



# City of Salisbury

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## MINUTES

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The Salisbury Board of Appeals met in regular session on May 2, 2024, in Room 301, Government Office Building at 6:00 p.m. with attendance as follows:

**BOARD MEMBERS:**

Shawn Jester, Chair

William Hill

Miya Horsey (via Zoom)

Sandeep Gopalan, Vice Chair (Absent)

Edward Torbert (Absent)

Maurice Ngwaba (Absent)

**CITY STAFF:**

Henry Eure, Senior 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, the Board postponed the minutes of the February 1, 2024 and April 4, 2024 minutes 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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**RE: Case #2024004232 – Erin Failaev/Benelena Re LLC – 2 ft. Fence Height Variance to Erect a 6 ft. Tall Fence in the Front Yard Setback – 200 New York Avenue – R-8 Residential District.**

Mr. Avraham Failaev and Mrs. Erin Failaev came forward. Mr. Eure presented the Staff Report and all accompanying documentation into the record. Mr. Eure explained that the applicant requested permission to raise an existing 4 ft. tall fence located within the front yard setback to 6 ft. in height. Board approval of a 2 ft. fence height variance is requested.

Mrs. Failaev explained that the fence height increase is for extra protection for their property. She submitted **Applicant's Exhibit A** which was a letter of support from two (2) of the neighbors that reside at 109 and 107 New York Avenue.

Mr. Will questioned if the variance was approved if the approval was for the height or the design. Mr. Eure responded that the Board could approve either one if they wished to condition the design. The request was for a height variance.

Upon a motion by Mr. Hill, seconded by Ms. Horsey, and duly carried, the Board **APPROVED** the requested 2 ft. Fence Height Variance to retain a 6 ft. tall fence within the front yard setback along Miles Street, based on Section V (c) of the Staff Report and the testimony that was received from the applicant and the exhibits submitted by the applicant.

The Board vote was as follows:

<b>Miya Horsey</b>	<b>Aye</b>
<b>William Hill</b>	<b>Aye</b>
<b>Shawn Jester</b>	<b>Aye</b>

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## **ADJOURNMENT**

With no further business, the meeting was adjourned at 6:19 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

John W. Tull, Secretary to the Board

Beverly R. Tull, Recording Secretary