



CITY OF NEW CASTLE
BOARD OF ADJUSTMENT
APPLICATION FOR HEARING

RECEIVED
2017 MAR 10 PM 1:09
MAYOR AND COUNCIL
OF NEW CASTLE

<u>ONC Investments, LLC</u>	<u>George Velitskakis</u>
Name of Applicant	Name of Owner (if different)
<u>P.O. Box 388</u>	<u>236 East 2nd Street</u>
Address	Address
<u>New Castle, DE. 19720</u>	<u>New Castle, DE. 19720</u>
Subject property: <u>165 East 2nd Street,</u>	<u>H.R.</u>
Location/Address	Zoning Classification

Tax parcel Number: 21-015.00-231
(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

\$100.00

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 ;

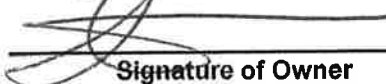
Side Yard ; Rear Yard ; Bulk . State size of the variance being requested: (Attach additional sheets as necessary.) 300 SE FT. OR 9%

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

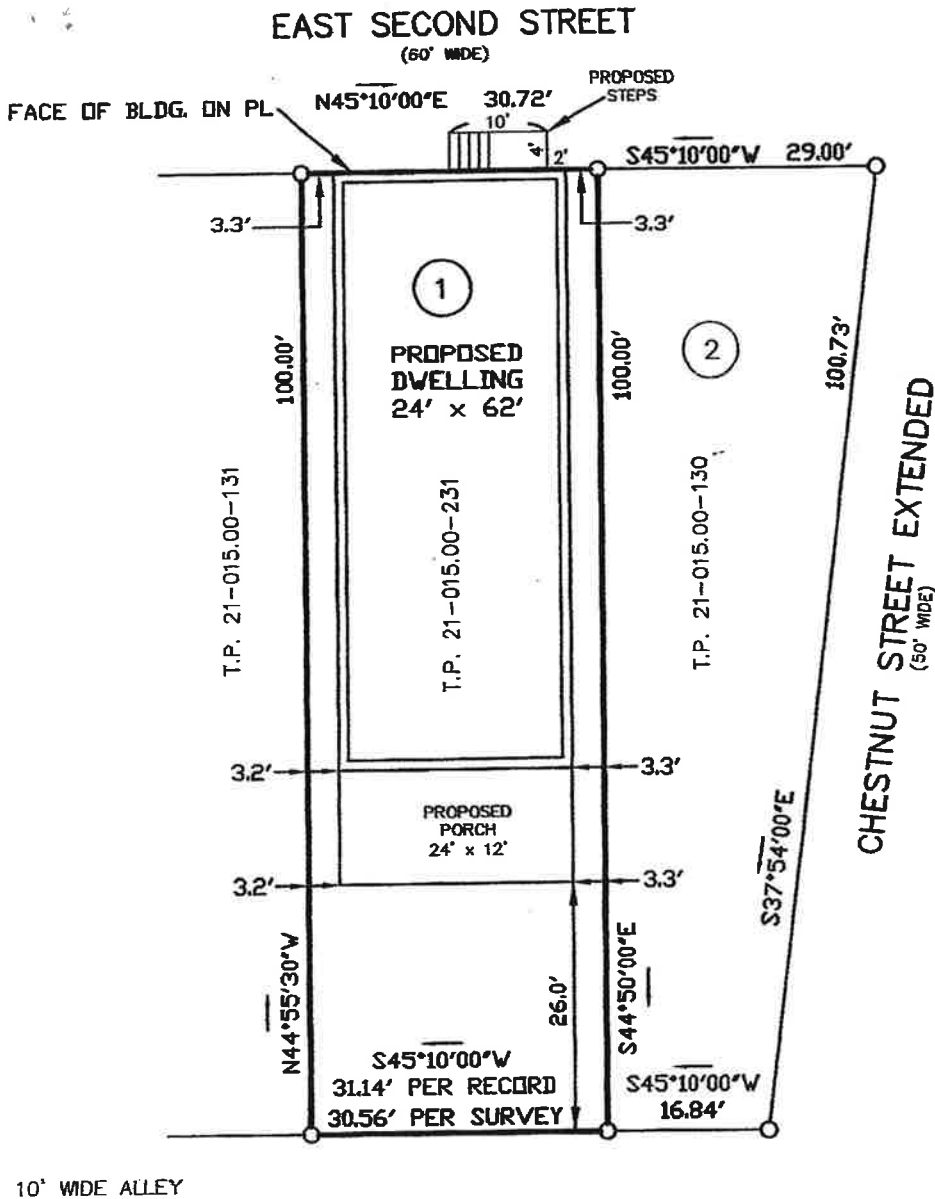
Date: 3-10-17
Telephone Number 302-540-3271

BOARD OF ADJUSTMENT USE ONLY:

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

MAILING ADDRESS

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



PLOT PLAN FOR HAC

Location: SCHNIERER SUBD.
 LOT 1
 INST. NO. 200303120030920

Address: 165 E SECOND ST
 NEW CASTLE, DE 19720

Tax Parcel: 21-015.00-231
 Hundred: CITY OF NEW CASTLE
 County: New Castle
 Scale: 1"=20'

State: Delaware
 Date: 2-10-17



Carmine F. Casper P.E. (C.E.)

**CITY OF NEW CASTLE
BOARD OF ADJUSTMENT
NOTICE OF PUBLIC HEARING
Wednesday, April 12, 2017
6:30 p.m.**

An application has been filed by George Velitskakis, (Owner), 236 East Second Street, New Castle, DE 19720 and ONC Investments. LLC, (Applicant), P.O. Box 388 New Castle, DE 19720 for a property located at 165 East Second Street, New Castle, Delaware, Tax Parcel No. 21-015.00-231, seeking a variance from the City Zoning Code §230-19A (2) and Zoning Code Ch. 230 Attachment 1 as follows: to allow construction of a two family dwelling on a lot with less than the required 3,400 square foot area.

For the purpose of considering this application, the Board of Adjustment will hold a Public Hearing on Wednesday, April 12, 2017 at 6:30 p.m. in Old Town Hall, 2nd Floor, located at 2nd and Delaware Streets, New Castle, Delaware.

**Donald A. Reese, Mayor
Chairman - Board of Adjustment
City Of New Castle**

Posted –March 23, 2017

BOA 2017-02 – ONC Investments. LLC – 165 East Second Street



The News Journal
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Legal Desk:
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 302 324-2249

SD NCC MAYOR & COUNCIL
 220 DELAWARE ST

NEW CASTLE, DE 19720

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New Castle County

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03/27/17 **A.D 2017**

Linda Barber

Ad Number: 0002021101



Sherry Ann Salvia

Sworn and subscribed before me, this 27 day of March,
 2017

Legal notification printed at larger size for affidavit.

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Donald A. Reese, Mayor
Chairman - Board of Adjustment
City Of New Castle

Posted -March 23, 2017
BOA 2017-02
ONC Investments, LLC
165 East Second Street
3/27- NJ

**Supplement
to
City of New Castle Board of Adjustment Application
of
ONC Investments LLC**

Applicant: ONC Investments LLC
Property: 165 East 2nd Street
Parcel No.: 21-015.00-231

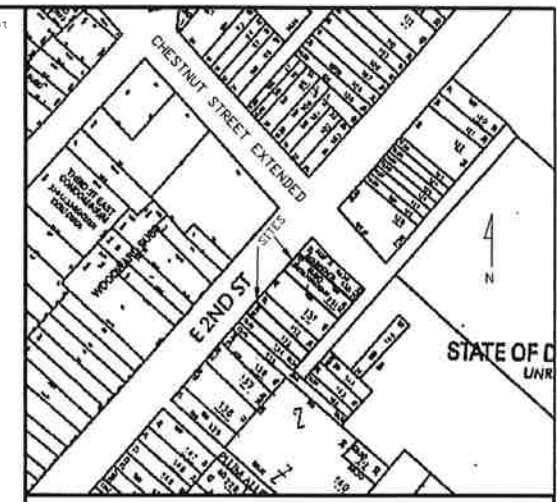
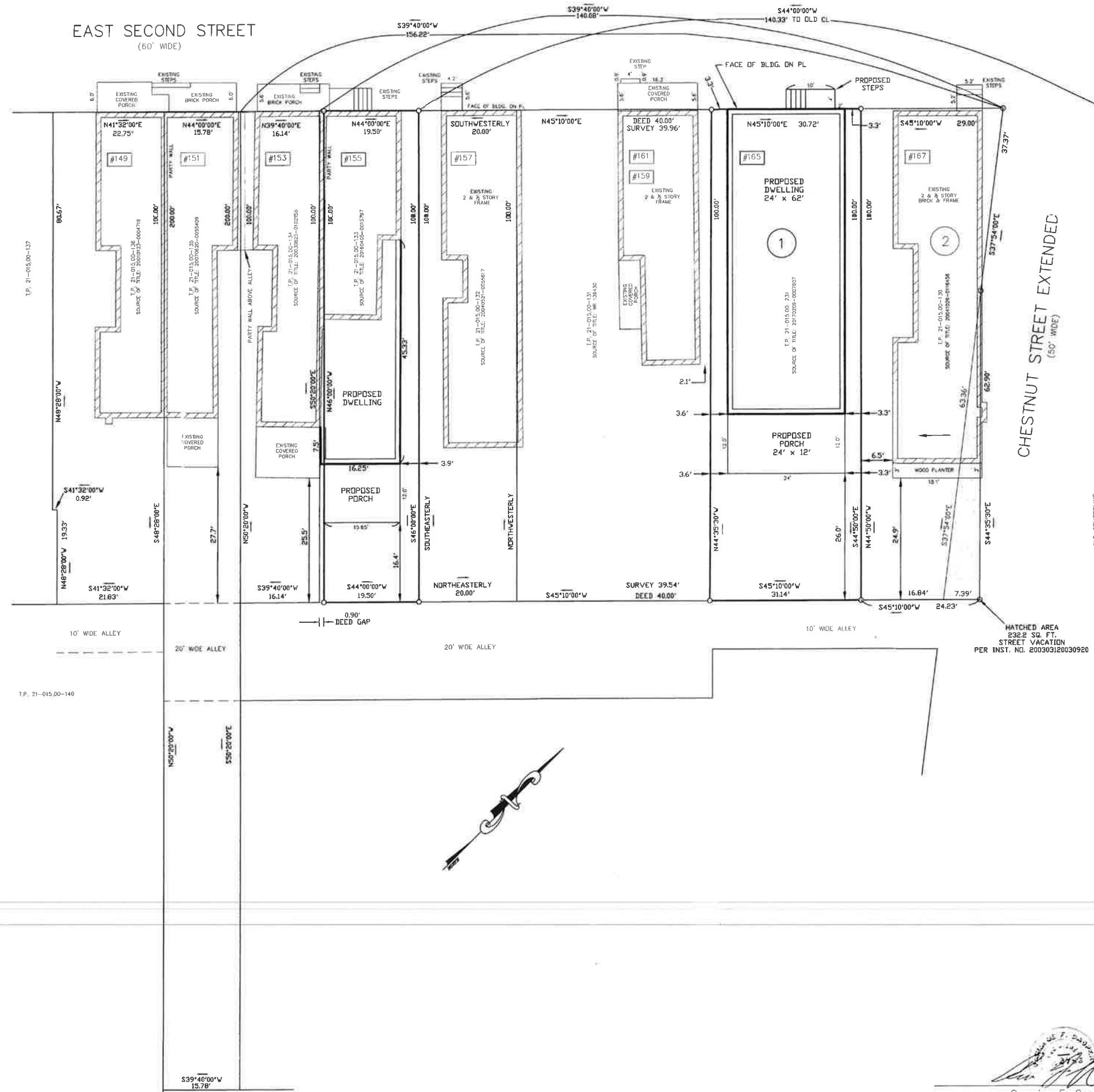
Variance Sought: Variance from the minimum lot area of 3,400 Square Feet for a Two-family dwelling in an HR [Historic Residence] zoning district

Discussion: Applicant proposes to construct on a 3,064 square foot lot a two-family dwelling that is designed to allow for single floor living (one unit is on the first floor and the other unit is on the second floor). This design will provide additional housing for persons, such as senior citizens or persons with mobility limitations, desiring single floor living. In support of this application, the following is noted:

1. The use is permitted pursuant to §230-19A(2).
2. A house of this size designed for a single family is permitted as a matter of right.
3. The variance sought is minimal – 336 square feet; less than 10% (when compared to the required 3,400 square feet).
4. The size of the lot is fixed; therefore, this limitation is inherent to the property.
5. This project has been approved by the Historic Area Commission.
6. The variance requested allows for housing that is consistent with the area as many other nearby properties do not satisfy the minimum lot area of 1,700 square feet for a single family residence. A partial list of such properties follows:

Address	Tax Parcel Number	Area of Lot
153 E. 2 nd Street	21-015.00-134	1,614
207 E. 2 nd Street	21-015.00-128	1,411
209 E. 2 nd Street	21-015.00-127	1,401
211 E. 2 nd Street	21-015.00-126	1,389
213 E. 2 nd Street	21-015.00-125	1,410
215 E. 2 nd Street	21-015.00-124	1,202
217 E. 2 nd Street	21-015.00-123	1,196

EAST SECOND STREET
(60' WIDE)



LOCATION MAP

SUBJECT PARCELS

Tax Parcel: 21-015.00-231
 Location: LOT 1
 SCHNIERER SUBD.
 INST. NO. 200303120030920
 Address: 165 E SECOND ST
 NEW CASTLE, DE 19720
 SOURCE OF TITLE: 20170209-0007607
 ZONING: HR (HISTORIC RESIDENTIAL)

Tax Parcel: 21-015.00-133
 Address: 155 E SECOND ST
 NEW CASTLE, DE 19720
 SOURCE OF TITLE: 20160405-0015797
 ZONING: HR (HISTORIC RESIDENTIAL)

HATCHED AREA
 232.2 SQ. FT.
 STREET VACATION
 PER INST. NO. 200303120030920

PLOT PLAN FOR HAC

Hundred: CITY OF NEW CASTLE
 County: New Castle State: Delaware
 Scale: 1"=20' Date: 3-27-17



Carmine F. Casper P.E. (C.E.)

Howard L. Robertson, Inc., 801 Brandywine Boulevard,
 Wilmington, DE., 19809 / (302) 764-2456