For Official Use Only	
ZBA Case Number:	
Hearing Date:	
Ad Date:	
Amount Paid:	$
Date Paid:	

THE City OF Frederick

Planning Department ∗ 140 W. Patrick Street ∗ Frederick, Maryland 21701 ∗ 301.600.1499

ZONING BOARD OF APPEALS
CONDITIONAL USE APPLICATION

Please legibly print or type the following application in its entirety. Incomplete applications will not be accepted. **Submit the twelve (12) copies** of this application, and any supporting information, along with appropriate fees, by 4:30 pm on the application deadline date.

APPLICANT INFORMATION - OWNER'S AFFIDAVIT MUST BE SUBMITTED WITH APPLICATION.	
Contact Name:	
Firm/Company:	
Address:	
Phone:	email:
OWNER INFORMATION	
Name:	
Firm/Company:	
Address:	
Phone:	email:
TYPE OF CONDITIONAL USE	
Please complete the appropriate section.	
Home Occupation LMC Section 829	Name of Business: _____ _____ Type of Business: _____ _____ Description of Business:
Other LMC Section 8	Name of Use: _____ _____ Type of Use: _____ _____ Description of Use:

PROJECT INFORMATION

Project Location:
(Street Address)

Current Zoning:

Current Use:

FEES

Type of Review	Fee	Total
Conditional Use Home Occupation	$100.00	
All other Conditional Uses	$650.00	

JUSTIFICATION FOR CONDITIONAL USE

LMC Section 308(c) states that "The Zoning Board of Appeals may authorize conditional uses only when the Board finds that the following conditions exist."

(Please respond to each condition statement in the area provided - use additional paper if necessary.)

1. The proposed use is in harmony with the purpose and intent of the Comprehensive Plan and this Code.

2. The characteristics of the use and its operation on the property in question and in relation to adjacent properties will not create any greater adverse impact than the operation of any permitted use not requiring conditional use approval.

3. That the proposed activity will comply with all conditions and requirements set forth in this code, including any specific standards established in Article 8 of this Code *(see 1-6 below for home occupations)*.

FOR HOME OCCUPATION APPLICATIONS ONLY:

LMC Section 829(c) states that "Home occupations are permitted as a conditional use in all R, all D, NC and GC districts if all of the following conditions and requirements are met:"

(Please respond to each condition statement in the area provided - use additional paper if necessary.)

(1) The applicant must provide guarantees that the use of a property as a home occupation will not constitute a nuisance because of increased pedestrian or vehicular traffic, noise, or other activity associated with the use of the dwelling for business purposes which may be disruptive to the residential character of the neighborhood.

(2) A home occupation must be secondary to the residential use of the property and shall be conducted totally within the dwelling. Not more than 20 percent of the floor area of the dwelling or 300 square feet, whichever is greater, may be devoted to a home occupation.
(3) Only one (1) person who is not a resident of the dwelling may be employed/work/volunteer on site in conduct of a home occupation.
(4) A home occupation may not result in any external evidence that a building is being used for any purpose other than a dwelling.
(5) Except for the permitted employee who may be employed, a home occupation may result in no vehicular traffic, except for a maximum of one (1) daily local home delivery from services such as UPS or FedEx, and in no case shall result in delivery by tractor-trailer trucks.
(6) If deemed appropriate, the Board may permit a home occupation for a specified period of time with periodic review and approval required to ensure conformity with the conditions and requirements.

I hereby attest that the information provided on and attached to this application is complete and correct.

_____ _____

Signature of Applicant/Agent Date

AGENT AUTHORIZATION LETTER

I / WE, _____, representing
(Individual's name -- please type or print in ink)

_____,
(Corporate name, if applicable)

being the current owner(s) of the property legally described as follows:

do hereby designate and authorize _____
(Individual's name -- please type or print in ink)

representing, _____
(Corporate name, if applicable)

to act as my / our agent in applying to the City of Frederick for _____

_____approval in conjunction with the

_____ project involving the property described above, and to sign on my / our behalf all application forms and other documents which may be necessary for this purpose.

_____ _____
(Signature of property owner) *(Type or print name of signatory)*

_____
(Title and corporate name, if applicable)

All correspondence will be sent to the applicant. If the owner also wishes to receive a copy, please check box: ❑

State of _____, County of _____

The foregoing indenture was acknowledged before me this

_____ day of _____, 20 _____

by _____,
who is personally known to me, or who has produced

_____
as identification, and who did / did not take an oath.

_____, Notary Public, State of _____
(Notary's signature)

Commission No. _____ My Commission Expires: _____

Name of notary *(typed, printed, or stamped)* _____

_____
(Date)

Re: Application number _____

Project: _____

Dear Neighbor,

I am applying to the City of Frederick Zoning Board of Appeals for approval

of a _____(type) at _____(location)

for the purposes of _____.

You are invited to attend the scheduled public meeting in support or in opposition of this

request. Meeting details are as follows:

Meeting Date: _____

Meeting Time: **7:00 p.m.**

Meeting Location: **Municipal Annex, 140 W. Patrick Street**

If you have any further questions about this request, please contact the Case Planner or

me by phone at the numbers listed below:

Applicant's name and phone number: _____

Case Planner's name and phone number: _____

Sincerely,

(Applicants Name)

NEIGHBOR NOTIFICATION PROCEDURE

Required for annexation, master plan, area plan, major/minor site plan, and general text/map amendment (including HDO boundary change) applications, and all ZBA applications (except wheelchair accessibility variances).

1. Complete the Neighbor Notification letter, included in the application, and available on the City of Frederick website.
2. Find the addresses for the properties that are next door, directly across the street, and directly behind your property (otherwise known as "adjacent and abutting properties"). A good resource is the State Department of Assessment and Taxation website. It can be found at www.dat.state.md.us. Click on "Real Property Data Search", and then select "Frederick County" and "Street Address" on the next page. When you enter in your street name, it will provide you with a list of property owners on the street. Select those property owners who own the properties next door, and across the street. Even if you think you know the addresses of your neighbors, it's a good idea to check this website because the letter needs to go to the property **owner**, and the property may be rented.
3. Make as many copies as you need of the letter, and put the letters in envelopes, addressed to all the adjacent and abutting property owners, but DO NOT MAIL - YET.
4. **At least 18 days prior to your public hearing**, take the letter in their envelopes to the Post Office, and ask the cashier/clerk for "certificates of mailing" for the letters. The clerk will give you a card to fill out for each letter that states to what addresses the letters are being sent. The certificates of mailing cost approximately $1.05/letter. The clerk will stamp the certificates of mailing, and give them back to you. Planning Staff will not call you to remind you to mail your letters, so please do this at your earliest convenience. **If the letters are not mailed 18 days prior to the meeting, the case will be delayed one month due to improper advertising.**
5. Bring back in the stamped certificates of mailing (or a copy of them) for our files at least 18 days prior to the meeting. When you bring in the certificates, you will receive your sign to post on your property (for ZBA applications). The sign must be posted on the property 15 days prior to the meeting for Planning Commission and ZBA applications.