



# The Town of Elsmere

11 Poplar Avenue, Elsmere, Delaware 19805  
Phone (302) 998-2215 Fax (302) 998-9920

EXHIBIT  
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25-02 A

## Application for Hearing

Board of Adjustment

Planning Commission

Petition # 25-02 Filing Fee: 50.00 Date Received 11/19/24 Received by: DMZ

Subject Property: 248 LOCUST AVE, WILMINGTON, DE 19805

Property is:  Residential  Commercial

Tax Parcel # 1900400389 Zoning District: R2

Applicant name: SP19- LLC Betterliving Sunroom

Address: 30 Clipper Rd Telephone # 6109451916

City: NEWT. CONSHOHOCKEN State: PA Zip Code: 19428

Application for Zoning Variance Related to: \_\_\_\_\_

Front yard setback

Rear yard setback

Side yard setback

Lot Area

Rezoning

Lot Coverage

Fencing

Parking requirements

Signage

Current Zoning: N/A

New Zoning Request: N/A

Application for Special Exception Use Permit for the following use: \_\_\_\_\_

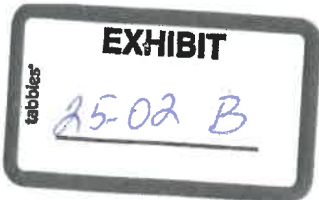
\_\_\_\_\_

Application for Appeal of an Administrative decision: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_

For the following reasons: \_\_\_\_\_

\_\_\_\_\_



Application for relief other than above: This is the only logical place for the enclosure and it will NOT have an adverse affect on neighboring properties.

State reasons for this request: construct a 12' x 13 enclosure on existing foundation.

Sunroom B301-2-1.1.1

category III

Has a previous application for this property been filed with the Town?  Yes  No

If yes, Petition # \_\_\_\_\_

If the applicant is not the Legal Owner of the property:

Legal owner information:

Name: Norma Vasquez

Address: 248 Locust Ave Telephone # 302-521-7056

City: Wilmington State: DE Zip Code: 19805

Please submit the following with this petition:

- A copy of a plot plan showing the following: location of the property; a diagram showing the layout, size, and location of existing structures on the property.
- A copy of any deed restrictions on the property.  
NOTE: THE BOARD OF ADJUSTMENT OR PLANNING COMMISSION CANNOT APPROVE ANY APPLICATION PROHIBITED BY DEED RESTRICTIONS.
- Filing fee, payable to the Town of Elsmere.

The undersigned hereby certifies that the legal owner of the subject property is aware of, and agrees to the filing of this application, that the information submitted herein is correct, and agrees to be bound by any decision of the Town of Elsmere Board of Adjustment with respect to the subject property.

NOTE: The legal owner and his/her authorized representative must sign this form.

Applicant's Signature: [Signature] Date: 11/19/24

Legal Owner's Signature: [Signature] Date: 11/19/24

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Name of person representing applicant (if applicable):  
\_\_\_\_\_

Address: \_\_\_\_\_ Telephone # \_\_\_\_\_

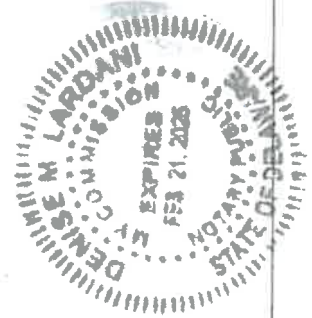
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

I, Norma Vasquez, as owner of the property listed on this application, authorize the above named representative to act on my behalf during any proceedings pertaining to this application.

Norma Vasquez \_\_\_\_\_ 11/19/24  
Legal Owner Signature Date

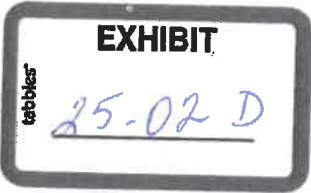
Subscribed and sworn to before me on the following date:

Dennis M. Lardani  
Notary Public Signature  
11/19/2024  
Date



In addition to the persons listed above please send copies of all correspondence to:

Name: James Wynn Betterliving Sunrooms  
Address: 30 Clipper Rd Telephone # 610 945 1914  
City: West Conshohocken State: Pa. Zip Code: 19428



**VARIANCE HARDSHIP WORKSHEET**

Town of Elsmere Petition Number: \_\_\_\_\_

Property Owners Name: Norma Vasquez

Person(s) Representing the Property Owner: \_\_\_\_\_

Additional page(s) attached

**Applicants, please be aware that the following are the prerequisites to the granting of a variance:**

A variance may be granted when it will not be contrary to the public interest where, owing (due) to special conditions, a literal enforcement of the provisions of the Code of The Town of Elsmere will result in unnecessary and undue hardship.

The term "undue hardship" has a specific legal definition in this context and essentially means that without the requested variance, the applicant will have no reasonable use of the subject property under existing development regulations.

Personal medical reasons shall not be considered as grounds for establishing undue hardship sufficient to qualify an applicant for a variance.

Economic reasons may be considered only in instances where a landowner cannot yield a reasonable use and/or reasonable return under the existing land development regulations. You have the right to consult a private attorney for assistance.

In order to recommend the approval of or authorize any variance from the terms of the code, the Planning Commission or Board of Adjustment must find all of the following factors to exist:

- (1) That special conditions and circumstances exist which are not applicable to other lands, structures or buildings in the applicable zoning classification.

Please explain how this applies:

The sunroom is on property of owner  
And doesn't affect any other property

- (2) That the special conditions and circumstances do not result from the actions of the applicant.

Please explain how this applies:

They do not.

- (3) That granting the variance requested will not confer on the applicant any special privilege that is denied by the provisions of the code to other lands, buildings or structures in the identical zoning classification.

Please explain how this applies:

Building will be done by code.

- (4) That literal enforcement of the provisions of the code would deprive the applicant of rights commonly enjoyed by other properties in the identical zoning classification under the provisions of the code and will constitute unnecessary and undue hardship on the applicant.

Please explain how this applies:

owner can only expand to the rear of the property.

- (5) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure:

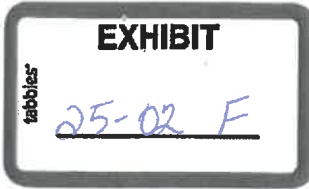
Please explain how this applies:

yes, we are requesting relief of the impervious coverage.

- (6) That the granting of the variance will be in harmony with the general intent and purpose of the code and that such use variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Please explain how this applies:

The approval of variance will not have any affect on public welfare or not be injurious to the area granting the variance will allow the structure to be built to code



I understand that all of the above conditions apply to the consideration of a variance and that each of these conditions have been discussed with me by the below-signed Code Enforcement Department representative. I am fully aware that it is solely my responsibility to prove that my petition meets all of the aforementioned criteria.

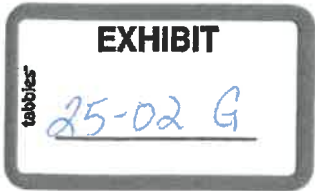
Signature of applicant: \_\_\_\_\_

*[Handwritten signature: Norm [unclear]]*

Date: 11/19/24

Signature Code Department Representative: \_\_\_\_\_

Date: \_\_\_\_\_



**Site Analysis**  
**Petition 25-02**

**Property Owner:** Norma Vasquez  
**Zoning District:** R2 - Residential  
**Address:** 248 Locust Ave  
**Primary Use:** R2 - Two Family Dwelling  
**Parcel No.:** 19-00400-389

**LOT COVERAGE CALCULATIONS**

<b><u>Lot Area in Sq. Ft.:</u></b>	4,212	Sq. Ft.
<b><u>Allowable Lot Coverage:</u></b>	1,264	Sq. Ft. (30%)
<b><u>Total Lot Coverage Existing:</u></b>	1,592	Sq. Ft. 38%
❖ Residence =	1,120	Sq. Ft.
❖ Driveway =	340	Sq. Ft.
❖ Shed =	132	Sq. Ft.

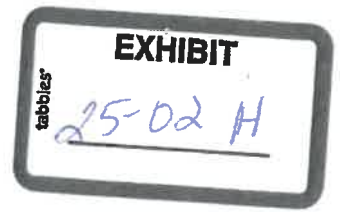
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<b><u>Proposed Addition:</u></b>	156	Sq. Ft.
<b><u>Proposed Lot Coverage Total:</u></b>	1,748	Sq. Ft. 42%

**Conclusion:** The applicant seeks to add 156 sq. feet of impervious lot coverage.

<b><u>Required Setbacks:</u></b>	Front: 20'	Rear: 30'
	Side: 5'	Both Sides: 10'
<b><u>Existing Setbacks:</u></b>	Front: 20'	Rear: 7'
	Side: 0	Both Sides: 6'
<b><u>Proposed Setbacks:</u></b>	Front: 20'	Rear: 7'
	Side: 0	Both Sides: 6'

**Conclusion:** There are no proposed changes to the existing setbacks.



**STATEMENT OF FACT**

The subject parcel is currently legal non-conforming in regard to the side yard setback. A 5' setback is required (side yard is zero provided) and lot coverage (30% max coverage, 38% existing).

**REQUEST BY THE APPLICANT**

The applicant seeks to add 156 sq. feet of additional impervious lot coverage via a three-season room.

**ISSUE(S)**

Section 225-31 of the Code of the Town of Elsmere prohibits any legal non-conforming use from being enlarged or expanded.

**GRANTING OF THE PETITION**

1. Section 225-9 of the Code of the Town of Elsmere requires that the Planning Commission of the Town of Elsmere review the proposed construction for harmonious development.
2. The Board of Adjustment of the Town of Elsmere shall grant a variance from the Town of Elsmere Code 225 Attachment #3, to allow for the required lot coverage to be increased from 30% to 42% to accommodate the proposed three season room, thereby increasing the non-conformity of the property. See Town of Elsmere Code 225-31.
3. If approved the applicant shall obtain a permit from the Town of Elsmere within One year of approval.



**BUILDING  
SUBCODE  
TECHNICAL SECTION**

**A. IDENTIFICATION—APPLICANT: COMPLETE ALL APPLICABLE INFORMATION. WHEN CHANGING CONTRACTORS, NOTIFY THIS OFFICE.**

Block 1900400389 Lot 26  
 Work Site Location 248 LOCUST AVE, WILMINGTON, DE 19805  
 Owner in Fee Vaquez, Norma  
 Address 248 Locust Ave, Wilmington, DE 19805  
 Tele. 6109451916 SRIG - Better Living Sunroom  
 Contractor 30 Clipper Rd, W. Conshohocken, PA 19428  
 Address 6109451916 Fax 6107078488  
 Lic. No. or Bldgs. Reg. No. 2010103162  
 Federal Emp. No. 263092661

**JOB SUMMARY (Office Use Only)**

PLAN REVIEW	Date	Initial	INSPECTIONS	Dates (Month/Day)		
			Type:	Failure	Approval	Initial
<input type="checkbox"/> No Plans Required			Footing			
<input type="checkbox"/> All			Foundation			
<input type="checkbox"/> Footing			Slab			
<input type="checkbox"/> Foundation			Frame			
<input type="checkbox"/> Frame			Barrier-Free			
<input type="checkbox"/> Other			Insulation			
Joint Plan Review Required:						
<input type="checkbox"/> Elec. <input type="checkbox"/> Plumb. <input type="checkbox"/> Fire <input type="checkbox"/> Elevator			Finishes			
SUBCODE APPROVAL						
<input type="checkbox"/> CO <input type="checkbox"/> CCO <input type="checkbox"/> CA			Energy			
Date			Mechanical			
Approved by:			TCO			
			Other			
			Final			
			Barrier-Free			

**B. BUILDING CHARACTERISTICS**

Use Group	Present	Proposed
Constr. Class	Present	Proposed
No. of Stories		<u>7</u>
Height of Structure		<u>7</u> Ft
Area - Largest Floor		<u>150</u> Sq. Ft.
New Bldg. Area/All Floors		<u>150</u> Sq. Ft.
Volume of New Structure		<u>1092</u> Cu. Ft.
		<u>ina 2</u> cu. ft.

Est. Cost of Bldg. Work:  
 1. New Bldg. \$ 18,780  
 2. Alteration \$ \_\_\_\_\_  
 3. Total (1+2) \$ 0.00 + 18,780

**C. CERTIFICATION IN LIEU OF OATH**  
 I hereby certify that I am the (agent of) owner of record and am authorized to make this application.

Date Received 8/28/24  
 Date Issued \_\_\_\_\_  
 Control # 19-4-389  
 Permit # P2500034



**D. TECHNICAL SITE DATA**

DESCRIPTION OF WORK  
CONSTRUCT A 12' X 13' ENCLOSURE ON AN EXISTING FOUNDATION.  
SUNROOM B301 2-1-1 category III

**TYPE OF WORK**

New Building  
 Addition  
 Alteration  
 Roofing  
 Siding  
 Fence  
 Sign  
 Pool  
 Asbestos Abatement  
 Lead Haz. Abatement  
 Other ENCLOSURE  
 Demolition

Height (exceeds 6') \_\_\_\_\_ Sq. Ft. \_\_\_\_\_

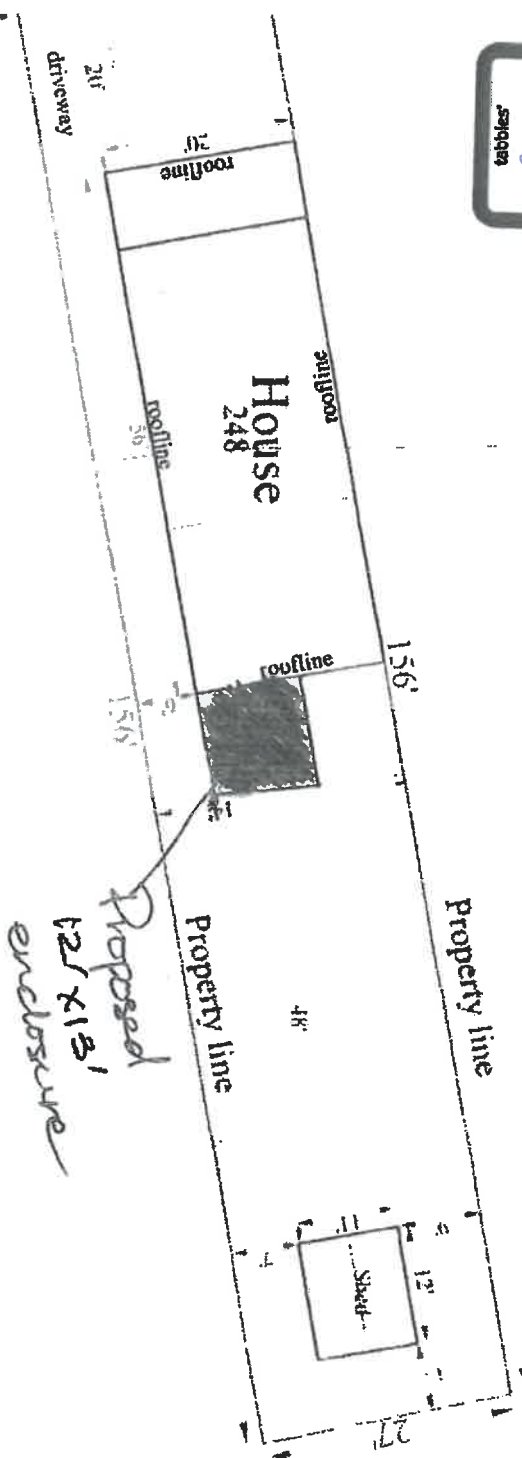
**FEE (Office Use Only)**

Administrative Surcharge \$ \_\_\_\_\_  
 Minimum Fee \$ \_\_\_\_\_  
 Fee \$ \_\_\_\_\_  
**TOTAL FEE \$ 4109**

**EXHIBIT**  
25-02 I

1 White - Inspector Copy  
 3 Pink - Office Copy  
 2 Canary - Off.

EXHIBIT  
 25-02 J



Lot - 4912  
 Allow - 1264 (30%)

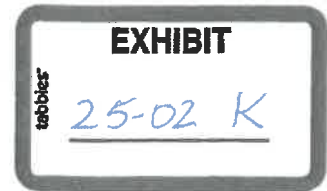
DAVE - 340  
 SIB - 1120  
 SWED - 132

~~1252~~  
 1592 or 38%4



Parcel No. (APN) 19-004-00-389  
 Land Use RESIDENTIAL  
 SINGLE FAMILY RESIDENCE  
 Lot Area 3,920 SF (0.09 ACRES)  
 ADDRESS: 248 LOCUST AVE  
 WILMINGTON, DE 19805  
 Scale: 1"=20'





**Parcel # 1900400389**

Property Address: 248 LOCUST AVE  
 WILMINGTON, DE 19805-  
 Subdivision: ELSMERE  
 Owner: VAZQUEZ NORMA  
 248 LOCUST AVENUE  
 Owner Address:  
 WILMINGTON, DE 19805  
 Municipal Info: Incorporated in ELSMERE PROPERTY TAX AREA

Lot #: 26	Property Class: RESIDENTIAL
Location:	Lot Size: 0.09
Map Grid: 09403560	Lot Depth: 150.10
Block: A	Lot Frontage: 27.30
Census Tract: 124	Street Finish: SIDEWALK
Street Type: FEEDER	
Water: PUBLIC	
Microfilm #: 000000	

**District & Zoning Info**

Districts

- **FIRE/RESCUE - ELSMERE**
- **RED CLAY SCHOOL DIST-TRES**
- DE SEN 07-SPIROS MANTZAVINOS
- ELSMERE MANOR - Civic Organization - no contact information available
- COUNCIL 1 - BRANDON T TOOLE
- DE REP 13-DESHANNA U NEAL
- NORTH OF C&D CANAL
- ADD REQ PER SEC 10.3.4.4 DSSR
- TRAFFIC ZONE T093 (YR2022)
- SEWER DISTRICT NORTHERN-ASMT
- PLANNING 8 - LOWER CHRISTINA

Zoning

- 19R2 - ONE/TWO FAMILY DWELLING

**Deed History**

Grantee(s)	Deed	Multi?	Sale Date	Sale Amount
CALVETTI ENRICO S & PHILOMEN	580 291	N	8/1/1987	\$1.00
CALVETTI ENRICO S	20060713 0066842	N	6/22/2006	\$10.00
CALVETTI DENNIS & MICHAEL & COLICHIO MARIA & VAZQUEZ NORMA	WR145836	N	1/24/2009	\$0.00
	20100422 0019334	N	4/16/2010	\$165,000.00

**Tax/Assessment Info**

Current Assessment

Land: 7400  
 Structure: 37400  
 Homesite: 0  
 Total: 44800  
 County Taxable: 44800  
 School Taxable: 44800

Tentative Assessed Value (from Reassessment)

The "Tentative Assessed Value" for this Parcel is included below for informational purposes only and reflects the Parcel's market value as of July 1, 2024. The County-wide reassessment process will result in final assessed values to be effective for the tax year beginning July 1, 2025. The Tentative Assessed Value below has not yet been modified by any applicable property tax exemptions (e.g., Disability, Age-65-or-Older, charitable, etc.) or farmland assessments and may be subject to other changes. New Castle County will make this Parcel's final assessed value publicly available on this ParcelView entry (and available for inspection at the Assessment Office) by March 1, 2025.

Tentative Land Value: 42900  
 Tentative Structure Value: 247000  
 Tentative Assessment Value: 289900

**Tax Bills as of 12/17/2024 3:00:02 AM**

Tax Year	County			School		
	Principal Due	Penalty Due	Amt Paid	Principal Due	Penalty Due	Amt Paid
2010A	\$0.00	\$0.00	\$150.83	\$0.00	\$0.00	\$817.16
2011A	\$0.00	\$0.00	\$153.57	\$0.00	\$0.00	\$807.75
2012A	\$0.00	\$0.00	\$154.00	\$0.00	\$0.00	\$798.34
2013A	\$0.00	\$0.00	\$153.12	\$0.00	\$0.00	\$847.17
2014A	\$0.00	\$0.00	\$153.70	\$0.00	\$0.00	\$862.09
2015A	\$0.00	\$0.00	\$153.16	\$0.00	\$0.00	\$958.27
2016A	\$0.00	\$0.00	\$152.78	\$0.00	\$0.00	\$1,044.87
2017A	\$0.00	\$0.00	\$153.58	\$0.00	\$0.00	\$1,108.48
2018A	\$0.00	\$0.00	\$164.45	\$0.00	\$0.00	\$1,102.52
2019A	\$0.00	\$0.00	\$152.28	\$0.00	\$0.00	\$1,110.59
2020A	\$0.00	\$0.00	\$141.86	\$0.00	\$0.00	\$1,110.59
2021A	\$0.00	\$0.00	\$139.34	\$0.00	\$0.00	\$1,105.44
2022A	\$0.00	\$0.00	\$173.43	\$0.00	\$0.00	\$1,107.45
2023A	\$0.00	\$0.00	\$172.66	\$0.00	\$0.00	\$1,107.45
2024A	\$0.00	\$0.00	\$184.56	\$0.00	\$0.00	\$1,284.86

**EXHIBIT**

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**Tax Payments as of 12/17/2024 3:00:02 AM**

Date Paid	Amount
9/21/2010	\$967.99
9/22/2011	\$961.32
9/24/2012	\$952.34
9/26/2013	\$1,000.29
9/18/2014	\$1,015.79
9/17/2015	\$1,111.43
9/27/2016	\$1,197.65
9/13/2017	\$153.58
9/13/2017	\$1,108.48
9/25/2018	\$1,266.97
9/24/2019	\$1,262.87
9/28/2020	\$1,252.45
9/28/2021	\$1,244.78
9/27/2022	\$1,280.88
9/25/2023	\$1,280.11
9/26/2024	\$1,469.42

County Balance Due: \$0.00

School Balance Due: \$0.00

These amounts are valid through the last day of the month. For accounts with delinquent balances, statutory penalty will accrue on the first day of next month.

**Sewer History as of 12/17/2024 3:00:01 AM**

Tax Year	Principal Due	Penalty Due	Date Paid	Amount Paid
2007S1	\$0.00	\$0.00	2/6/2007	\$36.00
2008S1	\$0.00	\$0.00	2/11/2008	\$36.00
2009S1	\$0.00	\$0.00	2/23/2009	\$36.00
2010S1	\$0.00	\$0.00	3/1/2010	\$36.00
2011S1	\$0.00	\$0.00	2/25/2011	\$95.71
2011S5	\$0.00	\$0.00	3/21/2012	\$124.01
2012S1	\$0.00	\$0.00	3/21/2012	\$234.25
2013S1	\$0.00	\$0.00	4/1/2013	\$245.36
2014S1	\$0.00	\$0.00	3/10/2014	\$183.69
2015S1	\$0.00	\$0.00	4/15/2015	\$255.55
2016S1	\$0.00	\$0.00	3/29/2016	\$276.90
2017S1	\$0.00	\$0.00	3/2/2017	\$206.65
2018S1	\$0.00	\$0.00	4/2/2018	\$170.38
2019S1	\$0.00	\$0.00	3/26/2019	\$136.30
2020S1	\$0.00	\$0.00	6/8/2020	\$471.04
2021S1	\$0.00	\$0.00	4/7/2021	\$565.77
2022S1	\$0.00	\$0.00	6/3/2022	\$367.66
2023S1	\$0.00	\$0.00	4/5/2023	\$271.82
2024S1	\$0.00	\$0.00	3/20/2024	\$320.74

Balance Due: \$0.00

These amounts are valid through the last day of the month. Statutory penalty will accrue on the first day of next month.

**Residence Characteristics**

NOTE on Property Characteristics: The characteristics of every parcel currently listed on the Parcel Search website are from New Castle County's previous property assessment computer system and may be outdated. Any changes to the characteristics of County parcels made by Tyler Technologies, the County's vendor for the reassessment project, are not reflected below on this parcel entry. This includes any changes to property characteristics based on Tyler's site visits or requested by property owners in response to Tyler's Data Mailers sent during summer 2024. Those updated property characteristics, however, are in the new computer system that Tyler is using to value each parcel at its July 1, 2024 fair market value. New Castle County's Parcel Search website will contain the updated property characteristics for all County parcels by May 2025, and the County is working to determine whether the updated property characteristics may be added even sooner than May 2025 to the Parcel Search website.

**Residence 0**

Building Design: HALF DPLX	Residence Class: SFD PLATTED LOT
Grade: AVERAGE	Condition: GOOD
Year Built: 1954	# Stories: 2
Total Area (sq. ft.): 1725	Main Floor Area: 864
# Rooms: 7	# Bedrooms: 3
# 1/2 Baths: 1	# Full Baths: 1
# Fam. Rooms: 1	# Fixtures: 7
Roof Type: FLAT	Roof Material: COMPWOOD
Exterior Wall: BRICK	Interior Wall Finish: DRYWALL
Floor Finish: WOOD	Foundation: CONTINUOUS
Garage Capacity: 0	Basement %: 75%
Basement % Finished: 50%	Basement Finish Type: FIN FLOOR & CEILING
Attic % Finished:	
Unfinished %:	Unfinished Area: 0
Heat Type: HOT AIR	Air Conditioning: AIR CONDITIONING
Remodel Year: 73	

# 248 Locust Ave Ptn. 25-02

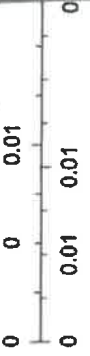


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25-02 M

12/18/2024, 11:38:56 AM

- Roads
- 5 | 10 | Neighborhood road in municipality
- Structures
- Residential
- Common
- Address
- Parcels

1:564



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11 Poplar Avenue, Elsmere, Delaware 19805  
Phone (302) 998-2215 Fax (302) 998-9920

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25-02 N

## MEMORANDUM

Mayor

Eric Thompson

1<sup>st</sup> District Councilwoman

Jane McDaniel

2<sup>nd</sup> District Councilwoman  
Secretary of Council

Sally Jensen

3<sup>rd</sup> District Councilwoman

Mary Steppi

4<sup>th</sup> District Councilman

Charles McKewen

5<sup>th</sup> District Councilwoman  
President Pro-Tempore

Joann I. Personti

6<sup>th</sup> District Councilwoman

Dawn DiBiasi

Town Treasurer

Paul Chalfant

City Solicitor

James McMackin

To: Chairman James Personti  
Town of Elsmere Board of Adjustment

From: Chairman Robert Anderson  
Town of Elsmere Planning Commission

Re.: Petition 25-02

Date: January 7, 2025

Dear Chairman Personti,

At the January 7, 2025 meeting of the Town of Elsmere's Planning Commission, the Commission reviewed the request for Petition 25-02 regarding Tax Parcel Number 1900-400-389. In this request, the applicant is seeking to add 156 square feet of additional impervious lot coverage via a three-season room.

After hearing testimony and having their questions answered, the commissioners in attendance voted unanimously to recommend **approval** of the petition to the Board of Adjustment.

Sincerely,

Robert Anderson, Chairman  
Town of Elsmere Planning Commission