

AGENDA

BOARD OF ADJUSTMENT

Thursday, October 26, 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: October 26, 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/84147273590?pwd=ZWJZcUsxUXNwTFQ3WDZPSi9UdnVjZz09>

Passcode: 937697

Or One tap mobile:

+16469313860,,84147273590#,,, *937697# US

+19292056099,,84147273590#,,, *937697# US (New York)

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: 841 4727 3590

Passcode: 937697

AGENDA

Opening Remarks:

Statement from the departing Chair.

New Business:

1. **2706 Marklyn Drive, Wilmington, DE 19810**. **Area variance:** To construct an addition 11 feet from the rear property line (20-foot rear yard setback) see UDC Table 40.04.110.B. **Rigo Flores**. NC10 Zoning. CD 2. (App 2023-0475-A) TP 06-032.00-023.

2. **3629 Naamans Drive, Claymont, DE 19703**. **Area variance:** To construct an addition 1 foot from the southwesterly side lot line (6-foot side yard setback) see UDC Table 40.04.110.B. **Jorge Lopez**. NC6.5 Zoning. CD 8. (App 2023-0480-A) TP 06-058.00-407.

3. **3101 Concord Pike, Wilmington, DE 19803**. **Area variances:** 1. To permit a 100-square foot ground sign with a 35-square foot Electronic Variable Message Sign (EVMS) 7 feet from the Concord Pike right-of-way (40-foot ground sign setback) see UDC Table 40.06.060. 2. To permit a 100-square foot ground sign with a 35-square foot Electronic Variable Message Sign (EVMS) 16 feet from the Concord Avenue right-of-way (40-foot ground sign setback) see UDC Table 40.06.060. **HES Sign Services Inc.** CN Zoning. CD 2. (App 2023-0439-A) TP 06-077.00-307.

4. **383 Naamans Road, Claymont, DE 19703**. **Area variance:** To permit an 80 square foot ground sign with a 50 square foot Electronic Variable Message Sign (EVMS) 20 feet from the Naamans Road right-of-way (40-foot ground sign setback) see UDC Table 40.06.060. **HES Sign Services Inc.** CR Zoning. CD 8. (App 2023-0440-A) TP 06-048.00-002.

5. **165 Airport Road, New Castle, DE 19720**. **Area variance:** To permit a ground identification sign on a parcel with no street frontage (1 ground identification sign per street frontage) see UDC Table 40.06.060. **Faithful Friends**. I Zoning. CD. 7 (App 2023-0476-A) TP 10-017.00-064.

6. **100 Christiana Road, New Castle, DE 19720**. **Area variances to facilitate the recordation of a Land Development Plan:** 1. To permit a 0.89 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. **1220 River Road, Bear, DE 19701**. **Area variances to facilitate the recordation of a Land Development Plan:** 1. To permit paving 5 feet from the Federal School Lane right-of-way for Lot 1 (50-foot street yard paving setback) see UDC Table 40.04.110.B. 2. To permit paving 2 feet from the northeasterly side lot line for Lot 1 (30-foot other yard paving setback) see UDC Table 40.04.110.B. 3. To permit paving 15 feet from the River Road right-of-way for Lot 2 (50-foot street yard paving setback) see UDC Table 40.04.110.B. 4. To permit paving 5 feet from the southwesterly side lot line for Lot 2 (30-foot other yard paving setback) see UDC Table 40.04.110.B. 5. To permit a landscape surface ratio (LSR) of 0.36 on Lot 1 (0.70 minimum LSR required) see UDC Table 40.04.110.A. 6. To permit 6.5 footcandles illumination for semi-cutoff fixtures on Lot 1 (2 maximum footcandles) see UDC Table 40.04.111.C. 7. To permit 22

consecutive parking spaces on Lot 1 (maximum 12 consecutive parking spaces) see UDC Section 40.04.220.C. **New Castle County**. S Zoning. CD 12. (App 2023-0098-A) TP 10-046.00-001.

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.