

AGENDA
***Revised 2/26/21**

BOARD OF ADJUSTMENT

Thursday, March 11, 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 posted below.

When: March 11, 2021 06:00 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/88663797248?pwd=Nk1yR3lzZXlJS3IRY3krU1FMRUgVQT09>

Passcode: 254537

Or Telephone:

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

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6833 or +1 253 215 8782

Webinar ID: 886 6379 7248

Or iPhone one-tap:

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AGENDA

1. 2323 Walnut Lane, Arden, DE 19810. Area variances: 1. To maintain a dwelling 1 foot from the easterly side lot line (8-foot side yard setback) see UDC Table 40-04.110.B. 2. To maintain a dwelling 6 feet from the westerly side lot line (8-foot side yard setback) see UDC Table 40.04.110.B. Robert Andress. NC10 Zoning. CD 8. (App 2021-0059-A) TP 16-004.00-691.

2. 2272 St. James Drive, Wilmington, DE 19808. Area variance: To construct an addition 16 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.110.B. Elizabeth Cain. NC6.5 Zoning. CD 1. (App 2021-0058-A) TP 08-050.10-017.

3. 1 Forge Drive, Newark, DE 19711. Area variances to facilitate the

recordation of a Land Development Plan: To provide 0.0 bufferyard opacity along the Marrows Road right-of-way (0.5 bufferyard opacity required) see UDC Table 40.04.111.A. **FNSS LLC.** I Zoning. CD 5. (App 2021-0095-A) TP 09-021.00-014.

4. 5401 S. Bayberry Parkway, Middletown, DE 19709. Area variance to facilitate the recordation of a Land Development Plan: To permit paving 30 feet from the Stravinsky Avenue right-of-way (50-foot street yard setback) see UDC Table 40.04.110.B. Blenheim Bayberry, LLC. S Zoning. CD 12. (App 2021-0020-A) TP 13-013.41-211.

5. 2325 Diamond Street, Wilmington, DE 19804. Area variances to facilitate the recordation of a Land Development Plan: 1. To permit a lot width of 0 feet for Lot 2 (60-foot minimum lot width) see UDC Table 40.04.110.B. **2.** To permit a lot width of 0 feet for Lot 3 (60-foot minimum lot width) see UDC Table 40.04.110.B. **3.** To permit a lot width of 0 feet for Lot 4 (60-foot minimum lot width) see UDC Table 40.04.110.B. DRPD, LLC. NC6.5 Zoning. CD 9. (App 2021-0012-A) TP 08-050.20-142.

6. 50 & 52 Lawson Avenue, Claymont, DE 19703. *THIS APPLICATION HAS BEEN CONTINUED TO THE MARCH 25 HEARING.****

Area variances to facilitate the recordation of a Land Development Plan: 1. To maintain a dwelling on Lot 1, 11 feet from the Green Street right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. **2.** To permit a lot width of 34 feet for Lot 1 (40-foot minimum lot width) see UDC Table 40.04.110.B. **3.** To permit a lot width of 25 feet for Lot 2 (40-foot minimum lot width) see UDC Table 40.04.110.B. **4.** To maintain 0 off-street parking spaces for Lot 1 (2.25 parking spaces per dwelling unit) see UCD Table 40.03.110.C. **5.** To maintain 0 off-street parking spaces for Lot 2 (2.25 parking spaces per dwelling unit) see UCD Table 40.03.110.C. Jihan & Family, LLC. NC5 & HT Zoning. CD8. (App 2021-0040-A) TP 06-071.00-118.

7. 2205 W. Newport Pike, Wilmington, DE 19804. 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 4004.110.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.