

## AGENDA

**\*REVISED AGENDA (January 7, 2022)**

### BOARD OF ADJUSTMENT

Thursday, January 27, 2022

6:00 p.m.

**\*NOTE: The Board of Adjustment Hearing will be held ENTIRELY as a virtual meeting utilizing Zoom Webinar due to the January 3, 2022 State of Emergency declaration and in accordance with 29 Del. C. Section 10001 et.al. The Multi-Purpose Room, Gilliam Building, 67 Reads Way will NOT 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: January 27, 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/88143346757?pwd=VHZFKzliMmN4dzdXYklsd2UweFpiZz09>  
Passcode: 598788

**Or One tap mobile:**

US: +13126266799,,88143346757# or +19292056099,,88143346757#

**Or Telephone:**

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

US: +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 6833  
or +1 253 215 8782

Webinar ID: 881 4334 6757

## AGENDA

**1. 237 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. David Malatesta. S Zoning. CD 9 (App 2021-0801-A) TP 08-049.10-106.

**2. 412 S. DuPont Road, Wilmington, DE 19804. Area variances:** 1. To maintain pool decking 5 feet from the northerly side lot line (6-foot setback for pool decking) see UDC Section 40.03.410.H. 2. To construct pool decking 5 feet from the northerly side lot line (6-foot setback for pool decking) see UDC Section 40.03.410.H. 3. To construct pool decking 1 foot from the rear property line (6-foot setback for pool decking) see UDC Section 40.03.410.H. Ferris Home Improvements. NC6.5 Zoning. CD 1 (App 2021-0802-A) TP 07-043.30-110.

**3. 2800 Ebright Road, Wilmington, DE 19810. Area variances:** 1. To maintain a dwelling 0 feet from the Ebright Road right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. 2. To construct a 2-story addition 7 feet from the Ebright Road right-of-way (25-foot street yard setback)

see UDC Table 40.04.110.B. William & Erika Ezzo. NC10 Zoning. CD 2 (App 2021-0804-A) TP 06-006.00-002.

**4. 807 Percheron Drive, Bear, DE 19701. Area variances: 1.** To maintain a detached accessory structure 22 feet in height (20-foot maximum height for detached accessory structure) see UDC Section 40.03.410.A. **2.** To maintain a detached accessory structure 22 feet in height 3 feet from the easterly side lot line (10-foot side yard setback) see UDC Section 40.03.410.A. Geno Graubant. NC21 Zoning. CD 12. (App 2021-0703-A) TP 12-012.00-093.

**5. 100 Garden of Eden Road, Wilmington, DE 19803. Area variances to facilitate the recordation of a Land Development Plan: 1.** To construct 2 condominium buildings 66 feet in height (50-foot maximum building height) see UDC Table 40.04.110.B. **2.** To permit 2 condominium buildings 45 feet from the easterly side lot line (66-foot side yard setback) see UDC Section 40.04.110.C. **3.** To permit a condominium building 45 feet from the rear property line (66-foot rear yard setback) see UDC Section 40.04.110.C. Reybold Venture Group XVIII-A LLC. ST Zoning. CD 2 (App 2020-0099-A) TP 06-051.00-014.

**6. 5303 Concord Pike, Wilmington, DE 19803. Area variances to facilitate the recordation of a Land Development Plan: 1.** To maintain a building 18 feet from the easterly side lot line (20-foot rear yard setback) see UDC Table 40.04.110.B. **2.** To construct an addition 18 feet from the rear yard setback (20-foot rear yard setback) see UDC Table 40.04.110.B. **3.** To permit a max gross floor area ratio of 0.54 (0.37 maximum net floor area ratio) see UDC Table 40.04.110.A. **4.** To permit paving 0 feet from the northerly side lot line (5-foot other yard paving setback) see UDC Table 40.04.110.B. **5.** To permit paving 0 feet from the southerly side lot line (5-foot other yard paving setback) see UDC Table 40.04.110.B. **6.** To permit paving 15 feet from the Naamans Road right-of-way (25-foot street yard paving setback) see UDC Table 40.04.110.B. **7.** To permit paving 20 feet from the Concord Pike right-of-way (25-foot street yard paving setback) see UDC Table 40.04.110.B. **8.** To provide 0.0 bufferyard opacity along the Concord Pike right-of-way (0.4 bufferyard opacity) see UDC Table 40.04.111.A. **9.** To provide 0 street trees along the Concord Pike right-of-way (5 street trees required) see UDC Table 40.04.111.C. **10.** To provide 0.0 bufferyard opacity along the Naamans Road right-of-way (0.4 bufferyard opacity) see UDC Table 40.04.111.A. **11.** To provide 1 street tree along the Naamans Road right-of-way (2 street trees required) see UDC Table 40.04.111.C. **12.** To provide 0 parking lot plant units (1 plant unit per 12 parking spaces, total 6.5 plant units required) see UDC Table 40.04.111.A. Raymour Furniture Company, Inc. CR Zoning. CD 2. (App 2022-0001-A) TPs 06-011.00-011 & 06-011.00-073.

**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.**