

**CITY OF HAGERSTOWN BOARD OF ZONING APPEALS
APPLICATION FOR VARIANCE TO FLOODPLAIN MGMT. ORDINANCE**

Planning Department Use Only: BZA Case No.: Z - _____ - _____ Date Received: _____ Drawing attached:
Zoning District: _____ City Tax Map No.: _____ Block: _____ Parcel: _____
Posting Deadline: _____ Assigned Hearing Date: _____ Deadline for Written Decision: _____
Maryland Department of the Environment Action: _____ Date: _____

Please type or print all material legibly. Please provide:

- 1. *This original application form plus nine (9) copies of this application and***
- 2. *10 copies of all additional supporting information you wish to include.***
(Additional copies of large display exhibits and original photographs are not required)

1. APPLICANT'S NAME _____
TRADING AS (IF APPLICABLE) _____
ADDRESS _____
DAYTIME PHONE NUMBER: _____ FAX: _____
E-MAIL ADDRESS (IF AVAILABLE) _____

2. ATTORNEY: (Legal counsel is not required, but if an attorney will represent you, please complete.)
NAME _____
ADDRESS _____
DAYTIME PHONE NUMBER: _____ FAX: _____
E-MAIL ADDRESS (IF AVAILABLE) _____

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3. PROPERTY IDENTIFICATION
ADDRESS: _____ ACREAGE: _____

4. APPLICANT'S INTEREST IN SUBJECT PROPERTY:
[] OWNER (including joint ownership) [] OTHER (describe your interest in the property on the lines below and provide the name, address and telephone number of the owner. **Attach written authorization from the owner of the property that they consent to this appeal, or have them sign this application form as a co-applicant.**)

5. VARIANCE REQUEST(S):

The undersigned applies to the Board of Zoning Appeals for approval of a variance (or variances) to the Floodplain Management Ordinance (Article 6 of the Land Management Code) as follows:

	**See Below	Section of Floodplain Mgmt. Ordinance	Type of Regulation	Ordinance Requirement	Variance Requested or Proposed Vol. of Fill
Example		Section D.5.b	Placing fill in the floodway fringe	not to exceed 600 cubic yards	2000 cubic yards to be placed in floodway fringe
1.					
2.					
3.					
4.					

** For applications involving multiple lots or properties, use this column to identify the specific lot that is the subject of this individual request. If only one property is involved in this application, please disregard this column.

If you are applying for more than 4 variances, please attach a separate sheet of paper describing the remaining variances, using this chart format.

6. DESCRIPTION OF EXISTING AND PROPOSED USE:

A. Present or most recent use of the subject property:

B. The proposed use of the property, including any existing or permitted uses of the property that would be conducted on the site:

7. VARIANCE EXHIBIT

In order for the Board to have a clear understanding of the unique conditions of your property and your variance request(s), the applicant must submit with this application a drawing of the property, showing the property lines, the property's relationship to adjacent streets and buildings, the location of existing buildings on the site and proposed improvements that would occur if the variance(s) is (are) granted.

8. BOARD OF ZONING APPEALS CRITERIA FOR FLOODPLAIN MANAGEMENT ORDINANCE VARIANCE REQUESTS:

The Board will make a decision on your application based on conformance with the following criteria. The space following each criteria is provided to you to assist you in preparing your testimony to the Board. (For additional space, please attach additional sheets.)

A. There shall be a showing of good and sufficient cause.

B. Failure to grant the requested variance(s) would result in exceptional hardship (other than economic) to the applicant.

C. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense or create nuisances, cause fraud or victimization of the public or conflict with existing local and state laws or ordinances.**

** Attach copies of approvals from the Maryland Department of the Environment that illustrates their approval of the work subject to this request.

NOTE: Per section F.2 of the Floodplain Management Ordinance, variances may not be granted for the following:

- (1) Placement of fill or any development in the floodway if any increase in flood levels would result, or
- (2) New structures in the floodway.

9. MARYLAND DEPARTMENT OF THE ENVIRONMENT ACTION:

Have you attached a copy of relevant correspondence from the Maryland Department of the Environment pertaining to this request, including their final decision.

_____ Yes _____ No

10. ADDITIONAL MATERIALS, FEES, POSTING AND ADVERTISING:

- A. If desired, supplemental pages may be attached to this application. **This original application form and nine (9) copies of this application must be submitted. If the applicant desires to submit additional materials, pages, etc., ten (10) copies are required. However, additional copies of original photographs and large graphic exhibits are not required. Single copies of original photographs and large exhibits are sufficient. Please do not mount large exhibits to foamcore or other rigid backing, as the exhibit becomes damaged when removed for placement in the file.**
- B. The undersigned agrees to properly post the property at least 10 days immediately prior to the hearing and maintain the property poster(s) during the period the property is required to be posted. Failure to comply with this requirement will delay the Board hearing this case.
- C. The undersigned agrees to pay all costs in accordance with the current schedule of fees adopted by the Mayor and City Council. Make checks payable to "City of Hagerstown".

11. SIGNATURES

The undersigned hereby affirms that all of the statements and information contained in, or filed with, this petition are true and correct. The undersigned has read the instructions on this form, filing herewith all of the required accompanying information.

Signature of Counsel (if applicable)

Signature of Applicant

For more information, contact:
Telephone: 301-739-8577, Extension 138
Fax: 301-739-3117

Hagerstown Planning Department
1 East Franklin Street, Hagerstown Maryland, 21740
E-Mail: planning@hagerstownmd.org

Last amended: September, 2008