

## AGENDA

### BOARD OF ADJUSTMENT

Thursday, October 13, 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: October 13, 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/82229917676?pwd=eXptbC9QWkwL2QzK0FUdDRkalQ3UT09>

Passcode: 084338

**Or One tap mobile:**

US: +13126266799,,82229917676# or +19292056099,,82229917676#

**Or Telephone:**

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

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6833 or +1 253 215 8782

Webinar ID: 822 2991 7676

## AGENDA

**1. [7 Sherbrooke Drive, Wilmington, DE 19808](#). Area variances: 1. To maintain a dwelling 18 feet from the Paisley Drive right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. 2. To construct an addition 16 feet from the Paisley Drive right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. John & Helen Pyle. NC6.5 Zoning. CD 9. (App 2022-0516-A) TP 08-032.40-025.**

**2. 1721 Gunning Drive, Wilmington, DE 19803. Area variance:** To construct an addition 35 feet from the rear property line (40-foot rear yard setback) see UDC Table 40.04.110.B. Michael Mooney. NC15 Zoning. CD 8. App (2022-0584-A) TP 06-102.00-021.

**3. 6060 & 6042 Limestone Road, Wilmington, DE 19808. Area variances to facilitate the recordation of a Land Development Plan:** **1.** To permit a maximum gross floor area ratio of 0.33 (0.23 maximum gross floor area required) see UDC Table 40.04.110.A. **2.** To permit a maximum net floor area ratio of 1.02 (0.46 maximum gross floor area required) see UDC Table 40.04.110.A. Commerce Pursuit Capital, L.P. NC21 Zoning. CD 3. (App 2022-0508-A) TPs 08-018.00-019 & 08-018.00-066.

**4. 2042 Sunset Lake Road, Newark, DE 19702. Area variance:** To provide 61 parking spaces (90 parking spaces required) see UDC Table 40.03.522. Apostolic Church International, Inc. I Zoning. CD 5. (App 2020-0472-A) TP 11-014.00-049.

**5. 2701 Capitol Trail, Newark, DE 19711. Area variances to facilitate the recordation of a Land Development Plan:** **1.** To provide a maximum of 92 percent residential gross floor area (50 percent maximum residential gross floor area) see UDC Section 40.03.318.A. **2.** To provide 0.0 bufferyard opacity along Capitol Trail (0.4 bufferyard opacity required) see UDC Table 40.04.111.A. **3.** To provide 0 street trees along Capitol Trail (8 street trees required) see UDC Table 40.04.111.C. BKS Associates, LLC. CR Zoning. CD 9. (App 2022-0465-A) TP 08-049.30-379.

**6. 563 Old Summit Bridge Road, Middletown, DE 19709. Use Variance Amendment:** To amend a previously approved Use Variance to eliminate Conditions (1) requiring the business operator to reside on premises and (2) limiting the use to the applicant and the applicant's family, to facilitate the conversion of an existing mason contractor's business to a general contractor's business. See UDC Section 40.31.455. Marjay Enterprises, LLC. NC21 Zoning. CD 12. (App 2022-0333-A) TP 13-002.00-002.

**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.**