

AGENDA

BOARD OF ADJUSTMENT

Thursday, April 27, 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: April 27, 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/83722995025?pwd=UVR2ZmxQOGhQM3dXYVhaYXlJUUEzUT09>

Passcode: 473852

Or One tap mobile :

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Webinar ID: 837 2299 5025

Passcode: 473852

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1. [20 Adams Dam Road, Rockland, DE 19732](#). **Area variances:** 1. To maintain a dwelling 0 foot from Adams Dam Road right-of-way (50-foot street yard setback) see UDC Table 40.04110.B.
2. To construct an addition 27 feet from the Adams Dam Road right-of-way (50-foot street yard

setback) see UDC Table 40.04.110.B. **Joshua Lehrer**. SE Zoning. CD 2. (App 2023-0031-A) TP 07-019.00-005.

2. 3 Center Street, New Castle, DE 19720. Area variances: **1.** To permit 37.50 foot lot width (50-foot minimum lot width) see UDC Table 40.04.110.B. **2.** To permit a 3,750 square foot lot area (5,000 square foot minimum lot width) see UDC Table 40.04.110.B. **3.** To construct a dwelling 21 feet from the Center Street right-of-way (25-foot street yard setback) see UDC Table 40.04.111.B. **Habitat for Humanity of New Castle County**. NC5 Zoning. CD. 10 (App 2023-0133-A) TP 10-005.20-081.

3. 408 Clane Drive, Wilmington, DE 19808. Area variance: To construct an addition 13 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.111.B. **Philip Wright**. S Zoning. CD 9. (App 2023-0137-A) TP 08-049.10-088.

4. 700 West Avenue, New Castle, DE 19720. Area variances: **1.** To permit 1 additional identification sign, for a total of 2 identification signs, (1 wall or ground identification sign permitted) see UDC Table 40.06.060. **2.** To maintain a 156 square foot wall identification sign (20-square foot maximum sign area) see UDC Table 40.06.060. **3.** To permit a 36 square foot ground identification sign with a 24 square foot EVMS (Electronic Variable Message Sign) portion (20-square foot maximum sign area) see UDC Table 40.06.060. **4.** To permit a 36 square foot ground sign with a 24 square foot EVMS portion 6 feet from the West Avenue right-of-way (20-foot setback for ground sign) see UDC Table 40.06.060. **5.** To permit an EVMS ground sign 45 feet from a residential use (75-foot minimum separation from a residential use) see UDC Section 40.06.030.B.6 **Holloway Terrace Volunteer Fire Co #1**. NC5 Zoning. CD 10. (App 2023-0076-A) TP 10-010.40-202.

5. 239 Christiana Road, New Castle, DE 19720. Area variances to establish a day care center: **1.** To permit a day care center 289 feet from a package store (500-foot minimum distance required) see UDC Section 40.03.309.A.4. **2.** To permit 0 street trees along the Christiana Road right-of-way (5 street trees required) see UDC Table 40.04.111.C. **3.** To maintain paving 18 feet from the Christiana Road right-of-way (40-foot paving setback) see UDC Table 40.04.110.B. **4.** To permit a 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 a 0.0 bufferyard opacity along the easterly side lot line adjacent to Tax Parcel 10-029.10-123 (0.1 bufferyard opacity required) see UDC Table 40.04.111.B. **6.** To maintain paving 2 feet along the easterly side lot line adjacent to Tax Parcel 10-029.10-123 (10-foot other yard paving setback) see UDC Table 40.04.110.B. **7.** To maintain paving 0 feet along the northerly side lot line adjacent to Tax Parcel 10-029.10-123 (10-foot other yard paving setback) see UDC Table 40.04.110.B. **8.** To permit a 0.0 bufferyard opacity along the northerly side lot line adjacent to Tax Parcel 10-029.10-123 (0.1 bufferyard opacity required) see UDC Table 40.04.111.B. **9.** To permit a 0.0 bufferyard opacity along the westerly side lot line (maximum 0.3 bufferyard opacity required) see UDC Table 40.04.111.B. **Latin American Community Center Inc**. ST & CN Zoning. CD. 7. (App 2022-0726-A) TP 10-029.10-122.

6. 1500 Beaver Brook Plaza, New Castle, DE 19720. Area variances to facilitate the recordation of a Resubdivision Plan to establish a day care center. **1.** To permit the establishment of a day care center within 430 feet of gasoline pumps (500-foot minimum distance required) see UDC Section 40.03.309.A. **2.** To permit the establishment of a day care center within 250 feet of a package store (500-foot minimum distance required) see UDC Section 40.03.309.A.

3. To permit a 0.0 bufferyard opacity around the play area (0.1 bufferyard opacity around the play area required) see UDC Section 40.03.309.A. **Landmark Science & Engineering**. CR Zoning. CD 12. (App 2023-0074-A) TP 10-040.00-035.

7. 1148 River Road, New Castle, DE 19720. Area variances to establish a day care center:

1. To permit a 0.0 bufferyard opacity around the play area (0.1 bufferyard opacity around the play area required) see UDC Section 40.03.309.A. 2. To permit a 0.0 bufferyard opacity along the southerly side lot line (0.2 bufferyard opacity required) see UDC Table 40.04.111.B & Section 40.04.320.A. 3. To permit a 0.0 bufferyard opacity along the northerly side lot line (0.2 bufferyard opacity required) see UDC Table 40.04.111.B. 4. To permit a 0.0 bufferyard opacity along the rear property line (0.1 bufferyard opacity required) see UDC Table 40.04.111.B. 5. To permit a 0.0 bufferyard opacity along the River Road right-of-way (0.4 bufferyard opacity required) see UDC Table 40.04.111.B. 6. To permit 0 on-lot plant units (6 plant units per acre for a total of 17 plant units) see UDC Table 40.04.111.A. **Marlon & Althea LaRose**. NC10 Zoning. CD 12. (App 2023-0081-A) TP 10-041.00-006.

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.