



# City of Salisbury

## AGENDA

**REGULAR MEETING**

**February 5, 2026**

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, William Hill, Maurice Ngwaba, Ed Torbert.

**MINUTES** – November 6, 2025.

**ZONING PUBLIC HEARINGS:** Case #202600012 – Parker & Associates, on behalf of Tidal Health – Case #202600012– Parker & Associates, representing Tidal Health – 26 ft. Height Variance in the Hospital District and 16 ft. Height Variance in the General Commercial District to Construct a 66 ft. Tall Parking Garage – Tidal Health Hospital Campus along Vine Street; Newton Street; Mitchell Street, and Route 13 – General Commercial and Hospital District.

Case #202600014– Bacilio Caceres – Special Exception to Operate an Outdoor Storage Yard and 2 ft. Fence Height Variance to Construct a 6 ft. Fence in the Front Yard Setback – 2111-2117 Northwood Drive – Light Industrial 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).***

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Department of Infrastructure & Development  
125 N. Division St., #202 Salisbury, MD 21801  
410-548-3170 (fax) 410-548-3107  
[www.salisbury.md](http://www.salisbury.md)



**MINUTES**

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

**BOARD MEMBERS:**

Shawn Jester, Chair  
William Hill, Vice Chair  
Maurice Ngwaba  
Edward Torbert

**ABSENT MEMBERS:**

Miya Horsey  
Sandeep Gopalan

**CITY STAFF:**

Betsy Jackson, 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:**

Upon a motion by Mr. Hill, seconded by Mr. Torbert, and duly carried, the Board **APPROVED** the minutes of the October 2, 2025 meeting as submitted.

\* \* \* \* \*

Mrs. Tull administered the oath to anyone wishing to speak before the case heard by the Salisbury Board of Appeals.



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**RE: Case #202501245 – Parker & Associates, on behalf of D.R. Horton, Inc. – 3.5 ft. Front Yard Setback Variance to Retain a Porch Constructed in the Front Yard Setback – 1305 Fairview Lane – R-8A Residential District.**

Mr. Brock Parker came forward. Mrs. Jackson presented and entered the Staff Report and all accompanying documentation into the record. The applicant is requesting a front yard setback variance for a portion of the dwelling that is located within the required minimum 25 ft. setback.

Mr. Jester moved the Staff Report, to include Senator Carroza’s letter and the building drawings, into the record.

Mr. Parker stated that he agreed with the Staff Report and the findings listed. This error was done by Mr. Parker’s staff. The potential buyer changed the house type from what was originally laid out for the lot at the last minute. The survey crew didn’t catch the change of the house type, which caused the porch being built in the front setback.

Mr. Ngwaba questioned Mr. Parker’s letter in the Staff Report which discussed the house plan changing. Mr. Parker explained that the builder had a house plan picked out for this particular lot and the buyer picked a different house plan which resulted in the error. Mr. Ngwaba questioned who was building the house. Mr. Parker responded that D.R. Horton is the builder for this development.

Mr. Torbert questioned if this was a usual house plan. Mr. Parker responded in the affirmative, adding that D.R. Horton has six (6) or eight (8) house plans that they build.

Mr. Ngwaba questioned Mrs. Jackson regarding the dimensions listed in the Staff comments in the Staff Report. Mrs. Jackson responded that the dimensions that were listed was the area of coverage of the porch.

Mr. Hill stated that he didn’t have an issue with the request because Staff has determined that this is not a recurring issue.

Mr. Jester questioned Mr. Parker if he was checking the work for the lot layouts. Mr. Parker responded in the affirmative.

Upon a motion by Mr. Torbert, seconded by Mr. Ngwaba, and duly carried, the Board **APPROVED** the 3.5 ft. front yard setback variance to retain the porch constructed in the front yard setback, based on the criteria listed in Section V(c) of the Staff Report.



The Board vote was as follows:

<b>William Hill</b>	<b>Aye</b>
<b>Maurice Ngwaba</b>	<b>Aye</b>
<b>Ed Torbert</b>	<b>Aye</b>
<b>Shawn Jester</b>	<b>Aye</b>

\* \* \* \* \*

**RE: Case #202501244 – Worldwide Prestige LLC – 2 ft. Fence Height Variance to Construct a 6 ft. Fence Within the Front yard Setback – 404 Martin Street & Map-104 Parcel – 2614 P/O Lot B – General Commercial District.**

Mr. Austin Powell came forward. Mrs. Jackson presented and entered the Staff Report and all accompanying documentation into the record. . The applicant is requesting a 2 ft. fence height variance to allow a 6 ft. fence in the front yard setback along Martin Street and Barclay Street. The fence surrounds an outdoor storage lot in a General Commercial zone.

Mr. Jester moved the Staff Report into the record.

Mr. Ngwaba questioned if the fence was already built. Mr. Powell responded in the affirmative. Mr. Ngwaba questioned if there was a permit for the fence. Mr. Powell responded in the negative. Mr. Ngwaba questioned why the fence was built without a permit. Mr. Powell responded that he thought the fence contractor had gotten the permit.

Mr. Torbert questioned the screening requirement. Mrs. Jackson responded that the Code requires the screening.

Mr. Ngwaba stated that he was looking for understanding on asking for a variance after the fence was built. He requested Mrs. Tull explain the reasoning for the request. Mrs. Tull explained that the precedent has already been set for this type of request. Mr. Powell came to the office to discuss the issue. He was cited by Housing and Community Development for the fence being installed without permits and for the height. When Mr. Powell came to the office to discuss how to fix the issue, he showed the email requesting that the fence company handle getting the permit. Mrs. Tull explained that almost daily people build without permits and get permits after the fact. This precedence has already been set.

Mr. Hill questioned if the fence encompasses the entire property. Mr. Powell responded in the affirmative. Mr. Hill questioned the screening. Mrs. Jackson responded that the screening is a requirement.



Mr. Jester questioned Mr. Powell if he agreed with screening the fence. Mr. Powell responded that for safety purposes he would prefer not to screen the fence because his crew comes to work at 4am and there are too many places for people to hide.

Mr. Ngwaba questioned what would be stored on the lots. Mr. Powell responded that portable toilets and construction equipment would be stored on the lots. Mr. Ngwaba questioned the Code requirement. Mrs. Jackson responded that there is an option for slats on the fence or vegetation to provide screening. Mr. Jester questioned if there was an option to do no screening. Mrs. Jackson responded in the negative.

Mr. Torbert questioned if the neighboring lots were residential. Mr. Powell responded that a few of the neighboring lots are residential. He added that he had spoken to his neighbors and they had no issue with the fence as it had cut down on foot traffic on their properties by eliminating the ability to cut through yards.

Mr. Hill questioned where the employees enter the property. Mr. Powell responded that there is a gate on both Martin and Barclay Streets. The majority of the time the employees will use the Martin Street entrance but during regular business hours they can use the Barclay Street entrance.

Mr. Ngwaba suggested screening everything but the gates. Mr. Powell reiterated that he didn't want to provide screening as there are lots of places to hide inside the lot. Mr. Ngwaba responded that the screening was for the public and not the property owner. Mrs. Jackson stated that the Board was hearing the request for the height variance and suggested that they could vote on the variance request and have Mr. Powell work with Staff on how to handle the screening requirements.

Upon a motion by Mr. Hill, seconded by Mr. Ngwaba, and duly carried, the Board **APPROVED** a 2 ft. fence height variance to allow a 6 ft. fence in the front yard setback along Martin Street and Barclay Street, based on the criteria listed in Section V(c) of the Staff Report, and subject to the following Condition of Approval:

**CONDITION:**

1. Privacy screening on the fence shall be worked out with City Staff.

The Board vote was as follows:

<b>William Hill</b>	<b>Aye</b>
<b>Maurice Ngwaba</b>	<b>Aye</b>
<b>Ed Torbert</b>	<b>Aye</b>
<b>Shawn Jester</b>	<b>Aye</b>



# City of Salisbury

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## **ADJOURNMENT**

With no further business, the meeting was adjourned at 6:40 p.m.

\* \* \* \* \*

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.

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Shawn Jester, Chair

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Nick Voitiuc, Secretary to the Board

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Beverly R. Tull, Recording Secretary



# City of Salisbury

## STAFF REPORT

MEETING OF February 5, 2026

**Case No.** 202600012  
**Applicant:** Tidal Health rep. by Parker and Associates, C/O Brock Parker  
**Property Owner:** Tidal Health  
**Location:** Bounded by Newton St., West Vine St., Mitchell St., and South Salisbury Blvd.  
**Zoning:** GC- General Commercial and H- Hospital  
**Request:** 16 ft. and 26 ft. Height Variance

- I. **SUMMARY OF REQUEST:** The applicant is requesting a variance to allow the construction of a 66 ft. tall five-story parking garage on the Tidal Health Hospital Campus. The garage will span both the Hospital and General Commercial zones. These zones have different height limitations requiring two (2) variances – one (1) of 26 ft. and one (1) of 16 ft.
- II. **ACCESS TO THE SITE AREA:** The site will have access from Vine St., Newton St., and South Salisbury Blvd.
- III. **DESCRIPTION OF PROPERTY:** The area in question is bounded by Newton St. to the west, Vine St. to the north, Mitchell St. to the east, and South Salisbury Blvd. to the south.
- IV. **DESCRIPTION OF SURROUNDING AREA/NEIGHBORHOOD:** The area is surrounded primarily by parking lots and hospital and commercial structures. The western edge is near a residential area.
- V. **EVALUATION:**
  - (a) **Discussion:** The applicant is seeking to construct a 66 ft. tall parking garage on the Tidal Health Peninsula Regional Campus. The area in question is bounded by Newton St. to the west, West Vine St. to the north, Mitchell St. to the east, and South Salisbury Blvd (Route 13) to the south. The applicant is currently in the process of closing the portion of West Vine and Royal Streets to the North and Center Street. The lots will also need to be combined through the resubdivision process prior to constructing the garage.

The majority of the structure will lie in the Hospital District, but the southern quarter will lie in the General Commercial district. A parking garage is a by-right use in both districts. In the General Commercial District, the height limit for all buildings is fifty (50) feet (§17.36.060C). In the Hospital District, the height limit for non-hospital/hospital accessory buildings is forty (40) feet (§17.68.040C). While the structure will be used solely by the hospital, it is not a hospital and cannot be considered accessory as it is on a separate parcel.

- (b) **Impact:** Staff believes a height variance for the garage will have minimal impact on the neighboring properties. There are numerous taller hospital structures nearby. The majority of the structure is approximately 55 ft. tall, with only the stair/elevator towers rising to 66 ft.

The area along South Salisbury Blvd. is zoned as General Commercial but in practice is used exclusively as parking. The few structures that do exist are abandoned and will be demolished. Thus, no change in use or character will occur through the granting of this variance. The garage will increase the density of parking and enable the future growth of the hospital.

- (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.**

There are no particular physical surroundings, shape or topographical conditions of the land that create a practical difficulty or unnecessary hardship.

- [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 conditions are unique to this property and do not exist elsewhere within the City. The Hospital District is small and only exists at this location. This is the only block in the City with both General Commercial and Hospital zoning.

- [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 difficulty arises from outdated zoning and the overly specific wording of the Zoning Code. The intent of the Code is to allow the hospital and its associated structures to have a higher height limitation.



# City of Salisbury

- [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 this variance will not be detrimental to or endanger the public health, security, or general welfare or morals.

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

This variance would not be based on the value or income potential of the property.

- [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.**

This 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.

- [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.**

This variance would have little impact on the surrounding properties or population of the area. The area is presently used entirely for parking. Increases in daily traffic are expected as a result of hospital expansion but are unlikely to be directly caused by the parking garage because it is for hospital use only. Some nearby properties may see slightly less sunlight.

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

The requested variance will not unduly burden water, sewer, school, park or other public facilities, nor will this request adversely affect transportation.

- [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 variance request will not have an impact on the City's Comprehensive 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 requested variance is the minimum needed to afford relief.



**VI. STAFF COMMENTS:**

The need for the 26 ft. variance for the portion of the structure within the Hospital district arises from the fact that this building cannot be considered a “hospital or accessory structure” despite the fact that it will be used solely by the Hospital. This variance would uphold the intention of the Code, which is that only the TidalHealth Hospital and its associated structures are allowed to be up to 75 ft.

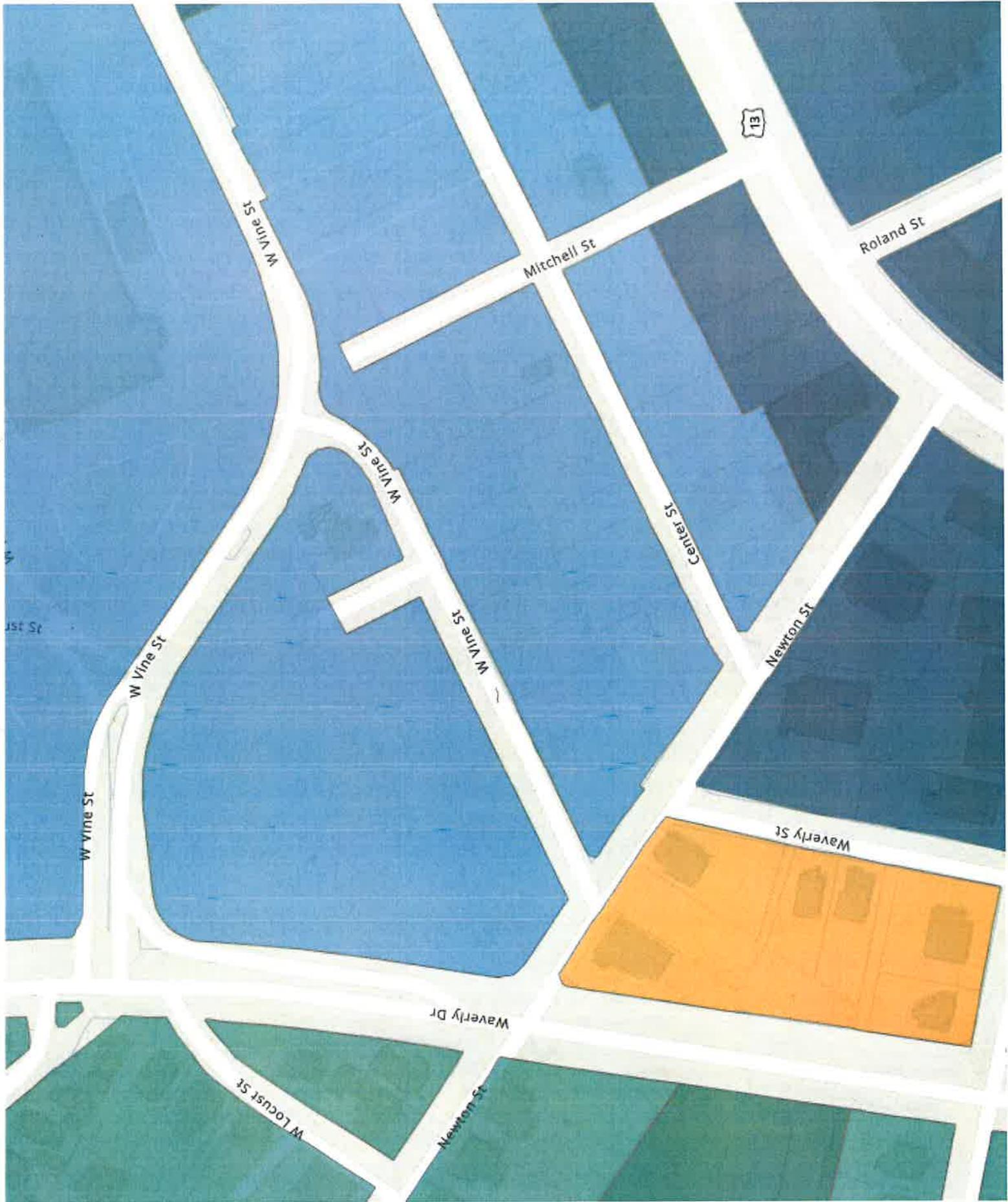
Rezoning and text amendments were considered in order to bring the entire garage within the Hospital District and to create a more permanent solution, however these types of changes should not be based on the development of one site. In this instance, variances are favored by Staff as a site-specific solution with minimal impact to the Hospital District development standards and the building heights along South Salisbury Blvd corridor.

The majority of the adjacent parcels are within the Hospital District. The parcels along Route 13 were zoned as General Commercial to allow for commercial development along the road (**Attachment 1**). Today, however, these parcels are used almost exclusively for parking and the majority of the structure proposed is only 5 ft. above the height limit for General Commercial. Thus, the granting of the 16 ft. variance within the General Commercial District will have no negative impacts nor significantly alter the character of the area.

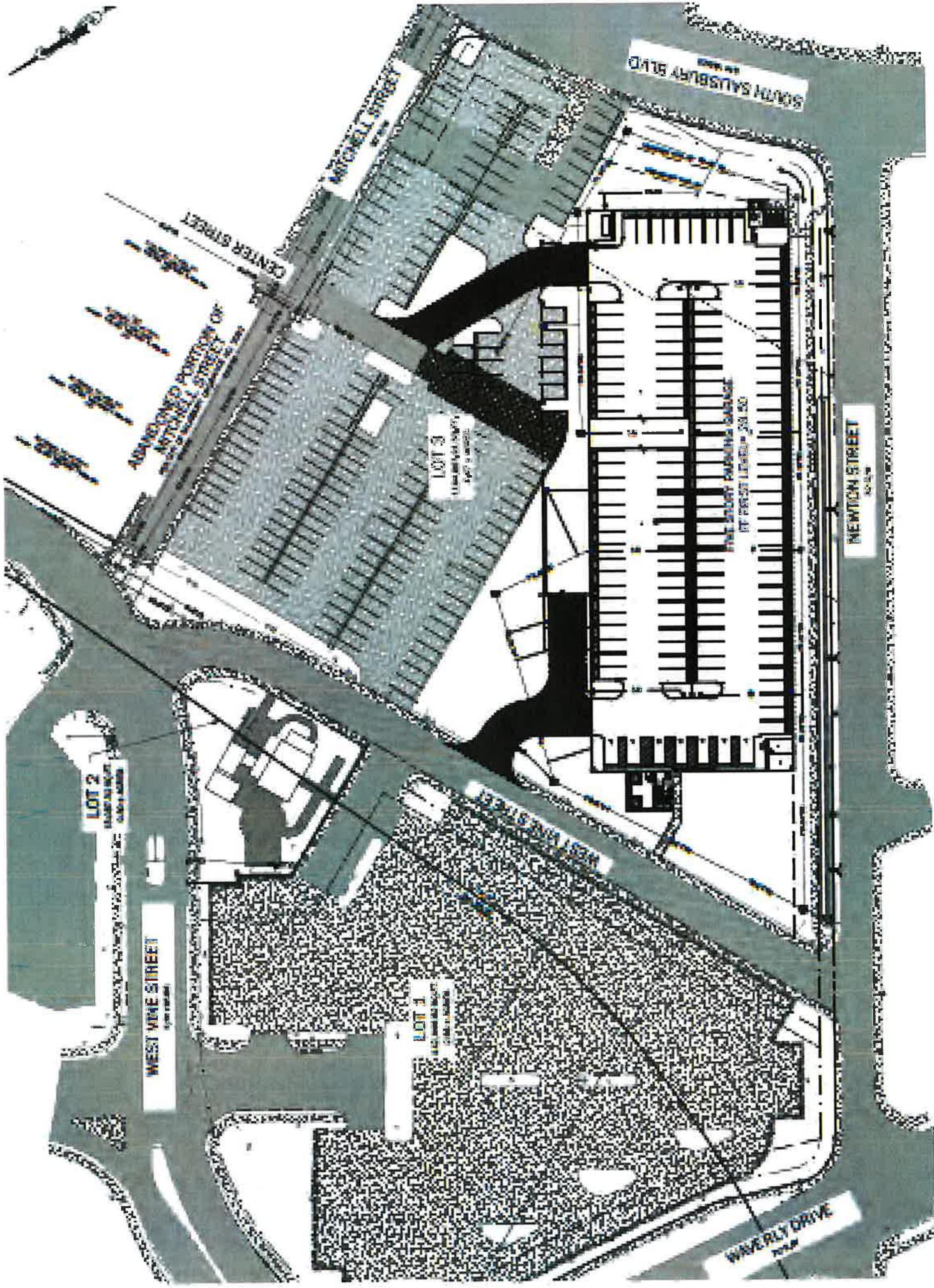
See **Attachments 2 and 3** for an aerial view of the property and the site proposal.

**VII. RECOMMENDATION:**

Based on criteria for approval as outlined in Section V (c) of the Staff Report, **approval** of the variance request is recommended.







SOUTH SAUBURY BLVD

CENTER STREET

MITCHELL STREET

LOT 3  
150,000 SQ FT  
PAVING PLANT

PAVING PLANT  
PAVING STORAGE  
BT FIRST LEVEL - 300,000

NEWTON STREET

LOT 2  
50,000 SQ FT  
CLAY AREA

WEST VINE STREET

LOT 1  
100,000 SQ FT  
PAVING PLANT

WAVERLY DRIVE

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

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

**SUBJECT:**

Special Exception                       Variance     Administrative Appeal  
 Nonconforming ( \_\_ Use \_\_ Lot \_\_ Structure)     Other

**A. APPLICANT:**  
Tidal Health, C/O Parker and Associates, C/O Brock Parker

**PHONE:** (410) 422-1735    **FEE PAID: \$150 - City**

**B. LOCATION OF PROPERTY INVOLVED:**  
Tidal Health Hospital Campus  
Vine, Newton, Rt 13, Mitchell Streets, Salisbury, MD

**C. PROPERTY OWNER:**  
Peninsula General Hospital Medical Center

**D. EXPLANATION OF REQUEST:** Height Variance, See Attached Letter

1. **Code Requires:** 50' (General Comm), 40' (Hospital)
2. **Proposed:** 66'
3. **Action Required:** Variance to allow 66' tall parking garage

**E. APPLICABLE SECTIONS OF ZONING CODE:** 17.236

**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.

  
\_\_\_\_\_  
Betsy Jackson  
City Planner

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

**NOTICE TO SALISBURY BOARD  
OF 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)

12/24/25

\_\_\_\_\_  
(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: Tidal Health Parking Garage Height Variance Request**

**DATE: 12/24/25**

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**CERTIFICATION OF APPLICANT**

In accordance with Section 17.236, 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: Engineering Consultant

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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,



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**WITHDRAWAL NOTICE**

I hereby:  Cancel       Withdraw       Postpone

**my application for:** \_\_\_\_\_

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*Name*

---

*Date*

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528 RIVERSIDE DRIVE  
SALISBURY, MD 21801  
PHONE: 410-749-1023  
FAX: 410-749-1012  
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LAND SURVEYING      CIVIL ENGINEERING      •      LAND PLANNING      FORESTRY SERVICES

City of Salisbury  
Department of Infrastructure & Development  
City of Salisbury  
125 N. Division Street  
Salisbury, MD 21801

December 23, 2025

Attn: Beverly R. Tull  
Ref: Requested height variance for Tidal Health parking garage

Dear Beverly,

Attached hereto, please find our application for a height variance for the referenced lot and a site plan submittal package that illustrates our request and the particulars of the property. We submit same in accordance with section 17.236 of the city zoning code for your use in this matter. With your permission, we would like to respectfully request to be placed on the next available Board of Appeals agenda to seek the necessary height variance to allow the construction of this parking garage to proceed.

Parker and Associates has been fortunate enough to assist Tidal Health in their campuswide expansion/improvement plans. Looking into the future, these expansion plans involve obviously constructing additional space to better serve our community. However, in order to do so, any new construction of any new buildings that are coming in the future will be located upon areas that the hospital currently uses as surface parking lots. In an effort to plan for the future, Tidal Health has proposed the construction of a parking garage to relocate the surface parking areas into a more secure and suitable parking structure that is amply sized to support their needs for the foreseeable future.

As our site plan illustrates, the current proposal is to construct a five level parking structure, proposing around 838 parking spaces. The future needs of the hospital's parking have been very thoughtfully and carefully estimated and, likewise, the design of this parking garage has been completed to meet those needs.

In order to provide those 838 parking spaces, the architects have determined that the parking garage must contain five levels. The deck height of the top level of the garage is at 51' above the ground outside, with the top of the walls surrounding this parking spaces being at or around 55' +/- . The top of the two stair/elevator towers is at 66' above the ground outside. However, the Hospital Zoning District and General Commercial Zoning District in the city of Salisbury has maximum heights of 40' and 50', respectively. Although most of our structure is at or around 55', our variance request will be to permit a structure with a height of 66'.

As you are aware, there are several standards and conditions must be met in order to approve this variance request.

Therefore, in accordance with section 17.236.020 we proffer the following responses to that criterion:

- 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;*

**Applicant's Response:**

The practical difficulty with respect to this project that is forcing the need for this variance is due to the number of parking spaces that are needed in this structure, mixed with the allowable geometry of a parking garage as it pertains to the overall shape and spatial limitations of the property upon which it sits.

The fact of the matter is here, tidal health needs 800 parking spaces minimum to meet their future needs for their expansion plans for this campus. That number must be provided in the parking garage. And in order to provide those parking spaces, the parking garage must be designed as efficiently as possible to minimize the land area that it occupies so that there is room between both the setbacks and future buildings to be constructed on the site.

Through the course of designing the parking garage, we are very restricted with regards to the dimensions of the garage itself. Parking garages are designed to have a double loaded center drive isle with a parking space on both sides, with those drive aisles essentially driving in a spiral, corkscrew circle from one level to the next. That limits the overall depth (in this case, the north-south dimension) of the parking garage to what is shown on the site plans. We cannot widen the garage (East - West dimension) because we are very close to the setbacks and the roadbed of what is soon to be former W. Vine St.

Therefore, the dimensions of the parking garage itself are fairly well locked in due to the spatial constraints of the site upon which we are proposing this parking garage. So, in order to provide the requisite number of parking spaces, we must provide a fifth level of the parking garage, which takes our height of the structure above the maximum dimension provided for in the zoning code. IT is also worthy of note that our design does place one level of the garage below grade. We could not go any further into the ground due to the existing soils and groundwater conditions. Therefore, the only way to provide the necessary number of parking spaces was to add the verticality that is currently reflected on the drawing, thusly necessitating this variance request.

- 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;*

**Applicant's Response:** it is the uniqueness of this property that necessitates the need for this variance. The irregular shape of the property and the setbacks/existing road locations are restricting the dimensions of the parking garage, necessitating the need for this height variance. Furthermore, the hospital campus in the hospital and University zoning district are very restricted due to being bound on all sides by existing roads. Due to the unique constraints of this property and zoning district, there is very little room for the hospital to expand its campus in the future. If this parking garage got bigger from a surface area perspective, there would not be room for future buildings that Tidal Health is proposing to construct to serve the needs of our community. Therefore, in this case, the unique shape of this property forces us to provide the fifth level of parking in this garage.

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;*

Applicant's Response: The practical difficulty and unnecessary hardship is not created by any intentional action by the applicant. Tidal Health's needs here have grown due to the needs of our community as a whole. The expansion plans for the hospital and thusly, the need for more parking, has been necessitated by the needs of our community and not by any intentional action taken by Tidal Health.

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

Applicant's Response: The granting of this variance will not be detrimental or endanger the public health, security, general welfare, or morals of the community. Much to the contrary. Granting of this variance in allowing this construction to proceed will, in fact, enhance those factors. The fact that these parking spaces will now be in an enclosed structure will enhance the security of these parking spaces. Furthermore, with the construction of this parking garage, this project will be required to comply with Maryland's stormwater management requirements, cleaning the discharge from same and enhancing the public health, general welfare, and morals of the community and of our environment.

5. *The purpose of the variance is not based exclusively upon a desire to increase the value or income potential of the property;*

Applicant's Response: This variance request is certainly not to increase the value or income potential of the property. It is merely needed to provide the requisite number of parking spaces within the site constraints of a uniquely positioned piece of property.

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;*

Applicant's Response: This parking garage has been very thoughtfully designed so that it does not detrimentally impact any other property in the immediate vicinity nor does it substantially diminish or impair any property values in the neighborhood. It replaces rather unsightly gravel and stoned parking areas. The design of the structure itself, as depicted in the attached elevations, is very thoughtful and harmonious with the existing campus of the hospital. Furthermore with the construction of significant landscaping along its southern and eastern frontages, we would respectfully submit that it would enhance the visual character of the property as a whole.

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;*

Applicant's Response: the construction of this parking garage will not impact air or light quality nor will it overcrowd the land. Furthermore, it does not increase population or vehicular trips or overcrowd the land. It is merely taking hundreds of cars that are parked side-by-side on flat, stoned parking lots and relocates them in a structure out of sight in a secure structure, thusly enhancing same

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

Applicant's Response: all entrances to this garage will be from privately owned and maintained right-of-way that will be the responsibility of Tidal Health to maintain. The traffic patterns into and out of this garage will be thoughtfully and carefully reviewed by the city of Salisbury DID. Obviously, there will be no impacts to sewer, schools, parks, or any other public 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;*

Applicant's Response: A parking garage is a permitted use in the underlying zoning district. Therefore, the granting of this variance will not adversely affect the implementation of any adopted plans.

10. *Within the intent and purposes of this title, the variance, if granted, is the minimum variance necessary to afford relief. (To this end, the board may permit a lesser variance than that applied for.)*

Applicant's Response: Although our request is to allow a 66' tall structure, referring to the elevations, this is in only two locations, where the stairs/elevator tower needs to provide the headroom above the fifth level of the garage itself. Most of the top of the garage is around 55', just a smidge above the 50' maximum permitted height in the underlying districts. And this height at 55'+/- is the minimum required height of the walls surrounding the parking spaces for safety of the cars and persons within the structure itself.

As always, I sincerely appreciate your time and consideration of this matter. If, upon review of this matter, the attachments, or any other correspondence regarding same, you need anything else whatsoever, please don't hesitate to ask. Otherwise, I look forward to presenting this project to the Board of appeals at its next possible hearing date.

If you have any questions, please do not hesitate to contact me at any time. Thank you for your cooperation for this project.

Sincerely,



Brock E Parker, RLS, PE  
VP, Parker and Associates, Inc



# City of Salisbury

## STAFF REPORT

**MEETING OF February 5, 2026**

**Case No.** 202600014  
**Applicant:** Bacilio Caceres  
**Property Owner:** Adilson Alves Rogerio and Luciene Divina De Assis  
**Location:** 2111-2117 Northwood Drive  
**Tax Map:** #102  
**Grid #16, Parcels #0284, #0285, #0286, #0287**  
**Zoning:** LI – Light Industrial  
**Request:** 1) Special Exception to allow the operation of an outdoor storage yard.  
2) 2 ft. fence height variance to allow a 6 ft. fence in the front yard setback of Northwood Drive.

**I. SUMMARY OF REQUEST:**

The applicant is requesting a special exception to allow the operation of an outdoor storage yard in the Light Industrial district. Outdoor storage lots are required to be screened by a 6 ft. fence, so the applicant is also requesting a 2 ft. fence height variance to allow a 6 ft. fence in the front yard setback along Northwood Drive.

**II. ACCESS TO THE SITE AREA:**

The site has frontage and access on the easterly side of Northwood Drive.

**III. DESCRIPTION OF PROPERTY:**

This site is comprised of four (4) adjacent 10,000 sq. ft. parcels totaling 40,000 sq. ft. The southernmost property, 2111 Northwood, contains a nonconforming single-family dwelling and accessory structures. The 3 adjacent parcels are empty and unpaved. There is a single curb cut at 2113 Northwood Dr.



# City of Salisbury

#### IV. DESCRIPTION OF SURROUNDING AREA/NEIGHBORHOOD:

Surrounding properties are all in the Light Industrial zone. The areas south and east of the site are undeveloped. Parcels north and west are developed with industrial uses

#### V. EVALUATION:

##### (a) Discussion:

An outdoor storage yard is a permitted use by special exception in the Light Industrial District (§17.76.025). An outdoor storage yard is defined as “the keeping or storing, other than in a wholly enclosed building, of goods, items, materials or merchandise, except for scrap materials, debris, or a junkyard” (§17.04.120).

All outdoor storage yards must be screened from view by a 6-8 foot solid or wire with slat insert fence (§17.220.040). Any fence within the front yard setback of a property is limited to 4 feet in height (§17.04.190). The front yard setback in the Light Industrial District is 50 feet (§17.36.060). In order to comply with the Code, property owners with an outdoor storage yard must either construct their screening fence outside of the front yard setback or get a fence height variance to construct it within the setback.

Outdoor storage lots must be set back 50 feet from a residential district or use. The front yard setbacks are 50-feet, the side setbacks are 25-feet, and the rear setbacks are 30-feet (§17.76.050). The approximate buildable area for the four lots, if re-subdivided, can be seen in **Attachment 1**.

##### (b) Impact:

Aside from the home on the southernmost lot, these lots are unimproved and unpaved. This exposes the ground to potential contamination from whatever materials are stored on the lot. It is proposed for vehicles which may leak fuel, oil and other liquids.

Use of the site for vehicle storage, with or without pavement, will require compliance with stormwater regulations. Pavement is impervious which will cause additional stormwater runoff and the compaction of the soil from repeated parking and driving on the bare ground will also increase stormwater runoff.

If the lots are properly screened from view, paved and stormwater is addressed, there is no concern of negative impact on the surrounding properties. All nearby properties are either unimproved or contain industrial uses. Based on the information that was submitted, it is unknown what the traffic increase would be or if there would be an increase on the load on City services or infrastructure.

(c) **Relationship to Special Exception Criteria:** In approving a special exception, the Board shall find the following criteria are either met, can be met by imposition of conditions, or are not applicable:

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Department of Infrastructure & Development  
125 N. Division St., #202 Salisbury, MD 21801  
410-548-3170 (fax) 410-548-3107  
www.salisbury.md



# City of Salisbury

- [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;**

The proposal is consistent with all appropriate plans and ordinances for the area.

- [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;**

If only used for storage, properly screened, developed to prevent contamination, and stormwater runoff is managed, the proposal will not impact livability, value, or appropriate development in the surrounding area.

- [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 site will be as attractive as required by the Code for outdoor storage yards and is appropriate for an industrial zone.

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

If properly screened, developed to prevent contamination, and stormwater runoff is managed, the proposal would have no impact on public health, security, general welfare, or morals.

- [5] **The proposal will not impair an adequate supply of light and 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 proposal will have no impact on the supply of light or air. Based on the information that was submitted, the impact of traffic is unknown.

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

The proposal will not adversely impact water, sewer, school, or parks facilities. Stormwater management should be addressed on site and compliant with relevant regulations.



# City of Salisbury

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

The proposal will have no impact on environmental or historical preservation and is not applicable to this application.

- [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 applicant has the capability to develop the land as proposed and the proposal will not artificially alter the property value. Staff have concerns that the intent of the outdoor storage yard is to also repair and sell the vehicles in storage. Conditions are recommended that will prohibit the repair and sales of vehicles stored on site without necessary approvals and permits, which may include coming back before the Board of Appeals.

- (d) Relationship to Variance 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.**

There are no particular physical surroundings, shape or topographical conditions of the land that create a practical difficulty or unnecessary hardship.

- [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 conditions of this variance are not unique to this property. Any outdoor storage would be required to meet the same setback requirements.

- [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 practical difficulty was created by the Zoning Code. Fences surrounding outdoor storage must be at least 6 ft. tall, however fences within front yards are limited to 4 ft. with no exceptions where security and screening are elsewhere required in the Zoning Code.



# City of Salisbury

- [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 this variance will not be detrimental to or endanger the public health, security, or general welfare or morals.

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

This variance would not be based on the value or income potential of the property.

- [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.**

This 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.

- [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.**

This variance would have no impact on the surrounding properties or increase the congestion or population of the area.

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

The requested variance will have no impact on water, sewer, school, park or other public facilities, nor will this request 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 variance request will not have an impact on the City's Comprehensive 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 fencing around outdoor storage must be at minimum 6 ft. A 2 ft. variance above the maximum 4 ft. allowed in front yard setbacks is the minimum amount necessary to achieve compliance.

**VI. STAFF COMMENTS:**

Special Exception

Allowing storage of vehicles on unpaved land exposes the land to hazardous materials such as fuel, oil, and batteries. If the approval is granted, the City will have little control over what is stored on the lot, so it should be paved before anything is stored there.

Stormwater management needs to be addressed on site. Both the paving or the compaction of soil where it is not paved will increase the amount of stormwater runoff.

There is currently a residence at 2111 Northwood Dr. This lot should be excluded from the Special Exception, since the residence is proposed to remain.

The three (3) undeveloped lots (2113, 2115 and 2117 Northwood Drive) proposed to be an outdoor storage yard must be combined into one (1) lot.

An outdoor storage yard cannot be used as a location to repair or service vehicles. While a service garage is a by right use in the Light Industrial District, this requires the construction of a garage structure where the repair and maintenance should occur. Any changes of use or accessory uses to the outdoor storage yard should obtain all required approvals and permits.

Variance

As previously indicated, the Zoning Code is contradictory regarding screening and fences when located within the front yard. Since the need for the fence height, in the Code, is based upon screening, a condition of the variance should be that the 6 ft. fence provide screening for the full height of the fence.

The variance should not be approved unless the Special Exception is approved, because the need for the screening is a requirement of the outdoor storage yard.

**VII. RECOMMENDATION:**

Based on criteria for approval as outlined in Section V (c) of the Staff Report, **approval** of the special exception request is recommended with the following conditions:

- a) The site be contained to the three (3) undeveloped lots (2113, 2115, and 2117 Northwood Dr.). These lots will need to be re-subdivided.
- b) The site be paved.
- c) No vehicle service or repair be conducted on the premises.

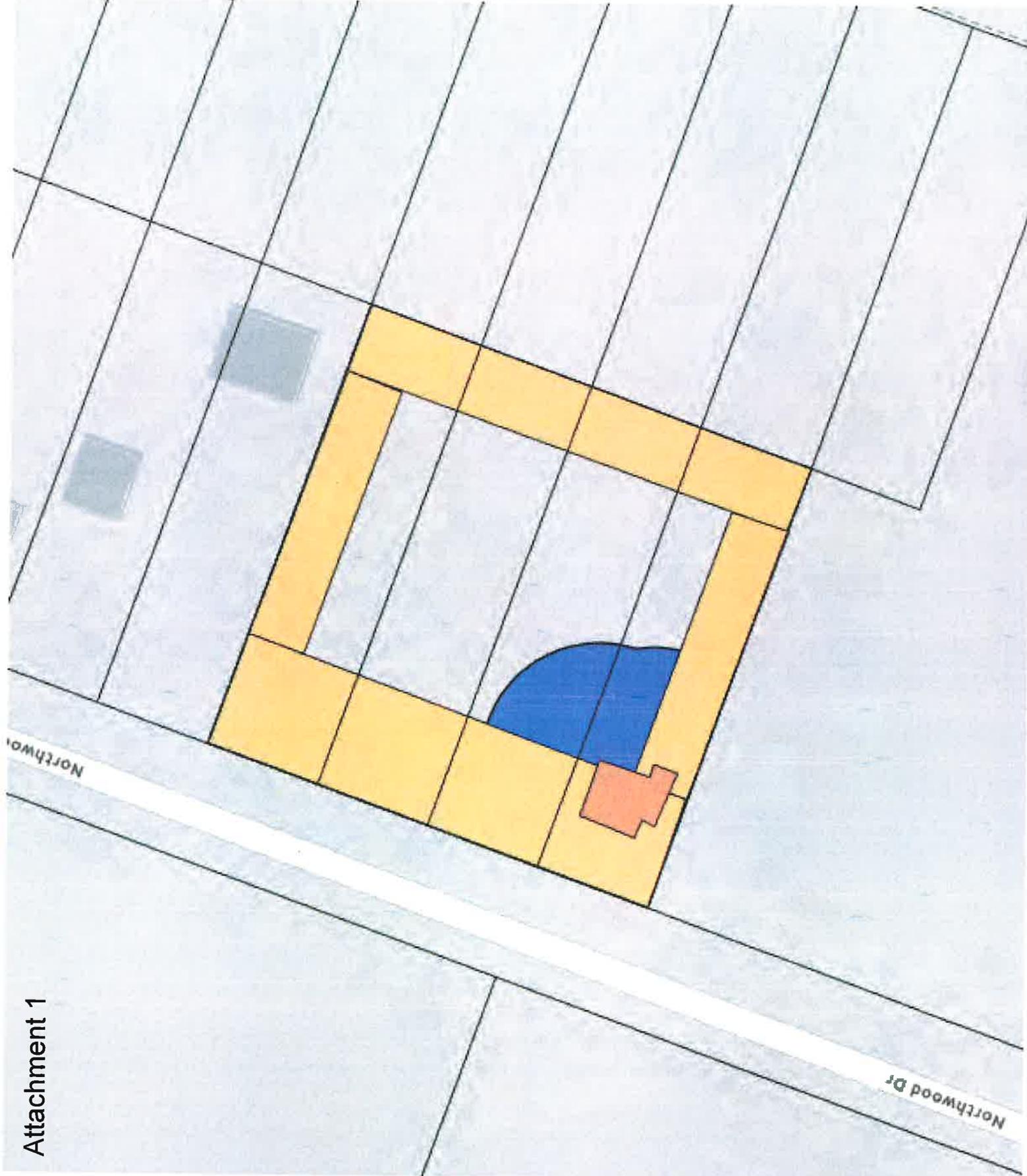


# City of Salisbury

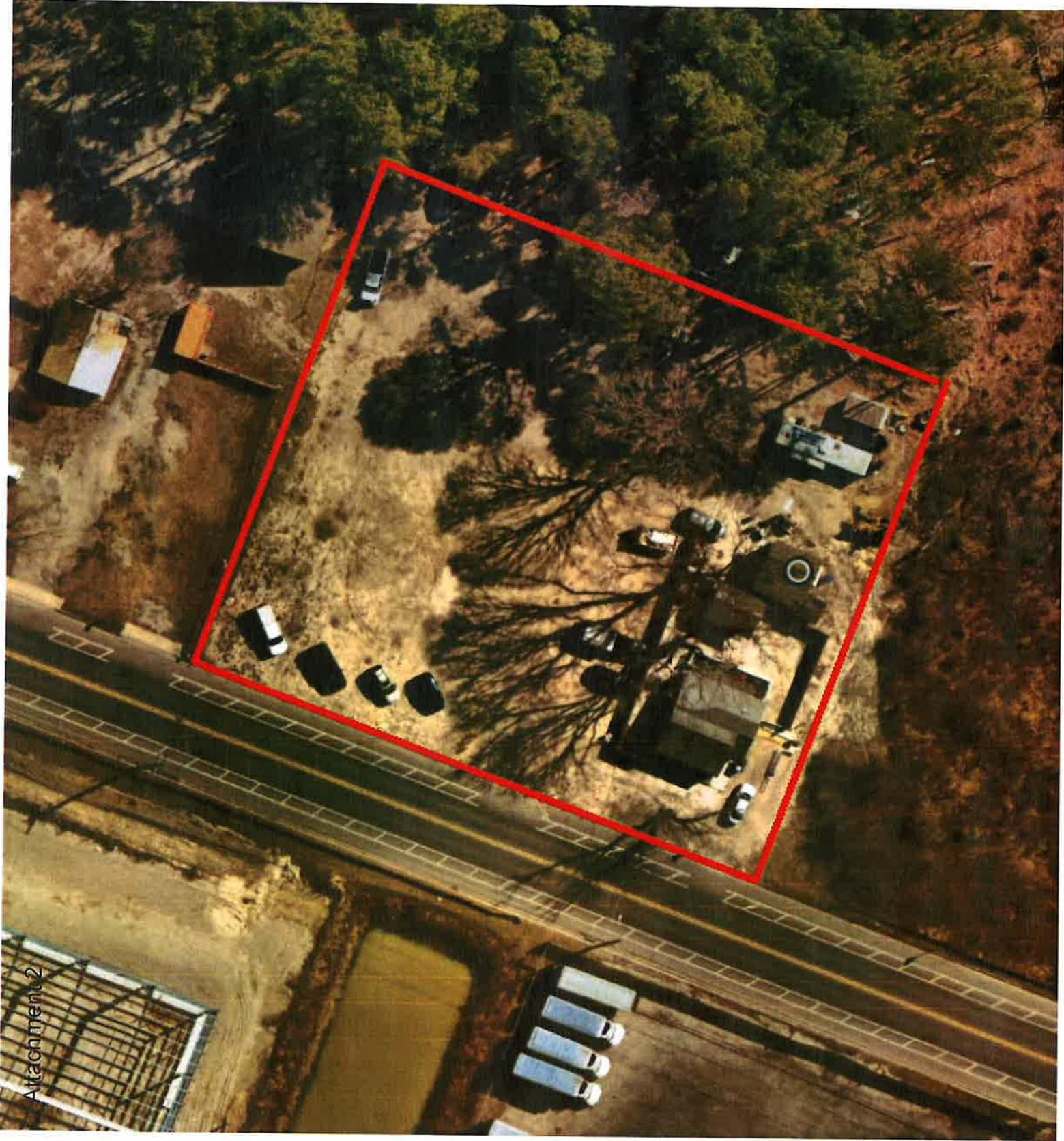
- d) A stormwater plan be submitted to the City.

Based on the criteria for approval as outlined in Section V (d) of the Staff Report, Staff recommends that the variance for the fence height increase be **approved, only if the Special Exception is approved**, with the following condition:

- a) The fence should provide screening for the full 6 ft. height.



Attachment 1



Attachment 2

[View Map](#)

No Ground Rent Redemption on File

No Ground Rent Registration on File

Special Tax Recapture: None

Account Number: District - 09 Account Identifier - 041478

**Owner Information**

Owner Name: ROGERIO ADILSON ALVES DE ASSIS LUCIENE DAVINA Use: INDUSTRIAL  
 Mailing Address: 5151 S UPPER FERRY RD Principal Residence: NO  
 EDEN MD 21822- Deed Reference: /05235/ 00390

**Location & Structure Information**

Premises Address: 2111 NORTHWOOD DR Legal Description: BL W L 6-10,000 SQFT  
 SALISBURY 21801-0000 2111 NORTHWOOD DRIVE  
 NORTHWOOD PLAT

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0102	0016	0284	19103.23	0000		W	6	2024	

Town: SALISBURY

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1948	649		10,000 SF	

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
1	NO	STANDARD UNIT	ASBESTOS SHINGLE/	3	1 full		

**Value Information**

	Base Value	Value	Phase-In Assessments	
		As of	As of	As of
Land:	25,000	01/01/2024	07/01/2025	07/01/2026
Improvements	10,000	25,000		
Total:	35,000	78,500		
Preferential Land:	0	103,500	80,667	103,500

**Transfer Information**

Seller: CATALLA LEOVELITO T & NORMA G Type: ARMS LENGTH MULTIPLE	Date: 04/05/2023 Deed1: /05235/ 00390	Price: \$199,000 Deed2:
Seller: CATALLA LEOVELITO T & NORMA G Type: NON-ARMS LENGTH OTHER	Date: 12/03/2012 Deed1: /03512/ 00407	Price: \$0 Deed2:
Seller: HUTCHINS, ROBERT W L & Type: ARMS LENGTH MULTIPLE	Date: 12/12/2006 Deed1: /02712/ 00429	Price: \$130,000 Deed2:

**Exemption Information**

Partial Exempt Assessments:	Class		
County:	000	07/01/2025	07/01/2026
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

**Homestead Application Information**

Homestead Application Status: No Application

**Homeowners' Tax Credit Application Information**

Homeowners' Tax Credit Application Status: No Application Date:

[View Map](#)

No Ground Rent Redemption on File

No Ground Rent Registration on File

**Special Tax Recapture: None**

Account Number: District - 09 Account Identifier - 060421

**Owner Information**

Owner Name: ROGERIO ADILSON ALVES DE ASSIS LUCIENE DAVINA  
 Mailing Address: 5151 S UPPER FERRY RD EDEN MD 21822  
 Use: INDUSTRIAL  
 Principal Residence: NO  
 Deed Reference: /05235/ 00390

**Location & Structure Information**

Premises Address: 2113 NORTHWOOD DR SALISBURY 21801-0000  
 Legal Description: BL W L 7-10,000 SQFT 2113 NORTHWOOD DR NORTHWOOD PLAT

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	JWTS
0102	0016	0285	19103.23	0000		W	7	2024	Plat Ref:	0304/ 0041

Town: SALISBURY

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
			10,000 SF	

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements

**Value Information**

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
Land:	25,000	01/01/2024	07/01/2025	07/01/2026
Improvements	0	0		
<b>Total:</b>	<b>25,000</b>	<b>25,000</b>	<b>25,000</b>	<b>25,000</b>
Preferential Land:	0	0		

**Transfer Information**

Seller: CATALLA LEOVELITO T & NORMA G Type: ARMS LENGTH MULTIPLE	Date: 04/05/2023 Deed1: /05235/ 00390	Price: \$199,000 Deed2:
Seller: CATALLA LEOVELITO T & NORMA G Type: NON-ARMS LENGTH OTHER	Date: 12/03/2012 Deed1: /03512/ 00407	Price: \$0 Deed2:
Seller: HUTCHINS, ROBERT W L & Type: ARMS LENGTH MULTIPLE	Date: 12/12/2006 Deed1: /02712/ 00429	Price: \$130,000 Deed2:

**Exemption Information**

Partial Exempt Assessments:	Class		
County:	000	07/01/2025	07/01/2026
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

**Special Tax Recapture: None**

**Homestead Application Information**

Homestead Application Status: No Application

**Homeowners' Tax Credit Application Information**

Homeowners' Tax Credit Application Status: No Application

Date:

[View Map](#)

No Ground Rent Redemption on File

No Ground Rent Registration on File

**Special Tax Recapture: None**

Account Number: District - 09 Account Identifier - 058974

**Owner Information**

Owner Name: ROGERIO ADILSON ALVES DE ASSIS LUCIENE DAVINA Use: INDUSTRIAL  
 Mailing Address: 5151 S UPPER FERRY RD EDEN MD 21822- Principal Residence: NO  
 Deed Reference: /05235/ 00390

**Location & Structure Information**

Premises Address: 2115 NORTHWOOD DR SALISBURY 21801-0000 Legal Description: BL W L 8-10,000 SQFT 2115 NORTHWOOD DR NORTHWOOD PLAT

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	JWTS
0102	0016	0286	19103.23	0000		W	8	2024		0304/ 0041

Town: SALISBURY

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
			10,000 SF	

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements

**Value Information**

	Base Value	Value	Phase-In Assessments	
		As of	As of	As of
		01/01/2024	07/01/2025	07/01/2026
Land:	25,000	25,000		
Improvements:	0	0		
Total:	25,000	25,000	25,000	25,000
Preferential Land:	0	0		

**Transfer Information**

Seller: CATALLA LEOVELITO T & NORMA G	Date: 04/05/2023	Price: \$199,000
Type: ARMS LENGTH MULTIPLE	Deed1: /05235/ 00390	Deed2:
Seller: CATALLA LEOVELITO T & NORMA G	Date: 12/03/2012	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /03512/ 00407	Deed2:
Seller: HUTCHINS, ROBERT W L &	Date: 12/12/2006	Price: \$130,000
Type: ARMS LENGTH MULTIPLE	Deed1: /02712/ 00429	Deed2:

**Exemption Information**

Partial Exempt Assessments:	Class		07/01/2025	07/01/2026
County:	000		0.00	
State:	000		0.00	
Municipal:	000		0.00 0.00	0.00 0.00

**Special Tax Recapture: None**

**Homestead Application Information**

Homestead Application Status: No Application

**Homeowners' Tax Credit Application Information**

Homeowners' Tax Credit Application Status: No Application Date:

Real Property Data Search ( )  
 Search Result for WICOMICO COUNTY

[View Map](#)

No Ground Rent Redemption on File

No Ground Rent Registration on File

Special Tax Recapture: None

Account Number: District - 09 Account Identifier - 054375

**Owner Information**

Owner Name: ROGERIO ADILSON ALVES DE ASSIS LUCIENE DAVINA  
 Mailing Address: 5151 S UPPER FERY RD EDEN MD 21822  
 Use: INDUSTRIAL  
 Principal Residence: NO  
 Deed Reference: /05235/ 00390

**Location & Structure Information**

Premises Address: 2117 NORTHWOOD DR SALISBURY 21801-0000  
 Legal Description: BL W L 9-10,000 SQFT 2117 NORTHWOOD DR NORTHWOOD PLAT

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0102	0016	0287	19103.23	0000		W	9	2024	

Town: SALISBURY

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
			10,000 SF	

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements

**Value Information**

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
Land:	25,000	01/01/2024	07/01/2025	07/01/2026
Improvements	0	0		
Total:	25,000	25,000	25,000	25,000
Preferential Land:	0	0		

**Transfer Information**

Seller: CATALLA LEOVELITO T & NORMA G Type: ARMS LENGTH MULTIPLE	Date: 04/05/2023 Deed1: /05235/ 00390	Price: \$199,000 Deed2:
Seller: CATALLA LEOVELITO T & NORMA G Type: NON-ARMS LENGTH OTHER	Date: 12/03/2012 Deed1: /03512/ 00407	Price: \$0 Deed2:
Seller: HUTCHINS, ROBERT W L & Type: ARMS LENGTH MULTIPLE	Date: 12/12/2006 Deed1: /02712/ 00429	Price: \$130,000 Deed2:

**Exemption Information**

Partial Exempt Assessments:	Class	07/01/2025	07/01/2026
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

**Homestead Application Information**

Homestead Application Status: No Application

**Homeowners' Tax Credit Application Information**

Homeowners' Tax Credit Application Status: No Application

Date:

**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:** Bacilio Caceres

**PHONE:** (443) 365-0775

**FEE PAID: \$150 - City**

**B. LOCATION OF PROPERTY INVOLVED:** 2111, 2113, 2115, 2117 Northwood Dr,  
Salisbury, MD 21801

**C. PROPERTY OWNER:** Adilson Alves Rogerio and Luciene Divina De Assis

**D. EXPLANATION OF REQUEST:**

1. **Code Requires:**

2. **Proposed:**

3. **Action Required:** Special Exception for the Outdoor Storage Yard and  
a Variance for the fence height. - 6 ft fence in front yard

**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.

  
\_\_\_\_\_  
Betsy Jackson  
City Planner

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

**NOTICE TO SALISBURY BOARD  
OF 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)

\_\_\_\_\_  
(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: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

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*

**To:**  
The City of Salisbury  
Department of Infrastructure and Development  
125 N. Division Street, Room 202  
Salisbury, MD 21801

**From:**  
Bacilio Caceres

**Reference:**  
Lots 2111, 2113, 2115, and 2117 Northwood Drive  
Salisbury, MD 21801  
Special Exception and Variance Application

**To Whom It May Concern:**

I am writing to formally request a **Special Exception for outdoor storage and a variance for fence height** for the above-referenced properties.

Under the current city code, outdoor storage yards require Special Exception approval, and fencing along road frontage is limited to a maximum height of four (4) feet, with additional approval required for six (6) foot fencing. I am requesting approval for a six-foot fence along the road frontage.

The purpose of this request is to enhance **security and privacy** for the properties. The outdoor storage area will be used for the storage of vehicles, and an increased fence height is necessary to safeguard the property and its contents.

Thank you for your time and consideration of this request. Please feel free to contact me if any additional information is needed.

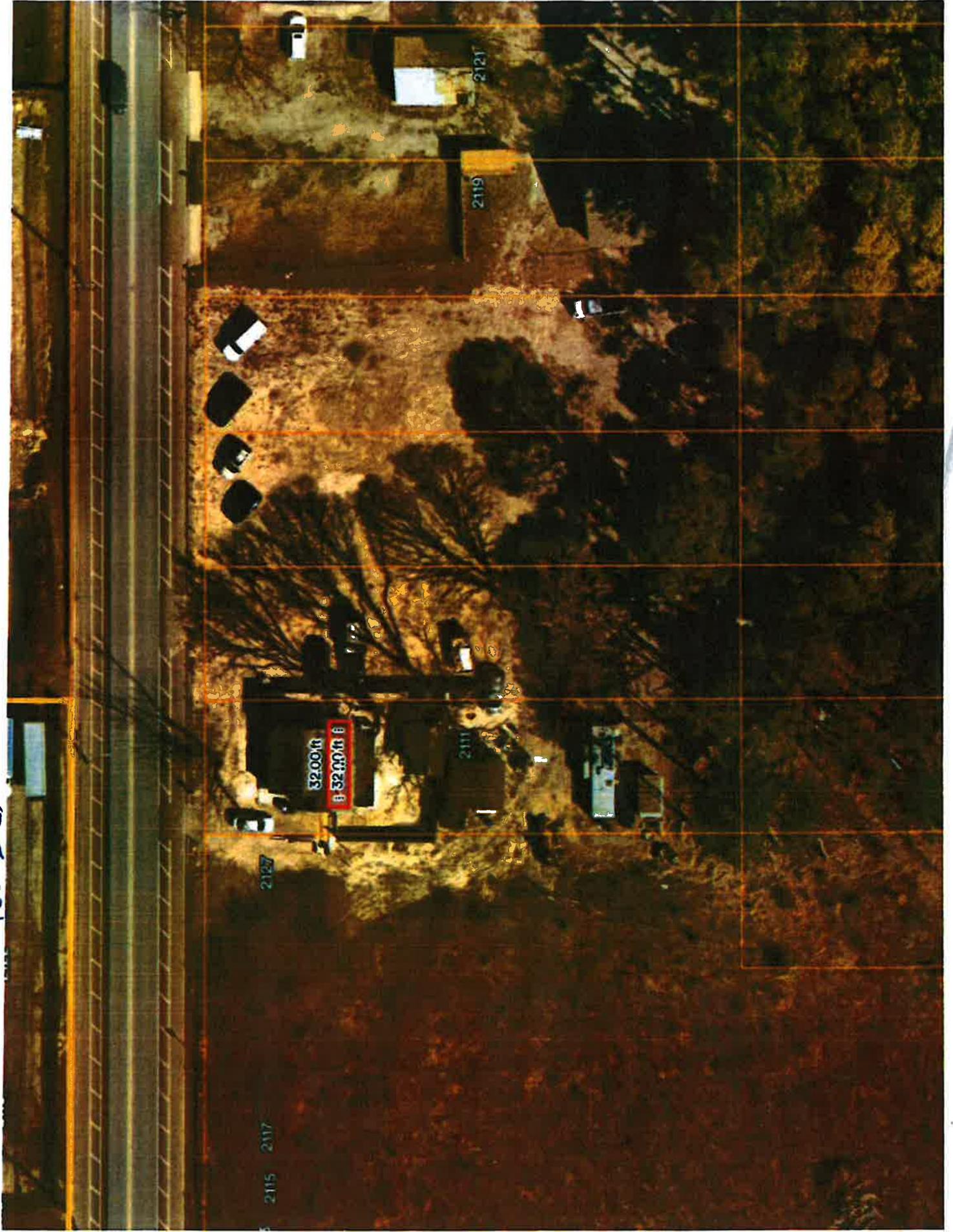
Respectfully,



**Bacilio Caceres**



Feb 2025



Feb 2023

