



**AGENDA**

**REGULAR MEETING**

**APRIL 2, 2026**

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

**6:00 P.M. -** Call to Order – William Hill

Board Members: Maurice Ngwaba, Edward Torbert, and Michael Lankford.

**MINUTES** – February 5, 2026 and March 5, 2026.

**ZONING PUBLIC HEARINGS:** Case #202600220 – Healing Hands Animal Hospital  
– 6.27 ft. Rear Yard Setback Variance and  
Enlargement of a Non-conforming Structure – 727  
E. Main Street – General Commercial 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.

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**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:

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

\* \* \* \* \*

**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:

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

\* \* \* \* \*

#### **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



**MINUTES**

The Salisbury Board of Appeals met in regular session on March 5, 2026, 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  
Sandeep Gopalan

**ABSENT MEMBERS:**

Edward Torbert  
Miya Horsey

**CITY STAFF:**

Henry Pearson, Associate 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.

\* \* \* \* \*

**MINUTES:**

Due to lack of a quorum, the February 5, 2026 minutes were postponed until the next meeting.

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

Mr. Justin Phippin came forward. Mr. Pearson presented and entered the Staff Report and all accompanying documentation into the record. The applicant is requesting a 15 ft. front yard setback variance to allow the construction of a 1,160 sq. ft. residence.

Mr. Jester moved the Staff Report into the record.

Mr. Ngwaba questioned the use of 2x4's for construction of the house. Mr. Phippin responded that he would be using 2x6's. Mr. Ngwaba requested that the plans be corrected to show a one-story house with no garage and that the proper information was on the plans.

Mr. Hill questioned that side yard setback requirement. Mr. Pearson responded that the side yard setback requirement is 10 ft.

Mr. Phippin advised that he had contacted DP & L regarding the utility easement on the property and that he will be running conduit underground to another pole on the property.

Upon a motion by Mr. Gopalan, seconded by Mr. Hill, and duly carried, the Board **APPROVED** a 15 ft. front yard setback to construct a new 1,160 sq. ft. residential home, based on the criteria listed in Section V(c) of the Staff Report.

The Board vote was as follows:

<b>Maurice Ngwaba</b>	<b>Aye</b>
<b>Sandeep Gopalan</b>	<b>Aye</b>
<b>William Hill</b>	<b>Aye</b>
<b>Shawn Jester</b>	<b>Aye</b>

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#### **ADJOURNMENT**

With no further business, the meeting was adjourned at 6:15 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.

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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



## **STAFF REPORT**

**MEETING OF April 2, 2025**

**Case No. 202600220**  
**Applicant: Healing Hands Animal Hospital**  
**Property Owner: CDL Realty**  
**Location: 727 E. Main St.**  
**Zoning: GC- General Commercial**  
**Request: 6.27 ft. setback variance and enlargement of a non-conforming structure**

- I. **SUMMARY OF REQUEST:** The applicant is requesting a setback variance of 6.27 ft. and the enlargement of a non-conforming commercial structure at 727 E. Main Street.
- II. **ACCESS TO THE SITE AREA:** The site has access from E. Main Street. There are ingress/egress easements on the two (2) parcels to the east to allow access to the rear parking lot.
- III. **DESCRIPTION OF PROPERTY:** The site is on the northern side of E. Main Street. The current structure is 3,664 sq. ft. on a 34,844 sq. ft. lot.
- IV. **DESCRIPTION OF SURROUNDING AREA/NEIGHBORHOOD:** The area is surrounded by commercial uses. Wicomico Middle School is approximately 300 feet to the west.
- V. **EVALUATION:**
  - (a) **Discussion:** The applicant is seeking to construct a 450 sq. ft. addition to the rear of the existing structure. The addition will protrude into the 15 ft. building setback on the east side of the rear of the structure. Due to the unconventional shape of the parcel, the building setback line on the west side of the structure is approximately 5 ft. deeper than the setback line on the east side. The western portion of the existing structure protrudes into the deeper setback, making this a non-conforming structure.

There are two (2) ingress/egress easements on the adjacent parcels (M: 108 G: 2228 & 2213) to allow access to the rear parking lot on the parcel.



- (b) **Impact:** The impact of the addition will be minimal. The proposed location is in the rear of the structure and is not visible from the street. The rear of the property consists of a parking lot. No parking would be impacted. A sidewalk runs parallel to the building and would not be disturbed.
- (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 practical difficulty arises from the shape of the parcel. This subjects the rear of the structure to unusual lot and setback lines.
  - [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 the unusual shape of the parcel.
  - [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 parcel shape and was not intentionally created by any person with interest in the property.
  - [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. There is an ingress/egress easement on the adjacent property at the area in question.

- [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 population of the area. It is a small addition that will only slightly expand the total building envelope and will not impact any nearby parking or pedestrian infrastructure.

- [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 implementation of 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.

- (d) **Relationship to Criteria:** Section 17.16.080 of the Salisbury Municipal Code contains the criteria the Board should consider when approving the enlargement of a non-conforming structure. Staff has noted how this request complies with the criteria as follows:

1. **The intensity of the existing use relative to the district in which it is located, the scale of the change or enlargement in relation to the intensity of the use and whether it will have serious negative effects on the surrounding area, depreciating property values;**

The use is appropriate for the area and the addition would not expand the intensity of the use.



2. **Whether the change, alteration or enlargement is of benefit to or in the best interest of the community or surrounding area, such as providing additional employment or housing for the community or services to a neighborhood;**

The enlargement will have no impact on the community or surrounding area.

3. **Existing or possible traffic and parking problems and how they can be reduced or minimized;**

The proposed addition will not alter the parking or access to the parking lot.

4. **Screening, buffering or architectural improvements which may make the use more compatible with the surrounding area;**

The proposed addition will be in the rear of the property and will be consistent with the existing structure. No screening or architectural improvements are necessary.

5. **Whether the change, alteration or enlargement will upgrade or improve the existing nonconforming use, such as change to a less-intensive use, change in operation, structural changes or redesign of the site relative to parking areas, entrances, exits, loading or unloading and traffic flow.**

The enlargement will not have an impact on the use or operation of the site.

**VI. STAFF COMMENTS:**

This request is minor and the need for a variance is caused by the unusual shape of the parcel. The structure is currently non-conforming because it protrudes into the deeper setback line on the west side of the parcel. The area in the rear of the property is used as a parking lot. If this were a standard rectangular parcel, there would be no need for the variance. The area of the abutting parcel at the lot line in question is already subject to an easement and is used to access the rear parking lot; thus, there would be no impact on said parcel.

**VII. RECOMMENDATION:**

Based on criteria for approval as outlined in Section V (c) of the Staff Report, **approval** of the 6.27 ft. setback variance and enlargement of the non-conforming structure is recommended.

**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:** *Healing Hands Animal Hospital*

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

**B. LOCATION OF PROPERTY INVOLVED:**  
*727 E. Main St.*

**C. PROPERTY OWNER:**  
*CDL Realty, LLC*

- D. EXPLANATION OF REQUEST:**
1. Code Requires: *15' setback (per)*
  2. Proposed: *8.73' setback*
  3. Action Required: *Variance*

**E. APPLICABLE SECTIONS OF ZONING CODE:** *17.36.060 - B-2 or 3*

**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.

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Betsy Jackson  
City Planner

**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:** Tax map 108 Parcel 2227 - 727 E. Main St.

**DATE:** 3/4/2026

**CERTIFICATION OF APPLICANT**

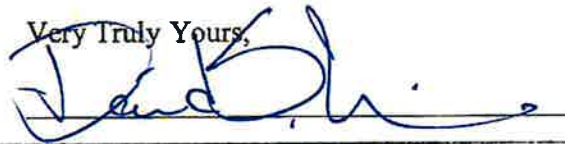
In accordance with Section 17.36.060 8-293, of the City's Zoning Code, I hereby request a hearing before the Salisbury Board of Appeals to: request a variance to the rear setback requirement

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*

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;***

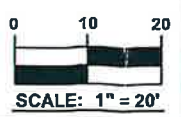
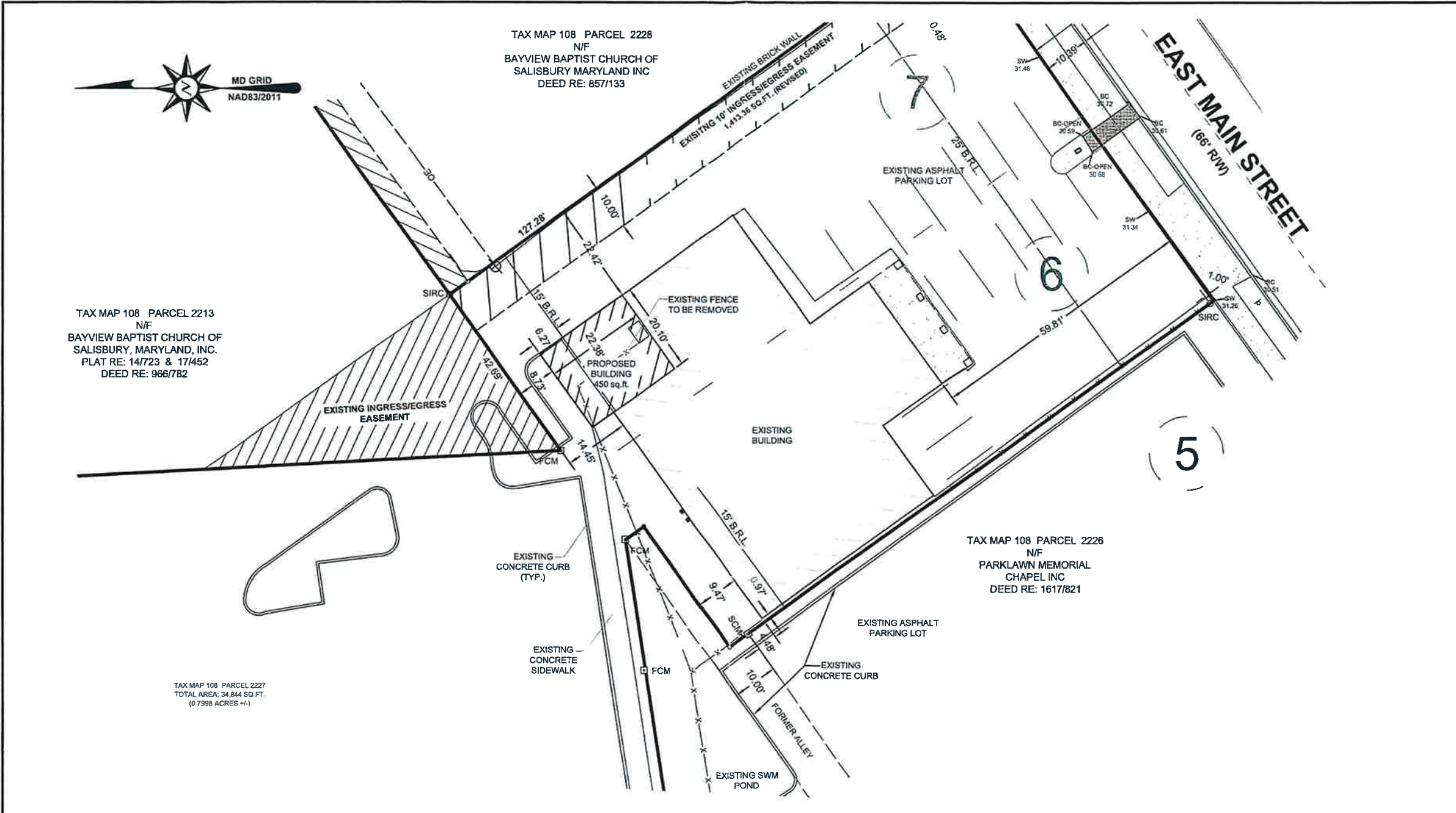
The billing notice will be provided at the time the hearing notification letter is sent out and is due prior to the public hearing date.

***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.***

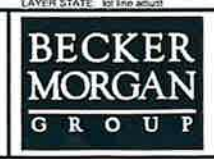
  
(signature of applicant)

3/4/20  
(date)





**SITE PLAN**  
**HEALING HANDS**  
**ANIMAL HOSPITAL**  
 727 E. MAIN STREET  
 SALISBURY, MD

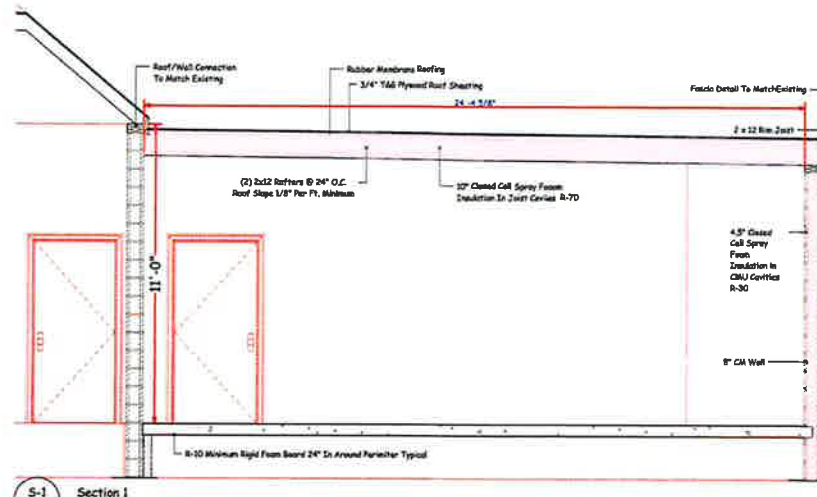


ARCHITECTURE  
 ENGINEERING  
**Salisbury, MD**  
 312 W. Main Street  
 Salisbury, MD 21801  
 Ph. 410.546.9100  
 Fax 410.546.5824

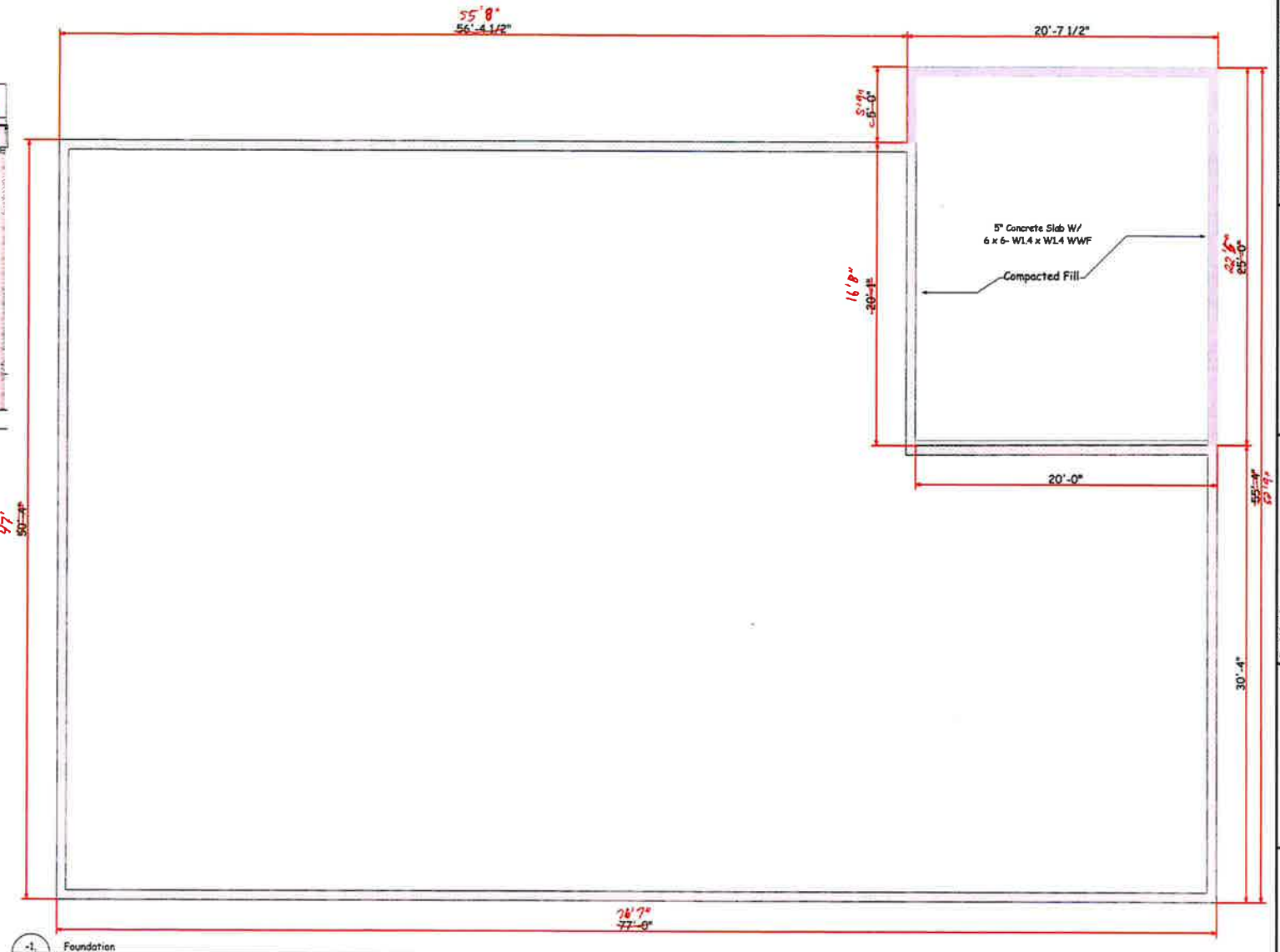
BMG: 2016029.00  
 SCALE: 1" = 20'  
 DATE: 03/04/2026  
 DRAWN BY: CGD  
**SITE PLAN**







S-1 Section 1  
A-03 SCALE: 3/8\"/>



-1- Foundation  
A-03 SCALE: 1/4\"/>



rick@atlantcpd.com

**Rick Schoellkopf/Architect**  
5700 Coastal Hwy, Suite 306  
Ocean City, MD 21811

**Traditional Design Services**  
14 Pine Street  
Berlin, Md. 21111  
(410) 641-4844

David Lewis  
Healing Hands Animal Hosp.  
727 West Main Street  
Baltimore, MD 21204  
(410) 742-4444

Date: Thursday, April 17, 2025  
Drawn By: Joe Hill

Sheet Title:  
Foundation Plan

Project #  
Project No

A-03



Parcel Number: 2305020565

