

BOARD OF APPEALS

November 26, 2025

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

AGENDA

AP2025-028: An appeal was filed by Jacob & Rachel Blickenstaff for a variance from the required 50 ft. rear yard setback to 20 ft. for proposed single-family dwelling on property owned by the appellants and located at 11952 Big Spring Road, Clear Spring, Zoned Agricultural Rural.- **GRANTED**

Item removed from agenda as item does not need action by the Board of Zoning Appeals.

~~**AP2022-021:** A hearing for the Board to take further action pursuant to the decision of the Circuit Court for Washington County in Case No. C-21-CV-22-000424, which reversed and remanded the Board's decision.~~

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 November 17, 2025. 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: Jacob & Rachel Blickenstaff
15534 National Pike
Clear Spring MD 21740

Appellant: Jacob & Rachel Blickenstaff
15534 National Pike
Hagerstown MD 21740

Property Location: 11952 Big Spring Road
Clear Spring, MD 21722

Description Of Appeal: Variance from the required 50 ft. rear yard setback to 20 ft. for proposed single family dwelling.

Docket No: AP2025-028

Tax ID No: 04067719

Zoning: A(R)

RB Overlay: No

Zoning Overlay:

Filed Date: 11/06/2025

Hearing Date: 11/26/2025

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:

Rock outcropping and intermittent stream is located on the property. Additional information in justification statement.

If Appeal of Ruling, Date Of Ruling:

Ruling Official/Agency:

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

Appellant Signature

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this 7 day of November, 20 25.

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

My Commission Expires

Notary Public



WASHINGTON COUNTY BOARD OF ZONING APPEALS

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AFFIDAVIT IN COMPLIANCE WITH SECTION 25.51(C)

Docket No: AP2025-028

State of Maryland Washington County, To Wit:

On 11/6/2025, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Frederick Seibert & Associates and made oath in due form of law as follows:

Frederick Seibert & Associates will post the zoning notice sign(s) given to me by the Zoning Administrator in accordance with Section 25.51(c) of the Washington County Zoning Ordinance for the above captioned Board of Appeals case, scheduled for public hearing on 11/26/2025, 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 11/11/2025 and will remain until after the above hearing date.

Frederick Seibert & Associates

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

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

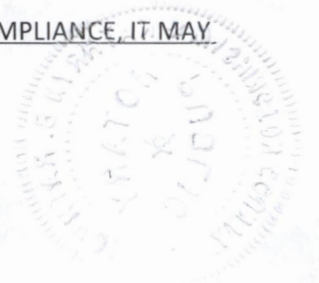
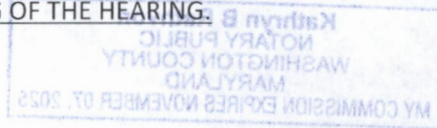
ATTENTION!

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.



Project Name: Blickenstaff Rear Yard Variance request

Owner/Applicant: Jacob & Rachel Blickenstaff
15534 National Pike
Hagerstown, MD 21740
blickjt@gmail.com
240-382-7818

Project Address: 11952 Big Spring Road, Clear Spring MD 21722

Tax Map 34 **Grid** 21 **Parcel** 280 **Lot** 16A

Tax Account ID- Part of No. 04-013913

Zoning: A(R)

Variance Request Statement

Zoning Reference:

This request seeks relief from **Section 5A.5** of the Zoning Ordinance, which specifies residential lot size and bulk dimensional requirements within the **A(R) Agricultural-Residential Zoning District**. Specifically, the applicants request a **reduction of the required rear yard setback from 50 feet to 20 feet** in order to construct a single-family detached dwelling.

Property Description and Context

The subject property consists of approximately **3.47 acres** and was recently subdivided from a larger **family-owned parcel**. The lot's configuration is **long and narrow**, designed intentionally to retain approximately **13 acres of the parent tract** for continued agricultural use (e.g., hay production).

The site contains several **physical and environmental constraints**, including:

- A **substantial visible rock outcrop** running northeast to southwest across the property,
- An **intermittent stream** located toward the northeastern portion, and
- A **designated 10,000-square-foot septic reserve area**, as shown on the plot plan.

These features significantly limit buildable area and influence the logical placement of the proposed home.

Proposed House Location and Justification

The applicants propose to construct the residence **parallel to the rock outcrop**, both to take advantage of the natural topography and to preserve scenic views. This siting also allows the house to remain close to the **parents' existing residence** on the adjoining land, maintaining family proximity.

Due to the combined limitations of the rock formation, septic reserve, wells, and property boundaries, strict adherence to the 50-foot rear yard requirement would result in an impractical building envelope and potentially require disturbance of the rock or septic areas. A reduced **rear yard setback of 20 feet** would allow for reasonable use of the property while maintaining compliance with all other setback and lot requirements.

Neighborhood Compatibility and Support

The property is bordered primarily by **Bragunier Farms, a 125-acre agricultural operation**, to the north and west, and by **Mr. John Swope** to the north and east. Both adjacent property owners have provided **signed statements of no objection** to the requested variance, which are included in the submission materials. The proposed reduction will not adversely affect surrounding properties or the character of the area.

Hardship and Basis for Approval

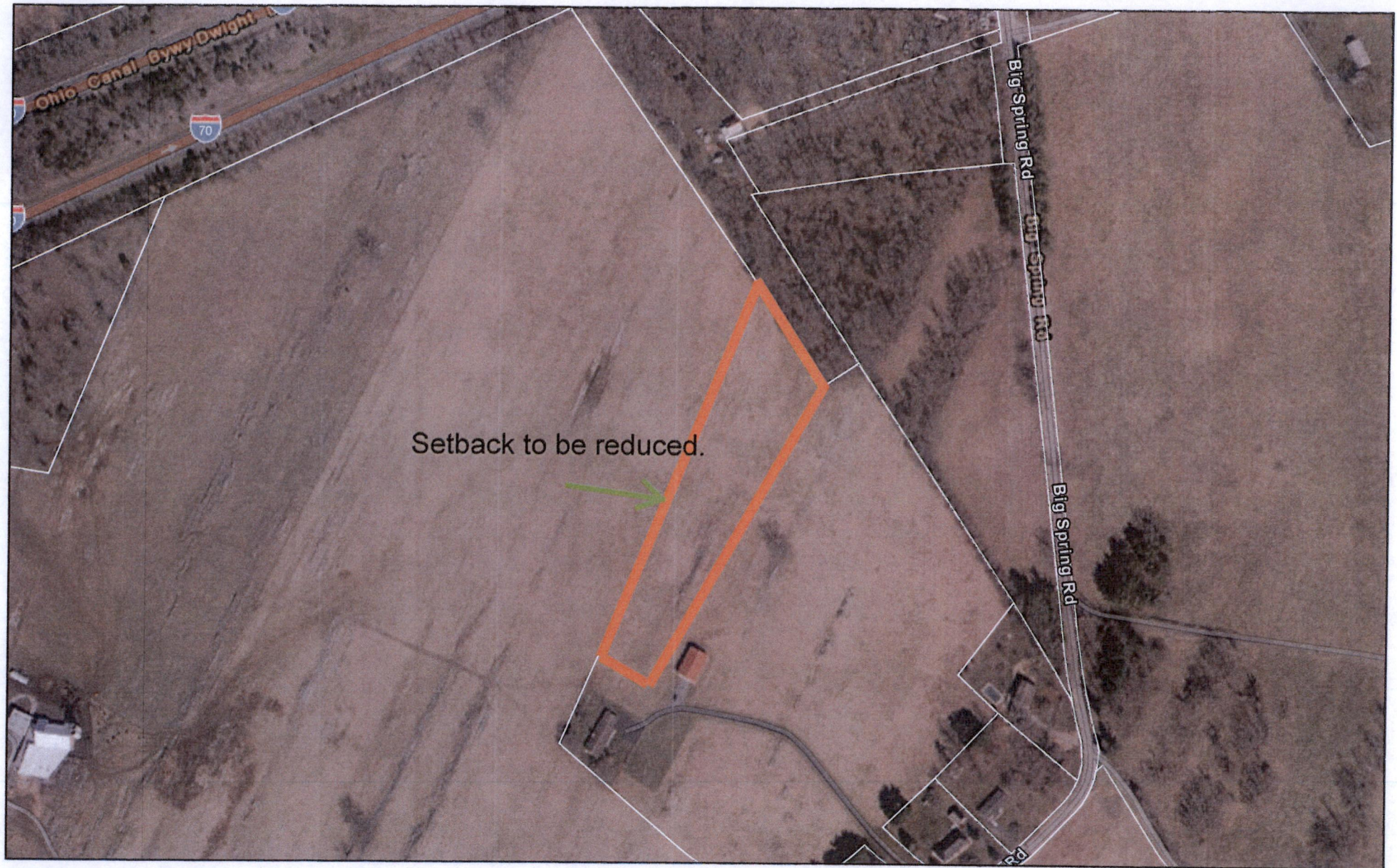
The **unique physical conditions** of the property—specifically, its shape, topography, presence of rock outcrops, and environmental limitations—constitute a **practical difficulty and unnecessary hardship** under the zoning ordinance. The requested variance:

- Allows for **reasonable use** of the property consistent with its zoning designation;
 - **Preserves agricultural land** by minimizing disturbance to the adjoining farmland; and
 - Does not create adverse impacts on neighboring properties or the intent of the zoning regulations.
-

Conclusion

For these reasons, the applicants respectfully request that the **Board of Appeals** grant a variance to reduce the **rear yard setback from 50 feet to 20 feet** to allow the construction of a single-family dwelling that appropriately responds to the property's natural and physical constraints.

Frederick Seibert & Associates, Inc.

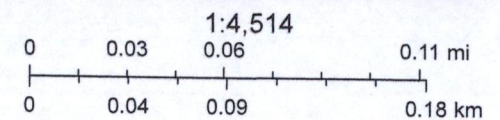


10/10/2025, 9:13:28 AM

World_Transportation

Parcels Washington County

MD_SixInchImagery



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Esri, HERE, iPC, MD iMAP, DoIT,

Web AppBuilder for ArcGIS

My wife and I are requesting a variance to reduce the required rear yard setback from 50 feet to 20 feet. The reason for this request is the presence of a large rock formation that would create significant challenges and added costs during construction.

Given the current locations of the well and septic system, there is no feasible way to reposition the house to avoid the rock formation without either building over it or obstructing our view of the surrounding landscape. Additionally, there is an open pasture field directly behind our property, so the proposed adjustment would not encroach on or affect any neighboring residences.

Thank you for your time and consideration,

Jacob Blickenstaff

October 10, 2025

Washington County Board of Zoning Appeals

80 West Baltimore Street

Hagerstown MD, 21740

RE: Variance to reduce the setback from 50' to 20'

Dear Board Members:

We, the neighbors of 11952 Big Spring Road hereby acknowledge that we met Corwell regarding the above referenced variance and we are not opposed to the Appeals granting the request variance.

Thank you,

A handwritten signature in dark ink, appearing to read "Donald Bragunier", with a stylized, wavy line extending from the end.

Donald Bragunier

12107 Boyd Road

Clear Spring MD, 21722

October 10, 2025

Washington County Board of Zoning Appeals

80 West Baltimore Street

Hagerstown MD, 21740

RE: Variance to reduce the setback from 50' to 20'

Dear Board Members:

We, the neighbors of 11952 Big Spring Road hereby acknowledge that we met Corwell regarding the above referenced variance and we are not opposed to the Appeals granting the request variance.

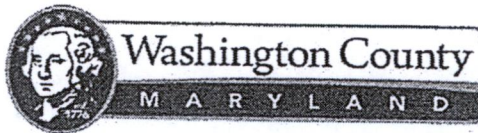
Thank you,

John Swope

A handwritten signature in black ink, appearing to read "John F. Swope". The signature is fluid and cursive, with the first name "John" being the most prominent.

12148 Big Spring Road

Clear Spring MD, 21722



BOARD OF ZONING APPEALS

OWNER REPRESENTATIVE AFFIDAVIT

This is to certify that ED SCHREIBER
is authorized to file an appeal with the Washington County Board of Appeals for
REAR YARD VARIANCE
located 11952 BIG SPRING RD on property
The said work is authorized by RACHEL & JACOB BLICKENSTAFF
the property owner in fee.

PROPERTY OWNER

Current Address:
15534 National Pike
Hagerstown MD 21740

Rachel and Jacob Blickenstaff
Name
11952 Big Spring Rd
Address
Clear Spring MD 21722
City, State, Zip Code

Rachel Jacob T. Blickenstaff
Owner's Signature

Sworn and subscribed before me this 4th day of November, 2025.

My Commission Expires: 03/28/2027

Sheryl Bingaman
Notary Public

Sheryl Bingaman
Notary Public
Washington County, MD
My Commission Expires March 28, 2027

AUTHORIZED REPRESENTATIVE

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

[Signature]
Authorized Representative's Signature

Sworn and subscribed before me this 5 day of November, 2025.

NIKKI S. EICHELBERGER
NOTARY PUBLIC
WASHINGTON COUNTY
STATE OF MARYLAND
My Commission Expires 07/2028

Nikki S. Eichelberger
Notary Public

TOTAL \$60.00
KRT TR 11:56 am
Oct 29, 2025

EXEMPT FROM DOCUMENTARY STAMPS AND RECORDATION TAX
PURSUANT TO ANN. CODE OF MD. TAX-PROPERTY ARTICLE §12-108(c)(1)(ii)
Parents – child

Part of Tax ID No. 04-013913

NO TITLE EXAM

THIS DEED, Made this 28th day of October, 2025, by
KEITH G. CORWELL and MELISSA M. CORWELL, his wife, Grantors, to JACOB
THOMAS BLICKENSTAFF and RACHEL LOUISE BLICKENSTAFF, his wife,
Grantees.

WITNESSETH: That for no monetary consideration, Keith G. Corwell
and Melissa M. Corwell, his wife, Grantors, do hereby grant and convey unto
Jacob Thomas Blickenstaff and Rachel Louise Blickenstaff, his wife, in fee
simple, as tenants by the entirety, in all that lot of ground situate in the County
of Washington, State of Maryland and being more particularly described on the
attached Exhibit A.

SEE ATTACHED EXHIBIT A

BEING part of the property conveyed to Keith G. Corwell and Melissa G.
Corwell, his wife, by deed from Keith G. Corwell, dated April 26, 2010 and recorded
on May 12, 2010 in Book 3872, Page 31, among the Land Records of Washington
County, Maryland.

This deed has been prepared without the benefit of a title examination. All
parties affirm their understanding that only a title examination will disclose the status
of title, including but not limited to, the quality and quantity of title; the possibility of
other persons having an interest in the property conveyed by this deed, as well as any
other matters disclosed by an examination of title. Notwithstanding this disclosure
and having been fully informed of the cost of accomplishing an examination of title,
we elect not to have an examination of this title and release the scrivener of this deed
from all and any loss, claim, damages and/or liability resulting from a condition of
title which might have been disclosed by a title examination of the property conveyed
by this deed.

The above property is hereby conveyed subject to and together with all the
conditions, restrictions, easements and rights of way of record applicable thereto.

To have and to hold the aforesaid property together with the improvements
and appurtenances unto Grantees, their heirs, successors and assigns in fee simple
subject to any conditions, reservations, restrictions, covenants, limitations, streets,
alleys, easements and rights of way of record.

Pursuant to the Annotated Code of Maryland, Tax General Article Section
10-912, the herein Grantor hereby state under the penalties of perjury that the
purchase price of the herein described property is \$0.00 as recited herein and it is a
true zero consideration deed.

AND, we, the said Keith G. Corwell and Melissa M. Corwell, do hereby covenant we will warrant specially the property hereby conveyed and that we will execute such other and further assurances as may be requisite.

WITNESS our hands and seals:

Hannah E. Fiken

Keith G. Corwell (SEAL)
Keith G. Corwell, Grantor

Melissa M. Corwell

Melissa M. Corwell (SEAL)
Melissa M. Corwell, Grantor

STATE OF MARYLAND, COUNTY OF WASHINGTON, to-wit:

I HEREBY CERTIFY, that on this 27th day of October, 2025, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Keith G. Corwell, Grantor, who acknowledged that he executed the foregoing deed for the purposes therein contained and that he is a Resident of the State of Maryland.

WITNESS my hand and Official Notarial Seal.

Hannah E. Fiken
Notary Public

My Commission Expires: Sept 1, 2028

STATE OF MARYLAND, COUNTY OF WASHINGTON, to-wit:

I HEREBY CERTIFY, that on this 28th day of October, 2025, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Melissa M. Corwell, Grantor, who acknowledged that she executed the foregoing deed for the purposes therein contained and that she is a Resident of the State of Maryland.

WITNESS my hand and Official Notarial Seal.

Melissa M. Corwell
Notary Public

My Commission Expires: 11/14/2027

This is to certify that the within instrument was prepared by or under the supervision of the undersigned attorney at law licensed in Maryland.

AGRICULTURE TAX no ag tax
ACREAGE 3.47 Acres
Lisa Johnson

RECEIVED FOR TRANSF
of
to
10/29/2025
Lisa Johnson



J. Russell Robinson, III

EXHIBIT A

All that lot or parcel of ground located in Election District 4, Washington County, Maryland, and being more particularly described as "Proposed Lot 16A, 3.47 Acres," as shown on the plat entitled, "Subdivision Plat of the Lands of Corwell: Lot 16A," said plat being recorded at Plat folio 11933 among the Plat Records of Washington County, Maryland. Being part of tax identification number 04-013913 and part of Liber 3872, folio 31, among the Land Records of Washington County, Maryland.

Together with a perpetual easement for ingress and egress from Big Spring Road to the property conveyed herein. The location of said easement over the entire area depicted as, "Proposed Perpetual Ingress/Egress Easement 5' Foot on Either Side of Center Line of Driveway," on said Plat folio 11933.

Said easement shall run with the land be binding on all present and future owners of the parcel of land conveyed herein.

Space Reserved for County Validation



SWM for this site is addressed by an infiltration berm.



DISTURBED AREA QUANTITY

THE TOTAL AREA TO BE DISTURBED SHOWN ON THESE PLANS HAS BEEN DETERMINED TO BE APPROXIMATELY

14,500	SF	0.33	AC.
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AND THE TOTAL AMOUNT OF EXCAVATION AND FILL AS SHOWN ON THESE PLANS HAS BEEN COMPUTED TO BE APPROXIMATELY

123	CU. YDS. OF EXCAVATION AND APPROXIMATELY
123	CU. YDS. OF FILL.

THE TOTAL AREA TO BE DISTURBED SHOWN ON THESE PLANS HAS BEEN DETERMINED TO BE APPROXIMATELY 14,500 SF 0.33 AC. AND THE TOTAL AMOUNT OF EXCAVATION AND FILL AS SHOWN ON THESE PLANS HAS BEEN COMPUTED TO BE APPROXIMATELY _____.

STANDARD PLAN

SHEET 1 OF 1