

**THE CITY OF NEW CASTLE
BOARD OF ADJUSTMENT**

NOTICE OF DECISION

APPLICANT: John DiMondi Enterprises LLC
 PO Box 72
 New Castle, DE 19720

NCC TAX PARCEL NO. 21-014.00-396
PUBLIC HEARING DATE: March 26, 2019
DATE OF DECISION: April 9, 2019

REQUESTED: Applicant requested a special exception under section 230-21.1(D)(4) of the Zoning Code of the City of New Castle (the "Code") to allow for the expansion of an existing and operating self-service storage facility at a property zoned DG (Downtown Gateway) known as 300 W. 7th Street, NCC Tax Parcel No. 21-014.00-396.

The Board of Adjustment may grant a special exception for expansion of an existing and operating self-service storage facility in the DG zoning district under §230-21.1(D)(4) and §230-57 B of the Code where, upon written application, the Board finds that the special exception is in harmony with the purpose and intent of the Code and will not adversely affect the public interest, subject, however to such conditions and safeguards as the Board deems appropriate.

Mayor Jimmy Gambacorta chaired the meeting. Also present as Board members were City Engineer David Athey and City Solicitor Daniel R. Losco. Mayor Gambacorta read into the record the official notice of the hearing. That notice was timely published in accordance with the law and a copy of the notice was admitted into the record. Photographic evidence confirmed that the property had been posted prior to the hearing according to New Castle ordinance requirements. John DiMondi appeared for the applicant and was sworn in as a witness by Mr. Losco at the hearing.

Mr. DiMondi submitted a plan supplied as a part of the special exception application which located all improvements currently on the site along with three new proposed 20' x 60' self-storage structures to expand the applicant's current mini-warehouse operation. The property itself is an irregularly shaped parcel that presently includes several self-storage structures similar to the proposed structure. The proposed structures will each contain 6 separate self-storage units, each being 10' x 20' in size. Mr. DiMondi testified that with the expansion of apartment complexes in the vicinity of the property there is a need for additional storage units. He stated that the proposed units are of all metal construction and attractive. One of the three proposed units will be sited perpendicular to Seventh Street and directly adjacent to residential property owned by Benjamin Barnette and spouse (tax parcel 21-014.00-397). Mr. DiMondi submitted a

letter of support from Mr. Barnett supporting the present application. Mr. DiMondi pointed out that the other 2 proposed structures are to be located behind the existing one story building on the site that faces Seventh Street and so will be largely screened from the view of passersby on the street. Mr. DiMondi was asked if he had consulted with other neighboring property owners. He indicated that all neighbors were satisfied with the expansion and noted that the facility generates little traffic.

Mr. DiMondi indicated the current entrance to the subject property immediately next to the Barnette property will be closed off and entrance to the property will be limited to the existing entrance at the eastern end of the site. The entrance will be equipped with a license plate camera to provide additional security to identify those entering the site.

Mr. DiMondi submitted photographic evidence of the existing iron fence and potted plants that will supply the required screening for the property. Mr. Losco questioned the number and spacing of the potted plantings, and noted that the current screening does not seem sufficient to adequately screen the mini-warehouse structures. He noted that the photograph submitted shows the fencing with only 2 potted plants and 10-12 doors to various storage units readily visible. Mr. Losco also questioned Mr. Bergstrom as to whether there was adequate parking on site, noting that the plan submitted only shows 5 existing parking spaces. Mr. Bergstrom advised that the parking requirements for self-storage facilities are minimal and Mr. DiMondi explained that there is adequate space for parking in front of every unit in the facility.

Additional questioning and testimony concerned the adequacy of the existing screening required by Code. Specifically, Mr. Athey quoted the Code requirement that “the Board of Adjustment shall give primary consideration to the mandatory provision of visual screening in the form of walls or fencing in combination with suitable landscaping...” Mr. Losco commented that he was satisfied with the fencing but not the vegetative screening. He noted that a prior 2014 decision of the Board concerning an earlier expansion of the facility required planting evergreen plantings at least 4 feet height. Mr. DiMondi stated that he would install as many planters as the Board wanted, but also warned that the fencing along the eastern portion of the road frontage abuts the concrete sidewalk that he cannot block with planters. Mr. Athey asked if Mr. DiMondi had considered removing some of the paved concrete behind the fencing to facilitate plantings. Mr. DiMondi noted that the concrete is 12 inches thick and would be costly to remove. He also mentioned the grassy strip in front of the sidewalk that is planted with wild flowers that provide seasonal screening.

No members of the public appeared to voice support or opposition to this application.