

Thomas P. Gordon
County Executive



Eileen P. Fogarty
General Manager

DEPARTMENT OF LAND USE

November 25, 2014

In reply, refer to:
2014-0743
315 Cherry Lane

Robert Touhey
Croda, Incorporated
315 Cherry Lane
New Castle, Delaware 19720

Dear Mr. Touhey:

The New Castle County Department of Land Use is in receipt of your request for a verification of zoning and use for tax parcel numbers 10-016.00-002 and 10-016.00-007, which are located at 315 and 321 Cherry Lane in New Castle, Delaware.

A review of the Official Zoning Map of New Castle County indicates the subject parcels are zoned **HI (Heavy Industrial) which permits heavy industrial uses such as chemical manufacturing**, pursuant to Table 40.03.110 and Section 40.33.270 C of the New Castle County Code. **These parcels are located in the Coastal Zone and are subject to State regulations and permitting relating to use.**

Tax Parcel 10-016.00-002: Two variances have been granted by the Board of Adjustment relating to the subject parcel: a Dimensional Variance #2000-1169-A filed December 6, 2000; and an Area Variance #2013-0361-A filed July 29, 2013. A Record Resubdivision Plan for Croda – Access Road (microfilm number 20131112-0071395) was recorded on November 12, 2013, in the Office of the Recorder of Deeds for New Castle County. The approval and recordation of this plan indicate compliance with the subdivision and zoning code in effect at the time. A copy of the plan is enclosed for your information. Any new construction or changes in use to that shown on the record plans will require compliance with current UDC regulations. There is an outstanding violation on the property (Case #2014-08358) relating to an expired permit.

Tax Parcel 10-016.00-007: A Record Minor Land Development Plan for ICI Americas Inc. and Specialty Projects International, Inc. (microfilm number 012729) was recorded on February 6, 1996, in the Office of the Recorder of Deeds for New Castle County. The approval and recordation of this plan indicate compliance with the subdivision and zoning code in effect at the time. A copy of the plan is enclosed for your information. No variance decisions or zoning or building violations were found for the subject property in a search of the tax parcel information system.

Please be advised that this letter only verifies whether the type of use that exists or is proposed on the site – to the extent you described it in your zoning verification application – is permitted, not permitted, or permitted under limited circumstances in the zoning district. This letter is not a permit and does not offer any guarantee that any other required plans, applications, certifications, or variances for your project will be approved.

If your project involves an expansion of the existing use, a change in use, alterations to the building or site, demolition, or new construction, one or more permits may be needed before you can initiate the use. The following is a summary of Department of Land Use permits, certificates, and plans that may be required for your project.

Any new use of change of use in an existing building may require:

1. **Limited Use Permit.** If the existing or proposed use is identified as a "limited use" on the first page of this letter you will need to apply for a Limited Use Permit. This application must be accompanied by a site plan, or other supporting documentation, demonstrating that the special standards for that use are met. Refer to Articles 3 and 31 of the Unified Development Code for additional information.
2. **Certificate of Use.** To either institute a new use, or expand an existing use, in an existing building you must obtain a Certificate of Use. The Department will determine whether the building meets the BOCA Code (building code) and parking requirements for such use. Refer to Chapter 6, Article 2 of the New Castle County Code (Building and Property Regulations) for additional information.

Any new construction, or altering or expansion of existing buildings and features on the site may require:

1. **Major or Minor Land Development Plan.** If your project will subdivide land or add more than 1,000 square feet of gross floor area, you must submit a major or minor land development plan. The plan will be reviewed for compliance with the land development criteria outlined in the Unified Development Code. During review of the plan, the Department may hold public hearings and may identify other applications, plans, studies, or permits that need to be submitted before development can commence. Refer to Article 31 of the Unified Development Code for general requirements.
2. **Parking Plan.** If your project requires installation, expansion or reconfiguration of a parking lot, you will need to submit a parking plan. Refer to Articles 3 and 31 of the Unified Development Code for general requirements.
3. **Building Permit / Demolition Permit / Sign Permit.** If your project will involve altering or enlarging a building (including mechanical systems), demolishing all or part of a building, or installing new signs, you must obtain permits for those activities. During the review of these applications, the Department may identify other applications, plans, studies, or permits that need to be submitted before development can commence. Before the new or improved building can be inhabited, a **Certificate of Occupancy** must be secured from the Department. Refer to Chapter 6, Article 2 of the New Castle County Code (Building and Property Regulations) for additional information.

This summary of Department of Land Use permit applications is intended only for general informational purposes and is not intended to be inclusive of the comprehensive requirements contained in the New Castle County Code. Please be advised that some of the review processes described above may also require recommendations or decisions from County boards (Planning Board, Historic Review Board, Board of Adjustment, and Resource Protection Area Technical Advisory Committee) or outside agencies. New Castle County must abide by regulations imposed on it by a variety of State and Federal agencies. Accordingly, any of the County permits described above may be subject to additional review processes that address environmental concerns; resource protection; public health, safety, and welfare; and a variety of other issues. In some cases, landowners may need to address the requirements of those agencies independently.

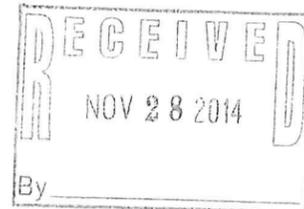
Landowners contemplating a change of use, future development, or alterations to buildings and land are encouraged to engage the services of an engineer, land surveyor, and/or attorney for advice on any physical constraints that may limit development of the property, and guidance on what permits may be needed to commence a new use or development.

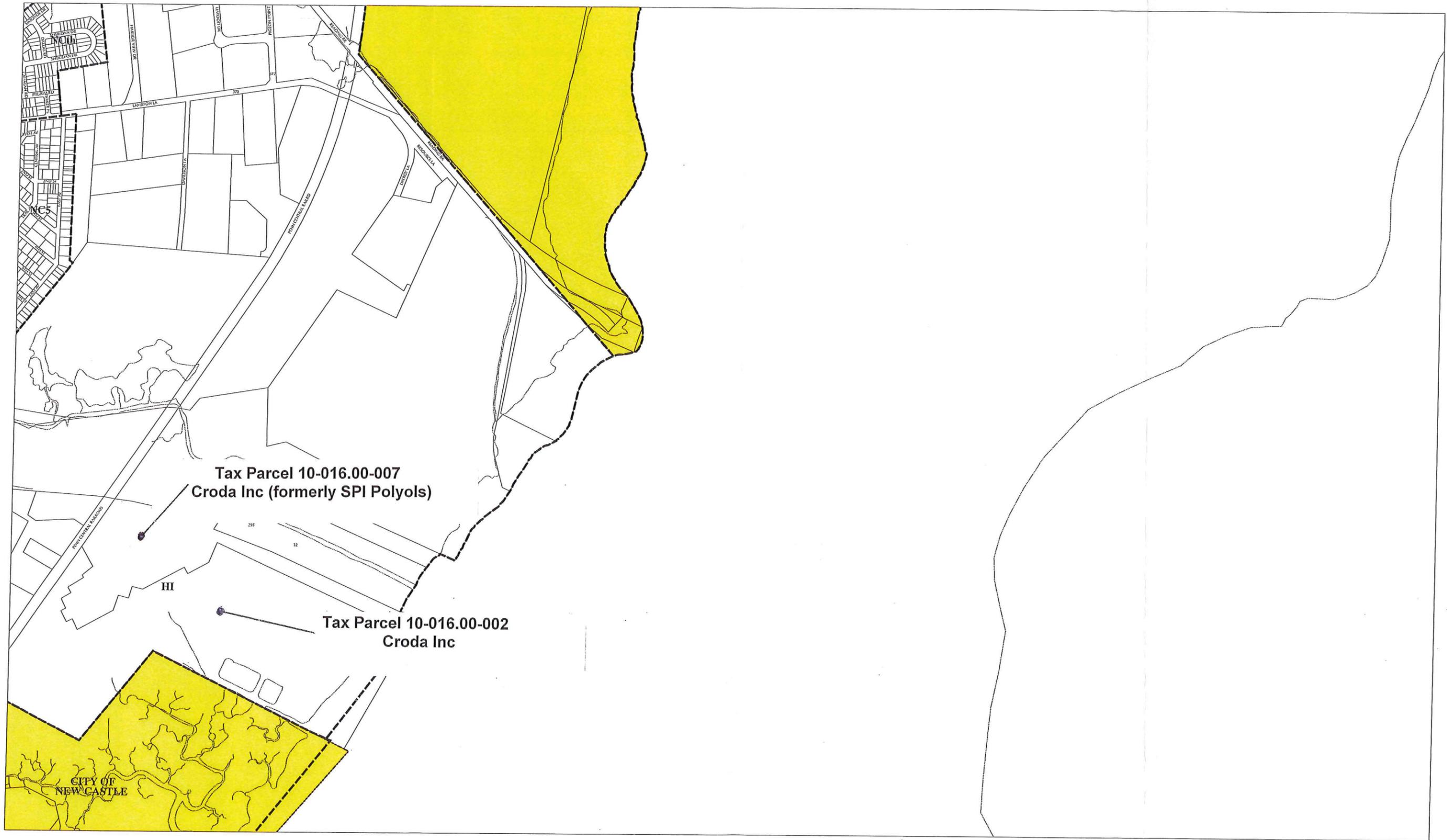
General questions regarding the plan review process; building, demolition, and sign permits; and Certificates of Use/Occupancy, can be answered by the Department at (302) 395-5400. Copies of documents such as certificates of occupancy or code violations may be obtained, where applicable and available, by submitting an Information Request Form (FOIA). The form is available on-line at <http://www.nccde.org/375/Freedom-of-Information-Act>. Thank you for your attention to this matter.

Sincerely,



Dorothy Guthrie Carter
Assistant Land Use Administrator





**Tax Parcel 10-016.00-007
Croda Inc (formerly SPI Polyols)**

**Tax Parcel 10-016.00-002
Croda Inc**

HI

CITY OF
NEWCASTLE

THIS MAP IN WHOLE OR IN PART MAY NOT
BE REPRODUCED IN ANY FORM OR BY
ANY MEANS WITHOUT WRITTEN
PERMISSION OF THE DEPARTMENT OF
LAND USE OF NEW CASTLE COUNTY.

MAP LOCATION	
37	38
43	44
49	50

LEGEND

	ZONING LINE
	ZONING EXHIBIT LINE
	CORPORATE LIMIT LINE
	HYDROLOGY LINE
	PARCEL LINE
	ZONING EXHIBIT
	ZONING CLASSIFICATION

NC2a	Single Fam. (2 ac.)
NC40	Single Fam. (40,000 sq ft)
NC21	Single Fam. (8.5 ac.)
NC15	Single Fam. (15,000 sq ft)
NC10	Single Fam. (10,000 sq ft)
NC6.5	Single Fam. (6,500 sq ft)
NC5	Single Fam. (5,000 sq ft)
NCid	Semi-Detached
NCih	Townhouses
NCga	Garden Apartments

ZONING CLASSIFICATIONS

NCap	Apartments
NCpud	Existing Planned Development
NCmm	Manufactured Mobile
ON	Neighborhood Office
OR	Regional Office
CN	Neighborhood Commercial
CR	Regional Commercial
BP	Business Park
I	Industrial
HI	Heavy Industrial

EX	Extraction
SR	Suburban Reserve
S	Suburban
ST	Suburban Transition
SE	Suburban Estate
TN	Traditional Neighborhood

OVERLAY DISTRICTS

H	Historic Preservation
AG	Agricultural Preservation
CL	Development Option

REVISIONS		
1	9	17
2	10	18
3	11	19
4	12	20
5	13	21
6	14	22
7	15	23
8	16	24



NEW CASTLE COUNTY, DE
OFFICIAL ZONING MAP

ADOPTED SEPTEMBER 22, 1998

GRID BASED ON THE DELAWARE
STATE PLANE COORDINATE SYSTEM

MAP NO.
44

0 FEET 200 400 600 800