



# City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT  
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CITY ADMINISTRATOR

BOB CULVER  
COUNTY EXECUTIVE

R. WAYNE STRAUSBURG  
DIRECTOR OF ADMINISTRATION

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## MINUTES

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The Salisbury Board of Zoning Appeals met in regular session on April 6, 2017, in Room 301, Government Office Building at 7:00 p.m. with attendance as follows:

### BOARD MEMBERS:

Albert G. Allen, III, Acting Chairman  
Jordan Gilmore  
Chad Brown  
Shawn Jester  
Brian Soper (Absent)

### CITY STAFF:

Henry Eure, City Building, Permits, and Inspections Department

### PLANNING STAFF:

Gloria Smith, Planner  
Beverly Tull, Recording Secretary



Mr. Allen, Acting Chairman, called the meeting to order at 6:59 p.m.



### MINUTES:

Upon a motion by Mr. Brown, seconded by Mr. Allen, and duly carried, the minutes of the September 8, 2016 meeting were approved as submitted.



### **Reorganization of Board – Election of Chairman.**

Mr. Allen explained that the Board need to reorganize and elect a Chair and Vice Chair. Mr. Allen opened up the floor for a motion for a Chairman. Upon a motion by Mr. Brown, seconded by Mr. Gilmore, and duly carried, the Board elected Mr. Allen as Chairman. Mr. Allen then opened up the floor for a motion for a Vice Chairman. Upon a motion by Mr. Allen, seconded by Mr. Brown, and duly carried, the Board elected Mr. Gilmore as Vice Chairman.



**#SA-0207-17A      Signs By Tomorrow for Greg Reddell/State Farm Insurance, on property owned by CPI Properties, LLC – 19 sq. ft. Sign Area Variance and Variance for a Lighted Sign – 715 E. William Street – Office and Service Residential District.**

***Mr. Allen recused himself due to professional conflicts.***

Mr. Jerry McClymont and Mr. Gerald McClymont came forward. Mrs. Gloria Smith presented and entered the Staff Report and all accompanying documentation into the record. She summarized the report explaining that the applicant requests permission to install an illuminated awning with 23 sq. ft. of message on the Route 50 facing frontage of the building. The Code permits a non-illuminated sign with 4 sq. ft. of sign surface area. Board approval of a 19 sq. ft. sign area variance is requested.

Mr. Eure explained stated that the sign standards are exceedingly restrictive in this zoning district. He explained that he believed that the restrictions were being used as a protective buffer for the residential area. This particular property faces Route 50 which is a heavily travelled road. Mr. Eure stated that the Building Department recommended 32 sq. ft. of signage as was granted in a previous request in 2002. Condition # 3 listed in the staff report has already been satisfied. Mr. Eure noted that having an illuminated awning is not an issue. He stated that the Building Department supported the request for two (2) signs not to exceed 32 sq. ft.

Mr. Gerald McClymont questioned if they were restricted to 32 sq. ft. of signage if they could still have a directional sign.

Mr. Gilmore questioned what existing signs were on the property. Mr. Jerry McClymont explained that there is a 4 ft. by 4 ft. sign on the Route 50 side of the building however, there is not an entrance on the Route 50 side of the building.

Mr. Brown stated that an instructional sign not to exceed 2 sq. ft. could be allowed. Mr. Eure stated that the instructional sign would be at the Board's discretion. He added that having a third sign that is directional would be at the discretion of the Board as well.

Mr. Brown questioned why they would keep the third sign. Mr. Jerry McClymont responded that the awning would not catch patron's attention.

Mr. Gilmore questioned why they were requesting the awning. Mr. Gerald McClymont responded that Mr. Reddell has already purchased the awning. He explained that Mr. Reddell could not attend the meeting as he was out of the country. The free-standing sign came from the old building. Mr. Gerald McClymont questioned if they could put any signage on the door. Mr. Eure responded that the 2002 approval allowed for a sign on the door as the property was developed with two (2) units.

Mr. Gilmore questioned what happened to the 32 sq. ft. sign. Mr. Eure responded that the sign was rotten.

Mr. Brown questioned the illumination. Mr. Gerald McClymont responded that the illumination would be behind the awning.

Mr. Brown questioned the location of the directional sign. Mr. Jerry McClymont displayed the location on the aerial map included in the staff report.

Mr. Brown questioned if the sign would stay lit at night. Mr. Jerry McClymont responded that the illuminated sign could be placed on a timer. Mr. Eure added that the Board could set the hours of illumination as a condition of approval if they wished.

Mr. Brown questioned Mr. Eure as to why the 32 sq. ft. sign was approved in 2002. Mr. Eure responded that due to the time that had passed he couldn't remember the reasoning behind the 32 sq. ft. but that staff went with that recommendation because they could have replaced what was there and not come before the Board. Mr. Brown stated that he didn't like both signs and questioned if they could increase the awning to 32 sq. ft. Mr. Gerald McClymont responded that they could not increase the awning size because it wouldn't fit on the building.

Mr. Jester questioned how much space they had for the awning. Mr. Gerald McClymont responded that there was approximately 11 sq. ft. to install the awning due to the soffit and windows on the building.

Mrs. Smith stated that the 2002 staff report doesn't explain why 32 sq. ft. was requested for signage. She added that the building could house two (2) tenants at the time and the sign was designed for two (2) sign panels.

Mr. Jester questioned Mr. Brown why he was suggesting an awning as the only sign. Mr. Brown responded that he felt that this was in a residential area that didn't need a lot of signage. Mr. Jester stated that he disagreed with Mr. Brown, adding that he didn't feel that the signage would be cluttered on the property.

Mr. Gerald McClymont questioned that they would not be permitted to have signs in the front yard. Mr. Brown responded that it goes back to the restrictions of the Code and that 4 sq. ft. of signage is allowed. Mr. Gerald McClymont explained that they were planning on adhering to the 32 sq. ft. that was previously approved and being recommended

by the staff. Mr. Jerry McClymont stated that they could reduce the free-standing sign to a 9 sq. ft. sign and move it to the E. William Street side of the building.

Mr. Brown made a motion to have the 16 sq. ft. free-standing sign removed, allow a 2 ft. directional sign and the awning. This motion failed due to lack of a second.

Upon a motion by Mr. Brown, seconded by Mr. Jester, and duly carried, the Board **APPROVED** the Variance for a lighted awning as submitted, moving the free-standing sign to the E. William Street side of the building, and permitting a 2 sq. ft. directional/identification sign on the building. The total surface area of the awning sign and the free-standing sign shall not exceed 32 sq. ft. The approval is based on the criteria listed in Section V(c) of the Staff Report and includes the following Condition of Approval:

**CONDITION:**

1. No other signage shall be permitted on this site/building.



**#SA-1701                   Daisey Batson, on property owned by B Bloomgarden LLC – Special Exception – Day Care Center – 1809 Northwood Drive – Light Industrial District.**

Ms. Vinessa Williams came forward. Mrs. Gloria Smith presented and entered the Staff Report and all accompanying documentation into the record. She summarized the report explaining that the applicant proposes establishment of a day care center or nursery school for up to 75 children and 6 infants with 13-14 employees on this property. Board approval of a Special Exception for the Day Care Center is requested.

Mr. Allen questioned Ms. Williams if she was in agreement with the staff report. Ms. Williams responded in the affirmative. Mr. Allen questioned if Ms. Williams understood the landscaping requirements. Ms. Williams responded in the affirmative. There was discussion regarding the landscaping. Mr. Eure explained that she could install a fence with slats and shrubs on the outside of the fence. Mulch only would not constitute landscaping. Mrs. Smith noted that the landscaping requirements are included in Attachment # 4 of the staff report.

Mr. Jester explained that 21 to 22 parking spaces would be required. Ms. Williams responded that there was adequate parking available on the site as there is parking along the side and rear of the building. Mr. Eure noted that some of the spaces aren't currently marked but that there is enough parking on site.

Mr. Allen questioned what other businesses were in the area. Mrs. Smith noted that the building along Columbia Road is Clark Doors. Mr. Eure noted that there is a bakery along the south side of the site. Mr. Allen questioned if this would have any adverse consequences on the area. Mr. Eure responded in the negative, noting that there is another day care down the street.

Upon a motion by Mr. Gilmore, seconded by Mr. Brown, and duly carried, the Board **APPROVED** the requested Special Exception for a Day Care Center for 75 children, 6 infants, and 13-14 employees, based on the criteria listed in Section V(c) of the subject to the following amended Conditions of Approval:

**CONDITIONS:**

1. Parking shall be provided in accordance with the Code requirements.
2. Landscaping shall be provided around the play area as required by the Code.



**ADJOURNMENT**

With no further business, the meeting was adjourned at 7:45 p.m.



This is a summary of the proceedings of this meeting. Detailed information is in the permanent files of each case as presented and filed in the Salisbury-Wicomico County Department of Planning, Zoning and Community Development.

A handwritten signature in black ink, appearing to read "A. G. Allen, III".

Albert G. Allen, III Chairman

A handwritten signature in blue ink, appearing to read "John F. Lenox".

John F. Lenox, Secretary to the Board

A handwritten signature in black ink, appearing to read "Beverly Tull".

Beverly Tull, Recording Secretary