



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

EXHIBIT
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25-08 A

Application for Hearing

- Board of Adjustment
- Planning Commission

Petition # 25-08 Filing Fee: 50⁰⁰ Date Received 4/15/2005 Received by: DML

Subject Property: 1335 Rodman Rd.

Property is: Residential Commercial

Tax Parcel # 1900500197 Zoning District: _____

Applicant name: OSUAILO GOADERRAMA OCAMPO

Address: 1335 Rodman Rd Telephone # _____

City: Wilmington State: DE Zip Code: 19805

Application for Zoning Variance Related to: open porch

- | | |
|---|--|
| <input type="checkbox"/> Front yard setback | <input checked="" type="checkbox"/> Lot Coverage |
| <input checked="" type="checkbox"/> Rear yard setback | <input type="checkbox"/> Fencing |
| <input type="checkbox"/> Side yard setback | <input type="checkbox"/> Parking requirements |
| <input type="checkbox"/> Lot Area | <input type="checkbox"/> Signage |
| <input type="checkbox"/> Rezoning | |

Current Zoning: _____ New Zoning Request: _____

Application for Special Exception Use Permit for the following use: _____

Application for Appeal of an Administrative decision: _____

By: _____ Date: _____

For the following reasons: _____

EXHIBIT
25-08 B
tabbles

Application for relief other than above: _____

State reasons for this request: I would like to request approval to build a large screened porch on my property, as shown in the attached drawing, this additional will allow me to better utilize my space, providing a safe area for my child to play and for my family to enjoy the outdoors

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: _____

Address: _____ Telephone # _____

City: _____ State: _____ Zip Code: _____

Please submit the following with this petition:

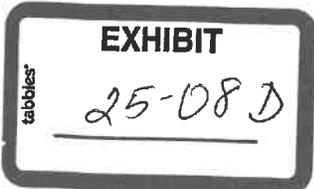
- A copy of a plot plan showing the following: location of the property; a diagram showing the layout, size, and location of existing structures on the property.
 - A copy of any deed restrictions on the property.
- NOTE: THE BOARD OF ADJUSTMENT OR PLANNING COMMISSION CANNOT APPROVE ANY APPLICATION PROHIBITED 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: 04-15-2025

Legal Owner's Signature: [Signature] Date: 04-15-2025



VARIANCE HARDSHIP WORKSHEET

Town of Elsmere Petition Number: 25-08

Property Owners Name: Ospaldo Guadarrama Ocampo

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 layout size of my lot limit the usable outdoor space. A screened porch is need to safely enjoy the yard, specially for my child. other properties don't have this limit limitation

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

Please explain how this applies:

the issue is not caused by me. I bought the property as is, and the lot conditions were already present.

- (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:

the porch will not give me any special advantages, other homeowners can also apply for similar structures

- (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:

Not allowing the porch would prevent my family from using the backyard safely and comfortably, unlike others in similar zones.

- (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:

the porch is the least change needed to make our outdoor area usable and family-friendly

- (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 porch will match the neighborhood's look and won't harm anyone. It improves our use without affecting others.

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: 

Date: 04-15-2025

Signature Code Department Representative: 

Date: 4/15/2025

Site Analysis
Petition 25-08

Property Owner: Osvaldo Ocampo
Zoning District: Residential
Address: 1335 Rodman Rd.
Primary Use: R2 - Two Family Dwelling
Parcel No.: 19-00500-197

LOT COVERAGE CALCULATIONS

<u>Lot Area in Sq. Ft.:</u>	1,584	Sq. Ft.
<u>Allowable Lot Coverage:</u>	475	Sq. Ft. (30%)
<u>Total Lot Coverage Existing:</u>	955	Sq. Ft. (60%)
❖ Residence =	540	Sq. Ft.
❖ Driveway =	415 +/-	Sq. Ft.

<u>Proposed Addition:</u>	320	Sq. Ft.
<u>Proposed Lot Coverage Total:</u>	1,035	Sq. Ft. (65%)

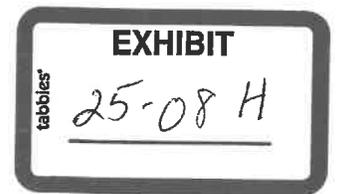
Conclusion: The proposed addition is partially over existing impervious area and will create a net impervious increase of approximately 5%.

Required Setbacks: Front: 20 Rear: 20
Side: 0 Both Sides: 0

Existing Setbacks: Front: 23.5 Rear: 34.5
Side: 0 Both Sides: 0

Proposed Setbacks: Front: 23.5 Rear: 14.5
Side: 0 Both Sides: 0

Conclusion: The proposed rear setback will encroach into the required 20' setback.



STATEMENT OF FACT

The subject parcel is legal non-conforming regarding lot coverage. The maximum allowable lot coverage is 30%. The current coverage is 60%.

REQUEST BY THE APPLICANT

To construct a rear 20' x 16' addition.

ISSUE(S)

The Town of Elsmere Code 225 Attachment #3 allows for a maximum lot coverage of 30%. The proposed lot coverage is 65%.

The Town of Elsmere Code 225 Attachment #3 requires a minimum rear setback of 20', proposed is 14.5'.

GRANTING OF THE PETITION

1. The Planning Commission of the Town of Elsmere shall determine that the proposed addition meets the harmonious development intent of the Town of Elsmere Code 225-9.
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:
 - a. 65% lot coverage in lieu of the maximum 30%.
 - b. A 14.5' rear yard setback in lieu of the required 20'.
3. If approved, the applicant shall obtain a permit from the Town of Elsmere within one year of approval.



THE TOWN OF ELSMERE
DEPARTMENT OF CODE ENFORCEMENT

11 Poplar Avenue – Elsmere, DE 19805

Phone: (302) 998-2215

Fax: (302) 998-9920



BUILDING PERMIT

Permit Number:P2500107

Issued On:02/05/25

Issued to the following type of property:R-2 RES; TWO FAMILY SEMIDETACHED

Located at: 1335 RODMAN RD

Located in: Town of Elsmere, County of New Castle, and State of Delaware

Further known as Parcel Number: 19-00500-197

Scope of the work covered under this permit:

Build a screened porch, remove an existing wall on the 1st floor, and install lvl beam to support the joists with hangers. Opening a new sliding door to the porch. In basement constructing room and full bathroom.

This permit is to be prominently displayed in the front window of the property in plain view as required by the provisions of the Code. Expiration of this permit is 180 days if work has not been started. 24-hour notice is required for all necessary inspections in accordance with the Building and/or Residential Code.

This permit is hereby granted in accordance with the *Town of Elsmere Code*, and the *2021 Edition of the International Building and/or Residential Code*. Separate Permits are required for any Plumbing, HVAC and Electrical Work.

** If a dumpster is needed at the above mentioned address and that dumpster will be on the Town of Elsmere streets, a separate dumpster permit will be required.*

For Inspections, please call: (302) 266-9057

X _____

Code Enforcement Officer

02/05/25

Date

25-08 J

BUILDING SUBCODE TECHNICAL SECTION

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

Block _____ Lot _____
 Work Site Location 1335 Rodman Rd
Wilmingon DE 19305
 Owner In Fee 051440 Guederwaga
 Address 1335 Rodman Rd
Wilmingon DE 19305
 Tel. (302) 553-6800
 Contractor Acq Outdoor Living LLC
 Address 2005 EIGHTH ST
WILMINGTON DE 19808
 Tel. (302) 388-7929 Fax (_____) _____
 L.O. No. or Bldg. Reg. No. 201171030
 Federal Emp. No. 61-2000723

JOB SUMMARY (Office Use Only)

PLAN REVIEW	Date	Initial	INSPECTIONS	Failure	Dates (Month/Day)	Approval	Initial
<input type="checkbox"/> No Plans Required			Type: Footing				
<input type="checkbox"/> All			Foundation				
<input type="checkbox"/> Footing			Slab				
<input type="checkbox"/> Foundation			Frame				
<input type="checkbox"/> 1 Frame			Barrier-Free				
<input type="checkbox"/> Other			Insulation				
Joint Plan Review Required:			Finishes				
<input type="checkbox"/> Elec. <input type="checkbox"/> Plumb. <input type="checkbox"/> Fire <input type="checkbox"/> Elevator			Energy				
SUBCODE APPROVAL			Mechanical				
<input type="checkbox"/> CO <input type="checkbox"/> COO <input type="checkbox"/> CA			TCO				
Date: _____			Other				
Approved by: _____			Final				
			Barrier-Free				

B. BUILDING CHARACTERISTICS

Use Group	Present	Proposed
Constr. Class	_____	_____
No. of Stories	_____	_____
Height of Structure	_____ Ft.	_____ Ft.
Area — Largest Floor	_____ Sq. Ft.	_____ Sq. Ft.
New Bldg. Area/All Floors	_____ Sq. Ft.	_____ Sq. Ft.
Volume of New Structure	_____ Cu. Ft.	_____ Cu. Ft.
Total Land Area Disturbed	_____ Sq. Ft.	_____ Sq. Ft.

Est. Cost of Bldg. Work:

1. New Bldg. \$ _____
2. Alteration \$ _____
3. Total (1 + 2) \$ 65,000

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.

Signature _____

D. TECHNICAL SITE DATA

DESCRIPTION OF WORK
 We are building a screened porch, remaining an existing wall on the first floor, and installing an LVL beam to support the joists with hangers. Additionally, we are opening a new sliding door the porch. In the basement, we are constructing room and full bathroom.

TYPE OF WORK:

<input type="checkbox"/> New Building	_____	FEE (Office Use Only)	_____
<input type="checkbox"/> Addition	_____		
<input type="checkbox"/> Alteration	_____		
<input checked="" type="checkbox"/> Roofing flat roofings on porch	_____		
<input type="checkbox"/> Siding	_____		
<input type="checkbox"/> Fence	_____	Height (exceeds 6')	_____
<input type="checkbox"/> Sign	_____	Sq. Ft.	_____
<input type="checkbox"/> Pool	_____		
<input type="checkbox"/> Asbestos Abatement	_____		
<input type="checkbox"/> Lead Haz. Abatement	_____		
<input checked="" type="checkbox"/> Other <u>New room and full bathroom</u>	_____		
<input checked="" type="checkbox"/> Demolition	_____		

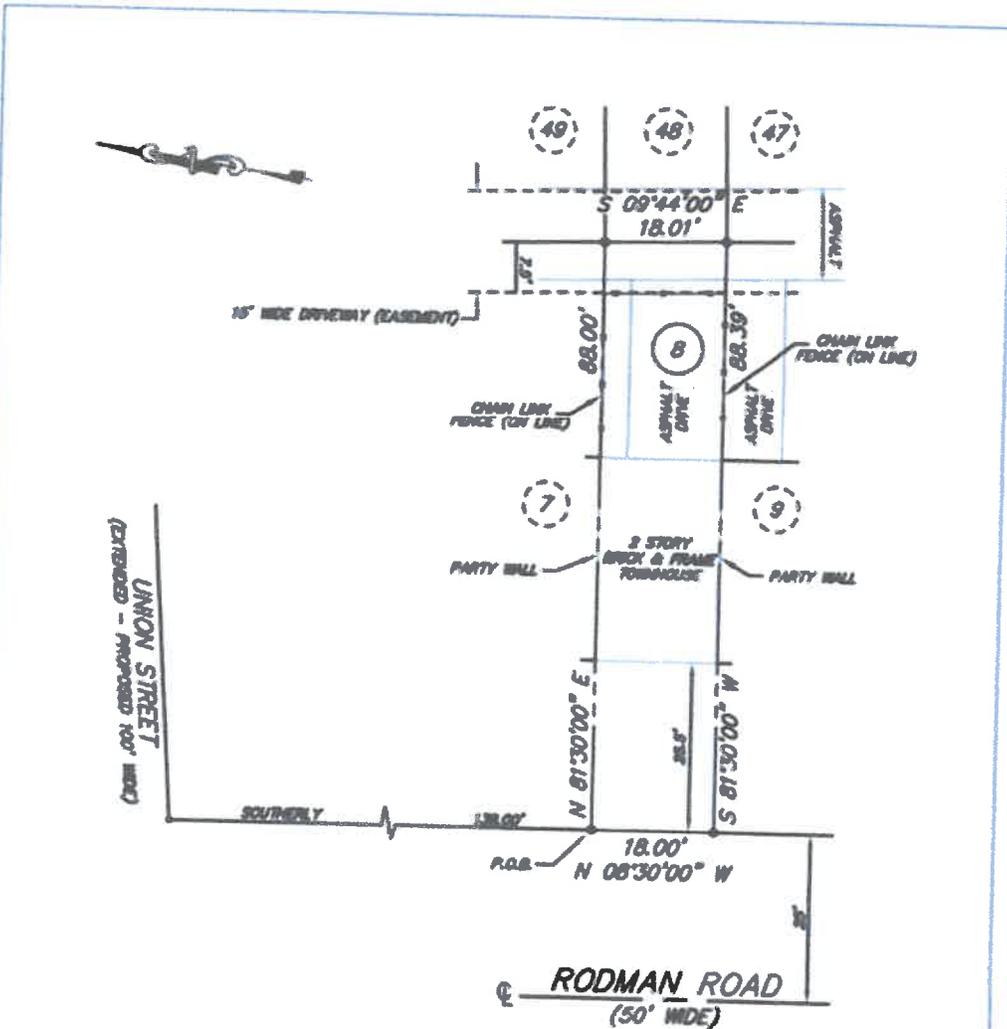
Administrative Surcharge	\$ _____
Minimum Fee	\$ _____
Fee	\$ _____
TOTAL FEE	\$ <u>1025</u>

1. Write - Inspector Copy
 2. Copy - Office Copy
 3. Print - Office Copy



Permit # PA500107
 Date Issued 10-5-19-1
 Control # 2-3-2025

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THIS PLAN DOES NOT REPRESENT A PROPERTY SURVEY & SHOULD NOT BE USED FOR FURTHER IMPROVEMENTS. CORNERS HAVE NOT BEEN STAKED UNLESS NOTED. PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS & RESERVATIONS OF RECORD.

SURVEY CLASS: B

MORTGAGE INSPECTION PLAN				
JOSE CARMEN LOPEZ TOVAR				
1395 RODMAN ROAD				
LOT 8				
CANBY PARK ESTATES				
TOWN OF ELSMERE				
NEW CASTLE COUNTY, DELAWARE				
PROJECT	TAX PARCEL #	DEED REF.	DATE	SCALE
529-2106	19-005.00-197	2169-249	11-4-99	1" = 20'

APPROVED BY

EAST COAST SURVEY
 P.O. BOX 3854
 WILMINGTON, DE 19807
 PHONE: 302/994-1800

1584
 5196

Parcel # 1900500197

Property Address: 1335 RODMAN RD
 WILMINGTON, DE 19805-
 Subdivision: CANBY PARK ESTATES
 Owner: OCAMPO OSVALDO GUADARRAMA
 1335 RODMAN ROAD
 Owner Address:
 WILMINGTON, DE 19805
 Municipal Info: Incorporated in ELSMERE PROPERTY TAX AREA



Lot #: 8	Property Class: RESIDENTIAL
Location:	Lot Size: 0.04
Map Grid: 09803560	Lot Depth: 88.40
Block:	Lot Frontage: 18
Census Tract: 124	Street Finish: SIDEWALK
Street Type: NEIGHBORHOOD	
Water: PUBLIC	
Microfilm #: 000107	

Tax/Assessment Info

Current Assessment

Land: 4300
 Structure: 23400
 Homesite: 0
 Total: 27700
 County Taxable: 27700
 School Taxable: 27700

Final Assessed Value (after Reassessment)

The "Final Assessed Value" for this Parcel after completion of the County-wide reassessment process is listed below. This reflects the Parcel's market value as of July 1, 2024 and will be effective for the tax year beginning July 1, 2025. The Final 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.

Final Land Value: 35900
 Final Structure Value: 120600
 Final Assessment Value: 156500

View Structure Characteristics

For information on exemptions, please go here <https://newcastlede.gov/Exemptions>

For information concerning reassessment, including links to the appeal forms, please go here <https://newcastlede.gov/BOAR>

District & Zoning Info

Districts

- **FIRE/RESCUE - ELSMERE**
- **RED CLAY SCHOOL DIST-TRES**
- COUNCIL 1 - BRANDON T TOOLE
- DE REP 13-DESHANNA U NEAL
- NORTH OF C&D CANAL
- **CANBY PARK - Civic Organization**
- ADD REQ PER SEC 10.3.4.4 DSSR
- TRAFFIC ZONE T095 (YR2022)
- SEWER DISTRICT NORTHERN-ASMT
- PLANNING 8 - LOWER CHRISTINA
- DE SEN 03-S ELIZABETH LOCKMAN

Zoning

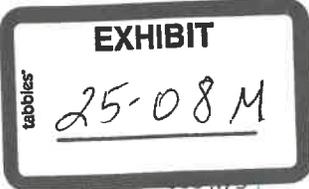
- 19R2 - ONE/TWO FAMILY DWELLING

Deed History

Grantee(s)	Deed	Multi?	Sale Date	Sale Amount
PLATT STEPHEN J & CHRISTINE	340 181	N	11/1/1973	\$16,400.00
JOHNSON RICHARD JR	1117 333	N	2/1/1986	\$40,000.00
WARRINGTON ALAN D & DEBRA E	2169 249	N	12/6/1990	\$67,000.00
LOPEZ-TOVAR JOSE C	2772 54	N	7/31/1996	\$60,000.00
OCAMPO OSVALDO GUADARRAMA	20240719 0046885	N	11/15/1999	\$72,000.00
			7/15/2024	\$10.00

Tax Bills as of 4/16/2025 3:00:03 AM

Tax Year	County			School		
	Principal Due	Penalty Due	Amt Paid	Principal Due	Penalty Due	Amt Paid
2010A	\$0.00	\$0.00	\$93.26	\$0.00	\$0.00	\$505.25
2011A	\$0.00	\$0.00	\$94.96	\$0.00	\$0.00	\$499.43
2012A	\$0.00	\$0.00	\$95.22	\$0.00	\$0.00	\$493.61
2013A	\$0.00	\$0.00	\$94.68	\$0.00	\$0.00	\$523.81
2014A	\$0.00	\$0.00	\$95.04	\$0.00	\$0.00	\$533.03
2015A	\$0.00	\$0.00	\$94.70	\$0.00	\$0.00	\$592.51
2016A	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$646.05
2017A	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$685.38



2018A	\$0.00	\$0.00	\$0.00	\$0.00
2019A	\$0.00	\$0.00	\$0.00	\$0.00
2020A	\$0.00	\$0.00	\$0.00	\$0.00
2021A	\$0.00	\$0.00	\$0.00	\$0.00
2022A	\$0.00	\$0.00	\$0.00	\$0.00
2023A	\$0.00	\$0.00	\$0.00	\$0.00
2024A	\$0.00	\$0.00	\$0.00	\$0.00

\$0.00 | \$794.44

Tax Payments as of 4/16/2025 3:00:03 AM

Date Paid	Amt Paid
9/21/2010	\$598.51
9/22/2011	\$594.39
9/24/2012	\$588.83
9/26/2013	\$618.49
9/18/2014	\$628.07
9/17/2015	\$687.21
9/27/2016	\$646.05
9/21/2017	\$685.38
9/25/2018	\$681.70
9/24/2019	\$686.69
9/28/2020	\$686.69
9/28/2021	\$683.50
2/28/2022	\$321.46
9/27/2022	\$684.75
9/25/2023	\$684.75
8/1/2024	\$821.70

County Balance Due: \$0.00

School Balance Due: \$0.00

Overpayment: (\$27.26)

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 4/16/2025 3:00:03 AM

Tax Year	Principal Due	Penalty Due	Date Paid	Amount Paid
2000S1	\$0.00	\$0.00	8/29/2000	\$144.10
2001S1	\$0.00	\$0.00	5/2/2001	\$138.90
2002S1	\$0.00	\$0.00	5/3/2002	\$138.90
2003S1	\$0.00	\$0.00	2/7/2003	\$129.81
2004S1	\$0.00	\$0.00	5/10/2004	\$138.35
2005S1	\$0.00	\$0.00	5/6/2005	\$138.90
2006S1	\$0.00	\$0.00	9/28/2006	\$674.87
2007S1	\$0.00	\$0.00	4/4/2007	\$630.62
2008S1	\$0.00	\$0.00	3/4/2008	\$594.93
2009S1	\$0.00	\$0.00	3/3/2009	\$520.56
2010S1	\$0.00	\$0.00	2/26/2010	\$766.93
2011S1	\$0.00	\$0.00	2/28/2011	\$542.38
2012S1	\$0.00	\$0.00	2/29/2012	\$740.33
2013S1	\$0.00	\$0.00	2/27/2013	\$806.63
2014S1	\$0.00	\$0.00	3/14/2014	\$528.11
2015S1	\$0.00	\$0.00	3/4/2015	\$551.07
2016S1	\$0.00	\$0.00	3/2/2016	\$528.11
2017S1	\$0.00	\$0.00	2/27/2017	\$321.46
2018S1	\$0.00	\$0.00	4/2/2018	\$438.10
2019S1	\$0.00	\$0.00	2/27/2019	\$366.46
2020S1	\$0.00	\$0.00	3/30/2020	\$374.82
2021S1	\$0.00	\$0.00	3/2/2021	\$385.75
2022S1	\$0.00	\$0.00	2/28/2022	\$321.46
2023S1	\$0.00	\$0.00	3/1/2023	\$263.60
2024S1	\$0.00	\$0.00	5/13/2024	\$488.41
2025S1	\$298.00	\$20.86	Not Available	\$0.00

Balance Due: \$318.86

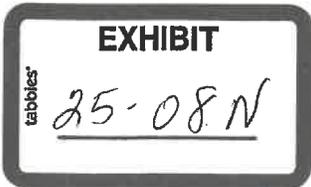
These amounts are valid through the last day of the month. Statutory penalty will accrue on the first day of next month.

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: ROW INSD	Residence Class: SFD PLATTED LOT
Grade: AVERAGE	Condition: AVERAGE
Year Built: 1944	# Stories: 2
Total Area (sq. ft.): 1075	Main Floor Area: 540
# Rooms: 6	# Bedrooms: 3
# 1/2 Baths: 0	# Full Baths: 1



# Fam. Rooms: 0	: Fixtures: 5
Roof Type: FLAT	Roof Material: ASPHALT
Exterior Wall: BRICK	Interior Wall Finish: PLASTER
Floor Finish: WOOD	Foundation: CONTINUOUS
Garage Capacity: 0	Basement %: 100%
Basement % Finished:	Basement Finish Type:
Attic % Finished:	
Unfinished %:	Unfinished Area: 0
Heat Type: HOT AIR	Air Conditioning:
Remodel Year: 0	

EXHIBIT

25-08 P

1900500197 X Q
Show search results for 19005...



40ft



The Town of Elsmere

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



MEMORANDUM

Mayor

Joann I. Personti

1st District Councilwoman
Secretary of Council

Jane McDaniel

2nd District Councilwoman
President Pro-Tempore

Sally Jensen

3rd District Council

Vacant

4th District Councilman

John Holloway

5th District Council

Vacant

6th District Council

Vacant

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 25-08

Date: June 3, 2025

Dear Chairman Personti,

At the June 3, 2025, meeting of the Town of Elsmere's Planning Commission, the Commission reviewed the request for Petition 25-08 regarding Tax Parcel Number 1900-500-197. In this request, the applicant is seeking to construct a 20' x 16' addition thus increasing the impervious lot coverage by 5%. The Planning Commission will make a recommendation to the Board of Adjustment.

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