



**Board of Appeals
Regular Meeting**
December 15, 2025, 6:00 PM
Council Chambers, La Plata Town Hall
305 Queen Anne St
La Plata MD

Agenda

1. Call to Order

1.1. Public Hearing Procedures (Written Only)

1.2. Call to Order

Attendees, please use meeting courtesy. Virtual attendees are asked to mute microphones when joining the meeting. Participants may be muted by the Town Clerk, and meetings will be recorded.

In accordance with the Open Meetings Act, the public has the right to view/listen to the discussion only. Written comments may be submitted in advance via email to Legislative@townoflaplata.org. Individuals wishing to address the Board of Appeals may sign up in advance on the Town's website ([Public Communications](#)) or on the meeting sign-up sheet.

[Join the meeting now](#)

Meeting ID: 286 464 788 560 1

Passcode: kH93vj2E

In accordance with the Code of Maryland, General Provisions, Section 3-302 (Open Meetings Act), notice is hereby given that a portion of this meeting will be held in closed session.

1.3. Roll Call

1.4. Pledge of Allegiance

2. Approval of Minutes

2.1. Approval of minutes from meeting on November 13, 2024.

3. Public Hearing

Planning Dept Case #VAR-0001-2025, 8 Kent Avenue, Application for Variance

- 3.1. Review of Public Hearing Procedures (Town Clerk)
- 3.2. Call to Order (Presiding Officer/Chair)
- 3.3. Review of Public Notices (Town Clerk)
- 3.4. Summary of Town Staff Report and Recommendation
- 3.5. Applicant/Petitioner Presentation and Testimony
- 3.6. Questions from the Board to the Applicant/Petitioner or Town Staff
- 3.7. Written Documents are Entered into the Record

Written testimony may be submitted in advance via email to legislative@townoflaplata.org or postal mail to Legislative Services Department, Town of La Plata, 305 Queen Anne St Box 2268, La Plata MD 20646, and must be received no later than 12:00 PM, two business days prior to the scheduled meeting.

Written documents for the record will be presented to the presiding officer prior to the opening of the public hearing.

3.8. Public Comment

- Speakers (signed up) are called on by the presiding officer.
- Those wishing to provide in-person testimony may sign up in advance no later than 3:00 PM on the day of the public hearing via the [town webpage](#), or upon arrival at the Council Chambers via sign-up sheet.
- Speakers who register in advance will be recognized prior to speakers who register upon arrival at the public hearing.
- In-person registration to speak will end when the relevant public hearing is opened.
- At the discretion of the presiding officer, time may be limited to 3 minutes and may not be yielded.

3.9. Additional Questions from the Board

3.10. Closing of Public Hearing

When the hearing is concluded, the Board will not hear further comments or questions during the meeting.

4. Motion for a Closed Session

4.1. Motion for a Closed Session

Tentatively Scheduled at the Discretion of the Board and Town Attorney

STATUTORY AUTHORITY TO CLOSE SESSION: State Government Article §3-305(b) (7) To consult with counsel to obtain legal advice on a legal matter.

Subject: Case Number VAR-0001-2025

5. Deliberations Regarding Application

5.1. Findings of the Board

6. Other Business

7. Adjourn

7.1. Adjournment

PUBLIC HEARING PROCEDURES

Public Hearings of the Board of Appeals for the Town of La Plata scheduled for December 15, 2025, will be conducted in the following manner:

1. Call to Order
2. Review of Public Notices
3. Summary of Town Staff report and recommendation
4. Applicant/Petitioner presentation and testimony
5. Questions from the Board to the Applicant/Petitioner or Town staff
6. Written documents are entered into the record
 - Written testimony may be submitted in advance via email to legislative@townoflaplata.org or postal mail to Legislative Services Department, Town of La Plata, 305 Queen Anne St, Box 2268, La Plata, MD 20646, and must be received no later than 12:00 PM on Monday, December 15, 2025.
 - Written documents for the record will be presented to the presiding officer prior to the opening of the public hearing.
7. Public Comment
 - Speakers (signed up) are called on by the presiding officer.
 - Those wishing to provide in-person testimony may sign up in advance, no later than 3:00 PM on Monday, December 15, 2025, via the town webpage: <https://townoflaplata.org/209/Public-Communications> or upon arrival at the Council Chambers via sign-up sheet.
 - Speakers who register in advance will be recognized prior to speakers who register upon arrival at the public hearing.
 - In-person registration to speak will end when the relevant public hearing is opened.
 - At the discretion of the presiding officer, time may be limited to 3 minutes and may not be yielded.
8. Additional questions from the Board
9. Closing of Public Hearing
 - When the hearing is concluded, the Board will not hear further comments or questions during the meeting.



TOWN OF LA PLATA
Board of Appeals Minutes
November 13, 2024, 6:00 PM
Regular Meeting
Council Chambers, La Plata Town Hall
305 Queen Anne St
La Plata MD

PRESENT: Chair Hugh Williams
Mark Thorn
Jonathan Burruss

ABSENT:

TOWN STAFF: Kelly Phipps, Director of Legislative Services
Celia Craze, Town Contract Planner
Jay Gullo, Town Attorney

GUESTS: Jeannine James, Mayor

1. Call to Order

1.1. Pledge of Allegiance

Chair Williams called the meeting to order at 6:01 PM and led all assembled in the Pledge of Allegiance.

1.2. Roll Call

The Interim Town Clerk conducted Roll Call.

2. Approval of Minutes

2.1. Approval of minutes from meeting on January 10, 2024.

Mr. Thorn moved to approve the minutes from the meeting held on January 10, 2024.
Moved By: Mark Thorn, seconded by Jonathan Burruss.

Passed Unanimously

3. Public Hearing

SE-0001-2024, Senior Living Community, Pinegrove Neighborhood C

3.1. Review of Public Hearing Procedures (Town Clerk)

The Interim Town Clerk reviewed the public hearing procedures.

3.2. Call to Order (Presiding Officer/Chair)

Chair Williams opened the public hearing at 6:03 PM.

3.3. Review of Public Notices (Town Clerk)

The Interim Town Clerk reported that notice of the public hearing was published in accordance with Town Code.

3.4. Summary of Town Staff Report and Recommendation

Ms. Craze provided an overview of her professional credentials and a summary of the staff report and recommendations. Ms. Craze identified inconsistencies in the staff memorandum and Planning Commission report associated with this application, specifically yard requirements for single-family dwellings. Ms. Craze recommended that the inconsistencies be resolved and brought back to the Board [of Appeals] at a future date.

3.5. Applicant/Petitioner Presentation and Testimony

Chair Williams deferred presentation and testimony and proceeded to Questions from the Board.

3.6. Questions from the Board to the Applicant/Petitioner or Town Staff

Mr. Steve Scott of the Scott Law Group spoke on behalf of the applicant. The applicants concurred that the inconsistencies identified should be corrected and that the proceedings should be continued until those corrections are made so a complete and consistent record can be presented to the Board of Appeals.

3.7. Written Documents are Entered into the Record

Written testimony may be submitted in advance via email to legislative@townoflaplata.org or postal mail to Legislative Services Department, Town of La Plata, 305 Queen Anne St Box 2268, La Plata MD 20646, and must be received no later than 12:00 PM, two business days prior to the scheduled meeting.

Written documents for the record will be presented to the presiding officer prior to the opening of the public hearing.

This section of the public hearing was deferred in light of the request for a continuance.

3.8. Public Comment

- Speakers (signed up) are called on by the presiding officer.
- Those wishing to provide in-person testimony may sign up in advance no later than 3:00 PM on the day of the public hearing, via the town webpage (<https://townoflaplata.org/209/Public-Communications>), or upon arrival at the Council Chambers via sign-up sheet.
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- At the discretion of the presiding officer, time may be limited to 3 minutes and may not be yielded.

This section of the public hearing was deferred in light of the request for a continuance.

3.9. Additional Questions from the Board

This section of the public hearing was deferred in light of the request for a continuance.

3.10. Closing of Public Hearing

When the hearing is concluded, the Board will not hear further comments or questions during the meeting.

This section of the public hearing was deferred in light of the request for a continuance.

4. Motion for a Closed Session

4.1. Motion for a Closed Session

Tentatively Scheduled at the Discretion of the Board and Town Attorney

STATUTORY AUTHORITY TO CLOSE SESSION: State Government Article §3-305(b) (7) To consult with counsel to obtain legal advice on a legal matter.

Subject: Case Number SE-0001-2024

Chair Williams moved to enter closed session.

Moved By: Hugh Williams, seconded by Mark Thorn.

Passed Unanimously

A power outage occurred during the Closed Session which temporarily terminated public observation via Microsoft Teams video. The video connection was restored prior to resuming the Open Session.

5. Deliberations Regarding Application

5.1. Findings of the Board

After consultation with the Town Attorney, Chair Williams recommended granting the applicant's request for a continuance.

Chair Williams moved to grant a continuance of this public hearing at the request of the applicant and the Town until such time as the Town can correct the staff report and the applicant can clarify the application. If feasible, the hearing will be set before December 13.

Moved By: Hugh Williams, seconded by Mark Thorn.

Passed Unanimously

6. Other Business

There was no other business.

7. Adjourn

7.1. Adjournment

Chair Williams adjourned the meeting at 6:34 PM.

Submitted by:

Shelby Pritchett, Town Clerk

BOARD OF APPEALS OF THE TOWN OF LA PLATA, MARYLAND

IN THE MATTER OF THE APPLICATION OF:

CASE NUMBER: VAR-0001-2025

APPLICANT: Oakwood Associates LLC.

PROPERTY ADDRESS: 8 Kent Ave.

APPLICATION FOR Side Yard Variance for an elevator

CURRENT ZONING: CB

AFFIDAVIT

I HEREBY AFFIRM under the penalties of perjury that the following is true to the best of my knowledge, information and belief:

Attachment 5

I caused to be published in the Southern Maryland Newspaper, a notice of public hearing in the case scheduled for December 15, 2025. The notice was published on November 28, 2025. The Certification of Publication from the Southern Maryland News is attached.

Attachment 6

I caused notice of the time and place of the public hearing on December 15, 2025 at La Plata Town Hall by certified mail to the owners of adjacent properties to 8 Kent Ave. A copy of the notice and whom the notice was sent to are attached.

Attachment 7-11

Signs were posted on November 24, 2025 giving notice of the time and place of the public hearing in this case scheduled on December 15, 2025 in a conspicuous place on the property, which is the subject of this application, clearly visible from Kent Ave and N Oak Ave, the adjoining public right-of-ways by Gary Hurst of LDG Inc.

Debbie Simpson
Signature

Debbie Simpson
Printed name

12-4-2025
Date


29088 Airpark Drive
Easton, MD 21601

CERTIFICATE OF PUBLICATION

STATE OF : MARYLAND
COUNTY OF: Charles County

This is to certify that the annexed legal advertisement has been published in the publications and insertions listed below. "# BOA-VAR-0001-2025 ..." was published in the:

Southern Maryland News 11/28/25



James F. Normandin
President & Publisher

**NOTICE OF PUBLIC HEARING
TOWN OF LA PLATA BOARD OF APPEALS
December 15, 2025**

The Town of La Plata Board of Appeals has received a petition from LDG, Inc on behalf of Oakwood Associates LLC., requesting a side yard variance approval for an elevator shaft that will protrude into the 10' side yard setback at 8 Kent Ave. La Plata, MD Parcel 0019 upon Charles County Tax Map 0113, and located on the east side of the CSX rail, north of Maryland Route 6, north Charles St., and west of the Agricopia Subdivision, as recorded among the Land Records of Charles County ("Subject Property"). Because the Subject Property is zoned Commercial Business Zone (CB), special exception approval is required pursuant to § 191-54 of the Zoning Ordinance for the Town of La Plata.

The Board of Appeals will hold a public hearing on this petition in the La Plata Town Hall, 305 Queen Anne Street, La Plata, Maryland, on December 15, 2025, at 6:00 PM, or as soon thereafter as possible. At the public hearing all parties in interest and citizens will have an opportunity to be heard. Special accommodation for persons with disabilities will be made upon request.

Copies of the petition and site plan are on file at the La Plata Town Hall and are available for review during normal business hours, 9:00 AM to 4:00 PM.

Debbie Simpson
Planner I

3093659 IN 11/28/2025

Town of La Plata

Mayor
Jeannine E. James

Council
Paul C. Guttenberg
Patrick McCormick
Gregory Sampson, Jr.
Tyjon C. Johnson



Town Manager
Chuck Stevens

Assistant Town Manager
Michelle D. Miner

BOARD OF APPEALS STAFF REPORT

VARIANCE (VAR) 0001-2025

DATE: December 15, 2025

TO: Honorable Chair and Members of the Board of Appeals

FROM: Don Dooley, Director of Planning

REVIEWED BY: Kenar Johnson, Senior Planner

PREPARED BY: Debbie Simpson, Planner I

APPLICANT: LDG, Inc c/o Staci Lagana

OWNER: Oakwood Associates LLC c/o Wayne Wilkerson

PROJECT LOCATION: 8 Kent Ave., La Plata, MD

REQUEST: To construct a new 7'-11" x 10'-4" elevator shaft with a 2'-1" setback from the southern (side yard) property line in lieu of the required ten feet in the Commercial Business (CB) Zone.

SITE INFORMATION

Tax Map, Block, Parcel	Tax Map 113, Parcel 19
Existing Zoning	Commercial Business (CB)
Existing Land Use	Medical Office

<u>Location</u>	<u>Minimum Setback Requirements in CB Zone</u>
Front	10'-0"
Side	10'-0"
Rear	20'-0"

<u>Location</u>	<u>Land-Use</u>	<u>Zoning</u>
North	Government Office	CB

**VAR-0001-2025 - LDG, INC c/o Staci Lagana
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South	Medical Office	CB
East	Medical Office	CB
West	Undeveloped Land - Vacant	CB

BACKGROUND

On August 27, 2025, LDG, Inc (“Applicant”) applied for Variance 0001-2025 to eliminate an existing, internal, elevator shaft within the existing office building located at 8 Kent Avenue. The purpose for this modification is to construct a new, exterior, elevator shaft along the southern (side yard) of the building in the Commercial Business (CB) Zone. The elevator replacement is intended to improve the accessibility and the functionality of the existing, two-story, building as the new elevator shaft will accommodate a larger elevator (7'-11” x 10'-4”) to move more people and equipment between the first and second floors of the building.

Currently, the existing building meets its required, minimum, ten-foot setback from its adjoining southern (side yard) property line. The proposed construction of the new elevator shaft would protrude 7'-11” from the existing southern (side yard) facade of the building. However, it would only leave a 2'-1” southern (side yard) setback for the building in lieu of the required ten feet.

Staff conferred with the project applicant to determine if they had considered other design concepts to construct a new elevator shaft that will not require a variance. However, the project applicant determined that other potential locations to construct a new elevator will require significant structural modifications and cost to implement. In doing so, it would also result in a lengthy and unnecessary disruption to the building tenants.

DISCUSSION

A “setback” is defined in Section 191-5 (Word Usage and Definitions) of the Town of La Plata Zoning Code as “*The minimum perpendicular distance required between a lot line and the primary structure constructed, or which may be constructed thereon, consistent with the setback requirements of the zone in which such lot is located.*” The purpose of a setback is to provide adequate air and light, promote ventilation, enhance building aesthetics, and support public health, safety, welfare and overall quality of life. As noted above, staff has reviewed the project applicant’s variance request and determined at the proposed elevator shaft would encroach into the required ten-foot southern (side yard) setback by 7'-11”, as shown on the site plan in Attachment No.1.

According to Section 191-54 (Variances), a variance request must not be self-created or self-imposed. Staff believes Variance 0001-2025 is self-imposed hardship as it has been determined by the Planning Department that the proposed elevator shaft could be built along the north or east elevations of the building and comply with all development standards (including setbacks) for the property in the Commercial Business (CB) Zone. Additionally, a functional elevator is already located inside the building. The project applicant’s desire to pursue a variance while having the ability to meet the strict or literal

**VAR-0001-2025 - LDG, INC c/o Staci Lagana
Board of Appeals Meeting of December 15, 2025**

intent of the Town's Zoning Ordinance for the construction of the proposed elevator shaft reflects a self-imposed, economic, hardship driven by a preferential design location to reduce project costs rather than due to property development constraints, such as a non-conforming lot size or irregular property lot lines that reduce the developability of the property under the Town's current zoning ordinance. As noted above, the construction of a new elevator shaft could be developed along the eastern (rear) or northern (side yard) elevation of the building without encroaching into any required setbacks nor affect the building's occupiable capacity.

Staff has also determined that the building has total of 82 on-site parking spaces which exceeds the minimum, required, on-site parking for the building by 48 spaces should development of a new elevator require encroachment into any on-site parking spaces immediately adjacent to the building.

Finally, staff has been unable to find any records, to date, documenting any prior precedence for a variance approval, the applicant's request, immediately around the project site in the Commercial Business (CB) Zone. Although there is an existing building located immediately to the north, adjacent to the project site, that has less than a ten-foot side yard setback, staff has determined it is a legal, non-conforming, building setback since it was constructed in 1977 prior to the adoption of the Town's current zoning ordinance. There is no evidence it was approved under a prior variance request.

ANALYSIS

A ten-foot side yard setback for the existing building is a strict code requirement pursuant to Section 191-30, Table 4 (Commercial Zoning Regulations) of the La Plata Zoning Ordinance. All findings under Section 191-54 must be satisfied to receive approval from the Board of Appeals for a variance request. If one of the findings cannot be justified, the variance request fails.

For the Board's evaluation of the applicant's variance request, staff has provided the required findings, below, with staff analysis of how Variance 0001-2025 either meets or fails to meet each finding for the Board's consideration.

§ 191-54 – Variances.

(A) Upon appeal from a decision by the zoning inspector, the Board of Appeals shall have the power to vary the strict application of any requirement of this chapter in the case of exceptionally irregular, narrow, shallow or steep lots or other exceptional physical features whereby the strict application of such requirements would result in practical difficulty and unnecessary hardship depriving the owner of reasonable use of land.

(B) In general, the power to authorize a variance from the requirements of this chapter shall be sparingly exercised and only under peculiar and exceptional circumstances.

**VAR-0001-2025 - LDG, INC c/o Staci Lagana
Board of Appeals Meeting of December 15, 2025**

1. *No variance shall be granted unless the following requirements and standards are satisfied:*

a. *The appellant must show that the variance is not contrary to the public interest and that such a variance will be in general harmony with the purposes and intent of this chapter;*

Staff Comments:

Staff has found no evidence of any previously approved side yard setback variance within the immediate neighborhood of the project site to use as a prescience for the applicant's request. However, staff has determined that the southwest elevation of the adjacent building to the north of the project site (100 Kent Avenue) does have a legal, non-conforming, side yard setback which is less than ten feet. This structure was built in 1977, prior to the adoption of the Town's 2020 Zoning Ordinance. However, there is no evidence that this non-conforming setback was approved under a prior variance request. Additionally, if the building were to be completely demolished and re-built in the future, the La Plata Zoning Ordinance would require any new building on the site to comply with all applicable setback requirements for its location in the Commercial Business (CB) Zone. Therefore, staff does not believe Variance 0001-2025 meets this finding as the variance request would be contrary to the public interest and is not in general harmony with the purposes of the Town's Zoning Ordinance. Staff does not support Finding "A."

b. *A variance will not permit the establishment of a use which is not permitted in that zone;*

Staff Comments:

An office use is a permitted land-use in the CB Zone pursuant to Section 191-10(52). Variance 0001-2025 request does not seek approval for a prohibited use within the zone. Therefore, staff supports Finding "B."

c. *The hardship is not shared generally by other land or buildings in the area;*

Staff Comments:

The project applicant's justification for a hardship is not sufficient to demonstrate that a land-use hardship exists for the subject property. In responding to the Statement of Justification requirements of Section 194-54 of the La Plata Zoning Ordinance, the project applicant stated: "*This hardship is not generally shared by other land or buildings in the area. This building was constructed in 1972, and any multi-story buildings constructed under current standards typically have elevators.*" However, the submitted site plan shows that an elevator already exists within the existing structure. The project applicant's justification therefore implies, incorrectly, that the building does not have an elevator.

Staff has determined that the subject property does not suffer from any unusual property constraints associated with its lot size, shape, topography or property line configurations. It is a rectangular lot developed with an office building that meets all required setback requirements in the Commercial Business (CB) Zone. As such, the property and building can support a new, exterior, elevator shaft if it was designed along the north (side) or east (rear) elevation of the building. Therefore, staff does not support Finding "C."

- d. *The hardship is not self-created or self-imposed and must result from the strict application of this chapter.*

Staff Comments:

Variance 0001-2025 is a self-imposed hardship as the proposed elevator shaft can be constructed along the north (side) and east (rear) elevations of the building and comply with all development standards for the Commercial Business (CB) Zone. Instead, the project applicant proposes to construct the new elevator shaft along the southern (side yard) of the building, which currently complies with its minimum required side yard setback of ten feet. Therefore, staff does not support Finding "D."

- e. *Greater profitability, lack of knowledge of the restrictions and other variances granted under similar circumstances shall not be considered as sufficient cause for a variance.*

Staff Comments:

On September 12, 2025, staff submitted an inquiry to the project applicant regarding whether alternative project options had been explored to avoid the need for a variance. The project applicant's response, provided on September 29, 2025, states: *"To thread an ADA compliant elevator up through the existing building would require significant modifications to the buildings structural framing. It would create lengthy and unnecessary disruptions for the tenants. We have explored various options, and this was the best solution to accommodate the need and existing tenants."*

Staff has reviewed the existing conditions shown on the project site plan and has identified potential locations where the proposed elevator shaft could be accommodated along the building, while remaining compliant with the Town's Zoning Ordinance. The northern (side yard) building elevation, adjacent to the off-street parking lot, could serve as an alternative location by removing no more than two or three existing parking stalls. Construction of an elevator shaft along this elevation would comply with all setback requirements for the property's Commercial Business (CB) Zone. Additionally, the on-site site building consists of 11,748 square feet. Pursuant to Section 191-44 of the La Plata Zoning Code, the parking requirement for office uses require one parking stall per 350 square feet of gross floor area, resulting in a total requirement of 34 required, on-site, parking stalls for this property. The submitted site plan shows 82 existing stalls.

If the elevator shaft were located along the eastern (rear) building elevation, one parking stall could be removed to accommodate its footprint, if constructed along the southeast building elevation. In fact, the removal of up to 48 stalls would not affect compliance with Section 191-44 of the La Plata Zoning Ordinance, as the parcel would continue to exceed the minimum number of required on-site parking spaces (34 stalls) and meet its minimum required drive aisle width. Therefore, staff does not support Finding "E."

**VAR-0001-2025 - LDG, INC c/o Staci Lagana
Board of Appeals Meeting of December 15, 2025**

RECOMMENDATION

Staff recommends the Board of Appeals deny Variance (VAR) 0001-2025.

ATTACHMENT(S)

- 1) Site Plan – location and setbacks
- 2) Justification from applicant for Variance
- 3) Aerial View of Property
- 4) Town Zoning Map

WICOMICO DEVELOPMENT CORPORATION
 1455 STARKEY LANE
 PRINCE FREDERICK, MARYLAND 20678
 +1 / 301 / 643.7638
 sbowling3@comcast.net
 38° 29' 10" N 76° 38' 47" W
 © 2025

EIGHT KENT AVENUE
 La Plata, Maryland, 20646
 38° 31' 45" N 76° 38' 31" W
OAKWOOD ASSOCIATES, LLC.
 Post Office Box 128
 Newburg, Maryland, 20664

ISSUE DATE
SEPTEMBER 22, 2025

NO.	DATE
1	00/00/0000
2	00/00/0000
3	00/00/0000
4	00/00/0000
5	00/00/0000

SHEET TITLE

SCALE
 1/8" = 1' - 0"

SEAL

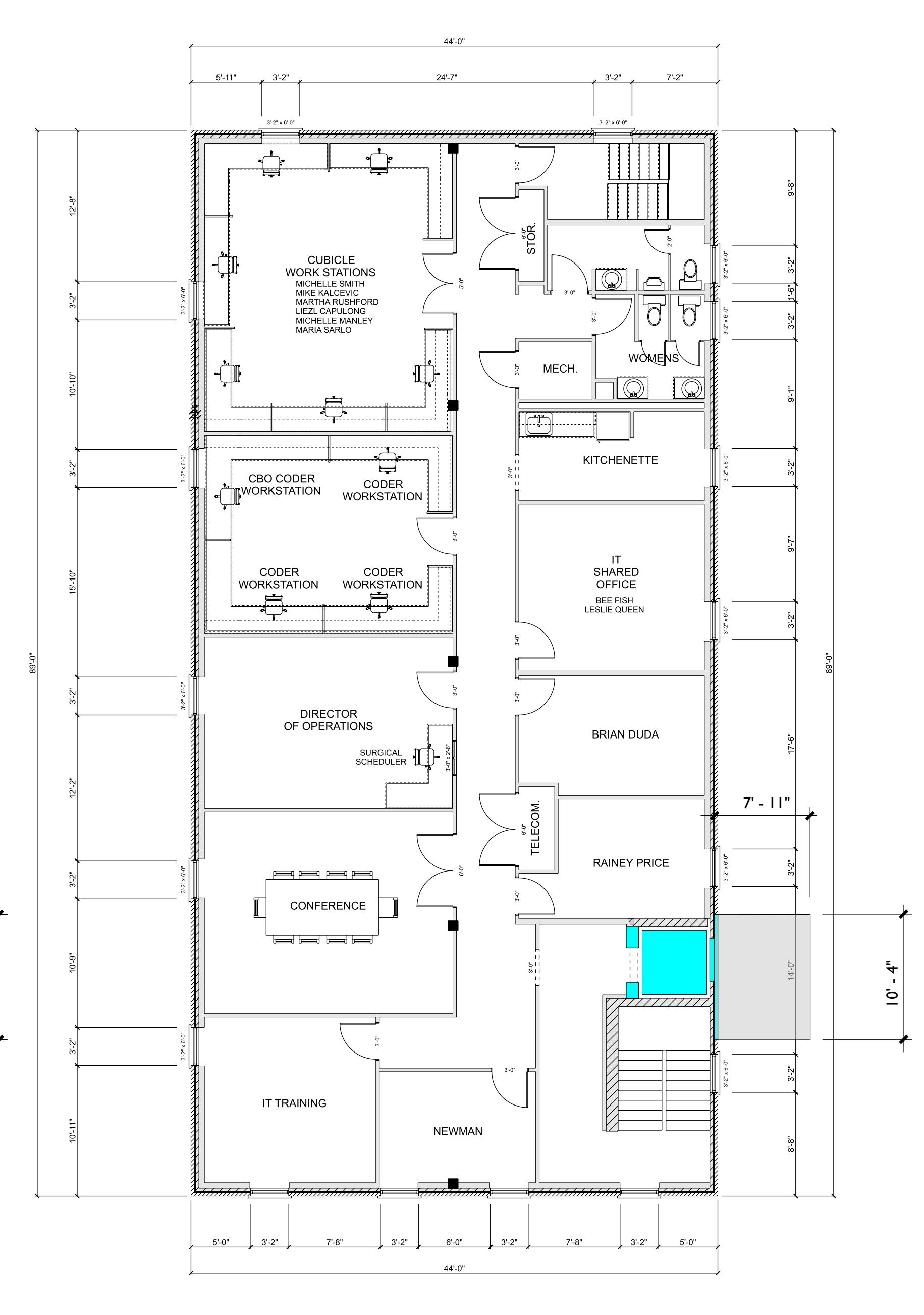
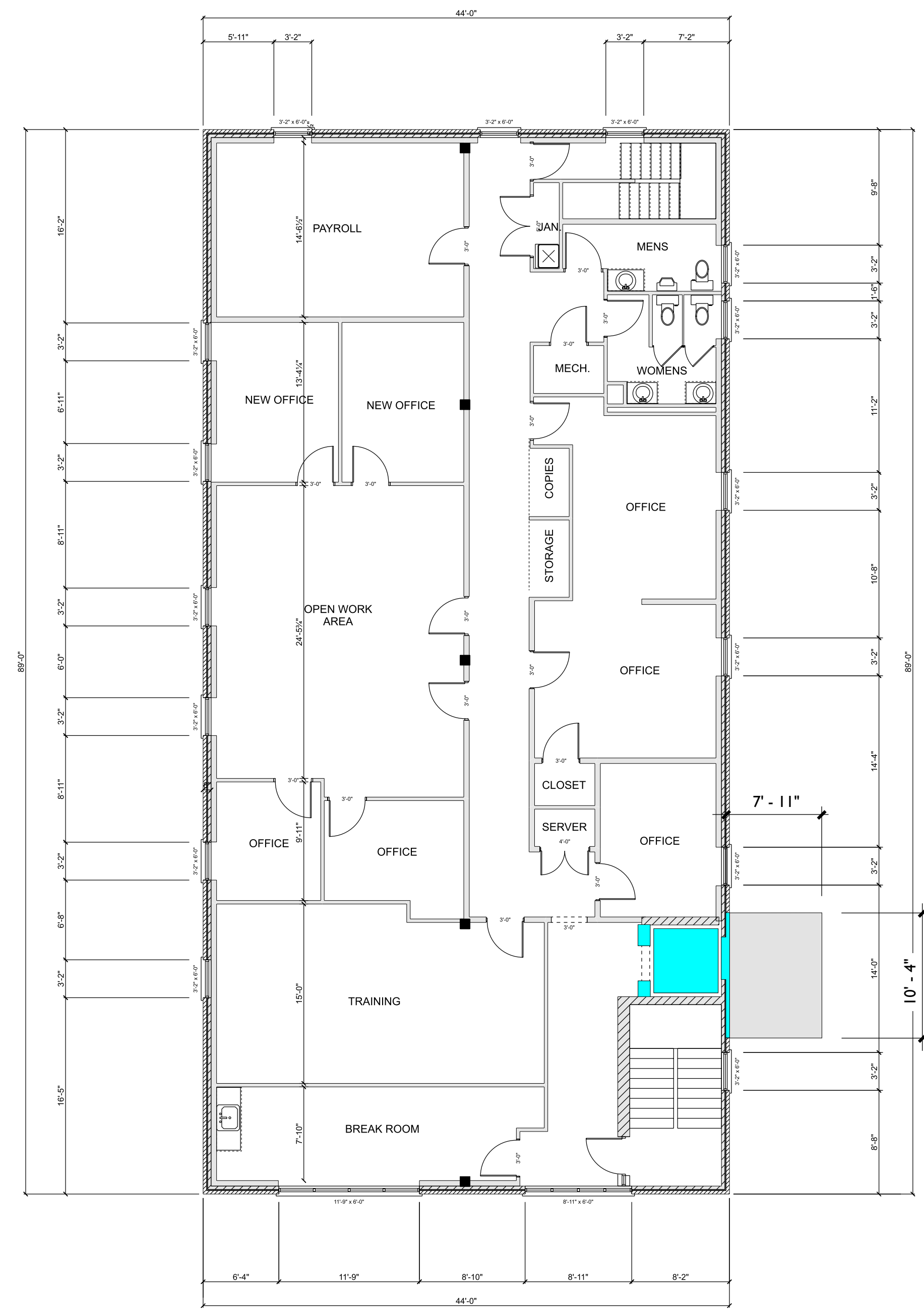
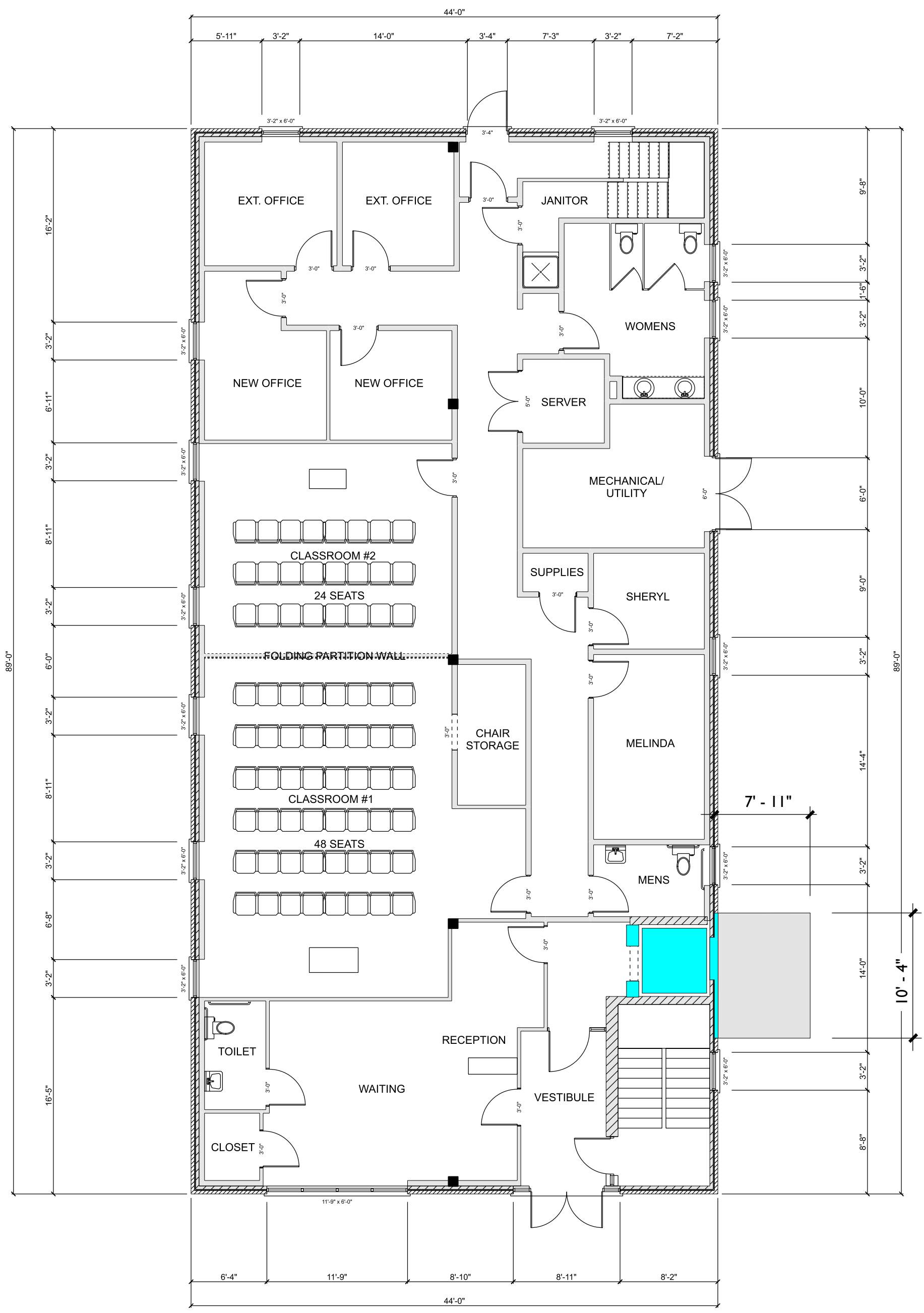
DEMOLITION CONCEPT PLANS

SHEET NUMBER

A000

SHEET 000 of 000

NOTE: AREAS SHADED IN BLUE ARE SCHEDULED FOR DEMOLITION & REMOVAL



Statement of Justification:

The applicant is requesting a variance from the Town of La Plata Code section 191-30 which requires a 10' side building restriction line to construct an elevator for the building at 8 Kent Avenue. The elevator needs to be constructed to improve accessibility, enhance safety, and provide modern convenience for the occupants. The current tenant, the University of Maryland Charles Regional Health, finance and information technology departments, would greatly benefit from this much-needed improvement.

In accordance with the Town Code, Section 191-54, Variances, *No variance shall be granted unless the following requirements are satisfied:*

- a. The appellant must show that the variance is not contrary to the public interest and that such a variance will be in general harmony with the purposes and intent of this chapter;*

This variance is not contrary to the public interest and is in general harmony with the purposes and intent of the Town Code. The variance to construct an elevator will enhance accessibility, safety, and provide a modern convenience for the occupants.

- b. A variance will not permit the establishment of a use which is not permitted in that zone;*

Granting of this variance will not permit the establishment of a use which is not permitted in the CB zone.

- c. The hardship is not shared generally by other land or buildings in the area;*

This hardship is not generally shared by other land or buildings in the area. This building was constructed in 1972, and any multi-story buildings constructed under current standards typically have elevators.

- d. The hardship is not self-created or self-imposed and must result from the strict application of this chapter.*

This hardship is not self-created or self-imposed. This building was constructed in 1972, and the applicant would like to provide this modern convenience for the tenants.

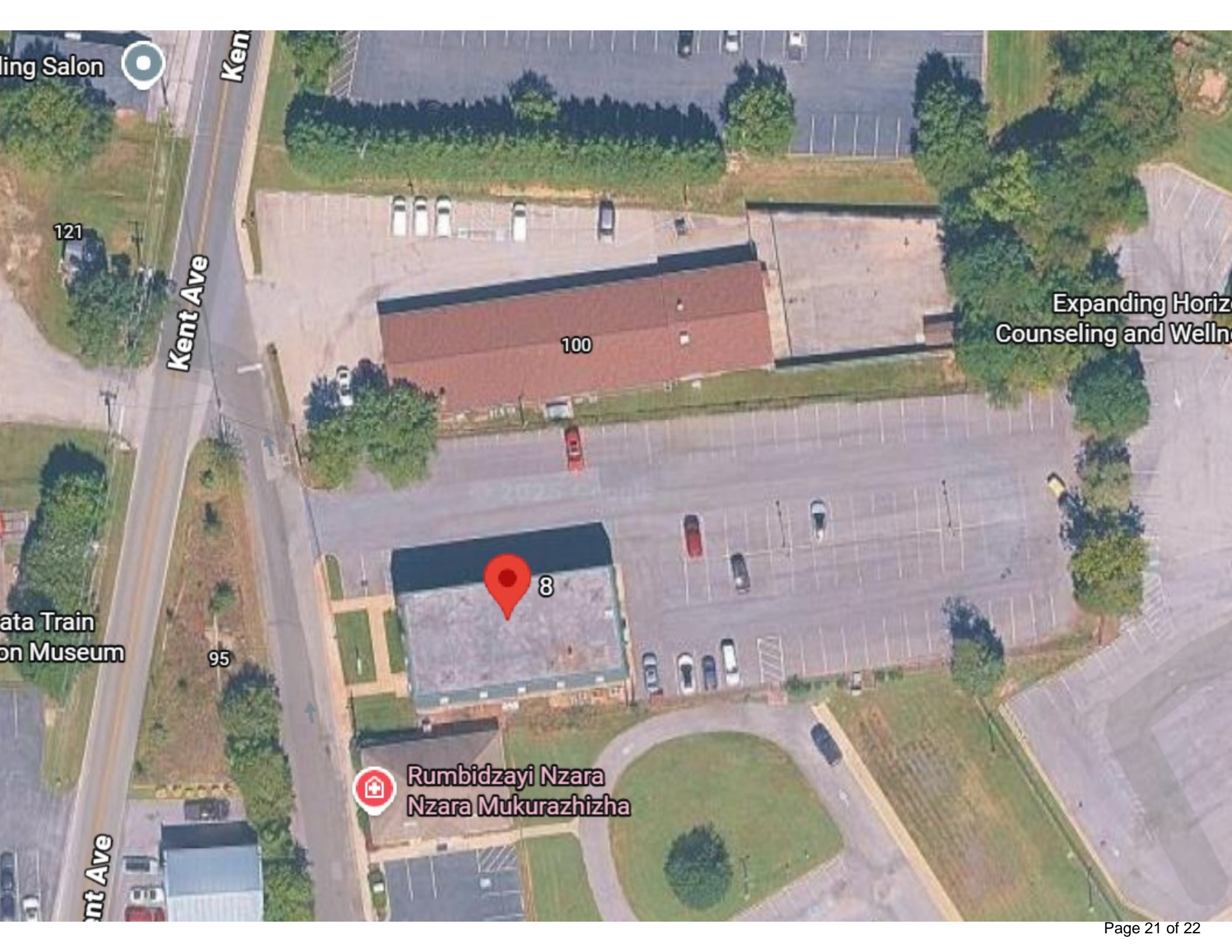
Statement of Justification (continued):

- e. Greater profitability, lack of knowledge of the restrictions and other variances granted under similar circumstances shall not be considered as sufficient cause for a variance.*

Greater profitability, lack of knowledge of the restrictions and other variance granted under similar circumstances are not the reason for this variance request. As stated previously, this variance is requested to improve accessibility, enhance safety, and provide modern convenience for the occupants.

- f. The Board of Appeals may prescribe any safeguard or impose conditions as deemed necessary to secure substantially the objective of the requirements as varied.*

It is understood that the Board of Appeals may prescribe any safeguard or impose conditions as deemed appropriate.



ing Salon

Kent Ave

121

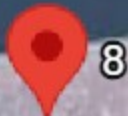
Kent Ave

100

Expanding Horizon
Counseling and Welln...

ata Train
on Museum

95



8



Rumbidzayi Nzara
Nzara Mukurazhizha

nt Ave

