

**CITY OF NEWARK
DELAWARE
BOARD OF ADJUSTMENT
AGENDA
October 18, 2012 – 7:00 P.M.**

1. The approval of the minutes from the meeting held September 20, 2012.
2. The appeal of Matthew Egan, Cornell Homes, for the following variance on lots 19-81 at Newark Preserve (a.k.a. Wilson Farm):
 - a) Sec. 32-13(c)(1) – height of building shall not exceed three stories or 35 feet. The proposed height of some buildings will be 39.25 or 39.66, based upon model chosen.

ZONING CLASSIFICATION: RR

3. Request of Kevin Mayhew, Terry Lane LLC to construct 12 townhouse style apartments at 123 New London Road, for the following variances:
 - a) Sec. 32-11(a)(1)(d) – requires a maximum lot coverage of 20%. Plan shows 35.8% lot coverage requiring a 15.8% variance.
 - b) Sec. 32-11(a)(1)(h) – requires a minimum lot size of one acre. Plan shows a lot size of 0.781 acres requiring a .219 acre variance.
 - c) Sec. 32-11-(a)(1)(i) – requires at least 40% of area to be open space. Plan shows 28% open space requiring a 12% variance.
 - d) Sec. 32-11(a)(1)(j) - requires all uncovered parking and loading spaces to be located at least 10 feet from all abutting perimeter streets and property lines. Plan shows parking 7 feet from rear lot line, requiring a 3 foot variance.
 - e) Sec. 32-11(c)(5)a. – requires a 30 foot building setback from the line of all perimeter streets . Plan shows setback of 9 feet to porch and 15 feet to building. If porch is covered, a variance of 21 feet is required; otherwise a variance of 15 feet will be required.
 - f) Sec. 32-11(c)(5)c. – requires a 25 foot minimum building setback line from all exterior lines. Plan shows 7 feet from a property line requiring a variance of 18 feet.

ZONING CLASSIFICATION: RM

4. Request of Shaun McCoy, McCoy Builders, Inc. on behalf of Charlotte Fagraeus, 102 Odessa Way, for the following variance to construct a deck and install a pool:
 - a) Sec. 32-9(c)(6) – requires a rear yard in RT zoning to be 40 feet. Plan shows a 25 foot rear yard, requiring a variance of 15 feet.

5. Request of First State Signs on behalf of Cash Point, 1107 S. College Avenue, for the following variance to erect two roof signs at the above location:

- a) Sec. 32-60(a)(2) – one roof sign permitted, applicant is proposing two. Proposed signs do not meet the required vertical dimensions and extend beyond the roof surface on which they are supported.

6. Request of James P. Curran, Esquire, on behalf of N.G.C., LLC, for the property known as “Kershaw Commons,” located on Kershaw Street to construct new units at the above location:

- a) Sec. 32-11(a)(1)(a) – maximum number of dwelling units per acre shall be 16. Plan shows 17 units per acre.
- b) Sec. 32-11(a)(1)(d) – maximum lot coverage shall be 20%, plan shows 27%, requiring a variance of 7%.
- c) Sec. 32-11(a)(1)1 – an open area of at least 40% is required. Your plan shows 37% requiring a variance of 3%.

The application and related materials may be examined at the City Secretary's Office, 366-7070, prior to the meeting.

Clayton S. Foster
Chairman