



The Town of Elsmere

11 Poplar Avenue, Elsmere, Delaware 19805

Phone (302) 998-2215 Fax (302) 998-9920

EXHIBIT

tabbies

26-02 A

Application for Hearing

☒ Board of Adjustment

☒ Planning Commission

Petition # 2602 Filing Fee: 50 \$ Date Received 8/8/05 Received by: DM2

Subject Property: 1306 Kirkwood Hwy Wilmington DE 19805

Property is: ☐ Residential ☒ Commercial

Tax Parcel # 1900400215 Zoning District: _____

Applicant name:

FAUSTO SIGUENORA cell # 347)418-2929

Address: 4911 LANCASTER PIKE Telephone # _____

City: Wilmington State: DE Zip Code: 19807

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: _____

New Zoning Request: Elsmere Mechanic shop

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: _____

State reasons for this request: _____

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: F. P. S. Date: 8-28-2025

Legal Owner's Signature: _____ Date: _____

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Name of person representing applicant (if applicable):

Address: _____ Telephone # _____

City: _____ State: _____ Zip Code: _____

I, _____, 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.

Legal Owner Signature

Date

Subscribed and sworn to before me on the following date:

Notary Public Signature

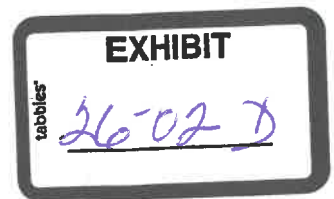
Date

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

Name: _____

Address: _____ Telephone # _____

City: _____ State: _____ Zip Code: _____



Site Analysis
Petition 26-02

Property Owner: Fausto Siquencia
Zoning District: Commercial
Address: 1306 Kirkwood Hwy
Primary Use: Commercial
Parcel No.: 19-00500-197

LOT COVERAGE CALCULATIONS

Lot Area in Sq. Ft.: 9,375 Sq. Ft.

Allowable Lot Coverage: 7,031 Sq. Ft. (75%)

Total Lot Coverage Existing: Sq. Ft. (60%)

❖ Residence = 540 Sq. Ft.
❖ Garage = 1,560
❖ Impervious Pave = 4500 +/- Sq. Ft.

Proposed Addition: 0 Sq. Ft.

Proposed Lot Coverage Total: 7,468 Sq. Ft. (79%)

Conclusion: There are no proposed changes to the existing lot coverage.

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

Existing Setbacks: Front: 15 Rear: 5
Side: 5 Both Sides: 5

Proposed Setbacks: Front: 15 Rear: 5
Side: 5 Both Sides: 5

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

STATEMENT OF FACT

The subject parcel is legal non-conforming regards to, as per Town of Elsmere Code 225 Attachment #3.

1. Front yard setback, the required setback is 20', the existing is 15.5'.
2. Rear yard setback, the required setback is 20', the existing is 15.5'.
3. Lot coverage. The maximum allowable lot coverage is 75%. The current coverage is 79%.

REQUEST BY THE APPLICANT

The applicant seeks to operate an Automotive Repair shop at the subject parcel.

ISSUE(S)

The Town of Elsmere Code 225-19 C., Auto service Establishment is only allowed as a special exception in the CC Zone. Although the property was previously used as an Auto repair station, it has been abandoned since 2014 and must be approved under current codified ordinance.

GRANTING OF THE PETITION

1. The Planning Commission of the Town of Elsmere shall determine that the proposed meets the harmonious development intent of the Town of Elsmere Code 225-9.
2. The Board of Adjustment shall grant a Special Exception for an automotive repair shop at the subject parcel.
3. If approved, the applicant shall obtain a Business License from the Town of Elsmere Code Department.

OFFICE OF STATE FIRE MARSHAL APPLICATION FOR FIRE PROTECTION

TENANT FIT OUT / RENOVATION / OCCUPANCY CHANGE**Sussex County**

Delaware Fire Service Center
22705 Park Avenue Georgetown,
DE 19947-6303
302-856-5298 / Fax 302-856-5800

Kent County

Delaware Fire Service Center
1537 Chestnut Grove Road
Dover, DE 19904-1544
302-739-4394 / Fax 302-739-3696

New Castle County

Delaware Fire Service Center
2307 MacArthur Road
New Castle, DE 19720-2426
302-323-5365 / Fax 302-323-5366

1. Project Name: ELSMERE ELSMERE MECHANIC SHOP.

Phase: _____ Please note: One phase per application. One building per application.

Address: 1306 Kirkwood Hwy wilmingston DE 19805

Complete Tax Parcel Number: _____ County: _____

Number of Stories: 1 story

Total Square Footage: _____

2. Project Description: ☐ Tenant Fit Out ☐ Renovation

Description / Use Details:

open existing auto body shop

An incomplete application may cause a delay in the processing of the project.

A preliminary plan review was conducted indicating no further action or final inspection is required by the State Fire Marshal's Office. to issue Certificate of Occupancy at your discretion.

3. Fee Calculation: Building Construction Costs: 2500% Fee: 150%

Check or Money Order made payable to the "State of Delaware" NO CASH ACCEPTED

Exempt Status: ☐ State ☐ County ☐ Federal ☐ DSHA ☐ Fire Co. / Ambulance ☐ Municipality ☐ No Impact

4. Property Information (see checklist on page 2 for details)

Property Name: DATA ERASE

Building Name: RECEIVED

Suite / Unit: _____

5. Primary Point of Contact

DELWARE STATE FIRE MARSHAL'S OFFICE

NEW CASTLE DIVISION

Signature required in Item #6

Phone: 302/418 2929

Cell: _____

Name: FAUSTO SIGUENCIA

Company Name: - SAME AS PROPERTY OWNER -

Address: _____

City: _____ State: _____ Zip Code: _____

Email: gsiguencia77@gmail.com

6. Property Owner Info Phone: _____

Cell: 302/418 2929

Name: FAUSTO SIGUENCIA

Address: 4911 LANCASTER PIKE

City: Wilmington State: DE Zip Code: 19807

Email: gsiguencia77@gmail.com

7. Tenant Info

Phone: _____

Cell: _____

Name: FAUSTO SIGUENCIA

Address: - SAME AS PROPERTY OWNER -

City: _____ State: _____ Zip Code: _____

Email: _____

8. Applicant Signature: _____

Date: 08-13-2025

FOR OFFICE
USE ONLY:

FIRE PROTECTION SPECIALIST

DATE

Plan Review # 2025-02-22NA05-TPO-01

Deposit / Return Date: 8/18



OFFICE OF THE STATE FIRE MARSHAL
Technical Services

2307 MacArthur Road
New Castle, DE 19720-2426



SFMO PERMIT NO INSPECTION REQUIRED

Plan Review Number: 2025-02-221665-TFO-01

Tax Parcel Number: 1900400215

Status: Approved as Submitted

Date:

Project

Elsmere Mechanic Shop
1306 Kirkwood Highway
1306 Kirkwood Highway

Scope of Project

Number of Stories:
Square Footage:
Construction Class:
Fire District:

Occupant Load Inside:
Occupancy Code:

Applicant

Fausto Siguenia
4911 Lancaster Pike
Wilmington, DE 19807

This office has reviewed the plans and specifications of the above described project for compliance with the Delaware State Fire Prevention Regulations, in effect as of the date of this review.

A Review Status of "Approved as Submitted" or "Not Approved as Submitted" must comply with the provisions of the attached Plan Review Comments.

Any Conditional Approval does not relieve the Applicant, Owner, Engineer, Contractor, nor their representatives from their responsibility to comply with the plan review comments and the applicable provisions of the Delaware State Fire Prevention Regulations in the construction, installation and/or completion of the project as reviewed by this Agency.

Even though a final inspection was not conducted by this agency code compliance shall be required and is the sole responsibility of the owner.

This Plan Review Project was prepared by:

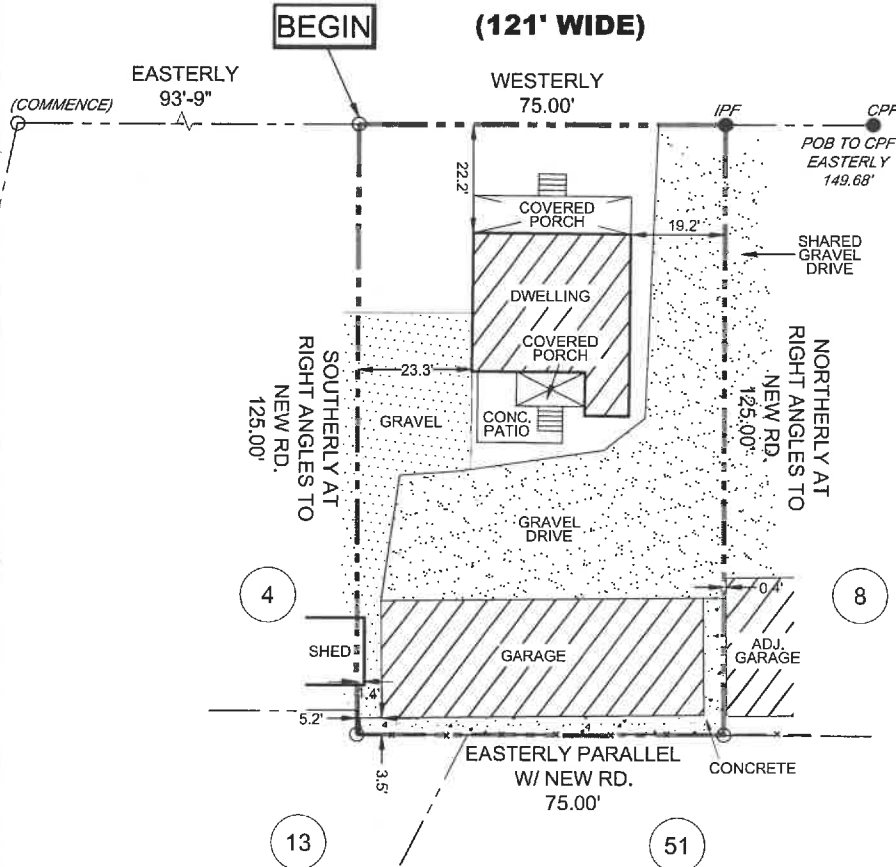
James Facciolo
Assistant Chief Fire Protection Specialist III

26-02 H

1250 1850



OAK AVENUE
(50' WIDE)



RECORDATIONS AND IS A PRELIMINARY DRAFT ONLY. PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS & RESERVATIONS OF RECORD.				Drawn By	Date	Scale	Project Number
DEGREE OF ACCURACY ±	MARSH_	RURAL_	SUBURBAN_X	URBAN_	DMM	07/23/2025	1" = 30'
							Mo25-0596

EXHIBIT

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Property Address: 1306 KIRKWOOD HWY
WILMINGTON, DE 19805-

Subdivision: OAK GROVE

Owner: SIGUENCIA FAUSTO, YAGUANA AQUILES
4911 LANCASTER PIKE

Owner Address:
WILMINGTON, DE 19807

Municipal Info: Incorporated in ELSMERE PROPERTY TAX AREA

Lot #: 5 6 7	Property Class: COMMERCIAL
Location:	Lot Size: 0.22
Map Grid: 09403560	Lot Depth: 125
Block: G	Lot Frontage: 75
Census Tract: 124	Street Finish:
Street Type:	
Water:	
Microfilm #: 000570	

Tax/Assessment Info

Current Assessment

Land: 219300
Structure: 221800
Homesite: 0
Total: 441100
County Taxable: 441100
School Taxable: 441100

District & Zoning Info

Districts

- **FIRE/RESCUE - ELSMERE**
- **RED CLAY SCHOOL DIST-TRES**
- DE SEN 07-SPIROS MANTZAVINOS
- 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
- OAK GROVE - Civic Organization - no contact information available

Zoning

- 19CC - COMMUNITY COMMERCIAL

Deed History

Grantee(s)	Deed	Multi?	Sale Date	Sale Amount
REED HAROLD I & WF	F54 490	N	Not Available	\$0.00
REED HAROLD I & EDNA J & DAVID H	20080924 0063991	N	8/19/2008	\$10.00
REED DAVID & HAROLD	WR187087	N	11/20/2018	\$0.00
	20240501 0027516	N	4/21/2024	\$10.00
YAGUANA AQUILES	20241007 0067260	N	10/2/2024	\$10.00
SIGUENCIA FAUSTO	20241007 0067260	N	10/2/2024	\$10.00

Tax Bills as of 9/25/2025 3:01:57 AM

Tax Year	County			School		
	Principal Due	Penalty Due	Amt Paid	Principal Due	Penalty Due	Amt Paid
2010A	\$0.00	\$0.00	\$198.64	\$0.00	\$0.00	\$827.33
2011A	\$0.00	\$0.00	\$202.25	\$0.00	\$0.00	\$818.62
2012A	\$0.00	\$0.00	\$202.82	\$0.00	\$0.00	\$810.66
2013A	\$0.00	\$0.00	\$201.65	\$0.00	\$0.00	\$858.89
2014A	\$0.00	\$0.00	\$202.42	\$0.00	\$0.00	\$874.12
2015A	\$0.00	\$0.00	\$201.70	\$0.00	\$0.00	\$969.37
2016A	\$0.00	\$0.00	\$201.20	\$0.00	\$0.00	\$1,055.39
2017A	\$0.00	\$0.00	\$214.39	\$0.00	\$0.00	\$1,185.64
2018A	\$0.00	\$0.00	\$216.57	\$0.00	\$0.00	\$1,251.99
2019A	\$0.00	\$0.00	\$212.58	\$0.00	\$0.00	\$1,535.76
2020A	\$0.00	\$0.00	\$186.83	\$0.00	\$0.00	\$1,462.61
2021A	\$0.00	\$0.00	\$183.49	\$0.00	\$0.00	\$1,455.83
2022A	\$0.00	\$0.00	\$228.40	\$0.00	\$0.00	\$1,458.48
2023A	\$0.00	\$0.00	\$238.67	\$0.00	\$0.00	\$1,458.48

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7/29/2010	\$1,025.97
9/23/2011	\$1,020.87
8/23/2012	\$1,013.48
8/23/2013	\$1,060.54
9/26/2014	\$1,076.54
7/31/2015	\$1,171.07
8/24/2016	\$1,256.59
10/6/2017	\$1,320.78
10/30/2017	\$79.25
4/5/2018	\$11.19
10/1/2018	\$1,457.37
10/7/2019	\$1,663.16
10/24/2019	\$85.18
9/28/2020	\$1,649.44
9/8/2021	\$1,639.32
9/22/2022	\$1,686.88
9/15/2023	\$1,697.15
9/25/2024	\$1,935.19
9/26/2024	\$1,935.19
Not Available	\$362.85

County Balance Due: \$502.37

School Balance Due: \$3,153.86

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 9/25/2025 3:01:20 AM

Tax Year	Principal Due	Penalty Due	Date Paid	Amount Paid
2007S1	\$0.00	\$0.00	2/15/2007	\$102.25
2008S1	\$0.00	\$0.00	2/8/2008	\$102.25
2009S1	\$0.00	\$0.00	2/18/2009	\$92.96
2010S1	\$0.00	\$0.00	2/15/2010	\$71.58
2011S1	\$0.00	\$0.00	2/28/2011	\$74.44
2012S1	\$0.00	\$0.00	2/1/2012	\$66.30
2013S1	\$0.00	\$0.00	2/15/2013	\$77.35
2014S1	\$0.00	\$0.00	2/26/2014	\$68.88
2015S1	\$0.00	\$0.00	2/27/2015	\$80.36
2016S1	\$0.00	\$0.00	2/4/2016	\$68.88
2017S1	\$0.00	\$0.00	2/10/2017	\$57.40
2018S1	\$0.00	\$0.00	4/4/2018	\$73.01
2019S1	\$0.00	\$0.00	3/29/2019	\$68.14
2020S1	\$0.00	\$0.00	1/22/2020	\$56.00
2021S1	\$0.00	\$0.00	2/24/2021	\$56.00
2022S1	\$0.00	\$0.00	2/16/2022	\$81.00
2023S1	\$0.00	\$0.00	2/7/2023	\$81.00
2024S1	\$0.00	\$0.00	2/27/2024	\$81.00
2025S1	\$0.00	\$0.00	2/13/2025	\$298.00

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.

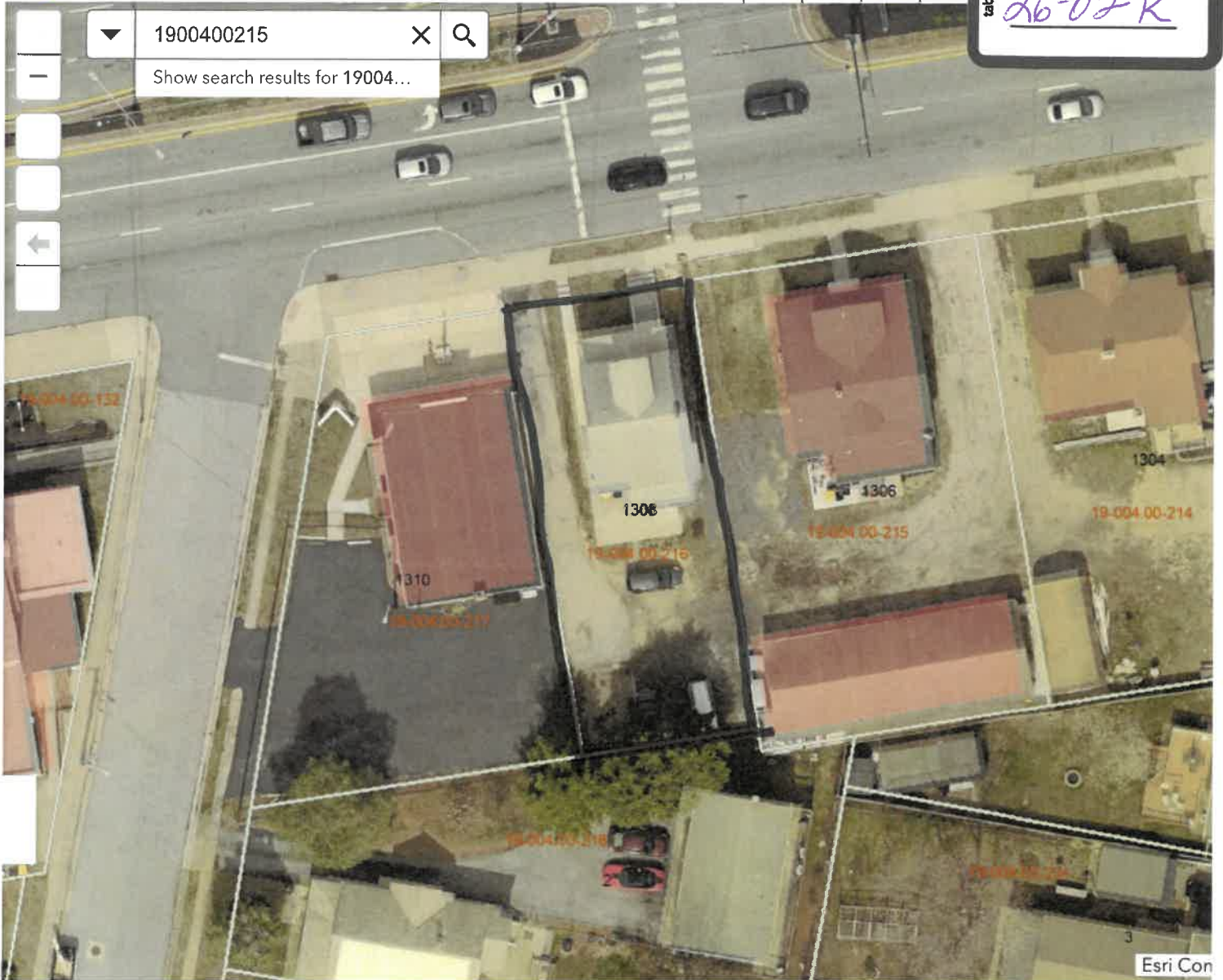


Explore New Castle County



EXHIBIT

26-02 K



40ft
75.602 39 739 Degrees