

BOARD OF APPEALS PROCEDURES

1. Applicant should receive a copy of the NEW MARKET BOARD OF APPEALS APPLICANT PROCEDURES (Attachment 1) and a BOA APPLICATION (Attachment 2)
2. Application will need to be submitted along with the fees of \$250.00. If paying by check, it should be made payable to "Town of New Market". Make a copy of check for the file. Keep track of all fees for the case. If there are funds left over they are to be returned to the applicant. If the costs are over the \$250.00 then the applicant needs to be billed (notify Karen to prepare an invoice).
3. The Applicant must submit five (5) copies of their supporting documentation (justification, plat, drawings, etc.)

There are three types of appeal: 1) unusual circumstances where a variance to the regulations is requested 2) special exception or conditions uses, or 3) administrative error (the property owner feels that the ordinance was not interpreted properly). The applicant must submit justification for one of the above and include this with their submission.

4. Applicant is required to give you the names & addresses of all properties that are adjacent to the parcel, opposite the parcel, across a road, right-of-way, stream, or railroad.
5. Assign number to the case in the following format, where 08=current year and 01=first BOA case of the year: NM-B-08-01, NM-B-08-02, etc.
6. Call Zoning Administrator & Board members to schedule meeting (must have at least two members to hold the meeting).

Brian Candida 443-398-4430; brianc@sunnurseries.com
Michael D'Ovidio 301.685.1239 michaeldovidio@comcast.net
Kevin Brightful 301-865-1795; brightful12@verizon.net
Scot Morrow 301-865-5656; fli1@verizon.net
Bruce Galloway 410.647.2247 brucegalloway@gmail.com

7. Send copy of application and supporting documentation to Bruce Galloway, Zoning Administrator and all members of the Board (*Attachment 2a*).
8. Bruce will prepare a Staff Report. (*Attachment 3*) . When this is complete send this to all board members.
9. Notify Planning & Zoning members of the hearing date.

Board of Appeals Procedures – Continued

10. Email the advertisement to Bruce (*Attachment 4*). Once he has approved the ad, send it to Fred News Post. The deadline for Sat/Sun is Friday at 10:00 am. Their phone number is 301-662-1162. Email address is classifieds@newspost.com
11. They will need to pick up a placard (*Attachment 5*). The placard needs to be posted in a prominent place, visible from the road, for 30 days before the hearing. Give applicant a copy of affidavit (*Attachment 6*) to complete and return. Send notice of meeting date & time to the applicant (*Attachment 7*).
12. Send notices to adjoining properties. (*Attachment 8*) These should have been supplied to you, but if you need to check or find a specific property, sign on to: www.dat.state.md.us to look up names and addresses from the tax assessment office. A sample of one is included (*Attachment 9*). The town map is 801, town code is 008. The phone number for the tax assessment office is 301-815-5350; their fax number is 301-663-8941 and they are located at 5310 Spectrum Drive, Suite E, Frederick MD 21703 (near FSK mall). Print map from SDAT of the property that shows the surrounding properties as well.
13. Post notice on bulletin board (*Attachment 10*)
14. Post notice on the website
15. Send reminder notice to all attendees one (1) week prior to meeting.
16. MEETING: Prepare agenda (*Attachment 11*) Procedure is attached (*Attachment 12*). Need a copy of the zoning ordinances for each member at the meeting (the pertinent sections or 4 complete copies – *Attachment 13*). Record on digital recorder, take minutes.
17. Prepare a CD of the digital minutes. Bruce will prepare the FINDINGS & DECISIONS report (*Attachment 14*).
18. Call board members to sign the Findings & Decision report.
19. Send a signed copy to the applicant along with letter (*Attachment 15*).
20. Put original in BOA folder and file.