



City of
Salisbury
Jacob R. Day, Mayor

MINUTES

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

BOARD MEMBERS:

Darrell Walker, Chairman
Melissa Drew
Shawn Jester

CITY STAFF:

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

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Mr. Walker called the meeting to order at 6:00 p.m.

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MINUTES:

Upon a motion by Mr. Jester, seconded by Mrs. Drew, and duly carried, the minutes of the September 1, 2022 meeting were approved as submitted.

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Mr. Eure requested anyone wishing to testify in any matters before the Board stand and be sworn, and administered the oath.



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Case # SA-22-1003 Anderson Fence Company, Inc. on behalf of Devreco, LLC – 2 ft. Fence Height Variance to Erect a 6 ft. Tall Fence Within the Required 50 ft. Front Yard Setback – 2120 Windsor Drive – Light Industrial District.

Mr. Joey Gilkerson came forward. Mr. 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 erect a 6 ft. tall chain-link fence within the front yard setback.

Mr. Gilkerson stated that the Staff Report covers the request. He explained that they are trying to enter into a contract with Cube Smart at this location and a 6 ft. tall fence is a requirement of Cube Smart for the lease.

Mrs. Drew questioned if the building would have any changes made. Mr. Gilkerson responded that the only change would be the installation of new red garage doors. Mrs. Drew questioned the purpose of the fence. Mr. Gilkerson responded that the fence is for security and part of Cube Smart's standards. He added that there would be outdoor storage for boats and RV's. Mrs. Drew questioned if the outdoor space would be leased. Mr. Gilkerson responded in the affirmative. Mr. Eure added that a 4 ft. tall fence does not provide adequate security for the property as it can easily be scaled. Mrs. Drew questioned the 50 ft. setback requirement from residential properties. Mr. Eure responded that the 50 ft. setback from residential properties is not an issue in this location. There was further discussion about the Code requirements and debate about interpretation.

Mr. Jester questioned Mr. Gilkerson if the fence variance was denied, would it affect his use of the property. Mr. Gilkerson responded that it would end the deal with Cube Smart but not the use of the property. Mr. Eure added that if the fence was installed at the required 50 ft. setback that it would impede the vehicle navigation near the building.

Upon a motion by Mr. Jester, seconded by Mr. Walker, and duly carried, the Board **APPROVED** the 2 ft. Fence Height Variance to erect a 6 ft. tall fence within the required 50 ft. front yard setback based on the criteria in Section V(c) of the Staff Report, and subject to the following Condition of Approval:

CONDITIONS:

1. The entire fence shall be provided with privacy slats for screening, as required by the Zoning Code.



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**Vote: Mr. Walker – Aye
Mrs. Drew – Nay
Mr. Jester - Aye**

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ADJOURNMENT

With no further business, the meeting was adjourned at 6:30 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, Secretary to the Board


Beverly R. Tull, Recording Secretary