

**DEPARTMENT OF LAND USE**  
New Castle County Government Center  
87 Reads Way  
New Castle, DE 19720  
302-395-5400



**BOARD OF ADJUSTMENT  
APPLICATION FOR PUBLIC HEARING**

Application Number \_\_\_\_\_

Fee Received/Check No. \_\_\_\_\_

REFER TO THE INFORMATION HANDBOOK FOR ASSISTANCE IN COMPLETING THIS APPLICATION

**APPLICANT**

**LEGAL OWNER**

Name \_\_\_\_\_ Name \_\_\_\_\_

Address \_\_\_\_\_ Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone (\_\_\_\_) \_\_\_\_\_ Phone (\_\_\_\_) \_\_\_\_\_

E-mail address \_\_\_\_\_

Subject Property Location \_\_\_\_\_  
Address \_\_\_\_\_ City/State \_\_\_\_\_ Zip Code \_\_\_\_\_

Tax Parcel Number \_\_\_\_\_ Council District \_\_\_\_\_ Zoning Classification \_\_\_\_\_

**In addition to the persons listed above, copies of all correspondence should be sent to:**

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

- Has a previous application for this property been filed with the Board? If yes, App. No. \_\_\_\_\_ Hearing Date \_\_\_\_\_
- Is the application being requested due to a code violation? If so, attach a copy of violation notice.
- Attach a copy of the plot plan for the subject property showing the layout of structures of the lot, the location of the subject property, and the size and location of any structures proposed.
- Pursuant to Appendix 7, Guiding Principles for Development for non-residential applications, attach color renderings of building(s) elevations of any structures proposed.
- Non-residential applications, has the Applicant reached out to the surrounding Community? Yes  No
- Non-residential applications, has the Applicant reached out to the District Councilperson? Yes  No
- Attach the appropriate filing fee, payable to New Castle County, as shown on the fee schedule.
- Pursuant to Section 40.31.340.E, a public hearing notice is required to be posted on the subject property no later than ten working days in advance of the hearing. A signed affidavit of the posting is also required. **(Residential applications are exempt).**
- Pursuant to Section 40.31.140.B, any Board of Adjustment application which would require the filing of a land development plan for implementation shall be accompanied by a simultaneous exploratory plan submission.

*The undersigned hereby certifies that the legal owner of the subject property is aware of and agrees to the filing of this application and that information contained herein is correct. (If the applicant is not the legal owner of this property, the legal owner or his authorized representative must sign this form.)*

\_\_\_\_\_  
Applicant's Name (Please Print)

\_\_\_\_\_  
Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_

*The Legal Owner of the subject property, hereby certifies that the information provided herein is correct and agrees to be bound by any decision of the Board of Adjustment with respect to subject property.*

\_\_\_\_\_  
Legal Owner's Name (Please Print)

\_\_\_\_\_  
Legal Owner's Signature \_\_\_\_\_ Date \_\_\_\_\_

For Department Use Only

**CHECK THE APPROPRIATE SECTION BELOW AND FILL IN THE REQUIRED INFORMATION PERTAINING TO THE TYPE OF RELIEF REQUESTED.**

**Dimensional Variance** from code requirement. State size of variance being requested (example: variance from the required 6 foot side yard setback to construct [maintain] a dwelling 4.2 feet from the northerly property line):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Special Use** for the following: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Use Variance** to use property for use other than that allowed by its zoning classification, changing from its existing use as \_\_\_\_\_

\_\_\_\_\_

To a proposed use as \_\_\_\_\_

\_\_\_\_\_

**Appeal from an Administrative Decision** \_\_\_\_\_ dated \_\_\_\_\_

For the following reasons: \_\_\_\_\_

\_\_\_\_\_

**Confirmation of a Non Conforming Use** \_\_\_\_\_

\_\_\_\_\_

**Beneficial Use Appeal** \_\_\_\_\_

\_\_\_\_\_

**A fee is required for each application submitted, and please note that an as-built survey will be required as a part of the building permit process.**

Dimensional Variance – for residential use.....	\$300	Mitigation of a Nonconforming situation for an individual residential lot or use .....	\$500
Dimensional Variance – non-residential use.....	\$2000	Mitigation of a Nonconforming situation for other residential and nonresidential lots or uses.....	\$3,000
Use Variance – residential use.....	\$1,500	All other Board of Adjustment applications.....	\$3,000
Non-residential use .....	\$3,000		
Special Use .....	\$2,500		
Special Public Hearing .....	\$6,000		
Continuation of public hearing – residential.....	\$300		
Non-residential.....	\$1,500		
Appeal of decision by an administrative officer or agency regarding the interpretation of a zoning provision in New Castle County Code, Chapter 40-.....	\$3,000		