

MINUTES

The Salisbury Board of Zoning Appeals met in regular session on April 7, 2011, in Room 301, Government Office Building at 7:00 p.m. with attendance as follows:

BOARD MEMBERS:

Patricia Layton, Chairman
Dave Rainey, Vice Chairman
Daniel Baker
Edgar Williams
Dave Nemazie

CITY OFFICIALS:

Henry Eure, Building, Permits & Inspections Dept.

PLANNING STAFF:

Gloria Smith, Planner
Beverly Tull, Recording Secretary



Mrs. Layton, Chairman, called the meeting to order at 6:57 p.m.

**MINUTES:**

The minutes of the March 3, 2011 minutes were approved as submitted.

**#SA-1102****Robert & Towanda Sample – 2 ft. 6 inch Rear Yard Setback Variance – 300-302 Decatur Avenue – R-8 Residential District.**

Mr. Robert Sample, Mrs. Towanda Sample, and Mr. Steve Malone came forward. Mrs. Gloria Smith presented and entered the Staff Report and all accompanying documentation into the record. She summarized the report explaining that the applicants propose enclosure of an existing deck as a porch/sunroom with a rear yard setback of 27 ft. 6 inches. The Code requires a 30 ft. rear yard setback. Board approval of a 2 ft. 6 inch rear setback variance is requested.

Mr. Eure stated that the Building Department recommended approval of the request for the same reasons that Mrs. Smith mentioned in the Staff Report of an odd shaped lot, a house set deep off the street, open area behind the property and the property being screened. He also recommended the same condition of approval as listed in the Staff Report.

Mr. Rainey questioned if the aerial included in the Staff Report was accurate as it showed the house being aligned with the other houses on the street. Mr. Eure responded that the aerial was an older aerial and that this was a new home built in 2008. He added that the application for a building permit for the new house showed the house footprint being flip-flopped.

Mr. Nemazie questioned if the sheds were beyond the property line. Mr. Eure responded that he believed that the trees were the property line. Mr. Nemazie questioned Mr. and Mrs. Sample if they had an issue moving the sheds. Mr. Sample responded that they would move the sheds to be in compliance with the setbacks.

Upon a motion by Mr. Rainey, seconded by Mr. Williams, and duly carried, the Board **APPROVED** the requested 2 ft. 6 inch Rear Yard Setback Variance for the enclosure of the existing deck as a porch/sunroom, based on Section V(c) of the Staff Report, and subject to the following Condition of Approval:

CONDITION:

1. The existing sheds shall be relocated so as to meet the 5 ft. side and 5 ft. rear yard setback requirements for accessory structures.



#SA-1012

Dolores Hudson – Administrative Appeal – Illegal Conversion of a single-family residence to a two-family residence – Adoption of Findings of Fact.

Mrs. Gloria Smith presented the Findings of Fact.

Upon a motion by Mr. Nemazie, seconded by Mr. Baker, and duly carried, the Board **ADOPTED** the Findings of Fact as submitted.



ADJOURNMENT

With no further business, the meeting was adjourned at 7:13 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 Salisbury-Wicomico County Department of Planning, Zoning and Community Development.

Patricia Layton, Chairman

John F. Lenox, Secretary to the Board

Beverly Tull, Recording Secretary