CITY OF DOVER BOARD OF ADJUSTMENT
AGENDA
Wednesday, April 20, 2016 at 9:00 AM

City Hall Council Chambers
15 Loockerman Plaza, Dover, Delaware

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF MINUTES of February 17, 2016 Meeting

OLD BUSINESS

Applicant #V-16-01
420 W. Reed Street, 105 S. Kirkwood Street, 107 S. Kirkwood Street. The City Planner has requested modification of variances from the requirements of *Zoning Ordinance* Article 4 §4.2 previously approved by the Board of Adjustment at its meeting of February 17, 2016 pertaining to the minimum lot dimensions, minimum setbacks, and maximum lot coverage for duplex/one-family semi-detached dwellings in the RG-1 zone. In consultation with other city departments, modifications were made to the site design layout. The Tax Parcels are ED-05-076.12-02-65.00-000, ED-05-076.12-02-64.00-000, ED-05-076.12-02-63.00-000. The owner of record is MauTiste Investment Group.

NEW BUSINESS

~~**Applicant #V-16-03**~~
~~762 & 764 South State Street. KCRM LLC has requested a variance from the requirements of Zoning Ordinance Article 3 §1 pertaining to permitted dwelling unit types in the R-8 zone, and Zoning Ordinance Article 7 §1.13 related to nonconforming buildings and uses, in order to reestablish the use of the structure as an apartment building. Subject property is zoned R-8 (One-Family Residence Zone). The Tax Parcels is ED-05-077.13-02-32.00-000. The owner of record is KCRM 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
February 17, 2016

A Regular Meeting of the City of Dover Board of Adjustment was held on Wednesday, February 17, 2016 at 9:00 A.M. with Chairman Sheth presiding. Members present were Colonel Ericson, Mr. Keller, Chairman Sheth, and Mr. Hufnal. Mr. Senato was absent.

Staff members present were Mrs. Townshend, Mrs. Purnell, Mr. Cook, Mr. Diaz, and City Solicitor Nick Rodriguez.

APPROVAL OF AGENDA

Mr. Hufnal moved to approve the agenda as submitted, seconded by Colonel Ericson and unanimously carried 4-0.

APPROVAL OF THE REGULAR BOARD OF ADJUSTMENT MEETING MINUTES OF JANUARY 13, 2016

Mr. Keller moved to approve the meeting minutes of January 13, 2016 with the necessary corrections, seconded by Mr. Hufnal and unanimously carried 4-0.

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATION

Mrs. Townshend, Director of Planning and Community Development stated that the meeting would be conducted in accordance with the agenda. There is one item (new application) on the agenda under New 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 adjourn 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 application on the agenda today was completed in accordance with code requirements. The meeting agenda was posted in accordance with Freedom of Information Act requirements.

NEW BUSINESS

Applicant #V-16-01

420 W. Reed Street, 105 S. Kirkwood Street, 107 S. Kirkwood Street. MauTiste Investment Group c/o Michael Maupin has requested a variance from the requirements of *Zoning Ordinance* Article 4 §4.2 pertaining to the minimum lot dimensions, minimum setbacks, and maximum lot coverage for duplex/one-family semi-detached dwellings in the RG-1 zone. Subject property is zoned RG-1 (General Residence Zone). The Tax Parcels are ED-05-076.12-02-65.00-000, ED-05-076.12-02-64.00-000, ED-05-076.12-02-63.00-000. The owner of record is MauTiste Investment Group.

Mr. Cook Exhibits for the record: Staff Report and plans submitted by the applicant. The legal notice was published in the Delaware State News on February 7, 2016, and the public was notified in accordance with the regulations.

Mr. Bill Cook gave a brief overview of the application.

Responding to Colonel Ericson's question if for some reason the properties should be built and people are not willing to take the risk to purchase could the buildings be converted to apartments and what would be the process in RG-1. Mrs. Townshend stated that they would not be able to convert them to apartments in the RG-1 zone, but they could be duplex rentals.

Responding to Colonel Ericson's question whether the purpose was to have home ownership, Mrs. Townshend stated yes. The applicant is working with NCALL and other housing partners to link into those opportunities as people are looking to purchase homes. In reality there is no requirement or guarantee to be owner occupied, but as a developer and as a goal we want to provide quality housing which is lacking at the current time in that area.

Responding to Mr. Keller's question if the property was sold and became a rental house is there any restrictions that could be placed on rental occupancy (the number of people occupancy the dwelling), Mrs. Townshend stated that it would refer to the definition of family dwelling therefore each duplex unit would be considered one family dwelling. You would not be able to have a rooming house or rent rooms, but if you had a family of five that shared bedrooms it would be allowed. There are a lot of dynamics in the area and while home ownership is a significant priority so is improving the housing stock in general. Quality rental units are still preferable to dilapidated buildings and vacant properties.

Mr. Hufnal stated that fire codes also regulate rentals as having only two (2) persons per bedroom.

Mrs. Townshend stated that she would need to verify it with the Fire Marshal.

Representative: Mr. Michael Maupin, Owner & CEO of MauTiste Investment Group

Mr. Michael Maupin was sworn in by Mr. Rodriguez.

Mr. Maupin testified that the company has been in business for roughly eighteen (18) years developing in the inner city (typically in the blighted areas). As their business motto they look at the blighted areas to rehabilitate them through new construction. When they take the risk to develop in some of the areas they need a little help from the city and funding partners. They have done quite a few projects similar to this and everyone has been successful. He stated that he is a developer from Pennsylvania, but is now established in Milford and will be focusing on this area quite extensively. They came down for a homeownership opportunity with the goal to create the housing stock within the City of Dover for the home ownership. He understood the high truancy of the rent rate in the City of Dover and increasing the rent stock is not beneficial. In the beginning sometimes it is difficult to get people to take a leap of faith to buy in a depressed neighborhood. Over the years he has seen a transition of homeownership after the developer has improved rentals. This project is somewhat different because NCALL stipulates that the building will be particularly for homeownership and secondly they just received the Downtown Development District grant. He has worked in the past with Habitat for Humanity. Development density in an area helps improve the area more quickly when you are doing more units. He is

100% devoted to homeownership on this project, however; they cannot get stuck on it. For example, there could be a possibility that there is a complement total of six (6) units and only four (4) are sold as homeownership and two (2) are rented for a period of time, but the ultimate goal is homeownership. Overall, these units will blend in with the neighborhood very well.

Responding to Chairman Sheth's question regarding the price range of each duplex unit, Mr. Maupin stated $130,000-$135,000.

Responding to Chairman Sheth's question regarding the percentage of rentals and homeownerships in the past projects, Mr. Maupin stated that in different states when they first started all units were rentals and over the years they have become homeownership. He was not sure of the percentage at the current time.

Responding to Chairman Sheth's question what he was forecasting for the City of Dover project, Mr. Maupin stated that he was forecasting all of them to be homeownership. He plans to start construction late March or early April with the completion target date late summer. He thinks that within six (6) months afterwards they should have most of them sold. They will be held for a reasonable period of time to be sold.

Responding to Chairman Sheth's question whether he would have any partners such as Dover Housing Authority, Section 8, or Delaware State Housing Authority, Mr. Maupin stated that he did not have any partners or discussed anything pertaining to rental. The houses will be officially listed for sale. He has been working with a real estate agent since the beginning of the project. Part of the design used was taking into consideration what they thought would be the best design for sale.

Responding to Mr. Keller's question regarding the off street parking and if no more than one (1) car could park in the driveway at rear of the structure, Mr. Maupin stated that it was thought about if they did not do the deck they could extend the driveway. Aesthetically a deck off the rear of the house would be far more attractive and functional.

Responding to Mr. Keller's question whether the deck would be at grade, Mr. Maupin concurred with a kitchen access.

Mr. Maupin stated that they could accommodate very easily the code requirement for the parking. The city manager recommended us to look at the proposed driveway access to the rear being dedicated. This is something that the city is looking at as a whole in order to reduce the amount of congestion. Also, if it is dedicated they forgo the risk of people parking and blocking others.

Responding to Mr. Keller's question whether as a dedicated way would there be trash pickup, Mrs. Townshend stated that it would need to be evaluated by Public Works because of the width. Mrs. Townshend stated she would also need to work more with Code Enforcement because the Code requirement states that regardless of where your trash pickup is the trash container is not supposed to be stored in front of the house.

Responding to Mr. Keller's question regarding no on street parking restrictions, Mr. Cook stated that it was a question that was currently being look at. He was not sure of the current status at the time.

Responding to Mr. Keller's comment regarding the number of vehicles parked on the aerial photograph on Kirkwood Street if there was a posted time limit, Mrs. Townshend stated on street parking is definitely permitted on Kirkwood Street other than within sight distance of a corner or driveway. She believes that on street parking is permitted on Reed Street. The one way street going west is not restricted.

Responding to Mr. Keller's question regarding the Advisory Comments to the Applicant and if there was a definition of work that is considered commencement of the activity. Is it a physical construction Permit or does he have one (1) year within to obtain all of the Permits and undertake demolition and construction. City Solicitor Mr. Rodriguez and Mrs. Townshend stated that the one (1) year commencement is treated as construction. Mr. Maupin has already submitted his application for Planning Commission next month.

Mr. Maupin stated that he would have absolutely no problem starting as soon as possible.

Responding to Chairman Sheth's question that the project could be completed within 3-4 months, Mr. Maupin stated they could be finish within five (5) months maximum which would also include the demolition.

Mr. Maupin stated that a lot of times when you speak of hardship that financial hardship should not be considered, but in reality it is. There is a lot of cost associated with demolition of the old Square Club building. As a result of the cost has to be spread over some level of development density to make it feasible for him to do the project. A lot of painstaking design and thought goes into how they can do a project that works both aesthetically and conforms as much as possible to what the city requirements are and then also works economically.

Mr. Keller commented that the requested variances do not appear to be out of character for the zone or surrounding area. Anyone with any historical knowledge of Dover and the existing Square Club building, would know that demolition, and the initiation of this project would be a plus for the community in general and specifically for that area.

Mr. Hufnal commented that it was a very beneficial project for the City of Dover. It is within eye sight of the Duncan Center. It adds with the demolition of the building and the addition of the new homes which are very attractive according to the diagram. It also adds to the properties in the surrounding area. It certainly relates to the objectives of the City of Dover in improving the housing and homeownership. It looks like a worthwhile project.

Mr. Maupin stated that the DDD grant is a great way to stimulate development because some of the projects cannot happen without the grant.

Chairman Sheth questioned if there was any member present who had a conflict of interest and

there was none.

Chairman Sheth opened the public hearing.

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

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

Colonel Ericson moved to approve application V-16-01based upon the testimony given and the Staff Report, second by Mr. Hufnal and unanimously carried 4-0. Mr. Senato was absent.

Mr. Hufnal moved to adjourn the meeting, seconded by Colonel Ericson and unanimously carried4-0. Mr. Senato was absent.

Meeting adjourned at 9:42 A.M.

Sincerely,
Maretta Savage-Purnell
Secretary

City of Dover

Board of Adjustment

February 17, 2016

V-16-01

Location:	At and near the southeast corner of West Reed Street and South Kirkwood Street.
Applicant/Owner:	MauTiste Investment Group
Tax Parcels/ Addresses:	(Existing)
	420 W Reed St — ED-05-076.12-02-65.00-000
	105 S Kirkwood St — ED-05-076.12-02-64.00-000
	107 S Kirkwood St — ED-05-076.12-02-63.00-000
Application Date:	November 13, 2015
Present Zoning:	RG-1 (General Residence Zone)
Present Use:	Vacant structure (Reed), vacant lots (Kirkwood)
Proposed Use:	6 dwelling units in 3 duplex/one-family semi-detached structures on 6 proposed subdivided lots
Reviewed By:	Bill Cook, Planner I
Variance Type:	Area Variance
Variance Requested:	Variance from the requirements of Zoning Ordinance Article 4 §4.2 pertaining to the minimum lot dimensions, minimum setbacks, and maximum lot coverage for duplex/one-family semi-detached dwellings in the RG-1 zone.

Project Description
The applicant is proposing construction of six (6) duplex homes structures on six (6) planned lots. The existing three (3) lots primarily front on South Kirkwood Street with a total area of approximately 11,325 SF (0.26 Ac.).

The existing properties are addressed as 420 West Reed Street, featuring a building formerly known as the Square Club, and 105 and 107 South Kirkwood Street, currently vacant lots.

A Minor Subdivision Plan, in conjunction with a Conditional Use Site Development Plan (C-16-03) has been filed to create six (6) planned lots with front yards and entrances on West Reed Street (Exhibit A).

The applicant is requesting an Area Variance from the requirements of *Zoning Ordinance* Article 4 §4.2 pertaining to the minimum lot dimensions, minimum setbacks, and maximum lot coverage for duplex/one-family semi-detached dwellings in RG-1.

Zoning and Adjacent Land Uses
A Zoning Map exhibit (Exhibit B) prepared by staff is attached to this report showing the zoning and parcel locations. An additional Aerial Exhibit Map (Exhibit C) showing the existing lots is provided for additional orientation. The subject properties are zoned RG-1 (General Residence Zone), and are located at and near the southeast corner of West Reed Street and South Kirkwood Street.

Immediately surrounding properties are zoned RG-1 and C-2A (Limited Central Commercial Zone). The properties north and south of the subject properties are zoned RG-1 and are existing residential structures. There are some vacant former residential lots located on the blocks north and south of Reed Street. Diagonally across the intersection to the northwest is a church. Several properties under common ownership are located west/southwest of South Kirkwood Street across from the subject properties.

While not shown on the exhibit maps, the subject properties are located within the boundaries of the city's Downtown Development District, making a variety of incentives available for construction projects that promote investment within the district. They are also within the *Restoring Central Dover* study area. Both *Restoring Central Dover* and the Downtown Development District designations place a priority on improving housing stock and increasing home ownership. This project has received a large-project grant reserve through the Downtown Development District program.

Code References
The proposed use as duplex/one-family semi-detached dwellings is permitted as a Conditional Use subject to Planning Commission approval in the RG-1 zone as outlined in *Zoning Ordinance* Article 3 §2.4.b. Note that recent *Zoning Ordinance* amendments (Ordinance #2015-13, adopted October 12, 2015) made townhouses and duplexes permitted dwelling types in the RG-1 and RG-2 zones, subject to Conditional Use approval and specific restrictions. Guidelines for infill development were also included in the amendments to direct the design of driveways and access, façade orientation, sidewalks and landscaping.

Zoning Ordinance Article 4 §4.2 lists the bulk and area standards for lots in RG-1 and duplex/one-family semi-detached dwellings.

Table 1 summarizes the requirements for such structures in RG-1. In the same table, the proposed lot dimensions and criteria are shown for each of the six (6) proposed lots. Refer also to the Subdivision and Site Plan provided by the applicant. (Exhibit A).

Table 1: Zoning Requirements and Requested Bulk Standards
Z-16-01 Lands of MauTiste Investment Group

For All Permitted Uses:	**RG-1 (General Residence Zone) Duplex/One-Family Semi-Detached Dwellings**						
Minimum Required:	**REQUIRED**	**REQUESTED [1]**					
		P6	**P5**	**P4**	**P3**	**P2**	**P1**
Lot area (sq. ft.)	5,000	*1,446*	*1,399*	*1,396*	*1,394*	*1,391*	*1,949*
Lot width (ft.) per dwelling unit (DU)	25	*23*	*23*	*23*	*23*	*23*	32
Lot depth (ft.)	100	*59*	*59*	*59*	*59*	*59*	*58*
Front yard (ft.)	15	*6*	*6*	*6*	*6*	*6*	*6, 11.5*
Side yard (ft.)	10	*3.17*	*2.5*	*2.5*	*2.5*	*2.5*	[2]
Rear yard (ft.)	30	*25*	*25*	*25*	*25*	*25*	*25*
Off-street parking spaces/DU	1	1	1	1	1	1	1
Maximum Permitted:							
Building height							
Stories	2½	2	2	2	2	2	2
Feet	35	--	--	--	--	--	--
Lot Coverage	50%	*64%*	*66%*	*67%*	*67%*	*67%*	*48%*

Notes:

[1] Criteria requiring variance are *in italics*.

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

As part of the application, the applicant was asked to summarize how the requested variance relates to the criteria. The applicant's response is provided below along with a staff assessment of the application in accordance with the required criteria.

1. The nature of the zone in which the property lies.

   Applicant Responses:
   "The zoning of the prosed project is RG-1 Residential. In general, there is a variation of older single-family homes, duplex units single story modular units and row homes."

   Staff Response:
   The RG-1 zoning district is found in older parts of central Dover and often encompasses properties that existed before zoning was enacted. Housing types found in RG-1 may include single-family detached dwellings, duplexes, and legal non-conforming apartment conversions of former one-family dwellings and other apartment buildings. It is common within RG-1 for a variety of legal non-conforming conditions to be present related to lot area, setbacks, lot coverage, and other issues.

2. The character of the immediate vicinity and the contained uses therein.

   Applicant Responses:
   "There are several abandoned buildings in the area. Across the street and directly behind the proposed site are two such buildings. These abandoned buildings are attracting a fair amount of loitering. The most glaring variation in building structure is the dilapidated abandoned building; formally know as the Square Club, on the proposed site. This building has been vacant for several months and has been repeatedly vandalized. It continues to be a safety hazard to the surrounding neighbors. There is also some light commercial zoning near the proposed site. Many of the homes in the area are abandoned and boarded up or in need of repair."

   Staff Response:
   Staff concurs with the applicant's description, further noting that vacant lots are scattered throughout the surrounding blocks. On the west side of the next block north on Kirkwood

Street, three (3) new detached homes have been built by Central Delaware Habitat for Humanity, with two (2) additional homes planned.

Photographs provided by the applicant of the immediate surroundings are provided in Exhibit D.

3. Whether, if the restriction upon the applicant's property were removed, such removal would seriously affect neighboring properties and uses.

Applicant Responses:
"If the restrictions are removed from the proposed site, we plan to immediately demolish the Square Club. This alone will improve the appearance and security of the area. Next, we plan to build three duplexed houses- 6 homes for sale. (See enclosed sketch plan and proposed front elevation picture.) These homes will significantly improve the general appearance of Reed and Kirkwood Streets and continue the improvements Habitat For Humanity has started one block away. Through home ownership, this project will attract tax paying citizens who are motivated to maintain their homes and keep the area safe and clean."

Staff Response:
420 W. Reed Street (former Square Club) is among properties listed on the city's Dangerous Buildings List.

Staff notes for information the five (5) lots (20,28,30,32 and 40 S. Kirkwood St.) referenced to Central Delaware Habitat for Humanity. Of these, numbers 28 and 32 were constructed and sold to homeowners. 40 S. Kirkwood has been constructed and issued a Certificate of Occupancy according to Building Permit records, and 30 S. Kirkwood has been issued a Building Permit for construction.

Staff concurs that new construction would improve the appearance of the area and expand opportunities for home ownership and improved housing conditions near the downtown area. A architectural rendering of the proposed duplex house plan is found in Exhibit D: Page 4.

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 Responses:
"If the restrictions are not removed, the RG-1 code does not permit MauTiste a reasonable development option. The option below is less conforming and would require more significant code restrictions to be removed. In addition, this option would not enhance the landscape of the neighborhood.

1) Renovate the Square Club into four rental apartments. Reconfiguring the repurposing the building would be the most feasible alternative. The existing structure is sound and large enough to accommodate four (4) 1-bedroom apartments."

Staff Response:
Zoning Ordinance Article 3 §2 lists permitted uses in the RG-1 and RG-2 zones. Multiple dwellings (i.e. apartment buildings) are not a permitted use in RG-1. Conversion of the existing structure to an apartment building would require a Use Variance which has a high criteria upon which it is judged compared to an Area Variance.

Staff additionally notes there are other permitted uses the existing structure could be used for which would be Conditional Uses requiring Planning Commission approval, but Staff cannot comment regarding the feasibility of such uses economically, or in terms of the physical improvements that would be required to the structure to carry out such uses.

Staff concurs that new housing would be an enhancement to the surrounding neighborhood and represents a development option that is likely more compatible than improving the existing structure.

Staff notes that while the proposed setbacks and other lot criteria are significantly reduced when compared to existing code, the result of the planned construction would be similar to historic building patterns when dwellings were commonly built close together and close to the street.

Variance Recommendations:
Staff recommends approval of the variances:

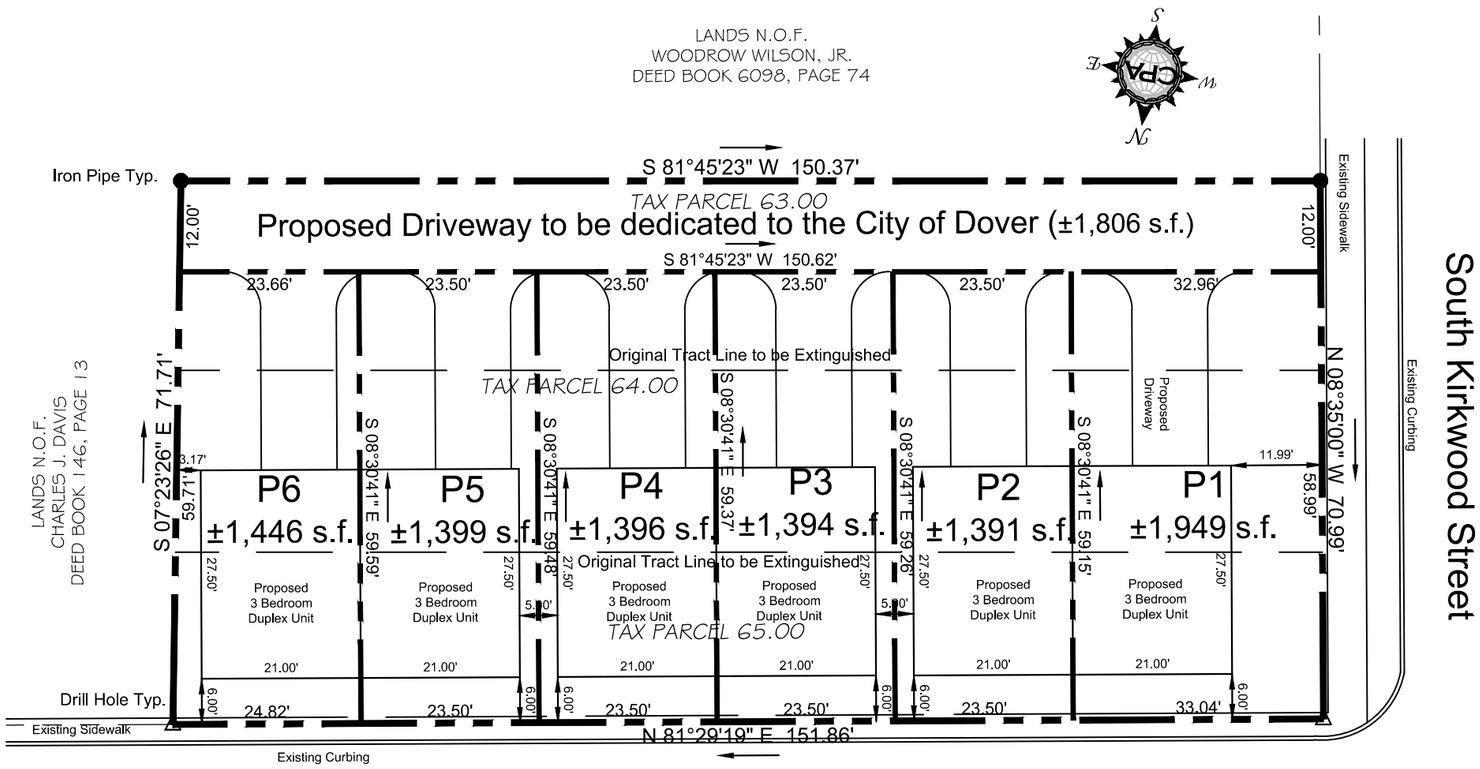
- The proposed variances would not be out of character for the zone and the surrounding uses.
- The removal of the existing blighted building is in the best interest of the surrounding area.
- The proposed construction would bring the properties into closer conformity with the zone and the uses in the surrounding area and would be compatible with City objectives related to redevelopment, home ownership, and improved housing conditions.

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 properties are subject to Site Development Plan, Conditional Use, and Minor Subdivision approval processes and appropriate permits from the City of Dover Department of Planning & Inspections and other agencies.

GUIDE TO ATTACHMENTS

Exhibit	Description/Author	# Pages
A	Subdivision and Site Plan, 11” x 17” (Applicant)	1
B	Zoning Map Exhibit (Staff)	1
C	Aerial Exhibit Map (Staff)	1
D	Applicant Criteria Responses, Photographs (Applicant)	8

EXHIBIT A



NOTES

1. **Tax Map Number: ED-05-076.12-64.00-000**
   ED -05-076.12-02-63.00-000
   ED-05076.12-02-65.00-000

2. Current Zoning: RG-1

3. Deed Reference: Book 7841 Page 132

4. Total Area of combined parcels: ±10,781 s.f.
   Area of Lot P1: ±1,949 s.f.
   Area of Lot P2: ±1,391 s.f.
   Area of Lot P3: ±1,394 s.f.
   Area of Lot P4: ±1,396 s.f.
   Area of Lot P5: ±1,399 s.f.
   Area of Lot P6: ±1,446 s.f.
   Area of Driveway Dedication: ±1,806 s.f.

5. Utility easements and locations are not shown. (Not Provided)

6. This plan does not verify the existence of rights of way and/or easements crossing subject property. (Not Provided)

7. Survey information shown was taken from a class "B"survey prepared by Douglas J. Annand dated 2/15/2015 and revised 3/18/2015, and to be field verified, by Compass Point Associates LLC.

OWNERS CERTIFICATE

I Michael Maulpin hereby certify that I am the owner of the property described and shown on this plan, that the plan was made at my direction, that I acknowledge the same to be my act and desire the plan to be developed as shown in accordance with all applicable laws and regulations.
Mautiste Investment Group
644 Merchant Street
Coatesville, PA 19320

*By:*_____*(Seal)*
Michael Maulpin

SURVEYOR'S CERTIFICATION

I Peter E. Loewenstein hereby certify that I am a registered Surveyor in the State of Delaware, that the information shown hereon has been prepared under my supervision and to the best of my knowledge and represnts good surveying practices as required by the appliciable laws of the State of Delaware.

_____
Peter E. Loewenstein, Delaware PLS 389
Compass Point Associates, LLC
P.O. Box 246
Harbeson, DE 19951

COMPASS POINT ASSOCIATES
SURVEYING
LAND PLANNING
P.O. Box 246
Harbeson, DE 19951
(302) 684-2980
fax (302) 684-2983
cpallc@comcast.net

Project: Subdivision and Site Plan
420 Reed Street
City of Dover, Kent County
Delaware

Date: 2/01/2016

Project #: 151209

Scale: as noted

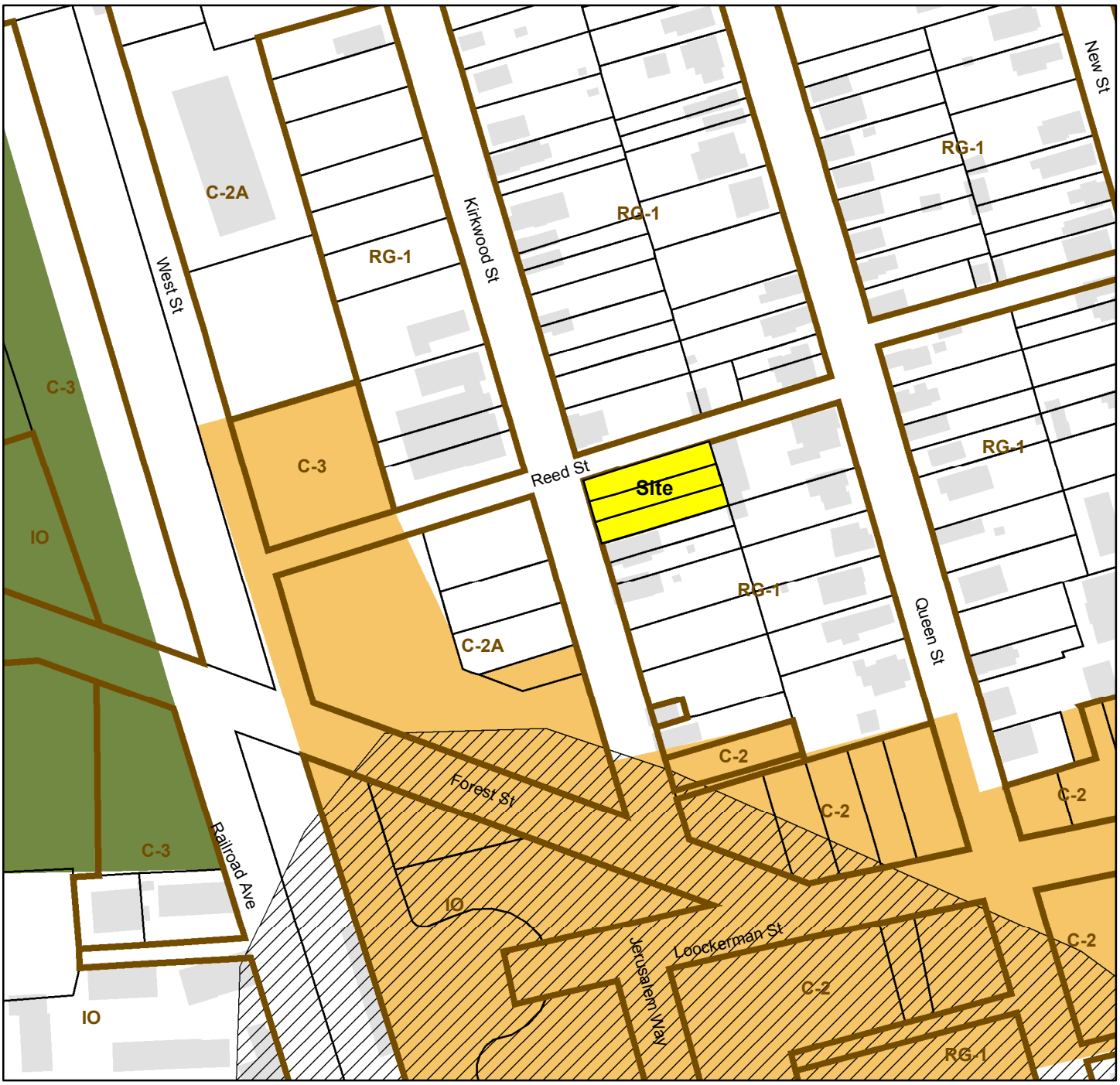
Sheet 1 *of* 1

City of Dover

Department of Planning & Inspections

EXHIBIT B

Application No.: V-16-01



Title: Lands of MauTiste Investment Group
Address: 420 W Reed St, 105 & 107 S Kirkwood St
Parcel ID: ED-05-076.12-02-65.00-000
ED-05-076.12-02-64.00-000, ED-05-076.12-02-63.00-000
Zoning: RG-1
Owner: MauTiste Investment Group
Date: 12/29/2015

Legend

- Dover Parcels
- Zoning
- Historic District
- SWPOZ Tier 3
- 2012 Buildings

N W E S

0 100 200 400 Feet

City of Dover

Department of Planning & Inspections

EXHIBIT C

Application No.: V-16-01



Title: Lands of MauTiste Investment Group
Address: 420 W Reed St, 105 & 107 S Kirkwood St
Parcel ID: ED-05-076.12-02-65.00-000
ED-05-076.12-02-64.00-000, ED-05-076.12-02-63.00-000
Zoning: RG-1
Owner: MauTiste Investment Group
Date: 1/6/2016

Legend

Dover Parcels

N
W E
S

0 75 150 300 Feet

420 Reed St. BOA Application

1. **The nature of the zone in which the property lies;**

   In the zoning of the prosed project is RG-1 Residential. In general, there is a variation of older single-family homes, duplex units single story modular units and row houses.

2. **The character of the immediate vicinity and the contained uses therein;**

   There are several abandoned buildings in the area. Across the street and directly behind the proposed site are two such buildings. These abandoned buildings are attracting a fair amount of loitering. The most glaring variation in building structure is the dilapidated abandoned building; formally know as the Square Club, on the proposed site. This building has been vacant for several months and has been repeatedly vandalized. It continues to be a safety hazard to the surrounding neighbors. There is some light commercial near tot the proposed site. Most of the homes in the area are abandoned and boarded up or in need of repair.

3. **Whether, if the restriction upon the applicant's property were removed, such removal would seriously affect neighboring properties and uses; and**

   If the restrictions are removed from the proposed site, we plan to immediately demolish the Square Club. This alone will improve the appearance and security of the area. Next we plan to build three duplexed houses- 6 homes for sale. (See enclosed sketch plan and proposed front elevation picture.) These homes will significantly improve general appearance of Reed and Kirkwood Streets and continue the improvements Habitat For Humanity has started one block away. Through home ownership, this project

will attract tax-paying citizens who are motivated to maintain their homes and keep the area safe and clean.

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 permitted uses under the provisions of the zoning ordinance.**

If the restrictions are not removed, the RG-1 code does not permit MauTiste a reasonable development option. The option below is less conforming and would require more significant code restrictions to be removed. In addition, this option would not enhance the landscape of the neighborhood.

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1) Renovate the Square Club into four rental apartments. Reconfiguring and repurposing the building would be the most feasible alternative. The existing structure is sound and large enough to accommodate 4- 1-bedroom apartments.

STAFF NOTE: Please disregard table and refer to Table 1 on Page 3 of the report.

Minimum Requirement	Duplex Semi-Detached	Variance Requested	Comments	
Lot Area sq. ft.	5000	1399-1949		
Lot Width	25 ft.	23		
Lot Depth	100	59		
Front Yard	15	6	Increase existing setback	
Side Yard	10	2.5	Keep Left side existing	
Rear Yard	30	25		
Off Street Parking	1	1	No variance required	
Maximum Permitted				
Building Height				
Stories	2.5	2	No variance required	
Feet	35		No variance required	
Lot Coverage	50%	68%		

STAFF NOTE: Please disregard table and refer to Table 1 on Page 3 of the report.

Proposed Duplex
Front Elevation

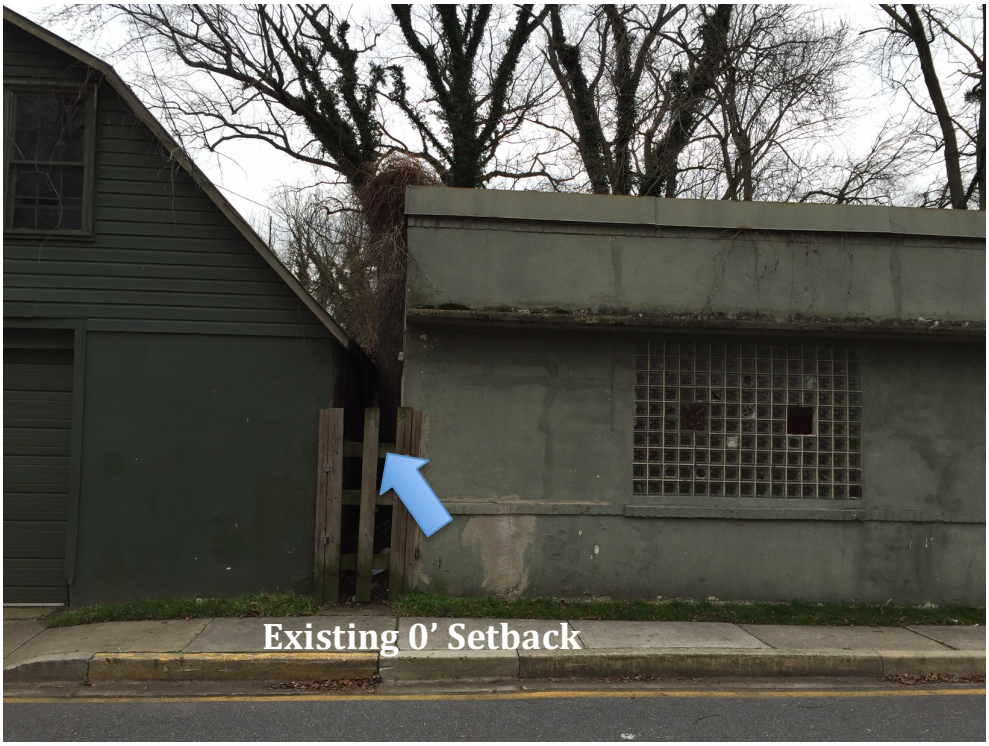


EXHIBIT D: Page 4/8

420 Reed Street

Front





Rear Setback



Reed St. Side yard



Across from 420 Reed Street



Existing Homes
Kirkwood

