

AGENDA

BOARD OF ADJUSTMENT

Thursday, November 3, 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: November 3, 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/87568649524?pwd=cUY5UGNGNWFVYi9SMTZnMmhFU2U1QT09>

Passcode: 683346

Or One tap mobile:

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Webinar ID: 875 6864 9524

AGENDA

1. [746 Gateway Road, Hockessin, DE 19701](#). **Area variance:** To construct an addition 11 feet from the Gateway Road right-of-way (40-foot street yard setback) see UDC Table 40.04.110.B.
Brian Martinenza Sr. NC21 Zoning. CD 3. (App 2022-0617-A) TP 08-013.30-086.

2. 5 Octave Court, Newark, DE 19713. Area variances: **1.** To maintain paving 0 feet from the northerly side lot line (2-foot paving setback) see UDC Section 40.0.110.E. **2.** To maintain paving 0 feet from the southerly side lot line (2-foot paving setback) see UDC Section 40.0.110.E. **3.** To maintain paving 0 feet from the rear property line (2-foot paving setback) see UDC Section 40.0.110.E. **Mark Harding**. NC6.5 Zoning. CD 9. (App 2022-0619-A) TP 09-023.10-262.

3. 2511 Alister Drive, Wilmington, DE 19808. Area variance: To construct an addition 15 feet from the Alister Drive right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. **Duffy Brothers Construction**. NC6.5 Zoning. CD 9. (App 2022-0630-A) TP 07-034.10-062.

4. 3601 Miller Road, Wilmington, DE 19802. Area variance: To permit a ground sign 0 feet from the Miller Road right-of-way (25-foot ground sign setback) see UDC Table 40.06.060. **Tupp Signs, Inc.** CR Zoning. CD 8. (App 2022-0587-A) TP 06-137.00-008.

5. 750 Otts Chapel Road, Newark, DE 19711. Area variances: **1.** To permit 1 additional wall sign (1 wall sign per principal use) see UDC Table 40.06.060. **2.** To permit a 39 square foot Electronic Variable Message Sign (EVMS) sign to an existing 50-square foot ground sign (total sign area is 89-square feet) 25 feet from the Otts Chapel Road right-of-way (40-foot ground sign setback) see UDC Table 40.06.060. **Tupp Signs, Inc.** I Zoning. CD 5. (App 2022-0600-A) TP 11-008.00-126.

6. 326 Ruthar Drive, Newark, DE 19711. Area variances: **1.** To permit an 89 square foot ground sign with a 39 square foot Electronic Variable Message Sign (EVMS) portion (Sign 1) 1 foot from the Ruthar Drive right-of-way (40-foot ground sign setback) see UDC Table 40.06.060. **2.** To permit 50 square foot ground sign (Sign 2) 0 feet from the Ruthar Drive right-of-way (40-foot ground sign setback) see UDC Table 40.06.060. **3.** To permit a 50 square foot ground sign (Sign 2) 1 foot from the Red Mill Road right-of-way (40-foot ground sign setback) see UDC Table 40.06.060. **Tupp Signs, Inc.** I Zoning. CD 9. (App 2022-0599-A) TP 09-016.00-038.

7. 2256 DuPont Highway, Middletown, DE 19709. Area variances to facilitate the recordation of a Land Development Plan: **1.** To permit paving 4 feet from the Route 1 right-of-way (40-foot paving setback) see UDC Table 40.04.110.B. **2.** To permit 0.0 bufferyard opacity along Route 1 right-of-way (0.3 bufferyard opacity required) see UDC Table 40.04.111.A. **3.** To permit 0 street trees along the Route 1 right-of-way (46 street trees required) see UDC Table 40.04.111.C. **Hyetts Corner Associates, LLC**. S Zoning (processed as CN pending proposed rezoning). CD 12. (App 2022-0601-A) TPs 13-008.00-027 & 13-013.00-083.

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.