

BOARD OF APPEALS

June 26, 2024

County Administration Building, 100 W. Washington St., Meeting Room 2000, Hagerstown, at 6:00 p.m.

AGENDA

AP2024-024: An appeal was filed by Hard Rock Excavating for a special exception to establish a contractor’s equipment and storage yard with office space for excavation business and a variance from the required 50 ft. setback to 32 ft. for the existing dwelling to be converted into a commercial office space for the excavation business on property owned by Dwight & Kristine Eby and located at 17022 & 17026 Broadfording Road, Hagerstown, Zoned Agricultural Rural.

AP2024-025: An appeal was filed by John Norvell for a variance from the required 50 ft. side yard setback from a property zoned for or occupied by a residential land use to 0 ft. from the North property line and 40 ft. from the East property line for lean to/gazabo to be used as bandshell/stage on property owned by the appellant and located at 21400 Leiter Street, Hagerstown, Zoned Rural Business.

AP2024-026: An appeal was filed by Steven & Cherith Griffin for a variance from the 100 ft. setback requirement for animal husbandry for the existing structures on the property: West property line the closest structures are 12 ft. and East property line the closest structure is 50 ft. The property is owned by the appellants and located at 20402 Jefferson Boulevard, Hagerstown, Zoned Residential Transition.

AP2024-027: An appeal was filed by Earl & Maria Brown Jr. for a variance from the lot size requirements and setbacks for two single family dwellings on the same parcel for future subdivision. Proposed Lot 1: Reduce minimum lot size from 10,000 sq. ft. to 8,640 sq. ft. and front yard setback from 20 ft. to 13.6 ft. Proposed Lot 2: Reduce minimum lot size from 10,000 sq. ft. to 3,875 sq. ft. and front yard setback from 20 ft. to 16.5 ft. The property is owned by the appellants and located as 14023 Maugansville Road & 18005 Showalter Road, Maugansville, Zoned Residential Suburban.

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Pursuant to the Maryland Open Meetings Law, notice is hereby given that the deliberations of the Board of Zoning Appeals are open to the public. Furthermore, the Board, at its discretion, may render a decision as to some or all of the cases at the hearing described above or at a subsequent hearing, the date and time of which will be announced prior to the conclusion of the public hearing. Individuals requiring special accommodations are requested to contact Katie Rathvon at 240-313-2464 Voice, 240-313-2130 Voice/TDD no later than June 17, 2024. Any person desiring a stenographic transcript shall be responsible for supplying a competent stenographer.

The Board of Appeals reserves the right to vary the order in which the cases are called. Please take note of the Amended Rules of Procedure (Adopted July 5, 2006), Public Hearing, Section 4(d) which states:

Applicants shall have ten (10) minutes in which to present their request and may, upon request to and permission of the Board, receive an additional twenty (20) minutes for their presentation. Following the Applicant’s case in chief, other individuals may receive three (3) minutes to testify, except in the circumstance where an individual is representing a group, in which case said individual shall be given eight (8) minutes to testify.

Those Applicants requesting the additional twenty (20) minutes shall have their case automatically moved to the end of the docket.

For extraordinary cause, the Board may extend any time period set forth herein, or otherwise modify or suspend these Rules, to uphold the spirit of the Ordinance and to do substantial justice.

Traice Fulker, Chairman



WASHINGTON COUNTY BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742-2723 | P 240.313.2430 | F 240.313.2431 | Hearing Impaired: 7-1-1

ZONING APPEAL

Property Owner: Dwight & Kristine Eby
13124 Greencastle Pike
Hagerstown MD 21740
Appellant: Hard Rock Excavating
13124 Greencastle Pike
Hagerstown MD 21740
Property Location: 17022 & 17026 Broadfording Road
Hagerstown, MD 21740
Description Of Appeal: Special exception to establish a contractor's equipment and storage yard with office space for excavation business and a variance from the required 50 ft. setback to 32 ft. for the existing dwelling to be converted into a commercial office space for the excavation business.

Docket No: AP2024-024
Tax ID No: 13002223
Zoning: A(R)
RB Overlay: No
Zoning Overlay:
Filed Date: 05/24/2024
Hearing Date: 06/26/2024

Appellant's Legal Interest In Above Property: Owner: Yes
Contract to Rent/Lease: No
Lessee: No
Contract to Purchase: No
Other:

Previous Petition/Appeal Docket No(s): AP2008-008
Applicable Ordinance Sections: Washington County Zoning Ordinance Section Table No. 3.3 (1) Q & Section 5A.6

Reason For Hardship: Dwelling to be converted into commercial space was built prior to the zoning ordinance and would incur additional expenses to build new structure to meet the setback.

If Appeal of Ruling, Date Of Ruling:

Ruling Official/Agency:

Existing Use: Residential Lots Proposed Use: Excavation Business

Previous Use Ceased For At Least 6 Months: Date Ceased:

Area Devoted To Non-Conforming Use - Existing: Proposed:

I hereby affirm that all of the statements and information contained in or filed with this appeal are true and correct.

Handwritten signature of the appellant and the printed text 'Appellant Signature'.

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this 30 day of May, 2024

Notary Public seal for Kathryn B Rathvon, Washington County, Maryland, commission expires November 07, 2025.

Handwritten signature of the notary public and the printed text 'Notary Public'.



WASHINGTON COUNTY BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742-2723 | P:240.313.2430 | F:240.313.2431 | Hearing Impaired: 7-1-1

AFFIDAVIT IN COMPLIANCE WITH SECTION 25.51(C)

Docket No: AP2024-024

State of Maryland Washington County, To Wit:

On 5/24/2024, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Frederick Seibert & Associates and made oath in due form of law as follows:

Frederick Seibert & Associates will post the zoning notice sign(s) given to me by the Zoning Administrator in accordance with Section 25.51(c) of the Washington County Zoning Ordinance for the above captioned Board of Appeals case, scheduled for public hearing on 06/26/2024, and that said sign(s) will be erected on the subject property in accordance with the required distances and positioning as set out in the attached posting instructions.

Sign(s) will be posted on 06/04/2024 and will remain until after the above hearing date.

Frederick Seibert & Associates

Sworn and subscribed before me the day and year first above written.

Notary Public



My Commission Expires



Seal



BOARD OF ZONING APPEALS

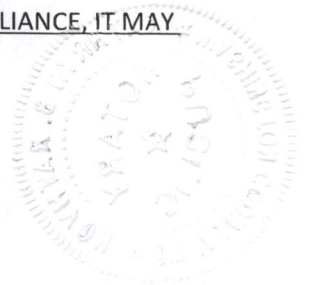
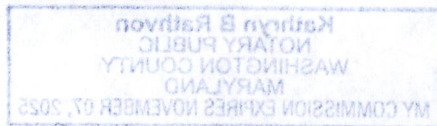
ATTENTION!

Posting Instructions

The premises **MUST** be posted in accordance with the following rules:

1. The sign must be posted a minimum of fourteen (14) days prior to the public hearing. Section 25.51(c) Property upon which the application or appeal is concerned shall be posted conspicuously by a zoning notice no less in size than twenty-two (22) inches by twenty-eight (28) inches at least fourteen (14) days before the date of the hearing.
2. The sign must be placed on the property within ten (10) feet of the property line which abuts the most traveled public road.
3. The sign must be posted in a conspicuous manner not over six (6) feet above the ground level, and affixed to a sturdy frame where it will be clearly visible and legible to the public.
4. The sign shall be maintained at all times by the applicant until after the public hearing. If a new sign is needed or required, please contact the Plan Review Department at 240-313-2460.
5. An affidavit certifying the property will be posted for the minimum of fourteen (14) days prior to the public hearing date.

Proper posting of the sign will be spot checked by the Zoning Inspector. IF SIGN IS NOT IN COMPLIANCE, IT MAY RESULT IN RESCHEDULING OF THE HEARING.



Project Name: Hard Rock Excavating

Owner/Applicant: Hard Rock Excavation c/o Dwight Eby

Project Address: 17022 & 17026 Broadfording Road

Tax Map 23 Grid 23 Parcel 568

Account # 13036470

Zoning: A(R)

Special Exception request:

The owner/applicant has operated Hard Rock Excavation as an excavating contractor for several years and had to lease properties to store machinery. He now has the opportunity to move his business to a location that he currently owns and can create a productive work flow. Site and operations data can be obtained from the enclosed site plan. Currently the properties are independent of each other however, if approved, the lots would be merged together by way of a replat. He has met with the adjacent owners who support the site improvements and use.

Variance request:

The owner/applicant would like to occupy the existing dwelling located at 17022 Broadfording Road as the office for the business. The structure is 32 feet from the dedicated Right of Way for Broadfording Road, the minimum required for any portion of a contractors business in the A(R) district is 50'. The house was built in 1970 prior to zoning in Washington County. Undue hardship would be experience if not allowed to occupy this structure as they would have to incur additional expenses to construct a new office area. The occupation of this building is in the spirit of the ordinance.

Additional information will be provided at the hearing.



Washington County Board of Zoning Appeals Owner's Representative Affidavit

This is to certify that Fred Frederick or Ed Schreiber w/FSA
is authorized to file an appeal with the Washington County Board of Appeals for a
special exception and setback variance
on property located at 17022 and 17026 Broadfording Road
The said work is authorized by Dwight Eby
the property owner in fee.

PROPERTY OWNER

Dwight Eby
Name
17022 and 17026 Broadfording Road
Address
Hagerstown, MD 21740
City, State, Zip Code

[Signature]
Owner's Signature

REBECCA A COOK
NOTARY PUBLIC
WASHINGTON COUNTY
MARYLAND
My Commission Expires 02-22-2027

Sworn and subscribed before me this 15 day of May, 2024.

[Signature]
Notary Public

My Commission Expires: 2/22/27

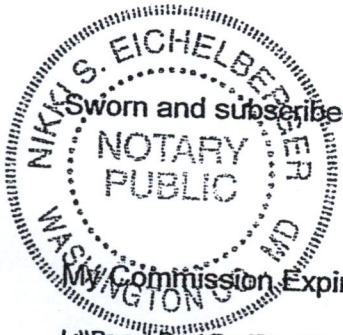
AUTHORIZED REPRESENTATIVE

Fred Frederick or Ed Schreiber w/FSA
Name
128 South Potomac Street
Address
Hagerstown, MD 21740
City, State, Zip Code

[Signature]
Authorized Representative's Signature

Sworn and subscribed before me this 21 day of May, 2024.

[Signature]
Notary Public



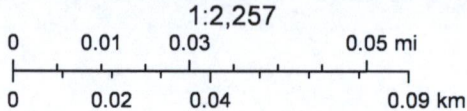
My Commission Expires: 9/15/2024

Frederick Seibert & Associates, Inc.



5/21/2024, 10:06:21 AM

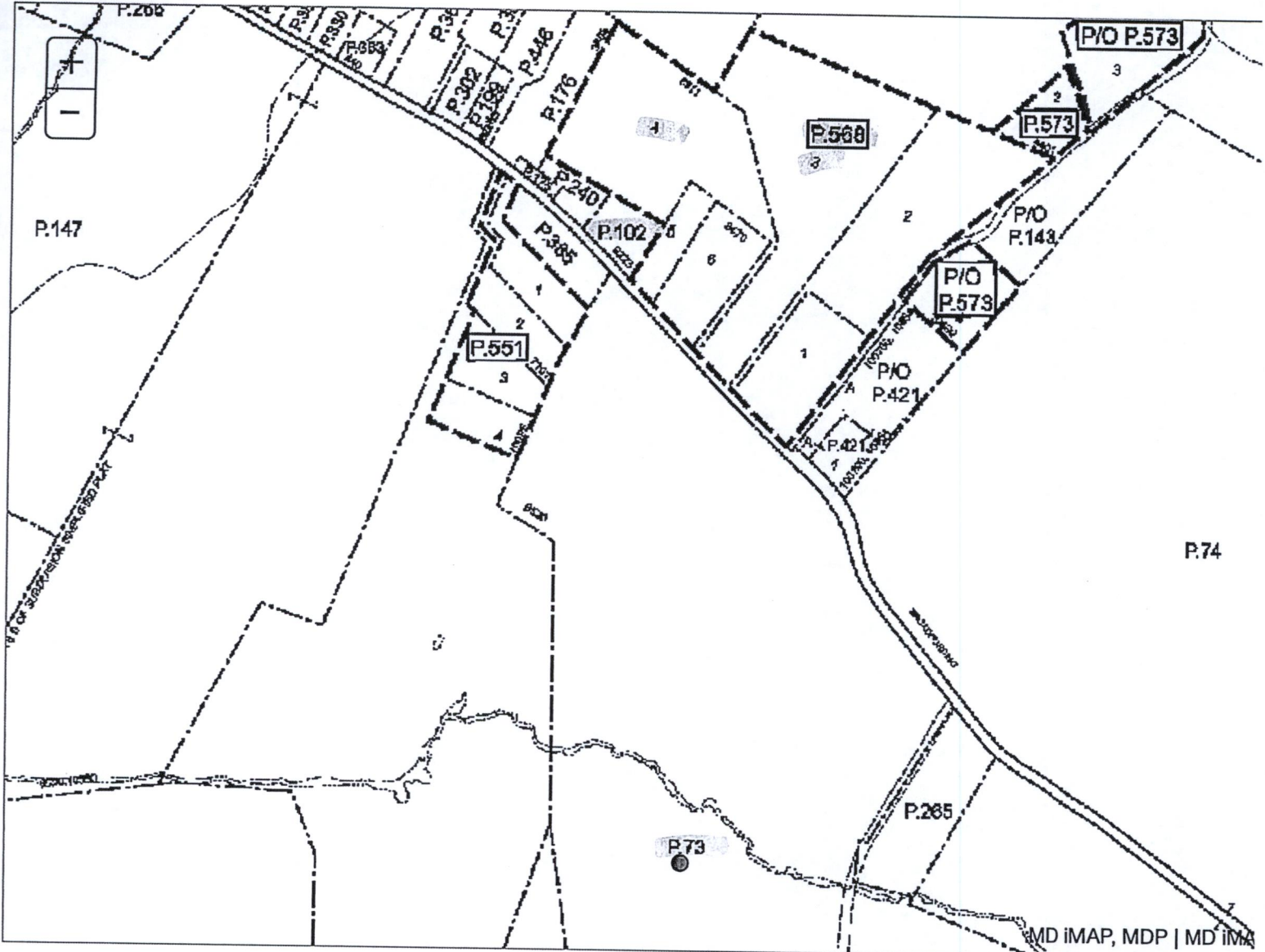
World Transportation — Streams
MD_SixInchImagery — Parcels Washington County



Esri Community Maps Contributors, WashCo MD, West Virginia GIS, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph,

Web AppBuilder for ArcGIS

District: **13** Account Number: **004811**



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at <http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx> (<http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx>).

Real Property Data Search ()
 Search Result for WASHINGTON COUNTY

[View Map](#) [View GroundRent Redemption](#) [View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 13 Account Number - 036470

Owner Information

Owner Name: EBY DWIGHT E Use: RESIDENTIAL
 EBY KRISTINE J Principal Residence:NO
 Mailing Address: 13124 GREENCASTLE PIKE Deed Reference: /05398/ 00494
 HAGERSTOWN MD 21740-0000

Location & Structure Information

Premises Address: 17022 BROADFORDING RD Legal Description: LOT 5 1.22 ACRES
 HAGERSTOWN 21740-0000 17022 BROADFORDING ROAD

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No: 9470
 0023 0023 0568 13010330.22 0000 5 2023 Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1970	1,032 SF		1.2200 AC	

Stories	Basement Type	Exterior Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
1	YES	STANDARD UNIT	SIDING/ 3	1 full	

Value Information

	Base Value	Value		Phase-in Assessments	
		As of	As of	As of	As of
Land:	62,200	01/01/2023	07/01/2023	07/01/2024	
Improvements	83,000	62,200	125,900		
Total:	145,200	188,100	159,500	173,800	
Preferential Land:	0	0			

Transfer Information

Seller: EBY MARIETTA L ET AL	Date: 12/21/2016	Price: \$140,000
Type: NON-ARMS LENGTH OTHER	Deed1: /05398/ 00494	Deed2:
Seller:	Date:	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /03422/ 00422	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments:Class	07/01/2023	07/01/2024
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

Real Property Data Search ()
 Search Result for WASHINGTON COUNTY

View Map View GroundRent Redemption View GroundRent Registration

Special Tax Recapture: None

Account Identifier: District - 13 Account Number - 002223

Owner Information

Owner Name: EBY DWIGHT M Use: RESIDENTIAL
 EBY KRISTINE J Principal Residence:NO
 Mailing Address: 13124 GREENCASTLE PIKE Deed Reference: /04438/ 00183
 HAGERSTOWN MD 21740-0000

Location & Structure Information

Premises Address: 17026 BROADFORDING RD Legal Description: LOT 6 2.56 ACRES
 HAGERSTOWN 21740-0000 17026 BROADFORDING ROAD

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No: 9470
 0023 0023 0568 13010330.22 0000 6 2023 Plat Ref:

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
 1900 2,012 SF 2.5600 AC

StoriesBasementType ExteriorQualityFull/Half Bath Garage Last Notice of Major Improvements
 2 YES STANDARD UNIT SIDING/3 1 full 1 Detached

Value Information

	Base Value	Phase-in Assessments		
		Value As of 01/01/2023	As of 07/01/2023	As of 07/01/2024
Land:	75,600	75,600		
Improvements	124,600	171,200		
Total:	200,200	246,800	215,733	231,267
Preferential Land:	0	0		

Transfer Information

Seller: EBY MICHAEL D ET AL Date: 01/03/2013 Price: \$0
 Type: NON-ARMS LENGTH OTHER Deed1: /04438/ 00183 Deed2:
 Seller: EBY MICHAEL D ET AL Date: 12/19/2007 Price: \$0
 Type: NON-ARMS LENGTH OTHER Deed1: /03422/ 00422 Deed2:
 Seller: ALBERT EUGENE S JR Date: 03/13/2007 Price: \$345,000
 Type: ARMS LENGTH IMPROVED Deed1: /03246/ 00571 Deed2:

Exemption Information

Partial Exempt Assessments:Class 07/01/2023 07/01/2024
 County: 000 0.00
 State: 000 0.00
 Municipal: 000 0.00|0.00 0.00|0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:



WASHINGTON COUNTY BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742-2723 | P. 240.313.2430 | F. 240.313.2431 | Hearing Impaired: 7-1-1

ZONING APPEAL

Property Owner: John & Barbara Norvell
21400 Leiter Street
Hagerstown MD 21742
Appellant: John Norvell
21400 Leiter Street
Hagerstown MD 21742
Property Location: 21400 Leiter Street
Hagerstown, MD 21742
Description Of Appeal: Variance from the required 50 ft. side yard setback from a property zoned for or occupied by a Residential Land Use to 0 ft. from the North property line and 40 ft. from the East property line for lean to/gazabo to be used as bandshell/stage.

Docket No: AP2024-025
Tax ID No: 09007318
Zoning: RV
RB Overlay: Yes
Zoning Overlay:
Filed Date: 05/28/2024
Hearing Date: 06/26/2024

Appellant's Legal Interest In Above Property: Owner: Yes
Contract to Rent/Lease: No
Lessee: No
Contract to Purchase: No
Other:

Previous Petition/Appeal Docket No(s): AP2008-049, AP2008-044
Applicable Ordinance Sections: Washington County Zoning Ordinance Section 5E.5 (c)

Reason For Hardship: Lot was established before zoning and is a non-conforming undersized lot.

If Appeal of Ruling, Date Of Ruling:

Ruling Official/Agency:

Existing Use: Tavern Proposed Use: Bandshell/Stage

Previous Use Ceased For At Least 6 Months: Date Ceased:

Area Devoted To Non-Conforming Use - Existing: Proposed:

I hereby affirm that all of the statements and information contained in or filed with this appeal are true and correct.

[Signature]
Appellant Signature

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this 28 day of May, 2024.

Kathryn B Rathvon
Notary Public
WASHINGTON COUNTY
MARYLAND
MY COMMISSION EXPIRES NOVEMBER 07, 2025



[Signature]
Notary Public



WASHINGTON COUNTY BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742-2723 | P:240.313.2430 | F:240.313.2431 | Hearing Impaired: 7-1-1

AFFIDAVIT IN COMPLIANCE WITH SECTION 25.51(C)

Docket No: AP2024-025

State of Maryland Washington County, To Wit:

On 5/28/2024, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared John Norvell and made oath in due form of law as follows:

John Norvell will post the zoning notice sign(s) given to me by the Zoning Administrator in accordance with Section 25.51(c) of the Washington County Zoning Ordinance for the above captioned Board of Appeals case, scheduled for public hearing on 06/26/2024, and that said sign(s) will be erected on the subject property in accordance with the required distances and positioning as set out in the attached posting instructions.

Sign(s) will be posted on 06/04/2024 and will remain until after the above hearing date.

John Norvell

Sworn and subscribed before me the day and year first above written.

Notary Public

Kathryn B Rathvon
NOTARY PUBLIC
WASHINGTON COUNTY
MARYLAND
MY COMMISSION EXPIRES NOVEMBER 07, 2025

My Commission Expires



Seal



WASHINGTON COUNTY BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742-2723 | P: 240.313.2430 | F: 240.313.2431 | Hearing Impaired: 7-1-1

BOARD OF ZONING APPEALS

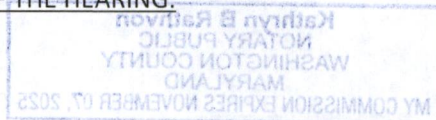
ATTENTION!

Posting Instructions

The premises **MUST** be posted in accordance with the following rules:

1. The sign must be posted a minimum of fourteen (14) days prior to the public hearing
Section 25.51(c) Property upon which the application or appeal is concerned shall be posted conspicuously by a zoning notice no less in size than twenty-two (22) inches by twenty-eight (28) inches at least fourteen (14) days before the date of the hearing.
2. The sign must be placed on the property within ten (10) feet of the property line which abuts the most traveled public road.
3. The sign must be posted in a conspicuous manner not over six (6) feet above the ground level, and affixed to a sturdy frame where it will be clearly visible and legible to the public.
4. The sign shall be maintained at all times by the applicant until after the public hearing. If a new sign is needed or required, please contact the Plan Review Department at 240-313-2460.
5. An affidavit certifying the property will be posted for the minimum of fourteen (14) days prior to the public hearing date.

Proper posting of the sign will be spot checked by the Zoning Inspector. IF SIGN IS NOT IN COMPLIANCE, IT MAY RESULT IN RESCHEDULING OF THE HEARING.





Washington County
MARYLAND

BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742 | P: 240.313.2430 | F: 240.313.2461 | Hearing Impaired:

7-1-1 WWW.WASHCO-MD.NET

Appeal for Variance

Appeal is hereby made for a variance from a requirement of the Washington County Zoning Ordinance as follows:

Location 21400 Leiter St., Hagerstown, MD 21742

Appellant's present legal interest in above property: (Check One)

Owner (Including Joint Ownership) Lessee Contract to rent/lease
 Contract to Purchase Other

Specify the Ordinance section and subsection from which the variance is desired:

25.56 ARTICLE 5E

Specify the particular requirement(s) from which a variance is desired in that section or subsection:

40 FT SETBACK FROM THE PROPERTY LINE WITH THE ROAD
FRONTAGE AND 50 FT FROM THE SIDE YARDS

Describe the nature and extent of the desired variance from Ordinance requirements: listed above:

would like to keep the new band stage in same place as the previous deteriorated stage. The property is 70' wide, so not able to abide by the setback.

Describe reason(s) why the Ordinance requirement(s) in question would result in peculiar and/or unusual practical difficulties to or would impose exceptional or undue hardship upon the owner of the property if the requested variance were not granted:

Provide Detailed Explanation on Separate Sheet

Has any previous petition or appeal involving this property been made to the Board?

Yes No

If yes, list docket number(s): _____

I hereby certify that I have, to the best of my knowledge, accurately supplied the information required for the above referenced appeal.

John T. Nowak
Signature of Appellant

21400 Leiter St. Hager, MD 21742
Address and of Appellant

Leitersburg Tavern@MyActiv.net
Email of Appellant

240-347-4821
Phone Number of Appellant

This appeal form is to be used to assist the customer in gathering the information necessary to submit an application. However, the application shall be processed in person.

We are requesting to keep the new, structurally sound band stage, which is basically a platform with a lean-to type roof and just a back wall, in the same place as the previous, deteriorated stage. The placement of the new stage is no closer to the neighboring property than the old stage or the existing deck. (This neighboring property has been vacant and neglected for decades). We basically replaced our rotting, unsafe band stage with a safer, solid band stage with a lean-to type roof.

With the layout of the tavern property's current structure and parking lot, this stage is positioned in the only spot and direction that will carry the music away from currently occupied neighboring properties. As per an email from the county, I am told the setback for this property is "40ft setback from the property line with the road frontage and 50ft from the side yards". The tavern property is only 70ft wide, so there is no way for us to be able to abide by these setbacks.

The licensed contractor, whom I engaged to ensure this work is done up to code, advised me before beginning work that they had checked with a county engineer, and was told that no permit was required, since this was "basically a movable shed with less than a 200 sq ft footprint, was under all required height limitations, and is not an addition to a current structure". They also advised me that it's location or setback was ok as it is no closer to the neighboring property than the existing deck.

If this variance is not approved, this will definitely result in significant hardships to this business, as well as it's employees and local musical talent. The financial success of this business has relied on revenue obtained by being known for introducing and supporting live local bands. We have limited space inside and a small indoor capacity, which prevents us from being able to generate enough sales to make a profit when paying for bands to play inside. Other than when we can offer this outdoor entertainment, which enables us to make use of the entire property, there is otherwise only a small number of local customers that normally frequent our business, since we are located off the beaten path in an undeveloped area of the county. During the colder months, we normally only have one person working at any given time, but when we can host outdoor music we have up to 6 people working. These extra employees, and the extra business being generated from the existence of this band stage, also adds tax revenue to the county. Without the approval of this variance, this business may very likely fail due to the loss of revenue expected to be generated by bands we already have booked, money already spent by the business to have this needed improvement completed and/or any further cost if this stage needs to be moved or removed.

Provide Detailed Explanation on Separate Sheet

Has any previous action or appeal involving this property been made to the Board? Yes No

If yes, list docket number(s)

I hereby certify that I have, to the best of my knowledge, accurately supplied the information required for the above referenced appeal.

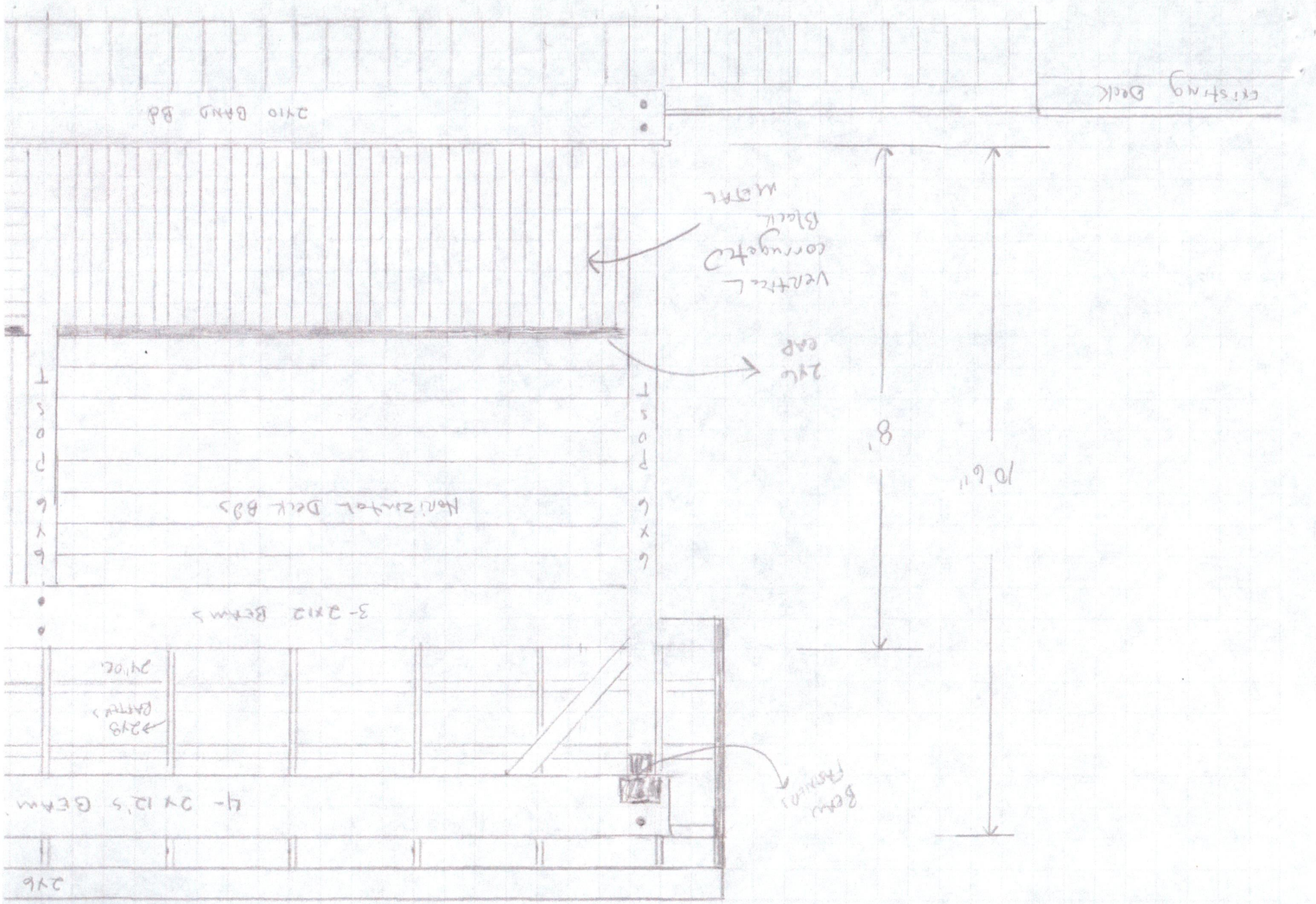
Signature of Applicant: *[Signature]*

Address and of Applicant: *[Address]*

Phone Number of Applicant: *[Phone Number]*

Email of Applicant: *[Email]*

This appeal form is to be used to assist the customer in gathering the information necessary to submit an application. However, the application shall be processed in person.



STRINGER Deck

2x10 BAND Bd

VERTICAL
CORRUGATED
METAL

2x6
CAP

HORIZONTAL Deck Bds

3-2x12 BEAMS

2x10

2x8
BATTEN

4-2x12'S BEAM

2x6

Beam
Bracket

8'

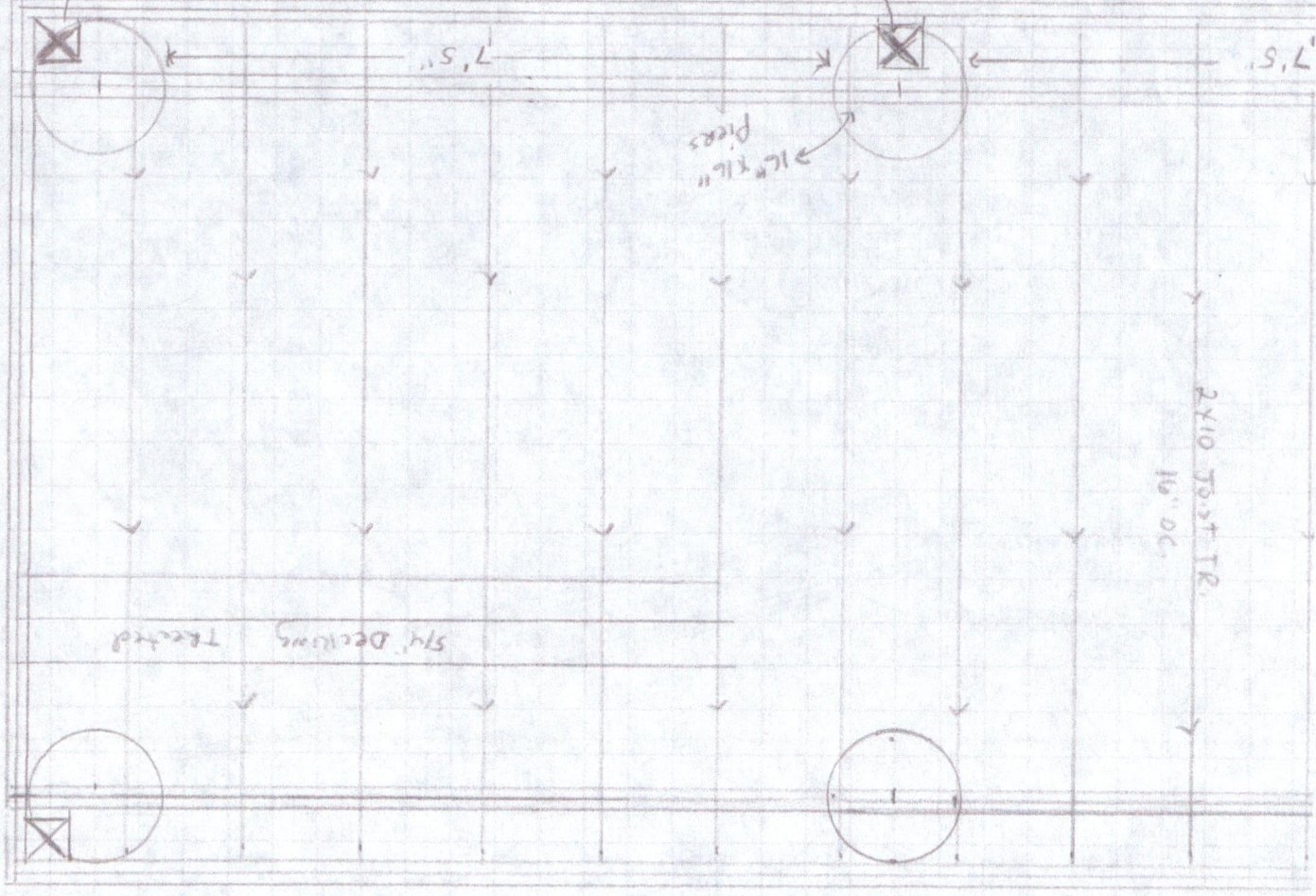
10'6"

Customer Name _____

Address _____

Phone _____

Job Name _____



Top View GAZEBO
 FRONT

BACK of Gazebo

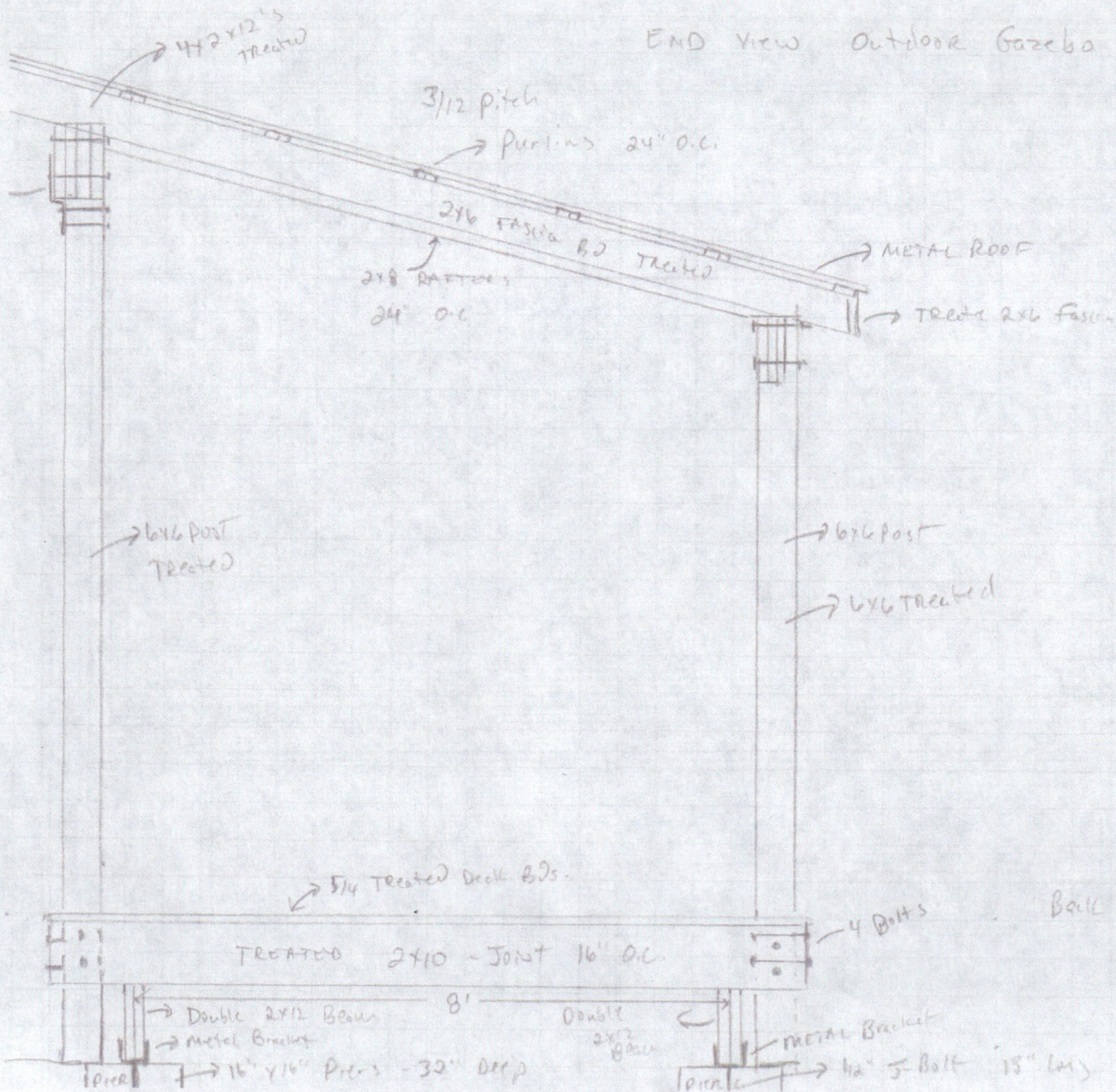
Pieces
 16" x 16"
 x 32"

Scale 1/2" = 1' 0"

6x6 post

Scale 1/2" = 1'0"

END View Outdoor Gazebo





WASHINGTON COUNTY BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742-2723 | P:240.313.2430 | F:240.313.2431 | Hearing Impaired: 7-1-1

ZONING APPEAL

Property Owner: Steven & Cherith Griffin
20402 Jefferson Boulevard
Hagerstown MD 21742
Appellant: Steven & Cherith Griffin
20402 Jefferson Boulevard
Hagerstown MD 21742
Property Location: 20402 Jefferson Boulevard
Hagerstown, MD 21742
Description Of Appeal: Variance from the 100 ft. setback requirement for animal husbandry for the existing structures on the property: West property line the closest structures are 12 ft. East property line the closest structure is 50 ft.

Docket No: AP2024-026
Tax ID No: 18011840
Zoning: RT
RB Overlay: No
Zoning Overlay:
Filed Date: 05/29/2024
Hearing Date: 06/26/2024

Appellant's Legal Interest In Above Property: Owner: Yes
Contract to Rent/Lease: No
Lessee: No
Contract to Purchase: No
Other:

Previous Petition/Appeal Docket No(s):
Applicable Ordinance Sections: Washington County Zoning Ordinance Section 22.94 (a)
Reason For Hardship: Width of property makes it impossible to meet the required setback for structures.
If Appeal of Ruling, Date Of Ruling:
Ruling Official/Agency:
Existing Use: Single Family Dwelling
Proposed Use: Animal Husbandry
Previous Use Ceased For At Least 6 Months:
Date Ceased:
Area Devoted To Non-Conforming Use -
Existing:
Proposed:

I hearby affirm that all of the statements and information contained in or filed with this appeal are true and correct.

Signature of Steven C. Griffin
Appellant Signature

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this 29 day of May, 2024.

Kathryn B Rathvon
Notary Public
WASHINGTON COUNTY
MARYLAND
MY COMMISSION EXPIRES NOVEMBER 07, 2025

Signature of Notary Public
Notary Public





WASHINGTON COUNTY BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742-2723 | P:240.313.2430 | F:240.313.2431 | Hearing Impaired: 7-1-1

AFFIDAVIT IN COMPLIANCE WITH SECTION 25.51(C)

Docket No: AP2024-026

State of Maryland Washington County, To Wit:

On 5/29/2024, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Steven & Cherith Griffin and made oath in due form of law as follows:

Steven & Cherith Griffin will post the zoning notice sign(s) given to me by the Zoning Administrator in accordance with Section 25.51(c) of the Washington County Zoning Ordinance for the above captioned Board of Appeals case, scheduled for public hearing on 06/26/2024, and that said sign(s) will be erected on the subject property in accordance with the required distances and positioning as set out in the attached posting instructions.

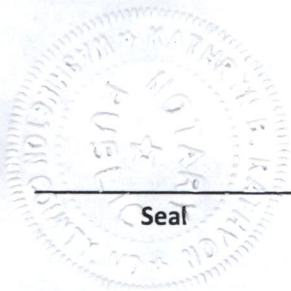
Sign(s) will be posted on 06/04/2024 and will remain until after the above hearing date.

Steven & Cherith Griffin

Sworn and subscribed before me the day and year first above written.

Kathryn B Rathvon
NOTARY PUBLIC
WASHINGTON COUNTY
MARYLAND
MY COMMISSION EXPIRES NOVEMBER 07, 2025

Notary Public



Seal

My Commission Expires



WASHINGTON COUNTY BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742-2723 | P:240.313.2430 | F:240.313.2431 | Hearing Impaired: 7-1-1

BOARD OF ZONING APPEALS

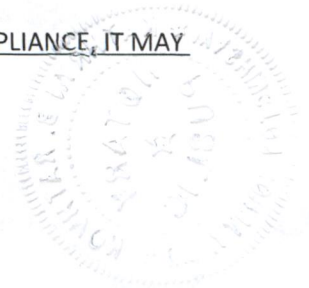
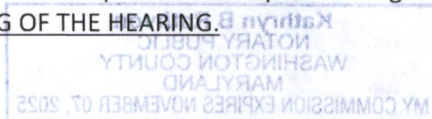
ATTENTION!

Posting Instructions

The premises MUST be posted in accordance with the following rules:

1. The sign must be posted a minimum of fourteen (14) days prior to the public hearing
Section 25.51(c) Property upon which the application or appeal is concerned shall be posted conspicuously by a zoning notice no less in size than twenty-two (22) inches by twenty-eight (28) inches at least fourteen (14) days before the date of the hearing.
2. The sign must be placed on the property within ten (10) feet of the property line which abuts the most traveled public road.
3. The sign must be posted in a conspicuous manner not over six (6) feet above the ground level, and affixed to a sturdy frame where it will be clearly visible and legible to the public.
4. The sign shall be maintained at all times by the applicant until after the public hearing. If a new sign is needed or required, please contact the Plan Review Department at 240-313-2460.
5. An affidavit certifying the property will be posted for the minimum of fourteen (14) days prior to the public hearing date.

Proper posting of the sign will be spot checked by the Zoning Inspector. IF SIGN IS NOT IN COMPLIANCE, IT MAY RESULT IN RESCHEDULING OF THE HEARING.



Washington County
Board of Zoning Appeals
747 Northern Avenue
Hagerstown, MD 21742

To the Board of Zoning Appeals,

Thank you for the opportunity to submit a request for variance in regard to the structures located in the backyard of 20402 Jefferson Blvd. Hagerstown, MD 21742, currently owned by Steven and Cherith Griffin. When we put these structures up, we were unaware of the ordinance. However we understand that these ordinances are in place for the betterment of Washington County residents and greatly appreciate your time and consideration.

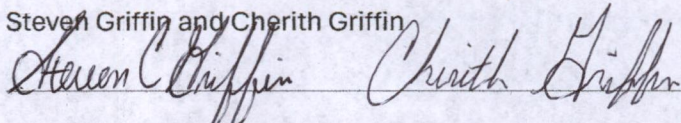
We moved out to this 1 ½ acre property in Washington County in September of 2022 for several reasons. One of the main reasons for our move was so that we could learn how to raise our own food and animals while teaching our children all of the important skills that are associated with this lifestyle. (Responsibility, animal care and maintenance, budgeting, gardening...etc) . This was part of the dream of living further out in the "country". The reason for our request for variance today falls under section _____ of the Washington County Zoning Ordinance. Though it has come to our attention that the ordinance requires structures to be set back 100 feet from all property lines, our property is only 108 feet wide. As shown on the drawing submitted, we were able to comply with this ordinance on 2 sides of our property, the front and back, and have done so. **From the right side** of our property, the current structures in question are roughly **50 feet and 82 feet** from the property line. **From the left side**, this means the structures are about **40 feet** and **12 feet** from the property line.

The most obvious reason for our variance request is that it is impossible (given the width of our property) to comply with the ordinance. However, the reason we chose this specific location on our property was due to the safety concern of our animals. Placing these structures any further from our line of sight created a concern for their safety as we have seen predators on our property (such as fox, other dogs and hawks) and have already lost one of our animals to the fox. Today, we are requesting a variance, for the sake of our animals safety and well being as well as our ability to make reasonable use of our property.

We thank you in advance for your time and consideration of our request.

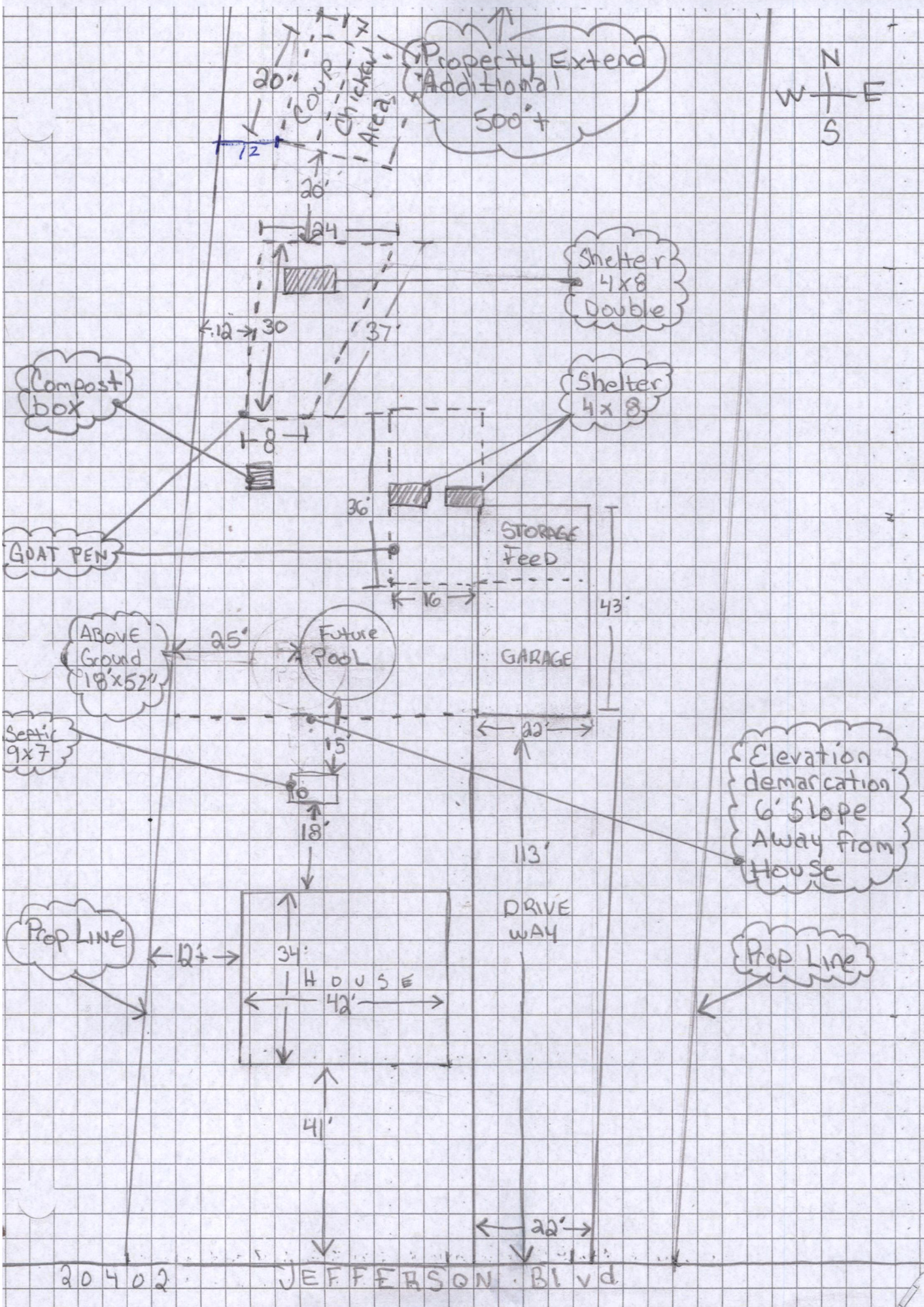
Sincerely,

Steven Griffin and Cherith Griffin



20402, Jefferson Blvd, Hagerstown, MD 21742

443-789-2778



20402 JEFFERSON Blvd



WASHINGTON COUNTY BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742-2723 | P:240.313.2430 | F:240.313.2431 | Hearing Impaired: 7-1-1

ZONING APPEAL

Property Owner: Ear & Maria Brown Jr
308 Landis Road
Hagerstown MD 21740
Appellant: Earl & Maria Brown
14023 Maugansville Road
Maugansville MD 21767
Property Location: 14023 Maugansville Road & 18005 Showalter Road
Maugansville, MD 21767
Description Of Appeal: Variance from the lot size requirements and setbacks for two single family dwellings in the Residential Suburban district on the same parcel for future subdivision. Proposed Lot 1: Reduce minimum lot size from 10,000 sq. ft. to 8,640 sq. ft. and front yard setback from 20 ft. to 13.6 ft. Proposed Lot 2: Reduce minimum lot size from 10,000 sq. ft. to 3,875 sq. ft. and front yard setback from 20 ft. to 16.5 ft.

Appellant's Legal Interest In Above Property: Owner: Yes, Lessee: No, Other:
Contract to Rent/Lease: No, Contract to Purchase: No

Previous Petition/Appeal Docket No(s):
Applicable Ordinance Sections: Washington County Zoning Ordinance Section 8.5 (a)
Reason For Hardship: See justification statement
If Appeal of Ruling, Date Of Ruling:
Ruling Official/Agency:

Existing Use: Two Single Family Dwellings on One Lot
Proposed Use: Subdivision for Two Residential Lots
Previous Use Ceased For At Least 6 Months:
Date Ceased:
Area Devoted To Non-Conforming Use - Existing: Proposed:

I hearby affirm that all of the statements and information contained in or filed with this appeal are true and correct.

Handwritten signature of the appellant over a horizontal line, with the text 'Appellant Signature' below it.

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this 7 day of May, 2024.

Notary Public seal for Kathryn B Rathvon, Washington County, Maryland, commission expires November 07, 2025.

Handwritten signature of the notary public over a circular notary seal, with the text 'Notary Public' below it.



WASHINGTON COUNTY BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742-2723 | P:240.313.2430 | F:240.313.2431 | Hearing Impaired: 7-1-1

AFFIDAVIT IN COMPLIANCE WITH SECTION 25.51(C)

Docket No: AP2024-027

State of Maryland Washington County, To Wit:

On 5/30/2024, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Frederick Seibert & Associates Inc and made oath in due form of law as follows:

Frederick Seibert & Associates Inc will post the zoning notice sign(s) given to me by the Zoning Administrator in accordance with Section 25.51(c) of the Washington County Zoning Ordinance for the above captioned Board of Appeals case, scheduled for public hearing on 06/26/2024, and that said sign(s) will be erected on the subject property in accordance with the required distances and positioning as set out in the attached posting instructions.

Sign(s) will be posted on 06/04/2024 and will remain until after the above hearing date.

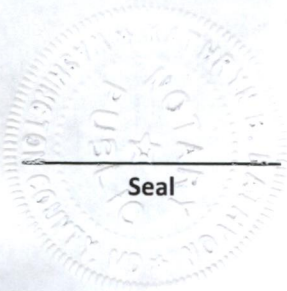
Frederick Seibert & Associates Inc

Sworn and subscribed before me the day and year first above written.

Notary Public

Kathryn B Rathvon
NOTARY PUBLIC
WASHINGTON COUNTY
MARYLAND
MY COMMISSION EXPIRES NOVEMBER 07, 2025

My Commission Expires



Seal



WASHINGTON COUNTY BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742-2723 | P:240.313.2430 | F:240.313.2431 | Hearing Impaired: 7-1-1

BOARD OF ZONING APPEALS

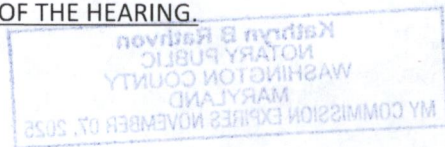
ATTENTION!

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4. The sign shall be maintained at all times by the applicant until after the public hearing. If a new sign is needed or required, please contact the Plan Review Department at 240-313-2460.
5. An affidavit certifying the property will be posted for the minimum of fourteen (14) days prior to the public hearing date.

Proper posting of the sign will be spot checked by the Zoning Inspector. IF SIGN IS NOT IN COMPLIANCE, IT MAY RESULT IN RESCHEDULING OF THE HEARING.



Project Name: Earl & Maria Brown

Owner/Applicant: Earl & Maria Brown

Project Address: 14023 Maugansville Rd & 18005 Showalter Road

Tax Map 241 **Grid** _____ **Parcel** 1539

Account # 13007039

Zoning: RS, Residential Suburban

Variance request:

Reduce the lot area and front yard setbacks as enumerated in table 8.5 of the Washington County Zoning Ordinance for a proposed future subdivision of the above referenced property currently improved with two dwelling units.

- 1. Proposed Lot 1- Reduce minimum the lot size in the RS district from 10,000 SF to 8,640 SF due to Right of Way dedication and the front yard setback from 20 ft to 13.6 ft from the proposed dedicated Right of Way.**
- 2. Proposed Lot 2- Reduce minimum the lot size in the RS district from 10,000 SF to 3,875 SF due to Right of Way dedication and the front yard setback from 20 ft to 16.5 ft from the proposed dedicated Right of Way.**

The property owners wish to subdivide the subject property to separate the two existing dwellings on the property so that each can be sold independently of each other. Both dwellings were constructed in the 1950s, well before Zoning or Subdivision regulations were adopted by Washington County. These dwellings were also constructed prior to the construction of I-81 and the interchange road improvements with Showalter Road. The existing lot is very long and narrow and is only 60 ft deep running perpendicular to Showalter Road. On a macro scale the County Highway Plan indicates a 50ft from centerline dedicated right of way. In order to subdivide the plan must conform to the County Highway plan. The Planning Dept and Engineering Dept reviewed the applicants request to reduce the right of way to 25 ft from the centerline and granted the request. Additional relief is being requested of the Board of Zoning Appeals, without said relief the subdivision would not be permitted and both dwellings would remain as a single parcel which is also a zoning infraction.



Washington County Board of Zoning Appeals Owner's Representative Affidavit

This is to certify that ED SCHREIBER
is authorized to file an appeal with the Washington County Board of Appeals for VARIANCE TO REDUCE LOT AREA & FRONT YARD SETBACK
on property located 18005 SHAWALTER ROAD
The said work is authorized by EARL & MARIA BROWN
the property owner in fee.

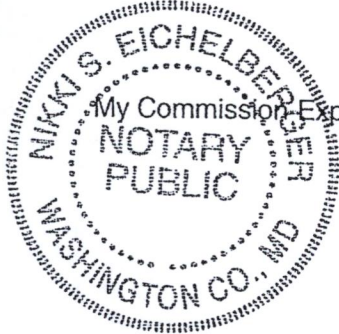
PROPERTY OWNER

Earl + Maria Brown
Name
14023 Maugansville Rd
Address
Maugansville, MD 21767
City, State, Zip Code

[Signature]
Owner's Signature

Sworn and subscribed before me this 6 day of May, 2024.

[Signature]
Notary Public



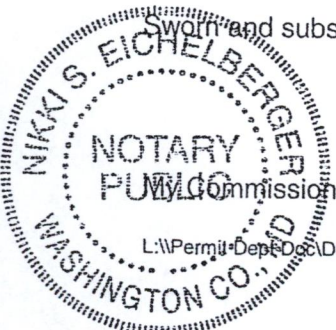
AUTHORIZED REPRESENTATIVE

ED SCHREIBER OR FRED FREDERICK
Name
128 S. POTOMAC ST
Address
HAGERSTOWN MD 21740
City, State, Zip Code

[Signature]
Authorized Representative's Signature

Sworn and subscribed before me this 24 day of May, 2024.

[Signature]
Notary Public



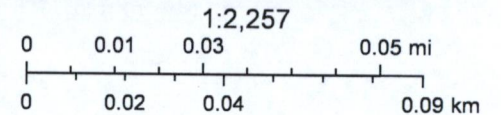
Frederick Seibert & Associates, Inc.



5/29/2024, 2:01:15 PM

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