



Request for:  
**ADMINISTRATIVE MODIFICATION**  
 ALLEGANY COUNTY, MARYLAND

RE: PERMIT NUMBER:

DATE SUBMITTED: / / 201

**APPLICANT INFORMATION**

*This section must be fully completed and submitted with the subject permit application and Site Plan*

Last Name	First Name	Middle	Phone(work)
Address			Phone(home)
City	State	Zip	Phone(cellular)

**APPLICANT'S CERTIFICATION:** I hereby agree to comply with all regulations and codes, which are applicable hereto. I further agree that any misstatement or misrepresentation of facts presented as part of this application, or change to proposal without approval of the agencies concerned, shall constitute sufficient grounds for the disapproval or revocation of the subject permit. I hereby affirm that I own the property which is the subject of this application; or that I am the duly designated representative of the property owner, and that I possess the legal authority to make this Affidavit on behalf of myself or the owner for whom I am acting. I do solemnly declare and affirm under the penalties of perjury that the contents of this Application are true and correct to the best of my knowledge, information and belief.

APPLICANT'S SIGNATURE:

DATE:

**Preamble:**

An *administrative modification to development standards* contained within the Zoning Regulations is permissible under certain circumstances where special physical conditions of the lot or parcel, not conditions resulting from an act or actions of an Applicant, would make strict enforcement of the Regulations unreasonable. Applicability for an *administrative modification* is relevant to how and when the subject lot was created, geophysical conditions, legal encumbrances or existing improvements associated with the subject lot or parcel. Examples include, but are not limited to, shape of lot, lot area, infrastructure, floodplain, wetlands, utility easements, buried or overhead electric lines, or a combination thereof. Modification(s) to development standards are not taken into consideration relative to the financial or physical condition of the applicant, nor for lots created after March 3<sup>rd</sup>, 1972 (Subdivision Regulations). Statutorily, LDS Staff may only authorize a *modification* to a specified extent where justified. In the event staff denies a request for an *administrative modification*, it may be appealed to the *Allegany County Board of Zoning Appeals*.

It is the Applicant's responsibility to provide justification for an *administrative modification*. Any justification provided must have legal competency. Any modification granted by the LDS staff or the *Board of Zoning Appeals* may be challenged in the courts by an aggrieved party.

**Part I. Description of Project; Extent of Variance**

**Section A.** Describe the proposed project, the variance requested, and the reason such change is necessary:


**Section B.** Applicability; Extent of Variance:

Section for which variance requested:	Part 4, §141.
Statutory requirement (in feet/sf):	
Requested distance/height/sf:	
Maximum extent of requested variance (%)	

**Part II. Justification**

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**Section A.** Lot; location and scope of project.

Sub-section A.1. Was the subject lot created after March 3<sup>rd</sup>, 1972?

Yes. (if Yes, an *administrative modification* cannot be considered)

No. (proceed to question within Sub-section A.2.)

Sub-section A.2. Can the project be relocated on the subject lot and conform to the *Zoning Regulations*?

Yes. (if Yes, an *administrative modification* cannot be granted)

No. (proceed to question within Sub-section A.3.)

Sub-section A.3. Can the scope of the project be reduced to conform to the *Zoning Regulations*?

Yes. (if Yes, an *administrative modification* cannot be granted)

No. (proceed to Section B.)

**Section B.** Explain how strict application(s) of the provisions of the *Zoning Regulations* would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the regulations:


**Section C.** What are the exceptional circumstances, characteristics or conditions peculiar to the subject property that generally do not exist on adjacent properties or surrounding area:


**Section D.** In the event a variance is granted, explain how the relief will not be materially detrimental to adjoining property(ies), public safety and welfare within the subject neighborhood:


**Section E.** In the event the requested variance is not granted, explain how the subject property cannot be developed or yield a *reasonable return* as regulated by the *zoning code*:


Check here if additional explanation or exhibit(s) attached.

**LDS USE ONLY**

Request Received	____/____/201__	Variance <input type="checkbox"/> Recommended/ <input type="checkbox"/> Denied	By:	
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