



THE
CITY OF BRUNSWICK
MARYLAND

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THE BOARD OF APPEALS OF THE CITY OF BRUNSWICK
RESOLUTION AND FINDINGS OF FACT
NO. BR-BOA-24-01-SE

WHEREAS, pursuant to Article 24 of the Code of Ordinances of the City of Brunswick, as amended (the "**Zoning Ordinance**"), the Board of Appeals of the City of Brunswick (the "**Board**") is authorized to hear and decide appeals and requests for special exceptions under the Zoning Ordinance; and

WHEREAS, a full, complete and proper application was filed and all required fees paid to the Board by Kathleen Campos (the "**Applicant**") pursuant to Article 24 of the Zoning Ordinance and the Bylaws and Procedures of the Board (the "**Bylaws**") requesting a special exceptions for use of the principal structure and property in case number BR-BOA-24-01 SE (the "**Application**"); and

WHEREAS, the Application requested a special exception for adaptive re-use in a former house of worship in the principal structure (the "**Building**") located at 115 First Avenue. Application also includes the property on which the building exists, the lot to the south known as 113 First Avenue and two vacant lots behind the building (the "**Site**") that is zoned R-1 Low Density Residential under the Zoning Ordinance; and

WHEREAS, the use is listed as permitted use by Special Exception approved by the Board of Appeals in the R-1 District under Section 11.4.B of the Zoning Ordinance; and

WHEREAS, the Board of Appeals may impose conditions on the use if warranted; and

WHEREAS, a video and audio recorded public hearing on this Appeal was held on July 25, 2024, having been duly advertised and required notices sent in accordance with the Zoning Ordinance and the Bylaws; and

WHEREAS, at the public hearing the Applicant, having been duly sworn, offered verbal and written testimony to the Board in support of the Application on each of the required findings of fact set forth in Sections 24.8. of the Zoning Ordinance and the Board received, reviewed, and accepted into evidence for the record testimony and a staff analysis and report on the Application presented by Zoning Administrator; and

WHEREAS, at the public hearing, the Board received reviewed, and accepted evidence for the record testimony in opposition to the BOA Application and this Appeal; and

WHEREAS, at the public hearing, the Board received reviewed and accepted evidence for the record testimony neither in support of or opposition to the BOA Application and this Appeal; and

NOW THEREFORE, after due consideration of all of the evidence and testimony presented at the public hearings on the Application, the Application itself, and having inspected the Site, the Board hereby makes the following findings of fact with regard to the Application:

1. The Site is zoned R-1 Low Density Residential
2. The Brunswick Master Plan adopted and approved on January 23, 2024 (the "**Master Plan**") designates the Site as "R-1 Low Density Residential" where the establishment of gathering places civic or institutional that provide a commercial or service option that is unique to the area are encouraged.
3. The site is bordered by R-1 and B-3 uses that are well-suited with the use proposed by the Special Exception.
4. The Building on the Site was constructed prior to the adoption of the Zoning Ordinance and was occupied by and an established use: and
5. Uses similar to that of the previous use occupied in the existing non-residential structure, are an allowed use with Special Exception approval by the Board of Appeals in the R-1 District.
6. The Special Exception is in harmony with the purpose and intent of the Master Plan because it will promote economic vitality in the local community and will be in one existing principal structure in the R-1 District and will allow the immediate reuse of a vacant non-residential building.
7. The nature and intensity of the operations involved in or conducted in connection with the use proposed by the Special Exception and the size of the Site in relation to the use proposed by the Special Exception is such that the use proposed by the Special Exception will be in harmony with the appropriate and orderly development of the neighborhood in which it is located as conditioned by the Special Exception Grant.
8. Operations in connection with the Special Exception will not be more objectionable to nearby properties by reason of noise, fumes, vibration, or other characteristics, than would be the operations of any permitted use not requiring Special Exception approval because the uses proposed by the Special Exception will mainly involve indoor activity.
9. Based on the testimony presented, the plans provided by the Applicant in support of the Application and the Board's viewing of the Site, the parking areas on the Site will comply with the off-street regulations of the Zoning Ordinance.
10. The road system providing access to the uses proposed by the Special Exception, First Avenue and East B Street are adequate to serve the Site for the intended uses under the Special Exception because the street meets or exceeds City design standards.

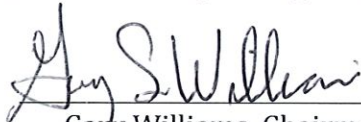
NOW THEREFORE BE IT RESOLVED, that based on the foregoing findings of fact, the Board of Appeals of the City of Brunswick, grants the Special Exceptions requested by the Applicant in the Application, subject to the following conditions:

1. The Applicant is bound by their testimony including the exhibits and documents distributed to the Board at the July 25, 2024, Board of Appeals hearing.
2. Applicant must comply with all City of Brunswick Site Plan requirements and agency comments including a public hearing before the Planning Commission.
3. Applicant must apply for City of Brunswick Zoning Certificate.
4. Operational hours shall end by 10 p.m. Sunday through Thursday and 11 p.m. Friday and Saturday.
5. Events more than forty (40) attendees will require shuttle service.

6. The uses proposed by the Special Exception are subject to and shall comply with all municipal, county, state and federal regulations and licensing requirements and inspections.
7. Findings of Noncompliance with these Conditions will result in a request for modification or revocation of the Special Exception by the Planning and Zoning Department before the Board of Appeals.

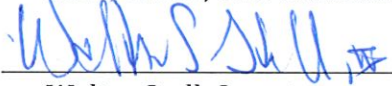
Said action granting the Special Exceptions requested by the Applicant in the Application was unanimously approved and adopted by the Board of Appeals on July 25, 2024, upon motion by Mr. White, seconded by Mr. Stull.

Approved and adopted by the Board of Appeals this 29th day of August 2024.



Gary Williams, Chairman

Steve White, Vice Chairman *absent.*



Walter Stull, Secretary