

## AGENDA

**\*REVISED 8/4/22**

### BOARD OF ADJUSTMENT

Thursday, August 4, 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: August 4, 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/84152255815?pwd=WmtJUVdvM1I6aUJBbHNJWTVKcVdmdz09>

Passcode: 149965

**Or One tap mobile:**

US: +19292056099,,84152255815# or +13017158592,,84152255815#

**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 +1 312 626 6799 or +1 669 900 6833 or +1 253 215  
8782 or +1 346 248 7799

Webinar ID: 841 5225 5815

## AGENDA

**1. [401 Howard Street, Wilmington, DE 19804](#). Area variance:** To construct a dwelling 15 feet from the Howard Street right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. MSP Management Services LLC. NC5 Zoning. CD 1. (App 2022-0362-A) TP 07-039.30-277.

**2. 2500 Cedar Avenue, Wilmington, DE 19808. Area variances:** **1.** To maintain a dwelling 18 feet from the Cedar Avenue right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. **2.** To construct an addition 15 feet from the Cedar Avenue right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. Francis Biddle. NC5 Zoning. CD 9. (App 2022-0363-A) TP 08-033.30-071.

**3. 253 Carlow Drive, Wilmington, DE 19808. Area variance:** To construct an addition 14 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.110.B. William Saienni Jr. S Zoning. CD 9. (App 2022-0375-A) TP 08-049.10-098.

**4. 439 Martin Drive, New Castle, DE 19720. Area variance:** To construct a detached accessory structure 7 feet from the Buttonwood Avenue right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. Michael Duman. NC5 Zoning. CD 10. (App 2022-0376-A) TP 10-020.20-311.

**5. 107 W. Keystone Avenue, Wilmington, DE 19804. Area variances:** **1.** To maintain a dwelling 14 feet from the W. Keystone Avenue right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. **2.** To construct an addition 21 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.110.B. SRA Home Products. NC5 Zoning. CD 1. (App 2022-0377-A) TP 07-042.20-051.

**6. 9 Eileen Drive, Newark, DE 19711. Area variance:** To construct an addition 14 feet from the rear property line (20-foot rear yard setback) see UDC Table 40.04.110.B. Margaret Cobb. NC10 Zoning. CD 3. (App 2022-0398-A) TP 08-053.10-026.

**\*This application was heard at the July 28 hearing.**

**~~7. 5988 Philadelphia Pike, Claymont, DE 19703. Area variance:~~** To permit 44,220 cubic yards of net loss of floodplain storage (0 net loss of floodplain storage is permitted) see UDC Section 40.10.320.F. VanDemark & Lynch, Inc. III Zoning. CD 8. (App 2022-0260-A) TP 06-073.00-001.

**\*The below applications were advertised and noticed according to UDC section 04.31.340.B**

**7. 611 Belgian Drive, Bear, DE 19701. Area variance:** To construct a 2,500 square foot detached accessory structure larger than the square footage footprint of the primary dwelling (1,872 square footage footprint primary dwelling) on a 0.94 acre lot (gross floor area for an accessory structure shall not exceed the square footage footprint of the primary dwelling on lots less than 1 acre) see UDC Section 40.03.410.A. Peter Rudloff. NC21 Zoning. CD 12. (App 2022-0346-A) TP 12-019.00-024.

**8. 312 W. Holly Oak Road, Wilmington, DE 19809. Area variances:** **1.** To maintain a dwelling 10 feet from the W. Holly Oak Road right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. **2.** To maintain a dwelling 8 feet from the Garfield Avenue right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. **3.** To construct a covered entrance way and stairs 4 feet from the W. Holly Oak Road right-of-way (13-foot setback required) see UDC Section 40.04.110.E. **4.** To construct a deck 5 feet from the Garfield Avenue right-of-way (12.5-foot setback for decks) see UDC Section 40.04.110.E. Juan Romo-Beltran. NC6.5 Zoning. CD 8. (App 2022-0414-A) TP 06-105.00-223.

**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.**