



City of
Salisbury
Jacob R. Day, Mayor

MINUTES

The Salisbury Board of Zoning Appeals met in regular session on July 2, 2020, via Zoom at 6:00 p.m. with attendance as follows:

BOARD MEMBERS:

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

CITY STAFF:

Henry Eure, Project Manager
Beverly Tull, Recording Secretary

Mr. Allen, Chairman, called the meeting to order at 5:55 p.m.

Mr. Allen advised that a box would appear on the screen that would have to be checked authorizing consent to record the meeting. Mr. Allen requested that each applicant introduce themselves for the record and that Mr. Eure would then administer the oath. Mr. Eure requested that anyone wishing to testify in the cases before the Salisbury Board of Zoning Appeals raise their right hands and he administered the oath. Mr. Allen explained the procedure for the public hearing.

MINUTES:

The minutes will be added onto the next regular meeting due to lack of a quorum.



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#SA-20-517 Richard DeBenedetto – 4 ft. Side Yard Setback Variance to Construct a 20 ft. x 25 ft. Garage – 615 Ridge Road – R-10 Residential District.

Mr. Richard DeBenedetto and Mrs. Susannah DeBenedetto, as well as Mr. Tim Buckley, were present. Mr. Henry Eure presented and entered the Staff Report and all accompanying documentation into the record. He summarized the report explaining that the applicant requests permission to construct a 20 ft. x 25 ft. garage addition. The addition will extend 4 ft. into the required 10 ft. side yard setback. Board approval of a 4 ft. side yard setback variance is requested.

Upon a motion to move by Mr. Allen, seconded by Mr. Soper, and duly carried, the Staff Report was moved into the record.

Mr. DeBenedetto explained that the biggest issues are the trees on the other side of the house which prohibits them from building on that side and meeting the required setbacks. He added that by adding on at the proposed location, the area is already disturbed with asphalt and it will limit the land disturbance as well as keep the existing trees on the other side of the property. Mr. DeBenedetto shared an email from his neighbors, the Dolan's, supporting his requested variance. This email was marked as Applicant's Exhibit #1 and entered into the record as such. He added that the other neighbor had verbalized to him that there was no opposition to his request.

Mr. Soper made note that the Critical Area Commission decision could impact the Board's decision and wanted to make sure all parties were aware of that. The majority of the development is taking place over existing asphalt. Mr. Eure added that the information has been sent to the Critical Area Commission but Staff has not received any information back from them to date.

Mr. Allen questioned Mr. Buckley if he had anything to add. Mr. Buckley questioned if the Critical Area Commission had all the information that they needed. Mr. Eure responded that if any further documentation was needed for the Critical Area Commission that Ms. Roane would contact them.

Mrs. Lisa Seldomridge, 629 Ridge Road, was on the Zoom meeting and advised through the Chat option that she supported the request but did question what the neighbors thought about the requested variance. Mr. Buckley responded that he had spoken with the neighbors who had no objections. Mr. DeBenedetto confirmed that the neighbors had no objections.

Upon a motion by Mr. Soper, seconded by Mr. Jester and duly carried, the Board **APPROVED** the 4 ft. side yard setback variance for the proposed garage addition,



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based on the criteria listed in the Staff Report, particularly the criteria listed in Section 17.232.020B of the Zoning Code, and subject to the following Condition of Approval:

CONDITION:

1. Obtain approval from the Chesapeake Bay Critical Area Commission.

ADJOURNMENT

With no further business, the meeting was adjourned at 6:16 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 City of Salisbury Department of Infrastructure and Development Department.

Albert G. Allen, III, Chairman

Amanda Pollack, Secretary to the Board

Beverly R. Tull, Recording Secretary