



**CITY OF DOVER, DELAWARE
BOARD OF ADJUSTMENT MEETING
Wednesday, June 18, 2025 at 9:00 AM**

City Hall Council Chambers, 15 Lookerman Plaza, Dover, Delaware

AGENDA

IN-PERSON & VIRTUAL MEETING

This Board of Adjustment Meeting for June 18, 2025 will be held in City Hall, City Council Chambers. The public is welcome to attend in person. The Meeting will also be provided as a Virtual Meeting using Webex, an audio/video conferencing system as an electronic means of communication. See the participation information below to join by phone or computer.

**PUBLIC PARTICIPATION INFORMATION
To Attend City of Dover Board of Adjustment Meeting of June 18, 2025**

Join by Phone: Dial 1-650-479-3208
Access Code: 253 553 06471
Password for Phones: 36837262

Join Online: <https://bit.ly/BOA06182025>
Webinar Number: 2535 530 6471
Webinar Password: DoverBOA

If you are new to Webex, get the app now at <https://www.webex.com/> to be ready when the meeting starts. For problems accessing the meeting, please call the Planning Office at (302) 736-7196.

Written comments are accepted via mail to City of Dover – Board of Adjustment,
P.O. Box 475 Dover, DE 19903 and via email at CompPlan@dover.de.us.

WELCOME

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF MINUTES

1. Adoption of Meeting Minutes of April 16, 2025

COMMUNICATIONS & REPORTS

Meeting Reminder: The next Board of Adjustment Meeting date is July 16, 2025 at 9:00 AM

OLD BUSINESS

NEW BUSINESS

2. Application #V-25-02

Property at 196 Merion Road. A Request has been made for a Variance from the requirements of *Zoning Ordinance*, Article 3 §1.15(e)(ii) as associated with the keeping of chickens. The Variance Request seeks an increase in the minimum allowable number of chickens that can be housed on a property from the 5 chickens permitted by code to 20 chickens or at least 14 chickens. The property is zoned R-10 (One-family Residence Zone). The owner of record is Maria Boris. Property Address: 196 Merion Road, Dover, DE. The Tax Parcel ID is ED05-067.09-01-61.00-000.

ADJOURN

Posted Agenda: June 11, 2025

THE AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. PURSUANT TO 29 DEL. C. §10004(e)(2), THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS, WHICH ARISE AT THE TIME OF THE MEETING

CITY OF DOVER
BOARD OF ADJUSTMENT MINUTES
April 16, 2025

A Regular/Hybrid Meeting of the City of Dover Board of Adjustment was held on Wednesday, April 16, 2025, at 9:00 A.M. in person in the City Council Chambers and using the phone/videoconferencing system Webex. Members present were Chairman Sheth, Mr. Wagner, Mr. Swalm, Mr. Coburn and Mr. Senato.

Staff members present were City Solicitor Mr. Rodriguez, Mrs. Melson-Williams, Mrs. Sharon Duca, Mrs. Savage-Purnell, and the new Planner II Chris Salzano.

Mrs. Melson-Williams introduced the new member of the Planning Staff as of Monday of this week, and that is Chris Salzano. Chris is a Planner II.

Chairman Sheth asked if the Board of Adjustment had other meetings in 2025. Mrs. Melson-Williams replied this is the first meeting in 2025.

APPROVAL OF AGENDA

Mr. Senato moved for approval of the agenda with the addition of having a brief discussion at the end of the meeting. The motion was seconded by Mr. Swalm and unanimously carried 5-0.

Chairman Sheth asked if there were any questions.

APPROVAL OF THE REGULAR BOARD OF ADJUSTMENT MEETING MINUTES OF AUGUST 14, 2024

The meeting minutes of August 14, 2024, were approved by Mr. Senato as submitted. The motion was seconded by Mr. Coburn and unanimously carried 5-0.

APPROVAL OF THE REGULAR BOARD OF ADJUSTMENT MEETING MINUTES OF NOVEMBER 20, 2024

The meeting minutes of November 20, 2024, were approved by Mr. Senato with the necessary corrections on page 14. The motion was seconded by Mr. Coburn and unanimously carried 5-0.

Chairman Sheth mentioned that after the meeting he would like to have a couple of minutes. He mentioned City Solicitor Mr. Rodriguez is resigning. At the current time, he is helping us until they fill the position.

COMMUNICATIONS & REPORTS

Mrs. Melson-Williams mentioned as previously noted that we have a new member of the Planning Staff. We are very excited that Chris joined us on Monday. He is just learning a lot about the City of Dover. There is a meeting reminder that the next regularly scheduled meeting for the Board of Adjustment is May 21, 2025, with a 9:00 am start time in the Council Chambers and with a virtual format. Currently, we have no Applications to bring before the Board in May. If we don't receive any Applications, we will not be having that meeting.

Mrs. Melson-Williams read the Procedure Statement for New Business.

NEW BUSINESS

Application V-25-01

Property at 2 Westover Drive. A Request has been made for a Variance from the requirements of *Zoning Ordinance*, Article 5 §1.114 as associated with a proposed above-ground swimming pool. The Variance Request seeks a reduction of the minimum setback from 15 feet to 12 feet from the side property line for the edge of the water containment portion of the swimming pool. The property is zoned RM-1 (Medium Density Residence Zone) and subject to the PND (Planned Neighborhood Design) as part of the Village of Westover PND. The owners of record are Jason and Page Bebout. Property Address: 2 Westover Drive, Dover DE. The Tax Parcel ID is ED-05-076.13-02-18.00-000.

Mrs. Melson-Williams gave a brief overview of the Application V-25-01 referencing the Staff Review Report and the attached Exhibits A-G.

Representatives: Mr. and Mrs. Jason Bebout, owners.

Mr. Jason Bebout was sworn in by City Solicitor Mr. Rodriguez.

Mr. Bebout stated that he resides at 2 Westover Drive. I am here because I am applying for a variance for a pool to be installed at my house. The variance is for adjusting the 15 feet setback to 12 feet to accommodate the pool as you can see in Exhibit G. The blue tarp is the blocking deck for the outside of the pool and the brown tarp would be the pool itself. The deck itself would be 10 feet from the fence instead of 15 feet. The pool itself would be 12 feet from the fence. There is a walkway underneath that is part of the house that if removed would accommodate the pool but removing it would be a hardship as it is connected to the back part of the patio.

Mrs. Melson-Williams stated that the Applicant is giving an opening statement for their request. Let me verify for the members that this is Application V-25-01. It is regarding the property as noted at 2 Westover Drive. It is a variance request related to the above ground swimming pool that is proposed. Specifically, the variance seeks a reduction as noted of the minimum setback from 15 feet to 12 feet from that side property line. In the image, the side property line is where you see that white vinyl fence. That distance is from the property line to the edge of the water portion of the pool. The *Zoning Ordinance* requires that it be 15 feet and as proposed here, it is proposed to be 12 feet. The property is zoned RM-1 (Medium Density Residential Zone) and we find this property within the Village of Westover Planned Neighborhood Design. So, it is within an existing neighborhood. This is a single family detached house. Its neighbors are similar. There are also duplexes and townhomes and actually an apartment complex within this overall community. The Planning Staff prepared the Staff Recommendation Report, and it includes a series of Exhibits that we have been looking at. Exhibits A-G for the record are entered. The Legal Notice was published in the Daily State News on Wednesday, April 2, 2025 and the property owners within 200 feet of the subject site were notified by letter by the Planning Office in accordance with your Public Notice requirements.

There is an existing single family detached house that has some walkway patio areas, and they are looking to add this above ground swimming pool. The Code section of the *Zoning Ordinance* related to swimming pools is found in Article 5 §1.114 and then specifically section 1.11 on swimming pools. A swimming pool is anything that holds more than 24 inches of water, and this above ground pool would do so. The safety requirements for the pool are going to be subject to the Building Code but the *Zoning Ordinance* includes requirements for placement; and that's where the applicant is seeking a Variance for this morning. It is located in a side yard, so placement is appropriate, but the setback is where they're seeking the Variance. It normally requires that the water portion of the pool be 15 feet away from that side property line. They are asking to be 12 feet. The other portions of the pool do meet the requirement that in this case the decking around the pool is greater than the required 5 feet from the property line. The Board of Adjustment must consider the Exceptional Practical Difficulty test when looking at an Area Variance. The Applicant and Staff have responded to those four key items related to the nature of the zone; the character of the area; whether the restriction was removed, how it would affect neighborhood properties; and also, if it was not removed, how it would affect this particular property individually. The Planning Staff have recommended approval of this Variance Request. You may want to hear a little bit more from the Applicant in their reasoning for seeking the Variance to be able to place the pool in this current location. As noted, I include the series of Exhibits that are attached to your Report.

Chairman Sheth mentioned that the Applicant needs to prove Exceptional Practical Difficulty and asked if anyone has any questions regarding this Application. He asked you to please clear your mind to ask about questions for Mrs. Melson-Williams; so, you are very clear before we question the Applicant.

Chairman Sheth asked if the swimming pool was 12 feet from the property line and not 15 feet. Is that correct? Mrs. Melson-Williams replied that it is correct. The water portion is 12 feet (from the property line) and that is what he's asking. It's a variance of 3 feet basically. The Code would require that the water be 15 feet from the property line; as proposed here, they are going to be 12 feet from that property line. Chairman Sheth asked so basically, they would like to have a reduction of 3 feet. If you have any questions for Mrs. Melson-Williams please ask them, then we can ask the Applicant to proceed with the Exceptional Practical Difficulty.

Mr. Bebout mentioned that he have to remove the walkway that leads to the patio in the backyard. This would move the pool 3 feet closer to the house which would make it 4 feet from the house itself.

Chairman Sheth asked that the Exceptional Practical Difficulty is, if you can or cannot have the pool; is that right? Mr. Bebout replied yes. If I remove the walkway that puts the pool 4 feet from the house and that would be too close to the house itself. At least with the walkway between the pool and the house that gives me 7 feet to work with instead of being right next to the house for the pool. I would still be within 12 feet of the property line instead of the 15 feet.

Chairman Sheth stated that he sees the Applicant's argument. He asked the Applicant if he had choices? Mr. Bebout replied I don't have any choices as far as the pool itself.

Chairman Sheth and Mr. Swalm asked if the walkway could be reduced.

Mr. Swalm mentioned that he noticed that the walkway and that perhaps you could reduce the width or length of the walkway. Mr. Bebout replied the walkway is 3 feet.

Mr. Swalm asked what the reason is the Applicant did not want it close to the house. It is because of a water leak. Mr. Bebout replied, for the money that was spent on the walkway and the patio, he does not want it to go to waste just to install a pool. If he can accommodate the pool with the walkway, it would make things easier. He also mentioned the way the pool is built with the aluminum frame, its sturdiness, and a 30-year warranty.

Mr. Swalm mentioned that he was just concerned. He wasn't sure of the reasoning, or if the Applicant was concerned that something might happen with the pool if it's too close to the house; like damages, if you don't have enough room.

Mr. Bebout said to get from the fence to the backyard, that 3 feet walkway is the only way to get around. If you move the pool closer, I will have to rearrange how you get to the backyard from the side.

Chairman Sheth asked about the blue line (area listed 16ft x 32ft) on the Exhibit. Mr. Bebout said that the blue line is the number of feet, it is from the property line to the walkway.

Chairman Sheth asked about the white line. Mr. Bebout said it was something holding the tarp down.

Mr. Senato mentioned that he noticed the 4 feet walkway leading up to the red (line) and the air conditioning and condensing unit outside. You mentioned the 3 feet would put you 1 foot away from the condensing unit as a walkway if the Variance was not approved, is that right? Mr. Bebout said right.

Mr. Senato asked if it could be moved to another area. Mr. Bebout replied the air conditioning unit could not be moved to another area.

Mr. Senato mentioned that these pools can be put on the ground. It is not an intention; it is strictly the above pool. Is it going to stay that way? Mr. Bebout replied yes.

Mr. Senato mentioned the 3 feet variance from 15 feet to 12 feet which is the total 3 feet from the water area to the fence area. That's a 12-foot pool. Would it be hard to go from 12 foot to 9 foot in the water area? Instead of 12 foot wide, it could be 9 foot wide. Mr. Bebout replied they do not offer a 9-foot wide. The 12x20 or 12x24 is the smallest. The 12-foot width is the smallest width.

Mr. Senato mentioned that there is no other area in the yard that he can see that would accommodate the pool. The pool cannot be rearranged or anything like that.

Chairman Sheth mentioned with the Exceptional Practical Difficulty, it basically means you can or cannot have the approval of the Variance. No changes. Is that right? Mr. Bebout said right.

Mr. Senato asked if there were any changes, would that mean it could not be done on the lot because that is the only area? Mr. Bebout said it was right, because it is a C type back yard. One side of the yard faces the main street which is too close. The middle of the back is too narrow, so, the only other option would be the left side of the property line.

Mr. Senato asked if is that a 16x32 along with the frame. Mr. Bebout replied yes, with the frame.

Chairman Sheth asked the Applicant why the Applicant did not bring Mrs. Townshend. Mrs. Dawn Melson-Williams mentioned that Mrs. Townshend is part of The Rossi Group and the Rossi Group provides professional planning services under contract with the City's Planning Office. So, that firm did the initial draft of the Staff Review Report, which was then finalized by Planning Staff. The Applicant did not have any involvement with Mrs. Townshend other than I think, answering a question or two that she had when that firm was doing the initial review of the application. Chairman Sheth said thank you, Dawn.

Chairman Sheth asked if there were any additional questions? There were none.

Chairman Sheth opened the public hearing.

Chairman Sheth asked if there was anyone who would like to speak in favor of the project.

Mrs. Page Bebout was sworn in by City Solicitor Mr. Rodriguez.

Mrs. Bebout stated her name and address (2 Westover Drive) where she resides with Jason Bebout. I just wanted to say a couple of things. Just a few things, I noticed Jason forgot to mention. With the property, we do have of course, that vinyl fence that goes around the entire property. That is a lockable vinyl fence. Along with the condenser unit being there, that is cemented to the ground and cannot be moved at all. Worst case scenario, if it's like a public safety situation, we can lock that vinyl fence along with the fence that will be around the pool.

Chairman Sheth asked if she was in favor of the Application. She replied yes, I am in favor of the Application.

Chairman Sheth asked if there was anyone else who would like to speak in favor of the project. There was no one else wishing to speak.

Chairman Sheth asked if there was anyone who would like to speak against the project.

Chairman Sheth closed the public hearing after seeing no one else wishing to speak (online or in the meeting room).

Chairman Sheth asked if there was any correspondence. There was none.

Mr. Senato moved to approve Variance Application V-25-01 where the applicant is requesting a reduction of the minimum setback from 15 feet to 12 feet from the side property line for the edge of the water containment portion of the swimming pool. Mr. Senato stated that the swimming pool is consistent with the zoning and no other location on the lot could accommodate the required

setback, which is the hardship. The motion was seconded by Mr. Coburn unanimously carried 5-0.

Chairman Sheth mentioned as a reminder, that each case is individual whether they establish a precedent or not.

Chairman Sheth mentioned (announcement) that every time he tried to say step down, this is his 32nd year as Chair. Mr. Rodriguez used to go to the mayor and say KC Sheth will come and ask if he can resign. So please do not say no or sorry, and that we do not take your resignation. Now, Mr. Rodriguez did not tell us (that he is not seeking reappointment); it was published in the newspaper, but he did it. So, Mr. Rodriguez, I would like to request you not to resign. What do you think? So, Mr. Senato, you are the first one, and secondly Mr. Wagner (seniority) on the Board.

Chairman Sheth announced that Mr. Rodriguez is resigning from the Board of Adjustment as the City Solicitor.

Mr. Senato stated that it is a loss. Mr. Rodriguez, we do go back a long way. He was sorry that Mr. Rodriguez is considering resigning. He wished he would not, but he wished him the best, personally from him, and thanked him for his expertise.

Chairman Sheth asked Mr. Rodriguez how many years? Mr. Rodriguez replied 29 years.

Chairman Sheth mentioned Mr. Rodriguez has 29 years of experience with the Board of Adjustment and has required full knowledge, support, and history.

Mr. Rodriguez thanked Mr. Senato for the compliments. He has enjoyed working with all of you. He will certainly miss that. It has been an honor and privilege to represent the City. Thanks a lot.

Mr. Senato mentioned that Mr. Rodriguez will surely be missed.

They mentioned the five or six cases that were won in Superior Court. So, that's what I'm trying to say to help the City realize financially and that it is very important to have the right attorney.

Mr. Rodriguez mentioned again, thank you very much. He did not expect any compliments. He wished them luck in the future and appreciates the comments.

Chairman Sheth asked Mr. Rodriguez if he could let the Board of Adjustment know his last day.

Mr. Senato made a motion to adjourn the meeting. It was seconded by Mr. Coburn and unanimously carried 5-0.

The meeting was adjourned at 9:44 A.M.

Sincerely,
Maretta Savage-Purnell
Secretary



City of Dover
Board of Adjustment
June 18, 2025
V-25-02

Title: Property at 196 Merion Rd - Application for a Variance

Location: Southeastern side of Merion Road

Address: 196 Merion Rd, Dover, DE

Owner: Maria Boris

Tax Parcel: ED-05-067.09-01-61.00-000

Application Date: May 13, 2025

Present Zoning: R-10 (One-family Residence Zone)

Present Use: Single-family detached house

Proposed Use: Single-family detached house with chicken coop

Reviewed By: Chris Salzano, AICP, Planner II

Variance Type: Area Variance

Variance Requested: Request has been made for a Variance from the requirements of *Zoning Ordinance*, Article 3 §1.15(e)(ii) to allow for the keeping of twenty (20) chickens instead of the five (5) allowable under the *Zoning Ordinance*.

Project Description

Property at 196 Merion Road. A Request has been made for a Variance from the requirements of *Zoning Ordinance*, Article 3 §1.15(e)(ii) as associated with the keeping of chickens. The Variance Request seeks an increase in the minimum allowable number of chickens that can be housed on a property from the 5 chickens permitted by code to 20 chickens or at least 14 chickens. The property is zoned R-10 (One-family Residence Zone). The owner of record is Maria Boris. Property Address: 196 Merion Road, Dover, DE. The Tax Parcel ID is ED05-067.09-01-61.00-000.

*Per email of 06/08/2025 from maria Boris her flock now consists of 17 chickens.

Property and Adjacent Properties: Zoning and Land Use

The property is zoned R-10 (One-family Residence Zone). The City's GIS System indicates that the lot at 196 Merion Road is 11,761 SF±. The property contains a single-family detached dwelling with an attached garage. The adjacent properties on Merion Road are zoned R-10 and are lots with single-family detached houses in the residential subdivision of Fox Hall.

A Map Exhibit (Exhibit B) prepared by Staff is attached to this Report. It shows the subject property's location and the surrounding zoning. Map Exhibit C shows an aerial view of the area.

Code Citations

R-10 (Single-Family Residence Zone)

The subject project area is zoned R-10 (One-family Residence Zone). *Zoning Ordinance*, Article 3 §1 lists the permitted uses, conditional uses, and other provisions of the RM-1 zone. Per the *Zoning Ordinance*, Article 12 an *Accessory building* is defined as *a building or use clearly incidental or subordinate to, and customar[il]y in connection with, the principal building or use on the same lot.* Article 3 §1.15 (e) allows for the keeping of chickens on a residential property.

Keeping Chickens

The requirements for the keeping of chickens are addressed in *Zoning Ordinance*, Article 3 §1.15 (e).

Zoning Ordinance, Article 3, Section 1.15

(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.

Applicant's Proposed Project and Variances Requested

The Applicant has submitted a site plan (Exhibit D) that shows the lot, location of the house, and other improvements on the lot, and the existing chicken coop with the approximate dimensions and setback from the property line. The Exhibit shows a 30-foot setback between the chicken coop and the side and rear property lines.

The Applicant described the project as follows (See Exhibit E for full text of narrative):

Project Background Information: My name is Maria Boris. I am writing this letter in support of my application for a variance of an ordinance. The following are my narrative notes on how my request meets each of the four criterias related to area variance.

The Applicant also provided a Home Appraisal with Photographs; See Exhibit E-A.

Exceptional Practical Difficulties Tests

Zoning Ordinance, Article 9 §2 dictates the specific powers and duties of the Board of Adjustment with regard to granting variances. Specifically, the Board must determine:

2.1 Variance – The board shall have the authority to authorize variances from provisions of the Zoning Ordinance that are not contrary to public interest where the board determines that a literal interpretation of the Zoning Ordinance would result in undue hardship or exceptional practical difficulties to the applicant. In granting variances, the board shall determine that the spirit of the Zoning Ordinance is observed and substantial justice is done.

2.11 Area Variance. A variance shall be considered an area variance if it relates to bulk standards, signage regulations, and other provisions of the Zoning Ordinance that address lot layout, buffers, and dimensions. In considering a request for an area variance, the board shall evaluate the following criteria and document them in their findings of fact:

- (a) the nature of the zone in which the property lies;
- (b) the character of the immediate vicinity and the contained uses therein;
- (c) whether, if the restriction upon the applicant's property were removed, such removal would seriously affect neighboring properties and uses; and
- (d) 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 a permitted use under the provisions of the Zoning Ordinance.

Review of Application

As part of the Application, the applicant was asked to summarize how the requested Variance relates to the above criteria. The applicant's responses are provided in Exhibit E – Written Narrative and attached documents and attached documents. Certain information incorporated in the Narrative includes information that cannot be shared by the City due to the Freedom of Information Act (FOIA) and other provisions, and as such has been redacted. If the applicant chooses to share this information, it is their choice. The Applicant's Response and Staff assessment of the application in accordance with the required criteria is provided below.

1. The nature of the zone in which the property lies.

Applicant Response:

On Monday, April 15, 2019, a storm left our family home at 196 Merion Road Dover, DE 19904 condemned. A severe thunderstorm accompanied by nearly 60 mph winds ripped through our family home at around 3:00 am nearly crushing my 11-yr-old son to his death (please refer to the Delaware State News published by Mike Finney on April

17, 2019). It took seven months for our family home to be rebuilt. For years, we couldn't bear to go into the backyard and it was very difficult to look out the window as it brought back flashbacks of that morning. We were awakened by something that sounded like a big bomb going off.

Caring for the backyard chickens and seeing lives Instead of seeing flashbacks of the storm that left our family home destroyed, condemned and our only son almost crushed to his death, we instead see happy, live chickens that interact with us everyday. Particularly for me, the backyard chickens became my emotional support animals (family members). Having survived the natural disaster followed by the COVID-19 pandemic and the economic inflation, our family has the need to maintain self-sufficiency.

The backyard chickens' eggs are a low cost source of protein that I am able to consume to maintain my health. To add salt to injury, I was involved in a traumatic vehicular accident When I have flashbacks, I sit in my backyard, interact with my backyard chickens and I am able to regroup my emotions. The zoning restraints would create hardships unique to our property, family life, health and would hinder our family's ability to maintain self-sufficiency.

Staff Response:

The subject property is zoned R-10 (One-family Residence Zone) and developed as a residential lot. The allowable uses in the R-10 (One-family Residence Zone) are laid out in the *Zoning Ordinance*, Article 3 §1. The R-10 Zone allows for single-family detached dwellings and certain accessory uses. The *Zoning Ordinance*, Article 3 §1.15 (e) further lays out the requirements and allowances for the accessory use of keeping chickens.

2. The character of the immediate vicinity and the contained uses therein.

Applicant Response: Our Delaware Department of Agriculture registered backyard chickens (Poultry Registration # 3708) have no known negative overall impact on the function of the immediate vicinity and the contained uses therein. The backyard flock offers harmony and brings neighbors of all ages together. The backyard hens do not interrupt the harmony of the neighborhood nor do they depreciate the values of the homes in the neighborhood. Homes in the neighborhood are continuing to sell in the \$300,000 plus round figures. Please refer to comments made by our neighbors:

*Written by Ms. Holmes 188 Merion Road Dover, DE 19904- *We are neighbors of the Boris Family (we live next door at 188 Merion Rd.) We are aware that they have 20 hens in a coop and the yard on their property. We thoroughly enjoy having the chickens next door. They provide us tons of enjoyment watching them every day and feeding them on occasion. Our granddaughters have loved learning about chickens. How they grow, how to feed and water them and how to harvest eggs. It's been an educational experience for all of us. Having chickens next door has never been considered a disturbance. They do not bother us and the Boris' have our blessing to keep them. It would be sad for our family if the chickens were no longer next door.*

(Please refer to Ms. Holmes' letter).

*Written by Mr. Climie of Merion Road Dover, DE 19904- *I am writing to let you know how much I appreciate the eggs you give me from time to time. I'm glad you have them and I just want you to know that they do not bother me at all. Even when I'm birdwatching in the backyard or playing with Max, I don't hear them at all. Thank you for being such great neighbors! (Please refer to Mr. Climie's letter).*

Verbal approval by The Connell's Family of Merion Road Dover, DE 19904-

**Our neighbors diagonally across from our home, The Connell's Family, verbalized their approval of our backyard chickens. Their young children over the years enjoyed handling the chickens. The experience inspired one of their children to want to become a veterinarian.*

*The Piscarik Family of Merion Road Dover, DE 19904- *They are a young family with young children. It was heartwarming to see the young parents teach their children where eggs truly come from. The young family went for a walk and stopped by our home to pet the backyard chickens. They enjoy fresh eggs when we have enough to share and often refer to my husband as the "Chicken Man".*

*My elderly mother of Oakmont Drive Dover, DE 19904- *My elderly mother is on a set income and so are the members of Modern Maturity Center where she spends most of her days. She shares our backyard chickens' eggs when we have enough to share.*

Food insecurity in our community- *Whenever we can, we share eggs with people who experience food insecurity.

*I am a public school teacher, I share eggs with my students that love to eat healthy as I do. I do not miss the opportunity to teach the importance of eating healthy and unprocessed food whenever possible.

*Free of charge.

Staff Response: The Fox Hall Neighborhood consists of single-family residences, including single-family detached dwellings. Many of the dwellings include fenced yards; and accessory structures (sheds) however, Planning Staff is unaware of any other yards that incorporate a backyard chicken flock. The R-10 zone allows the following accessory uses: Professional office or studio of an artist, dentist, musician, teacher, or physician, Garden house, tool house, playhouse, greenhouse or pool private garage keeping domestic animals as pets, keeping of chickens for individual domestic purposes, dormitories, accessory to schools, customary home occupations.

The accessory use of a backyard chicken flock of 17 chickens is inconsistent with the character of the neighborhood but flocks of 5 chickens are allowed on lots of 10,890 SF. The lots in the area range in size, averaging 11,000 SF± which would allow the keeping of chickens. Mrs. Boris's backyard flock does provide a benefit for Mrs. Boris and her neighbors, as evidenced by the testimonials received.

3. Whether, if the restriction upon the applicant's property were removed, such removal would seriously affect neighboring properties and uses.

Applicant Response: The removal of the backyard hens or their reduction in number, will affect the connectivity they offer among the neighbors of different generations. Aside from this, food insecurity may become more prevalent in a demographic already affected by such hardship to include my household.

The nice lady allowed me to have one box of food and I rationed this to feed my family. Shortly after this, GOD miraculously multiplied the hen's egg production.

On a personal note, the zoning restraints would create hardships unique to our property, family life, health and would hinder our family's ability to maintain self-sufficiency. (Please refer to my narrative note for question #1).

The petitioners did not take the Superior Court of the State of Delaware in and for Kent Country and the Family Court of the State of Delaware in and for New Castle well, they couldn't accept defeat.

The removal or the reduction of the number of my backyard chickens would have a negative impact on my socioeconomic status as well as socioemotional well being.

The saddest part would be to have to choose which ones I would keep to comply with the 5 backyard chickens per one residential lot ordinance. I am kindly asking for your approval for me to keep the 20 I have currently. Once they expire, I will comply without hesitation to the 5 chickens per residential lot ordinance. Please allow me to keep all 20 of my emotional support animals. They help our family cope from many of our afflictions. They are our family. They rise at 5 am lined up at the coop's door to be fed, talked with and are disciplined to be back in their coop no later than 8:30 pm. Our neighbors love them as much as we do.

I pray your decision is based on human kindness, compassion and having taken into consideration the proven benefits of animal-assisted therapy and the role they play in individual, family and community connectedness. In today's microwave world, human connectivity is almost nonexistent. Our backyard flock registered with the DE Department of Agriculture are happy to facilitate this need for a sense of community.

Staff Response: As stated by the applicant, the existing chicken coop is located in the rear of the property behind the house. The chicken coop is located behind a fence, further obscuring it from view. Based on neighbors' letters submitted by the applicant the chickens are not a bother to some in the community currently, and in fact supply benefits

for a number of the community members. If the variance is granted as requested, the Boris family will be allowed to maintain their 20-chicken now 17-chicken flock until the chickens begin passing away, at which point the applicant has stated she will not replace the chickens until the flock drops below 5 chickens. The Boris family does not have a rooster on the site, the flock is registered, and the flock is on a property that is more than 10,890 SF in size. Furthermore, the coop is located more than 20-feet away from any property lines, and the coop is large enough to provide 4 square feet per chicken (Exhibit D). The Boris family has a coop care regiment that helps ensure that there are no odors or negative externalities for adjacent property owners (Exhibit F). Based on the exhibits and information provided the Boris property and chicken coop meet the City of Dover *Zoning Ordinance* Article 3 §1.15(e) requirements for the keeping of chickens with the exception of the number. Therefore, it does not appear to seriously affect the neighboring properties at 206 and 188 Merion Road. There is an active Code Enforcement Case #25-1991 regarding the keeping of backyard chickens.

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 a permitted use under the provisions of the *Zoning Ordinance*.**

Applicant Response: See Response to Criteria #3

Staff Response:

The *Zoning Ordinance* allows for the keeping of chickens as an accessory use on residential lots. The *Zoning Ordinance*, Article 3 §1.15 (e) further lays out the requirements and allowances for the accessory use of keeping chickens. The applicant unknowingly exceeded the allowable number of 5 chickens permitted on a residential property. The chicken coop does meet the setback requirements and the size requirements to accommodate a flock of 20 chickens, now 17 chickens. As proposed, the chicken flock would slowly reduce in size over time until it comes into compliance with the *Zoning Ordinance* and would not return to nonconformance. If the Variance is not granted, the property owners must reduce the number of chickens present at the property, creating an unnecessary economic hardship for the Boris family.

Variance Recommendations

Based on the current information, Planning Staff recommends **approval** of the variance to allow for the keeping of 20 chickens for reasons as follows:

- The applicant should report on the condition and size of her flock yearly to the City of Dover until such time that her flock is in conformance with the *Zoning Ordinance*.
- The *Zoning Ordinance* permits keeping chickens as an accessory to residential uses within the residential zones with requirements regarding the size and location of a coop.
 - The chicken coop is more than 20 feet from the property lines on either side, and in the rear.
 - The chicken coop is large enough to comfortably accommodate 4 square feet per chicken.
- The accessory use of keeping chickens is an allowable accessory use in the R-10 zone.
- Staff suggests consideration of screening the rear yard area by landscaping or fence material.
- Planning Staff recommends that the applicant change the material of the existing chain link fence to something solid to better screen the rear yard and any associated chickens.

Advisory Comments to the Applicant

- If granted, the variance becomes null and void if work has not commenced within one (1) year of the date the variance was granted. At present, there is no provision for extension.
- If the variance is granted, you must continue to adhere to the rest of the *Zoning Ordinance*, Article 3 § 1.15 (e), including setback requirements for the coop and sizing requirements for the coop.
- The Applicant should be aware that whenever the Board of Adjustment denies an application for a variance, such application for a variance, or an application on the same property, which is substantially similar, shall not be accepted for reconsideration by the Board of Adjustment sooner than one year from the date of denial (*Zoning Ordinance*, Article 9 §3.8).

GUIDE TO ATTACHMENTS

Exhibit	Description/Author	# Pages
A	Application	1
B	Zoning Map Exhibit (Staff)	1
C	Planning & Inspections View Map – Aerial Map Exhibit (Staff)	1
D	Applicant’s Site Plan	2
E	Applicant’s Written Narrative with Attachments Attachments: <ul style="list-style-type: none">A. Residential Appraisal Report (redacted)B. Aerial MapC. Delaware State News StoryD. RedactedE. Poultry RegistrationF. RedactedG. RedactedH. Neighbor Testimonials	34
F	Applicant’s Coop Care Regiment for Odor Mitigation	2



RECEIVED

MAY 13 2025

CITY OF DOVER
 PLANNING & INSPECTIONS

Board of Adjustment Application

Application Information

Property Address: 196 Merion Rd Dover, DE 19904

Tax Parcel Number: ED-05-067.09-01-61.00-002

Owner Name: Maria Boris

Property Zoning: R10

Variance (s) Requested: Allow backyard chickens to remain in property - 20 chickens in all or reduce to 14 chickens total.

*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.

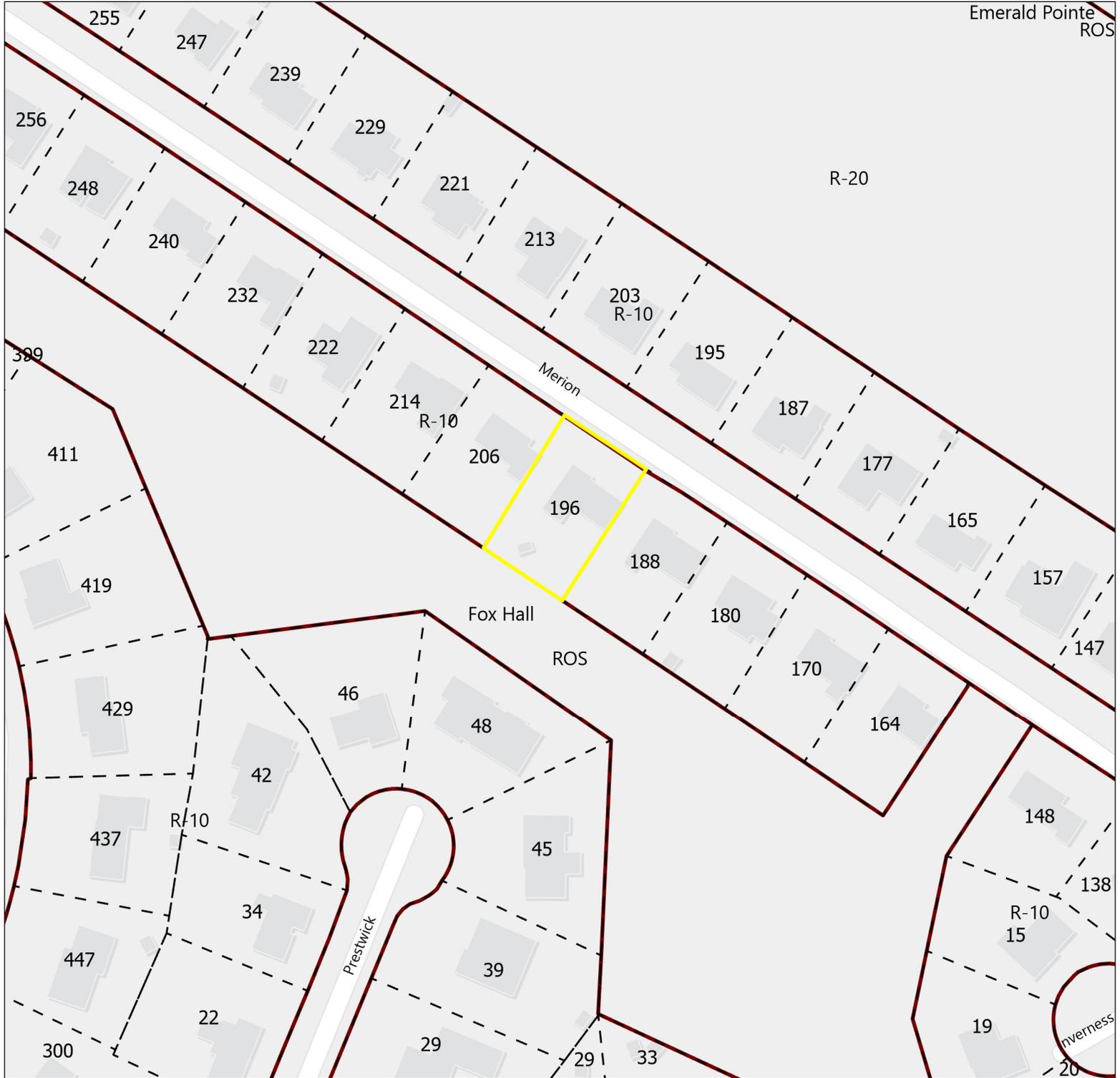
Signature

I Maria Boris 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.

Maria Boris Owner 5/13/25
 Signature Title Date



Department of Planning & Inspections



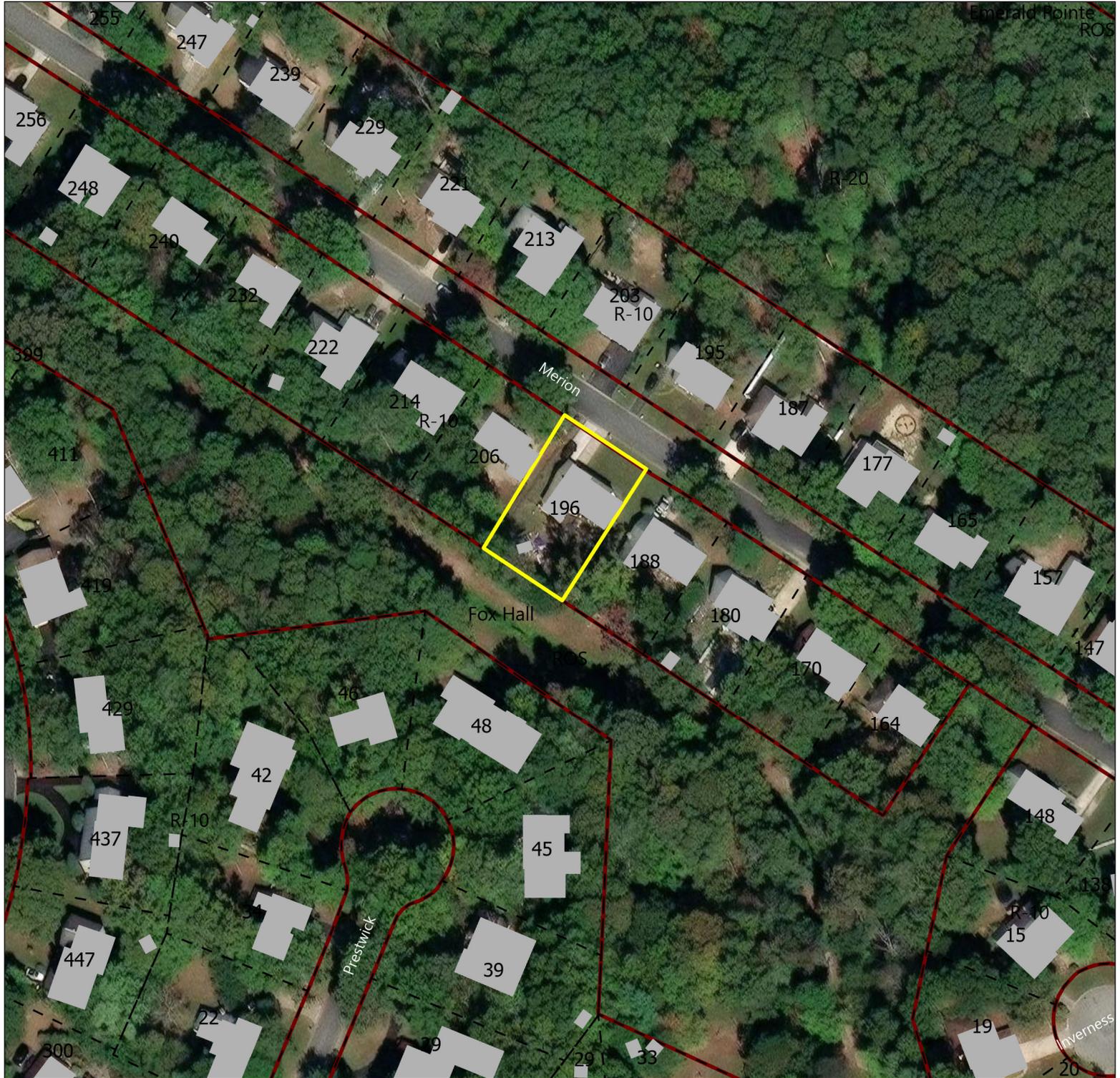
Title: 196 Merion Road
Address: 196 Merion Road
Parcel ID: ED05-067.09-01-61.00-000
Existing Zoning: R-10
Owner: Maria Boris
Date: 06/05/2025

Legend

- Subject Property
- Dover Parcels
- Dover Boundary
- Zoning

19





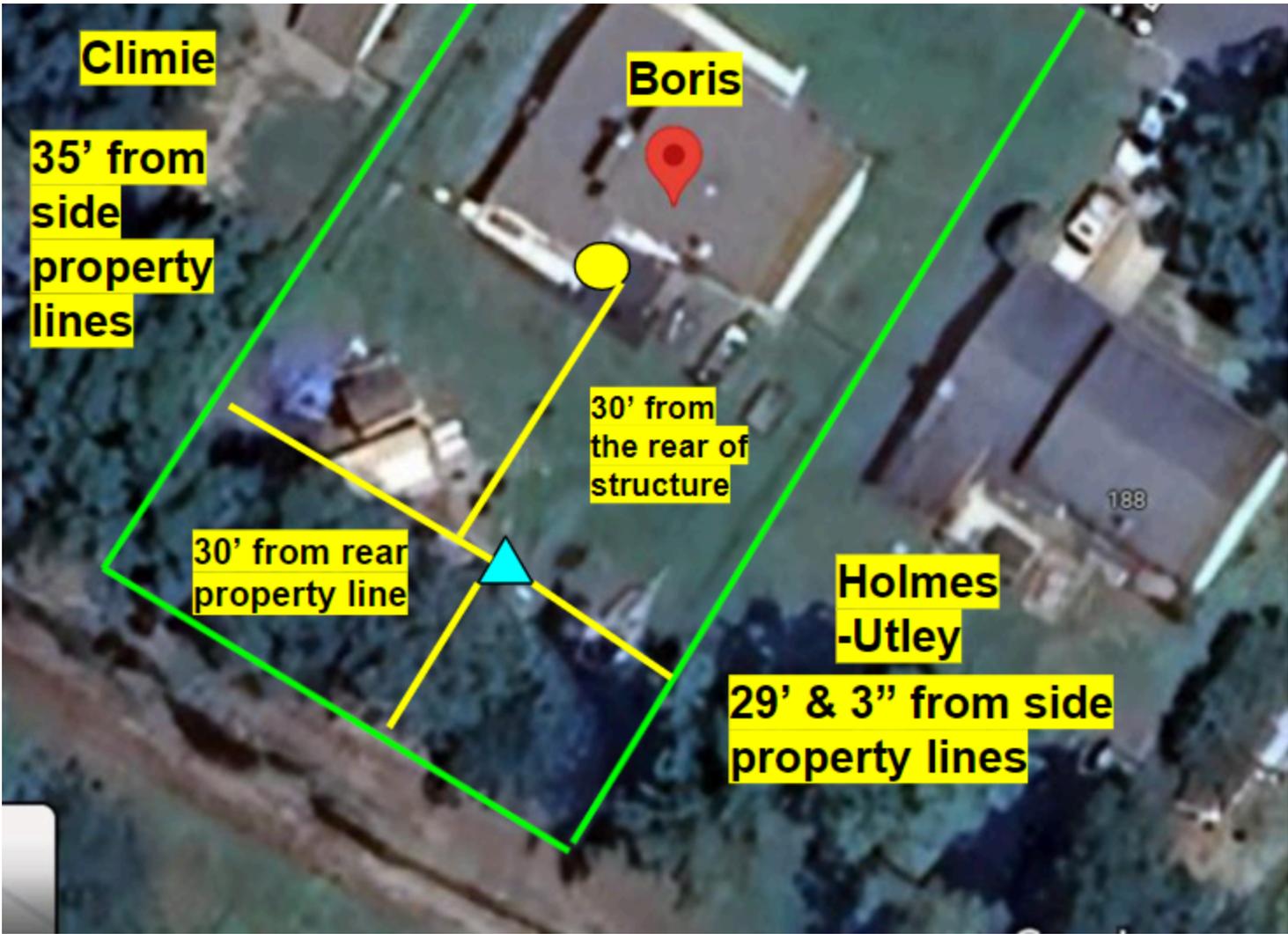
Title: 196 Merion Road
Address: 196 Merion Road
Parcel ID: ED05-067.09-01-61.00-000
Existing Zoning: R-10
Owner: Maria Boris
Date: 06/05/2025

Legend

- Subject Property
- Dover Parcels
- Dover Boundary
- Zoning 20



- Rear of my home
- ▲ Location of chicken coop & size
L 26', W 11' ½", Height 6'



Resource: Google Maps
Revised by MB: 6/9/25 at 1357 hrs.

Cover Page: V-25-02

Item 2.

Certain contents of this document have been redacted due to their sensitive nature and exclusion from being considered "Public Record" per Delaware State Code, Title 29, Chapter 100, Section (o).

May 13, 2025

To the honorable Board of Adjustment Members,

My name is Maria Boris. I am writing this letter in support of my application for a variance of an ordinance. The following are my narrative notes on how my request meets each of the four criterias related to area variance.

Area Variance

1. The nature of the zone in which the property lies.

The zoning restraints would create hardships unique to our property, family life, health and would hinder our family’s ability to maintain self-sufficiency.

On Monday, April 15, 2019, a storm left our family home at 196 Merion Road Dover, DE 19904 condemned. A severe thunderstorm accompanied by nearly 60 mph winds ripped through our family home at around 3:00 am nearly crushing my 11-yr-old son to his death (please refer to the Delaware State News published by Mike Finney on April 17, 2019). It took seven months for our family home to be rebuilt. For years, we couldn’t bear to go into the backyard and it was very difficult to look out the window as it brought back flashbacks of that morning. We were awakened by something that sounded like a big bomb going off.

[REDACTED]

Caring for the backyard chickens and seeing lives Instead of seeing flashbacks of the storm that left our family home destroyed, condemned and our only son almost crushed to his death, we instead see happy, live chickens that interact with us everyday. Particularly for me, the backyard chickens became my emotional support animals (family members). Having survived the natural disaster followed by the COVID-19 pandemic and the economic inflation, our family has the need to maintain self-sufficiency.

[REDACTED] The backyard chickens’ eggs are a low cost source of protein that I am able to consume to maintain my health.

To add salt to injury, I was involved in a traumatic vehicular accident [REDACTED]

[REDACTED] When I have flashbacks, I sit in my backyard, interact with my backyard chickens and I am able to

regroup my emotions. The zoning restraints would create hardships unique to our property, family life, **health** and would hinder our family's ability to maintain self-sufficiency.

2. The character of the immediate vicinity and the contained uses therein.

Our Delaware Department of Agriculture registered backyard chickens (Poultry Registration # 3708) have no known negative overall impact on the function of the immediate vicinity and the contained uses therein. The backyard flock offers harmony and brings neighbors of all ages together. The backyard hens do not interrupt the harmony of the neighborhood nor do they depreciate the values of the homes in the neighborhood. Homes in the neighborhood are continuing to sell in the \$300,000 plus round figures.

Please refer to comments made by our neighbors:

Written by Ms. Holmes 188 Merion Road Dover, DE 19904-

*We are neighbors of the Boris Family (we live next door at 188 Merion Rd.) We are aware that they have 20 hens in a coop and the yard on their property. We thoroughly enjoy having the chickens next door. They provide us tons of enjoyment watching them every day and feeding them on occasion. Our granddaughters have loved learning about chickens. How they grow, how to feed and water them and how to harvest eggs. It's been an educational experience for all of us. Having chickens next door has never been considered a disturbance. They do not bother us and the Boris' have our blessing to keep them. It would be sad for our family if the chickens were no longer next door. (Please refer to Ms. Holmes' letter).

Written by Mr. Climie of Merion Road Dover, DE 19904-

*I am writing to let you know how much I appreciate the eggs you give me from time to time. I'm glad you have them and I just want you to know that they do not bother me at all. Even when I'm birdwatching in the backyard or playing with Max, I don't hear them at all. Thank you for being such great neighbors! (Please refer to Mr. Climie's letter).

Verbal approval by The Connell's Family of Merion Road Dover, DE 19904-

*Our neighbors diagonally across from our home, The Connell's Family, verbalized their approval of our backyard chickens. Their young children over the years enjoyed handling the chickens. The experience inspired one of their children to want to become a veterinarian.

The Piscarik Family of Merion Road Dover, DE 19904-

*They are a young family with young children. It was heartwarming to see the young parents teach their children where eggs truly come from. The young family went for a walk and stopped by our home to pet the backyard chickens. They enjoy fresh eggs when we have enough to share and often refer to my husband as the "Chicken Man".

My elderly mother of Oakmont Drive Dover, DE 19904-

*My elderly mother is on a set income and so are the members of Modern Maturity Center where she spends most of her days. She shares our backyard chickens' eggs when we have enough to share.

Food insecurity in our community-

*Whenever we can, we share eggs with people who experience food insecurity.

*I am a public school teacher, I share eggs with my students that love to eat healthy as I do. I do not miss the opportunity to teach the importance of eating healthy and unprocessed food whenever possible.

*Free of charge.

3. Whether, If the restrictions upon the property were removed, such removal would seriously affect the neighboring properties and uses; and

4. Whether, if the restrictions are not removed, the restrictions 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.

Responses to 3 and 4:

The removal of the backyard hens or their reduction in number, will affect the connectivity they offer among the neighbors of different generations. Aside

from this, food insecurity may become more prevalent in a demographic already affected by such hardship to include my household.

[REDACTED]

The nice lady allowed me to have one box of food and I rationed this to feed my family. Shortly after this, GOD miraculously multiplied the hen’s egg production.

On a personal note, the zoning restraints would create hardships unique to our property, family life, health and would hinder our family’s ability to maintain self-sufficiency. (Please refer to my narrative note for question #1).

[REDACTED]

he petitioners did not take the Superior Court of the State of Delaware in and for Kent County and the Family Court of the State of Delaware in and for New Castle well, they couldn’t accept defeat.

[REDACTED]

The removal or the reduction of the number of my backyard chickens would have a negative impact on my socioeconomic status as well as socioemotional well being. [REDACTED]

The saddest part would be to have to choose which ones I would keep to comply with the 5 backyard chickens per one residential lot ordinance. I am kindly asking for your approval for me to keep the 20 I have currently. Once they expire, I will comply without hesitation to the 5 chickens per residential lot ordinance. Please allow me to keep all 20 of my emotional support animals. They help our family cope from many of our afflictions. They are our family. They rise at 5 am lined up at the coop’s door to be fed, talked with and are disciplined to be back in their coop no later than 8:30 pm. Our neighbors love them as much as we do.

I pray your decision is based on human kindness, compassion and having taken into consideration the proven benefits of animal-assisted therapy and the role they play in individual, family and community connectedness. In today’s microwave world, human

connectivity is almost nonexistent. Our backyard flock registered with the DE Department of Agriculture are happy to facilitate this need for a sense of community.

Sincerely,

Maria Boris

Maria Boris
302 222 9860

Exhibit A: V-25-02

Item 2.

Certain contents of this document have been redacted due to their sensitive nature and exclusion from being considered "Public Record" per Delaware State Code, Title 29, Chapter 100, Section (o).

Uniform Residential Appraisal Report

The purpose of this summary appraisal report is to provide the lender/client with an accurate, and adequately supported, opinion of the market value of the subject property.

Property Address	196 Merion Rd	City	Dover	State	DE	Zip Code	19904
Borrower	Maria Boris	Owner of Public Record	Amelia L Knighting	County	Kent		
Legal Description	Block 01, Fox Hall East, Sec 2, Lot 206, Book 7463, Page 256, Doc # 267337						
Assessor's Parcel #	ED-05-06709-01-6100-000	Tax Year	2018	R.E. Taxes \$	1,739		
Neighborhood Name	Fox Hall East	Map Reference	adc K017A02	Census Tract	0407.00		
Occupant	<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant <input type="checkbox"/> Vacant	Special Assessments \$	0	<input type="checkbox"/> PUD	HOA \$	0	<input type="checkbox"/> per year <input type="checkbox"/> per month
Property Rights Appraised	<input checked="" type="checkbox"/> Fee Simple <input type="checkbox"/> Leasehold <input type="checkbox"/> Other (describe)						
Assignment Type	<input checked="" type="checkbox"/> Purchase Transaction <input type="checkbox"/> Refinance Transaction <input type="checkbox"/> Other (describe)						
Lender/Client	Atlantic Home Loans - DE Address 50 Route 46, Parsippany, NJ 07054						
Is the subject property currently offered for sale or has it been offered for sale in the twelve months prior to the effective date of this appraisal?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No						
Report data source(s) used, offering price(s), and date(s).	DOM Unk;The subject has not been listed within the local MLS. The borrower is purchasing the home from her mother. The sales contract states the subject is being sold at \$230,000.						

SUBJECT	I <input checked="" type="checkbox"/> did <input type="checkbox"/> did not analyze the contract for sale for the subject purchase transaction. Explain the results of the analysis of the contract for sale or why the analysis was not performed.
	Non-arms length sale;The contract appears to be in order.
	Contract Price \$ 230,000 Date of Contract 11/21/2019 Is the property seller the owner of public record? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Data Source(s) Per County rec
Is there any financial assistance (loan charges, sale concessions, gift or downpayment assistance, etc.) to be paid by any party on behalf of the borrower? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, report the total dollar amount and describe the items to be paid.	

Note: Race and the racial composition of the neighborhood are not appraisal factors.

Neighborhood Characteristics	One-Unit Housing Trends	One-Unit Housing	Present Land Use %
Location <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban <input type="checkbox"/> Rural	Property Values <input type="checkbox"/> Increasing <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Declining	PRICE AGE	One-Unit 85 %
Built-Up <input checked="" type="checkbox"/> Over 75% <input type="checkbox"/> 25-75% <input type="checkbox"/> Under 25%	Demand/Supply <input type="checkbox"/> Shortage <input checked="" type="checkbox"/> In Balance <input type="checkbox"/> Over Supply	\$(000) (yrs)	2-4 Unit 5 %
Growth <input type="checkbox"/> Rapid <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Slow	Marketing Time <input type="checkbox"/> Under 3 mths <input checked="" type="checkbox"/> 3-6 mths <input type="checkbox"/> Over 6 mths	220 Low 0	Multi-Family 5 %
Neighborhood Boundaries The subject property is located North of Route 8, South of Route 15, East of DSR # 104 and West of Route 13.		270 High 75	Commercial 5 %
Neighborhood Description The subject property is located within a primarily residential area of single family dwellings. And has convenient access to shopping, employment, schools, and recreational facilities.		235 Pred. 40	Other %

Market Conditions (including support for the above conclusions) The market conditions are steady with sales in 3-12 months with both FHA and Conventional financing.

Dimensions	86.00 x 140.00	Area	12040 sf	Shape	Rectangular	View	N;Res;
Specific Zoning Classification	R10	Zoning Description	Residential				
Zoning Compliance	<input checked="" type="checkbox"/> Legal <input type="checkbox"/> Legal Nonconforming (Grandfathered Use) <input type="checkbox"/> No Zoning <input type="checkbox"/> Illegal (describe)						
Is the highest and best use of the subject property as improved (or as proposed per plans and specifications) the present use?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe. See Addendum						
Utilities	Public <input checked="" type="checkbox"/> Other (describe) <input type="checkbox"/>	Public <input checked="" type="checkbox"/> Other (describe) <input type="checkbox"/>	Off-site Improvements—Type	Public <input checked="" type="checkbox"/> Private <input type="checkbox"/>			
Electricity	<input checked="" type="checkbox"/>	Water	Street Macadam	<input checked="" type="checkbox"/>			
Gas	<input checked="" type="checkbox"/>	Sanitary Sewer	Alley None	<input type="checkbox"/>			
FEMA Special Flood Hazard Area	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	FEMA Flood Zone	X	FEMA Map #	10001C0162H	FEMA Map Date	05/05/2003
Are the utilities and off-site improvements typical for the market area?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe.						
Are there any adverse site conditions or external factors (easements, encroachments, environmental conditions, land uses, etc.)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, describe. Typical easements for electric, telephone, etc.						

GENERAL DESCRIPTION	FOUNDATION	EXTERIOR DESCRIPTION materials/condition	INTERIOR materials/condition
Units <input checked="" type="checkbox"/> One <input type="checkbox"/> One with Accessory Unit	<input type="checkbox"/> Concrete Slab <input type="checkbox"/> Crawl Space	Foundation Walls Concrete/Avg	Floors ww-hw-vyn/Gd
# of Stories 2	<input checked="" type="checkbox"/> Full Basement <input type="checkbox"/> Partial Basement	Exterior Walls Vinyl/Good	Walls Drywall/Good
Type <input checked="" type="checkbox"/> Det. <input type="checkbox"/> Att. <input type="checkbox"/> S-Det./End Unit	Basement Area 648 sq. ft.	Roof Surface Comp Sh/Avg	Trim/Finish Wood/Good
<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed <input type="checkbox"/> Under Const.	Basement Finish 0 %	Gutters & Downspouts Aluminum/Avg	Bath Floor Tile/Good
Design (Style) Colonial	<input type="checkbox"/> Outside Entry/Exit <input checked="" type="checkbox"/> Sump Pump	Window Type Dbl Hng/ Avg	Bath Wainscot Fiberglass/Avg
Year Built 1977	Evidence of <input type="checkbox"/> Infestation	Storm Sash/Insulated Ins Glass/Avg	Car Storage <input type="checkbox"/> None
Effective Age (Yrs) 15	<input type="checkbox"/> Dampness <input type="checkbox"/> Settlement	Screens Yes/Avg	<input checked="" type="checkbox"/> Driveway # of Cars 1
Attic <input type="checkbox"/> None	Heating <input checked="" type="checkbox"/> FWA <input type="checkbox"/> HWBB <input type="checkbox"/> Radiant	Amenities <input type="checkbox"/> WoodStove(s)#0	Driveway Surface Asphalt
<input checked="" type="checkbox"/> Drop Stair <input type="checkbox"/> Stairs	<input type="checkbox"/> Other Fuel Oil	<input checked="" type="checkbox"/> Fireplace(s)# 1 <input checked="" type="checkbox"/> Fence Chain Ink	<input checked="" type="checkbox"/> Garage # of Cars 1
<input type="checkbox"/> Floor <input type="checkbox"/> Scuttle	Cooling <input checked="" type="checkbox"/> Central Air Conditioning	<input checked="" type="checkbox"/> Patio/Deck Wood <input checked="" type="checkbox"/> Porch Enc	<input type="checkbox"/> Carport # of Cars 0
<input type="checkbox"/> Finished <input type="checkbox"/> Heated	<input type="checkbox"/> Individual <input type="checkbox"/> Other	<input type="checkbox"/> Pool None <input type="checkbox"/> Other None	<input checked="" type="checkbox"/> Att. <input type="checkbox"/> Det. <input type="checkbox"/> Built-in
Appliances <input checked="" type="checkbox"/> Refrigerator <input checked="" type="checkbox"/> Range/Oven <input type="checkbox"/> Dishwasher <input type="checkbox"/> Disposal <input type="checkbox"/> Microwave <input type="checkbox"/> Washer/Dryer <input type="checkbox"/> Other (describe)			
Finished area above grade contains:	8 Rooms	4 Bedrooms	2.1 Bath(s) 2,044 Square Feet of Gross Living Area Above Grade
Additional features (special energy efficient items, etc.)	The subject has been updated throughout.		
Describe the condition of the property (including needed repairs, deterioration, renovations, remodeling, etc.). C3;Kitchen-updated-timeframe unknown;Bathrooms-updated-timeframe unknown;The overall condition is acceptable and above average with that of a dwelling similar in age to the subject. The improvements appear to be properly constructed of materials and finished that would be acceptable in this price range and market. No "needed repairs" of significance were noted, although it is possible that some may exist, especially if they were not readily available to the appraiser.			
Are there any physical deficiencies or adverse conditions that affect the livability, soundness, or structural integrity of the property? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, describe. None noted, however such items are generally beyond the expertise of the appraiser, the appraiser is not a structural engineer. Issues of structural integrity and soundness are generally related to areas hidden that are hidden from the appraisers view. The subject was inspected for readily observable conditions. The appraiser does not guarantee that the subject is free from defects or environmental problems.			
Does the property generally conform to the neighborhood (functional utility, style, condition, use, construction, etc.)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe. Normal utility, normal style and condition.			

Uniform Residential Appraisal Report

See Attached Addendum

ADDITIONAL COMMENTS

COST APPROACH TO VALUE (not required by Fannie Mae)

Provide adequate information for the lender/client to replicate the below cost figures and calculations.

Support for the opinion of site value (summary of comparable land sales or other methods for estimating site value) Site value is obtained thru the allocation method, as well as review of settled and active land only sales.

COST APPROACH

ESTIMATED <input type="checkbox"/> REPRODUCTION OR <input checked="" type="checkbox"/> REPLACEMENT COST NEW	OPINION OF SITE VALUE	= \$	65,000
Source of cost data	Dwelling	Sq. Ft. @ \$ = \$ 0
Quality rating from cost service	Effective date of cost data	Sq. Ft. @ \$ = \$ 0
Comments on Cost Approach (gross living area calculations, depreciation, etc.)	Garage/Carport	Sq. Ft. @ \$ = \$
See attached addendum	Total Estimate of Cost-New	 = \$ 0
	Less 50 Physical	Functional	External
	Depreciation		= \$ (0)
	Depreciated Cost of Improvements		= \$ 0
	"As-is" Value of Site Improvements		= \$
Estimated Remaining Economic Life (HUD and VA only)	35 Years	INDICATED VALUE BY COST APPROACH	= \$

INCOME APPROACH TO VALUE (not required by Fannie Mae)

Estimated Monthly Market Rent \$ 0 X Gross Rent Multiplier = \$ 0 Indicated Value by Income Approach

Summary of Income Approach (including support for market rent and GRM) The income approach is not applicable at this time.

INCOME

PROJECT INFORMATION FOR PUDs (if applicable)

Is the developer/builder in control of the Homeowners' Association (HOA)? Yes No Unit type(s) Detached Attached

Provide the following information for PUDs ONLY if the developer/builder is in control of the HOA and the subject property is an attached dwelling unit.

Legal name of project

Total number of phases Total number of units Total number of units sold

Total number of units rented Total number of units for sale Data source(s)

Was the project created by the conversion of an existing building(s) into a PUD? Yes No If Yes, date of conversion.

Does the project contain any multi-dwelling units? Yes No Data source(s)

Are the units, common elements, and recreation facilities complete? Yes No If No, describe the status of completion.

Are the common elements leased to or by the Homeowners' Association? Yes No If Yes, describe the rental terms and options.

Describe common elements and recreational facilities.

PUD INFORMATION

Market Conditions Addendum to the Appraisal Report

The purpose of this addendum is to provide the lender/client with a clear and accurate understanding of the market trends and conditions prevalent in the subject neighborhood. This is a required addendum for all appraisal reports with an effective date on or after April 1, 2009.

Property Address 196 Merion Rd City Dover State DE Zip Code 19904

Borrower Maria Boris

Instructions: The appraiser must use the information required on this form as the basis for his/her conclusions, and must provide support for those conclusions, regarding housing trends and overall market conditions as reported in the Neighborhood section of the appraisal report form.

Table with columns: Inventory Analysis, Prior 7-12 Months, Prior 4-6 Months, Current - 3 Months, Overall Trend. Rows include Total # of Comparable Sales, Absorption Rate, Total # of Comparable Active Listings, Months of Housing Supply, Median Sale & List Price, etc.

Explain in detail the seller concessions trends for the past 12 months (e.g., seller contributions increased from 3% to 5%, increasing use of buydowns, closing costs, condo fees, options, etc.). The appraiser has provided the overall trends as a courtesy to the client. The appraiser cannot guarantee any trend due to the reporting of the information gathered in the MLS.

Are foreclosure sales (REO sales) a factor in the market? [X] No If yes, explain (including the trends in listings and sales of foreclosed properties). Short sales, REO, and foreclosures are typically not utilized when they are identified as such.

Cite data sources for above information. Trend/MLS

Summarize the above information as support for your conclusions in the Neighborhood section of the appraisal report form. If you used any additional information, such as an analysis of pending sales and/or expired and withdrawn listings, to formulate your conclusions, provide both an explanation and support for your conclusions.

The local MLS utilizes both median and averages. The above figures are median

The appraisers inventory analysis, median sale and list price, dom, and other observations in this addendum. are based on the data source identified above, which the appraiser generally believes to be a reliable source of market data. However, the appraiser cannot verify that all of the information in that data source and cannot guarantee the accuracy of such data or conclusions based thereon.

The appraiser cannot guarantee future market conditions affecting the subject property.

Table for Condo/Co-op Projects. Columns: Subject Project Data, Prior 7-12 Months, Prior 4-6 Months, Current - 3 Months, Overall Trend. Rows include Total # of Comparable Sales, Absorption Rate, Total # of Active Comparable Listings, Months of Unit Supply.

Are foreclosure sales (REO sales) a factor in the project? [] Yes [] No If yes, indicate the number of REO listings and explain the trends in listings and sales of foreclosed properties.

Summarize the above trends and address the impact on the subject unit and project.

APPRAISER

Signature [Handwritten Signature] Name John E McMahon Company Name Iron Hill Appraisals Company Address 1 Penn State Dr Newark, DE 19713 State License/Certification # X2-0000116 State DE Email Address ironhillapp1@aol.com

SUPERVISORY APPRAISER (ONLY IF REQUIRED)

Signature _____ Name _____ Company Name _____ Company Address _____ State License/Certification # _____ State _____ Email Address _____

MARKET RESEARCH & ANALYSIS

CONDO/CO-OP PROJECTS

APPRAISER

SUBJECT PROPERTY PHOTO ADDENDUM

Borrower: Maria Boris	File No.: [REDACTED]	Item 2.
Property Address: 196 Merion Rd	Case No.: [REDACTED]	
City: Dover	State: DE	Zip: 19904
Lender: [REDACTED]		



**FRONT VIEW OF
SUBJECT PROPERTY**

Appraised Date: December 10, 2019
Appraised Value: \$ 237,000



**REAR VIEW OF
SUBJECT PROPERTY**



STREET SCENE

INTERIOR PHOTOS

Borrower: Maria Boris	File No.: [REDACTED]	Item 2.
Property Address: 196 Merion Rd	Case No.: [REDACTED]	
City: Dover	State: DE	Zip: 19904
Lender: [REDACTED]		



Kitchen

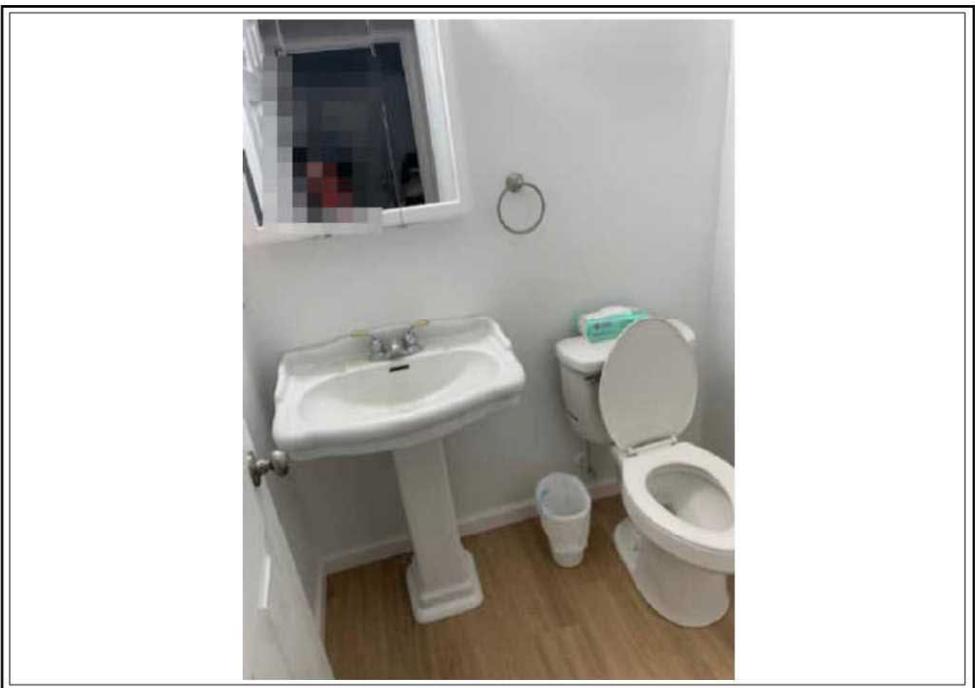
Comment:



Living Area

Description:

Comment:



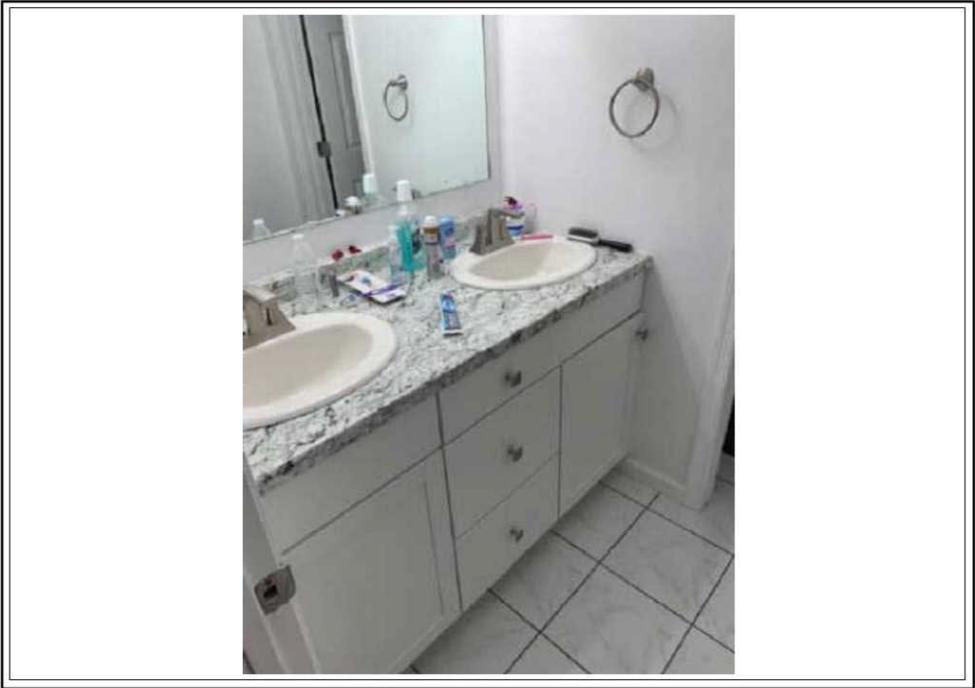
Bathroom

Description:
1/2 bath

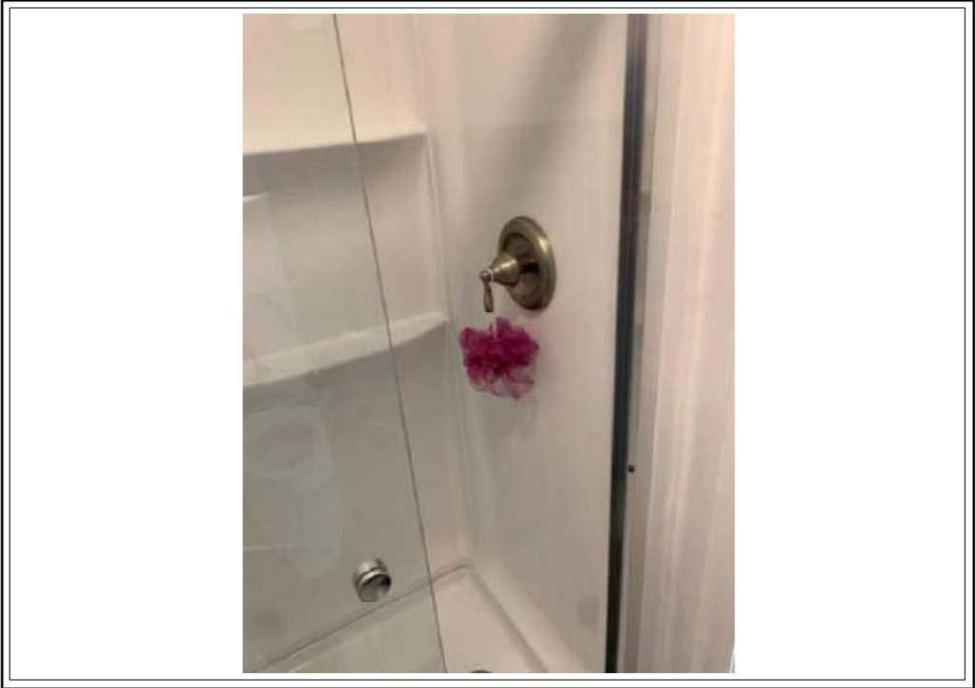
Comment:

BATHROOM PHOTOS

Borrower: Maria Boris	File No.: [REDACTED]	Item 2.
Property Address: 196 Merion Rd	Case No.: [REDACTED]	
City: Dover	State: DE	Zip: 19904
Lender: [REDACTED]		



Hall bath
Comment:



Hall bath
Comment:



Master bath
Comment:

INTERIOR PHOTOS

Borrower: Maria Boris	File No.: [REDACTED]	Item 2.
Property Address: 196 Merion Rd	Case No.: [REDACTED]	
City: Dover	State: DE	Zip: 19904
Lender: [REDACTED]		



Bedroom

Comment:



Bedroom

Comment:



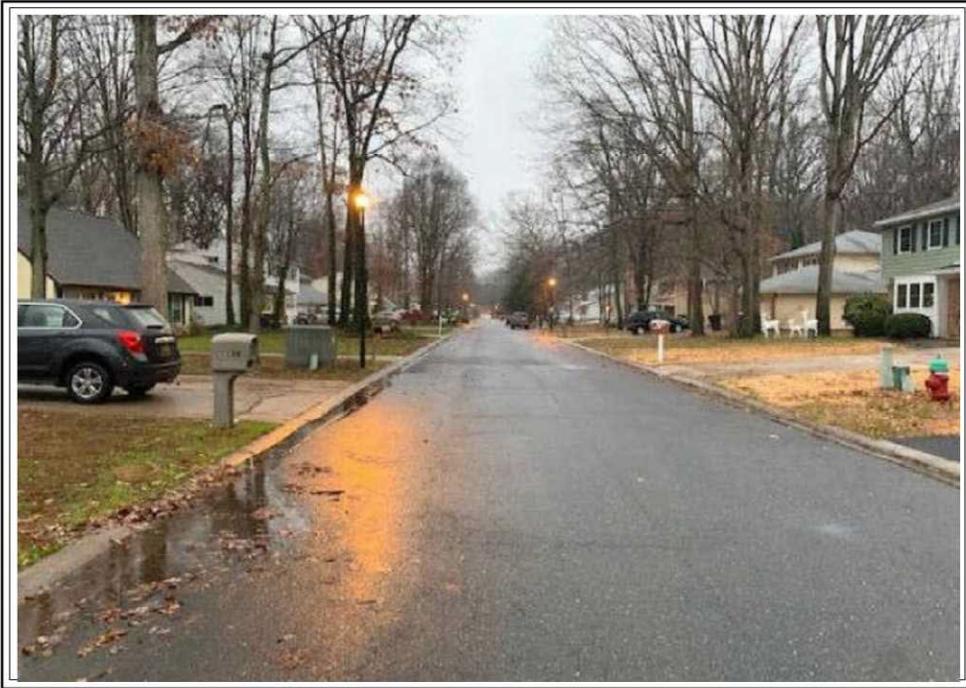
Bedroom

Comment:

Borrower: Maria Boris
Property Address: 196 Merion Rd
City: Dover
Lender: [REDACTED]

File No.: [REDACTED]
Case No.: [REDACTED]
State: DE
Zip: 19904

Item 2.



Alternate street



Side

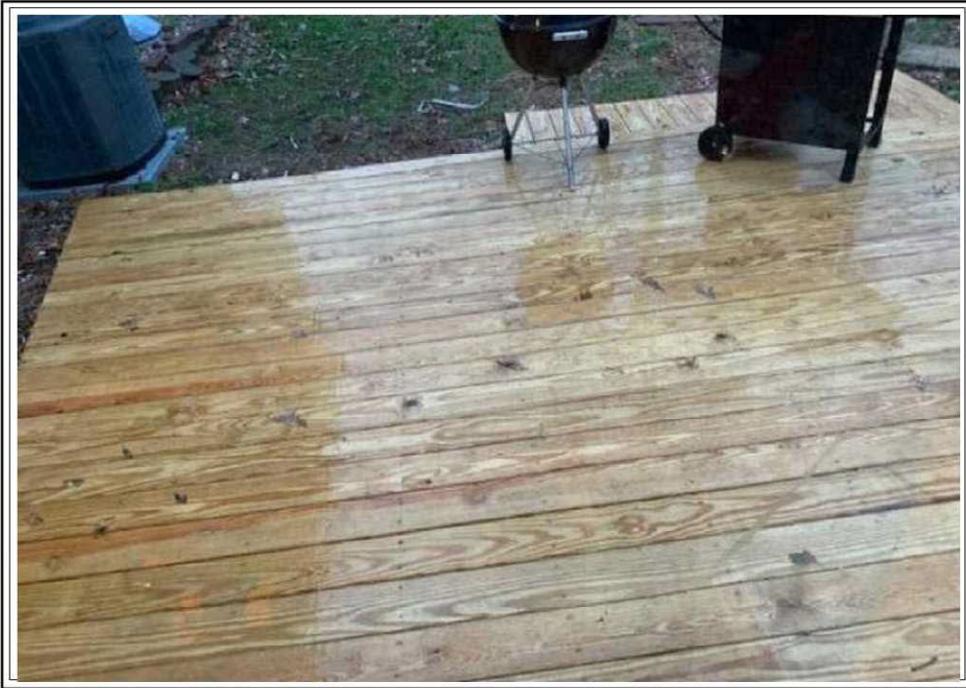


Side

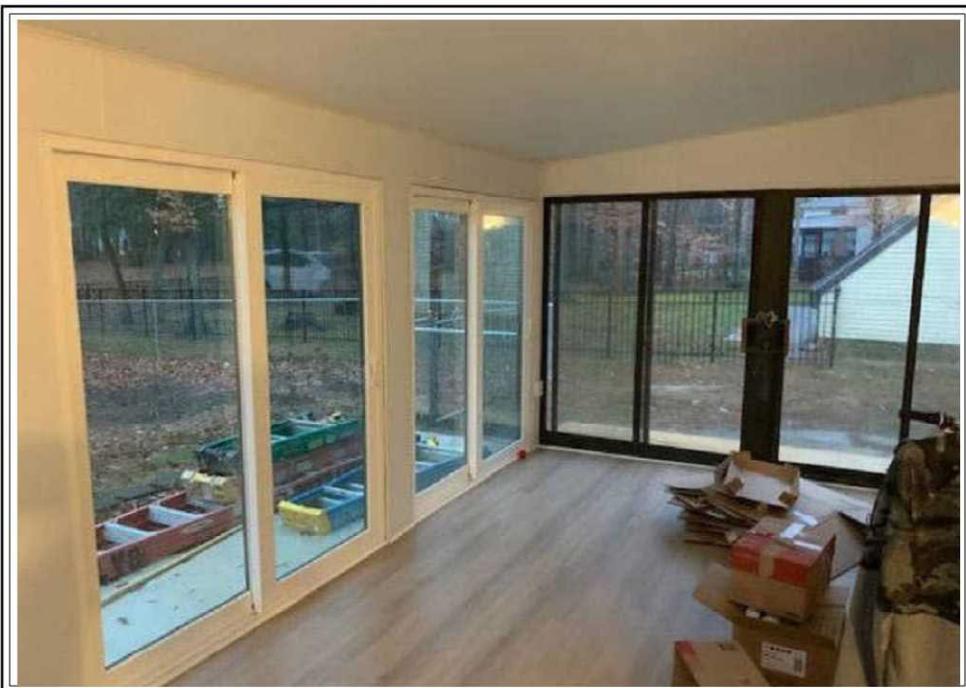
Borrower: Maria Boris
Property Address: 196 Merion Rd
City: Dover
Lender: [REDACTED]

File No.: [REDACTED]
Case No.: [REDACTED]
State: DE
Zip: 19904

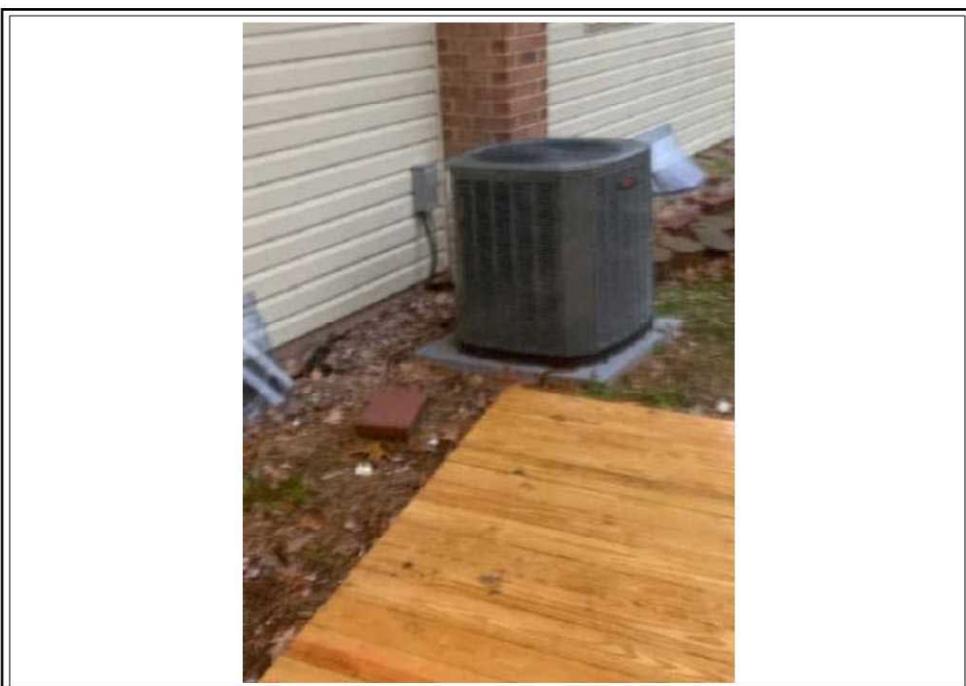
Item 2.



Deck



Enclosed Porch



C/Air

Borrower: Maria Boris
Property Address: 196 Merion Rd
City: Dover
Lender: [REDACTED]

File No.: [REDACTED]
Case No.: [REDACTED]
State: DE
Zip: 19904

Item 2.



Dining room



Alternate view of kitchen



Family

Borrower: Maria Boris
Property Address: 196 Merion Rd
City: Dover
Lender: [REDACTED]

File No.: [REDACTED]
Case No.: [REDACTED]
State: DE
Zip: 19904

Item 2.



Master bedroom



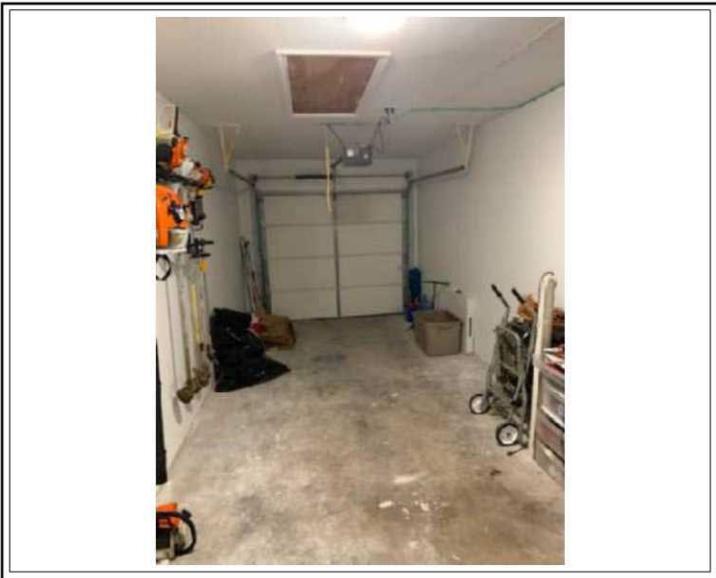
Smoke detector



Smoke detector



Electrical panel



Garage



Heater

Borrower: Maria Boris
Property Address: 196 Merion Rd
City: Dover
Lender: [REDACTED]

File No.: [REDACTED]
Case No.: [REDACTED]
State: DE Zip: 19904

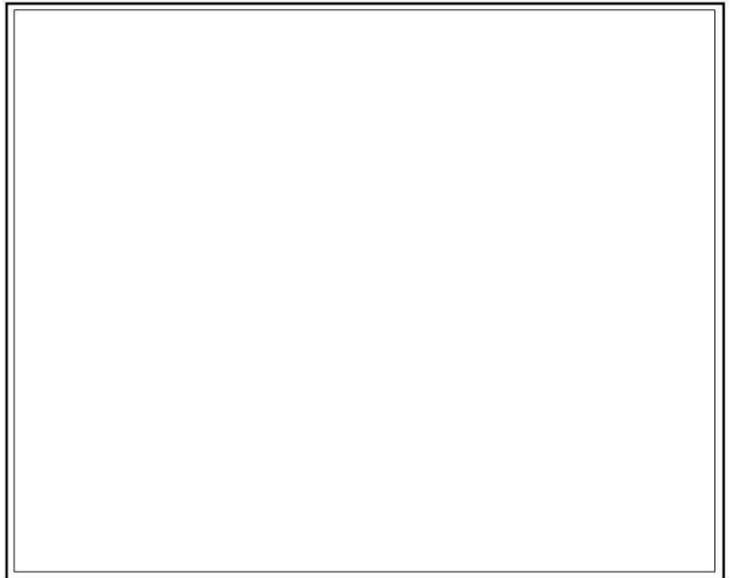
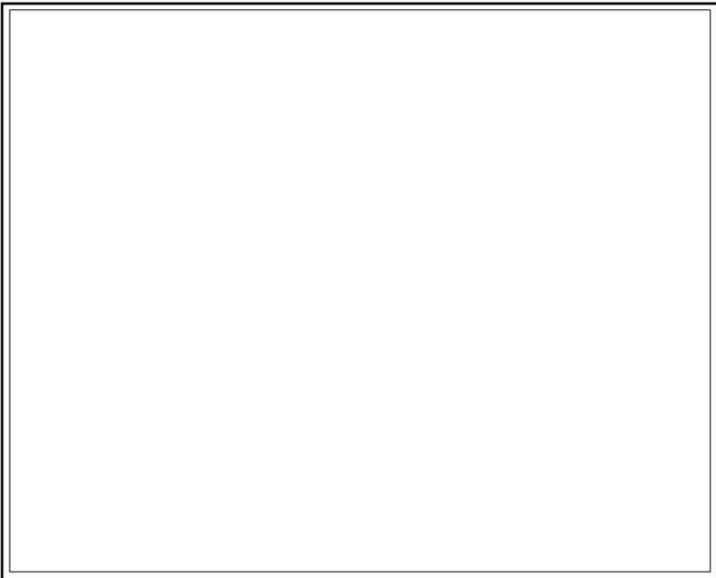
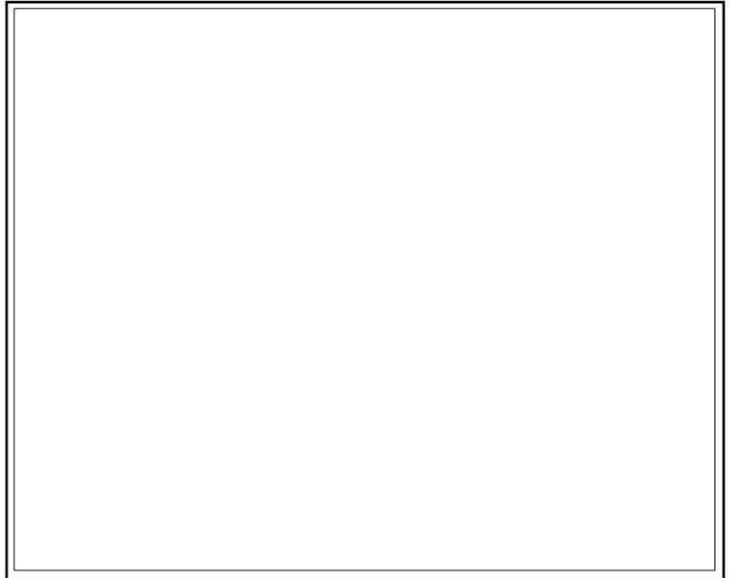
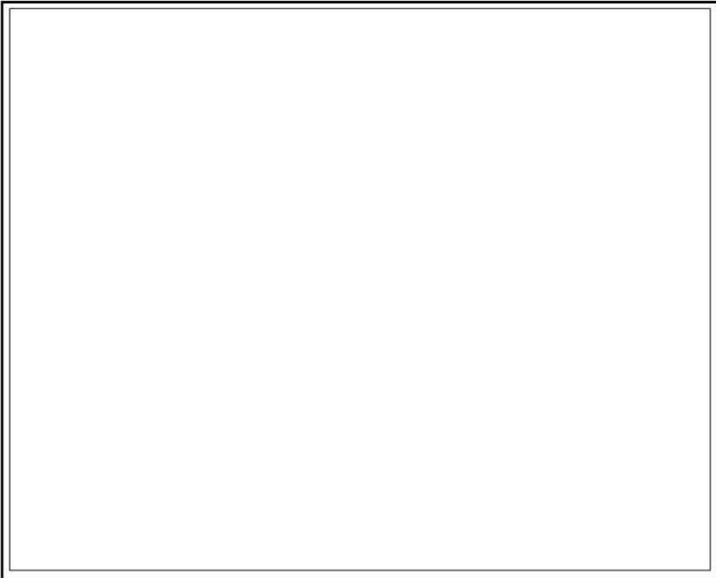
Item 2.



HW heater



Oil Tank

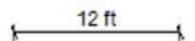
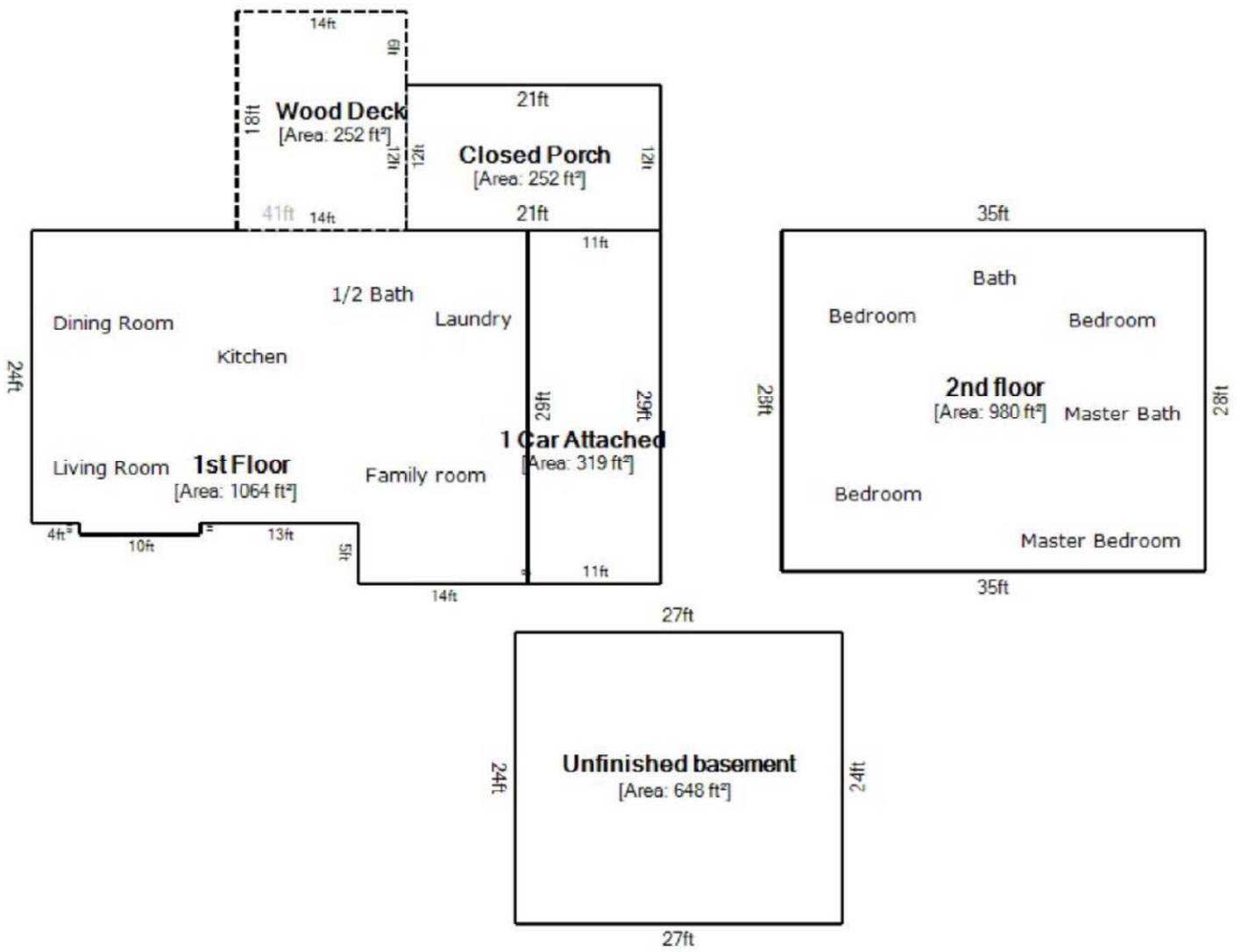


FLOORPLAN SKETCH

Item 2.

Borrower: Maria Boris File No.: [REDACTED]
 Property Address: 196 Merion Rd Case No.: [REDACTED]
 City: Dover State: DE Zip: 19904
 Lender: [REDACTED]

Sketch

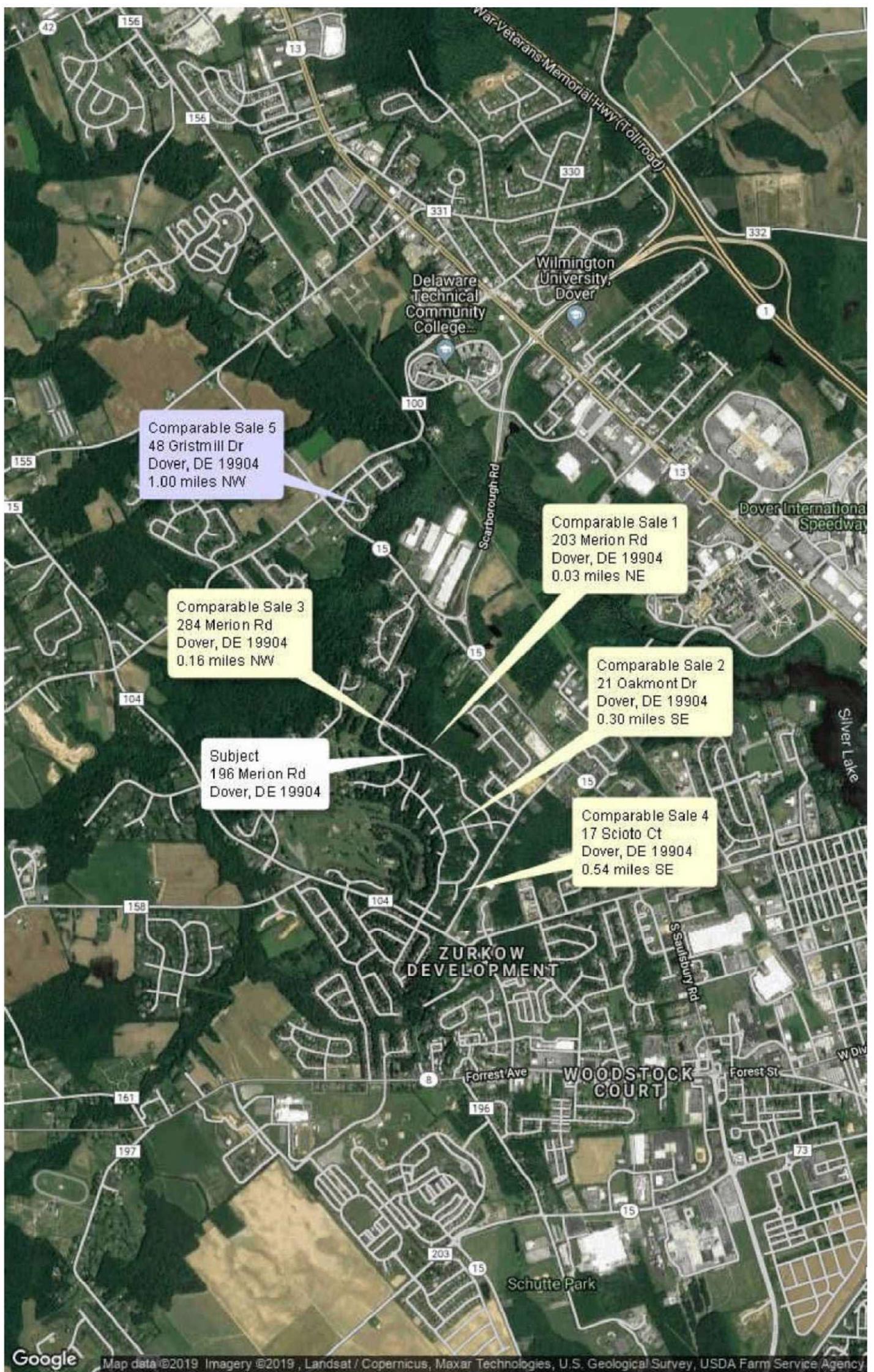


Living Area		Area Calculation			
1st Floor	1064 ft²	1st Floor			x 1.00 = 1064 ft²
2nd floor	980 ft²		5ft x 14ft	1.00 =	70 ft²
Nonliving Area			1ft x 10ft	1.00 =	10 ft²
1 Car Attached	319 ft²		41ft x 24ft	1.00 =	984 ft²
Closed Porch	252 ft²	2nd floor			x 1.00 = 980 ft²
Wood Deck	252 ft²		28ft x 35ft	1.00 =	980 ft²
Unfinished basement	648 ft²				
Total Living Area (rounded):	2044 ft²				

LOCATION MAP

Borrower: Maria Boris
Property Address: 196 Merion Rd
City: Dover
Lender:

File No.:
Case No.:
State: DE
Zip: 19904



Borrower: Maria Boris	File No.:	[REDACTED]
Property Address: 196 Merion Rd	Case No.:	[REDACTED]
City: Dover	State: DE	Zip: 19904
Lender: [REDACTED]		

LICENSE NO. X2-0000116	STATE OF DELAWARE DIVISION OF PROFESSIONAL REGULATION 861 Silver Lake Blvd. Cannon Building, Suite 203 Dover, DE 19904-2467	NOT TRANSFERABLE
PROFESSION: Certified Residential Real Property Appraiser		EXPIRATION DATE: 10/31/2021
ISSUED TO: John E. McMahan		
MAILING ADDRESS		
John E. McMahan 1 Penn State Drive Newark DE 19713	PROFESSIONAL LICENSE	
<small>THIS CERTIFIES THAT THE PERSON NAMED IS HEREBY LICENSED TO CONDUCT OR ENGAGE IN THE PROFESSION INDICATED ABOVE THIS DOCUMENT IS DULY ISSUED UNDER THE LAWS OF THE STATE OF DELAWARE.</small>	 LICENSEE SIGNATURE	659333

AERIAL MAP

Item 2.

Borrower: Maria Boris

File No.: [REDACTED]

Property Address: 196 Merion Rd

Case No.: [REDACTED]

City: Dover

State: DE

Zip: 19904

Lender: [REDACTED]



Subject
196 Merion Rd
Dover, DE 19904

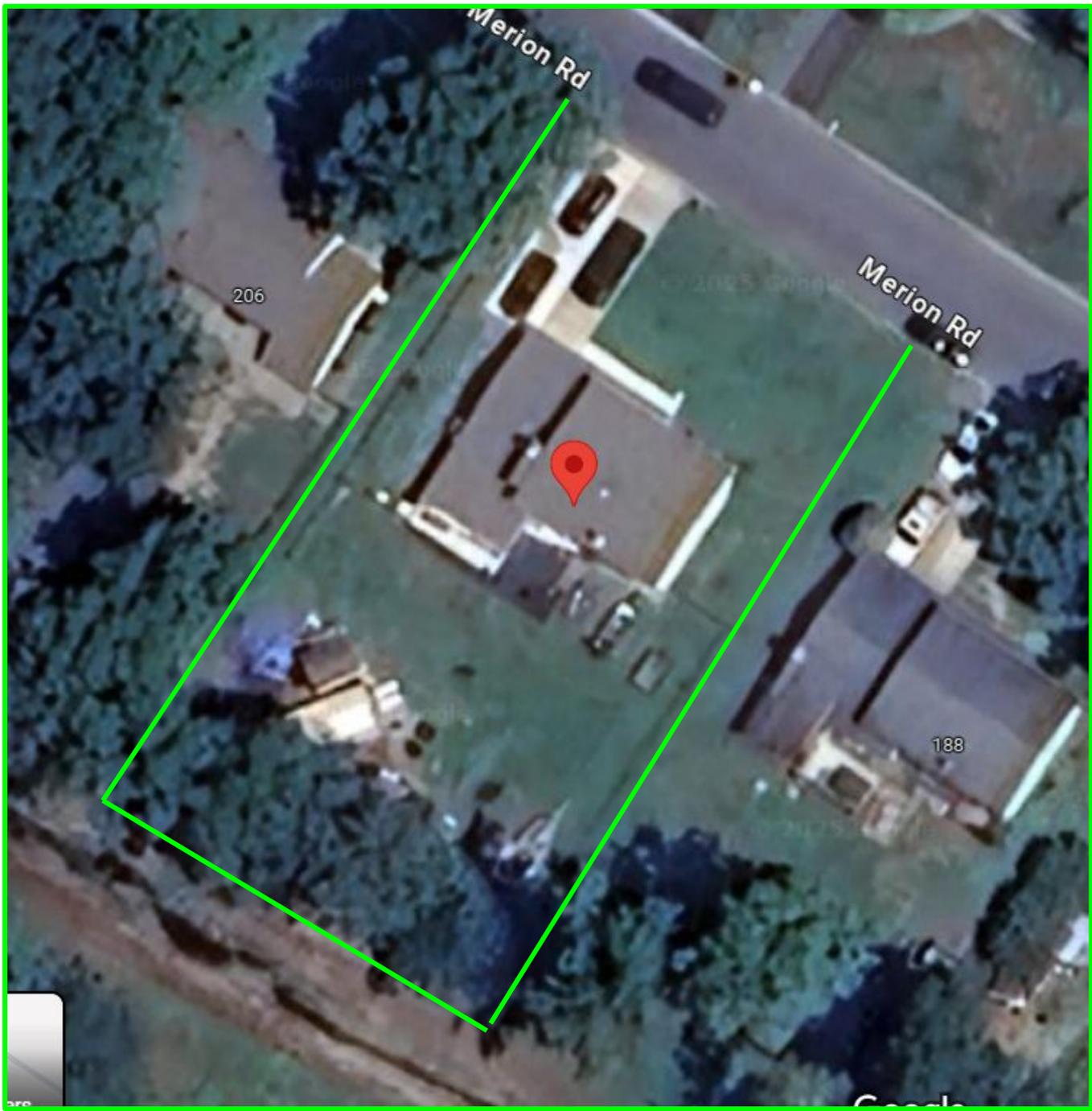
Google

Map data ©2019 Imagery ©2019, Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency

Exhibit B: V-25-02

Item 2.

Certain contents of this document have been redacted due to their sensitive nature and exclusion from being considered "Public Record" per Delaware State Code, Title 29, Chapter 100, Section (o).



196 Merion Road
Dover, DE 19904

0.28 acres = 12,196.8 sq ft

Exhibit C: V-25-02

Item 2.

Certain contents of this document have been redacted due to their sensitive nature and exclusion from being considered "Public Record" per Delaware State Code, Title 29, Chapter 100, Section (o).

BRIDGEVILLE 5TH GRADER WINS PACE CAR DESIGN CONTEST • PAGE 3

Vol. 119, No. 126 | Wednesday, April 17, 2019 | delawarestatenews.net

\$1.00

Delaware State News

The State Capital Daily

'LIKE A BIG BOMB WENT OFF'



Taylor wins 2nd District seat on Dover City Council

By Mike Finney
Delaware State News

DOVER — Ralph L. Taylor found the fruits of his labor to be quite sweet after he recorded a resounding victory in capturing a 2nd District seat on the Dover City Council in Tuesday's Municipal Election — which turned out to be a one-district show.

Mr. Taylor garnered 148 of the total 249 votes cast (59 percent), beating out runner-up Albert W. "Bill" Holmes Jr. (81 votes) by a 67-vote margin in a four-candidate scramble for the council seat left vacant when then-Councilman Brian Lewis was elected as Kent County Sheriff last November.

Anthony Egipcacio Jr. captured 16 votes



Storm leaves Dover house condemned

By Mike Finney
Delaware State News

DOVER — It was a frightening moment in time that could've led to a much more devastating outcome for the Boris family who live at 196 Merion Road in the Fox Hall neighborhood in west Dover.

That moment occurred when a severe thunderstorm accompanied by nearly 60 mph winds ripped through Dover at around 3 a.m. on Monday, causing a huge tree in the Boris's backyard to splinter and crack, crashing through the roof of their two-story house.

"In the middle of the night while we were sleeping it sounded basi-

cally like a big bomb went off in my house and all I woke up to was my son (Josh Jr.) screaming, 'Dad, help me!'" Josh Boris said.

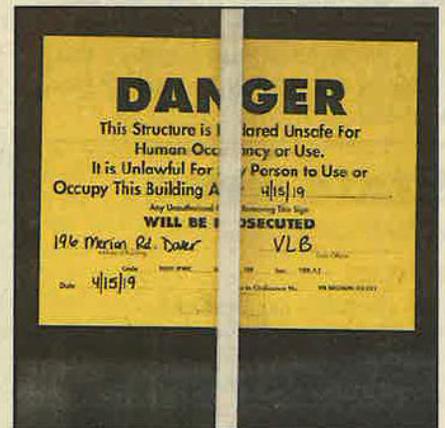
"So, I went to his room to find out his whole wall and ceiling was collapsed in with a tree on it. Then I got everybody out of the house immediately."

Fortunately, the members of the Boris family escaped serious injury.

However, the house they have lived in for about the past five years has been condemned by the city of Dover until repairs can be made.

Mr. Boris said that he, his wife Maria, and 11-year-old son Josh Jr.

See Condemned — Page 10



A notice has been posted on the front door of the Boris home.

Exhibit D: V-25-02

Item 2.

This document has been removed from this packet due to its sensitive nature and exclusion from being considered "Public Record" per Delaware State Code, Title 29, Chapter 100, Section (o).

Exhibit E: V-25-02

Item 2.

Certain contents of this document have been redacted due to their sensitive nature and exclusion from being considered "Public Record" per Delaware State Code, Title 29, Chapter 100, Section (o).



Poultry Registration

#3708

Maria Boris

196 Merion Road

Dover, DE 19904

Notify DDA of registration changes: 302-698-4561

Exhibit F & G: V-25-02

These documents have been removed from this packet due to their sensitive nature and exclusion from being considered "Public Record" per Delaware State Code, Title 29, Chapter 100, Section (o).

Exhibit H: V-25-02

Item 2.

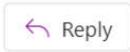
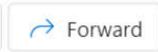
Certain contents of this document have been redacted due to their sensitive nature and exclusion from being considered "Public Record" per Delaware State Code, Title 29, Chapter 100, Section (o).

From: Jeff Climie [REDACTED]
Sent: Monday, April 21, 2025 12:25 PM
To: Boris Maria <Maria.Boris@capital.k12.de.us>
Subject: [External] Chickens

Hey Marie,

I am writing you to let you know how much I appreciate the eggs you give me from time to time. I'm glad you have them and I just want you to know that they do not bother me at all. Even when I'm birdwatching in the backyard or playing with Max, I don't hear them at all. Thank you for being such great neighbors!

Jeff Climie

 Reply  Forward

April 21, 2025

To Whom It May Concern:

We are neighbors of the Boris Family (we live next door at 188 Merion Rd.) We are aware that they have 20 hens in a coop and the yard on their property. We thoroughly enjoy having the chickens next door. They provide us tons of enjoyment watching them every day and feeding them on occasion. Our granddaughters have loved learning about chickens. How they grow, how to feed and water them and how to harvest eggs. Its been an educational experience for all of us. Having chickens next door has never been considered a disturbance. They do not bother us and the Boris' have our blessing to keep them. It would be sad for our family if the chickens were no longer next door.

Thank you for you consideration.

Nanette Holmes and Michael Utley

188 Merion Rd

Dover, DE 19904

Boris Chicken Coop Odor Control/Coop Care Regimen

- **Keep the chicken coop dry.** The chicken coop is a repurposed galvanized dog house made of material similar to chain-linked fences. This type of coop allows for proper ventilation and keeps the coop dry. Bacteria and microbes like moisture. In doing this, odor is reduced if not eliminated.
- **Fly reduction & odor elimination.** By trapping the flies, reducing their number, this contributes to odor chicken coop control. Flies carry bacteria and/or microbes that cause foul odor.



- **Regular coop cleaning & Ware Coop-Control.** Granules reduce coop odor by bonding with methane/ammonia. The granules effectively reduce coop odor that also helps with flies. Flies carry bacteria and/or microbes that cause foul odor.



- **Weekly deep-litter method & Coop 'N Compost.** Old bedding is removed and Coop 'N Compost granules are sprinkled on the floor of the coop. The granules in this formula absorb moisture and ammonia which are odor contributors.

