

**AGENDA \*Revised 9/10/20**

**BOARD OF ADJUSTMENT**

**Thursday, September 10, 2020**

**6:00 p.m.**

In accordance with Governor Carney's Proclamation and the Declaration of a State of Emergency, New Castle County is holding all public meetings as telephone and video conferences, utilizing Zoom Webinar until further notice.

**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 as follows:**

**When: September 10, 2020 6:00 PM Eastern Time (US and Canada)**  
**Topic: Board of Adjustment Virtual Public Hearing**

**Please click the link below to join the webinar:**

<https://us02web.zoom.us/j/83381605595?pwd=cHdhM2xlekZSMXBHdkZianRiOWVCQT09>

**Passcode: 014482**

**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: 833 8160 5595**

**Or iPhone one-tap:**

US: +13126266799,,83381605595# or +19292056099,,83381605595#

**AGENDA**

**1. 105 W. Cedarwood Drive, Middletown, DE 19709: Area variance:** To permit an inground pool 22 feet from the Bethel Church Road right-of-way (40-foot street yard setback) see UDC Section 40.03.410.G. Paul Hamon. NC21 Zoning. CD 12. (App 2020-0453-A) TP 11-055.00-038.

**2. 2310 St. Francis Street, Wilmington, DE 19808. Area variance:** To maintain a play structure over 6 feet in height 3 feet from the northerly side lot line (6-foot setback required) see UDC Section 40.03.410.C. Michael Boyer. NC6.5 Zoning. CD 9. (App 2020-0451-A) TP 08-044.30-292.

**3. 6 Dumphries Court, Townsend, DE 19734. Area variance:** To construct an addition 13 feet from the rear property line (25-foot rear yard setback) see UDC

Table 40.04.110.B. Leonard Hiltz. S Zoning. CD 12. (App 2020-0450-A) TP 14-013.31-159.

**\*4. 2200 & 2202 Shipley Road, Wilmington, DE 19803. This application has been continued to a future hearing date TBD and will not be considered at this hearing.**

**Area variances to facilitate the recordation of a Land Development Plan:**

- 1.** To permit a 0.50 acre lot size for Lot 1 (1.00 acre minimum lot size) see UDC Table 40.04.110.B.
- 2.** To permit a 0.43 acre lot size for Lot 2 (1.00 acre minimum lot size) see UDC Table 40.04.110.B.
- 3.** To permit a 0.70 acre lot size for Lot 3 (1.00 acre minimum lot size) see UDC Table 40.04.110.B.
- 4.** To permit a 0.62 acre lot size for Lot 4 (1.00 acre minimum lot size required) see UDC Table 40.04.110.B.
- 5.** To permit a 0.62 acre lot size for Lot 5 (1.00 acre minimum lot size) see UDC Table 40.04.110.B.
- 6.** To permit a 0.47 acre lot size for Lot 6 (1.00 acre minimum lot size exclusive of protected resources) see UDC Table 40.04.110.B.
- 7.** To permit a lot width of 98 feet for Lot 1 (150-foot minimum lot width) see UDC Table 40.04.110.B.
- 8.** To permit a lot width of 112.69 feet for Lot 2 (150-foot minimum lot width) see UDC Table 40.04.110.B.
- 9.** To permit a lot width of 20.38 feet for Lot 3 (150-foot minimum lot width) see UDC Table 40.04.110.B.
- 10.** To permit a lot width of 0 feet for Lot 4 (150-foot minimum lot width) see UDC Table 40.04.110.B.
- 11.** To permit a lot width of 0 feet for Lot 5 (150-foot minimum lot width) see UDC Table 40.04.110.B.
- 12.** To permit a lot width of 0 feet for Lot 6 (150-foot minimum lot width) see UDC Table 40.04.110.B.
- 13.** To maintain a dwelling 37 feet from the Shipley Road right-of-way (40-foot street yard setback) see UDC Table 40.04.110.B.
- 14.** To maintain a dwelling 12 feet from the Shipley Road right-of-way (40-foot street yard setback) see UDC Table 40.04.110.B.

Astoria Builders, LLC. S Zoning. CD 2. (App 2020-0347-A) TPs 06-065.00-334 & 06-065.00-284.

**5. 10 Meco Circle, Wilmington, DE 19804. Special Use Permit and area variances:**

- 1.** Special Use Permit to establish a high intensity recreational use in I Zoning District see UDC Sections 40.03.210 & 40.31.430.
- 2.** To maintain paving 0 feet from the Meco Drive/Circle right-of-way (40-foot street yard paving setback) see UDC Table 40.04.110.B.
- 3.** To maintain paving 0 feet from the rear property (10-foot other yard paving setback) see UDC Table 40.04.110.B.
- 4.** To maintain paving 0 feet from the northeasterly side lot line (10-foot other yard paving setback) see UDC Table 40.04.110.B.
- 5.** To maintain paving 0 feet from the southwesterly side lot line (10-foot other yard paving setback) see UDC Table 40.04.110.B.
- 6.** To maintain a building 19 feet from the southwesterly side lot line (20-foot building setback) see UDC Table 40.04.110.B.
- 7.** To maintain a building 9 feet from the rear property line (20-foot building setback) see UDC Table 40.04.110.B.
- 8.** To maintain a Landscape Surface Ratio (LSR) of 0.00 landscape surface ratio (0.20 minimum LSR required) see UDC Table 40.04.110.A.
- 9.** To maintain existing 0.0 bufferyard opacity along Meco Drive/Circle right-of-way (0.7 bufferyard opacity required) see UDC Tables 40.03.210. & 40.04.111.A.
- 10.** To maintain existing 0.0 bufferyard opacity along rear property line (0.4 bufferyard opacity required) see UDC Tables 40.03.210 & 40.04.111.A.
- 11.** To maintain existing 0.0 bufferyard opacity along southwesterly side lot line (0.4 bufferyard opacity required) see UDC Tables 40.03.210 & 40.04.111.A.
- 12.** To maintain existing 0.0 bufferyard opacity along northeasterly side lot line (0.4 bufferyard opacity required) see UDC Tables 40.03.210 & 40.04.111.A.
- 13.** To maintain 0 street trees along the Meco

Drive/Circle right-of-way (4 street trees required) see UDC Table 40.04.111.C. **14.** To maintain 0 on lot plant units per acre (6 on-lot plant units per 1-acre required, 7 total plant units required) see UDC Table 40.04.111.A. **15.** To maintain 0 open space plant units per acre (5 open space plant units per 1-acre required, 6 total plant units required) see UDC Table 40.04.111.A. **16.** To maintain 0 parking lot plant units (1 plant unit per 30 parking spaces, 1 total plant unit required) see UDC Table 40.04.111.A. Fran Simeone. I Zoning. CD 1. (App 2020-0171-A) TP 07-043.40-044.

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.