

## BOARD OF APPEALS

October 16, 2024

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

### AGENDA

**AP2024-039:** An appeal was filed by Milestone Tower Limited Partnership for a special exception for proposed monopole-style commercial communications facility on property owned by Cool Brook Lands Inc and located at 20026 Lehmans Mill Road, Hagerstown, Zoned Agricultural Rural. **(MOVED TO THE OCTOBER 30<sup>TH</sup> HEARING DATE)**

**AP2024-046:** An appeal was filed by Deeper Life Bible Church for a special exception for a place of worship/church in existing commercial building on property owned by The Bowman Group LLP and located at 15 East Oak Ridge Drive, Hagerstown, Zoned Highway Interchange. - **GRANTED**

**AP2024-047:** An appeal was filed by Timothy Wride for a variance from the required 40 ft. front yard setback to 20 ft. for proposed single-family dwelling on property owned by the appellant and located at 6020 River Road, Sharpsburg, Zoned Preservation. - **GRANTED**

---

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 October 7, 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.

Tracie Felker, Chairman

Board of Zoning Appeals



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: The Bowman Group LLP
10228 Governor Lane Boulevard
Williamsport MD 21795
Appellant: Deeper Life Bible Church
1302 Berni Ruth Lane
Severn MD 21144
Property Location: 15 East Oak Ridge Drive
Hagerstown, MD 21740
Description Of Appeal: Special exception for a place of worship/church in existing commercial building.

Docket No: AP2024-046
Tax ID No: 10002346
Zoning: HI
RB Overlay: No
Zoning Overlay:
Filed Date: 09/25/2024
Hearing Date: 10/16/2024

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

Previous Petition/Appeal Docket No(s): AP2009-058, AP-2445, AP-181, AP-145
Applicable Ordinance Sections: Washington County Zoning Ordinance Section 19.3 (f)

Reason For Hardship:
If Appeal of Ruling, Date Of Ruling:
Ruling Official/Agency:

Existing Use: Vacant Commerical Space Proposed Use: Place of Worship/Church
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.

Appellant Signature

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this 25 day of September, 2024.

Handwritten signature of the notary public.

Notary Public

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





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: AP2024-046

**State of Maryland Washington County, To Wit:**

On 9/25/2024, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Babatunde Oyemaee and made oath in due form of law as follows:

Babatunde Oyemaee 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 10/16/2024, 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 10/01/2024 and will remain until after the above hearing date.

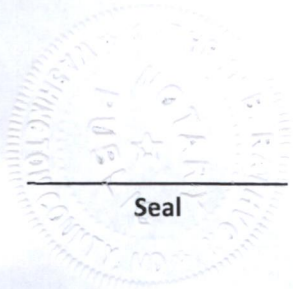
Babatunde Oyemaee

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

Notary Public



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

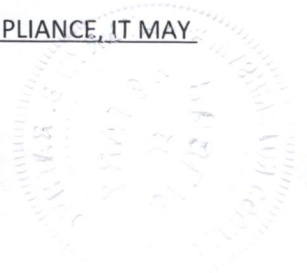
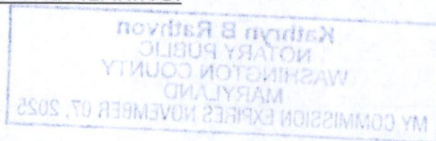
### ATTENTION!

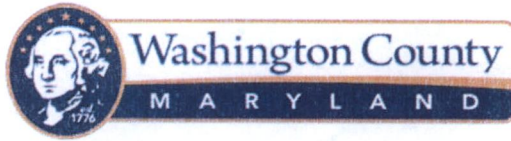
### Posting Instructions

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.





**BOARD OF ZONING APPEALS**

**OWNER REPRESENTATIVE AFFIDAVIT**

This is to certify that Deeper Life Bible Church Hagerstown is authorized to file an appeal with the Washington County Board of Appeals for Special Exception to operate a Church Assembly on property located at 15 E. Oak Ridge Drive Hagerstown MD 21740. The said work is authorized by Bowman Group LLC the property owner in fee.

PROPERTY OWNER

Bowman Group LHP  
Name  
10228 Governor Lane Blvd #3002  
Address  
Williamsport MD 21795  
City, State, Zip Code

Owner's Signature

Sworn and subscribed before me this 25<sup>th</sup> day of September, 2024.

Thomas O Britner  
Notary Public

My Commission Expires:

**Thomas Oliver Britner**  
NOTARY PUBLIC  
WASHINGTON COUNTY  
MARYLAND  
MY COMMISSION EXPIRES NOVEMBER 8, 2025

AUTHORIZED REPRESENTATIVE

Babatunde Ojemade  
Name  
1302 Berni Rutts Ln  
Address  
Severn, MD 21144  
City, State, Zip Code

Authorized Representative's Signature

Sworn and subscribed before me this 25 day of Sept ~~Sept~~ September 2024.

[Signature]  
Notary Public

My Commission Expires

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



SEPTEMBER 24<sup>TH</sup>, 2024

WASHINGTON BOARD OF ZONING APPEALS

100 W. Washington Street,

Hagerstown, MD 21740

Dear Board Members,

**REQUEST FOR SPECIAL EXCEPTION IN A HIGHWAY INTERCHANGE DISTRICT FOR A PLACE OF WORSHIP**

The Deeper Life Bible Church is requesting a special exception use of the property located at 15 East Oak Ridge Drive, Hagerstown for a place of worship.

According to Article 19(3)(F) Highway Interchange district code, Special exception request can be authorized by the Board of Zoning Appeal after public Hearing. Such exception can be such exceptions listed in BL or BG Articles 11 and 12 of the zoning Ordinance of Washington County. The Church met the prescribed Articles 11(3)(C); and 12(2)(K), Business Local and Business General exceptions listing a Place of Worship for special exempt criteria.

The Church is requesting this special exception for a Fellowship Center after considering the structure, location, the need and the meeting of the purpose at this time for the Church, came a determination to rent/lease 15 East Oak Ridge Drive for a fellowship center and the property Owner is willing to contract with the Church as a place of worship. The property will not be violating the HI District zone if the church is granted this exception for these reasons.

**Parking:** The property "Oak Ridge Terrace" is a property of 13 row shops with a parking lot in the front designed as two ways 90 degrees parking style. The last occupant of Shop 15, the Green Health Docs, a doctor's office for medical marijuana, attracts traffic during the office hours. Currently the church is about 15 memberships it is estimated that this number will grow in the near future. However, the present shop can take about 40 seats and considering an average of 5 seaters per car, we do not need more than 8 car spaces on Sunday morning fellowship when we meet from 9am and 2pm to include setting up and cleaning time after the service. We believe we have enough parking which will not negatively impact the current existing flow of traffic on the property.

**Traffic:** The Fellowship will not negatively impact the safety of the Highway Interchange traffic more than what it is now, our presence is minimal during the week, and the highway traffic pattern accommodated the in and out flow of traffic from the property.

**Adjacent Shops:** Shops 11 and 17 are tobacco and grocery stores respectively which have a dynamic flow of traffic with a waiting time of approximately 15 minutes and the average number of employees are 2 each.

**Dwellings:** The Church will not affect the neighborhood in any form, the nearest property to the shopping complex is in excess of 25-50 feet. The people in their home will not notice any adverse changes that will affect their peace as the size of the worshiper is not that significant as to draw attention more than it was with the last tenant.

**Traffic Conditions:** The property has two drives in and out of the parking lot into East Oak Ridge Drive. The traffic condition will not be affected negatively because it has consideration for two-way traffic in and out of the property with a clear vision of highway on both sides. There is a traffic light at the major interception and also the traffic pattern around the property has consideration for the property user as to how to go in and out.

**Property Values:** The sighting of the fellowship center to that property will conserve the value of the property, it will at the same time affect the economic capacity of the merchants because more people who would not come to that mall for shopping will be coming in weekly and shopping.

**Environmental Impacts:** Noise, odor, gas, smoke, vibrations, glare, and dust. The fellowship does not generate any negative environmental hazardous materials that impact the community. There will be minimal sounds from music, voices during praises and worship these are insignificant you are inside to participate in the occasion.

**Structures within the Vicinity:** The property is directly opposite to a gas station and restaurant "Sheetz", a school is along the adjacent road at about 2 miles from the Mall.

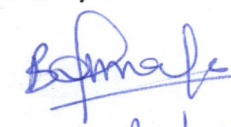
**APPEAL:** The Church is requesting a special exception for the use of this space as their place of fellowship. According to Article 19.3.F in conjunction with the Articles 11.3.C and 12.2.K the Church can request a place of worship in a Highway Interchange subject the Appeals Boards Authorization.

The Church as a fellowship center decided to come to Hagerstown in obedience to the Lord Jesus injunction to go to all the world and preach the gospel to every creature Mark 16: 15 and the exercise of our Constitutional rights of freedom of worship. Before now our members go to Gaithersburg to worship a commute of around one hour every worship day when the burden of transport and domestic responsibilities increases the opportunity of going to fellowship becomes a challenge to the people and discouragement began to set in, the church then determine to bring the fellowship closer to the people and better serve the Hagerstown community. We are using a Hotel presently which is considered very expensive and the amount of time allotted does not allow us a full fellowship hour. The Church has been searching for a place of worship for more than 12 months before this place came available.

This current place appears the best sight we have ever seen and the possibility of consideration for use. There is no assembly there right now, there is no dance hall, there is no nightclub, etc., which is one of the reasons we have missed out on other places.

Kind consideration and authorizing the request will be the right thing to do for the children and the seniors in our midst who love to worship their God and remain in the spiritual atmosphere of worship consistent with their wellness and wellbeing without having to travel 130miles per week.

Thank you.

  
Pastor B. Batmudi Ayemade

## ARTICLE 19 "HI" HIGHWAY INTERCHANGE DISTRICT<sup>124</sup>

### Section 19.1. Purpose

The Highway Interchange District is established to provide suitable locations for commercial activities or light industrial land uses that serve highway travelers, provide goods and services to a regional population, or uses that have a need to be located near the interstate highway system to facilitate access by a large number of employees, or the receipt or shipment of goods by highway vehicles. In addition to providing accessible locations, the Highway Interchange District is intended to protect the safe and efficient operation of the interchange and to promote its visual attractiveness. Site design guidelines will balance the needs for visibility with moderation of visual clutter, signs, and excessive lighting.

### Section 19.2. Principal Permitted Uses

- (a) All Principal Permitted Uses allowed in the BL, BG, PB, and ORT Districts. Also permitted are all Principal Permitted Uses in the IR District except heliports and Commercial Communications Towers.
- (b) Agriculture, as defined in Article 28A, including animal husbandry facilities, as defined in Article 28A, which shall be subject to the requirements set forth in Article 22, Division IX.

### Section 19.3. Special Exception Uses (Requiring Board Authorization after Public Hearing)

- (a) Building material sales and storage yards.
- (b) Feed and grain sales.
- (c) Animal hospitals, veterinary clinics, or kennels with outside runways or exercise areas shall comply with Section 19.7 and the outside runways or exercise areas shall be no less than 150 ft. from any dwelling, place of worship, school or institution for human care not located on the same lot.
- (d) Cemeteries, mausoleums, or memorial gardens.
- (e) Petroleum products storage tanks (above ground).
- (f) Any other use that the Board finds is functionally similar to any Principal Permitted Use or Special Exception listed in the BL or BG Articles. The Board shall not grant any special exception which is inconsistent with the purpose set forth for this district, nor which will materially or adversely affect the use of any adjacent or neighboring properties.
- (g) Truck stops.



Sales and service establishments for automobiles, trucks, recreational travel vehicles, farm implements and motorcycles, subject to the setback requirements of Section 12.6(d).

Schools, business, dancing, music and trade.

Sheet metal shops.

Sign painting shops.

Signs, outdoor advertising, subject to the provisions of Section 22.24 and 22.25.

Skating rinks.

Swimming pools.

Telephone central office or service center.

Temporary or Seasonal Retail - provided that the area devoted to the use be limited to less than 2,500 sq. ft. and that the use on the premises occurs for at least 30 days and does not exceed 9 months within a calendar year.

Tourist homes.

Wholesale business, warehousing or service establishments, except as first allowed in an "IR" or "IG" District.

Section 12.2 Special Exception Uses (Requiring Board Authorization After Public Hearing)

- (a) Wholesale and retail outside building material storage yards; utility storage yards, such as water, electric, gas, communication and sewer; and outside storage yards which are directly related to any principal permitted or special exception use in a BG zone.
- (b) Feed and grain sales, milling and/or storage.
- (c) Outdoor drive-in theaters.
- (d) Animal hospitals, veterinary clinics, or kennels with outside runways or exercise areas which shall be 100 feet from any dwelling, place of worship, school or institution for human care not located on the same lot and subject to additional requirements of Section 12.5.
- (e) Research and development facilities as defined in Article 28A.
- (f) Adult bookstores provided that no such establishment is located within 1,000 feet of any residential district, within 1,000 feet of a place of worship or school, within 1,000 feet of any restaurant, eating establishment, hotel or motel, within 1,000 feet of any theater, club or lodge, or within 1,000 feet of any other adult book store or adult mini-motion picture theater.

- (g) Adult mini-motion picture theaters, provided that no such establishment is located within 1,000 feet of any residential district, within 1,000 feet of any place of worship or school, within 1,000 feet of any restaurant, eating establishment, hotel or motel, within 1,000 feet of any theater, club, or lodge, or within 1,000 feet of any other adult mini-motion theater or adult book store.
- (h) Any other facility providing any other type of adult entertainment provided that no such establishment is located within 1,000 feet of any residential district, within 1,000 feet of a place of worship or school, within 1,000 feet of any restaurant, eating establishment, hotel or motel, within 1,000 feet of any theater, club, or lodge, or within 1,000 feet of any other adult book store, adult mini-motion picture theater, or any other facility providing adult entertainment.
- (i) Public utility buildings, structures, or uses not considered essential utility equipment, as defined in Article 28A.
- (j) Commercial Communications Towers, subject to the requirements of Section 4.22.
- (k) Places of worship.
- (l) Any other use that the Board finds is functionally similar to any principally permitted use or special exception except adult book stores, adult mini-motion picture theaters, or any other type of adult entertainment listed in this Article. The Board shall not grant any special exception which is inconsistent with the purpose set forth for this District, nor which will materially or adversely affect the use of any adjacent or neighboring properties.

#### Section 12.3 Accessory Uses

- (a) Uses and structures customarily accessory and incidental to any principal permitted use or authorized conditional use, including business signs pertaining to "use on the premises" (provided, that such signs are located as regulated in Section 22.23), and a single-family dwelling unit in the same building with a principal use.

#### Section 12.4 Height Regulations

No structure shall exceed seventy-five (75) feet in height, except as provided in Section 23.4.

#### Section 12.5 Lot Area, Lot Width and Yard Setback Requirements

The following minimum requirements shall be observed subject to the modified requirements in Article 23.

approved by the Board of Appeals as a special exception as stated in Section 11.3.

- (k) Structures and uses existing prior to assignment of the current Business, Local District that are not listed as principal permitted uses are considered non-conforming uses and are permitted subject to the guidelines governing such uses in Section 4.3.

Section 11.2 Accessory Uses.

- (a) Uses and structures customarily accessory and incidental to any permitted principal use or authorized conditional use, including a single-family dwelling unit in the same building with a principal use.

Section 11.3 Special Exception Uses (Requiring Board Authorization After Public Hearing)

- (a) Public Utility Buildings, Structures or uses not considered essential utility equipment, as defined in Article 28A.
- (b) Any other use that the Board finds is functionally similar to any principally permitted use or special exception listed in this Article. The Board shall not grant any special exception which is inconsistent with the purpose set forth for this District, nor which will materially or adversely affect the use of any adjacent or neighboring properties.

- c) Places of worship.

Section 11.4 Height Regulations

No structure shall exceed twenty-five (25) feet in height, except as provided in Section 23.4.

Section 11.5 Lot Area, Lot Width, and Yard Setback Requirements

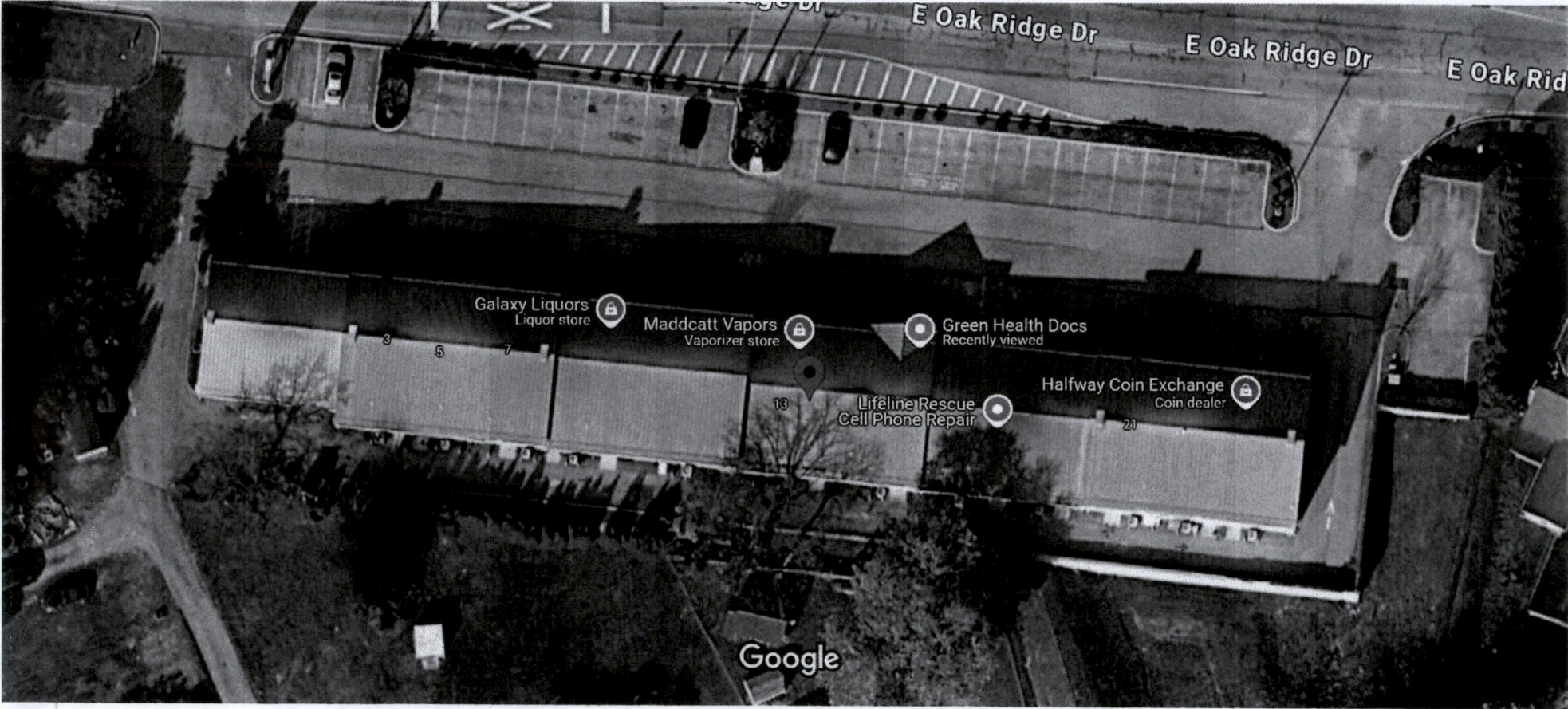
The following minimum requirements shall be observed, subject to the modified requirements in Article 23.

Use	Lot Area	Lot Width	Lot Area Per family	Front Yard Depth	Side yard (Width Each Side Yard)	Rear Yard Depth
Principal Permitted or Accessory Uses				25 ft.	10 ft.*	10 ft.*

\*Where adjoining any RR, RT, RS, RU, or RM District, not less than twenty-five (25) feet.







Google Street View

Jun 2024 See more dates

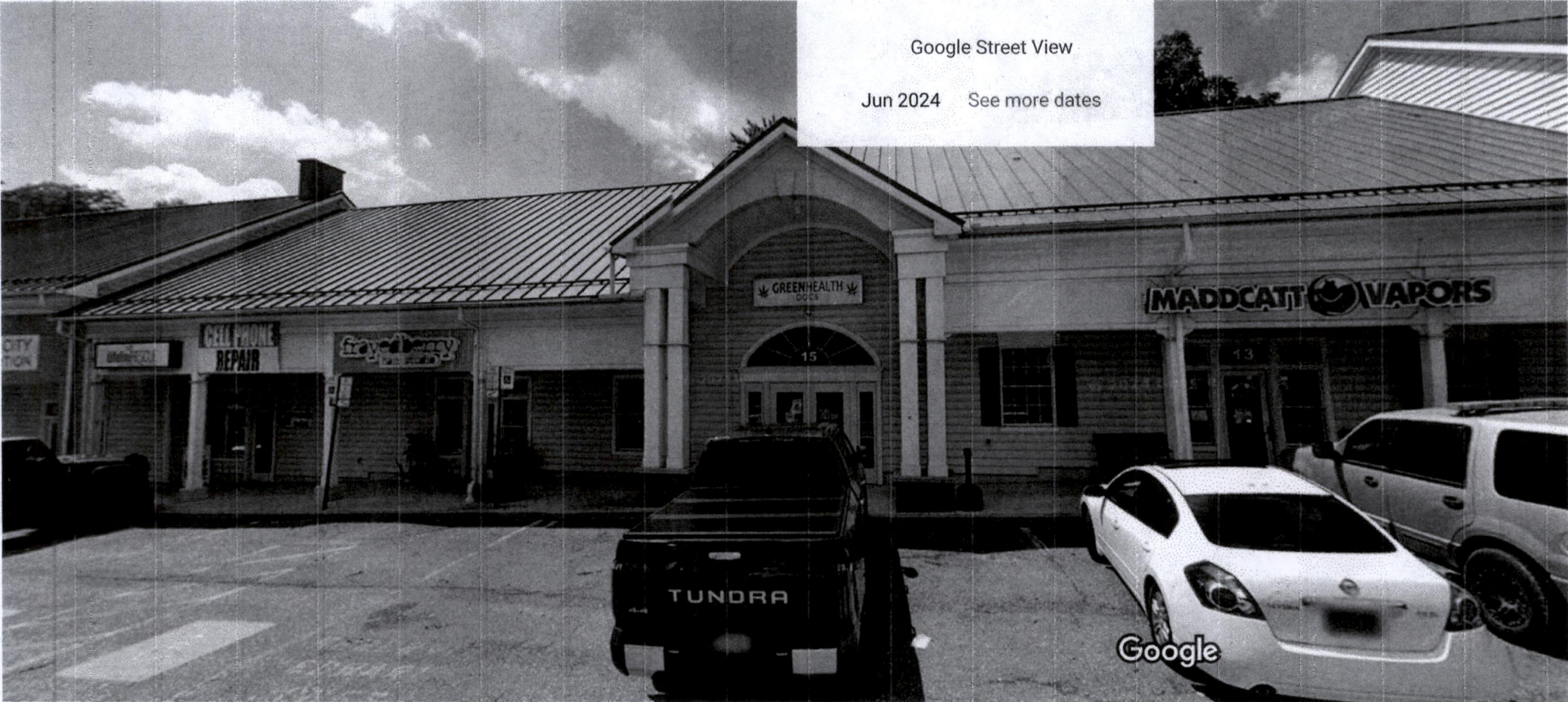


Image capture: Jun 2024 © 2024 Google



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: Timothy Wride, 9814 Glynshire Way, Potomac MD 20854
Appellant: Timothy Wride, 9814 Glynshire Way, Potomac MD 20854
Property Location: 6020 River Road, Sharpsburg, MD 21782
Description Of Appeal: Variance from the required 40 ft. front yard setback to 20 ft. for proposed single-family dwelling.

Docket No: AP2024-047
Tax ID No: 01011006
Zoning: P
RB Overlay: No
Zoning Overlay:
Filed Date: 09/26/2024
Hearing Date: 10/16/2024

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: 5C.5

Reason For Hardship: Topological challenges

If Appeal of Ruling, Date Of Ruling:

Ruling Official/Agency:

Existing Use: Vacant Lot, Proposed Use: Single Family Dwelling

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 in blue ink.

Appellant Signature

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this 26 day of September, 2024.

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

Handwritten signature of the notary public in blue ink.

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: AP2024-047

**State of Maryland Washington County, To Wit:**

On 9/26/2024, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Timothy Wride and made oath in due form of law as follows:

Timothy Wride 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 10/16/2024, 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.

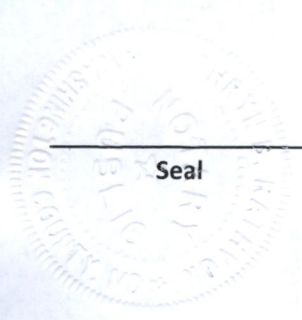
Sign(s) will be posted on 10/01/2024 and will remain until after the above hearing date.

Timothy Wride

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

Kathryn B Rathven  
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

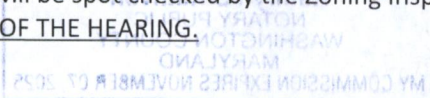
### ATTENTION!

### 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.





**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 6020 River Road Sharpsburg, MD 21782

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: Article 5-C.5

Specify the particular requirement(s) from which a variance is desired in that section or subsection:  
Article 5C, Section 5C.5—Requires 40-ft. front yard setback.

Describe the nature and extent of the desired variance from Ordinance requirements: listed above:  
Requesting variance to a 20-foot front yard setback to accomodate an attached garage.

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.

[Signature]  
Signature of Appellant

9814 Glynshire Way Potomac, MD 20854  
Address and of Appellant

TBWride@gmail.com  
Email of Appellant

310/200-9477  
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.

The property at 6020 River Road comprises 3.16 acres that descends in rocky swales and drop-offs from River Road to the bottom of the property. There is less than 15% of the parcel that is flat enough to accommodate a livable structure with commensurate septic and well requirements. This is the only property in the Potomac Valley Farms that carries such extreme topological challenges and is perhaps why it is the last vacant site in an area that was registered in the late 1960s. It should also be noted that River Road, like all the roads in Potomac Valley Farms, is a private road and not part of the county system

This modest home is to be my last residence as I move into my seventies. It has been designed to answer current physical and emotional needs and to anticipate the needs that will arise or exacerbate as I continue to age. It should be noted that the structure is a single level (to avoid the inclusion of stairs), 2-bedroom/2-1/2 bath (should in-home care become necessary) in an area in which 4+ bedroom home is the norm, and with a simplified design to maximize ease of mobility and upkeep.

Safety, Ease of Mobility, Ease of Upkeep and on-going Health have been the underlying prerequisites for all elements contributing to the over-all design of the structure. Unfortunately, with a 40-foot front setback in place, the garage on the property would have to be detached from the over-all house structure. As a soon-to-be 70-year-old resident the severing of the garage from the structure would present a series of hardships due to mobility, weather, and safety that will only increase as I age.

From the purely practical and selfish perspective of the structure's construction, the 40-foot front setback results in an overhang of approx. 10 feet at the NW corner of the house, and 4 feet at the SW corner. This will require the addition of a commensurate amount of

fill to level the site. That fill will be placed over portions of the swale and damage the natural contours of the site which I would rather avoid. The requested variance would shift the entire structure onto the flat of the property while also allowing for a safe access corridor on the west side for ease of access and upkeep.

I have been in conversation with the immediate neighbors (see attached list of neighbors with contact information) as well as with the Architectural Committee of the Potomac Valley Farms Homeowners Association all during the design process. The Architectural Committee has already approved the design and my neighbors have been very supportive.

Practically speaking, the approval of the variance would result in the face of the attached garage being 40-feet off the edge of River Road, with the major structure of the house resting 20-feet beyond that, or 60-feet off the road. Visually the only unobstructed view of the structure would be of the garage face and receding roof with the majority of the structure being screened by existing tree-scape and planned foliage.

Having a concerned homeowner and new neighbor lightly build on what is now a vacant and unmanaged lot can only be an over-all benefit to the community that comprises Potomac Valley Farms.

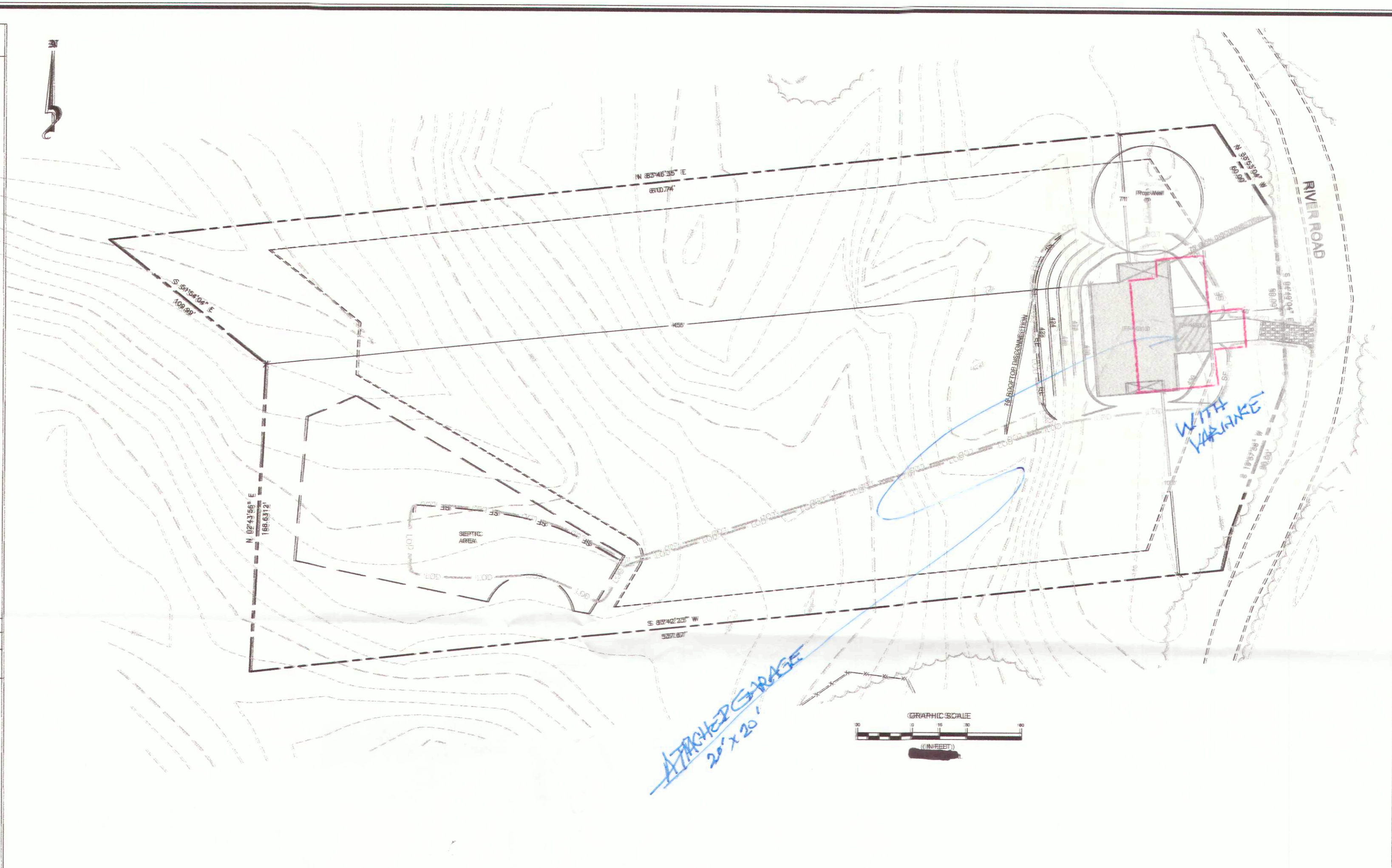
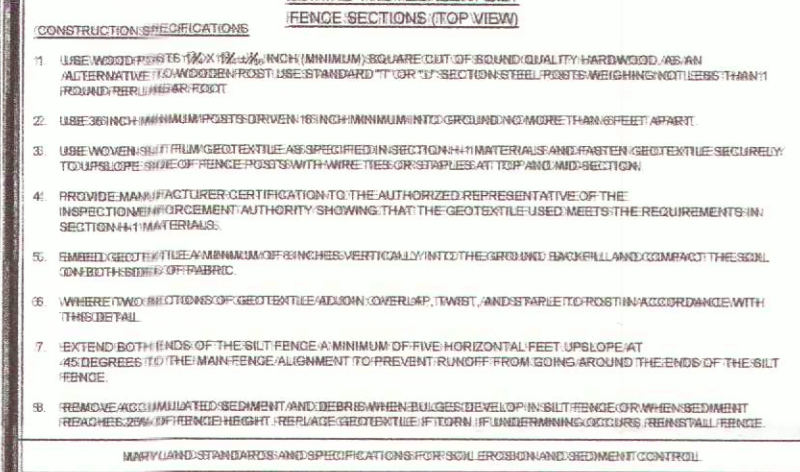
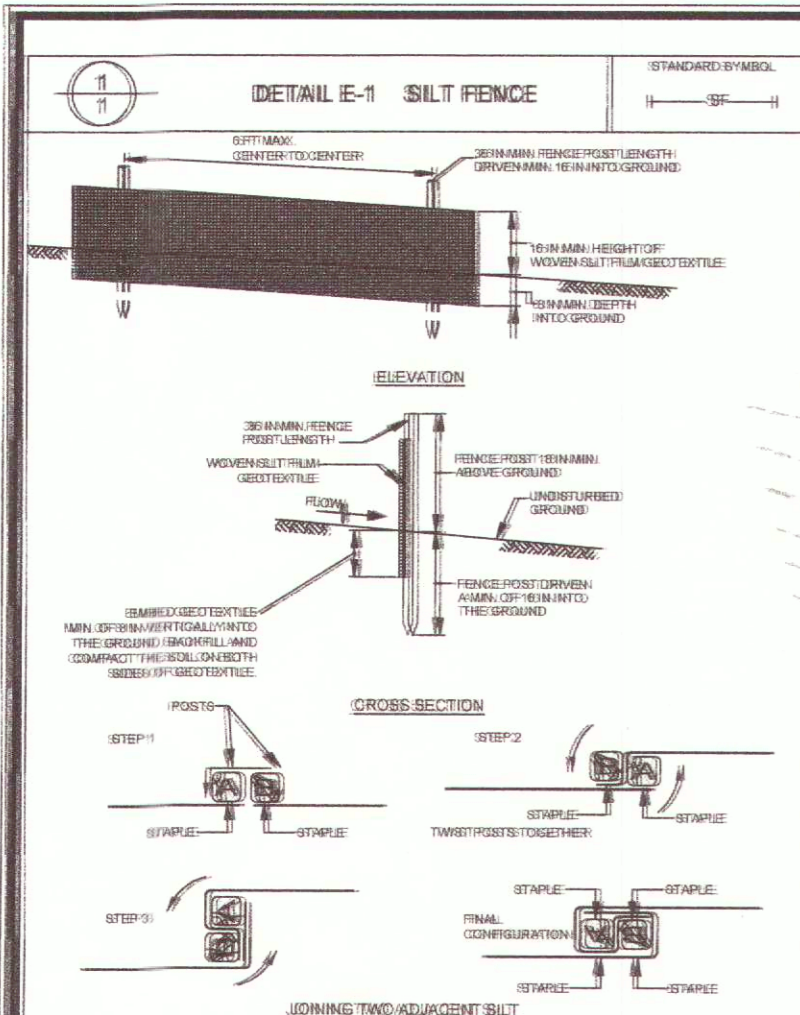
POTOMAC VALLEY FARMS  
6020 River Road  
Sharpsburg, MD  
LOT 16, 3.16 ACRES

## NEIGHBOR CONTACTS

SHANDY M. GHANAYEM  
6012 RIVER RD  
SHARPSBURG MD 21782-1322  
(South Neighbor)

LARRY J. STOCKSLAGER  
DONNA M. STOCKSLAGER  
6036 RIVER RD  
SHARPSBURG MD 21782-1322  
(North Neighbor)

JOHN DANIEL SCHRIDER  
GENOVEVA REYES  
6033 RIVER RD  
SHARPSBURG MD 21782-1322  
(Neighbor across River Road)



**Professional Certification**

I hereby certify that the information herein presented is true and correct to the best of my knowledge and belief, and was prepared by me or under my direct supervision and control, and I am a duly licensed Professional Engineer under the laws of the State of Maryland.

**FREDERICK S. EIBERT & ASSOCIATES, INC.**

1800 SOUTH HANOVER STREET, SUITE 200, WASHINGTON, MARYLAND 20787  
 800 SOUTH HANOVER STREET, SUITE 200, WASHINGTON, MARYLAND 20787  
 801 SPRING ROAD, SUITE 8, BRENNANVILLE, PENNSYLVANIA 17829

**Tim Wride**  
 6630 River Rd  
 Shippensburg MD 21788  
 WASHINGTON COUNTY, MARYLAND  
 Tim Wride  
 9814 Gyronline Way Potosi, MO 63654  
 515-555-5477

**PROJECT NO:** 2024-0022  
**CAD DWG FILE:** 2024-0022-ST-Dwg  
**DRAWN BY:** ADH  
**CHECKED BY:** DATE: 09-05-2024  
**DATE:** DATE:  
**TRAVEL MAP:** 7/1-23-1/11  
**SECTION NO.:** 1  
**SCALE:**  
**SHEET TITLE:**

**STANDARD PLAN**

**C-101**  
 SHEET 11 OF 11

**IMPERVIOUS AREA SUMMARY TABLE**

EX. IMPERVIOUS AREA	QTY
NEW DRIVE IMPERVIOUS AREA	1,300 SF
NEW HOUSE IMPERVIOUS AREA	3,400 SF
TOTAL NEW IMPERVIOUS AREA	4,700 SF

THE TOTAL AREA TO BE DISTURBED SHOWN ON THESE PLANS HAS BEEN DETERMINED TO BE APPROXIMATELY 15,000 SF (0.33 AC) AND THE TOTAL AMOUNT OF EXCAVATION AND FILL AS SHOWN ON THESE PLANS HAS BEEN COMPUTED TO BE APPROXIMATELY 50,000 CU YDS. OF EXCAVATION AND APPROXIMATELY 100,000 CU YDS. OF FILL.