



City of Salisbury

AGENDA

REGULAR MEETING

June 12, 2025

Government Office Building
Route 50 & N. Division Street
Council Chambers, Room 301, Third Floor

6:00 P.M. - Call to Order – Shawn Jester

Board Members: Shawn Jester, Maurice Ngwaba, Edward Torbert, and Miya Horsey.

MINUTES – March 6, 2025.

ZONING PUBLIC HEARINGS: Case #202301591 – Jason Malone, on behalf of Snowfield, LLC – Special Exception to Utilize the Entire Property for Residential Use to Construct 203 Residential Units – Northeast Corner of Toadvine Road and Snow Hill Road – R-8 Residential and General Commercial District.

Case #202500588 – Hilda Escobar – 14.5 ft. Front Yard Setback Variance; Two (2) 6 ft. 8.5-inch Side Yard Setback Variances; 16 ft. 2.5-inch Rear Yard Setback Variance to Construct a New Single Family Dwelling – 338 Delaware Ave – R-5 Residential District.

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****PUBLIC INPUT** – Public comments as part of the public hearings for each case are welcome but are subject to a time allotment of two (2) minutes per person.

The Board of Appeals reserves the right to convene in Closed Session as permitted under the Annotated Code of Maryland, General Provisions Article, Section 3-305(b).



MINUTES

The Salisbury Board of Appeals met in regular session on March 6, 2025, in Room 301, Government Office Building at 6:00 p.m. with attendance as follows:

BOARD MEMBERS:

Shawn Jester, Chair
William Hill
Maurice Ngwaba
Edward Torbert
Miya Horsey

ABSENT MEMBERS:

Sandeep Gopalan, Vice Chair

CITY STAFF:

Henry Eure, Deputy Director
Beverly Tull, Recording Secretary
Heather Konyar, City Solicitor

* * * * *

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

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MINUTES:

Upon a motion by Mr. Hill, seconded by Mr. Ngwaba, and duly carried, the Board **APPROVED** the minutes of the November 7, 2024 meeting as submitted.

* * * * *

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 #202500177 – Davis, Bowen, & Friedel on behalf of MCAP Salisbury LLC – 1.5 ft Rear Yard Setback Variance – 610 Tressler Drive – PRD #3B – Harbor Pointe Phase III.

Mr. Eure presented the four (4) Staff Reports for Tressler Drive simultaneously as they were the same request. He advised the Board that they would have to make separate motions for each case.

Mr. Timothy Metzner came forward. Mr. Eure presented and entered the Staff Report and all accompanying documentation into the record. Mr. Eure explained that the applicants are seeking relief for a dwelling that was constructed within the 40 ft. perimeter setback requirement for Phase III of Harbor Pointe. Board approval of a 1.5 ft. setback variance is requested.

Mr. Metzner explained that the builder kept the building consistent with the existing buildings on Tressler Drive instead of what was on the plans, which resulted in encroachment into the setback.

Mr. Ngwaba questioned who discovered the error. Mr. Metzner responded that the error was discovered when owner got a survey done to close out the financing.

Mr. Jester questioned if the 1.5 ft setback variance would cover all the properties. Mr. Metzner responded in the affirmative. Mr. Jester questioned Mr. Eure if there had been other cases before the Board with this type of request. Mr. Eure responded in the affirmative. Mr. Jester questioned if there was any way to fix the issue. Mr. Metzner responded that the rear walls of the properties in question would have to be demolished and rebuilt. Mr. Jester questioned the cost to fix the setback issue. Mr. Metzner responded that he couldn't give a finite amount but it would be about half of the original cost of construction. He explained the processes that would be involved in rebuilding the rear of each property involved, adding that it would be a six (6) to 12 month process and that the residents would have to be relocated during the construction.

Mr. Torbert questioned who would have to cover the cost if the property were to be brought in to compliance with the setbacks. Mr. Metzner responded that it would be at the cost of the developer and builder.

Ms. Lindsay Mooney from SVN was not sworn in but was in the audience to hear the outcome of the cases as she manages the adjacent property.

Upon a motion by Mr. Hill, seconded by Mr. Ngwaba, and duly carried, the Board **APPROVED** the requested 1.5 ft rear yard setback variance for 610 Tressler Drive, based on the criteria listed in Section V(c) of the Staff Report.

The Board vote was as follows:

| | |
|-----------------------|------------|
| Miya Horsey | Aye |
| Maurice Ngwaba | Aye |
| William Hill | Aye |
| Edward Torbert | Aye |
| Shawn Jester | Aye |

* * * * *

RE: Case #202500178 – Davis, Bowen, & Friedel on behalf of MCAP Salisbury LLC – 1.5 ft Rear Yard Setback Variance – 612 Tressler Drive – PRD #3B – Harbor Pointe Phase III.

Mr. Timothy Metzner came forward. Mr. Eure presented and entered the Staff Report and all accompanying documentation into the record. Mr. Eure explained that the applicants are seeking relief for a dwelling that was constructed within the 40 ft. perimeter setback requirement for Phase III of Harbor Pointe. Board approval of a 1.5 ft. setback variance is requested.

Upon a motion by Mr. Hill, seconded by Mr. Torbert, and duly carried, the Board **APPROVED** the requested 1.5 ft rear yard setback variance for 612 Tressler Drive, based on the criteria listed in Section V(c) of the Staff Report.

The Board vote was as follows:

| | |
|-----------------------|------------|
| Miya Horsey | Aye |
| Maurice Ngwaba | Aye |
| William Hill | Aye |
| Edward Torbert | Aye |
| Shawn Jester | Aye |

* * * * *

RE: Case #202500179 – Davis, Bowen, & Friedel on behalf of MCAP Salisbury LLC – 1.5 ft Rear Yard Setback Variance – 618 Tressler Drive – PRD #3B – Harbor Pointe Phase III.

Mr. Timothy Metzner came forward. Mr. Eure presented and entered the Staff Report and all accompanying documentation into the record. Mr. Eure explained that the applicants are seeking relief for a dwelling that was constructed within the 40 ft. perimeter setback requirement for Phase III of Harbor Pointe. Board approval of a 1.5 ft. setback variance is requested.



Upon a motion by Mr. Hill, seconded by Ms. Horsey, and duly carried, the Board **APPROVED** the requested 1.5 ft rear yard setback variance for 618 Tressler Drive, based on the criteria listed in Section V(c) of the Staff Report.

The Board vote was as follows:

| | |
|-----------------------|------------|
| Miya Horsey | Aye |
| Maurice Ngwaba | Aye |
| William Hill | Aye |
| Edward Torbert | Aye |
| Shawn Jester | Aye |

* * * * *

RE: Case #202500180 – Davis, Bowen, & Friedel on behalf of MCAP Salisbury LLC – 1.5 ft Rear Yard Setback Variance – 620 Tressler Drive – PRD #3B – Harbor Pointe Phase III.

Mr. Timothy Metzner came forward. Mr. Eure presented and entered the Staff Report and all accompanying documentation into the record. Mr. Eure explained that the applicants are seeking relief for a dwelling that was constructed within the 40 ft. perimeter setback requirement for Phase III of Harbor Pointe. Board approval of a 1.5 ft. setback variance is requested.

Upon a motion by Mr. Hill, seconded by Mr. Ngwaba, and duly carried, the Board **APPROVED** the requested 1.5 ft rear yard setback variance for 620 Tressler Drive, based on the criteria listed in Section V(c) of the Staff Report.

The Board vote was as follows:

| | |
|-----------------------|------------|
| Miya Horsey | Aye |
| Maurice Ngwaba | Aye |
| William Hill | Aye |
| Edward Torbert | Aye |
| Shawn Jester | Aye |



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RE: Case #202500181 – GMB, LLC, on behalf of The State of Maryland – Department of Health and Mental Hygiene – Enlargement of a Legal Nonconforming Use to Construct a 4,645 sq. ft. Office Addition – 926 Snow Hill Road – R-8 Residential District.

Mr. Bob Palmer came forward. Mr. Eure presented and entered the Staff Report and all accompanying documentation into the record. Mr. Eure explained that the applicant requests permission to construct a 4,645 sq. ft. addition to the existing nonconforming use. The use is nonconforming as domestic abuse shelters and housing for the handicapped are not permitted uses within the R-8 Residential Zoning District. Board approval to enlarge an existing nonconforming use is requested.

Mr. Jester entered the Staff Report into the record.

Mr. Palmer displayed a site plan of the project and discussed the layout of the proposed addition. Grant funds have been secured to complete this project and the State requested that it be approved and permitted at the local level even though it is on State owned property.

Mr. Torbert questioned the exact location on the aerial included in the Staff Report. Mr. Eure advised that the location of the proposed addition is outlined in blue.

Mr. Jester questioned if the entire Holly Center campus is a legal nonconforming use. Mr. Eure responded in the affirmative, adding that typically State projects are not handled by the local jurisdictions.

Mr. Jester questioned if there was any information on the State grant. Mr. Palmer responded that he did not have specifics on the grant funds. Mr. Jester questioned if this was a use or lose grant. Mr. Palmer responded in the affirmative, adding that they have one (1) more year to get the project to completion.

Mr. Palmer stated that they fully intend to comply with all requirements of the Code and thanked the Board for their time and consideration.

Upon a motion by Mr. Hill, seconded by Ms. Horsey, and duly carried, the Board **APPROVED** the request to enlarge a legal nonconforming use by constructing a 4,645 sq. ft. office addition and accompanying parking, based on the criteria listed in Section V(c) of the Staff Report, and subject to the following Conditions of Approval:



CONDITIONS:

1. Subject to further review and approval by the Salisbury Department of Infrastructure and Development and the Salisbury Fire Department.
2. Provide landscape islands at the ends of the parking rows.

The Board vote was as follows:

| | |
|-----------------------|------------|
| Miya Horsey | Aye |
| Maurice Ngwaba | Aye |
| William Hill | Aye |
| Edward Torbert | Aye |
| Shawn Jester | Aye |

* * * * *

ADJOURNMENT

With no further business, the meeting was adjourned at 6:41 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

Nick Voitiuc, Secretary to the Board

Beverly R. Tull, Recording Secretary



STAFF REPORT

MEETING OF JUNE 12, 2025

Case No. #202301591
Applicant: Jason Malone on Behalf of Snowfield, LLC
Property Owner: Jason Malone on Behalf of Snowfield, LLC
Location: Northwest Corner of Snow Hill Road and Toadvine Road
State City Tax Map: #0048
Parcel #0011, Grid #0492
Zoning: R-8A & General Commercial
Requests: Special exception request to increase the previously approved 195 residential units to 203 residential units in the R-8A and General Commercial zoning districts.

I. SUMMARY OF REQUEST:

History: The applicant was granted via special exception permission to construct a 195-unit residential subdivision to be known as the Village at Snowfield in September 2022. The site is located within the R-8A Residential and General Commercial zoning districts. The special exception is required to construct residential units in the General Commercial district portion of the site pursuant to Zoning Code standards. **(Attachment 2)**

During City development plan reviews, the number of residential units were increased to 203. City staff considered the increased number during the development's review of engineering, stormwater, and fire/emergency services, and the construction plan was accepted for approvals.

However, when the plan was forwarded to Planning staff for Final Comprehensive Plan approval by the Planning Commission, the increase in units was noticed. The plan could only move forward with 195 residential units, and the 8 units were removed from all plans.

The applicant returned to Board of Appeals January 2024 to extend and reestablish the approval of utilizing the split-zoned parcel for 195 residential units, with no changes from the original 2022 special exception. **(Attachment 3)**



Planning Commission later approved the Final Comprehensive Development Plan and Final Major Subdivision Plat at the February 2024 Planning Commission Meeting. The development plan was subsequently approved by the Department of Infrastructure and Development and the project is currently under construction.

The applicant is requesting at this time to reintroduce the 8 units into the Village at Snowfield project. This request does not affect the original approval which granted the construction of residential units in the General Commercial District, but because the original decision was specific to include the 195 units, the applicant is requesting that the decision be amended to reflect 203 units or not specify the unit count. **(Attachment 3)**

II. ACCESS TO THE SITE AREA:

The Village at Snowfield project has frontage along Snow Hill Road and Toadvine Road. Access is proposed along both frontages. The additional 8 units will be located in the reserved Parcel G and Lot 195, both along the proposed North Khione Loop. **(Attachment 5)**

III. DESCRIPTION OF PROPERTY:

Both areas to contain the proposed 8 units are undeveloped as home construction has not yet begun. The reserved Parcel G is 0.49 acres (21,386.41 sq. ft.) and Lot 195 is 0.15 acres (6,600.91 sq. ft.).

IV. DESCRIPTION OF SURROUNDING AREA/NEIGHBORHOOD:

The Village at Snowfield is adjacent to Marley Manor and across Snow Hill Road from Summersgate residential developments. Allen Memorial Baptist Church is also across Snow Hill Road from the site. These sites all lie within the City of Salisbury's jurisdiction. To the south and west, the properties are located in Wicomico County's R-20 Residential zoning district

The additional 8 units will be located in the Townhome section of the Village at Snowfield, and within the General Commercial Zoning District portion of the site.

V. EVALUATION:

- (a) **Discussion:** Section 17.08.030C. of the Zoning Code indicates that "When a zoning district boundary line crosses a lot of record that was existing as of May 23, 1983, and sixty (60) percent of the lot is in one zoning district and forty (40) percent is in another zoning district, a special exception may be granted to use the entire property for uses allowed in the zoning district that applies to the sixty (60) percent portion of the lot." The property is zoned 60.3% R-8A Residential and 39.7% General Commercial. **(Attachment 4)**



A special exception was previously requested to construct single-family and townhouse residential units in the General Commercial portion of the property. The applicant, was granted the permission utilize the entire site for 195 residential units, consisting of 104 single family dwellings and 91 townhouse units.

The increase to 203 units will consist of 101 single family lots and 102 townhouse lots.

Currently, the Zoning Code only allows multi-family units in the General Commercial district. The additional 8 townhouse units are proposed in the General Commercial district.

- (b) **Impact:** As construction is already underway for the Village at Snowfield's approved 195 residential units, the impact will not be increased.
- (c) **Relationship to Criteria:**

Section 17.232.020B. of the Salisbury Municipal Code contains the criteria the Board should consider when approving special exceptions. Staff finds that this request complies with the Special Exception criteria as follows:

- [1] The proposal will be consistent with the Metro Core Plan, the objectives of the Zoning Ordinance and any other applicable policy or plan adopted by the Planning Commission or City Council for development of the area affected.**

Extending the residential development into the commercial area is permitted by special exception from the Board of Zoning Appeals and was granted on September 22, 2022. The Preliminary Comprehensive Development Plan was approved for the project by the Salisbury Planning Commission on May 19, 2022. A Final Comprehensive Development Plan was approved by the Salisbury Planning Commission on February 15, 2024. The addition of the 8 units maintains consistency with Zoning requirements and previously approved plans.

- [2] The location, size, design and operating characteristics under the proposal will have minimal adverse impact on the livability, value or appropriate development of abutting properties and the surrounding area.**

The additional 8 units will have minimal adverse impact of the abutting properties and the surrounding area.



City of Salisbury

- [3] The design of the site and structures for the proposal will be as attractive as the nature of the use and its setting warrants.**

The revised project will be subject to the Planning Commission's review, as part of a Revised Comprehensive Development Plan which will help to ensure attractiveness of the both the buildings and the site.

- [4] The proposal will not be detrimental to or endanger the public health, security, general welfare or morals.**

Staff does not find that the proposed use will have a negative effect on any of these items.

- [5] The proposal will not impair an adequate supply of light or air to adjacent property or overcrowd the land or create any undue concentration of population or substantially increase the congestion of the streets or create hazardous traffic conditions or increase the danger of fire or otherwise endanger the public safety.**

The proposed 8 residential units should have minimal negative effects on neighboring properties.

- [6] The proposal will not adversely affect transportation or unduly burden water, sewer, school, park, stormwater management or other public facilities.**

The proposal should have minimal impacts on transportation, water, sewer, stormwater management or other public facilities. The Department of Infrastructure and Development has previously reviewed and accepted the project with the proposed units.

- [7] The proposal will preserve or protect environmental or historical assets of particular interest to the community.**

The proposal will not impact environment or historical assets either negatively or positively.

- [8] The applicant has a bona fide intent and capability to develop and use the land as proposed and has no inappropriate purpose for submitting the proposal, such as to artificially alter property value for speculative purposes.**

The developer has previously demonstrated an interest in maintaining the economic growth of Salisbury by investing in other residential projects.



Multiple projects are in various stages of development, and are proceeding as planned.

VI. RECOMMENDATION:

Based on the findings contained in this Staff Report, Staff recommends **Approval** of the applicant's request to increase the previously approved 195 residential units to 203 residential units associated with the previously granted special exception allowing residential uses in the General Commercial zoning district.

1. Subject to approval by the Salisbury Planning Commission.
2. Submit and record a corrected plat for the additional 8 residential units.

City of Salisbury
Department of Infrastructure & Development
125 N. Division Street, Room 202
Salisbury, MD 21801
(410) 548-3130

TO: Nicholas Viotiuc, Director
Secretary to the Board of Appeals

SUBJECT:

☒ Special Exception ☐ Variance ☐ Administrative Appeal
☐ Nonconforming (___ Use ___ Lot ___ Structure) ☐ Other

A. APPLICANT: Snowfield, LLC
C/O Jason Malone

PHONE: (410) 251-5881

FEE PAID: \$150 - City

B. LOCATION OF PROPERTY INVOLVED:

NW Corner of Snow Hill Road and Teadvine Rd

C. PROPERTY OWNER:

Snowfield, LLC

D. EXPLANATION OF REQUEST:

1. Code Requires: General Commercial Zoning
2. Proposed: Construction of residential units within General Commercial Zone
3. Action Required: Special Exception to zoning code.

E. APPLICABLE SECTIONS OF ZONING CODE: 17.36.020

F. CERTIFICATION: I hereby certify I denied issuance of a Building Permit on _____ based upon the above information, and that the applicant desires to have his case heard by the Salisbury Board of Appeals.

Henry Eure
Deputy Director

City of Salisbury
Department of Infrastructure & Development
125 N. Division Street, Room 202
Salisbury, MD 21801
(410) 548-3130

TO: Nicholas Voitiuc, Director
Secretary to the Board of Appeals

SUBJECT: Village at Snowfield

DATE: 5/1/25

CERTIFICATION OF APPLICANT

In accordance with Section 17,232.000, of the City's Zoning Code, I hereby request a hearing before the Salisbury Board of Appeals to:

I certify that I have paid all advertising fees necessary for the public hearing in this matter to a representative of the City of Salisbury Department of Infrastructure & Development. I also acknowledge that additional application fees will be assessed by the City of Salisbury Department of Infrastructure & Development prior to my case being scheduled for official action by the Board.

I certify that my interest in the property is as follows: Construct 202
residential units within R-8A and general commercial
zoning districts

It is my understanding that the property involved will be posted with a Public Notice and I agree to allow the posting and property inspection, if applicable.

Very Truly Yours,



WITHDRAWAL NOTICE

I hereby: ☐ Cancel ☐ Withdraw ☐ Postpone

my application for: _____

Name

Date

City of Salisbury
Department of Infrastructure & Development
125 N. Division Street, Room 202
Salisbury, MD 21801
(410) 548-3130

**NOTICE TO SALISBURY BOARD
OF ZONING APPEALS APPLICANTS**

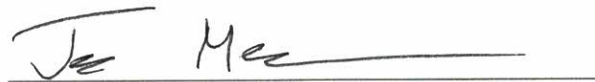
Effective May 1, 2010, applicants submitting requests to be heard by the Salisbury Board of Appeals will be billed for the advertising charges for the public hearing notice that is run in The Daily Times. This notice is required by Section 17.04.150.B.1 which states:

B. Newspaper Advertising. All proceedings under the terms of this title requiring a public hearing shall be advertised at least once in a newspaper of general circulation, as follows:

- 1. A variance, special exception, change in nonconforming use, ordinance permit or other such appeal shall be advertised ten days prior to the scheduled hearing;*

The billing notice will be provided at the time the hearing notification letter is sent out and is due prior to the public hearing date.

I have read the above notice and understand that I will be billed for The Daily Times charges for my Salisbury Board of Appeals application.


(signature of applicant)

5/11/25
(date)



Attachment 2

September 6, 2022

Ayers, Jenkins, Gordy and Almand, P.A.
Attn: Mark Cropper
6200 Coastal Highway, Suite 200
Ocean City, Maryland 21842

RE: Case #SA-22-872 Ayers, Jenkins, Gordy & Almand, P.A., on behalf of Snowfield, LLC – Special Exception to Utilize the Entire Property for Residential Use to Construct 195 Residential Units – Northeast Corner of Toadvine Road and Snow Hill Road – R-8 Residential and General Commercial District.

Dear Mr. Cropper:

This is to officially notify you that the Salisbury Board of Zoning Appeals at a meeting on September 1, 2022, **APPROVED** the Special Exception to utilize the entire property for residential use to construct 195 residential units on the property located at the northeast corner of Toadvine Road and Snow Hill Road, based on the criteria listed in the Staff Report, particularly the criteria listed in Section 17.232.020B, and subject to the following Condition of Approval:

CONDITIONS:

1. Subject to further review and approval by the Salisbury Department of Infrastructure and Development and the Salisbury Fire Department.

Any party dissatisfied with the Board's decision may appeal to the Wicomico County Circuit Court within 30 days from the date of this letter. The court is empowered to overturn or confirm the Board's decision.

You may now proceed with applying for your building permits.

If you have further questions, please feel free to contact Henry Eure at 410-548-3130.

Sincerely,

Brian Soper
Secretary to the Board

BS:brt

cc: City Solicitor
Assessments



City of Salisbury

Attachment 3

January 8, 2024

Snowfield LLC
PO Box 1109
Allen, MD 21810

RE: Case #202301591 - Snowfield, LLC – Special Exception to Utilize the Entire Property for Residential Use to Construct 195 Residential Units – Northeast Corner of Toadvine Road and Snow Hill Road – R-8 Residential and General Commercial District.

Dear Mr. Malone:

This is to officially notify you that the Salisbury Board of Appeals at a meeting on January 4, 2024, **APPROVED** the Special Exception to utilize the entire property for residential use to construct 195 residential units on the property located at the northeast corner of Toadvine Road and Snow Hill Road, based on the criteria listed in the Staff Report, particularly the criteria listed in Section V(c), and subject to the following Condition of Approval:

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.

Any party dissatisfied with the Board's decision may appeal to the Wicomico County Circuit Court within 30 days from the date of this letter. The court is empowered to overturn or confirm the Board's decision.

You may now proceed with pursuing other required approvals.

If you have further questions, please feel free to contact Henry Eure at 410-548-3130.

Sincerely,

Brian Soper

Secretary to the Board

BS:brt

cc: City Solicitor
Assessments
Donna Hoch/1300 Snow Hill Road/Salisbury, MD 21804

VICINITY MAP 1" = 2000'



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|-----------|------|--|------|------------|---------|----|
| REVISIONS | | SPECIAL EXCEPTION DETAIL SNOW HILL ROAD, PARCEL 492 FOR JASON MALONE | | | | |
| DATE | INT. | | | | | |
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| LOCATION | | NUTTERS ELECTION DISTRICT, WICOMICO COUNTY, MARYLAND | | | | |
| SCALE | | 1" = 100' | DATE | 01/25/2022 | TAX MAP | 48 |
| DRAWN BY | | S2408 | EDR | PARCEL | 492 | |
| OWNER | | S2408-SPECIAL EXCEPTION | | | | |

- ### GENERAL NOTES
1. THE PROPERTY SHOWN HEREON IS CURRENTLY OWNED BY:
WESTWOOD DEVELOPMENT LLC
31504 FRED AOKINS ROAD
PARSONSBURG MD 21849
 2. DEED REFERENCE: 1731/465
 3. PLAT REFERENCE: 307/311
 4. TOTAL AREA OF PROPERTY: 42.15+ ACRES
 5. THE PRESENT ZONING OF THIS PROPERTY IS: GENERAL COMMERCIAL: R84- RESIDENTIAL
 6. THE PROPOSED ZONING OF THIS PROPERTY IS: R84- RESIDENTIAL
 7. THE PROPERTY IS SHOWN ON F.J.R.M. COMMUNITY PANEL 254-54-54E (PANEL 254 OF 375), DATED 08/17/2015, AS BEING IN FLOOD ZONE X, AREA OF MINIMAL FLOODING.
 8. THIS REZONING PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO ANY ENCUMBRANCES, RESTRICTIONS, EASEMENTS AND/OR RIGHTS OF WAY THAT MIGHT BE REVEALED BY A THOROUGH TITLE SEARCH.
 9. PROPERTY LINES AS SHOWN HEREON WERE DERIVED FROM EXISTING DEEDS AND PLAT OF RECORD. A BOUNDARY SURVEY HAS NOT BEEN PERFORMED.

GENERAL NOTES

1. THE PROPERTY SHOWN HEREON IS CURRENTLY OWNED AND BEING DEVELOPED BY:
SNOWFIELD LLC
PO BOX 1109
ALLEN, MD 21810
C/O JASON MALONE
443-260-4775
2. DEED REF. 1731/465
3. LOT SIZE = 42.146 ACRES
4. THE PRESENT ZONING OF THIS PROPERTY IS: R-8A RESIDENTIAL WITH 500' DEEP FRONT OF PROPERTY BEING GENERAL COMMERCIAL - GC
5. PROPOSED ZONING - R-8A RESIDENTIAL
6. FRONT SETBACK = 25'
7. REAR SETBACK = 30'
8. SIDE SETBACKS = 10' EACH, TWO REQUIRED; TOWN HOMES 15' EACH
9. MIN. LOT SIZE = 60' FRONT WIDTH, CORNER 75' MIN., 8,000 SF. LOT SIZE.
10. THIS PROPERTY IS LOCATED WITHIN G.P.R. MANAGEMENT ZONE A
11. THE CURRENT WICOMICO COUNTY WATER/SEWER PLAN SERVICE CATEGORY W-1/S-1
12. CONTRACTOR TO VERIFY ALL ELEVATIONS LISTED ON THE PLAN WITH A MINIMUM OF THREE BENCHMARKS THAT ARE ON THIS PROJECT'S UTILIZED DATUM PRIOR TO COMMENCING ANY CONSTRUCTION. IF ANY LOCATIONS OR ELEVATIONS OF BENCHMARKS, EXISTING FACILITIES, OR STRUCTURES DIFFER FROM THAT SHOWN HERE ON, CONTRACTOR SHALL IMMEDIATELY NOTIFY ENGINEER AT 410-749-1023.
13. THIS BOUNDARY SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO ANY ENCUMBRANCES, RESTRICTIONS, EASEMENTS AND/OR RIGHTS-OF-WAY THAT MIGHT BE REVEALED BY A THOROUGH TITLE SEARCH.
14. THIS PROJECT IS INTENDED TO BE SERVED BY PUBLIC SEWER, PUBLIC WATER, AND PRIVATE TRASH COLLECTION.
15. ALL PROPOSED GRADING AND CONSTRUCTION SHOWN ON THESE PLANS SHALL TIE INTO EXISTING GRADES WITHIN THE LIMIT OF DISTURBANCE. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THAT TIE IN GRADES, ELEVATIONS AND SLOPES MATCH EXISTING CONDITIONS AND ARE ACCEPTABLE. IF CONDITIONS DIFFER THAN THOSE SHOWN ON THE PLANS, CONTRACTOR SHALL NOTIFY ENGINEER IMMEDIATELY.
16. PROPERTY OWNERS SHALL BE RESPONSIBLE FOR ALL GRASS CUTTING WITHIN THE PUBLIC RIGHT OF WAY AND OR EASEMENTS ALONG THE FRONTAGE OF OR THROUGH THEIR PROPERTY. THE MAINTENANCE OF ALL LANDSCAPE MEDIANS OR ISLANDS LOCATED INSIDE OF CITY OF SALISBURY RIGHT OF WAY IS THE RESPONSIBILITY OF THE LOT OWNER'S. THE MAINTENANCE OF ALL DRAINAGE FACILITIES LOCATED LOCATED OUTSIDE THE CITY OF SALISBURY RIGHT OF WAY IS THE RESPONSIBILITY OF THE PROPERTY OWNERS.
17. CITY OF SALISBURY UTILITY EASEMENTS SHALL BE RESERVED FOR FUTURE USE BY THE CITY AT NO COST TO THE CITY FOR CITY UTILITY INSTALLATION, SIDEWALKS, DRAINAGE OR OTHER SUCH PUBLIC USE, WHICH MAY BE DETERMINED BY THE DIRECTOR OF PUBLIC WORKS AND SHALL BE MAINTAINED BY THE INDIVIDUAL LOT OWNERS OR THE OWNERS ASSOCIATION. NO STRUCTURAL IMPROVEMENTS, TREE OR SHRUB PLANTING OR THE PLACEMENT OF ANY LANDSCAPING OTHER THAN GRASS CAN BE MADE IN OR ON THE CITY OF SALISBURY UTILITY EASEMENTS, INCLUDING IN THE AIR RIGHTS OVER THE EASEMENTS, WITHOUT THE PRIOR WRITTEN CONSENT OF THE CITY OF SALISBURY.
18. ALL NON-CITY UTILITIES, SUCH AS, BUT NOT LIMITED TO, ELECTRIC, TELEPHONE, GAS AND C.A.T.V. SHALL BE INSTALLED OUTSIDE THE CITY OF SALISBURY UTILITY EASEMENTS. PERPENDICULAR CROSSINGS WILL BE ALLOWED.
19. PRIVATE IRRIGATION LINES SHALL NOT BE INSTALLED IN CITY RIGHT OF WAYS OR EASEMENTS WITHOUT WRITTEN APPROVAL OF SALISBURY PUBLIC WORKS.
20. PRIVATE UTILITY MAINS REQUIRE INSPECTION BY CITY PLUMBING INSPECTOR.
21. VERTICAL DATUM IS BASED ON NAVD8S.

SITE DATA

TOTAL SITE = 42.146 ACRES
SINGLE FAMILY LOTS = 101
TOWNHOMES = 102
TOTAL UNITS = 203

ESTIMATED WATER & SEWER USAGE
(FROM DESIGN GUIDELINE FOR SEWERAGE FACILITIES)
203 SINGLE FAMILY RESIDENCES
250 GPD PER UNIT

TOTAL PROJECT USAGE = 203 UNITS X 250 GPD/UNIT = 50,750 GPD
1 EDU = 250 GPD = 50,750/250 = 203 EDUs for project

PARKING

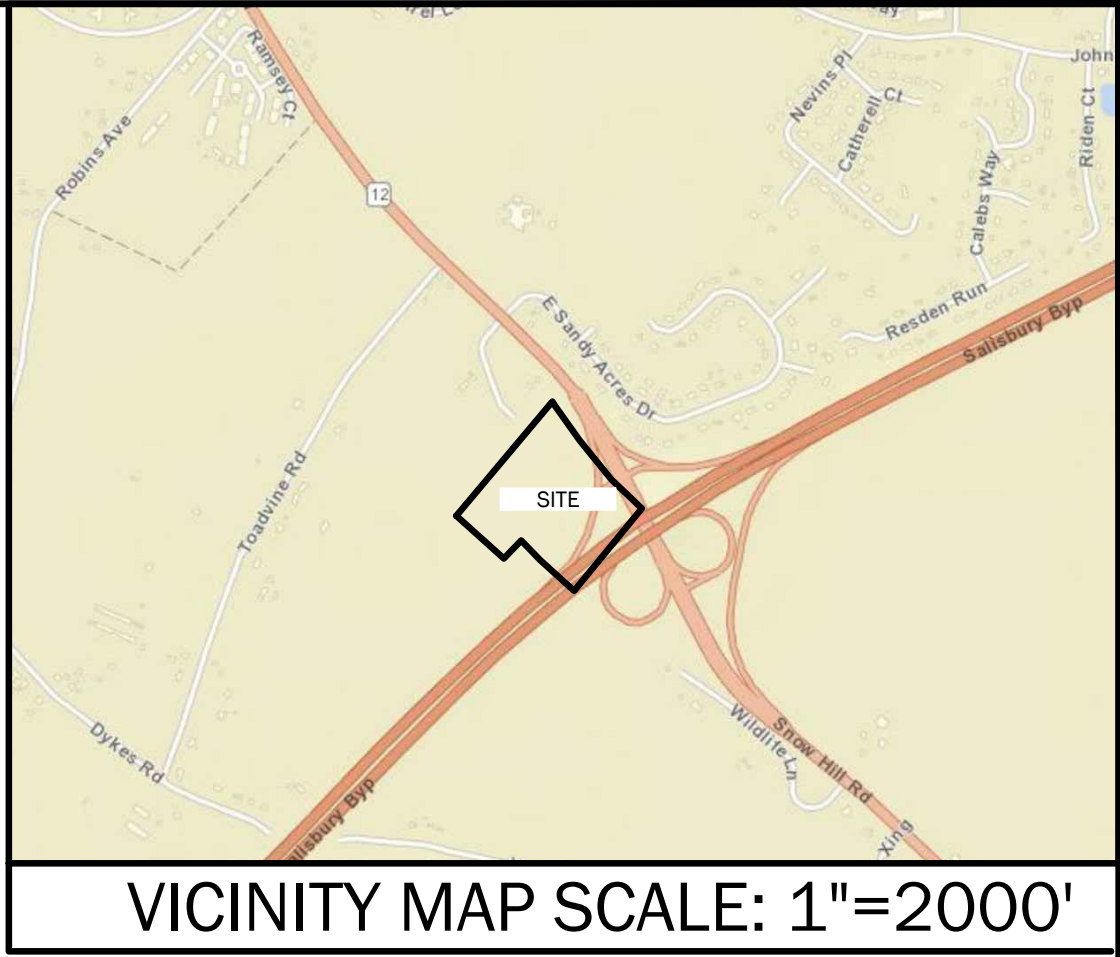
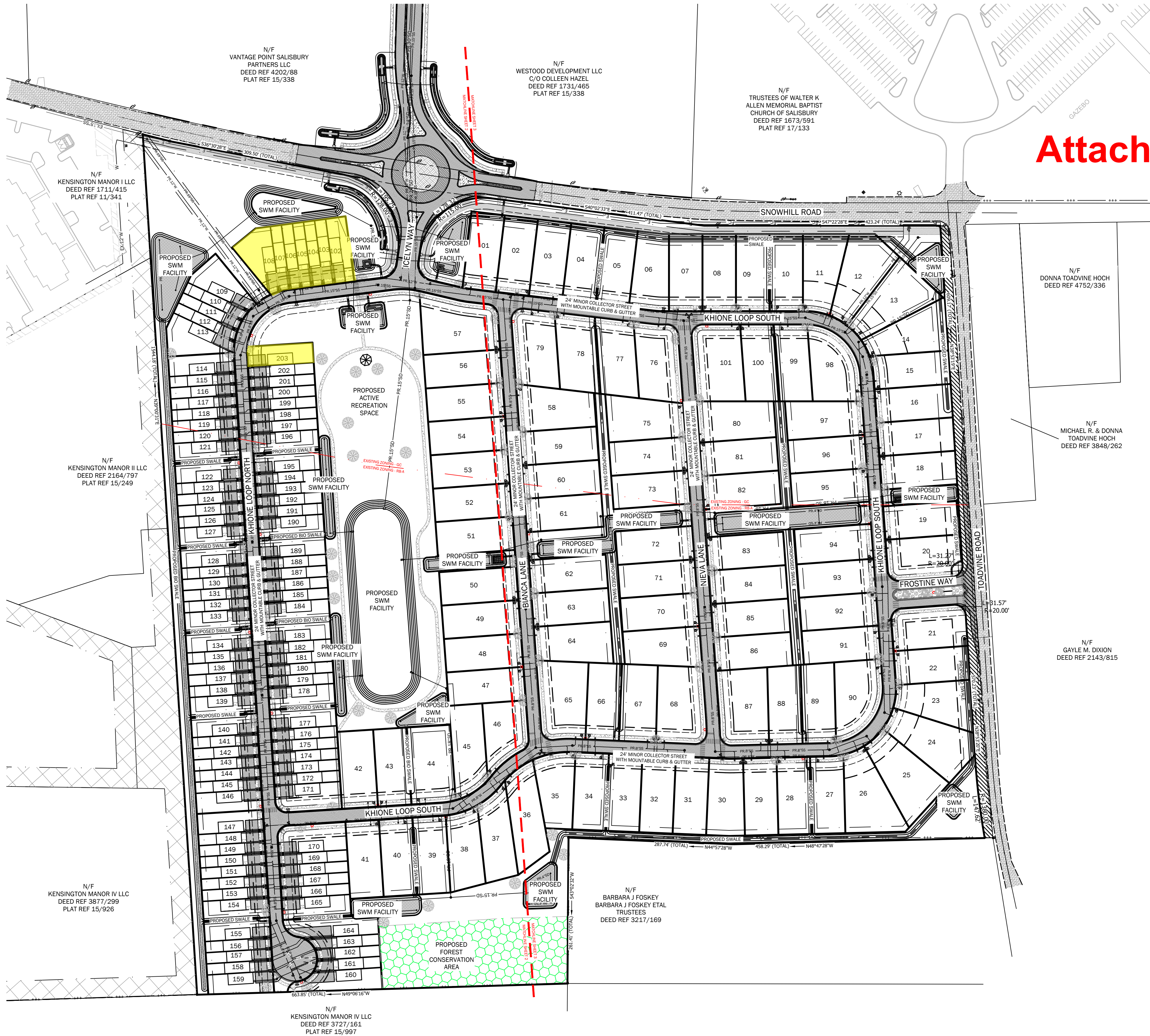
TOWNS = 2 DRIVEWAY EACH
SINGLE LOTS = 1 DRIVEWAY, 2 GARAGE

SPECIAL ZONING NOTE

60.30% OF SITE IS ZONED R-8A THEREFORE A SPECIAL EXCEPTION IS REQUESTED TO REZONE 100% OF PROPERTY TO BE R-8A

VILLAGE AT SNOWFIELD

REVISED FINAL COMPREHENSIVE DEVELOPMENT PLAN

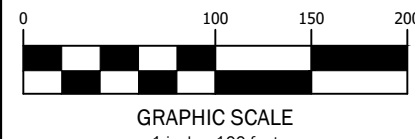


Attachment 5

| SHEET INDEX | |
|--------------|---------------------------|
| Sheet Number | Sheet Title |
| 1 | TITLE SHEET |
| 2 | SITE PLAN - NORTH |
| 3 | SITE PLAN - SOUTH |
| 4 | PHYSICAL PLAN |
| 5 | LANDSCAPE & LIGHTING PLAN |
| 6 | ELEVATIONS & FLOOR PLANS |



SHEET 1 OF 2

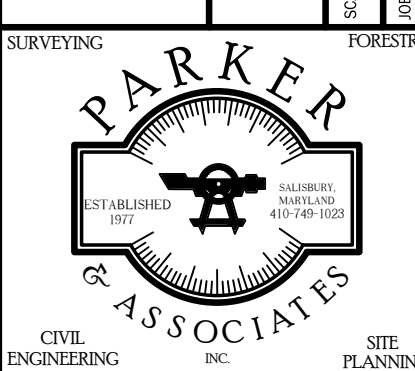


| REVISIONS | |
|-----------|----|
| DATE | BY |
| | |
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| | |

TITLE SHEET

VILLAGE AT SNOWFIELD

Road Name: SNOWHILL ROAD & TOADVINE ROAD
For: JASON MALONE - SNOWFIELD LLC
CITY OF SALISBURY, MARYLAND



OWNER'S CERTIFICATION
I HEREBY CERTIFY THAT THIS IMPROVEMENTS CONSTRUCTION PLAN IS BEING SUBMITTED WITH MY FULL KNOWLEDGE AND CONSENT AND IS IN ACCORDANCE WITH MY DESIRES AS AN OWNER OF THE SUBJECT PROPERTY. DEVELOPER SUCCESSOR OR ASSIGNS SHALL ENSURE ALL STORMWATER MANAGEMENT IMPROVEMENTS ARE COMPLETED PER DESIGN AND AS REQUIRED BY REGULATIONS INCLUDING BUT NOT LIMITED TO GRADUAL SLOPES AWAY FROM BUILDINGS, DISSIPATION OF FLOW, MIN. DISCONNECTION FLOW PATH LENGTH, SEPARATION FROM NEAREST IMPERVIOUS SURFACE OF SIMILAR OR LOWER ELEVATION AS APPROPRIATE. DEVELOPER SUCCESSOR OR ASSIGNS ARE RESPONSIBLE FOR CONDUCTING A FINAL INSPECTION TO BE CONDUCTED PRIOR TO USE AND OCCUPANCY APPROVAL (SETTING OF WATER METER) TO ENSURE SIZING FOR TREATMENT AND GRADING ARE PER DESIGN, AND PERMANENT STABILIZATION HAS BEEN ESTABLISHED. DEVELOPER SUCCESSOR OR ASSIGNS SHALL PREPARE INDEPENDENT THIRD PARTY INSPECTION REPORT OF ALL STORMWATER MANAGEMENT IMPROVEMENTS, SEALED BY A PROFESSIONAL LAND SURVEYOR, PROPERTY LINE SURVEYOR, OR ENGINEER CURRENTLY REGISTERED IN MARYLAND AND SCHEDULE A WALK-THROUGH WITH CITY STORMWATER INSPECTOR.

DATE _____

JASON MALONE
SNOWFIELD LLC
PO BOX 1109
ALLEN, MD 21810
443-260-4775
MALONEHOMES@COMCAST.NET

PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED CIVIL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 21193. EXPIRATION DATE: JANUARY 25, 2026.

DATE: 04/28/2025

BROOK E. PARKER, P.E., R.L.S.
508 RIVERSIDE DRIVE
SALISBURY, MARYLAND 21801
PHONE: (410) 749-1023 FAX: (410) 749-1012
EMAIL: BROOK@BEPKERRANDASSOCIATES.ORG

APPROVED: _____ CITY PROJECT # 22-008
NICHOLAS VOITUC, Director
CITY OF SALISBURY
DEPARTMENT OF INFRASTRUCTURE
AND DEVELOPMENT

DATE _____



D.R. Horton is an Equal Housing Opportunity Builder. Home and community information, including pricing, included features, terms, availability and amenities, are subject to change and price sold at any time without notice or obligation. Pictures, photographs, colors, features, and sizes are for illustration purposes only and will vary from the homes as built. Elevations and exterior materials may vary. Square footage dimensions are approximate.

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SHEET 6 OF 6

NOT TO
SCALE

| REVISIONS | |
|-----------|-------|
| DATE | INIT |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

DATE

06

INIT

D.R. Horton is a Equal Housing Opportunity Builder. Home and community information, including pricing, included features, terms, availability and amenities, are subject to change and prior sale at any time without notice or obligation. Pictures, photographs, colors, features, and sizes are for illustration purposes only and will vary from the homes as built. Elevations and exterior materials may vary. Square footage dimensions are approximate.

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D.R. HORTON EXPRESS • EMERALD • FREEDOM

DRHORTON.COM

D.R. HORTON
American Tradition

DRHORTON.COM

D-R HORTON D.R. HORTON • EXPRESS • EMERALD • FREEDOM

DRHORTON.COM

D.R. HORTON
American Tradition

D.R. HORTON • EXPRESS • EMERALD • FREEDOM

DRHORTON.COM

D-R HORTON
America's Best

D.R. HORTON • EXPRESS • EMERALD • FREEDOM

DRHORTON.COM

FINAL COMPREHENSIVE DEVELOPMENT PLAN

ELEVATIONS & FLOOR PLANS

VILLAGE AT SNOWFIELD

Road Name: SNOWHILL ROAD & TOADVINE ROAD
For: JASON MALONE - SNOWFIELD LLC.

| | | | | | | | |
|--------------------------------------|-----|-----------|----------|---------|----|------|----|
| SCALE | NTS | DATE | 4/25/25 | TAX MAP | 48 | GRID | 11 |
| JOB NO. S2408 PS-COMP DEVEL PLAN.DWG | | DRAFTSMAN | DDA/INDC | PARCEL | | 403 | |

SITE PLANNING

STAFF REPORT

MEETING OF JUNE 12, 2025

Case No. #202500588
Applicant: Hilda Escobar
Property Owner: Hilda Escobar
Location: 338 Delaware Avenue
State City Tax Map: #0106
Parcel #1482, Lot #13A, Grid #0004
Zoning: R-5 Residential District
Requests: Front setback variance of 14' 5", two side setback variances of 6' 8 ½" each, and a rear setback variance of 16' 2 ½" to construct a new 24'x33' residential home.

I. SUMMARY OF REQUEST:

The applicant requests permission to construct a 24' x 33' single family home. **(Attachment 1)**

The new home is proposed to have a front setback of 10' 7", two side yard setbacks of 3' 3 ½", and a rear yard setback of 13' 9 ½". **(Attachment 4)**

The Zoning Code requires a 25' front yard setback, two side yard setbacks of 10' each, and a 30' rear yard setback.

Board approval of a front setback variance of 14' 5", two side setback variances of 6' 8 ½" each, and a rear setback variance of 16' 2 ½" is requested to accommodate the proposed home. **(Attachment 4)**

Please note that a front and rear porch are shown on the plan. Section 17.04.230.A of the Zoning Code states *"An outside stairway or an open or lattice-enclosed fire escape may project into a rear yard, and a balcony may project not more than ten feet into a rear yard."* Both are compliant with the code as presented and do not require a variance.

II. ACCESS TO THE SITE AREA:

The property is located on Delaware Avenue.



III. DESCRIPTION OF PROPERTY:

This property exists in the City's 500-year floodplain. It is approximately 39.58' x 48.37', and consists of approximately 2,000 square feet of land area, which has been improved with an 862 sq. ft. two-story residential dwelling that was constructed in 1916.

IV. DESCRIPTION OF SURROUNDING AREA/NEIGHBORHOOD:

The property and surrounding residential homes along Catherine Street and Delaware Avenue exist in the R-5 residential zoning district.

V. EVALUATION:

- (a) **Discussion:** Most lots in the Catherine Street and Delaware Avenue area are nonconforming lots, averaging 4,000 sq. ft. each, where 5,000 sq. ft. is the minimum lot size in the R-5 residential zoning district. The subject lot is even more nonconforming as it is half the size of the of the surrounding lots in the neighborhood. While the surrounding lots have frontage along both Delaware Avenue and Catherine Street, the 2,000 sq. ft. subject property only has frontage along Delaware Avenue. **(Attachment 2)**

The applicant has been faced with Violation/Penalties and a Condemnation Order by the City's Housing and Community Development Department (HCDD). **(Attachment 3)** In addition, the existing home's foundation is in need of substantial repairs. The City's Department of Infrastructure and Development (DID) has recommended that a fully new foundation be built.

The owner is seeking to demolish the existing home to build a new residential structure on the property. Once the existing structure is demolished it will be considered a vacant nonconforming lot. Section 17.16.020.B of the Zoning Code states *"A nonconforming lot may be built upon only in accordance with the regulations set forth for the district in which it is located."* Strict application of required minimum setbacks in the R-5 zoning district would cause an unreasonable building area.

The applicant proposes construction of a 24' x 33' two-story single-family home which is larger than the footprint of the existing home. **(Attachment 4)**

- (b) **Impact:** The proposed home will impact adjacent properties as the enlarged footprint will place the proposed home closer than the existing home, however, the homes on either side of the subject property are currently built closer than the required 10' side setback themselves. Granting this request would continue a precedent for granting similar requests for other dwellings in the neighborhood.

(c) **Relationship to Criteria:** Section 17.236.020 of the Salisbury Municipal Code contains the criteria the Board should consider when approving Variances. Staff has noted how this request complies with the Variance criteria as follows:

- [1] **Because of the particular physical surroundings, shape or topographical conditions of the specific structure or land involved, a practical difficulty or unnecessary hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.**

The size of the lot is significantly smaller than the majority of the surrounding lots. The property simply cannot follow the required yard setbacks for a home in the R-5 zoning district. A variance for this property would be necessary for the construction of any sized residential dwelling.

- [2] **The conditions upon which an application for a variance is based are unique to the property for which the variance is sought and are not applicable, generally, to the property within the same zoning classification.**

The property presents unique conditions than that of the surrounding properties because it is even more of a nonconforming lot, and essentially requires a Variance for any sized proposed structure.

- [3] **The practical difficulty or unnecessary hardship is caused by this Title and has not been created by intentional action of any person presently having an interest in the property.**

The applicant is faced with violations and a condemnation order from the City of Salisbury that permits and requires the demolition of the existing structure.

- [4] **The granting of the variance will not be detrimental to or endanger the public health, security, or general welfare or morals.**

The granting of the requested variance will not be detrimental to the public health, security and general welfare of the neighborhood.

- [5] **The granting of the variance is not based exclusively upon a desire to increase the value or income potential of the property.**

The granting of the setback variance requests will increase the value of the property. It is unclear if the improved property will be owner occupied or rented.



City of Salisbury

- [6] The variance will not be injurious to the use and enjoyment of other property in the immediate vicinity nor substantially diminish and impair property values in the neighborhood.**

The proposed single-family home will not be detrimental to other properties and will not adversely impact nearby property values.

- [7] The granting of the variance will not impair an adequate supply of light and air to adjacent property or overcrowd the land or create an undue concentration of population or substantially increase any congestion of the streets or create hazardous traffic conditions or increase the danger of fire or otherwise endanger the public safety.**

The requested setback variances will not create any hazardous light, air or traffic conditions or create any undue concentration of population. There will not be any additional increase in fire hazard.

- [8] The variance will not adversely affect transportation or unduly burden water, sewer, school, park, or other public facilities.**

The requested variances will have no impact on water, sewer, school, park or other public facilities. Staff does not believe these requests will affect transportation facilities.

- [9] The granting of the variance will not adversely affect the implementation of the Comprehensive Plan for the City of Salisbury approved by the Planning Commission and the City Council or any other plan approved by the Planning Commission or City Council for development of the area in which the variance is requested.**

The Salisbury Comprehensive Plan adopted by the Salisbury City Council designates this area for residential development, as shown on the adopted Land Use Map. This request will not have a significant impact on the Plan.

- [10] Within the intent and purpose of this Title, the variance, if granted, is the minimum necessary to afford relief. (To this end, the Board may permit a lesser variance than that applied for.)**

The applicant's original variance request exceeded the minimum necessary to afford relief. Staff believes that a hardship has been demonstrated for a variance to be granted, however only for the extent of the proposed building. The Board has the discretion to grant the variance as requested, or grant a lesser variance.



VI. RECOMMENDATION:

The property does exhibit uniqueness and practical difficulty that warrants granting the variance. As there is already precedent that adjacent homes have a similar setback, and based on the findings contained in this Staff Report, Staff recommends **Approval** of the Front setback variance of 14' 5", two side setback variances of 6' 8 ½" each, and a rear setback variance of 16' 2 ½" to accommodate the construction a new 24' x33' residential home.

City of Salisbury
Department of Infrastructure & Development
125 N. Division Street, Room 202
Salisbury, MD 21801
(410) 548-3130

Attachment 1

TO: Nicholas Viotiuc, Director
Secretary to the Board of Appeals

SUBJECT:

☐ Special Exception

☒ Variance

☐
Administrative
Appeal

☐ Nonconforming (___ Use ___ Lot ___ Structure)

☐ Other

A. APPLICANT:

Hilda Escobar

PHONE: *(908) 648-5656*

FEE PAID: \$150 - City

B. LOCATION OF PROPERTY INVOLVED:

338 Delaware Ave Salisbury, MD 21801

C. PROPERTY OWNER:

Hilda Escobar

D. EXPLANATION OF REQUEST:

1. Code Requires:

2. Proposed:

3. Action Required:

E. APPLICABLE SECTIONS OF ZONING CODE:

F. CERTIFICATION: I hereby certify I denied issuance of a Building Permit on _____ based upon the above information, and that the applicant desires to have his case heard by the Salisbury Board of Appeals.

Henry Eure
Deputy Director

City of Salisbury
Department of Infrastructure & Development
125 N. Division Street, Room 202
Salisbury, MD 21801
(410) 548-3130

**NOTICE TO SALISBURY BOARD
OF ZONING APPEALS APPLICANTS**


Effective May 1, 2010, applicants submitting requests to be heard by the Salisbury Board of Appeals will be billed for the advertising charges for the public hearing notice that is run in The Daily Times. This notice is required by Section 17.04.150.B.1 which states:

B. Newspaper Advertising. All proceedings under the terms of this title requiring a public hearing shall be advertised at least once in a newspaper of general circulation, as follows:

- 1. A variance, special exception, change in nonconforming use, ordinance permit or other such appeal shall be advertised ten days prior to the scheduled hearing;***

The billing notice will be provided at the time the hearing notification letter is sent out and is due prior to the public hearing date.

I have read the above notice and understand that I will be billed for The Daily Times charges for my Salisbury Board of Appeals application.



(signature of applicant)

5/6/25
(date)

City of Salisbury
Department of Infrastructure & Development
125 N. Division Street, Room 202
Salisbury, MD 21801
(410) 548-3130

TO: Nicholas Voitiuc, Director
Secretary to the Board of Appeals

SUBJECT:

DATE:

CERTIFICATION OF APPLICANT

In accordance with Section _____, of the City's Zoning Code, I hereby request a hearing before the Salisbury Board of Appeals to:

I certify that I have paid all advertising fees necessary for the public hearing in this matter to a representative of the City of Salisbury Department of Infrastructure & Development. I also acknowledge that additional application fees will be assessed by the City of Salisbury Department of Infrastructure & Development prior to my case being scheduled for official action by the Board.

I certify that my interest in the property is as follows: Owner

It is my understanding that the property involved will be posted with a Public Notice and I agree to allow the posting and property inspection, if applicable.

Very Truly Yours,



WITHDRAWAL NOTICE

I hereby: ☐ Cancel ☐ Withdraw ☐ Postpone

my application for: _____

Name

Date

Hilda Escobar

624 E Church St

Salisbury, MD 21804

(908) 644-5656

ferfer3863@icloud.com

May 6, 2025

Salisbury Board of Zoning Appeals

c/o Department of Infrastructure and Development

125 N. Division Street

Salisbury, MD 21801

Subject: Request for Variance to Utilize Existing Setbacks at 338 Delaware Ave

Dear Honorable Members of the Board,

I am writing to respectfully request a variance to permit the construction of my proposed residence at 338 Delaware Ave Salisbury, MD 21801 utilizing the existing setbacks currently present on the property. I understand that these setbacks may not fully align with the current zoning requirements; however, I believe there are compelling reasons to allow this construction to proceed as proposed.

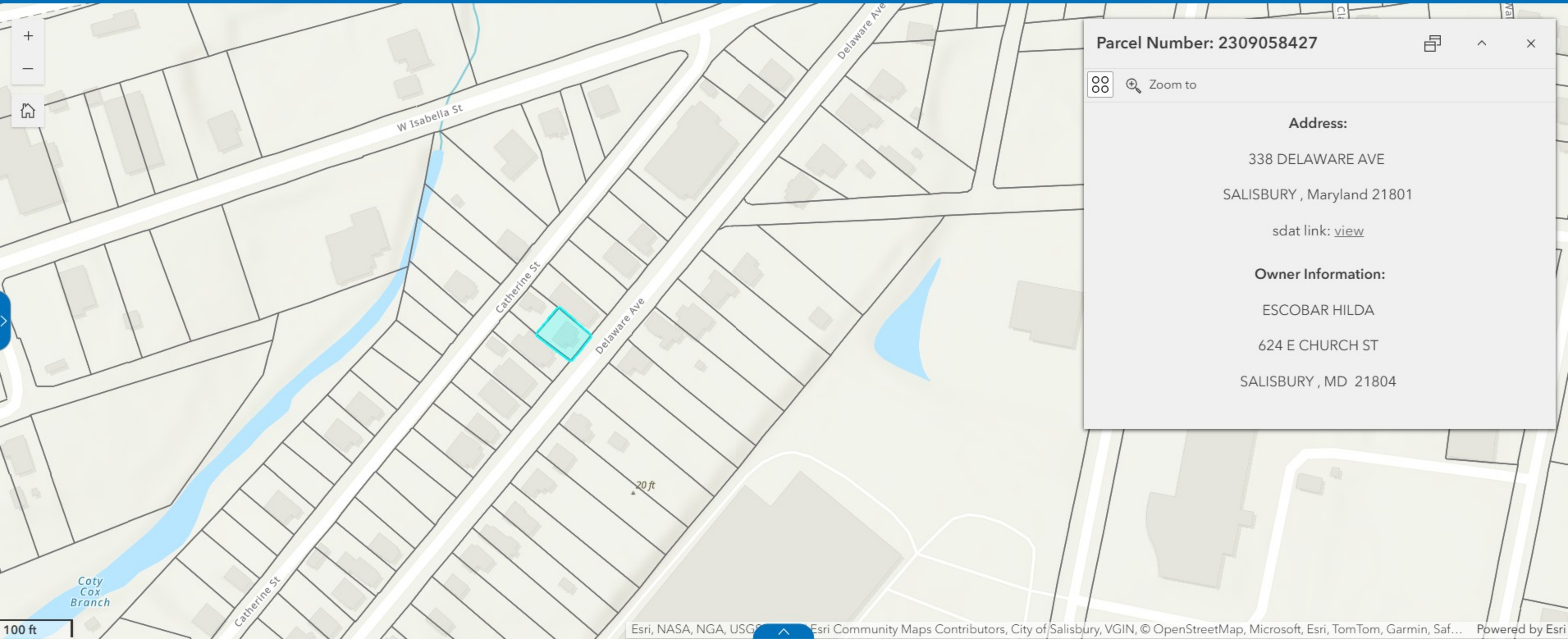
Justification for Variance:

1. **Consistency with Neighborhood Character:** The existing setbacks reflect the historical development pattern of the neighborhood. Maintaining these setbacks would preserve the continuity and character of the surrounding area, many of which have similar dimensions and spacing.
2. **Practical Constraints:** Adhering strictly to the current setback requirements would significantly impact the design and functionality of the proposed home. The lot's unique shape and size present challenges that make compliance with the new setbacks impractical without compromising essential aspects of the home's design.
3. **No Adverse Impact:** The proposed construction will not infringe upon the rights or enjoyment of adjacent property owners. I am committed to ensuring that the construction adheres to all safety, environmental, and aesthetic standards as outlined by the city.

In conclusion, I respectfully ask the Board to consider this request considering the practical realities of the site and the desire to build a home that contributes positively to our community. I have provided a site plan and the designs for the property to showcase what my plans for the property are. I am available to discuss this matter further and provide any additional information or documentation required.

Thank you for your time and consideration.

Sincerely,
Hilda Escobar



Parcel Number: 2309058427



Zoom to

Address:

338 DELAWARE AVE
SALISBURY, Maryland 21801

sdat link: [view](#)

Owner Information:

ESCOBAR HILDA
624 E CHURCH ST
SALISBURY, MD 21804

Case #CE-22-5262: Open (General)

Created on September 23, 2022 by Chanita Lewis-Watson

Attachment 3

Abatement Stage: Multi-Notice HTML -- | Case Age: 985 Days | Hours Logged: 0.00 Hours |

Case Initiation: Proactive | Assigned to: Chanita Lewis-Watson

20

Internal
Comments

Location: 338 DELAWARE AVE, Salisbury, MD 21801 (2309058427)

Role: Property Owner

Contact Name: ESCOBAR HILDA

Contact Address: 624 E CHURCH ST, SALISBURY, MD 21804

Open Violation(s):

15.24.280 A-E. Condemnation Order: 15.24.280 A, B, C, D, E.

15.26.140 Violations/Penalties : 15.26.140

History

| Date & Time | User | Description |
|---------------------|----------------------|---|
| 10/09/2024 03:40 PM | Chanita Lewis-Watson | Inspection date changed to 10/15/2024 |
| 10/09/2024 03:40 PM | Chanita Lewis-Watson | Added internal comment (10/9/24: Reached out to the owner to check the status of the demo. f/u 10/15) |
| 08/07/2024 12:59 PM | Chanita Lewis-Watson | Added internal comment (8/7/24: Owner's son came into the office on Friday 8/2 and registered the property as vacant. He stated that they are in the process of getting a drawing/plans for the demo and they have to submit it to the building inspector. They already pulled a permit. Allotted more time. F/u 10/1) |
| 08/07/2024 12:55 PM | Chanita Lewis-Watson | Inspection date changed to 10/01/2024 |
| 07/02/2024 01:42 PM | Chanita Lewis-Watson | Added internal comment (7/2/24: I spoke with Bev in DID and she confirmed a permit was pulled for Demo by the owner. f/u 8/1) |
| 07/02/2024 01:41 PM | Chanita Lewis-Watson | Inspection date changed to 08/01/2024 |
| 04/25/2024 03:09 PM | Chanita Lewis-Watson | Added internal comment (4/24/24-I spoke with the owner and she is planning to demolish the property and has obtained a demo permit from DID. Changed f/u to allow for completion of DEMO. F/u 7/1) |
| 04/25/2024 03:08 PM | Chanita Lewis-Watson | Inspection date changed to 07/01/2024 |

| | | |
|---------------------|----------------------|--|
| 03/25/2024 10:51 AM | Chanita Lewis-Watson | Modified internal comment (3/25/24-Issued corrective action letter to register property as vacant. F/u 4/25 ce24-1427) |
| 03/25/2024 10:51 AM | Chanita Lewis-Watson | Added internal comment (3/25/24-Issued corrective action letter to register property as vacant. F/u 4/25) |
| 03/25/2024 10:50 AM | Chanita Lewis-Watson | Inspection date changed to 04/25/2024 |
| 03/14/2024 04:23 PM | Chanita Lewis-Watson | Inspection date changed to 03/25/2024 |
| 03/14/2024 04:23 PM | Chanita Lewis-Watson | Added internal comment (3/14/24-I was able to speak with the owner she stated that she has been sick and unable to do the repairs but she is planning to renovate the property and occupy it. It will not be a rental. I informed her that the property has to be registered as vacant if she isn't planning to dwell there within the next 30 days because it has already sat vacant over 6 months. f/u 3/25) |
| 03/14/2024 04:14 PM | Chanita Lewis-Watson | Inspection date changed to 03/18/2024 |
| 03/06/2024 03:05 PM | Chanita Lewis-Watson | Inspection date changed to 03/11/2024 |
| 03/06/2024 03:05 PM | Chanita Lewis-Watson | Added internal comment (3/6/24- I called no answer. And emailed the email address in the owner's info and it returned as undeliverable. F/u 3/11) |
| 02/02/2024 03:49 PM | Chanita Lewis-Watson | Added internal comment (2/2/24- Owner's son stated they are still working on the property and it isn't ready for rent. F/u 3/4) |
| 02/02/2024 03:48 PM | Chanita Lewis-Watson | Inspection date changed to 03/04/2024 |
| 02/02/2024 03:47 PM | Chanita Lewis-Watson | Contact removed "DOYLE JAMES DOYLE KAY" |
| 02/02/2024 03:47 PM | Chanita Lewis-Watson | Contact added "ESCOBAR HILDA" |
| 02/02/2024 03:47 PM | Chanita Lewis-Watson | Added internal comment (2/2/24- House is still being renovated, per the son of the owner, they are not ready to register the property yet. F/u 3/3) |
| 11/21/2023 01:14 PM | Chanita Lewis-Watson | Inspection date changed to 12/13/2023 |
| 10/19/2023 04:27 PM | Chanita Lewis-Watson | Modified case note (10/19/23-This property has transferred. I am leaving it open to allow for the remodeling and re-renting from the new owner. Changed f/u 11/30) |

| | | |
|---------------------|----------------------|---|
| 10/19/2023 04:27 PM | Chanita Lewis-Watson | Added case note (10/19/23-This property has transferred. I am leaving it open to allow for the remolding and re-renting from the new owner. Changed f/u 11/31) |
| 10/19/2023 04:26 PM | Chanita Lewis-Watson | Inspection date changed to 11/30/2023 |
| 09/05/2023 03:26 PM | Chanita Lewis-Watson | Inspection date changed to 09/11/2023 |
| 09/05/2023 03:26 PM | Chanita Lewis-Watson | Added case note (9/5/23- I spoke with Robert who had stated he was buying the property. I reached out to him and he texted me stated that someone else purchased the property and not him. I have no further information at this time. Changing f/u to allow for transfer and to locate new owners if there are any.) |
| 08/07/2023 09:21 AM | Chanita Lewis-Watson | Inspection date changed to 09/05/2023 |
| 08/07/2023 09:21 AM | Chanita Lewis-Watson | Added case note (8/7/23- Changed f/u date to allow for the transfer of the property.) |
| 07/06/2023 03:14 PM | Chanita Lewis-Watson | Inspection date changed to 07/31/2023 |
| 07/06/2023 03:14 PM | Chanita Lewis-Watson | Added case note (7/6/23-I made contact with the owner James Doyle and informed him that the doors were kicked into after the person/people hired to make repairs didn't re-board the doors. Changing follow up date to allow for court.) |
| 06/05/2023 08:24 AM | Chanita Lewis-Watson | Inspection date changed to 07/06/2023 |
| 05/25/2023 01:22 PM | Chanita Lewis-Watson | Added case note (5/25/23- On 5/10/23, I spoke with owner James Doyle, he stated that his wife Kay had passed away and he now lives at 27715 Fairmount Rd Westover, MD 21871.) |
| 05/23/2023 10:03 AM | Chanita Lewis-Watson | Inspection date changed to 05/25/2023 |
| 05/23/2023 10:03 AM | Chanita Lewis-Watson | Added case note (5/23/23-house is now vacant. I will contact the owner to have him submit the information that is required. Changed f/u to allow contact with owner.) |
| 05/11/2023 05:07 PM | Chanita Lewis-Watson | Modified case note (***REMOVED DUPLICATED NOTE ***) |
| 05/11/2023 05:07 PM | Chanita Lewis-Watson | Added case note (5/11/23-ANNETTE FROM WATER DEPT CONTACTED ME AND STATED THE LADY WHO CAME IN TO THE OFFICE TO PAY THE WATER HAD THE OWNER JAMES DOYLE CONTACT THE WATER DEPT. I INFORMED ANNETTE THAT IF THAT IS HIS GRAND DAUGHTER THAN HE MUST REGISTER THE PROPERTY AS A RENTAL AND IT HAS TO BE INSPECTED BEFORE THE WATER CAN BE TURNED BACK ON. CHANGING F/U |

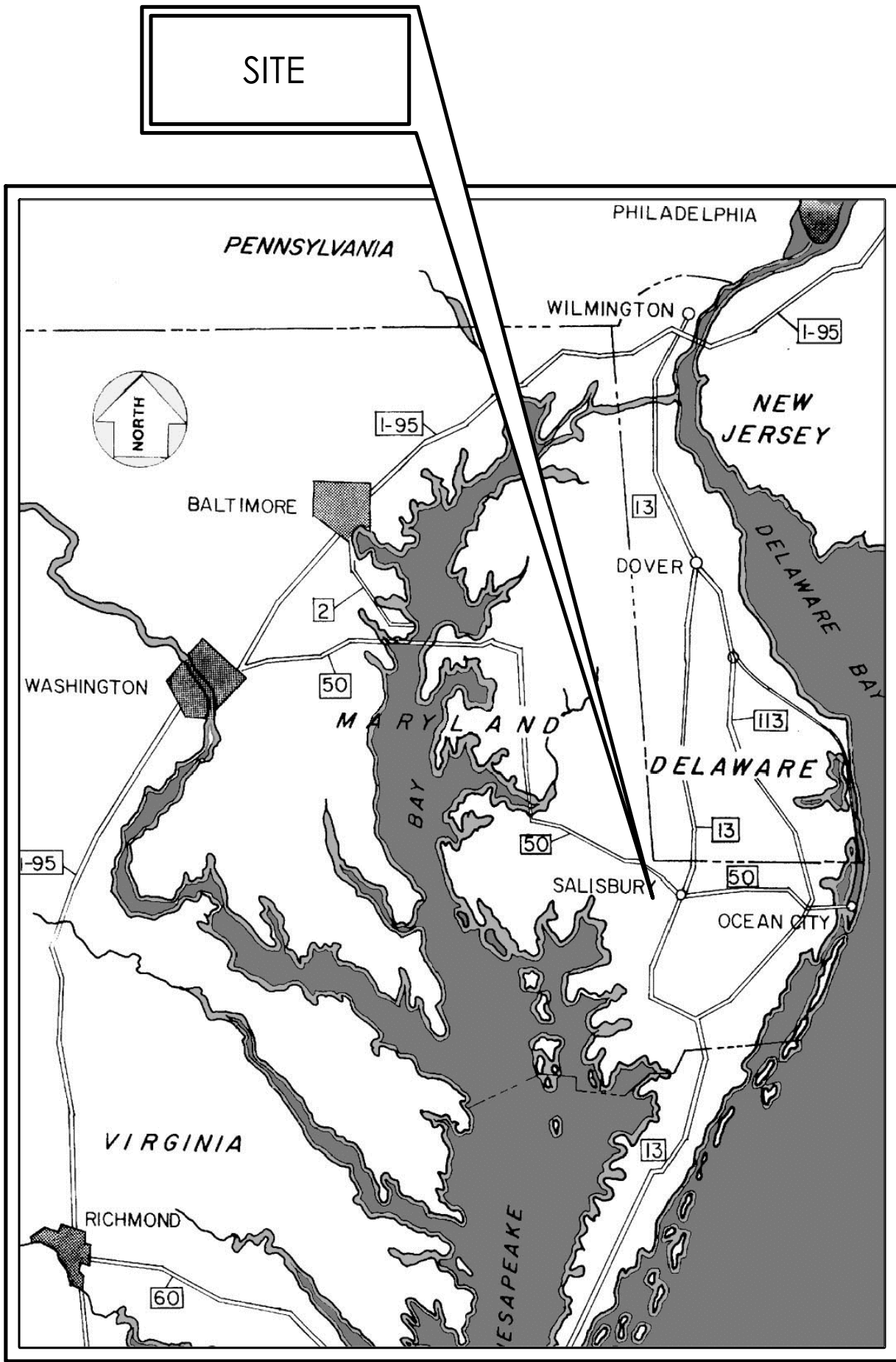
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| | | TO ALLOW FOR PAYMENT BECAUSE THE LADY DIDN'T PAY TODAY. THE WATER WILL BE RESTORED ONCE I INSPECT.) |
| 05/11/2023 05:06 PM | Chanita Lewis-Watson | Inspection date changed to 05/19/2023 |
| 05/11/2023 05:06 PM | Chanita Lewis-Watson | Added case note (5/11/23-ANNETTE FROM WATER DEPT CONTACTED ME AND STATED THE LADY WHO CAME IN TO THE OFFICE TO PAY THE WATER HAD THE OWNER JAMES DOYLE CONTACT THE WATER DEPT. I INFORMED ANNETTE THAT IF THAT IS HIS GRAND DAUGHTER THAN HE MUST REGISTER THE PROPERTY AS A RENTAL AND IT HAS TO BE INSPECTED BEFORE THE WATER CAN BE TURNED BACK ON. CHANGING F/U TO ALLOW FOR PAYMENT BECAUSE THE LADY DIDN'T PAY TODAY. THE WATER WILL BE RESTORED ONCE I INSPECT.) |
| 05/04/2023 12:13 PM | Chanita Lewis-Watson | Added case note (5/4/23-I EMAILED ANNETTE ASKING IF THERE HAD BEEN ANY WATER USAGE AT THE PROPERTY AND STATED I BELIEVED THAT THERE ARE SQUATTERS LIVING IN THE PROPERTY ILLEGALLY. SHE CALLED ME AFTER A GENTLEMAN CAME INTO THE WATER DEPT TODAY AND TRIED TO PAY TO HAVE THE WATER RESTORED. SHE STATED SHE INFORMED HIM THAT THEY COULDN'T PAY THE BILL AND ONLY THE OWNER COULD SINCE THE WATER HAS BEEN TURNED OFF FOR MORE THAN 6 MONTHS. SHE ALSO STATED THE PROPERTY HAS BEEN LISTED FOR TAX SALE. SHE STATED HE WAS ON THE PHONE WITH A WOMAN AND SHE COULD THE WOMAN CRYING, HE SAID THAT THE OWNER IS IN THE NURSING HOME. I AM GOING TO TRY AND REACH OUT TO THE LOCAL NURSING HOMES TO SEE IF JAMES DOYLE IS THERE.) |
| 05/04/2023 11:45 AM | Chanita Lewis-Watson | Added case note (5/3/23- WITH THE HELP OF JONAH, LARRY AND STEVE WE TRIED TO MAKE CONTACT WITH THE PERSON(S) LIVING IN THE PROPERTY. AT THIS TIME I AM UNSURE IF THERE IS AN ACTIVE LEASE BECAUSE THERE IS NO LANDLORD LICENSE AND THE UNIT ISN'T REGISTERED AS A RENTAL. PERSON(S) COULD BE SQUATTERS. I REPOSTED THE CONDEMN AND VACATE ORDER PLACARDS AND TOOK PHOTOS. I WILL REISPECT TO SEE IF THEY HAVE BEEN REMOVED.) |
| 04/28/2023 04:50 PM | Chanita Lewis-Watson | Inspection date changed to 05/02/2023 |
| 04/28/2023 04:49 PM | Chanita Lewis-Watson | Added case note (TRIED TO LOCATE OWNERS JAMES AND KAY DOYLE, I FOUND AN WESTOVER, MD ADDRESS FOR JAMES DOYLE VIA THE STATE OF MARYLAND MVA WEBSITE. I MADE CONTACT WITH THE OWNER OF THE PROPERTY AND HE INDICATED THAT HE NEVER HEARD OF JAMES DOYLE BEFORE. THERE ARE DIFFERENT PEOPLE CURRENTLY OCCUPYING THE PROPERTY, I AM UNSURE IF THEY ARE SQUATTERS OR HAVE AN ACTUAL |

| | | |
|---------------------|----------------------|---|
| | | about:blank LEASE. I WILL TRY TO MAKE CONTACT WITH RESIDENTS WITH THE POLICE DEPARTMENT ON 5/2/23) |
| 09/28/2022 12:17 PM | Chanita Lewis-Watson | Violation 15.26.140 Violations/Penalties added |
| 09/26/2022 08:53 AM | Chanita Lewis-Watson | Notice Multi-Notice HTML -- modified |
| 09/23/2022 01:16 PM | Chanita Lewis-Watson | Added Inspection Note (NO WATER) |
| 09/23/2022 01:16 PM | Chanita Lewis-Watson | Verification Inspection completed |
| 09/23/2022 01:16 PM | Chanita Lewis-Watson | Notice Multi-Notice HTML -- issued |
| 09/23/2022 01:15 PM | Chanita Lewis-Watson | Case created at "338 DELAWARE AVE, SALISBURY, MD 21801" |
| 09/23/2022 01:15 PM | Chanita Lewis-Watson | Case created |
| 09/23/2022 01:15 PM | Chanita Lewis-Watson | Contact added "DOYLE JAMES DOYLE KAY" |

Follow-up

Follow-up Inspection 1: Due on Oct 15, 2024 | Assigned to Chanita Lewis-Watson

g:\Projects\2024\240175 fernandez permit drawings for new residence\Drawings\working sets\G1.1 Cover Sheet.dwg, 5/9/2025 7:17 AM, Lee K. Wholey



VICINITY MAP
N.T.S.

NEW CONSTRUCTION: FERNANDEZ RESIDENCE

338 Delaware Ave,
Salisbury, MD 21801



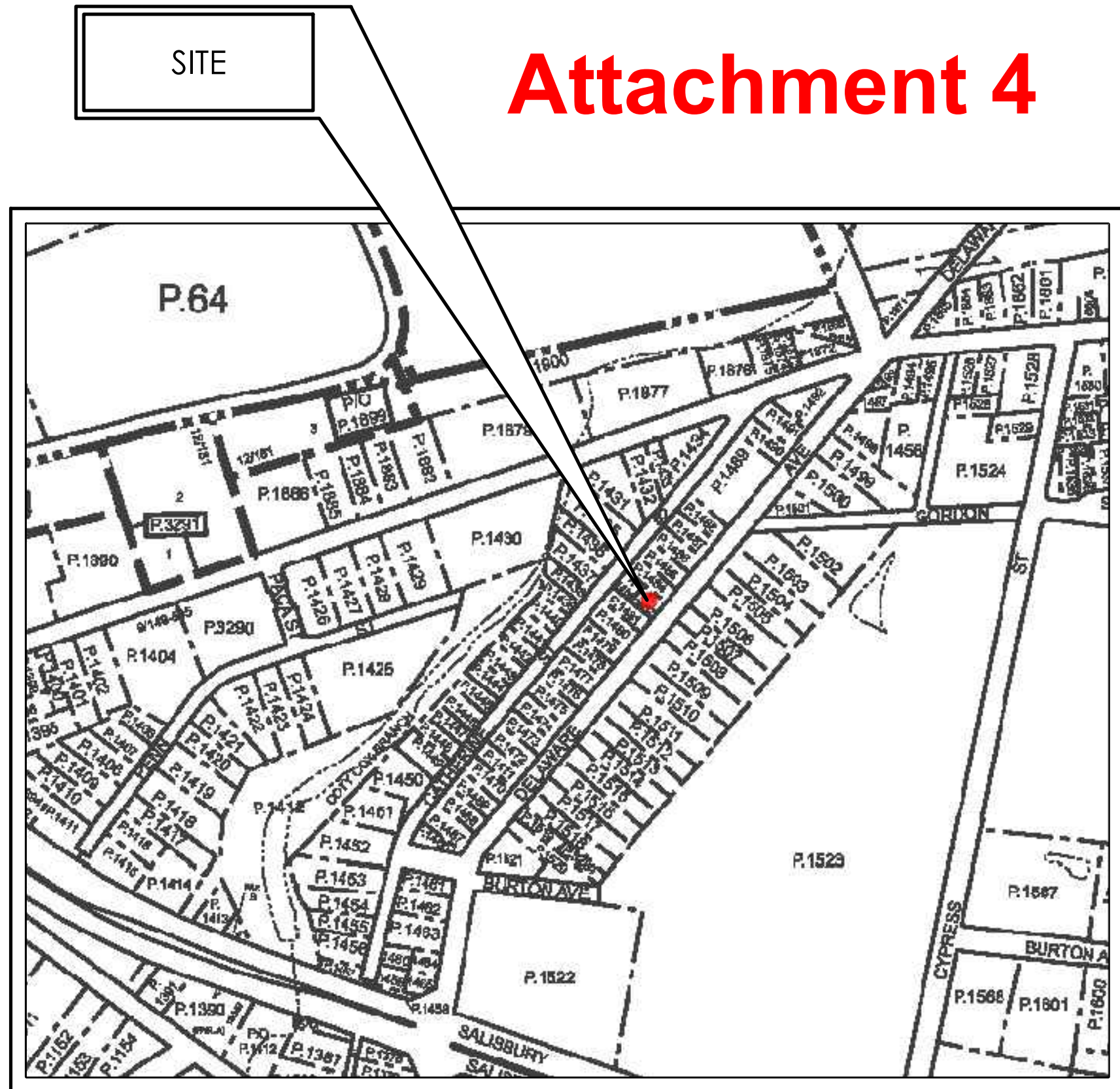
DRAWING INDEX:

| | |
|-------|-------------------------|
| G1.1 | COVER SHEET |
| AS1.1 | ARCHITECTURAL SITE PLAN |
| A1.1 | FLOOR PLANS |
| A2.1 | ELEVATIONS |
| A3.1 | SECTIONS |
| A4.1 | SCHEDULES |

GENERAL NOTES:

- ONSITE VERIFICATION OF ALL DIMENSIONS AND CONDITIONS SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.
- THE ARCHITECT IS NOT RESPONSIBLE FOR AND WILL NOT HAVE CONTROL OVER CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES OR PROCEDURES, OR FOR SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK, AND WILL NOT BE RESPONSIBLE FOR THE FAILURE OF THE CLIENT OR HIS CONTRACTORS, SUBCONTRACTORS, OR ANYONE PERFORMING ANY OF THE WORK, TO CARRY OUT THE WORK IN ACCORDANCE WITH THE APPROVED CONTRACT DOCUMENTS.
- ANY AND ALL DRAWINGS AND SPECIFICATIONS FOR SITE WORK, PLUMBING SUPPLY OR WASTE, ELECTRICAL CIRCUITRY, AND HEATING, VENTILATING, AND AIR CONDITIONING SYSTEMS ARE NOT A PART OF THE PROFESSIONAL SERVICES PROVIDED TO THE CLIENT BY THE ARCHITECT. ANY DISCREPANCIES WITH THESE DOCUMENTS BY ANY OF THE ABOVE LISTED SERVICES AS SHOWN IN DOCUMENTS PREPARED BY OTHERS SHOULD BE INDICATED IN WRITING TO THE ARCHITECT IMMEDIATELY.
- USE OF THESE DOCUMENTS WITHOUT WRITTEN PERMISSION OF THE ARCHITECT IS FORBIDDEN.
- SOIL CONDITIONS SHALL CONFORM TO OR EXCEED THE FOLLOWING CONDITIONS:

BEARING CAPACITY: MIN. 2000 PSF, FIELD VERIFY BY A LICENSED SOIL ENGINEER UNDER ALL FOOTINGS AND SLABS ON GRADE.
FOUNDATIONS, WALLS, AND SLAB
SHALL NOT BE PLACED ON OR IN MARINE CLAY, PEAT AND OTHER ORGANIC MATERIALS.
- BOTTOM OF ALL FOOTINGS SHALL EXTEND A MINIMUM BELOW FROST LINE OF 24 INCHES, THE LOCALITY TO UNDISTURBED SOIL OR SOIL COMPACTED TO 95% DRY DENSITY HAVING A LOAD CARRYING CAPACITY AS SPECIFIED IN NOTE 5, AS VERIFIED BY A SOILS ENGINEER LICENSED IN THE LOCALITY WHERE PROJECT IS BEING BUILT.
- PROTECT SUB-GRADE UNDER ALL FOOTING AND SLABS ON GRADE FROM FREEZING DURING CONSTRUCTION.
- ALL WALLS ARE DESIGNED AS BEING Laterally BRACED BY THE FLOOR / ROOF SYSTEMS. CONTRACTOR SHALL ENSURE THAT WALLS ARE ADEQUATELY BRACED DURING CONSTRUCTION.



LOCATION MAP
N.T.S.

Fernandez Propsoed New Single Family Dwelling
IRC 2021
IECC 2018



| | |
|---|--|
| Occupancy Class IBC 310.4.2 | Residential (R-3) |
| Construction Class (Sec. 602.5) | Type V-B, Combustible, Unprotected |
| Allowable Height (IRC R301.2.2.7 & R301.3.1) | Wood framed builings shall be three stories or less, One story height shall not exceed 11'-7" |
| Actual Floor Area (GSF) | Dwelling 1,525 SF. |
| Fire Resistance Ext. Walls Table R302.1(1) | 0 Hours greater than 5 feet |
| Insulation IRC R302.10.1 | Roof-ceiling and wall insulation shall have a min. flame spread of 25. |
| Footing Depth IRC R403.1.4 | Min. 24" below grade |
| Vapor Retarder IRC R506.2.3 | 10-Mil minimum |
| Zoning Information: Salisbury | Zone: R-5 Min Lot Size: 5,000 Sft. Setbacks: Front - 25 Ft. Side - 10 Ft. Rear - 30 Ft. Max Height: 35 Ft. |
| Building Information | Lot Size: 2,000 SF +/- (Existing) Dwelling Footprint = 792 SF Front Portico = 46 SF Rear Platform = 46 SF Total SF = 884 SF |
| Insulation Requirements IECC Table R402.1.3 | Fenstration U Factor: 0.32 Glazed Fenstration SHGC: 0.40 Ceiling R-Value: 49 Wood Framed Wall R-Value: 20 Floor R-Value: 19 Basement/Crawl Space R value: 10/13 |

Attachment 4

DATE

REVISION

NO

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NEW CONSTRUCTION FOR:
FERNANDEZ RESIDENCE
SALISBURY, MARYLAND

COVER SHEET

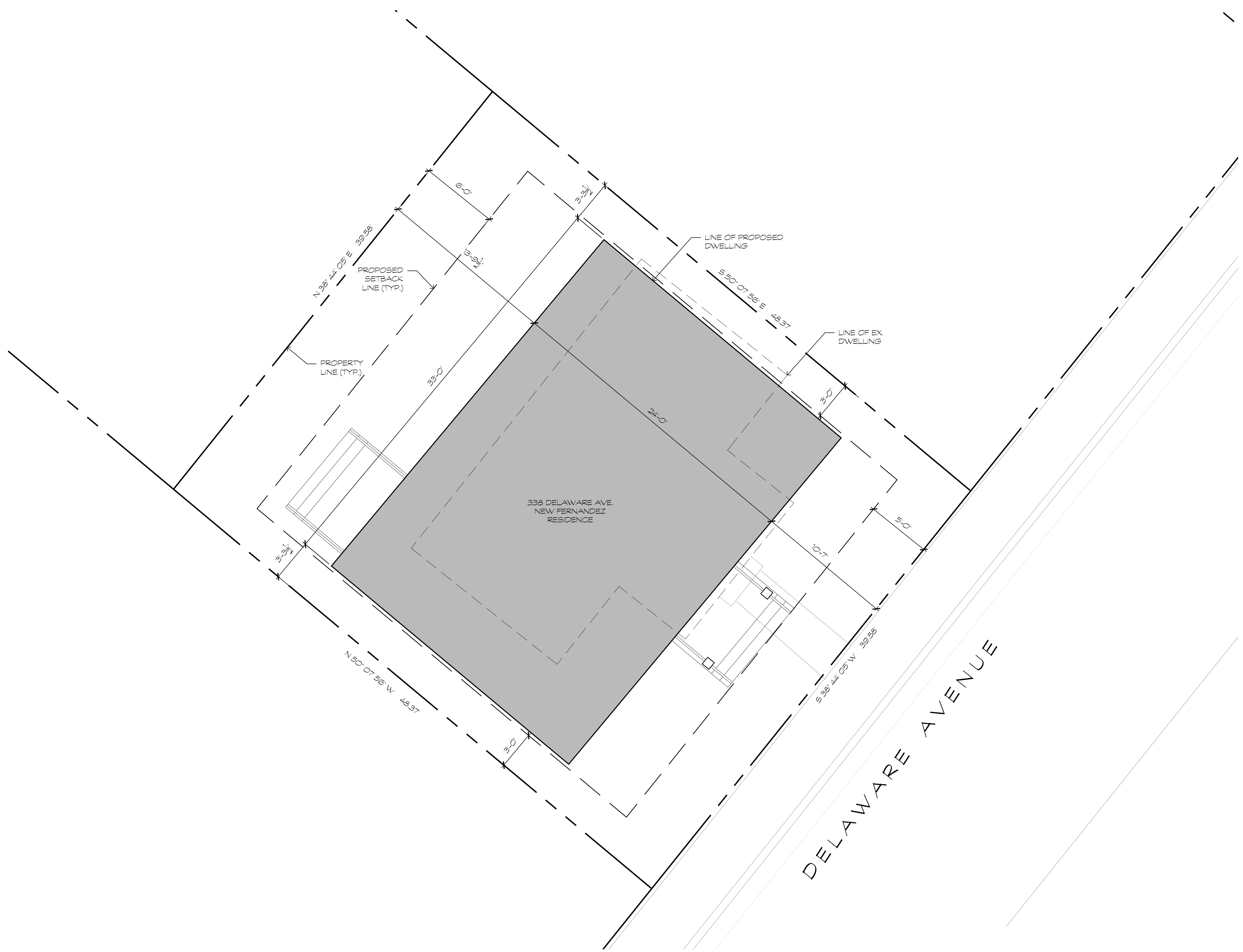
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| DRAWN BY | : CMK |
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| GMB FILE | : 240175 |
| DATE | : 1/27/24 |

G1.1

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1

ARCHITECTURAL SITE PLAN
1/4" = 1'-0"



SITE DATA

| | |
|--------------------------------|--|
| OWNER: | FERNANDO FERNANDEZ |
| SITE ADDRESS: | 338 DELAWARE AVENUE SALISBURY, MD 21801 |
| ZONING: | R-5 RESIDENTIAL |
| PARCEL: | TAX MAP: 0106 0004 1482 AREA: 2000 SQ. FT. LOT WIDTH: 40± FEET LOT DEPTH: 50± FEET (HALF SIZE LOT) |
| EX. DWELLING TO BE REMOVED: | 504 SQ. FT. (FOOTPRINT) 2 STORES |
| PROPOSED DWELLING: | 792 SQ. FT. (FOOTPRINT) 2 STORES |
| REQUIRED SETBACKS: | FRONT: 25 FEET SIDES: 10 FEET EACH SIDE REAR: 30 FEET |
| PROPOSED SETBACKS: | FRONT: 5 FEET SIDES: 3 FEET EACH SIDE REAR: 6 FEET |

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| DATE | : 11/27/24 |

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ARCHITECTURAL
SITE PLAN

NEW CONSTRUCTION FOR:
FERNANDEZ RESIDENCE
SALISBURY, MARYLAND

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DATE

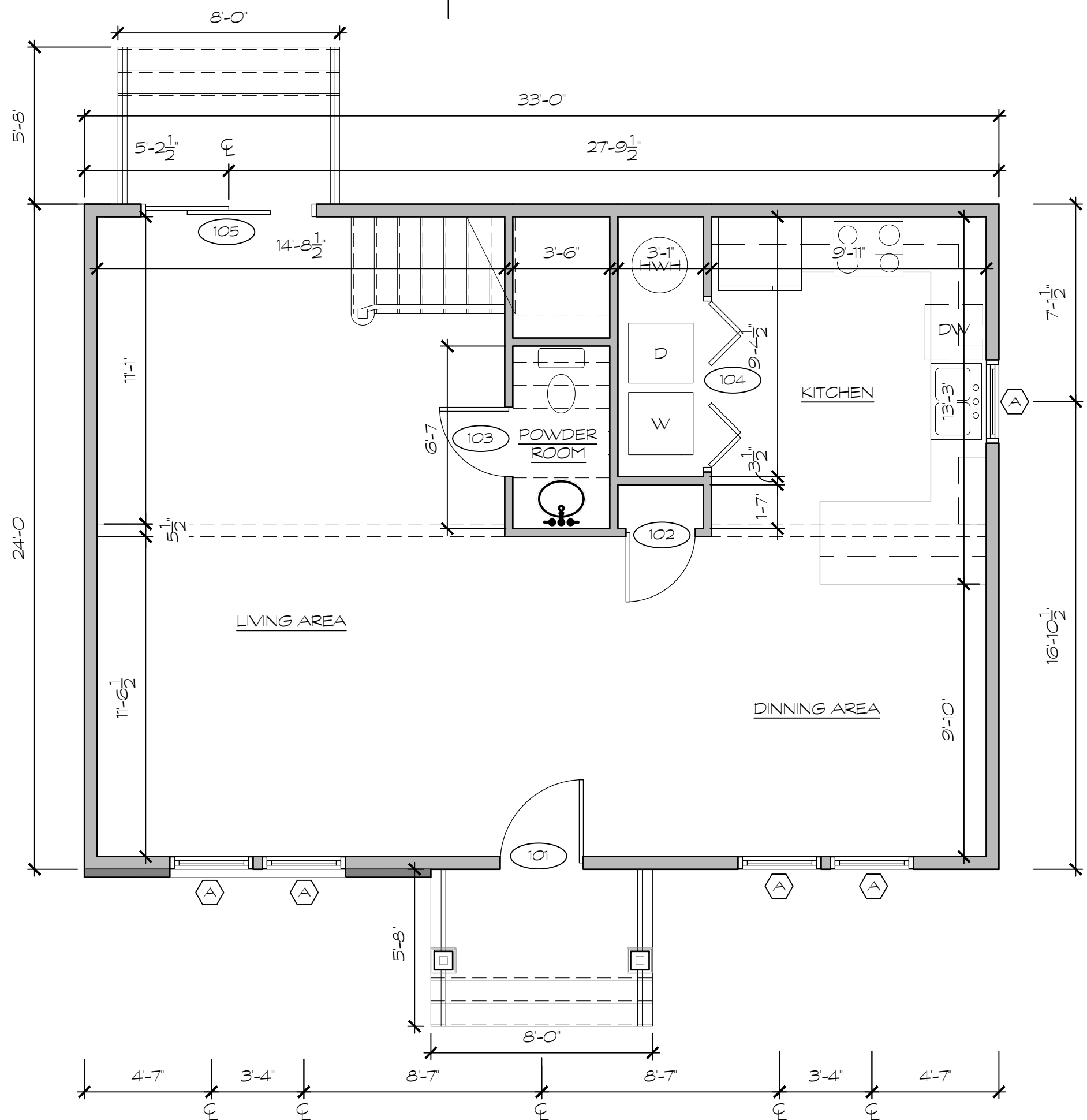
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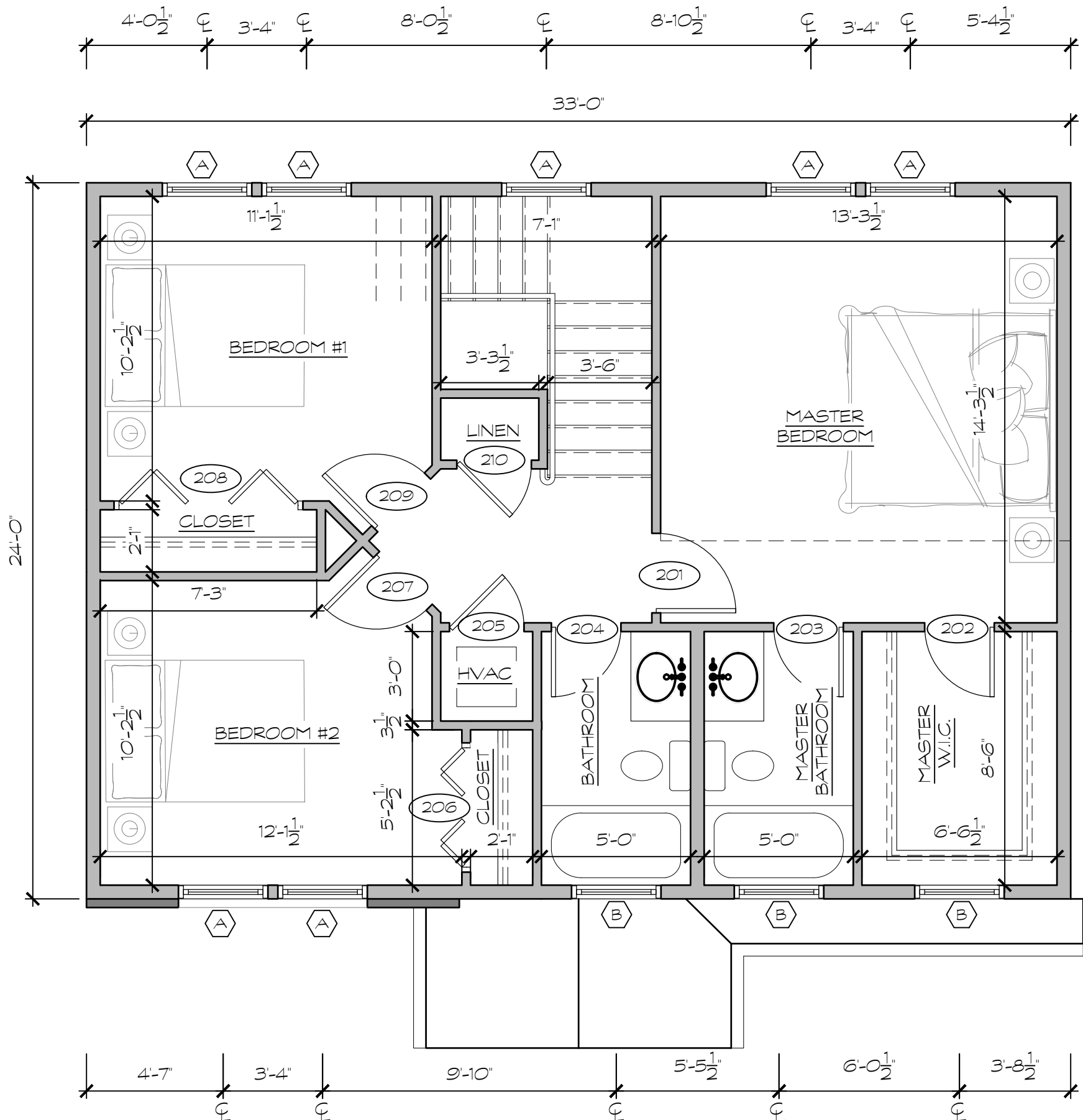
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FIRST FLOOR PLAN
1/4" = 1'-0"



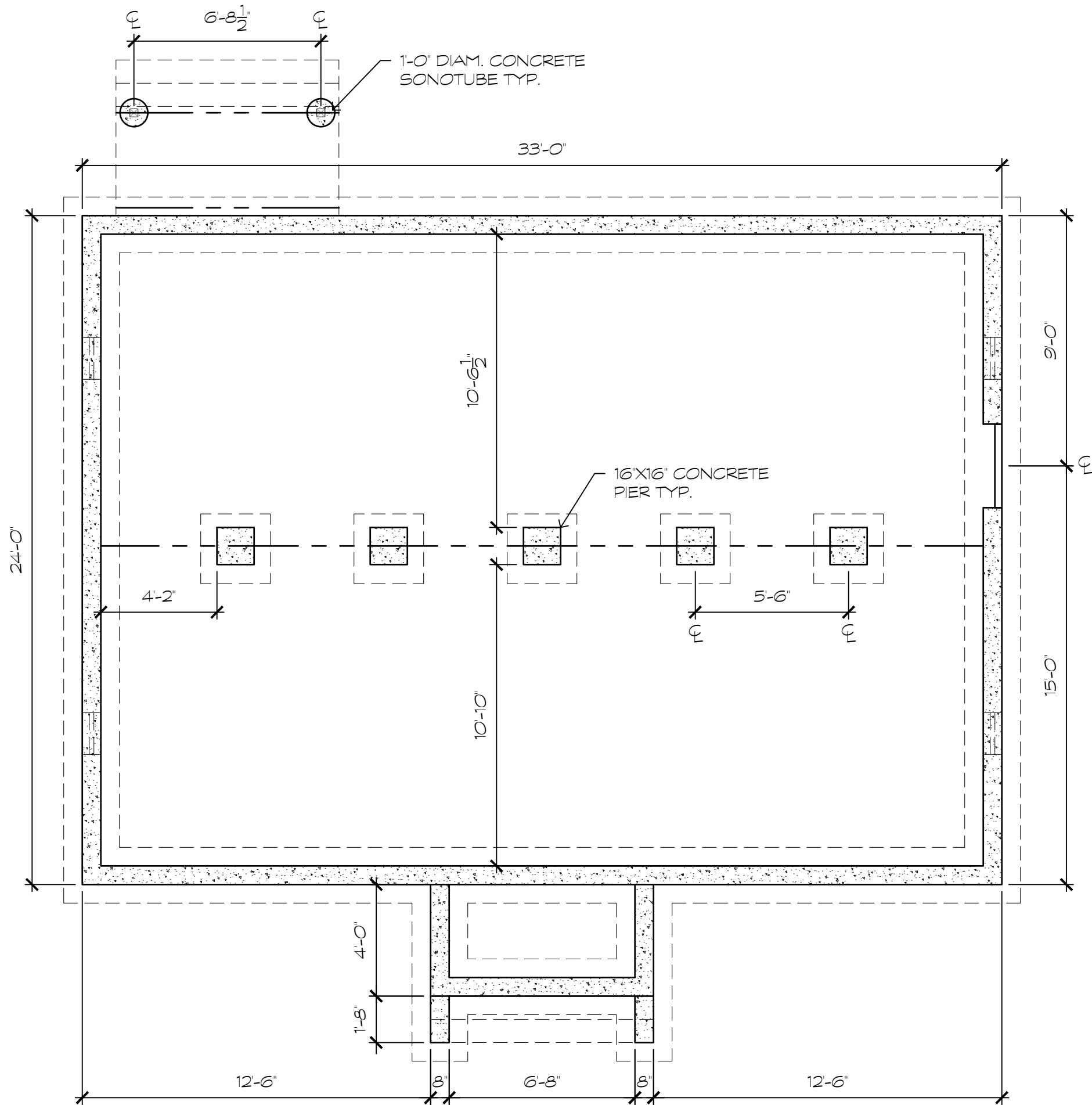
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SECOND FLOOR PLAN
1/4" = 1'-0"



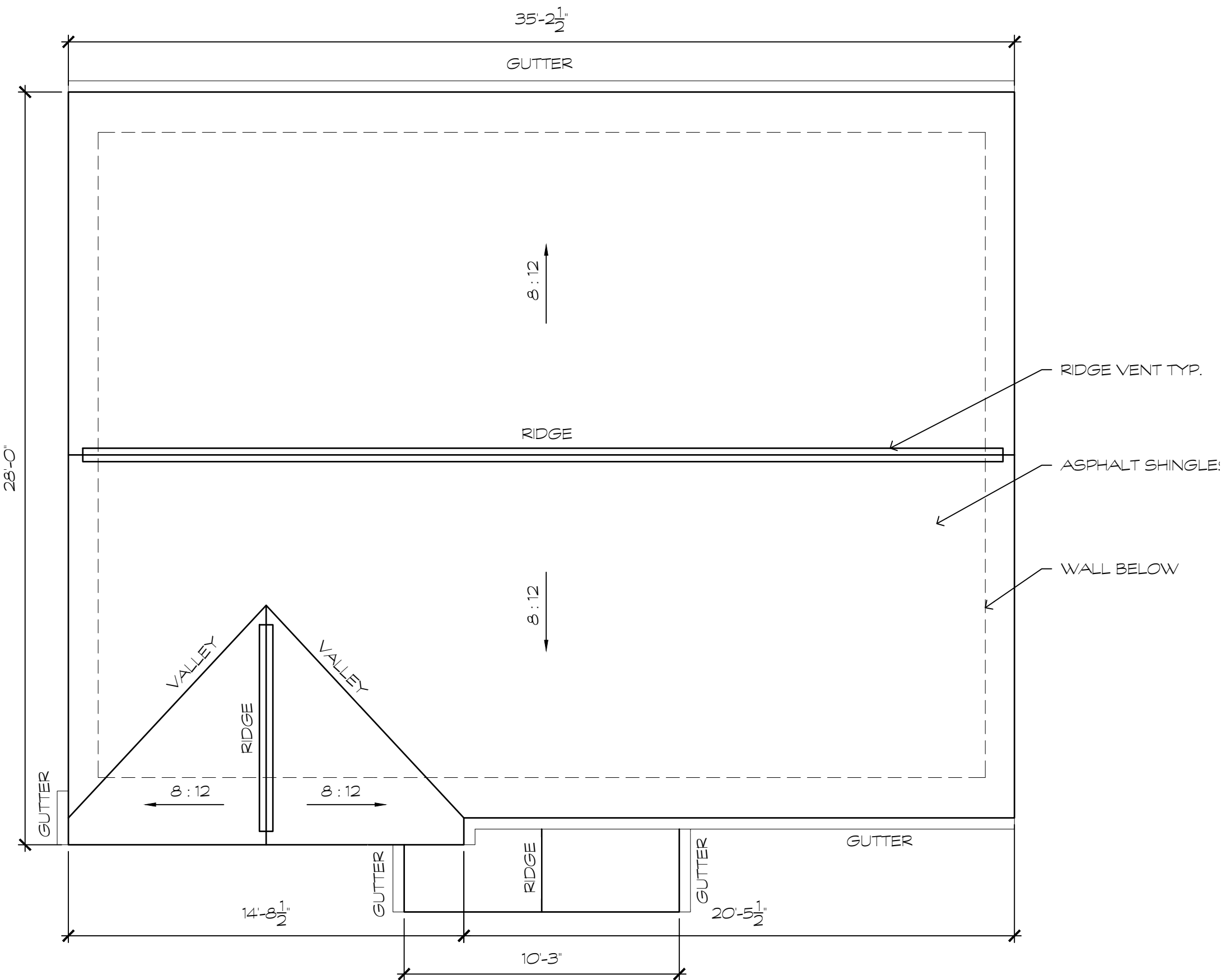
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FOUNDATION PLAN
1/4" = 1'-0"



4

ROOF PLAN
1/4" = 1'-0"



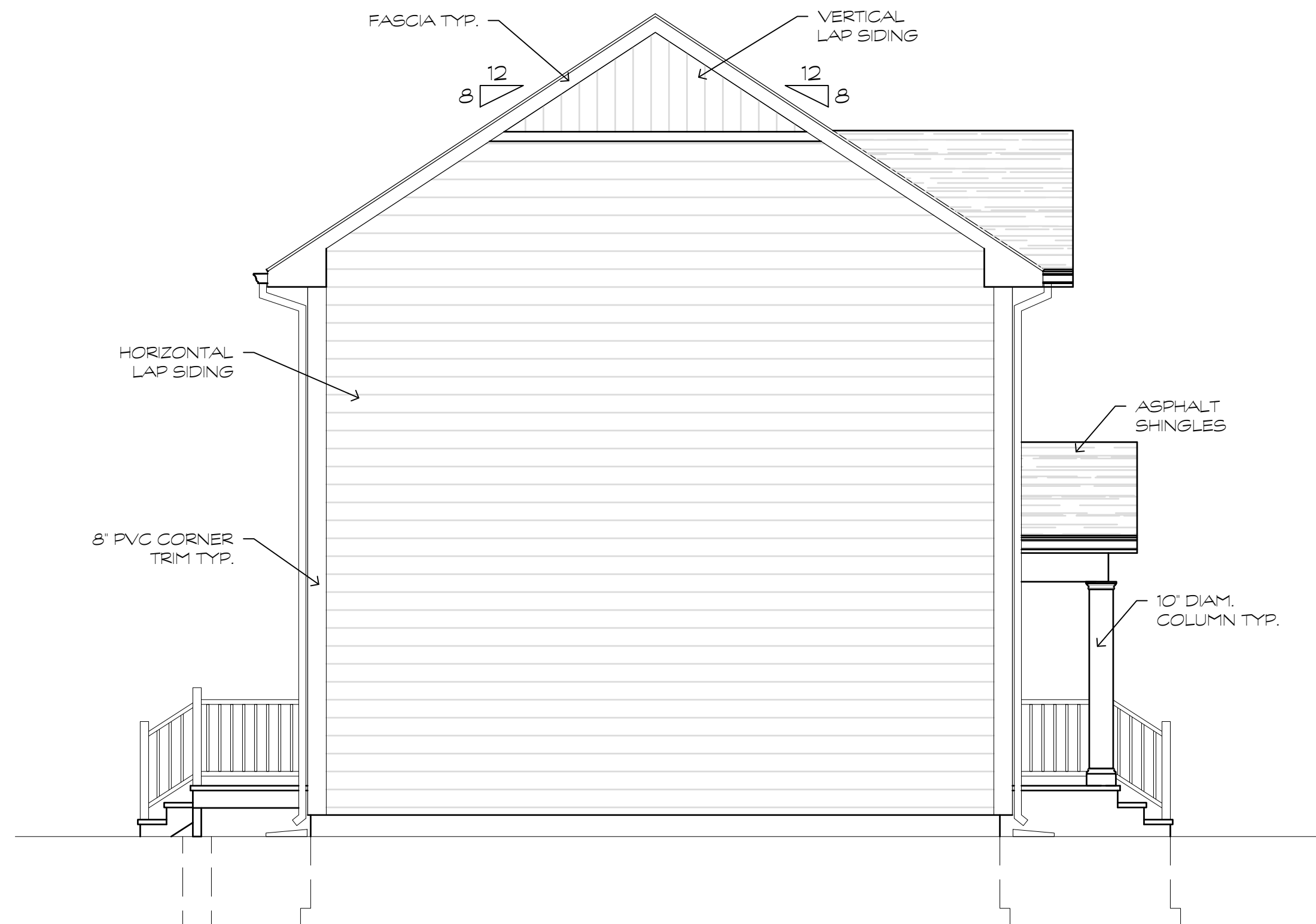
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| GMB GEORGE, MILES & BUHR, LLC ARCHITECTS & ENGINEERS SALISBURY, BALTIMORE • SEAFORD www.gmbnet.com | | NEW CONSTRUCTION FOR: FERNANDEZ RESIDENCE SALISBURY, MARYLAND | | FLOOR PLANS | | A1.1 | |
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1

FRONT ELEVATION
1/4" = 1'-0"



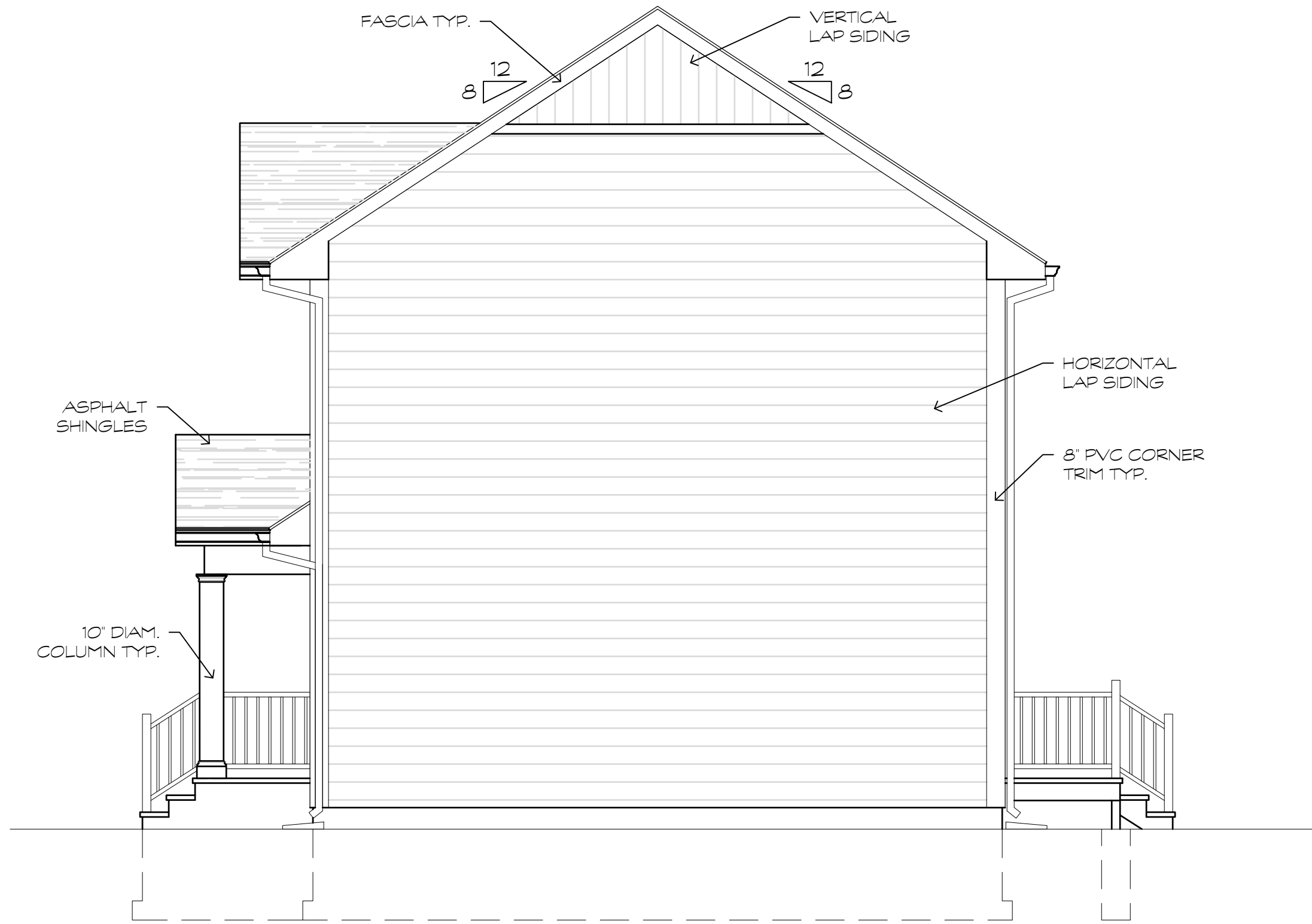
2

LEFT ELEVATION
1/4" = 1'-0"



3

REAR ELEVATION
1/4" = 1'-0"



4

RIGHT ELEVATION
1/4" = 1'-0"

| DATE | |
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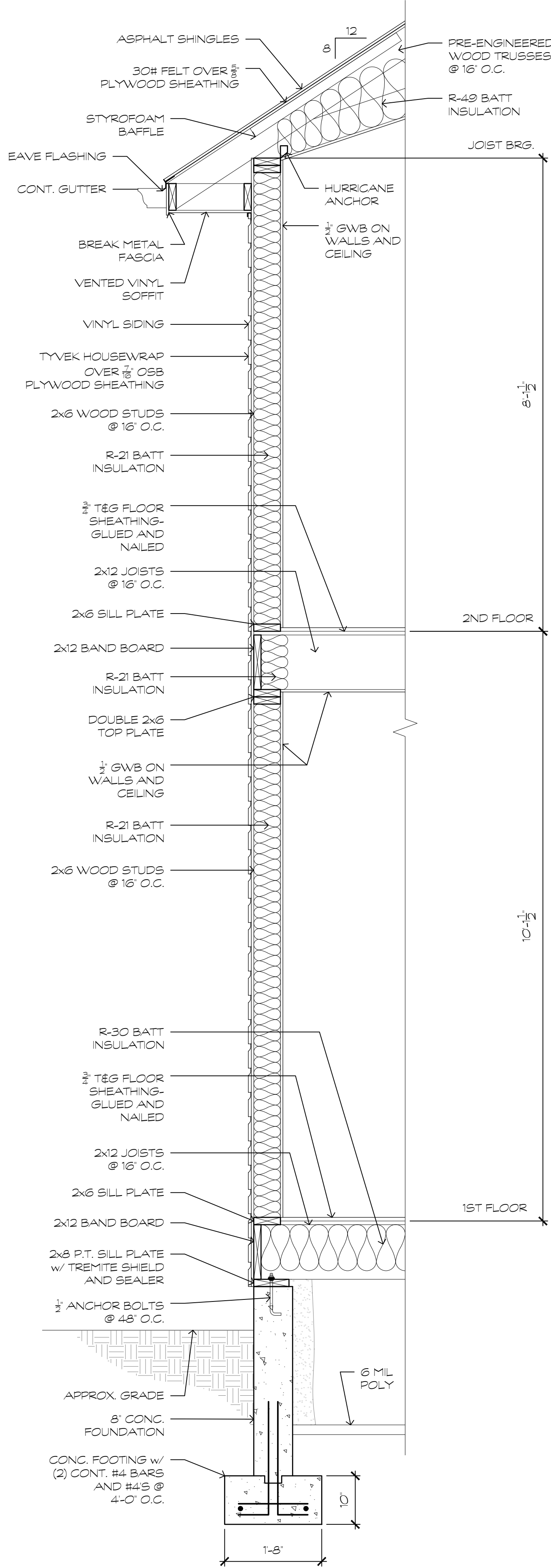
NEW CONSTRUCTION FOR:
FERNANDEZ RESIDENCE
SALISBURY, MARYLAND

ELEVATIONS

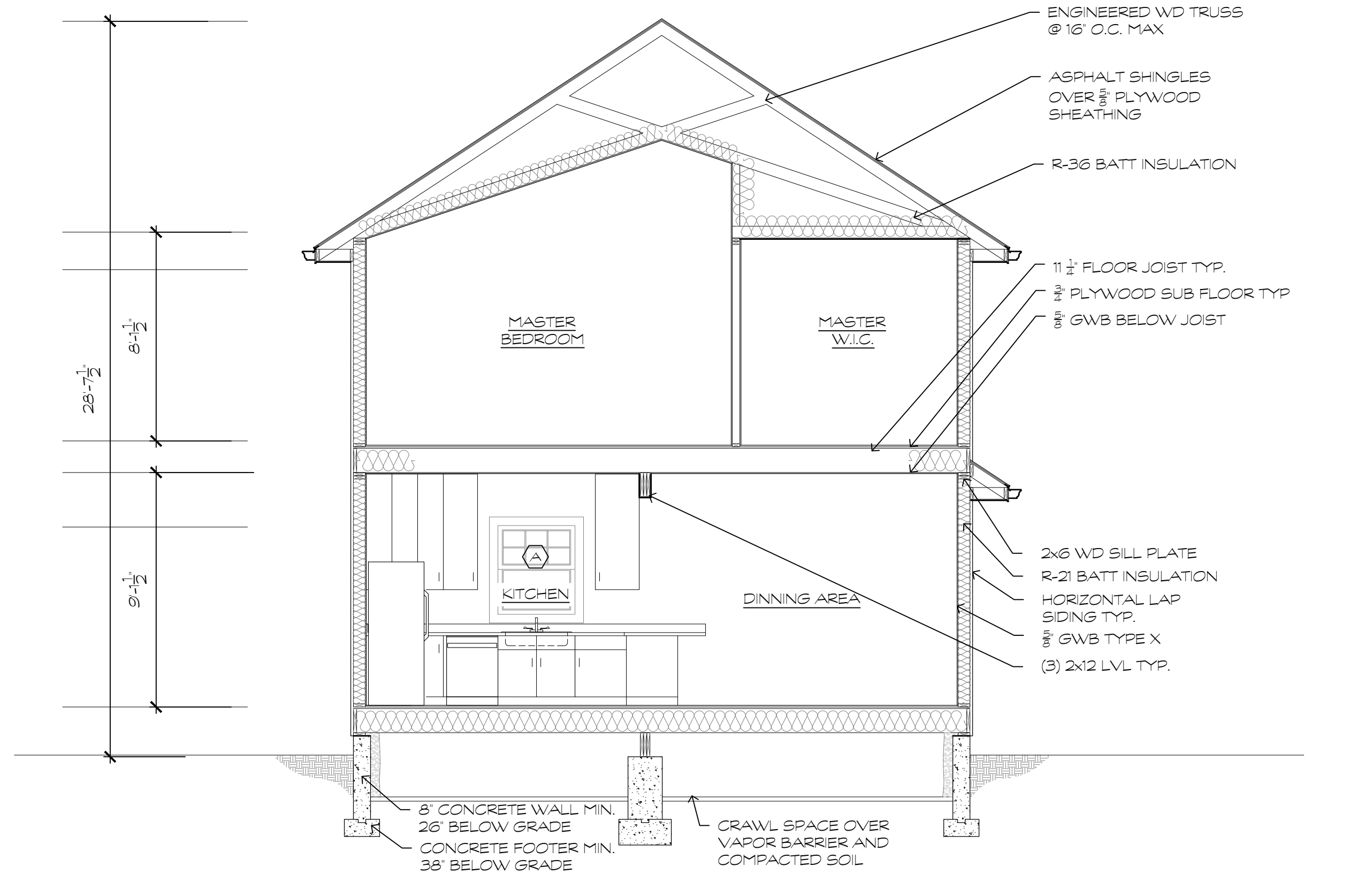
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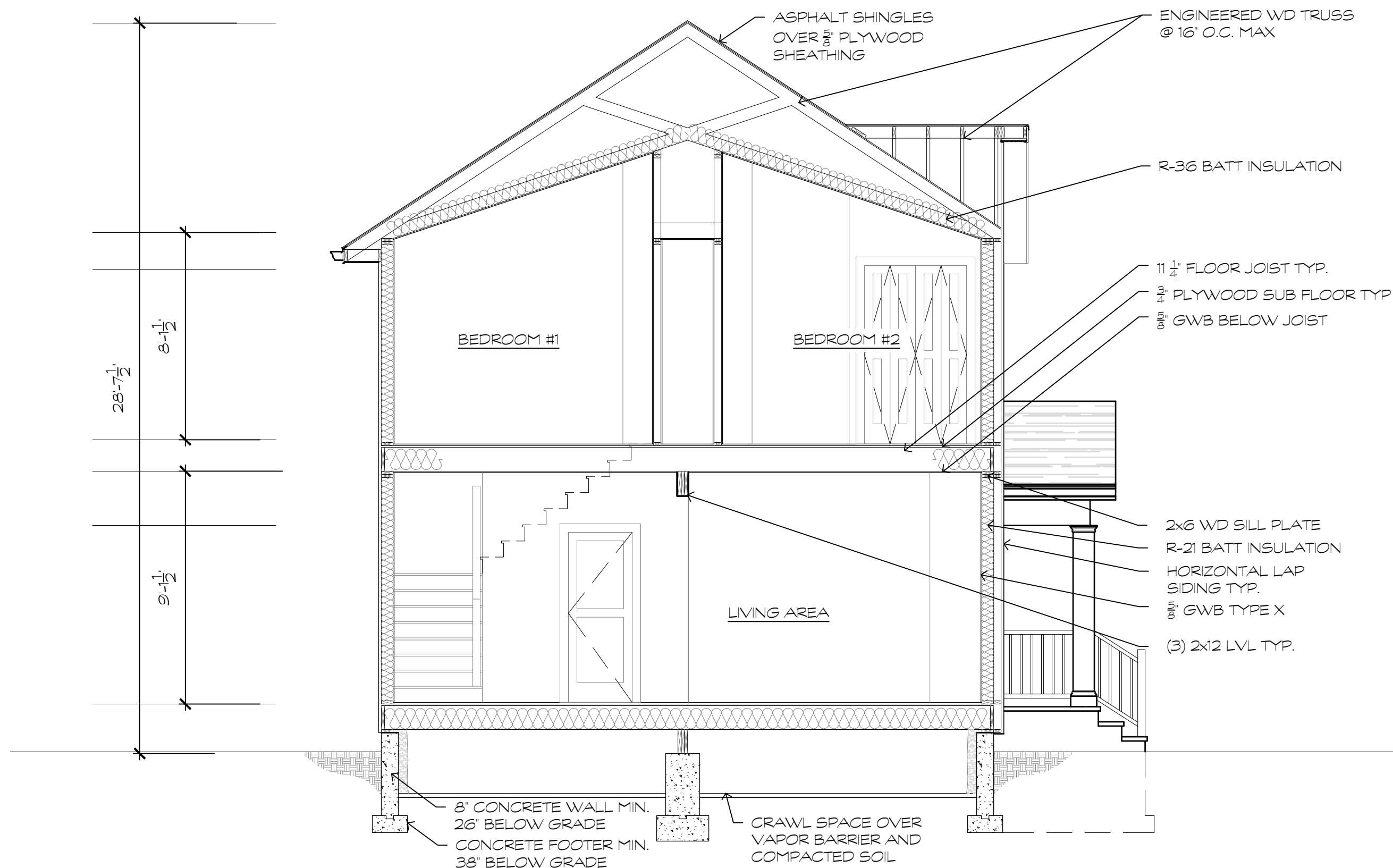
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3 TYP. WALL SECTION
3/4" = 1'-0"



1 SECTION
1/4" = 1'-0"



2 SECTION
1/4" = 1'-0"

| | |
|----------|--|
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SALISBURY, MARYLAND

SECTIONS

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