

BOARD OF APPEALS

February 28, 2024

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

AGENDA

AP2024-008: An appeal was filed by Little Jack’s Corner for a special exception for a childcare center to be considered functionally similar to the principal permitted use of schools allowed in the Business Local/Business General Districts on the property owned by BSE Stateline LLC and located at 14625 & 14629 Citicorp Drive, Hagerstown, Zoned Highway Interchange.- **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 February 19, 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: BSE Stateline LLC
10228 Governor Lane Boulevard
Williamsport MD 21795
Appellant: Little Jack's Corner
116107 Elliott Parkway
Williamsport MD 21795
Property Location: 14625 & 14629 Citicorp Drive
Hagerstown, MD 21742
Description Of Appeal: Special exception for childcare center to be considered functionally similar to the principal permitted use of schools allowed in the Business Local/Business General Districts.

Docket No: AP2024-008
Tax ID No: 13021937
Zoning: HI; A(R)
RB Overlay: No
Zoning Overlay:
Filed Date: 02/08/2024
Hearing Date: 02/28/2024

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):
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 Buildings Proposed Use: Childcare Center
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.

[Signature]
Appellant Signature

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this 8 day of Feb, 2024.

[Signature]
Notary Public

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



WASHINGTON COUNTY BOARD OF ZONING APPEALS

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AFFIDAVIT IN COMPLIANCE WITH SECTION 25.51(C)

Docket No: AP2024-008

State of Maryland Washington County, To Wit:

On 2/8/2024, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Jill Gaylor and made oath in due form of law as follows:

Jill Gaylor 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 02/28/2024, 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 02/13/2024 and will remain until after the above hearing date.

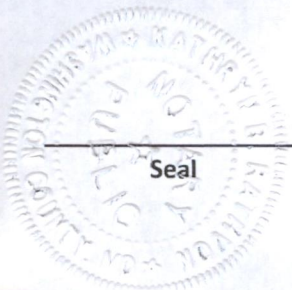
Jill Gaylor

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 27, 2025

My Commission Expires

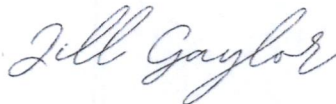


LITTLE
JACKS
EST. 2015
CORNER

8 Feb 2024

Little Jacks Corner is requesting a functionally similar exception to operate a child care center in the former Citicorp Family Center at 14629 Citicorp Drive, in Hagerstown. Little Jacks Corner's use of this property is functionally similar to the use of a school as we run a business on the preschool model and functionally it is the same operation. Little Jacks Corner has outgrown its current locations and has a continual waitlist because of the high need for child care in our local area.

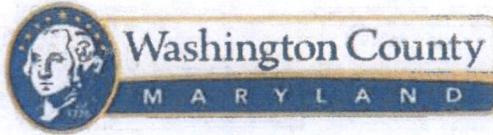
Sincerely,



Jill Gaylor/Owner

1 240.366.8484 |
116107 Elliott Parkway
Williamsport, MD 21795

WWW.LITTLEJACKSCORNER.COM



BOARD OF ZONING APPEALS

OWNER REPRESENTATIVE AFFIDAVIT

This is to certify that Jill Gaylor is authorized to file an appeal with the Washington County Board of Appeals for zoning special exception on property located 14029 Catecomp Drive, Hagerstown, MD 21742. The said work is authorized by BSE Stateline, LLC the property owner in fee.

PROPERTY OWNER

BSE Stateline, LLC
Name
10228 Governor Lane Blvd, Suite #3004
Address
Williamsport, Maryland 21795
City, State, Zip Code

Owner's Signature

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

Sworn and subscribed before me this 30th day of January, 2024.

Thomas O. Britner
Notary Public

My Commission Expires:

AUTHORIZED REPRESENTATIVE

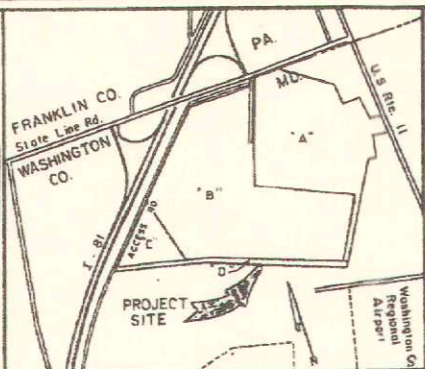
Jill Gaylor / Little Jacks Corner
Name
16107 ELLIOTT PARKWAY
Address
WILLIAMSPORT MD 21795
City, State, Zip Code

Jill Gaylor
Authorized Representative's Signature

Sworn and subscribed before me this 8 day of February, 2024.

Herron Clark
Notary Public

My Commission Expires: 4/5/26



VICINITY MAP
SCALE 1" = 1200'

- NOTES
- Parcel "A" is to be retained by Hagerstown Washington County Industrial Foundation, Inc.
 - Parcel "B" is to be conveyed to Citicorp Credit Services, Inc.
 - Parcel "C" is to be retained by H.W.C.I.F. Inc. for a Storm Water Management Area.
 - Parcel "D" is to be reserved by H.W.C.I.F. Inc. for possible future dedication to Washington County.
 - Building Restriction Lines are - 40' frontage, 10' side and no rear restriction.
 - A 0' wide frontage and B' wide side and rear Easement is reserved for Drainage & Utilities.
 - Zoning H-1 Highway Interchange
 - 50' from C of U.S. Rte. II is dedicated for future road widening.
 - Final Subdivision Plat is for Subdivision approval only. Site Plan approval will be required prior to Site Plan Development.
 - Public Water & Sewer shall be provided to Parcels A & B.
 - Dedicated Rights of Way shall be provided to the Hagerstown Water Department where necessary for the construction and maintenance of water lines to serve Parcels A & B.
 - Public Sewage will be replacing present sewage system of dwellings in Parcel A when destroyed by excavation for construction of entrance.

SURVEYOR'S CERTIFICATE

I hereby certify that the plan shown hereon is correct; that it is a subdivision of (all of) the lands conveyed by J. Allen Clapper and Elizabeth C. Clapper to Hagerstown Washington County Industrial Foundation, Inc. by deed dated July 19, 1985, and at Folio 229, and that stones marked thus and/or bars, marked thus, have been placed as indicated.

Signature: *Edward L. Shrader*
Surveyor
MD Registration No. 2038

CERTIFICATE OF APPROVAL
FINAL APPROVAL GRANTED

DATE: 21 AUG 1985

WASHINGTON COUNTY PLANNING COMMISSION

CERTIFICATE OF APPROVAL OF COMMUNITY WATER AND/OR SEWERAGE SYSTEM

I hereby certify that the use of the community water and/or community sewerage system for this subdivision is in conformance with the County Water and Sewerage Plan.

DATE: 21 AUG 1985

County Health Officer

DEDICATION FOR CORPORATIONS

We, Marie S. Elliott, President, and Leroy R. Burtner, Secretary of Hagerstown Washington County Industrial Foundation, Inc., a Maryland corporation, do hereby certify that the corporation is a legal and true owner of the property shown and described on this plat and that the corporation does adopt this Plan of Subdivision, establish the minimum building restriction lines, dedicate to public use all utility and drainage easement areas and all alley, street, and road rights of way designated on this plat, agree to keep open all spaces and recreation areas shown, and agree that the dedications shall not impose any responsibility on the Board of County Commissioners of Washington County regarding the subjects of such dedications until legal acceptance thereof by said Board, and we hereby reserve the fee simple title to the land underlying said easements, rights of way, open spaces and recreation areas and, with regard to the land underlying said easements and rights of way, hereby agree to convey the same to said Board, for the use of said Washington County, without consideration, upon the legal acceptance of said easements and/or rights of way by said Board.

This deed and agreement of dedication shall be binding upon the corporation's grantees, assigns, and successors.

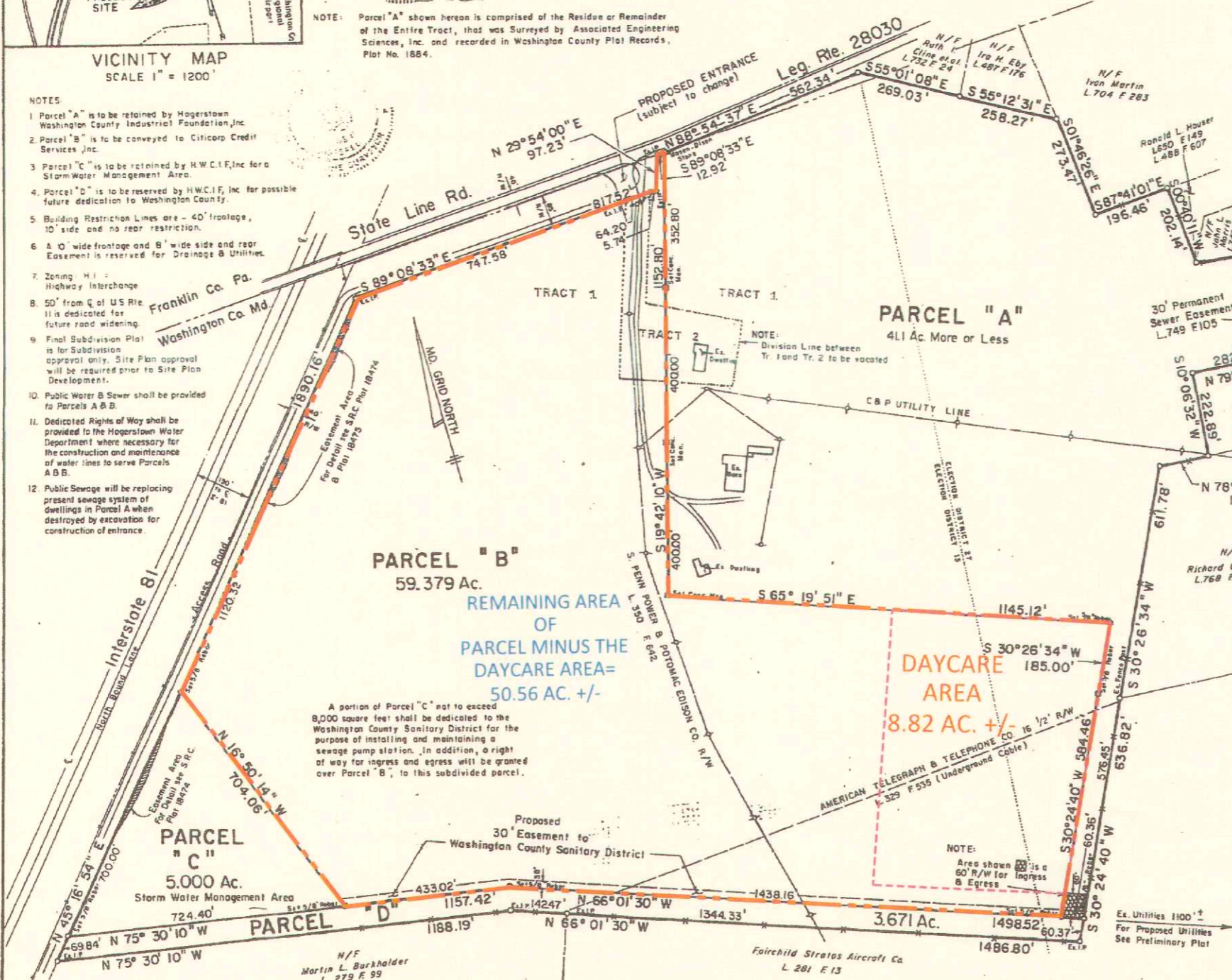
WITNESS our hands and seals this 21st day of AUGUST, 1985

Marie S. Elliott (SEAL) President
Leroy R. Burtner (SEAL) Secretary

WITNESS: *Edward L. Shrader*

OWNER

Leroy R. Burtner, Secretary
Hagerstown Washington County Industrial Foundation, Inc.
Court House Annex
Hagerstown, Maryland 21740



ASH. CO. PLAT 1907
ALL OF REC. 2060

Date: *Aug 29 1985*

I/We also certify that the community water and/or community sewerage system proposed for this subdivision will be available to all lots offered for sale. I/We also certify that plans for the community water supply and/or community sewerage system facilities, including any necessary point of discharge, have been approved by the Department of Health and Mental Hygiene. (This paragraph shall be used only where public facilities are planned for the subdivision).

There are no suits, actions at law, leases, liens, mortgages, trusts, easements or rights of way affecting the property included in this plan of subdivision except the following:
Mortgage Recorded in L. 789 of F. 232

and all parties and interests thereto have hereto affixed their signatures, indicating their assent to this plan of subdivision.

We hereby assent to this plan of subdivision.

Signature: *Marie S. Elliott*
President
Signature: *Leroy R. Burtner*
Secretary

Attest: *Edward L. Shrader*

Date: 21 Aug. 1985

WITNESS: *Edward L. Shrader*

REVISIONS	DRAWN BY LDJ
	DATE 8-20-85
	CHECKED BY <i>ldj</i>
	DATE 7/11/85
	APPROVED BY
	MDD
	SCALE 1" = 200'

DAVIS, RENN, & SHRADER, INC.
ENGINEERS PLANNERS SURVEYORS

P. O. BOX 246
HAGERSTOWN, MARYLAND 21740
TELEPHONE 301-739-5660

FINAL SUBDIVISION OF LAND
for
CITICORP CREDIT SERVICES, INC.
TAX MAP 10 ELECTION DISTRICT NO. 13 & 27, WASHINGTON COUNTY, MARYLAND

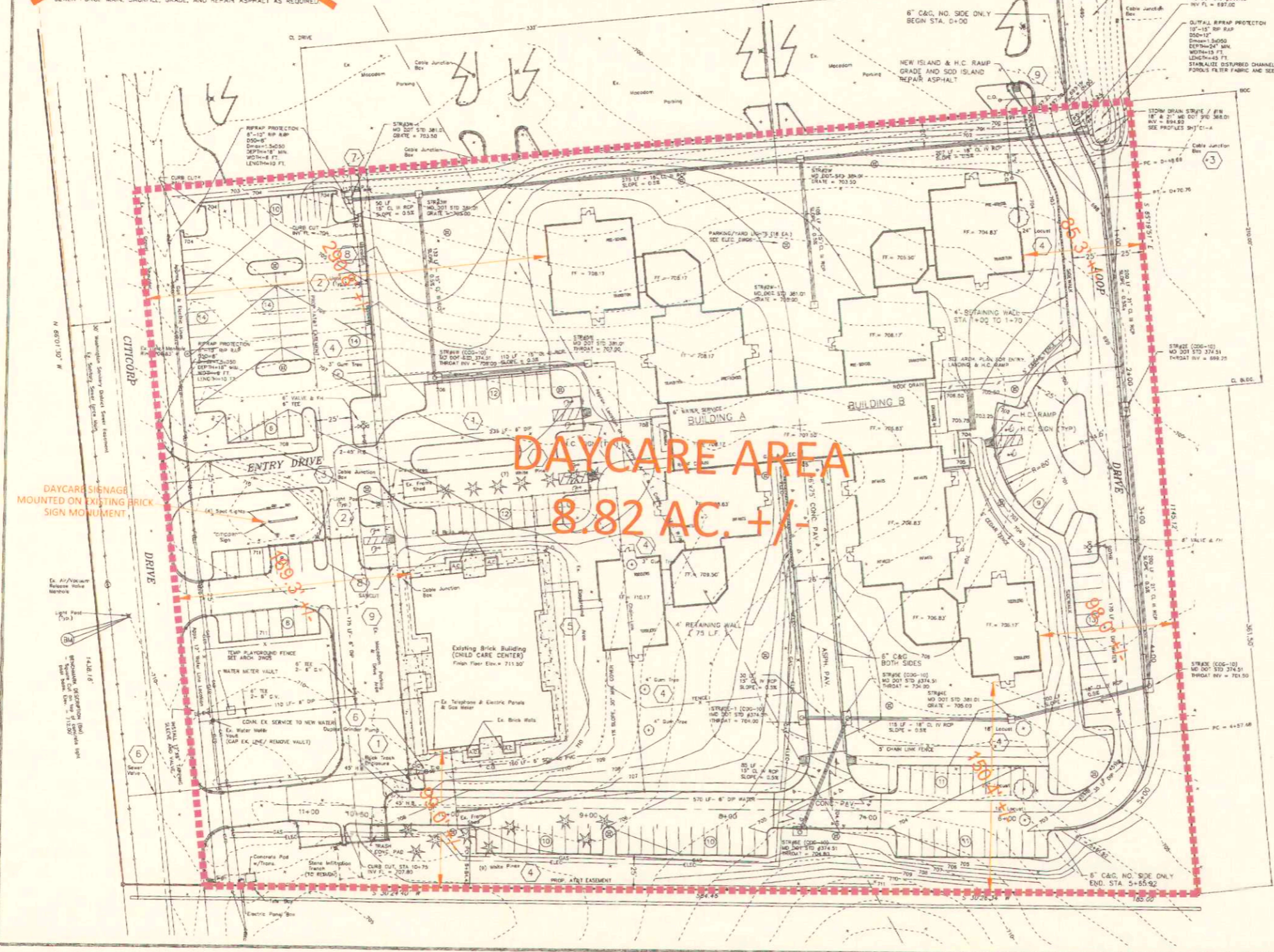
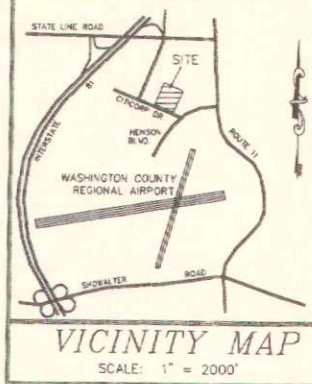
SHEET NO.	1 OF 1
PROJECT NO.	
FILE NO.	859001

md HA 48976

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Maryland State Archives

- DEMOLITION SCHEDULE**
 CONTRACTOR TO COORDINATE ALL DEMOLITION WITH CITICORP AND Ongoing CHILD CENTER ACTIVITIES)
 (ACTIVITIES LISTED ARE APPROXIMATE. CONTRACTOR TO VERIFY AND REPORT DISCREPANCIES TO ENGINEER)
- 1 REMOVE EXISTING TRASH ENCLOSURE, WALLS, CONC. PAD, DRIVE
 - 2 REMOVE EXISTING (2 EA.) LIGHT POLE, AND CONDUIT BASES. SEE ELECTRIC PLANS FOR DISCONNECTION OF POWER AND REMOVAL OF WIRES.
 - 3 REMOVE EXISTING ELECTRICAL JUNCTION BOXES (2 EA.). COORDINATE WITH ELECTRICAL DRAWINGS FOR RELOCATION AND REPLACEMENT AS NECESSARY.
 - 4 REMOVE EXISTING TREES (15 TOTAL, 4 DUM, 4 LOCUST). COORDINATE WITH LANDSCAPE PLAN FOR REMOVAL OR PLANTING.
 - 5 REMOVE PLAYGROUND FENCE (600 LF), AND FRAME SHEDS (2 EA.). REMOVE ALL PLAYGROUND EQUIPMENT AND IRRIGATION SYSTEMS, HEADS, AND VALVES UNDER DIRECTION OF CITICORP PERSONNEL.
 - 6 ACTIVATE EXISTING CHILD FACILITY SEWER TO NEW 6" CITY SERVICE. REMOVE EXISTING FORCE MAIN SERVICE VALVE, OUT AND CAP SERVICE FORCE MAIN SOUTH OF VALVE. REMOVE GRINDER PUMP STATION, ABANDON REMAINDER OF SEWER FORCE MAIN. BACKFILL, GRADE, AND REPAIR ASPHALT AS REQUIRED.
 - 7 REMOVE EXISTING 12" CMP CULVERT.
 - 8 REMOVE EXISTING (150 LF) AND CONCRETE (125 LF) SIDEWALK (CONTRACTOR TO MAINTAIN EXISTING SIDEWALK FROM EMPLOYEE PARKING AREA TO EXISTING BUILDING).
 - 9 REMOVE EXISTING ASPHALT (1500 LF) AND ASPHALT (1500 LF) TO SUBGRADE FOR CONSTRUCTION OF NEW CURBS AND PARKING AREAS. EXISTING PARKING ASPHALT SHALL BE MILLED 1" AND REPAVED WITH FINAL SURFACE FINISH.



DAYCARE AREA
8.82 AC. +/-

DAYCARE SIGNAGE
MOUNTED ON EXISTING BRICK
SIGN MONUMENT.

Required Information:

Location of any freestanding signage:
Utilize existing brick freestanding sign at front entrance of daycare facility.

Number of employees (existing (0)/proposed) :
32 employees proposed-ph1
75 employees proposed when all four phases are open.

Hours of operation:
6:30am to 6:00pm

Proposed landscaping and lighting:
No additional landscaping or lighting proposed.

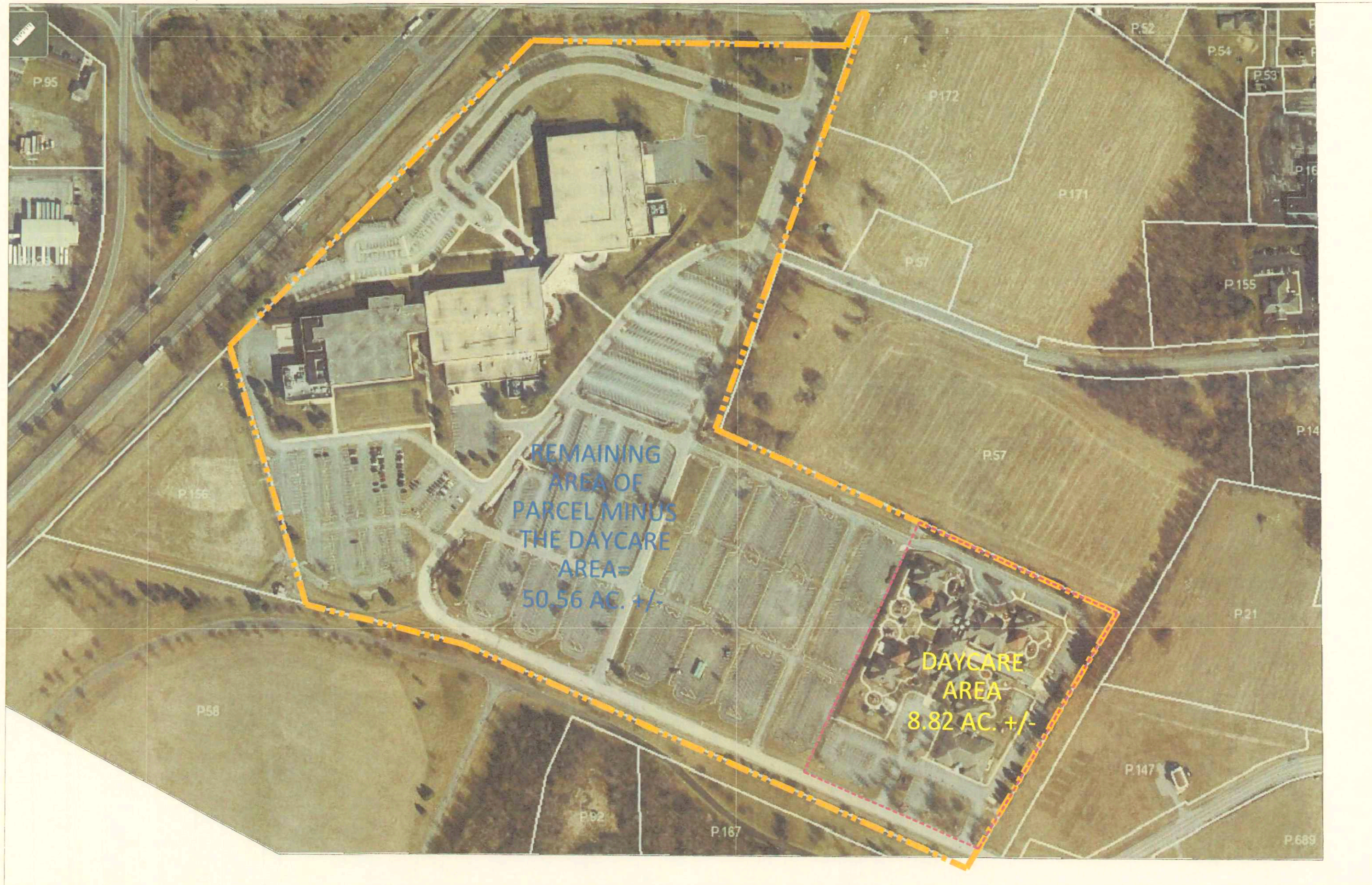
CITICORP CHILD DEVELOPMENT CENTER
SITE PLAN

REVISION BY	DATE
DESIGNED BY	DATE
CHECKED BY	DATE
SCALE	DATE
SHEET	DATE

CIVIL DESIGN AND MANAGEMENT
ENGINEERING & PROJECT MANAGEMENT SERVICES
6917 ARLINGTON ROAD, SUITE 350 BETHESDA, MD 20814 (301) 652-3900
11793 MELROSE AVE. GREENCASTLE, PA 17225 (717) 597-0744

SHEET C-1

C:\ADMINISTRATIVE\SYSTEMS\DWG\171\REV 05 15 03 21 0300 101 CITICORP - MORTIMER, MARYLAND



REMAINING
AREA OF
PARCEL MINUS
THE DAYCARE
AREA=
50.56 AC. +/-

DAYCARE
AREA
8.82 AC. +/-