

MINUTES

The Salisbury Board of Zoning Appeals met in regular session on June 2, 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 (Absent)
Daniel Baker
Edgar Williams
Dave Nemazie

PLANNING STAFF:

Gloria Smith, Planner
Beverly Tull, Recording Secretary



Mrs. Layton, Chairman, called the meeting to order at 6:59
p.m.

**MINUTES:**

The minutes of the April 7, 2011 minutes were approved as submitted.

**#SA-1103****Raymond & Therese Sander – 2 ft. Fence Height Variance – 800 Briarcliff Road – R-10 Residential District.**

Mr. Raymond Sander and Mrs. Therese Sander 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 Applicant is requesting approval of a 6-ft. tall fence within the "front" yard of this property along North Schumaker Drive. The property has frontage along three streets – Schumaker Woods Road, Briarcliff Road, and North Schumaker Drive, and by the Code's definition, has three front yards. The City Code limits the height of fences to 4 ft. in front yards. Board approval of a 2-ft. fence height Variance is requested.

Mrs. Smith stated that Mr. Eure's report was Attachment #4 in the Staff Report. The building permit was denied because the fence height requested exceeds the Code requirement of 4 ft. Mr. Eure's report stated that the Building Department didn't have a problem with the request and recommended approval with the same condition that was listed in the Staff Report.

Mr. Sanders explained that the original developer had planted Leyland cypress trees along North Schumaker Drive about 20 years ago. The trees have about a 20 year life span. Mr. Sanders explained that he had ripped the trees out. Due to the increased traffic on North Schumaker and the trees being gone, the rear yard is open to the world. The purpose of the fence would be to provide comfort and security.

Mr. Nemazie questioned if the aerial photograph in the Staff Report was taken before the trees were removed. Mr. Sanders responded in the

affirmative. Mr. Nemazie questioned if the condition requiring landscaping was a problem. Mr. Sanders responded in the negative, adding that they planned on landscaping along the entire fence.

Upon a motion by Mr. Baker, seconded by Mr. Williams, and duly carried, the Board **APPROVED** the requested 2 ft. Fence Height Variance for the 6 ft. tall fence within the "front" yard of the property at 800 Briarcliff Road, based on Section V(c) of the Staff Report, and subject to the following Condition of Approval:

CONDITION:

1. A minimum of eight (8) evergreen or flowering shrubs shall be installed along the outside of the fence, between the fence and North Schumaker Drive.



#SA-1104

Riverside Investment Corp. Inc. – Administrative Appeal – Determination that a two-family dwelling is not an illegal nonconforming use – 507 Poplar Hill Avenue – R-5 Residential District.

Upon a motion by Mr. Nemazie, seconded by Mr. Baker, and duly carried, the Board **CONTINUED** the above referenced case until the August 4, 2011 meeting.



ADJOURNMENT

With no further business, the meeting was adjourned at 7:14 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