CONSTRUCTION AND PROPERTY MAINTENANCE
CODE BOARD OF APPEALS

The Construction and Property Maintenance Code Board of Appeals meeting was held on September 9, 2026, at 3:28 p.m., with Mr. Boggerty presiding. The members present were Mr. Rocha, Mr. Campana, and Mr. Martin. Staff members present were Mr. Kopp, Mr. Layfield, Ms. Wheeler, and Ms. Martin. Mr. Neil was absent.

ADOPTION OF AGENDA

Mr. Campana moved for approval of the agenda, seconded by Mr. Rocha, and unanimously carried.

2009 Property Maintenance Code Violation (Chapter 3 - General Requirements, Section 302.1 - Sanitation) - 774 and 774A South State Street (Patty Downes)

The Chair corrected the street addresses stated on the agenda from 747 and 747A South State Street to 774 and 774A South State Street for the record.

Mr. Eddie Kopp, Chief Code Enforcement Officer, stated that the matter concerned Code Enforcement's interpretation of the materials shown in the property photographs as junk and debris. He stated that Ms. Patty Downes disagreed with that interpretation and requested that the Board determine whether the materials violated Section 302.1.

Ms. Downes reviewed updated photographs of the property. She stated that the items included screen doors and materials intended for roofing, decking, and property maintenance. She explained that complications following surgery in April prevented her from completing the work during the summer and that she was not released to lift items until late July.

Ms. Downes stated that the garage had been full of appliances and belongings left by a longtime tenant who had died. She explained that the tenant's belongings had been removed gradually during the preceding month, creating additional room for storage. She stated that the property consisted of five units in four buildings on one parcel.

Ms. Downes and her representative stated that a prospective buyer was seeking commercial financing and that the parties had signed a memorandum of understanding. They explained that the prospective buyer wanted the furniture and building materials to remain with the property. They estimated that a contract could be completed within 30 to 60 days.

Responding to Mr. Martin, Ms. Downes stated that placing all of the materials inside the garage would prevent access through the garage. She explained that the metal roofing was approximately 12 feet long and was stored outside with plywood on top to prevent the material from blowing away and to protect treated lumber from the sun.

Board members discussed whether building materials stored outdoors without an active construction permit were consistent with a clean and sanitary exterior property. Members noted that the materials were not being used for an identified project and were visible from neighboring properties, including nearby offices and parking areas. Members also discussed possible storage in the garage or another unit.

Mr. Kopp read Section 302.1 of the 2009 International Property Maintenance Code into the record. He stated that the code requires all exterior property and premises to be maintained in a clean, safe, and sanitary condition and applies regardless of whether the property is residential or

commercial. He asked the Board to decide whether Code Enforcement correctly interpreted the condition of the property.

Ms. Downes maintained that the items were useful building materials rather than junk and debris. She stated that she kept leftover materials available for repairs and had reduced other debris shown in earlier photographs.

Mr. Kopp clarified that a sale would not resolve the violation because the violation would remain with the property. He stated that Code Enforcement had suspended enforcement while the appeal was pending and recommended a defined compliance period before enforcement resumed. He further explained that, after the appeal was resolved, Ms. Downes could request an extension if the property showed good-faith effort toward compliance.

The Board discussed a 30-day period to store or remove the materials. Ms. Downes requested 60 days because of the anticipated settlement schedule and the continuing removal of personal belongings. Mr. Kopp stated that the code did not provide an exemption based on a pending sale, but that Code Enforcement could consider an extension request after reviewing progress on the property.

Mr. Kopp clarified that the materials could remain if they were properly stored. The appellants were advised that they would receive a letter explaining the next steps.

Mr. Campana moved to deny the appeal and delay further enforcement for 30 days. The motion was seconded by Mr. Rocha and unanimously carried.

Mr. Rocha moved to adjourn the Construction and Property Maintenance Code Board of Appeals meeting. The motion was seconded by Mr. Campana and unanimously carried.

The meeting adjourned at 3:55 p.m.

Andre M. Boggerty
Chairman

AB/rm

CITY OF DOVER, DELAWARE
CONSTRUCTION AND PROPERTY MAINTENANCE CODE BOARD OF APPEALS

Wednesday, September 09, 2026 at 3:30 PM

City Hall Conference Room, 15 Loockerman Plaza, Dover, Delaware

AGENDA

THIS AGENDA HAS BEEN REVISED TO REMOVE ITEM #2 - 2009 PROPERTY MAINTENANCE CODE VIOLATION (CHAPTER 1 - SCOPE AND ADMINISTRATION, SECTION 108.1 - GENERAL) - 71 CHATHAM COURT (JAMES BRANCH)

VIRTUAL MEETING NOTICE

This meeting will be held in the City Hall Conference Room with electronic access via WebEx. Public participation information is as follows:

Dial: 1-650-479-3208
Link: https://tinyurl.com/24z98wsn
Event number: 2532 562 3818
Event password: DOVER (if needed)

If you are new to WebEx, get the app now at https://www.webex.com/ to be ready when the meeting starts.

CALL TO ORDER

ADOPTION OF AGENDA

1. **2009 Property Maintenance Code Violation (Chapter 3 - General Requirements, Section 302.1 - Sanitation) - 747 and 747A South State Street (Patty Downes**)

ADJOURNMENT

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

CHAPTER 3
GENERAL REQUIREMENTS

SECTION 301
GENERAL

301.1 Scope. The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and *exterior property*.

301.2 Responsibility. The *owner* of the *premises* shall maintain the structures and *exterior property* in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy *premises* which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. *Occupants* of a *dwelling unit*, *rooming unit* or *housekeeping unit* are responsible for keeping in a clean, sanitary and safe condition that part of the *dwelling unit*, *rooming unit*, *housekeeping unit* or *premises* which they occupy and control.

301.3 Vacant structures and land. All vacant structures and *premises* thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

SECTION 302
EXTERIOR PROPERTY AREAS

302.1 Sanitation. All *exterior property* and *premises* shall be maintained in a clean, safe and sanitary condition. The *occupant* shall keep that part of the *exterior property* which such *occupant* occupies or controls in a clean and sanitary condition.

302.2 Grading and drainage. All *premises* shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

Exception: *Approved* retention areas and reservoirs.

302.3 Sidewalks and driveways. All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

302.4 Weeds. All *premises* and *exterior property* shall be maintained free from weeds or plant growth in excess of (jurisdiction to insert height in inches). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Upon failure of the *owner* or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the *owner* or agent responsible for the property.

302.5 Rodent harborage. All structures and *exterior property* shall be kept free from rodent harborage and *infestation*. Where rodents are found, they shall be promptly exterminated by *approved* processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

302.6 Exhaust vents. Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another *tenant*.

302.7 Accessory structures. All accessory structures, including *detached* garages, fences and walls, shall be maintained structurally sound and in good repair.

302.8 Motor vehicles. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any *premises*, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an *approved* spray booth.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and *approved* for such purposes.

302.9 Defacement of property. No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti.

It shall be the responsibility of the *owner* to restore said surface to an *approved* state of maintenance and repair.

SECTION 303
SWIMMING POOLS, SPAS AND HOT TUBS

303.1 Swimming pools. Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

303.2 Enclosures. Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. No existing pool enclosure

From: patty downes
To: City Clerks Office
Subject: EXTERNAL: Appeal for Violation at 774 South State St Dover
Date: Tuesday, August 11, 2026 3:55:55 PM

Some people who received this message don't often get email from patty_downes@hotmail.com. Learn why this is important

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.

I need to appeal the violation on the grounds that I have not been well to clear (cancer) but we also have signed an MOU to sell the property and the buyers want the materials. They will be using them for renovations. So they will cleared in due time anyway. Please consider our request. Thanks you

Get Outlook for iOS

11:27
Gmail
LTE 17
www.dotloop.com
SIGN
REVIEW NOTES
SHARE
MORE

This proposal is subject to acceptance by Owner within Five (5) working days.

If this proposal is acceptable, please acknowledge below.

This proposal is intended solely as a memorandum of understanding between the parties hereto and is subject to final approval by Seller and Buyer. For the protection of both parties, neither party shall be bound by the terms hereof until a satisfactory and a mutually acceptable Agreement of Sale has been fully executed and delivered by both parties.

Should this letter be acceptable to you, please execute one of the enclosed copies and return to us. We look forward to working with you on this transaction.

Sincerely,

Tricia Hawryluk

Buyer **Accepted and Agreed**	**Seller** **Accepted and Agreed**
By:	**By:** BENNETT CLICK HERE
Date: 06/30/2026	**Date:** 06/30/2026
By: Matthew DiMattesa dotloop verified 06/30/26 4:44 PM EDT 4CUB-QNXD-OQXX-N5U2	**By:**

Ask
24

City of Dover

August 20, 2026

Patty's Pedal, LLC
Patty Downes
774 South State Street
Dover, DE 19901

Re: Appeal of Citation #26-00002787 – 774 & 774A South State Street, Dover, DE 19901

Dear Ms. Downes:

We have received your request to appeal the violation in reference to 774 & 774A South State Street, in accordance with the 2009 International Property Maintenance Code – Chapter 3 - General Requirements, Section 302.1 – Exterior Property Areas – Sanitation.

A meeting of the Construction and Property Maintenance Code Board of Appeals has been rescheduled for Wednesday, September 9, 2026, at 3:30 p.m. to hear your appeal. This meeting will be held in the City Hall Conference Room, 15 Loockerman Plaza, Dover, DE 19901, with electronic access via Webex, available on a computer, smartphone, or by telephone. Below, I have listed the information needed to access the meeting electronically. If you have any additional documentation that you would like the Board to review when considering your appeal, please provide this information to the City Clerk's Office prior to the appeal hearing.

Please feel free to contact me by email at cityclerk@dover.de.us or by phone at (302) 736-7008 if you have any questions or concerns.

Dial: 1-650-479-3208
Link: https://tinyurl.com/24z98wsn
Event number: 2532 562 3818
Event password: DOVER (if needed)

Sincerely,

Andria L. Bennett, CMC
City Clerk

cc: Dan Griffith, City Solicitor
Sharon Duca, City Manager
Dawn Melson-Williams, Principal Planner
Eddie Kopp, Chief Code Enforcement
Matthew Layfield, Code Enforcement Officer

City of Dover

August 13, 2026

Patty's Pedal, LLC
Patty Downes
774 South State Street
Dover, DE 19901

Re: Appeal of Citation #26-00002787 – 774 & 774A South State Street, Dover, DE 19901

Dear Ms. Downes:

We have received your request to appeal the violation in reference to 774 & 774A South State Street, in accordance with the 2009 International Property Maintenance Code – Chapter 3 - General Requirements, Section 302.1 – Exterior Property Areas – Sanitation.

A meeting of the Construction and Property Maintenance Code Board of Appeals has been scheduled for Wednesday, September 2, 2026, at 3:30 p.m. to hear your appeal. This meeting will be held in the City Hall Conference Room, 15 Loockerman Plaza, Dover, DE 19901, with electronic access via Webex, available on a computer, smartphone, or by telephone. Below, I have listed the information needed to access the meeting electronically. If you have any additional documentation that you would like the Board to review when considering your appeal, please provide this information to the City Clerk's Office prior to the appeal hearing.

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Sincerely,

Andria L. Bennett, CMC
City Clerk

cc: Dan Griffith, City Solicitor
Sharon Duca, City Manager
Dawn Melson-Williams, Principal Planner
Eddie Kopp, Chief Code Enforcement
Matthew Layfield, Code Enforcement Officer

Division of
Code Enforcement
15 Loockerman Plaza
Dover, DE 19901

City of Dover

Phone: (302) 736-7011
Fax: (302) 736-4217

July 13, 2026

PATTYS PEDAL LLC
774 S STATE ST OFFICE
DOVER DE 19901

RE: Property address: 774& 774A S STATE ST
Tax Parcel Number: ED-05-077.13-02-300.000-000
Case Number: 26-00002787

Dear Sir/Ma'am:

On July 13, 2026, a Code Enforcement Officer Matthew Layfield with the City of Dover, Department of Inspections, inspected 774& 774A S STATE ST.

Attached are the Code violations found during the inspection.

A follow-up inspection must be conducted by **August 13, 2026**, to ensure compliance. Failure to comply will result in citation(s) being issued.

It is the responsibility of the property owner/agent to contact this office to schedule all inspections.

Please contact this office with a date and time convenient for you to conduct the re-inspection. You are not required to contact this office if the re-inspection is for an exterior violation. If you have any questions or would like to schedule your inspection or appeal this notice, please contact me at (302) 736-7011.

Sincerely,

Matthew Layfield
Code Enforcement Officer

cc: File

CASE NUMBER 26-00002787
PROPERTY ADDRESS 774& 774A S STATE ST

VIOLATION: 717 QUANTITY: 1
DESCRIPTION: 717 RMV JUNK AND DEBRIS DATE: 7/13/26
LOCATION: BACK YARD

NARRATIVE :
Remove and properly dispose of all garbage, trash, junk and/or debris from the exterior of the property.

ORDINANCE DESCRIPTION :
SECTION PM 302.1 Sanitation Exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property that such occupant occupies or controls in a clean and sanitary condition.

CORRECTIVE ACTION REQUIRED :
Remove and properly dispose of all garbage, trash, junk and/or debris from exterior areas.

07/13/2026 10:01

07/13/2026 10:02

07/13/2026 10:01

07/13/2026 10:01

07/13/2026 10:05

07/13/2026 10:02

774
07/13/2026 10:05