



City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT
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CITY ADMINISTRATOR

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COUNTY EXECUTIVE

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MINUTES

The Salisbury Board of Zoning Appeals met in regular session on September 8, 2016, in Room 301, Government Office Building at 7:00 p.m. with attendance as follows:

BOARD MEMBERS:

Daniel Baker, Acting Chair
Jordan Gilmore (Absent)
Albert G. Allen, III
Chad Brown

CITY STAFF:

Henry Eure, City Building, Permits, and Inspections Department

PLANNING STAFF:

Gloria Smith, Planner
Beverly Tull, Recording Secretary



Mr. Baker, Acting Chairman, called the meeting to order at 7:00 p.m.



MINUTES:

The minutes of the August 11, 2016 meeting were approved as submitted.



#SA-1604

Dean E. Richardson, rep. by Parker & Assoc. – 10 ft. Front Setback Variance – 423 Druid Hill Avenue – R-10 Residential District.

The Board accepted **WITHDRAWAL** of the above noted request.



#SA-9444-16A

Bailey's Taxi Service, LLC, rep. by Selby Sign Company – 9 ft. 6 inch Sign Setback Variance – 336 Lake Street – Light Industrial District.

Mr. John Selby and Ms. Shirley Finley 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 a free-standing sign with a setback of 5 ft. 6 inches from the curblin along Lake Street. The Code requires a 15 ft. setback. Board approval of a 9 ft. 6 inch setback variance is requested.

Mr. Eure explained stated that the Building Department concurs with the Planning and Zoning staff. This is the only location for the sign to go on the site without taking up their parking area. The Building Department recommends approval of the requested variance adding the caveat that the message center can't change messages more than once every six seconds. This recommendation is consistent with what State Highway requires on the billboards.

Mr. Selby advised the Board that his client has no objections to the condition. He passed around a rendering of the sign which is very modest. The sign needs to be on the lot that the business sits on.

Ms. Finley explained that her parents had owned the business and she had taken it over. The business has been there for over 35 years and never had a sign. By putting the sign closer, it allows the taxis to pull up closer on the front pad.

Mr. Allen questioned if the sign location would hinder the fire hydrant. Mr. Selby responded in the negative explaining that they were locating the sign 6 inches behind the sidewalk.

Mr. Selby added that there would be no flashing signs on the message board.

Upon a motion by Mr. Allen, seconded by Mr. Brown, and duly carried, the Board **APPROVED** the requested 9 ft. 6 inch sign setback variance for a free-standing sign as submitted, based on the criteria listed in Section V(c) of the Staff Report and including the following Condition of Approval:

CONDITION:

1. The message on the message board shall not change more frequently than every six (6) seconds.

**#SA-1605 Devreco, LLC, rep. by Selby Sign Company – 25 sq. ft. Sign Surface Area Variance – 261 Canal Park Drive – College-University District.**

Mr. John Selby 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 enlarge the existing free-standing sign by installing a sign face with 75 sq. ft. of sign surface area. The Code permits a 50 sq. ft. sign. Board approval of a 25 sq. ft. sign surface area variance is requested.

Mr. Eure explained that the Building Department concurs with the staff report with recommending denial of the original request but approval of the alternative presented in the staff report.

Mr. Selby explained that he had spoken with Mr. Chris Gilkerson of Devreco who was surprised to find out that Mack Lane was not in the City limits. Mr. Gilkerson's goal was to put a sign out front that every tenant could have a spot on. Currently, Domino's is still paying rent on their former space and they want to get that sign down. The 12.5 sq. ft. variance is an alternative that the client can live with as it allows the new tenant to have a 25 sq. ft. sign. The location is unique because of the railroad, the setback from the highway and the landscaping of the complex next door. The owner can live with a 62.5 sq. ft. sign but would like to request to maintain the signage on the building. There will be a new tenant going in the Domino's spot. Mr. Selby requested that they delete condition # 1 from the conditions of approval as well.

Mr. Allen stated that if they were to keep the condition that the other signs would have to be adjusted in their size.

Mr. Eure stated that they proposed reducing each sign so that they could have the 75 sq. ft. sign but the Building Department would be agreeable to Mr. Selby's proposal.

Mr. Selby stated that they would have to reface the sign under the new Code.

Mr. Brown requested a recap of the proposed changes. Mr. Selby stated that the free standing sign would be 62.5 sq. ft. The signs on the building would remain the same with the exception of the Domino's unit which would be 50 sq. ft. on the front. Mr. Eure added that if the tenants were to change then they would be able to get a 50 sq. ft. sign.

Mr. Eure noted that should the laundromat tenant change that they would need to remove the sign on the north wall.

Upon a motion by Mr. Allen, seconded by Mr. Brown, and duly carried, the Board **APPROVED** a 12.5 sq. ft. sign surface area variance for the free-standing sign as proposed by the Building Department, based on the criteria listed in Section V(c) of the subject to the following amended Conditions of Approval:

Conditions:

1. No other wall signage shall be permitted on the building.
2. At the time a new tenant occupies the unit, the Domino's sign on the building shall be reduced to 50 sq. ft. in size.



ADJOURNMENT

With no further business, the meeting was adjourned at 7:34 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.

Dan Baker, Acting Chairman

John F. Lenox, Secretary to the Board

Beverly Tull, Recording Secretary