

AGENDA

***REVISED 5/9/22**

BOARD OF ADJUSTMENT

Thursday, May 12, 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: May 12, 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/85440223928?pwd=REQvb2NYNWxwODdiRGx3R2wrMDFIZz09>

Passcode: 532335

Or One tap mobile:

US: +13126266799,,85440223928# or +19292056099,,85440223928#

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: 854 4022 3928

AGENDA

1. [3 Dogwood Court, Bear, DE 19701](#). Area variances: 1. To expand an existing deck 6 feet from the rear property line (12.5-foot setback for decks) see UDC Section 40.04.110.E. 2. To construct pool decking 5 feet from the rear property line (6-foot setback for pool decking) see UDC Section see UDC Section 40.03.410.H. Derrick Reed. NC21 CL Zoning. CD 11. (App 2022-0195-A)

TP 11-033.20-105.

2. 284 Carlow Drive, Wilmington, DE 19808. Area variance: To construct an addition 10 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.110.B. Joe Oakes. S Zoning. CD 9. (App 2022-0201-A) TP 08-049.10-033.

3. 664 Southerness Drive, Townsend, DE 19734. Area variances: **1.** To construct an addition 10 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.110.B. **2.** To construct an addition 5 feet from the northerly side lot line (6-foot side yard setback) see UDC Table 40.04.110.B. George Carpenter. S Zoning. CD 12. (App 2022-0204-A) TP 14-013.31-228.

4. 2704 Van Cliburn Circle, Middletown, DE 19709. Area variance: To construct an addition 21 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.110.B. John & Patricia Berlen. S Zoning. CD 6. App 2022-0224-A) TP 13-013.32-132.

5. 6060 & 6042 Limestone Road, Hockessin, DE 19707. Area variances to facilitate the recordation of a Land Development Plan: **1.** To construct a building 51 feet in height (45-foot maximum building height) see UDC Table 40.04.110.B. **2.** To permit a maximum gross floor area ratio of 0.32 (0.23 maximum gross floor area required) see UDC Table 40.04.110.A. **3.** To permit a maximum net floor area ratio of 0.98 (0.46 maximum gross floor area required) see UDC Table 40.04.110.A. **4.** To permit a 0.1 bufferyard opacity along the northerly side lot line (0.3 bufferyard opacity required) see UDC Table 40.04.111. **5.** To disturb 60% (6.05 acres) of the Cockeysville Formation Water Resource Area/WRPA (50% protection level required) see Table 40.10.010. Commerce Pursuit Capital, LP. NC21 Zoning. CD 3. (App 2022-0158-A) TPs 08-018.00-019 & 08-018.00-066.

***6. 1911 Old Capitol Trail, Newark, DE 19711. *This application has been continued to a future hearing date TBD.**

Area variances to facilitate the recordation of a Land Development Plan: To permit a maximum gross floor area ratio of 1.15 (0.34 maximum gross floor area required) see UDC Table 40.04.110.A. Rich DSM Kirkwood Properties, LLC. CN Zoning. CD 9. (App 2022-0202-A) TPs 08-054.40-152 & 08-054.40-153.

Other Business: Discuss revising start time of Public Hearings.

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.