CITY OF DOVER BOARD OF ADJUSTMENT
AGENDA
Wednesday, March 21, 2018 at 9:00 AM

City Hall, Council Chambers
15 Loockerman Plaza, Dover, Delaware

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF MINUTES of January 17, 2018 Meeting

COMMUNICATIONS & REPORTS

1. Reminder: The next Board of Adjustment regular meeting is scheduled for April 18, 2018 at 9:00am in the City Council Chambers.

NEW BUSINESS

Applicant #V-18-01

35 and 39 North New Street. Larlham Construction, LLC has requested two variances from the requirements of the *Zoning Ordinance.* The first request pertains to Article 4 §4.4 regarding the minimum lot area requirement. Specifically, the applicant seeks to permit a total lot size for Lot #2 of 1,650 SF, instead of the required minimum lot size of 1,800 SF. The second waiver request also pertains to Article 4 §4.4 regarding the minimum lot depth. The applicant is proposing that all three lots have an average depth of 91.6 ft., instead of the required 100 ft. minimum lot depth. The site is located on the east side of North New Street, just south of Fulton Street. The site currently contains two parcels, with the parcel addressed as 35 North New Street being 0.14 acres +/- and the parcel addressed as 39 North New Street being 0.07 acres +/-. The two parcels combined are 0.21 acres +/- in size. Part of the proposal is to create three (3) new parcels on the site and reorient them to face north to Fulton Street. Subject property is zoned RG-3 (Group Housing Zone). Tax Parcel: ED-05-076.08-05-39.00-000 and ED-05-076.08-05-40.00-000. The owners of record are Larlham Construction, LLC.

ADJOURN

29 Del. C. § 10004(e)(2)
THE AGENDA ITEMS MAY NOT BE CONSIDERED IN SEQUENCE. THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS.

CITY OF DOVER
BOARD OF ADJUSTMENT MINUTES
January 17, 2018

A Regular Meeting of the City of Dover Board of Adjustment was held on Wednesday, January 17, 2018 at 9:07 A.M. with Vice Chairman Ericson presiding. Members present were Vice Chairman Ericson, Mr. Keller, Mr. Hufnal and Mr. Senato. Chairman K.C. Sheth was absent.

Staff members present were Mrs. Purnell, Mr. Diaz, Mr. Hugg and City Solicitor Mr. Rodriguez.

APPROVAL OF AGENDA

Mr. Senato moved to approve agenda as submitted. The motion was seconded by Mr. Hufnal and unanimously carried 4-0. Chairman Sheth was absent.

APPROVAL OF THE REGULAR BOARD OF ADJUSTMENT MEETING MINUTES OF NOVEMBER 15, 2017

Mr. Hufnal moved to approve the meeting minutes of November 15, 2017 with any necessary corrections. The motion was seconded by Mr. Senato and unanimously carried 4-0. Chairman Sheth was absent.

APPROVAL OF THE REGULAR BOARD OF ADJUSTMENT MEETING MINUTES OF DECEMBER 20, 2017

Mr. Keller moved to approve the meeting minutes of December 20, 2017 with any necessary corrections. The motion was seconded by Mr. Hufnal and unanimously carried 4-0. Chairman Sheth was absent.

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATION

Mr. Dave Hugg, Planning Director of Planning and Inspections stated that the meeting today will be conducted in accordance with the motion of the Agenda. There is one (1) application on the agenda under Old Business. The Application file will be read, and the floor will be opened for questions of the applicant by the Board and for public testimony. If the Board needs to consult the City Solicitor, they will recess to discuss legal matters. If the applicant must leave, they can contact the Planning Office at 736-7196 to learn of the Board's decision. A formal notice of the decision will be mailed to the applicants. Approved variances expire after one year if the approved project has not commenced.

All public notice for the new applications on this agenda was completed in accordance with Code requirements. The meeting agenda was posted in accordance with Freedom of Information Act requirements.

OLD BUSINESS

Applicant #V-17-17.
299 College Road. Stephen E. Lumor has requested a variance from the requirements of the

Zoning Ordinance, Article 4 §4.8 pertaining to maximum lot coverage for multiplex dwellings in the RM-2 (Medium Density Residence) Zone. Specifically, the applicant seeks to increase the maximum lot coverage on the site from 35% to 40%. The site is located on the north side of College Road west of Mishoe Street, and adjacent to Conwell Street. It is 0.42 acres +/- in size and zoned RM-2 (Medium Density Residence Zone). Tax Parcel: ED-05-067.00-02-26.00-000. The owner of record is Stephen E. Lumor.

Exhibits for the Record: Staff Report, zoning exhibit, and statement and plans submitted by the applicant. Legal Notice was published in the Delaware State News on January 7, 2018. The public was notified in accordance with regulations.

Mr. Diaz gave a brief overview of the application.

Mr. Hufnal commented on the Memo of January 9, 2018 with the background information of the Variance Application and Code requirements for multiplexes. At the last meeting, there were a lot of comments regarding what "multiplexes" meant and what it covered. This memo was very helpful in clearing up the questions. Mr. Hufnal and Vice Chairman Ericson thanked Mr. Diaz for preparing the Memo which would add a lot to allow the Board to make the proper decision.

Vice Chairman Ericson questioned if there was any member present who had a conflict of interest and there was none.

Representative: Mr. Mark Strickland PE, Century Engineering

Mr. Strickland was sworn in by Mr. Rodriguez.

Mr. Strickland testified that Mr. Diaz gave a very thorough explanation of the research and findings. They did look into the parcel history and found that was originally described as two (2) lots in the 1899 College Settlement subdivision that was never developed. Looking at the historical area imagery, you can tell that between 1956 and 1961 there was a house constructed on the property that looks to be centered between what would have been Lots 145-146 indicating that at that time the lots were already consolidated. At this point in time the reference to the two (2) Lots on the deed is simply a reference to describe the boundaries of the property as it was originally delineated by the two (2) Lots in the subdivision. It is no longer two (2) Lots; again it is just using those two (2) Lots as reference to describe the boundaries of the property. The owner of the parcel is Steven Lumor and not Enyam LLC as it was originally stated in the plans. The plans have been amended to reflect the correction. All documentation going forward should reference Steven Lumor as the owner of the property. Upon research the only restriction on the property is the DelDOT right-of-way and permanent easement that is dedicated along College Road.

Mr. Hufnal questioned if the reason mainly for the variance was because of the restrictions that DelDOT put on the entrance to provide for the extra space, curbing and also the part required for the parking lot and that it had nothing to do with the housing itself. Mr. Strickland replied that is correct. They had the house designed to be slightly under 35% impervious originally and then during the planning process they had a recommendation from DelDOT to widen the entrance by

4- feet. From the Fire Marshal, they did not have to delineate a fire lane, but to expand the width of the area behind the parking spaces so that emergency vehicles could access the site. They made those two (2) improvements to expand the area of imperviousness to help DelDOT and the Fire Marshal access the site and that is what put them over the 35%.

Mr. Keller questioned the consolidation and the one lot that is in effect, and if there were any legal actions that changed the original subdivision plan (as there are still Lots 145 and 146). Mr. Strickland replied that they did not have any record plan of consolidation of the two (2) parcels other than them being described as one (1) parcel on the current deed. Describing the parcel using those two Lots is as a reference to the boundaries, not actually that it is two (2) Lots.

Mr. Keller commented that he agreed with the statement and in fact the deed of transfer from the City of Dover to Stephen E. Lumor cites the two (2) Lots (parcel of land, etc.).

Mr. Keller asked Mr. Diaz with the City's Recommendation for Approval of the application whether the City position was still in favor of specific language in any motion for approval that the Site shall hereby declared as a multiplex use only. Mr. Diaz replied that the City's Recommendation would be that the decision include the language stating that the variance would only be granted if a multiplex were constructed on the Lot. If it was a different kind of residential use, then the restrictions should remain as is in the *Zoning Ordinance*.

Mr. Keller asked in so doing, is he correct in thinking that thereby this multiplex is constructed and five (5) years from now burns to the ground, the land is sold to some other entity, any reconstruction would still have to comply with the multiplex increase in the density which we are talking about from 35 to 40 percent.

Mr. Diaz replied that if the new owner five years later wanted to build another multiplex then they could use the variance that is granted today (if granted). If they were to build something else they would not be able to. The reason for the recommendation is that there is a demonstrated need with this project for an increase in lot coverage, but the City does not believe that the increase would automatically be needed with a single family or townhouse use.

Vice Chairman Ericson opened the public hearing.

Vice Chairman Ericson closed the public hearing after seeing no one wishing to speak.

Vice Chairman Ericson questioned if there was any additional correspondence for the record. There was none.

Mr. Hufnal moved to approve variance application V-17-17 based on the new information received today, Staff comments, and Staff recommendations that the variance apply only to the use of the property as a multiplex. The motion was seconded by Mr. Senato. Motion carries 4-0. Chairman Sheth was absent.

Mr. Senato thanked Mr. Diaz for his diligence and expertise in bringing all the information that was needed to this meeting, and he commended him for the work that was well done. They all concurred.
Vice Chairman Ericson stated that the next meeting will be held on February 21, 2018. He asked if the members present would be able to attend the meeting as the Chairman will not be present.

Mr. Senato stated that he would be in Florida until March 11, 2018.

Vice Chairman Ericson stated that if anyone could not attend the meeting to please call the Planning Office so that the meeting can be canceled and rescheduled.

Mr. Keller stated that he has been summoned for Jury Duty, but he submitted a return to decline due to his age. He will contact Vice Chairman Ericson once he receives the decision.

Meeting adjourned at 9:39 A.M.

Sincerely,

Maretta Savage-Purnell
Secretary

City of Dover

Board of Adjustment

March 21, 2018

V-18-01

Location:	35 and 39 North New Street, Dover DE
Applicant:	Larlham Construction, LLC
Owner:	Larlham Construction, LLC
Tax Parcels:	ED-05-076.08-05-39.00-000 and ED-05-076.08-05-40.00-000
Application Date:	February 08, 2018
Present Zoning:	RG-3 (Group Housing Zone)
Present Use:	Vacant
Proposed Use:	Townhomes (3 residential units)
Reviewed By:	Julian Swierczek, Planner I
Variance Type:	Area Variance
Variances Requested:	To allow a decrease in the minimum allowable lot size for Lot #2 from 1,800 SF to 1,650 SF, and to allow a decrease in the minimum lot depth for all three (3) new lots from 100 feet to an average of 91.6 feet

Project Description

The applicant proposes creating three (3) new parcels of land out of the two (2) currently existing parcels, so as to build three (3) new townhouses. The new parcels would no longer face west to North New Street, but rather north to Fulton Street. The first requested variance is from the provisions of *Zoning Ordinance,* Article 4 §4.4, specifically the minimum required lot size for a group dwelling unit in the RG-3 (Group Housing Zone). In the RG-3 Zone, a townhouse (group dwelling) has a minimum lot size of 1,800 SF, but the applicant is requesting the minimum lot size for Lot #2 of the proposed development be reduced to 1,650 SF.

The applicant is further requesting a second variance, also from the *Zoning Ordinance,* Article 4 §4.4, specifically the minimum lot depth required for a group dwelling unit in the RG-3 (Group Housing Zone). In the RG-3 zone, a lot is required to have a minimum depth of 100 feet. The average lot depth of the three (3) proposed new lots would be 91.6 feet.

This project has not yet been reviewed by the Planning Commission; submission of a Minor Subdivision Plan application is required.

Adjacent Land Uses

The properties were subject to a rezoning application Z-15-03 that went before Planning Commission at its July 20, 2015 meeting and was subsequently recommended for approval by the Planning Commission to the City Council. As approved by City Council, Z-15-03 changed the zoning of the two properties from RG-1 (General Residence Zone) to RG-3 (Group Housing Zone). The application to rezone was made as the owners of the properties at the time stated they wanted to be able to build townhouses on the site. The Planning Staff had recommended approval of the rezoning from RG-1 to RG-3 as the housing styles permitted in the RG-3 zone were consistent with the Downtown Development District and Restoring Central Dover Plans.

The properties are now zoned RG-3 and are located on the east side of North New Street south of Fulton Street, and are immediately surrounded by properties zoned RG-1 to the west, south, and east. The property to the north across Fulton Street is zoned IO (Institutional and Office Zone) and is the tennis courts for Wesley College. The properties that are zoned RG-1 are mostly developed as residential properties. The subject parcels are within the Downtown Development District and "Restoring Central Dover" study area, where the City is working to promote homeownership and residential development.

A Zoning Map Exhibit (Exhibit A) showing adjacent zoning districts can be found in the attachments to this Report.

Code Citations

According to *Zoning Ordinance,* Article 3 §3.12, One-family group dwellings such as townhouses are a permitted use in the RG-3 Zone. Townhouses are given a definition in *Zoning Ordinance,* Article 12 to distinguish them from one-family detached dwellings, which are also permitted in the RG-3 Zone and have differing bulk standard requirements. The *Zoning Ordinance* further defines an attached dwelling as well as a multiple dwelling,

as both definitions also apply towards the understanding of a townhouse in the context of a group dwelling.

> *Zoning Ordinance* Article 12
> Townhouse: A one-family, attached dwelling unit, with one dwelling unit from [the] ground to the roof, having individual outside access.
>
> Dwelling, attached: A dwelling having one or more walls in common with another dwelling.
>
> Dwelling, multiple: A building, or portion thereof, containing more than two dwelling units.
>
> Dwelling, one-family: A permanent dwelling unit placed on a permanent foundation and designed and intended for use by only one family. One-family dwellings shall not include manufactured homes or mobile homes but shall include modular homes constructed to the standards of the Dover Code of Ordinances, Chapter 22—Buildings and Building Regulations

Zoning Ordinance, Article 4 §4.4 lists the bulk and area standards for different types of residential uses in the RG-3 zone. Townhouses are not listed specifically. However, the format of the townhouse fits the definition of a "group dwelling." Table 1 below summarizes the requirements applying to "group dwellings" and compares them to the applicant's proposed project. The standards requiring a variance is highlighted.

Table 1: Zoning Requirements and Requested Bulk Standards
V-18-01 Larlham Construction, LLC at 35 and 39 N New St

	RG-3 (Group Housing Zone)	**Applicant's Project**		
Residence Type:	***Group Dwellings***	***Townhomes (Group Dwellings)***		
Standard:	***Requirements***	***Proposed***		
Minimum requirements per dwelling unit:		Lot 1	Lot 2	Lot 3
Lot area (sq. ft.)	1,800	5,174 +/-	1,650 +/-	2,998 +/-
Lot width (ft.)	18	32.6 +/-	18	32.6 +/-
Lot depth (ft.)	100	91.6 +/-	91.6 +/-	91.6 +/-
Front yard (ft.)	15	16	16	16
Minimum side yard (ft.)	15	15	N/A	15.2 +/-
Off-street parking spaces	1/DU	3	0	0
Maximum permitted:				
Building Height (stories)	3	3	3	3
Building Height (ft.)	35	34.8 +/-	34.8 +/-	34.8 +/-
Building Coverage	45%	42.04%	34.18%	18.35%

Applicant's Proposed Project

The applicant proposes subdividing the two parcels into three and reorienting them to face north to the Fulton Street frontage instead of west to North New Street. The three new lots would each contain a new townhouse unit. The applicant has identified the new lots as Lots #1, #2, and #3.

Lot #1 is the lot furthest to the east and is also the largest with 5,174 SF. It is proposed to have one 3-story house, 34.8 ft. in height, and have a footprint of 550 SF. There is also a parking lot on the site which contains 3 parking spaces for the use of all three townhouse units. This parking lot is to be accessed via an unnamed alley that runs south from Fulton Street to Division Street and the parking lot area is approximately 1,625 SF.

Lot #2 is proposed to have a similar 3-story townhouse unit with a building height also of 34.8 ft and a building footprint of approximately 564 SF. Lot #2 is proposed to have an overall lot area of 1,650 SF. This is 150 SF short of the required minimum of 1,800 SF as stated in Article 4 §4.4 of the *Zoning Ordinance*.

Lot #3 is the westernmost lot of the proposed project and like the other two, is proposed to have a 3-story townhouse of approximately 34.8 ft. in height with a building foot print of 550 SF.

All three lots are proposed to have an average lot depth of approximately 91.6 ft. This is short of the required 100 ft. minimum lot depth as stated in Article 4 §4.4 of the *Zoning Ordinance*.

A site plan of the applicant's proposed project, received February 08, 2018, can be found in in Exhibit D.

Exceptional Practical Difficulties Tests

Zoning Ordinance, Article 9 §2 dictates the specific powers and duties of the Board of Adjustment with regard to granting variances. Specifically, the Board must determine:

2.1 Variance **–** The board shall have the authority to authorize variances from provisions of the Zoning Ordinance that are not contrary to public interest where the board determines that a literal interpretation of the Zoning Ordinance would result in undue hardship or exceptional practical difficulties to the applicant. In granting variances, the board shall determine that the spirit of the Zoning Ordinance is observed and substantial justice is done.

2.11 Area Variance. A variance shall be considered an area variance if it relates to bulk standards, signage regulations, and other provisions of the Zoning Ordinance that address lot layout, buffers, and dimensions. In considering a request for an area variance, the board shall evaluate the following criteria and document them in their findings of fact:

(a) the nature of the zone in which the property lies;
(b) the character of the immediate vicinity and the contained uses therein;
(c) whether, if the restriction upon the applicant**'**s property were removed, such removal would seriously affect neighboring properties and uses; and
(d) whether, if the restriction is not removed, the restriction would create unnecessary hardship or exceptional practical difficulty for the owner in his efforts to make normal improvements in the

character of that use of the property that is a permitted use under the provisions of the Zoning Ordinance.

Review of Application

The applicant has included an explanation as to the nature of the request as follows:

> "The current configuration of the parcels have both fronting on North New Street; therefore, having New Street addresses. The owner's intention when purchasing the parcels was to apply for a Minor Lot Line Adjustment to have both parcel front on Fulton Street to make them easier to find tenants once a townhome was constructed. After the purchase of the parcels and in subsequent research and conversation with the City of Dover Planning Office, it came to light that the parcels were zoned RG-3, not RG-1, and to make the investment worth the purchase, the owner pushed forward to pursue the townhome concept as allowed under RG-3 zoning. For this concept to become reality, there are (2) variances that are being requested:
>
> 1) As shown on our plan, the minimum lot area requirement is 1,800 sq. ft. Proposed Lot #2 would have a lot area of 1,650 sq. ft. 150 sq. ft. less than required.
> 2) As shown on our plan, the minimum lot depth requirement is 100'. All (3) lots proposed would have an average depth of 91.6', 8.4' less than required.
>
> After careful consideration of what the Board of Adjustment is responsible for considering and knowing that that proposing to add (1) lot in addition to the (2) existing AND proposing to rotate lot frontages to Fulton Street rather that North New Street may not look favorable on the surface, but the owner believes that the result will be a benefit to himself and the City of Dover. The look and finish of a townhome facing the tennis courts, with landscaping around the finished structure will be appealing, easier to find tenants willing to rent, and hopefully raise the value of the properties in the immediate area."

As a part of the application, the applicant was further asked to state how the requested variance relates to the above four criteria. The applicant's responses are provided below, along with a staff assessment of the application in accordance with the required criteria. These responses may also be found in Exhibit C together with additional background information provided by the applicant. The applicant responded to points 1 and 2 jointly, and points 3 and 4 jointly.

1. The nature of the zone in which the property lies.
2. The character of the immediate vicinity and the contained uses therein.

Applicant Response:

"The parcels are located at the intersection of North New Street and Fulton Street. Subject lots currently are currently vacant and 'front' North New Street (Parcel 39.00 fronts on both North New Street and Fulton Street) and are both zoned RG-3. With the exception of the Wesley College properties along Fulton Street which are zone

I/O, the majority of the surrounding parcels are zoned for residential use, more specifically RG-1."

Staff Response:

1. The RG-3 (Group Housing Zone) specifically allows for the construction of one family detached dwelling units and townhouse units. It should be noted that, were the parcels not to be further subdivided and reoriented to face north to Fulton Street, the bulk standards for one family detached dwellings in the RG-3 would provide approximately 38 ft. x 24 ft. of potential development area on the parcel currently addressed as 39 North New Street, and 69 ft. x 35 ft. of potential development area at 35 North New Street. However, neither of the lots today meet the required minimum lot size of 6,000 sq. ft. or minimum lot width of 50 ft. as required by today's code for a single-family detached dwelling in the RG-3 zone. The parcel addressed as 39 North New Street further doesn't meet today's code for minimum lot depth of 100 ft. This current arrangement would have the parcels maintain a North New Street address which the applicant attests is one of the main reasons to seek the subdivision and new addressing of the parcels to face Fulton Street.

   The 2015 application Z-15-03, rezoning the property to RG-3, was supported by Planning Staff and approved by the Planning Commission and City Council because it was thought this site's close proximity to Downtown Dover meant a higher density residential zone would be conducive with a more densely populated and active downtown Dover. While the RG-3 allows the use for townhouse units, variances appear necessary to meet the bulk standards. The submission does not look at creating three townhouse lots facing North New Street.

2. The character of the immediate vicinity is residential, with predominately single-family homes. The nearby lots are generally narrow, meaning the new addition of townhomes would generally fit in with the surroundings if the zoning classification allows for townhouses. The site is also in close proximity to Downtown Dover, where there are services available. As vacant lots, this is an opportunity for infill development of additional residential units in an existing residential area.

3. Whether, if the restriction upon the applicant's property were removed, such removal would seriously affect neighboring properties and uses
4. Whether, if the restriction is not removed, the restriction would create unnecessary hardship or exceptional practical difficulty for the owner in his efforts to make normal improvements in the character of that use of the property that is a permitted use under the provisions of the Zoning Ordinance.

Applicant Response:

"One of the reasons for the configuration proposed is to have the lots front on Fulton Street for Fulton Street addresses. Will that impact the neighboring properties

negatively, we do not believe so. The surrounding area has an abundance of single family homes, some in decent shape, most not. We feel that the addition of this townhome will have a visually better impact on said area and can only be favorable. Also, this configuration would have a more favorable impact for the city and the owner. The owner can market and entice tenants with a Fulton Street address with a view of the tennis courts and the city would benefit from taxes on the extra lot along with impact fees, permits, utilities, etc. The concept could also work by simply subdividing the lots as-is facing North New Street, but even then, variances would still be required, and those requests would have been much more difficult to grant as the depths would have been shorter and lots areas would have been a bit smaller. While the lots would be slightly wider, it would make meeting the City zoning requirements a little more difficult, specifically the depth and/or areas of the lots being proposed. They would also be more problematic to market with New Street addresses. The owner does have an option to build (2) separate single family homes, but if the zoning allows for a townhome and he can meet nearly all the requirements but the (2) which requires minimal variances, it makes more financial sense to try and maximize the return on his investment and we hope that the Board agrees."

Staff Response:

3. With a proposal of reconfiguration of the properties to create lots for townhouse units, the units can be placed to meet the setback requirements on both the North New Street and Fulton Street frontages. Building height and lot coverage are in compliance with Code requirements. The requested variances deal with the format of the proposed lots. The existing property (2 lots) are impacted by their corner location and their shape (saw-tooth property line). The Planning Staff does not believe that the removal of the restriction would have a detrimental effect on the surrounding neighborhood. The variances requested for lot depth and general lot size for Lot #2 are both features not generally visible to the neighboring community. The neighborhood consists of lots small in width and smaller in the minimum lot size required by today's code.

4. If the guidelines were not removed, it would make the owners intended development for townhouses facing Fulton Street impossible. The site currently consists of two parcels and therefore would not permit 3 townhouses without some reconfiguration to create 3 parcels. However, the existing parcels could be developed with a one family detached dwelling unit on each parcel, with the existing lot sizes being considered legal, non-conforming. The current orientation towards North New Street has been described by the applicant as being difficult because of the negative news coverage of crime on North New Street. The applicant believes the reorientation of the site to Fulton Street would help in finding residents.

Variance Recommendations

Staff recommends approval of the variance to decrease the minimum lot coverage for the proposed Lot 2 from 1,800 SF to 1,650 SF, as well as the variance to reduce the minimum lot depth on all three (3) proposed lots from 100 ft. to 91.6 ft. for reasons as follows:

- The proposed use for townhouse units is in keeping with the nature and allowable uses in the RG-3 Zone and the residential character of the surrounding area.
- The site is near to Downtown Dover and the services provided there, where Planning Staff and the Planning Commission have decided higher density residential units are desirable in increasing Downtown Dover's vibrancy.
- The surrounding neighborhood has many vacant or underutilized lots and the construction of three new townhomes would be welcomed improvement to the neighborhood's character.
- If the variances were not to be granted, the applicant would likely be made to develop the parcels as-is, facing North New Street which they believe will be more difficult in their efforts to find tenants.
- The lots as they are, are smaller than Code requires now for one-family detached dwellings, so any new single family detached dwelling construction would result in only 2, somewhat smaller houses with small yards.

Advisory Comments to the Applicant

- If granted, variances become null and void if work has not commenced within one (1) year of the date the variance was granted. At present there is no provision for extension.
- Improvements to the property are subject to Site Development Plan approval processes through the Planning Commission, and appropriate permits from the City of Dover Department of Planning & Inspections and other agencies.

GUIDE TO ATTACHMENTS

Exhibit	Description/Author	# Pages
A	Zoning Map Exhibit (Staff)	1
B	Board of Adjustment Application	1
C	Applicant Statement (Applicant)	2
D	Current Site Plan/ Minor Subdivision Plan, received 02/08/18 (Applicant)	1 (24”x36”)