City of Salisbury

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

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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.

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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 #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**

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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

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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**

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ADJOURNMENT

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

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This is a summary of the proceedings of this meeting. Detailed information is in the permanent files of each case as presented and filed in the City of Salisbury Department of Infrastructure and Development Department.

Shawn Jester, Chair

Nick Voitiuc, Secretary to the Board

Beverly R. Tull, Recording Secretary