



Board of Adjustment Application

Application Information

Property Address: 640 South State Street, Dover, DE 19904

Tax Parcel Number: 02-05-077.13-01-52.00-000

Owner Name: Bayhealth Medical Center, Inc.

Property Zoning: I.O. – Institutional & Commercial

Variance (s) Requested: 1. Height variance from 150' to 175' for a new 10 Story Hospital Bed Tower.
2. Variance from the 10' Building Setback Line along South State Street to allow for the building
to encroach the setback line for the Bed Tower Elevators and Stairs.

*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 Mike Metzger 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

Vice President Facilities and Support Services

Title

9/11/2025

Date

BECKER MORGAN GROUP, INC.

309 SOUTH GOVERNORS AVENUE
DOVER, DELAWARE 19904
302.734.7950

THE TOWER AT STAR CAMPUS
100 DISCOVERY BOULEVARD, SUITE 102
NEWARK, DELAWARE 19713
302.369.3700

PORT EXCHANGE
312 WEST MAIN STREET, SUITE 300
SALISBURY, MARYLAND 21801
410.546.9100

780 LYNNHAVEN PARKWAY
SUITE 400-444
VIRGINIA BEACH, VIRGINIA 23452
757.734.9110

3333 JAECKLE DRIVE, SUITE 120
WILMINGTON, NORTH CAROLINA 28403
910.341.7600

1942 EAST 7TH STREET, SUITE 240
CHARLOTTE, NORTH CAROLINA 28204
980.270.9100

314 EAST MAIN STREET
CLAYTON, NORTH CAROLINA 27520
919.243.1332

www.beckermorgan.com

Board of Adjustment Application – Area Variance

1. Nature of the Zone in Which the Property Lies

The subject property is located within the Institutional Office (IO) zoning district, which expressly permits hospital use. Bayhealth Kent Campus Hospital has continuously operated on this site since the early 1900s and has served as the primary hospital and healthcare institution for the region.

Since the original hospital building opened in 1927, the campus has experienced significant growth to meet the needs of a growing community. This growth resulted in the acquisition of numerous surrounding properties and the development of a multi-building, horizontally oriented facility. The current campus layout includes four separate elevator banks serving multiple patient bed towers and long, winding corridors that are difficult for patients, particularly the elderly, to navigate.

The proposed project will construct the remaining six stories of a previously approved ten-story bed tower, consolidating patient care vertically. This design will simplify wayfinding, improve operational efficiency, and reduce internal travel distances for patients, staff, and visitors.

The project will also eliminate outdated dual-occupancy patient rooms and replace them with single-patient rooms, consistent with current privacy standards, best practices in patient care, and applicable regulations. To meet community demand, approximately 100 additional beds will be added, helping to alleviate emergency department backups caused by insufficient inpatient capacity.

The ten-story tower was approved by the City of Dover in 2006, and four stories have already been constructed. The proposed expansion is therefore consistent with prior approvals, existing zoning, and long-term planning for the site. The Central Utility Building (CUB) located to the north will continue to support the tower by handling materials and supply deliveries via the existing bridge over South Street.

2. Character of the Immediate Vicinity and Contained Uses

The immediate vicinity of the subject property is characterized by a mix of institutional, commercial, and medical uses. The majority of surrounding parcels are owned by Bayhealth and directly support hospital operations.

- **North:** All property to the north is Bayhealth-owned, IO-zoned, and used for parking and support functions, including the CUB. Two Bayhealth office buildings are also located in this area.
- **East:** Across South State Street, two IO-zoned properties exist. One is Bayhealth-owned and used for staff parking, a surgery center, and a daycare facility. The other is Holy Cross Church and School, which has coexisted with Bayhealth for decades in a mutually supportive relationship.
- **South:** Across Hope Street are three IO-zoned parcels: a Bayhealth parking facility serving a one-story outpatient building, a doctor's office, and a Bayhealth-owned residence for relocating staff.

- **West:** Across South Governors Avenue are five C3-zoned commercial properties. Two are occupied by Bayhealth offices, while the remainder house long-standing commercial businesses compatible with hospital operations.

Overall, the immediate vicinity is a well-established medical and commercial corridor that has evolved with Bayhealth's growth and remains consistent with the intent of the IO zoning district.

3. Effect on Neighboring Properties if Restriction Is Removed

Granting the requested variances (1) increasing the maximum height from 150 to 175 feet and (2) allowing a 400-square-foot projection into the Building Restriction Line (BRL) will not adversely impact neighboring properties.

The tower's ten-story height was previously approved by the City of Dover in 2006, and four stories have already been completed. Surrounding property owners have been aware of this development for years. Nearly all adjacent properties are Bayhealth-owned and used for hospital operations. The few remaining properties are IO- or C3-zoned commercial uses that have coexisted compatibly with the hospital for decades.

The tower is centrally located within the Bayhealth campus, with the nearest off-site building more than 320 feet away. The additional height is primarily for mechanical and HVAC systems necessary for a 24-hour hospital operation, requiring redundancy that exceeds the code's 20% rooftop mechanical equipment allowance.

The requested BRL projection will accommodate a second stairwell and elevator bank required by life-safety codes. This will improve emergency egress by reducing travel distances, facilitating faster patient evacuation, and allowing vertical transport of materials arriving via the South Street bridge without disrupting patient areas. Because the bridge already projects into the BRL, the visual impact of the new construction will be minimal.

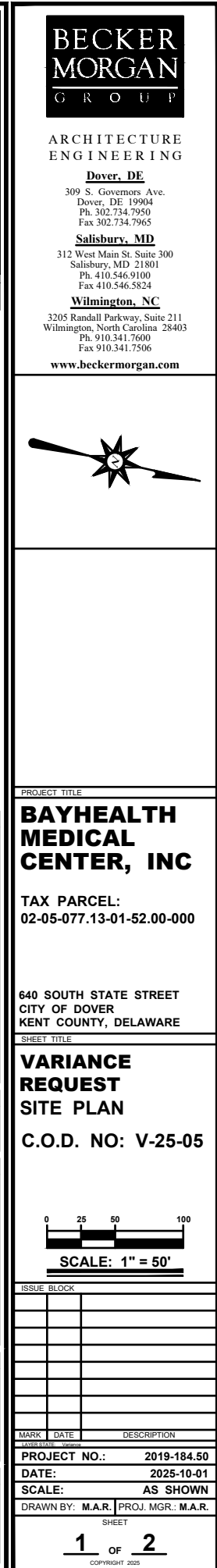
4. Hardship or Practical Difficulty if Restriction Is Not Removed

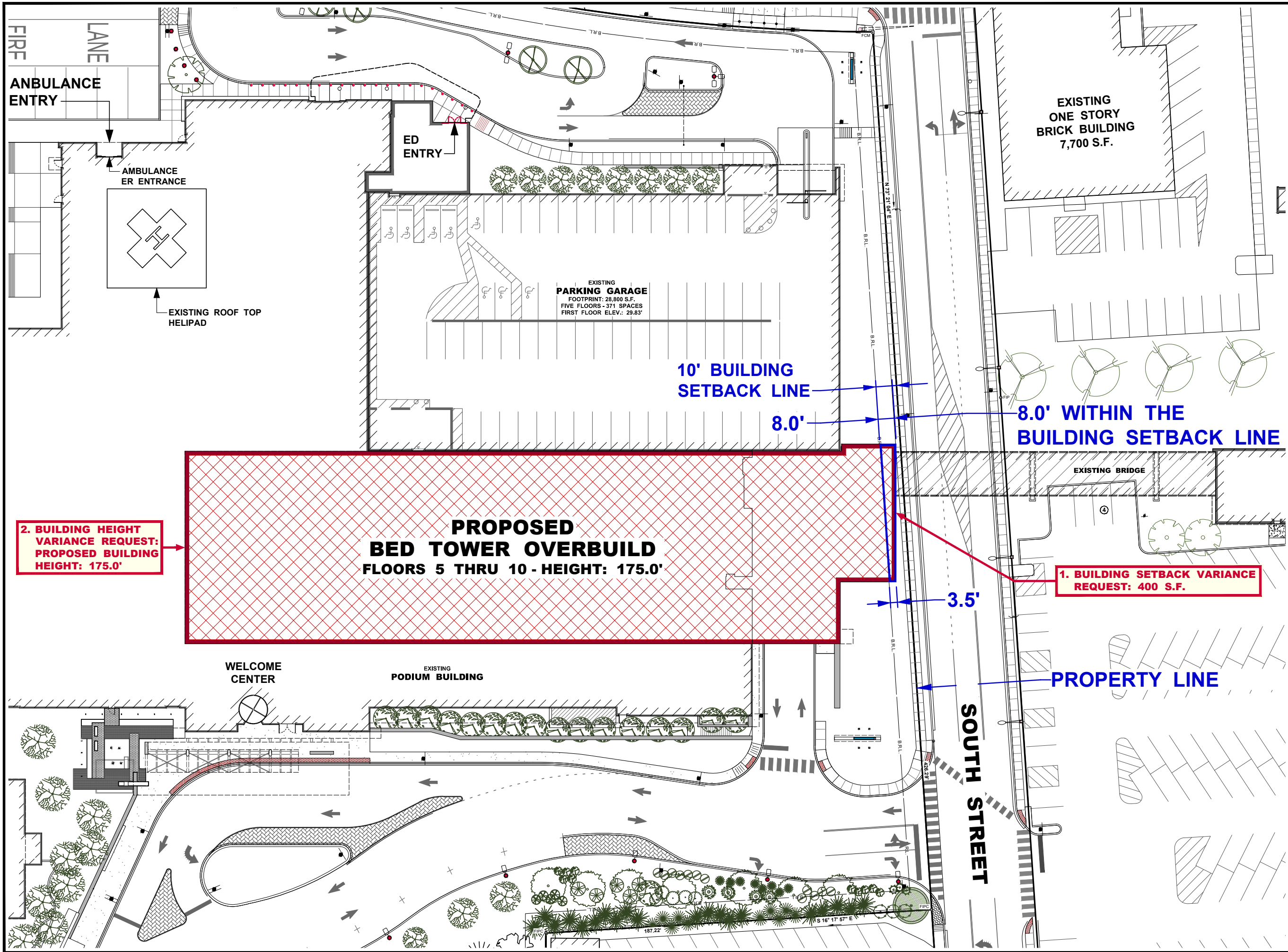
Strict enforcement of the current height and BRL restrictions would result in significant hardship and exceptional practical difficulty for Bayhealth in carrying out permitted hospital uses.

Although the project complies with the ten-story limit, hospitals require greater floor-to-ceiling heights (15–18 feet) than typical commercial buildings to accommodate heavy medical equipment, redundant HVAC systems, medical gas lines, data infrastructure, and other life-safety features. In addition, hospital equipment such as MRI machines, robotics and other apparatuses are extremely heavy requiring a larger structure that needs extra clear space. Gases, computers, monitors, etc are also needed on hospital rooms, all of which are run in the spaces below and above the rooms requiring more height than typical buildings. Without the variance, entire floors and beds would need to be eliminated, preventing Bayhealth from meeting community demand and defeating the project's purpose.

The vertical expansion is also essential to address current wayfinding challenges caused by the existing horizontal layout, which includes four widely separated elevator banks. The new tower will provide direct elevator access from the main entrance, simplifying navigation for patients and visitors.

Finally, the requested BRL projection is critical for life safety. The additional stairwell and elevator cannot reasonably be located elsewhere given that the first four stories of the tower are already in place. These features will enhance emergency evacuation and operational efficiency, thereby serving the best interests of patients, staff, and the broader community.





PROJECT TITLE

**BAYHEALTH
MEDICAL
CENTER, INC**

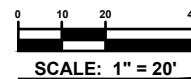
TAX PARCEL:
02-05-077.13-01-52.00-000

640 SOUTH STATE STREET
CITY OF DOVER
KENT COUNTY, DELAWARE

SHEET TITLE

**VARIANCE
REQUEST
SITE PLAN**

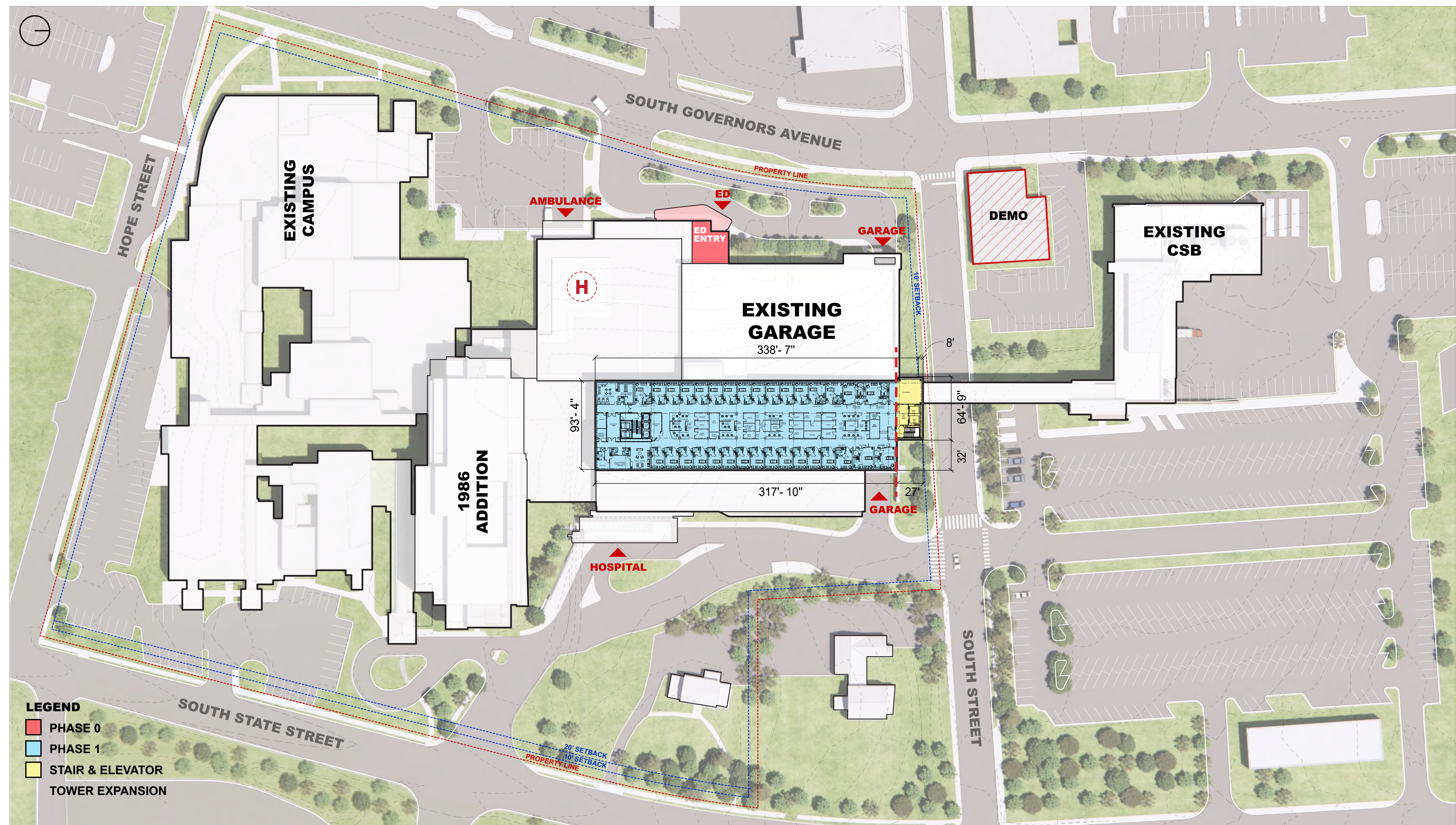
C.O.D. NO: V-25-05



ISSUE BLOCK

MARK	DATE	DESCRIPTION
PROJECT NO.:	2019-184.50	
DATE:	2025-10-01	
SCALE:	AS SHOWN	
DRAWN BY:	M.A.R.	PROJ. MGR.: M.A.R.
SHEET		
2 OF 2		
COPYRIGHT 2025		

VARIANCE APPLICATION DRAWINGS



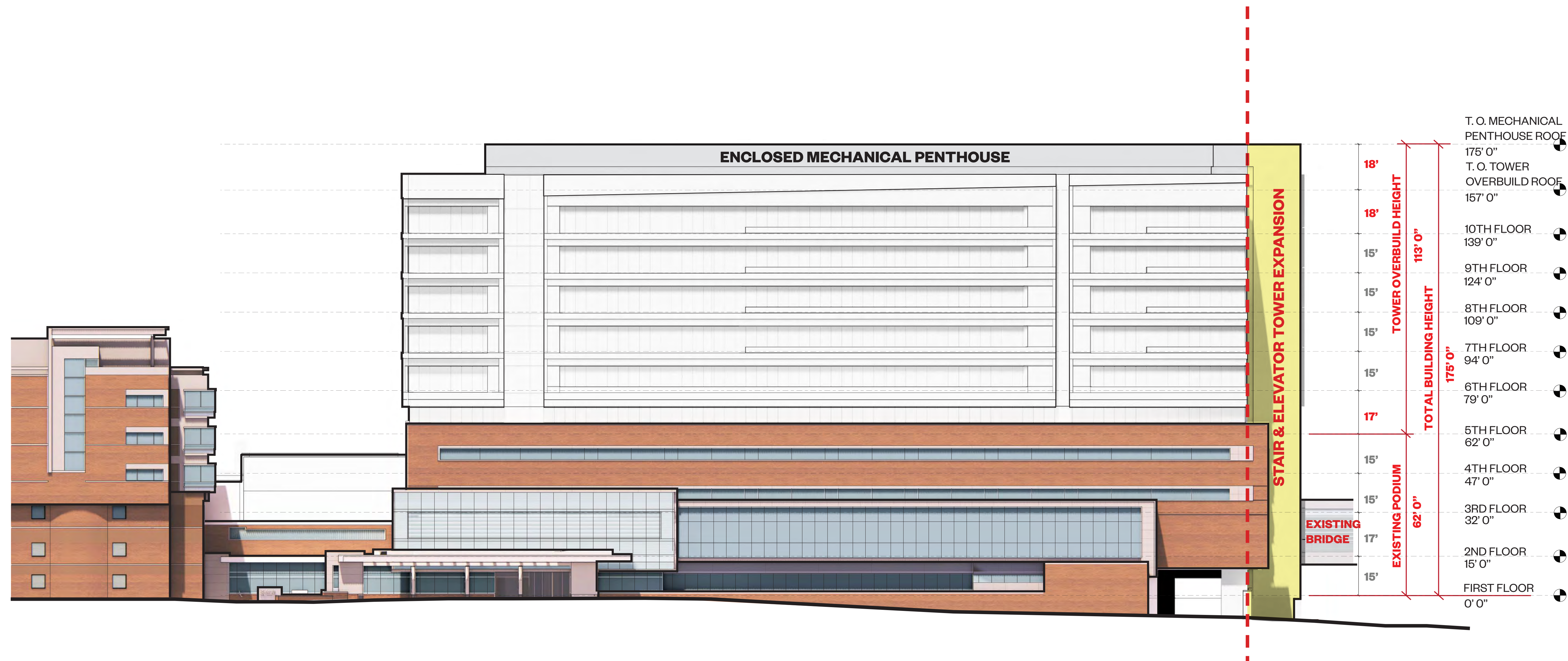
Bayhealth Kent Campus Expansion

Dover, Delaware

SITE PLAN

**EWING
COLE**

VARIANCE APPLICATION DRAWINGS



Bayhealth Kent Campus Expansion

Dover, Delaware

EAST ELEVATION

**EWING
COLE**

VARIANCE APPLICATION DRAWINGS

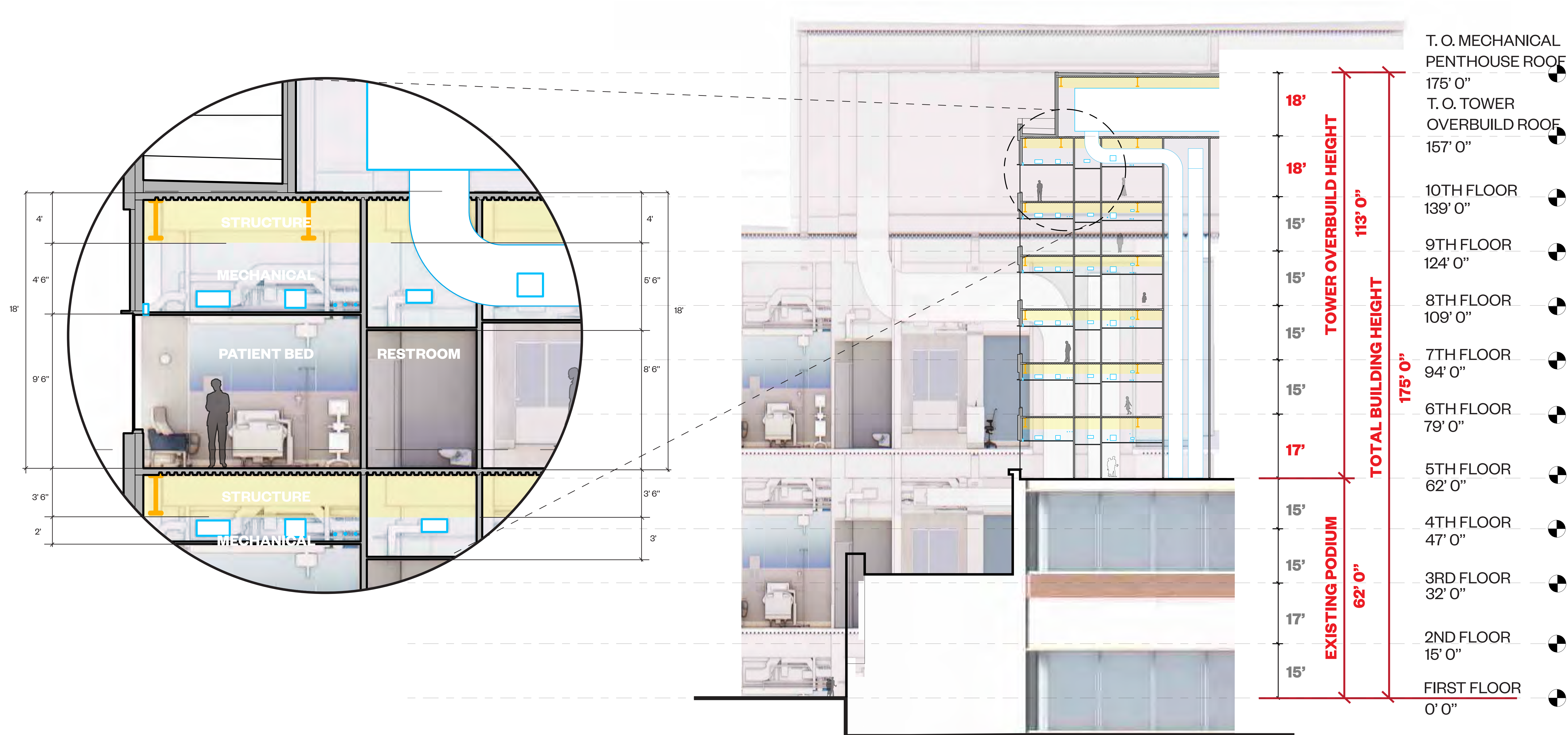


Bayhealth Kent Campus Expansion
Dover, Delaware

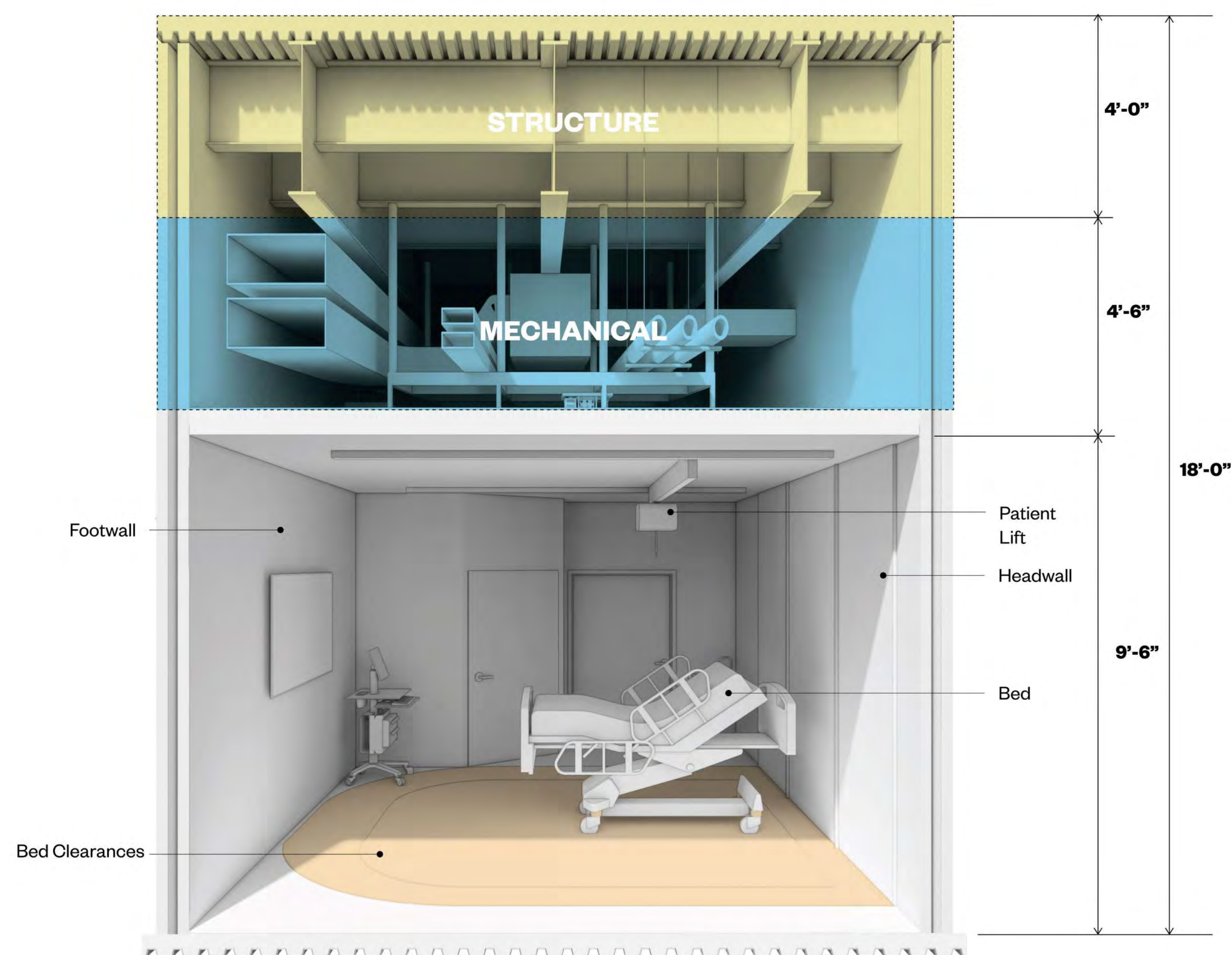
NORTHEAST BIRDSEYE VIEW



VARIANCE APPLICATION DRAWINGS



VARIANCE APPLICATION DRAWINGS



Bayhealth Kent Campus Expansion

Dover, Delaware

HEALTHCARE TECHNICAL SECTIONS

EWING
COLE