

AGENDA
Revised 1/4/21

BOARD OF ADJUSTMENT

Thursday, January 7, 2021

6:00 p.m.

In accordance with Governor Carney's Proclamation and the Declaration of a State of Emergency, New Castle County is holding all public meetings as telephone and video conferences, utilizing Zoom Webinar until further notice.

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 as follows:

When: January 7, 2021 6:00 PM Eastern Time (US and Canada)
Topic: Board of Adjustment Virtual Public Hearing

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/86783345308?pwd=ZnFnNUFtOVd2RWcxd3YxVUFQMklnZz09>

Passcode: 474643

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

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Webinar ID: 867 8334 5308

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AGENDA

1. 1502 Harrison Avenue, Wilmington, DE 19809. Area variance: To construct an addition on to a detached accessory structure 2 feet from the rear property line (3-foot setback for detached accessory structures) see UDC Section 40.04.410.A. Sheena & William Temple. NC6.5 Zoning. CD 8. (App 2020-0729-A) TP 06-105.00-253.

2. 5 Ashen Sky Court, Bear, DE 19701. Area variance: To construct an addition 15 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.110.B. Andrew Hults. NC6.5 Zoning. CD 12. (App 2020-0761-A) TP 10-044.30-207.

3. 206 Nichols Avenue, Wilmington, DE 19803. Area variance: 1. To maintain

a detached accessory structure 0 feet from the easterly side lot line (3-foot setback for detached accessory structure) see UDC Section 40.04.410.A. **2.** To maintain paving 0 feet from the easterly side lot line (2-foot paving setback) see UDC Section 40.04.110.E. **3.** To permit 40% coverage of the rear yard with the construction of a 1,020 square foot detached accessory structure and maintaining existing detached accessory structure (30% maximum rear yard coverage) see UDC Section 40.03.410.A.4. Stephen Ford. NC6.5 Zoning. CD 2. (App 2020-0732-A) TP 06-077.00-358.

4. 19 Lambson Lane, New Castle, DE 19720 . *This agenda item has been continued to a future hearing date to be determined.

Area variances: **1.** To permit 1 additional identification sign (1 wall or ground identification sign permitted) see UDC Table 40.06.060. **2.** To permit a 32 square foot ground identification sign (20-square foot maximum sign area) see UDC Table 40.06.060. **3.** To permit a 32 square foot ground identification sign 0 feet from the Lambson Lane right-of-way (20-foot ground sign setback) see UDC Table 40.06.060. Shelia Berkel. NC5 Zoning. CD 10. (App 2020-0759-A) TP 10-010.20-518.

5. 588 Beaston Road, Middletown, DE 19709 . Area variances to facilitate the recordation of a Land Development Plan: **1.** To permit 1,478 parking spaces (2,670 parking spaces required) see UDC Table 40.03.522. **2.** To permit a 65 square foot wall identification for the elementary school (20-square foot maximum sign area) see UDC Table 40.06.060. **3.** To permit 1 additional identification sign (1 wall or ground identification sign permitted) see UDC Table 40.06.060. **4.** To permit a 100 square foot ground identification sign with 50 square feet of EVMS (Electronic Variable Message Sign) portion (20-square foot maximum sign area) see UDC Table 40.06.060. **5.** To construct 30, 30-foot high parking lot light poles (20-foot maximum height is permitted) see UDC Table 40.04.111.C. Appoquinimink School District. S Zoning. CD 12. (App 2020-0714) TP 13-007.00-016.

6. 2205 W. Newport Pike, Wilmington, DE 19804 . *This agenda item has been continued to a future hearing date to be determined.

Area variances to facilitate the recordation of a Land Development Plan: **1.** To construct a building 5 feet from the westerly side lot line (20-foot side yard setback) see UDC Table 40.040.110.B. **2.** To construct a building 2 feet from the rear property line (20-foot rear yard setback) see UDC Table 40.04.110.B. **3.** To permit paving 4 feet from the Stanton Road right-of-way (25-foot street yard paving setback) see UDC Table 40.04.110.B. **4.** To permit paving 2 feet from the rear property line (5-foot other yard paving setback) see UDC Table 40.04.110.B. **5.** To permit paving 20 feet from the Rock Avenue right-of-way (25-foot street yard paving setback) see UDC Table 40.04.110.B. **6.** To permit a 0.0 bufferyard opacity along the Newport Pike right-of-way (0.4 bufferyard opacity required) see UDC Table 40.04.111.A. **7.** To permit a 0.0 bufferyard along the Stanton Road right-of-way (0.4 bufferyard opacity required) see UDC Table 40.04.111.A. **8.** To permit a 0.0 bufferyard opacity along Rock Avenue right-of-way (0.3 bufferyard opacity required) see UDC Table 40.04.111.A. **9.** To permit a 0.0 bufferyard opacity along the rear property line (0.5 bufferyard opacity required) see UDC Table 40.04.111.B. **10.** To permit a Landscape Surface Ratio (LSR) of 0.19 landscape surface ratio (0.20 minimum LSR required) see UDC Table 40.04.110.A. **11.** To permit a

0.62 acre lot size (1.00-acre minimum lot size) see UDC Table 40.04.110.B. **12.** To permit 22 parking spaces (28 parking spaces required) see UDC Table 40.03.522. BINDI Property, LLC. CR Zoning. CD 9. (App 2020-0626-A) TP 08-051.10-153.

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.