

BOARD OF APPEALS

February 18, 2026

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

AGENDA

AP2026-001: An appeal was filed by Sean & Tracy Hayden for a variance from the 40 ft. setback from the road right-of-way to 6 ft. for construction of a replacement single-family dwelling on property owned by the appellants and located at 6346 Zittlestown Road, Middletown, Zoned Preservation District. - **DENIED**

AP2026-002: An appeal was filed by Trinity Nursing Academy Inc for a variance from the 25 ft. side yard setback requirement to 17 ft. for proposed addition to existing commercial building on property owned by the appellant and located at 20142 National Pike, Hagerstown, Zoned Agricultural Rural. - **GRANTED**

AP2026-003: An appeal was filed by Ridgetop Roofing LLC for a special exception for the manufacturing of metal roofing panels from raw materials in existing building; filing for functionally similar to a machine shop. Also, a special exception for contractor's equipment storage yard for metal roofing business, on property owned by Lynn Diller and located at 21612 Jefferson Boulevard, Smithsburg, Zoned Agricultural Rural. - **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 9, 2026. 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: Sean & Tracy Hayden
6346 Zittlestown Road
Middletown MD 21769
Appellant: Sean & Tracy Hayden
6346 Zittlestown Road
Middletown MD 21769
Property Location: 6346 Zittlestown Road
Middletown, MD 21769
Description Of Appeal: Variance from the 40 ft. setback from the road right-of-way to 6 ft. for construction of a replacement single-family dwelling.

Docket No: AP2026-001
Tax ID No: 06008496
Zoning: P
RB Overlay: No
Zoning Overlay:
Filed Date: 01/29/2026
Hearing Date: 02/18/2026

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 and cost
If Appeal of Ruling, Date Of Ruling:
Ruling Official/Agency:
Existing Use: Dwelling
Proposed Use: Replacement Dwelling
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.

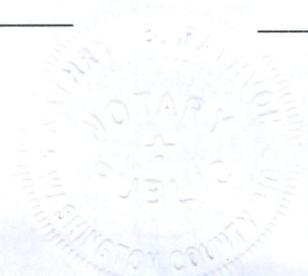
[Handwritten signature]
Appellant Signature

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this 29 day of Jan, 2026.

Nov. 7, 2029
My Commission Expires

[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: AP2026-001

State of Maryland Washington County, To Wit:

On 1/29/2026, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Rose Borisow and made oath in due form of law as follows:

Rose Borisow 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 02/18/2026, 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 02/03/2026 and will remain until after the above hearing date.

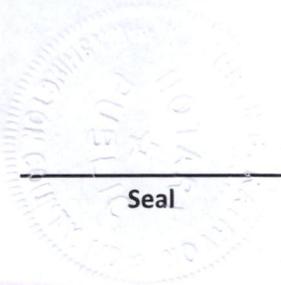
Rose Borisow

Sworn and subscribed before me the day and year first above written.

Notary Public

Nov. 7, 2029

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!

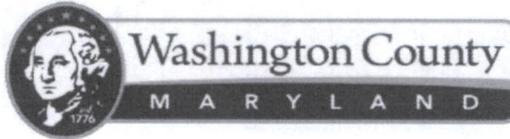
Posting Instructions

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.





BOARD OF ZONING APPEALS

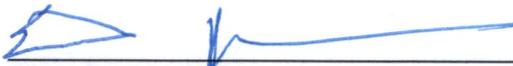
OWNER REPRESENTATIVE AFFIDAVIT

This is to certify that Rose Borisow
is authorized to file an appeal with the Washington County Board of Appeals for
Tracy and Sean Hayden on property
located 6346 Zittlestown Rd, Middletown MD 21769
The said work is authorized by Tracy and Sean Hayden
the property owner in fee.

PROPERTY OWNER

Tracy and Sean Hayden

Name
6346 Zittlestown Rd
Address
Middletown MD 21769
City, State, Zip Code


Owner's Signature

Sworn and subscribed before me this 28th day of January, 2026.

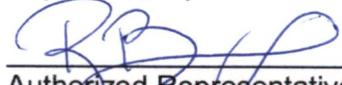

Notary Public

My Commission Expires:

AUTHORIZED REPRESENTATIVE

ROSEMARIE BORISOW

Name
1 S. MAIN ST
Address
WOODSBORO MD 21798
City, State, Zip Code


Authorized Representative's Signature

Sworn and subscribed before me this 28th day of January, 2026.


Notary Public

My Commission Expires:



Charnel M Carter
Title Insurance Producer
105 Swallow Pointe Court
Frederick, Maryland 21702
3003668355



MHBR #6677

MHIC #130127

Date: January 29, 2026

To: Washington County, Board of Zoning Appeals

From: Joel Rensberger

Cc: Rose Borisow

Regarding: Variance Request: 6346 Zittlestown Rd., Middletown, MD 21769

Section: 5C.5-Front Yard Setback Requirement

Dear Chairperson and Members,

Thank you for considering our appeal. On behalf of Sean and Tracy Hayden, longtime Washington County owners and residents, we respectfully ask that you allow us to rebuild their home closer to the road than the zoning ordinance allows for new construction typically, but farther back than the current home.

The related section is 5C.5- The 40 ft. Front yard setback requirement.

The home we seek to replace is a failing 1915 structure with lead paint, lead-soldered plumbing work, and has a septic system that currently discharges into the creek. It's time it be addressed is our feeling.

This request is unique; our project cannot comply with the ordinance. This home predates the zoning ordinance. If forced to comply with the letter of the ordinance, an undue hardship would immediately befall the family. A hardship such that we cannot proceed forward.

A. Practical Difficulty

Strict compliance would push the new planned home further into the hill, adding 17 feet of vertical foundation construction to the foundation. As such, a new 2nd lower story and an unimaginable number of steps for the Owners would be required. Strict compliance would add roughly 125k to the cost of the project, as well as trigger additional SWM/ESD requirements of unknown cost (as of this writing)

Denying the variance would do substantial injustice to the applicant. Such would render the project unbuildable for their finances. Such would mean that we cannot remove and replace the family home with a new suitable and safe dwelling.

Granting of the variance will be consistent with the spirit and intent of the zoning ordinance. The family site plan places the new home adjusted eastward for enhanced safe sitelines, replaces the septic system, and drills a new well. As is typical for old Washington County, it remains close to the road, but further back than today, consistent with zoning spirit.

B. Undue Hardship

Strict compliance does restrict the Applicant from securing an undue return and reasonable use. The Hayden family seeks to replace their family home with a new safe one. Zoning setbacks of today, if strictly applied, mandate a 17' rise in foundation costs, which makes the project fail for them/unbuildable.

The hardships are unique to this property (when compared to most new construction). The current home is just 24' from the center of road. The family plan is 32' from the center of road. **The existing concrete stairs up to the existing house are 8' from the center of the roadway. Our plan places the new proposed steps up to the house 15.5' from the center of the roadway (7.5' to the good). The existing stairs are almost at the edge of pavement; we propose pulling them back by 7.5' and improving site distance.** This district and this road are replete with homes very close to the road, we seek to improve in all regards.

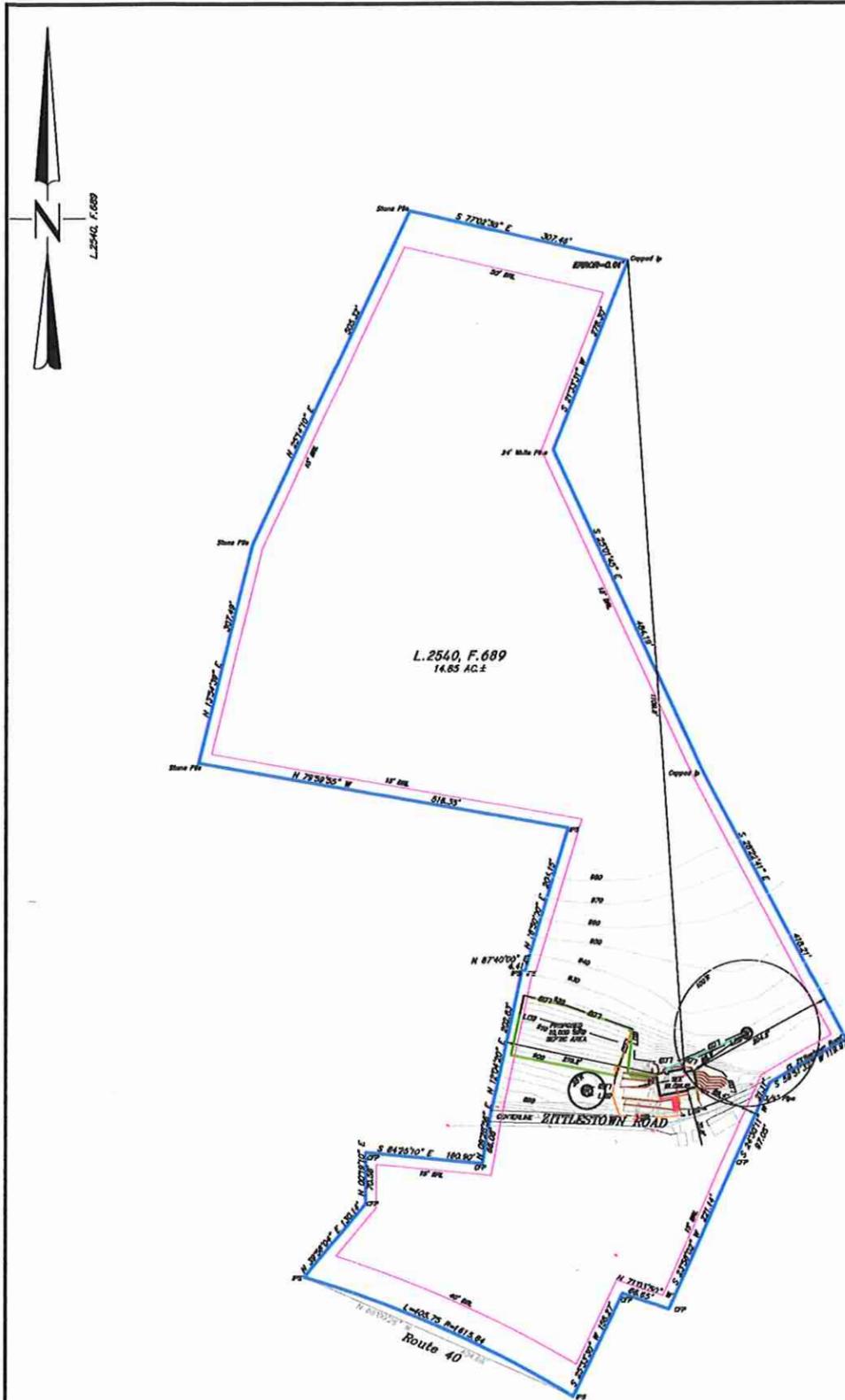
The hardship is not the result of any action by the applicant, except for that they seek to improve their living condition, for themselves and their daughters.



Joel Rensberger
Owner/Builder

Joel@CERensbergerBuilder.com

1 South Main Street, Woodsboro, MD 21798 (301) 370-4042



NOTES:

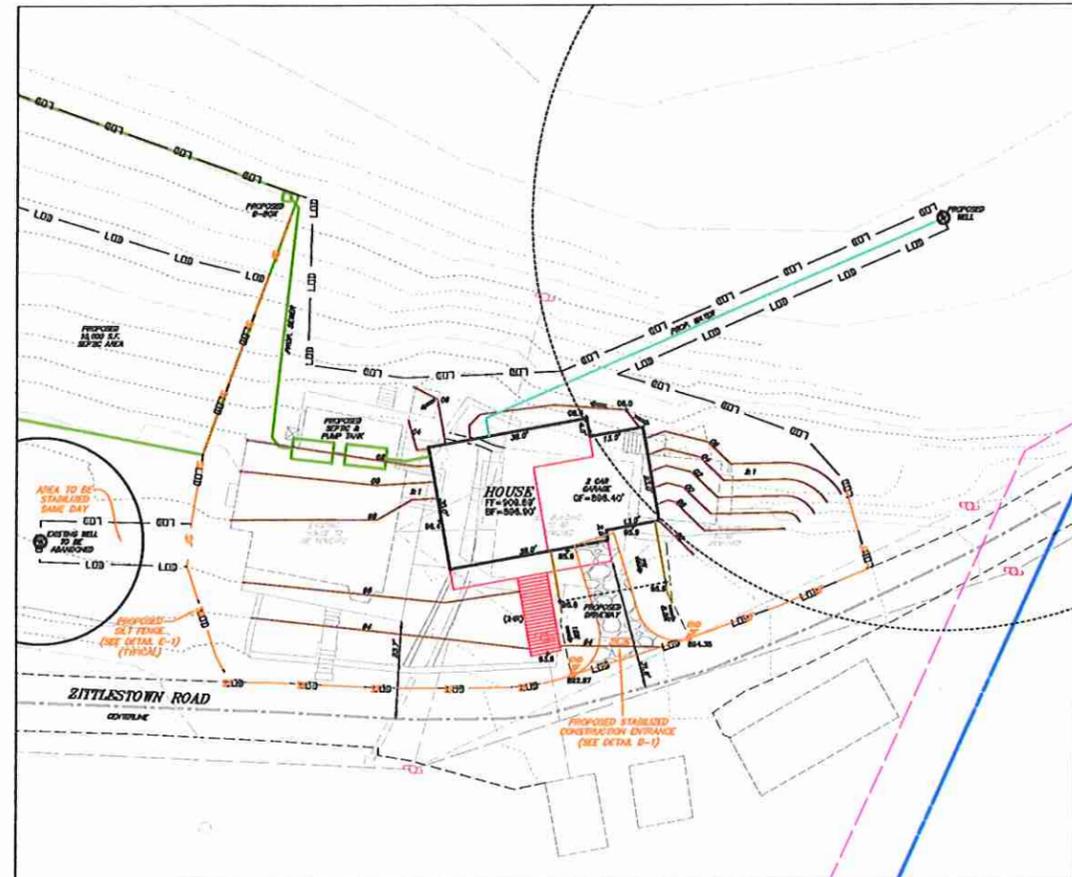
1. CURRENT DEED REFERENCE: L.2540, F.689
2. CURRENT PLAT REFERENCE: N/A
3. EXISTING TOPOGRAPHY BASED ON FIELD SURVEY CONDUCTED BY LAVELLE & ASSOC. INC. ON 4/22/2025.
4. LIMIT OF DISTURBANCE = 15,830 S.F.
5. THE PORTION OF THE PROPERTY SHOWN DOES NOT FALL WITHIN THE "FEMA FLOODPLAIN" PER FREDERICK COUNTY PROPERTY EXPLORES. THE PROPERTY IS SHOWN IN ZONE X (ANNUAL FLOOD HAZARD, OUTSIDE THE 500-YR OR 100-YEAR FLOOD AREA, & THE 0.2-PERCENT-ANNUAL-CHANCE, OR 500-YEAR, FLOOD). PER FEMA MAP NUMBER 2404303820, WITH AN EFFECTIVE DATE OF AUGUST 13, 2017.
6. THE PORTION OF THE PROPERTY SHOWN DOES NOT CONTAIN ANY WETLANDS, PER U.S. FISH AND WILDLIFE SERVICE NATIONAL WETLANDS INVENTORY.
7. BUILDING DIMENSIONS SHOWN FOR BUILDING PERMIT USE ONLY; FOR CONSTRUCTION REFER TO ARCHITECTURAL PLANS.
8. EXISTING UTILITY LOCATION NOT KNOWN, UNLESS SHOWN.
9. NO SITE INVESTIGATIONS WERE PERFORMED AS PART OF THIS DESIGN. IT IS RECOMMENDED THAT A GEOTECHNICAL ENGINEER BE CONSULTED TO VERIFY THAT THE PROPOSED IMPROVEMENTS AS SHOWN ARE SUITABLE FOR THE SITE.
10. ALL ROADS SHOWN ARE ASSUMED TO BE 6" HIGH.

STORMWATER TREATMENT METHOD:

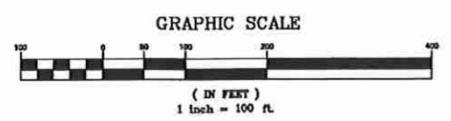
1. STORMWATER MANAGEMENT TO BE PROVIDED USING A COMBINATION OF ROOFTOP DISCONNECTED, AS SHOWN & NON-ROOFTOP FOR THE PAVED SURFACES (DRIVEWAY/SIDEWALK).

STORMWATER DESIGN CRITERIA:

1. SHEET FLOW MUST BE MAINTAINED IN AREAS RECEIVING DISCONNECTED RUNOFF, IF SLOPES ARE TOO STEEP (>3%), A SERIES OF TERRACES OR BERMS MAY BE USED TO MAINTAIN SHEETFLOW. THESE TERRACES MAY BE READILY CONSTRUCTED OF LANDSCAPING STONES, TIMBER, OR EARTHEN BERMS.
2. SHOULD AREAS RECEIVING DISCONNECTED RUNOFF BECOME COMPACTED DURING CONSTRUCTION, SCARPING THE SURFACE OR ROTOTILLING THE SOIL TO A DEPTH OF FOUR TO SIX INCHES SHALL BE PERFORMED TO ENSURE PERMEABILITY. ADDITIONALLY, AMENDMENTS MAY BE NEEDED FOR TIGHT, CLAYEY SOILS.



BLOWUP
SCALE: 1" = 20'



LAVELLE & ASSOCIATES INCORPORATED
PLANNERS • SURVEYORS
P.O. Box 372, Frederick, Maryland 21705
TEL: (301) 685-9722, FAX: (301) 685-9766

SITE PLAN
L.2540, F.689
SITUATED AT 6346 ZITTELSTOWN ROAD
ELECTION DISTRICT No. 06
WASHINGTON COUNTY, MARYLAND

STATE OF MARYLAND
LAVELLE & ASSOCIATES INCORPORATED
PROFESSIONAL LAND SURVEYOR
No. 21701, Exp. 6/31/2027
Designed by:
[Signature]
6FFA71567C214D8

FIELD DATE: 4/22/2025
DRAWING DATE: 10/7/2025
SCALE: 1" = 100'
PROJ. No. 25-033
FILE: LPS\Zittelstown Road\m.dwg
DRAWN: DM
PAGE 1 OF 1

A LICENSEE EITHER PERSONALLY PREPARED THIS SITE PLAN OR WAS IN RESPONSIBLE CHARGE OVER ITS PREPARATION AND THE SURVEYING WORK REFLECTED IN IT, ALL IN COMPLIANCE WITH REQUIREMENTS SET FORTH IN REGULATION 08.11.01.02 OF THE CODE OF MARYLAND REGULATIONS (COMAR).

OWNERS
SEAN & TRACY HAYDEN
6346 ZITTELSTOWN ROAD
MIDDLETOWN, MD 21769



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: Trinity Nursing Academy Inc
186 Thomas Johnson Drive
Suite 203
Frederick MD 21702
Appellant: Trinity Nursing Acadmey Inc
20412 National Pike
Hagerstown MD 21740
Docket No: AP2026-002
Tax ID No: 16012483
Zoning: A(R)
RB Overlay: Yes
Zoning Overlay:
Filed Date: 01/29/2026
Hearing Date: 02/18/2026

Property Location: 20142 National Pike
Hagerstown, MD 21740

Description Of Appeal: Variance form the 25 ft side yard setback requirement to 17 ft for proposed addition to existing commercial building.

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 5E.5(c)

Reason For Hardship: Due to current footprint and orientation of non-conforming building. Compliance would necessitate an irregular and inefficient building layout.

If Appeal of Ruling, Date Of Ruling:

Ruling Official/Agency:

Existing Use: Commercial Proposed Use: Addition to Existing Commercial Building

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.

[Handwritten Signature]
Appellant Signature

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this 29 day of Jan, 2026

Nov. 7 2029
My Commission Expires



[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: AP2026-002

State of Maryland Washington County, To Wit:

On 1/29/2026, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Frederick, Seibert & Associates Inc and made oath in due form of law as follows:

Frederick, Seibert & Associates Inc 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 02/18/2026, 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.

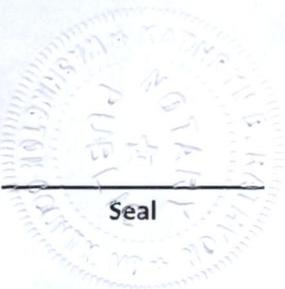
Sign(s) will be posted on 02/03/2026 and will remain until after the above hearing date.

Frederick, Seibert & Associates Inc

Sworn and subscribed before me the day and year first above written.

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: Trinity Nursing Academy, Building Addition Variance

Owner/Applicant: Trinity Nursing Academy Inc, c/o Simi Meadows

Project Address: 20412 National Pike, Hagerstown, MD 21740

Tax Map 58 Grid 22 Parcel 42

Account # 16-012483

Zoning: RB Rural Business

Variance Request – Side Yard Setback (Section 5E.5(c)) of the Washington County Zoning Ordinance.

The applicant requests a variance from the side yard setback requirement established in Section 5E.5(c) of the Zoning Ordinance, which requires a minimum side yard setback of twenty-five (25) feet where a lot adjoins property zoned for or occupied by a non-residential land use. The applicant proposes a reduced side yard setback of seventeen (17) feet to permit construction of an addition to an existing building.

The subject property contains an existing 1,545 square foot structure that is legally nonconforming with respect to the side yard setback. The left front corner of the existing building is located approximately seven (7) feet from the side property line, with the remainder of the structure set back approximately seventeen (17) feet. The proposed addition, totaling approximately 1,878 square feet, would be constructed directly to the rear of the existing thirty (30) foot wide structure and would continue the existing seventeen (17) foot setback before increasing to approximately twenty-eight (28) feet from the side property line, thereby exceeding the required setback for a portion of the addition.

Strict enforcement of the twenty-five (25) foot side yard setback would create a practical difficulty due to the established footprint and orientation of the existing nonconforming structure. Compliance would necessitate an irregular and inefficient building layout, resulting in unusable interior space, compromised internal circulation, and increased complexity in extending building utilities and means of access. Additionally, compliance would require unnecessarily complex exterior elevations and roof configurations, substantially increasing construction costs without advancing the intent of the zoning ordinance or providing a corresponding public benefit.

The requested variance represents the minimum relief necessary to allow reasonable use of the property and is consistent with the existing development pattern on the site. The proposed addition maintains a setback that is equal to or greater than the majority of the existing structure, reduces the degree of nonconformity at the rear of the building, and will not adversely impact adjacent properties. Granting the variance will not alter the essential character of the area, impair the intent of the zoning ordinance, or be detrimental to the public health, safety, or welfare.



Washington County Board of Zoning Appeals Owner's Representative Affidavit

This is to certify that Fred Frederick or Ed Schreiber
is authorized to file an appeal with the Washington County Board of Appeals for side yard setback Reduction
on property located at 20142 National Pike
The said work is authorized by Trinity Nursing Academy c/o Simisola Meadows
the property owner in fee.

PROPERTY OWNER
Trinity Nursing Academy
c/o Simisola Meadows
Name
20142 National Pike
Address
Hagerstown, MD 21740
City, State, Zip Code

Simisola Meadows
Owner's Signature

Sworn and subscribed before me this 21 day of January, 2026.



Nikki S. Eichelberger
Notary Public

My Commission Expires:
NIKKI S. EICHELBERGER
NOTARY PUBLIC
WASHINGTON COUNTY
STATE OF MARYLAND
My Commission Expires 9/15/2028

AUTHORIZED REPRESENTATIVE

Fred Frederick or Ed Schreiber w/FSA
Name
128 S. Potomac Street
Address
Hagerstown, MD 21740
City, State, Zip Code

[Signature]
Authorized Representative's Signature

Sworn and subscribed before me this 22 day of January, 2026.



Nikki S. Eichelberger
Notary Public

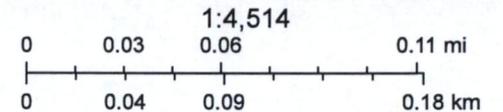
My Commission Expires:
NIKKI S. EICHELBERGER
NOTARY PUBLIC
WASHINGTON COUNTY
STATE OF MARYLAND
My Commission Expires 9/15/2028

Frederick Seibert & Associates, Inc.



1/13/2026, 9:10:34 AM

-  SixInchImagery2023_2024
-  HL Database
- World_Transportation
- Parcels Washington County



Vantor, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Esri, HERE, IPC,

Web AppBuilder for ArcGIS

Real Property Data Search ()
 Search Result for WASHINGTON COUNTY

View Map No Ground Rent Redemption on File No Ground Rent Registration on File

Special Tax Recapture: None

Account Number: District - 16 Account Identifier - 012483

Owner Information

Owner Name: TRINITY NURSING ACADEMY INC Use: COMMERCIAL
 Principal Residence: NO
 Mailing Address: 186 THOMAS JOHNSON DR Deed Reference: /07212/ 00418
 SUITE 203
 FREDERICK MD 21702-

Location & Structure Information

Premises Address: 20142 NATIONAL PIKE Legal Description: LT 104.82X328.32 AVG
 HAGERSTOWN 21740-0000 .72 AC 20142 NATIONAL PI
 N/S US RT 40

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0058	0022	0042	10000.22	0000				2025	

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
	1,500 SF		31,363 SF	

StoriesBasementType	ExteriorQualityFull/Half BathGarageLast Notice of Major Improvements
MEDICAL OFFICE BUILDING/	C2

Value Information

	Base Value	Value As of 01/01/2025	Phase-In Assessments	
			As of 07/01/2025	As of 07/01/2026
Land:	62,700	62,700		
Improvements	106,600	210,200		
Total:	169,300	272,900	203,833	238,367
Preferential Land:	0	0		

Transfer Information

Seller: DAVIS LAWRENCE E Type: ARMS LENGTH IMPROVED	Date: 03/20/2023 Deed1: /07212/ 00418	Price: \$275,000 Deed2:
Seller: WESTLAND PROPERTIES LLC Type: ARMS LENGTH IMPROVED	Date: 08/08/2006 Deed1: /03074/ 00720	Price: \$299,000 Deed2:
Seller: ALBERT EUGENE S JR & Type: NON-ARMS LENGTH OTHER	Date: 07/05/2000 Deed1: /01583/ 00280	Price: \$77,000 Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2025	07/01/2026
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:

1. The proposed RB District is not within any designated growth area identified in the Washington County Comprehensive Plan;
2. The proposed RB District has safe and usable road access on a road that meets the standards under the "Policy for Determining Adequacy of Existing Roads." In addition, a traffic study may be required where the proposed business, activity or facility generates 25 or more peak hour trips or where 40% of the estimated vehicle trips are anticipated to be commercial truck traffic;
3. Onsite issues relating to sewage disposal, water supply, stormwater management, flood plains, etc. can be adequately addressed; and
4. The location of an RB District would not be incompatible with existing land uses, cultural or historic resources, or agricultural preservation efforts in the vicinity of the proposed district.

Section 5E.5 Bulk Regulations:⁷²

- (a) Lot Size:
Minimum 40,000 Sq. Ft.
- (b) Front Yard Building Setback:
40 Feet from a Minor Collector or Local Public Road Right of Way
50 feet from a Major Collector or Arterial Public Road Right of Way
- (c) Side and Rear Yard Building Setbacks:
50 Feet from a property zoned for or occupied by a Residential Land Use;
→ 25 Feet from a property zoned for or occupied by a Non-Residential Land Use.
- (d) Structure Height: 35 Feet
- (e) Lot Coverage: Maximum 65 %
- (f) Parking.
 1. Off-street parking facilities shall be provided in accordance with Article 22, Division I of this Ordinance.
 2. Parking and access aisles are permitted in the front yard setback area. Parking and access aisles are permitted in the side and rear yard setback areas only when the lot abuts a property with a non-residential land use.

⁷²

Revision 15, Section 5F.4(c) amended 9/19/06 (RZ-06-007) [as of 9-1-15 Section 5F.4(c) became Section 5E.4(c) - see RZ-14-002/ORD-2015-20]



GENERAL NOTES

- Any damage to adjoining public roads, utilities, etc. during construction will be repaired in kind by the contractor.
- No subsurface investigation has been performed by Frederick, Seibert and Associates, Inc. to determine ground water, rock, sinkholes or any other natural or man-made existing features.
- FSA, Inc. assumes no liability for the location of any above ground and below ground utilities. Existing utilities are shown from the best available information. Contractor to field verify location and depth of all above and below ground utilities prior to construction.
- The contractor shall locate existing utilities in advance of construction operations in the vicinity of proposed utilities.
- The contractor shall take all necessary precautions to protect the existing utilities and to maintain uninterrupted service. Any damage incurred due to the contractor's operation shall be repaired immediately at the contractor's expense. Contractor to use caution in areas where low hanging wires exist.
- All utilities shall be cleared by a minimum of 1'-0". All utility poles shall be cleared by a minimum of 2'-0" or tunneled if required.
- The contractor shall be responsible for coordination of his construction with the construction of other contractors.
- The contractor shall notify the Architect/Engineer, before construction, of any conflicts between the plans and actual field conditions.
- The contractor shall protect all utilities and culvert pipes during construction by insuring proper cover, increasing cover, or constructing roadway and parking through base course before loading site with heavy vehicles.
- Job site safety is the sole responsibility of the contractor. The Contractor shall perform all excavation in accordance with O.S.H.A. Regulations for trench safety.
- The contractor shall perform his own field inspection and surveys (if necessary) to determine the limit of earthwork needed to complete this project. Any earthwork quantities that may be shown hereon are preliminary estimates only, and are intended for Soil Erosion Control plan review, if required. There has been no correction made to the earthwork quantities shown hereon due to the compaction of fill.
- The contractor shall be aware that in the event of discrepancy between scaled and figured dimensions shown on the plan, the figured dimensions shall govern.
- The entire area included within the proposed limits of cut and fill shall be stripped of all root material, trash and other organic and otherwise objectionable, non-complying and unsuitable soils and materials.
- It shall be distinctly understood that failure to mention specifically any work which would naturally be required to complete the project shall not relieve the contractor of his responsibility to complete such work.
- All handicapped parking spaces shall be designed, ramped and signed to meet the minimum requirements of the Maryland Accessibility Code and ADA Standards for Accessible Design.
- The existing site contours shown hereon are LIDAR 1' contours and field checked by FSA in November 2025. (Contour accuracy is to plus or minus one half the contour interval).
- Exterior lighting will consist of building mounted lights and pole mounted lights as shown on the photometrics plans and utility plan.
- This project has a projected start date of May 2026 and a completion date of July 2026.
- A complete set of approved plans and a copy of the grading permit must be on site and available for use by the inspector, or other representative of Washington County.
- There are no Board of Zoning Appeals Cases for this property.
- All existing drainage culverts and drainage easements are to be maintained and unaltered.

ZONING DATA

ZONING DISTRICT	RB - RURAL BUSINESS DISTRICT
BUILDING HEIGHT	35 FT.
MINIMUM YARD SETBACK:	
**FRONT	50 FT.
**SIDE	25 FT.
**REAR	25 FT.

*40' FROM A MINOR COLLECTOR OR LOCAL PUBLIC ROAD RIGHT OF WAY; 50' FROM A MAJOR COLLECTOR OR ARTERIAL PUBLIC ROAD RIGHT OF WAY
 **50' FROM A PROPERTY ZONED FOR OR OCCUPIED BY A RESIDENTIAL LAND USE; 25' FROM A PROPERTY ZONED FOR OR OCCUPIED BY A NON-RESIDENTIAL LAND USE

BOARD OF ZONING APPEALS' CASE _____ NONE

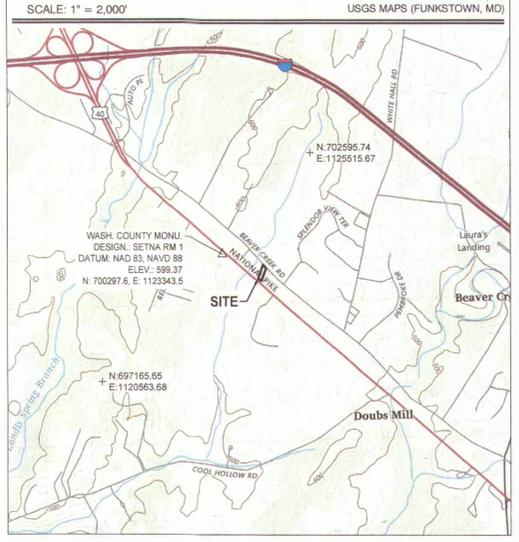
SITE DATA

TAX MAP - GRID - PARCEL	0058-0022-0042
ELECTION DISTRICT	16
ACCOUNT NUMBER	0012483
LIBER / FOLIO	07212 / 00418
AREA SUMMARY:	
PARCEL	0.72 AC.
DISTURBED AREA	3,000 S.F. / 0.07 AC.
EXISTING IMPERVIOUS	6,073.5 S.F. / 0.14 AC. (19%)
PROPOSED IMPERVIOUS	2,439 S.F. / 0.06 AC. (8%)
BUILDING SUMMARY:	
FOOTPRINT	1,545 S.F.
HEIGHT	20 FT.
PROPOSED USE	NURSING SCHOOL (PERMITTED USE)
HOURS OF OPERATION	9 AM - 5 PM
TEACHERS	3
STUDENTS	8
WATER & SEWER USAGE:	
WATER PROVIDED	PRIVATE WELL
SEWER PROVIDED	PRIVATE SEPTIC
WASTE & RECYCLABLES:	
SOLID WASTE REMOVAL	PRIVATE HAULER: INSIDE TRASH CAN
RECYCLE REMOVAL	PRIVATE HAULER: INSIDE TRASH CAN
SITE LIGHTING:	
EXISTING	NONE
PROPOSED	NONE
SITE SIGNAGE:	
EXISTING	NONE
PROPOSED	BUILDING & GROUND MOUNTED
DELIVERIES	VAN, 1/WEEK
ROAD CLASSIFICATION:	
LOCAL	BEAVER CREEK ROAD
MAJOR COLLECTOR	NATIONAL PIKE
WAIVER AND/OR VARIANCE	NONE
FOREST CONSERVATION	EXEMPT, DISTURBANCE LESS THAN 20,000 S.F.
WATERSHED:	
NAME	ANTIETAM CREEK
NUMBER	02-14-05-02
FEMA PANEL #	24043C0310D

PARKING, LOADING & BICYCLE DATA

USE	REQUIREMENT	REQUIRED
SCHOOL	REQUIRED PARKING SHALL BE BASED UPON A DETAILED PARKING ANALYSIS AND STUDY THAT SHALL ADDRESS: NUMBER OF FACULTY AND STAFF; PROJECTED ENROLLMENT; REQUIREMENTS FOR SPECIAL EVENTS; AND CAPACITY OF SPECIAL ASSEMBLY AREAS. THE FINAL DETERMINATION OF ADEQUACY SHALL BE MADE BY THE PLANNING COMMISSION.	11 SPACES
TOTAL REQUIRED SPACES		11 SPACES
TOTAL PROVIDED PARKING SPACES		12 SPACES

VICINITY MAP

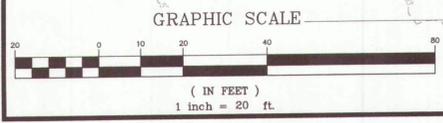


LEGEND

	EXISTING	PROPOSED
SUBJECT BOUNDARY	---	---
BUILDING SETBACK LINE	---	---
RIGHT OF WAY	---	---
EASEMENT LINE	---	---
ADJOINER BOUNDARY	---	---
FENCE (METAL)	X-X-X-X-X-X	X-X-X-X-X-X
FENCE (WOODEN)	□-□-□-□-□-□	□-□-□-□-□-□
DITCH (STREAM)	---	---
EDGE OF WATER	---	---
WETLAND	---	---
FLOODPLAIN	---	---
SOIL BOUNDARY	---	---
EDGE OF PAVEMENT	---	---
EDGE OF GRAVEL	---	---
CURB	---	---
WALL	---	---
GUARD RAIL	---	---
EDGE OF CONCRETE	---	---
BUILDING	---	---
MAIL BOX	MB	MB
SIGN (ROAD)	---	---
SIGN (SITE)	---	---
TOPOGRAPHIC FEATURES		
CONTOUR (INDEX)	---	---
CONTOUR (INTERMEDIATE)	---	---
SPOTS ELEVATION	---	---
VEGETATION AREAS		
TREELINE	---	---
DECIDUOUS TREES	---	SEE LANDSCAPE SHEET FOR LEGEND
EVERGREEN TREES	---	SEE LANDSCAPE SHEET FOR LEGEND
SANITARY SEWER	---	---
GRAVITY LINE	---	---
LATERAL	---	---
MANHOLE	---	---
CLEANOUT	---	---
VALVE	---	---
WATER	---	---
COLD WATER LINE	---	---
WELL	---	---
STORM DRAINAGE	---	---
STORM SEWER LINE	---	---
ROOF DRAIN LINE	---	---
MANHOLE	---	---
INLETS	---	---
CLEANOUT	---	---
UTILITIES		
OVERHEAD LINES	OH	OH
MANHOLE	---	---
PEDS. BOX, & ETC	---	---
POLE	---	---
LIGHT POLE	---	---

LEGEND - ABBREVIATIONS

BLDG	BUILDING	MAX	MAXIMUM	STA	STATION
BOT	BOTTOM	MB	MAIL BOX	SY	SQUARE YARDS
CMP	CORRUGATED METAL PIPE	MIN	MINIMUM	TEMP	TEMPORARY
CO	SANITARY SEWER CLEAN-OUT	NTS	NOT TO SCALE	TS	TOP OF STRUCTURE
COMM	COMMUNICATION	ROW	RIGHT-OF-WAY	TG	TOP OF GRATE
CONC	CONCRETE	SAN	SANITARY	TR	TOP OF RIM
EX	EXISTING	SD	STORM DRAINAGE	TYP	TYPICAL
FH	FIRE HYDRANT	SOMH	STORM DRAIN MANHOLE	UP	UTILITY POLE
HDPE	HIGH DENSITY POLYETHYLENE	SF	SQUARE FEET	WL	WATERLINE
INV	INVERT	SS	SANITARY SEWER	WM	WATER METER
LF	LINEAR FEET	SSMH	SANITARY SEWER MANHOLE	WV	WATER VALVE



Professional Certification:
 I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional under the laws of the State of Maryland. License # 00000
 Expiration Date 09/24/2026

FSA
 CIVIL ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS • LAND PLANNERS
 FREDERICK, SEIBERT & ASSOCIATES, INC.
 1142 WILLIAMSBURG PIKE
 GREENSBORO, PA 17033
 717.751.2800
 1142 HANOVER STREET
 NEW BLOOMSBURY, MD 21088
 410.326.1001
 201 SOUTH FOTOMAC STREET
 PARKERSBURG, MD 21770
 410.326.1001

TRINITY NURSING ACADEMY
 20142 NATIONAL PIKE
 SOUTH OF BEAVER CREEK ROAD, WEST OF HELISTONE DRIVE
 WASHINGTON COUNTY, MARYLAND
 TRINITY NURSING ACADEMY
 20142 NATIONAL PIKE HAGERSTOWN, MD 21740
 ATTN: SIMI MEDICONS, TRINITYNURSINGACADEMY@GMAIL.COM

PROJECT NO. 3865.1
 DWN BY: DWH DATE: 11-12-2025
 PROJECT MANAGER: Trevor Frederick
 EMAIL: tffredrick@fsa-inc.com
 TAX MAP - GRID - PARCEL: ELECTION DISTRICT
 0058-0022-0042, 16
 SCALE: 1" = 20'

SHEET TITLE
MINOR SITE PLAN
C-101
 SHEET 01 OF 01



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: Lynn Diller, 446 Blough Road, Boswell PA 15531
Appellant: Ridgetop Roofing LLC Inc, 21612 Jefferson Boulevard, Smithsburg MD 21783
Property Location: 21612 Jefferson Boulev, Smithsburg, MD 21783
Description Of Appeal: Special exception for the manufacture of metal roofing panels from raw materials in existing building.

Docket No: AP2026-003
Tax ID No: 18021323
Zoning: A(R)
RB Overlay: No
Zoning Overlay:
Filed Date: 01/29/2026
Hearing Date: 02/18/2026

Appellant's Legal Interest In Above Property: Owner: No, Lessee: Yes, Other:
Contract to Rent/Lease: No, Contract to Purchase: No

Previous Petition/Appeal Docket No(s):
Applicable Ordinance Sections: Washington County Zoning Ordinance Sections 5A.2 (Table No. 3.3 (1) K&Q)

Reason For Hardship:
If Appeal of Ruling, Date Of Ruling:
Ruling Official/Agency:

Existing Use: Agricultural Building, Proposed Use: Roofing Manufacturing Business
Previous Use Ceased For At Least 6 Months: 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 29 day of Jan, 20 26.

Nov. 7, 2029
My Commission Expires

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: AP2026-003

State of Maryland Washington County, To Wit:

On 1/29/2026, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Frederick Seibert Association Inc and made oath in due form of law as follows:

Frederick Seibert Association Inc 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 02/18/2026, 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 02/03/2026 and will remain until after the above hearing date.

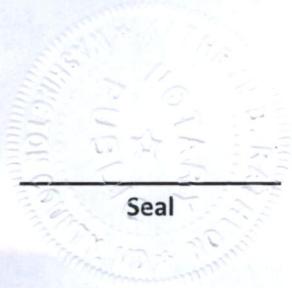
Frederick Seibert Association Inc

Sworn and subscribed before me the day and year first above written.

Notary Public

Nov. 7, 2029

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: Ridgetop Roofing LLC

Applicant: Ridgetop Roofing LLC c/o Larwin Martin
21612 Jefferson Blvd
Smithsburg, MD 21783
301-824-8686
larwin@ridgetoproofing.com

Property Owner: Lynn M Diller
446 Blough Road
Boswell, PA 15531

Project Address: 21612 Jefferson Blvd, Smithsburg, MD 21783

Tax Map 39 **Grid** 20 **Parcel** 489

Account # 18-021323

Zoning: A(R)

Request: Special Exception (Section 5A.1) to allow the manufacture of metal roofing panels from raw materials shipped from other locations. This is filed as functionally similar to a machine shop which is a Special Exception use in the A(R) district. The similarity between the two uses is the manipulation of metal materials on-site. Some of the materials, both raw and finished, will be stored within the existing 12,675 SF metal building that has been recently erected.

Other materials, both raw and finished will be stored outside, hence the need for a second Special Exception request to create a contractor's equipment storage yard on the same property. To allow for growth the applicant is requesting to have a contractor's equipment storage yard behind the existing building and well within the permitted envelope to create said yard. The Zoning Ordinance indicates 50 foot setbacks for "Other Principal permitted or Conditional Uses".

There are several other smaller buildings on-site that should NOT be considered as part of the manufacturing process however the parking area is to be included.



Washington County Board of Zoning Appeals Owner's Representative Affidavit

This is to certify that ED SCHREIBER OR FRED FREDERICK
is authorized to file an appeal with the Washington County Board of Appeals for SPECIAL EXCEPTIONS
on property located 21612 Jefferson Blvd, Smithsburg MD 21783
The said work is authorized by Lynn Diller
the property owner in fee.

PROPERTY OWNER

Lynn M Diller
Name
446 Blauvelt Rd.
Address
Boswell, PA 15531
City, State, Zip Code

Lynn M Diller
Owner's Signature

Sworn and subscribed before me this 30 day of December, 2025.

Commonwealth of Pennsylvania - Notary Seal
Cheyanne Vasos, Notary Public
My Commission Expires 11/11/2028
My commission expires November 11, 2028
Commission number 1372627
Member, Pennsylvania Association of Notaries

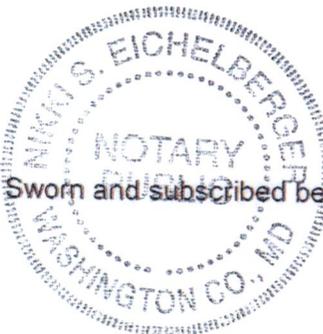
Cheyanne Vasos
Notary Public

AUTHORIZED REPRESENTATIVE

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

Fred Frederick or Ed Schreiber
Authorized Representative's Signature

Sworn and subscribed before me this 22 day of January, 2024.



Nikki S Eichelberger
Notary Public

My Commission Expires:
NIKKI S. EICHELBERGER
NOTARY PUBLIC
WASHINGTON COUNTY
STATE OF MARYLAND
My Commission Expires 9/15/2028

Fred M. Frederick

2025-0283

From: Baker, Jill <JBaker@washco-md.net>
Sent: Tuesday, October 21, 2025 10:00 AM
To: Fred M. Frederick
Cc: Ed J. Schreiber; Rathvon, Kathryn B.
Subject: RE: Larwin Martin / 21612 Jefferson Blvd ... and Donovan Carbaugh FCE Replat

Jill BAKER RESPONSE TO QUESTION BELOW

Hey Fred,
Per your request below, I'm providing a determination of how Mr. Martin may proceed with his proposed business.

During our meeting on October 1, 2025 we discussed a potential business use that Mr. Martin would like to pursue on his property at 21612 Jefferson Blvd. Based on that conversation it is my understanding that Mr. Martin wants to use the existing building on the site to create metal roofing panels from raw materials shipped in from another location. The finished product would then be stored on-site and within the building until it could be shipped out to off-site projects. The closest description of this business would likely be a machine shop due to the fact there will be manipulation of metal materials on the site. Machine shops are a special exception in the Agriculture Rural zoning district. In addition, if there are any plans to store materials outside, this action would be considered a contractor's storage yard and would also be a special exception use in the zoning district.

I know you are familiar with the special exception process but, if you have any questions you can call me or Katie Rathvon.

Jill

From: Fred M. Frederick <FFrederick@fsa-inc.com>
Sent: Tuesday, October 7, 2025 1:27 PM
To: Baker, Jill <JBaker@washco-md.net>
Cc: Ed J. Schreiber <ESchreiber@fsa-inc.com>
Subject: Larwin Martin / 21612 Jefferson Blvd ... and Donovan Carbaugh FCE Replat

WARNING!! This message originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email. Any claims of being a County official or employee should be disregarded.

Hi Jill *QUESTION TO JILL BAKER*

Thank you for meeting Larwin and me last week to discuss his remaining lands (Per the under review FOX Plat) and Larwin using that lot for an agricultural business.

We discussed two possible options:

1. Getting a Special Exception for his uses
2. Doing a Rural Business overlay.

You were going to think about this and let me know how he should proceed. I am in no hurry as Fox needs to get the plat approved first, but I just wanted to remind you of this.



Address Search



View Map No Ground Rent Redemption on File No Ground Rent Registration on File

Special Tax Recapture: AGRICULTURAL TRANSFER TAX

Account Number: District - 18 Account Identifier - 021323

Owner Information

Owner Name: DILLER LYNN M Use: AGRICULTURAL
 Principal Residence:NO
 Mailing Address: 446 BLOUGH ROAD Deed Reference: /06842/ 00284
 BOSWELL PA 15531-

Location & Structure Information

Premises Address: 21612 JEFFERSON BLVD Legal Description: 17.06 ACRES REM
 SMITHSBURG 21783-0000 21612 JEFFERSON BLVD
 Map:Grid:Parcel:Neighborhood:Subdivision:Section:Block:Lot:Assessment Year:Plat No: 11984-11987
 0039 0020 0489 18010205.22 0000 2025 Plat Ref:

Town: None

Primary Structure BuiltAbove Grade Living AreaFinished Basement AreaProperty Land AreaCounty Use
 17.0600 AC

Stories Basement Type Exterior Quality Full/Half Bath Garage Last Notice of Major Improvements

Value Information

	Base Value	Value		
		As of	Phase-in Assessments	
		01/01/2025	As of	As of
			07/01/2025	07/01/2026
Land:	66,000	66,000		
Improvements	74,600	74,600		
Total:	140,600	140,600	140,600	140,600
Preferential Land:	11,000	11,000		

Transfer Information

Seller: EMRALSHAOOL MANSOOR & JANET Date: 11/24/2021 Price: \$600,000
 Type: ARMS LENGTH VACANT Deed1: /06842/ 00284 Deed2:
 Seller: HOOVER E RANDALL ET AL Date: 07/21/2004 Price: \$755,000
 Type: ARMS LENGTH VACANT Deed1: /02390/ 00008 Deed2:
 Seller: VALLAMONT FARMS Date: 02/13/1989 Price: \$22,333
 Type: NON-ARMS LENGTH OTHER Deed1: /00904/ 01037 Deed2:

Exemption Information

Partial Exempt Assessments: Class 07/01/2025 07/01/2026
 County: 000 0.00
 State: 000 0.00
 Municipal: 000 0.00|0.00 0.00|0.00

Special Tax Recapture: AGRICULTURAL TRANSFER TAX

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No ApplicationDate:

ARTICLE 5A – "A(R)" AGRICULTURAL (RURAL) DISTRICT⁵¹

Section 5A.0 Purpose

The purpose of this district is to provide for continued farming activity and the many uses that do not require public water and sewerage facilities and which may be more suitably located outside of the urban-type growth of the larger communities of the County. The Agricultural zoning district has been purposely drawn to enclose large blocks of the best soils for intensive agricultural production as well as gently rolling topography for farming. Most of the operating farms as well as the largest block of farmland preserved through the Agricultural Preservation Program is located in this area.

Section 5A.1 Principal Permitted Uses and Accessory Uses

See the Table of Land Uses [Section 3.3, Table No. 3.3(1)]

Section 5A.2 Special Exceptions

See the Table of Land Uses [Table No. 3.3(1)] and any other use the Board of Appeals finds is functionally similar to any permitted use or special exception listed in the table for this district. The Board of Appeals shall not grant any special exception that is inconsistent with the purpose set forth for this district.

Section 5A.3 Criteria

The maximum density in the Agricultural zoning district shall be one (1) dwelling unit per five (5) acres of land owned minus the lot area taken off under Section 5A.4.

Section 5A.4 Exemptions

- (a) Each parcel of land of sufficient size as of October 29, 2002 shall be permitted to subdivide up to three (3) lots, which may be increased to a maximum of five (5) lots based on a sliding scale of one additional lot for each fifty (50) acres of land. The minimum lot size shall be the minimum lot size for the zoning of the property prior to the effective date of this amendment. Additional lots permitted under the zone will then be calculated on the remaining acreage based on one lot for every five acres.
- (b) Additional exemptions are available for the preservation of historic properties listed on the County Inventory of Historic Sites, the National Register of Historic Places or the Maryland Historical Trust's Inventory of Historic Sites. A lot may be created around the existing historic site/structure along with two additional lots on the original parcel upon the owner requesting and the Board of County Commissioners approving the placement of an "HP" Historic Preservation District Overlay designation on the lot with the historical site or structure.

⁵¹

Revision 14, Article 5A added 7/26/05 (RZ-03-005)

Section 5A.5 Residential Lot Size and Bulk Dimensions⁵²

	Lot Area	Lot Width	Lot Area/Family	Front Yard	Side Yard	Rear Yard	Height
Dwelling, Single Family	40,000 sq. ft.	100 ft.	40,000 sq. ft.	40 ft in.	15 ft.	50 ft.	40 ft.
Dwelling, Two-Family	40,000 sq. ft.	100 ft.	20,000 sq. ft.	40 ft.	15 ft.	50 ft.	40 ft.
Dwelling, Semi-Detached**	20,000 sq. ft.	50 ft.	20,000 sq. ft.	40 ft.	15 ft.	50 ft.	40 ft.

** Semi-detached dwellings are special exception uses in this district and require Board of Zoning Appeals approval.

Section 5A.6 Non-Residential Lot Size and Bulk Dimensions (not covered in Rural Business)^{53 54}

This section covers uses listed in the Table of Land Uses [Table No. 3.3(1)] that are principally permitted and that are not governed by the Rural Business floating zone.

	Lot Area	Lot Width	Front Yard	Side Yard	Rear Yard
Banquet/Reception Facilities	5 acres	300 ft.	50 ft.	100 ft.	50 ft.
Schools, Elementary	15 Acres	400 ft.	150 ft.	100 ft.	50 ft.
Schools, Middle	30 Acres	500 ft.	150 ft.	100 ft.	50 ft.
Schools, High	60 Acres	500 ft.	150 ft.	100 ft.	50 ft.
Churches	2 Acres	200 ft.	100 ft.	50 ft.	50 ft.
Other Principal Permitted or Conditional Uses	3 Acres	300 ft.	50 ft.	50 ft.	50 ft.

Section 5A.7 Special Provisions⁵⁵

1. New development adjacent to existing Industrial Mineral (IM) zoning districts shall have a setback of 200 feet from all shared property lines.
2. Developments opting to use the clustering provision outlined in Article 22, Division VIII of this Ordinance may reduce side yard setbacks to a minimum of 15 feet from adjacent property lines created by the new development.
3. Development that occurs within the Airport Overlay Area as designated in the Comprehensive Plan shall have a density requirement of one (1) dwelling unit per fifty (50) acres of land owned. No lots under Section 5A.4 shall be permitted in the Airport Overlay Area.
4. Side yard setbacks for residential use lots shall be a minimum of 50 ft. for lots five (5) acres or greater in size.

⁵² Revision 16, Section 5A.5 amended 8/4/09 (RZ-09-001)

⁵³ Revision 15, Section 5A.6 amended 9/19/06 (RZ-06-007)

⁵⁴ Revision 18, Section 5A.6 amended 1/16/18 (RZ-07-007/ORD-2018-03)

⁵⁵ Revision 16, Section 5A.7 amended 8/4/09 (RZ-09-001)

A(R)-Agriculture (Rural)
 EC-Environmental Conservation
 P-Preservation
 RV-Rural Village
 RB-Rural Business
 IM-Industrial Mineral

LAND USES	A(R)	EC	P	RV	RB	IM	Intensity of Use
Nursing/Convalescent Homes.	N	N	N	N	P	N	MODERATE
Transitional or Sheltered Care Facility, not to include Assisted Living Facilities.	N	N	N	N	P	N	MODERATE
J. Housing							
Dwelling unit in conjunction with a principal non-residential use	SE	SE	SE	SE	P	N	LOW
Dwellings, semi-detached	SE	SE	SE	P	N	N	N/A
Dwellings, single family	P	P	P	P	N	N	N/A
Dwellings, two-family	P	P	P	P	N	N	N/A
Home, occupation	A	A	A	A	N	N	N/A
Home, resident business	SE	SE	SE	SE	N	N	N/A
Mobile Homes	P	P	P	N	N	N	N/A
Model Homes	P	P	P	P	N	N	N/A
Temporary residential sales office	P	P	P	P	N	N	N/A
K. Manufacturing¹⁰							
Abattoirs, slaughterhouses, stockyards	N	N	N	N	P	N	HIGH
Brewery, Farm with a valid Class 8 manufacturing license	P	P	P	P	P	N	MODERATE
Brewery, Commercial with a valid Class 5 manufacturing license	SE	SE	SE	SE	P	N	MODERATE
Carpentry or woodworking shops	SE	SE	SE	SE	P	N	HIGH
Concrete and ceramic products manufacture, including ready-mixed concrete plants	N	N	N	N	P	P	HIGH
Flour mill, grain milling or drying	N	N	N	N	P	N	HIGH
Food processing and packing plants; provided such use shall be located two (2) times the distance requirements specified in Section 4.9	SE	SE	SE	N	P	N	HIGH
Grain elevators, grain bins, and feed mills, primarily for wholesale use.	P	SE	SE	N	P	N	MODERATE
Machine Shops	SE	SE	SE	SE	P	N	MODERATE
Recycling facilities	N	N	N	N	P	N	HIGH
Sawmills & Lumber Drying	SE	SE	SE	N	P	N	MODERATE
Sawmills, Temporary	P	P	P	N	N	P	HIGH
Wind mill farms	SE	SE	SE	SE	N	N	N/A
Wineries, Farm with a valid Class 4 manufacturing license	P	P	P	P	P	N	MODERATE
Wineries, Commercial with a valid Class 3 manufacturing license	SE	SE	SE	SE	P	N	MODERATE

10

Revision 17 Table 3.3(1)K. amended 4/23/13 (RZ-12-002/ORD-2013-13)

P-Permitted
 SE-Special Exception
 A-Accessory
 N-Not Permitted

A(R)-Agriculture (Rural)
 EC-Environmental Conservation
 P-Preservation
 RV-Rural Village
 RB-Rural Business
 IM-Industrial Mineral

LAND USES	A(R)	EC	P	RV	RB	IM	Intensity of Use
Temporary or Seasonal Retail - provided that the area devoted to the use be limited to less than 2,500 sq. ft. and that the use on the premises occurs for at least 30 days and does not exceed 6 months within a calendar year ¹²	SE	SE	SE	SE	P	N	LOW
Q. Transportation and Warehousing							
Airports, private or landing fields, and heliports, subject to the Provisions of Article 21.	SE	SE	SE	N	N	N	N/A
Commercial parking lot or garage	N	N	N	N	P	N	LOW
Contractor's equipment and Storage yards	SE	SE	SE	SE	P	N	MODERATE
Explosives Storage	SE	SE	SE	N	N	N	N/A
Mini-warehouses excluding outside storage or outside uses	N	N	N	N	P	N	LOW
Mixed use buildings including, warehouses, wholesale and retail sale	N	N	N	N	P	N	MODERATE
Warehouses	N	N	N	N	P	N	MODERATE
R. Utilities¹³							
Commercial Communications Towers, subject to the requirements of Section 4.22	SE	SE	SE	N	N	N	N/A
Public utility buildings, structures, or uses including radio, television, and other communication facilities not considered Essential Utility Equipment, as defined in Article 28A	SE	SE	SE	SE	P	N	LOW
Solar Energy Generating Systems, in accordance with Section 4.26	SE	SE	SE	N	N	SE	LOW

¹² Revision 17, Table No. 3.3(1)P. amended and eff. 2/26/13 (RZ-12-004/ORD-2012-03)

¹³ Revision 17, Table No. 3.3(1)R. amended 10/4/11 (RZ-11-003/ORD-2011-21)

P-Permitted
 SE-Special Exception
 A-Accessory
 N-Not Permitted