

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.

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.

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.

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 | Docket No: | AP2026-001 |
| Appellant: | Sean & Tracy Hayden 6346 Zittlestown Road Middletown MD 21769 | Tax ID No: | 06008496 |
| Property Location: | 6346 Zittlestown Road Middletown, MD 21769 | Zoning: | P |
| 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. | RB Overlay: | No |
| Appellant's Legal Interest In Above Property: | Owner: Yes Lessee: No Other: | Contract to Rent/Lease: | No |
| | | Contract to Purchase: | No |

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

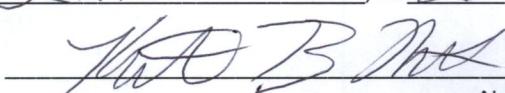


Appellant Signature

State Of Maryland, Washington County to-wit:

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

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: AP2026-001

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

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.



Washington County
MARYLAND

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

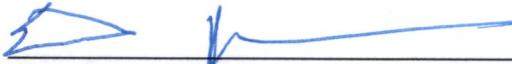
Name

6346 Zittlestown Rd

Address

Middletown MD 21769

City, State, Zip Code


Owner's Signature

Sworn and subscribed before me this

28th day of January, 20 26.


Notary Public

My Commission Expires:

CHARNEL M CARTER
Notary Public - State of Maryland
Frederick County
My Commission Expires Mar 7, 2026

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

AUTHORIZED REPRESENTATIVE

Rosemarie Borisow

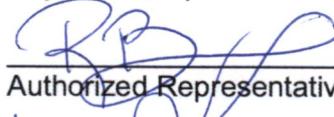
Name

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, 20 26.


Notary Public

My Commission Expires:

747 Northern Avenue | Hagerstown, MD 21742 | P: 240.313.2430 | F: 240.313.2461 | Hearing Impaired: 7-1-1



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.

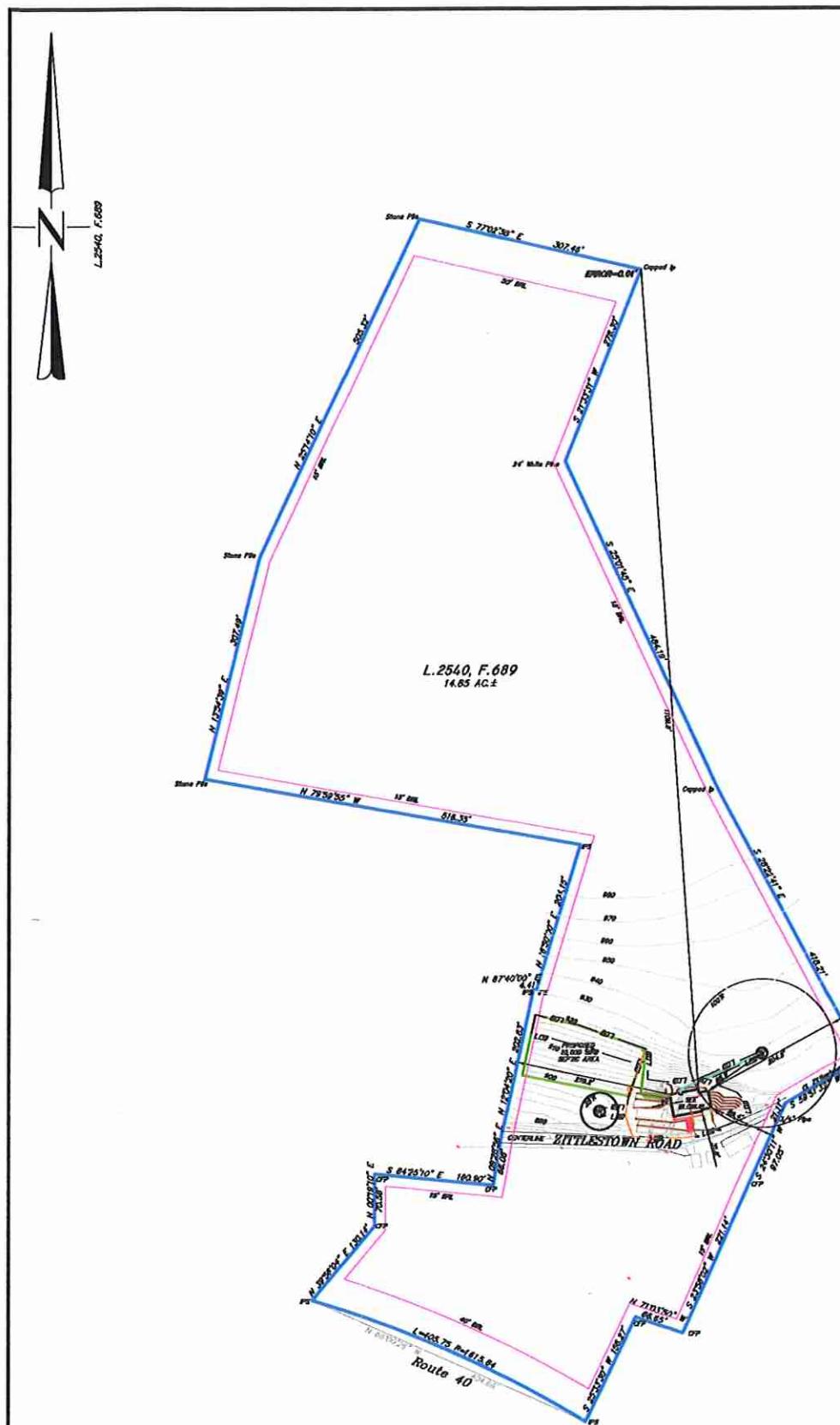


Joel Rensberger

Owner/Builder

Joel@CERensbergerBuilder.com

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

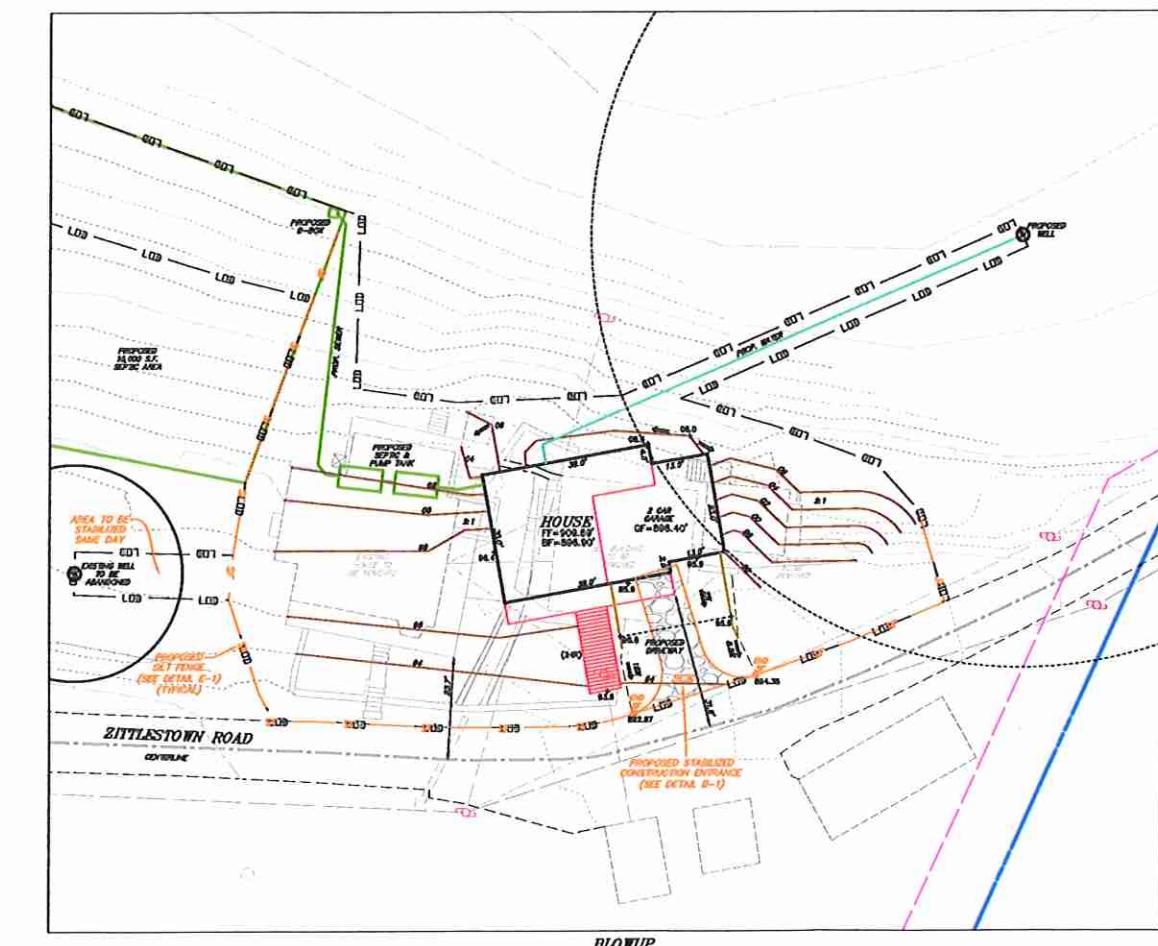


STORMWATER TREATMENT METHOD:
1. STORMWATER MANAGEMENT TO BE PROVIDED USING A COMBINATION OF ROOFTOP DISCONNECT, AS SHOWN & NON-ROOFTOP FOR THE PAVED SURFACES (DRIVeway/SIDEWALK)

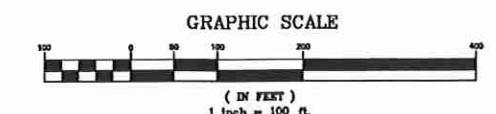
STORMWATER DESIGN CRITERIA:
1. SHEET FLOW MUST BE MAINTAINED IN AREAS RECEIVING DISCONNECTED RUNOFF. IF SLOPES ARE TOO STEEP (>3%) A SERIES OF TERRACES OR BERMAS MAY BE USED TO MANTAIN SHEETFLOW. THESE TERRACES MAY BE READILY CONSTRUCTED OF LANDSCAPING STONES, TIMBERS, OR EARTHEN BERMAS.
2. SHOULD AREAS RECEIVING DISCONNECTED RUNOFF BECOME COMPACTED DURING CONSTRUCTION, THE AREA SHOULD BE DUG OUT OR ROTOTILLING THE SOIL TO A DEPTH OF FOUR TO SIX INCHES SHALL BE PERFORMED TO ENSURE PERMEABILITY. ADDITIONALLY, AMENDMENTS MAY BE NEEDED FOR DRY, CLAYEY SOILS.



VICINITY MAP



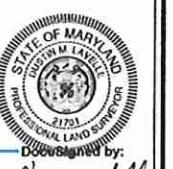
BLOWUP
SCALE: 1" = 20"



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

DATE: 4/22/2025
MING DATE: 10/7/2025
E: 1° = 100'
L. No. 25-033
LP3\ZER\Eastern Roof\stacking
WK: DML
E 1 OF 1

SITUATED AT 8348 ZITTELETON ROAD
ELECTION DISTRICT NO. 05
WASHINGTON COUNTY, MARYLAND



DATE: 4/22/2025
MING DATE: 10/7/2025
E: 1° = 100'
L. No. 25-033
LP3\ZER\Eastern Roof\stacking
WK: DML
E 1 OF 1



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 | Docket No: | AP2026-002 |
| | | Tax ID No: | 16012483 |
| Appellant: | Trinity Nursing Acadmey Inc 20412 National Pike Hagerstown MD 21740 | Zoning: | A(R) |
| | | RB Overlay: | Yes |
| Property Location: | 20142 National Pike Hagerstown, MD 21740 | Zoning Overlay: | |
| Description Of Appeal: | Variance form the 25 ft side yard setback requirement to 17 ft for proposed addition to existing commercial building. | Filed Date: | 01/29/2026 |
| Appellant's Legal Interest In Above Property: | Owner: Yes Lessee: No Other: | Contract to Rent/Lease: | No |
| | | Contract to Purchase: | No |

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:

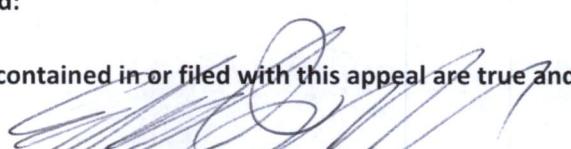
Ruling Official/Agency:

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:

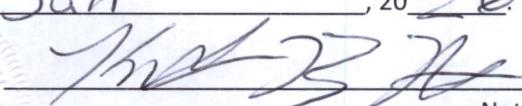
I hereby affirm that all of the statements and information contained in or filed with this appeal are true and correct.


Appellant Signature

State Of Maryland, Washington County to-wit:

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

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: AP2026-002

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.

A handwritten signature in blue ink.

Frederick, Seibert & Associates Inc

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

A handwritten signature in blue ink.

Notary Public

A handwritten signature in blue ink.

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

Owner's Signature

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

Nikki S. Eichelberger

Authorized Representative's Signature

22 day of January, 2026.

Nikki S. Eichelberger

Notary Public

My Commission Expires:

NIKKI S. EICHELBERGER
NOTARY PUBLIC
WASHINGTON COUNTY

L:\Permit Dept\DocDept\Forms\Affidavit for BZA.doc - Updated: 10/31/07

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

1:4,514
0 0.03 0.06 0.11 mi
0 0.04 0.09 0.18 km

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

Web AppBuilder for ArcGIS

Microsoft, Vanator | MD iMAP, DoIT | Hagerstown MD | Washington County Planning Department | Source: USDA NRCS, Esri | Washington County | Maryland Department of Transportation (MDOT), Maryland Department of Transportation State Highway Administration

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 | Plat Ref: |

Town: None

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

| | | | | | |
|---------|--------------------------|------------------|----------------|--------|-----------------------------------|
| Stories | Basement Type | Exterior Quality | Full/Half Bath | Garage | Last Notice of Major Improvements |
| | MEDICAL OFFICE BUILDING/ | C2 | | | |

Value Information

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

Transfer Information

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



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 | Docket No: | AP2026-003 |
| Appellant: | Ridgetop Roofing LLC Inc 21612 Jefferson Boulevard Smithsburg MD 21783 | Tax ID No: | 18021323 |
| Property Location: | 21612 Jefferson Boulev Smithsburg, MD 21783 | Zoning: | A(R) |
| Description Of Appeal: | Special exception for the manufacture of metal roofing panels from raw materials in existing building. Filing for functionally similar to a machine shop. Special exception for contractor's equipment storage yard for metal roofing business. | RB Overlay: | No |
| 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:

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.

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)

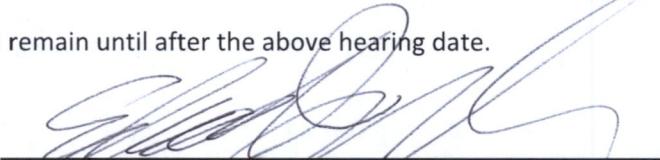
Docket No: AP2026-003

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.

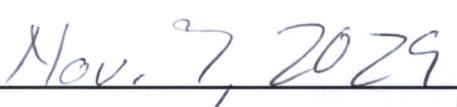


Frederick Seibert Association Inc

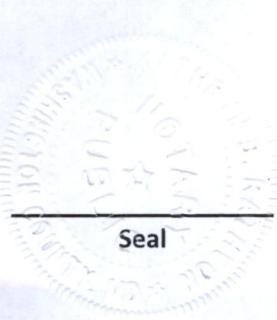
Sworn and subscribed before me the day and year first above written.



Notary Public



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 _____
SPECIMEN 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 Blaugh 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.

Cheyenne Vasos
Notary Public

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

AUTHORIZED REPRESENTATIVE

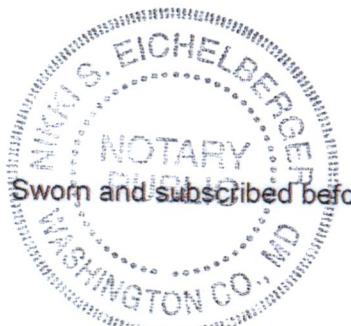
FRED FREDERICK OR ED SCHREIBER
PSA
Name
128 S. Potomac St
Address
HAGERSTOWN, MD 21740
City, State, Zip Code
or
Authorized Representative's Signature

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

Nikki S. Eichelberger
Notary Public

My Commission Expires:

NIKKI S. EICHELBERGER
L-Permit Dep NOTARY PUBLIC
WASHINGTON COUNTY
STATE OF MARYLAND
My Commission Expires 9/15/2028



Fred M. Frederick

2025-0283

From: [REDACTED] 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.

FSAwebMap

with Web AppBuilder for ArcGIS



ress Search



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: 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 BOSWELL PA 15531- | Deed Reference: | /06842/ 00284 |

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 Built | Above Grade Living Area | Finished Basement Area | Property Land Area | County Use |
| | | | | 17.0600 AC |

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

Value Information

| | Base Value | Value | Phase-in Assessments | |
|--------------------|------------|---------------------|----------------------|---------------------|
| | | As of 01/01/2025 | As of 07/01/2025 | As of 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 Application Date:

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 | | | | | | | |
| Recycling facilities | SE | SE | SE | SE | P | N | MODERATE |
| Sawmills & Lumber Drying | N | N | N | N | P | N | HIGH |
| Sawmills, Temporary | SE | SE | SE | N | P | N | MODERATE |
| Wind mill farms | P | P | P | N | N | P | HIGH |
| Wineries, Farm with a valid Class 4 manufacturing license | SE | SE | SE | SE | N | N | N/A |
| Wineries, Commercial with a valid Class 3 manufacturing license | SE | SE | SE | SE | P | N | MODERATE |

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)