



TOWN OF OCEAN CITY

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

Board of Zoning Appeals Application

This document serves as the official application to Ocean City's Board of Zoning Appeals. Pursuant to Article II, Division 4, of the Zoning Code of Ocean City, matters before the Board include variances (yard or height), special exceptions (use, parking, building relocation, height, outdoor displays), appeals and determinations of nonconformity in a certain circumstance. This application is also intended for variances from Chapter 30 Environment— landscaping and critical area variances.

I. Property Location	
Address:	
Parcel Number:	

II. Property Owner			
Name:			
Address:			
Phone:		E-mail:	
If the ownership of the property or the applicant meets one of the following criteria, please provide the name, address, phone number of each member on a separate attached sheet:			
<ul style="list-style-type: none">- A corporation: officers, directors, or shareholders owning more than 20% of the corporation.- An unincorporated or incorporated condominium council of unit owners.- A partnership: individuals that own more than 20% of the partnership and all general partners.- A joint venture, unincorporated association, real estate trust, or business trust: individuals that own more than 20% of such entity.			
<i>Should a property be held in the ownership of a condo association or between stakeholders, documentation regarding an affirmative vote of the majority of such entity must be submitted with any application.</i>			

III. Applicant (if other than property owner)			
Name:			
Address:			
Phone:		E-mail:	
IV. Legal Representation (optional)			
Name:			
Firm:			
Address:			
Phone:		E-mail:	
V. Purpose of Application			
<input type="checkbox"/>	Appeal per 110-93(1) (Please complete in section VI)	<input type="checkbox"/>	Nonconformity Determination 110-93(5) (Please complete in section VII)
<input type="checkbox"/>	Special Exception per 110-94 or Variance per 110-95 (Please complete in section VIII)		

VI. Appeal

Provide the exact order, requirement, decision or determination being appealed from under 110-93(1)

Date of Decision:

Summary:

VII. Nonconformity Determination

Requesting a Board of Zoning Appeals determination of nonconformity per 110-93(5)

Summary:

VIII. Special Exceptions and Variances

Check the box you are applying for then provide details in the box below.

- | | |
|--------------------------|--|
| <input type="checkbox"/> | Special use exceptions as specified in the district regulations. (110-94(1)) |
| <input type="checkbox"/> | Special exceptions to parking and loading requirements. (110-94(2)) |
| <input type="checkbox"/> | Special yard exceptions. (110-94(3)) |
| <input type="checkbox"/> | Special building-moving exceptions. (110-94(4)) |
| <input type="checkbox"/> | Special outdoor display of merchandise exception. (110-94(5)) |
| <input type="checkbox"/> | Critical Area Variance (30-145(e)) |
| <input type="checkbox"/> | Variance (110-95) |

Provide specific requests:

IX. Acknowledgement of Town Requirements

Applications and Fees

An application shall meet the requirements of the Zoning Administrator to be accepted. No application shall be processed or officially documented until it is deemed a "complete" application by the Zoning Administrator.

The filing fee for a Board of Zoning Appeals application is \$632.00. This fee must be paid in full in order to be considered as a complete application. This fee covers the costs of processing, advertising, property postings, and conducting the meetings. Applications must be complete and officially filed prior to the deadline for the corresponding meeting. No applications will be accepted after 5:00 P.M. on the deadline date. Deadlines are published on the Town's website, and further information can be obtained by contacting the Department. There shall be no revisions, modifications, alterations or changes to the plans which have been submitted once the advertisement for the hearing has been published in the newspaper.

Advertising and Postings

Advertising and postings are handled by the staff of the department. Public notice of hearings is required by law and is completed via newspaper advertisement at least fourteen (14) calendar days prior to the hearing date. In addition, a sign will be posted on any property receiving a public hearing, and these signs are posted at least fourteen (14) days in advance.

Plans

Site plans are needed for all zoning appeals application. At least one (1) site plan must be submitted for the application. Site plans must include the elements and features that represent the request. Additionally, floor plans, elevations, and other architectural drawings are often needed. One (1) paper copy and (1) digital file is required. Any questions regarding plan submission can be made to the Department.

Applicant/ Owner/ Preparation and Presentation

Public testimony is required for any zoning application. It is strongly encouraged that you meet with staff to discuss expectations for presentation.

Time Line

If the Board of Zoning Appeals votes to approve the application, a formal letter will not be issued until the Findings of Facts are signed at the next available Board of Zoning Appeals meeting.

Disclaimer

Sec. 110-97. - Cancellation, withdrawal or denial of application for special exception or variance.

(a) Whenever an applicant for a special exception or variance cancels or withdraws the application after an advertisement for a public hearing in connection with said application has been published, any rescheduling for a public hearing on said application or reapplication for the same special exception or variance shall be more than four months after the original public hearing was scheduled. (b) Whenever an application for special exception or variance has been denied by the board, such application, or one substantially similar, shall not be reconsidered sooner than four months after the previous denial.

Sec. 110-98. - Lapse of special exception or variance.

After the board has approved a special exception or granted a variance, the special exception or variance so approved or granted shall lapse after the expiration of one year if no substantial construction or change of use has taken place in accordance with the plans for which such special exception or variance was granted or if the board does not specify some longer period than one year for good cause shown. Once a special exception or variance has expired, the provisions of these regulations shall thereafter govern.

By signing below, you acknowledge that you have reviewed the Town Code and Town requirements for submitting an application to the Board.

_____ Printed Name of Owner	_____ Printed Name of Legal Representative
_____ Signature of Owner	_____ Signature of Legal Representative
Date: _____	Date: _____

X. Endorsement of Application

Please be advised that any action taken in reliance of the Board's decision prior to the filing of the written decision and the expiration of any applicable appeal period is taken at the Property Owner's Risk. The undersigned acknowledges that they have read the application completely and are an authorized person to submit the application.

By signing below, it is hereby determined that the applicant or his/her legal representative wishes to proceed to have the request(s) contained herein facilitated to the Board of Zoning Appeals. Additionally, the applicant or his/her legal representative acknowledge they assume all responsibility for the errors that may be present in the application.

Printed Name of the Owner or Legal Representative if they are the applicant

Signature of the Owner or Legal Representative

Date

XI. Town Staff Only (Please do not fill out)

Staff Accepting Application (print name)	
Staff Accepting Application (sign name)	
Payment Received	
Check Number	
Board of Zoning Appeal Case #	
File #	
Date of Decision	

Copy of Town of Ocean City Municipal code is available for view at City Hall or online at https://library.municode.com/md/ocean_city/codes/code_of_ordinances