



# City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT

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DIRECTOR OF ADMINISTRATION

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## MINUTES

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The Salisbury Board of Zoning Appeals met in regular session on February 6, 2014, in Room 301, Government Office Building at 7:00 p.m. with attendance as follows:

### **BOARD MEMBERS:**

Patricia Layton, Chairman (Absent)  
Dave Rainey, Vice Chairman  
Daniel Baker  
Lynn Cathcart  
Dave Nemazie  
Chad Brown

### **CITY STAFF:**

Henry Eure, City Building, Permits, and Inspections Department

### **PLANNING STAFF:**

Gloria Smith, Planner  
Beverly Tull, Recording Secretary



Mr. Rainey, Chairman, called the meeting to order at 6:55 p.m.

**MINUTES:**

The minutes of the June 6, 2013 and July 11, 2013 meetings were approved as submitted.



**#SA-1401      Devreco, LLC/Brad Gillis, on property owned by W.T. Enterprises, LLC – Expansion of a Legal Nonconforming Use- Addition of a 4,800 sq. ft. fenced outdoor display area – 2231 Northwood Drive – Light Industrial District.**

Mr. Brad Gillis 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 expansion of this legal nonconforming retail sales facility by addition of an outdoor display area. The current use is nonconforming because retail sales are not permitted as a principal use in the Light Industrial District. The Code requires Board approval for the proposed expansion.

Mr. Eure explained that the Building Department believed that this request would be in keeping with the uses in the area and what is in the zoning district. He recommended approval of the request.

Mr. Gillis stated that Alban is doubling their square footage and adding services so that is the reason for their move from Westwood Commerce Park to this location.

Mrs. Cathcart questioned if the equipment listed in the Staff Report would be for sale or rent. Mr. Gillis responded that Alban currently works out of Westwood Commerce Park and has parts available for purchase but with this expansion and relocation, there would be rental of the equipment along with the existing service of equipment. He added that he was not sure if they would be selling equipment.

Mr. Rainey questioned if W.T. Enterprises was purchasing the property. Mr. Gillis responded that his company Devreco was purchasing the property from W.T. Enterprises and would be leasing to Alban.

Mr. Rainey questioned if the setback requirements were being met. Mr. Eure responded in the affirmative. Mr. Rainey questioned if the only issue was expanding the nonconforming use. Mr. Eure responded in the affirmative, adding that this use will bring the property closer to what is allowed by the Zoning Code.

Mr. Gillis requested approval of the expansion of the nonconforming use.

Upon a motion by Mrs. Cathcart, seconded by Mr. Nemazie, and duly carried, the Board **APPROVED** the requested addition to a legal nonconforming use as submitted, based on the criteria listed in Section V(c) of the Staff Report.



## ADJOURNMENT

With no further business, the meeting was adjourned at 7:07 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.

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Dave Rainey, Vice Chairman

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John F. Lenox, Secretary to the Board

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Beverly Tull, Recording Secretary