-way (20-foot ground sign setback) see UDC Table 40.06.060. 5. To permit 2 EVMS signs 30 feet from a residential use (75-foot minimum from a residential use) see UDC Section 40.06.030.B.6. Tupp Sign, Inc. NC6.5 Zoning. CD 2. (App 2022-0384-A) TP 06-101.00-271.

6. **20 Granite Road, Wilmington, DE 19803.** *This application has been continued to a future hearing date to be determined due to an error in the legal advertising.*

Area variances to facilitate the recordation of a Land Development Plan: 1. To permit a maximum gross floor area ratio of 0.62 (0.50 maximum gross floor area ratio) see UDC Table 40.04.110.A. 2. To permit 1,947 parking spaces (3,295 parking spaces required) see UDC Table 40.03.522. Incyte Corporation. S & OR Zoning. CD 2. (App 2022-0388-A) TPs 06-136.00-025 & 06-130.00-030.

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.
S & OR Zoning. CD 2. (App 2022
NC21 & S Zoning. CD 12. (App 2022
Motion to rehear Application No. 2022
*This application has been continued to a
Area variances: 1.
feet from the Rockland Road right
Albert Volpe & Brian Reeder.
Reads Way, Corporate Commons, New Castle, DE from 8:00 a.m. to 4:00 p.m., or call 395
Information is available in the Department of Land Use, New Castle County Government Center, 87
40.03.522. Incyte Corporation.
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Area variances to facilitate the recordation of a Land Development Plan: 1.
Sign, Inc. NC6.5 Zoning. CD 2. (App 2022
residential use (75
with a 33 square foot EVMS portions on each sign 6 feet from the Foulk Road right
maximum sign area) see UDC Table 40.06.060.
Maintain a ground identification sign 0 feet from the Fairfax Boulevard right
identification signs (1
5.
(Sign Type Item 5.a per UDC Section 40.26.430.D.
in the Design Review Advisory Committee (DRAC) of Claymont Manual of Design Guidelines by
May 26, 2022.
4.
Sports, LLC. SE Zoning. CD 2. (App 2022
Rockland Road right
foot street yard setback) see UDC Table 40.04.110.B. Rockland
029.00
40.04.110.E.
3.
003 & 12
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020.20
721 & 735 Cox Neck Road, New Castle, DE 19720
0425
To maintain pool decking 82
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Purpose Room of the James H. Gilliam, Jr. Building, 67 Reads Way, New Castle, DE 19720 will be accessible
and open to the public. During the meeting, the Board will hear public comments and make decisions on
applications for variances to the Uniform Zoning Code. Additional information regarding Virtual Public
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A, when the Board will hear the applications.

Meetings

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

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Address:

Addressee: Department of Land Use
Department: New Castle County Government Center
Address: 87 Granite Road, Wilmington, DE 19803