



AGENDA

Board of Zoning Appeals Meeting

7:00 PM - Wednesday, August 2, 2023

Frostburg Municipal Center Meeting Room - 37 Broadway

Page

1. CALL TO ORDER - CHAIR
2. ROLL CALL - CHAIR
Julia Williams, Connie Loucks, Brian Alderton, Tom Vogtman, and Kevin Wagoner.
3. PLEDGE OF ALLEGIANCE - CHAIR
4. CASE NUMBER 2618 - 101 BOWERY STREET - VARIANCE FROM SIGN REGULATIONS

4.1. Statement of Appeal/Meeting Procedure - Chair

CHAIRMAN: This public hearing of the Frostburg Board of Zoning Appeals, as advertised in local newspapers to be held at the Frostburg Municipal Center located at 37 Broadway on Wednesday, August 2, at 7:00, pursuant to Section 1.18 of the Frostburg Zoning Ordinance, is now in Session. Board members present are: Julia Williams, Connie Loucks, Brian Alderton, Tom Vogtman, and Kevin Wagoner.

This Public hearing is being conducted for the purpose of hearing the appeal of owner First Congregational Church, who is requesting approval of a variance in regard to Electronic Messaging Center (EMC) use in the "C1" University Corridor/Mixed-Use District, pursuant to 7.7.B.2 of the Frostburg Zoning Ordinance, which states: "All appeals and variances regarding the terms of this Part [7] of the Zoning Ordinance shall be heard by the Board of Zoning Appeals."

Meeting procedure is as follows: when you are called to testify, please come forward, state your name and address and proceed with your testimony. While testimony is being presented, other persons present will refrain from interrupting. Only testimony of persons recognized by the Chair will have any bearing on the decision of the Board. Decisions made by the Board of Appeals may be appealed to the Circuit Court for Allegany County, 30 Washington Street, Cumberland. Testimony will now be taken from persons, agents, or council who have indicated their desire to testify.

4.2. Swearing in of Witness - Chair

Do you solemnly declare or affirm under the penalties of perjury that the testimony you are about to give will be the truth, the whole truth and nothing but the truth?

- 4.3. Applicant/Proponent Presentation of Case - Applicant/Proponent 3 - 5
 - [First Congregational Church Sign Rendering](#)
 - [First Congregational Church Sign Specs](#)
- 4.4. Presentation of Planning Commission Review - Staff 6
 - [Favorable Recommendation from FPC](#)
- 4.5. Opponent Presentation of Case - Public
- 4.6. Presentation Rebuttal - Applicant
- 4.7. Executive Session - Board of Zoning Appeals
 - i. Discussion of Findings, Conclusions and Conditions
 - ii. Motion to Approve/Deny Application/Postpone
Hearing - Discussions Regarding the Same
 - iii. Alternative Motions - Discussions Regarding the Same
- 5. ADJOURNMENT



WESTERN MARYLAND

SIGNS

DESIGN

BUILD

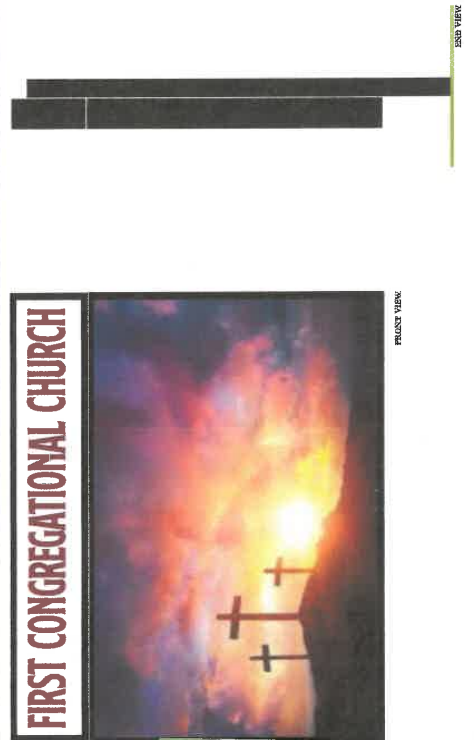
INSTALL

SERVICE

FROSTBURG MARYLAND 21532

301-777-3333

vicki@westernmarylandsigns.com



120 Volt
15.0 amps
Single phase service

Brightness
Daytime 7000 NITS
Maximum Nighttime
700 NITS Maximum

Viewing angle
150 horizontal / 95 vertical

Vicki Thomas,
Western Maryland Signs

Note: 1 NIT equals 3,426 Lumens

PROPOSAL



14 Village Parkway
Frostburg MD 21532
301-777-3333

Proposal Submitted to:
First Congregational Church
101 Bowery St
Frostburg MD 21532

Project Name and Location:

We hereby submit specifications and estimates for:

Supply and install (1) 41" x 5'3" single sided Electronic Message Center. Sign to be installed onto (2) steel posts. Brick work, etc., if desired, is not included.
\$17,621.00 Includes electrical connection to existing power source at point of install.

Supply and install (1) 48" x 6'3" single sided Electronic Message Center. Sign to be installed onto (2) steel posts. Brick work, etc., if desired, is not included.
\$21,300.00 Includes electrical connection to existing power source at point of install

We Propose hereby to furnish material and labor complete in accordance with the above specifications for the sum of:
See above

Payment to be made as follows:

One half down upon acceptance of proposal, balance due when sign installed

All material is guaranteed to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Placement of sign(s) is per customer's instruction. We are not responsible or held liable for any sign(s) considered to be improperly placed due to, but not limited to, property line disputes, right-of-way issues, improper permitting or lack thereof, landlord/tenant disputes, etc. The proposal, once signed, is considered due and owing in full, within the terms of payment specified in proposal, even if a dispute of sign(s) placement occurs. Any fees resulting from a dispute, including, but not limited to, removal fees, fines, legal fees, court costs, permit fees, etc. are the responsibility of the customer. Proposals requiring digging has a rock clause. Additional charges for rock removal will be incurred on a time/material basis. If proposal includes an LED Message Center we supply, the Message Center remains property of Western Maryland Sign Service Inc until paid in full WV002897

Vicki L Thomas

Authorized Signature

June 2, 2023

Date

Note: This proposal may be withdrawn by us if not returned with signature and deposit (if outlined as such above) within 10 days

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. Your are authorized to do the work as specified: Payment will be made as outlined above

Authorized Signature

Date

Frostburg's Board of Zoning Appeals
Official Recommendation

By
Frostburg's Planning & Zoning Commission

Date of Planning and Zoning Commission Meeting: **July 12, 2023**

Board of Zoning Appeals
City of Frostburg
Case # **2618**

Applicant's Name: **First Congregational Church**

Applicant's Address: **103 Bowery Street, Frostburg, MD 21532**

Location of Property: **103 Bowery Street, Frostburg, MD 21532**

Zoning District: **"C1" University Corridor/Mixed-Use District**

Variance: **XX**

Special Exception:

Other:

The Frostburg Planning & Zoning Commission officially recommends the following with respect to the aforementioned case:

Approve: ✓

Deny:

Stipulations or Reasons:
must abide by EMC regulations in the "C2" district

Date: July 12, 2023



Conrad Best, Chairman
Planning and Zoning Commission