



For Official Use Only	
ZBA Case Number:	
Hearing Date:	
Ad Date:	
Application Fee:	\$650.00
Date Paid:	

ZONING BOARD OF APPEALS INTENSIFICATION OF NONCONFORMING USE APPLICATION

The completed application form, supporting plans and other documentation in **PDF form ONLY**, as well as your **citizen portal account name** must be sent to zbadigital@cityoffrederickmd.gov on or before **3:00** PM on the application deadline date. Any files that are larger may be sent via a shared link. You will need to remove your email signature image before submitting. Please make sure all files submitted are legible. Incomplete applications will not be accepted.

*Payment of fees by credit card is preferred via our [Citizen Access Portal](#), please contact Carreanne Eyer at ceyer@cityoffrederickmd.gov for additional payment options if needed.

APPLICANT INFORMATION - OWNER'S AFFIDAVIT MUST BE SUBMITTED WITH APPLICATION.	
Contact Name:	
Firm/Company:	
Address:	
Phone:	email:
OWNER INFORMATION	
Name:	
Firm/Company:	
Address:	
Phone:	email:

PROJECT INFORMATION	
Project Location: (Street Address)	
Current Zoning:	Current Business Name/Use:
Description of the proposed intensification:	

JUSTIFICATION FOR NONCONFORMING USE	
Per Section 909 The Zoning Board of Appeals may authorize the intensification of a nonconforming use only when the Board finds that the following conditions exist: <i>(Please respond to each condition statement in the area provided - use additional paper if necessary.)</i>	
(1)	A lawful nonconforming use shall not expand or extend beyond the existing documented boundaries of the nonconforming activity or use on a property.
(2)	A lawful nonconforming use may intensify the activities within the established

	boundaries of the nonconforming use or activity of a site. The Zoning Board of Appeals shall determine if the proposed intensification of the nonconforming use/activity is within the established historical boundaries and is not expanding beyond those historical, documented boundaries. Evidence of these established boundaries shall include, but are not limited to aerial photographs, building permits, or similar written documentation.
(3)	A use, activity, or construction shall not be permitted to intensify the nonconformity if it is determined that:
	A. It does not reflect the nature and purpose of the original, lawful non-conforming use
	B. It constitutes a use different in character, nature, and kind than the original nonconforming use, as opposed to merely a different manner of utilizing the original, lawful non-conforming use;
	C. It has a substantially different effect upon the neighborhood than the original, lawful nonconforming use;

I hereby attest that the information provided on and attached to this application is complete and correct.

Signature of Applicant/Agent

Date