

**CITY OF HAGERSTOWN PLANNING COMMISSION  
APPLICATION FOR VARIANCE - FOREST CONSERVATION ORDINANCE**

For Planning Department Use Only	Case No.:FC - ____ - ____	Date Received: _____
Maryland Department of Natural Resources Action: _____		Date: _____

Please type or print all material legibly.

***Fourteen (14) copies of this application and all supporting information you attach must be submitted.***

1. APPLICANT'S NAME \_\_\_\_\_  
TRADING AS (IF APPLICABLE) \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
DAYTIME PHONE NUMBER: \_\_\_\_\_ FAX: \_\_\_\_\_  
E-MAIL ADDRESS (IF AVAILABLE) \_\_\_\_\_
  
2. COUNSEL FOR APPLICANT (Legal counsel is not required, but if an attorney will represent you, please complete.)  
NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
DAYTIME PHONE NUMBER: \_\_\_\_\_ FAX: \_\_\_\_\_  
E-MAIL ADDRESS (IF AVAILABLE) \_\_\_\_\_

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3. PROPERTY IDENTIFICATION  
ADDRESS: \_\_\_\_\_ ACREAGE: \_\_\_\_\_

For Planning Department Use Only.		
CITY TAX MAP NO: _____	BLOCK NO. _____	PARCEL: _____
ZONING DISTRICT: _____		

4. APPLICANT'S INTEREST IN SUBJECT PROPERTY:  
  
[ ] OWNER (including joint ownership) [ ] OTHER (describe your interest in the property on the lines provided at the top of page 2 and provide the name, address and telephone number of the owner. **Attach written authorization from the owner of the property that they consent to this appeal, or have them sign this application form as a co-applicant.**

5. VARIANCE REQUEST(S):

The applicant applies to the Planning Commission for approval of a variance (or variances) to the Forest Conservation Ordinance as follows:

	<b>**See Below</b>	<b>Section of Forest Con. Ordinance</b>	<b>Type of Regulation</b>	<b>Ordinance Requirement</b>	<b>Variance Requested</b>
<b>Example</b>		2.54.B	Definition of reforestation area	35 foot minimum width	establish a 25 foot wide reforestation area
1.					
2.					
3.					
4.					
5.					

\*\* For applications involving multiple lots or properties, use this column to identify the specific lot that is the subject of this individual request. If only one property is involved in this application, please disregard this column.

If you are applying for more than 5 variances, please attach a separate sheet of paper describing the remaining variances, using this chart format.

6. VARIANCE EXHIBIT

In order for the Board to have a clear understanding of the unique conditions of your property and your variance request(s), when your application effects the layout of your project, you must submit with this application a drawing of the property, showing the conditions on the site, the unique circumstances that affect your request, and the conditions that would result if your request is approved.

7. DOCUMENTATION REQUIRED IN ORDINANCE TO JUSTIFY VARIANCE REQUESTS

The Ordinance (Section 15.1) requires that the following information be provided for the Planning Commission to entertain your request. The Planning Commission will make a decision on your application based on conformance with this information. The space following each criteria is provided to you to assist you in preparing your testimony to the Board. (For additional space, please attach additional sheets.)

- A. A person may request a variance from this ordinance be granted by the Planning Commission if the person demonstrates that enforcement would result in unwarranted hardship. Please describe your unwarranted hardship.

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- B. Describe the special conditions peculiar to the property which would cause the unwarranted hardship.

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- C. Describe how enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas.

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- D. Verify that the granting of the variance would not confer on the applicant a special privilege that would be denied to other applicants.

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- E. Verify that the variance request is not based on conditions or circumstances which are the result of actions by the applicant.

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- F. Verify that the request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property.

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- G. Verify that the granting of a variance will not adversely affect water quality.

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9. MARYLAND DEPARTMENT OF NATURAL RESOURCES ACTION

A copy of this application will be sent to the Maryland Department of Natural Resources within fifteen days of its submission to the Planning Department. The DNR has the right and authority to initiate or intervene in an administrative, judicial or other original proceeding or appeal in the state concerning an approval of a variance under Natural Resources Article, Section 5-1601–5-1612, Annotated Code of Maryland, or this Ordinance.

Such objection or intervention does not preclude the applicant from proceeding with the request, unless otherwise prohibited by law.

10. ADDITIONAL MATERIALS AND FEES

- A. If desired, supplemental pages may be attached to this application.  
**Fourteen (14) copies of this application must be submitted. If the applicant desires to submit supplemental materials, pages, etc., fourteen (14) copies are required (original photographs and large graphic exhibits excepted). Please do not mount large exhibits to foam core or other rigid backing, as the exhibit becomes damaged when removed for placement in the file.**
- B. The undersigned agrees to pay all costs in accordance with the current schedule of fees adopted by the Mayor and City Council. Make checks payable to “City of Hagerstown”.

12. SIGNATURES

The undersigned hereby affirms that all of the statements and information contained in, or filed with, this petition are true and correct. The undersigned has read the instructions on this form, filing herewith all of the required accompanying information.

\_\_\_\_\_  
Signature of Counsel (if applicable)

\_\_\_\_\_  
Signature of Applicant

For more information, contact:  
 Telephone: 301-739-8577, Extension 138  
 Fax: 301-739-3117

Hagerstown Planning Department  
 1 East Franklin Street, Hagerstown Maryland, 21740  
 E-Mail: [planning@hagerstownmd.org](mailto:planning@hagerstownmd.org)