CODE BOARD OF APPEALS

The Code Board of Appeals meeting was held on August 20, 2026, at 3:42 p.m., with Dr. Sudler presiding. The members present were Mr. Neil, Dr. Pillsbury, Ms. Main, and Mr. LeBoon. Staff members present were Mr. Kopp, Ms. Brown, Mr. Miller, and Ms. Wheeler.

ADOPTION OF AGENDA

Mr. Neil moved for approval of the agenda, seconded by Dr. Pillsbury, and unanimously carried.

Dover Code Ordinance Violation (2009 Property Maintenance Code Chapter 114 - Vegetation, Article I - In General, Section 114-2 - Arboriculture Specifications and Standards of Practice (h) Pruning and Removal) - Appeal of Citation and Related Fees - 39 Periwinkle Court

Mr. Eddie Kopp, Chief Code Enforcement Officer, reviewed the applicable ordinance, which requires established trees to be pruned to allow free passage beneath them at a height of eight feet above sidewalks and 14 feet above streets. He stated that the property had been brought into compliance before the hearing; however, the issue before the Board was whether the citation was properly issued and the ordinance correctly interpreted at the time of the violation.

Ms. Reames stated that she had recently purchased the property, traveled for work, and was unaware of the first notice mailed by the City. She stated that she learned of the violation after receiving notice associated with the certified mailing and corrected the condition immediately upon returning home. She also spoke with Mr. Miller on July 15, 2026, and arranged for a neighbor to maintain the lawn and property and notify her of future mail while she was away.

Responding to Dr. Sudler, Ms. Reames stated that she corrected the violation the same day she became aware of it. She explained that she purchased the home in July 2025, had previously lived in Bear, Delaware, and was unfamiliar with the City of Dover's property maintenance requirements. Mr. Kopp stated that Kent County property records reflected a sale date of July 28, 2025.

Responding to Mr. Leboon, Ms. Reames stated that her neighbor now maintains the property.

Responding to Ms. Main, Ms. Reames stated that Mr. Miller had advised her that the property was complying after the branches over the sidewalk were trimmed.

Ms. Sierra Brown, Code Enforcement Officer, presented photographs taken with Mr. Miller on August 19, 2026, at approximately 2:16 p.m. She stated that the clearance measured approximately seven and one-half feet. Although the ordinance required eight feet, staff allowed reasonable leeway and considered the property compliant.

Ms. Reames asked how property owners could locate City requirements. Staff advised that the City Code was available online and that additional information concerning common violations could be provided.

Mr. Kopp summarized the City's inspection and notice process. He stated that Mr. Miller followed the ordinance, that the initial notice was sent by first-class mail, and that a subsequent inspection found the violation had not been corrected. Because the citation was properly issued and the City incurred the cost of multiple visits, he recommended that the appeal be denied.

Ms. Brown and Mr. Miller clarified the chronology. The initial inspection occurred on June 3, 2026, at approximately 2:48 p.m., and a violation notice was mailed. A reinspection on July 7, 2026, at approximately 1:38 p.m., found the condition remained, and a second notice and citation were issued. Mr. Miller spoke with Ms. Reames on July 15, 2026, and reinspected the property on July 20, 2026. When the property was found to be compliant, the case was closed. The follow-up date of August 6, 2026, was no longer necessary.

The Board and staff also discussed a separate grass case from April 2026. Ms. Brown and Mr. Kopp explained that the 48-hour door hanger related only to that grass violation and was not required for the tree case. Notices in the present case were sent by mail in accordance with the applicable procedure.

Mr. Neil stated that repeated inspections created costs for the City and that a property owner who traveled should arrange for another person to monitor the property. Although he regretted Ms. Reames's circumstances, he stated that he favored denying the appeal.

Ms. Main agreed that the grass and tree matters were separate cases with different notice requirements.

Responding to Mr. LeBoon, Ms. Reames stated that she could provide transaction records.

Mr. Kopp stated that meaningful documentation would need to account for the full notice period rather than only a few days.

Dr. Sudler stated that the notices had been properly mailed and that the property owner had reasonable means to monitor mail and activity at the property.

Mr. LeBoon moved to deny the appeal. The motion was seconded by Mr. Neil and unanimously carried.

Mr. Kopp advised that the City Code was available through the City of Dover website.

Ms. Brown offered to email informational brochures concerning common code violations.

Staff also advised Ms. Reames to update her mailing address with the City of Dover Tax Office or Customer Service.

Dr. Pillsbury suggested using mail forwarding when traveling.

The meeting adjourned at approximately 4:25 p.m.

Dr. Roy Sudler, Jr.
Chairman

RS/rm