

BOARD OF APPEALS

June 5, 2024

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

AGENDA

AP2024-021: An appeal was filed by Jose & Tapia Stasa for a variance from the required 12 ft. side yard setback to 8 ft. for proposed inground pool on property owned by the appellants and located at 62 Redwood Drive, Hagerstown, Zoned Residential Suburban.-**WITHDRAWN**

AP2024-022: An appeal was filed by Stephen & Iris Sagi for a variance from the required 15 ft. side yard setback to 8 ft. for proposed addition to the single-family dwelling on property owned by the appellants and located at 10115 Garis Shop Road, Hagerstown, Zoned Agricultural Rural.

AP2024-023: An appeal was filed by Jeffrey & Krista Bowers for a variance from the required 12 ft. side yard setback to 6 ft. for proposed detached garage on property owned by the appellants and located at 21905 Beaverbrook Drive, Smithsburg, Zoned Residential Transition.

.....

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 May 27, 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

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: Jose & Tapia Stasa
62 Redwood Drive
Hagerstown MD 21740

Appellant: Jose & Stasa Tapia
62 Redwood Drive
Hagerstown MD 21740

Property Location: 62 Redwood Drive
Hagerstown, MD 21740

Description Of Appeal: Variance from the required 12 ft. side yard setback to 8 ft. for proposed inground pool.

Docket No: AP2024-021
Tax ID No: 10019141
Zoning: RS
RB Overlay: No
Zoning Overlay:
Filed Date: 05/03/2024
Hearing Date: 06/05/2024

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 8.5 (b)

Reason For Hardship: Septic and septic field require a 20 ft. setback by the Health Dept. which reduces area for the pool to be on the property.

If Appeal of Ruling, Date Of Ruling:

Ruling Official/Agency:

Existing Use: Residential **Proposed Use:** Inground Pool

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 3 day of May, 2024.

My Commission Expires

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: AP2024-021

State of Maryland Washington County, To Wit:

On 5/3/2024, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Grove Pools and made oath in due form of law as follows:

Grove Pools 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 06/05/2024, 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 05/21/2024 and will remain until after the above hearing date.

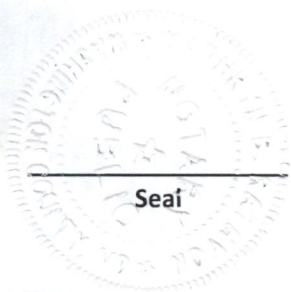
Grove Pools

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



May 3, 2024

Washington County Board of Appeals
747 Northern Ave
Hagerstown, MD 21742

To Whom it My Concern:

In March 2024, Grove Pools called Washington County Permitting office to verify the setbacks, before the sale and contract, for 62 Redwood Dr. Hagerstown, MD 21740 for a customer who was wanting an in-ground pool installed. We were informed the rear setbacks were 8' from the property line. The customers picked out and purchased a pool to fit within those perimeters.

We applied for the permit on April 3, 2024, we then received an email on April 4, 2024 (see attached - from Gretchen DeVore - Permit Technician for Washington Co.) asking for confirmation of a private septic system showing on the plot, as their records indicated the property was connected to City of Hagerstown Sewer.

On April 8, 2024, We received another email from Ms. DeVore stating they clarified this location is private septic and the setbacks are now 12' from the property lines. (see attached)

We are requesting a variance from 12' for the private septic to 8' for Public Sewer setback. This allows the pool installation to remain 20' from the septic field per health department requirements.

Thank you for your consideration,

Douglas Grove
Owner

1101 Opal Ct Suite 101 Hagerstown, MD 21740
301-991-6018

grovesgroundwurx.com
grovesgroundwurx@gmail.com



BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742 | P: 240.313.2460 | 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 62 Redwood Dr. Hagerstown, MD 21740

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 8 "RS" Residential, Suburban District Section 8.5 (a)

Specify the particular requirement(s) from which a variance is desired in that section or subsection:
8 Ft Side Yard Setback

Describe the nature and extent of the desired variance from Ordinance requirements: listed above:
With having a private septic in back yard, you are required to be 20' off septic field. With that requirement we are 8' from side property line.

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.

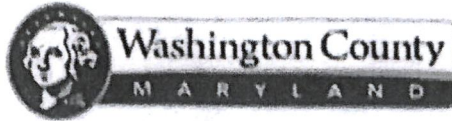
[Signature]
Signature of Appellant

1101 Opal Cnd. Suite # 101
Hagerstown, Md. 21746
Address and of Appellant

douge.groves@groundwork.com
Email of Appellant

301-991-6018
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.



BOARD OF ZONING APPEALS

OWNER REPRESENTATIVE AFFIDAVIT

This is to certify that Grove's Pools - Grave Groundwork is authorized to file an appeal with the Washington County Board of Appeals for _____ on property located 62 Redwood Dr. Hagerstown, MD. 21740 The said work is authorized by Stasa Tapia the property owner in fee.

PROPERTY OWNER

Stasa Tapia
Name
62 Redwood Drive
Address
Hagerstown, MD 21740
City, State, Zip Code
Stasa Tapia
Owner's Signature

TERRY LEE MOLNAR
Notary Public - State of Maryland
Washington County
My Commission Expires Mar 6, 2027

Sworn and subscribed before me this 3rd day of May, 20 2024

Terry Lee Molnar
Notary Public

My Commission Expires: March 6, 2027



AUTHORIZED REPRESENTATIVE

T Douglas Grove
Name
1101 Opal Crt Suite # 101
Address
Hagerstown, MD. 21740
City, State, Zip Code
TDG
Authorized Representative's Signature

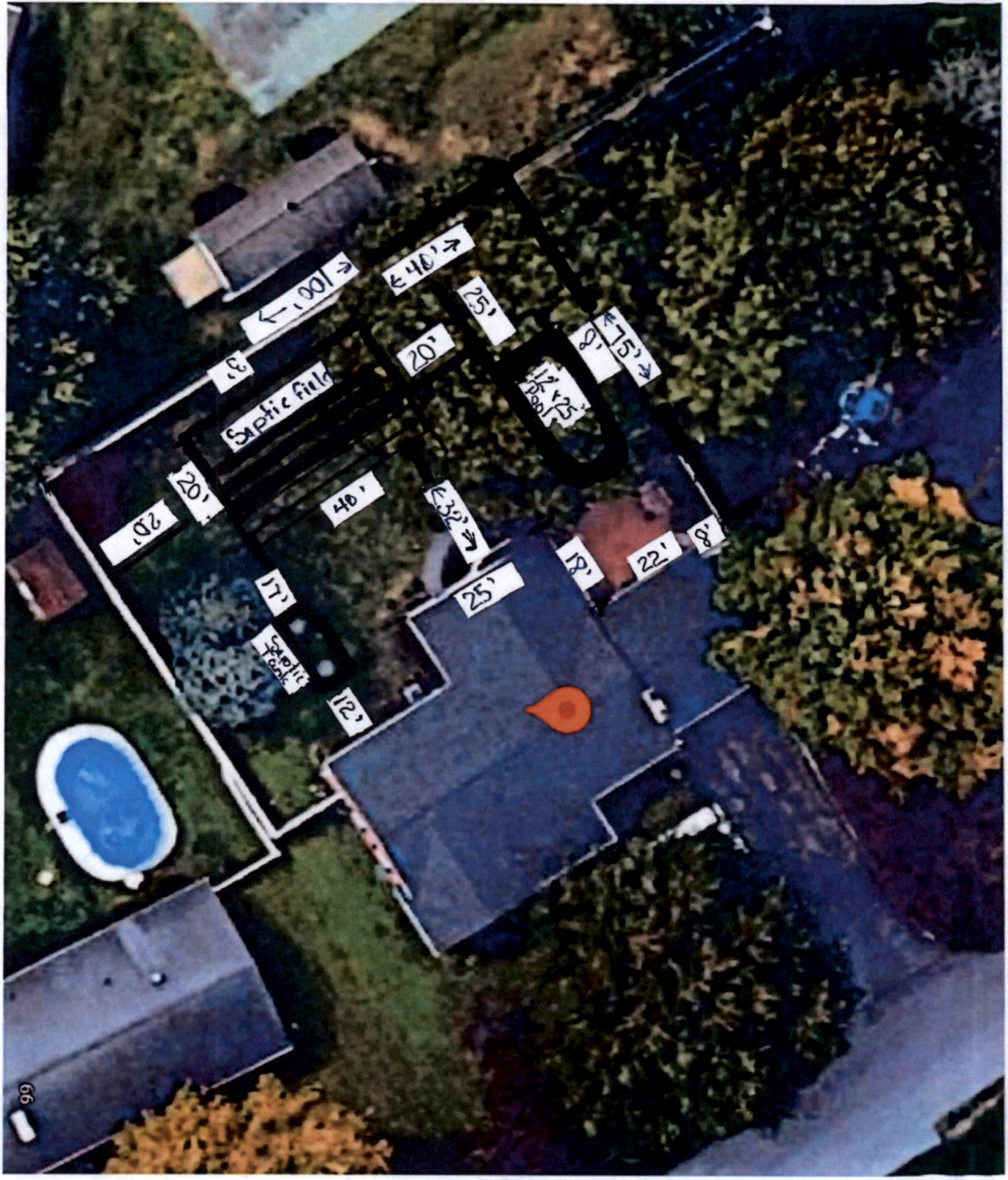
Sworn and subscribed before me this 3rd day of May, 20 24

Terry Lee Molnar
Notary Public

My Commission Expires:

747 Northern Avenue | Hagerstown, MD 21742 | P: 240.313.2430 | F: 240.313.2461 | He...





5/3/24, 8:37 AM

Building Permit 2024-01531 62 Redwood Drive - julie@grovesgroundwurx.com - Grove" Groundwurx Mail

DeVore, Gretchen

to grovesgroundwurx@gmail.com, me

Thu, Apr 4, 12:49 PM

Good afternoon,

My apologies, in addition to the question in my original email, you are also stating that there is septic on this property, by showing it on the plot plan, but we have that this property is served by City of Hagerstown Sewer. Can you please confirm?

Thank you,

DeVore, Gretchen

Mon, Apr 8, 12:08 PM

to me

Good afternoon,

Thank you, I also verified with the City of Hagerstown, they stated: "There are no city sewer lines in that development and our utility billing indicates septic under that address"

Since this property is actually served by a septic system, this does change the side and rear minimum building setbacks to 12 feet instead of 8 feet (we only saw that it was served by public sewer on our end when you asked what the setbacks where for this property).

Please provide an updated plot plan that shows the swimming pool at least 12 feet away from the right side property line. You can email the updated plot plan over to me.

Please let me know if you have any questions.

Thank you,



Gretchen DeVore

Permit Technician, Permits & Inspections

747 Northern Avenue

Hagerstown, MD 21742

P: (240) 313-2467

www.washco-md.net



602-5

TO U.S. RT. 40
FUNKSTOWN -
CHEWSTOWN RD.
CONC. MON. 5.33'-34"E
207.42'

APPROVED BY MAYOR & COUNCIL
Claude D. Williams
CLAUDE D. WILLIAMS (CITY ENGINEER)
DATE 8/14/56

CONDITIONS AND RESTRICTIONS FOR SECTION B BRIGHTWOOD ACRES DEVELOPMENT

This declaration is made for the purpose of creating and maintaining a general scheme of land development and to maintain property values and is made with the understanding and agreement that these covenants are to run with and bind all the land included in Section B of Brightwood Acres Development and are to be binding upon, inure to the benefit of and be enforceable by the parties to each and every transaction involving any portion of said Section B and to all persons interested therein until January 1, 1969, or unless extended as hereinafter provided.

Restrictions applicable to Section B of Brightwood Acres Development:

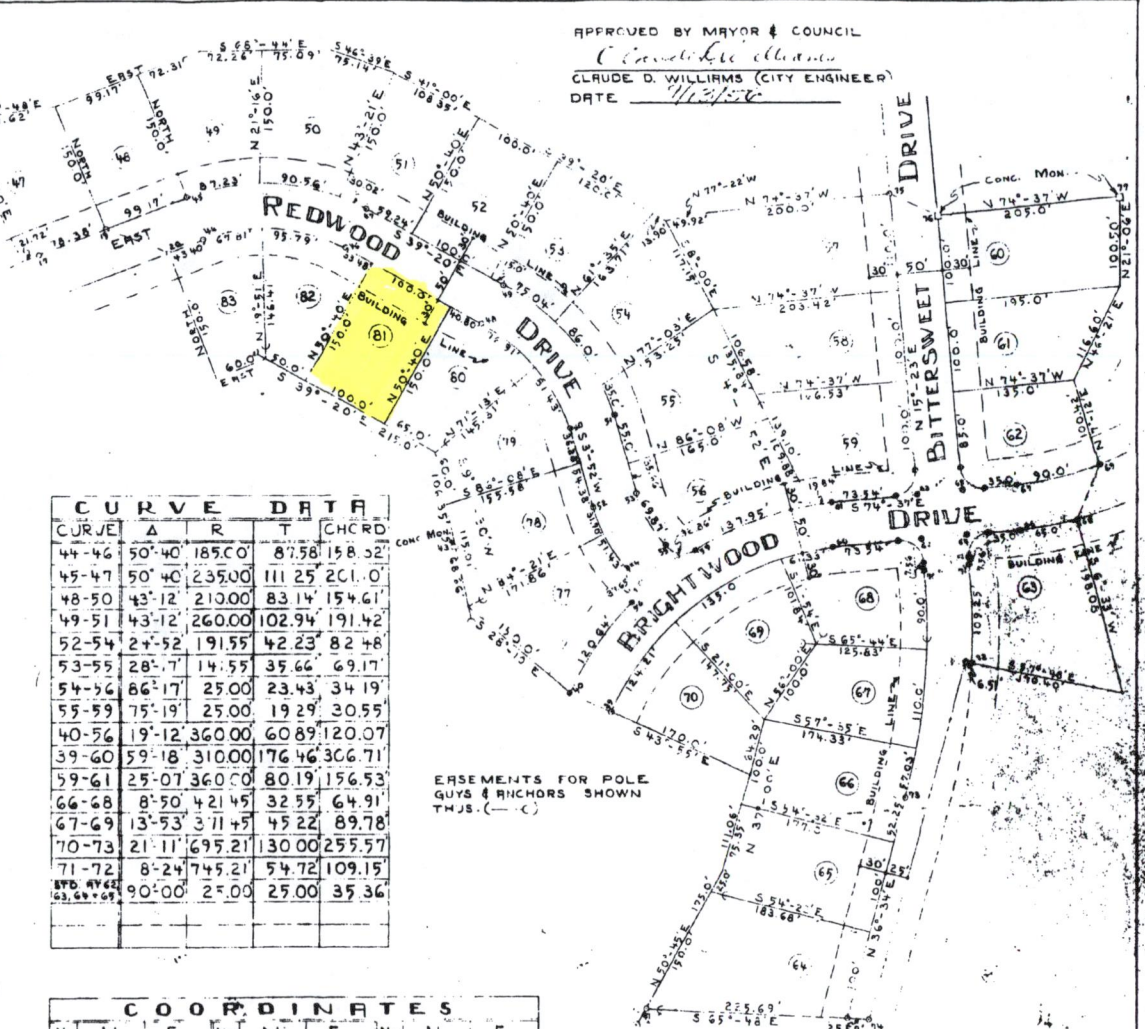
1. No building shall be erected, placed or altered on any lot shown on this plat or any lot of ground in this subdivision until the design of the same and plot plan showing the location of such building and grading has been approved in writing by a Committee composed of E. D. Plummer, E. D. Plummer, Jr., Walter Louis Plummer, Kenneth H. Plummer and A. J. Plummer, their personal representatives, heirs or assigns, or by a representative designated by the members of said Committee. In the event of the death of any of said Committee members, the remaining members shall have full authority to approve or disapprove such design and location or to designate a representative with like authority. In the event said Committee or its designated representative fails to approve or disapprove such design or location within thirty (30) days after such plan and specifications have been submitted to it or, in any event, if no suit to enforce the erection of said building or the making of such alterations has been commenced prior to the completion thereof, such approval will not be required and this covenant will be deemed to be fully complied with.
2. Neither the members of such Committee nor its designated representative shall be entitled to any compensation for services performed pursuant to this covenant. The powers and duties of such Committee, and of its designated representative, shall cease on or after January 1, 1969. Thereafter, the approval described in this covenant shall not be required unless, prior to said date and effective thereon, a written instrument shall be executed by the then record owners of the majority of the lots in this subdivision, and duly recorded, appointing a representative or representatives, who shall thereafter exercise the same powers previously exercised by said Committee.
3. The land shown on this plat shall be used for residential purposes only; and no structure for residential purposes shall be erected, altered, placed or permitted to remain thereon except single dwelling houses. Not more than one single family dwelling house shall be erected on any one lot, and none, but not less than, one lot may be utilized for a single family dwelling house, provided, however, that garages may be erected for the convenience of the occupants thereof, after the design and location of same has been approved by the Committee heretofore mentioned.
4. The term lot as herein used shall mean any lot shown on such on this plat or any lot of ground in this subdivision sold for residential use.
5. No fence of any kind shall be erected or placed on any lot to the front of any residential structure thereon nor nearer to any street than the minimum building front setback lines; fences of an ornamental nature not higher than forty-two (42) inches will be permitted in the rear of said structures, provided, however, that no solid fences of wood or other materials shall be erected.
6. No dwelling or residence shall be erected in cost less than \$15,000.00, exclusive of the cost of land, said price to be based on average building costs prevailing in Washington County, Maryland, in the year 1956.
7. No portion of any building except open porches and steps shall be located on any lot nearer to the front lot line or nearer to the side street line than the minimum building setback lines shown on this plat. No portion of any building except open porches and steps shall be located within 15 feet on any side lot lines.
8. No actions or activities shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.
9. No chickens, poultry or farm animals shall be kept, housed or maintained on any of said lots.
10. No sheds, barns, trailers or other buildings other than a garage shall be erected or maintained on any part of said lots. No structure of temporary character, trailer, basement, tent, shack, garage or other outbuilding shall be used at any time as a residence, either temporarily or permanently.
11. No part of any lot shown on such on this plat, or any lot of ground in this subdivision sold for residential use shall be used for business or manufacturing purposes. No billboard, shop, public garage, automobile service station, factory, tavern, dance hall, hospital, asylum, sanatorium, or public institution or structure for kindred purposes shall be erected or maintained on said lots, nor shall any building or land be converted into or used for such purposes unless the same shall be used and accepted for residential purposes only and not otherwise.
12. Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages.
13. A five foot wide easement for utilities and drainage is reserved as shown on the plan of said Section B and also over the rear five feet of each lot.
14. Not more than two animal pets shall be kept or maintained on any of said lots, provided that said animals are not kept, bred or maintained for any commercial purpose.
15. These covenants, restrictions and provisions shall run with and bind all the lands included in this subdivision and shall inure to the benefit of and be enforceable by and binding upon the parties to each and every transaction involving any portion of this subdivision and to all persons interested therein until January 1, 1969, at which time said covenants shall be automatically extended for successive periods of two years each, unless by a vote of the majority of the then owners of the lots, it is agreed to change the said restrictions, in whole or in part, and following-up, any of said land owners to enforce any covenant, restriction or condition or provision herein contained, shall in no event, be deemed a waiver of the right to do so thereafter as to the same breach or as to one occurring prior or subsequent thereto.
16. The restrictions hereinabove set forth are minimum restrictions only and shall apply to all building lots in this subdivision, but they shall not limit the owners from imposing additional restrictions or conditions upon any or all the building lots or other land embraced in this subdivision.

Witness our hands and seals this 7th day of September, A.D., 1956.
Witness: *[Signatures]* (SEAL)

[Signatures] (SEAL)
[Signatures] (SEAL)
[Signatures] (SEAL)
[Signatures] (SEAL)

STATE OF MARYLAND, WASHINGTON COUNTY, To-WIT:
I HEREBY CERTIFY, that on this 7th day of September, A.D., 1956, before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared E. D. Plummer, E. D. Plummer, Jr., Walter Louis Plummer, Kenneth H. Plummer and A. J. Plummer, personally known to me to be the persons whose names are subscribed to the foregoing instrument, and who did each acknowledge that they executed the same for the purposes therein contained.
WITNESS my hand and official Notarial Seal.

Notary Public
Commission Expires: May 6, 1957.
OWNER'S STATEMENT
WE, THE UNDERSIGNED, HEREBY CERTIFY THAT THE REQUIREMENTS OF CHAPTER 1016, HOUSE BILL 499 OF THE LAWS OF MARYLAND, 1955, HAVE BEEN COMPLIED WITH IN REGARD TO THE MAKING OF THIS PLOT AND SETTING OF THE MARKERS.
E. D. PLUMMER & SONS
by *[Signature]*



CURVE	Δ	R	T	CHORD
44-46	50°40'	185.00'	87.58'	158.52'
45-47	50°40'	235.00'	111.25'	201.00'
48-50	43°12'	210.00'	83.14'	154.61'
49-51	43°12'	260.00'	102.94'	191.42'
52-54	27°52'	191.55'	42.23'	82.48'
53-55	28°7'	14.55'	35.66'	69.17'
54-56	86°17'	25.00'	23.43'	34.19'
55-59	75°19'	25.00'	19.29'	30.55'
40-56	19°12'	360.00'	60.89'	120.07'
59-60	59°18'	310.00'	176.46'	306.71'
59-61	25°07'	360.00'	80.19'	156.53'
66-68	8°50'	421.45'	32.55'	64.91'
67-69	13°53'	371.45'	45.22'	89.78'
70-73	21°11'	695.21'	130.00'	255.57'
71-72	8°24'	745.21'	54.72'	109.15'
BYD. BY 62	90°00'	25.00'	25.00'	35.36'

PERMITS FOR POLE
GUYS & ANCHORS
THUS. (---C)

No. N. E.			No. N. E.			No. N. E.		
1	5124.71	1935.12	6	5297.57	1820.4	17	4951.10	1965.33
19	4951.1	2044.22	20	4901.10	2100.00	39	4243.95	2372.88
40	4279.97	2338.20	41	3922.07	2288.42	43	4479.92	2278.72
44	4901.10	2143.40	45	4951.10	2143.40	46	4833.36	2286.49
47	4865.05	2325.16	48	4698.60	2286.95	49	4730.32	2435.62
50	4551.34	2444.04	51	4577.97	2493.93	52	4460.87	2437.93
53	4457.50	2487.82	54	4379.31	2450.21	55	4389.45	2500.15
56	4347.64	2437.32	57	4375.46	2527.04	60	4319.53	2670.13
61	4667.74	2683.39	62	4293.38	276.51	63	4341.59	2478.42
64	4315.07	2778.42	65	428.33	2826.63	66	4241.21	2871.21
67	4312.42	2884.48	68	4251.86	2934.93	69	4298.95	2973.39
70	4261.99	2756.52	71	4248.75	2804.72	72	4145.88	2768.15
73	4032.26	2644.58	74	3819.15	2517.64	75	4669.41	2868.62
76	4627.20	2908.85	77	4572.82	3106.50			

SECTION B
BRIGHTWOOD ACRES
EAST OF
HAGERSTOWN, MARYLAND

SCALE: 1"=100' MBD WRM. R.H. R.H.S. DATE: 8/14/56

J. B. FERGUSON & CO., INC.
ENGINEERS CONSTRUCTORS
HAGERSTOWN, MD.

[Signature]
JOHN B. FERGUSON
REGISTERED PROFESSIONAL ENGINEER
MARYLAND STATE REGISTRATION NO. 345





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: Stephen & Iris Sagi
10028 Old National Pike
Hagerstown MD 21740
Appellant: Stephen & Iris Sagi
10028 Old National Pike
Hagerstown MD 21740
Property Location: 10115 Garis Shop Road
Hagerstown, MD 21740
Description Of Appeal: Variance from the required 15 ft. side yard setback to 8 ft. for proposed addition to the single-family dwelling.

Docket No: AP2024-022
Tax ID No: 10001463
Zoning: A(R)
RB Overlay: No
Zoning Overlay:
Filed Date: 05/03/2024
Hearing Date: 06/05/2024

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: 5A.5

Reason For Hardship: Only viable location to expand the house due to septic field in the back of the property and works best for the exiting lay out of the dwelling.

If Appeal of Ruling, Date Of Ruling:
Ruling Official/Agency:
Existing Use: Single Family Dwelling Proposed Use: Addition
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]

Appellant Signature

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this 3 day of May 2024.

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

[Handwritten 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: AP2024-022

State of Maryland Washington County, To Wit:

On 5/3/2024, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Landon Sagi and made oath in due form of law as follows:

Landon Sagi 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 06/05/2024, 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.

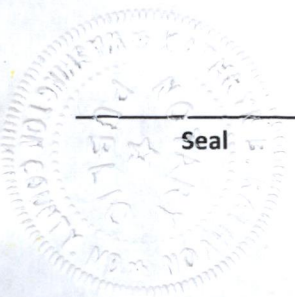
Sign(s) will be posted on 05/21/2024 and will remain until after the above hearing date.

Landon Sagi

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

Stephen B. Sagi
10028 Old National Pike
Hagerstown, MD 21740

April 30, 2024

Washington County Board of Zoning Appeals
747 Northern Avenue
Hagerstown, MD 21740

RE: VARIANCE REQUEST/10115 GARIS SHOP ROAD, HAGERSTOWN, MD

To whom it may concern;

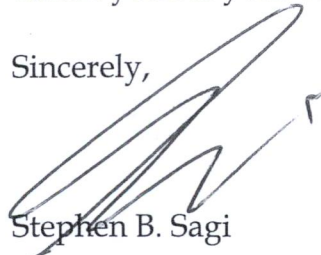
I will soon be conveying this property to my son, Landon Sagi, who currently lives there, with his family. Because of his growing family, he wishes to enlarge the footprint of the home.

I am requesting a variance on the northern side of the existing home for this addition. The proposed addition would measure 15 X 26 feet. This would leave Eight (8) feet to the property line common with 10121 Garis Shop Road.

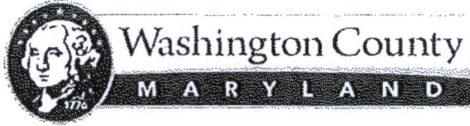
This is the only viable location to expand the house, because building an addition to the rear (east) would interfere with the secondary leach field. Expanding in any other direction, would hamper the "flow" of the current layout, and would not be aesthetically appealing.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Stephen B. Sagi', with a stylized flourish at the end.

Stephen B. Sagi



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 10115 Garis Shop Road Hagerstown, MD 21740

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:

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

15 x 26 addition on north-end of structure

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

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.

Stephen B. Sagi
Signature of Appellant
stevesagi@aol.com
Email of Appellant

10028 Old National Pike Hagerstown MD 21740
Address and of Appellant
(301) 992-1953
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.

[View Map](#)

[View GroundRent Redemption](#)

[View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 10 Account Number - 001463

Owner Information

Owner Name: SAGI STEPHEN B Use: RESIDENTIAL
 SAGI IRIS G Principal Residence: NO
 Mailing Address: 10028 OLD NATIONAL PIKE Deed Reference: /05124/ 00040
 HAGERSTOWN MD 21740-0000

Location & Structure Information

Premises Address: 10115 GARIS SHOP RD Legal Description: LOT 100X195.75 0.449 ACRE
 HAGERSTOWN 21740-0000 10115 GARIS SHOP RD

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0058	0013	0071	10030159.22	0000				2022	Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1990	1,144 SF		0.4490 AC	

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

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2022	07/01/2023	07/01/2024
Land:	64,700	59,700		
Improvements	70,600	131,700		
Total:	135,300	191,400	172,700	191,400
Preferential Land:	0	0		

Transfer Information

Seller: CASTELLO SUZANNE B TRUSTEE Type: NON-ARMS LENGTH OTHER	Date: 12/14/2015 Deed1: /05124/ 00040	Price: \$67,500 Deed2:
Seller: HAINES SUZANNE B Type: NON-ARMS LENGTH OTHER	Date: 12/14/2015 Deed1: /05124/ 00035	Price: \$0 Deed2:
Seller: BEARD DONALD E & THELMA L Type: NON-ARMS LENGTH OTHER	Date: 05/03/2002 Deed1: /01779/ 00754	Price: \$0 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:



10/21

3/16

← →
10'6"

Property Line

8'
← →

Addition

10115 Garis Shop Rd

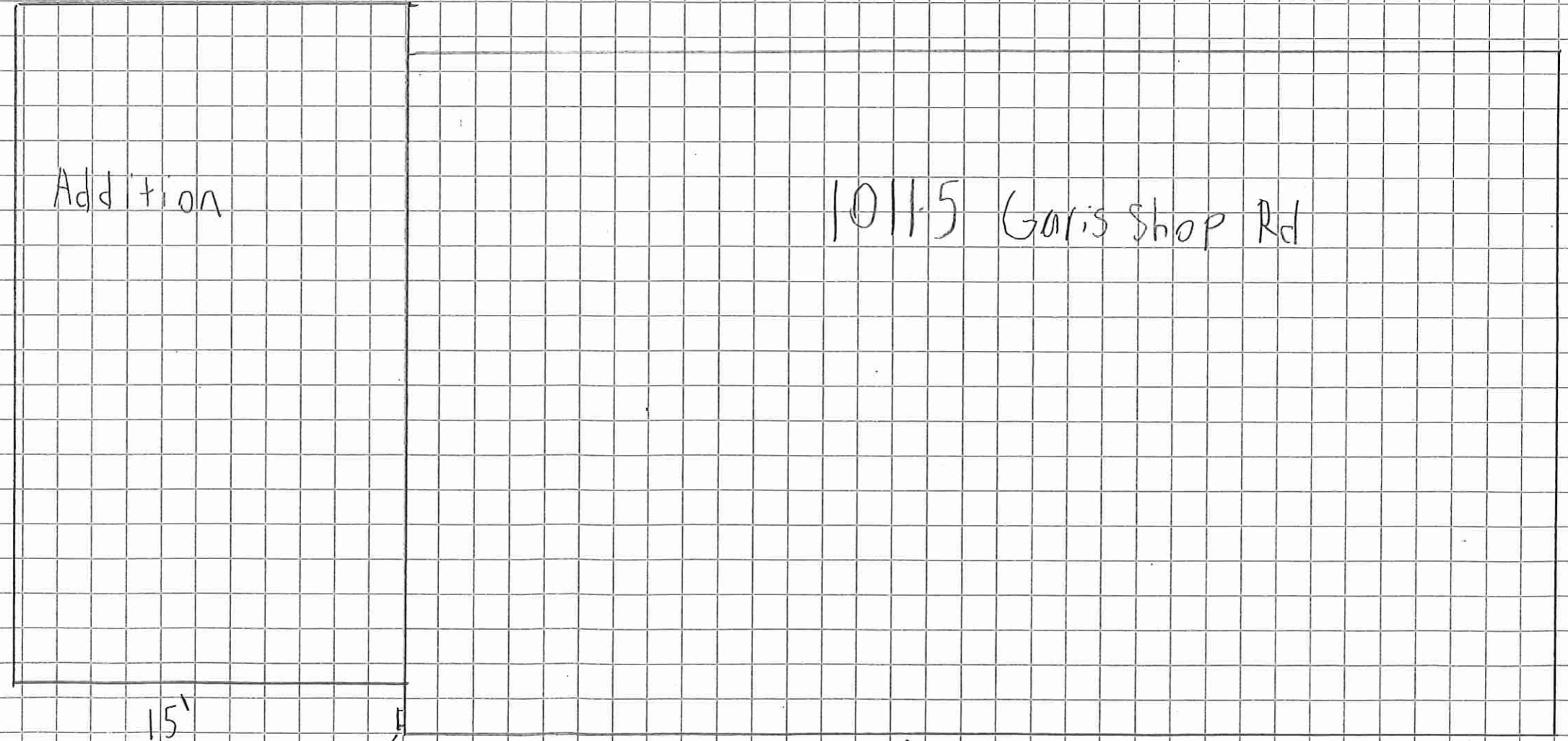
26'

26'

15'

meter socket

44'





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: Jeffrey & Krista Bowers
21905 Beaverbrook Drive
Smithsburg MD 21783
Appellant: Jeffrey & Krista Bowers
21905 Beaverbrook Drive
Smithsburg MD 21783
Property Location: 21905 Beaverbrook Drive
Smithsburg, MD 21783
Description Of Appeal: Variance from the required 12 ft. setback to 6 ft. from the left property line for proposed detached garage.

Docket No: AP2024-023
Tax ID No: 07020759
Zoning: RT
RB Overlay: No
Zoning Overlay:
Filed Date: 05/16/2024
Hearing Date: 06/05/2024

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 7A.5 (b)

Reason For Hardship: Meeting the setback would require destruction of the existing hardscape patio and or the obstruction of the corner of the house to enter the new garage.

If Appeal of Ruling, Date Of Ruling:

Ruling Official/Agency:

Existing Use: Single Family Dwelling Proposed Use: Detached Garage

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 appellant]

Appellant Signature

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this 16 day of May, 2024.

[Handwritten signature of notary]

Notary Public

My Commission 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: AP2024-023

State of Maryland Washington County, To Wit:

On 5/16/2024, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Jeffrey Bowers and made oath in due form of law as follows:

Jeffrey Bowers 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 06/05/2024, 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 05/21/2024 and will remain until after the above hearing date.

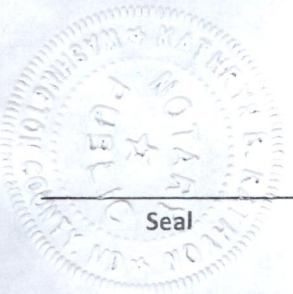
Jeffrey Bowers

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

May 16, 2024

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

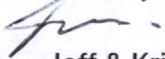
Re: 21905 Beaverbrook Variance request

Dear Zoning Appeals Board Members,

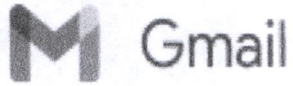
We respectfully request the variance of our side setback to be modified from 12 feet to 6 feet. This request is due to a practical difficulty for us to construct an RV detached garage at our house. The size of the garage we require would not fit properly on our lot if we are required to adhere to the 12-foot set back requirement. This set back requirement would require either the partial destruction of our existing hardscape patio and/or the obstruction of the corner of our house to enter the new garage.

This variance will impact only our next-door neighbor, Robert Follin. The attached email is from Mr. Follin stating that he does not object to our variance request. We do not have any neighbors to the rear of our property.

Thank you,



Jeff & Krista Bowers



Jeff Bowers <jeff@bowersadvisorygroup.com>

Variance request

1 message

Rocky Follin <rfollin@myactv.net>
To: jeff@plan2retire.com

Wed, May 15, 2024 at 12:38 PM

To the Washington County Zoning Appeals Board

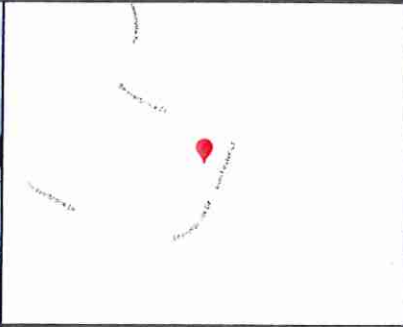
I am Robert Follin owner and resident of 21913 Beaverbrook Drive Smithsburg, MD 21783. Our house is next door to Jeff and Krista Bowers. I am aware of their request to reduce the side yard setback from current 12 feet to 6 feet. I do not object to this request.

Sincerely,

Robert Follin



www.exactaland.com | office: 443.819.3994



PROPERTY ADDRESS:
21905 BEAVERBROOK DRIVE, SMITHSBURG, MARYLAND 21783

SURVEY NUMBER: 2402.1098

DATE SIGNED: 02/13/24 FIELD WORK DATE: 2/13/2024

REVISION DATE(S):
(REV.1 2/13/2024)

POINTS OF INTEREST
NONE VISIBLE



John E. Krobath
State of Maryland Professional Land Surveyor
License Number 10908 | Expires 5-26-2024

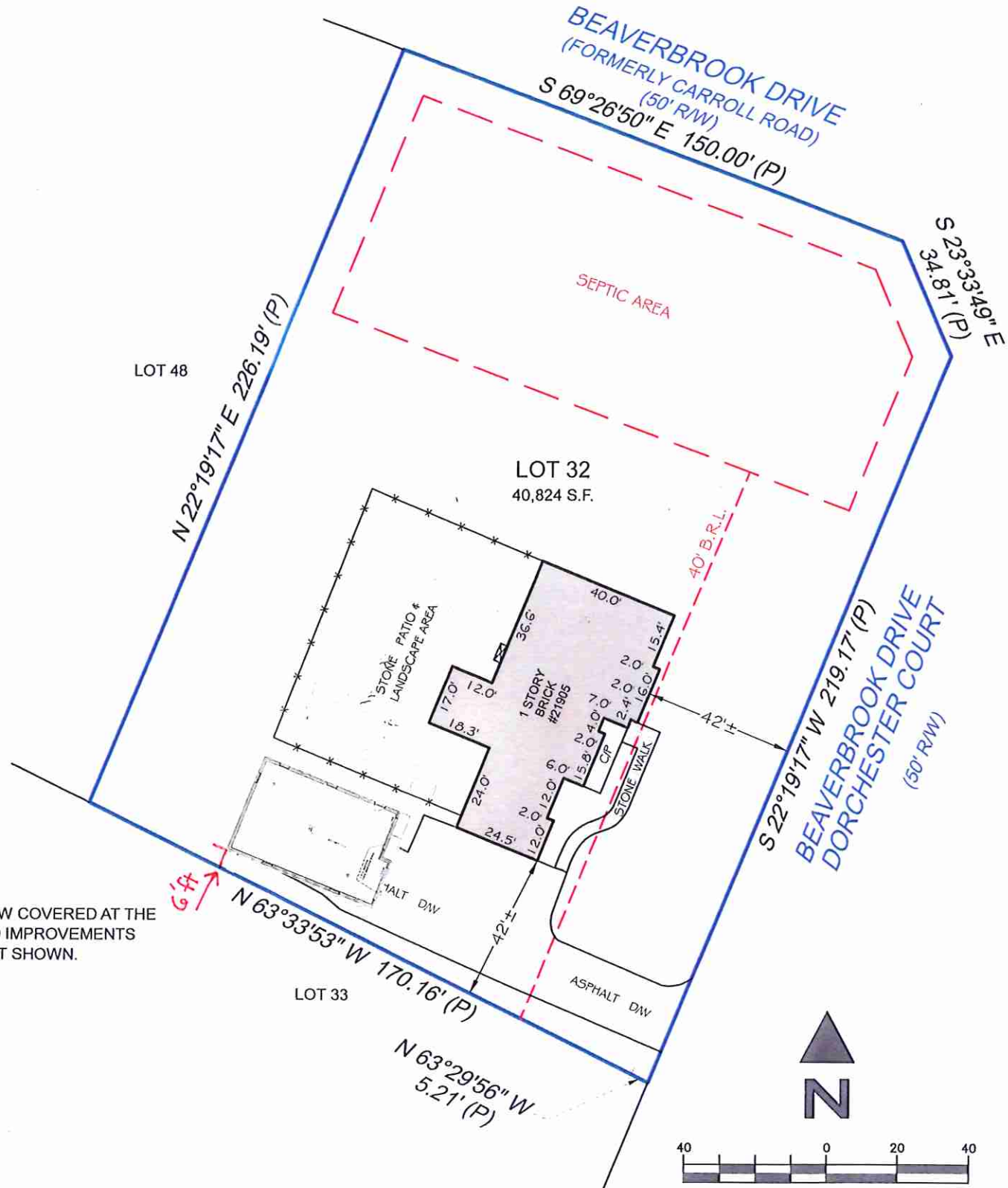
SURVEYORS CERTIFICATE
THE INFORMATION SHOWN HERON HAS BEEN BASED UPON THE RESULTS OF A FIELD INSPECTION PURSUANT TO THE DEED OR PLAT OF RECORD. THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH C.O.M.A.R. SECTION 09.13.06.06 AS NOW ADOPTED BY THE MARYLAND BOARD FOR PROFESSIONAL LAND SURVEYORS AND IS OF BENEFIT TO A CONSUMER ONLY INsofar AS IT IS REQUIRED BY A LENDER OR A TITLE COMPANY IN CONNECTION WITH CONTEMPLATED TRANSFER, FINANCING OR REFINANCING THE PROPERTY DEPICTED HEREON.



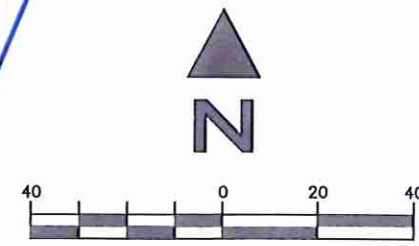
Exacta Land Surveyors, LLC
LB#21937
office: 443.819.3994
4424 Ventura Way, Apt L | Aberdeen, MD 2100



2402.1098
LOCATION DRAWING
WASHINGTON COUNTY



NOTE:
THE PROPERTY WAS SNOW COVERED AT THE TIME OF THE SURVEY AND IMPROVEMENTS MAY EXSIST THAT ARE NOT SHOWN.



GRAPHIC SCALE (In Feet)
1 inch = 40' ft.
ACCURACY=1'±

PLEASE NOTE
Per Maryland State Code, Sec. 09.13.06.06, this House Location Drawing is not to be relied upon to determine property boundaries or the establishment or location of existing or future improvements.

SEE PAGE 2 OF 2 FOR LEGAL DESCRIPTION
PAGE 1 OF 2 - NOT VALID WITHOUT ALL PAGES