



# THE CITY OF FROSTBURG

## Board of Zoning Appeals Meeting Agenda

Wednesday, July 10, 2024 at 5:30 PM

Frostburg Municipal Center Meeting Room 100  
37 S. Broadway, Frostburg, MD 21532

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1. **Call to Order - Chair**
2. **Roll Call - Chair**
  - A. Julia Williams, Kevin Wagner, Brian Alderton, Constance Loucks, Chair Tom Vogtman
3. **Pledge of Allegiance - Chair**
4. **Case Number 2620 - 25 Centennial Street / 157 First Street**
  - A. Statement of Appeal/Meeting Procedure - Chair
  - B. 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?
  - C. Applicant/Proponent Presentation of Case - Applicant/Proponent
  - D. Presentation of Planning Commission Review - Staff
  - E. Opponent Presentation of Case - Public
  - F. Presentation Rebuttal - Applicant
  - G. 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**

**Frostburg’s Board of Zoning Appeals**

**Statement of Appeal**

Hearing Date: **July 10, 2024**

Case # **2620**

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, July 10, at 5:30, pursuant to Section 1.18 of the Frostburg Zoning Ordinance, is now in Session. Board members present are: \_\_\_\_\_(Roll: Julia Williams, Connie Loucks, Brian Alderton, Tom Vogtman, and Kevin Wagoner.)

This Public hearing is being conducted for the purpose of the owner of 157 First Street, who is requesting approval of a Variance process pursuant to Sec. 6.5.B of the Frostburg Zoning Ordinance to allow an accessory use prior to a principal structure on the subject property.

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.

# CITY OF FROSTBURG BOARD OF ZONING APPEALS

FORMAL APPLICATION



DEPARTMENT OF COMMUNITY DEVELOPMENT  
FROSTBURG MUNICIPAL CENTER  
37 BROADWAY, P.O. BOX 440  
FROSTBURG, MD 21532

Case # 2620  
Hearing Date: 7/10/24

Application Type	
<input type="checkbox"/> Special Exception	Administrative Error
<input checked="" type="checkbox"/> Variance	Other: _____

Applicant's Name: JAMES SHAWN MILLER  
Applicant's Address: 25 CENTENNIAL ST FROSTBURG, MD 21532

Phone No.: \_\_\_\_\_

Property Location: 157 1ST ST. FROSTBURG, MD 21532  
*Physical address or distance and direction from nearest intersection*

Property Dimensions: \_\_\_\_\_  
Tax Map: 0200 Parcel: 0208A Lot: \_\_\_\_\_ | Election District: 11  
Current Zoning Classification: R2 Current Use: VACANT UNDEVELOPED

REQUEST: CONSTRUCT A GARAGE PRIOR TO A PRINCIPAL STRUCTURE

PLEASE EXPLAIN WHY YOU BELIEVE THE BOARD SHOULD GRANT YOUR REQUEST (use attachments as needed):

Please read and sign below:

*As specified under Section 1.18.D of the City of Frostburg Zoning Ordinance, any Application for Special Exception or Variance must be presented to the Frostburg Planning Commission for review prior to the hearing date. The Planning Commission may enter a formal recommendation to the Board of Appeals to include an assessment of the impact that the Variance or Special Exception will have in respect to the City's Comprehensive Plan. The recommendation of the Commission is not binding upon the Board of Appeals.*

*Please plan to attend the Planning Commission Meeting. The next meeting is \_\_\_\_\_ at 7:00 pm at the Frostburg Municipal Center, 37 Broadway, Frostburg, Maryland. Failure to attend or to provide sufficient information for review by the Planning Commission could result in an unfavorable recommendation by the Planning Commission.*

Applicant's Signature: [Signature] Date: 7/2/2024

Information Required for Appeal, if applicable (*drawings must be to scale*):

Parking Site Plan      Floor Plan      Site Plan      Survey      Other: \_\_\_\_\_

FOR CITY USE ONLY

Board of Zoning Appeals Fee: \$ 250.00 | Payment Type: Cash  
Application Date: 6/13/24 Taken by: BF Status: \_\_\_\_\_  
Permit Issue Date: 7/2/24 Issued by: 7/2/24  
Community Development Signature: Bethany [Signature]

Card fee: \$7.38  
Check No.: \_\_\_\_\_  
Status: APPROVED      DENIED

CASE NO. 2620

Ref. # 14645

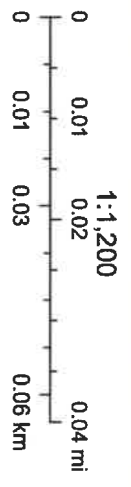




157 W. First Street



7/1/2024, 10:39:42 AM  
 Tax Parcels





































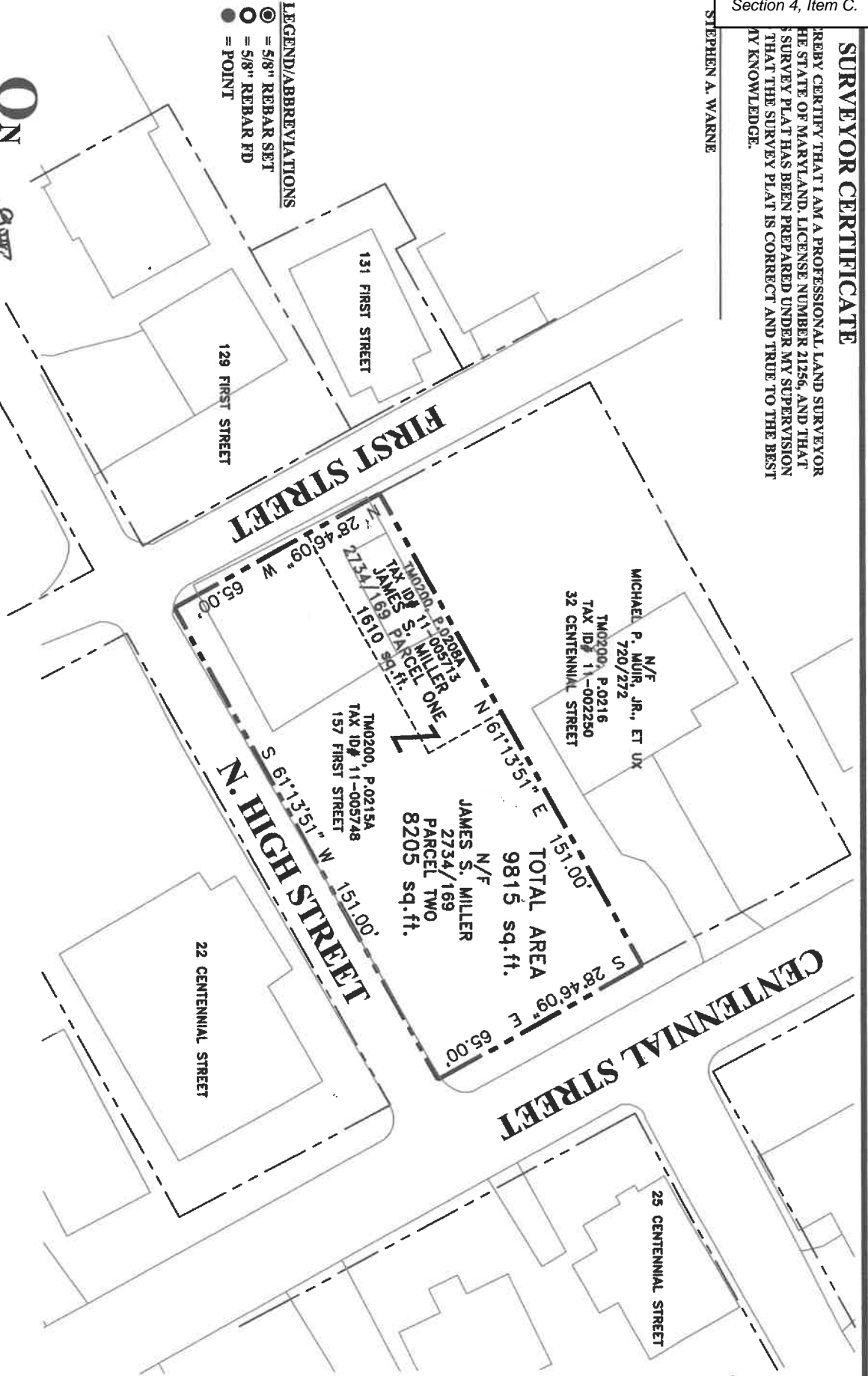
**SURVEYOR CERTIFICATE**

I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF MARYLAND, LICENSE NUMBER 21256, AND THAT THIS SURVEY PLAT HAS BEEN PREPARED UNDER MY SUPERVISION AND THAT THE SURVEY PLAT IS CORRECT AND TRUE TO THE BEST OF MY KNOWLEDGE.

STEPHEN A. WARNE



MARYLAND STATE MERIDIAN



**ON THE MARK SURVEYOR**



SCALE: 1" = 40'

**INC**  
MEVERSDALE, PA  
PHONE 240-580-6175

UNLESS IT BEARS THE ORIGINAL SIGNATURE AND SEAL OF THE A PROFESSIONAL LICENSED SURVEYOR, THIS PLAT IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

**LOT LINE ADJUSTMENT SURVEY**

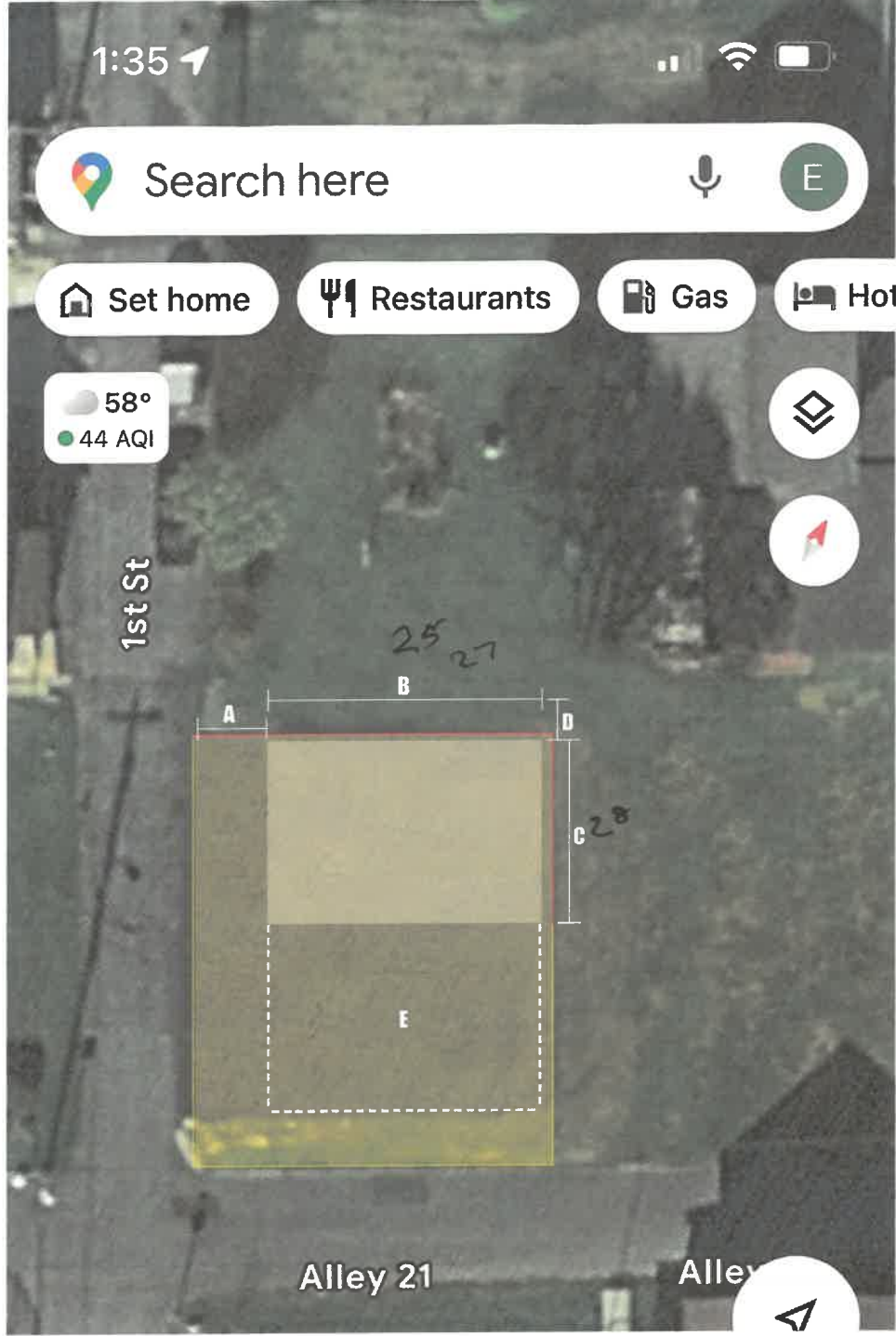
prepared for  
**JAMES S. MILLER**  
25 CENTENNIAL STREET  
FROSTBURG, MD 21532

ELECTION DISTRICT # 11  
ALLEGANY COUNTY  
MARYLAND

Search here

Set home Restaurants Gas Hot

58°  
44 AQI



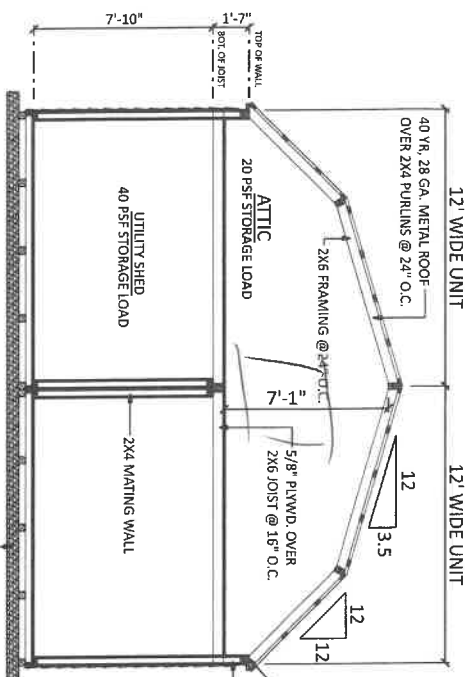
Yellow area is overall 47 ft (bordering Alley 21) x 65 ft (bordering First St.)  
Red edge is existing retaining wall.  
White area is Structure.

- A** Distance from roadway = 15 ft.
- B** Length of structure = 32 ft.
- C** Width of structure = 28 ft.
- D** Distance from property edge = 5 ft.
- E** Dotted area = Proposed future carport  
27 ft from building to Alley 21 by 32 ft.  
deep with a 5 ft set back from Alley 21  
with a 15 ft set back from First St.



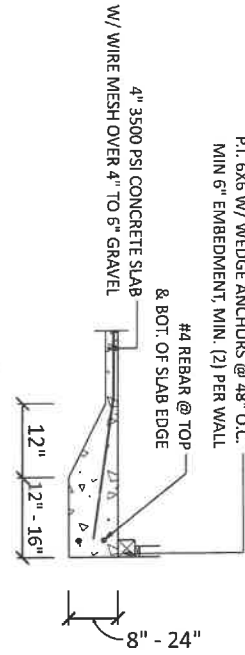
44 x 32  
28 x 32

\*Building will be pre-built modular unit will be installed on a leveled and properly compacted crusher run footing with proper drainage installed behind retaining wall.

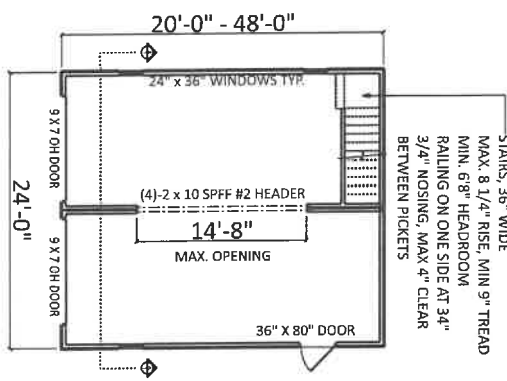


**NOTE:**  
 BUILDING IS DESIGNED TO BE FREESTANDING.  
 ADDITIONS OR ADJUSTMENTS ARE NOT PERMISSIBLE.  
 OBSTRUCTIONS TO SNOW  
 SLIDING OFF ROOF  
 ARE NOT PERMISSIBLE.

**FLOOR SYSTEM**  
 OPTION 1 - 5/8" PLYWOOD OVER  
 2X4 FLOOR JOIST @ 16" O.C.  
 OVER 4X4 PT SKIDS @ 36" O.C.  
 OPTION 2 - 3/4" PT PLYWOOD OVER  
 2X4 FLOOR JOIST @ 12" O.C.  
 OVER 4X4 PT SKIDS @ 36" O.C.

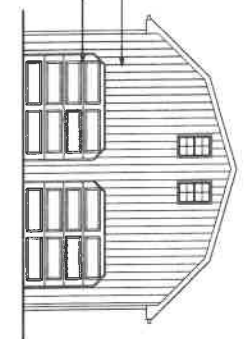


SLAB EDGE AT FLOORLESS OPTION

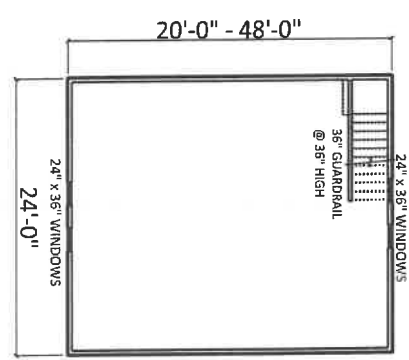


FIRST FLOOR PLAN

- BUILDING CODE REVIEW**
- OCCUPANCY CLASSIFICATION: UTILITY SHED
  - CONSTRUCTION TYPE: TYPE V-4B
  - FIRE SEPERATION: NOT REQUIRED, DETACHED
  - DISTANCE SEPERATION: 10' MIN.
- DESIGN LOADS**
- ROOF LOAD: 28 PSF (ASCE 7.4 SNOW LOAD REDUCTION FOR METAL ROOF)
  - FLOOR LOAD: 20 PSF FLOOR LOAD ( ATTIC STORAGE LOAD)
  - WIND LOAD: 90 SPF
- CLIMATE & GEOGRAPHIC CRITERIA**
- GROUND SNOW LOAD: 40 PSF
  - WIND SPEED: 115 MPH
  - SEISMIC DESIGN CATEGORY: B
  - WEATHERING TERMITE: SEVERE
  - DECAY: MODERATE TO HEAVY
  - WINTER DESIGN TEMP: DECAY
  - FLOOD HAZARD: N/A (UNHEATED)
  - WOOD SPECIES: SEE LOCAL FLOOD MAPS



FRONT ELEVATION



SECOND FLOOR PLAN

24 X 36  
 43,265  
 7.5 X 16

<b>BUILDER:</b> Tri-State Gazebo 6653 Bittinger Rd Swanton, MD 21561 Phone: 301-245-4848	<b>PROJECT:</b> 24' Wide, 2 Story Dutch Barn Utility Shed	<b>FINAL</b> 3/27/23	<b>E.S.</b>
<p><b>DRAFTING CONCEPTS</b>                  5219 Old Strasburg Rd.                  Kinzers, PA 17535                  P: 717-442-5053 F: 717-370-5925                  John@DraftingConceptsLLC.net</p> <p>SCALE: AS NOTED</p> <p>SHEET TITLE: Drawing details</p> <p>PROJECT NO.: D235-23</p>		<p><b>1</b></p>	

**Frostburg's Board of Zoning Appeals**  
**Official Recommendation**  
**By**  
**Frostburg's Planning & Zoning Commission**

Date of Planning and Zoning Commission Meeting: **June 12, 2024**

Board of Zoning Appeals  
City of Frostburg  
Case # **2620**

Applicant's Name: **J. Shawn Miller**

Applicant's Address: **25 Centennial Street, Frostburg, MD 21532**

Location of Property: **157 First Street, Frostburg, MD 21532**

Zoning District: **"R2" Neighborhood Residential District**


Variance:     **XX**                                      Special Exception:                                      Other:

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

Approve: **XX**                                      Deny:

Stipulations or Reasons: None

Date: June 12, 2024

  
\_\_\_\_\_  
Conrad Best, Chairman  
Planning and Zoning Commission