

**BOARD OF APPEALS**

**April 10, 2024**

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

**AGENDA**

**AP2024-010:** An appeal was filed by James & Jennifer Nichols for a variance from the required 10 ft. side and rear yard setback to 8 ft. for proposed detached garage on the property owned by the appellants and located at 10729 Greenwich Drive, Williamsport, Zoned Residential Transition. - **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 April 1, 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.

Jay Miller, 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: James & Jennifer Nichols
10729 Greenwich Drive
Williamsport MD 21795

Docket No: AP2024-010

Tax ID No: 26041333

Zoning: RT

Appellant: James & Jennifer Nichols
10729 Greenwich Drive
Williamsport MD 21795

RB Overlay: No

Zoning Overlay:

Filed Date: 03/11/2024

Hearing Date: 04/10/2024

Property Location: 10729 Greenwich Drive
Williamsport, MD 21795

Description Of Appeal: Variance from the required 10 ft. side and rear yard setbacks to 8 ft. for proposed detached garage.

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):

AP2023-021

Applicable Ordinance Sections:

Washington County Zoning Ordinance Section 7A.5 (a)

Reason For Hardship: Size and shape of the lot

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

James Nichols (handwritten signature)

Appellant Signature

State Of Maryland, Washington County to-wit:

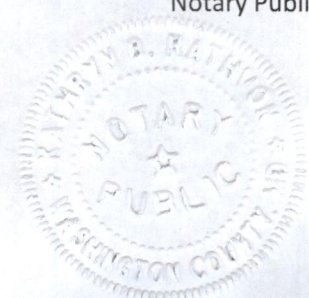
Sworn and subscribed before me this 11 day of March, 2024.

Kathryn B Rathvon (handwritten signature)

Notary Public

My Commission Expires

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: AP2024-010

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

On 3/11/2024, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared James Nichols and made oath in due form of law as follows:

James Nichols 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 04/10/2024, 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 03/26/2024 and will remain until after the above hearing date.

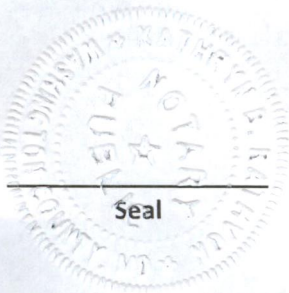
James Nichols

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





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

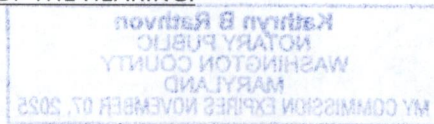
### ATTENTION!

### 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 21742-2723 | P:240.313.2430 | F:240.313.2431 | Hearing Impaired: 7-1-1

March 11, 2024

James & Jennifer Nichols  
10729 Greenwich Drive  
Williamsport MD 21795

**RE: Docket No:** AP2024-010  
**Zoning Dist:** RT  
**Zoning Overlay:** No  
**RB Overlay:** No  
**Location:** 10729 Greenwich Drive  
Williamsport, MD 21795

Your appeal for the above referenced property has been made for a zoning permit which would authorize the following:

***Variance from the required 10 ft. side and rear yard setbacks to 8 ft. for proposed detached garage.***

The appeal is scheduled to be heard by the Board of Appeals on **Wednesday, April 10, 2024**, at 6:00 pm. This public hearing will be held in Public Meeting Room 2000, on the second floor of the County Administration Building, at 100 West Washington Street, Hagerstown, Maryland.

Individuals requiring special accommodations are requested to contact this office at 240-313-2430 to make arrangements no later than **Monday, April 1, 2024**. Any person desiring a stenographic transcript shall be responsible for supplying a competent stenographer.

You are hereby requested to be present, either in person or represented by agent or counsel, to present your case.

Sincerely,

Katie Rathvon  
Zoning Coordinator



BOARD OF ZONING APPEALS

80 West Baltimore Street | Hagerstown, MD 21740 | 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 10729 Greenwich Drive, Williamsport, MD 21795

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

X 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:

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 X 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.

James J. Nicholas Signature of Appellant

J.Nicholas@cbsonet Email of Appellant

10729 Greenwich Drive, Williamsport, MD 21795 Address and of Appellant

240-452-8804 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.

To whom it may concern,

I am applying for a variance on my property at 10729 Greenwich Drive Williamsport, Md 21795 to build a 28'x40' detached garage on the left side of my existing house. The garage would come up into my existing driveway 4' and run in line with my current house location. I am applying to change the side and rear variance from 10' to 8' due to the location of the new garage which is beside the property line of my neighbor to the left of and the property line in the rear. I have spoken to my neighbors about my intentions to make sure that this garage project does not create any turmoil.

Sincerely,

Jamie & Jennifer Nichols

Charles & Charity Mumma  
10727 Greenwich Drive  
Williamsport, Md 21795

Dan Tracey & Shelley Funk  
10730 Greenwich Drive  
Williamsport, Md 21795

Michael & Krista shank  
10844 Hersey Drive  
Williamsport, MD 21795

Christopher & Krista Downs  
10843 Hersey Drive  
Williamsport, MD 21795



**HOUSE LOCATION DRAWING**  
**10729 Greenwich Drive, Williamsport, Maryland**  
**for**  
**Jamie Nichols and Jennifer Nichols**

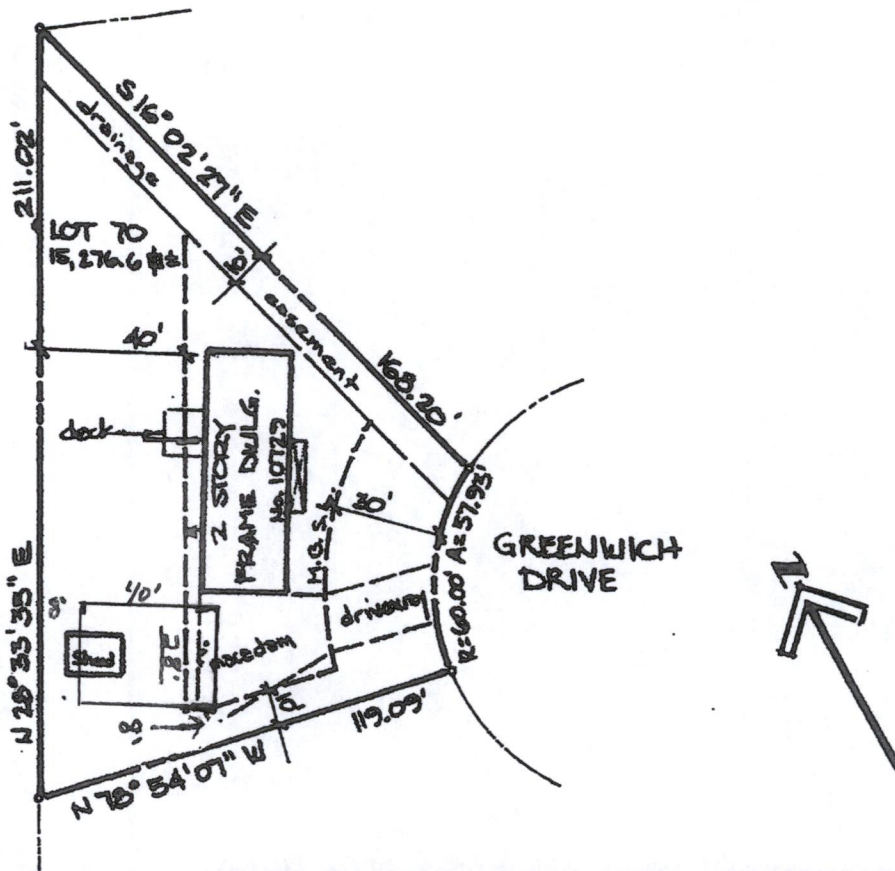
Parcel designated as Lot No. 70, on the Final Plat of Subdivision, Starling Oaks, Phase III, recorded among the Land Records of Washington County, Maryland, in Plat folio 6287.

This parcel does not lie in the 100 year flood plain, FEMA Flood Insurance Rate Map, Community Panel No. 240070 0000 B effective September 26, 1982, Flood Zone C.

**SURVEYOR'S CERTIFICATION**

I hereby certify that the dwelling and/or improvements shown hereon are within the notes and bounds of the lands conveyed by Ronald C. Blane, II, by his attorney in fact Tina McVieher, to Jeffrey L. Grubill, by deed dated December 21, 2004, recorded in the Land Records of Washington County, Maryland, in Liber 2535, folio 393, and that the improvements shown hereon were located by accepted field practices and include permanent visible structures and surface encroachments if any that exist on the subject property at the date of survey, June 17, 2013. This drawing is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing, or refinancing, and is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements, and does not provide for the accurate identification of property boundary lines, but this identification may not be required for the transfer of title or securing financing or refinancing, and as to them I warrant the accuracy of this plat. No title report furnished.

Professional Certification: I hereby certify that these documents were prepared by me or under my responsible charge, and that I am a duly licensed professional land surveyor under the laws of the State of Maryland, License No. 10781, Expiration Date, January 16, 2014.



- THIS DRAWING CANNOT BE RELIED UPON BY ANYONE TO SHOW WHERE THE PROPERTY'S BOUNDARIES ARE. THE ONLY PURPOSE OF A LOCATION DRAWING IS TO PROVIDE SOME ASSURANCE THAT THE IMPROVEMENTS ARE LOCATED ON THE PROPERTY.
- THIS DOCUMENT IS FOR THE SOLE BENEFIT AND USE OF THE PARTIES NAMED HEREIN AND IS NOT TO BE PUBLISHED OR RECORDED WITHOUT THE EXPRESS WRITTEN CONSENT OF FREDERICK, SEIBERT AND ASSOCIATES, INC.

TAX MAP 56-6-1040 DISTRICT 26	
DRAWING NUMBER 1 OF 1	
DRAWN BY: DHE	DATE: 06.10.13
CHECKED BY: DHE	DATE: 06.10.13
SCALE: 1" = 40'	

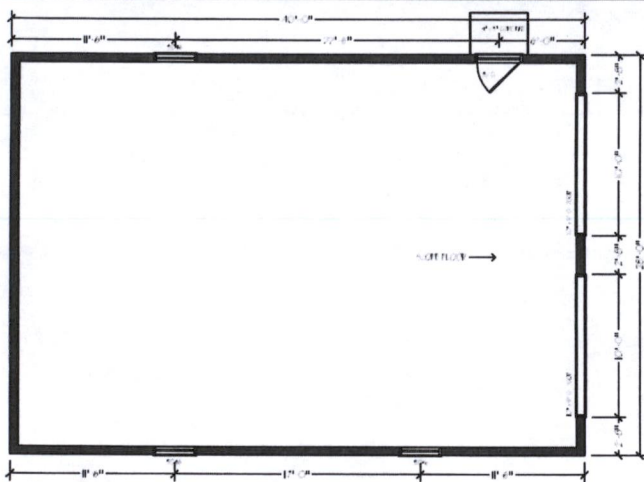
**FREDERICK SEIBERT & ASSOCIATES, INC. © 2013**



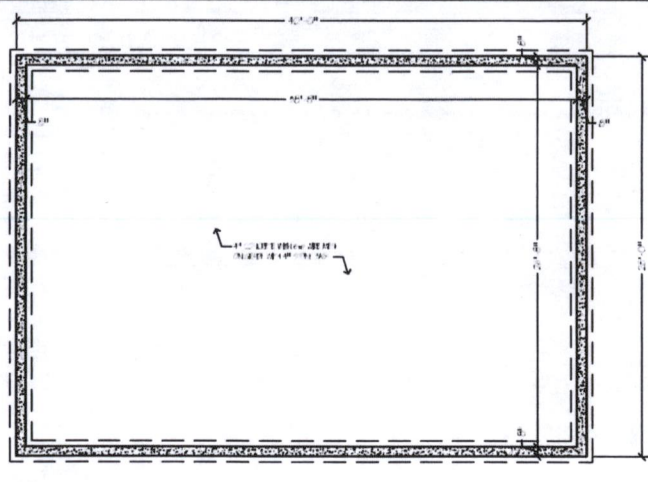
CIVIL ENGINEERS, SURVEYORS, LANDSCAPE ARCHITECTS, LAND PLANNERS  
 126 SOUTH POTOMAC STREET, HAGERSTOWN, MARYLAND 21740  
 (301) 701-3026 (301) 410-7470 FAX (301) 720-4126

20 WEST BALTIMORE STREET, GREENCASTLE, PENNSYLVANIA 17225  
 (717) 837-1037

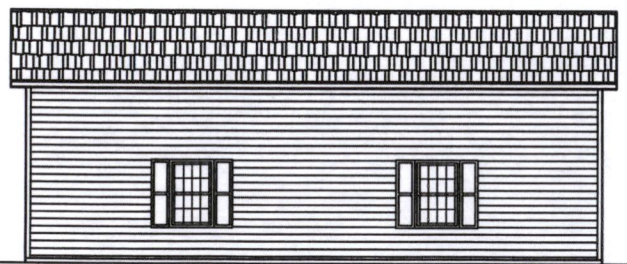
DRAW NUMBER: HL 12487.1



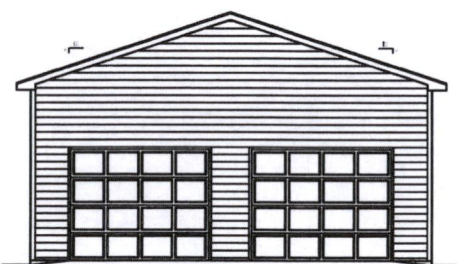
1 FIRST FLOOR PLAN (12X20 SQ. FT.) GARAGE  
A1 SCALE: 1/4" = 1' - 0"



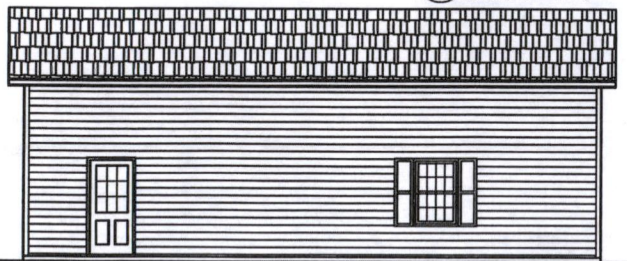
2 FOUNDATION PLAN  
A1 SCALE: 1/4" = 1' - 0"



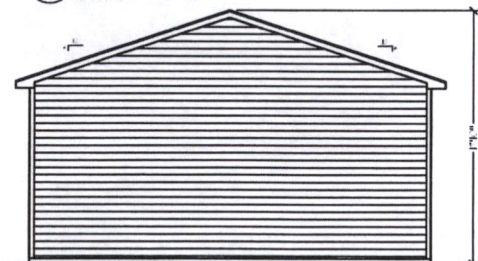
3 FRONT ELEVATION  
A1 SCALE: 1/4" = 1' - 0"



4 RIGHT ELEVATION  
A1 SCALE: 1/4" = 1' - 0"

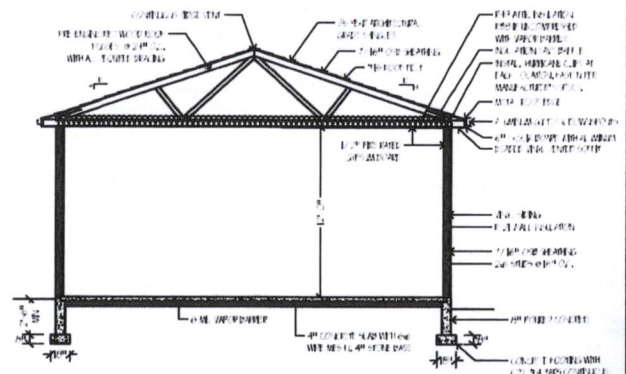


5 REAR ELEVATION  
A1 SCALE: 1/4" = 1' - 0"



6 LEFT ELEVATION  
A1 SCALE: 1/4" = 1' - 0"

DO NOT OVERLAY WITH ANY OTHER  
DRAWINGS. DIMENSIONS ARE GIVEN IN  
FEET AND INCHES. DIMENSIONS  
SHOWN TO THE CENTER UNLESS  
OTHERWISE NOTED.  
1/4" = 1' - 0"



A GARAGE SECTION  
A1 SCALE: 1/4" = 1' - 0"

**GENERAL NOTES**

1. CONTRACTOR SHALL BE RESPONSIBLE TO MEET ALL STATE AND LOCAL CODES REQUIRED.
2. CONTRACTOR SHALL BE RESPONSIBLE TO FIELD VERIFY ALL DIMENSIONS PRIOR TO FABRICATION OF ANY WORK.
3. GRADES SHOWN ARE APPROXIMATE ONLY. FIELD VERIFY CONDITIONS, ELEVATIONS & PROPERTY LINES AND SETBACKS PRIOR TO ANY WORK.
4. INSTALL (5) 2" X 10" WOOD HEADER WITH 7/16" X 55" SHEATHING ABOVE ALL EXTERIOR WINDOW AND DOOR OPENINGS UNLESS NOTED OTHERWISE.
5. MIN. CONCRETE COMPRESSIVE STRENGTH IS 2800 FOR FOOTINGS, POURED FOUNDATION WALLS AND SLABS. MIN. CONCRETE COMPRESSIVE STRENGTH IS 3000.
6. OWNER SHALL BE RESPONSIBLE TO SELECT ALL FINAL COLORS AND FINISHES.
7. PROVIDE ACCESS PANEL / DOOR WITH TRAIL TO ALL ATIC SPACES.
8. INSTALL EXTERIOR AIR INFILTRATION BARRIER CHOICE WRAP ON ALL EXTERIOR WALLS AS REQUIRED.
9. CONTRACTOR SHALL BE RESPONSIBLE TO INSTALL ANY ADDITIONAL FRAMING, BEAMS, POISTS AND HEADERS NOT SHOWN FOR A STRUCTURAL SOUND BUILDING AS REQUIRED.
10. ALL PRE-ENGINEERED WOOD TRUSSES AND LVL'S SHALL BE CERTIFIED BY THE MANUFACTURER BY A REGISTERED ENGINEER IN THE STATE OF MARYLAND.
11. TRUSS MANUFACTURER SHALL SUPPLY ALL TRUSSES FOR A COMPLETE ROOF STRUCTURE. PROVIDE UNDER TRUSSES, OTHER WALLS, AND SUBSISTE TRUSSES AS REQUIRED.
12. CONTRACTOR SHALL PROVIDE ALL REQUIRED FLASHINGS, CALLS, SEALANTS, ASBESTHOS AND SPANNER JOINTS FOR A WATER TIGHT STRUCTURE.
13. EVERY EFFORT HAS BEEN MADE TO SATISFY THE 2018 IBC CODES AND WASHINGTON COUNTY AND ANNAPOLIS BUILDING CODES. YOU MAY BE RESPONSIBLE TO MAKE REVISIONS AS REQUIRED TO ADJUST TO SATISFY YOUR LOCAL BUILDING CODES AS WELL AS ANY COVENANT RE STRICTIONS ON YOUR PROPERTY.
14. WINDOW SIZES SHOWN ARE USING UNFINISHED AND NON-INSULATED. UNLESS NOTED OTHERWISE, OWNER / CONTRACTOR TO SUPPLY SPEC SHEETS WITH DETAILS.

GARAGE FOR:  
JAMIE & JENNIFER NICHOLS  
10729 GREENWICH DRIVE  
WILLIAMSPORT, MARYLAND 21795

DATE:	
SCALE:	
FIG. NO.:	
REV. NO.:	

**DRAFTING SERVICES**  
P.O. BOX 88 • ELKTON, MD 21921  
PH: 410-391-5577  
WWW.DRAFTINGSERVICES.COM



SHEET  
**A-1**  
OF  
3-2-24