

## AGENDA

### BOARD OF ADJUSTMENT

Thursday, September 28, 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 28, 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/86321870177?pwd=ZGkvM0p5Z2FNa2lwZitaRIRtcXRBQT09>

Passcode: 342804

Or One tap mobile:

+13052241968,,86321870177#,,,,\*342804# US

+13092053325,,86321870177#,,,,\*342804# US

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 +1 305 224 1968 or +1 309 205 3325 or +1 312 626

6799 or +1 646 931 3860

Webinar ID: 863 2187 0177

Passcode: 342804

## AGENDA

1. [202 Potomac Road, Wilmington, DE 19803](#). **Area variance:** To construct an addition 22 feet from the Potomac Road right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B.  
**Steven Olson.** NC5 Zoning. CD. 2 (App 2023-0392-A) TP 06-101.00-156.

2. [1812 St. Elizabeth Street, Wilmington, DE 19805](#). **Area variance:** To maintain an addition 30 feet from the rear property line (40-foot rear yard setback) see UDC Table 40.04.110.B.

**Michael Tavani.** NCTH Zoning. CD. 1 (App 2023-0438-A) TP 07-039.20-136.

3. [31 Stardust Drive, Newark, DE 19702](#). **Area variance:** To maintain a detached accessory structure under construction 1 foot from the westerly side lot line (3-foot side yard setback for detached accessory structure) see UDC Section 40.03.410.A. **Miriam Santiago.** NC21 Zoning. CD 11. (App 2023-0474-A) TP 11-031.00-148.

4. [4 Stalwart Drive, Newark, DE 19713](#). **Area variance:** To construct an addition 20 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.110.B. **Shelly Stewart.** NC6.5 Zoning. CD 11 (App 2023-0447-A) TP 09-029.10-131.

5. [620 Churchmans Road, New Castle, DE 19720](#). **Area variance:** 1. To permit 1 additional identification sign (1 identification sign permitted) see UDC Table 40.06.060. 2. To permit 140 square foot identification wall sign (75-square foot maximum sign area) see UDC Table 40.06.060. **Tupp Signs, Inc.** OR Zoning. CD 1. (App 2023-0365-A) TP 09-019.00-043.

6. [4365 Kirkwood Highway, Wilmington, DE 19808](#). **Area Variance Amendment:** To amend a previously approved Area Variance (App 2023-0047-A) to amend Condition 5 requiring the existing wall signs for the various tenants on the smaller building's façade facing Kirkwood Highway shall be removed in exchange for a tenant panel on Sign 4 except for the proposed bank logo who has a storefront along this façade, in order to permit an additional 60-square foot wall sign for a tenant other than the bank, who has storefront along this façade. See UDC Section 40.31.455. **Oekos Kirkwood LLC.** CR Zoning. CD 9. (App 2023-0412-A) TP 08-044.20-028.

7. [1014, 1018 & 1026 S. Chapel Street, Newark, DE 19707](#). **Area variances to facilitate the recordation of a Land Development Plan:** 1. To Permit 100-percent disturbance within the Water Resource Protection Area (WRPA) Class C Wellhead (100-percent protection level) see UDC Table 40.10.010. 2. To permit a 0.78 acre lot size exclusive of protected resources (1-acre minimum lot size) see UDC Table 40.04.110.B. **Knight Owl Holdings IV LLC.** I Zoning. CD. 5 (App 2023-0415-A) TP 11-010.00-023 through -025.

8. [217 Lisa Drive, New Castle, DE 19720](#). **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 68 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.