

AGENDA

BOARD OF ADJUSTMENT

Thursday, August 25, 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 25, 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/87019248441?pwd=VXJkYXBkSkhpNGMxWHp4Wk9jM1FzZz09>

Passcode: 571682

Or One tap mobile:

US: +13017158592,,87019248441# or +13126266799,,87019248441#

Or Telephone:

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

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7799 or +1 669 900 6833

Webinar ID: 870 1924 8441

AGENDA

- 1. 319 Martin Drive, New Castle, DE 19270.** To maintain paving 0 feet from the southerly side lot line (2-foot paving setback) see UDC Section 40.04.110.E. John & Brenda Byrne. NC5 Zoning. CD 10. (App 2022-0436-A) TP 10-020.20-217.
- 2. 721 & 735 Cox Neck Road, New Castle, DE 19720.** Area variances: 1. To maintain a

dwelling 1 foot from the westerly side lot line for 735 Cox Neck Road (10-foot side yard setback) see UDC Table 40.04.110.B. **2.** To maintain paving 0 feet from the easterly side lot line for 735 Cox Neck Road (2-foot paving setback) see UDC Section 40.04.110.E. **3.** To maintain paving 0 feet from the westerly side lot line for 721 Cox Neck Road (2-foot paving setback) see UDC Section 40.04.110.E. Albert Volpe & Brian Reeder. NC21 & S Zoning. CD 12. (App 2022-0443-A) TPs 12-029.00-003 & 12-029.00-005.

3. 1001 Rockland Road, Wilmington, DE 19803. Area variances: **1.** To maintain pool decking 82 feet from the Rockland Road right-of-way (100-foot street yard setback) see UDC Table 40.04.110.B. **2.** To construct a pergola 82 feet from the Rockland Road right-of-way (100-foot street yard setback) see UDC Table 40.04.110.B. Rockland Sports, LLC. SE Zoning. CD 2. (App 2022-0425-A) TP 06-099.00-001.

4. 2509 Philadelphia Pike, Claymont, DE 19703. Motion to rehear Application No. 2022-0225-A, which was denied because the Applicant failed to appear at the public hearing held on May 26, 2022. **Area variances:** **1.** To permit a pylon ground sign with a base consisting of metal (the base shall be constructed of permanent, durable materials such as concrete, brick, or stone) in the Design Review Advisory Committee (DRAC) of Claymont Manual of Design Guidelines by Sign Type Item 5.a per UDC Section 40.26.430.D. **2.** To permit a pylon sign 33 feet in height (pylon signs must be no higher than 18 feet) in the Design Review Advisory Committee (DRAC) of Claymont Manual of Design Guidelines by Sign Type Item 5.c per UDC Section 40.26.430.D. Joe Berl III. CN HT Zoning. CD 8. (App 2022-0225-A) TP 06-095.00-545.

5. 1800 Fairfax Boulevard, Wilmington, DE 19803. Area variances: **1.** To permit 2 additional identification signs (1-wall or ground identification sign permitted) see UDC Table 40.06.060. **2.** To maintain a ground identification sign 0 feet from the Fairfax Boulevard right-of-way (20-foot ground sign setback) see UDC Table 40.06.060. **3.** To permit 2, 56 square foot ground identification with a 33 square foot Electronic Variable Message Sign (EVMS) portions on each sign (20-square foot maximum sign area) see UDC Table 40.06.060. **4.** To permit 2, 56 square foot ground identification with a 33 square foot EVMS portions on each sign 6 feet from the Foulk Road right-of-way (20-foot ground sign setback) see UDC Table 40.06.060. **5.** To permit 2 EVMS signs 30 feet from a residential use (75-foot minimum from a residential use) see UDC Section 40.06.030.B.6. Tupp Sign, Inc. NC6.5 Zoning. CD 2. (App 2022-0384-A) TP 06-101.00-271.

6. 20 Granite Road, Wilmington, DE 19803. Area variances to facilitate the recordation of a Land Development Plan: **1.** To permit a maximum gross floor area ration of 0.62 (0.50 maximum gross floor area ratio) see UDC Table 40.04.110.A. **2.** To permit 1,947 parking spaces (3,295 parking spaces required) see UDC Table 40.03.522. Incyte Corporation. S & OR Zoning. CD 2. (App 2022-0388-A) TPs 06-136.00-025 & 06-130.00-030.

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.