

City of



Dover

May 16, 2023

Mr. Otis Brooks
Tastee's Chicken & Seafood
147 S. New Street
Dover DE 19904
Via Email: obrooks944@gmail.com

RE: **Referral of Fence Permit #23-781 to Historic District Commission, HI-23-02**
Proposed Fence at 147 S. New Street, Dover DE
Tax Parcel: ED-05-077.09-01-48.00-000

Dear Applicant:

This letter is to inform you that Fence Permit application #23-781 has been referred to the City of Dover Historic District Commission for consultation. Fence Permit #23-781 was filed on May 12, 2023 for a fence project at 147 S. New Street in Dover, Delaware. The Project outlined in the Permit submission involves placement of a six-foot vinyl fence along the south property line spanning from the restaurant building at 147 S. New Street to the building located on 231 W. Loockerman Street. This fence is to replace an existing wood fence that is damaged.

The location of the subject property within the City of Dover's Historic District zone requires the review and issuance of an Architectural Review Certificate (ARC) for construction and demolition activities. Fences are eligible for Staff review of the ARC during the Building Permit application process. Project activities are reviewed for compliance with the *Zoning Ordinance* and the *Design Standards and Guidelines for the City of Dover Historic District Zone* as stated in *Zoning Ordinance*, Article 10 Section 3.25(A).

3.25 Architectural review standards.

(A) An architectural review certificate may be issued if it is found that the architectural style, general design, height, bulk and setbacks, arrangement, location and materials and structures affecting the exterior appearance are generally in harmony with neighboring structures and complementary to the traditional architectural standards of the historic district as set forth in the historic district design guidelines and standards adopted by the planning commission and as set forth in the United States Secretary of the Interior's Standards for Rehabilitation.

In reviewing the proposed project for Architectural Review Certification, Staff referenced the Chapter 3: Maintenance, Repair, Preservation and Restoration of Existing Historic Buildings of the *Design Standards and Guidelines* which present the *Recommended*, *Not Recommended*, and *Inappropriate* approaches to activities in the Historic District. The *Design Standards and Guidelines* limit the height of fences to four feet and specifies appropriate materials for fencing. This project proposes the placement of a six-foot fence which exceeds the recommended height in the Historic District. Therefore, I am referring the Fence Permit application to the Historic District Commission for consultation. See *Zoning Ordinance*, Article 10 Section 3.22 (A) and (B) listed below.

Section 3.22 Architectural review certification by the city planner.

(A) An architectural review certificate for specific classes of building permits, including fences, signs, siding, window and door replacement, roofing, the addition or replacement of decorative features, minor demolition, residential additions, and other construction of a minor nature, may be issued by the city planner, after a review and determination that the proposed construction is in general accordance with the standards set forth in subsection 3.25

(B) The city planner may refer any permit application for demolition or construction in the historic district for consultation with commission.

The City of Dover Historic District Commission will review this Permit at their next meeting scheduled for Thursday, May 18, 2023 at 3:30pm. Options for participating in the Meeting include attending In-Person at the City Hall Conference Room and or attending the Virtual Meeting presentation using WebEx, an audio and video conferencing system. A separate meeting invitation to Join the Meeting virtually will be sent by email to the applicants; where you can click “Join Meeting” to attend that afternoon. This Permit Referral has been assigned Application #HI-23-02. You are encouraged to participate in this meeting to discuss the project. Staff will provide the Historic District Commission with the permit application materials and other background information for their review and action.

Also attached to this Letter are the *Design Standards and Guidelines for the City of Dover Historic District Zone* pertaining to Fencing (pages 3-26 and 3-27). If you have questions or wish to discuss alternative options, please contact the Planning Office at (302)736-7196.

Sincerely,
Department of Planning and Inspections



Dawn Melson-Williams, AICP
Principal Planner

CC: Tina Bradbury, Downtown Dover Partnership tina@downtowndoverpartnership.com
Fence Permit #23-781
HI-23-01