CODE BOARD OF APPEALS

The Code Board of Appeals meeting was held on September 10, 2026, at 3:30 p.m., with Dr. Sudler presiding. The members present were Dr. Pillsbury, Ms. Main, Mr. Neil (via Webex), and Mr. LeBoon. Staff members present were Mr. Kopp, Mr. Layfield, Ms. Wheeler, and Ms. Martin.

ADOPTION OF AGENDA

Dr. Pillsbury moved for approval of the agenda, seconded by Ms. Main, and unanimously carried.

DOVER CODE ORDINANCE VIOLATION: (Chapter 106 - Traffic and Vehicles, Article III - Stopping, Standing and Parking, Division 1, Section 106-130 - Wrecked, Nonoperating, Improperly Parked, or Improperly Parked or Equipped Vehicles) - 846 Monroe Terrace

Dr. Sudler recognized Ms. Shelley Evans and asked her to explain the basis of her appeal.

Ms. Evans stated that her husband had undergone major surgery and had significant mobility limitations. She explained that, on the date of the citation, she briefly pulled the vehicle onto the grass directly in front of the residence so that her husband could safely exit near the front door. She stated that he had a disability parking placard and could not safely walk the additional distance or navigate the slope from the driveway.

Ms. Evans also raised concerns regarding prior discussions about parking a bobtail tractor in her driveway. She stated that she had previously been advised that the bobtail was permitted under the ordinance but then on July 16, 2026, a citation was issued without a new written warning.

Mr. Matthew Layfield, Code Enforcement Officer, stated that on July 16, 2026, at approximately 9:30 a.m., he observed Ms. Evans's Hyundai parked in the front yard in violation of Dover Code Section 106-130. He stated that this was the fourth occurrence of a vehicle being parked on the grass since December 2024 and that a citation was issued for maintaining a known violation.

Mr. Eddie Kopp, Chief Code Enforcement Officer, clarified that the bobtail was not the subject of the appeal, that there was no active or pending Code Enforcement action concerning the bobtail, and that the matter was before the Board concerned only the vehicle parked on the grass. He explained that a bobtail is the tractor or motor-vehicle portion of a tractor-trailer. He noted that a recently adopted ordinance addressing commercial vehicles had not yet been codified as of the meeting date.

Mr. Kopp stated that Code Enforcement considered the incident a repeated violation based on prior cases involving vehicles parked on the grass at the property. He explained that, because the condition constituted a known violation, Code Enforcement's interpretation was that an additional 30-day correction period was not required before issuing a citation. At the Board's request, Mr. Layfield identified Dover Code Chapter 46, Section 46-8, Maintaining a Known Violation or Hazard. Mr. Kopp read the relevant provision into the record and cited cases dated February 14, 2023; December 9, 2024; May 16, 2025; December 12, 2025; and July 16, 2026, as evidence that written notice had previously been provided.

Responding to Dr. Sudler, Ms. Evans disputed that all prior matters involved the same violation and stated that some concerned the bobtail. Mr. Kopp confirmed from the case history that the cited matters involved vehicles parked or stored in the front yard.

Responding to Ms. Main, Mr. Layfield responded that the ordinance did not establish a minimum length of time a vehicle must remain on the grass before a violation occurs.

The Board reviewed the photograph associated with the current citation. Mr. Kopp stated that the photograph showed an unoccupied vehicle parked on the grass in front of the residence. He explained that Section 106-130 did not include an exception for temporary loading or unloading and stated that Code Enforcement's role was to interpret and enforce the ordinance as written.

Mr. Kopp read into the record the description of the February 14, 2023 case, which directed the property owners to remove the vehicle from the grass and park only on an approved parking surface. In response to questions from the Board, staff stated that the bobtail was present in the driveway during at least two of the prior incidents.

The Board recessed briefly so that staff could locate and display prior citation letters and photographs. Upon reconvening, Ms. Wheeler displayed citation correspondence and photographs dating to 2023.

Responding to Dr. Sudler and Dr. Pillsbury, Ms. Evans stated that she did not have a physician's letter with her but could obtain one. She displayed her husband's disability parking placard, issued in July 2025, and medical equipment used for his leg. She stated that her husband underwent surgery in June 2025 and continued to have severe mobility and balance limitations.

Responding to Mr. Leboon, Ms. Evans stated that pulling fully into the driveway would add approximately five to seven feet and require her husband to walk on the sloped driveway. She noted that positioning the vehicle directly in front of the door minimized the distance and allowed him to enter safely.

Responding to Dr. Sudler, Ms. Evans stated that she moved the vehicle approximately five minutes after her husband entered the residence and that, at other times, the vehicle was parked in the driveway in front of the bobtail.

Responding to Dr. Pillsbury, Ms. Evans stated that she was a licensed commercial driver, the bobtail remained in active use, and she was generally home only three or four days each month. She stated that her daughter had been responsible for one earlier occurrence while Ms. Evans was moving the bobtail.

Mr. LeBoon reviewed Ms. Evans's written appeal and asked about a prior photograph showing a vehicle on the grass when the bobtail was not in the driveway. Ms. Evans acknowledged that occurrence and explained that the vehicle had been moved temporarily while the bobtail was being taken out and was returned to the driveway after daylight. She reiterated concerns about her communications with Code Enforcement.

Responding to Ms. Evans, Mr. Kopp stated for the record his telephone conversation with Ms. Evans. He stated that the call had been placed on speakerphone because she was upset and was witnessed by staff. He stated that he advised Ms. Evans that he did not have authority to override the ordinance and that a disagreement with Code Enforcement's interpretation had to be appealed to the Code Board of Appeals. He stated that he then transferred her call to the City Clerk's Office. Based on the evidence and Code Enforcement's interpretation of the ordinance, Mr. Kopp recommended denial of the appeal.

Mr. Neil suggested that Ms. Evans explore whether a paved extension or parking pad could be approved to provide safer access and prevent future violations. Mr. Kopp clarified that a zoning variance did not apply to the ordinance before the Board, but Ms. Evans could apply for a permit to extend the driveway. He stated that approval could not be guaranteed because the review could involve Planning and Inspections, Public Works, wastewater, zoning, lot coverage, and utilities. He

further stated that any amendment to the ordinance would need to be submitted to City Council through the committee process.

Responding to Ms. Main, Mr. Kopp stated that Code Enforcement officials are required to interpret and enforce the code based on their training and certifications and that the Board could review that interpretation but could not modify the ordinance in this proceeding.

Dr. Sudler stated that the Board needed a legal opinion regarding the application of the Americans with Disabilities Act (ADA) and reasonable accommodation to the facts of the appeal before deciding. Dr. Pillsbury agreed that legal guidance would assist the Board in this case and in addressing similar circumstances in the future. Ms. Evans stated that she considered postponing the meeting for a legal review to be fair and asked whether she would receive notice of the continued hearing. Dr. Sudler confirmed that she would be notified when the matter was rescheduled.

Mr. LeBoon moved to postpone consideration of the appeal until the Board received legal advice regarding how the Americans with Disabilities Act conforms with and impacts this case. The motion was seconded by Dr. Pillsbury and unanimously carried.

Dr. Pillsbury moved for adjournment of the Code Board of Appeals meeting, seconded by Ms. Main, hearing no objection, the meeting adjourned at 4:28 p.m.

The meeting adjourned at 4:28 p.m.

Dr. Roy Sudler, Jr.
Chairman

RS/rm

CITY OF DOVER, DELAWARE
CODE BOARD OF APPEALS
Thursday, September 10, 2026 at 3:30 PM

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

AGENDA

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/25nhbk4h
Event number: 2537 242 4599
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. **Dover Code Ordinance Violation (Chapter 106- Traffic and Vehicles, Article III.- Stopping, Standing and Parking, Division 1, Section 106-130.- Wrecked. Nonoperating, improperly parked, or improperly parked or equipped vehicles) 846 Monroe Terrace (Shelley Evans)**

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

Sec. 106-130. Wrecked, nonoperating, or improperly parked or equipped vehicles.

(a) *Prohibited.* It shall be unlawful for any person to park any vehicle or permit any vehicle to remain parked on the streets of the city when that vehicle is wrecked, nonoperating or improperly equipped to such an extent that it would be unlawful to drive the vehicle upon the streets of the city in its condition.

(b) *Leaving vehicles on property.*

(1) It shall be unlawful for any person in charge or in control of any property within the city, whether as owner, tenant, occupant, lessee or otherwise, to:

a. Allow any vehicle partially dismantled, stripped, nonoperating or in such repair as to render it unable to operate legally on a public street, or a wrecked, junked or discarded vehicle to remain on the property for more than five days; or

b. Allow any operable unregistered or uninspected vehicle to remain on the property for more than 90 days.

(2) This subsection shall not apply with regard to a vehicle in an enclosed building or enclosed area designed and approved for such purposes, a vehicle on the premises of a business enterprise licensed and approved for vehicle storage or salvage or repair, or a vehicle in an appropriate storage place or depository maintained in a lawful place and manner as approved by the city.

(3) Unregistered or uninspected vehicles whose owners have properly parked and secured them and who have notified the department of planning and inspections may be granted extensions of the 90-day limit on keeping of unregistered or uninspected vehicles for reasons including but not limited to out-of-state military service, illness, extended travel or such other reasons as approved by the department.

(c) *Parking in grass.* Vehicles shall not be permitted to be parked in front, side, or rear yards required by appendix B pertaining to zoning, except in approved driveways, garages, carports, or parking pads.

(Code 1968, § 31-81; Code 1981, § 13-37; Ord. of 11-12-1996; Ord. No. 2018-07, 8-27-2018)

State law reference(s)—Driving of hazardous vehicles prohibited, 21 Del. C. § 4335.

From: Red
To: City Clerks Office
Subject: EXTERNAL: Request for Appeal
Date: Thursday, August 13, 2026 7:59:50 AM

You don't often get email from red.scathanna@protonmail.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.

Citation # 26-00002868-01

In regards to the citation, I am requesting an appeal against the $100 fine given to me by Code Enforcement Officer Matthew Layfield. I am asking for it to be excused for multiple reasons.

First, in regards to this citation specifically, there was no warning given at the time nor for months prior. I was immediately given a fine instead.

Second, the car was not in the yard for long and was there for a valid reason. It had been in my yard for five minutes while I let my husband, who is handicapped, get from the car to the house. That was all.

Lastly, this citation is the last in a long list of harassment being cause by the officer since he found out he could not issue me a citation for parking my bobtail in my driveway. After he tried numerous times to do so.

When I called Mr. Layfield's supervisor, Mr. Kopp regarding the citation I was told he didn't care if my husband fell in the road, I couldn't let him out in front of my door. When I stated that was uncalled for Mr. Kopp informed me he could do whatever he wants. He then stated he has no boss and no one can stop him.

If more information is needed, please let me know. Until then, I will wait to find out what to do about the citation.

Thank you,
Shelley Evans

City of Dover

August 26, 2026

Shelley Evans
846 Monroe Terrace
Dover, DE 19904

Re: Appeal of Citation #26-00002868-01 and Related Fines – 846 Monroe Terrace, Dover, DE 19904

Dear Ms. Evans:

We have received your request to appeal the violation in reference to 846 Monroe Terrace, in accordance with the Dover Code Ordinance Violation Chapter 106- Traffic and Vehicles, Article III.- Stopping, Standing and Parking, Division 1, Section 106-130.- Wrecked. Nonoperating, improperly parked, or improperly parked or equipped vehicles.

A meeting of the Code Board of Appeals has been scheduled for Thursday, September 10, 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, which may be accessed through a computer, smartphone, or a telephone call. 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 e-mail at cityclerk@dover.de.us or by phone at (302) 736-7008 if you have any questions or concerns.

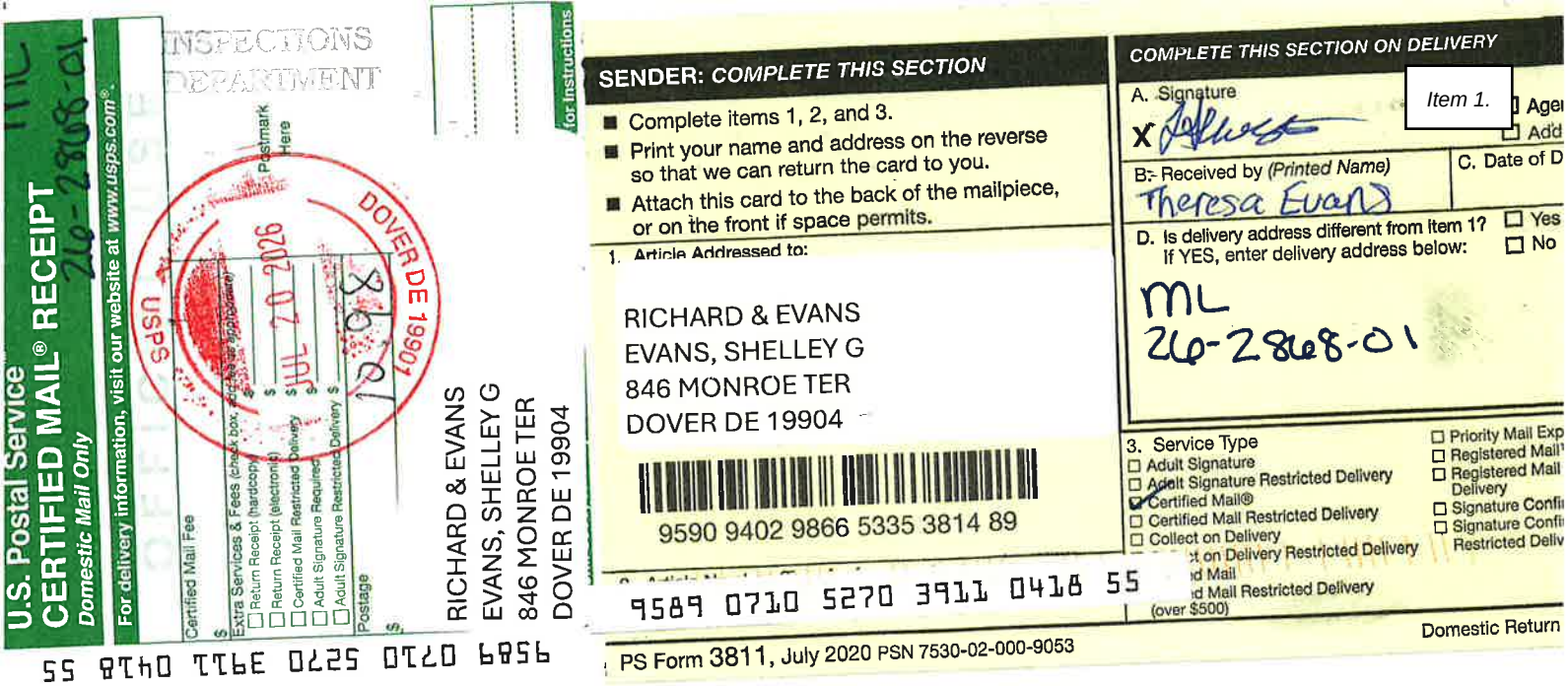
Dial: 1-650-479-3208
Link: https://tinyurl.com/25nhbk4h
Event number: 2537 242 4599
Event password: DOVER (if needed)

Sincerely,

Andria L. Bennett, CMC
City Clerk

Enclosures

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


U.S. Postal Service
CERTIFIED MAIL® RECEIPT
Domestic Mail Only
For delivery information, visit our website at www.usps.com®.
INSPECTIONS DEPARTMENT
Certified Mail Fee
Extra Services & Fees (check box, add fee as appropriate)
Return Receipt (hardcopy)
Return Receipt (electronic)
Certified Mail Restricted Delivery
Adult Signature Required
Adult Signature Restricted Delivery
Postage
Postmark Here
USPS
DOVER DE 19901
JUL 20 2026
RICHARD & EVANS
EVANS, SHELLEY G
846 MONROE TER
DOVER DE 19904
9589 0710 5270 3911 0418 55
SENDER: COMPLETE THIS SECTION
Complete items 1, 2, and 3.
Print your name and address on the reverse so that we can return the card to you.
Attach this card to the back of the mailpiece, or on the front if space permits.
1. Article Addressed to:
RICHARD & EVANS
EVANS, SHELLEY G
846 MONROE TER
DOVER DE 19904
9590 9402 9866 5335 3814 89
COMPLETE THIS SECTION ON DELIVERY
A. Signature
B. Received by (Printed Name) Theresa Evans
C. Date of D
D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:
ML
26-2868-01
Item 1.
3. Service Type
Adult Signature
Adult Signature Restricted Delivery
Certified Mail®
Certified Mail Restricted Delivery
Collect on Delivery
Priority Mail Exp
Registered Mail
Registered Mail Delivery
Signature Confi
Signature Confi Restricted Deliv
(over $500)
PS Form 3811, July 2020 PSN 7530-02-000-9053
Domestic Return

Division of
Code Enforcement
15 Loockerman Plaza
Dover, DE 19901

City of Dover

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

OFFICIAL CITATION

Citation # 26-00002868-01

RICHARD & EVANS
EVANS,SHELLEY G
846 MONROE TER
DOVER DE 19904

Location of Offense: 846 MONROE TER
Tax Parcel Number: ED-05-077.17-01-380.000-000
Type of Offense: DOVER CODE OF ORDINANCES
Date of Offense: July 16, 2026
Date of Issue: July 16, 2026

You are hereby fined for violating the City of Dover Ordinance marked (X) below. Payment must be received by the City of Dover Inspections Department, 15 Loockerman Plaza, Dover, Delaware, before **August 18, 2026.**

Appeals for this citation may be submitted in writing to the City Clerk's Office at the above address. This appeal must be made within 30 days of the date of the offense.

If the violation is not corrected, the City reserves the right to use its resources or those of a contractor to abate the below violation(s) and to bill the property owner for such cost-plus administrative fees.

Every citation issued is a separate offense or fee. The amount listed below is intended solely for this issued citation and does not reflect the outstanding balance that may be owed. It is the property owner's responsibility to ensure that all outstanding balances are paid. *For the total balance owed for this case, please contact the Division of Code Enforcement. Correcting the violation(s) does not dismiss or resolve this citation. All citations issued will remain due until paid in full.*

Matthew Layfield
Code Enforcement Officer

Violation: **(X) FAILURE TO MAINTAIN A KNOWN VIOLATION**

Sec No: **DCO CHAPTER 46 SECTION 46-8 KNOWN VIOLATION**

Fine as per code: **$ 100.00**

Division of
Code Enforcement
15 Loockerman Plaza
Dover, DE 19901

City of Dover

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

July 16, 2026

RICHARD & EVANS
EVANS, SHELLEY G
846 MONROE TER
DOVER DE 19904

RE: Property address: 846 MONROE TER
Tax Parcel Number: ED-05-077.17-01-380.000-000
Case Number: 26-00002868

Dear Sir/Ma'am:

On July 16, 2026, a Code Enforcement Officer Matthew Layfield with the City of Dover, Department of Inspections, inspected 846 MONROE TER.

Attached are the Code violations found during the inspection.

A follow-up inspection must be conducted by **August 18, 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 26-00002868
PROPERTY ADDRESS 846 MONROE TER

VIOLATION: 707 QUANTITY: 1
DESCRIPTION: 707 VEHICLES PARKED/STORED DATE: 7/16/26
LOCATION: FRONT YARD

NARRATIVE :
Remove the Blue Hyundai from the grass and park only on approved parking surfaces. If the vehicle is non-operating or unregistered, it needs to be removed from the property.

ORDINANCE DESCRIPTION :
DCO SECTION 106-130 (C) Parking in grass. Vehicles shall not be permitted to be parked in front, side, or rear yards required by Appendix B pertaining to zoning, except in approved driveways, garages, carports, or parking pads.

CORRECTIVE ACTION REQUIRED :
Park all vehicles on approved parking surfaces.


07/16/2026 09:26


846
07/16/2026 09:26