SPECIAL COUNCIL MEETING
AGENDA

NOVEMBER 2, 2015 - 6:00 P.M.

CITY HALL COUNCIL CHAMBERS
15 LOOCKERMAN PLAZA
DOVER, DELAWARE

THIS MEETING HAS BEEN CANCELLED. A SPECIAL COUNCIL MEETING HAS BEEN SCHEDULED FOR WEDNESDAY, DECEMBER 9, 2015 AT 6:00 P.M. TO HOLD THE PUBLIC HEARINGS ON THE VIOLATIONS OF DANGEROUS BUILDINGS. ITEM #2, REVIEW OF CHAPTER 66 - MANUFACTURED HOMES AND TRAILERS AND R-8 (ONE-FAMILY RESIDENCE) ZONING, WILL BE CONSIDERED DURING THE REGULAR COUNCIL MEETING OF NOVEMBER 9, 2015.

INVOCATION

PLEDGE OF ALLEGIANCE

AGENDA ADDITIONS/DELETIONS

1. **PUBLIC HEARINGS - VIOLATIONS OF THE DANGEROUS BUILDING ORDINANCE**
   (STAFF RECOMMENDS: 1) DECLARING THESE BUILDINGS AND ALL ACCESSORY STRUCTURES ON THESE PROPERTIES DANGEROUS; 2) ORDERING THE PROPERTIES DEMOLISHED BY DECEMBER 2, 2015 BY THE OWNERS OR EQUITY OWNERS AT THEIR OWN RISK; 3) ORDERING THE BUILDING INSPECTOR TO CAUSE THE DEMOLITION OF THE STRUCTURES IF NOT COMPLETED BY THE OWNERS WITHIN 10 DAYS OF THE DATE ESTABLISHED BY CITY COUNCIL; 4) ORDERING THE CITY MANAGER, WITH THE ASSISTANCE OF THE CITY SOLICITOR, TO CAUSE THE COST OF DEMOLITION TO BE CHARGED AGAINST THE LANDS ON WHICH THE BUILDINGS EXIST AS MUNICIPAL LIENS OR CAUSE SUCH COSTS TO BE ADDED TO THE TAX DUPLICATE AS ASSESSMENTS, OR TO BE LEVIED AS A SPECIAL TAX, OR TO BE RECOVERED IN A SUIT AT LAW AGAINST THE OWNERS.)

   A. **PROPERTY LOCATED AT 45 SOUTH KIRKWOOD STREET, OWNED BY JOE W. BURDEN JR.**
   B. **PROPERTY LOCATED AT 139 MITSCHER ROAD, OWNED BY KATHY G. ANTONIOU**
   C. **PROPERTY LOCATED AT 325 NORTH NEW STREET, OWNED BY JOSEPH AND JAMES KOSTACK**
   D. **PROPERTY LOCATED AT 35 NORTH QUEEN STREET, OWNED BY LILLIAN P. JACKSON**
   E. **PROPERTY LOCATED AT 2 SOUTH QUEEN STREET, OWNED BY KZ FOREVER LLC**

2. **REVIEW OF CHAPTER 66 - MANUFACTURED HOMES AND TRAILERS AND R-8 (ONE-FAMILY RESIDENCE) ZONING**

3. **COUNCIL MEMBERS' ANNOUNCEMENTS**

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S:\AGENDAS-MINUTES-PACKETS-PRESENTATIONS-ATT&EXH\COUNCIL-AGENDAS\2015\11-02-2015 SPECIAL - VIOLATIONS OF THE DANGEROUS BUILDING ORDINANCE-REVISED 10-27-15-CANCELLED-10-28-15.WPD

THE AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS.

ACTION FORM

PROCEEDING: City Council
DEPARTMENT OF ORIGIN: Planning & Inspections **DATE SUBMITTED**: 10-21-2015
PREPARED BY: Ann Marie Townshend, AICP, Director of Planning and Community Development
SUBJECT: 45 S Kirkwood St, Dover, Delaware – Violation of Dangerous Building Ordinance
REFERENCE: Chapter 22, Article XI – Dangerous Buildings, Sec. 22-385 - Hearing before Council and Chapter 22, Article XI - Dangerous Buildings Case # 15-2671, 15-664 & 14-3359
RELATED PROJECT: N/A
APPROVALS: N/A
EXHIBITS: PowerPoint Presentation and File Photos to be presented at the Council meeting.
EXPENDITURE REQUIRED: Preliminary estimate is $15,000. **AMOUNT BUDGETED**: $150.000.00 Budgeted for all demolitions Citywide in the FY-2015 Budget; As of October 16, 2015, there is $84,481.89 remaining in the line item. **FUNDING SOURCE (Dept./Page in CIP & Budget)**: 110-1600-534-30-33.
TIMETABLE: As soon as possible.
RECOMMENDED ACTION: 1. Declare this building and all accessory structures on this property dangerous. 2. Order the property demolished by **December 2, 2015** by the owner or equity owner at their own risk. 3. Order the Building Inspector to cause the demolition of the structures if not completed by the owner **within 10 days of the date established by City Council**. 4. Order the City Manager with the assistance of the City Solicitor to cause the cost of demolition to be charged against the land on which the building exists as a municipal lien or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owner.

BACKGROUND AND ANALYSIS

The property is owned by Joe W. Burden Jr. The property is a two-story wood-framed single family home. The house has been vacant since September of 2014, and is registered with the City as a Vacant Building. On September 4, 2014, staff from the Planning and Inspections Department condemned the structure as unfit for human occupancy due to weak floors throughout the structure and on the front porch. Currently the home is still vacant, with no utilities, and numerous outstanding code violations.

ACTION FORM

PROCEEDING: City Council
DEPARTMENT OF ORIGIN: Planning & Inspections **DATE SUBMITTED**: 10-16-2015
PREPARED BY: Ann Marie Townshend, AICP, Director of Planning and Community Development
SUBJECT: 139 Mitscher Rd, Dover, Delaware – Violation of Dangerous Building Ordinance
REFERENCE: Chapter 22, Article XI – Dangerous Buildings, Sec. 22-385 - Hearing before Council and Chapter 22, Article XI - Dangerous Buildings Case # 15-1465 & 13-29
RELATED PROJECT: N/A
APPROVALS: N/A
EXHIBITS: PowerPoint Presentation and File Photos to be presented at the Council meeting.
EXPENDITURE REQUIRED: Preliminary estimate is $15,000. **AMOUNT BUDGETED**: $150.000.00 Budgeted for all demolitions Citywide in the FY-2015 Budget; As of October 16, 2015, there is $84,481.89 remaining in the line item. **FUNDING SOURCE (Dept./Page in CIP & Budget)**: 110-1600-534-30-33.
TIMETABLE: As soon as possible.
RECOMMENDED ACTION: 1. Declare this building and all accessory structures on this property dangerous. 2. Order the property demolished by **December 2, 2015** by the owner or equity owner at their own risk. 3. Order the Building Inspector to cause or demolition of the structures if not completed by the owner **within 10 days of the date established by City Council**. 4. Order the City Manager with the assistance of the City Solicitor to cause the cost of demolition to be charged against the land on which the building exists as a municipal lien or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owner.

BACKGROUND AND ANALYSIS

The property is owned by Kathy G. Antoniou. The property is a one-story block-framed single family home. The house has been vacant since January 4, 2013, and is registered with the City as a Vacant Building. On May 6, 2015, staff from the Planning and Inspections Department conducted an exterior inspection of the home and outbuilding and found that there was serious deterioration to the roof and foundation from water damage. The structures were condemned as unfit for human occupancy. Currently the home is still vacant, with no utilities and numerous outstanding code violations.

ACTION FORM

PROCEEDING: City Council
DEPARTMENT OF ORIGIN: Planning & Inspections **DATE SUBMITTED**: 10-16-2015
PREPARED BY: Ann Marie Townshend, AICP, Director of Planning and Community Development
SUBJECT: 325 N New St, Dover, Delaware – Violation of Dangerous Building Ordinance
REFERENCE: Chapter 22, Article XI – Dangerous Buildings, Sec. 22-385 - Hearing before Council and Chapter 22, Article XI - Dangerous Buildings Case # 15-2881 & 13-4357
RELATED PROJECT: N/A
APPROVALS: N/A
EXHIBITS: PowerPoint Presentation and File Photos to be presented at the Council meeting.
EXPENDITURE REQUIRED: Preliminary estimate is $15,000. **AMOUNT BUDGETED**: $150.000.00 Budgeted for all demolitions Citywide in the FY-2015 Budget; As of October 16, 2015, there is $84,481.89 remaining in the line item. **FUNDING SOURCE (Dept./Page in CIP & Budget)**: 110-1600-534-30-33.
TIMETABLE: As soon as possible.
RECOMMENDED ACTION: 1. Declare this building and all accessory structures on this property dangerous. 2. Order the property demolished by **December 2, 2015** by the owner or equity owner at their own risk. 3. Order the Building Inspector to cause the demolition of the structures if not completed by the owner **within 10 days of the date established by City Council**. 4. Order the City Manager with the assistance of the City Solicitor to cause the cost of demolition to be charged against the land on which the building exists as a municipal lien or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owner.

BACKGROUND AND ANALYSIS

The property is owned by Joseph & James Kostack . The property is a two-story wood-framed single family home. The house has been vacant since December of 2013, and is registered with the City as a Vacant Building. On August 27, 2015, staff from the Planning and Inspections Department found the structure unsecure. Upon entry with City Police, evidence was found that the home was being used for illegal drug and sexual activities. City Staff condemned the structure as unfit for human occupancy and had the building secured. Currently the home is still vacant with no utilities.

ACTION FORM

PROCEEDING: City Council
DEPARTMENT OF ORIGIN: Planning & Inspections **DATE SUBMITTED**: 10-16-2015
PREPARED BY: Ann Marie Townshend, AICP, Director of Planning and Community Development
SUBJECT: 35 N Queen St, Dover, Delaware – Violation of Dangerous Building Ordinance
REFERENCE: Chapter 22, Article XI – Dangerous Buildings, Sec. 22-385 - Hearing before Council and Chapter 22, Article XI - Dangerous Buildings Case # 15-1775 & 15-464
RELATED PROJECT: N/A
APPROVALS: N/A
EXHIBITS: PowerPoint Presentation and File Photos to be presented at the Council meeting.
EXPENDITURE REQUIRED: Preliminary estimate is $15,000. **AMOUNT BUDGETED**: $150.000.00 Budgeted for all demolitions Citywide in the FY-2015 Budget; As of October 16, 2015, there is $84,481.89 remaining in the line item. **FUNDING SOURCE (Dept./Page in CIP & Budget)**: 110-1600-534-30-33.
TIMETABLE: As soon as possible.
RECOMMENDED ACTION: 1. Declare this building and all accessory structures on this property dangerous. 2. Order the property demolished by **December 2, 2015** by the owner or equity owner at their own risk. 3. Order the Building Inspector to cause the demolition of the structures if not completed by the owner **within 10 days of the date established by City Council**. 4. Order the City Manager with the assistance of the City Solicitor to cause the cost of demolition to be charged against the land on which the building exists as a municipal lien or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owner.

BACKGROUND AND ANALYSIS

The property is owned by Lillian P. Jackson . The property is a two-story wood-framed single family home. The house has been vacant since April 27, 2015 and is registered with the City as a Vacant Building. On May 27, 2015, staff from the Planning and Inspections Department condemned the structure as unfit for human occupancy due to weak floors on the second floor and a buckled wall. Currently the home is still vacant with active utilities and outstanding code violations.

ACTION FORM

PROCEEDING: City Council
DEPARTMENT OF ORIGIN: Planning & Inspections **DATE SUBMITTED**: 10-16-2015
PREPARED BY: Ann Marie Townshend, AICP, Director of Planning and Community Development
SUBJECT: 2 S Queen St, Dover, Delaware – Violation of Dangerous Building Ordinance
REFERENCE: Chapter 22, Article XI – Dangerous Buildings, Sec. 22-385 - Hearing before Council and Chapter 22, Article XI - Dangerous Buildings Case # 15-1881 & 15-1771
RELATED PROJECT: N/A
APPROVALS: N/A
EXHIBITS: PowerPoint Presentation and File Photos to be presented at the Council meeting.
EXPENDITURE REQUIRED: Preliminary estimate is $15,000. **AMOUNT BUDGETED**: $150.000.00 Budgeted for all demolitions Citywide in the FY-2015 Budget; As of October 16, 2015, there is $84,481.89 remaining in the line item. **FUNDING SOURCE (Dept./Page in CIP & Budget)**: 110-1600-534-30-33.
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BACKGROUND AND ANALYSIS

The property is owned by KZ FOREVER LLC. The property is a two-story wood-framed single family home. The house has been vacant since February of 2015, and is registered with the City as a Vacant Building. On June 4, 2015, staff from the Planning and Inspections Department condemned thestructure as unfit for human occupancy due to no active utilities and outstanding code violations. Currently the home is still vacant, with utilities only in unit B, and numerous outstanding code violations.