



City of
Salisbury
Jacob R. Day, Mayor

MINUTES

The Salisbury Board of Zoning Appeals met in regular session on May 7, 2020, via Zoom at 6:00 p.m. with attendance as follows:

BOARD MEMBERS:

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

CITY STAFF:

Henry Eure, Project Manager
Beverly Tull, Recording Secretary

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Mr. Allen, Chairman, called the meeting to order at 6:00 p.m.

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Mr. Allen explained that this was the first meeting that the Board of Zoning Appeals had done by Zoom. He 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.

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MINUTES:

Upon a motion by Mr. Gilmore, seconded by Mr. Allen, and duly carried, the Board **APPROVED** the March 5, 2020 minutes as submitted.



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#SA-20-226 Simpson's Towing, Inc. – 2 ft. Fence Height Variance to Install a 6 ft. Fence within the Required 50 ft. Front Yard Setback – 2100-2108 Windsor Drive and 2101-2109 Shipley Drive – Light Industrial District.

Mr. Josh Spear was present. Mr. Henry Eure presented and entered the Staff Report and all accompanying documentation into the record. He summarized the report explaining that the applicants request permission to erect a 6 ft. tall fence within the front yard setback along both Harford Road and Shipley Drive.

Mr. Spear explained that it would be a high quality fence with green privacy slats. The front will be on Windsor Drive with two (2) sliding gate that will be 20 ft. wide and the rear gate will be on Shipley Drive. There is an existing fence on the neighboring property owned by the Gilkerson's that the rear fence will align with.

Mr. Eure noted for the record that this would be a storage yard for vehicles that had been wrecked but it would not be a junk yard. Once the insurance adjusters were done, the vehicles would be removed.

Mr. Allen questioned Mr. Spear if he had any objections to the conditions of approval listed in the Staff Report. Mr. Spear verified the setbacks and acknowledged agreement to the conditions.

Mr. Soper questioned if the Gilkerson property had an existing fence. Mr. Spear responded in the affirmative. Mr. Soper questioned if they had any issues with this request. Mr. Spear responded in the negative, adding that they had represented the sale of the property. Mr. Eure added that Mr. Dwight Miller, President of Gilkerson, had called in about the request and offered his support.

Upon a motion by Mr. Soper, seconded by Mr. Gilmore, and duly carried, the Board **APPROVED** the 2 ft. fence height variance, based on the criteria listed in the Staff Report, particularly the criteria listed in Section 17.232.020B, and subject to the following Conditions of Approval:

CONDITIONS:

1. The fence shall be provided with privacy slats for screening.
2. A 10 ft. wide landscaped area (trees and shrubs) shall be provided on the exterior side of the fence as required by Section 17.220.040 of the Zoning Code.
3. The properties shall be consolidated/resubdivided into one (1) parcel.



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#SA-20-303 D.R. Horton America's Builder – 4 ft. 4-inch Front Yard Setback Variance to Retain a Porch that was Constructed within the 30 ft. Front Yard Setback – 417 Birchwood Drive – Aydelotte Farm PRD #7.

Mr. Brian McManus was 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 is requesting a front yard setback variance for a portion of the dwelling that is located within the required minimum 30 ft. setback.

Mr. McManus explained that the construction drawings must have changed before the final recordation of the plat as the house was built exactly where it was proposed.

Mr. Soper questioned if the building permit was issued before the subdivision was recorded. Mr. Eure responded that he didn't have access to that but the permit was issued based on the Site Plan that was submitted.

Upon a motion by Mr. Gilmore, seconded by Mr. Soper, and duly carried, the Board **APPROVED** the 4.4 ft. front yard setback variance, based on the criteria listed in the Staff Report, particularly the criteria listed in Section 17.232.0208.

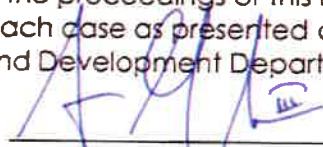
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ADJOURNMENT

With no further business, the meeting was adjourned at 6:18 p.m.

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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