

**CITY OF NEWARK
DELAWARE
BOARD OF ADJUSTMENT
AGENDA**

RESCHEDULED MEETING OF AUGUST 20, 2009

SEPTEMBER 3, 2009 – 7:30 P.M.

Pursuant to Chapter 32, Article XIX of the Code of the City of Newark, Delaware, notice is hereby given of a public hearing at a regular meeting of the Board of Adjustment on Thursday, August 20, 2009 at 7:30 p.m. in the Council Chamber, Newark Municipal Building, 220 Elkton Road, Newark, Delaware, to hear the following applications:

1. Appeal of H. Gibbons Young, for the property at 203 New London Road, for the following variances to permit the construction of a 2-story 3 unit apartment building:

- a) Ch. 32, Sec. 32-11 (a) (1) (h) – requires a minimum of 1 acre. The proposed plan shows .56 acre.
- b) Ch. 32. Sec. 32-11 (c) (5) (a) – requires each part of a building, excluding cornices, uncovered steps and porches, to have a minimum setback of 30 feet from all perimeter streets. The proposed plan shows a setback of only 20.5 feet from New London Road.
- c) Ch. 32. Sec. 32-11 (c) (7) (b) – requires a minimum side yard of 20 feet for apartment buildings in this zoning district. The proposed plan shows a side yard of only 12.3 feet.
- d) Ch. 32 Sec. 32-11 (a) (1) (j) – requires all uncovered parking spaces to be located at least 10 feet from all abutting perimeter streets and property lines. The proposed plan shows a 6 foot setback.

ZONING CLASSIFICATION: RM

2. Appeal of American Sign & Graphics for the property at 850 Library Avenue, for the following variance.

- a) Ch. 32 Sec. 32-60 (a) (2) restricts an area of 60 feet for an illuminated ground sign. The proposed sign occupies an area of 79 feet. A minimum distance of 100 feet from a residential district is required; plan shows approximately 96 feet.

ZONING CLASSIFICATION: BL

3. Appeal of Mark Manno, for the property at 123 Casho Mill Road, for the following variance:

- a) Ch. 32, Sec. 56.6 – limits the height of a fence in a front yard to a maximum of 3 feet. Plan shows a 6 foot height.

ZONING CLASSIFICATION: RS

4. Appeal of Fusco Enterprises for the property at 601 Ogletown Road, for the following variance:

- a) Ch. 32 Sec. 45 (a) – A minimum of 109 parking spaces is required for a proposed convenience store with gas pumps. Plan shows 89 parking spaces.

ZONING CLASSIFICATION: BB

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

Clayton S. Foster
Chairman