

## BOARD OF APPEALS

June 24, 2026

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

### AGENDA

**AP2026-018:** Mark Winders filed to appeal the Planning Commission's approval of the simplified plat SI-26-006 for property owned by Randy & Misti Winders and located at 10614 Crystal Falls Drive, Hagerstown, Zoned Environmental Conservation District. **POSTPONED TO JULY 22, 2026 HEARING.**

**AP2026-019:** An appeal was filed by John R. Oliver Co. Inc. for a variance from the lot area, lot width, and side yard setbacks for an existing two-family dwelling to be subdivided into two semi-detached dwellings. The property is owned by the appellant and located at 19325 Longmeadow Road Units C & D, Hagerstown, Zoned Residential Suburban District. Unit C-variances: lot area from 6,250 sq. ft. to 4,931 sq. ft., lot width from 37.5 ft. to 27.06 ft., side yard setback from 12 ft. to 10.31 ft. Unit D-variances: lot area from 6,250 sq. ft. to 4,154 sq. ft., lot width from 37.5 ft. to 23.22 ft., side yard setback from 12 ft. to 5.40 ft. **-GRANTED**

**AP2026-020:** An appeal was filed by Bailey & Joel Ziler for a variance from the lot area, lot width, and side yard setbacks for an existing two-family dwelling to be subdivided into two semi-detached dwellings. The property is owned by the appellants and located at 136 & 138 Harvard Road, Hagerstown, Zoned Residential Urban District. 136 Harvard Road-variances: lot area from 5,000 sq. ft. to 4,500 sq. ft., lot width from 35 ft. to 25.02 ft., side yard setback from 10 ft. to 5.09 ft. 138 Harvard Road-variances: lot area from 5,000 sq. ft. to 4,500 sq. ft., lot width from 35 ft. to 24.98 ft., side yard setback from 10 ft. to 5.08 ft. **-GRANTED**

**AP2026-021:** An appeal was filed by Sign Here for a variance from the required 25 ft. setback from the road right-of-way to 10 ft. for proposed freestanding sign on the property owned by CRP/TCC Rhoton Owner LLC and located at 16545 Cargo Drive, Hagerstown, Zoned Planned Industrial. **-DENIED**

**AP2026-022:** An appeal was filed by Sign Here for a variance from the required 25 ft. setback from the road right-of-way to 0 ft. for proposed freestanding sign on the property owned by Mt. Pleasant Church of God and located at 24107 Foxville Road, Smithsburg, Zoned Environmental Conservation. **-GRANTED**

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Pursuant to the Maryland Open Meetings Law, notice is hereby given that the deliberations of the Board of Zoning Appeals are open to the public. Furthermore, the Board, at its discretion, may render a decision as to some or all of the cases at the hearing described above or at a subsequent hearing, the date and time of which will be announced prior to the conclusion of the public hearing. Individuals requiring special accommodations are requested to contact Katie Rathvon at 240-313-2464 Voice, 240-313-2130 Voice/TDD no later than June 15, 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: Randy & Misti Winders
10614 Crystal Falls Drive
Hagerstown MD 21742
Appellant: Mark Winders
10807 Mapleville Road
Hagerstown MD 21742
Property Location: 10614 Crystal Falls Drive
Hagerstown, MD 21742
Description Of Appeal: Appeal from the Planning Commission ruling on approval of simplified plat SI-26-006

Appellant's Legal Interest In Above Property: Owner: No Contract to Rent/Lease: No
Lessee: No Contract to Purchase: No
Other: Devisee Under Last Will and Testament of Verda K. Winders, Estate #82147

Previous Petition/Appeal Docket No(s): SI-26-006
Applicable Ordinance Sections: Washington County Subdivision Ordinance Sections: 103, 107, 109, 303, 312, 315, 318, 604
Reason For Hardship:
If Appeal of Ruling, Date Of Ruling: 04/30/2026
Ruling Official/Agency: Washington County Planning Commission
Existing Use: Proposed Use:
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.

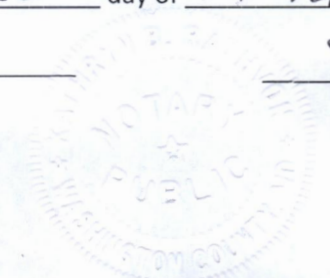
Mark Winders
Appellant Signature

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this 26 day of May, 2026.

Nov. 7, 2029
My Commission Expires

[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: AP2026-018

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

On 5/26/2026, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Mark Winders and made oath in due form of law as follows:

Mark Winders 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 06/24/2026, 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 06/09/2026 and will remain until after the above hearing date.

*Mark Winders*

Mark Winders

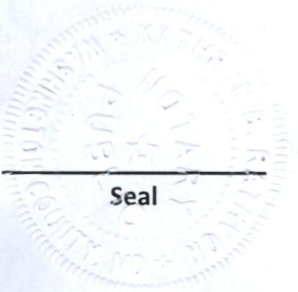
Sworn and subscribed before me the day and year first above written.

*Shirley B. [Signature]*

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

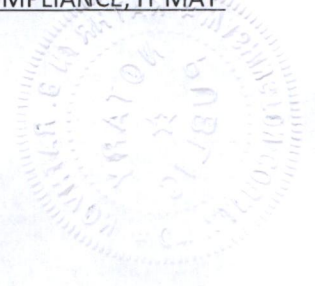
### ATTENTION!

### 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.



## BASIS OF APPEAL

### 1. Power of Attorney Expired

The plat was submitted by Verda K. Winders, by and through Randy Winders, pursuant to a purported power of attorney, as attorney-in-fact for his deceased parent. Under Section 17-106 of the Estates and Trusts Article of the Maryland Code, the power of attorney purporting to authorize Randy Winder to act on behalf of Verda K. Winders terminated upon her death. Verda K. Winders died on February 14, 2025. At all relevant times, Randy Winders lacks and has lacked legal authority to submit any simplified plat, his power to so act on behalf of Verda K. Winders having been terminated and revoked by operation of statutory law on February 14th last year.

### 2. No Consent to Subdivision or Partition

Section 9-107(a)(1) of the Estates and Trust Article of the Maryland Code provides that:

"(a) (1) When *two or more heirs or legatees are entitled to distribution of undivided interests in property of the estate*, the personal representative or one or more of the heirs or legatees may petition the court before the formal or informal closing of the estate, to make partition.

(2) After notice to the interested heirs or legatees and subject to the requirements of Title 14, Subtitle 7 of the Real Property Article, the court shall partition the property in the same manner as provided by law for civil actions of partition.

(b) The court may direct the personal representative to sell property which cannot be partitioned without prejudice to the owners and cannot conveniently be allotted to one party. " MD Code, Estates and Trust Art., §9-107 (emphasis supplied)

As provided in the Last Will and Testament of the Decedent, Randy Winders and Mark A. Winders, as residuary devisees of the real property depicted on the simplified plat, are entitled to receive undivided interests in the real property of the Decedent.

The Applicant has not petitioned the Orphans' Court or the Circuit Court for Washington County for partition of the property, or any other proposed distribution.

Pursuant to Section 318(2)(C) of the Washington County Subdivision Ordinance, the signatures of all proposed grantees are required to be placed on the simplified subdivision plat as a prerequisite to approval. Randy Winders has failed to obtain the concurrence of Mark A. Winders as required in the Subdivision Ordinance.

Section 318(2)(C) of the Subdivision Ordinance requires, *inter alia*, that all prospective grantees be identified in the simplified plat:

"The simplified plat shall contain the following information:

\* \* \*

C. Name and address of the owner of the land to be subdivided and the name and address of the property owner to receive the subdivided parcel(s), if different from that of the owner."

Mark A. Winders, Applicant, has not consented to the subdivision and does not intend to waive his right to receive an undivided interest in the property of the Decedent's estate in kind to which he is justly entitled under the dispositive provisions of the Decedent's Will and § 9-104 of the Estates Article of the Maryland Code, which provides:

"Subject to the terms of the will and the needs of administration, the assets of the estate of a decedent shall be distributed in kind to the extent possible through application of the provisions of this section."

This matter is subject to the continuing jurisdiction and further order of the Orphans' Court for Washington County. Absent order of the Orphans' Court or a judicial decree of partition and the expiration or resolution of all rights to post-trial and appellate relief, Randy Winders, acting in any capacity, may not subdivide, partition or convey the property for any lawful purpose.

Section 318 of the Subdivision Ordinance provides:

"Use of the simplified plat procedure is limited to:

A. Subdivision *for conveyance* of land between adjacent and abutting property owners for property enlargement. The parcel or parcels *to be conveyed* may contain existing accessory structures or be intended for construction of new accessory structures as long as there is a common property line with the parcel containing an existing principal structure or use.

B. Adjustment of property lines and/or correction of deed discrepancies.

C. Acquisition in fee simple of utility or access rights of way. In cases where the parcels(s) created for this purpose are not combined with an existing adjacent parcel, the new parcel shall meet the applicable lot dimension and road frontage requirements specified in the current subdivision and zoning ordinances.

D. Other purposes not specified above may be considered individually by the Planning Commission." (emphasis supplied)

The simplified plat process requires an actual intention and contemplation of a voluntary conveyance of one or more parcels identified on the proposed simplified subdivision plat to a consenting grantee or grantees, and further requires that the party or parties to whom the parcel(s) so created are intended to be conveyed shall be identified by name and address on the plat submitted. The purpose for which the subdivision is proposed fails to comply with the requirements of §318(A) of the Subdivision Ordinance. No approval of the simplified plat has been sought by Randy Winders from the Planning Commission. The approved simplified plat fails comply with the simplified plat requirements of the Subdivision Ordinance and was improperly approved.

No conveyance of any portion of the land depicted on the simplified plat can be deeded to Mark A. Winders, as no such deed would be accepted by Mark A. Winders pursuant to the line of division on the plat as proposed. In the absence of his acceptance of the deed, no conveyance can occur. Acceptance of a proffered deed is an essential component of the conveyance of real property in Maryland. The simplified plat was improperly approved.

The distribution of a deed cannot occur in the estate unless the proposed distribution is approved by the judges of the Orphans' Court in an administrative account and the time for filing exceptions to the account shall have expired or exceptions overruled by said judges pursuant to a contested proceeding. The simplified plat was improperly approved.

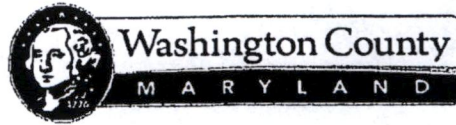
### 3. Impermissible Delegation of Administrative Discretion

The simplified plat has not been approved by the Planning Commission. The purported delegation of simplified plat approval authority to the Planning Director exceeds the statutory delegation of subdivision authority by the State of Maryland to the Board of County Commissioners of Washington County, Maryland and to the Washington County Planning Commission under Title 5 of the Land Use Article of the Maryland Code. The review and approval of a simplified subdivision plat are

non-delegable duties of the Planning Commission involving the exercise of administrative discretion and are not subject to re-delegation by the Planning Commission to the County Planning Director.

#### Action Requested

For these and other reasons which may be identified in the course of this appeal, the Board of Appeals is compelled as a matter of law to conduct a hearing de novo, to deny approval of the simplified subdivision plat and to reverse the approval of the simplified plat by the Washington County Planning Commission or its delegee.



**BOARD OF APPEALS**

80 West Baltimore Street | Hagerstown, MD 21740 | P: 240.313.2460 | F: 240.313.2461 | Hearing Impaired: 7-1-1

WWW.WASHCO-MD.NET

**Appeal from the Planning Commission Ruling**

Property Location: 10614 Crystal Falls Drive and 10817 Mapleville Road

Name/Address of Property Owner: Estate of Verda K. Winders, Randy M. Winders, Personal Representative  
10614 Crystal Falls Drive, Hagerstown, MD 21742 (not Appellant)

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

Owner (Including Joint Ownership)     Lessee     Contract to rent/lease  
 Contract to Purchase     Other    Devisee under Last Will and Testament of Verda K. Winders, Estate #82147

Applicable Ordinance Section(s): 103, 107, 109, 303, 312, 315, 318, 604

Date of Planning Commission Ruling: April 30, 2026  
**MUST BE FILED WITHING 30 DAYS AFER THE DECISION**

Planning Commission Ruling (Attach copy of ruling or document indicating such action):

Approval of Simplified Plat, see attached

**Applicants must make application in person and shall submit *nine (9)* complete sets of the items listed below. Incomplete applications will not be accepted.**

- o A written statement demonstrating the specific reason(s) for the request. The standards for appealing a Planning Commission ruling are outlined in the Appeal from the Planning Commission Ruling Filing Procedures.
- o Copy of ruling or document indicating such ruling/action.
- o If request was for a variance from the terms of the Subdivision Ordinance, state the hardship on the Appellant.
- o Any additional statements explaining, in the Appellant's opinion, what errors of law or what incorrect decisions were made by the Commission in ruling on the Appellant's request.
- o Other information that applicants feel will be useful to justify their request, this could include pictures, letters of support from impacted neighbors, concept draws of the structure.
- o If you are not the property owner, a notarized affidavit from the property owner authorizing the appeal shall be submitted. This includes applicants filing as an agent on behalf of the property owner.

- o Pay the filing fee by cash, Visa/MasterCard, or check made payable to the Washington County Treasurer:

- o Appeal from Planning Commission Ruling.....\$150.00

ALL FILING FEES ARE NON-REFUNABLE

Note: A plan review fee of \$150 and/or floodplain review of \$150.00 may be charged by the Engineering Department.

I hereby certify that I have, to the best of my knowledge, accurately supplied the information required for the above referenced appeal.

Mark A Winders  
Signature of Appellant

Mark A. Winders

Revised April 2026

10807 Mapleville Rd., Hagerstown MD 21742

\_\_\_\_\_  
Address of Appellant



WASHINGTON COUNTY DEPARTMENT OF PLANNING & ZONING

747 Northern Avenue | Hagerstown, MD 21742-2723 | P: 240.313.2430 | F: 240.313.2431 | Hearing Impaired: 7-1-1

Date: 04-30-2026

WINDERS RANDY M WINDERS MISTI D  
10614 CRYSTAL FALLS DR  
HAGERSTOWN, MD 21742

**SIMPLIFIED PLAT NAME** : Misti Winders and Randy Winders  
**ENGINEER** : FREDERICK SEIBERT & ASSOCIATES  
**APPLICATION NUMBER** : SI-26-006  
**LOCATION** :

Dear Owner:

This is to inform you that the Simplified Plat referenced above was acted on by the Washington County Planning Commission on April 30, 2026 and was approved with the conditions stated at the bottom of this letter.

The Simplified Plat has been approved for the purpose stated above, with the conditions stated below. Any development of the land must be submitted for approval by the Planning Commission in accordance with the provisions of the Subdivision Ordinance. This Simplified Plat must be filed for recordation with the Clerk of the Circuit Court within six (6) months following the plat approval and signature by the Director of the Planning and Zoning Department. If the plat is not filed within that period, the approval shall become void.

Within five (5) days of the recordation of the plat, your surveyor must provide the Planning and Zoning Department with one (1) reproducible and two (2) copies of the plat along with a digital CAD file as specified in the County Subdivision Digital Submission Policy. You will receive a separate letter with the signed original indicating the date by which the plat must be recorded as well as the date by which the reproducible, copies and digital CAD file are due. Please note that the recordation of this subdivision plat does NOT transfer the title of the property. The actual transfer of property is done by the execution and recordation of deeds which describe the parcels shown on the subdivision plat.

Sincerely,

Jennifer D. Kinzer, GISP  
Interim Director

CC: FREDERICK SEIBERT & ASSOCIATES  
SAS/MSG

CONDITIONS:

- See general notes for the plat/plan for detailed conditions.

FILED

COPY

2025 FEB 20 PM 2:53 LAST WILL AND TESTAMENT

LACY M. FLOOK  
REGISTER OF WILLS

OF

VERDA K. WINDERS

I, Verda K. Winders, of Washington County, Maryland, being of sound and disposing mind, memory and understanding, do make, publish and declare this to be my Last Will and Testament.

ITEM I: Prior Wills. I hereby revoke any and all Wills and Codicils previously made by me at any time.

ITEM II: Debts and Funeral Expenses. I direct my Personal Representative or Personal Representatives, hereinafter named, to pay all of my lawful debts, the expense of administering my estate, and to expend such sums for my funeral and burial and for the erection of a suitable stone or marker at my grave as he in his discretion may deem proper, without being subject to any limitations which may be imposed by any law, and without the necessity of obtaining an Order of Court approving payment of any such expense.

ITEM III: Estate Taxes. All estate, inheritance, legacy, succession and transfer taxes (including any interest and penalties thereon) lawfully payable with respect to all property includable in my gross estate or taxable in consequence of my death by any State or territory of the United States, or under the laws of the United States, or by any other taxing authority,

prepaid) shall be paid by my Personal Representative out of my residuary estate, and my Personal Representative shall not be entitled to any reimbursement for any such taxes from any person or corporation. This provision to pay all taxes out of my residuary estate shall not apply, however, to any generation skipping transfer tax (if applicable) or to any additional estate or inheritance tax resulting from a disposition or change in the use of real property valued on the basis of its use.

ITEM IV: Rest and Residue. I hereby give, devise and bequeath all of the rest, residue and remainder of my estate of whatsoever kind and wheresoever situate unto my children, in equal shares, per stirpes.

If any child or descendant entitled to distribution is then under the age of twenty-one (21) years, such child or descendant's share shall be distributed to the Personal Representative. Such share shall be administered under the Maryland Uniform Transfers to Minors Act until such person attains the age of twenty-one (21) years or dies prior thereto.

ITEM V: Powers of Fiduciaries. In the investment, administration, and distribution of my estate my Personal Representative may perform every act in the management of my estate which individuals may perform in the management of like property owned by them without authorization of any court, even though any such act would not be authorized or appropriate for fiduciaries but for this power under any statutory or other rule of law, including in this grant, without impairing its plenary nature.

wholly or partly on credit; to delegate discretion; and to distribute in kind or in money, wholly or partly in each, even if shares be composed differently.

ITEM VI: Appointment of Personal Representative. I hereby nominate, constitute and appoint my son, Randy M. Winders, as Personal Representative of this Will. In the event of his death, or refusal or inability to act, I hereby nominate, constitute and appoint my granddaughter, Hollee D. Winders, as Alternate Personal Representative, with all the rights and duties herein given to or imposed upon my Personal Representative. I direct that neither of them shall be required to furnish bond.

Throughout this, my Last Will and Testament, the masculine gender shall be deemed to include the feminine, the singular, the plural, and vice versa.

(SIGNATURE AND WITNESS ATTESTATIONS APPEAR ON THE FOLLOWING PAGE)

IN WITNESS WHEREOF, I, Verda K. Winders, have set my hand and seal to this, my Last Will and Testament, this 31 day of July, 2017.

Verda K. Winders

(SEAL)

Verda K. Winders

SIGNED, SEALED, PUBLISHED AND DECLARED, by the above-named Verda K. Winders, as and for her Last Will and Testament, in the presence of us, who, at her request, in her presence, and in the presence of each other, have hereunto subscribed our names as witnesses thereto.

Justin M. Bayler

Witness

10715 Downsville Pike

Hagerstown, MD 21740

ADDRESS

Marcia L. Bremer

Witness

10715 Downsville Pike

Hagerstown, MD 21740

ADDRESS

Danielle Adams

Witness

10715 Downsville Pike

Hagerstown, MD 21740

ADDRESS

LINE	BEARING	DISTANCE
L1	N 67°11'46"	W 47.15
L2	N 61°04'55"	W 36.64
L3	N 88°49'50"	W 84.49
L4	N 48°15'14"	W 103.47
L5	N 74°18'24"	W 93.84
L6	N 25°21'28"	E 97.08
L7	S 74°22'21"	E 97.33
L8	S 46°10'14"	E 111.43
L9	S 86°49'57"	E 83.72
L10	S 61°11'35"	E 34.78
L11	S 60°11'46"	E 49.21
L12	S 17°33'20"	W 138.88
L13	S 14°33'53"	W 89.84
L14	S 27°09'23"	W 235.31
L15	N 63°01'02"	W 249.33
L16	N 42°03'04"	E 44.50
L17	N 30°30'40"	E 229.02
L18	S 27°56'14"	W 186.24
L19	S 27°03'53"	W 44.44
L20	S 27°03'53"	W 51.36
L21	S 25°04'19"	W 131.73
L22	S 67°19'19"	E 117.89
L23	S 24°29'04"	W 64.41
L24	N 58°16'07"	E 19.19
L25	N 58°15'10"	E 22.72
L26	N 32°29'17"	E 95.82
L27	N 55°13'37"	W 216.10
L28	N 34°45'23"	E 179.28
L29	S 55°13'37"	E 1125.51
L30	S 35°54'18"	E 89.76
L31	S 50°08'14"	W 43.17
L32	S 72°21'50"	W 33.64
L33	S 62°33'11"	W 28.18
L34	N 26°31'44"	W 40.32

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	148.19	609.09	13°56'28"	N 67°09'59"	W 147.82
C2	83.07	140.25	33°56'22"	N 57°10'01"	W 81.66
C3	63.13	216.92	16°40'28"	N 48°32'03"	W 62.90
C4	37.54	89.56	23°49'20"	N 73°07'50"	W 37.27
C5	215.67	598.69	20°42'33"	N 76°32'19"	W 214.50
C6	81.47	233.70	19°48'22"	N 56°11'50"	W 81.06
C7	65.19	64.18	38°14'19"	N 62°17'00"	W 55.15
C8	70.40	189.05	23°51'33"	N 62°27'16"	W 69.89
C9	74.54	194.05	22°00'35"	S 63°22'45"	E 74.09
C10	59.50	59.19	38°14'19"	S 63°17'00"	E 58.77
C11	90.19	258.70	19°38'23"	S 58°11'50"	E 85.72
C12	24.70	67.49	20°42'33"	S 76°32'19"	E 23.45
C13	21.07	61.28	23°49'20"	S 73°07'50"	E 25.87
C14	55.83	191.92	16°40'28"	S 48°32'03"	E 55.65
C15	97.80	165.24	33°56'22"	S 37°10'01"	E 85.45
C16	142.11	584.05	13°56'28"	S 67°09'59"	E 141.76

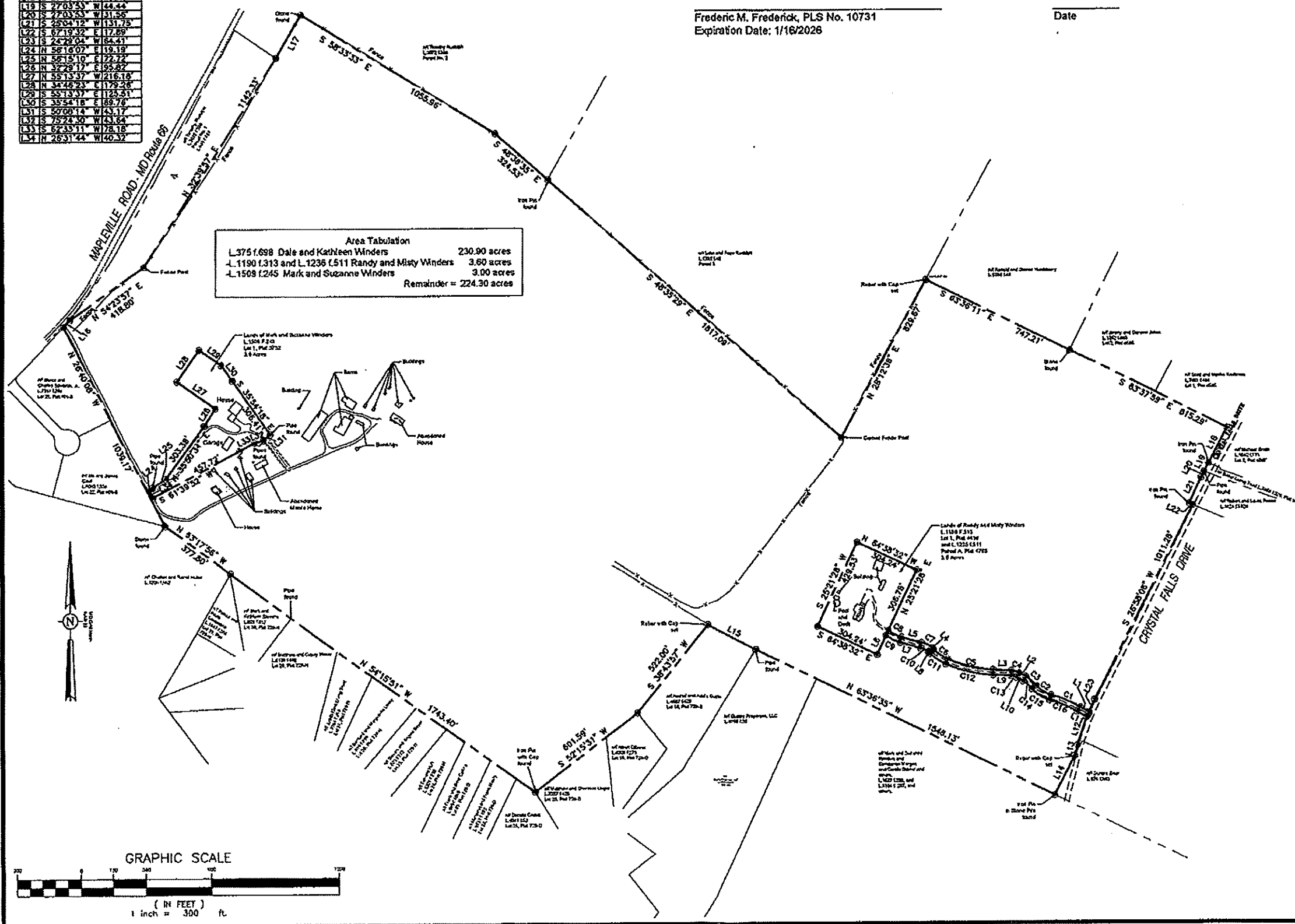
**SURVEYOR'S CERTIFICATION**

I hereby certify to the best of my professional knowledge and belief that the plat shown hereon is correct; that it is the remainder of the land conveyed by Edward Oswald, Jr., Trustee, to Dale R. Winders and V. Kathleen Winders, by a deed dated December 29, 1961, recorded in Liber 375, folio 698, among the Land Records of Washington County, Maryland. That this boundary survey was personally prepared by me or that I was in responsible charge over its preparation and the surveying work reflected hereon is in compliance with the requirements set forth in COMAR 09.13.06.03 in effect at the time this survey was performed.

I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional land surveyor under the laws of the State of Maryland, License No. 10731, Expiration Date: 1/16/2026

Frederic M. Frederick, PLS No. 10731  
Expiration Date: 1/16/2026

Date

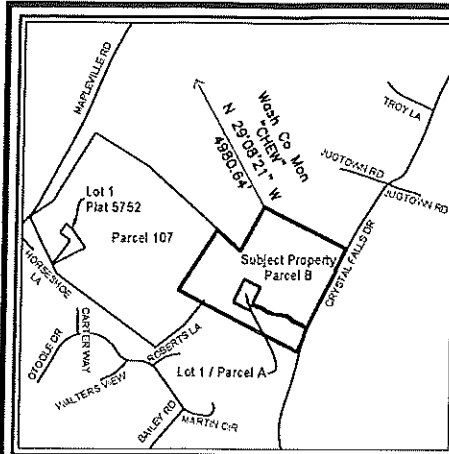


**ES&A**  
**FREDERICK SEIBERT & ASSOCIATES, INC.**  
 CIVIL ENGINEERS & SURVEYORS • LANDSCAPE ARCHITECTS • LAND PLANNERS  
 10317 MAPLEVILLE ROAD, HAGERSTOWN, MD 21742  
 301-698-0500  
 www.esa-inc.com

**Boundary Survey of the Dale and Kathleen Winders Farm**  
 Situate between Mapleville Road and Crystal Falls Drive  
 10317 Mapleville Road, Hagerstown  
 Washington County, Maryland  
 Randy Winders  
 10314 Crystal Falls Drive, Hagerstown, MD 21742  
 301-698-0500

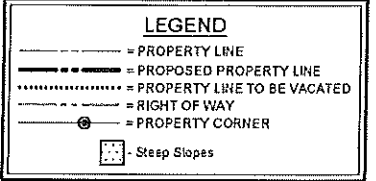
PROJECT NO.	7967
DRAWN BY	DWH
DATE	12-13-2025
PROJECT MANAGER	F. Frederick
EMAIL	frick@esa-inc.com
TAX MAP	50-S-107
SCALE	1" = 300'
SHEET TITLE	

Boundary Survey  
**C-101**  
 SHEET 01 OF 01



VICINITY MAP  
SCALE 1"=2000'

**Sensitive Area Notice**  
The stream buffers shown hereon are established pursuant to the requirements of the Washington County Subdivision Ordinance Article IV, Section 410 in an effort to preserve or improve water quality. The property owner is required to establish and thereafter maintain in perpetuity vegetative ground cover in accordance with urban best management practices recommended by the Washington County Soil Conservation District. No permanent structures or construction are permitted within the stream buffer except those designed to improve water quality or flow as approved by the Washington County Planning Commission in accordance with all applicable regulations, laws, and policies. No septic systems shall be constructed within the buffer nor shall any refuse or debris be established within the buffer.



- GENERAL NOTES**
- Zoning is EC, Front: 40', Side: 19', Rear: 50'.
  - No development shall mean that building or zoning permits, including Residential, will not be issued until such a time as a development plat is submitted in accordance with the provisions of all applicable ordinances and approved by the Washington County Planning Commission.
  - Accessory structures would be permitted in accordance with Section 318.1 of the Washington County Subdivision Ordinance.
  - There are no habitat of threatened or endangered species identified by the U.S. Fish and Wildlife Service per 50 CFR 17 as required to be shown by Section 316 of the Washington County Subdivision Ordinance in Section 4.21 (C&D) of the Washington County Zoning Ordinance. This subdivision is not within 1000' of the Appalachian Trail.
  - This parcel does lie within the limits of the 100 year Flood plain per FEMA Flood Insurance Rate Map Community Panel #24043C03300, dated August 15, 2017, Flood Zone AE.
  - Drawings based on MD Grid North.
  - This plat has been reviewed and approved per the EC Zoning District. Any development/construction shall be in accordance with the Washington County Zoning Ordinance currently being enforced.
  - Contours based on Washington County Aerial Topography and boundary is based on a field survey performed by FSA.
  - Soil types are as shown hereon.
  - The intermittent stream shown hereon has a northwestern 64' stream buffer and a southeastern 32' stream buffer based on 21% and 6% slopes, respectively.
  - The purpose of this plat is to combine existing Lot 1 and Parcel A (Plat folio 4765) with 69.0 acres (Parcel B) of the surrounding farm, leaving 144.30 acres in the remaining lands to the west.

**OWNER'S STATEMENT**  
Application is hereby made for approval of the indicated plat for the purposes stated herein and not for development except as stated herein. Any development of this land other than for the purposes stated herein or any future development of the parcel combined hereon will be submitted in the regular manner for approval in accordance with the provisions of the existing Subdivision Ordinance.

Date: \_\_\_\_\_  
Owner: Randy Winders (POA for Verda Kathleen Winders)

Date: \_\_\_\_\_  
Purchaser: Misti D. Winders

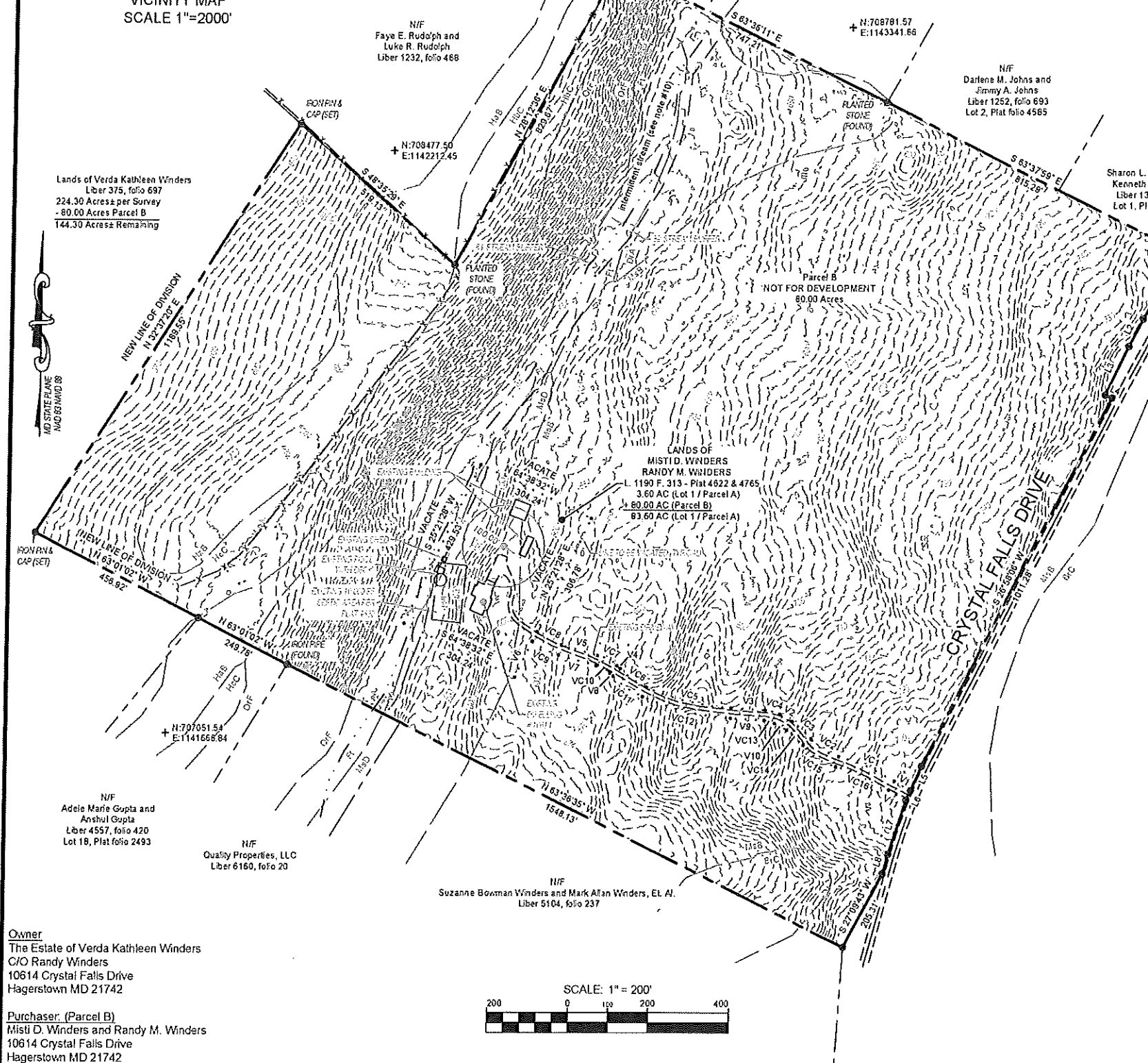
Date: \_\_\_\_\_  
Purchaser: Randy M. Winders

**LAND SURVEYOR'S CERTIFICATION**  
I hereby certify that the plat shown hereon is correct, that it is a subdivision of part of the lands conveyed by Edward Oswald, Jr., Trustee, to Dore R. Winders and Kathleen Winders, by deed dated December 23, 1981 and recorded in the Land Records of Washington County, Maryland Liber 375, folio 697, and that stores marked C and/or stores marked O have been placed as indicated. I hereby certify that these documents were prepared by me or under my responsible charge, and that I am a duly licensed Professional Land Surveyor under the Laws of the State of Maryland, License No. LS-13731, Expiration Date 10/6/2023.

Date: 3-12-2026  
Professional Land Surveyor

**PROPERTY LINE ADJUSTMENT PLATS**  
This plat represents a change in the lines or streetlines that the Washington County Appraising Authority has determined, according to the Code of Maryland regulations 28.04.03 subdivision definition, will not adversely affect the safety and adequacy of existing water supplies or sewage disposal areas on the subject lot or adjacent lots. The property line adjustments are in accordance with the current approved County Comprehensive Water and Sewer Plan and are in compliance with Article 88-519 The Washington County Appraising Authority in the delegated authority per Environmental Article 81-201 and the Washington County Appraising Authority's signature enables the above determination as of the approval date.

Approving Authority: \_\_\_\_\_ Date: \_\_\_\_\_



**PROPERTY LINES TO BE VACATED**

LINE	BEARING	DISTANCE
V1	N 60°11'46" W	47.15'
V2	N 61°04'55" W	36.64'
V3	N 65°49'30" W	84.49'
V4	N 46°15'14" W	10.54'
V5	N 74°18'34" W	93.84'
V6	N 25°21'26" E	97.06'
V7	S 74°27'21" E	97.33'
V8	S 46°10'14" E	11.43'
V9	S 66°49'57" E	83.72'
V10	S 61°11'35" E	34.78'
V11	S 60°11'46" E	49.21'

**PROPERTY LINE CURVES TO BE VACATED**

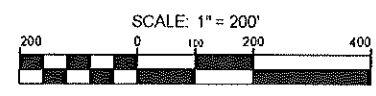
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
VC1	609.05'	148.19'	147.82'	N 67°09'59" W	13°56'28"
VC2	140.24'	83.07'	81.86'	N 57°10'01" W	33°56'22"
VC3	216.92'	63.13'	62.90'	N 48°32'03" W	16°40'26"
VC4	89.66'	37.54'	37.27'	N 73°07'50" W	23°59'20"
VC5	699.69'	215.67'	214.50'	N 76°32'18" W	20°42'33"
VC6	233.70'	81.47'	81.06'	N 55°11'50" W	19°58'25"
VC7	84.19'	58.19'	55.15'	N 63°17'00" W	39°14'18"
VC8	169.05'	70.40'	69.89'	S 63°24'45" E	23°00'35"
VC9	194.05'	74.54'	74.09'	S 63°17'00" E	28°14'19"
VC10	59.19'	39.50'	38.77'	S 63°17'00" E	28°14'19"
VC11	258.70'	90.18'	89.73'	S 56°11'50" E	19°58'25"
VC12	621.69'	224.70'	223.48'	S 76°32'19" E	20°42'33"
VC13	64.66'	27.07'	26.87'	S 73°07'50" E	23°59'20"
VC14	191.92'	55.85'	55.65'	S 48°32'03" E	16°40'26"
VC15	165.24'	97.88'	96.46'	S 57°10'01" E	33°56'22"
VC16	584.05'	142.11'	141.76'	S 67°09'59" E	13°56'28"

Lands of Verda Kathleen Winders  
Liber 375, folio 697  
224.30 Acres per Survey  
80.00 Acres Parcel B  
144.30 Acres Remaining



**Owner**  
The Estate of Verda Kathleen Winders  
C/O Randy Winders  
10614 Crystal Falls Drive  
Hagerstown MD 21742

**Purchaser: (Parcel B)**  
Misti D. Winders and Randy M. Winders  
10614 Crystal Falls Drive  
Hagerstown MD 21742



**Soil Table**

Soil	Area (Ac.)	%
HcC	3.10	3.97
HaB	5.79	7.42
HbC	3.38	4.33
OrF	6.58	8.43
Fl	3.38	4.33
MsD	3.57	4.57
DrA	3.74	4.79
MsB	47.71	61.12
Brc	0.81	1.04

**CERTIFICATE OF APPROVAL  
FINAL APPROVAL GRANTED**

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Washington County Planning Commission  
Final Approval good for one hundred eighty (180) days from the above date

Approved as a division of land, not for development, with the stipulation that the foregoing Owner's Statement be made a part of the deed conveyance.

**PLAT NO** \_\_\_\_\_  
**DATE** \_\_\_\_\_  
**WASHINGTON COUNTY**



**FSAI**  
FREDERICK, SEIBERT & ASSOCIATES, INC.  
CIVIL ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS • LAND PLANNERS

150-INC.COM  
16 EAST MAIN STREET  
NEW BLOOMFIELD, PA 17068  
717.276.5111

1116 MILLAMPOURT AVE  
GREENSBORO, PA 17225  
717.267.1001

125 SOUTH PHOTONIC STREET  
HAGERSTOWN, MD 21740  
301.791.2666

**SIMPLIFIED SUBDIVISION PLAT  
OF THE LANDS OF WINDERS: PARCEL B**

10614 CRYSTAL FALLS DRIVE  
HAGERSTOWN MD 21742  
WASHINGTON COUNTY, MARYLAND  
FOR  
MISTI WINDERS & RANDY WINDERS  
10614 CRYSTAL FALLS DRIVE, HAGERSTOWN MD 21742  
301.988.0008

PROJECT NO: 7987  
DRAWN BY: MTJ DATE: 03-12-2026  
PROJECT MANAGER: F.Fredrick@fai-inc.com  
EMAIL: F.Fredrick@fai-inc.com  
PROPERTY INFORMATION/TRACT #: 59-03-107 / 18-022575  
SCALE: 1" = 20'  
SHEET TITLE

**SIMPLIFIED  
PLAT**

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: John R Oliver CO Inc
19733 Leitersburg Pike
Hagerstown MD 21742
Appellant: John R. Oliver Co Inc
19733 Leitersburg Pike
Hagerstown MD 21742
Property Location: 19325 B Longmeadow Road C & D
Hagerstown, MD 21742
Description Of Appeal: Variance from the lot area, lot width, and side yard setbacks for an existing two-family dwelling to be subdivided into two semi-detached dwellings.

Docket No: AP2026-019
Tax ID No: 27009816
Zoning: RS
RB Overlay: No
Zoning Overlay:
Filed Date: 06/03/2026
Hearing Date: 06/24/2026

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): AP2017-001, OM-26-001
Applicable Ordinance Sections: Washington County Zoning Ordinance Article 8, Section 8.5 (a)
Reason For Hardship:
If Appeal of Ruling, Date Of Ruling:
Ruling Official/Agency:

Existing Use: Two-Family Dwelling
Proposed Use: (2) Semi-Detached Dwellings
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 10 day of June, 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: AP2026-019

State of Maryland Washington County, To Wit:

On 6/3/2026, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Frederick Seibert & Associates and made oath in due form of law as follows:

Frederick Seibert & Associates will post the zoning notice sign(s) given to me by the Zoning Administrator in accordance with Section 25.51(c) of the Washington County Zoning Ordinance for the above captioned Board of Appeals case, scheduled for public hearing on 06/24/2026, 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.

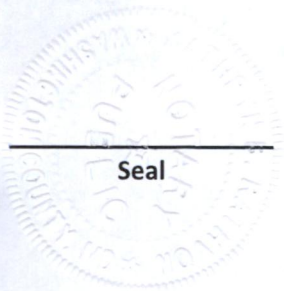
Sign(s) will be posted on 06/09/2026 and will remain until after the above hearing date.

Frederick Seibert & Associates

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

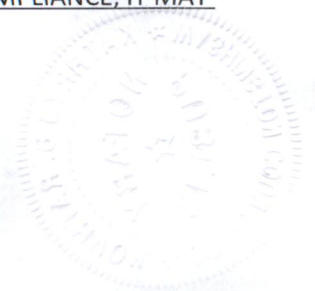
### ATTENTION!

### 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: Oliver, 19325 Longmeadow Road**

**Owner/Applicant: John R Oliver Co Inc**

**Project Address: 19325 C&D Longmeadow Road, Hagerstown**

**Tax Map 25 Grid 19 Parcel 164**

**Account # 27009816**

**Zoning: RS Residential Suburban**

## **Variance Request**

### **Section 8.5 – Lot Area, Lot Width, and Yard Setback Requirements**

The applicant respectfully requests variances from the lot width, lot area requirements and side yards for semi-detached dwellings in the RS District.

## **Background**

The subject property currently contains an existing duplex constructed in 2007. At the time of construction, the lot measured 50.28 feet in width and was considered an existing undersized lot of record. Construction was permitted pursuant to Section 23.1(b) and yard modifications under Section 23.5(a)(1).

The property's original lot area of 11,092 square feet was subsequently reduced to 9,085 square feet due to:

- A 502 square foot fee simple taking by Washington County for improvements to Longmeadow Road; and
- A 1,515 square foot conveyance to an adjacent property owner.

These reductions were permitted pursuant to Section 23.1(e) and approval AP2017-001.

The applicant now proposes to create a property line between the two existing dwelling units in order to sell them as individual semi-detached homes. No new construction is proposed. The total lot width and total lot area will remain unchanged.

---

## 1. Lot Width Variance

Section 8.5 requires a minimum lot width of 37.5 feet for each semi-detached lot in the RS District.

The applicant requests approval of:

- **Lot 1:** 27.06 feet
- **Lot 2:** 23.22 feet

The reduced widths are necessitated solely by the existing placement of the duplex structure. The structure has existed in its current configuration since 2007.

---

## 2. Lot Area Variance

Section 8.5 requires a minimum lot area of 6,250 square feet per semi-detached lot in the RS District.

The applicant requests approval of:

- **Lot 1:** 4,931 square feet
- **Lot 2:** 4,154 square feet

The total lot area of 9,085 square feet will remain unchanged. The requested reductions are required only to establish individual fee-simple lots corresponding to the existing duplex units.

---

## 3. Lot Side Yard Variance

Section 8.5 requires a minimum side yard of 12 feet for each semi-detached lot in the RS District.

The applicant requests approval of:

- **Lot 1:** 5.40 feet
- **Lot 2:** 5.40 feet

The reduced setbacks are necessitated solely by the existing placement of the duplex structure. The structure has existed in its current configuration since 2007.

---

## Justification for Variances

1. **Existing Conditions** – The duplex was lawfully constructed in 2007 under previously granted approvals. The current request does not intensify use, increase density, or alter the physical footprint of the building.
2. **No Change in Character** – The neighborhood has functioned with this duplex in its current form for nearly two decades. The proposed subdivision will not alter the appearance, scale, or compatibility of the property within the neighborhood.
3. **No Adverse Impact** – Because no structural modifications are proposed, the requested relief will not negatively impact surrounding properties.
4. **Practical Difficulty** – Strict compliance with the lot width and lot area requirements would unreasonably prevent the applicant from establishing individual ownership of the existing units. The requested relief is the minimum necessary to allow reasonable use of the property.
5. **Public Benefit** – Creating individual semi-detached lots promotes homeownership rather than continued rental occupancy, which contributes positively to neighborhood stability.
6. **Substantial Justice** – Denial of the requested variances would result in substantial injustice, as the property has long functioned as two independent dwelling units. A lesser relaxation would not provide meaningful relief.

---

## Conclusion

The requested variances will allow the formal subdivision of an existing duplex into two semi-detached lots without altering the total lot area, overall density, or neighborhood character. The conditions of the property remain materially the same as when AP2017-001 was granted.

For these reasons, the applicant respectfully requests approval of the lot width, lot area and setback variances.

## ARTICLE 23 EXCEPTIONS AND MODIFICATIONS

### Section 23.0 Generally

The regulations specified in this Ordinance shall be subject to the following exceptions, modifications and interpretations:

### Section 23.1 Lot Area Modification<sup>176 177</sup>

- (a) Minimum lot area, lot width regulations and the distance requirements of Section 4.9 in any district shall not apply to repeater, booster transformer, switching stations, and public utility facilities.
- (b) In any district wherein a single-family dwelling is permitted, such dwelling may be permitted on any lot or parcel which is of record by deed properly recorded in the land records of Washington County or a subdivision duly recorded in the Plat Records of Washington County as of the effective date of this Ordinance.
- (c) Except in a Rural Village District, if a public water supply is accessible and individual lot sewerage facilities are approved, the minimum lot size for a dwelling shall be twenty thousand (20,000) square feet, with one hundred (100) feet width at the building lines, subject, however, to the requirements of the Maryland State Health Department. Minimum building setback lines shall be the same as for the Rural Village District.
- (d) Single-family retirement homes in nursing home or retirement home complexes may be located on lots smaller than otherwise required by the applicable section of this Ordinance. The total number of lots and dwelling units shall be consistent with the provisions of Section 22.81 for clustering except that the lots need not be subdivided.
- (e) Minimum lot area, lot width and building setbacks in any district shall not apply to a lot reduced in area below the minimum for that zoning district by reason of a dedication for public purposes or by reason of a condemnation proceeding initiated by a federal, state or county governmental agency, and any lot so reduced shall be considered non-conforming by reason of that action.
- (f) In the A(R), EC, P, RV, RT, RS and RU Districts, wherein a public or private elementary, middle or high school is a principal permitted use, the minimum lot area, lot width, front, side, and rear yard setbacks, may be modified as follows based on enrollment.

<sup>176</sup>

Revision 15, Section 23.1(d)&(g) amended 9/19/06 (RZ-06-007/ORD-06-09)

<sup>177</sup>

Revision 18, Section 23.1 amended 10/11/16 (RZ-13-003/ORD-2016-18)

## ARTICLE 8 "RS" RESIDENTIAL, SUBURBAN DISTRICT<sup>79</sup>

### Section 8.0 Purpose

The purpose of the Residential, Suburban District is to provide appropriate locations in the Urban and Town Growth Areas for single and two-family dwellings on moderately sized lots and limited community service type uses.

All new development in the Residential, Suburban District should be served by public water and sewer facilities approved by the Washington County Health Department.

The following regulations and applicable regulations contained in other articles shall apply in the "RS" Residential, Suburban District.

### Section 8.1 Principal Permitted Uses

- (a) Dwellings, single-family, two-family, and semi-detached.
- (b) Conversion or alteration of a building existing at the time of the enactment of this Ordinance to accommodate two (2) or more families; provided the requirements of Section 23.1 and the requirements of the Health Department are complied with.
- (c) Agriculture, as defined in Article 28A, including animal husbandry facilities as defined in Article 28A, which shall be subject to the requirements set forth in Article 22, Division IX.
- (d) Places of worship, schools, and colleges. (See also Section 23.1(g))
- (e) Buildings and properties of a cultural, civic, educational, social or community service-type, libraries, ponds, playgrounds, and community centers and their associated swimming pools.<sup>80</sup>
- (f) Mixed use developments subject to the provisions of Article 16.

### Section 8.2 Special Exception Uses (Requiring Board Authorization After Public Hearing)<sup>81 82</sup>

- (a) Boarding or rooming houses.
- (b) Clubs, fraternities, lodges, or similar organizations, not conducted as a gainful business, provided any buildings or structures are located subject to the distance requirements specified in Section 4.9.

<sup>79</sup> Revision 17, Article 8 deleted and replaced, 4/17/12, eff. 7/1/12 (RZ-10-005) (ORD-2012-07)

<sup>80</sup> Revision 17, Section 8.1(e) amended and eff. 2/26/13 (RZ-12-004) (ORD-2013-03)

<sup>81</sup> Revision 17, Section 8.2 amended and eff. 2/26/13 (RZ-12-004) (ORD-2013-03)

<sup>82</sup> Revision 18, Section 8.2 amended 1/16/18 (RZ-17-007/ORD-2018-03)

Use	Lot Area	Lot Width	Lot Area Per Family	Front Yard Depth	Side Yard (Width Each Side Yard)	Rear Yard Depth
Dwelling Single-Family*	10,000 sq. ft.	70 ft.	10,000 sq. ft.	20 ft.	8 ft.	40 ft.
Dwelling, Two-Family*	12,500 sq. ft.	75 ft.	6,250 sq. ft.	20 ft.	12 ft.	40 ft.
Dwelling, Semi-Detached*	6,250 sq. ft.	37 1/2 ft.	6,250 sq. ft.	20 ft.	12 ft. (exterior side only)	40 ft.
Clubs, Fraternities	20,000 sq. ft.	100 ft.		35 ft.	20 ft.	40 ft.
Other Principal Permitted or Conditional Uses	20,000 sq. ft.	100 ft.		40 ft.	25 ft.	50 ft.
Boarding or Tourist Homes	20,000 sq. ft.	100 ft.		35 ft.	20 ft.	40 ft.
Banquet/Reception Facilities	5 acres	300 ft.		50 ft.	100 ft.	50 ft.

\*A corner lot shall maintain the specified front yard setback along both street frontages. Setbacks from the remaining property lines shall be measured as if they were side yard setbacks.

(b) The following minimum requirements shall apply where the Planning Commission has determined that the use of a public water and sewer system is not required according to the guidelines contained in Section 8.6.

Use	Lot Area	Lot Width	Lot Area Per Family	Front Yard Depth	Side Yard (Width Each Side Yard)	Rear Yard Depth
Single-family and semi-detached dwellings*	20,000 sq. ft.	100 ft.	20,000 sq. ft.	40 ft.	12 ft.	50 ft.
Two Family*	20,000 sq. ft.	100 ft.	10,000 sq. ft.	40 ft.	12 ft.	50 ft.

\*A corner lot shall maintain the specified front yard setback along both street frontages. Setbacks from the remaining property lines shall be measured as if they were side yard setbacks.

Frederick Seibert & Associates, Inc.

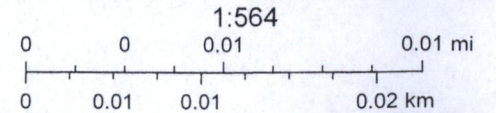


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SixInchImagery2023\_2024

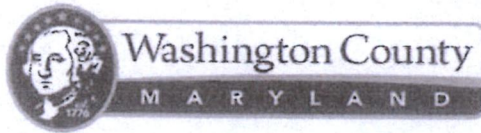
Parcels Washington County

World\_Transportation



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

Web AppBuilder for ArcGIS



BOARD OF ZONING APPEALS

OWNER REPRESENTATIVE AFFIDAVIT

This is to certify that ED SCHREIBER is authorized to file an appeal with the Washington County Board of Appeals for LOT AREA AND LOT WIDTH VARIANCES on property located 19325 CAD LONGMEADOW ROAD, HAGERSTOWN MD 21742. The said work is authorized by THE JOHN R. OLIVER CO. INC. c/o MARK OLIVER the property owner in fee.



PROPERTY OWNER  
MARK OLIVER  
THE JOHN R. OLIVER CO. INC  
Name  
19325 LEITERSBURG PIKE  
Address  
HAGERSTOWN, MD 21742  
City, State, Zip Code

\* → [Signature]  
Owner's Signature

Sworn and subscribed before me this 2<sup>nd</sup> day of March, 2026.

Melody A. Poe  
Notary Public

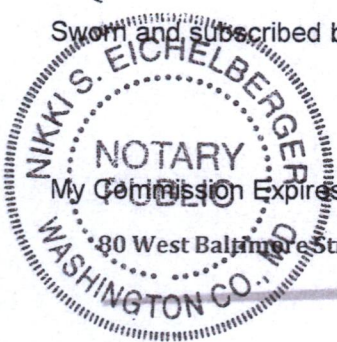
My Commission Expires: Nov 15, 2027

AUTHORIZED REPRESENTATIVE  
ED SCHREIBER c/o FSA  
Name  
128 S. POTOMAC ST  
Address  
HAGERSTOWN, MD 21740  
City, State, Zip Code

[Signature]  
Authorized Representative's Signature

Sworn and subscribed before me this 2 day of June, 2026.

Nikki S. Eichelberger  
Notary Public



My Commission Expires: 9/15/2028

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

Special Tax Recapture: None

Account Number: District - 27 Account Identifier - 009816

**Owner Information**

Owner Name: OLIVER JOHN R CO INC Use: RESIDENTIAL  
 Principal Residence: NO  
 Mailing Address: 19733 LEITERSBURG PIKE Deed Reference: /03231/ 00682  
 HAGERSTOWN MD 21742-1443

**Location & Structure Information**

Premises Address: 19325C LONGMEADOW RD Legal Description: 1/2 LT 10/11 0.208 ACRES  
 HAGERSTOWN 21742-0000 19325C LONGMEADOW RD

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No: 10743  
 0025 0019 0164 27010233.22 0000 2025 Plat Ref:

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use  
 2007 2,332 SF 0.2080 AC

Stories Basement Type Exterior Quality Full/Half Bath Garage Last Notice of Major Improvements  
 2 NO END UNIT SIDING/ 4 4 full

**Value Information**

	Base Value	Value		
		As of	Phase-in Assessments	
		01/01/2025	As of	As of
Land:	68,000	68,000	07/01/2025	07/01/2026
Improvements	143,700	200,700		
Total:	211,700	268,700	230,700	249,700
Preferential Land:	0	0		

**Transfer Information**

Seller: CORNICE CUSTOM HOMES LLC Date: 02/22/2007 Price: \$73,000  
 Type: ARMS LENGTH VACANT Deed1: /03231/ 00682 Deed2:  
 Seller: HOUSTON STEVEN Date: 08/06/2003 Price: \$55,000  
 Type: ARMS LENGTH VACANT Deed1: /02091/ 00438 Deed2:  
 Seller: LEHMAN GERALD R & SARAH J Date: 01/10/2003 Price: \$35,500  
 Type: ARMS LENGTH VACANT Deed1: /01906/ 00275 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:

Tribune Title, LLC  
File No. 07-1428  
Tax ID#

CLERK OF CIRCUIT COURT  
WASHINGTON COUNTY

**This Deed**, made this 13th day of February, 2007, by and between Cornice Custom Homes LLC, party of the first part, GRANTOR; and The John R. Oliver Company, Inc., party of the second part, GRANTEE.

- Witnesseth -

That in consideration of the sum of SEVENTY THREE THOUSAND AND 00/100 DOLLARS (\$73,000.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt whereof is hereby acknowledged, the said GRANTOR does grant and convey to the said The John R. Oliver Company, Inc., in fee simple, all that lot of ground situate in the County of Washington, State of Maryland, and described as follows, that is to say:

All that lot of ground situate in the County of Washington, State of Maryland and described as follows:

All that lot or parcel of land, together with any improvements thereon, situate in Election District No. 27, Washington County, Maryland, and being described as follows: Being the eastern half of Lot No. 10 and the Western half of Lot 11 on a Plat of Lots as laid out for William H. Hykes, at Paramount, said Plat being recorded in Plat Record No. 1, folio 8 of the Plat Records of Washington county, Maryland, making fifty (50) feet in the aggregate and running back with that uniform width to the land formerly owned by Harry R. Rowland and wife and known as the "Shank Land"; SAVING AND EXCEPTING FROM THE PROPERTY DESCRIBED ABOVE all that real property described in a Deed from Mary M. Kreps to the Board of County Commissioners of Washington county, Maryland, dated June 10, 1975 and recorded among the Land Records of Washington County, Maryland in Liber 599, folio 113.

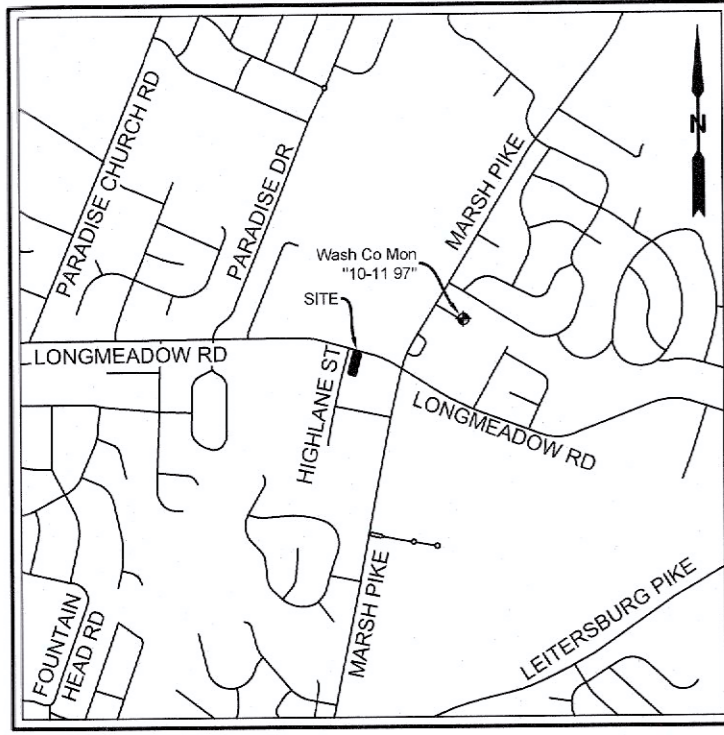
SAVING AND EXCEPTING THEREFROM all that lot or parcel of ground designated as Parcel A of Lot 1 on the "Combined Preliminary and Final Plat of Lot 1, Mary M. Kreps", recorded among the Land Records of Washington County, Maryland, at Plat folio 4392; Containing 0.092 acres, more or less.

Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

**To Have and To Hold** the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said The John R. Oliver Company, Inc., in fee simple.

And the said party of the first part hereby covenants that it has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that it warrant specially the property hereby granted; and that it will execute such further assurances of the same as may be requisite.

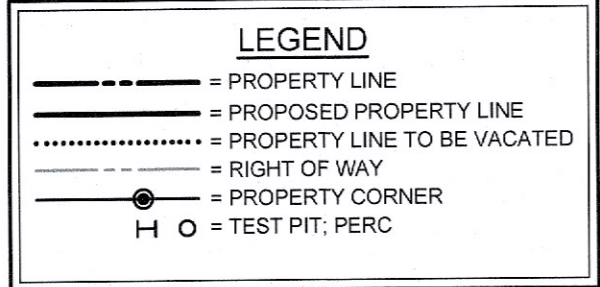
WASHINGTON COUNTY CIRCUIT COURT (LAND RECORDS) DJW 3231 P.0004 MSA\_C.E. TO 3101. Date available 2/20/2007. Printed 11/20/2003.



VICINITY MAP  
SCALE 1"=2000'

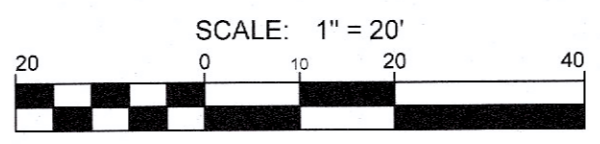
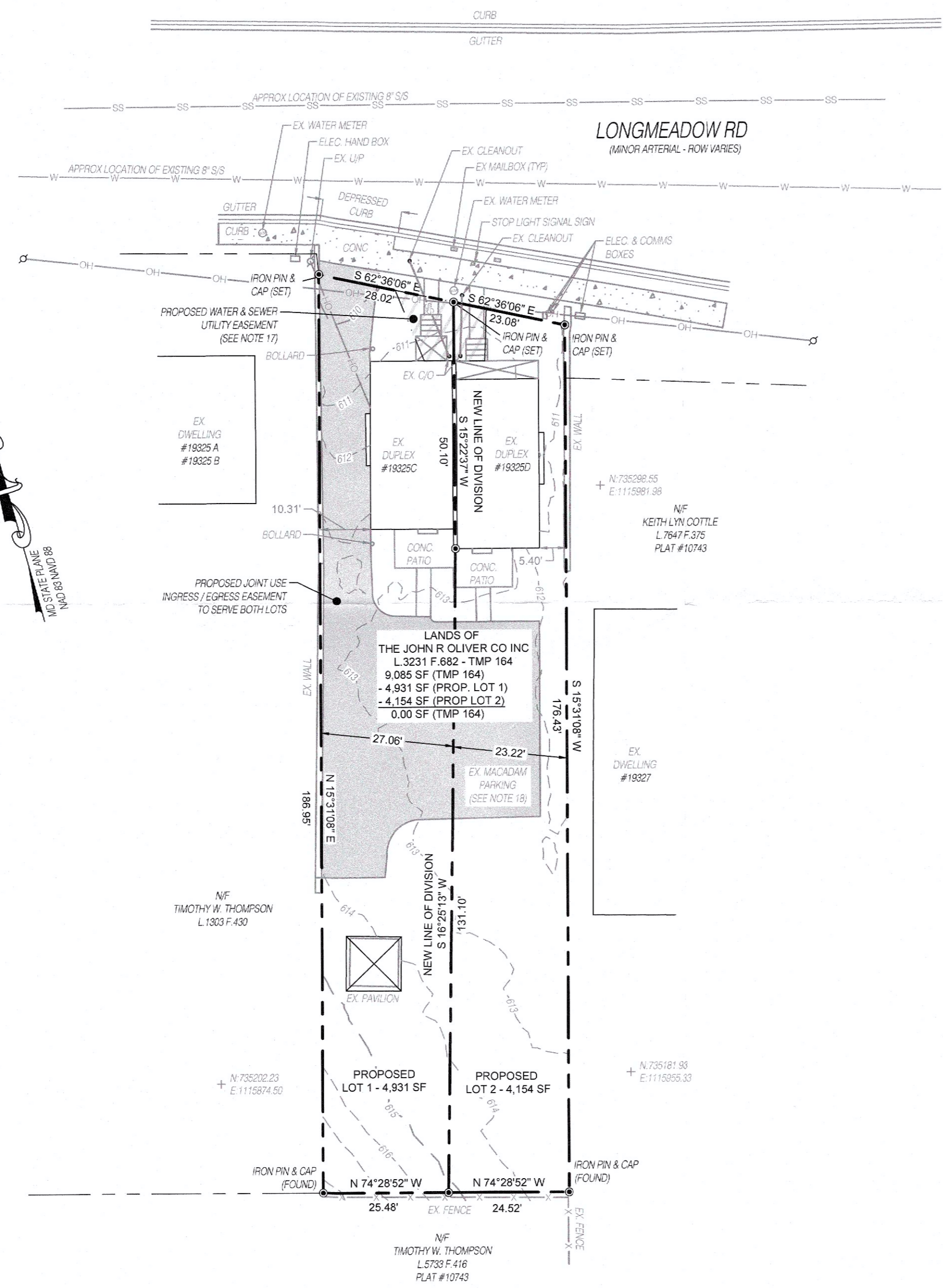
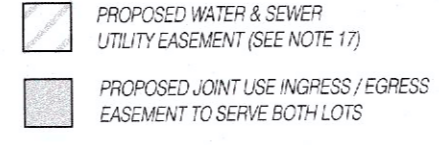
Address Assignments

Lot 1 -  
Note: Each address is based on the entrance as shown on this plat. If the driveway is constructed at a different location from that shown herein, the address listed above may VOID and the owner/developer of the lot must reply to the Planning Commission for a new address assignment.



**Soil Table**

Soil	Area (Ac.)	%
HdB	0.24	100



SCALE: 1" = 20'

Owner:  
The John R. Oliver Company, Inc.  
19733 Letttersburg Pike  
Hagerstown MD 21742  
240-675-4542

**Dedication for Corporations**

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

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

Witness our hands and seals this date \_\_\_\_\_

\_\_\_\_\_  
(Seal)

President: John R. Oliver Co. C/O Mark Oliver

Witness \_\_\_\_\_

**Community Water Supply and Community Sewerage Systems (Existing systems)**

This proposed subdivision of land as represented hereon and on the approved plan has been found to be in compliance with the Code of Maryland Regulations 26.04.03 allowing for the subdivision of land utilizing community water supply systems and community sewerage systems. This subdivision is in conformance with the current approved County Comprehensive Water and Sewer Plan therefore complies with Environment Article §9-512. The Washington County Approving Authority is the delegated authority per Environment Article §1-301 therefore the Approving Authority's signature on the plat certifies that the parcels shown hereon are in compliance with the pertinent laws and regulations as of the approval date.

Approving Authority \_\_\_\_\_ Date \_\_\_\_\_

Note - Subdivisions served by Community Water Supply and Community Sewerage Systems must include on the plat the owner statement below.

As the owner of this property, I hereby certify that community water supply and sewerage facilities will be available to all lots offered for sale.

Owner: John R. Oliver Co. Inc. \_\_\_\_\_ Date \_\_\_\_\_

**Land Surveyor's Certification**

I hereby certify that the plan shown hereon is correct; that it is a subdivision of part of the lands conveyed by Cornice Custom Homes LLC to The John R. Oliver Company, Inc., by deed dated February 13, 2007, and recorded in the Land Records of Washington County, Maryland in Liber No. 3231, folio 682; and that stones marked O and/or bars marked O have been placed as indicated.

I hereby certify that these documents were prepared by me or under my responsible charge, and that I am a duly licensed Professional Land Surveyor under the Laws of the State of Maryland, License No. LS-10731 Expiration Date 1/16/2028.

Date \_\_\_\_\_ Professional Land Surveyor \_\_\_\_\_

**General Notes**

- 10,000 square feet is hereby reserved for sewage disposal. No permanent physical objects are permitted in this area.
- There is a 10 ft. wide drainage and utilities easement along all front lot lines and an 8 ft. wide drainage and utilities easement along all side and rear lot lines hereby reserved unless otherwise shown hereon.
- Bearings, distances and coordinates are based on MD GRD NAD83.
- Soil types are as shown hereon.
- Minimum Building Setbacks: front yard-20'; side yard-8'; rear yard-40'. Minimum Building Setback Lines are based on the current Washington County Zoning Ordinance. Accessory structures may be constructed in accordance with Section 4.10 and Section 23.5 (b). Accessory Structures are not permitted without the placement of the principal permitted structure, Zoned RS.
- Total upstream watershed affecting this subdivision: is less than 400 Acres.
- This parcel does not lie in the 100 year flood plain per FEMA Flood Insurance Rate Map, Community Panel No. 24043C0137D dated August 15, 2017, Flood Zone X.
- Contours based on Washington County Aerial Topography and boundary is based on a field survey performed by FSA, Inc. on or about December 19, 2025.
- There are no floodplains, streams, steep slopes, and other related buffers, or habitat of threatened or endangered species as required to be shown by Sections 306, 307 and 314 of the Washington County Subdivision Ordinance and Section 4.21 (C&D) of the Washington County Zoning Ordinance. This subdivision is not within 1000' of the Appalachian Trail.
- This subdivision is not within the Edgemont Reservoir Watershed, Smithsburg Reservoir Watershed, or the Upper Beaver Creek Drainage Basin per Washington County Watershed Mapper.
- No other wells or septic lie within 100 feet of the Lot Lines except as shown hereon.
- All grading on each lot, done either before or after the construction of a dwelling or their appurtenances, shall be the full responsibility of the lot owner.
- No permanent structures (fences, sheds, play equipment, retaining walls, etc.) shall be permitted within any storm drainage easement, either shown or described, on the Final Plat of Subdivision.
- This plat has been reviewed and approved per the RS Zoning District. Any development/construction shall be in accordance with the Washington County Zoning Ordinance currently being enforced.
- This plat was prepared without the benefit of a title report and therefore may not indicate all encumbrances on this property.
- Any development must comply with the Washington County Stormwater Management, Grading, Soil Erosion and Sediment Control Ordinance.
- A 20 foot water & sewer utility easement, 10 feet on each side of each lateral, is being established from the front of the dwellings to the Longmeadow Road ROW to provide for service and maintenance of water & sewer laterals.
- A joint use ingress/egress, parking, utility and maintenance easement is being shown on the existing macadam shown on the west side of lot 1 and rear of lots 1 & 2.

Certificate of Approval  
FINAL APPROVAL GRANTED

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Washington County Planning Commission  
Final Approval good for one hundred eighty (180) days from above date

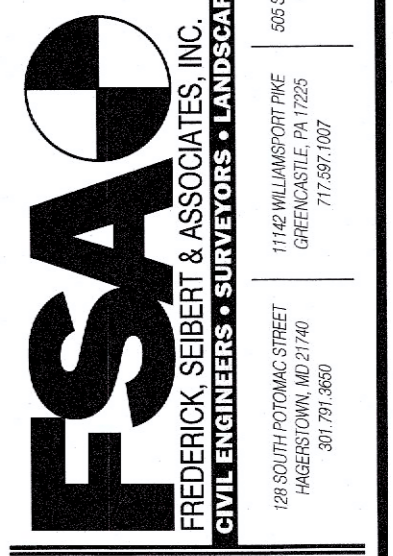
PLAT NO \_\_\_\_\_  
DATE \_\_\_\_\_  
WASHINGTON COUNTY

**SUBDIVISION PLAT OF THE LANDS OF  
THE JOHN R. OLIVER CO. INC.: LOTS 1 & 2**

19325 C & D LONGMEADOW RD  
HAGERSTOWN MD 21742  
WASHINGTON COUNTY  
FOR  
THE JOHN R. OLIVER CO. INC.  
19733 LETTTERSBURG PIKE, HAGERSTOWN MD 21742  
240-675-4542

PROJECT NO. 2025-03758  
DWN BY MTJ DATE 02-02-2026  
PROJECT MANAGER: FFrederick  
EMAIL: FFrederick@fesa-inc.com  
PROPERTY INFORMATION / ACCT # 25-19-164 / 27-009816  
SCALE 1" = 20'  
SHEET TITLE

SUBDIVISION  
PLAT  
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: Bailey & Joel Ziler
136 Harvard Road
Hagerstown MD 21742
Appellant: Bailey & Joel Ziler
136 Harvard Road
Hagerstown MD 21742
Property Location: 136 & 138 Harvard Road
Hagerstown, MD 21742
Docket No: AP2026-020
Tax ID No: 10025214
Zoning: RU
RB Overlay: No
Zoning Overlay:
Filed Date: 06/03/2026
Hearing Date: 06/24/2026

Description Of Appeal: Variance from the lot area, lot width, and side yard setbacks for an existing two-family dwelling to be subdivided into two semi-detached dwellings. 136 Harvard Road-variances: lot area from 5,000 sq. ft. to 4,500 sq. ft., lot width from 35 ft to 25.02 ft., side yard setback from 10 ft. to 5.09 ft. 138 Harvard Road-variances: lot area from 5,000 sq. ft. to 4,500 sq. ft., lot width from 35 ft. to 24.98 ft., side yard setback from 10 ft. to 5.08 ft.

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): AP2001-019
Applicable Ordinance Sections: Washington County Zoning Ordinance Article 9, Section 9.5 (a)
Reason For Hardship: Request to allow each side to be bought or sold individually.

If Appeal of Ruling, Date Of Ruling:

Ruling Official/Agency:

Existing Use: Two-Family Dwelling Proposed Use: (2) Semi-Detached Dwellings

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 10 day of June, 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: AP2026-020

State of Maryland Washington County, To Wit:

On 6/3/2026, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Frederick Seibert & Associates and made oath in due form of law as follows:

Frederick Seibert & Associates will post the zoning notice sign(s) given to me by the Zoning Administrator in accordance with Section 25.51(c) of the Washington County Zoning Ordinance for the above captioned Board of Appeals case, scheduled for public hearing on 06/24/2026, 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.

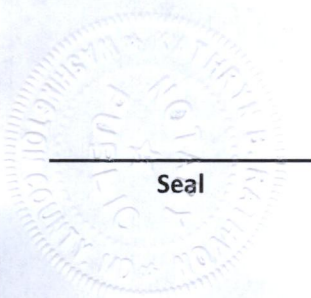
Sign(s) will be posted on 06/09/2026 and will remain until after the above hearing date.

Frederick Seibert & Associates

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:** 136 & 138 Harvard Road

**Owner/Applicant:** Bailey & Joel Ziler  
136 Harvard Road  
Hagerstown, MD 21742  
[bailey@nytcpa.com](mailto:bailey@nytcpa.com)  
301-491-5041

**Project Address:** 136 & 138 Harvard Road, Hagerstown, MD 21742

**Tax Map** 50 **Grid** 13 **Parcel** 514

**Account #** 10025214

**Zoning:** RU following standards for Semi-Detached dwellings

**Variance request:** The applicant would like to reduce the lot area, lot width and side yard setback requirements as listed in table 9.5(a) for a proposed subdivision of the Duplex into Semi-Detached units allowing each side to be bought or sold individually. The requested reductions are as follows:

	<u>Required/lot</u>	<u>Proposed/lot</u>
Lot area	5,000 SF	4,500 SF
Lot width	35'	24.98'
Right side exterior	10'	5.09'
Left side exterior	10'	5.08'

This property is currently improved with a duplex unit (two dwellings under 1 roof owned by a single entity). The lot that this duplex is located on, Colonial Park Section B, Block 8, lot 27 was created and recorded in March 1942 and is 50 feet wide by 180 feet deep with an area of 9,000 SF. The duplex on this lot was constructed around 2001. The property zoning was the same then as it is now, RU. That being the case, modification 23.5 (a)(1) of the Washington County Zoning ordinance highlighted below must have been utilized as the lot did not meet the minimum bulk requirements for a two-family dwelling when the duplex was constructed. Please see table 9.5(a) from the Washington County Zoning Ordinance which is attached for stated minimums. Section 23.5 states the following:

**Section 23.5 Yard Modification**

(a) For any lot of record in any District wherein a single-family or two-family dwelling or mobile home is principally permitted and/or if such use is existing, if the lot does not

TABLE 9.5 WCZO

	Lot Area	Lot Width	Lot Area Per Family	Front Yard Depth	Side Yard (Width Each Side Yard)	Rear Yard Depth
Dwelling, Single-Family*	6,500 sq. ft.	60 ft.	6,500 sq. ft.	20 ft.	8 ft.	25 ft.
Dwelling, Two-Family*	10,000 sq. ft.	70 ft.	5,000 sq. ft.	25 ft.	10 ft.	40 ft.
Dwelling, Semi-Detached*	5,000 sq. ft.	35 ft.	5,000 sq. ft.	25 ft.	10 ft. (exterior side only)	40 ft.
Clubs, Fraternal, etc.	1 acre	150 ft.		25 ft.	25 ft.	40 ft.
Nursing/Convalescent Homes	1 acre	150 ft.		25 ft.	25 ft.	40 ft.
Other Permitted or Special Exception Uses	20,000 sq. ft.	100 ft.		25 ft.	20 ft.	40 ft.
Banquet/Reception Facilities	5 acres	300 ft.		50 ft.	100 ft.	50 ft.

\*A corner lot shall maintain the specified front yard setback along both street frontages. Setbacks from the remaining property lines shall be measured as if they were side yard setbacks.

(b) The following minimum requirements shall apply where the Planning Commission has determined that the use of a public water and sewer system is not required according to the guidelines contained in Section 9.6.

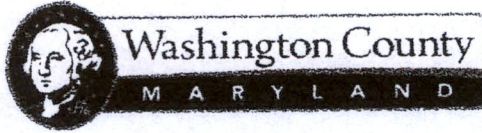
Use	Lot Area	Lot Width	Lot Area Per Family	Front Yard Depth	Side Yard (Width Each Side Yard)	Rear Yard Depth
Single-family and semi-detached dwellings*	20,000 sq. ft.	100 ft.	20,000 sq. ft.	40 ft.	12 ft.	50 ft.
Two Family*	20,000 sq. ft.	100 ft.	10,000 sq. ft.	40 ft.	12 ft.	50 ft.

\*A corner lot shall maintain the specified front yard setback along both street frontages. Setbacks from the remaining property lines shall be measured as if they were side yard setbacks.

### Section 9.6 Public Facilities

(a) All new development in the Residential, Urban District shall be served by public water and sewer facilities that have been approved by the Health Department.

1. The Planning Commission may waive this requirement after consultation and advice from the Health Department.
2. Prior to a decision to grant or not grant a waiver of this requirement, the Planning Commission shall consider the following:



BOARD OF ZONING APPEALS

OWNER REPRESENTATIVE AFFIDAVIT

This is to certify that ED SCHREIBER is authorized to file an appeal with the Washington County Board of Appeals for SETBACK, LOT WIDTH AND AREA VARIANCES on property located 136 & 138 HARVARD RD, HAGERSTOWN MD. The said work is authorized by BAILEY ZILER the property owner in fee.

PROPERTY OWNER

Bailey Ziler  
Name  
136 HARVARD RD  
Address  
HAGERSTOWN, MD 21742  
City, State, Zip Code

→ Bailey Ziler  
Owner's Signature

Sworn and subscribed before me this 21<sup>st</sup> day of May, 2020 ←

My Commission Expires: 10/27/29  
Notary Public Virginia Marie Martin ←  
Virginia Marie Martin

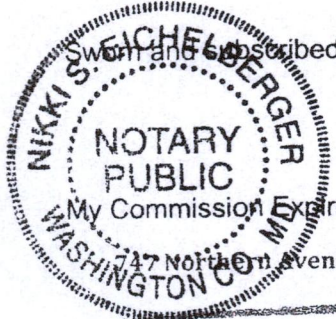
AUTHORIZED REPRESENTATIVE

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

[Signature]  
Authorized Representative's Signature

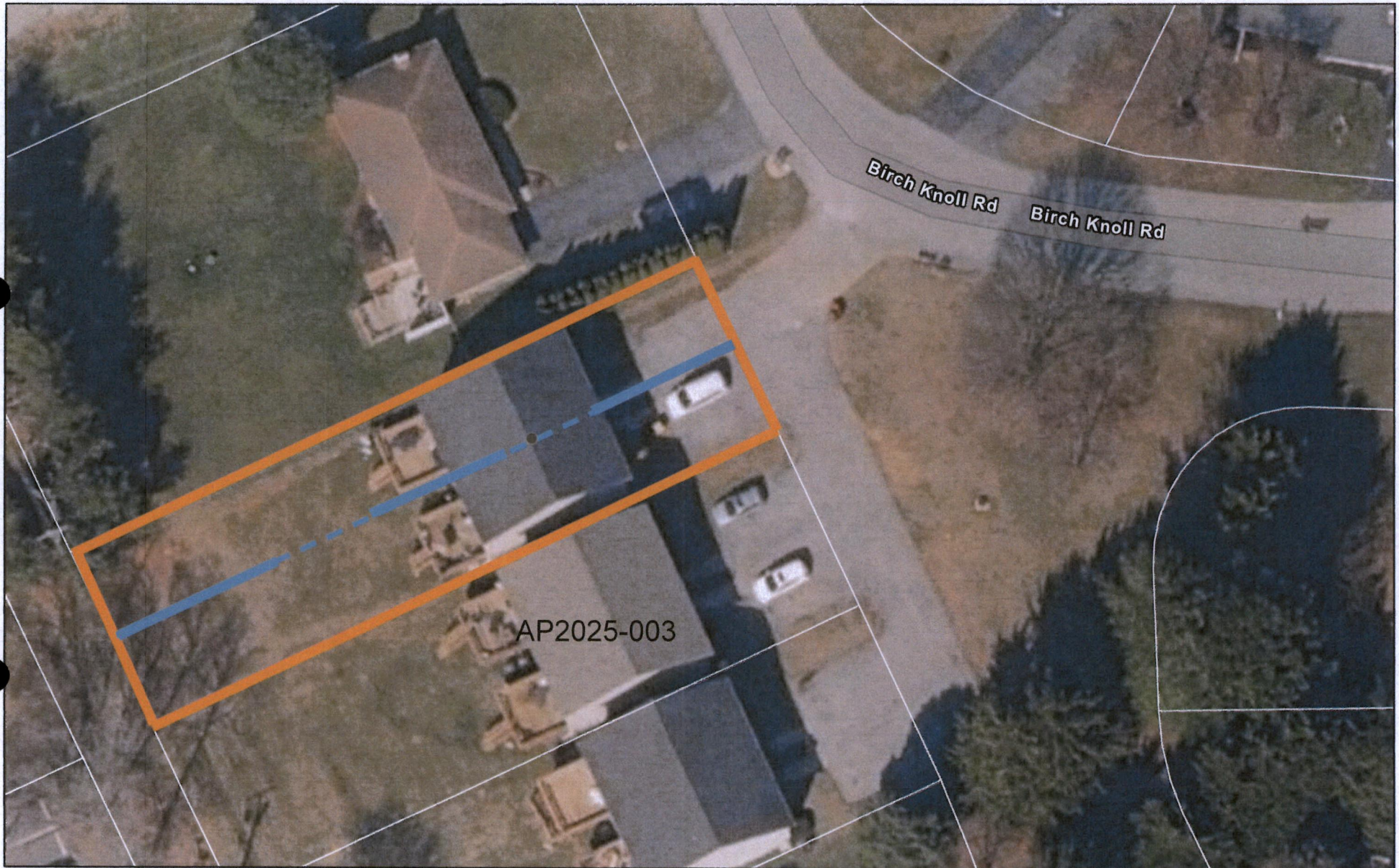
Sworn and subscribed before me this 2 day of June, 2020.

Nikki S. Eichelburger  
Notary Public



My Commission Expires: 9/15/2028  
147 North 1st Avenue | Hagerstown, MD 21742 | P: 240.313.2430 | F: 240.313.2461 | Hearing Impaired: 7-1-1

# Frederick Seibert & Associates, Inc.

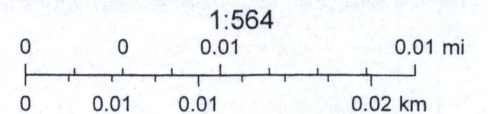


5/13/2026, 11:26:08 AM

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Parcels Washington County

World\_Transportation



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

Web AppBuilder for ArcGIS

**BEFORE THE BOARD OF APPEALS  
FOR WASHINGTON COUNTY, MARYLAND**

**142 144 HARVARD ROAD, LLC**

\*

**Appeal No.: AP2025-003**

**Appellants**

\*

\*

\* \* \* \* \*

**OPINION**

142 144 Harvard Road, LLC, (hereinafter "Appellant") requests variances to reduce the required minimum lot area from 5,000 square feet to 4,500 square feet, and to reduce the required lot width from 35 feet to 25 feet for both properties. Appellant also requests to reduce the required side yard setback from 10 feet to 4.98 feet for 142 Harvard Road, and to reduce the side yard setback from 10 feet to 5.08 feet for 144 Harvard Road. The subject property is located at 142 and 144 Harvard Road, Hagerstown, Maryland 21742 and is zoned Residential, Urban. The Board held a public hearing in this matter on March 19, 2025

This appeal was heard pursuant to Article 25 of the Zoning Ordinance for Washington County and upon proper notice to the parties and general public as required.

**Findings of Fact**

Based upon the testimony given, all information and evidence presented, and upon a study of the specific property involved and the neighborhood in which it is located, the Board makes the following findings of fact:

1. Appellant is the owner of the subject property located at 142 and 144 Harvard Road, Hagerstown, Maryland. The subject property is zoned Residential, Urban.

2. The subject property consists of approximately .20 acres improved by an existing duplex which has separate entrances, utilities and a large, shared parking area. The property is currently used as two (2) separate residences.

3. The subject property was created as a lot in 1942, well before the adoption of the Zoning Ordinance. The existing duplex dwelling was constructed in 2001 on an undersized lot of 9,000 square feet, with a lot width of 50 feet.

4. Appellant proposes to subdivide the property along the party wall dividing the dwelling units, in order to create two (2) separate properties with semi-detached dwellings.

5. Appellant is not proposing to change the location of the existing dwelling, or to change the boundaries of the subject property. There will be no observable change to the appearance of the property.

6. There was no opposition presented to this appeal.

### **Rationale**

The Board has authority to grant a variance upon a showing of practical difficulty or undue hardship as set forth in Section 25.2 and 25.56 of the Ordinance.<sup>1</sup> "Practical Difficulty" may be found by the Board when: (1) strict compliance would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome; and (2) denying the variance would do substantial injustice to the applicant and a lesser relaxation than that applied for would not give substantial relief; and (3) granting the variance would observe the spirit of the Ordinance and secure public safety and welfare. Section 25.56(A).

---

<sup>1</sup> "When the terms unnecessary hardship (or one of its synonyms) and practical difficulty are framed in the disjunctive ("or"), Maryland courts generally have applied the more restrictive hardship standard to use variances, while applying the less restrictive practical difficulty standard to area variances because use variances are viewed as more drastic departures from zoning requirements." *Belvoir Farms Homeowners Ass'n, Inc. v North*, 355 Md. 259, 276 n. 10 (1999) (citations omitted)

Practical difficulty and undue hardship are typically the result of a property being unique. “‘Uniqueness’ of a property for zoning purposes requires that the subject property have an inherent characteristic not shared by other properties in the area, i.e., its shape, topography, subsurface condition, environmental factors, historical significance, access or non-access to navigable waters, practical restrictions imposed by abutting properties (such as obstructions) or other similar restrictions.” *North v St. Mary’s Cnty.*, 99 Md.App. 502, 514 (1994).

Appellant requested the multiple variances in order to create separate properties by way of subdivision. Any subdivision would impose new requirements for minimum lot area, lot width and side yard setbacks. Pursuant to Section 9.5(a) of the Zoning Ordinance, the required lot area is 5,000 square feet, the required lot width is 35 feet, and the required side yard setback is 10 feet for semi-detached dwellings.

Appellant testified that it did not create the situation at the subject property but was trying to maximize the utility by converting to semi-detached dwellings that could be sold for home ownership. The proposed subdivision will not change the setback measurements but does necessitate review given the stricter requirements in the Ordinance. Appellant is limited by the size of the lot, the existing structure and the inability to expand the property to meet the Ordinance requirements. Under the circumstances, it appears that Appellants’ requests are the minimum necessary to facilitate subdivision of the property into semi-detached dwellings. The Board finds that practical difficulty exists which necessitates a relaxation of the bulk dimensions and side yard setback requirements. The variance requests are consistent with the spirit and intent of the Ordinance.

Accordingly, the request for variances to reduce the required side yard setback from 12 feet to 5 feet and to reduce the required rear yard setback from 12 feet to 5 feet at the subject property are GRANTED by a vote 5 to 0. The requested variance to reduce the required side yard setback from 10 feet to 4.98 feet for 142 Harvard Road is

GRANTED by a vote of 5 to 0. The requested variance to reduce the side yard setback from 10 feet to 5.08 feet for 144 Harvard Road is GRANTED by a vote of 5 to 0. All of the variances are granted subject to the standard condition that the use is consistent with the testimony and evidence presented during the hearing before the Board.

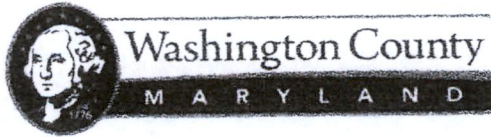
BOARD OF APPEALS

By: Tracie Felker, Chair

**Date Issued: April 16, 2025**

Notice of Appeal Rights

Any party aggrieved by a final order of the Authority in a contested case, whether such decision is affirmative or negative in form, is entitled to file a petition for judicial review of that order to the Circuit Court for Washington County within thirty (30) days of the date of the order.



BOARD OF ZONING APPEALS

OWNER REPRESENTATIVE AFFIDAVIT

This is to certify that ED SCHREIBER is authorized to file an appeal with the Washington County Board of Appeals for SETBACK, LOT WIDTH AND AREA VARIANCES on property located 136 & 138 HARVARD RD, HAGERSTOWN MD. The said work is authorized by BAILEY ZILER the property owner in fee.

PROPERTY OWNER

Bailey Ziler  
Name  
136 HARVARD RD  
Address  
HAGERSTOWN, MD 21742  
City, State, Zip Code

→ Bailey Ziler  
Owner's Signature

Sworn and subscribed before me this 21<sup>st</sup> day of MAY, 2020.

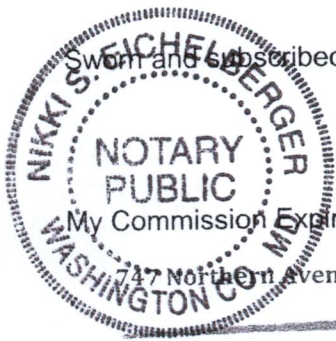
My Commission Expires: 10/27/29  
Notary Public Virginia Marie Martin ←

AUTHORIZED REPRESENTATIVE

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

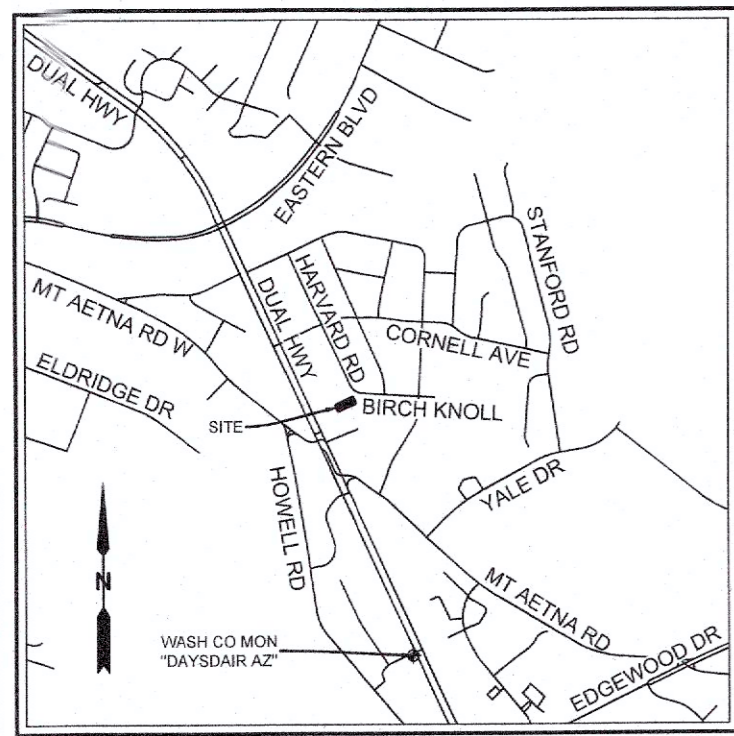
[Signature]  
Authorized Representative's Signature

Sworn and subscribed before me this 2 day of June, 2020.



Nikki S. Eichelberger  
Notary Public

My Commission Expires: 9/15/2028  
747 North Elm Avenue | Hagerstown, MD 21742 | P: 240.313.2430 | F: 240.313.2461 | Hearing Impaired: 7-1-1



VICINITY MAP  
SCALE 1"=2000'

**Soil Table: Lot 27A**

Soil	Area (SF.)	%
HdD	2,037 SF	45.27
HdB	2,463 SF	54.73

**Soil Table: Lot 27B**

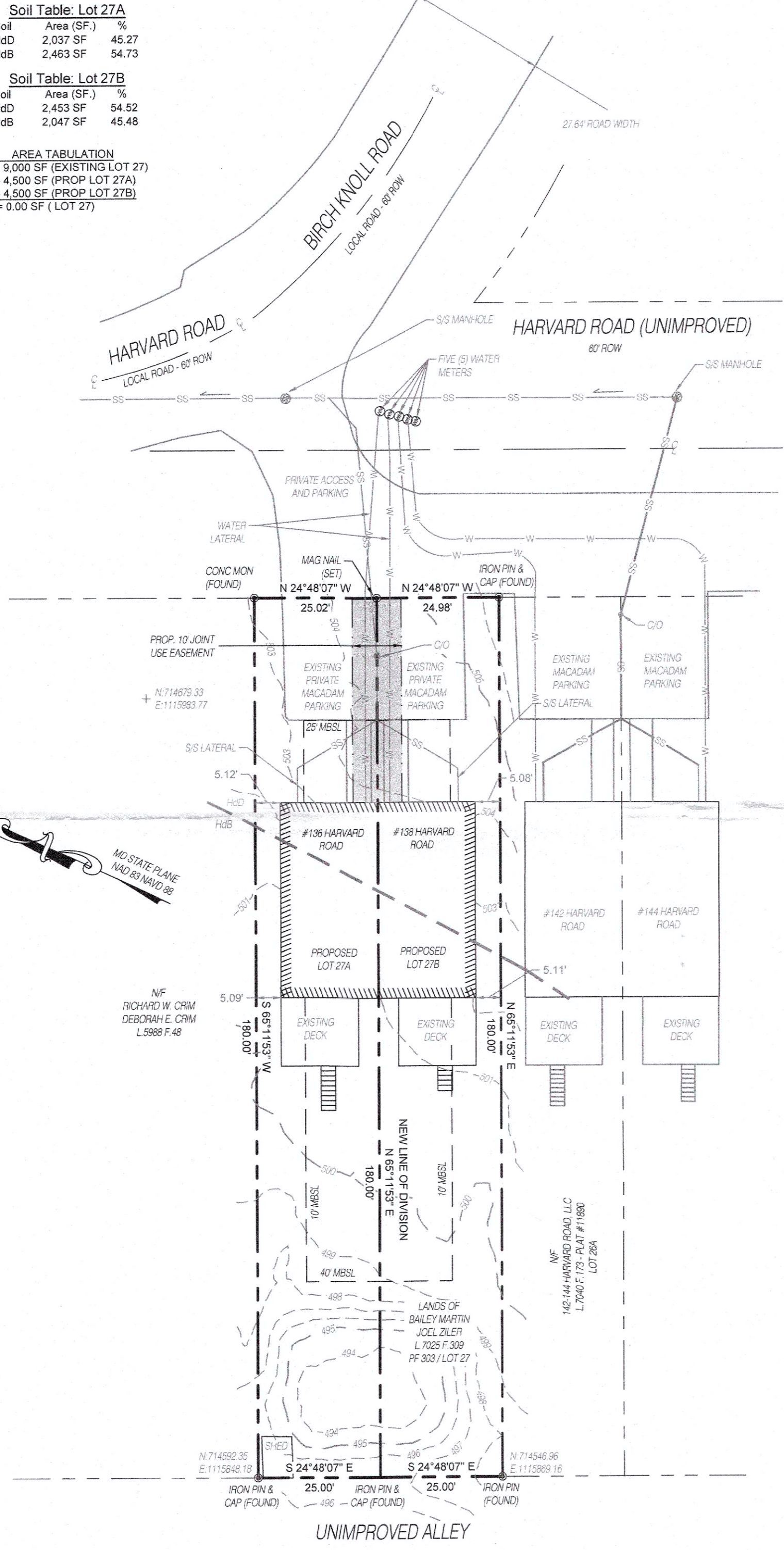
Soil	Area (SF.)	%
HdD	2,453 SF	54.52
HdB	2,047 SF	45.48

**AREA TABULATION**

9,000 SF (EXISTING LOT 27)
- 4,500 SF (PROP LOT 27A)
- 4,500 SF (PROP LOT 27B)
= 0.00 SF (LOT 27)

**LEGEND**

---	= PROPERTY LINE
- - - -	= PROPOSED PROPERTY LINE
.....	= PROPERTY LINE TO BE VACATED
- - - - -	= RIGHT OF WAY
○	= PROPERTY CORNER
H ○	= TEST PIT; PERC
---	= EASEMENT
W	= WATERLINE
SS	= SANITARY SEWER



**Dedication for Individuals**

I/we do hereby certify, for ourselves and our personal representatives, heirs and assigns, that I/we are the legal and true owner(s) of the property shown and described on this plat and that I/we hereby adopt the plan of subdivision shown hereon, hereby establish the minimum building restriction lines shown hereon, hereby dedicate to public use all utility and drainage easement areas and all alley, street, and road rights of way designated on this plat, hereby agree to keep open all spaces and recreation areas shown hereon and hereby agree that said dedication shall not impose any responsibility on the Board of County Commissioners of Washington County regarding the subjects of such dedications until legal acceptance thereof by said Board, and I/we hereby reserve the fee simple title to the land underlying said easements, rights of way, open spaces and recreation areas and with regard to said easements and rights of way, hereby agree to convey the same to said Board for the use of said Washington County, without consideration, upon the legal acceptance of said easements and/or rights of way by said Board. This deed and agreement of dedication shall be binding upon my/our grantees, assigns, successors, heirs, and personal representatives.

There are no suits, actions at law, leases, liens, mortgages, trusts, easements, or rights of way affecting the property included on this plan of subdivision except the following:

**Dedication PUBLIC UTILITIES**

I/we also certify that the community water and/or community sewerage system proposed for this subdivision will be available to all lots offered for sale. I/we also certify that plans for the community water supply and/or community sewerage system facilities, including any necessary point of discharge, have been approved by the Department of Health and Mental Hygiene.

and all parties having an interest therein have here unto affixed their signatures, indicating their assent to this plan of subdivision.

I/we do hereby assent to this plan of subdivision.

Witness our hands and seals this date \_\_\_\_\_

Owner: Bailey Ziler \_\_\_\_\_ (Seal)

Witness \_\_\_\_\_

**Land Surveyor's Certification**

I hereby certify that the plan shown hereon is correct; that it is a subdivision of part of the lands conveyed by Hartland Properties, LLC, to Bailey Martin and Joel Ziler, by deed dated May 27, 2022, and recorded in the Land Records of Washington County, Maryland in Liber No. 7025, folio 309; and that stones marked ○ and/or bars marked ○ have been placed as indicated.

I hereby certify that these documents were prepared by me or under my responsible charge, and that I am a duly licensed Professional Land Surveyor under the Laws of the State of Maryland, License No. LS-10731 Expiration Date 1/16/2028.

Date \_\_\_\_\_ Professional Land Surveyor

**Community Water Supply and Community Sewerage Systems (Existing systems)**

This proposed subdivision of land as represented hereon and on the approved preliminary plan has been found to be in compliance with the Code of Maryland Regulations 26.04.03 allowing for the subdivision of land utilizing community water supply systems and community sewerage systems. This subdivision is in conformance with the current approved County Comprehensive Water and Sewer Plan therefore complies with Environment Article §9-512. The Washington County Health Officer is the delegated authority per Environment Article §1-301 therefore the Health Officer's signature on the plat certifies that the parcels shown hereon are in compliance with the pertinent laws and regulations as of the approval date.

Approving Authority \_\_\_\_\_ Date \_\_\_\_\_

Noté - Subdivisions served by Community Water Supply and Community Sewerage Systems must include on the plat the owner statement below.

As the owner of this property, I hereby certify that community water supply and sewerage facilities will be available to all lots offered for sale.

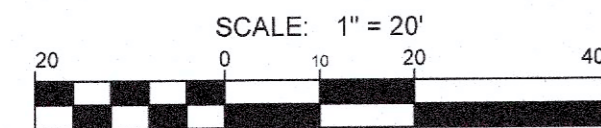
Owner: Bailey Ziler \_\_\_\_\_ Date \_\_\_\_\_

**General Notes**

- There is a 10 ft. wide drainage and utilities easement along all front lot lines and an 8 ft. wide drainage and utilities easement along all side and rear lot lines hereby reserved unless otherwise shown hereon.
- Bearings, distances and coordinates are based on MD Grid NAD83.
- Soil types are as shown hereon.
- Minimum Building Setbacks: front yard-25'; side yard-10'; rear yard-40'. Minimum Building Setback Lines are based on the current Washington County Zoning Ordinance. Accessory structures may be constructed in accordance with Section 4.10 and Section 23.5 (b). Accessory Structures are not permitted without the placement of the principal permitted structure. Zoned RU for Semi-Detached Dwellings.
- Total upstream watershed affecting this subdivision: is less than 400 Acres.
- This parcel does not lie in the 100 year flood plain per FEMA Flood Insurance Rate Map, Community Panel No. 24043C0139D dated August 15, 2017, Flood Zone X.
- Contours based on Washington County Aerial Topography and boundary is based on a field survey performed by FSA, Inc.
- There are no floodplains, streams, steep slopes, and other related buffers, or habitat of threatened or endangered species as required to be shown by Sections 306, 307 and 314 of the Washington County Subdivision Ordinance and Section 4.21 (C&D) of the Washington County Zoning Ordinance. This subdivision is not within 1000' of the Appalachian Trail.
- This subdivision is not within the Edgemont Reservoir Watershed, Smithsburg Reservoir Watershed, or the Upper Beaver Creek Drainage Basin per Washington County Watershed Mapper. This site is with the Antietam Creek #02140602.
- All grading on each lot, done either before or after the construction of a dwelling or their appurtenances, shall be the full responsibility of the lot owner.
- No permanent structures (fences, sheds, play equipment, retaining walls, etc.) shall be permitted within any storm drainage easement, either shown or described, on the Final Plat of Subdivision.
- This plat has been reviewed and approved per the RU Zoning District for semi-detached dwellings. Any development/construction shall be in accordance with the Washington County Zoning Ordinance currently being enforced.
- This plat was prepared without the benefit of a title report and therefore may not indicate all encumbrances on this property.
- Any development must comply with the Washington County Stormwater Management, Grading, Soil Erosion and Sediment Control Ordinance.
- The purpose of this subdivision plat is to separate the existing two-family dwelling by creating a property line along the common wall creating semi-detached dwellings. Once approved and recorded each side may be sold individually.
- On \_\_\_\_\_, the Washington County Board of Zoning Appeals case \_\_\_\_\_, granted the following reductions of the bulk requirements on table 9.5 of the Washington County Zoning Ordinance to allow the subdivision of the duplex unit into semi-detached units.

	REQUIRED	PROPOSED
LOT AREA	5,000 SF / LOT	4,500 SF / LOT
LOT WIDTH	35'	24.98'
RIGHT SIDE YARD (EXTERIOR)	10'	5.09'
LEFT SIDE YARD (EXTERIOR)	10'	5.08'

Owner / Purchaser  
Bailey Ziler  
136 Harvard Road  
Hagerstown MD 21740  
301-491-5041



**Certificate of Approval**  
**FINAL APPROVAL GRANTED**

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Washington County Planning Commission  
Final Approval good for one hundred eighty (180) days from above date

**PLAT NO** \_\_\_\_\_  
**DATE** \_\_\_\_\_  
**WASHINGTON COUNTY**

**PRELIMINARY / FINAL RE-SUBDIVISION OF**  
**COLONIAL PARK, SECTION B, BLOCK 8, LOT 27**

136 & 138 HARVARD ROAD  
HAGERSTOWN MD 21742  
WASHINGTON COUNTY, MD  
FOR  
BAILEY ZILER  
136 HARVARD ROAD, HAGERSTOWN MD 21740  
301-491-5041

PROJECT NO. 2026-0105  
DWN BY DATE  
MTJ 04-14-2026  
PROJECT MANAGER: FFrederick  
EMAIL: FFrederick@fisa-inc.com  
PROPERTY INFORMATION / ACCT#  
50-13-1738 / 10-058031  
SCALE  
1" = 20'  
SHEET TITLE

**SUBDIVISION**  
**PLAT**

SHEET 01 OF 01

**FSAI**  
FREDERICK, SEIBERT & ASSOCIATES, INC.  
CIVIL ENGINEERS SURVEYORS LANDSCAPE ARCHITECTS LAND PLANNERS  
© 2025  
15 EAST MAIN STREET  
NEW MARKET MD 21786  
717.276.7671  
306 SOUTH HANOVER STREET  
CABELLA, MD 21713  
717.701.8111  
1142 WILLIAMSPORNE  
GREENBELT, MD 21726  
717.597.1807  
128 SOUTH POTOMAC STREET  
HAGERSTOWN, MD 21740  
301.791.3660



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: CRP/TCC Rhoton Owner LLC
888 16th Street
Suite 555 NW
Washington DC 20006
Appellant: Sign Here
345 East Antietam Street
Hagerstown MD 21740
Property Location: 16545 Cargo Drive
Hagerstown, MD 21740
Description Of Appeal: Variance from the required 25 ft. setback from the road right-of-way to 10 ft. for proposed freestanding sign.

Docket No: AP2026-021
Tax ID No: 13030820
Zoning: PI
RB Overlay: No
Zoning Overlay:
Filed Date: 06/04/2026
Hearing Date: 06/24/2026

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

Previous Petition/Appeal Docket No(s):
Applicable Ordinance Sections: Washington County Zoning Ordinance Article 22, Division II, Section 22.23 (e)

Reason For Hardship: Due to forestation easement

If Appeal of Ruling, Date Of Ruling:

Ruling Official/Agency:

Existing Use: Warehouse Proposed Use: Freestanding Sign

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 4 day of June, 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: AP2026-021

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

On 6/4/2026, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Sign Here and made oath in due form of law as follows:

Sign Here 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 06/24/2026, 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 06/09/2026 and will remain until after the above hearing date.

\_\_\_\_\_  
Sign Here

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

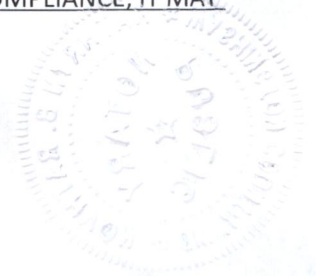
### ATTENTION!

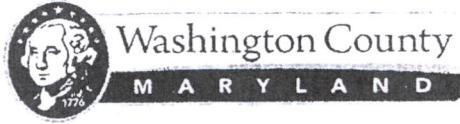
### Posting Instructions

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.





BOARD OF APPEALS

OWNER REPRESENTATIVE AFFIDAVIT

This is to certify that CENTURY GRAPHICS GROUP LLC D/B/A SIGN HERE is authorized to file an appeal with the Washington County Board of Appeals for REDUCED SET-BACK FOR FREE-STANDING SIGN on property located 16545 CARGO DRIVE HAGERSTOWN MD. The said work is authorized by X CRP/TCC OWNER, L.L.C. the property owner in fee.

PROPERTY OWNER

X CRP/TCC OWNER, LLC. Name X 888 16th Street, suite 555, NW Address X Washington DC 20006 City, State, Zip Code X [Signature] Owner's Signature

Sworn and subscribed before me this 27 day of April, 2026

ALEXANDRA S. COOK Notary Public, District of Columbia My Commission Expires 11/30/2027

[Signature] Notary Public



My Commission Expires: 11/30/2027

AUTHORIZED REPRESENTATIVE

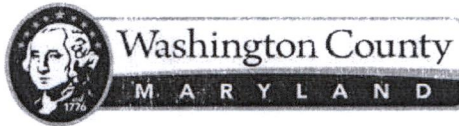
SIGN HERE DEAN MARION Name 345 E ANTIETAM ST Address HAGERSTOWN MD 21740 City, State, Zip Code [Signature] Authorized Representative's Signature

KATHLEEN S. MAJEED NOTARY PUBLIC WASHINGTON COUNTY MARYLAND MY COMMISSION EXPIRES NOVEMBER 20, 2026

Sworn and subscribed before me this 3rd day of June, 2026

[Signature] Notary Public

My Commission Expires: 11/20/2026



**Board of Appeals**

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

WWW.WASHCO-MD.NET

**Variance Request**

Property Location 16545 CARGO DRIVE HAGERSTOWN MD

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

Owner (Including Joint Ownership)

Lessee                       Contract to rent/lease                       Contract to Purchase

Other SIGN CONTRACTOR

Specify the Ordinance section and subsection from which the variance is desired:

Example: Article 5A, Section 5A.5-Requires 15 ft. side yard setback.

Describe the nature and extent of the desired variance from Ordinance requirements listed above:

Example: Requesting adjustment from 15 ft. to 12 ft. for new detached garage.

SCT-BACK VARIANCE FOR FREESTANDING ROAD-SIDE SIGN  
25 FT REDUCED TO 10 FT DUE TO FORESTATION EASEMENT

**Applicants must make application in person and shall submit *nine (9)* complete sets of the items listed below. Incomplete applications will not be accepted.**

- o A written statement demonstrating the specific reason(s) for the adjustment request including which standard the appeal is for practical difficulty or undue hardship. The standards for a variance is outlined in the Variance Filing Procedures.
- o A plot plan (concept plan), drawn to a scale indicating the following information:
  - o Outline of the entire property;
  - o Location of all existing and/or proposed structures with measurements from structures to property lines;
  - o Location of existing and/or future septic and wells;
  - o Any street rights-of-way or other easements (i.e. utility, storm water management, etc.);
  - o Existing/proposed entrance/exit to property, driveways, etc.
  - o Existing/proposed parking areas
- o If Request is for commercial use, in addition to above, the following additional information will be required:
  - o Location of any freestanding signage
  - o Number of employees (existing/proposed)
  - o Hours of operation
  - o Proposed landscaping and lighting

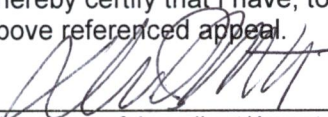
PAGE TWO  
VARIANCE REQUEST

- Other information that applicants feel will be useful to justify their request, this could include pictures, letters of support from impacted neighbors, concept draws of the structure.
- If you are not the property owner, a notarized affidavit from the property owner authorizing the appeal shall be submitted. This includes applicants filing as an agent on behalf of the property owner.
- Pay the filing fee by cash, Visa/MasterCard, or check made payable to the Washington County Treasurer:
  - Residential Variance.....\$150.00
  - Commercial Variance.....\$300.00

ALL FILING FEES ARE NON-REFUNABLE

Note: A plan review fee of \$150 and/or floodplain review of \$150.00 may be charged by the Engineering Department.

I hereby certify that I have, to the best of my knowledge, accurately supplied the information required for the above referenced appeal.

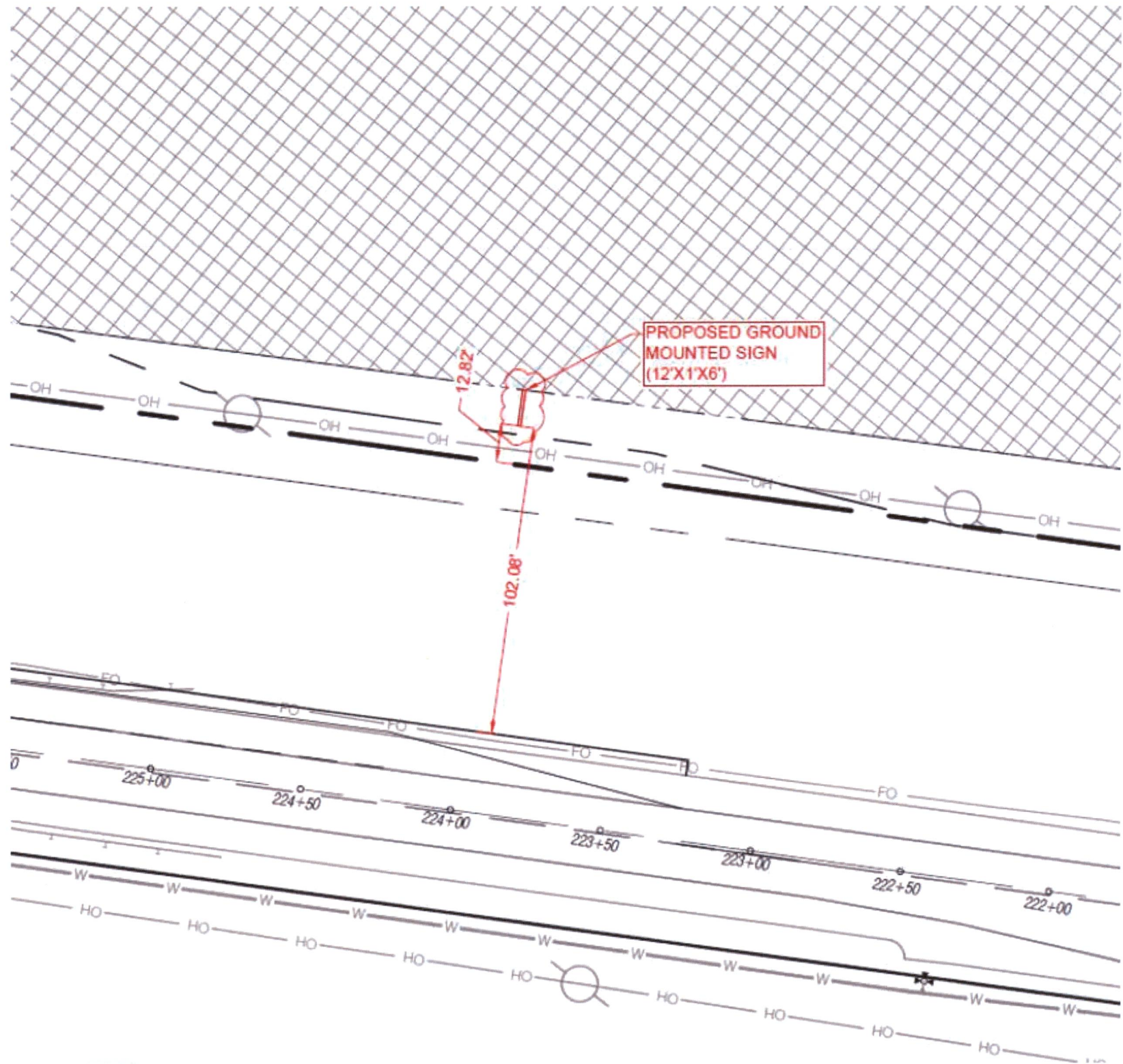
  
\_\_\_\_\_  
Signature of Appellant/Agent

dean@signhere.net  
\_\_\_\_\_  
Email of Appellant/Agent

345 E. ANTIETAM ST HAGERSTOWN MD  
\_\_\_\_\_  
Address and of Appellant/Agent 21740

301-791-7654  
\_\_\_\_\_  
Phone Number of Appellant/Agent





PROPOSED GROUND  
MOUNTED SIGN  
(12'X1'X6')

12.82'

102.08'

225+00

224+50

224+00

223+50

223+00

222+50

222+00

W

W

W

W

W

W

W

W

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# SITE PHOTO FOR CONCEPT

WAREHOUSE



APPROX  
SIGN LOCATION



HIGHWAY



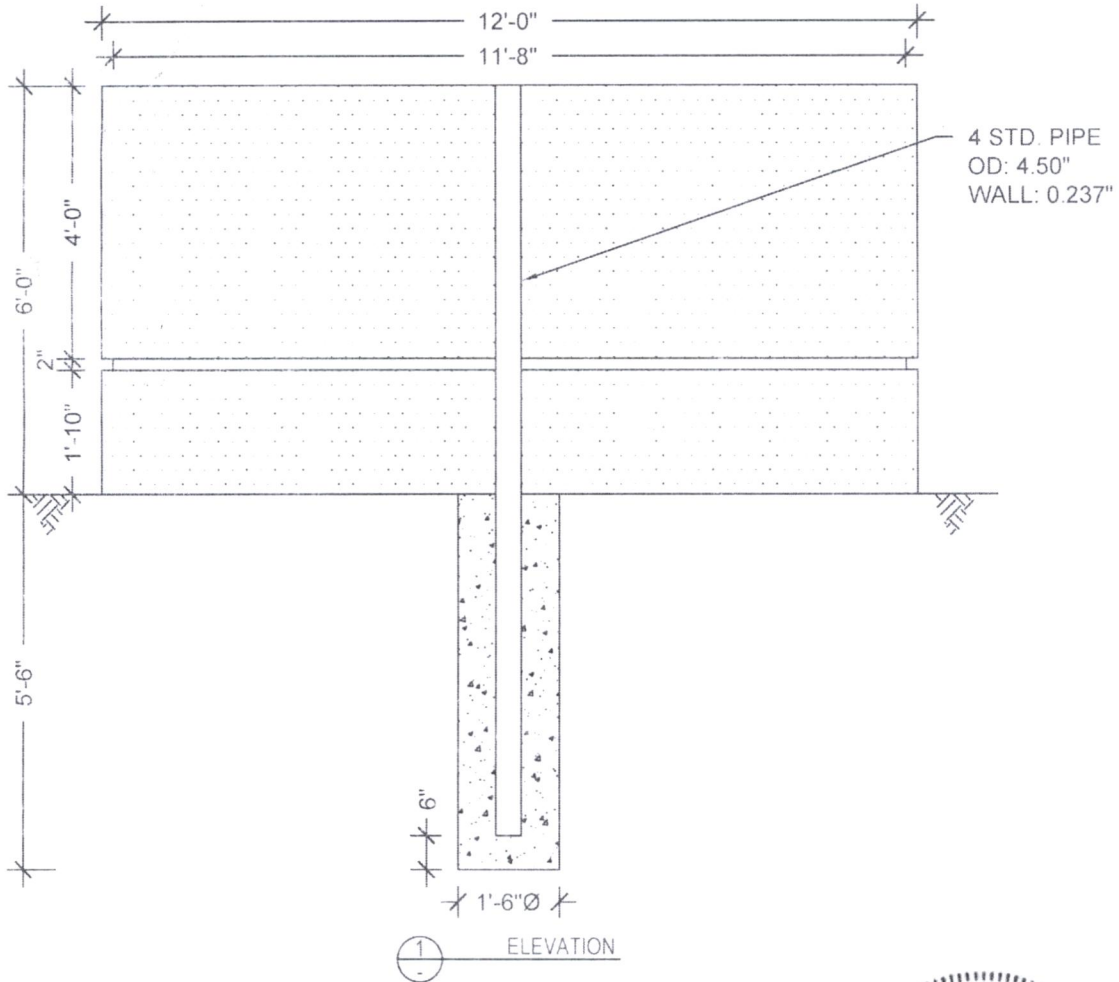




12396 WORLD TRADE DRIVE, SUITE 312  
 SAN DIEGO, CA 92128  
 PROJECTMANAGER@SULLAWAYENG.COM  
 PHONE: 1-858-312-5150 FAX: 1-858-777-3534

PROJECT: LIFETIME BRANDS - 16545 CARGO DR., HAGERSTOWN, MD  
 PROJECT #: 56213  
 CLIENT: A2Z SIGN & DESIGN

DATE: 04/01/2026  
 ENGINEER: SP  
 LAST REVISED:



GENERAL NOTES

1. DESIGN CODE: IBC 2021
2. DESIGN LOADS: ASCE 7-16
3. WIND VELOCITY 115 MPH EXPOSURE C
4. CONCRETE 2500 PSI MINIMUM
5. PIPE STEEL ASTM A53 GR. B, Fy = 35 KSI MIN.
6. LATERAL SOIL BEARING PER IBC CLASS 4 (150 PSF/FT)
7. PROVIDE PROTECTION AGAINST DISSIMILAR METALS
8. ALL DIMENSIONS TO BE VERIFIED PRIOR TO FABRICATION

PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE #38709, EXPIRATION DATE: 5-13-2026



PROJECT: LIFETIME BRANDS  
 PROJ. NO.: 56213  
 CLIENT: A2Z SIGN & DESIGN

DATE: 4/1/26  
 ENGINEER: SP

v5.5

units; pounds, feet unless noted otherwise

**Applied Wind Loads; from ASCE 7-16**

$F = q_z * G * C_f * A_f$  with  $q_z = 0.00256 K_z K_{zt} K_d V^2$  (29.3.2 & 29.4)  
 $C_f = 1.400$  (Fig. 29.3-1) max. height = 6.0  
 $K_{zt} = 1.0$  (26.8.2) (=1.0 unless unusual landscape)  $s = 6.0$   
 $K_z =$  from table 28.3-1 Exposure = c  
 $K_d = 0.85$  for signs (table 26.6-1)  
 $V = 115$  mph  
 $G = 0.85$  (26.9) weight = 0.72 kips  
 $s/h = 1.000$   $M_{DL} = 0.00$  k-ft  
 $B/s = 2.00$

Pole Loads	structure component	height at section c.g.	pressure $K_z$	$q_z$	pressure $q_z * G * C_f$	$A_f$	shear	Wind Moment $M_w$
	1	0.92	0.850	24.5	29.11	22.0	640	587
	2	1.92	0.850	24.5	29.11	1.9	57	108
	3	4.00	0.850	24.5	29.11	48.0	1397	5589
					sums:	71.9	2094	6.28 (M <sub>w</sub> )
					for s/h=1, add 10% (asce fig. 29.4-1):	x 1.10		6.91 k-ft arm = 3.0
					$P_u = 0.86$ kip			M = 6.91 k-ft $M = \sqrt{M_{DL}^2 + M_w^2}$
					$M_u = \sqrt{1.2 M_{DL}^2 + 1.0 M_w^2} = 6.91$ k-ft			

**Pole Design section; pipe**

$M_u \leq \phi M_n$  with  $M_n = f_y Z$   $f_y = 35$  ksi  $\phi = 0.9$

H	$M_u$ (k-ft)	Z req'd. (in)	Size(in)	t (in)	Z	Use:
at grade	6.91	2.63	3.5	0.226	3.0	4 STD. Pipe, $\phi M_n = 10.6$ k-ft

**Footing Design footprint: round**

$\omega = 1.3$  IBC 1605.3.2 IBC Table 1806.2, sections 1806.3.4, 1807.3.2  $S = (1.3x2x)$   
 $P = 1.63$  kip  $S1 = S \times d / 3$   $A = 2.34 \times P / (S1 \times b)$   $S = 400$   
 $S1 = 736$   $d = 0.5xA (1 + (1 + 4.36x h/A)^{.5})$  IBC 1807.3.2.1  
 $A = 3.46$

footing: 1' - 6" dia. 5' - 6" deep



10815 Rancho Bernardo RD., SD, CA 92127  
 projectmanager@sullawayeng.com  
 Phone: 858-312-5150 Fax: 858-777-3534

PROJECT: LIFETIME BRANDS  
 PROJ. NO.: 56213  
 CLIENT: A2Z SIGN & DESIGN

DATE: 4/1/2026  
 ENGINEER: SP

units; pounds, feet unless noted otherwise

Check Pipe4SCH40 for torsion and combined forces

(AISC 14 H3)

Tu =	60.31 k-in		Fy =	35 ksi
			D =	4.5 in <sup>3</sup>
Fcr =	206.2 ksi	(eq'n. H3-2a)	t =	0.221 in <sup>3</sup>
or			E =	29000 ksi
Fcr =	189.4 ksi	(eq'n. H3-2b)	L =	72 in
but not greater than:			C =	6.36 in <sup>3</sup>
0.6 Fy =	21 ksi		φ =	0.9
φTn = φ Fcr C =	120 k-in	OK		
Mr/Mc + (Tr/Tc) <sup>2</sup> =	0.904 < 1	OK	(eq'n. H3-6)	



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: Mt. Pleasant Church of God
C/O Rev Tim Shirley
24107 Foxville Road
Smithsburg MD 21783
Appellant: Sign Here
345 East Antietam Street
Hagerstown MD
Property Location: 24107 Foxville Road
Smithsburg, MD 21783
Description Of Appeal: Variance from the required 25 ft. setback from the road right-of-way to 0 ft. for proposed freestanding sign.

Docket No: AP2026-022
Tax ID No: 07023286
Zoning: EC
RB Overlay: No
Zoning Overlay:
Filed Date: 06/04/2026
Hearing Date: 06/24/2026

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

Previous Petition/Appeal Docket No(s):

Applicable Ordinance Sections: Washington County Zoning Ordinance Article 22, Division II, Section 22.23 (e)

Reason For Hardship: Due to viewing distance limitations & parking lot location

If Appeal of Ruling, Date Of Ruling:

Ruling Official/Agency:

Existing Use: Church Proposed Use: Freestanding Sign

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 4 day of June, 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: AP2026-022

State of Maryland Washington County, To Wit:

On 6/4/2026, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Sign Here and made oath in due form of law as follows:

Sign Here 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 06/24/2026, 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 06/09/2026 and will remain until after the above hearing date.

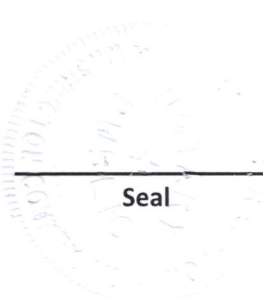
\_\_\_\_\_  
Sign Here

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

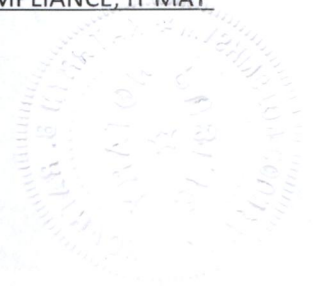
### ATTENTION!

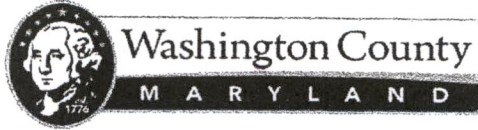
### Posting Instructions

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.





BOARD OF APPEALS

OWNER REPRESENTATIVE AFFIDAVIT

This is to certify that CENTURY GRAPHICS GROUP LLC D/B/A SIGN HERE is authorized to file an appeal with the Washington County Board of Appeals for SET-BACK VARIANCE FOR ROADSIDE SIGN on property located 24107 FOXVILLE ROAD SMITHSBURG MD. The said work is authorized by X the property owner in fee.

PROPERTY OWNER

X Timothy Shirley Name
X 24107 Foxville RD Address
X Smithsburg MD 21783 City, State, Zip Code
X [Signature] Owner's Signature



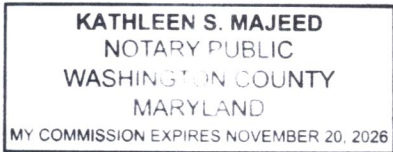
X Sworn and subscribed before me this 4 day of June, 20 26.

[Signature] Notary Public

My Commission Expires: 9/18/29

AUTHORIZED REPRESENTATIVE

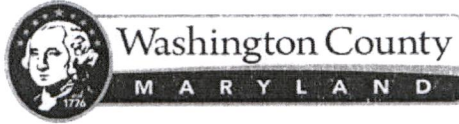
SIGN HERE - DEAN MARTIN Name
345 E. ANTIETAM ST Address
HAGERSTOWN MD 21740 City, State, Zip Code
[Signature] Authorized Representative's Signature



Sworn and subscribed before me this 4th day of June, 20 26.

[Signature] Notary Public

My Commission Expires: 11/20/2026



**Board of Appeals**

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

WWW.WASHCO-MD.NET

**Variance Request**

Property Location 24107 FOXVILLE ROAD SMITHSBURGH MD

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

Owner (Including Joint Ownership)

Lessee  Contract to rent/lease

Contract to Purchase

Other SIGN CONTRACTOR

Specify the Ordinance section and subsection from which the variance is desired:  
Example: Article 5A, Section 5A.5-Requires 15 ft. side yard setback.

Describe the nature and extent of the desired variance from Ordinance requirements listed above:  
Example: Requesting adjustment from 15 ft. to 12 ft. for new detached garage.

APPEAL TO REDUCE SET-BACK FROM 25 FEET TO 0 FEET  
DUE TO VIEWING DISTANCE LIMITATIONS & PARKING LOT LOCATION

**Applicants must make application in person and shall submit *nine (9)* complete sets of the items listed below. Incomplete applications will not be accepted.**

- o A written statement demonstrating the specific reason(s) for the adjustment request including which standard the appeal is for practical difficulty or undue hardship. The standards for a variance is outlined in the Variance Filing Procedures.
- o A plot plan (concept plan), drawn to a scale indicating the following information:
  - o Outline of the entire property;
  - o Location of all existing and/or proposed structures with measurements from structures to property lines;
  - o Location of existing and/or future septic and wells;
  - o Any street rights-of-way or other easements (i.e. utility, storm water management, etc.);
  - o Existing/proposed entrance/exit to property, driveways, etc.
  - o Existing/proposed parking areas
- o If Request is for commercial use, in addition to above, the following additional information will be required:
  - o Location of any freestanding signage
  - o Number of employees (existing/proposed)
  - o Hours of operation
  - o Proposed landscaping and lighting

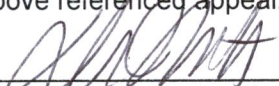
PAGE TWO  
VARIANCE REQUEST

- Other information that applicants feel will be useful to justify their request, this could include pictures, letters of support from impacted neighbors, concept draws of the structure.
- If you are not the property owner, a notarized affidavit from the property owner authorizing the appeal shall be submitted. This includes applicants filing as an agent on behalf of the property owner.
- Pay the filing fee by cash, Visa/MasterCard, or check made payable to the Washington County Treasurer:
  - Residential Variance.....\$150.00
  - Commercial Variance.....\$300.00

ALL FILING FEES ARE NON-REFUNABLE

Note: A plan review fee of \$150 and/or floodplain review of \$150.00 may be charged by the Engineering Department.

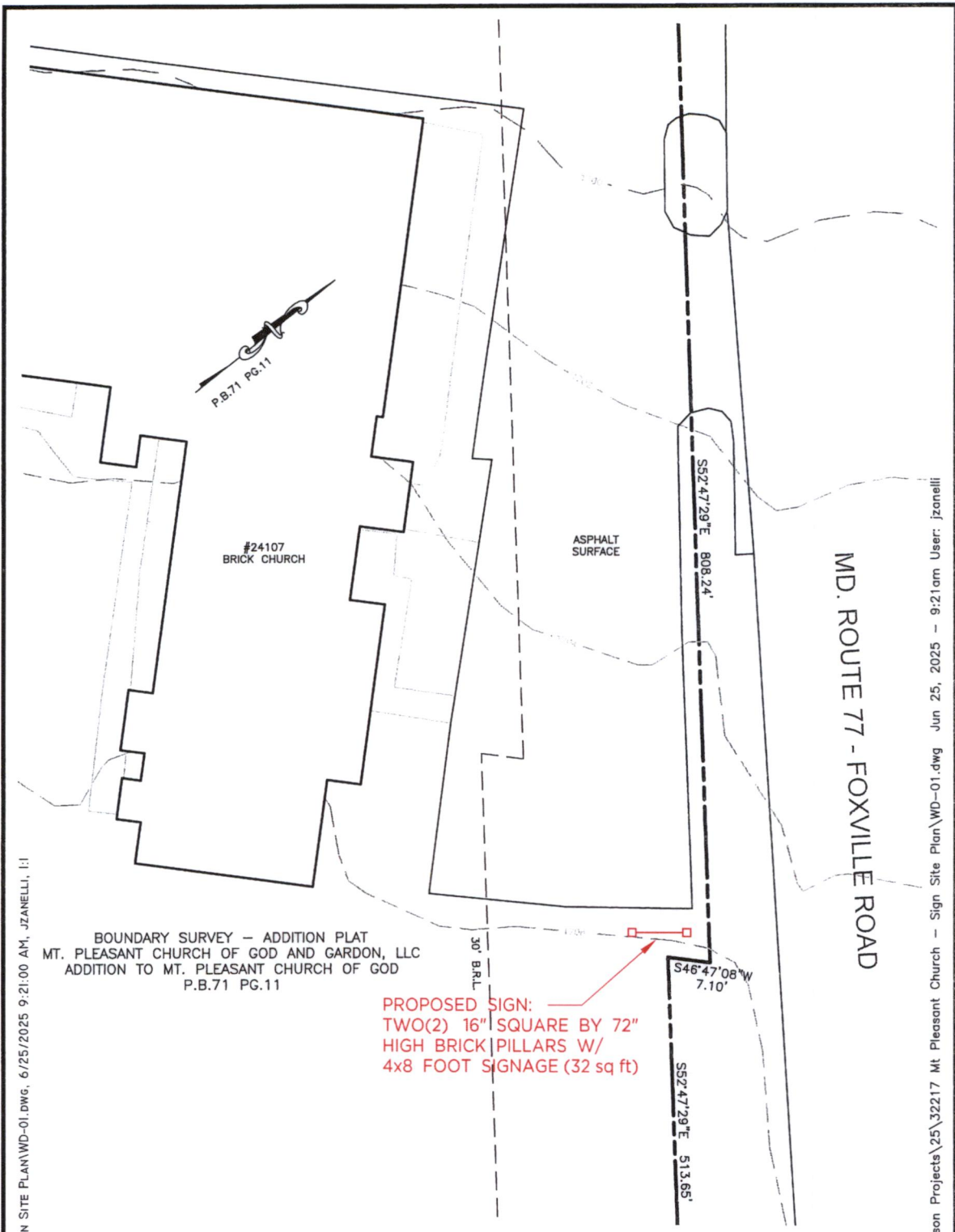
I hereby certify that I have, to the best of my knowledge, accurately supplied the information required for the above referenced appeal.

  
\_\_\_\_\_  
Signature of Appellant/Agent

dean@signature.net  
\_\_\_\_\_  
Email of Appellant/Agent

345 E. ANTIETAM ST HAGERSTOWN MD  
\_\_\_\_\_  
Address and of Appellant/Agent

301-791-7654  
\_\_\_\_\_  
Phone Number of Appellant/Agent



H:\Carlson Projects\25\32217 Mt Pleasant Church - Sign Site Plan\WD-01.dwg Jun 25, 2025 - 9:21am User: jzanelli

C:\Users\jzanelli\OneDrive\Documents\25\32217 MT PLEASANT CHURCH - SIGN SITE PLAN\WD-01.DWG, 6/25/2025 9:21:00 AM, JZANELLI, I I  
 REV: 06/25/25

SITE PLAN  
 FOR  
 CHURCH SIGN  
**MT. PLEASANT CURCH OF GOD**  
 BOOK 2782 PAGE 01  
 (PLAT BOOK 71 AT PAGE 11)  
 SITUATED AT 24107 FOXVILLE ROAD

Sign detail added by sign company

DRAWN BY: <b>J.A.Z.</b>	DATE: <b>05/06/25</b>
CHECKED BY: <b>J.A.Z.</b>	DATE: <b>05/06/25</b>
SCALE: 1" = 20'	

**FOX & ASSOCIATES, INC.**  
 ENGINEERS • SURVEYORS • PLANNERS  
 82 WORMANS MILL COURT SUITE G FREDERICK, MARYLAND 21701  
 PHONE: (301)695-0880 FAX: (301)293-6009  
 email: foxfrederick@foxassociatesinc.com

DISTRICT	10
TAX MAP No.	17
DWG. No.	A-20558

Hill obstacle  
coming west-bound



Proposed location



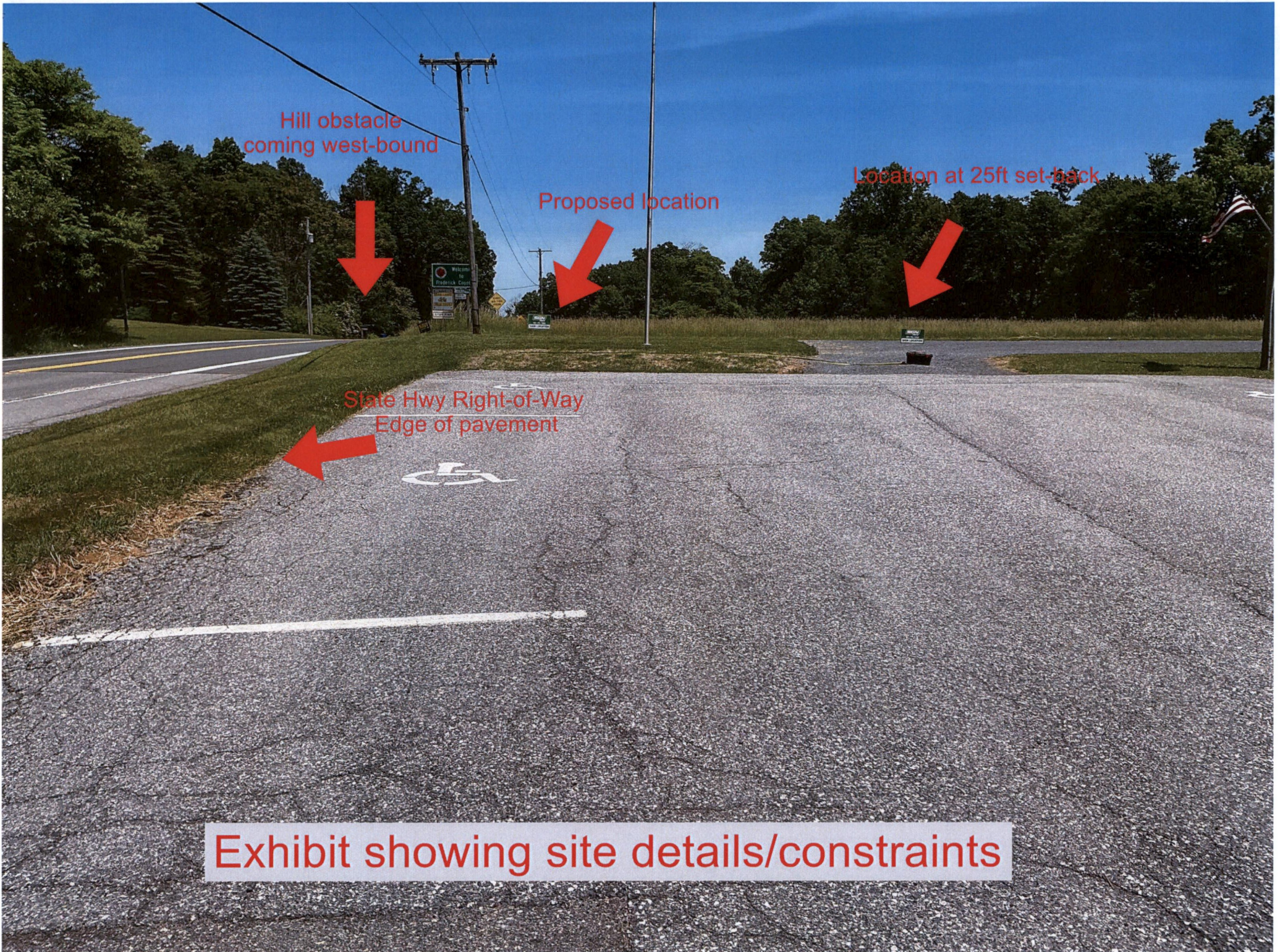
Location at 25ft set-back

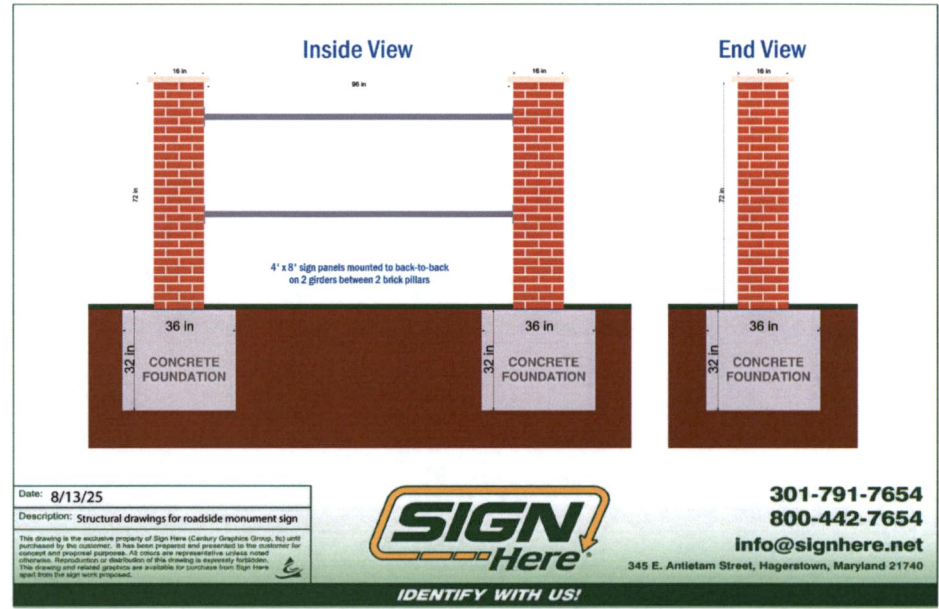
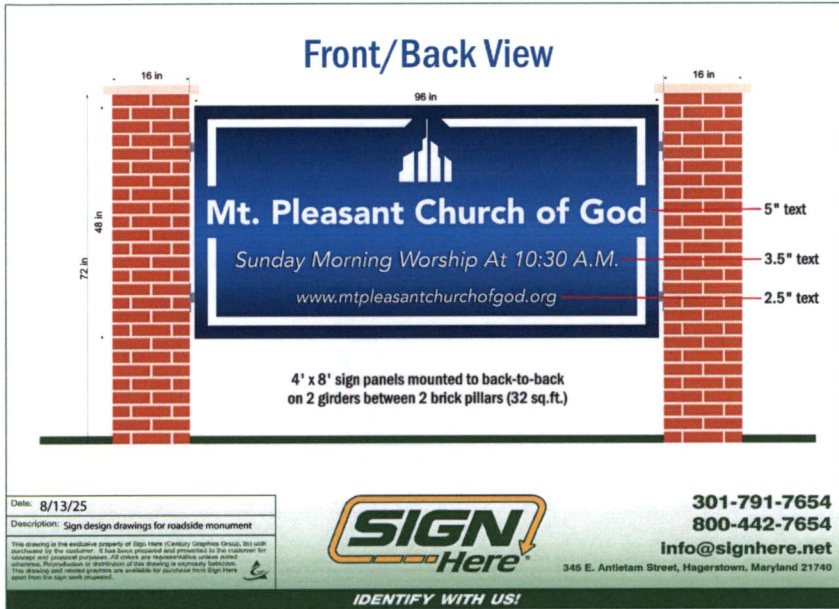


State Hwy Right-of-Way  
Edge of pavement



Exhibit showing site details/constraints





Date: <b>June 4 2026</b>
Description: <b>Roadside monument</b>
<small>This drawing is the exclusive property of Sign Here (Century Graphics Group, Inc) until purchased by the customer. It has been prepared and presented to the customer for concept and proposal purposes. All colors are representative unless noted otherwise. Reproduction or distribution of this drawing is expressly forbidden. This drawing and related graphics are available for purchase from Sign Here apart from the sign work proposed.</small>



**301-791-7654**  
**800-442-7654**  
**info@signhere.net**  
 345 E. Antietam Street, Hagerstown, Maryland 21740

**IDENTIFY WITH US!**