AGENDA
CITY OF DOVER BOARD OF ADJUSTMENT
**WEDNESDAY – February 16, 2011 9:00 AM – CITY HALL**

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF MINUTES OF November 3, 2010 MEETING

**NEW BUSINESS**

**Applicant #V-11-01:**
104 Saulsbury Road, Dover ED, LLC has requested a variance from the requirements of Article 5 §4 of the *Zoning Ordinance* pertaining to the type and placement of monument signs.

Subject property is zoned IO (Institutional/Office Zone) and COZ-1 (Corridor Overlay Zone) the Tax Parcel ID # is ED05-076.07-01-27.00. The owner of record is Dover ED, 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**
**November 3, 2010**

A Regular Meeting of the City of Dover Board of Adjustment was held on Wednesday, November 3, 2010 at 9:00 AM with Chairman Sheth presiding. Members present were, Mr. Sheth, Mr. Keller, Colonel Ericson and Mr. Hufnal. Mr. Senato was absent.

Staff members present were Ms. Cornwell, Mrs. Townshend, Mr. Albert, Ms. Metsch and Mr. Rodriguez. Also present was Mr. John DeMarie, Mr. Philip Lundberg, Mr. John Martinez, Mr. Scott Thigpen, Mrs. Patty Pugh, Mr. Connie Malmberg, and Mr. Doug Liberman. Also present speaking from the public was Mrs. Mary Johnson, Mr. Bill Neaton, and Mr. Zachary Carter.

## APPROVAL OF AGENDA

*Mr. Hufnal moved to approve the agenda as submitted, seconded by Colonel Ericson and the motion was unanimously carried 4-0 with Mr. Senato absent.*

## APPROVAL OF THE REGULAR BOARD OF ADJUSTMENT MEETING MINUTES OF SEPTEMBER 15, 2010

Mr. Keller stated that he had three notations for changes to the minutes of September 15, 2010. The first word change would be on Page 7, 2nd paragraph where it states "will be able to gets this project", change the word "gets" to "get."

Mr. Keller further stated that the second word change is on Page 11 of the September 15, 2010 minutes, first Paragraph where it stated "Mrs. Townshend asked that each member state "there." Change the word "there" to "their."

Mr. Keller further stated that the third word change is on Page 13 of the September 15, 2010 minutes, next to the last line in the italicized paragraph at the top of the page next to last sentence "self-imposed hardships and some tied to absorbitant", change the word "absorbitant" to "exorbitant."

*Mr. Keller moved to approve the minutes as amended of September 15, 2010, seconded by Colonel Ericson and the motion was unanimously carried 4-0 with Mr. Senato absent.*

## OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

Mrs. Townshend presented to the audience the policies and procedures that would be followed during these hearings.

## Applicant #V-10-11:

520 Sunset Road, John & Deborah DeMarie have requested a variance from the requirements of Article 5 §1.1 and Article 5 §1.2 of the *Zoning Ordinance* pertaining to the placement of accessory structures.

Subject property is zoned R-7 (One Family Residence Zone) and the Tax Parcel ID # is ED05-068.13-01-05.00. The owner of record is John & Deborah DeMarie.

**Representatives:** Mr. John DeMarie, Property Owner.

Mr. Albert provided an overview of the application.

Mrs. Townshend stated that legal notice was published in the News Journal on October 24, 2010 and the public was notified in accordance with the requirements.

*Mr. Sheth questioned whether any of the board members had a conflict of interest and there was none.*

Mr. DeMarie stated that he is in complete agreement with the Staff's report. He is requesting a variance on this lot that is flag shaped and irregular. He is looking to place an accessory storage shed in the corner of the lot where there are existing sheds from other properties.

Mr. DeMarie further stated that the front of his house faces the back yard of his neighbors. Because of the location of the lot which is Silver Lake the zoning requirement does not allow them to place accessory structures within seventy-five (75) feet of Silver Lake. The location of where he is requesting the variance is the only location that he could place the shed. The other location would be the driveway which would prohibit the use of the driveway. The structure would not be viewed from the roadway because it would be obstructed from the backyard and the house that is sitting in the front of his house.

Mr. Hufnal stated that he knows that they are restricted because of Silver Lake and the seventy-five (75) foot setback and your house faces the back of another house on an adjacent lot. The shed is technically in a side yard rather than a front yard. Responding to Mr. Hufnal, Mr. DeMarie stated that this is correct. When you pull down our driveway, we have what you would call a dominant side of the house which is the side with the front door that goes around to what appears to be the side of the house.

Mr. Keller stated that the board members were provided with a copy of a survey by McClure Associates. On that survey there are two sheds that were drawn in on the south side of the two story framed house as shown. Are these existing sheds? Responding to Mr. Keller, Mr. DeMarie stated that these are existing sheds. He is requesting to place the new shed on that same side so that it will be in line with the others.

Mr. Keller questioned if Mr. DeMarie considered the orientation as this does not appear to be a problem with the lot as opposed to the orientation of the house on the lot. The front of the house is facing Sunset Road? Responding to Mr. Keller, Mr. DeMarie stated that this lot is odd shaped and is facing to the side. He designed the house specifically so that the back of the house would run parallel to the shoreline of the lake.

Mr. Keller further questioned on the survey where it notes a chimney, is this the side of the dwelling or is that the front of the dwelling? Responding to Mr. Keller, Mr. DeMarie stated that this would be the side of the house.

Mr. Keller further questioned if Mr. DeMarie was aware of any other lots that are serviced by what is often times referred to as "pipe stem development" where your driveway feeds into a

larger lot where the house is located in and of itself along Sunset Road somewhere? Responding to Mr. Keller, Mr. DeMarie stated that he is a unique lot in East Lake Gardens and does not know of any. This lot was vacant for many years he feels, because it was such an irregular shape.

*Mr. Sheth opened a public hearing and after seeing no one wishing to speak closed the public hearing.*

*Mr. Sheth questioned if there was any correspondence received for this application and there was none.*

*Colonel Ericson moved to approve Applicant #V-10-11 located at 520 Sunset Road, John & Deborah DeMarie based upon Staff recommendations, documents, and testimony provided, seconded by Mr. Hufnal and the motion was unanimously carried.*

**Applicant #V-10-12:**
50 Karen Place, Philip Lundberg has requested a variance from the requirements of Article 5 §1.1 and Article 5 §1.2 of the *Zoning Ordinance* pertaining to the placement of accessory structures.

Subject property is zoned MHP (Mobile Home Park Zone) and the Tax Parcel ID # is LC05-058.18-01-16.00. The owner of record is Philip Lundberg.

**Representative:** Mr. Philip Lundberg, Property Owner.

Mr. Albert provided an overview of the application.

Mrs. Townshend stated that legal notice was published in the News Journal on October 24, 2010 and the public was notified in accordance with the requirements.

*Mr. Sheth questioned whether any of the board members had a conflict of interest and there was none.*

Mr. Lundberg stated that he just purchased the home about three to four months ago and he is here to conform to the law as far as the placement of this shed. When he went to apply for the permit to place the shed, he found out that he has two front yards. The difficulty he is having is that this shed is the size that he needs; however, where the sheds are normally placed in this mobile home park and with his home being a Nanticoke home, (it is slightly larger than some of the other ones that are in there) and the lot is irregular. The lot is on the inside of an oblong circle at the end and there is no room to put the shed where everyone else normally puts theirs.

Colonel Ericson questioned that the photo submitted shows a dash line going out to the fire hydrant is that the area where the shed is going to be located? Responding to Colonel Ericson, Mr. Lundberg stated that no, this is the rear of the house and the property line.

Colonel Ericson further questioned if there are any other sheds that are behind the house in your area? Responding to Colonel Ericson, Mr. Lundberg stated that no, not where the four lots come

together as there is simply no room for anyone to have a shed.

Mr. Sheth questioned if the shed would be placed next to the building? Responding to Mr. Sheth, Mr. Lundberg stated that it would be placed next to the house and he is unsure what City law is regarding whether it has to be five (5) feet or ten (10) feet from the home.

Mrs. Townshend stated that code requires that it be placed five (5) feet from the property line. Code requirement would also be that the shed be ten (10) feet from the adjacent principal structure. It has been interpreted, over time, to mean on the adjacent lot. There really is not anywhere on this lot to place a shed where it would be five (5) feet from the property line and there are Building Code requirements in terms of separation of the shed from the principal structure.

Mr. Albert stated that typically what Staff deals with is that the shed would have to be three (3) feet away from the principal structure unless fire protected then it could be right up against it. The setback of the accessory structure from the house should be three (3) feet.

Mr. Keller questioned in the Mobile Home Park zone if the lot were vacant, he could appreciate two fronts. After the structure is placed on the lot and the front is determined by the virtue of the dwelling, does the code relate to this property as still having two front yards? Responding to Mr. Keller, Mr. Albert stated yes, that the Code is specific. Any side of a property that fronts on a City street counts as a front yard and the front yard setbacks apply to that side hence the difficulty with most corner lots.

*Mr. Sheth opened a public hearing and after seeing no one wishing to speak closed the public hearing.*

*Mr. Sheth questioned if there was any correspondence received for this application and there was none.*

*Mr. Keller moved to approve Applicant #V-10-12 located at 50 Karen Place, Philip Lundberg citing the statement and evidence presented by the owner as well as Staff recommendations citing the limiting factors as a practical matter with the zoning requirements that there is no evidence that the neighborhood character would be infringed upon. He believes that the spirit of the Zoning Ordinance as a practical matter would be observed, seconded by Mr. Hufnal and the motion was unanimously carried 4-0 with Mr. Senato absent.*

*Mrs. Townshend stated that the applicant for Application V-10-13 was not here yet. Staff has called them and they will be here shortly and recommended that they move onto Applicant V-10-14.*

**Applicant #V-10-14:**
1450 N DuPont Highway, Chick-fil-A Inc. has requested a variance from the requirements of Article 5 §4 of the *Zoning Ordinance* pertaining to the number of permitted wall signs.

Subject property is zoned C-4 (Highway Commercial Zone) and SWPOZ (Source Water Protection Overlay Zone) the Tax Parcel ID # is ED05-057.00-01-18.00. The owner of record is

Lowes Home Centers Inc.

**Representatives:** Mr. John Martinez, KZA Engineering; and Mr. Scott Thigpen, Chick-Fil-A, Incorporated.

Ms. Cornwell provided an overview of the application.

Mrs. Townshend stated that legal notice was published in the News Journal on October 24, 2010 and the public was notified in accordance with the requirements.

*Mr. Sheth questioned whether any of the board members had a conflict of interest and there was none.*

Mr. Martinez stated that this will be the second time that the Chick-Fil-A has appeared before the Board. We were previously granted relief for the overall Site Plan and are in the process of perfecting all of the approvals through other outside agencies.

Mr. Martinez further stated that they are here today to discuss signage. What they are requesting is one additional wall sign. Displayed were some exhibits for clarity. The first exhibit is an overall aerial showing the Lowes property and where the Chick-Fil-A will be located. The next exhibit is a Site Plan showing the building. What they propose are a total of four (4) wall signs. The signs proposed are one for the pick-up window that will face DuPont Highway, one over the main door facing Lowes, one is on the curved portion of the building and the last one is on the front north side of the building facing Rustic Lane. Based upon our discussions with Staff, three signs would be permitted. The signs that are permitted are the sign facing Lowe's as this is considered an interior sign. They are allowed one wall sign, which would be either the sign that faces DuPont Highway or the one that faces Rustic Lane, which is the sign that is located on the curved portion of the building. He has a rendering of what this would look like.

Mr. Martinez further stated that they consider the additional sign the one that is facing Route 13. What they have done on this side is proposed a smaller Chick-Fil-A sign that will only be thirty-nine (39) square feet based on your ordinance which is the smallest rectangular sign.

Mr. Hufnal stated that the curved sign is facing north towards Rustic Lane and then the sign on the end of the building is facing the Toyota dealership. He would question why you would need a sign on the back of the building facing Lowes? Responding to Mr. Hufnal, Mr. Martinez stated that this is a bonus sign and based on the *Ordinance*, if you have a sign that does not face any other residential street and faces interior to the lot, they are allowed this sign without any penalty. This sign is for identification for the main door to the building.

Mrs. Townshend stated that elimination of this sign would not permit the one that they are requesting.

Colonel Ericson questioned with regards to the other two signs, would elimination of either one allow them to place this sign? Responding to Colonel Ericson, Ms. Cornwell stated that it is an either/or. They can have that sign that they are asking for, they just lose the sign that is facing the Toyota dealership as they cannot have both per Code. They are asking for an additional sign

and it is up to them on where they want to place it.

Mr. Hufnal questioned if they would be eliminating their pylon sign? Responding to Mr. Hufnal, Mr. Martinez stated that they are maintaining the pylon sign; however, they are eliminating a second monument sign which is allowed by code. We would forego the monument sign to get a fourth building identification sign.

Colonel Ericson questioned what their plan was if this was disapproved, which signs would you keep? Responding to Colonel Ericson, Mr. Martinez stated that they have not decided on this and the reason why is quite simple, Rustic Lane is more of a dead-end street; however, there is an anticipation that this would become more of a through road. As part of our application, we had to reserve land on the Lowe's property for that roadway and would want to advertise towards that roadway. If he were pushed into a corner, he would probably say that they would keep the Route 13 sign and forego the sign towards the Toyota dealership. They would also agree to eliminate the sign facing Lowe's if we were permitted the three (3) wall signs. They would forego the monument sign as well.

Mr. Hufnal questioned if they are leasing the land from Lowe's or will they be purchasing it? Responding to Mr. Hufnal, Mr. Martinez stated that they are proposing to purchase the land.

Colonel Ericson questioned what their justification was for wanting this variance? If you lost it, what would you lose? Responding to Colonel Ericson, Mr. Martinez stated that their concern is that if they had to lose the sign facing Route 13 it is mainly for traffic traveling on Route 13 going in a northbound direction. As they look over and see this building, they will see no wall sign on the building until either getting even or going past the building. That traffic needs to be in the left hand lane making a left hand turn at Rustic Lane. There is no sign on the southern face which is the face they see most readily. They do have a pylon sign that is located towards the northern portion of the lot.

Colonel Ericson further stated that it would seem, by your earlier testimony, that if you had to lose one sign it would be the one towards the Toyota dealership as you already have another sign out front that faces the Toyota dealership. Responding to Colonel Ericson, Mr. Martinez stated that there concern with this is that it is not today's conditions. However, Rustic Lane is not a through road and there is no significant traffic on it today. If it ever does get constructed, their concern is that anyone coming up Rustic Lane is not going to see the pylon sign. They are going to see the landscaping in front of the Lowe's building and see the most northern part of their building. They would like to advertise that.

Mr. Thigpen stated that this is a brand new prototype for them as they have not built one of these stores in the northeast. The signage is basic with their line as it is an architectural element that they feel goes with the design of their building.

Mr. Sheth stated that this is more of a marketing point then a hardship case, am I right? Responding to Mr. Sheth, Mr. Thigpen stated that no one would think that Rustic Lane is heading in the direction of its capacity within the near future. If it were a marketing ploy, they would have gone ahead and asked for additional monuments and more signage. We feel that the sign on the Lowe's side of the building could be a larger sign if we wanted; however, that is not

the intent. Typically our signs are smaller in square footage than what would be allowed. Obviously signage is important.

Colonel Ericson stated that their justification talks about whether it would create a hardship or exceptional practical difficulties. You state that if you did not have the sign there it would not provide the potential customer enough time to safely maneuver into the site. That may be a little bit valid for the sign facing Route 13; however, the one facing the Toyota dealership is not a problem because it is slow moving traffic. Responding to Colonel Ericson, Mr. Martinez stated that this is correct. At that point, we are a fair distance from Rustic Lane and it would be more of an ability to see the building and identify what building it is.

Mr. Hufnal stated that without the sign he could see it being a problem of visibility for people coming south of identifying the building until you are past one of the turnoffs to come in there. You would have to go down and come in the southern street. You would not notice it without a sign until you are down in front of it and you have passed the red light. Responding to Mr. Hufnal, Mr. Thigpen stated that the southern entrance is a driveway for Lowe' and we would anticipate a fair amount of traffic coming in there. For people driving south he would not see this as a hardship. He personally does not see the need for a sign on the back of the building that faces Lowe's because there would be no traffic coming from that direction.

Colonel Ericson stated that he is having trouble seeing what the hardship is if you stick to the Code or the fact that it is exceptional practical difficulty. As we stated, if you keep the sign for Route 13, then you have eliminated your argument that is in fact a hardship unless you have some other rational. Responding to Colonel Ericson, Mr. Martinez stated again, if they were forced to choose, they feel that the safest thing to do would be to maintain the sign on Route 13. There concern is that if they are not allowed the Rustic Lane sign, the only visibility that our clients would see of the Chick-Fil-A as they would not see the pylon sign, is the Route 13 sign, or the curved original Chick-Fil-A sign. The only one they would see is the one that faces Lowe's and they will see that at an angle which is not necessarily the best visibility. We would put that sign on because it is a bonus and are permitted to do so. We would be willing to forego it to get the sign facing the Toyota dealership on Rustic Lane.

Mr. Hufnal stated that he sees the hardship because without the sign, the visibility is not there coming down Route 13 except the pylon sign.

Mr. Keller asked that they clarify the picture of the monument sign and describe what a monument sign is? Responding to Mr. Keller, Mr. Martinez stated that the only location for a monument sign that would be permitted is also located on Route 13. He does not see the benefit of having two signs along Route 13. They do not have any frontage on Rustic Lane so they could not place it there.

Ms. Cornwell stated that a monument sign is a low to the ground sign. You will see a lot of them in offices. It has a base to it that has a rectangular shape and in this instance it would have a maximum height of ten (10) feet and would have to be ten (10) feet from the right-of-way. The sign would be permitted to be sixty-three (63) square feet. Anywhere within that square footage it would have the Chick-Fil-A logo. A pylon sign is a taller, higher sign.

Mr. Keller questioned a statement that was made earlier that they are eligible for either an additional sign or a monument sign, that you would elect to forego it? Would not that monument sign, if otherwise permitted, on the southerly corner entrance provide you with visibility from both northbound and southbound traffic? Responding to Mr. Keller, Mr. Martinez stated that it would that is correct. It would be similar to the pylon sign that is already there as well. Since Route 13 is a divided highway, everyone would have to pass the site to come back. We thought that this would be an excessive sign and not what we are looking for.

Mr. Thigpen stated that their intent is not to throw signage up everywhere, he can assure you this. We are trying to be good stewards of our money knowing that a ten (10) foot high monument sign is a pretty good sized sign. Our intent was to get the wall sign facing Rustic Lane. We felt like this was more intentional than trying to force an additional monument sign on the site.

*Mr. Sheth opened a public hearing.*

**Mrs. Mary Johnson – 88 Wildswood Road, Dover** – Stated that she will be the owner of the Chick-Fil-A. She feels that the idea was for the sign on Route 13 to provide for the direction coming south to north. Because this is a divided highway, they will see the sign over the drive-thru and make the turn onto Rustic Lane. The sign facing the Toyota dealership north of the building is for traffic coming south. The idea is that they identify early enough so that there is not a safety hazard coming into the right. The larger monument sign, she feels, is a distraction to the community as she feels that we throw to many signs out on the road and it is distracting. She feels that a sign on the building is a much cleaner look as well as identifying your space without looking garish. It looks better for the City to have less of the monument and pylon signs and more signage on the building.

*Mr. Sheth questioned if there was any correspondence received for this application and there was none.*

*Mr. Sheth closed the public hearing after seeing no one else wishing to speak.*

Colonel Ericson stated that he felt the speaker pointed out an excellent point. The signs on the building are more attractive then pylon signage. The problem he has is that they want to follow the Code and only grant exceptions when there is a hardship involved. He does not see a hardship. Most of the people using this facility will know what the building will be as they will be local people. The worst thing that will happen is they drive down, see the sign to late, and have to turn around and come back. He feels that most people would recognize the building for what it is. In his mind they have not gotten over the legal concept to prove that is in fact a hardship.

Mr. Hufnal stated that he also agrees with the speaker in that aesthetically the sign on the building is much more pleasing than a monument sign. To eliminate another monument sign on Route 13 is more pleasing to the view. The hardship would be that you can see the sign on the building and all these signs along Route 13 are confusing. It would make the building more easily identifiable because if he was to drive by a place and realize that he had passed it, he probably would not turn around, he would keep going. It would be less of a hardship for the

company that invested the money into a building.

Colonel Ericson stated that the whole idea regarding the Code is to make it standard and all the other businesses on Route 13 are meeting that. He still does not understand how this could be exceptional practical difficulty or a hardship and that is what we should be looking at.
Mrs. Townshend stated that to clarify on the issue regarding Code, if the applicant did not put up a pylon they would be able to, by Code, have an additional wall sign. Her assumption would be that they want the pylon sign. This would be the only other option available to them.

Mrs. Johnson stated that it is not just local people because it is off the highway. She expects to have a lot of traffic coming south to the beach that will not be familiar with the area that will be coming through. Chick-Fil-A is a destination as people GPS and search it and come to even where she is in the mall when they are coming to the beach. She knows people will come that are not familiar with Dover and again is more of the reason that the sign to the north, she suspects, will be the majority of their traffic. The wall sign will be key to getting people in here safely without having them fly by then hitting their breaks to get next to them.

Colonel Ericson further questioned that with the options that they have for signage, why is that a hardship. You can remove signs in other areas. Responding to Colonel Ericson, Mrs. Johnson stated because there is nothing else facing north. They placed signs north and west over the drive-thru.

*Colonel Ericson moved to deny Applicant #V-10-14 located at 1450 N DuPont Highway, Chick-fil-A, Inc based upon Staff recommendations and the information given here today, seconded by Mr. Keller and the motion carried 3-1 with Mr. Hufnal in opposition and Mr. Senato absent.*

**Applicant #V-10-13:**
120 Beth Place, Mary Witte has requested a variance from the requirements of Article 5 §1.54 of the *Zoning Ordinance* pertaining to setbacks for deck structures.

Subject property is zoned MHP (Mobile Home Park Zone) and the Tax Parcel ID # is LC05-058.18-01-79.00. The owner of record is Mary Witte.

**Representative** – Mrs. Patty Pugh, Representing Applicant.

Ms. Cornwell presented an overview of the application.

Mrs. Townshend stated that legal notice was published in the News Journal on October 24, 2010 and the public was notified in accordance with the requirements.

*Mr. Sheth questioned whether any of the board members had a conflict of interest and there was none.*

Mrs. Pugh stated that there was a deck built on the back of this property that has a handicap access ramp that, at the furthest point, encroaches into the setback by eight (8) inches. There are a number of similar decks on other properties in this development. It would be a significant hardship on the owner to have to remove this ramp. We have had estimates from building

contractors. At the very furthest point, it only encroaches eight (8) inches into the setback. She did obtain the necessary building permits when the deck and ramp were added; it was inspected, and passed at that time.

Mr. Hufnal questioned when it became evident that it was in violation, was there a new owner? Responding to Mr. Hufnal, Mrs. Pugh stated yes there was a new owner. When the survey was prepared this is when it was discovered.

Mr. Hufnal further stated that the previous owner is the person who obtained the permit and put up the deck? Responding to Mr. Hufnal, Mrs. Pugh stated yes.

Mr. Keller questioned how long Ms. Witte has owned the property? Responding to Mr. Keller, Mrs. Pugh stated that at this time, she is no longer the owner. When they applied for this variance she was the owner as they were scheduled to go to settlement on the property and had subsequently gone to settlement at the end of September.

Mr. Keller questioned how this would affect the owner/applicant for the variance request?

Responding to Mr. Keller, Mr. Rodriguez questioned if she was representing the current owner or the person who sold the lot? Responding to Mr. Rodriguez, Mrs. Pugh stated she was representing both. The current owner asked for her to continue with the purchase as she wanted us to see this variance request through. She was not the actual realtor representing the buyer; however, today she is.

Mr. Sheth questioned Mr. Rodriguez if it was okay to go forward with the application? Responding to Mr. Sheth, Mr. Rodriquez stated yes, she represents the buyer and the seller therefore, representing both the current owner and the former owner.

Mr. Hufnal stated that since the variance runs with the property, if they ever go to sell it again, they are going to need to get the variance in order to get this approved. It is a technical point as to who owns it because in future sales, it has to be approved for transfer or should be. Responding to Mr. Hufnal, Mrs. Townshend stated that at time of application, the applicant was the owner.

Mr. Keller stated with regards to the handicap accessibility ramp, the pictures do not adequately depict where this ramp comes down. He sees approximately six (6) risers and he would not see that easing any handicap accessibility; however, on the survey it shows a concrete walk running around the house. He wonders where the ramp is provided for the wheel chair access? Responding to Mr. Keller, Mrs. Pugh stated that the ramp runs the length of the deck across the back of it, turns, and then comes back up.

Mr. Keller further questioned that they had obtained costs to renovate or cure the oversight mistake from the original construction? Responding to Mr. Keller, Mrs. Pugh stated that they do not have written estimates. We had a couple of contractors out just to look at it and give us some verbal estimates. They would essentially need to tear down a large portion of the deck and rebuild it with the way that the ramp is constructed running up the rear of the deck.

*Mr. Sheth opened a public hearing and after seeing no one wishing to speak closed the public hearing.*

*Mr. Sheth questioned if there was any correspondence received for this application and there was none.*

*Mr. Hufnal moved to approve Applicant #V-10-13 located at 120 Beth Place, Mary Witte based on Staff's recommendations, the survey, and documentation provided, seconded by Colonel Ericson and the motion was unanimously carried 4-0 with Mr. Senato absent.*

**Applicant #V-10-15:**
208 S Governors Avenue and 200-216 W Loockerman Street, Bay Developers has requested a variance from the requirements of Article 4 §4.14 of the *Zoning Ordinance* pertaining to side-yard setbacks and from the requirements of Article 6 §5.3 pertaining to setbacks for parking spaces and Article 5 §10 pertaining to the amount of required active open space.

Subject property is zoned C-2 (Central Commercial Zone) and H (Historic District); the Tax Parcel ID # is ED05-077.09-01-86.00. The owner of record is Capitol Plaza, LLC.

**Representatives:** Mr. Connie Malmberg, Attorney for the Applicant; and Mr. Doug Liberman, Larson Engineering.

Colonel Ericson stated that with regards to this issue he would like to get some legal advice regarding variance #2 that states that it is not required because the Historic District Commission voted on it. They are requesting three (3) variances; he would like to have it settled whether variance #2 is necessary or not so that he does not have to speak to this issue. Responding to Colonel Ericson, Mr. Rodriguez stated that this is an advisory opinion.

Also responding to Colonel Ericson, Mrs. Townshend stated that the Historic District Commission makes a recommendation to the Planning Commission on the Architectural Review Certificate; however, in the Historic District as a part of the Architectural Review Certificate, they can alter the bulk standards. They requested it as a variance; however, they can do what is proposed without the variance because it is within the jurisdiction of the Historic District Commission.

Colonel Ericson further stated that it also states that the same Commission has approved it; however, does not approve the variance? Responding to Colonel Ericson, Mrs. Townshend stated that it does not need a variance because there is already the ability to grant a waiver built into the *Zoning Ordinance.* There are other methods of relief they would pursue rather than a variance. You can acknowledge that a variance is not necessary.

Mr. Malmberg stated that it is his understanding that the variance is not required and so he was not going to address it. This was effectively done by waiver so we will withdraw the request. Mr. Cornwell provide and over of the application.

Mrs. Townshend stated that legal notice was published in the News Journal on October 24, 2010 and the public was notified in accordance with the requirements.

*Mr. Sheth questioned whether any of the board members had a conflict of interest and there was none.*

Mr. Malmberg stated that this site is the old Bayard Hotel site that has been a dilapidated structure for a long time with various small retail establishments; however, has never thrived over the years. The applicant had structural evaluations done on the property and it is basically not savable at this time because it has been deteriorating for so long. It has gained approval by the Historic District Commission to remove the structure and rebuild it. The lot upon which the structure sits is a strange one. It was laid out about 200 years ago when the City of Dover was laid out.

Mr. Malmberg further stated that the applicant is proposing to push dirt on this project by January. Architectural work has been completed and we are trying to get the project underway. He has been a resident of Dover most of his life and about every ten (10) years there is a study that is done on how to revitalize Downtown. Those studies come to the conclusion that we need more feet on the street Downtown and that means residences. This is primarily a residential structure that more or less follows the original design where you would have retail on the first floor and then residences above.

Mr. Malmberg further stated that the first variance that he will address is in order to achieve parking. There is parking underneath a portion of the structure and parking on the very narrow strip that goes back to North Street. The parking on that strip is achieved by parallel parking as well as vertical parking in order to get the parking within the waivable necessary parking for the structure. The variance request is that the parking be within three feet of a setback. Even with parallel parking down one side, the narrowness of this lot is not wide enough to permit the three (3) foot setback on each side and have a safe drive aisle. This is an existing condition downtown as noted by the Staff in the Staff report.

Colonel Ericson questioned that if this is disapproved there would not be sufficient parking for the structure they are going to build? Responding to Colonel Ericson, Mr. Malmberg stated that this would be correct creating a hardship.

Mr. Malmberg further stated that also noted in the Staff report is that parking in other locations Downtown do not have this three (3) foot setback as a general rule so the application is also consistent with the neighboring properties.

Mr. Malmberg further stated that the second variance is for the open space requirement. He feels that the opens space ordinance does not make sense for high rise structures. In his view, this Ordinance was drafted with a Traditional Neighborhood in mind. In this particular case, the required open space, again because of the uniqueness of the property, is an area that would cause the applicant a hardship as noted by Staff. Typically, structures like this Downtown do not have open space so it is consistent with the neighborhood. The only way to provide adequate open space would be to wipe out some parking areas. First, it would not be a good area for an open space. Second, it would require a parking variance beyond the twenty (20) percent that is waivable. The only other way out would be cash-in-lieu and that Ordinance was drafted, in his opinion, with a Traditional Neighborhood in mind.

Responding to Mr. Malmberg, Mrs. Townshend stated that in January 2009 City Council adopted an amendment to this Ordinance; however, this is an area where they tried to use the best information that we had available at that time to reduce the open space requirement in the Downtown target area. One of the things that we specifically found as it relates to cash-in-lieu calculation is that they fell short of the initial intent of those revisions so Staff realized that this is something they will need to look at.

Colonel Ericson questioned by approving or disapproving it has no affect on cash-in-lieu which will be determined by someone else? Responding to Colonel Ericson, Mr. Malmberg stated that if you approve the variance request, then we are done with the discussion. If you disapprove it, they would be forced to do cash-in-lieu of open space. The calculation of that is well over $100,000 and it would not make this project affordable to be built and therefore, it would not go forward.

Responding to Mr. Malmberg, Mrs. Townshend stated that she believes it would be more around $253,000.

*Mr. Sheth questioned if there was any correspondence received for this application and there was none.*

*Mr. Sheth opened a public hearing.*

**Mr. Bill Neaton – 101 West Loockerman Street, Executive Director of Downtown Dover Partnership** – Stated that he would like to echo Mr. Malmberg's comments regarding this being a worthwhile project for the Downtown area. This site has been a blight of the Downtown and something that has been a detriment to development in the entire Downtown area. As the Director of the partnership, he feels that both variances should be granted in that this is a project that is going to jump start the Downtown area. He is highly in favor of the project.

**Mr. Zachary Carter – Director of Parks, Recreation and Library for the City of Dover** – Stated that he is here today to express a concern in that he is worried about the precedent that we will set in waiving the open space requirement. There has been something done in the past in a similar case before this board with DoveView with the amount of open space and cash-in-lieu of being excessive. At that point, Staff new it was a concern on whether or not the development of DoveView would go forward and this board looked at the value of the land with regards to setting a cash-in-lieu of. He is asking that you do something similar to what was done with DoveView and look at the value of the land. In checking with the City Assessor, the value of the land is $212,400 and using that value, the cash-in-lieu of would come out to $15,403.32. He would request that you consider not setting something up for the future as far as how we are handling the open space and that we still take into consideration cash-in-lieu. He feels that the value of the land would make it feasible to do this project and that it is very beneficial to the Downtown area.

Mrs. Townshend stated that she would give some background on those of you who are not familiar with cash-in-lieu. The way that the *Zoning Ordinance* is setup is that if you cannot provide the land area required for the active recreation, the Planning Commission has the ability

to approve cash-in-lieu for the land area. The *Zoning Ordinance* is very prescriptive in terms of the formula that is used to generate that amount. The *Zoning Ordinance* sets it up so that you use the appraisal needed to secure construction financing to determine the cash-in-lieu amount. In doing that, it works for the more traditional subdivisions with the higher density projects because the construction financing number is much higher in terms of per acre. This is what we saw with DoveView and we did make some changes to the ordinance based on that to try and prevent it from happening again. In applying the new calculation to this project, it still came up with about $253,000. What Mr. Carter is suggesting is that you essentially use the same formula that you used on DoveView to address that issue which is where the $15,000 comes from. The concern is that if you just pull a number out of thin air it is not based on anything.

Colonel Ericson questioned that if they were to pay the cash-in-lieu would it go into the City's general fund or does it go into Mr. Carter's budget? Responding to Colonel Ericson, Mrs. Townshend stated that it would go into a Parkland Reserve Fund.

Mrs. Townshend stated that if the variance is granted, the Planning Commission would essentially need to accept what is proposed as granted by the Board. The Board has several options. One would be to grant the variance as requested which would accept the area provided and no cash-in-lieu. The second option is to deny the variance which would essentially mean that they have to do it all which would mean the entire cash-in-lieu and lose parking spaces, or what Mr. Carter is suggesting which is somewhere in-between that would provide some cash-in-lieu for what they are not providing in area. The final option would essentially be something different than what the Ordinance would tell you to provide.

Mr. Malmberg stated that he understands that it is Mr. Carter's job to be here to try and protect the budget for the Parks and Recreation Department; however, you need to either deny or grant the variance. He would suggest that they grant the variance and suggests that the Ordinance be re-drafted and that is something that should be addressed by City Council and not this board. He is more concerned that they do not bounce back and forth between the Planning Commission and the Board of Adjustment.

Mr. Hufnal stated that it is obvious that the cash-in-lieu formula needs some changes. The difference between what was proposed in the report and what was suggested by Staff and then what Mr. Carter presented, there is a lot of difference.

Colonel Ericson stated that the question is would it be more important that the City receive $15,000 or $250,000 or fix Downtown? In his mind fixing Downtown is really the priority.

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

*Colonel Ericson moved to approve Applicant #V-10-15 located at 208 S. Governors Avenue and 200-216 W Loockerman Street, Bay Developers based upon Staff recommendations, public testimony and the documents provided for variance #1 and #3, seconded by Mr. Hufnal and the motion was unanimously carried 4-0 with Mr. Senato absent.*

**OTHER BUSINESS**

Mr. Sheth stated that he would be in China and India next month. Colonel Ericson stated that he

would be gone from December 2nd through December 21st. This would leave a quorum issue or we could hold the meeting earlier in the month. Responding to Mr. Sheth, Ms. Cornwell stated that currently, there are no applications; however, the deadline for application deadline is not until next Friday. After discussion Staff advised that the board members would be notified on November 15, 2010 after the application deadline as to whether a meeting will be needed and if so, a date set of December 1, 2010 per discussion held today.

**Review of Draft Application Form**

Ms. Cornwell stated that the application that was discussed last month was left in a draft form and board members have had a chance to look at it and a chance to use it. Are there any serious issues with it that Staff needs to fix?

Mrs. Townshend stated that the feedback that was generated by discussion of the application was related more to the Staff report and the feedback was incorporated in this month's reports.

Colonel Ericson stated that the Staff report gave him everything he needed to understand the problem.

Mr. Keller stated he raised the question as to the ownership of the property. He is concerned that someone other than the owner representing themselves to the board is acting on behalf of the owner. Responding to Mr. Keller, Mrs. Townshend stated that Staff does require that the owner sign the application. Staff does need to ensure that all names of ownership and/or corporations or LLC's are listed on the application in association with the application.

Mr. Hufnal suggested that if there is someone present to speak on behalf of an application that they should be required to have a notarized statement from the owner stating that they are authorized to speak on their behalf. Responding to Mr. Hufnal, Mrs. Townshend stated that yes this is something that we could require.

Colonel Ericson stated that he would not recommend that it be notarized; however, just a letter and signature of the applicant.

*Colonel Ericson moved to approve the application form, seconded by Mr. Hufnal and the motion was unanimously carried 4-0 with Mr. Senato absent.*

Mr. Keller stated that in each of these packets there appears to be boiler plate language under exceptional practical difficulties test that reads "In order to grant a variance the Board must determine in that exception practical difficulties exists." This is not necessarily the case, the Supreme Court Case Law as well as Mr. Rodriguez advisory letter that got us on this standard some time back, states that these four (4) items shall be evaluated during the course of our deliberation. He would ask that Mr. Rodriguez clarify where they could have three (3) items with due consideration and not necessarily determine that there is exceptional practical difficulty and still grant the variance based upon your evaluation and consideration of three (3) of the four (4), is this correct? Responding to Mr. Keller, Mr. Rodriguez stated that yes this is correct; however, you need to consider all four (4) in your decision; however, you do not need to have an affirmative response to all four (4).

Mrs. Townshend stated that they would look at the boiler plate language in the reports and work to make sure that it and the Code are consistent.

*Colonel Ericson moved to adjourn the meeting, seconded by Mr. Keller and the motion was unanimously carried 4-0 with Mr. Senato absent.*

**Meeting adjourned at 11:00 AM**

Sincerely,

Diane Metsch
Secretary

City of Dover

Board of Adjustment

February 16, 2011

V-11-01

| | |
|---|---|
| Location: | 104 Saulsbury Road |
| Applicant: | Academy of Dover |
| Owner: | Dover ED, LLC. (Henry Mast) |
| Tax Parcel: | ED-05-076.07-01-27.00-000 |
| Application Date: | January 14, 2011 |
| Present Zoning: | C-4 (Highway Commercial Zone)<br>COZ-1 (Corridor Overlay Zone) |
| Present Use: | School |
| Reviewed By: | Janelle M. Cornwell, AICP |
| Variance Type: | Area Variance |
| Variances Requested: | Allow monument sign to encroach five (5) feet into setback. |

**Project Description:**
The applicant is requesting a variance from the *Zoning Ordinance* of Article 5 Section 4.7 Supplementary Sign Regulations. Specifically, they are requesting a variance to allow a new monument sign to encroach into the setback five (5) feet.

**Adjacent Land Uses**
The adjacent properties are a mixture of commercial, institutional, and residential uses. The properties to the south are zoned IO (Institutional Office Zone) and C-2A (Limited Central Commercial Zone) and subject to the COZ-1 (Corridor Overlay Zone). The property is zoned RG-2 (general Residence Zone) and is subject to the COZ-1 (Corridor Overlay Zone). The properties to the west are zoned R-8 (Only Family Residence Zone) and IO (Institutional Office Zone) the property zoned IO is also subject to the COZ-1 (Corridor Overlay Zone). The

properties to the east across Saulsbury Road are zoned C-2A (Limited Central Commercial Zone) and are subject to the COZ-1 (Corridor Overlay Zone).

**Code Citations**

4.7 *Permitted signs.* Signs are permitted in all zones in accordance with the following table, which is a list of permitted sign types by use, proximity to residential uses and road classification.

| Use | Road Type | Sign Type | Number Permitted | Max Size | Max Height | % of Wall | Setback (R.O.W.) |
|---|---|---|---|---|---|---|---|
| Non-Residential uses adjacent to Non-Residential District or uses | Urban Minor Arterial | Monument | 1 per entrance | 32 SF | 7 ft. | N/A | 10 ft. |

**Exceptional Practical Difficulties Tests**

Article 9, §2 dictates the specific powers and duties of the Board of Adjustment with regard to granting variances. In order to grant a variance the Board must determine in that exceptional practical difficulties exists.

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 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.

1. The nature of the zone in which the property lies.
   **Applicant Responses:**
   The property located at 104 Saulsbury Road is zoned Institutional/Office and since its construction has been used as Academy of Dover Elementary Charter School.

**Staff Response:**
Signage is determined based on road classification. The property is located on an Urban Minor Arterial. This permits a sign with a maximum sign area of 32 SF as long as the sign is ten (10) feet back from the right-of-way. The sign is in keeping with the road classification and the zoning.

2. The character of the immediate vicinity and the contained uses therein.
**Applicant Responses:**
The vicinity of 104 Saulsbury Rd. is businesses and other educational facilities, many of which display sign as seen in the attached photographs. Although the types of signs vary, they are all placed in approximately the same location keeping with the line of sight of travelers on Saulsbury Rd, and pedestrians walking on the sidewalks adjacent to Saulsbury Rd.

**Staff Response:**
The other signs in the area are within ten (10) feet of the right-of-way. The signs are all considered legal non-conforming; however, they would only need to come into compliance if there is a 20% addition in the overall size of the building, renovation of over 75% of the exterior, or a change of use. The approval of the sign would be in character with the rest of the properties within the immediate vicinity.

3. Whether, if the restriction upon the applicant's property were removed, such removal would seriously affect neighboring properties and uses.
**Applicant Responses:**
Should the restriction be lifted, it would have no negative impact on the neighboring properties. The new proposed sign would be installed in the same location as the existing sign, creating no disturbance to the landscape. The new sign would provide additional aesthetic value to surrounding area.

**Staff Response:**
The removal of the restriction of the setback of the sign permitted would not affect neighboring properties. The sign would have a similar setback as the other monument signs within the neighborhood.

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:**
The Academy of Dover Charter School is a 100% choice school that relies on recruitment efforts to get students registered at the school. The Academy of Dover is chartered for the attendance of 300 students grades K-4. The school, as required by Delaware Code Title 14, must maintain a student body within 10% of 300. Many of the families that register their students at the Academy have stated that they were not aware that the school was located in this area since the current sign is not easily visible. The new sign will have a positive impact on our recruitment, since it will be more visible and allow us

to provide perspective parents a wide variety of information concerning programs available at the school.

The Academy of Dover, on occasion, also rents portions of the facility to other nonprofits and other community entities. The new sign will enable us to post announcements for those times when other agencies area using the facility.

Because of the placement of the mandatory fire lane, there are no other feasible options for placement of a sign that will meet our needs. Any attempt to place a sign against our facility, although within city regulations, would pose a hazard since it would be out of the line of sight of traffic, taking the drives eyes off the line of sight of the road. It would also take away from the flow of the current landscape since none of the other signs are against the buildings.

**Staff Response:**
The property is permitted a monument sign. The applicant is proposing to replace the existing sign with a new sign in the same location. The setback of ten (10) feet would be difficult to meet as the site has fifteen (15) feet of from the edge of the property line to the fire lane. The sign is eight (8) feet in length. The placement of the sign parallel to the road could be done and meet the setback; however, the sign would be difficult to view. Exceptional Practical difficulty is created as the placement of the monument sign is limited on the site.

**Variance Recommendation:**
Staff recommends approval of the variance for reasons as follows:

- The applicant has demonstrated exceptional practical difficulty as there is limited space on the site to place a monument sign.
- The property line is 15-16 feet from the edge of the road; therefore, the sign would be 20-21 feet from the road with a five foot variance.
- The proposed variance would be in keeping with the character of the neighborhood. The other sites in the neighborhood have signs in similar setback as proposed.
- The sign is in keeping with the character of the neighborhood as the sign is 32 SF, the maximum sign area permitted for the site and other surrounding sites.
- The application is in keeping with the nature of the zone in which it is located. The Urban Minor Arterial has a maximum square footage of 32 SF for a monument sign.
- There will be difficulty viewing the monument sign if the sign was parallel to the road or setback near the building.
- The variance request is to replace the existing post and panel sign with a monument sign in the same location.

City of Dover, DE
Department of Planning and Inspections
P.O. Box 475, Dover, Delaware 19903
(302) 736-7010 Fax: (302) 736-4217
www.cityofdover.com

_____ Area Variance
_____ Use Variance
_____ Appeal
1/5/11 Pre-App Date

# Board of Adjustment Application

## Application Information

Property Address: 104 Salisbury Rd.

Tax Parcel Number: ED-05-076.07-01-27.00.

Owner Name: Henry Mast

Property Zoning: Institutional/Office (IO)

Variance (s) Requested: Install New Digital Sign within the Setback.

*Provide eight (8) copies of any survey, drawings, photos, site plan, etc. that may help support your application, and your response to the criteria. The criteria for a use variance and appeal are on the back of the form.

**Area Variance**

An area variance shall be evaluated on the following criteria: **Please state how your request meets each of these four (4) criteria.**

1. The nature of the zone in which the property lies;
2. The character of the immediate vicinity and the contained uses therein;
3. Whether, if the restriction upon the applicant's property were removed, such removal would seriously affect neighboring properties and uses; and
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.

**Signature**

I Henry S. Mast do affirm that I am the property owner on which the variance is sought and that all the information provided in this application is accurate to the best of my knowledge and belief.

Signature | President (Title) | 1-13-11 (Date)

# Board of Adjustment Application

Area Variance:

1. The property located at 104 Saulsbury Rd. is zoned Institutional/Office and since its construction has been used as Academy of Dover Elementary Charter School.

2. The vicinity of 104 Saulsbury Rd. is businesses and other educational facilities, many of which display sign as seen in the attached photographs. Although the types of signs vary, they are all placed in approximately the same location keeping with the line of sight of travelers on Saulsbury Rd, and pedestrians walking on the sidewalks adjacent to Saulsbury Rd.

3. Should the restriction be lifted, it would have no negative impact on the neighboring properties. The new proposed sign would be installed in the same location as the existing sign, creating no disturbance to the landscape. The new sign would provide additional aesthetic value to surrounding area.

4. The Academy of Dover Charter School is a 100% choice school that relies on recruitment efforts to get students registered at the school. The Academy of Dover is chartered for the attendance of 300 students grades K-4. The school, as required by Delaware Code Title 14, must maintain a student body within 10% of 300. Many of the families that register their students at the Academy have stated that they were not aware that the school was located in this area since the current sign is not easily visible. The new sign will have a positive impact on our recruitment, since it will be more visible and allow us to provide perspective parents a wide variety of information concerning programs available at the school.

   The Academy of Dover, on occasion, also rents portions of the facility to other nonprofits and other community entities. The new sign will enable us to post announcements for those times when other agencies are using the facility.

   Because of the placement of the mandatory fire lane, there are no other feasible options for placement of a sign that will meet our needs. Any attempt to place a sign against the facility, although within city regulations, would pose as a hazard since it

would be out of the line of sight of traffic, taking the drivers eyes off the line of sight of the road. It would also take away from the flow of the current landscape since none of the other signs are against the buildings.

# PROJECT CONTACT LIST

Please print or type the names of individuals who wish to receive correspondence related to the project (D.A.C.) Reports, Meeting Agendas, Decision Notices, etc.

Be sure to include the **name of a contact person** for **ALL** engineering firms, corporations, realtors, etc.

| APPLICANT/ OWNER | NAME | ADDRESS | TELEPHONE/FAX E-MAIL |
|---|---|---|---|
| Owner | Henry Mast, | 260 Weston Dr., Dover, DE 19904. | 302-736-0924 |
| Applicant | Noel Rodriguez, | 104 Salisbury Rd., Dover DE, 19904 | 302-674-0684 |

EQUITABLE OWNER

PROFESSIONAL ENGINEER/ ARCHITECT SURVEYOR

OTHERS

City of Dover, DE
Department of Planning and Inspections
P.O. Box 475, Dover, Delaware 19903
(302) 736-7010 Fax: (302) 736-4217

# Board of Adjustment
# Check List

✓ Copy of Application

✓ Eight (8) copies of submission items: (Paper)
- ✓ Response to Criteria
- ✓ Survey, Site Plan, Photos, Etc.

✓ Fee

$200 – residential
$300 – non- residential
$200 – appeal

✓ Request for Mailing List Form

✓ Project Contact List Form

✓ Electronic Version
- ____ PDF of Survey, Site Plan, Photos, Etc.
- ____ Word Document of response to questions.

Name (Signature) 1/13/11 Date

# APPLICATION FOR MAILING LIST

Application is hereby made to the City of Dover's Department of Planning and Inspections for preparation of a listing of the names and mailing addresses of all property owners within the specified feet of the Subject Site indicated below, and further described on the attached Plan, as they appear on the municipal tax roll.

SUBJECT SITE: 104 Sandbury Rd
(Address)
(Tax Parcel Number) ED-05-076.07-001-27.00.

OWNER OF RECORD:
(Name & Address)

This application is made in conjunction with my application for the following on the subject property (Check appropriate item):

X BOARD OF ADJUSTMENT (200 ft.)
____ ANNEXATION (200 ft.)
____ OTHER- **A fee of $15.00 will be assessed for the creation and distribution of a mailing list, based on the City of Dover's Data Distribution Policy.**
Specify distance_____

Please forward the requested mailing list to the following:

X Department of Planning & Inspections Staff _____
_____ City Clerks Office
_____ Other: Send to address below

## APPLICANT'S CERTIFICATION

My signature hereon indicates my acknowledgement and understanding of the public notice that will be sent with regards to my application/inquiry.

Applicant's Signature: _____

Date: 1/23/11

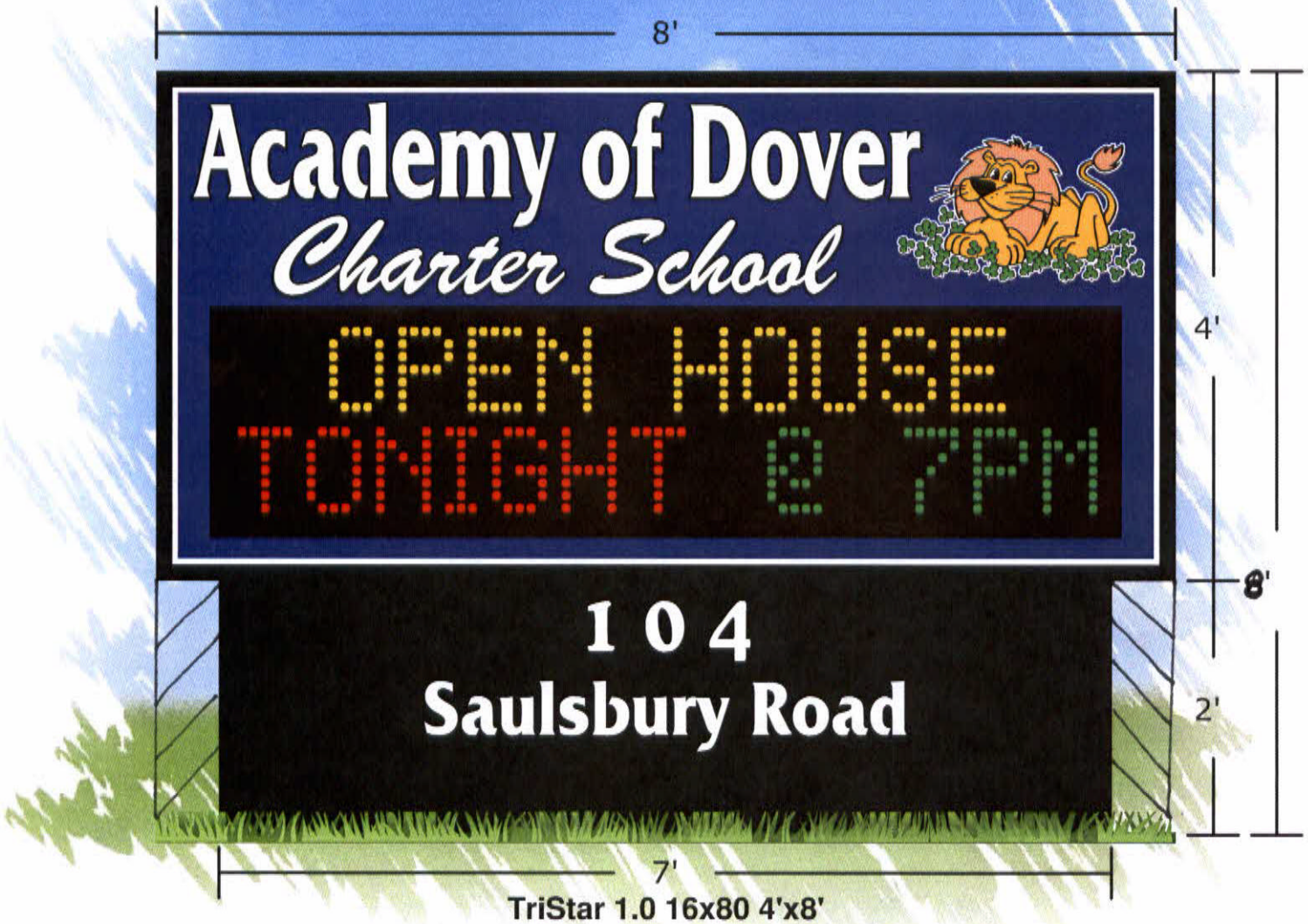
**For Office Use Only**

Date Prepared:_____ Paid:_____

Preparer's Initials:_____ File Number_____

Date Sent:_____

Sender's Initials:_____




**TriStar 1.0 16x80 4'x8'**

Cabinet: 4' x 8'
Mount: Pedestal Custom (2' x 7')

Cabinet Color: Black
Face Color: Bristol Blue
Line Color: White

Fonts: Friz Quadrata(b), Brush Script, Cooper(b)
Logo: S9830

Stewart
America's Premier Sign Company
1-800-237-3928

ORIGINAL DESIGN DO NOT DUPLICATE

DUE TO THE PHYSICAL LIMITATIONS OF THE PAPER AND INK-BASED PRINTING PROCESS THIS CUSTOM ARTWORK IS NOT INTENDED TO PROVIDE AN EXACT MATCH BETWEEN INK, VINYL, PAINT, OR LED COLOR. ARTIST'S RENDITION OF BRICKWORK, MASONRY AND LANDSCAPING IS NOT INCLUDED IN THE PROPOSAL. ALL MEASUREMENTS SHOWN ARE APPROXIMATIONS. DIMENSIONS OF FINAL PRODUCT MAY VARY.

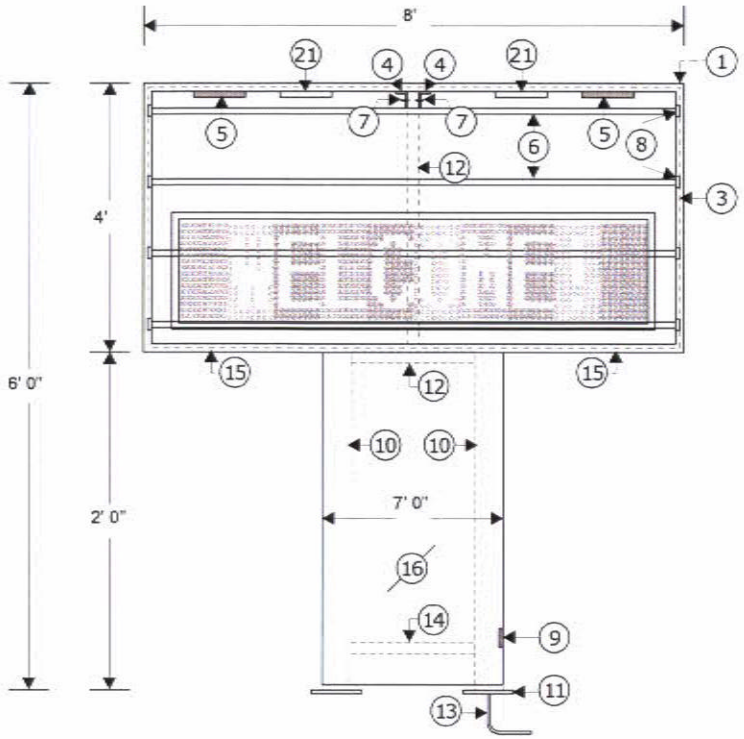
**APPROVED AS SHOWN.**

X _____ DATE _____ 1. _____

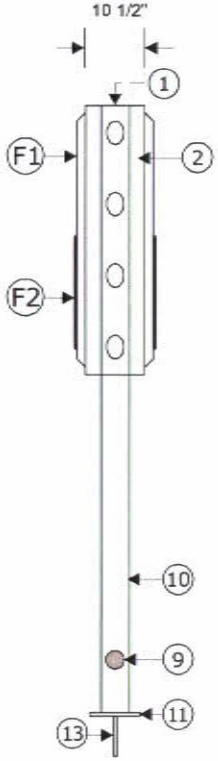
**APPROVED WITH LISTED CHANGES.**

X _____ DATE _____ 2. _____ 3. _____

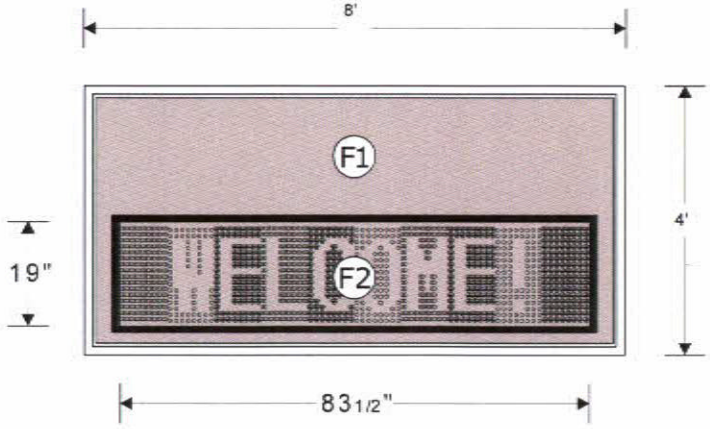
Sketch #61104 Customer #1747082
12/1/2010 Corey M -PROPOSAL-




FRAME & LAMP DETAIL




CROSS SECTION




FACE DETAIL

**DRAWING IS NOT TO SCALE**

## Series #: TSR1-48-P-C-4AB

1-800-237-3928

CONTACT: Corey Moody EXT: 226

### CUSTOMER INFORMATION

Customer Name: ACADEMY OF DOVER CHARTER SC
Street Address: 104 SAULSBURY RD
City, State, Zip: DOVER, DE 19904
Customer Number: 1747082
Quote/Order #: 716825-3

### SIGN SPECIFICATIONS

Sign Model: TriStar (Z)
Cabinet Size: 4' x 8'
Leg Height: 2' 0"
Leg Width: 7' 0"
Windload: 120 mph Exposure B
On Center Dimension: 80"
Date / Time: 12/1/2010 4:00:28PM

Stewart
AMERICA'S PREMIER SIGN COMPANY

J. M. STEWART CORPORATION
2201 CANTU CT. SUITE 215
SARASOTA, FL. 34232
1-800-237-3928
www.stewartsigns.com

# SIGN SPECIFICATIONS

## FRAME & LAMP DETAIL

1. 10 1/2" Extruded aluminum cabinet
2. 1 1/2" x 3/4" Extruded aluminum retainer
3. 24 gauge A60 Galvanized raceway
4. 2" x 3" x 3/16" Aluminum angle, Qty: 2
5. Variable voltage electronic ballast: B295SRUNVHP Qty: 2
6. F96T12 Fluorescent lamps (4 required)
7. 3/8" bolts (SAE GRADE 5), Qty: 4
8. Sockets: Kulka Double Contast snap-in Lampholders 582G & 583G
9. Electrical Out provision
10. 4" X 4" X 1/8" Steel tube, A500 grade B, welded at joints
11. 6" X 12" X 5/8" Steel base plate, A500 grade B, Qty: 2
12. 2" x 4" x 3/16" Steel tube, A500 grade B
13. Electrical conduit (provided by Customer)
14. 1 1/2" x 1 1/2" x 1/8" Steel angle, Qty: 1
15. Drain holes
16. Cowling, 24 gauge galvanealed steel
17. #5 Rebar or better, tied at each joint (supplied by customer).
18. 3/4" x 30" Anchor bolts: tape anchor bolt threads for protection against sand and concrete. Qty: 4
19. 1 1/4" Diameter anchor bolt holes.
20. 2" Diameter electrical hole for electrical conduit.
21. LED power supply. Double-sided - Qty: 2
    Single-sided - Qty: 1

## FACE DETAIL

F1: Identification Area, 1/8" thermo-formed UV resistant Makrolon SL polycarbonate. Decoration per J.M. Stewart artwork. Decorated with 3M high performance translucent vinyl.

F2: TriStar 1.0 16x80; mounted inside seamless, single piece. Face of Makrolon SL Polycarbonate.

## NOTES:

- Windload: design meets or exceeds 120 mph Exposure B.
- 3,000 psi concrete: less than 3.15 cubic yards needed.
- Graffiti resistant exterior finish, Dupont Powder Coat, baked at 400 degrees.
- GE fluorescent lamps included.
- U.L. Listed.
- Cabinet bolted to powder coated steel support system.
- Electrical: 120V 6.7A

**Series #: TSR1-48-P-C-4AB**

1-800-237-3928

CONTACT: Corey Moody EXT: 226

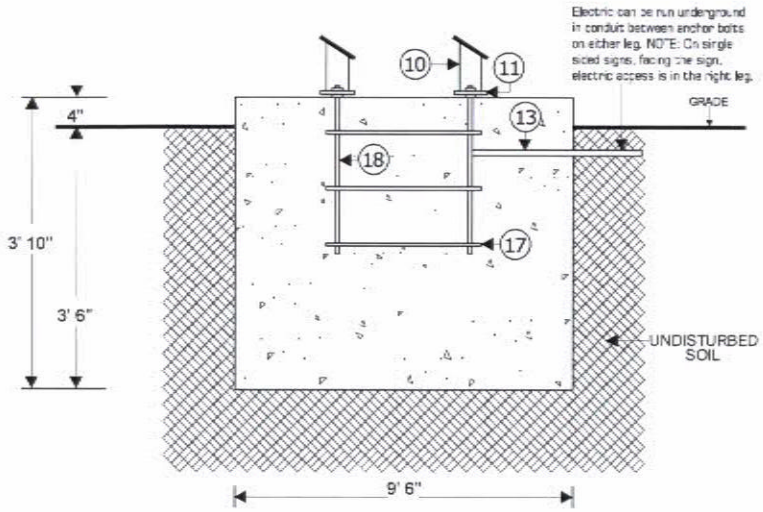
### CUSTOMER INFORMATION

Customer Name: ACADEMY OF DOVER CHARTER SC
Street Address: 104 SAULSBURY RD
City, State, Zip: DOVER, DE 19904
Customer Number: 1747082
Quote/Order #: 716825-3

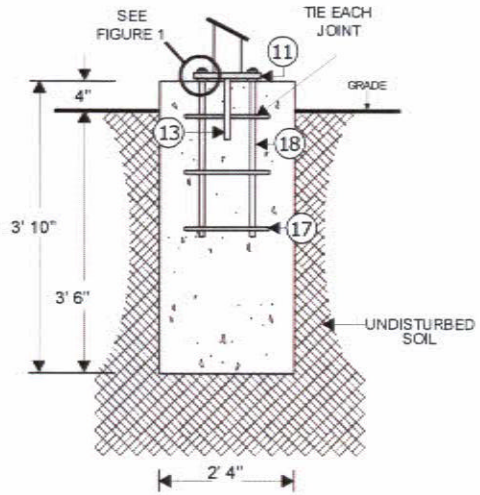
### SIGN SPECIFICATIONS

Sign Model: TriStar (Z)
Cabinet Size: 4' x 8'
Leg Height: 2' 0"
Leg Width: 7' 0"
Windload: 120 mph Exposure B
On Center Dimension: 80"
Date / Time: 12/1/2010 4:00:28PM

# FOOTING DETAIL

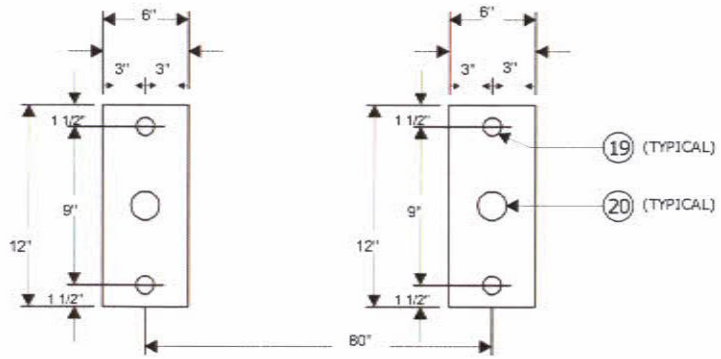



FRONT VIEW CROSS SECTION




SIDE VIEW CROSS SECTION

**DRAWING IS NOT TO SCALE**




BASEPLATE DETAIL

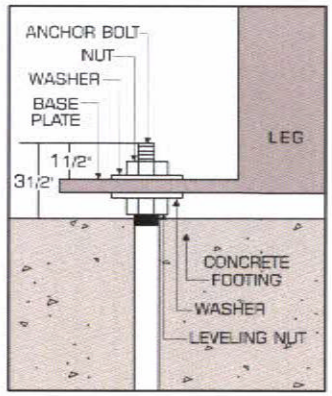



FIGURE 1

J.M.S. TEMPLATE MUST BE USED TO SET ANCHOR BOLTS INTO CONCRETE

## Series #: TSR1-48-P-C-4AB

1-800-237-3928

CONTACT: Corey Moody EXT: 226

### CUSTOMER INFORMATION

Customer Name: ACADEMY OF DOVER CHARTER SC
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On Center Dimension: 80"
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Stewart
AMERICA'S PREMIER SIGN COMPANY

J. M. STEWART CORPORATION
2201 CANTU CT. SUITE 215
SARASOTA, FL. 34232
1-800-237-3928
www.stewartsigns.com


Academy of Dover Charter School
Tel: 302-674-0684
Fax: 302-674-3894
Middle States Accredited
NOW ENROLLING
20 feet


GREEN
MEADOWS
AN ASSISTED LIVING COMMUNITY


END
NO PARKING
ANY
TIME
Blood Bank
of Delmarva
221


NIVERSAL
REGULAR CASH
3.07
REGULAR CREDIT
.00
DIESEL CASH
3.29
DIESEL CREDIT
3.34

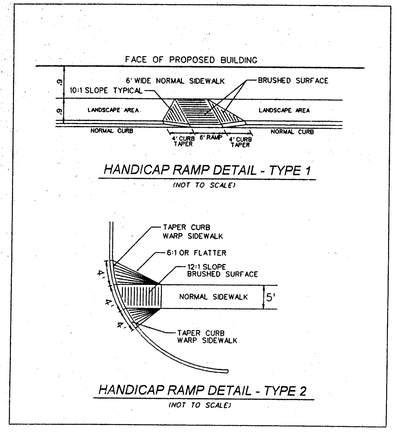

DOVER ELKS
BINGO EVERY WED
7:30 PM
SUN 1:30
200

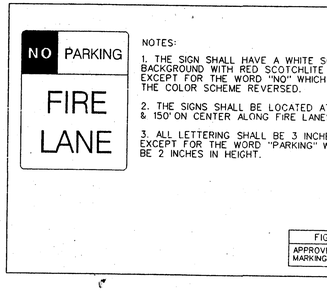

Faith Elementary
School
A Beka Curriculum
Founded 1982
Independent – Christian –
Alternative – Non-Denominational
Grades: Preschool (age 3) – Sixth Grade
Donated By: Dover Air Force Base Military Lodge No. 28
and Suakim Shrine Club
90
SAULSBURY RD

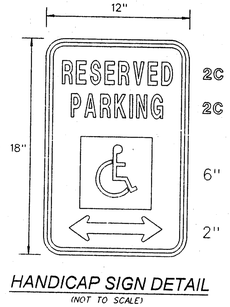


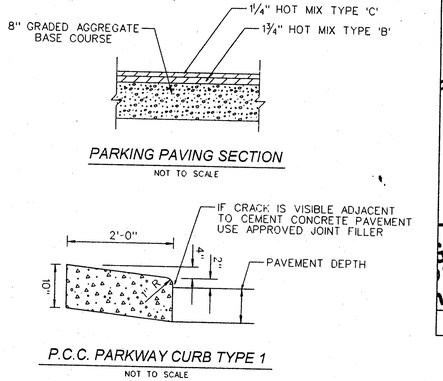
City of Dover, DE
Department of Planning and Inspections P.O. Box 475, Dover, Delaware 19903
(302) 736-7010 Fax: (302) 736-4217 Iflofdover.corn
Area Variance
Use Variance Appeal Pre-App Date
Board of Adjustment Application
Application Information
c_kvii.47
Property Address: yev
Tax Parcel Number: a / 2
Owner Name: .E,iiçf /PCs
Property Zoning: / or Aftecieg
Variance (s) Requested: .-- 1.t.5'44-1 (C 4/n5ci -727E—
*Provide eight (8) copies of any survey, drawings, photos, site plan, etc. that may help support your application, and your response to the criteria. The criteria for a use variance and appeal are on the back of the form.
Area Variance
An area variance shall be evaluated on the following criteria: Please state how your request meets each of these four (4) criteria.
1. The nature of the zone in which the property lies;
2. The character of the immediate vicinity and the contained uses therein;
3. Whether, if the restriction upon the applicant's property were removed, such removal would seriously affect neighboring properties and uses; and
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.
Signatur
I ife)-( hi 5 M A S
do affirm that I am the property owner on which the variance is sdught and that all the information provided in this application is accurate to the best of dge4pd belief.
Zeside
Title Date
BOA Application cont -DRAFT 8-16-10
Board of Adjustment Application
Area Variance:
1. The property located at 104 Saulsbury Rd. is zoned Institutional/Office and since its construction has been used as Academy of Dover Elementary Charter School.
2. The vicinity of 104 Saulsbury Rd. is businesses and other educational facilities, many of which display sign as seen in the attached photographs. Although the types of signs vary, they are all placed in approximately the same location keeping with the line of sight of travelers on Saulsbury Rd, and pedestrians walking on the sidewalks adjacent to Saulsbury Rd.
3. Should the restriction be lifted, it would have no negative impact on the neighboring properties. The new proposed sign would be installed in the same location as the existing sign, creating no disturbance to the landscape. The new sign would provide additional aesthetic value to surrounding area.
4. The Academy of Dover Charter School is a 100% choice school that relies on recruitment efforts to get students registered at the school. The Academy of Dover is chartered for the attendance of 300 students grades K-4. The school, as required by Delaware Code Title 14, must maintain a student body within 10% of 300. Many of the families that register their students at the Academy have stated that they were not aware that the school was located in this area since the current sign is not easily visible. The new sign will have a positive impact on our recruitment, since it will be more visible and allow us to provide perspective parents a wide variety of information concerning programs available at the school.
The Academy of Dover, on occasion, also rents portions of the facility to other nonprofits and other community entities. The new sign will enable us to post announcements for those times when other agencies are using the facility.
Because of the placement of the mandatory fire lane, there are no other feasible options for placement of a sign that will meet our needs. Any attempt to place a sign against the facility, although within city regulations, would pose as a hazard since it
would be out of the line of sight of traffic, taking the drivers eyes off the line of sight of the road. It would also take away from the flow of the current landscape since none of the other signs are against the buildings.
PROJECT CONTACT LIST
Please print or type the names of individuals who wish to receive correspondence related to the project (D.A.C.) Reports, Meeting Agendas, Decision Notices, etc.
Be sure to include the name of a contact person for ALL engineering firms, corporations, realtors, etc.
APPLICANT/ NAME ADDRESS TELEPHONE/FAX
OWNER E-MAIL
adAlht. 1-41/ Ain /1 (22671 ili,5)04-12.../3)44/Pni;DP. 'WAS (NZ- 2
EQUITABLE OWNER
PROFESSIONAL ENGINEER/ ARCHITECT SURVEYOR
OTHERS
City of Dover, DE
Department of Planning and Inspections
P.O. Box 475, Dover, Delaware 19903
(302) 736-7010 Fax: (302) 736-4217
Board of Adjustment
Check List
Copy of Application
---- Eight (8) c pies of submission items: go-pc-c)
Response to Criteria
i/Siirvey, Site Plan, Photos, Etc.
---Fee
$200 - residential
$300 - non- residential
$200 - appeal
s lequest for Mailing List Form
i- Project Contact List Form
L-'-- Electronic Version
•PDF of Survey, Site Plan, Photos, Etc.
Word Document of response to
questions.
/ //
Nam Signature Date
APPLICATION FOR MAILING LIST
Application is hereby made to the City of Dover's Department of Planning and Inspections for preparation of a listing of the names and mailing addresses of all property owners within the specified feet of the Subject Site indicated below, and further described on the attached Plan, as they appear on the municipal tax roll.
SUBJECT SITE: /6 69e1,2

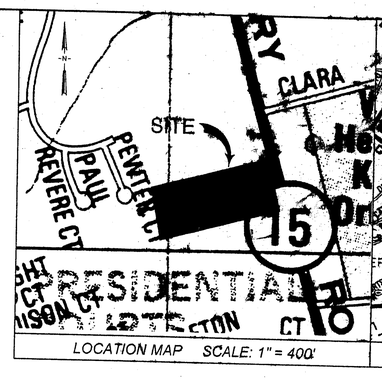
(Address)
(Tax Parcel Number) —0; al-ea /-27 a0 •
OWNER OF RECORD: (Name & Address)
This application is made in conjunction with my application for the following on the subject property (Check appropriate item):
X BOARD OF ADJUSTMENT (200 ft.)
ANNEXATION (200 ft.)
OTHER- A fee of $15.00 will be assessed for the creation and distribution of a mailing list, based on the City of Dover's Data Distribution Policy.
Specify distance
Please forward the requested mailing list to the following:
X Department of Planning & Inspections Staff
City Clerks Office
Other: Send to address below
APPLICANT'S CERTIFICATION
My signature hereon indicates my acknowledgement and understanding of the public notice that will be sent with regards to y a pli ation/inquiry.
Applicant's Sig tare)
Date: 43//1
ittee
For Office Use Only
Date Prepared: Paid:
Preparers initials: File Number
Date Sent:
Senders Initials:
Dover Planning Form Created 3/7/06

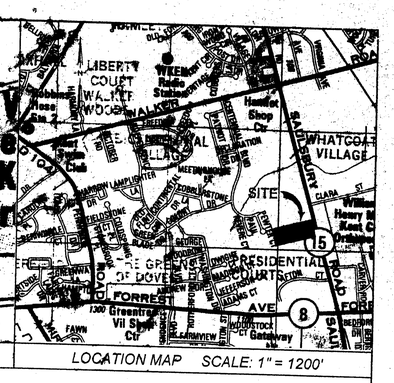


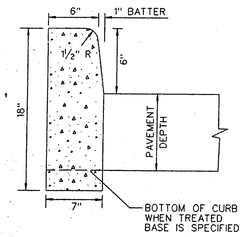



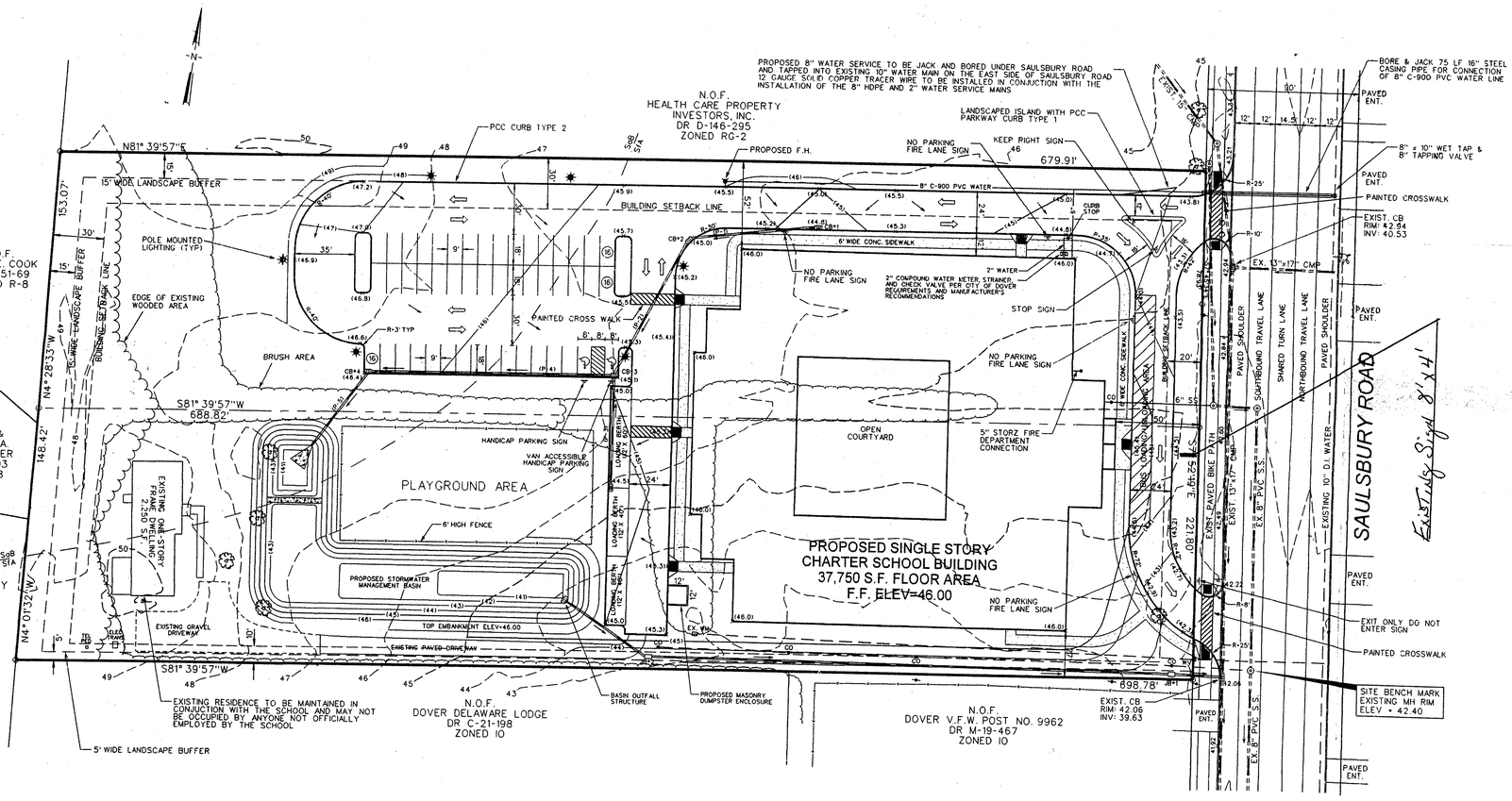

**PLEASE NOTE:**

BARRIER FREE ACCESS RAMPING SHALL BE INSTALLED AT ALL POINTS OF SIDEWALK INTERSECTION WITH CURBING, VEHICULAR ACCESS DRIVEWAYS, DESIGNATED CROSSWALKS AND AT ALL BUILDING ENTRANCES/EXITS. RAMPING SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE GUIDELINES AND STANDARDS SET FORTH IN THE AMERICAN NATIONAL STANDARDS INSTITUTE GUIDELINES FOR PROVIDING HANDICAPPED ACCESSIBILITY (SEE ANSI 117.1-1992).

**PLEASE NOTE:**

ALL PARKING AREAS, PEDESTRIAN WAYS, AND BUILDING ENTRANCE AREAS SHALL BE ILLUMINATED TO AT LEAST 1.5 FOOT CANDLES OF LIGHT INTENSITY AT GRADE.




## LEGEND

| | |
|---|---|
| EXISTING CONTOUR | -26- |
| PROPOSED CONTOUR | (26) |
| EXISTING SPOT ELEVATION | 26×27 |
| PROPOSED SPOT ELEVATION | (26×27) |
| BUILDING SETBACK LINE | BSL |
| EXISTING UTILITY POLE | |
| EXISTING LIGHT POLE | |
| PROPOSED LIGHT POLE | |
| EXISTING SANITARY SEWER | SS |
| PROPOSED SANITARY SEWER | 6" SS |
| EXISTING STORM SEWER | |
| PROPOSED STORM SEWER | |
| EXISTING WOODS LINE | |
| EXISTING WATER LINE | 2" W |
| PROPOSED WATER LINE | 2" W |
| EXISTING WATER VALVE | |
| PROPOSED WATER VALVE | |
| EXISTING FIRE HYDRANT | |
| PROPOSED FIRE HYDRANT | |
| PROPOSED METER PIT | |

## NOTES AND DATA

1. TOTAL ACREAGE OF SITE: 4.757 ACRES +/-
2. TAX PARCEL NOS:
   ED-05-076.07-01-26.00-000
   ED-05-076.07-01-26.01-000
   ED-05-076.07-01-27.00-000
3. EXISTING ZONING: IO (INSTITUTIONAL AND OFFICE)
4. EXISTING BUILDING FLOOR AREA: 2,250 S.F.
5. PROPOSED SCHOOL BUILDING FLOOR AREA: 37,750 S.F.
6. TOTAL BUILDING FLOOR AREA: 40,000 S.F.
7. PARKING SPACES REQUIRED: 42 (334 SEATS x 1 SPACE/8 SEATS)
8. PARKING SPACES PROVIDED: 48
9. PROPOSED HANDICAP PARKING SPACES: 2
10. PROPOSED BUILDING USE: CHARTER SCHOOL
11. MAXIMUM LOT COVERAGE: 85%
12. PROPOSED IMPERVIOUS SURFACE: 2.17 ACRES +/- (46% IMPERVIOUS)
13. HEIGHT OF PROPOSED BUILDING: 18 FEET
14. SANITARY SEWER SERVICE: CITY OF DOVER
15. WATER SERVICE: CITY OF DOVER
16. DATUM: BASED ON NGS BENCH MARK M34, ELEV.) - 32.77 (NAVD 88)
17. SITE BENCH MARK: RIM OF SANITARY SEWER MANHOLE AT THE SOUTHEASTERLY PROPERTY CORNER. BENCH MARK ELEV. = 42.40
18. EXISTING UTILITIES ARE SHOWN IN ACCORDANCE WITH BEST AVAILABLE INFORMATION AND IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY AND ALLOW FOR THEIR LOCATIONS.
19. THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PROTECT ALL EXISTING UTILITIES AND MAINTAIN UNINTERRUPTED SERVICE, ANY AND ALL DAMAGES DONE TO THEM DUE TO HIS NEGLIGENCE SHALL BE IMMEDIATELY AND COMPLETELY REPAIRED AT HIS EXPENSE.
20. PLAN LOCATIONS AND DIMENSIONS SHALL BE STRICTLY ADHERED TO UNLESS OTHERWISE DIRECTED BY THE ENGINEER.
21. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPLACEMENT OF DAMAGED OR DESTROYED LANDSCAPE.
22. NOTIFY MISS UTILITY 48 HOURS PRIOR TO ANY EXCAVATION AT (800) 282-8555.
23. THIS DRAWING DOES NOT INCLUDE THE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THERETO APPURTENANT.
24. THE TOPOGRAPHIC AND BOUNDARY INFORMATION SHOWN HEREON REPRESENTS AN ACTUAL FIELD SURVEY AS PERFORMED BY LARSON ENGINEERING, INC.
25. IF THE APPROVED PLAN NEEDS TO BE MODIFIED, ADDITIONAL SEDIMENT AND STORMWATER CONTROL MEASURES MAY BE REQUIRED AS DEEMED NECESSARY BY THE KENT CONSERVATION DISTRICT.
26. THE KENT CONSERVATION DISTRICT MUST BE NOTIFIED IN WRITING FIVE (5) DAYS PRIOR TO COMMENCING WITH CONSTRUCTION. FAILURE TO DO SO CONSTITUTES A VIOLATION OF THE APPROVED SEDIMENT AND STORMWATER MANAGEMENT PLAN.
27. REVIEW AND OR APPROVAL OF THE SEDIMENT AND STORMWATER MANAGEMENT PLAN SHALL NOT RELIEVE THE CONTRACTOR FROM HIS OR HER RESPONSIBILITIES FOR COMPLIANCE WITH THE REQUIREMENTS OF THE SEDIMENT AND STORMWATER REGULATIONS, NOR SHALL IT RELIEVE THE CONTRACTOR FROM ERRORS OR OMISSIONS IN THE APPROVED PLAN.
28. THE KENT CONSERVATION DISTRICT RESERVES THE RIGHT TO ENTER PRIVATE PROPERTY FOR PURPOSES OF PERIODIC SITE INSPECTION.
29. MAINTENANCE OF THE STORMWATER MANAGEMENT BASIN SHALL BE THE RESPONSIBILITY OF THE OWNER.
30. ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH DELAWARE STATE FIRE PREVENTION REGULATIONS, 1997.
31. THIS BUILDING WILL BE PROTECTED BY AN AUTOMATIC SPRINKLER AND FULL FIRE ALARM SYSTEM. BOTH THE FIRE ALARM AND SPRINKLER SYSTEMS MUST BE MONITORED BY AN APPROVED METHOD.
32. A KNOX BOX IS REQUIRED FOR FIRE DEPARTMENT ACCESSIBILITY IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS WITH A LOCATION AT THE MAIN ENTRANCE APPROVED BY THE DOVER FIRE MARSHAL.
33. THIS PROPERTY IS NOT IMPACTED BY WETLANDS REGULATED BY THE STATE OF DELAWARE OR THE U.S. ARMY CORPS OF ENGINEERS.
34. THIS PROPERTY IS NOT IMPACTED BY 100 YEAR FLOOD PLAIN BOUNDARY AS DEPICTED ON THE FEMA COMMUNITY PANEL NO. 100006 0005 C.
35. ALL MATERIALS AND WORKMANSHIP SHALL MEET THE CITY OF DOVER STANDARDS AND SPECIFICATIONS.
36. THE SITE CONTRACTOR MUST CONTACT THE PUBLIC WORKS CONSTRUCTION MANAGER AT (302) 736-7029 PRIOR TO THE START OF CONSTRUCTION. ALL TAPS ON WATER MAINS MUST BE PERFORMED BY A CITY OF DOVER APPROVED CONTRACTOR.

*EQUITABLE OWNER*
DOVER EDUCATION, L.L.C.
680 FORREST AVENUE
DOVER, DE 19904
(302) 736-0924

*OWNER OF RECORD*
EDWARD J. TROISE, SR.
550 PILOTTOWN ROAD
LEWES, DE 19958

### *OWNER CERTIFICATION*

I, EDWARD J. TROISE, SR., HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTIONS, AND 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.

EDWARD J. TROISE, SR., OWNER — DATE

### *ENGINEER CERTIFICATION*

I, KEVIN R. MINNICH, HEREBY CERTIFY THAT I AM A REGISTERED ENGINEER IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

KEVIN R. MINNICH, PE #9027 — DATE


*MINNICH ENGINEERING*
*AND LAND PLANNING INC.*
250 A CAMDEN-WYOMING AVE.
CAMDEN-WYOMING, DE 19934
(302) 697-2239 (VOICE)
(302) 697-2293 (FAX)


REVISIONS:

PROJECT NO: 02-027 | DGN FILE: 02-27SP

# SITE PLAN

# *DOVER ACADEMY*

SITUATE IN: CITY OF DOVER - KENT COUNTY, DELAWARE

DATE: 9/06/02 | SCALE: 1" = 40' | SHEET: 1