



PLANNING & DEVELOPMENT
CITY OF NEWARK

220 South Main Street · Newark, Delaware 19711
302.366.7000 · Fax 302.366.7160 · www.newarkde.gov

March 14, 2023

Jeff Williams
Mott MacDonald, LLC
254 Chapman Road
Suite 202
Newark, DE 19702

Jeff,

The City of Newark's Subdivision Advisory Committee has reviewed the February 15, 2023, submission of a Minor Subdivision plan for the proposed subdivision at 65 and 67 North Chapel Street (PR#23-02-02). We have the following comments:

Electric Department

1. No comments.

Parks and Recreation Department

1. No comments.

Police Department

1. No comments.

Planning and Development Department


Code Enforcement Division

1. No comments at this time.

Fire Marshal

1. No comments.

Land Use Division

1. In Site Data and Zoning Schedule: Add a column to the table to indicate the proposed lot dimensions (lot area, coverage, etc.). **(Include in Next Submission)**
2. Please indicate the number of off-street parking spaces provided at the driveway/parking area, as defined in Section 32-4(a)(88). **(Include in Next Submission)**
3. Please indicate the height of the existing building on the site plan. **(Include in Next Submission)**
4. Proposed lot area of 4,120 square feet does not meet the 6,250 square feet required for any permitted use other than garden apartments in the RM zoning district per Section 32-11(c)(1). **(Variance required from Board of Adjustment)**
5. The plans indicate a variance is requested for lot coverage; lot coverage does not include paved area in the RM district, so the proposed 25% building coverage is within the 30% maximum coverage for the RM zoning district. No variance is required. 
6. The plans indicate variances are requested for the setback of 30 feet from perimeter streets (New Street and North Chapel Street) per Section 32-11(c)(5)a. This provision only applies to apartment buildings. No variance is required.
7. The proposed lot width of 33.16 feet does not meet the required minimum lot width of 50 feet for the RM zoning district per 32-11(c)(3). A variance to Section 32-11(c)(3) of 16.84 feet is required to allow a lot width of 33.16 feet. **(Variance Required from Board of Adjustment)**
8. The building is only set back 6 feet from North Chapel Street and 8.7 feet from New Street. This does not meet the 15 feet setback requirement of the RM zoning district per 32-11(c)(5). A variance to Section 32-11(c)(5) of 9 feet is required to allow a setback of 6 feet from North Chapel Street and a variance to Section 32-11(c)(5) of 6.3 feet is required to allow a setback of 8.7 feet from New Street. **(Variances Required from Board of Adjustment)**
9. The building provides only a 5.5 feet side yard on the interior side yard. This does not meet the 7 feet of side yard required by Section 32-11(c)(7)a and d. A variance to Section 32-11(c)(8)a of 1.5 feet is required to allow an interior side yard of 5.5 feet. **(Variance Required from Board of Adjustment)**

Public Works and Water Resources Department

1. No comments.

This plan review is solely based upon the information and details provided in the submitted documents. Additional comments may be generated following any future submissions.

Please be advised, the Planning and Development Department finds this proposed subdivision to be non-compliant with Chapter 32 – Zoning of the City’s Code. The applicant may appeal to the Newark Board of Adjustment for variances granting relief from the regulations this proposal fails to comply with. To do so, submit the completed application to the City Secretary’s office with the required attachments, along with a check for three hundred and five dollars (\$305) made out to the City of Newark. The fee is non-refundable and is for the cost of the hearing, whether the Board of Adjustment grants or denies the variances. Please note that, per Section 32-63, an additional fee of one hundred and eighty dollars (\$180) shall apply should you request a continuance of an appeal to a meeting other than the one for which you have applied.

I hope you find this information helpful. **Please provide a written response to all comments with subsequent submissions and documentation of a Board of Adjustment decision if an appeal is made.** Should you have questions or need more information, please do not hesitate to contact me at (302)366-7000, extension 2045.

Sincerely,

A handwritten signature in blue ink that reads "Renee K. Bensley". The signature is written in a cursive style with a large, stylized initial 'R'.

Renee K. Bensley
Director of Planning and Development