



City of Salisbury

AGENDA

REGULAR MEETING

March 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, and Maurice Ngwaba.

MINUTES – February 5, 2026.

ZONING PUBLIC HEARINGS: Case #202600140 – Justin Phippin – 15 ft. Front Yard Setback Variance to Construct a New Single Family Dwelling – 710 Madison Street – R-8 Residential District.

* * * * *

****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 February 5, 2026, in Room 301, Government Office Building at 6:00 p.m. with attendance as follows:

BOARD MEMBERS:

Shawn Jester, Chair
Maurice Ngwaba
Edward Torbert

ABSENT MEMBERS:

William Hill, Vice Chair
Miya Horsey
Sandeep Gopalan

CITY STAFF:

Henry Pearson, Associate Planner
Beverly Tull, Recording Secretary
Heather Konyar, City Solicitor

* * * * *

Mr. Jester called the meeting to order at 6:03 p.m.

* * * * *

MINUTES:

Upon a motion by Mr. Torbert, seconded by Mr. Ngwaba, and duly carried, the Board **APPROVED** the minutes of the November 6, 2025 meeting as submitted.

* * * * *

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

* * * * *

RE: 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.

Mr. Brock Parker came forward. Mr. Pearson presented and entered the Staff Report and all accompanying documentation into the record. 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.

Mr. Jester moved the Staff Report into the record.

Mr. Parker agreed with the Staff Report findings. He submitted **Applicant's Exhibit #1** as an aerial photograph of the proposed location of the parking garage and **Applicant's Exhibit #2** as the proposed parking garage elevation. Mr. Parker discussed the layout of the parking garage and surrounding roads. The first floor will be underground approximately 9 ft. The height variance request is due to the parking garage being 66 ft. and the need to get to the top of the elevator tower. The proposed parking garage is a better way to provide parking on site for the Hospital.

Mr. Ngwaba questioned how many parking spaces were being displaced to accommodate the parking garage. Mr. Parker responded that the proposed location of the parking garage is already parking for the hospital. The parking garage will allow for the future growth of the hospital and is designed to handle that growth. He discussed the layout of the parking garage and location of the entrances/exits. Extensive discussion followed regarding the need for a Traffic Study for future growth of the Hospital.

Mr. Torbert questioned if the parking garage would be for the employees or the public. Mr. Parker responded that the parking garage would be used for both employees and the public visiting the hospital.

Mr. Jester questioned the height of the existing parking garage. Mr. Parker responded that the existing garage is four (4) levels.

Mr. Ngwaba questioned the actual number of spaces in the parking garage. Mr. Parker responded there will be 831 spaces.



Upon a motion by Mr. Torbert, seconded by Mr. Ngwaba, and duly carried, the Board **APPROVED** the 26 ft. and 16 ft. height variances, based on the criteria listed in Section V(c) of the Staff Report.

The Board vote was as follows:

Maurice Ngwaba	Aye
Ed Torbert	Aye
Shawn Jester	Aye

* * * * *

RE: 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.

Mr. Bacilio Caceres and Mr. Jaime Cortes came forward. Mr. Pearson presented and entered the Staff Report and all accompanying documentation into the record. 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.

While introducing himself Mr. Caceres explained that he would only be using the site for storage. He currently leases lots on Upshur Street and the purchase of these lots would allow him to save money.

Mr. Torbert questioned how far back the fence would be constructed from the street as he had concerns about visibility. Mr. Caceres said he didn't know how far back he had to install the fence. Mrs. Tull stated that the fence would have to meet Code required setbacks and provide for the visibility triangle. Mr. Ngwaba questioned the setback requirement of the fence. There was extensive discussion and Mr. Jester clarified that the fence would have to meet the setback requirement and that the Board was only providing a decision on the height of the fence.

Mr. Jester questioned Mr. Caceres if he had purchased the property. Mr. Caceres responded that he had not purchased the property. Mr. Jester questioned if he was ready to follow the conditions of approval listed in the Staff Report. Mr. Jester also questioned how the applicant would know how much of the site had to be paved. Mr. Pearson responded that Mr. Caceres would have to work with the City Staff about the paving of the site. Extensive discussion followed in regards to impervious surface and stormwater management.

Mr. Torbert stated that the applicant needed to work out the issues in regards to paving and the fence location before the Board could make a decision on this case. Mr. Ngwaba agreed



and stated that a detailed Site Plan needed to be submitted showing the portion of the lot to be paved for storage and the fence location.

Upon a motion by Mr. Torbert, seconded by Mr. Ngwaba, and duly carried, the Board, **TABLED** the special exception request and fence height variance request to allow the applicant time to provide a detailed Site Plan laying out the entire area to be used for vehicle storage and the location of the fence.

The Board vote was as follows:

Maurice Ngwaba	Aye
Ed Torbert	Aye
Shawn Jester	Aye

* * * * *

ADJOURNMENT

With no further business, the meeting was adjourned at 7:08 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.

Shawn Jester, Chair

Nick Voitiuc, Secretary to the Board

Beverly R. Tull, Recording Secretary



City of Salisbury

STAFF REPORT

MEETING OF March 5, 2025

Case No. 202600140
Applicant: Justin Phippin
Property Owner: Eric Bin Lico
Location: 710 Madison St.
Zoning: R8- Residential
Request: 15' Setback Variance

- I. **SUMMARY OF REQUEST:** The applicant is requesting a setback variance to allow the construction of a 1,160 sq. ft. house on a corner lot at 710 Madison Street.
- II. **ACCESS TO THE SITE AREA:** The site will have access from Webster Street. There is no curb cut on Madison St.
- III. **DESCRIPTION OF PROPERTY:** The area in question is bounded by Madison Street to the east and Webster Street to the south and west.
- IV. **DESCRIPTION OF SURROUNDING AREA/NEIGHBORHOOD:** The area is surrounded by single-family homes.
- V. **EVALUATION:**
 - (a) **Discussion:** The applicant is seeking to construct a 1,160 sq. ft. single family house on a 7,076 sq. ft. undeveloped corner lot. The lot is narrow but deep; it has a width of 50 ft. and a depth of 118 ft. - 164 ft. The setback requirements for corner lots require a 25 ft. setback on all frontages. This requirement makes development of the lot infeasible without a variance.
 - (b) **Impact:** Staff believes a setback variance will have minimal impact on the neighboring properties. While the lot is technically a corner lot, Webster Street is a small paved alleyway which likely experiences minimal through traffic. The construction of a home within the 25 ft. setback along Webster Street would have little impact on traffic visibility. There are currently multiple lots along Webster Street with structures within the 25 ft. setback.
 - (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:



City of Salisbury

- [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.**

This lot is a non-conforming lot. It is under the minimum required 8,000 square feet and 75-foot lot width required for a corner lot in the R-8 Residential District.

- [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 are not generally applicable to properties within the same zoning classification. Most lots do not have street frontage on three (3) sides.

- [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 the corner lot setback requirements in the Code being applied to a non-conforming lot.

- [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. The proposal is for a single-family dwelling which is a permitted use in the R-8 Residential District.

- [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. The purpose of the variance is to allow it to be developed as intended by the zoning district.

- [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.**



City of Salisbury

This variance would have little impact on the surrounding properties or population of the area. There are already numerous properties within the 25 ft. setback along Webster Street, which acts as more of an alley than a street.

- [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. Appropriate infill development is consistent with 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 requested variance is the minimum needed to afford relief.

VI. STAFF COMMENTS:

The need for this variance arises from being a non-conforming corner lot. Without a variance, this lot would likely remain empty. The granting of the variance enables the productive use of the space without unduly burdening or altering the character of the neighborhood. The use of the lot as a single-family residential home is congruent with the surrounding area.

VII. RECOMMENDATION:

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

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: Justin Phippin

PHONE: (410) 726-5005

FEE PAID: \$150 - City

B. LOCATION OF PROPERTY INVOLVED:

710 Madisson St

C. PROPERTY OWNER:

Justin Phippin

(Erin Bin Lico) Current
owner

D. EXPLANATION OF REQUEST:

1. Code Requires:

2. Proposed: Reduce Setback on side (ally) street

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.

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)

1-31-20
(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,

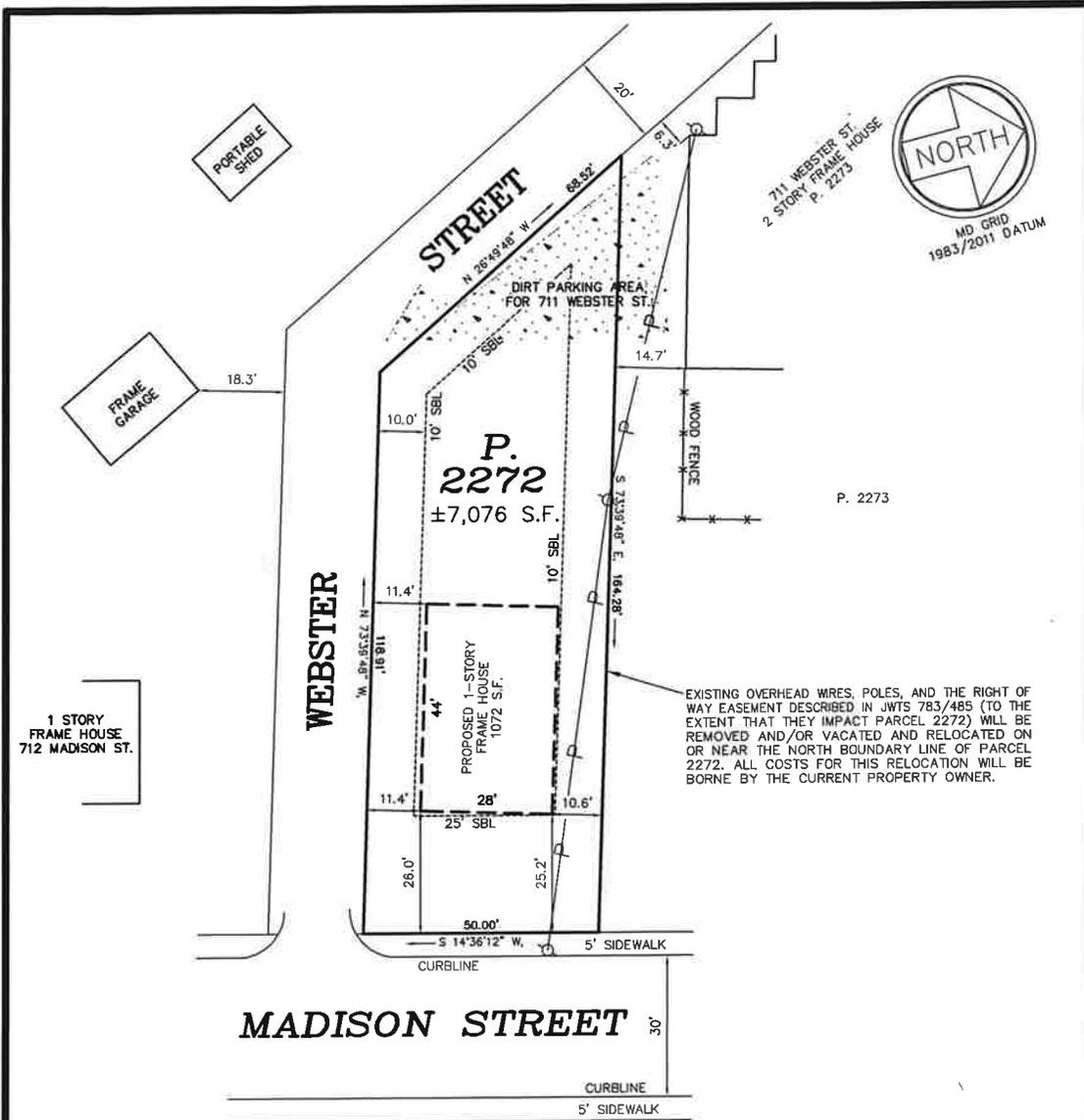
WITHDRAWAL NOTICE

I hereby: Cancel Withdraw Postpone

my application for: _____

Name

Date



EXISTING OVERHEAD WIRES, POLES, AND THE RIGHT OF WAY EASEMENT DESCRIBED IN JWTS 783/485 (TO THE EXTENT THAT THEY IMPACT PARCEL 2272) WILL BE REMOVED AND/OR VACATED AND RELOCATED ON OR NEAR THE NORTH BOUNDARY LINE OF PARCEL 2272. ALL COSTS FOR THIS RELOCATION WILL BE BORNE BY THE CURRENT PROPERTY OWNER.

SURVEYORS CERTIFICATE

BRIAN M. DENNIS, PROPERTY LINE SURVEYOR NO. 527 PERSONALLY PREPARED THIS PLAT AND WAS IN DIRECT RESPONSIBLE CHARGE OVER THE SURVEYING WORK REFLECTED IN IT, ALL IN COMPLIANCE WITH REQUIREMENTS SET FORTH IN REGULATION 12 OF COMAR TITLE 9, SUBTITLE 13, CHAPTER 09.13.06.

THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE SEARCH AND MAY BE SUBJECT TO EASEMENTS, RESTRICTIONS, OR OTHER SUCH CONDITIONS NOT FOUND IN CURRENT DEEDS OF RECORD.

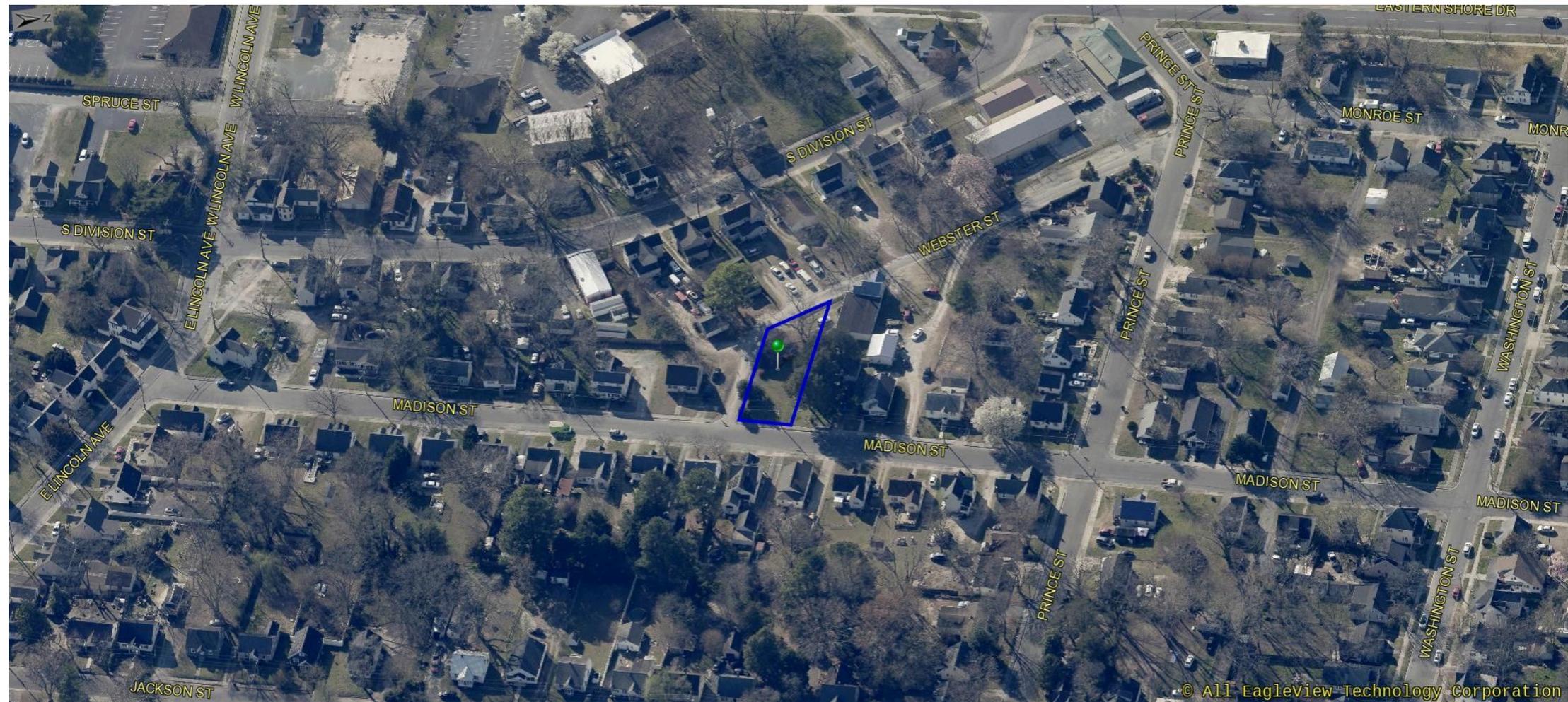


Brian M. Dennis

EXPIRES 2-18-2027

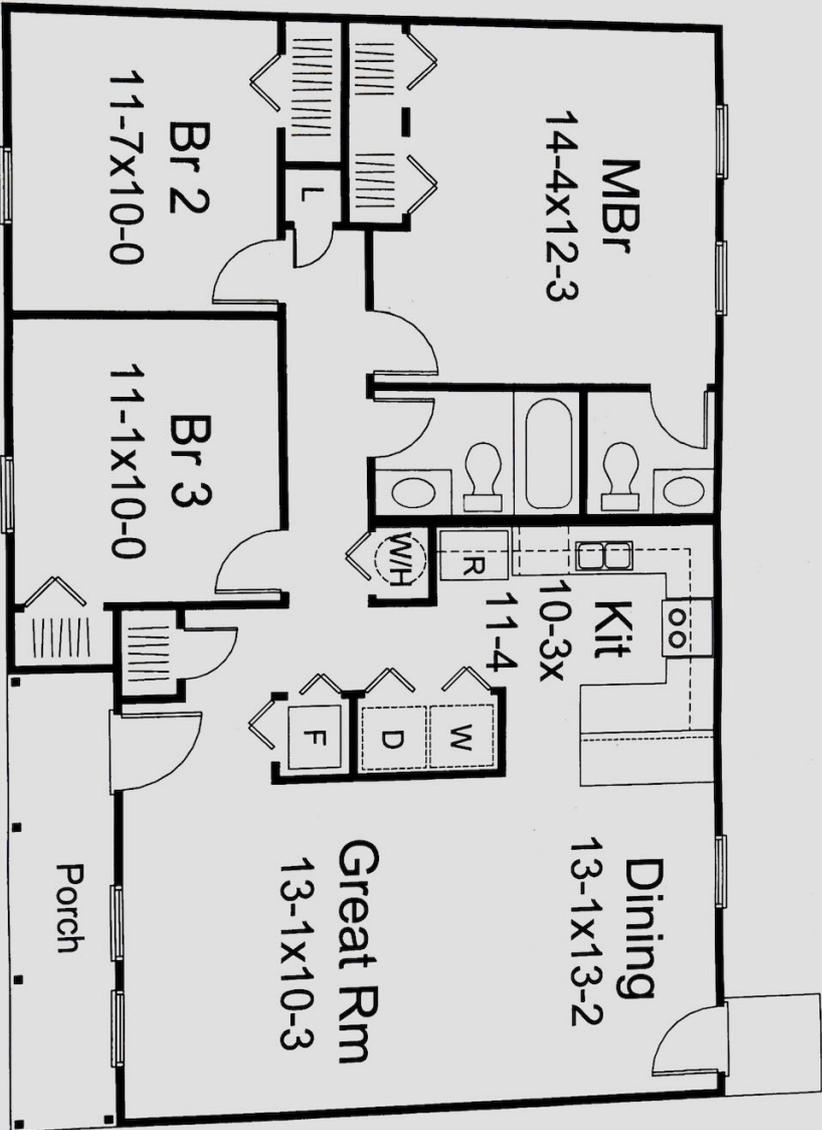
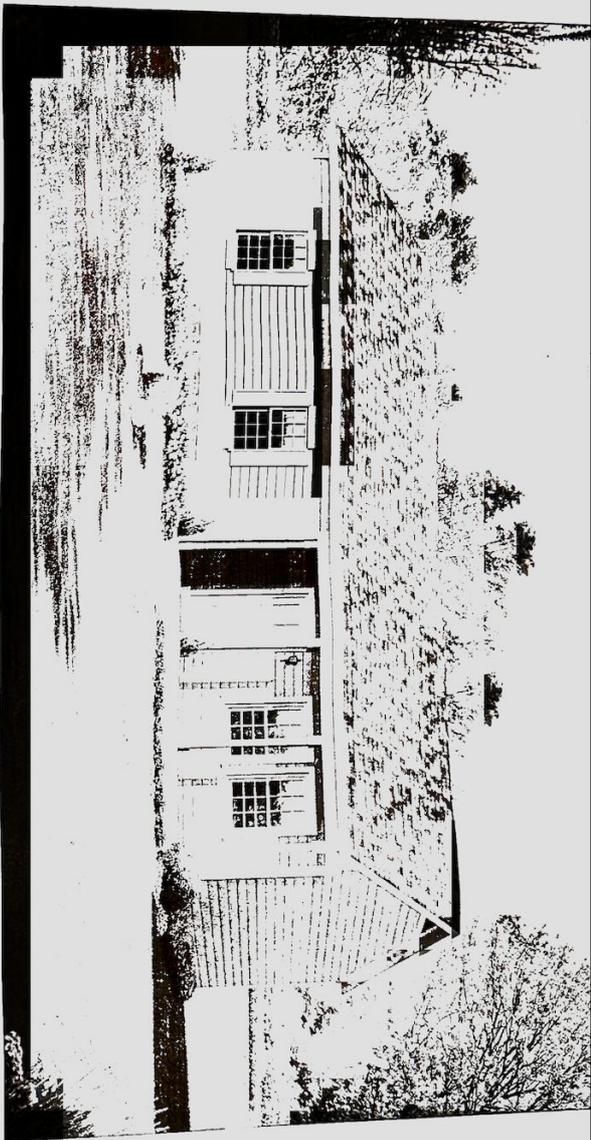
PROPOSED SITE PLAN OF 710 MADISON STREET SALISBURY MD 21801		BRIAN M. DENNIS	
SCALE	1" = 30'	DATE	2 FEBRUARY 2026
DEED REF.	5355/288	SUBD.	SOUTH SALISBURY LOTS
PLAT REF.	5355/292	LOT	90 BLOCK -
COUNTY	WICOMICO	DISTRICT	CAMDEN #13
TAX MAP	112 PARCEL 2272	ZONING	R - 8
F.I.R.M. MAP NO.	24045C 0251E	FLOOD HAZARD ZONE	X
PROJ. NO.	11-055-25	SURV/DR	BMD FB/pg 117
		LAND SURVEYING & SITE PLANNING 30319 Zion Road - Salisbury MD 21804 Telephone 443-783-4861 E-Mail: surveyor527@gmail.com	

710 Madison Street



03/16/2024

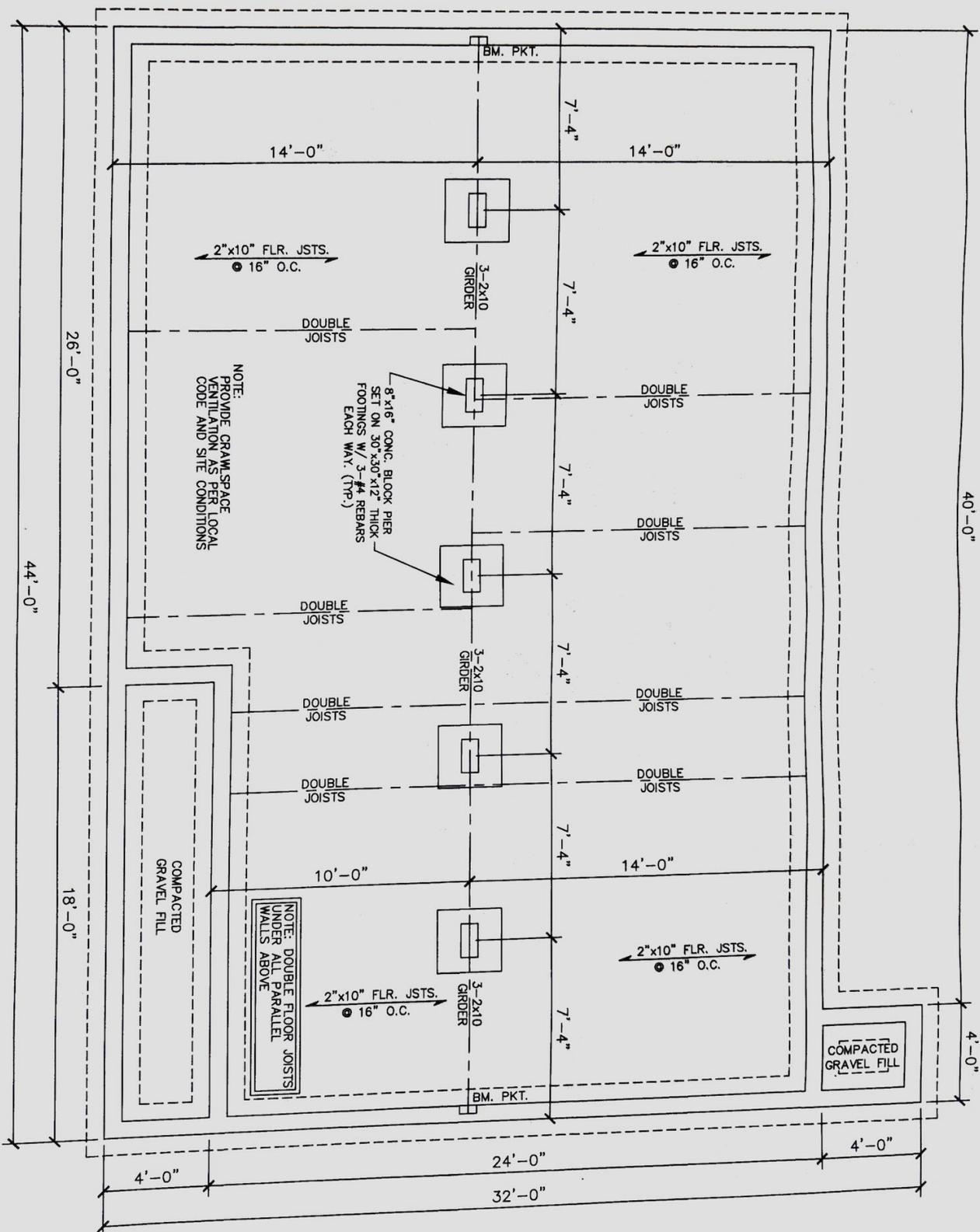
Attachment #2



Total Living Area - 1,160 SQ. FT.

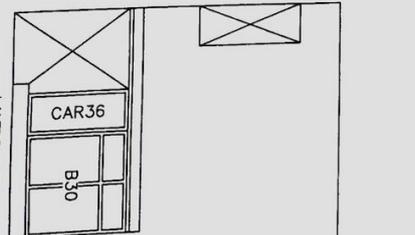
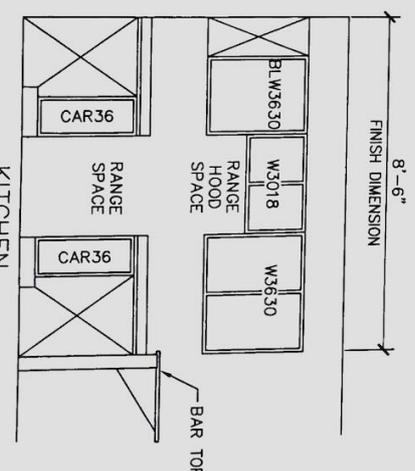
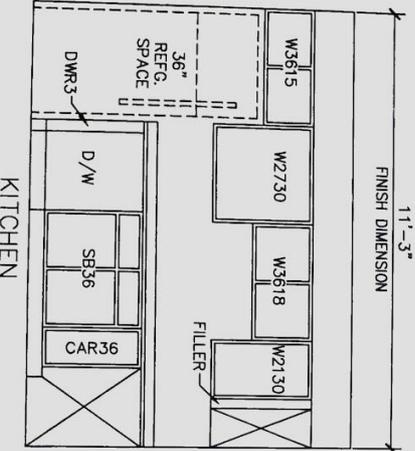
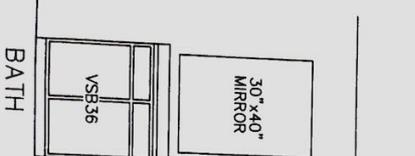
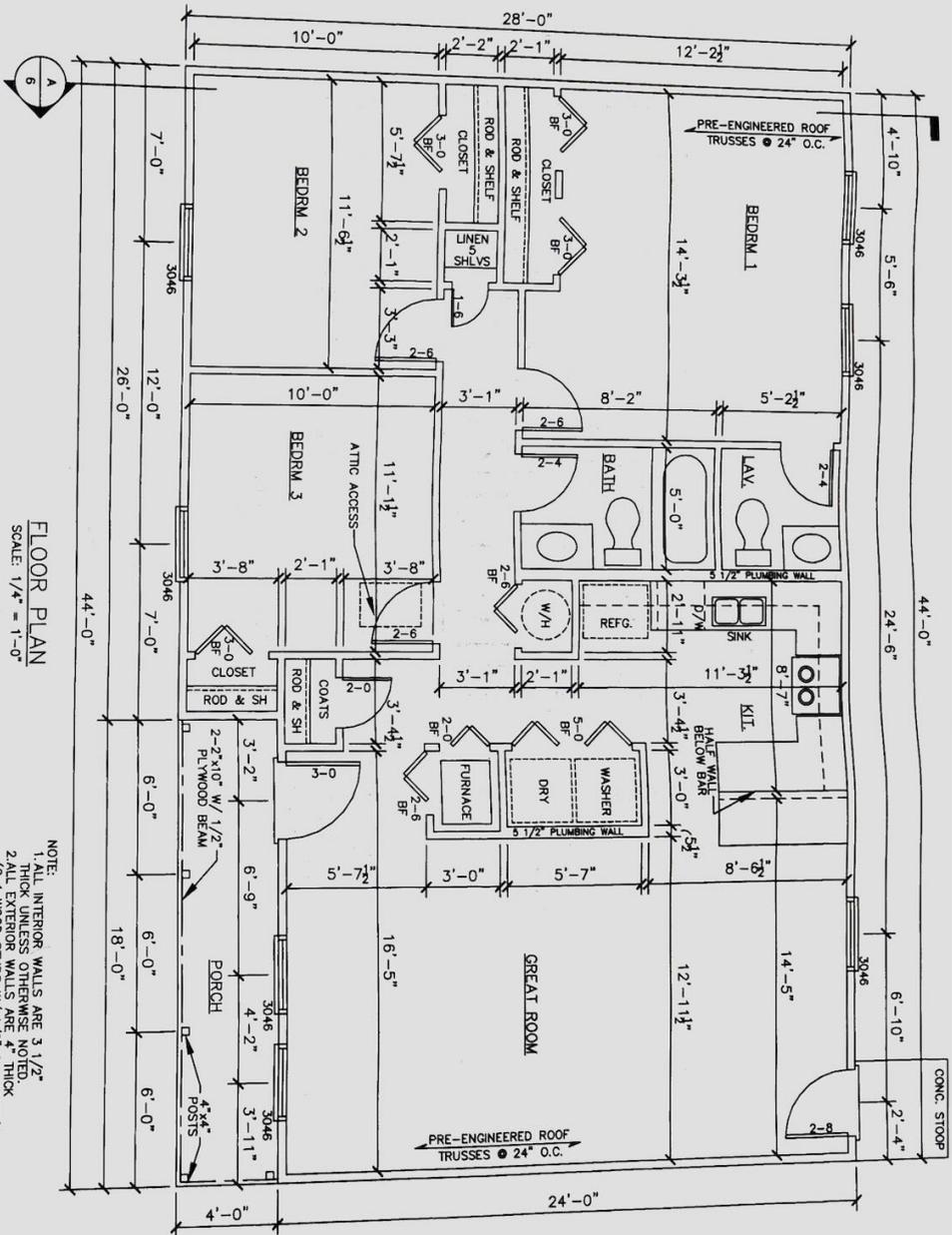
Attachment #3

AREA SUMMARY	
MAIN FLOOR:	1,160 S.F.
COVERED PORCH:	72 S.F.
REAR SLAB:	16 S.F.



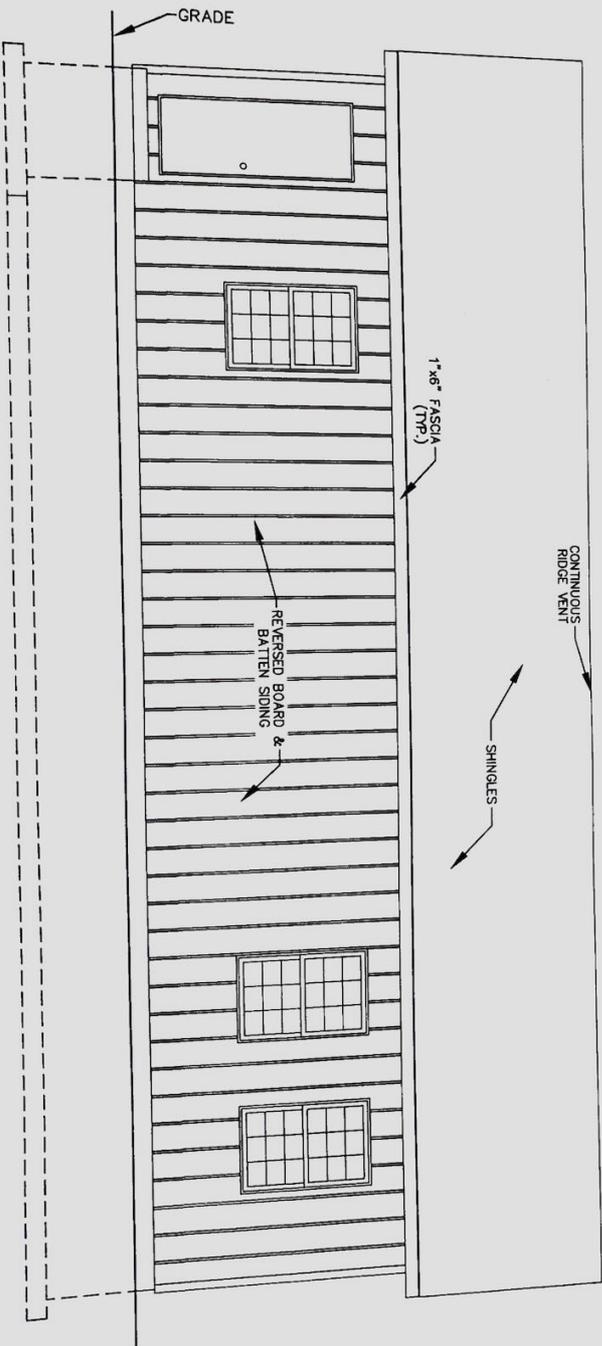
CRAWLSPACE FOUNDATION PLAN

SCALE: 1/4" = 1'-0"

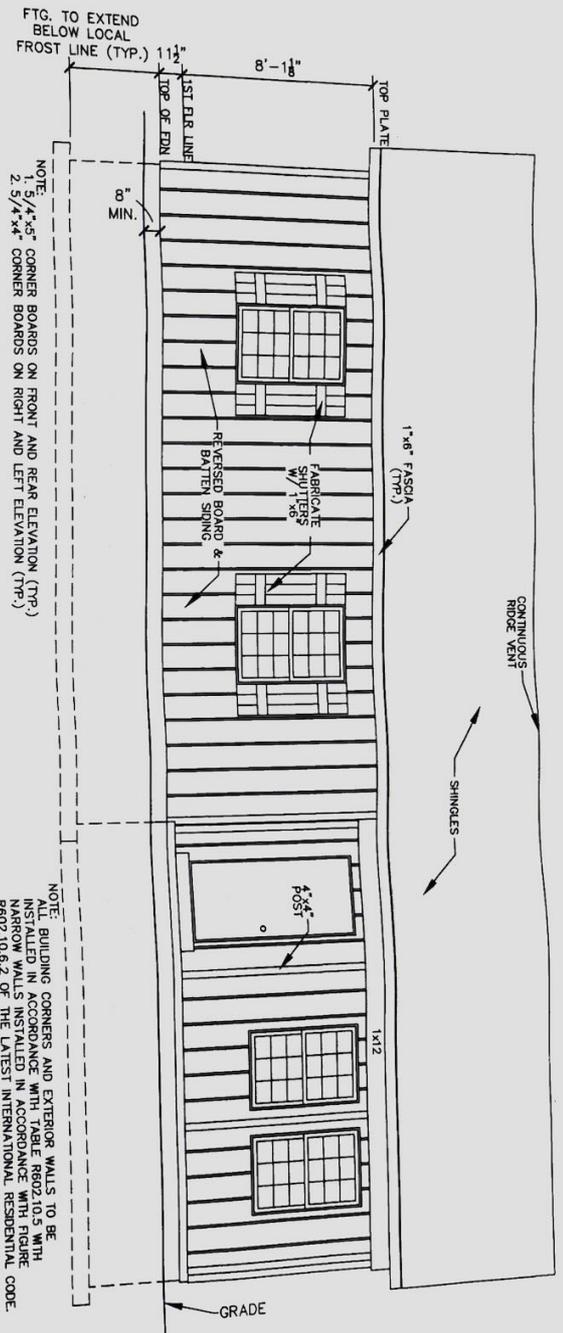


CABINET ELEVATIONS
SCALE: 3/8" = 1'-0"

NOTE:
 FINAL CABINET SIZES AND SELECTIONS TO BE DETERMINED BY OWNER/CONTRACTOR UPON FIELD VERIFYING ALL MEASUREMENTS PRIOR TO ORDERING CABINETRY.



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



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

FTG. TO EXTEND
BELOW LOCAL
FROST LINE (TYP.) 11 1/2"

8'-1 1/8"

NOTE:
1. 5/4"x4"x5" CORNER BOARDS ON FRONT AND REAR ELEVATION (TYP.)
2. 5/4"x4"x4" CORNER BOARDS ON RIGHT AND LEFT ELEVATION (TYP.)

NOTE:
BUILDING CORNERS AND EXTERIOR WALLS TO BE
INSTALLED IN ACCORDANCE WITH TABLE R802.10.5 WITH
NARROW WALLS INSTALLED IN ACCORDANCE WITH FIGURE
R802.10.6.2 OF THE LATEST INTERNATIONAL RESIDENTIAL CODE.

8" MIN.

1ST FLR LINE

FABRICATE
SHUTTERS
W/ 1"x6"

REVERSED BOARD &
BATTEN SIDING

1"x6" FASCIA
(TYP.)

CONTINUOUS
RIDGE VENT

SHINGLES

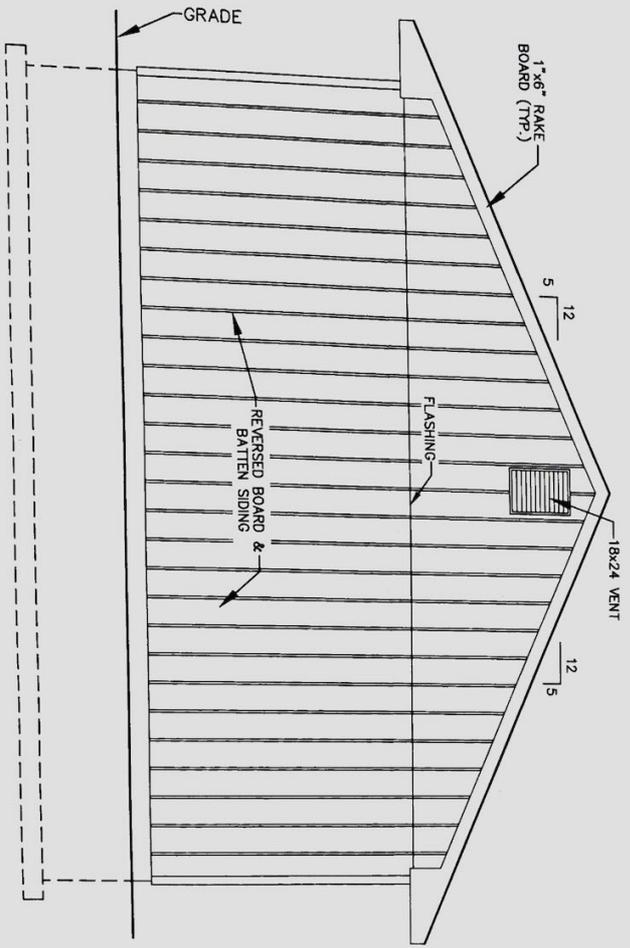
1x2

4"x6"
POST

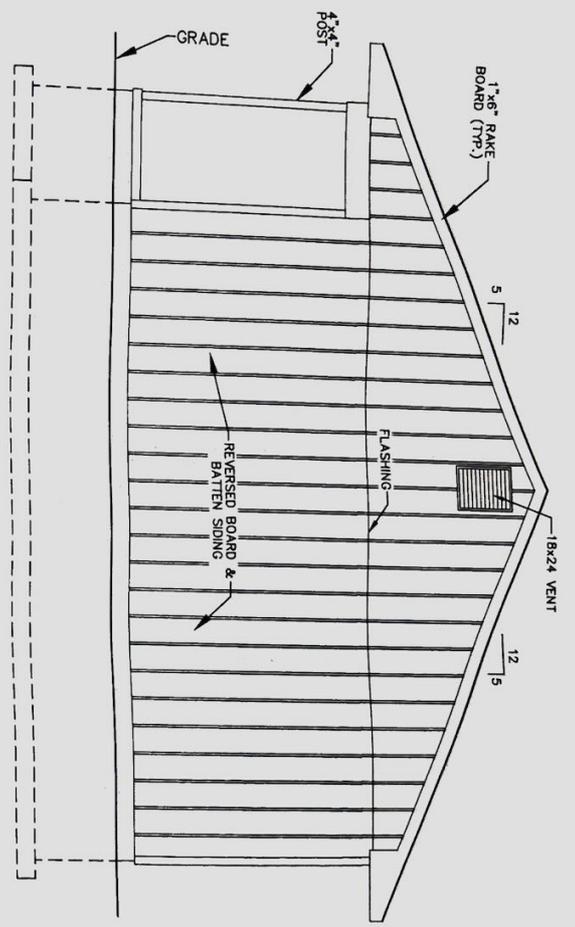
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1x2

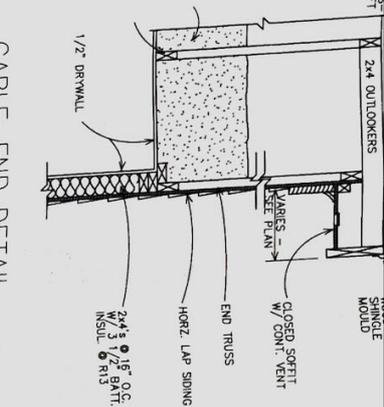
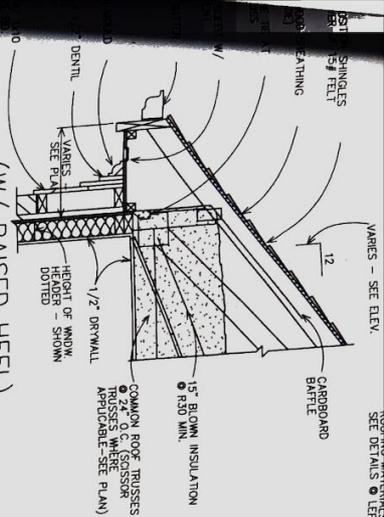
GRADE



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

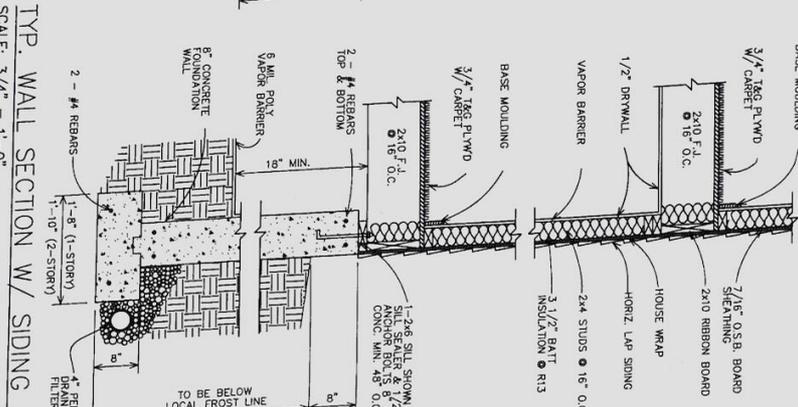
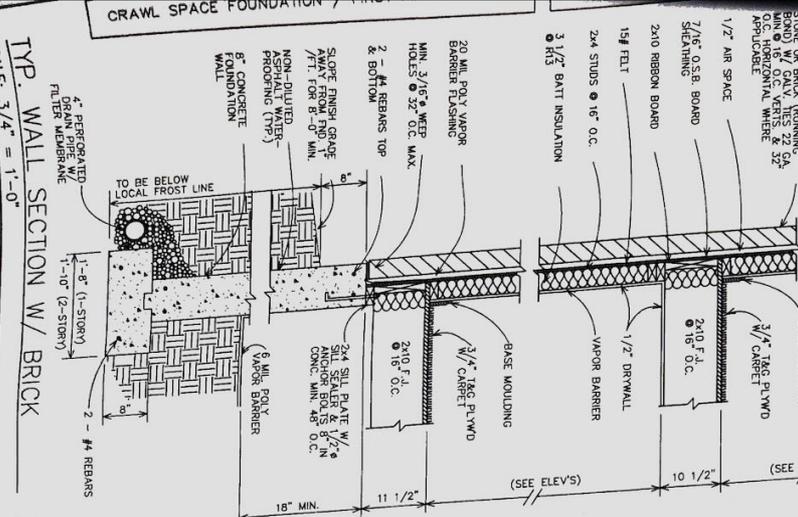
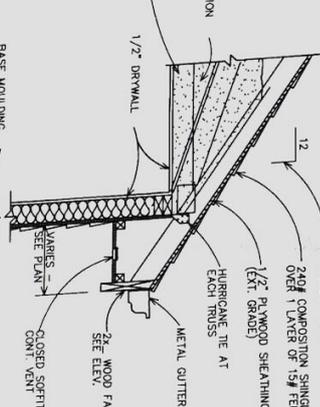
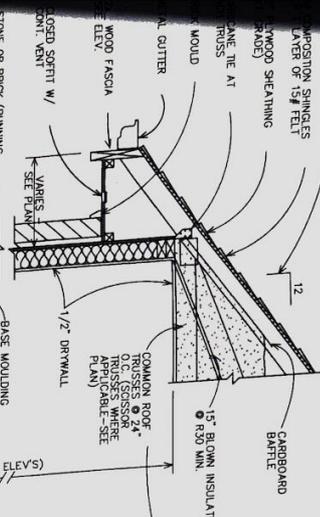


RIGHT ELEVATION
SCALE: 1/4" = 1'-0"



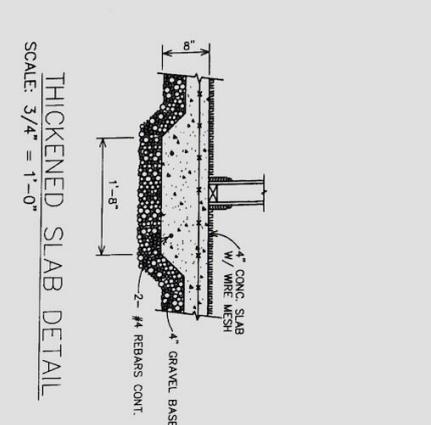
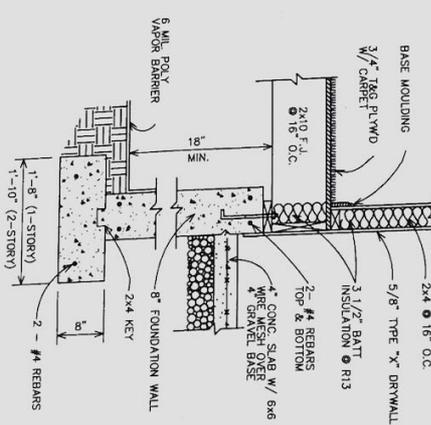
(W/ RAISED HEEL)
SCALE: 3/4" = 1'-0"

CABLE-END DETAIL
SCALE: 3/4" = 1'-0"



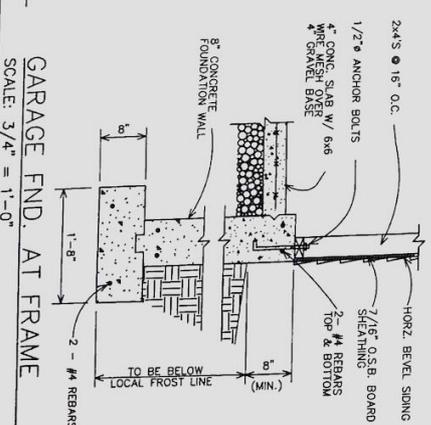
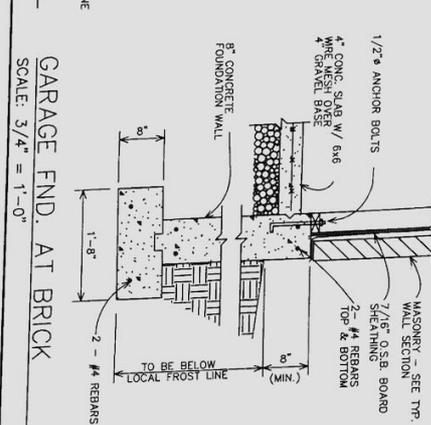
NOTE: COMPLIANCE WITH ALL LOCAL / AREA BUILDING CODES IS THE RESPONSIBILITY OF THE CONTRACTOR.

NOTE: CORNERS OF EXTERIOR WALLS TO BE INSTALLED IN ACCORDANCE WITH FIGURE 1001.2 OF THE 2018 INTERNATIONAL RESIDENTIAL CODE.



GARAGE FND. AT HOUSE
SCALE: 3/4" = 1'-0"

THICKENED SLAB DETAIL
SCALE: 3/4" = 1'-0"



GARAGE FND. AT BRICK
SCALE: 3/4" = 1'-0"

GARAGE FND. AT FRAME
SCALE: 3/4" = 1'-0"

TYP. WALL SECTION W/ BRICK
SCALE: 3/4" = 1'-0"

TYP. WALL SECTION W/ SIDING
SCALE: 3/4" = 1'-0"

CRAWL SPACE FOUNDATION