



For Official Use Only	
ZBA Case Number:	
Hearing Date:	
Ad Date:	
Amount Paid:	\$
Application Fee:	Residential - \$300.00 + \$25/standard Nonresidential - \$650.00+ \$50/standard
Date Paid:	

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

ZONING BOARD OF APPEALS VARIANCE APPLICATION

Please legibly print or type the following application in its entirety. Incomplete applications will not be accepted. **Submit the thirteen (13) copies** of this application, and any supporting information, along with appropriate fees by the application deadline date as specified on the Zoning Board of Appeals Schedule.

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:
PROJECT INFORMATION	
Project Location: (Street Address)	
Project Classification: <i>(residential/commercial/etc.)</i>	Variance Type(s): <i>(setbacks, parking, lot size, etc.)</i>
Current Zoning:	Current Use:

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

In the area below, specify the ordinance requirements(s) and the variance(s) requested:

LMC Requirement: (i.e. setback or parking requirement, etc.)	Variance Request (i.e. proposed setback or parking)
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JUSTIFICATION FOR VARIANCE
<p><i>Section 313(c) of the Land Management Code (LMC) states that "The Board may authorize a variance from the density, bulk, or area requirements of Articles 4 and 8. The Board may authorize a variance only when specific findings are made by the Board that:"</i></p> <p><i>(Please respond to each condition statement in the area provided - use additional paper if necessary.)</i></p>
<p>A. The variance is not contrary to the public interest; and</p>
<p>B. Whereby reason of exceptional narrowness, shallowness, shape, topographical conditions, or other extraordinary situations or conditions peculiar to a specific parcel of property, or of the use of the property or property immediately adjacent, the strict application of the regulations would result in peculiar or unusual practical difficulties to, or exception to, or undue hardship upon, the owner of such property; and</p>
<p>C. The variance requested is the minimum reasonably necessary to overcome the extraordinary or exceptional conditions applicable to the property; and</p>
<p>D. That the literal interpretation of the provisions of the LMC would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the LMC and would prevent the reasonable use of the property by the applicant; and</p>
<p>E. That granting the variance would not confer on the applicant any special privilege that is denied by the LMC to other lands or structures in the same district; and</p>
<p>F. That the granting of the variance will be in harmony with the general purpose and intent of the LMC, and will not be injurious to the neighborhood or detrimental to the public welfare; and</p>
<p>G. No variance shall be granted in any case where the applicant or their agent has created or caused to be created a situation which would or has necessitated the issuance of a variance in order for the property to comply with the LMC.</p>

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

Signature of Applicant/Agent

Date

(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: City Hall, 101 North Court

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 variances for wheelchair accessibility).

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.