

County unveils plan for accessory dwelling units

By Jesse Chadderdon
Staff Reporter

After almost a year of public scrutiny, New Castle County has drafted legislation to allow homeowners to add a second dwelling unit to their residences.

Accessory dwelling units, as they are called, are contained units within a single-family home. The county believes hundreds already exist throughout the county despite being prohibited by code.

The legislation aims not only to bring those units into compliance, but also to promote them as a legitimate housing option – especially for seniors and young adults.

By definition, the units feature separate access ways, as well as their own kitchen, bathroom and living quarters. Commonly called granny flats, the units have particular appeal to seniors who would prefer to move in with a relative or other caretaker rather than moving to an assisted living facility.

Councilman Robert Weiner (R-Chatham) said there are hundreds of homes in his Brandywine Hundred district that have built additions to accommodate aging parents or older children. The distinction between them and an accessory unit is the requirement for a separate entrance, he said.

Under the proposed law, the homeowner would have to live in either the main portion of the house or in the auxiliary unit. Proponents say that requirement should curb community fears that an increase of renters in the suburban communities could adversely affect their quality of life.

“If you’re living in the house you’re not going to rent to a slummer,” said Councilman Timothy Sheldon (D-Pike Creek) at a December 5 Land Use Committee Meeting.

“Think about it, if you

had to sub-lease part of your house, you’re not going to have the riff-raff move in.”

Sheldon said he planned to support the legislation despite objections from civic groups.

The Community News has reported on several civic association meetings at which the concept of auxiliary units has generally been opposed.

Councilman John Cartier (D-Penny Hill) said he believes civic groups don’t have a grasp of the real issue – rental properties that the landlord does not maintain.

“Accessory dwelling units are not the problem,” he said. “The problem is the absentee landlord house.”

For the vast majority of suburban communities, the legislation would require that the unit be contained within the structure of the larger house. Freestanding units are not permitted in those areas, something Land Use General Manager Charles Baker said was a major sticking point during public meetings.

Guesthouses would only be allowed on properties that are 2-acres or larger.

Furthermore, only one accessory unit will be permitted per lot and only one of the two units within the home may be rented. Also, off-street parking must be available to accommodate the resident. The size of the additions is limited by impervious cover requirements contained in the code and vary based on lot size.

The legislation, which needs to be reviewed by the New Castle County Planning Board and won’t be formally introduced until the Spring, also calls for an annual report to be compiled about where the units are being located.

Patrick Hare, a Connecticut-based planner who wrote “Accessory Apartments for Today’s Communities,” said such units have been a success nationally.

“California requires every community in the

state to permit accessory dwelling units,” he said. “Roughly 50 percent of the country allows them. If there were going to be negative impacts, they would have been realized by now.”

Hare said there is no evidence that introducing the auxiliary units to a community adversely affects property values, but said he believes they have the potential to increase them.

“They allow people to buy homes that they otherwise wouldn’t be able to afford because they have that rental income,” he said.

But Marion Stewart, of the Civic League for New Castle County, warned the county not to promote auxiliary units as an affordable housing option.

“It sounds like you’re conceding that this is not going to be your answer to affordable housing, which is one of the things that was promoted to the public,” she said.

According to Hare, community fears that auxiliary units will sprout up everywhere haven’t proven true in other communities. He said a study of 47 communities that allow the auxiliary units show that only one new unit is built per 1,000 homes each year. In New Castle County, that means 113 accessory units would be built by homeowners annually.

Charles Landry, president of the Council for Civic Organizations of Brandywine Hundred, asked whether the county was considering making accessory units compulsory for newly built communities. Councilman Penrose Hollins (D-Wilmington North), who is sponsoring the legislation, said that would not be the case.

Rev. Bob Hall, of the Delaware Ecumenical Council, which provides services to seniors, said he strongly supported the proposal.

“We need to have an infrastructure that supports our aging population,” he

“We’re looking at an opportunity to be inclusive by providing opportunities to those who wish to age in place.”

**- Marion Stewart
Civic League for New Castle County**

said. “We have a chance to improve quality of life and get control of this situation now.”

John Barnes, of the Delaware Chapter of AARP, (formerly the American Association for Retired Persons) agreed.

“We’re looking at an opportunity to be inclusive by providing opportunities to those who wish to age in place,” he said.

Council hears about yard waste ban

James Werner, Director of Air and Waste Management for the Department of Natural Resources and Environmental Control, briefed the council on the options county residents would have to dispose of yard waste once a ban is placed on including it in their trash.

That ban is scheduled to go into effect January 1, but may be overturned by the General Assembly once it reconvenes later that month. Several legislators have said they support repealing the ban because residents do not have enough disposal options available to them. The ban was established through a permit DNREC granted the Delaware Solid Waste Authority to expand the Cherry Island Landfill last year.

Werner, who believes the ban is necessary to pre-

serve space in the eastern Wilmington landfill, said such bans have been successful in dozens of other states where the private sector has stepped up to provide solutions.

“All it takes is someone with a pickup truck and an idea,” he told the council’s Special Services Committee. “There are sites out there for community composting, or people can do it themselves. I’ve been composting my yard waste for years and I’ve never paid anyone a nickel.”

Werner said that he believed that major trash haulers already had plans in place to provide separate pick-ups for yard waste, but said they hadn’t announced specifics of them yet.

Councilman George Smiley (D-New Castle) said he believes the large trash haulers don’t want to bear the expense of purchasing needed equipment

and advertising their yard waste service if the General Assembly was going to overturn the ban anyway.

“I lot of the companies are hesitant to commit until the General Assembly meets on January 15,” he said.

Council President Paul Clark said he supported the ban, but said that DNREC did a poor job of educating the public about it.

“I don’t think this could have been bungled any worse,” Clark said. “You should have just told the haulers they had to pick this stuff up separately.”

Clark also said he believed the ban should be extended statewide, not just for residents whose trash goes to Cherry Island.

Werner conceded that DNREC could have done better, but said he and his staff have been attending community meetings to discuss the ban “for the past six months.”



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Graffiti tip line established

By Jesse Chadderdon
Staff Reporter

New Castle County Police have established a graffiti tip line.

County residents can call (302) 571-7332 to report acts of graffiti or provide information about an incident to police. The police will then follow up on the complaints with an investigation.

Councilman Joseph Reda (D-Elsmere), who successfully sponsored anti-graffiti legislation in

May, pushed for the tip line.

“The tip line is a crime prevention tool,” Reda said. “Graffiti implementation sometimes attracts other serious criminal activity. This communication avenue can hopefully assist in deterring many facets of illegal activity in our community in addition to graffiti.”

Reda’s legislation restricts the access minors have to graffiti implements such as spray paint and markers.

Chief Rick Gregory said the county police

take graffiti seriously.

“Graffiti is a quality of life issue,” he said. “It creates ugliness and fear where we live, work and shop. It is plaguing our community and must be stopped. This tip line is just one more small advancement in making the citizens of New Castle County feel safer and secure in their community.”

In addition to the tip line, residents can also report graffiti on the Internet at www.nccpd.org by clicking the crime tips link.

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