

City of



Dover

PETITION TO ANNEX AND REZONE PROPERTY
Development Advisory Committee Meeting of September 4, 2024
Public Hearing Before Planning Commission on September 16, 2024

File Number: AX-24-01

Ordinance Number: 2024-28

Applicant/ Owner of Record: Byler Investments, LLC

Property Address: 139 Acorn Lane, Dover DE

Tax Parcel ID #: ED-00-068.19-01-23.00-000

Lot Size: 14,494 SF +/-

Present Zoning: RS-1 (Residential Single Family Zone)

Proposed Zoning: R-10 (One Family Residence Zone)

2019 Comprehensive Plan Designation: Category 1: High Priority Annexation Areas

2019 Comprehensive Plan Land Use Category: Residential Medium Density

Present Use: Single Family Detached Dwelling

Proposed Use: Single Family Detached Dwelling

Utility Availability:	<u>Electric:</u> 139 Acorn Lane is currently served by City of Dover Electric. With any future redevelopment of the property, the electric service needs will be evaluated. The property owner will be responsible for any and all costs associated with the changes of electrical service needs related to any future redevelopment including extending and providing service upgrades to the proposed property.
	<u>Water and Sanitary Sewer:</u> 139 Acorn Lane is not served by City of Dover Water. 139 Acorn Lane is not served by Sanitary Sewer. The property owner has contacted the Department about the possible connection to these services. Water and Sanitary Sewer are available to this property. The property owner is responsible for any and all costs associated with changes to

	service needs for property including extending and providing service upgrades to the existing dwelling on the property, this will include an assessment of \$40 per front foot of the property for sanitary sewer, which shall be paid by the property owner prior to connection. This may include tapping the sanitary sewer and water mains, connection to the building for both utilities, purchasing appropriately sized water meter and pit, paying impact fees, and obtaining permits.
Recommendations from Utility Services providers for AX-24-01:	The Electric Department has no objection to the annexation. The Department of Water and Wastewater has no objection to the annexation.

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
D.A.C. MEETING DATE: September 4, 2024

City of
Dover
Planning
Office

APPLICATION: Annexation of Lands of Byler Investments Inc. at 139 Acorn Lane

FILE #: AX-24-01 REVIEWING AGENCY: City of Dover Planning

CONTACT PERSON: Dawn Melson-Williams, AICP, Principal Planner
PHONE #: (302) 736-7196

I. APPLICATION SUMMARY

This application is for Review of an Annexation Request and Rezoning Request for a parcel of land totaling 14,494 SF+/- located at 139 Acorn Lane. The property is currently zoned RS-1 (Residential Single Family Zone) in Kent County. The proposed Zoning is R-10 (One Family Residence Zone). The property is located on the west side of Acorn Lane between South Hancock Avenue and Shadybrook Drive. The annexation category according to Dover's 2019 *Comprehensive Plan* is Category 1: High Priority Annexation Areas and the land use designation is Residential Medium Density. The property owner is Byler Investments, LLC. Property Address: 139 Acorn Lane. Tax Parcel: ED-00-068.19-01-23.00-000. Proposed Council District 3. Ordinance #2024-28.

The First Reading of this Annexation Request was completed at the City Council Meeting on August 12, 2024. At that time, a Public Hearing before the Planning Commission was scheduled for September 16, 2024 and a Public Hearing before City Council was scheduled for October 14, 2024.

Existing Property

The property is located on the west side of Acorn Lane and between South Hancock Avenue and Shadybrook Drive. The current boundary of the City of Dover flanks the parcel on both sides, but not to the rear. The property includes an existing single-family detached dwelling. The property is currently zoned RS-1 (Residential Single Family Zone) in Kent County.

Surrounding Land Uses

The subject property is surrounded by single-family dwellings on slightly larger sized lots zoned R-20 and RM-1 located in the City and a property zoned RS-1 located in the Kent County. To the east across Acorn Lane is residential subdivision known as Independence Village where properties are zoned R-8 (One Family Residence Zone) and are single family detached dwellings. To the southeast across Acorn Lane is a residential subdivision known as Acorn Farms zoned R-8 (One Family Residence Zone) and it consists of duplex units as developed as Residential Cluster Development (SB-92-08).

II. COMPREHENSIVE PLAN COMPLIANCE REVIEW

In the *2019 Comprehensive Plan*, the Potential Annexation Areas (Map 13 -1) identifies the property in the Category 1: High Priority Annexation Areas. The Growth and Annexation Plan Chapter (Chapter 13) notes that “Lands in this category are primarily enclaves of unincorporated territory mostly surrounded by the City of Dover. In all or most of these cases, the City provides these parcels with one or more essential service (sewer, water, police, fire, trash).” For Category 1: High Priority Annexation Areas, it notes in the Recommendations that “the City will not extend sewer and/or water infrastructure to Category 1 areas unless the property owners annex into the City” with consideration given for issues of health, safety and welfare.

The *2019 Comprehensive Plan* also sets the review criteria for the review of zoning for parcels being proposed for annexation. Chapter 13, page 13-9 notes that the Zoning Review may include:

- Proposed zoning be in compliance with the land use category shown on Map 13-2 and used in conjunction with Table 12-1: Land Use and Zoning Matrix;
- Character and compatibility of the surrounding land uses and properties;
- The street type and capacity serving the property;
- Environmental concerns and conditions that may influence land use and zoning;
- Market concerns and conditions;
- The compatibility with the overall goals of the Comprehensive Plan.

Map 13-2: Potential Land Use for Annexation Areas identifies the Land Use Classification for this property to be Residential Medium Density. The goals and recommendations for the Residential Medium Density Land Use are listed in the *2019 Comprehensive Plan* excerpts presented below:

Goals: Residential Land Uses

To develop and maintain an adequate supply of housing of varying type, size, and densities that are aesthetically pleasing and located within neighborhoods designed or redesigned to promote convenience, conservation, and access to the greater community, but which are properly buffered through distance and landscaping from incompatible land uses.

Policies: Residential Land Uses

- Allow flexibility in housing styles and types while regulating gross density within residential developments.
- Require linkage streets and sidewalks between adjoining residential subdivisions and street right-of way stubs to adjoining vacant developable land.
- Encourage the separation of residential areas from incompatible uses through buffering distances and the use of transitional zoning categories.
- Encourage high density residential development in infill areas that are near essential services, public transit, and employment opportunities.

- Permit limited compatible neighborhood commercial uses that support surrounding residences within residential areas.

The following is an excerpt from the *2019 Comprehensive Plan* regarding Residential Medium Density Land Uses (page 12-4):

Recommendation for Residential Medium Density

Residential Medium Density land uses involve a maximum gross density of eight (8) dwelling units per acre. This type of development may include single family houses on smaller lots, duplexes, townhouses, and some apartments. Some Manufactured Home Park developments would also be considered Residential Medium Density. Medium density residential uses are permitted in the following zoning districts: R-8 (One Family Residence Zone), R-7 (One Family Residence Zone), RM-1 (Medium Density Residence Zone), RM-2 (Medium Density Residence Zone) planned to reflect the historic patterns and mix of land uses common to Dover's early development, RG-1 (General Residence Zone), RG-2 (General Residence Zone), RG-3 (Group Housing Zone), RGO (General Residence and Office Zone), and MH (Manufactured Housing Zone).

The Land Development Plan recommends that Residential Medium Density uses be permitted near existing and planned service and employment centers and in locations well supported by transportation infrastructure and mass transit services. Areas identified as Medium Density Residential can be looked at as potential receiving areas under a transfer of development rights program. Areas in the northern portion of the City are appropriate for Residential Medium Density development.

As part of the Land Development Plan, Table 12-1: Land Use and Zoning Matrix specifies that the following zones are compatible with this land use classification of Residential Medium Density.

Residential Medium Density	R-10 (One Family Residence) R-8 (One Family Residence) R-7 (One Family Residence) RM-1 (Medium Density Residence) RM-2 (Medium Density Residence) RG-1 (General Residence) RG-2 (General Residence) RG-3 (Group Housing) RGO (General Residence and Office) MH (Manufactured Housing) C-1 (Neighborhood Commercial)
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III. ZONING REVIEW

Request for R-10 (One Family Residence Zone)

The applicant has requested the zoning of R-10 (One Family Residence Zone). The types of permitted uses in the R-10 (One Family Residence Zone) are given in Article 3 §1 of the *Zoning Ordinance* and referenced sections. See the following Code excerpt:

Article 3 Section 1. – One Family Residence zone [(R-20, R-15, R-10, R-8, R-7)].

1.1 *Uses permitted.* In a one-family residence R-20, R-15, R-10, R-8 and R-7 zones, no building or premises shall be used and no building or part of a building shall be erected or altered which is arranged, intended or designed to be used, in whole or in part, for any uses except the following:

1.11 The raising of field and garden crops, vineyards and orchard farming, the maintenance of nurseries, and the seasonal sale of the products thereof, provided no building is erected and signs conform with [article 5](#), section 4.

1.12 One-family detached dwellings, not to exceed one such dwelling per lot.

1.13 Public buildings, structures and uses, including parks and playgrounds, subject to approval of site plans by the planning commission in accordance with [article 10](#), section 2.

1.14 The following uses are permitted, conditional upon the approval of the planning commission in accordance with the procedures and subject to the general conditions set forth in section 10.1 and to any specified requirements set forth below:

(a) Places of worship, including parish houses; [and] schools, including nursery schools, kindergartens and day care centers in accordance with [article 5](#), Supplementary Regulations, section 14. Child day care facilities; philanthropic and eleemosynary institutions; hospitals and sanitariums for general medical care; and funeral homes subject to the following requirements:

- i. Any school permitted under this paragraph [subsection 1.14(a)] shall be a nonprofit organization within the meaning of the Internal Revenue Act and shall be registered effectively as such thereunder.
- ii. Any school permitted under this paragraph [subsection 1.14(a)], other than a kindergarten, nursery school, or day care center, shall occupy a lot with an area of not less than two acres, plus one acre for each 100 pupils for which the building is designed.
- iii. Any kindergarten or nursery school permitted under this paragraph [subsection 1.14(a)] shall be limited to a maximum of 50 children in zones R-8 thru R-20 and a maximum of 100 children in all other zones. At least 100 square feet of outdoor play space per child shall be provided. Outdoor play space shall be fenced or otherwise enclosed on all sides and shall not include driveways, parking areas, or land unsuited by other usage or natural features for children's active play space. Fencing or other enclosures shall be a minimum height of four feet. The minimum lot area for each ten, or remainder over the multiple of ten, children shall be the same as the minimum lot area requirement for each dwelling unit in the districts in which such uses are to be located.
- iv. No such building or part thereof shall be erected with less than a 50-foot front yard or nearer than 25 feet from any other street or property line.
- v. The sum of all areas covered by all principal and accessory buildings shall not exceed 20 percent of the area of the lot.
- vi. Courts shall conform to the requirements of [article 5](#), section 3 hereof.

(b) Railroad and public utility rights-of-way and structures necessary to serve areas within the city, subject to such conditions as the planning commission may impose in order to protect and promote the health and safety and general welfare of the community and the character of the neighborhood in which the proposed structure is to be constructed.

(c) Country clubs or other annual membership clubs, catering exclusively to members and their guests, and accessory private playgrounds, golf courses, swimming pools, tennis courts and recreation buildings not conducted as business enterprises, provided that the following operations shall be prohibited:

- i. Outdoor entertainment, live or mechanical;
- ii. The use of outdoor public address systems for any purpose; and
- iii. Exterior lighting producing glare at the lot line other than that essential for the safety of the users of the premises.

No building erected under the provisions of this paragraph [subsection 1.14(c)] shall be so erected nearer than 50 feet to any street or property line.

(d) Adult day care facilities in accordance with [Article 5](#)—Supplementary Regulations, Section 22—Adult Day Care Facilities.

1.15 Accessory uses, limited to the following:

(a) Professional office or studio of an artist, dentist, musician, teacher, or physician, but not including veterinarians, provided that:

- i. Such office or studio is incidental to the residential use of the premises and is carried on by a resident thereon with not more than one nonresident assistant; and
- ii. Such office or studio shall occupy not more than 30 percent of the area of one floor of the main building.
- iii. Studios where dancing or music instruction is offered to groups in excess of four pupils at one time or where concerts or recitals are held are prohibited.
- iv. Medical centers, barbershops, beauty parlors, real estate offices, funeral homes or similar uses shall not be considered permitted accessory uses.

(b) Garden house, tool house, playhouse, greenhouse or pool incidental to the residential use of the premises and not operated for gain.

(c) Private garage, provided that, in the case of a one-family dwelling, such garage shall have a capacity of not more than three passenger automobiles. One such space may be leased to a person not [a] resident on the premises.

(d) Keeping domestic animals as pets, provided not more than three (3) dogs over six months old, shall be permitted.

(e) Keeping of chickens for individual domestic purposes subject to the following restrictions:

- i. Keeping of chickens shall not be permitted on lots smaller than 10,890 square feet in lot area.
- ii. No more than five (5) chickens shall be permitted on a residential lot.
- iii. Chickens shall be registered with the Delaware Department of Agriculture.
- iv. Chickens shall be penned in a coop that shall be at least four (4) square feet per chicken.
- v. All chicken coops shall be located in a rear yard and shall be a minimum of 20 feet from side and rear property lines.
- vi. Any odor associated with the chickens shall not be discernable from property lines.
- vii. Keeping of roosters shall be prohibited.
- viii. Any lot with chickens shall either comply with these requirements by June 1, 2016 or remove the chickens.

(f) Dormitories accessory to schools, provided that such dormitories conform to the bulk regulations of the RG-1 zone. For purposes of computing bulk requirements, each four rooms shall be considered one dwelling unit. Parking shall be calculated as identified in Article 6—Off-Street Parking, Section 3—Required off-street parking spaces, Paragraph 3.1—Schedule of requirements.

(g) Customary home occupations, provided that:

- i. No display of products, goods and/or signs shall be visible from the street.

- ii. Such home occupation shall be incidental and secondary to the residential use of the premises and shall be conducted in the principal building by the resident or residents that reside therein.
- iii. Nonresident assistants or co-workers shall be prohibited.
- iv. Such home occupation shall not occupy more than 30 percent of the area of one floor in the principal building.
- v. There shall be no exterior effect such as noise, traffic, odor, dust, smoke, gas, fumes, radiation, or electromagnetic interference.

The property in the R-10 zoning district would be subject to the following bulk standards. The existing size of the lot and placements of the existing house will be considered legal non-conforming as to the lot width, minimum side yard setback (on south side), and the setbacks for the accessory structure (garage). The *Zoning Ordinance*, Article 7 – Nonconforming Buildings and Uses contains provisions to address these non-conformities. See the bulk standards below for R-10.

Article 4, Section 4.1. - [One-family residence zones.]

Bulk and parking regulations for one-family residence, R-20, R-15, R-10, R-8 and R-7 zones [are as follows] (see also article 12, definitions; article 5, supplementary regulations; and article 6, off-street parking, driveways and loading facilities):

:	For Dwellings in:
Minimum required:	R-10
Lot area (sq. ft.)	10,000
Lot width (ft.)	80
Lot depth (ft.)	110
Front yard (ft.)	25
Minimum side yard (ft.)	15
Total both side yards (ft.)	30
Rear yard (ft.)	30
Livable floor area/DU (sq. ft.)	1,200
Off-street parking spaces/dwelling units	2
Maximum permitted:	
Building height	
Stories	2 1/2
Feet	35
Lot coverage	30%

(Ord. of 12-14-1992)

IV. RECOMMENDATION OF PLANNING STAFF:

The request for the R-10 (One Family Residence Zone) is for a zone that focuses on one-family residences (detached dwellings) on lots of a minimum 10,000 SF size. This property is over 10,000 SF in size and currently includes a single-family detached residence.

Staff recommends the annexation of the property at 139 Acorn Lane and its rezoning to R-10 (One Family Residence Zone) be approved as requested. The subject property is in the City’s Annexation Plan of the *2019 Comprehensive Plan* as Category 1: High Priority Annexation Areas with a Land Use Classification as Residential Medium Density. This is a High Priority Annexation Area since it is an enclave and will help fill in one of the holes in the City of Dover Boundary. The R-10 zoning is consistent with other development in the surrounding area of this parcel includes a

number of residential zones ranging from R-20 to R-8 and RM-1 zones. The R-10 zoning accommodates the current use of the property as a single-family dwelling. The property is also already served by the City Electric.

This Annexation/Rezoning Request does not grant approval of a specific use for the property but makes its land use subject to a listing of uses permitted and potential conditional uses as allowed in the R-10 zoning district. Staff notes that any potential redevelopment for the site or changes of use for the existing building would have to be in line with the zoning classification and would similarly have to follow all development design guidelines of the *Zoning Ordinance*. Were the Application for Annexation/Rezoning to be recommended by the Planning Commission and subsequently approved by the City Council, the applicant would still have to submit Site Development Plans and/or Permits for review for any new use of the site or the building. At the present time, the property is expected to remain as a single family detached residence with the only improvements related to making connections to City water and/or sewer services.

The parcel meets the lot depth and lot area for a parcel zoned R-10 and the current dwelling appears to comply with the bulk standards for setbacks (except side yard on south) and lot coverage. For the accessory structure, the garage placement does not meet the required five-foot setback from the side and rear property line. Any non-conformity of the existing buildings' uses and placement regarding the bulk standards of the R-10 would be subject to the provisions of the *Zoning Ordinance*, Article 7 – Nonconforming Buildings and Uses.

This recommendation is being made without the benefit of hearing the comments of surrounding landowners and residents. A Public Hearing is required on this matter and the Planning Commission should give those comments consideration.

V. PLANNING COMMISSION REVIEW FOR RECOMMENDATION

As part of the Annexation Request, the City of Dover zoning district is to be determined; therefore, it is a request for a type of zoning map amendment which changes the zoning district of a property. The Planning Commission as part of their public hearing and review process will provide a recommendation on the zoning to City Council. As part of the process outlined in *Zoning Ordinance*, Article 10 Section 5, the Planning Commission must evaluate the following factors when considering the request:

Article 10 § 5.36 Report of the planning commission. Regarding each application for a zoning map amendment, the planning commission shall provide a report to the city council stating a recommended action with regards to the proposed amendment, along with the commission's evaluation of the following factors:

(A) Whether the uses permitted by the proposed change would be compatible with the existing uses and zones in the area concerned;

(B) Whether adequate public services and infrastructure exist or can be created or expanded to serve the needs of any additional demand as a result of such change; and

(C) Whether the proposed change is in accordance with the city's current comprehensive plan.

A Recommendation Report from the Planning Commission will be forwarded to City Council for their consideration of the Annexation/Rezoning Application.

ADVISORY COMMENTS TO THE APPLICANT

- 1) From the agency comments received, it appears that ability to provide City water and sewer is feasible due to the proximity to existing infrastructure along Acorn Lane. It would be the property owner's responsibility to cover all costs associated with extending and connecting services to the existing dwelling.
- 2) Regarding connection to City services (water and/or sanitary sewer) the applicant has been in contact with the City's Department of Water & Wastewater for procedures, permitting and impact fees.
- 3) Upon annexation into the City of Dover, the property will be subject to the provisions of the *Dover Code of Ordinances*. This includes procedures such as review processes for plans and permits for construction activities, licensing, Rental Dwelling Permit, etc.
- 4) The applicant shall be aware that approval of any Annexation & Rezoning application does not represent a Building Permit or other construction activity permit approval. A separate application submission showing all improvements is required before issuance of permits by the City of Dover.

If you have any questions or need to discuss any of the above comments, please call the above contact person and the Planning Office as soon as possible.



CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: AUGUST 28, 2024



APPLICATION: Lands of Byler Investments, LLC at 139 Acorn Lane
FILE #: AX-24-01
REVIEWING AGENCY: City of Dover Department of Public Works and Water & Wastewater
CONTACT PERSON: Jason A. Lyon, P.E., Director of Water & Wastewater / Engineering Services
CONTACT PHONE #: 302-736-7025
CONTACT EMAIL: jlyon@dover.de.us

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS

SANITATION / STREETS / STORMWATER / WATER / WASTEWATER / GENERAL

1. Our office has no objections to the proposed annexation of tax parcel ED-00-068.19-01-23.00-000. Any redevelopment shall adhere to the City of Dover Water/Wastewater Handbook and the Specifications, Standards & Procedures for Public Works Construction. Impact fees will be applied to this property.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

SANITATION / STREETS / STORMWATER / WATER / WASTEWATER / GENERAL

1. None

ADVISORY COMMENTS TO THE APPLICANT

SANITATION / STREETS / STORMWATER / GENERAL

1. None

WATER / WASTEWATER

1. As per the Petition to Annex and Rezone Property, as heard by the Council Committee of the Whole, please find the following:
 - a. 139 Acorn Lane is not served by City of Dover Water. 139 Acorn Lane is not served by Sanitary Sewer. The property owner has contacted the Department about the possible connection to these services. Water and Sanitary Sewer are available to this property. The property owner is responsible for any and all costs associated with changes to service needs for property including extending and providing service upgrades to the existing dwelling on the property. This may include tapping the sanitary sewer and water mains, connection to the building for both utilities, purchasing appropriately sized water meter and pit, paying impact fees, and obtaining permits.

IF YOU HAVE ANY QUESTIONS OR NEED TO DISCUSS ANY OF THE ABOVE COMMENTS, PLEASE CALL THE ABOVE CONTACT PERSON AND THE PLANNING DEPARTMENT AS SOON AS POSSIBLE.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: August 28, 2024**APPLICATION:** Lands of Byler Investments LLC at 139 Acorn Ln**FILE #:** AX-24-01**REVIEWING AGENCY:** City of Dover, Office of the Fire Marshal**CONTACT PERSON:** Jason Osika, Fire Marshal
josika@dover.de.us**PHONE #:** (302) 736-4457

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY, AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESS BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS:

1. Proposal is annexation request and rezoning request.
2. Every house, building or structure used or intended for use as living quarters or as a place for conducting business, and having any wall facing or abutting any public or private street or alley, shall have displayed on that wall, in legible, easily read characters which are of contrasting color to the background, the proper street number for such house, building, or structure in accordance with the following:

One-family and two-family residential structures, height, the number shall measure a minimum of four inches in height, *location*, the number shall be placed on the house above or to the left or right of the front entrance, *color*, the number shall be contrasting to the background color, *Arabic numerals*, all numbers shall be Arabic numerals.

Multiple-family dwellings, measurements, the number shall measure a minimum of six inches when identifying individual apartments with exterior doors, and 12 inches when identifying buildings with apartment complexes where there are two or more buildings not assigned street addresses. Individual buildings with street addresses shall have numbers measuring six inches, *location*, numbers shall be placed either in the center of the building or on the street end of the building so as to be visible from either the public or private street or from the parking lot, *color*, numbers shall be contrasting to the background color, *Arabic numerals*, all numbers used shall be Arabic numerals.

Commercial, industrial and office buildings, height, the numbers shall measure a minimum of 12 inches in height, *location generally,* numbers shall be placed either in the center of the building or on the street end of the building so as to be visible from either the public or private street or from the parking lot,

property line or driveway, should the building be located far enough from a public or private road so that the numbers are not clearly visible from the street, then the street address shall also be posted on the property at or near the property line or driveway to said building,

color; each building, numbers shall be contrasting to the background color and shall be placed on each building in the complex,

Arabic numerals, all numbers used shall be Arabic numerals,

Shopping centers. Shopping centers consisting of two or more stores shall have a tenant or suite number affixed to the front of the tenant space and on the outside of the rear door which corresponds with that tenant space. Numbers shall measure six inches in height.
(City of Dover Code of Ordinances, 98-344)

ADDITIONAL / SPECIFIC REQUIREMENTS TO OBTAIN APPROVAL:

1. N/A

APPLICABLE CODES LISTED BELOW (NOT LIMITED TO):

2021 NFPA 1 Fire Code (NFPA; National Fire Protection Association)

2021 NFPA 101 Life Safety Code (NFPA; National Fire Protection Association)

2019 NFPA 72 National Fire Alarm and Signaling Code (NFPA; National Fire Protection Association)

2019 NFPA 13 Installation of Sprinkler Systems (NFPA; National Fire Protection Association)

2009 IBC (International Building Code)

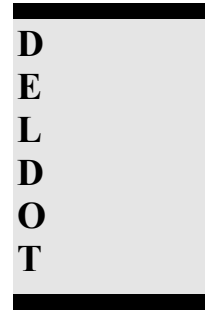
Latest editions of all other NFPA Codes as defined by the Delaware State Fire Prevention Regulations

2021 Delaware State Fire Prevention Regulations

City of Dover Code of Ordinances

***If you have any questions or need to discuss any of the above comments, please call the above contact person listed.**

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY



APPLICATION: Lands of Byler Investments, LLC

FILE#: AX-24-01

REVIEWING AGENCY: DelDOT

CONTACT PERSON: Brian Williams

PHONE#: 302-760-2141

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY & STATE CODE REQUIREMENTS:

No person, firm, corporation or the like shall construct, open, reconstruct, maintain, modify or use any crossing or entrance onto a state-maintained highway, street or road, including any drainage modifications leading into or carried by the highway drainage system, without first having complied with standards and regulations adopted by the Department and having obtained a permit issued by the Department. Please contact the Delaware Department of Transportation - Development Coordination section to begin permit process.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

1. DelDOT has no objection to the rezoning.



KENT CONSERVATION DISTRICT

1679 SOUTH DUPONT HIGHWAY • DOVER, DELAWARE 19901 • (302) 608-5370 • WWW.KENTCD.ORG

CITY OF DOVER DEVELOPMENT ADVISORY COMMITTEE APPLICATION REVIEW COMMENTARY AUGUST 2024

APPLICATION: Lands of Byler Investments, LLC at 139 Acorn Lane

FILE #: AX-24-01

REVIEWING AGENCY: Kent Conservation District

CONTACT: Cullen Baker

PHONE: 302-608-5370

EMAIL: stormwater@kentcd.org

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE. THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

Source: 2019 Delaware Sediment and Stormwater Regulations

CITY AND STATE CODE REQUIREMENTS:

Kent Conservation District has no objection to the annexation for the above referenced parcel.

ADVISORY COMMENTS TO THE APPLICANT:

In the future, if there is any proposed disturbance that will exceed 5,000 square feet, a sediment and stormwater management plan must be reviewed and approved by our office prior to any land disturbing activity (i.e. clearing, grubbing, filling, grading, etc.).

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
D.A.C. MEETING DATE: 9/4/2024

**Dover/Kent
County
Metropolitan
Planning
Organization**

AX-24-01 Lands of Byler Investments, LLC at 139 Acorn Lane

FILE # AX-24-01 REVIEWING AGENCY: Dover/Kent County MPO

CONTACT PERSON: Malcolm Jacob PHONE #: (302) 387-6030

Issues of concern to the MPO are effective transit, reducing the amount of vehicle emissions by shortening or eliminating trips, and facilities for alternative modes of transportation, including bicycle and pedestrian access. The MPO considers the bicycle facilities required by the City of Dover to be the standard for all applications, not to be waived.

City of Dover Planning Commission
Annexation and Rezoning Review

AX-24-01 Lands of Byler Investments, LLC at 139 Acorn Lane

The MPO has no objections to the Annexation Request and Rezoning Request.

If you have any questions or need to discuss any of the above comments, please call the above contact person and the Planning Department as soon as possible.



From: [Hughart, Jared](#)
To: [Melson-Williams, Dawn](#)
Subject: EXTERNAL: 8.28.2024 DAC Staff Notes Chesapeake Utilities
Date: Wednesday, August 28, 2024 10:22:22 AM

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Dawn please see meeting notes below.

AX-24-01 Lands of Byler Investments

- No Comments

C-24-02 Luther Village-

- Currently provide natural gas to the three existing buildings. Please contact Jared, at Jhughart@chpk.com, to begin due diligence for designed and economic modeling.

C-24-03 Church of the Nazarene

- Owner will need to contact Chesapeake utilities once plans are approved, prior to construction, in the event a relocation of the existing natural gas service is needed.

S-24-13

- Natural Gas infrastructure is on Lafferty Lane, please contact Jared at Jhughart@chpk.com, to begin design and economic modeling due diligence.

S-24-14 Legislative Hall Parking Garage

- Please contact Jared at Jhughart@chpk.com for any new natural gas inquiries to begin design and economic modeling due diligence.

Thank you,

Jared Hughart

Chesapeake Utilities

500 Energy Lane

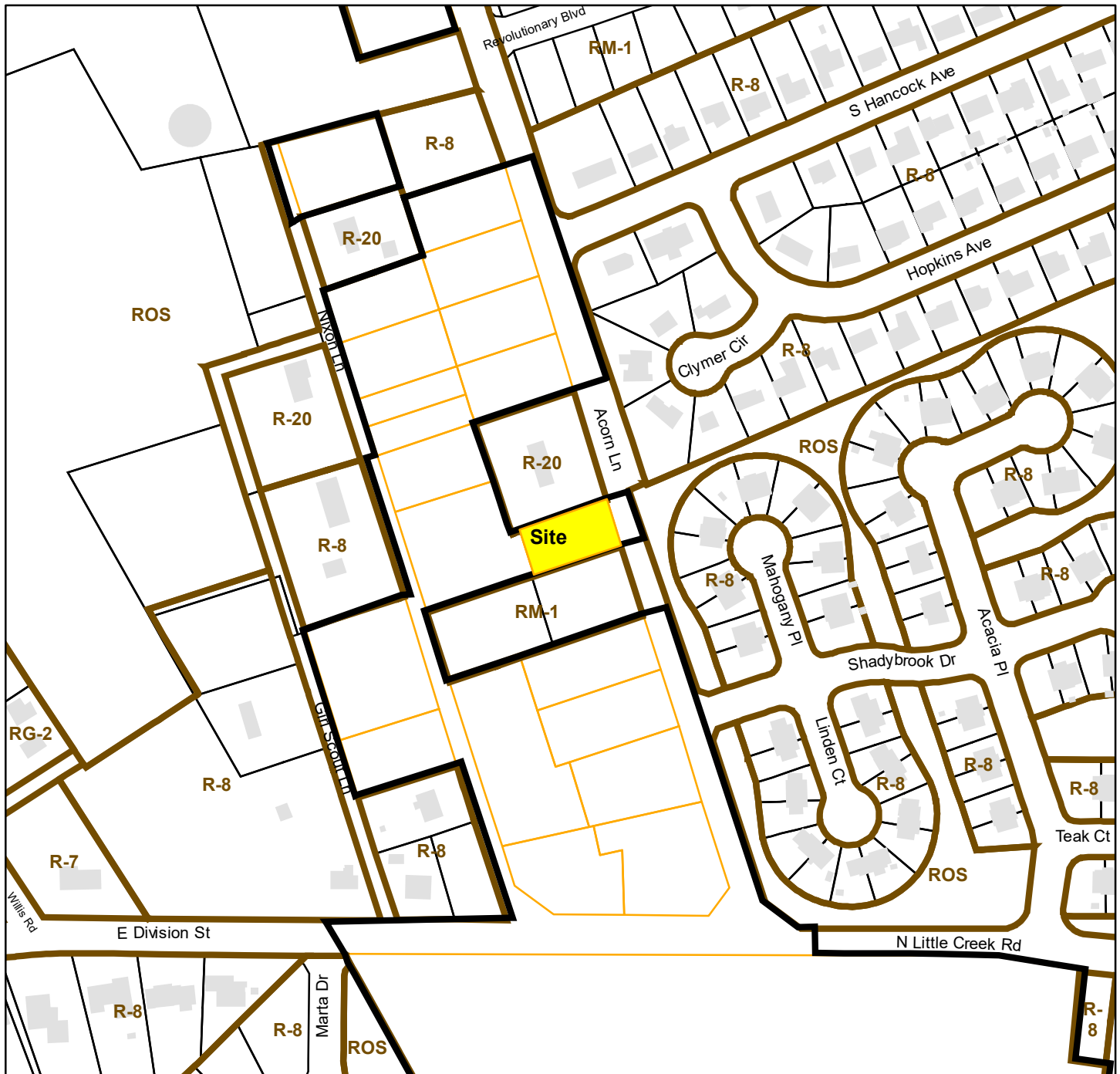
Dover, DE 19901

Cell: 302-943-3468

www.chpk.com

NEW METER requests must go through: Install@chpk.com

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Title: Lands of Byler Investments, LLC
 Ordinance #: 2024-01
 Addresses: 139 Acorn Lane
 Parcel ID: ED-00-068.19-01-23.00-000
 Existing Zoning: RS-1 (Residential Single Family Zone)
 Proposed Zoning: R-10 (One Family Residence Zone)
 Owner: Byler Investments, LLC
 Date: 07/31/2024

Legend

- Subject Property
- Dover Boundary
- Zoning
- Dover Parcels
- Kent County Parcels

0 150 300 600 Feet

