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To:
City of Dover, Delaware
Department of Planning & Inspections
P.O. Box 475 Dover, Delaware 19903
Re: Cassidy Commons at 101-1001 Cassidy Drive, C-21-01

January 31, 2024

LAND DEVELOPMENT REQUEST FOR WAIVER

Partial Elimination of Upright Curb

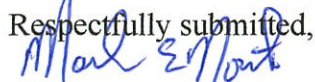
To Whom it May Concern:

The applicant request to partially eliminate the upright curb requirement as per the Dover, Delaware Code of Ordinances, Article II, Street Construction, Section 98-42 Curb and Gutter. The particular areas of interest are at the east end of the existing and proposed parking areas and the west side of Cassidy Drive.

The storm water management practices have been designed and approved to utilize sheet run-off of storm events over pavement edges. The storm water management plans are currently approved utilizing this practice. The placement of upright curbing will alter the current approved design. The site has been forty percent constructed as per the previous approval and changes to the design will have substantial effect on the functionality of the current approved design.

The particular existing physical conditions, shape, and topography of the specific property involved causes an undue hardship to the applicant if the strict letter of the code is carried out. The granting of the waiver will not be injurious to the other adjacent property as such conditions are already existing as per previous approval. The conditions, upon which a request for the waiver is based, are particular to the property for which the waiver is sought and are not generally applicable to other property and do not result from actions of the applicant.

We hope you find this waiver request consistent with the intent and purpose of the city zoning regulations, the city land use plan, and the requirements of this article.

Respectfully submitted,

Mark North