

## BOARD OF APPEALS

October 2, 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 16<sup>TH</sup> HEARING DATE)**

**AP2024-045:** An appeal was filed by Travis & Amy Reaux for a variance form the required setback of 15 ft. to 10 ft. from the rear property line for proposed accessory structure on property owned by the appellants and located at 6721 Wheeler Road, Boonsboro, Zoned Preservation. **-GRANTED**

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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 September 23, 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: Travis & Amy Reaux
6721 Wheeler Road
Boonsboro MD 21713
Appellant: Travis & Amy Reaux
6721 Wheeler Road
Boonsboro MD 21713
Property Location: 6721 Wheeler Road
Boonsboro, MD 21713
Description Of Appeal: Variance from the required setback of 15 ft. to 10 ft. from the rear property line for proposed accessory structure.

Docket No: AP2024-045
Tax ID No: 19007138
Zoning: P
RB Overlay: No
Zoning Overlay:
Filed Date: 09/06/2024
Hearing Date: 10/02/2024

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: Topography of the property

If Appeal of Ruling, Date Of Ruling:

Ruling Official/Agency:

Existing Use: Residential Lot Proposed Use: Accessory Structure

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 6 day of September, 2024.

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

[Signature]
Notary Public





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## AFFIDAVIT IN COMPLIANCE WITH SECTION 25.51(C)

Docket No: AP2024-045

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

On 9/6/2024, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Travis Reaux and made oath in due form of law as follows:

Travis Reaux 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 10/02/2024, 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.

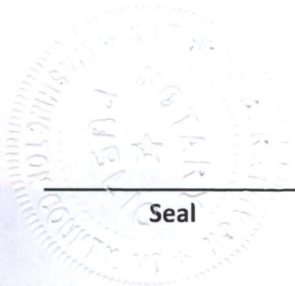
Sign(s) will be posted on 09/17/2024 and will remain until after the above hearing date.

Travis Reaux

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



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## BOARD OF ZONING APPEALS

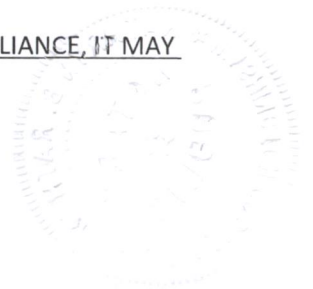
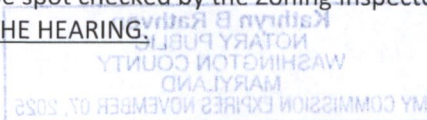
### ATTENTION!

### 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.



## Zoning Variance Request

05 Sep 2024

I, Travis J. Reaux, am requesting a variance to build a new pole building located at 6721-Wheeler Rd. Boonsboro, MD. The building would be set off the rear property line by 10'6", as seen in the provided plot plan. Due to the following circumstances the selected building location is the most rational. Building to the left of the existing building would not fit within the property lines, building in front of the existing building would block the pathway needed in order to back in/store the larger equipment that I use, and building to the right of the current building is unfeasible due to the over 5ft grade difference as well as make the rest of that side of the property/current driveway located there unusable. Constructing the new building behind the existing one ensures that I can keep using my property and current building and causes no hindrance or inconvenience to our neighboring property owner.

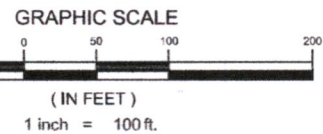
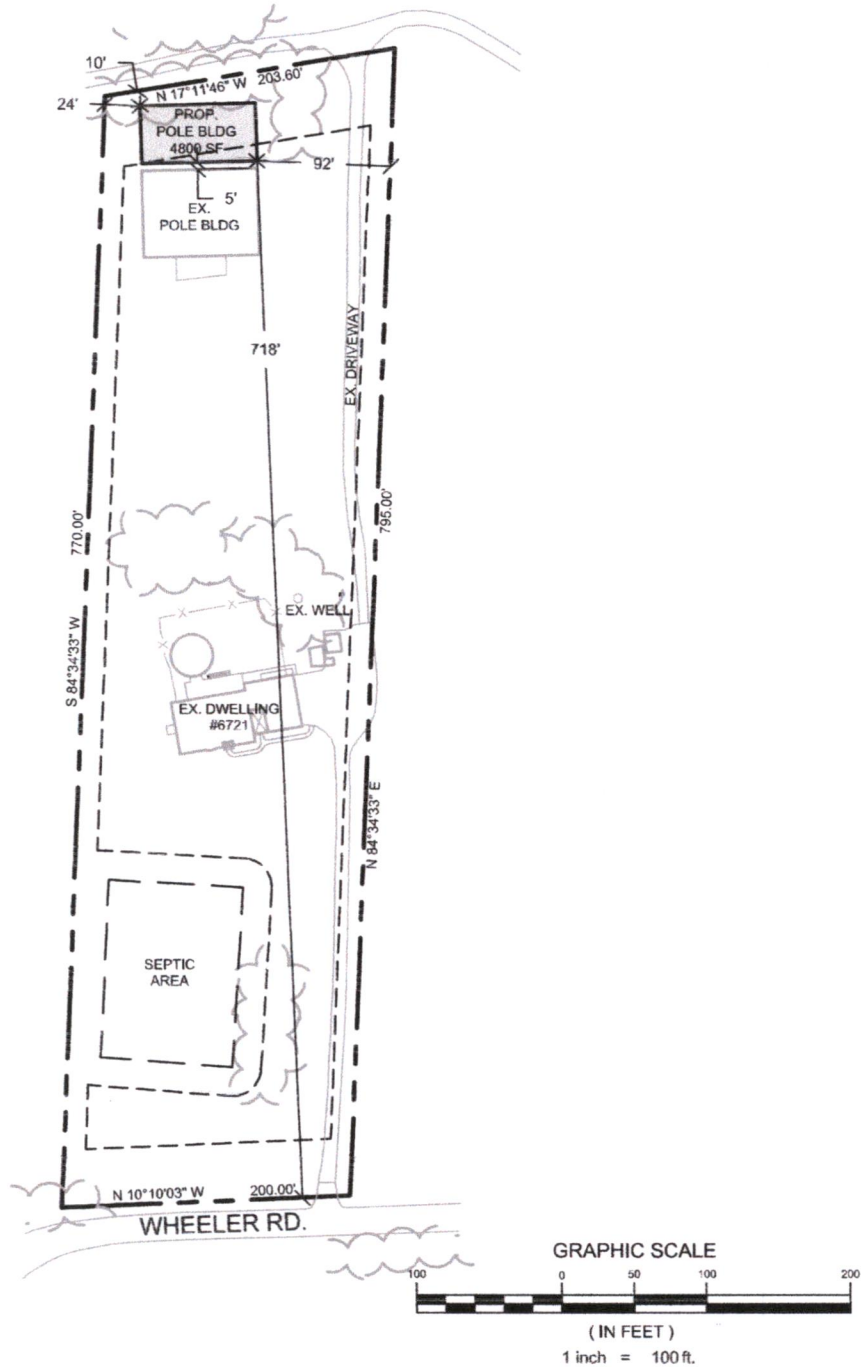
Travis J. Reaux

6721 Wheeler Rd.

Boonsboro, MD 21713

Phone: 301-331-5944

PLOT PLAN  
FOR  
TRAVIS REAUX  
6721 WHEELER RD.  
BOONSBORO MD



DRAWING NUMBER 1 OF 1	
DRAWN BY: AGH	DATE: 8/28/24
CHECKED BY:	DATE:
SCALE: 1" = 100'	

**FREDERICK  
SEIBERT &  
ASSOCIATES, INC.**



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(301) 791-3650 (301) 418-7478 www.fsa-md.com (717) 597-1007 (717) 701-8111

JOB NUMBER:

Zoning Variance Request

05 Sep 2024

I, Steve G. Hoover, have no objections to the new construction of the pole building to be built behind the existing pole building, 10'6" off of the property line at 6721-Wheeler Rd. Boonsboro, MD.

Steve G. Hoover

A handwritten signature in black ink that reads "Steve Hoover". The signature is written in a cursive style with a long, sweeping underline.

6625 Wheeler Rd.

Boonsboro, MD 21713

Phone: 301-992-5282