



DATA SHEET FOR MINOR SUBDIVISION PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF April 8, 2026

PLANNING COMMISSION MEETING OF April 20, 2026

Plan Title: Lands of Lupe N. Fuller, 7 Nixon Lane, SB-26.01

Plan Type: Minor Subdivision Plan

Applicant/Owners: Lupe N. Fuller

Properties Locations: East side of Nixon Lane to slightly north of North Little Creek Road.

Property Addresses: 7 Nixon Lane

Tax Parcels: ED-00-068.19-01-28.00-000 (New Tax Parcel Number to be Assigned)

Total Area of Parcels: 41,526 SF +/- (0.9533 acres +/-)

Parcels to be Created: Lot 1 (Proposed): 16,116 SF (0.3700 acres +/-)
Lot 2 (Proposed): 12,642.85 SF (0.2902 acres +/-)
Lot 3 (Proposed): 12,766.73 SF (0.2931 acres +/-)

Zoning: R-8 (One-family Residence Zone)

Current Use: Residential – One Family detached dwelling on existing lot

Proposed Uses: Residential – Existing One Family detached dwelling on Lot 1
Lot 2 and Lot 3 – Future Residential

Waiver Request: Elimination of Sidewalk

For Consideration: Request for Waiver of Cash in Lieu of Recreation Area Construction

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
D.A.C. MEETING DATE: April 8, 2026

**City of
Dover
Planning
Office**

APPLICATION: Minor Subdivision Plan for Lands of Lupe N. Fuller, 7 Nixon Lane

FILE #: SB-26-01

REVIEWING AGENCY: City of Dover Planning

CONTACT PERSON: Dawn Melson-Williams, AICP

PHONE #: (302) 736-7196

Note: This Review Report was initially prepared by Staff of the Rossi Group (under a Planning Services contract with the City of Dover). The Report was completed with additional review and editing by the City's Planning Office.

I. PLAN SUMMARY

This Application is the review of Minor Subdivision Plan for a parcel of land totaling 41,526 SF+/- (0.9533 acres +/-) located at 7 Nixon Lane to be subdivided into three (3) lots. From south to north, Lot 1 is 0.3700 acres +/-, Lot 2 is 0.2902 acres+/-, and Lot 3 is 0.2931 acres +/- . The property is to be zoned R-8 (One-Family Residence Zone). Lot 1 is currently developed as a one-story single-family home, and Lots 2 and 3 are undeveloped. The property is located on the east side of Nixon Lane to slightly north of North Little Creek Road. The property was annexed into the City of Dover on March 9, 2026 (Application AX-26- 01). The property owner is Lupe N. Fuller. Property Address: 7 Nixon Lane. Tax Parcel: ED-00- 068.19-01-28.00-000 (new tax parcel number to be assigned). Council District 3.

II. PROJECT DESCRIPTION – Minor Subdivision

This Minor Subdivision Plan proposed to subdivide the one (1) existing lot into three (3) new lots. The existing parcel has frontage along Nixon Lane. See the following table for the summary of the lots.

Site	Existing Acreage	Proposed Acreage	Description
Lot 1	0.9533 acres+/- 41,526 SF	0.3700 acres+/- 16,116.66 SF	7 Nixon Lane, currently there is a 1-story structure here.
Lot 2	N/A	0.2902 acres+/- 12,642.85 SF	Adjacent lot north of 7 Nixon Lane, undeveloped
Lot 3	N/A	0.2931 acres+/- 12,766.73 SF	Adjacent lot north of 'Lot 2' and 7 Nixon Lane, undeveloped
TOTAL		0.9533 acres 41,526 SF+/-	

As noted in the Summary Table, the two (2) new lots are currently undeveloped. The redevelopment of these lots would be subject to future plan and/or permit reviews.

III. SUBDIVISION REGULATIONS REVIEW

The procedures for subdivision of land are found in the *Land Subdivision Regulations, (Dover Code of Ordinances, Appendix A)*. Planning Staff confirms this application as a Minor Subdivision. Therefore, the Planning Commission may find the application is subject to one public hearing and review for action by the Planning Commission followed by the administrative process to complete the Final Plat for recordation.

In order to subdivide the properties, the plan review must ensure that the subdivision does not create any non-conformities with the bulk standards of the *Zoning Ordinance*. These bulk standards include minimum lot size, front yard setbacks, side yard setbacks, rear yard setbacks, lot coverage, etc. See also discussion below under Zoning Review.

IV. ZONING REVIEW

R-8 Zoning District

The property is zoned R-8 (One-Family Residence Zone) and is subject to the regulations of *Zoning Ordinance, Article 3 §1 and Article 4 §4.1*. The use as a one-family detached dwelling-unit (single-family home) is a permitted use in the R-8 Zone. The proposed Lots comply with the Zoning Bulk Provisions as noted in Article 4 §4.1 of the *Zoning Ordinance*. The following Table highlights some of the lot design standards for the R-8 zone:

Minimum Required	R-8 (One-Family Residence Zones)
	One-Family Detached Dwelling Unit
Lot area (sq. ft.)	8,000
Lot width (ft.)	70
Lot depth (ft.)	100
Front yard	25
Minimum side yard (ft.)	10
Rear yard (ft.)	30
Off-street parking spaces/DU	2
Maximum Permitted	
Building Height:	
Stories	2 ½
Feet	35
Lot Coverage	35%

All three (3) proposed lots appear to comply with the bulk standards of the R-8 zone. The type of development for the vacant property area is not confirmed but the Applicant has in the past indicated one-family detached dwelling units (single family homes). Any proposed development of the lots will be evaluated for compliance with R-8 Zoning and the bulk standards as provided in Article 4, Section §4.1 of the *Zoning Ordinance*. Any proposed dwelling units must also comply with *Zoning Ordinance, Article 5 § 1.7 Uniformity of design in all one-family residence zones*. This provision prohibits neighboring dwellings from being like or substantially like any

neighboring building existing or for which a building permit has been issued; the code provision outlines the criteria for comparison.

Infill Standards

The *Zoning Ordinance*, Article 5 §1.12 provides standards which apply to the development of infill lots which are lots which lie within a developed area. Specifically, these standards require that all such lots provide a sidewalk along the public street frontage, added landscaping, and additional requirements for the design of the primary façade. See code excerpt below:

Article 5

1.12 *Infill standards*. In locations where a lot or group of lots lies within a developed area, the following standards shall apply to the development of the infill lots:

(a) *Sidewalks*. Standard City of Dover sidewalk, per chapter 98, shall be required to be installed along public street frontage of every infill property by the property owner or developer.

(b) *Landscaping*. Infill structures shall be designed to minimize the impact on existing, mature trees when practical. All residential lots shall include landscaping to include plants and shrubs along the portions of the house that front a public street. No form of vegetation shall be planted on a property in a way that blocks more than half of the front façade(s) from public view.

(c) *Primary facade*. All buildings shall include a primary entry along the property's street frontage, and shall also include a porch or other entry feature.

The applicant should provide sidewalks along Nixon Lane. The added requirements for landscaping and the primary façade will be evaluated when development of the lots occurs.

V. SITE CONSIDERATIONS

Sidewalks

Waiver Request for the Elimination of Sidewalks

There are currently no existing sidewalks along Nixon Lane. However, the site is still subject to *Zoning Ordinance*, Article 5 §1.12 that all new infill lots shall provide a sidewalk along the public street frontage. Sidewalks are required along the Nixon Lane street frontages of the site (*Zoning Ordinance*, Article 5 Section 18). The applicant has submitted a written waiver request for the Planning Commission to consider elimination of the frontage sidewalks citing the lack of sidewalks along the east and west sides of Nixon Lane.

VI. ACTIVE RECREATION PLAN

Zoning Ordinance, Article 5 §10 describes the requirements and purpose of an active recreation plan. The Planning Commission shall require the dedication or reservation of recreation areas, and the subsequent construction of recreation facilities of a character, extent and location suitable to the needs created by a development for recreation facilities as defined and in accordance with the design guidelines set forth. There is currently no recreation facilities identified on the Minor Subdivision Plan.

Request for Waiver of Cash in Lieu of Recreation Area Construction

The Active Recreation Area proposal is evaluated in a separate Review Report; see attached Report. It must be reviewed by the Council Committee of the Whole: Parks, Recreation and Community Enhancement Committee. This is scheduled for their meeting on April 14, 2026. The Applicant has filed a Request for Waiver of the Cash In Lieu of Recreation Area Construction as the project's approach to Active Recreation Area.

The *Zoning Ordinance*, Article 5 §10.17 describes an option for cash in lieu of recreation area construction. See code excerpts below.

10.17 Cash in lieu of recreation area construction.

10.171 Determination of suitability for cash donation. If the commission determines that the construction of recreation is not practical due to close proximity to existing available recreation facilities or infeasible due to natural characteristics of the land or will not benefit the residents of the development, the commission shall require a full or partial cash in lieu of areas of donation to be made by the developer in lieu of a full or partial dedication of land.

10.172 Separate recreation account. The cash donation shall be deposited in a separate account to be used for parks, playgrounds or recreational purposes.

10.173 Amount of cash donation. The cash donation shall be equivalent to the appraised value of land area required in section 10.16. The land area value shall be based on the appraisal prepared for the developer to secure construction financing. This submitted appraisal shall be a copy of the original supplied to the lending institution, with that institution identified, and shall conform in all ways to the Uniform Standards of Professional Appraisal practice and be performed by an appropriately qualified certified appraiser. If an appraisal prepared for construction financing is not available, then the developer shall have an appraisal done in accordance with the procedures set forth in [sub]section 10.174.

10.174 Appeal of appraised value. If the city does not accept the land value established by the appraisal detailed in [sub]section 10.173, the city may, at the developer's expense, require another appraisal be performed. This appraisal will be let on a bid basis between at least three appropriately qualified, certified appraisers selected by the city. The appraiser(s) who prepared the original appraisal in [sub]section 10.173 cannot be a party to this appeal appraisal.

10.175 Payment of cash donation. One hundred percent cash donation provided under this section shall be collected prior to issuing the first building permit for the development.

10.5 Exemption to recreation area and open space dedication.

10.51 Exemptions for small developments.

10.511 Residential developments with less than five acres of land and less than ten dwelling units. These developments shall be exempt from the land requirements set forth in [sub]sections 10.1 and 10.2, but shall require a full cash donation to be made by the developer in lieu of a dedication of land.

The subject lots are located approximately 500 feet from the Dover Park. Dover Park is an approximately 28.2 Acre park with tennis courts, pickleball courts, basketball courts, softball field, playgrounds, disc golf course, pavilions shuffleboard courts, and walking paths. Due to the number, size and proximity of the lots to Dover Park, consideration can be given to granting the applicant the option of Cash in Lieu of Recreation Area construction.

VII. TREE AND LANDSCAPE PLANTING

The tree preservation, tree planting and landscaping requirements are subject principally to the regulations found in *Zoning Ordinance*, Article 5 Sections 15 and 16 and are also addressed in other various sections of code related to buffering, screening, and open space. *Zoning Ordinance*, Article 5 §16 lays out the requirements for tree planting and preservation. A new project is required to provide tree planting at a rate of one (1) tree per 3,000 SF of the “Development Area” as defined. The Planning Staff has determined that the two new lots (Lot 2 and Lot 3) area would

be subject to this requirement. With this development area found in Lots 2 and 3 of 25,409.58SF, this would put their tree plantings requirement at a minimum of nine (9) trees. Existing trees can count toward compliance.

VIII. CITY AND STATE CODE REQUIREMENTS

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:

- 1) Waiver for Elimination of Sidewalks: As per the infill lot requirements and other code provisions for pathways, sidewalks must be provided along Nixon Lane. Other provisions of the *Zoning Ordinance* do allow for consideration of a Waiver Request for the elimination of sidewalks by the Planning Commission.
 - a. A written waiver request was submitted for consideration by the Planning Commission for the elimination of the frontage sidewalks.
 - b. The maintenance responsibilities must be clarified as the plan notes it is State maintained; however, other records indicate it as a City of Dover street. Clarify on plan sheet
- 2) Request for Waiver of Cash in Lieu of Recreation Area Construction: The Minor Subdivision requires an Active Recreation Plan. Article 5 §10 describes the requirements of the Active Recreation Plan with §10.17 describing an option for Cash in Lieu payment. This site qualifies for the exemptions detailed in § 10.511.
 - a. The Applicant has filed a Request for Waiver of Cash in Lieu of Recreation Area Construction.
 - b. The Active Recreation Plan will be reviewed by the Parks, Recreation and Community Enhancement Committee. This review is scheduled for April 14, 2026. A separate Active Recreation Area report has been issued.
- 3) Update the zoning and other information relating to the recent annexation of this property area into the City of Dover.
- 4) The tree planting calculations, existing trees to be preserved, and a tree planting plan must be provided for Lots 2 and 3.
- 5) The Final Plan set must include notes documenting any action taken by the Planning Commission and must list any additional conditions of approval.
- 6) The Record Plan Sheet must document and identify any existing and proposed easements for cross access, utilities, drainage, etc. associated with the subdivision of these lots.
- 7) The Final Record Plat submission must include requirements described in *Dover Code of Ordinances*, Appendix A: Land Subdivision Regulations, Article IV, C. Plat and any additional requirements of the Planning Commission.
- 8) The formal Record Plan will need to be recorded upon completion of the approval process with any corrections identified by the reviewing agencies.

IX. RECOMMENDED ADDITIONAL CONSIDERATIONS TO MEET CODE OBJECTIVES:

The *Land Subdivision Regulations*, Article I. Purpose, indicates that the regulations are adopted in order to promote and protect the public health, safety, convenience and general welfare; ensure the orderly growth and development of the City, the conservation, protection and proper use of land, and adequate provision for housing, recreation, circulation, utilities and services; and safeguard the City from undue future expenditure for the maintenance of streets and public spaces.

- 1) This Minor Subdivision Plan creates three (3) lots out of the existing one (1) parcel. One (1) Lot will contain the existing single-family residence and two other proposed lots offer the opportunity for development of dwelling units. The Subdivision Plan generally appears to comply with the *Land Subdivision Regulations* and bulk standards of the R-8 Zone.
- 2) Active Recreation Plan – Request for Waiver of Cash in Lieu of Recreation Area Construction: The Planning Staff finds the subdivision is eligible for the Small Development Exemptions which allows for payment of Cash-in-lieu of Active Recreation Area construction. However, due to the number of lot and the proximity to Dover Park, Staff recommends that consideration be given to the Applicant's request for Waiver of the Cash in Lieu payment or consideration of accepting a partial (reduced) Cash in Lieu Payment. See separate Review Report and recommendations of the Council Committee of the Whole: Parks, Recreation and Community Enhancement Committee.
- 3) Waiver Request – Elimination of Sidewalks: The Planning Staff notes that Nixon Lane does not appear to have any sidewalks or curbing. Most of the parcels fronting this street are already developed and are either in the City or remain in Kent County jurisdiction. While development of these lots is an appropriate time for installation of the sidewalks for the new lots and the existing lot with dwelling, the Planning Commission may consider elimination of this requirement.

Other agencies may recommend additional conditions and safeguards in accordance with their areas of expertise. The Recommended Additional Considerations to Meet Code Objectives are offered for consideration by the Planning Commission.

X. ADVISORY COMMENTS TO THE APPLICANT:

- 1) It noted that the City's Department of Emergency Management and Communications has alerted the Planning Office of instances of flooding occurring along Nixon Lane after certain rain events. Please work with the City's Department of Water & Wastewater and Engineering Service and Department of Public Works on this issue to determine if any improvements related to drainage are required.
- 2) In the event, that major changes and revisions to the Minor Subdivision Plan occur in the finalization of the Plan contact the Department of Planning and Inspections. These changes may require resubmittal for review by the Development Advisory Committee, Planning Commission, or other agencies making recommendations in regard to the plan.
- 3) Following Planning Commission approval of the Minor Subdivision Plan, the Plan must be

revised to meet all conditions of approval from the Development Advisory Committee or as otherwise noted. A Check Print must be submitted for review by Planning Office Staff and also resubmitted to all other commenting agencies for review for approval. Upon determination that the Plan is complete and all agency approvals have been received, copies of the Plan must be submitted for final endorsement prior to recordation at the Kent County Recorder of Deeds Office.

- 4) Other agencies and departments which participate in the Development Advisory Committee may provide additional comments related to their areas of expertise and code requirements.
- 5) Any future development of Lots 2 and 3 for residential use must comply with all zoning provisions of the R-8 (One-Family Residence Zone). Development must also comply with the provisions regarding Infill Development as found in the *Zoning Ordinance* Article 5, Section 1.12. It is noted too that development on Lots 2 and 3 must connect to City water and wastewater services and must have their own driveways (via curb cut) to access off-street parking.
- 6) The applicant shall be aware that Minor Subdivision Plan approval does not represent a site development approval, a Building Permit, and associated construction activity permits. A separate application process is required for review and approvals for development activity from 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 Department as soon as possible.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: APRIL 1, 2026



APPLICATION: Lands of Fuller at 7 Nixon Lane – Minor Subdivision Plan

FILE #: SB-26-01

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

1. Every commercial customer shall provide such premises with a sufficient number of solid waste containers to provide adequate capacity for the solid waste placed out for collection without overloading the capacity of the containers. The City of Dover shall provide commercial customers with a maximum of two (2), 90-gallon trash containers and two (2), 90-gallon recycling containers.
2. Trash collection site shall be oriented for side-loading pick-up if customer is utilizing City of Dover sanitation services.

STORMWATER

1. Final site plan approval will not be granted until a copy of the approved Stormwater/Erosion and Sediment Control Plan from Kent Conservation District is submitted to our office.
2. The size, length, slope, type and flow directions must be shown on all existing and proposed storm sewer lines. Rim and invert elevations must be labeled on all stormwater structures.
3. Nixon Lane has experienced flooding conditions recently. Please provide calculations that prove this development will not send additional stormwater to the street. If this cannot be accomplished, improvements will be required.

STREETS

1. Final site plan approval will not be granted until a letter of no objection, signed by DelDOT is submitted to our office.
2. The current City of Dover standard street section provides for a 3' grass strip between the curb and sidewalk. This standard was administratively revised to meet ADA and FHA compliance with cross slope requirements and to prevent cars from scrapping at driveways. The revised standard utilizes a five feet (5') wide public sidewalk with a five feet (5') wide grass strip behind the curb. Sidewalk and curb shall be installed for the width of the project scope.
3. It shall be unlawful for any person to alter the curb of any street so as to create a curb depression for the purpose of permitting vehicles to enter onto or exit from the city streets, without a permit issued by the city manager.
4. Please add the following notes to the plans:
 - a. Standard City of Dover sidewalk, as per chapter 98, article IV of the Dover Code of Ordinances, shall be required to be installed along the entire public street frontage of a property. Where frontage sidewalk exists but does not meet the standards of chapter 98, article IV, the sidewalk shall be re-laid to meet the standards. Sidewalk shall include barrier-free

access ramping at points of intersection with street crossings and at other locations so as to afford reasonable barrier-free pedestrian movement and site access.

- b. In accordance to Appendix A, Article VI, Section B.3, all sidewalks shall ascend from the curbstone to the building line at the ratio of one-quarter of an inch to the foot. Nothing in this section shall be construed to affect any pavement previously laid by order of the city council, until it is taken up and relaid.

WATER

1. All water utility components must meet the requirements of the Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.
2. The following notes must be added to the plans:
 - a. Hydrant connections by the contractor are prohibited. This method may not be utilized during any phase of the project.
 - b. Any existing water lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of Water & Wastewater specifications and requirements.
 - c. The site contractor shall contact the City of Dover Department of Water & Wastewater Construction Manager at (302) 736-7025 prior to the start of construction. A representative from the City of Dover Department of Water & Wastewater must observe and approve all City owned water and sanitary sewer interconnections and testing. All water taps must be performed by a City of Dover approved contractor. The proposed location for the water connection may need to be adjusted in the field due to conditions of the existing main. Possible conditions that would require tapping relocation include proximity to pipe joints, other taps, concrete encasements, conflict with other utilities, and the like. Test holes must be performed by the contractor to determine the best tapping location. The City of Dover will not be held responsible for field conditions requiring adjustment of the tapping location or for any work required by the contractor to make an appropriate and lawful connection.
3. The size, type, and location of all proposed and existing water lines and valves must be shown on the plan. Please be advised that effective May 1, 2022, water mains can now be constructed using DR 18 PVC.
4. Water usage projections (peak demand or plumbing fixtures) must be submitted to our office to correctly determine the size of the domestic and irrigation (if applicable) water meter for the proposed buildings. These projections must be submitted prior to approval so the meter size can be placed on the final site plan. The proposed water meters must be installed in a pit per City of Dover requirements and manufacturer's recommendations. Also, a dual check valve is required downstream of the meter.
5. The domestic service, fire main connection and valves must be clearly shown for each building. A valve must be installed at the tee to isolate combined fire and domestic water service to the building from the water loop. Typically, this valve is installed at the tee or an acceptable distance from the building. A valve must be provided on the domestic water service, which must be tapped off of the combined eight-inch (8") fire/domestic service outside of the building. The domestic water tap and valve should be as close to the building as possible. Typically, the domestic tap and valve are located within five feet (5') to ten feet (10') of the building. A blow up detail of this layout is recommended.
6. Provide a construction detail for the proposed restraining system for the fire main located within the buildings. There shall only be one (1) water service per building. The Department of Water & Wastewater will test and inspect all fire mains to a blind flange located inside the buildings. The blind flange with tap is used for hydrostatic pressure testing (200 psi for two (2) hours) and dechlorination. The flange must be restrained in the direction of the pipe entering the facility. A pipe entering horizontally through a wall sleeve shall be restrained with rods through the wall. A pipe entering vertically through a slab shall be restrained through the floor to the ninety degree (90°) bend and thrust block. All rods shall be a minimum of ¾" all thread. All pipes through walls and slabs must be Class 52 cement lined ductile iron pipe. Confirm particulars to meet this requirement with mechanical designer.
7. Water services shall be either type K copper or SDR-9. 1. All non-metallic water lines (mains and services) shall be installed with a tracer wire and identification tape. The wire shall be a minimum of twelve (12) gauge blue coated solid copper wire, wrapped around the pipe, and extending up into all valve and curb boxes. The identification tape shall be six-inches (6") wide, laid one foot (1') above the pipe, with the following text: "Caution: Buried Water Line Below". 3M marker balls, model 1423-XR, or approved equal shall be installed at every service line connection to the water main and all bends on the service line.

8. On October 24, 2022, City of Dover Council approved the new Cross Connection Control Program. This program requires certain backflow prevention assemblies on water service connections to the city's distribution system. Please provide a specific description of the activities within this project.

WASTEWATER

1. All wastewater utility components must meet the requirements of the Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.
2. The following notes must be added to the plans:
 - a. Any existing sanitary sewer lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of Water & Wastewater specifications and requirements.
 - b. Part II, Chapter 180, Article III, Section 180-10 of the Code of Kent County requires that "no person shall discharge or cause to be discharged any stormwater, surface water, uncontaminated groundwater, roof runoff, subsurface drainage, uncontaminated noncontact cooling water or unpolluted industrial process waters to any sanitary sewer", this shall include condensate. Sec. 110-231 of the City of Dover Code defines storm sewer as "...any system used for conveying rain water, surface water, condensate, cooling water or similar liquid wastes, exclusive of sewage." The contractor, developer, owner and designers shall ensure during construction that no illegal discharges to the sanitary sewer system are created with the site improvements.
3. The size, length, slope, type and flow directions must be shown on all existing and proposed sanitary sewer lines. Rim and invert elevations must be labeled on all sanitary structures.
4. Cleanouts must be installed on sanitary sewer laterals within five feet (5') of the building, one foot (1') outside of the right-of-way and at all bends. Any cleanout located within a traffic bearing location shall be installed with a heavy duty cast iron frame and cover to prevent damage to the cleanout and lateral.
5. Sizing (flow) calculations must be submitted for all sanitary sewer mains showing that velocity and all other requirements are met.
6. The minimum size of all sanitary sewer laterals shall be six-inch (6").
7. If kitchen facilities are proposed a minimum 1,000 gallon, two chamber grease trap, meeting all Kent County ordinance requirements, must be provided. A construction detail for the proposed grease trap, as well as the proposed location, must be provided on the plan.

GENERAL

1. All existing utilities shall be adjusted to final grade in accordance with current City of Dover requirements and practices. This must be included as a note on the plan.
2. No trees may be planted within ten feet (10') of utility infrastructure.
3. No structure may be installed within ten feet (10') of utility infrastructure, please depict all underground utilities and structures on the utility plan sheet to confirm compliance.
4. The final site plan must be submitted in the following compatible digital formats:
 - a. AutoCAD 2018 (.dwg format).
 - b. Adobe Reader (.pdf format).

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

SANITATION / STORMWATER / STREETS / WATER / WASTEWATER / GENERAL

1. None.

ADVISORY COMMENTS TO THE APPLICANT

WATER

1. The City of Dover water system is available to this site. The developer is responsible for all costs associated with extending and providing service to the proposed development.
2. Prior to plan approval, the water system plans must be submitted to the Division of Public Health, Office of Drinking Water for review and approval. The owner/developer will be responsible for providing all completed forms and plan sets to the City of Dover as required for submission to the Office of Drinking Water. Plans will not be submitted to the Office of Drinking Water until review has been completed by our office.
3. Hydrant flow testing is currently only performed during the spring and fall. The applicant must call the Department of Water & Wastewater directly to schedule these tests. This applies to both existing hydrants as well as those proposed for the site.
4. Water impact fees will be required to be paid prior to Certificate of Occupancy for this project.

WASTEWATER

1. The City of Dover sanitary sewer system is available to this site. The developer is responsible for all costs associated with extending and providing service and capacity to the proposed development.
2. Prior to plan approval, it may be required to submit the sanitary sewer system plans to the DNREC, Division of Water Resources, Surface Water Discharges Section for review and approval. The owner/developer is responsible for providing all application fees, completed forms and plan sets directly to DNREC.
3. Profiles of the sanitary sewer main must be provided with the construction plans. All water, sanitary sewer and storm sewer crossings must be shown on the profiles.
4. Wastewater impact fees will be required to be paid prior to Certificate of Occupancy for this project.

GENERAL

1. The applicant is advised that depending upon the size of the existing water service and sanitary sewer lateral to be abandoned, flowable fill may be required.
2. Construction plans will not be reviewed by our office unless all previous comments have been clearly addressed within the plan set and accordingly identified within an itemized response letter and with the Water/Wastewater Initial Plan Submission Checklist, which can be obtained from the following website: https://imageserv9.team-logic.com/mediaLibrary/198/WaterWastewaterHandbookFinal_1.pdf, page 88.

SANITATION / STORMWATER / STREETS

1. None.

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 ELECTRIC
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: APR 1, 2026

APPLICATION:	Lands of Fuller at 7 Nixon Ln Minor Subdivision Plan
FILE #:	SB-26-01
REVIEWING AGENCY:	City of Dover Electric Department
CONTACT PERSON:	Shawn Burgett, Engineering Services & System Operations Superintendent
CONTACT PHONE #:	302-674-7568
CONTACT EMAIL #:	sburgett@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

ELECTRIC

THE SUBJECT PROPERTY IS CURRENTLY SERVED BY THE CITY OF DOVER ELECTRIC DEPARTMENT AT THE EXISTING STRUCTURE. WITH THE PROPOSED SUBDIVISION OF THE PARCEL INTO MULTIPLE LOTS, ELECTRIC SERVICE REQUIREMENTS FOR EACH LOT WILL BE EVALUATED AT THE TIME OF DEVELOPMENT. EACH NEWLY CREATED LOT SHALL BE INDIVIDUALLY EVALUATED FOR ELECTRIC SERVICE AVAILABILITY AND REQUIREMENTS. THE OWNER/DEVELOPER WILL BE RESPONSIBLE FOR ANY COSTS ASSOCIATED WITH MODIFICATIONS OR EXTENSIONS OF ELECTRIC SERVICE.

1. The roadway and curbing must be in.
2. The right-of-way must be within 6" of final grade.
3. The property corners must be staked.
4. Owner is responsible for locating all existing underground electric, communications and water facilities.
5. Owner is responsible for installing all conduits and equipment pads per the City of Dover Engineering Department specifications.
6. Owner is responsible for site and/or street lighting.
7. Meter locations will be determined by City of Dover Engineering Department.
8. Load sheets and AutoCAD compatible DXF or DWG diskettes of site plans, including driveways, are required prior to receiving approved electrical construction drawings.
9. Any relocation of existing electrical equipment will be engineered by the City of Dover Electric Department. Developer may be required to perform a quantity of the relocation. Any work performed by the City of Dover will be at the owner's expense.
10. Prior to construction, owner is responsible for granting an easement to the City of Dover Electric Department. Easement forms will be furnished and prepared by the City of Dover Electric Engineering Department.

- 11. Fees will be assessed upon final site plans. The owner will be responsible for fees assessed prior to construction. Owner is required to sign off plans prepared by the Electric Department.**
12. Must maintain 10' clearance around all electrical equipment, unless pre-approved by the City of Dover Electric Engineering Department.
13. Prior to the completion of any/all designs and estimates, the owner is responsible for providing the Electric Engineering Department with a physical address of the property.
14. All Engineering and design for Dover Electric will be engineered upon final approved plans. All Engineering work will be furnished by the City's Electric Engineering Department.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC

1. Owner must give the City of Dover Electric Department three (3) months' notice prior to construction. Owner is responsible for following the requirements outlined in the City of Dover's Electric Service Handbook. The handbook is available on the website at the following link: <https://evogov.s3.amazonaws.com/media/27/media/13108.pdf>.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. Provide load sheets as soon as possible for proper sizing of transformers and creation of primary fee estimates. Fillable load sheets are available on the website at the following link:
<https://www.cityofdover.com/media/Electric%20Department/COD%20Electric%20Load%20Sheet.pdf>.

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: 04/01/26

APPLICATION: Lands of Fuller at 7 Nixon Ln Minor Subdivision Plan

FILE #: SB-26-01 REVIEWING AGENCY: City of Dover, Office of the Fire MarshalCONTACT PERSON: Jason Osika, Fire Marshal
josika@dover.de.usPHONE #: (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 a minor subdivision plan where 7 Nixon Ln is subdivided into three lots. This office has no objections.
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)

3. Project to be completed per approved Site Plan.
4. Full building and fire plan review is required.
5. Separate building permits/plans submission will be required for each building and/or tenant fit out. If the permit submission is for a “shell” a Certificate of Occupancy will not be issued. Separate plans and permits submissions will be required for each “tenant fit out” at which time a Certificate of Occupancy will be issued upon compliance/completion of each “tenant fit out”.

Each “shell” will require a fire permit for sprinkler and fire alarm if applicable. Those systems (for the “shell”) must be accepted into service prior to any “tenant fit out” fire permits being issued.

6. Construction or renovations cannot be started until building plans are approved.
7. Building cannot be occupied by the public until a Certificate of Occupancy is obtained.

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.**

From: [Mobley, Will \(DeIDOT\)](#)
To: [Melson-Williams, Dawn](#)
Cc: [Jones, Tijah \(DeIDOT\)](#)
Subject: EXTERNAL: DAC Comments 1 Apr 26 Staff Development Meeting
Date: Wednesday, April 1, 2026 10:03:46 AM

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning.

Here are the comments from DeIDOT for the applications discussed in the DAC Meeting 1 April.

1. SB-26-01 Lands of Fuller at 7 Nixon Lane: Minor Subdivision Plan
 - a. No Objection to re-subdivision. If a Letter of No Objection is required, please have engineer/PLS submit Minor Subdivision plans to DeIDOT for review and approval.
2. S-26-06 Lands of Commerce Way QOZB LLC at 175 Commerce Way
 - a. Please have applicant schedule a Pre Submittal Meeting with DeIDOT.
3. C-26-02 Lands of Bay Village Residential Planned Neighborhood Design
 - a. Please have applicant schedule a Pre Submittal Meeting with DeIDOT.

Sincerely,

Will T Mobley III, PMP

Division of Economic Development, DeIDOT

Interim Kent County Review Coordinator

Phone (302)-760-2409

Will.mobley@delaware.gov



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
APRIL 2026**

APPLICATION: Lands of Fuller at 7 Nixon Ln: Minor Subdivision Plan

FILE #: SB-26-01

REVIEWING AGENCY: Kent Conservation District

CONTACT PERSON: 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 proposed minor subdivision.

ADVISORY COMMENTS TO THE APPLICANT:

If the subdivided lots 2 & 3 are to be developed in the future, we will require a residential standard plan application submitted and a permit obtained from the Kent Conservation District prior to any soil disturbance (e.g. clearing, grading, excavations, tree clearing, or stoning).

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
ADVISORY BRIEF
D.A.C. MEETING DATE: 4/8/2026

**Dover/Kent
County
Metropolitan
Planning
Organization**

SB-26-01 Lands of Fuller at 7 Nixon Ln: Minor Subdivision Plan

FILE # SB-26-01 REVIEWING AGENCY: Dover/Kent County MPO

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

Attached, please find comments submitted by Dover Kent MPO for each of the current City of Dover Development Advisory Committee (DAC) applications. These comments are a part of the MPO's ongoing goals of promoting transportation safety and connectivity within the region. They are submitted in accordance with the support given by the MPO Council on November 6, 2024.

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
Minor Subdivision Plan Review

SB-26-01 Lands of Fuller at 7 Nixon Ln: Minor Subdivision Plan

The applicant should work with the City of Dover to meet the current sidewalk requirements for Minor Subdivision Plans. Although Nixon Lane is a low-stress, low-volume road, it may still be beneficial to begin a sidewalk network on the street and encourage future sidewalk construction. To learn more about the requirements, please see the City of Dover Code.¹

The site plan should be updated to reflect new City of Dover Tax Parcel Identification Numbers for each lot. It should also indicate the City of Dover Zoning District that this property is situated in. Finally, it is recommended that a note be added to the plan prior to recordation that references the date of annexation. The above information, if available at this time, should be provided in the site plan.

¹ "Dover Code: Appendix B, Article 5, Section 18." City of Dover, DE.
https://library.municode.com/de/dover/codes/code_of_ordinances?nodeId=PTIICOR_APXBZO_ART5SURE_S18PEBIMUDAACRE.



Aside from the above points, Dover Kent MPO has no objections to the Minor Subdivision Plan. For more information on the transportation elements of this application, please contact Dover Kent MPO.

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.



Request for waiver of sidewalk requirement for lands of 7 Nixon Lane Z 26-01

Due to no other sidewalks being located on either the East or West side of the street and that with this acquisition there is no other buildable land on Nixon Lane we respectfully request the waiver of the sidewalk requirement.