

## HAGERSTOWN BOARD OF ZONING APPEALS

January 16, 2013

### AGENDA

In accordance with the provisions of the Zoning Ordinance, City of Hagerstown, the Board of Zoning Appeals will hold a Public Hearing on Wednesday, January 16, 2013, at 7:00 p.m., in the Council Chamber, Second Floor, City Hall, at which time parties in interest and citizens will have the opportunity to be heard relative to the following proposals:

1. Election of Officers.
2. **Case No. Z-2012-13.** To hear an appeal made by Keann M. Durst, 127 East North Avenue, Hagerstown, Maryland 21740, for a variance for a carport to within one (1) foot of the side property line at the premises designated as **127 East North Avenue**, Hagerstown, Maryland, and zoned RMED (Residential-Medium Density).

This appeal is being made for the reason that under Article 4, Section D.5.a., the required side yard setback is four (4) feet in the RMED (Residential-Medium Density) zoning district and the Potomac-Broadway Local Historic District.

3. **Case No. Z-2012-14.** To hear an appeal made by The Salvation Army, 534 West Franklin Street, Hagerstown, Maryland 21740, for an expansion of a nonconforming use to allow the expansion of a twenty-six- (26-) bed shelter to a thirty-seven- (37-) bed shelter for women and children at the premises designated as **534 West Franklin Street**, Hagerstown, Maryland, and zoned RMED (Residential-Medium Density).

This appeal is being made for the reason that under Article 4, Section M.5., an expansion of a nonconforming use requires the approval of the Board of Zoning Appeals.

4. **Case No. Z-2012-15.** To hear an appeal made by Paulette Crockett, t/a Golden Retreat Assisted Living, 673 Highland Way, Hagerstown, Maryland 21740, for a special exception for an assisted-living facility and a variance to reduce the required lot size for an assisted-living facility from twenty thousand (20,000) square feet to fourteen thousand (14,000) square feet at the premises designated as **673 Highland Way**, Hagerstown, Maryland, and zoned RMOD (Residential-Moderate Density).

This appeal is being made for the reasons that under Article 4, Section U.8.a., assisted-living facilities are a special exception use in the RMED (Residential-Moderate Density) zoning district; and the minimum lot area required for an assisted-living facility in the RMED district is twenty thousand (20,000) square feet.

5. **Case No. Z-2012-11.** To hear an appeal made by Mansoor Emral Shaoool, 72 West Washington Street, Hagerstown, Maryland 21740, for an administrative appeal of a notice of zoning violation regarding alterations made to a structure in an historic district without a Certificate of Appropriateness from the Historic District Commission at the premises designated as 55-57 West Franklin Street, Hagerstown, Maryland, zoned CC-MU (City Center-Mixed Use) and in the Downtown Local Historic District.

This appeal is being made for the reasons that under Article 4, Section T.1., before the construction, alteration, reconstruction, relocation, or demolition of any landmark or site or structure within an historic district, if any exterior work is involved which would change the exterior appearance of the site or structure, the person, individual, firm, or corporation proposing to make the construction or change shall file an application with the City for a Certificate of Appropriateness or a Certificate of Hardship in the CC-MU (City Center-Mixed Use) district and Downtown Local Historic District. According to Article 4, Section U.2., parties aggrieved by a decision of the Zoning Administrator may be appealed to the Board of Zoning Appeals.

NOTICE:

Pursuant to the Maryland Open Meetings Law, notice is hereby given that the deliberations of the Board of Zoning Appeals are open to the public. The Board, at its discretion, may render a decision as to some or all of the cases at the hearing described above or at a subsequent hearing, the date and time of which will be announced prior to the conclusion of the public hearing. Individuals requiring special accommodations are requested to contact the City Clerk at 301/739-8577, ext. 113, or ADD 301/797-6617. **All meetings are recorded.**