



CITY OF HAGERSTOWN, MARYLAND

Planning & Code Administration Department

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BOARD OF ZONING APPEALS

May 11, 2023 Hearing

Hearing and Deliberations.

Call to Order-

James Stouffer, Jr., Acting Chair, called the May 11, 2023, Board of Zoning Appeals meeting to order at 7:06 p.m. Also present were Board members G. Deck, A. Smith.

Cases under Review-

Case No. Z-2023-04 - To hear an administrative appeal filed by Jonathan Hall Backenstose regarding a zoning violation notice for the property located at 53 Elizabeth Street. Per Article 4, Section U.2 of the Zoning Ordinance, parties aggrieved by a decision of the zoning administrator or someone acting on his behalf may appeal that decision to the Board of Zoning Appeals.

Vote - Denied- 3-0-0. (Yes-Stouffer, Deck, Smith,) To support the City's decision and reduce 53 Elizabeth Street to a non-conforming use based on the single-family construction and vacancy time period.

Case No. Z-2023-05 - To hear an administrative appeal filed by Ken Berry regarding denial of a zoning certificate application for a fence at the property located at 33-41 West Franklin Street. The certificate was denied per the requirements of Article 2, Section E.3 of the Land Management Code. Per Article 4, Section U.2 of the Land Management Code, parties aggrieved by a decision of the zoning administrator or someone acting on his behalf may appeal that decision to the Board of Zoning Appeals. The applicant identifies the property as 35-41 West Franklin Street in his application.

Vote – Approved- 3-0-0. (Stouffer, Deck, Smith) To approve the request based on the reason for the denial of the gate was based on it would block the market walkway in which is stated to be City property was not proven by documentation regarding an easement.

Adjourn- The hearing and deliberations concluded at 10:14 p.m.

A handwritten signature in cursive script that reads "Mary Revilla". The signature is written in black ink and is positioned above a horizontal dashed line.

Mary Revilla, Recording Secretary