



City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT

P.O. BOX 870

125 NORTH DIVISION STREET, ROOMS 203 & 201

SALISBURY, MARYLAND 21803-4860

410-548-4860

FAX: 410-548-4955



JAMES IRETON, JR
MAYOR

TOM STEVENSON
CITY ADMINISTRATOR

RICHARD M. POLITT, JR
COUNTY EXECUTIVE

R. WAYNE STRAUSBURG
DIRECTOR OF ADMINISTRATION

MINUTES

The Salisbury Board of Zoning Appeals met in regular session on September 4, 2014, in Room 301, Government Office Building at 7:00 p.m. with attendance as follows:

BOARD MEMBERS:

Dave Rainey, Vice Chairman
Daniel Baker
Jordan Gilmore
Dave Nemazie (Absent)
Chad Brown
Lynn Cathcart

CITY STAFF:

Henry Eure, City Building, Permits, and Inspections Department

PLANNING STAFF:

Gloria Smith, Planner
Beverly Tull, Recording Secretary



Mr. Rainey, Vice Chairman, called the meeting to order at 6:56 p.m.

**MINUTES:**

The minutes of the June 5, 2014 meeting were approved as submitted.

**#SA-1404**

Sonrise Properties, LLC – 35 ft. x 40 ft. Expansion of a Legal Nonconforming Structure and a 13.2 ft. Side Yard Setback Variance – 716 Naylor Mill Road – Light Industrial District.

Mr. Robert Brooks 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 a legal nonconforming structure by construction of a 35 ft. by 40 ft. (1,400 sq. ft.) addition. The current structure is nonconforming with regard to the rear setback. The Code requires Board approval for the proposed expansion.

Mr. Eure explained that there really isn't any other place to put the addition and recommended approval of both requests.

Mr. Brooks stated that he agreed with the staff report. The addition will be for storage of equipment and it will be built as shown on the site plan.

Mrs. Cathcart questioned what the business did. Mr. Brooks responded that they were a general construction business. Mrs. Cathcart questioned why the addition couldn't be put on the other side of the existing building. Mr. Brooks responded that they were trying to be considerate of the neighbors next door. Mrs. Cathcart questioned if the addition would be easier to access if it were put on the other side of the existing building. Mr. Brooks responded that the proposed location is easier for the tractor trailer drivers to make deliveries and unload. Mrs. Cathcart questioned who owned the large pole building to the rear of the property. Mr. Brooks responded that the pole building is on a separate property. Mrs. Cathcart questioned if there would be any problems for fire department access. Mr. Brooks responded in the negative. Mrs. Cathcart questioned if the addition would be nonconforming to the rear or side setback as it was listed both ways in the staff report. Mrs. Smith responded that it should be the rear setback and that there was an error in the staff report.

Mr. Rainey questioned if a few additional inches should be added to the setback variance in case there is any overhang into the setback or anything else is slightly off with the building which would avoid another setback variance. Mr. Eure responded that if the foundation is slightly off it would be in the setback and suggested giving a 13.5 ft. setback variance.

Mr. Brooks thanked the Board for their time to hear his case.

Upon a motion by Mrs. Cathcart, seconded by Mr. Baker, and duly carried, the Board **APPROVED** the requested addition to a legal nonconforming structure and **APPROVED** the 13.5 ft. Side Yard Setback Variance as submitted, based on the criteria listed in Section VI(c) of the Staff Report.



ADJOURNMENT

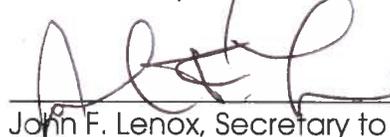
With no further business, the meeting was adjourned at 7:19 p.m.



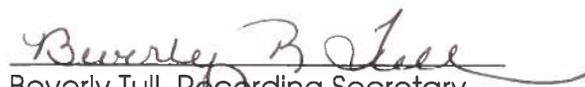
This is a summary of the proceedings of this meeting. Detailed information is in the permanent files of each case as presented and filed in the Salisbury-Wicomico County Department of Planning, Zoning and Community Development.



Dave Rainey, Vice Chairman



John F. Lenox, Secretary to the Board



Beverly Tull, Recording Secretary