



MINUTES

The Salisbury Board of Appeals met in regular session on February 1, 2024, in Room 301, Government Office Building at 6:00 p.m. with attendance as follows:

BOARD MEMBERS:

Shawn Jester, Chair
Edward Torbert
Miya Horsey (via Zoom)

Sandeep Gopalan, Vice Chair (Absent)
William Hill (Absent)
Maurice Ngwaba (Absent)

CITY STAFF:

Henry Eure, Senior Planner
Brian Soper, City Planner
Beverly Tull, Recording Secretary
Laura Ryan, City Solicitor

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

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MINUTES:

Due to lack of a quorum from the December 7, 2023 and the January 4, 2024 meetings, the approval of minutes from the December 7, 2023 and January 4, 2024 meetings were postponed until the next meeting.

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Mr. Eure administered the oath to anyone wishing to speak before the cases heard by the Salisbury Board of Appeals.



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Case #202400024 – Becker Morgan, on behalf of TidalHealth Peninsula Regional, Inc. – Special Exception to Construct a Clinic – 805 E. Church Street – R-5A Residential District.

Mr. Mark Cropper and Mr. Kevin Parsons came forward. Mr. Eure presented the Staff Report and all accompanying documentation into the record. Mr. Eure explained that the applicant requested permission to construct a 16,846 sq. ft. residential community clinic at the referenced address, which is located in the R-5A Residential zoning district. A special exception is required for the proposed use. Mr. Eure moved the Staff Report into the record.

Mr. Jester moved the Staff Report into the record.

Mr. Cropper had Mr. Parsons introduce himself and questioned if he agreed with the Staff Report. Mr. Parsons responded in the affirmative. Mr. Cropper questioned the start date of the project. Mr. Parsons responded that construction should begin in the summer. The project is in stage two (2) of the review process and the City has three (3) stages of review.

Mr. Torbert stated that this is appropriate for the property to become a medical clinic like it was in the beginning.

Mr. Jester noted that he grew up close to this area and the proposed rendering does resemble the original Hotel Esther.

Upon a motion by Mr. Torbert, seconded by Ms. Horsey, and duly carried, the Board **APPROVED** the Special Exception to construct a residential medical clinic at 805 E. Church Street, based on the criteria listed in the Staff Report, particularly the criteria listed in Section V(c)

CONDITIONS:

1. Subject to further review and approval by the Salisbury Department of Infrastructure and Development, the Salisbury Fire Department, and other agencies as appropriate.

The Board vote was as follows:

Edward Torbert	Aye
Miya Horsey	Aye
Shawn Jester	Aye



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ADMINISTRATIVE MATTER:

Case #202300334 – Cristo Vive Church – 12-Month Extension Request for Enlargement of a Legal Nonconforming Structure and a 27.7 ft. Side Yard Setback Variance – 1308 Westchester Street – R-10 Residential District.

Mr. Eure explained the requested 12-month extension. Mr. Jester moved the May 4, 2023 decision letter into the record. Mr. Eure requested that the Board grant the 12-month extension from the date that the original approval would expire, May 4, 2024. If granted, the new expiration on the approval would be May 4, 2025.

Mr. Soper noted for the record that the engineering plans have been submitted but will not be through the final review and ready to apply for a permit by May 4, 2024 when the original approval would expire. Mr. Eure added that the Church had to make some changes to the plan because of the denial of front yard setback request.

Upon a motion by Mr. Torbert, seconded by Ms. Horsey, and duly carried, the Board **APPROVED** a 12-month extension, until May 4, 2025, to exercise the **APPROVED** 27.7 ft. Side Yard Setback Variance and the **APPROVED** Enlargement of a Legal Nonconforming Structure.

The Board vote was as follows:

Edward Torbert	Aye
Miya Horsey	Aye
Shawn Jester	Aye

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DISCUSSION – SALISBURY BOARD OF APPEALS HANDBOOK AMENDMENTS.

Mrs. Ryan discussed that proposed amendments to the Salisbury Board of Appeals Handbook. She specifically pointed out the added language about the Pretrial Rules. These amendments must be voted on by the Board at a future meeting and then sent to the City Council to be adopted. There is no deadline to have the updated Handbook adopted.

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Mr. Soper announced his resignation to the Board and thanked the Board members for the service. He also thanked Staff and Legal for their assistance during his tenure with the City of Salisbury.



Mr. Jester thanked Mr. Soper for his service as both a former Board of Zoning Appeals member and a Staff member for the City.

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ADJOURNMENT

With no further business, the meeting was adjourned at 6:50 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.



Shawn Jester, Chair



Richard Baldwin, Secretary to the Board



Beverly R. Tull, Recording Secretary