

AGENDA

***Revised 5/2/2023**

BOARD OF ADJUSTMENT

Thursday, May 11, 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: May 11, 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/82806788009?pwd=V0FISklucEZSaHRMUUndDb2NaSjYyUT09>

Passcode: 820559

Or One tap mobile:

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US: +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799 or +1 646 931 3860 or +1 929 205 6099 or +1 301 715 8592 or +1 253 205 0468 or +1 253 215 8782 or +1 346 248 7799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 669 444 9171 or +1 669 900 6833 or +1 689 278 1000 or +1 719 359 4580

Webinar ID: 828 0678 8009

Passcode: 820559

AGENDA

1. [36 Overlook Avenue , Wilmington, DE 19808](#). **Area variance:** To construct a detached accessory structure 10 feet from the Delaware Street right-of-way (25-foot street yard setback) see

UDC Sections 40.03.410.A & Table 40.04.110.B. **Mark Taggart.** NC5 Zoning. CD 1. (App 2023-0139-A) TP 08-045.10-162.

2. 2749 Old County Road, Newark, DE 19702. Area variance: To construct a detached accessory structure 4 feet from the southwesterly side lot line (10-foot side yard setback) see UDC Section 30.03.410.A & Table 40.04.110.B. **Fernando Jaimez.** NC21 Zoning. CD 11. (App 2023-0140-A) TP 11-036.00-025.

3. 2575 Glasgow Avenue, Newark, DE 19702. Area variances to facilitate the recordation of a Land Development Plan: **1.** To provide a 0.00 afforestation ratio in the S Zoning District portion of the property (minimum 0.30 afforestation ratio required in the S Zoning District) see UDC Section 40.04.241. **2.** To provide a 0.00 afforestation ratio in the BP Zoning District portion of the property (minimum 0.15 afforestation ratio required in the BP Zoning District) see UDC Section 40.04.241. **Landmark Science and Engineering.** S and BP Zoning. CD 11 (App 2023-0211-A) TP 11-027.00-003.

4. 100, 120, 140, 160 & 180 Le Mans Court; 800, 820, 840 & 860 Toulon Court; 1400 & 1420 Bayonne Court; 300, 320, 340, 360, 400, 420, 460 & 480 Rhone Court; 2000, 2020, 2040, 2060, 2080, 2120, 2140, 2160, 2180 & 2200 Valence Place; 1602 through 1626 Lormont Court; 1502 through 1513 Libourne Court; 1701 through 1713 De Gaulle Court; 1802 through 1873 Bergerac Court; and 1902 through 1939 Bellac Way, Newark, DE 19702. Area variances: **1.** To permit a maximum building height of 40 feet for apartment buildings A1 through A5; B1 through B4; C1 & C2; D1 through D6, D8 & D9; E1 through E5 and E7 through E11 (35-foot maximum building height) see UDC Table 40.04.110.B. **2.** To permit a maximum building height of 40 feet for townhouse Lots 1 through 139 (35-foot maximum building height) see UDC Table 40.04.110.B. **3.** To construct a pavilion 10 feet from the Bellac Way right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. **French Park LLC.** NCPUD Zoning. CD 11. (App 2023-0082-A) TPs 11-019.10-001, 11-019.10-004 through -111, 11-019.10-113 through -146.

5. 2600 Glasgow Avenue, Newark, DE 19702. Area variance: To permit a 120 square foot identification ground sign (75-square foot maximum sign area) see UDC Table 40.06.060. **Clayton Hill, CCIM, CPM.** ON Zoning. CD 11. (App 2023-0035-A) TP 11-026.00-115.

6. 510 Duncan Road, Wilmington, DE 19809. *This application has been continued to the May 25, 2023 hearing. **Area variances:** **1.** To permit 3 additional identifications signs (1 identification sign permitted) see UDC Table 40.06.060. **2.** To permit a 42 square foot ground sign with 24 square foot Electronic Variable Message Sign (EVMS) portion (20-square foot maximum sign area) see UDC Table 40.06.060. **3.** To permit a 42 square foot ground sign with 24 square foot EVMS portion 10 feet from the Duncan Road right-of-way (20-foot ground sign setback) see UDC Table 40.06.060. **4.** To permit an EVMS ground sign 60 feet from a residential use (75-foot minimum separation from a residential use) see UDC Section 40.06.030.B.6. **5. To maintain a 2,820-square foot identification sign mural (20-square foot maximum sign area) see UDC Table 40.06.060.** **Edgemoor Community Center d/b/a Bellevue Community Center.** S Zoning. CD 8. (App 2023-0097-A) TP 06-132.00-229.

7. 820 Middletown Odessa Road, Middletown, DE 19709. Area variances for a ground sign within a designated byway: **1.** To permit a second ground identification sign (1 identification

sign maximum) see UDC Table 40.06.060. **2.** To permit a 14 square foot ground identification sign within a designated byway (limit to 50-percent of sign area permitted in the zoning district within a designated byway - 10-square foot maximum sign area within the S Zoning District) see UDC Section 40.06.080.B. **JD Sign Company, Inc.** S Zoning. CD. 12 (App 2023-0013-A) TP 13-023.00-030.

8. 0 DuPont Parkway, Townsend, DE 19734. Area variances to facilitate the recordation of a Land Development Plan. 1. To provide a 0.0 bufferyard opacity along the easterly side lot line (0.5 bufferyard opacity required) see UDC Table 40.04.111.B. and Section 40.04.320.A. **2.** To provide a 0.0 bufferyard opacity along the northerly side lot line (0.5 bufferyard opacity required) see UDC Table 40.04.111.B. **761, LLC.** CR Zoning. CD 12. (App 2023-0073-A) TP 14-012.00-236.

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.