

**CITY OF NEWARK
DELAWARE
BOARD OF ADJUSTMENT**

February 18, 2021 – 7:00 P.M. – GoToMeeting

Per the proclamation issued by Governor Carney and Lieutenant Governor Hall-Long on March 13, 2020, the Board of Adjustment will be meeting remotely via GoToMeeting at the following link:

<https://www.gotomeet.me/newarkde/boa021821>

You can also dial in using your phone.

United States: +1 (872) 240-3212

Access Code: 401-759-901

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<https://global.gotomeeting.com/install/401759901>

Public comments may be submitted on the items on the agenda via email to citysecretary@newark.de.us by 6:00 p.m. All public comments received will be read into the record at the meeting. Attendees may also alert staff that they wish to speak at the appropriate time by submitting their name, district and/or address via the GoToMeeting chat function during the meeting.

The application and associated documents for the variance request will be available at <https://newarkde.gov/meetings> one week prior to the meeting.

- 1. The approval of the minutes from the meeting held on January 21, 2021.**
- 2. The appeal of Curtis and Lisa King, property address 302 Bent Lane, for the following variance:**
 - **Sec. 32-9(c)(5)(c) – Building setback lines.** – The minimum setback lines for the RS zone is 25 feet. The proposed plan only provides setback of 10 feet requiring a variance of 15 feet.

Agenda Posted – January 29, 2021

Attest:

Sworn by:

City Secretary

Notary Public

(Seal)



CODE ENFORCEMENT DIVISION
CITY OF NEWARK

220 South Main Street · Newark, Delaware 19711
302.366.7000 · Fax 302.366.7169 · www.newarkde.gov

December 15, 2020

CURTIS P & LISA A KING
302 Bent Ln.
Newark, DE 19711

RE: 302 Bent Ln. – Application #202000788

Dear Mr. & Mrs. King:

Please be advised that your building permit application #202000788 for a Carport and Garage conversion, has been denied. The proposed location of the structure did not meet the setback requirements of 25' in accordance with **Sec. 32-9 (c) 5 c.** of the City of Newark Municipal Code. Your proposed plan only provides a 10-foot setback.

You may seek a variance from the aforementioned section by completing the enclosed application for a hearing before the Board of Adjustment and submitting it along with a two-hundred and fifty-dollar (\$275) fee to the City Secretary's office. This fee is non-refundable and is for the cost for the hearing, whether the Board of Adjustment grants or denies the variance. Please note as well that as per Code Section 32-63, should you request a continuance of an appeal to other than the meeting for which you have applied, another two-hundred and fifty (\$275) fee will be required.

The application deadline for the Board Hearings is also attached for your convenience. If you have any questions, please do not hesitate to contact me at 220 South Main Street, Newark, DE. 19711, by phone 302-366-7000 Ext 2060, or by e-mail spetersen@newark.de.us.

Sincerely,
Stephanie Petersen
Code Enforcement Manager

cc: Renee Bensley, City Secretary's Office
Michael Fortner, Department of Planning & Development
Thomas Fruehstorfer, Department of Planning & Development
File

**CITY OF NEWARK
DELAWARE
BOARD OF ADJUSTMENT**

NOTICE OF APPEAL

FOR OFFICE USE ONLY:

APPEAL NO.: 21-BA-3 DATE RECEIVED: January 26, 2021

PROPERTY LOCATION: 302 Bent Lane

APPLICANT: Curtis and Lisa King

DATE OF HEARING: February 18, 2021

DATE HEARING ADVERTISED: February 5, 2021

FEE PAID, RECEIPT NO. \$1275.00 # 125523

Please complete and have notarized the Notice of Appeal and submit it along with plans to the Board of Adjustment Secretary, City Secretary's Office, 220 South Main Street, Newark, DE 19711.

Lisa and Curtis King

1. I/We, 302 Bent Lane, Newark DE 19711 302 547 4933
(Mailing Address) (Phone No.)

request a determination by the Board of Adjustment on the following appeal, which was denied by the Building Department on December 15, 2020

a variance

2. The purpose of the appeal is to request: _____

A. ☒ A variance to Chapter 32, Section 32. _____ related to:

- ☐ Area
- ☐ Frontage
- ☐ Side Yard
- ☐ Rear Yard
- ☐ Height (sign)
- ☐ Use
- ☐ Parking **We would like to build a carport on our existing driveway**
- ☒ Other: _____

B. ☐ An interpretation.

C. ☐ A special exception (in special sign district only).

3. Description of the property: 302 Bent Lane, Newark DE 19711

A. Street location, lot number: _____
It is our home

B. Present use: _____
We intend to remain in our home

C. Proposed use: _____
RS

D. Zoning district: _____

4. I/We believe that the Board of Adjustment should approve this request because: (please state the exceptional practical difficulty in using the property for a proposed use. If an interpretation is requested, state grounds for interpretation.)

While the carport plan violates our property setback, we believe that the structure will be no more of an obstruction than our cars in the driveway.

We have been extremely conscientious in our restoration of the home and landscaping. The carport we have in mind would fit seamlessly into the unique architecture of our home.

We are confident that our carport design will further enhance our home and the neighborhood.

(If additional space is necessary, please attach to form.)

no

5. Has a previous application for an appeal been filed?

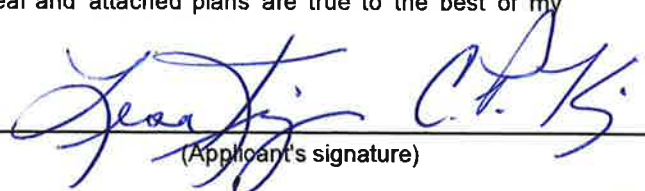
(If you are not sure, contact the Board of Adjustment secretary at 366-7000.)

6. What is applicant's interest in the premises affected?

(Owner, agent, lessee, etc.)

Owner

I hereby certify that all of the statements in this Notice of Appeal and attached plans are true to the best of my knowledge.


(Applicant's signature)

Sworn to and subscribed before me, this 26th day of January


Notary Public

My Commission Expires 9-10-2022



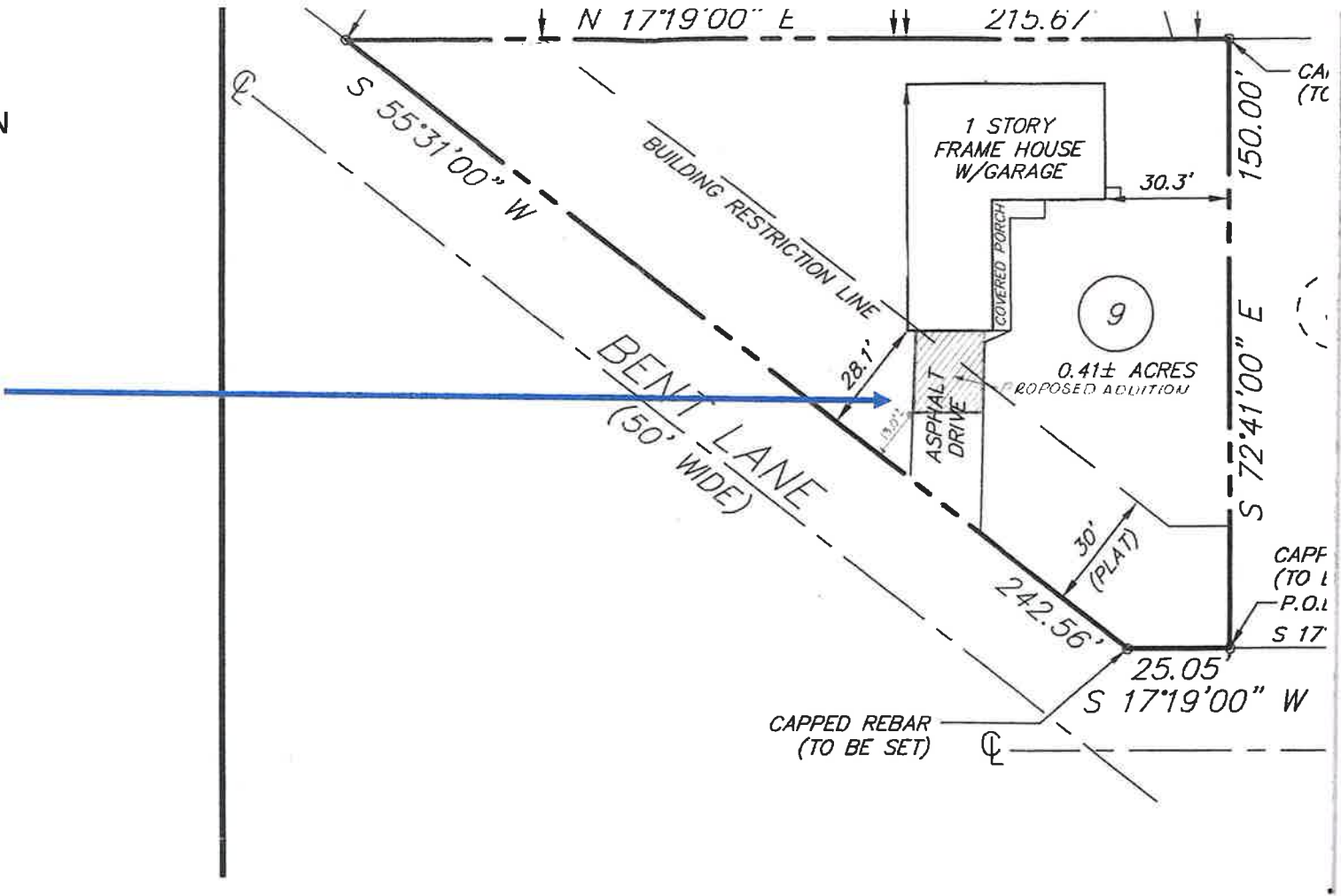
Original design on Application



KING
302 BENT LANE
NOTTINGHAM GREEN
NEWARK DE 19711

CARPORT REQUEST

Setback violation
on Application



KING
302 BENT LANE
NOTTINGHAM GREEN
NEWARK DE 19711

CARPORT REQUEST

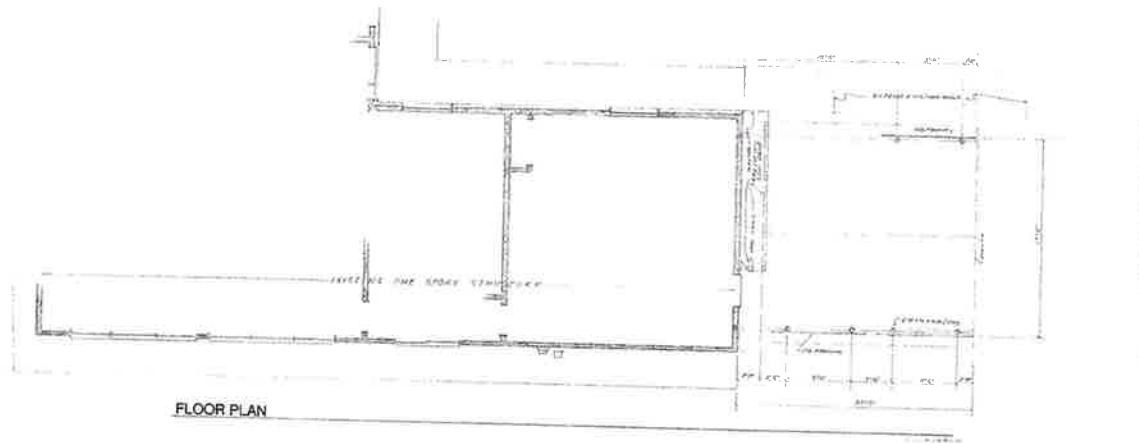
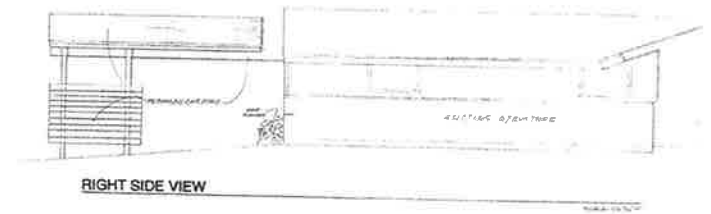
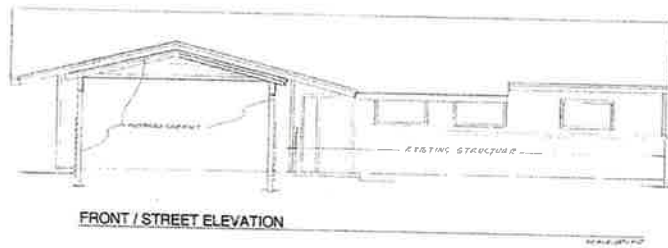
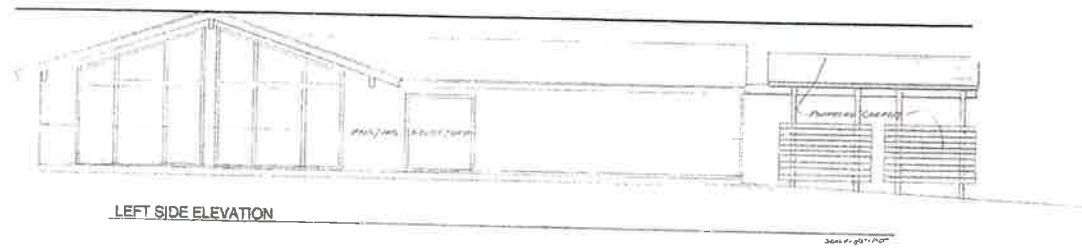
Actual setback delineation



KING
302 BENT LANE
NOTTINGHAM GREEN
NEWARK DE 19711

CARPORT REQUEST

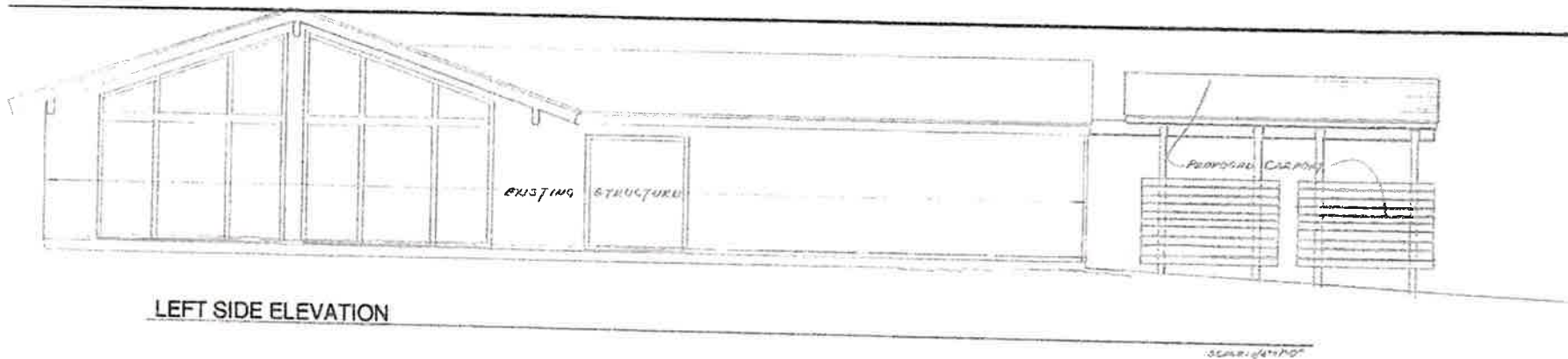
Revised design



KING
302 BENT LANE
NOTTINGHAM GREEN
NEWARK DE 19711

CARPORT REQUEST

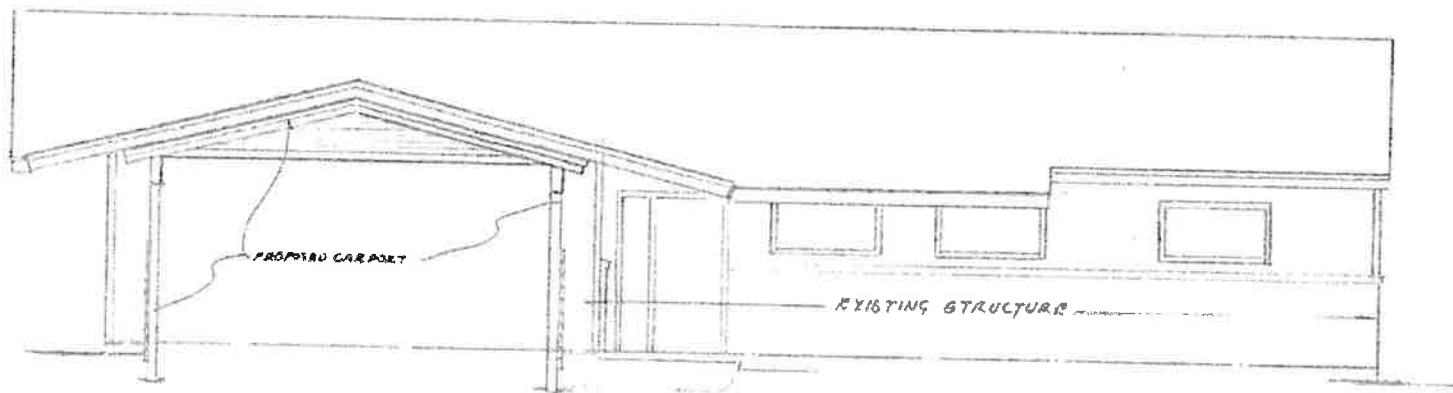
Revised design



KING
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CARPORT REQUEST

Revised design



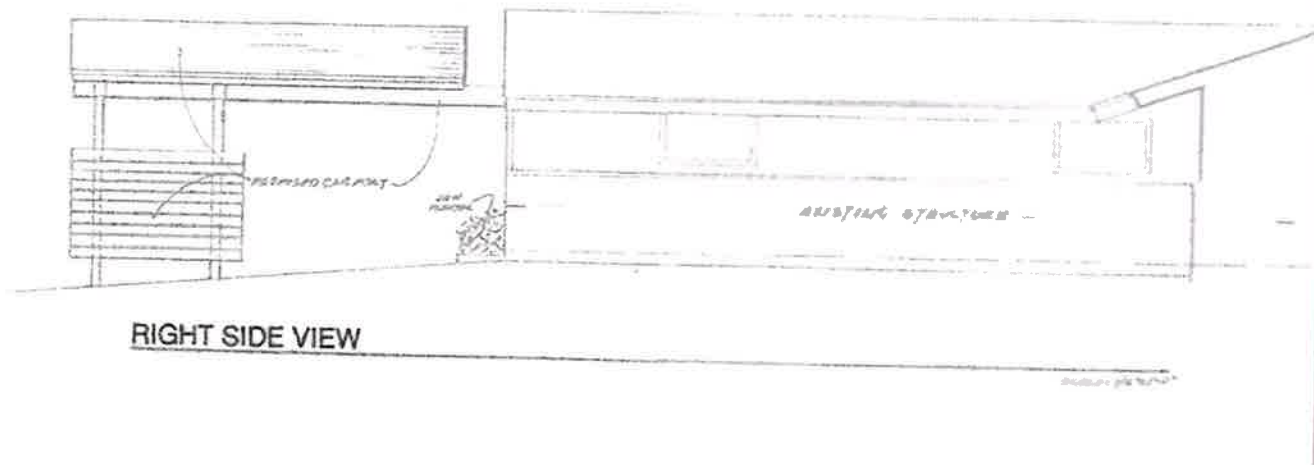
FRONT / STREET ELEVATION

SCALE: 1/4" = 1'-0"

KING
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NOTTINGHAM GREEN
NEWARK DE 19711

CARPORT REQUEST

Revised design



CARPORT REQUEST

Revised design



KING
302 BENT LANE
NOTTINGHAM GREEN
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CARPORT REQUEST

Some views of existing privacy panels
on the property that would be emulated
on the proposed carport



KING
302 BENT LANE
NOTTINGHAM GREEN
NEWARK DE 19711

CARPORT REQUEST

Some street views
Note: our cars are parked
where structure would be



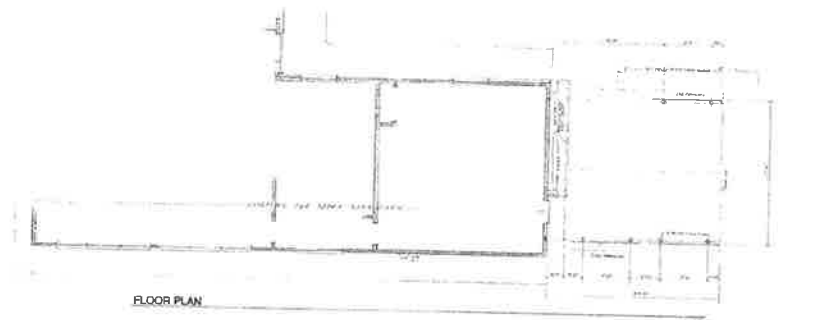
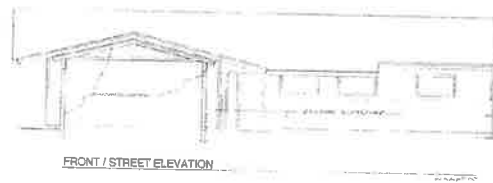
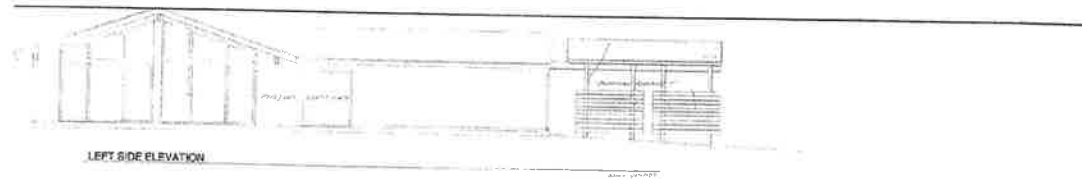
From Briar



From Bent

KING
302 BENT LANE
NOTTINGHAM GREEN
NEWARK DE 19711

CARPORT REQUEST



THANK YOU

Carport at 302 Bent Lane

Hello

This is a note from Lisa and Curtis King at 302 Bent Lane.

We are planning a carport for our driveway and require a variance from the city of Newark. The structure will be in keeping with the architectural integrity of our home and provide protection for our cars where they are currently parked. The carport would extend 20 feet from the face of what is currently our garage. It would be helpful for us to show the Board of Adjustment that our neighbors don't object to our plan.

We would be happy to share our plans with you. Our deadline to submit is Jan 26. The best way to contact us is by phone **302 547 4933**.

If you are ok with our plan, we have included a note for you to simply sign.

If you prefer, please feel free to compose your own note for us to include in our materials.

Sincerely

Lisa and Curtis King

302 Bent Lane, Newark DE 19711

To Whom It May Concern

We DALE & LOLA JOHNSON

are aware of the request for a setback variance and have no problem with the plans for a carport at 302 Bent Lane, Newark Delaware.

Dale C Johnson PE.
411 RADCLIFFE DR
NEWARK DE 19711

To Whom It May Concern

We

1 *George W. - Donovan*

are aware of the request for a setback variance and have no problem
with the plans for a carport at 302 Bent Lane, Newark Delaware.

To Whom It May Concern

We Gordon & Stephanie Perkins

are aware of the request for a setback variance and have no problem with the plans for a carport at 302 Bent Lane, Newark Delaware.

Gordon & Stephanie

Stephanie Perkins

302 Bent Lane
Newark DE 19711

To Whom It May Concern

120 Briar Lane
Newark, DE 19711

I ~~we~~ Gerald L. Sauer

are aware of the request for a setback variance and have no problem
with the plans for a carport at 302 Bent Lane, Newark Delaware.