

# **HAGERSTOWN BOARD OF ZONING APPEALS**

## **April 22, 2020 Hearing**

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### **Call to Order.**

The April 22, 2020, Board of Zoning Appeals meeting was opened by Zoning Administrator, Stephen Bockmiller, who introduced himself and staff members K. Maher, P. Fulk, and D. Calhoun, all attending the meeting at City Hall. The hearing was called to order at 7:00 p.m. by the chair, Brian Kurtyka. All members of the Board participated virtually. Besides Mr. Kurtyka, G. Deck, J. Kelsh, G. Newman, and J. Stouffer participated in the hearing. Alternate member, A. Smith was also connected to the meeting. Mr. Kurtyka explained the procedure to be used for the hearings.

### **Amended Rules of Procedure Permitting Virtual Hearing.**

An amendment to the Board's Rules of Procedure was written to allow the Board to conduct virtual meetings during the Covid-19 pandemic. The amended Rules of Procedure were distributed in advance of the meeting for the commission to review. Mr. Kurtyka recommended that the Board keep this language in the Rules of Procedure for future use. Mr. Bockmiller advised that the Board adopt the rules as submitted. At a later date staff draft revised language to make this type of meeting a permanent option for conducting the business of the Board.

**MOTION:** (Deck/Kelsh) I will make that motion (to approve these procedures as written).  
**DISCUSSION:** None.  
**ACTION:** APPROVED (Unanimous)

### **Election of Officers.**

**MOTION:** (Newman/Deck) I nominate Brian Kurtyka as chair.  
**DISCUSSION:** None.  
**ACTION:** APPROVED (ABSTAIN – Kurtyka)

## Cases Under Consideration:

### Case No. Z-2020-02.

Jake Baer, Olde Towne Development LLC, 801 North Pitt Street, Alexandria Virginia 22314, pertaining to property located at 607 West Washington Street, zoned CL (Commercial Local). The Board moved to continue the applicant's request for a special exception (to establish a microbrewery) and a variance (for a reduction in the required number of off-street parking spaces) in order to receive an interpretation from the City Attorney as to whether this case will set a precedent for future parking variances throughout the City. Staff will contact the Board about a special meeting when the City Attorney responds to the interpretation question.

**VOTE: 5-0 TO POSTPONE DELIBERATIONS**  
(Yes – Deck, Kelsh, Kurtyka, Newman, Stouffer)

### Case No. Z-2020-03.

Harold E. Walter, 418 Boward Street, Hagerstown, Maryland 21740, pertaining to property located at 418 Boward Street (behind 417 North Potomac Street), zoned RO (Residential Office). The Board moved to grant the applicant's request to permit a hair salon, with the condition that the use be operated in accordance with the testimony presented and that any plans for signage be approved by the Historic District Commission.

**VOTE: 4-0 GRANT** (Yes – Deck, Kurtyka, Newman, Stouffer)  
(J. Kelsh's connection to the virtual meeting was lost before the vote was taken.)

## Adjourn.

The hearing and deliberations concluded at 9:00 p.m.



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Debra C. Calhoun – Secretary