



CITY OF WILMINGTON
BOARD OF ADJUSTMENT
ZONING APPEAL

Hearing Location: City Council Chambers, 800 N. French Street, Wilmington, DE 19801

Hearing Date: February 12, 2024

Hearing Time: 5:30 PM

Old Business: Approval of the minutes for the Board's meeting held on January 22, 2023.

New Business:

Case # 6.9.23 Application Diamond Port Property LLC, 761 Grantham Lane, New Castle, DE 19720, requesting
Zoned W-4 permission to construct a 208,239 square foot building at 1, 25, & 51 South Heald Street and
Posted 6/23/23 0 Lobbell Street to be used for light manufacturing and wholesale storage purposes.
The applicant is also requesting to vary the tree caliper requirement, from 3" to 1.5" for
required landscaping.

See Section: 48-71 Special Exceptions
 48-70 Variances
 48-69 Appellate Jurisdiction

- 1) The applicant is seeking Board approval to permit a light manufacturing use within a W-4 zoning district as a special exception.
- 2) The applicant is seeking Board approval to permit a wholesale storage use within a W-4 district as a special exception.
- 3) The applicant is seeking Board approval from the requirements of City Code Section 48-526(1)b.1, which requires street trees to have a minimum caliper diameter of 3.5", in order to permit the installation of street trees at the property having a minimum caliper of 1.5".
- 4) The applicant is seeking Board approval for a variance from the requirements of City Code Section 48-528(a)(5), which requires one, 3'-3.5" caliper shade tree for every 20 vehicles, in order to permit the installation of one, 1.5"-2" caliper shade tree for every 10 vehicles at the property.
- 5) The applicant is seeking Board approval for a variance from the requirements of City Code Section 48-339(c)(1) which places a maximum 5,000 square foot per approved use limitation on light manufacturing uses permitted by special exception in the W-4 district.
- 6) The applicant has relied upon a Zoning Certification from the Office of Zoning Administration in the City of Wilmington dated November 16, 2020 providing that Tax Parcel Nos. 26-051.00-004, 26-5100-003, 26-051.00-001 & 26-051.00-028 could be used for warehousing, cross-docking, bulk storage, trailer parking and product packaging. The applicant is seeking a determination from the Board that the City of Wilmington is equitable estopped from (i) refusing to acknowledge the validity of the Zoning Certification and (ii) refusing to permit uses on the above referenced tax parcels consistent with the Zoning Certification.

The public hearing associated with the attached agenda will be conducted both in person and via a Zoom webinar. Applicants should attend in person, except for good cause.

All are invited to participate.

When: February 12, 2024

5:30 PM Eastern Time (US and Canada)

Link: <https://zoom.us/j/89075170607>

Meeting ID: 890 7517 0607

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Find your local number: <https://zoom.us/u/abFfJCITkh>

Written comments may be submitted to jdipinto@wilmingtonde.gov in advance of the hearing.