

**NOTICE TO APPLICANTS FOR PUBLIC HEARINGS**

**BEFORE THE BOARD OF ZONING APPEALS**

1. Filing fees payable to the Mayor and City Council of Ocean City.  
  
\$632.00 for all applications including:  
    Variance/Yard  
    Special Exception (use, parking, building moving, special height criteria,  
        Outdoor Display of Merchandise)  
    Nonconformity Determination  
    Appeals from Zoning Administrator
  
2. Seven (7) complete sets of site plans, floor plans and elevations. Two (2) sets may be of a larger size, but the remaining five (5) should be 8 ½ x 11 in size. There shall be no revisions, modifications, alterations or changes to the plans which have been submitted once the advertisement for the public hearing has been published in the newspaper.
  
3. All applicable information must be completed on the application form. Signatures of all applicants and all property owners must be notarized unless signed in the presence of the Zoning Administrator or staff.
  
4. NO APPLICATIONS WILL BE ACCEPTED AFTER 3:00 P.M. ON DEADLINE DATE FOR FILING.

INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED FOR HEARINGS.

**SPECIAL NOTE:**

If the amount or nature of applications which are filed for a scheduled hearing date cannot all be entertained on that date, those applications which were most timely filed will receive priority for the original date with the others being rescheduled for a later date.

## INFORMATION FOR APPLICANTS FOR PUBLIC HEARINGS BEFORE THE BOARD OF ZONING APPEALS

### THE BOARD

Composed of five (5) members, with one (1) alternate and one (1) temporary alternate, all appointed by the Mayor and confirmed by a majority vote of the City Council. All members are permanent residents of the Town. A quorum is constituted by not less than three (3) members and an affirmative majority vote shall be required for approval.

### APPLICATIONS AND FEES

Must be completed and signed by both the applicant and recorded property owner and must both be notarized unless signed in the presence of the Zoning Administrator or staff. A filing fee as shown on the cover sheet must accompany each application. Multiple requests involving the same property will only be assessed one (1) application fee. Application fees are for the costs of processing, advertising, and property posting and are nonrefundable unless timely withdrawn by the applicant and/or property owner. Incomplete applications will not be accepted.

### APPLICATION DEADLINES

Are set prior to scheduled hearing dates. Respective deadline dates may be obtained by contacting the Department of Planning and Community Development.

### ADVERTISING AND POSTING

Are handled by the staff of the Department of Planning/Community Development. Public notice of hearings is effected via newspaper advertisement at least fourteen (14) days prior to the actual hearing date. In addition, each property location is posted with a sign or signs, prior to the actual hearing date.

### SITE PLANS

Unless waived by the Zoning Administrator, each application must be accompanied by seven (7) sets of site plans, inclusive of floor plans and building elevations. A site plan checklist, indicating all information required to be shown on the plans, may be obtained from the Department of Planning and Community Development. Incomplete site plans will not be accepted.

### APPLICANT/OWNER PREPARATION AND PRESENTATION

It is strongly suggested that the applicant and/or property owner meet with a staff member of the Department of Planning and Community Development at, or prior to, application being made. At such time, the staff member can advise the applicant and/or property owner as to any additional or supplemental information required to be filed. The staff member can also advise as to the criteria which must be satisfied in their presentation and submittals for a favorable disposition.

**NOTICE OF APPEAL  
BOARD OF ZONING APPEALS  
OCEAN CITY MARYLAND**

DATE: \_\_\_\_\_ REQUEST NO: \_\_\_\_\_

APPLICANT: \_\_\_\_\_ RECEIPT NO: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_ FEE PAID: \_\_\_\_\_

TELEPHONE NO: \_\_\_\_\_

PURPOSE OF APPEAL: \_\_\_\_\_

PROPERTY DESCRIPTION (MUST BE ACCURATE, INCLUDING LOT AND BLOCK DESIGNATION, IF ANY): \_\_\_\_\_

Before a public hearing can be scheduled, the following must be submitted to the Board of Zoning Appeals:

1. Descriptive site plan of land parcel subject to the appeal indicating all aspects of the site that are pertinent to the appeal (7 sets of plans to be submitted with application).
2. Filing fee in the amount of \$632.00 for all applications including: Variance/ Yard, Special Exception (use, parking, building moving, special height criteria, outdoor display of merchandise), Nonconformity Determination, and Appeals from the Zoning Administrator, payable to the Mayor and City Council of Ocean City, pursuant to Section 110-53 of the Code of Ocean City, Maryland.
3. Properly completed Appeal form, including signatures and notarization if required.

This Notice of Appeal form, to be submitted to the Board of Zoning Appeals, must contain the following information.

(a) If the **applicant is a corporation**, the names and addresses of the officers, directors, and all stockholders owning more than 20% of the capital stock of the corporation: \_\_\_\_\_

(b) If the **property owner is a corporation**, condominium council of unit owners, or unincorporated condominium council of unit owners, a resolution evidencing a meeting of the Board of Directors and an affirmative vote authorizing the corporation (or unincorporated condominium council of unit owners) to enter into the application shall be required:\_\_\_\_\_

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(c) If the **applicant is a partnership**, whether a general or limited partnership, the names and residences of all general partners, and all partners who own more than 20% of the interest of the partnership:\_\_\_\_\_

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(d) If the **property owner is a partnership**, whether a general or limited partnership, the names and residences of all general partners, and all partners who own more than 20% of the interest in the partnership:\_\_\_\_\_

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(e) If the **applicant is an individual**, his name and residence:\_\_\_\_\_

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(f) If the **property owner is an individual**, his name and residence:\_\_\_\_\_

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(g) If the **applicant is a joint venture**, unincorporated association, real estate investment trust, or other business trust, the names and residences of all persons holding an interest of more than 20% in the joint venture, unincorporated association, real estate investment trust, or other business trust:\_\_\_\_\_

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(h) If the **property owner is a joint venture**, unincorporated association, real estate investment trust, or other business trust, the names and residences of all persons holding an interest of more than 20% in the joint venture, unincorporated association, real estate investment trust, or other business trust:\_\_\_\_\_

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By signing below, applicant represents that he has properly completed the Notice of Appeal and that he assumes all responsibility for errors contained herein.

(Notarization of signatures of Applicant and Property Owner is required, unless signed in the presence of the Zoning Administrator or staff.)

\_\_\_\_\_  
**\*APPLICANT'S SIGNATURE**

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20

\_\_\_\_\_  
NOTARY PUBLIC

SEAL: My Commission Expires:\_\_\_\_\_

\_\_\_\_\_  
**\*PROPERTY OWNER'S SIGNATURE**

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20

\_\_\_\_\_  
NOTARY PUBLIC

SEAL: My Commission Expires:\_\_\_\_\_

\*If a Corporation, the President of the Corporation must sign

**DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT**  
Checklist of Information to be Shown For Zoning Approval  
**Revised 7/1/08**

This checklist serves as a guide in preparing site plans for public hearings, for Planning and Zoning Commission review and for building permits, so all such applications may be processed in a timely and efficient manner. The following plans shall be submitted for the types of applications listed, unless otherwise waived by the Zoning Administrator:

Planning and Zoning Commission Site Plan Review and Public Hearings

**Fifteen (15)** complete sets (5 full size, remainder reduced size) of plans prepared in accordance with checklist to be submitted no later than 3:00 p.m. on deadline date for filing.

Following staff review meeting, **eight (8)** complete sets (1 full size, remainder reduced size) of plans reflecting any revisions/modifications to be submitted no later than 12 noon on the Wednesday prior to the scheduled Planning and Zoning Commission meeting date.

Board of Zoning Appeals Public Hearings

Seven (7) complete sets of plans prepared in accordance with checklist.

Building and Alteration Permits

Four (4) complete sets of plans prepared in accordance with checklist.

All required information shall be shown on reproductions of original drawings. Ink or pencil notations/revisions will not be accepted on prints. Incomplete or improperly prepared plans will be rejected. All plans shall be legible, drawn to scale, and shall contain all of the applicable information listed below:

**I. Site Plans**

1. ( ) A title block, including the name of the project or development and the names of the property owner, developer, engineer, and architect.
2. ( ) The name of the subdivision and the lot(s) and block(s) numbers.
3. ( ) A north arrow, scale of drawing (sufficient to show proper detail) and date of the drawing.
4. ( ) Vicinity map of the immediate and surrounding area with the site noted.
5. ( ) The existing zoning of the site and adjacent properties.
6. ( ) The existing use of the site and the existing use and approximate location of existing structures on adjacent properties.

7. ( ) The boundaries or property lines of the property involved, including bearings and distances, county or municipal boundaries, the general location of all existing easements, streets, buildings, dune lines or waterways, and other existing physical features in or adjoining the subject development. Note: A sealed survey, prepared by a professional engineer or land surveyor, licensed in the State of Maryland, must accompany all building permits. An owner's certification must accompany all exterior alterations.
8. ( ) The approximate location and sizes of all existing and/or proposed sanitary and storm sewers, water mains, culverts, catch basins, and other underground structures in or near the project.
9. ( ) The location of all existing and/or proposed electrical transformers and poles. Note: Approval by Delmarva Power is required as to clearances required by the National Electrical Safety Code.
10. ( ) Location, size, and screening details of all existing and proposed dumpster pads.
11. ( ) Calculations of required and provided off-street parking spaces.
12. ( ) Calculations of required and provided off-street loading spaces.
13. ( ) Dimensions of all off-street parking spaces and dimensions of all interior drives, which shall remain unobstructed and shall maintain an overhead clearance of seven feet (7') minimum.
14. ( ) Dimensions of all off-street loading spaces which shall maintain an overhead clearance of fourteen feet (14') minimum.
15. ( ) Provisions, as required, for handicapped parking and access.
16. ( ) Specifications as to construction of parking areas, entrances, and drives.
17. ( ) Location, height, type, and direction of lighting required to illuminate off-street parking areas.
18. ( ) Location of curbing and/or wheel stops in parking areas. NOTE: Parking areas with four or more spaces must be striped.
19. ( ) Indications of proposed traffic flows within interior drives and for ingress/egress to the project.  
\* IN AN EFFORT TO MINIMIZE CURB CUTS ON COASTAL HIGHWAY,  
ALL PROPERTIES SHALL PROVIDE ACCESS FROM THE SIDE STREET  
AND/OR ALLEY WHERE POSSIBLE.
20. ( ) Location of existing or proposed automatic traffic signals adjacent to the site.
21. ( ) Location of all existing and proposed buildings, accessory and main, including dimensions of buildings and setbacks from property lines and between structures.

22. ( ) Existing and proposed use of all structures, accessory an main.
23. ( ) Location of all existing and proposed fire hydrants.
24. ( ) Location, size, height, and orientation of all existing and proposed signs.
25. ( ) Location of HVAC condensers and compressors.
26. ( ) Density calculations, including number of units allowed and number of units proposed, with number of bedrooms designated within each unit.

## **II. Floor Plans**

27. ( ) Scaled and dimensioned floor plans of each unit. Typical floor plans can be used for identical units.
28. ( ) Designation of proposed use of each room.

## **III. Building Elevations**

29. ( ) Elevations and dimensions of each side of structure.
30. ( ) Texture and materials of exterior surfaces of structure.

## **IV. Landscape Plan in accordance with Chapter 98, Article II.**

31. ( ) Indicate landscape materials to be used (including location, botanical name, common name and installation site).
32. ( ) Location of existing trees three inches (3") or more in diameter measured twelve inches (12") above ground level.
33. ( ) Provide a forest stand delineation and a forest conservation plan for all projects containing 40,000 square feet or greater.
34. ( ) Completed application and plans in compliance with Coastal Bays Critical Area criteria.

## **V. Stormwater Management in accordance with Chapter 30, Article III**

35. ( ) Provide a stormwater management plan indicating the manner, location and type of measures to be used for management of stormwater runoff.
36. ( ) Completed worksheet and plans in compliance with 10% Rule pollution removal.