

BOARD OF APPEALS

September 2, 2026

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

AGENDA

AP2026-027: An appeal was filed by James & Diane Wollard for a variance from the required 15 ft side yard setback to 3.5 ft and a variance from the 50 ft rear yard setback to 44.2 ft for constructed single-family dwelling on property owned by the appellants and located at 8508 Neck Road, Williamsport, Agricultural Rural Zoned District.

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 August 24, 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: James & Diane Wollard
8312 Neck Road
Williamsport MD 21795

Appellant: James & Diane Wollard
8508 Neck Road
Williamsport MD 21795

Property Location: 8508 Neck Road
Williamsport, MD 21795

Description Of Appeal: Variance from the required 15 ft side yard setback to 3.5 ft and a variance from the 50 ft rear yard setback to 44.2 ft for constructed single-family dwelling.

Docket No: AP2026-027
Tax ID No: 20008474
Zoning: A(R)
RB Overlay: No
Zoning Overlay:
Filed Date: 08/12/2026
Hearing Date: 09/02/2026

Appellant's Legal Interest In Above Property:

Owner:	Yes	Contract to Rent/Lease:	No
Lessee:	No	Contract to Purchase:	No
Other:			

Previous Petition/Appeal Docket No(s):

Applicable Ordinance Sections: Washington County Zoning Ordinance Article 5A, Section 5A.5
Residential Lot Size and Bulk Dimensions

Reason For Hardship: See Justification Statement

If Appeal of Ruling, Date Of Ruling:

Ruling Official/Agency:

Existing Use: Single-Family Dwelling

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.

Appellant Signature

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this 12 day of Aug., 20 26.

Nov. 7, 2029
My Commission Expires

Notary Public





WASHINGTON COUNTY BOARD OF ZONING APPEALS

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AFFIDAVIT IN COMPLIANCE WITH SECTION 25.51(C)

Docket No: AP2026-027

State of Maryland Washington County, To Wit:

On 8/12/2026, 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 09/02/2026, 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 08/18/2026 and will remain until after the above hearing date.



Frederick Seibert & Associates

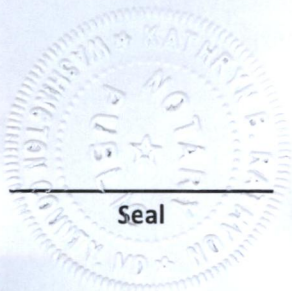
Sworn and subscribed before me the day and year first above written.



Notary Public



My Commission Expires





WASHINGTON COUNTY BOARD OF ZONING APPEALS

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BOARD OF ZONING APPEALS

ATTENTION!

Posting Instructions

The premises MUST be posted in accordance with the following rules:

1. The sign must be posted a minimum of fourteen (14) days prior to the public hearing
Section 25.51(c) Property upon which the application or appeal is concerned shall be posted conspicuously by a zoning notice no less in size than twenty-two (22) inches by twenty-eight (28) inches at least fourteen (14) days before the date of the hearing.
2. The sign must be placed on the property within ten (10) feet of the property line which abuts the most traveled public road.
3. The sign must be posted in a conspicuous manner not over six (6) feet above the ground level, and affixed to a sturdy frame where it will be clearly visible and legible to the public.
4. The sign shall be maintained at all times by the applicant until after the public hearing. If a new sign is needed or required, please contact the Plan Review Department at 240-313-2460.
5. An affidavit certifying the property will be posted for the minimum of fourteen (14) days prior to the public hearing date.

Proper posting of the sign will be spot checked by the Zoning Inspector. IF SIGN IS NOT IN COMPLIANCE, IT MAY RESULT IN RESCHEDULING OF THE HEARING.





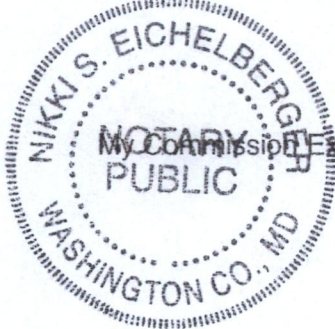
Washington County Board of Zoning Appeals Owner's Representative Affidavit

This is to certify that ED Schreiber and Wyatt Pearre
is authorized to file an appeal with the Washington County Board of Appeals for Side yard Variance
on property located 8508 Neck Road, Williamsport MD.
The said work is authorized by Jim Wollard
the property owner in fee.

PROPERTY OWNER

Jim Wollard
Name 8508 Neck Road
Address Williamsport, MD 21795
City, State, Zip Code
[Signature]
Owner's Signature

Sworn and subscribed before me this 5 day of August, 2026.

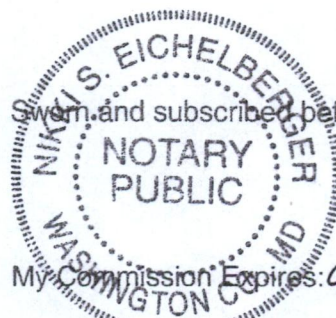


Nikki S. Eichelberger
Notary Public

AUTHORIZED REPRESENTATIVE

ED Schreiber and Wyatt Pearre
Name 128 S. Potomac Street
Address Hagerstown, MD 21740
City, State, Zip Code
[Signature]
Authorized Representative's Signature

Sworn and subscribed before me this 5 day of August, 2026.



Nikki S. Eichelberger
Notary Public

My Commission Expires: 9/15/2028

BOARD OF APPEALS

WASHINGTON COUNTY, MARYLAND

APPLICATION FOR AREA VARIANCES

Right-Side and Rear Yard Setbacks — Two-Story Single-Family Dwelling

Project	Jim Wollard — 8508 Neck Road
Owner / Appellant	Jim Wollard
Property	8508 Neck Road, Williamsport, Maryland 21795
Tax identification	Tax Map 60 Grid 24 Parcel 71 Account 20-008474
Zoning	A(R) — Agricultural (Rural)
Legal interest	☒ Owner (including joint ownership, if applicable)

Requested relief

Ordinance provision: Article 5A, Section 5A.5, Residential Lot Size and Bulk Dimensions, which requires a 15-foot side-yard setback and a 50-foot rear-yard setback for a single-family dwelling in the A(R) District.

Variances requested: (1) Reduce the required right-side yard setback from 15 feet to 3.5 feet, a variance of 11.5 feet; and (2) reduce the required rear-yard setback from 50 feet to 44.2 feet, a variance of 5.8 feet, for the existing two-story single-family dwelling.

WRITTEN STATEMENT IN SUPPORT OF AREA VARIANCES

Applicant: Jim Wollard **Property:** 8508 Neck Road, Williamsport, MD 21795

1. Nature of the request

The Applicant requests two area variances from Article 5A, Section 5A.5 of the Washington County Zoning Ordinance for a principal residential structure: (1) reduction of the required right-side yard setback from 15 feet to 3.5 feet; and (2) reduction of the required rear-yard setback from 50 feet to 44.2 feet. The relief concerns the location of an already reconstructed building that is being used or completed as a two-story single-family dwelling. The request does not seek a new use not otherwise permitted in the A(R) District.

2. Property and permit history

1. Before the present construction, the property was improved with an uninhabitable mobile home and a detached garage.
2. The Applicant sought and obtained Building Permit No. **2023-04446**, dated **8/22/2023**, to reconstruct the garage with the same size and in the same location as the prior garage. That established location places the building approximately 3.5 feet from the right-side property line and 44.2 feet from the rear property line.
3. During reconstruction, the Applicant began removing the uninhabitable mobile home. County staff then advised that a detached accessory garage could not remain on the parcel without a principal use or principal structure.
4. County staff further advised that part or all of the reconstructed building could be converted into a dwelling. Relying on that direction, the Applicant obtained the required trade permits—Permit Nos. **2024-05341 Electrical & 2024-04446 Plumbing**—and proceeded with the conversion.
5. The Applicant later learned that occupancy as a dwelling constitutes a change of use and requires the building to satisfy the setback applicable to a principal residential structure, notwithstanding the earlier permit to reconstruct the garage in its former footprint.
6. The Applicant now seeks the two dimensional variances needed to complete the occupancy-permit process and bring the use and location into zoning compliance.

3. Practical difficulty under Section 25.56(A)

A. Strict compliance is unnecessarily burdensome

The subject property contains approximately 0.63 acres, or 27,443 square feet, and is smaller than the 40,000-square-foot lot area generally specified for a single-family dwelling in the A(R) District. The limited parcel size, together with the location of the existing improvements and the previously established garage footprint, provides less flexibility than a conforming A(R) residential lot for meeting both the side- and rear-yard setbacks. Strict compliance would require the reconstructed and converted building to be moved, substantially demolished and rebuilt, or otherwise structurally altered after it was reconstructed in the prior garage footprint under a County-issued building permit. Under these circumstances, literal compliance is unnecessarily burdensome in relation to the dimensional purposes served by the setbacks.

B. Denial would cause substantial injustice, and lesser relief would not help

The building is fixed approximately 3.5 feet from the right-side property line and 44.2 feet from the rear property line. Requiring either a greater side setback or a greater rear setback would not legalize its present location or allow issuance of the required zoning and occupancy approvals. The requested reductions—11.5 feet on the right side and 5.8 feet at the rear—are therefore the minimum relief that would provide substantial relief. Denial of either

variance would leave the Applicant unable to complete the dwelling approval without relocating or substantially reconstructing a building that had already been permitted for reconstruction in that location.

C. The request preserves the Ordinance's spirit and public welfare

The request changes the regulatory classification of the building from accessory to principal residential use, but it does not move the building closer to either the right-side or rear property line than the previously existing and permitted garage footprint. Approval would authorize one dwelling, subject to all remaining building, fire, health, septic, well, and occupancy requirements. The Applicant will maintain required access and life-safety protections and will comply with any reasonable condition imposed by the Board. Based on the existing footprint and residential character of the proposal, both variances can be granted without creating dangerous traffic conditions or materially impairing neighboring property, public safety, or general welfare.

4. Property-specific circumstances and minimum relief

The subject parcel contains approximately 0.63 acres, or 27,443 square feet, making it substantially smaller than the 40,000-square-foot lot area generally specified for a single-family dwelling in the A(R) District. Its limited area reduces the flexibility available to place a principal dwelling while satisfying both the 15-foot side-yard and 50-foot rear-yard requirements. The request also arises from the unusual sequence affecting this parcel: an uninhabitable mobile home and preexisting garage; County authorization to reconstruct the garage in the same footprint; removal of the uninhabitable principal structure; the resulting requirement that a principal use be established; and County direction that the reconstructed building could be converted to a dwelling. The dimensional conflicts appeared when the permitted garage footprint became subject to principal-structure setbacks through the required change of use. The variances are limited to the right-side and rear-yard setbacks and to the building shown on the submitted plot plan.

5. Section 25.6 neighborhood considerations

- The proposal maintains a residential use and does not introduce a commercial or high-intensity activity.
- The variances do not authorize enlargement toward either the right-side or rear property line beyond the footprint shown on the submitted plan.
- Existing access and parking will be shown on the plot plan and remain subject to agency review.
- No unusual odor, dust, smoke, vibration, glare, or noise is expected from ordinary residential occupancy.
- The project remains subject to building-code, life-safety, well, septic, and occupancy review.
- The Applicant is willing to address reasonable screening, drainage, eave/overhang, fire-separation, or maintenance-access conditions supported by agency review.

6. Requested action

For the reasons above, the Applicant respectfully requests that the Board grant two area variances from Article 5A, Section 5A.5 for the two-story single-family dwelling: reduction of the required right-side yard setback from 15 feet to 3.5 feet and reduction of the required rear-yard setback from 50 feet to 44.2 feet, consistent with the plot plan and testimony presented at the hearing.

PROPOSED FINDINGS OF FACT AND CONCLUSION

The following is offered as an organizational aid and may be revised by County staff or the Board based on the evidence.

7. Jim Wollard is the owner/appellant of the property at 8508 Neck Road, Williamsport, Maryland 21795, identified as Tax Map 60, Grid 24, Parcel 71, Account 20-008474.
8. The property is zoned A(R), Agricultural (Rural).
9. The property was previously improved with an uninhabitable mobile home and a detached garage.
10. The subject property contains approximately 0.63 acres, or 27,443 square feet.
11. The Applicant received a building permit to reconstruct the garage in the same size and location as the former garage, approximately 3.5 feet from the right-side property line and 44.2 feet from the rear property line.
12. After removal of the uninhabitable mobile home began, County staff advised that the detached garage required a principal use on the property and that the reconstructed building could be converted into a dwelling.
13. The Applicant obtained trade permits and proceeded with the conversion, but occupancy as a dwelling requires change-of-use approval and compliance with principal-structure setbacks.
14. Section 5A.5 requires a 15-foot side-yard setback and 50-foot rear-yard setback for a single-family dwelling in the A(R) District, subject to confirmation that no additional Section 5A.7 standard applies.
15. The Applicant requests reduction of the right-side setback from 15 feet to 3.5 feet and reduction of the rear setback from 50 feet to 44.2 feet, limited to the existing footprint shown on the plot plan.
16. Lesser dimensional relief for either yard would not legalize the building's fixed location and would not provide substantial relief.
17. The proposed residential use remains subject to all applicable building, fire, health, well, septic, and occupancy requirements.
18. The evidence presented at hearing establishes the site constraints and neighborhood impacts described in the final record.

Proposed conclusion

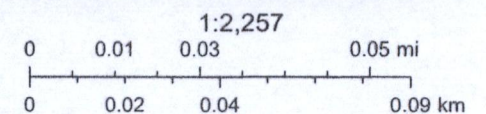
On the complete hearing record, the requested area variances satisfy Section 25.56(A): strict compliance would render conformance unnecessarily burdensome; denial would cause substantial injustice and lesser relief would not provide substantial relief; and approval of the minimum dimensional relief, subject to appropriate conditions, observes the spirit of the Ordinance and protects public safety and welfare. Both variances should therefore be granted.

Frederick Seibert & Associates, Inc.



8/3/2026, 10:27:51 AM

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World_Transportation
Parcels Washington County



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

Web AppBuilder for ArcGIS

Microsoft, Vantor | MD iMAP, DoIT | Hagerstown MD | Washington County Planning Department | Source: USDA NRCS, Esri | MD iMAP, MDP, SDAT | Washington County | Maryland Department of Transportation (MDOT), Maryland Department of Transportation State

Boundary Survey/Location Drawing
for
James Wollard and Diane M. Wollard
8312 Neck Road, Williamsport Md.
Permit No. 2023-04446.R02

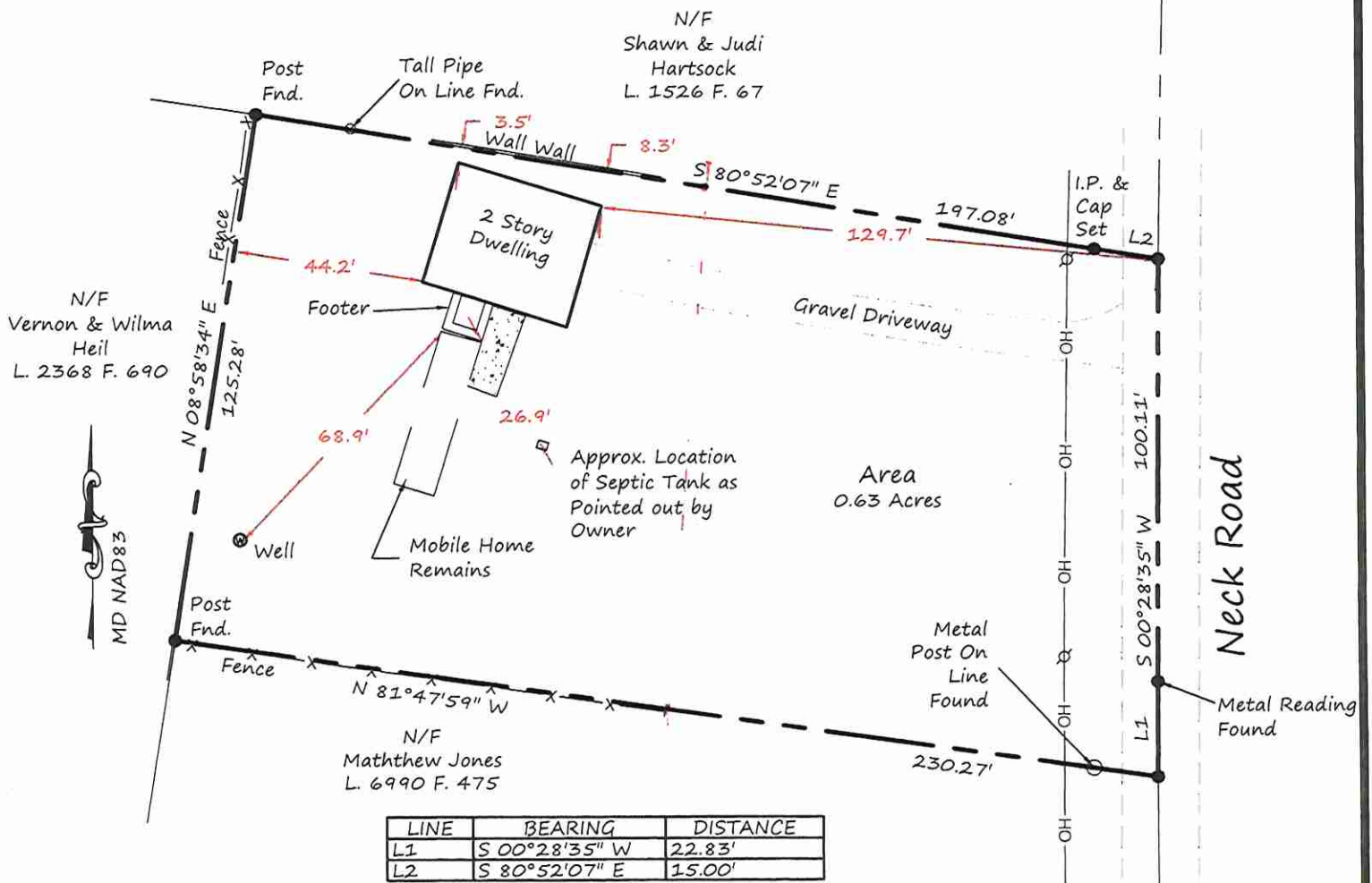
This parcel does not lie within the limits of the 100 year floodplain, FEMA Flood Insurance Rate Map, Community Panel No. 24043C0290D, effective August 15, 2017, Flood Zone X.

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 all of the land described in a deed from William Luther Whittington Personal Representative of the Estate of Llewellyn Walker Whittington to James Wollard and Diane M. Wollard, by deed dated September 23, 2010, recorded in the Land Records of Washington County, Maryland, in Liber 3950, Folio 34; 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.
Professional Certification: 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. 10731, Expiration Date, January 16, 2028.



7/22/2026



Survey performed without the benefit of a title report.

Tax Map 60-24-71		 FREDERICK, SEIBERT & ASSOCIATES, INC. ©2026 fsa-inc.com		PROJECT NO. 2026-0239
DWN BY JTK	DATE 7/16/2026			
PROJECT MANAGER JTK	EMAIL jkane@fsa-inc.com			
SCALE 1" = 40'				
SHEET 1 OF 1		128 SOUTH POTOMAC STREET HAGERSTOWN, MD 21740 301.791.3650	20 WEST BALTIMORE STREET GREENCASTLE, PA 17225 717.597.1007	505 SOUTH HANOVER STREET CARLISLE, PA 17013 717.701.8111
		15 EAST MAIN STREET NEW BLOOMFIELD, PA 17068 717.275.7531		