

## AGENDA

**\*Revised 11/16/2023**

### BOARD OF ADJUSTMENT

Thursday, December 7, 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: December 7, 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/88161521615?pwd=bTftUzJaZnYzaVpjRjVMUIRXOTd0QT09>

Passcode: 248173

Or One tap mobile:

+13052241968,,88161521615#,,,,\*248173# US

+13092053325,,88161521615#,,,,\*248173# 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: 881 6152 1615

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## AGENDA

**1. [802 Providence Avenue, Claymont, DE 19703](#). Area variances: 1. To construct a dwelling 21 feet from the Providence Avenue right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. 2. To construct a dwelling 8 feet from rear property line (25-foot rear yard setback)**

see UDC Table 40.04.110.B. **Mario Lombardo**. NC6.5 Zoning. CD 8. (App 2023-0533-A) TP 06-083.00-083.

**2. 38 Hillcroft Road, Newark, DE 19711. Area variance:** To maintain a 10-foot tall fence along the southwesterly side lot line (Fence panels and fence materials may not exceed 6-feet in height or to account for sloping ground may not exceed 7-feet in height) see UDC Section 40.03.410.D. **Pamela Slivka**. NC6.5 Zoning. CD 9. (App 2023-0559-A) TP 09-016.30-001.

**3. 135 Brierly Lane, Bear, DE 19701. Area variance:** To construct an addition 18 feet from the Brierly Lane right-of-way (40-foot street yard setback) see UDC Table 40.04.11.B. **Francis Biddle**. NC21 Zoning. CD 12. (App 2023-0561-A) TP 12-012.00-167.

**4. 5341 Limestone Road, Wilmington, DE 19808. Area variances:** **1.** To permit a temporary real estate ground sign 22 feet from the Limestone Road right-of-way (40-foot setback for temporary real estate sign) see UDC Section 40.06.040.B. **2.** To permit a temporary real estate ground sign 27 feet from the Ocheltree Lane right-of-way (40-foot setback for temporary real estate sign) see UDC Section 40.06.040.B. **HES Sign Services Inc.** NCPUD Zoning. CD 3. (App 2023-0535-A) TP 08-030.00-069.

**5. 2237 Pleasant Valley Road, Newark, DE 19702. Area variances:** **1.** To permit paving 43 feet from the Pleasant Valley Road right-of-way (50-foot paving setback) see UDC Table 40.04.110.B. **2.** To permit paving 0 feet from the southerly side lot line (30-foot other paving setback) see UDC Table 40.04.110.B. **3.** To permit paving 0 feet from the rear property line (30-foot other yard paving setback) see UDC Table 40.04.110.B. **Delmarva Power & Light Company**. S Zoning. CD 5. (App 2023-0459-A) TP 11-020.00-010.

**6. 100 Christiana Road, New Castle, DE 19720. Area variances to facilitate the recordation of a Land Development Plan:** **1.** To permit a 0.85 acre lot size (1-acre minimum lot size) see UDC Table 40.04.110.B. **2.** To permit paving 10 feet from the unnamed right-of-way (40-foot street yard paving setback) see UDC Table 40.04.110.B. **3.** To permit paving 10 feet from the Christiana Road right-of-way (40-foot street yard setback) see UDC Table 40.04.110.B. **4.** To permit 0.0 bufferyard opacity along the Christiana Road right-of-way (0.3 bufferyard opacity required) see UDC Table 40.04.111.A. **5.** To permit 0.0 bufferyard opacity along the unnamed right-of-way (0.3 bufferyard opacity required) see UDC Table 40.04.111.A. **6.** To permit 0.0 bufferyard opacity along easterly side lot line (0.1 bufferyard opacity required) see UDC Table 40.04.111.A. **7.** To permit 0.0 bufferyard opacity along the rear property line (0.3 bufferyard opacity required) see UDC Table 40.04.111.A. **Gary Cimaglia**. ON Zoning. CD 7. (App 2022-0115-A) TP 10-024.00-052.

**7. 701 Boyds Corner Road, Middletown, DE 19709. Area variances to facilitate the recordation of a Land Development Plan.** **1.** To permit a 0.0 bufferyard opacity along the Boyds Corner Road right-of-way (0.3 bufferyard opacity required) see UDC Table 40.04.111.A. **2.** To permit a 0.0 bufferyard opacity along the Jamison Corner Road right-of-way (0.3 bufferyard opacity required) see UDC Table 40.04.111.A. **3.** To permit 0 street trees along the Jamison Corner Road right-of-way (26 street trees required) see UDC Table 40.04.111.C. **4.** To permit 0 street trees along the Boyds Corner Road right-of-way (35 street trees required) see UDC Table 40.04.111.C. **M. Shane Minner**. S Zoning (processed as ST pending rezoning). CD 6. (App 2023-0563-A) TP 13-013.00-002. **\*Revised Variance 3 to include the street name that was inadvertently left off the initial Agenda "3. To permit 0 street trees along the Jamison**

**Corner Road right-of-way (26 street trees required) see UDC Table 40.04.111.C”**

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.