

AGENDA

***Revised 9/7/2023**

BOARD OF ADJUSTMENT

Thursday, September 14, 2023

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 New Castle Room, Government Center, 87 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: September 14, 2023 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/85251125687?pwd=M0s4UzAzYU43Q3dhMjFhVDV3bmR3Zz09>

Passcode: 294077

Or One tap mobile :

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Or Telephone:

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

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Webinar ID: 852 5112 5687

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AGENDA

1. **69 Weilers Bend, Wilmington, DE 19810**. 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. **Vanessa McClafferty**. NC6.5 Zoning. CD. 8. (App 2023-0364-A) TP 06-055.00-383.

- 2. 1503 Church Road, Bear, DE 19701. Area variance:** To construct a detached accessory structure 0 feet from the southeasterly side lot line (10-foot side yard setback) see UDC Section 40.03.410.A. **Michael Creed**. NC21 Zoning. CD 7. (App 2023-0379-A) TP 10-049.00-025.
- 3. 111 Pheasant Lane, Newark, DE 19713. Area variance:** To construct a detached accessory structure 3 feet from the northerly side lot line (6-foot side yard setback) see UDC Section 40.03.410.A. **Steven Gant Sr.** NC6.5 Zoning. CD 9. (App 2023-0380-A) TP 09-017.40-121.
- 4. 4304 Old Capitol Trail, Wilmington, DE 19804. Area variance:** To permit an above ground swimming pool 4 feet from the easterly side lot line (6-foot setback for pools) see UDC Section 40.03.410.H. **Marlin Frisby**. NC6.5 Zoning. CD 1. (App 2023-0384-A) TP 08-044.20-118.
- 5. 408 Blackstone Road, Newark, DE 19713. Area variances:** **1.** To construct an addition 21 feet from the Blackstone Road right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. **2.** To construct an addition 3 feet from the easterly side lot line (6-foot side yard setback) see UDC Table 40.04.110.B. **Juventino Pantoja**. NC6.5 Zoning. CD 1. (App 2023-0406-A) TP 09-023.10-169.
- 6. 110 Glenrich Avenue, Wilmington, DE 19804. Area variances to facilitate the recordation of a Land Development Plan:** **1.** To maintain a dwelling 7 feet from the Glenrich Avenue right-of-way on Lot 1 (25-foot street yard setback) see UDC Table 40.0.110.B. **2.** To maintain a dwelling 10 feet from the Alice Street right-of-way on Lot 1 (25-foot street yard setback) see UDC Table 40.0.110.B. **3.** To maintain a dwelling 2 feet from the easterly side lot line on Lot 1 (6-foot side yard setback) see UDC Table 40.04.110.B. **4.** To maintain a deck 10 feet from the Alice Street right-of-way on Lot 1 (12.5-foot setback for decks) see UDC Section 40.04.110.E. **D. Marty Mellinger**. NC5 Zoning. CD 1. (App 2023-0361-A) TP 07-039.30-188.
- 7. 205 Stanton Christiana Road, Newark, DE 19702. Area variances to facilitate the recordation of a Land Development Plan:** **1.** To permit 46 percent disturbance within wetlands (100-percent protection level) see UDC Table 40.10.010. **2.** To permit 2 percent disturbance within riparian buffer area (100-percent protection level) see UDC Table 40.10.010. **Executive Land Holdings IV, LLC**. BP Zoning. CD 1. (App 2023-0354-A) TP 09-024.00-002.
- 8. 207 Lisa Drive, New Castle, DE 19720. *This application has been continued to the September 28, 2023 Hearing.**
~~**Special Use Permit:** Special Use Permit to establish a high intensity recreational use in I Zoning District see UDC Sections 40.03.210 & 40.31.430. **Area variances:** **1.** To maintain 0.0 bufferyard opacity along all property lines (additional 0.2 bufferyard opacity required along all property lines) see UDC Table 40.03.210.A. **2.** To provide 65 parking spaces (73 parking spaces required) see UDC Table 40.03.522. **Club 28 LLC**. I Zoning. CD 12. (App 2023-0321-A) TP 10-030.00-099.~~

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.

