

The motion shall be accompanied by the fee as set forth in the Schedule of Fees and Charges adopted by the County Commissioners.

Continuation of Hearing:

Public Hearings may be continued by the applicant when Petition and Order for Continuance is filed with the appropriate fee stating the reasons for the request. The Hearings may be continued by the Board at their discretion.

Appeals to the Circuit Court:

The decision of the Board of Appeal may be appealed by an aggrieved party in accordance with the Law of Maryland and the Maryland Rules of Procedure.

Before filing an Order for Appeal in the Circuit Court for Charles County, the person or persons so Appealing shall pay the fee as set forth in the Schedule of Fees adopted by the County Commissioners.

The Appellant shall request a copy of the transcript(s) of the hearing(s) from the Zoning Officer. Any person ordering a typewritten transcript of the proceedings shall be deemed to have personally guaranteed the payment for the cost of the transcript. A reasonable deposit shall be paid before the transcription is ordered.

**Charles County Board of Appeals Charles
County Government Building P.O Box 2150
La Plata, MD 20646
Phone: (301) 645-0540**

*This pamphlet is provided for general information purposes only.

**Please refer to the Charles County Zoning Code for specific requirements.



INTRODUCTION AND GUIDE TO THE BOARD OF APPEALS FOR CHARLES COUNTY, MARYLAND

Powers and Duties:

The Board of Appeals shall hear and decide on the following:

Appeals from any order, decision, requirement, or interpretation made by an administrative official in the enforcement of any matter; applications for Special Exception uses, and enlargements, extensions, modifications, or revocations of Special Exceptions; applications for variances; application for the extension or enlargement of a non-conforming situation; and any other matter the Board is required to act upon by any other County Code.

Initial Submission:

To bring a case before the Board, a completed application, signed by the applicant and any and all property owners, just be filed accompanied by the following:

Fee as established in the Schedule of Fees as adopted by the County Commissioners. Checks shall be made payable to "Charles County Commissioners".

Names and addresses of all owners directly abutting the boundaries of the entire parcel or across a public private right of way from that parcel; if the subject property is a portion of a larger existing parcel, then the boundary of the larger parcel is to be used;

Twelve (12) copies of a recorded plat, 18" x 24" in size, showing the land for which the Special Exception

Twelve (12) copies of a site plan, no larger than 30" x 42" in size, showing ways of ingress and egress, proposed screening and buffer zone, existing and/or proposed structures, and parking configuration, and any other features specifically required for that use in the Minimum Standards (Section 297-212) of the Zoning Code.

Statement in writing by the applicant and adequate evidence showing that the proposed use will conform to applicable standards including any additional studies required for that use per Section 297-212.

Board of Appeals Hearings:

The Hearings shall be held in the Charles County Government Building at **7:00p.m.** or any other time and place at the discretion of the Board.

Appellants or applicants must attend the hearing to present their case and answer questions. Petitioner, as well as protestants, may bring an attorney, witness and evidence. The burden of proof rests with the applicant, or appellant, in each case.

Notice of Hearing:

Staff shall prepare a Public Notice which shall be published in at least one (1) newspaper once a week for two successive weeks, with the first such publication of Notice appearing at least 15 days prior to the Hearing.

Not less than 14 days prior to the hearing, the applicant or his agent shall mail a copy of the Public Notice by Certified Mail Return Receipt to all adjoining and confronting property owners.

The applicant shall file, with the Zoning Officer, an affidavit of mailing of such Notice as an exhibit in the public hearing prior to **4:30p.m. the day of the hearing.**

At least 14 days prior to the hearing, the applicant shall erect a sign(s), provided by the Zoning Officer, on the subject property in the locations specified by the Zoning Officer.

The applicant shall sign an affidavit with a picture of the posted sign, certifying the posting of said sign, with the Zoning Officer prior to 4:30p.m. of the day of the hearing.

Request for Reconsideration or Modification of Conditions:

Within 15 days after the Board issues its written decision, any party in interest may file a motion for reconsideration of the decision or modification of conditions as contained in decision with the Zoning Officer. The written motion shall contain justification for the request.

The party filing such a motion shall transmit copies to all persons who testified at the hearing and shall file an affidavit of mailing with the Zoning Officer.