

**CITY OF NEWARK
DELAWARE
BOARD OF ADJUSTMENT**

June 25, 2025 – 7:00 P.M. – Council Chambers/Teams

Per the hybrid meeting provisions as provided in 29 *Del. C.* §10006A, City Boards and Commissions will be meeting in person with remote access via Microsoft Teams at the following link: <https://newarkde.gov/publicmeetings>.

New to Microsoft Teams? Click on the link above and click on “Continue in this Browser” to enter the meeting.

Public comments may be submitted on the items on the agenda via email to citysecretary@newark.de.us by 5:00 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 Microsoft Teams chat function during the meeting.

1. The approval of the minutes from the [March 20, 2025](#) meeting.
2. The approval of the minutes from the [April 16, 2025](#) meeting.
3. The appeal of BCM Properties, LP, property address [101 Leahy Drive, Newark, DE 19711](#), for the following variances:

Sec. 32-9 (b) (3) – Professional office in a residential dwelling permitted subject to the following special provisions:

- a. Professional office is permitted only for the resident-owner of a single-family dwelling. A variance to Sec. 32-9(a) to allow for a professional office that is operated by a non-owner occupant is required.
- b. Professional occupations shall be subject to the following standards:
 1. Three off-street parking spaces in addition to those otherwise required in this chapter. A variance to Sec. 32-9(b)(3)b.1 to allow for a reduction of three (3) off-street parking spaces from the minimum of five (5) required by the provisions of this section is required.
 2. No more than one person shall be employed by the practitioner of the professional occupation to provide secretarial, clerical, technical, or similar assistance. A variance to Sec. 32.9(b)(3)b.2 for an increase of one person (100%) over the one person permitted to be employed by the practitioner of the professional office to provide secretarial, clerical, technical, or similar assistance to allow for two such employees is required.
 3. The area used for the practice of a professional shall occupy no more than 25% of the total floor area, including garages. A variance to Sec. 32-9(b)(3)b.3 for a 75 percentage point increase (300%) to the maximum 25% floor area permitted to be used for the practice of the office to allow 100% of the floor area to be used for the practice of the office is required.
 4. No storage of materials or products outside the single-family dwelling unit shall be permitted unless completely housed.
 5. The profession shall be clearly incidental to the residential use of the dwelling unit and shall not change the essential residential character of the dwelling. A variance to Sec. 32.9(b)(3)b.5 to allow for a practice that is not incidental to the residential use of the dwelling unit is required.
 6. No external alterations inconsistent with the residential use of the dwelling unit shall be permitted.
 7. No display of products or advertising shall be visible from outside the building. A variance to Sec. 32.9(b)(3)b.7 to allow for an advertising sign visible from outside the building is required.

Agenda Posted – June 18, 2025

Attest:

Sworn by:

Deputy City Secretary

Notary Public (Seal)