



**CITY OF NEW CASTLE  
BOARD OF ADJUSTMENT  
APPLICATION FOR HEARING**

<b>Name of Applicant</b>	<b>Name of Owner (if different)</b>
<b>Address</b>	<b>Address</b>

Subject property: \_\_\_\_\_ / \_\_\_\_\_  

Location/Address
Zoning Classification

Tax parcel Number: \_\_\_\_\_  
 (found on Property Tax Bill or by calling City Tax Office at 322-9804)

Attach copy of the plot plan for the subject property showing the layout of structures or improvements on the lot, location of the subject property and the size and location of any structures proposed; include present and proposed use of the property.

Attach a copy of any Deed Restrictions which may apply to the subject property.

Attach the appropriate filing fee, payable to the City of New Castle, as shown on the fee schedule. (the current fee schedule may be obtained by calling the Mayor's Office at 322-9801.)

Has a previous application for this property for any action been filed with the Board?

Yes  No  If yes, Application No. \_\_\_\_\_, Hearing Date \_\_\_\_\_

Has any prior action of the Board of Adjustment for this property been appealed to the Superior Court?

Yes  No

If yes, give Superior Court case number and status: \_\_\_\_\_

**CHECK THE APPROPRIATE SECTION AND FILL IN THE REQUIRED INFORMATION PERTAINING TO THE TYPE OF RELIEF REQUESTED (USE ADDITIONAL SHEETS AS NECESSARY)**

A.  Appeal from Administrative Official's order, requirement, decision or determination, or

Appeal from Historic Area Commission's order, requirement, decision or determination (summarize or attach written decision) \_\_\_\_\_

Dated: \_\_\_\_\_ For the following reasons (attach additional sheets as necessary.)

B.  Special Exception for the following use: \_\_\_\_\_

State under what section of the City's ordinance this special exception is sought and the grounds on which it is requested. Include a plan for the proposed development showing location of buildings, parking areas, traffic access, open spaces and any other pertinent information necessary to determine if the proposal meets the City's Zoning Ordinance requirements. (Requests for Special Exception must be endorsed by the Planning Commission and/or the Historic Area Commission as appropriate. Letter(s) of endorsement must accompany this application at the time of filing this request to the Board of Adjustment

for consideration.) (Attach additional sheets as necessary.) \_\_\_\_\_

The applicant must provide testimony at the public hearing in support of the following standards: (a) that there is a need for this use in the community; (b) that the use will not be detrimental or injurious to the neighborhood or City and (c) any additional standards imposed by the Zoning Code.

C.  Variance from Code requirements relating to: Lot Area  ; Front Setback  ;

Side Yard  ; Rear Yard  ; Bulk  . State size of the variance being requested: (Attach additional sheets as necessary.) \_\_\_\_\_

Demonstrate (1) that special conditions/circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district; (2) that literal interpretation of the provisions of the City's Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district; (3) that the special conditions/circumstances do not result from actions of the owner or applicant; (4) that granting the variance requested will not confer on you any special privilege that is denied by the City Zoning Ordinance to other lands, structures or building in the same zoning district. (Attach additional sheets as necessary.) \_\_\_\_\_

The standards the Board must apply in making its determination with respect to this variance request are: (a) the dimensional change being requested is minimal; (b) the effect of granting the requested relief upon neighboring properties; and (c) the harm to the applicant if the relief is not granted. The applicant must be prepared to present testimony and other evidence on these points to the Board at the public hearing.

D.  Approval of structural alterations resulting in an enlargement or extension of a nonconforming structure or use. State under what section of the Code approval is sought and the grounds on which it is requested. Include a plan for the proposed development showing location of buildings, parking areas, traffic access, open spaces and any other pertinent information. (Requests for enlargement of nonconforming uses must be endorsed by the Planning Commission and/or the Historic Area Commission as appropriate. Letter(s) of endorsement must accompany this application at the time of filing this request to the Board of Adjustment for consideration.) (Attach additional sheets as necessary.) \_\_\_\_\_

THE UNDERSIGNED HEREBY CERTIFIES THAT AS LEGAL OWNER OF THE SUBJECT PROPERTY THE INFORMATION CONTAINED HEREIN IS CORRECT. (If the applicant is not the legal owner of the property, the legal owner or his authorized representative must sign this form).

\_\_\_\_\_  
Signature of Owner

Date: \_\_\_\_\_  
Telephone Number \_\_\_\_\_

**BOARD OF ADJUSTMENT USE ONLY:**

**MAILING ADDRESS**

File Number \_\_\_\_\_  
Date Application Received \_\_\_\_\_  
Date Fee Paid \_\_\_\_\_  
Date Notice Published \_\_\_\_\_  
Date of Hearing \_\_\_\_\_  
Disposition \_\_\_\_\_

Board of Adjustment  
City of New Castle  
220 Delaware Street  
New Castle, Delaware 19720  
Phone - 322-9801 FAX - 322-9814