



City of
Salisbury
Jacob R. Day, Mayor

MINUTES

The Salisbury Board of Zoning Appeals met in regular session on April 7, 2022, in Room 301, the Council Chambers, at 6:00 p.m. with attendance as follows:

BOARD MEMBERS:

Melissa Drew
Shawn Jester
Darrell Walker

CITY STAFF:

Henry Eure, Project Manager
Brian Soper, City Planner
Beverly Tull, Recording Secretary
Laura Hay, City Solicitor

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Mr. Soper called the meeting to order at 5:58 p.m.

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Mr. Soper explained that the Board needed to hold elections for a new Chair and Vice Chair. Mrs. Hay added that there also needed to be an Open Meetings Act Representative. She explained that if someone wanted a position to speak up or nominate someone. Mrs. Drew questioned the roles of each position. The role of the Chair was explained as someone to run the meeting and keep control during the meeting. The Vice Chair acts as the Chair in their absence. Mrs. Hay explained that someone needs to take the role of Open Meetings Act Representative to make the sure Board adheres to the rules of the Open Meetings Act. There is a short online course involved and she requested that each Board member take the course. Mr. Walker offered to take on the role of Chair.

Mr. Jester nominated Mr. Walker to be the Chair, seconded by Mrs. Drew and duly carried; Mr. Walker was approved as the Chair.

Mr. Walker nominated Mrs. Drew as Vice Chair, seconded by Mr. Jester, and duly carried; Mrs. Drew was approved as the Vice Chair.

Mr. Walker nominated Mr. Jester as the Open Meetings Act Representative, seconded by Mrs. Drew and duly carried; Mr. Jester was approved as the Open Meetings Act Representative.

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MINUTES:

Upon a motion by Mr. Jester, seconded by Mrs. Drew, and duly carried, the minutes of the November 4, 2021 meeting were deferred to the next meeting for approval.

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Staff assisted Mr. Walker with how to run the rest of the meeting.

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Case # SA-22-241 1501-3 Sharen Drive LLC – Special Exception TO Increase Density to 15.71 Units per Acre – Beaglin Park Drive (M-121; P-2582; Lots 12AA, 17AA, and 18AA) – PDD #1.

Mr. LB Steele came forward. Mr. Henry Eure presented and entered the Staff report and all accompanying documentation into the record. He summarized the report explaining that the applicant requested permission to construct three (3) 3-story garden style apartment buildings on three (3) lots adjoining the existing Ocean Aisle Apartments. A total of 60 units are proposed on the three (3) lots. The proposed construction will have a combined density of 15.71 units per acre. A special exception to increase density to 15.71 units per acre is requested.

Mr. Walker requested that the Staff Report become part of the official record of the case.

Mr. Steele noted that he accepted the recommendations in the Staff Report and was available to answer any questions.

Mr. Jester questioned Mr. Steele if the recommendations in the Staff Report were acceptable. Mr. Steele responded in the affirmative. He explained that pending the approval of the Board, the request should be back on the Planning Commission's May meeting agenda. Once the final approval is received from the Planning Commission, permit applications will be submitted for review and approval.



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Mr. Walker questioned if this would be affordable housing. Mr. Steele responded that this would be market rate apartments.

Mrs. Drew questioned the Code sections referenced for the criteria for a special exception. Staff and Mrs. Hay explained the Code sections and the criteria needed to make the request. Mrs. Drew questioned traffic and the entrances onto Beaglin Park Drive. Mr. Steele explained that the Planning Commission required a traffic study during the preliminary approval. The complete traffic study will be submitted as part of the final comprehensive development plan for consideration by the Planning Commission. He added that they had removed the south entrance to the development that was shown on the site plan. There will be one (1) entrance onto Beaglin Park Drive and one (1) entrance onto Sharen Drive. Any recommendations or conditions that the Planning Commission impose based on the results of the traffic study will be implemented or a revised plan will be done and submitted for review. Mr. Eure added that the Board has the ability to add conditions to their motion. If the Board so wished, a condition could be added to require that any recommendations from the traffic study must be complied with.

Upon a motion by Mr. Jester, seconded by Mrs. Drew, and duly carried the Board **APPROVED** the request to increase density to 15.71 units per acre, adopting the Staff Report as the Findings of Fact, based on the criteria listed in Section V(c) of the Staff Report, and subject to the following Conditions of Approval:

CONDITIONS:

1. Obtain a Final Comprehensive Development Plan approval from the Salisbury-Wicomico County Planning Commission in accordance with Section 17.180 of the Salisbury Zoning Code.
2. Consolidate all three (3) lots into one (1) lot.
3. Subject to further review and approval by the Salisbury Department of Infrastructure and Development and the Salisbury Fire Department.
4. The results of the Traffic Study must be adhered to with development of this project.

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ADJOURNMENT

With no further business, the meeting was adjourned at 7:04 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.

Darrell Walker, Chairman

Richard Baldwin, Acting Secretary to the Board

Beverly R. Tull, Recording Secretary