

BOARD OF APPEALS

February 1, 2023

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

AGENDA

DOCKET NO. AP2023-001: An appeal was filed by Jared & Rachel Petre for a special exception to establish a machine shop use in existing structure and a variance from the required 50 ft. front and side yard setback to 19 ft. from the front property line and 37 ft. from the west property line for the exiting structure on property owned by the appellants and located at 14339 Clear Spring Road, Williamsport, Zoned Agricultural Rural. -**GRANTED**

DOCKET NO. AP2023-002: An appeal was filed by Keith & Virginia Coco for a variance from the required 200 ft. setback for side yard property lines to 75 ft. for future riding arena for riding academy on property owned by the appellants and located at 14507 Heavenly Acres Ridge Road, Hancock, Zoned Environmental Conservation. - **GRATNED**

DOCKET NO. AP2023-003: An appeal was filed by 2004 Maugans Avenue LLC for a variance from the required 40 ft. front yard setback to 10 ft. and variance from the required 10 ft. side yard setback to 2 ft. for proposed dumpster pad enclosure for future convenience store on property owned by the appellant and located at 18415 Maugans Avenue, Hagerstown, Zoned Highway Interchange. - **GRANTED**

DOCKERT NO. AP2023-004: An appeal was filed by Hetzer C. William Inc for a variance from the required 12 ft. side yard setback to 8 ft. for future semi-detached dwellings on properties owned by the appellant and located at 13810 A-13814 B Weaver Avenue, Maugansville, Zoned Residential Suburban. - **DENIED**

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 January 23, 2023. Any person desiring a stenographic transcript shall be responsible for supplying a competent stenographer.

The Board of Appeals reserves the right to vary the order in which the cases are called. Please take note of the Amended Rules of Procedure (Adopted July 5, 2006), Public Hearing, Section 4(d) which states:

Applicants shall have ten (10) minutes in which to present their request and may, upon request to and permission of the Board, receive an additional twenty (20) minutes for their presentation. Following the Applicant's case in chief, other individuals may receive three (3) minutes to testify, except in the circumstance where an individual is representing a group, in which case said individual shall be given eight (8) minutes to testify.

Those Applicants requesting the additional twenty (20) minutes shall have their case automatically moved to the end of the docket.

For extraordinary cause, the Board may extend any time period set forth herein, or otherwise modify or suspend these Rules, to uphold the spirit of the Ordinance and to do substantial justice.

Jay Miller, Chairman

Board of Zoning Appeals



WASHINGTON COUNTY BOARD OF ZONING APPEALS

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

ZONING APPEAL

Property Owner: Jared & Rachel Petre
14315 Clear Spring Road
Williamsport MD 21795
Appellant: Jared & Rachel Petre
14315 Clear Spring Road
Williamsport MD 21795
Property Location: 14339 Clear Spring Road
Williamsport, MD 21795
Description Of Appeal: Special exception to establish a machine shop use in an existing structure, variance from the required 50 ft. front and side yard setback to 19 ft. from the front property line and 37 ft. from the west property line for the existing structure.
Docket No: AP2023-001
Tax ID No: 23005344
Zoning: A(R)
RB Overlay: No
Zoning Overlay:
Filed Date: 01/11/2023
Hearing Date: 02/01/2023

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

Previous Petition/Appeal Docket No(s):

Applicable Ordinance Sections: Washington County Zoning Ordinance: Section 3.3(1) K & Section 5A.6

Reason For Hardship: Moving or relocating the structure would be overly burdensome to applicant.

If Appeal of Ruling, Date Of Ruling:

Ruling Official/Agency:

Existing Use: Personal Use Proposed Use: Commerical Use

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 of the appellant.

Appellant Signature

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this 13 day of Jan., 2023.

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

Handwritten signature of the notary and a circular notary seal.

My Commission Expires

Notary Public



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



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: AP2023-001

State of Maryland Washington County, To Wit:

On 1/11/2023, 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 02/01/2023, 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 01/17/2023 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

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

My Commission Expires



Seal

Project Name: Petre Machine Shop
FSA Job No.: 3641
Owner: Jared & Rachel Petre
Applicant: Devon Petre (Owners Son)
Project Address: 14339 Clear Spring Road
Williamsport, MD 21795

Tax Map 47 **Grid** 8 **Parcel** 83

Account # 23-005344

Zoning: A(R)

Special Exception Request:

Table 3.3(1) of the Washington County Zoning Ordinance lists a Machine Shop in A(R) district as a Special Exception. The applicant requests to establish machine shop in an existing 1,200 SF equipment building owned by his parents on a 41.5 acre parcel. The machine shop would primarily be used to recondition hydraulic cylinders used on agricultural and construction equipment. The subject building has been used in the past to not only store equipment but a portion of the building has been used to repair on-site agricultural equipment. Several other land uses such as a solar array, mobile home and other agricultural buildings exist on this property. Details of the proposed machine shop are as follows:

Hours of Operation : 7:00 AM- 5:00 PM M-F
7:00 AM- Noon Saturday

Employees: Two. Father and Brother of applicant. Both live on the adjacent property at 14315 Clear Spring Road.

Customers: Majority of customers are wholesale however he may see 2-3 walk in customers per week.

Deliveries: Two-three per week

Bathroom: One bathroom is to be constructed.

Variance Request:

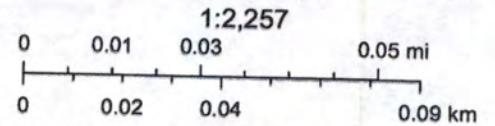
Table 5A.6 of the Washington County Zoning Ordinance indicates 50 foot front, side and rear setbacks for "Other Principal Permitted or Conditional Uses. Since the applicant will be occupying an existing building they request the front yard be reduced to 19 feet and the right side yard be reduced to 37 feet. At the time this building was constructed it was viewed as an accessory building and afforded 15 foot setbacks. Moving or relocating the building would be overly burdensome on the applicant. Very little if any change will be noticed by the most affected property owners.

Frederick Seibert & Associates, Inc.



12/23/2022, 9:58:23 AM

- World Transportation
- MD_SixInchImagery
- FSA Database
- HL Database
- Parcels



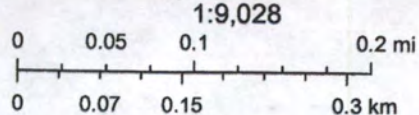
Esri Community Maps Contributors, WashCo MD, West Virginia GIS, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph,

Frederick Seibert & Associates, Inc.



12/23/2022, 10:26:10 AM

World Transportation Parcels
MD_SixInchImagery



Esri Community Maps Contributors, WashCo MD, West Virginia GIS, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph,

Web AppBuilder for ArcGIS



Washington County Board of Zoning Appeals Owner's Representative Affidavit

This is to certify that Fred Frederick
is authorized to file an appeal with the Washington County Board of Appeals for a special exception
for agricultural related machine shop in the A(R) zoning district.
on property located at 14339 Clear Spring Rd. ASSOCIATED VARIANCES
The said work is authorized by Jared Petre
the property owner in fee.

PROPERTY OWNER

Jared Petre
Name
14315 Clear Spring Rd.
Address
Williamsport MD. 21795
City, State, Zip Code
Jared L. Petre
Owner's Signature



Sworn and subscribed before me this 5 day of December, 2022.

Nikki S. Eichelberger
Notary Public

My Commission Expires: 9/15/2024

AUTHORIZED REPRESENTATIVE

Fred Frederick w/ FSA ED SCHREIBER
Name
128 S. Potomac St.
Address
Hagerstown MD-21740
City, State, Zip Code
Fred Frederick
Authorized Representative's Signature



Sworn and subscribed before me this 5 day of December, 2022.

Nikki S. Eichelberger
Notary Public

My Commission Expires: 9/15/2024

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

Section 5A.0 Purpose

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

Section 5A.1 Principal Permitted Uses and Accessory Uses

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

Section 5A.2 Special Exceptions

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

Section 5A.3 Criteria

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

Section 5A.4 Exemptions

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

⁵¹

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

Section 5A.5 Residential Lot Size and Bulk Dimensions⁵²

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

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

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

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

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



Section 5A.7 Special Provisions⁵⁵

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

⁵² Revision 16, Section 5A.5 amended 8/4/09 (RZ-09-001)
⁵³ Revision 15, Section 5A.6 amended 9/19/06 (RZ-06-007)
⁵⁴ Revision 18, Section 5A.6 amended 1/16/18 (RZ-07-007/ORD-2018-03)
⁵⁵ Revision 16, Section 5A.7 amended 8/4/09 (RZ-09-001)

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

TABLE 3.3(1)

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

10

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

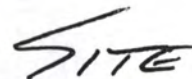
P-Permitted
 SE-Special Exception
 A-Accessory
 N-Not Permitted

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

LAND USES	A(R)	EC	P	RV	RB	IM	Intensity of Use
O. Public Administration							
Public buildings, structures, and properties of public service-type, including fire, ambulance or rescue services	P	P	P	P	P	N	N/A
P. Retail and Wholesale Trade							
Alcoholic beverage package stores	N	N	N	N	P	N	HIGH
Appliance stores	N	N	N	N	P	N	LOW
Auction House/Flea Market	SE	SE	SE	SE	P	N	LOW
Auto Sales and services	N	N	N	N	P	N	HIGH
Automobile parts and accessories	N	N	N	N	P	N	LOW
Bakery shops	P	P	P	P	P	N	LOW
Candy stores	P	P	P	P	P	N	LOW
Clothing stores	N	N	N	SE	P	N	LOW
Convenience stores	N	N	N	N	P	N	LOW
Dairy product stores	P	P	P	SE	A	N	MODERATE
Florist shops	P	P	P	P	P	N	N/A
Furniture and upholstering stores	SE	SE	SE	SE	P	N	LOW
Garden shops, nurseries, and greenhouses	P	P	P	P	P	N	LOW
Gift or jewelry shops	N	N	N	SE	P	N	MODERATE
Grocery stores	N	N	N	SE	P	N	MODERATE
Hardware stores	N	N	N	SE	P	N	LOW
Home Centers	N	N	N	N	P	N	MODERATE
Laundry or dry cleaning	N	N	N	P	P	N	LOW
Livestock sales, yards, and buildings subject to a minimum of ten (10) acres being provided; and provided such building or use shall be subject to four (4) times the distance requirements specified in Section 4.9 and a front yard of four hundred (400) feet is provided for any use pertaining thereto	N	N	N	N	P	N	LOW
Machinery dealerships and other businesses providing support for agricultural work	SE	SE	N	SE	P	N	LOW
Meat markets	A	A	A	N	P	N	LOW
Outdoor/Recreational outfitters	SE	SE	SE	SE	P	N	MODERATE
Pet shops	N	N	N	SE	P	N	LOW
Pharmacies	N	N	N	SE	P	N	LOW
Printing, blue printing, photocopying, and similar reproduction services	N	N	N	SE	P	N	LOW

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

Real Property Data Search ()
Search Result for WASHINGTON COUNTY



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[View GroundRent Registration](#)

Special Tax Recapture: AGRICULTURAL TRANSFER TAX

Account Identifier: District - 23 Account Number - 005344

Owner Information

Owner Name:	PETRE JARED L	Use:	AGRICULTURAL
	PETRE RACHEL A	Principal Residence:	NO
Mailing Address:	14315 CLEAR SPRING RD	Deed Reference:	/04268/ 00464
	WILLIAMSPORT MD 21795-3046		

Location & Structure Information

Premises Address:	14339 CLEAR SPRING RD	Legal Description:	41.50 ACRES REMAINING
	WILLIAMSPORT 21795-0000		14339 CLEAR SPRING RD

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	10050
0047	0008	0083	23010027.22	0000				2021	Plat Ref:	

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
2014	840 SF		41.5000 AC	

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
1	NO	MANUFACTURED HOMES	SIDING/3		1 full		

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2021	07/01/2022	07/01/2023
Land:	384,400	384,400		
Improvements	114,300	100,200		
Total:	498,700	484,600	484,600	484,600
Preferential Land:	7,000	7,000		

Transfer Information

Seller: PETRE MERLE H	Date: 04/18/2012	Price: \$77,300
Type: NON-ARMS LENGTH OTHER	Deed1: /04268/ 00464	Deed2:
Seller: KLINE BEATRICE VIRGINIA	Date: 07/15/1983	Price: \$205,000
Type: ARMS LENGTH IMPROVED	Deed1: /00746/ 00875	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
County:	807	322,400.00	322,400.00
State:	807	0.00	
Municipal:	807	0.00 0.00	0.00 0.00

Special Tax Recapture: AGRICULTURAL TRANSFER TAX

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

Real Property Data Search ()

Search Result for WASHINGTON COUNTY

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[View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 23 Account Number - 006677

Owner Information

Owner Name: MARTIN MARIETTA MATERIALS INC Use: INDUSTRIAL

Principal Residence: NO

Mailing Address: C/O BADEN TAX MGMT
PO BOX 8040
FORT WAYNE IN 46898-8040
Deed Reference: /04200/ 00015

Location & Structure Information

Premises Address: 14932 BOTTOM 14934 RD Legal Description: 448.54 ACRES
WILLIAMSPORT 21795-0000 14932-14934 BOTTOM ROAD
1 MI FR PINESBURG

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No: 10050
0047 0015 0075 30000.22 0000 2021 Plat Ref:

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
7,056 SF 448.5400 AC

Stories Basement Type Exterior Quality Full/Half Bath Garage Last Notice of Major Improvements
SERVICE GARAGE / C2

Value Information

	Base Value	Value As of 01/01/2021	Phase-in Assessments As of 07/01/2022	As of 07/01/2023
Land:	5,347,000	5,347,000		
Improvements	236,900	222,000		
Total:	5,583,900	5,569,000	5,569,000	5,569,000
Preferential Land:	0	0		

Transfer Information

Seller: PETRE PEGGY Type: ARMS LENGTH VACANT	Date: 12/14/2011 Deed1: /04200/ 00015	Price: \$1,500,000 Deed2:
Seller: TIMMONS DOUGLAS G Type: ARMS LENGTH VACANT	Date: 03/20/2001 Deed1: /01638/ 00329	Price: \$60,000 Deed2:
Seller: MICHIGAN LIMESTONE & CHEM Type: ARMS LENGTH MULTIPLE	Date: 02/04/2000 Deed1: /01552/ 00344	Price: \$1,750,000 Deed2:

Exemption Information

Partial Exempt Assessments: Class	07/01/2022	07/01/2023
County:	000	0.00
State:	000	0.00
Municipal:	000	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:

Real Property Data Search ()
 Search Result for WASHINGTON COUNTY

View Map View GroundRent Redemption View GroundRent Registration

Special Tax Recapture: AGRICULTURAL TRANSFER TAX

Account Identifier: District - 23 Account Number - 012316

Owner Information

Owner Name: HAMMOND JENNIFER S ET AL Use: AGRICULTURAL
 HAMMOND JOHN D Principal Residence: NO
 Mailing Address: 15604 NATIONAL PIKE Deed Reference: /06503/ 00002
 HAGERSTOWN MD 21740-2138

Location & Structure Information

Premises Address: 14123 CLEAR SPRING RD Legal Description: PAR A 86.72 ACRES
 WILLIAMSPORT 21795-0000 14123&14125 CLEAR SPRING ROAD

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
 0047 0014 0290 23010027.22 0000 2021 Plat Ref:
 Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
 1984 3,520 SF 86.7200 AC

StoriesBasementType ExteriorQualityFull/Half BathGarage Last Notice of Major Improvements
 2 YES STANDARD UNITSIDING/3 4 full 1 Attached

Value Information

	Base Value	Value As of 01/01/2021	Phase-in Assessments As of 07/01/2022	As of 07/01/2023
Land:	138,000	138,000		
Improvements	189,600	229,300		
Total:	327,600	367,300	354,067	367,300
Preferential Land:	28,000	28,000		

Transfer Information

Seller: HAMMOND DANIEL R & Type: NON-ARMS LENGTH OTHER	Date: 02/03/2021 Deed1: /06503/ 00002	Price: \$0 Deed2:
Seller: Type: ARMS LENGTH IMPROVED	Date: 04/20/1982 Deed1: /00727/ 00497	Price: \$95,000 Deed2:
Seller: Type:	Date: Deed1:	Price: Deed2:

Exemption Information

Partial Exempt Assessments: Class	07/01/2022	07/01/2023
County: 000	0.00	
State: 000	0.00	
Municipal: 000	0.00 0.00	0.00 0.00

Special Tax Recapture: AGRICULTURAL TRANSFER TAX

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

Real Property Data Search ()
 Search Result for WASHINGTON COUNTY

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[View GroundRent Redemption](#)

[View GroundRent Registration](#)

Special Tax Recapture: AGRICULTURAL TRANSFER TAX

Account Identifier: District - 23 **Account Number -** 005514

Owner Information

Owner Name: HAMMOND JOHN DANIEL **Use:** AGRICULTURAL
 HAMMOND JULIE ANN **Principal Residence:** NO
Mailing Address: 14123 CLEAR SPRING RD **Deed Reference:** /06502/ 00367
 WILLIAMSPORT MD 21795-0000

Location & Structure Information

Premises Address: 14227 CLEAR SPRING RD **Legal Description:** 40.96 ACRES REM
 WILLIAMSPORT 21795-0000 14227 CLEAR SPRING ROAD
 1 MI E OF CHARLTON

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
 0047 0008 0108 23010027.22 0000 2021 **Plat Ref:**

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
 1920 1,560 SF 40.9600 AC

StoriesBasement Type Exterior Quality Full/Half Bath Garage Last Notice of Major Improvements
 2 YES STANDARD UNIT FRAME/2 1 full

Value Information

	Base Value	Value As of 01/01/2021	Phase-in Assessments As of 07/01/2022	As of 07/01/2023
Land:	73,400	73,400		
Improvements	17,300	19,400		
Total:	90,700	92,800	92,100	92,800
Preferential Land:	18,400	18,400		

Transfer Information

Seller: HAMMOND DANIEL & Type: ARMS LENGTH IMPROVED	Date: 02/02/2021 Deed1: /06502/ 00367	Price: \$260,000 Deed2:
Seller: KRETZER DEAN R ET AL Type: NON-ARMS LENGTH OTHER	Date: 12/23/2015 Deed1: /05130/ 00461	Price: \$260,000 Deed2:
Seller: KRETZER DEAN R ET AL Type: NON-ARMS LENGTH OTHER	Date: 02/22/2013 Deed1: /04474/ 00082	Price: \$0 Deed2:

Exemption Information

Partial Exempt Assessments:Class	07/01/2022	07/01/2023
County: 000	0.00	
State: 000	0.00	
Municipal: 000	0.00 0.00	0.00 0.00

Special Tax Recapture: AGRICULTURAL TRANSFER TAX

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

Real Property Data Search ()

Search Result for WASHINGTON COUNTY

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[View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 23 Account Number - 005492

Owner Information

Owner Name: LEGGETT BRADLEY & LEGGETT WENDY SUE Use: RESIDENTIAL
Principal Residence: YES

Mailing Address: 14255 CLEAR SPRING RD Deed Reference: /05650/ 00002
WILLIAMSPORT MD 21795-3044

Location & Structure Information

Premises Address: 14255 CLEAR SPRING RD Legal Description: 3.29 ACRES
WILLIAMSPORT 21795-0000 14255 CLEAR SPRING RD

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
0047 0008 0270 23010027.22 0000 2021 Plat Ref:

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
1979 1,479 SF 3.2900 AC

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
1	YES	STANDARD UNIT	BRICK/ 4	2 full	1 Attached		

Value Information

	Base Value	Phase-in Assessments		
		Value As of 01/01/2021	As of 07/01/2022	As of 07/01/2023
Land:	77,900	77,900		
Improvements	129,200	187,500		
Total:	207,100	265,400	245,967	265,400
Preferential Land:	0	0		

Transfer Information

Seller: KRETZER DEAN	Date: 12/07/2017	Price: \$220,000
Type: NON-ARMS LENGTH OTHER	Deed1: /05650/ 00002	Deed2:
Seller:	Date:	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /00729/ 00468	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments: Class	07/01/2022	07/01/2023
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:

Real Property Data Search ()

Search Result for WASHINGTON COUNTY

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Special Tax Recapture: None

Account Identifier: District - 23 Account Number - 007819

Owner Information

Owner Name: STANLEY ARTHUR CAMP III Use: RESIDENTIAL
 STANLEY JOHN R Principal Residence: NO
 Mailing Address: 12944 PINEHILL DR Deed Reference: /07048/ 00115
 HAGERSTOWN MD 21740-0000

Location & Structure Information

Premises Address: 14309 CLEAR SPRING RD Legal Description: 2.12 ACRES
 WILLIAMSPORT 21795-0000 14309 CLEAR SPRING RD
 S/S MD RT 68

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
 0047 0009 0269 23010027.22 0000 2021 Plat Ref:

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
 1973 720 SF 2.1200 AC

StoriesBasementType ExteriorQualityFull/Half BathGarageLast Notice of Major Improvements
 1 NO MANUFACTURED HOMEFRAME/3 1 full

Value Information

	Base Value	Value As of 01/01/2021	Phase-in Assessments As of 07/01/2022	As of 07/01/2023
Land:	66,200	66,200		
Improvements	6,000	6,600		
Total:	72,200	72,800	72,600	72,800
Preferential Land:	0	0		

Transfer Information

Seller: STANLEY ARTHUR CAMP & Type: NON-ARMS LENGTH OTHER	Date: 06/28/2022 Deed1: /07048/ 00115	Price: \$0 Deed2:
Seller: ORNDOFF RAY H JR Type: NON-ARMS LENGTH OTHER	Date: 09/15/2011 Deed1: /04149/ 00457	Price: \$70,000 Deed2:
Seller: ORNDOFF RAY H JR & JUDITH D Type: NON-ARMS LENGTH OTHER	Date: 01/18/2006 Deed1: /02903/ 00287	Price: \$0 Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
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:

Real Property Data Search ()
 Search Result for WASHINGTON COUNTY

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Special Tax Recapture: AGRICULTURAL TRANSFER TAX

Account Identifier: District - 23 Account Number - 019434

Owner Information

Owner Name: PETRE JARED L Use: AGRICULTURAL
 PETRE RACHEL A Principal Residence: YES
 Mailing Address: 14315 CLEAR SPRING RD Deed Reference: /04572/ 00181
 WILLIAMSPORT MD 21795-3046

Location & Structure Information

Premises Address: 14315 CLEAR SPRING RD Legal Description: LOT 1 3.34 ACRES
 WILLIAMSPORT 21795-0000 14315 CLEAR SPRING RD

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No: 5771
 0047 0008 0336 23010027.22 0000 1 2021 Plat Ref:

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
 1999 2,020 SF 370 SF 3.3400 AC 000000

StoriesBasementType ExteriorQualityFull/Half BathGarageLast Notice of Major Improvements
 1 YES STANDARD UNITBRICK/ 3 2 full/1 half

Value Information

	Base Value	Value As of 01/01/2021	Phase-in Assessments	
			As of 07/01/2022	As of 07/01/2023
Land:	56,100	56,100		
Improvements	162,000	256,400		
Total:	218,100	312,500	281,033	312,500
Preferential Land:	1,100	1,100		

Transfer Information

Seller: PETRE PEGGY J Date: 06/24/2013 Price: \$50,000
 Type: NON-ARMS LENGTH OTHER Deed1: /04572/ 00181 Deed2:
 Seller: Date: Price: \$0
 Type: NON-ARMS LENGTH OTHER Deed1: /00746/ 00875 Deed2:
 Seller: Date: Price:
 Type: Deed1: Deed2:

Exemption Information

Partial Exempt Assessments: Class 07/01/2022 07/01/2023
 County: 000 0.00
 State: 000 0.00
 Municipal: 000 0.00|0.00 0.00|0.00

Special Tax Recapture: AGRICULTURAL TRANSFER TAX

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

Real Property Data Search ()

Search Result for WASHINGTON COUNTY

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Special Tax Recapture: None

Account Identifier: District - 23 Account Number - 005468

Owner Information

Owner Name: HARRIS EUGENE T II & HARRIS JOELLEN Use: RESIDENTIAL
 Principal Residence:NO
 Mailing Address: 14314 CLEAR SPRING RD Deed Reference: /03627/ 00327
 WILLIAMSPORT MD 21795-3045

Location & Structure Information

Premises Address: CLEAR SPRING RD Legal Description: 1.19 ACRES
 WILLIAMSPORT 21795-0000 WMSPT/CLEAR SPRING RD

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
 0047 0009 0200 23010027.22 0000 2021 Plat Ref:

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
 1.1900 AC

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

Value Information

	Base Value	Value		
		As of 01/01/2021	As of 07/01/2022	As of 07/01/2023
Land:	46,900	46,900		
Improvements	0	0		
Total:	46,900	46,900	46,900	46,900
Preferential Land:	0	0		

Transfer Information

Seller: KREPS JOSEPH W & BETTY K	Date: 03/31/2009	Price: \$180,000
Type: NON-ARMS LENGTH OTHER	Deed1: /03627/ 00327	Deed2:
Seller: KREPS JOSEPH C	Date: 07/29/1987	Price: \$3,000
Type: NON-ARMS LENGTH OTHER	Deed1: /00852/ 01048	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments:Class	07/01/2022	07/01/2023
County:	000	0.00
State:	000	0.00
Municipal:	000	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:

Real Property Data Search ()
 Search Result for WASHINGTON COUNTY

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Special Tax Recapture: None
 Account Identifier: District - 23 Account Number - 010372

Owner Information
 Owner Name: NEUSCHAFER TERRY J & NEUSCHAFER THERESA A Use: RESIDENTIAL
 Mailing Address: 14326 CLEAR SPRING RD Principal Residence: YES
 WILLIAMSPORT MD 21795-3045 Deed Reference: /01996/ 00633

Location & Structure Information
 Premises Address: 14326 CLEAR SPRING RD Legal Description: 1.92 ACRES
 WILLIAMSPORT 21795-0000 14326 CLEAR SPRING ROAD

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No: 7184
 0047 0010 0093 23010027.22 0000 2021 Plat Ref:

Town: None
 Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
 1972 1,144 SF 1.9200 AC

StoriesBasement Type ExteriorQualityFull/Half Bath GarageLast Notice of Major Improvements
 1 YES STANDARD UNIT BRICK/ 3 1 full

Value Information

	Base Value	Value As of 01/01/2021	Phase-in Assessments As of 07/01/2022	As of 07/01/2023
Land:	64,200	64,200		
Improvements	74,400	127,000		
Total:	138,600	191,200	173,667	191,200
Preferential Land:	0	0		

Transfer Information

Seller: ELLIS GUY J Type: ARMS LENGTH IMPROVED	Date: 12/18/1996 Deed1: /01996/ 00633	Price: \$96,000 Deed2:
Seller: STARTZMAN DONALD E Type: ARMS LENGTH IMPROVED	Date: 08/02/1995 Deed1: /01223/ 00455	Price: \$99,000 Deed2:
Seller: Type:	Date: Deed1:	Price: Deed2:

Exemption Information

Partial Exempt Assessments:Class	07/01/2022	07/01/2023
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:

Real Property Data Search ()

Search Result for WASHINGTON COUNTY

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[View GroundRent Registration](#)

Special Tax Recapture: HOMEOWNERS TAX CREDIT

Account Identifier: District - 23 Account Number - 007517

Owner Information

Owner Name: MYERS GRACE E Use: RESIDENTIAL

Principal Residence: YES

Mailing Address: 14334 CLEAR SPRING RD
WILLIAMSPORT MD 21795-3045 Deed Reference: /02358/ 00718

Location & Structure Information

Premises Address: 14334 CLEAR SPRING RD Legal Description: 1.91 ACRES
WILLIAMSPORT 21795-0000 14334 CLEAR SPRING ROAD

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No: 7184
0047 0009 0194 23010027.22 0000 2021 Plat Ref:

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
1967 1,092 SF 1.9100 AC

Stories Basement Type Exterior Quality Full/Half Bath Garage Last Notice of Major Improvements
1 YES STANDARD UNIT BRICK/ 3 1 full 1 Attached

Value Information

	Base Value	Value As of 01/01/2021	Phase-in Assessments As of 07/01/2022	As of 07/01/2023
Land:	64,100	64,100		
Improvements	79,700	133,700		
Total:	143,800	197,800	179,800	197,800
Preferential Land:	0	0		

Transfer Information

Seller: MYERS JACOB D	Date: 06/16/2004	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /02358/ 00718	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: HOMEOWNERS TAX CREDIT

Homestead Application Information

Homestead Application Status: Approved 04/29/2011

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: Completed with credit for 2022 Date: 07/01/2022

Real Property Data Search ()
 Search Result for WASHINGTON COUNTY

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[View GroundRent Redemption](#)

[View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 23 Account Number - 006545

Owner Information

Owner Name: STATLER DANIEL J Use: RESIDENTIAL

Principal Residence: YES

Mailing Address: 14338 CLEAR SPRING RD Deed Reference: /05718/ 00292
 WILLIAMSPORT MD 21795-0000

Location & Structure Information

Premises Address: 14338 CLEAR SPRING RD Legal Description: LOT 150X300 IMP .905
 WILLIAMSPORT 21795-0000 14338 CLEAR SPRING RD

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
 0047 0009 0124 23010027.22 0000 2021 Plat Ref:

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
 1963 468 SF 39,422 SF

StoriesBasementType ExteriorQualityFull/Half BathGarageLast Notice of Major Improvements
 1 NO STANDARD UNITSIDING/3 1 full

Value Information

	Base Value	Value As of 01/01/2021	Phase-in Assessments As of 07/01/2022	As of 07/01/2023
Land:	53,800	53,800		
Improvements	46,500	43,700		
Total:	100,300	97,500	97,500	97,500
Preferential Land:	0	0		

Transfer Information

Seller: Z TYLER LLC	Date: 04/02/2018	Price: \$90,000
Type: NON-ARMS LENGTH OTHER	Deed1: /05718/ 00292	Deed2:
Seller: WEST BRIDGE LLC	Date: 06/24/2014	Price: \$79,000
Type: NON-ARMS LENGTH OTHER	Deed1: /04780/ 00083	Deed2:
Seller: FIELDS TIMOTHY E & SANDRA M	Date: 10/12/2005	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /02808/ 00548	Deed2:

Exemption Information

Partial Exempt Assessments:Class		07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

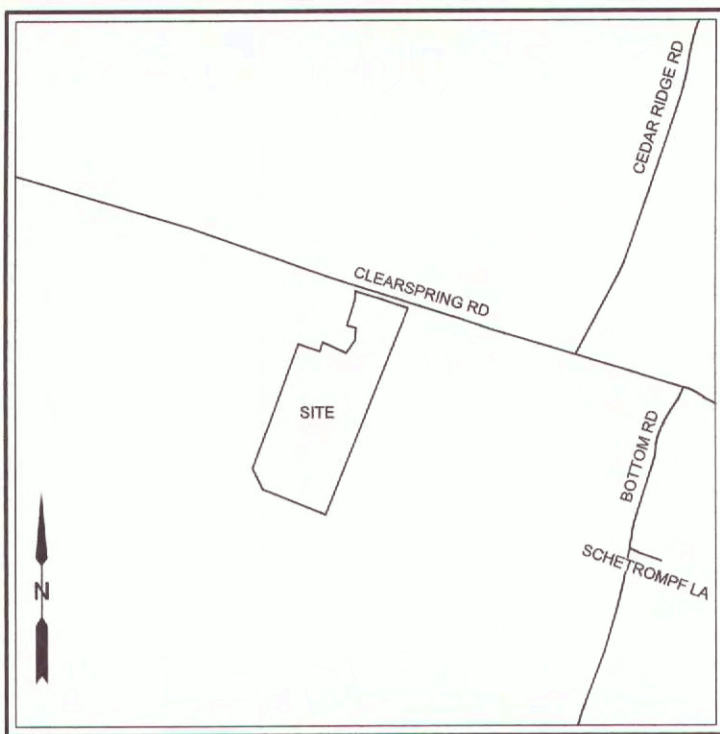
Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: Approved 05/29/2018

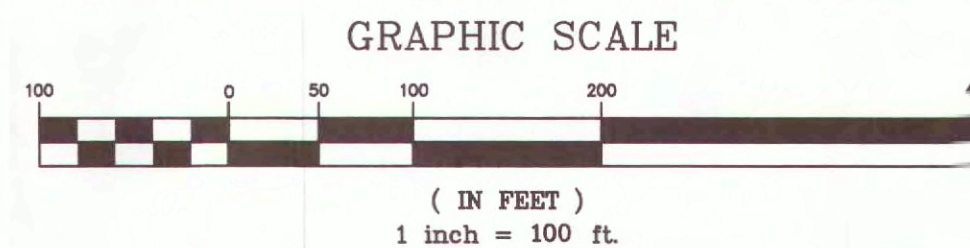
Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:



VICINITY MAP
SCALE 1"=2000'

Parcel is zoned A(R) - Agricultural (Rural)
Variance request to reduce 50' setback requirements as shown hereon
Special exception to allow a 7,500 S.F. machine shop in the A(R) district



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 15 EAST MAIN STREET
 NEW BLOOMFIELD, PA 17068
 717.276.7831
 506 SOUTH HANOVER STREET
 GREENCASTLE, PA 17225
 717.597.1907
 20 WEST BALTIMORE STREET
 GREENCASTLE, PA 17225
 717.791.8111
 128 SOUTH POTOMAC STREET
 HAGERSTOWN, MD 21740
 301.791.8600

BZA EXHIBIT
 FOR
 Jared L. Petre and Rachel A. Petre
 SITUATE ALONG THE SOUTH SIDE OF CLEAR SPRING ROAD, WILLIAMSPORT
 WASHINGTON COUNTY, MARYLAND

PROJECT NO.	3641
DWN BY	LEJ
DATE	1.3.2023
PROJECT MANAGER	EJS
EMAIL	ESchreiber@fsa-inc.com
ELECTION DISTRICT	23
PROPERTY INFORMATION	47-8-83
ACCOUNT NO.	23-005344
SCALE	1" = 50'

SHEET TITLE
 BZA
 EXHIBIT

P:\SHARED\POLYMER\PROJECTS\BZA\CONCEPT\BZA_2022\DWG_0102023



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: Keith & Virginia Coco
14507 Heavenly Acres Ridge Road
Hancock MD 21750
Appellant: Keith & Virginia Coco
14507 Heavenly Acres Ridge Road
Hancock MD 21750
Property Location: 14507 Heavenly Acres Ridge Road Ridge
Hancock, MD 21750
Description Of Appeal: Variance from the required 200 ft. setback for side yard property lines to 75 ft. for future riding arena for riding academy.

Docket No: AP2023-002
Tax ID No: 05000734
Zoning: EC
RB Overlay: No
Zoning Overlay:
Filed Date: 01/11/2023
Hearing Date: 02/01/2023

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

Previous Petition/Appeal Docket No(s):

Applicable Ordinance Sections: Washington County Zoning Ordinance Section 3.3 (1) E. & Section 4.9

Reason For Hardship: Existing lot width would not allow for the riding arena to meet the setback for the size arena needed.

If Appeal of Ruling, Date Of Ruling:

Ruling Official/Agency:

Existing Use: Residential Proposed Use: Residential with Commerical Riding Academy

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 of the appellant.

Appellant Signature

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this 11 day of Jan., 2023.

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

Handwritten signature of the notary public.

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: AP2023-002

State of Maryland Washington County, To Wit:

On 1/11/2023, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Virginia Coco and made oath in due form of law as follows:

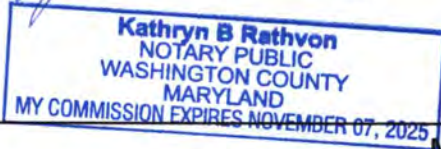
Virginia Coco will post the zoning notice sign(s) given to me by the Zoning Administrator in accordance with Section 25.51(c) of the Washington County Zoning Ordinance for the above captioned Board of Appeals case, scheduled for public hearing on 02/01/2023, and that said sign(s) will be erected on the subject property in accordance with the required distances and positioning as set out in the attached posting instructions.

Sign(s) will be posted on 01/17/2023 and will remain until after the above hearing date.

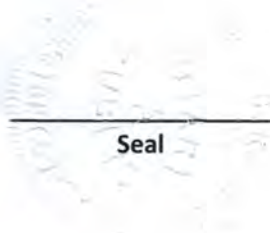
Virginia Coco

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

Notary Public



My Commission Expires



Seal



BOARD OF ZONING 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 for Variance

Appeal is hereby made for a variance from a requirement of the Washington County Zoning Ordinance as follows:

Location 14507 Heavenly Acres Ridge, Hancock

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

Owner (Including Joint Ownership) Lessee Contract to rent/lease
 Contract to Purchase Other

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

3.31(E) Section 4.9

Specify the particular requirement(s) from which a variance is desired in that section or subsection:

200 ft from any lot line shared with a lot occupied by 9 dwellings

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

Please see Attached

Describe reason(s) why the Ordinance requirement(s) in question would result in peculiar and/or unusual practical difficulties to or would impose exceptional or undue hardship upon the owner of the property if the requested variance were not granted:

Provide Detailed Explanation on Separate Sheet

Has any previous petition or appeal involving this property been made to the Board?

Yes No

If yes, list docket number(s): N/A

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

[Signature]
Signature of Appellant

KVCOOO@yahoo.com
Email of Appellant

14507 Heavenly Acres Ridge
Address and of Appellant

717-814-2794
Phone Number of Appellant

This appeal form is to be used to assist the customer in gathering the information necessary to submit an application. However, the application shall be processed in person.

Keith and Virginia Coco
14507 Heavenly Acres Ridge
Hancock, MD 21750

Dear Members of the Zoning Board:

We are coming to you with a request for a variance on our property at 14507 Heavenly Acres Ridge, Hancock, MD. My husband, Keith, and I, ask for this variance due to Practical Difficulties of having a riding arena that is 100' x 150' to conduct riding lessons for those in the community with disabilities. What we are asking for is a decrease in the existing setback requirements from 200' to 75' from any property line. The reduction of the set back does not cause an encroachment on our neighbors, as you will see on Map #1. The nearest house would be over 400 feet from the arena. Map #1 Shows the distance remaining from the riding arena to our neighbors houses.

Why? We would like to provide riding lessons to those in the community who have special needs and/or have experienced trauma. In order to do this safely, we need to install a 100' x 150' riding arena and a small parking area on the back half of the property.

Our property is a rectangle. It is 349.12' wide on the short end and 690.52' and 752.24' on the long ends. Even though we meet the setback on the long sides, we do not meet them on the long side. If the setback is reduced to 75', we will be able to put in the arena. The neighborhood is laid out such that the houses are set in different places. As the spirit of the ordinance is to allow everyone to live peacefully, I am confident that our center will add to the peaceful ambiance of the community rather than detract from it.

Program Benefits the community

Our mission is to create a safe nurturing space for anyone who comes and allow them to work through hurts and hangups. We have had an overwhelming request for lessons from the community. I am a certified Therapeutic Riding Instructor through the Professional Association of Therapeutic Horsemanship International (PATH). I also have a Master's degree in special education. There are many families in the community with children on the Autism Spectrum; who have Downs Syndrome; who suffer from anxiety; just to name a few. These families see marked results in their children when they participate in Equine Assisted therapies.

Keith and I love living in the Hancock community and love the spirit of helping others that exists on the ridge. We would love to contribute to that with our Therapeutic Horsemanship Program.

Thank you for your consideration.

PS We have included some letters from our neighbors in favor of the variance.

Robin Bowman
14519 Heavenly Acres Rdg.
Hancock, MD 21750

Date: 1-10-2023

To Whom It May Concern:

Please accept this letter as my support of the proposed variance for my neighbors, Keith and Virginia Coco, who reside at 14507 Heavenly Acres Rdg in Hancock, MD, 21750. The riding arena will not be in an area where it will cause any issues with access to roads or properties in the neighborhood and they are proposing a program that gives back to the community.

Sincerely,

Robin Bowman

Signed:

Robin Bowman

Printed Name

Variance

From: taketwo.drummer@netzero.net (taketwo.drummer@netzero.net)

To: Vrob2018@yahoo.com

Date: Thursday, November 3, 2022 at 01:17 PM EDT

To whom it may concern;

We are Virginia and Keith Coco's neighbors and understand they are requesting a variance on their property at 14507 Heavenly Acres Ridge, Hancock, MD. The variance is for a riding arena for their horses.

The work they do in the community is unique and beneficial. They provide a therapeutic learning experience for all, both young and old.

We respectfully approve their request for the variance and encourage the Washington County Zoning and Commission to approve it.

Russ and Donna Miller
14629 Heavenly Acres Ridge
Hancock, MD 21750
240-520-3018

Keith & Amanda Howe
13944 Heavenly Acres Ridge
Hancock, MD 21750

Date: November 27, 2022

To Whom It May Concern:

Please accept this letter as my support of the proposed variance for my neighbors, Keith and Virginia Coco, who reside at 14507 Heavenly Acres Rdg in Hancock, MD, 21750. The riding arena will not be in an area where it will cause any issues with access to roads or properties in the neighborhood and they are proposing a program that gives back to the community.

Sincerely,

Amanda & Keith Howe

Signed:

Amanda & Keith Howe

Printed Name

Rosela DeShong
14443 Heavenly Acres
Hancock, MD. 21750

To whom it may concern
In writing this letter in support of the
proposed variance for my neighbors, Keith and Virginia
Coco at 14507 Heavenly Acres Ridge, Hancock, MD 21750
They are giving back to our community.

Sincerely
Rosela Marie DeShong

1" = 200'



Map of neighborhood Google Earth.

Map 1

→ Property width 355'

MAP 2

↓ width of beek 360 FT

VIRGINIA COCO
14507 HEAVENLY ACRES RIDGE RD.
HANCOCK, MD 21750

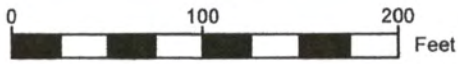
PROPERTY LINE SETBACK - 160'

PROPERTY LINE SETBACK - 176'

PROPERTY LINE SETBACK - 110'

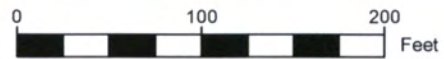
PROPERTY LINE SETBACK - 519'

PROPERTY LINE SETBACK - 110'



VIRGINIA COCO

14507 HEAVENLY ACRES RIDGE RD.
HANCOCK, MD 21750





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: 2004 Maugans Avenue LLC
PO Box 4217
Hagerstown MD 21741

Docket No: AP2023-003
Tax ID No: 27009360

Appellant: 2004 Maugans Avenue LLC
PO Box 4217
Hagerstown MD 21741

Zoning: HI
RB Overlay: No
Zoning Overlay:
Filed Date: 01/12/2023
Hearing Date: 02/01/2023

Property Location: 18415 Maugans Avenue
Hagerstown, MD 21742

Description Of Appeal: Variance from the required 40 ft. front yard setback to 10 ft. and variance from the required 10 ft. side yard setback to 2 ft. for proposed dumpster pad enclosure for future convenience store.

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

Previous Petition/Appeal Docket No(s):

Applicable Ordinance Sections: Washington County Zoning Ordinance Section 19.7(B)

Reason For Hardship: Property has three front setbacks which reduces the location for the dumpster enclosure to not adversely impact the permitted business use.

If Appeal of Ruling, Date Of Ruling:

Ruling Official/Agency:

Existing Use: Residential Proposed Use: Convenience Store with Fuel Pumps and Carwash

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 of George A. Sheff, Appellant Signature

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this 12 day of Jan, 2023.

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

Handwritten signature of Kathryn B Rathvon



My Commission Expires

Notary Public

[Faint handwritten signature]



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



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: AP2023-003

State of Maryland Washington County, To Wit:

On 1/12/2023, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Jason Divelbiss and made oath in due form of law as follows:

Jason Divelbiss will post the zoning notice sign(s) given to me by the Zoning Administrator in accordance with Section 25.51(c) of the Washington County Zoning Ordinance for the above captioned Board of Appeals case, scheduled for public hearing on 02/01/2023, 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 01/17/2023 and will remain until after the above hearing date.

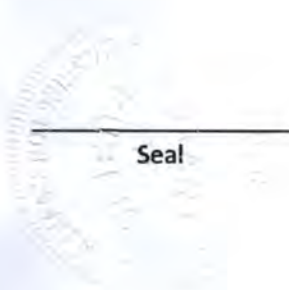
Jason Divelbiss

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

Notary Public

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

My Commission Expires



Seal



BOARD OF ZONING APPEALS

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

Appeal for Variance

Appeal is hereby made for a variance from a requirement of the Washington County Zoning Ordinance as follows:

Location 1/2 2.08ac. located on S/S of Maugans Ave (TM 24; Parcel 693; Tax ID 27-009360) 18415 Maugans Avenue

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

X Owner (Including Joint Ownership) Lessee Contract to rent/lease Contract to Purchase Other

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

Section 19.7(B)

Specify the particular requirement(s) from which a variance is desired in that section or subsection:

Minimum Front Yard: 40' requirement - 10' Proposed

Minimum Side Yard: 10' requirement - 2' Proposed

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

See attached letter.

Describe reason(s) why the Ordinance requirement(s) in question would result in peculiar and/or unusual practical difficulties to or would impose exceptional or undue hardship upon the owner of the property if the requested variance were not granted:

Provide Detailed Explanation on Separate Sheet

Has any previous petition or appeal involving this property been made to the Board?

Yes No X

If yes, list docket number(s):

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

2004 Maugans Ave, LLC P.O. Box 4217 Hagerstown, MD 21742 Address and of Appellant

divelbiss@divelbisslaw.com Email of Appellant

301-582-2700 Phone Number of Appellant

This appeal form is to be used to assist the customer in gathering the information necessary to submit an application. However, the application shall be processed in person.

January 10, 2023

Washington County Board of Appeals
80 W. Baltimore Street
Hagerstown, MD 21740

Re: Request for Variances: +/- 2.08 ac. located on S/S of Maugans Avenue (TM 24; Parcel 693; Tax ID No. 27-009360)

Dear Board Members:

2004 Maugans Avenue LLC, a Maryland limited liability company (the "**Applicant**") hereby requests two (2) variances from the Washington County Zoning Ordinance (the "**Ordinance**") as follows:

Min. Front Yard: (Precision Place)	40' requirement (§ 19.7(B)) 10' proposed
Min. Side Yard: (McDonald's)	10' requirement (§ 19.7(B)) 2' proposed

Although the subject property is currently improved with four (4) single-family homes, it is zoned HI (Highway Interchange) and is the proposed location for a +/- 6,129 sf. Convenience Store with accessory Carwash and Fuel Islands (collectively, the "**Project**"). A conceptual site plan for the Project is attached hereto and incorporated herein as **Exhibit A**.

General Authority

The Board of Appeals of Washington County (the "**Board**") is authorized by Section 25.2(c) of the Zoning Ordinance to grant variances from "height, lot area, yard regulations, parking space requirements, sign regulations, distance requirements specified in Section 4.9, buffer requirements and other distance or dimensional requirements."

Pursuant to Section 25.56, a variance may be granted upon a showing of either practical difficulty or undue hardship.

In this case, the two (2) requested variances are "dimensional" rather than "use" variances making practical difficulty the applicable standard.

Section 25.56(A) of the Zoning Ordinance sets forth the criteria for finding practical difficulty; they are as follows:

1. Strict compliance would unreasonably prevent use of the property for a permitted purpose or render conformance unnecessarily burdensome;
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.

Setback Variances

In the HI (Highway Interchange) zoning district, the required minimum Front Yard is forty feet (40') which is four (4) times greater than the ten feet (10') required for Side and Rear Yards.

In this case, the Property is deemed by the Zoning Ordinance to have three (3) Front Yards; Maugans Avenue on the N/S of the Property; Volvo Way on the E/S of the Property; and Precision Place on the S/S of the Property.

Thus, the most impactful setback requirement in the HI zoning district, being applicable to three (3) of the four (4) sides, is especially consequential to the subject Property and proposed Project.

It is important to note, however, that all primary structures associated with the Project (store building, carwash and fueling islands) are fully compliant with all setback requirements, even the most restrictive triple Front Yard requirement. Moreover, the minimum 40' Front Yard requirement is met on 2 out of the 3 applicable sides.

Nonetheless, on the s/s of the Property adjacent to Precision Place, the proposed 12' x 28' dumpster pad enclosure cannot be accommodated within the 40' min. Front Yard requirement from Precision Place or the 10' min. Side Yard requirement from the property line shared with McDonalds.

The Applicant respectfully requests a variance from Section 19.7(B) of the Zoning Ordinance to allow (i) a minimum Front Yard depth of 10' rather than 40' from the southern property line adjacent to Precision Place; and (ii) a minimum Side Yard depth of 2' rather than 10' from the western property line adjacent to McDonalds.

A graphic illustration of the required and requested minimum building setback lines is attached hereto and incorporated herein as **Exhibit B**.

Justification for the Variances

Unique and Unusual

The Property is unique and unusual in a manner different from the nature of the surrounding properties such that its uniqueness causes the subject setback requirements to disproportionately impact the Property in that:

- The Property is relatively long and narrow tapering even further on the E/S adjacent to Volvo Way;
- Being bounded on three (3) sides by public roadways, the Property is deemed by the Zoning Ordinance to have three (3) front yards thus making the most demanding setback requirement in the HI zoning district applicable to three (3) of the four (4) sides to the Property; and
- The Property's location at the intersection of Maugans Avenue and Volvo way as well as the intersection of Volvo Way and Precision Place imposes practical restrictions on the proposed Project, specifically with regard to obtaining safe vehicular access to and from the site.

Practical Difficulty

In this case, requiring strict compliance with the Ordinance would render conformance unnecessarily burdensome. As stated above, the Property's location makes it impractical to situate the proposed buildings and other necessary design components of the Project in any other way on the Property.

Denying the requested variances and demanding strict compliance with the Ordinance would force the Applicant to place the dumpster pad and enclosure essentially right in the middle of the Project which would be unnecessarily burdensome, unsightly and operationally impractical. See attached Exhibit C.

In an attempt to minimize the dumpster pad's encroachment into the min. Front and Side Yards, the size was reduced from 15' x 28' to 12' x 28'. Therefore, the Applicant has requested the minimum variances required to accommodate the Project and a lesser relaxation than that applied for would not give substantial relief.

As shown on Exhibit B, the current location of the proposed dumpster pad and location provides a min. Front Yard of 10.2' from Precision Place and min. 2.6' Side Yard from the McDonalds property. However, the final building design and site plan processes have not yet been completed. Therefore, Applicant has requested additional variance relief to provide a few extra inches on each side in order to allow reasonable flexibility in the final design process without having to return to the Board a second time.

As clearly seen from the aerial photograph of the Property attached as Exhibit D, the proposed dumpster location, being away from the primary road frontage along Maugans Avenue and directly adjacent to the dumpster location for McDonalds, granting these variances would facilitate observe the spirit of the Zoning Ordinance and secure public safety and welfare. Moreover, as illustrated in the example photographs attached as Exhibit

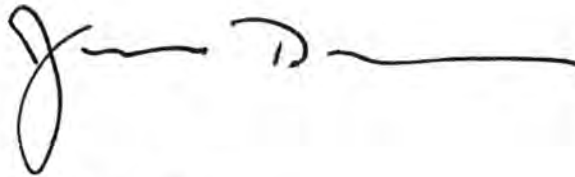
E, the Applicant intends to construct the dumpster enclosure with a brick veneer and woodgrain textured composite material doors to enhance the visual appearance and reduce any perceived aesthetic incompatibility with surrounding properties

CONCLUSION

For the reasons and justifications stated above, the Applicant respectfully requests that the Board grant the requested variances so that the Project may proceed as proposed and illustrated on Exhibit A attached hereto.

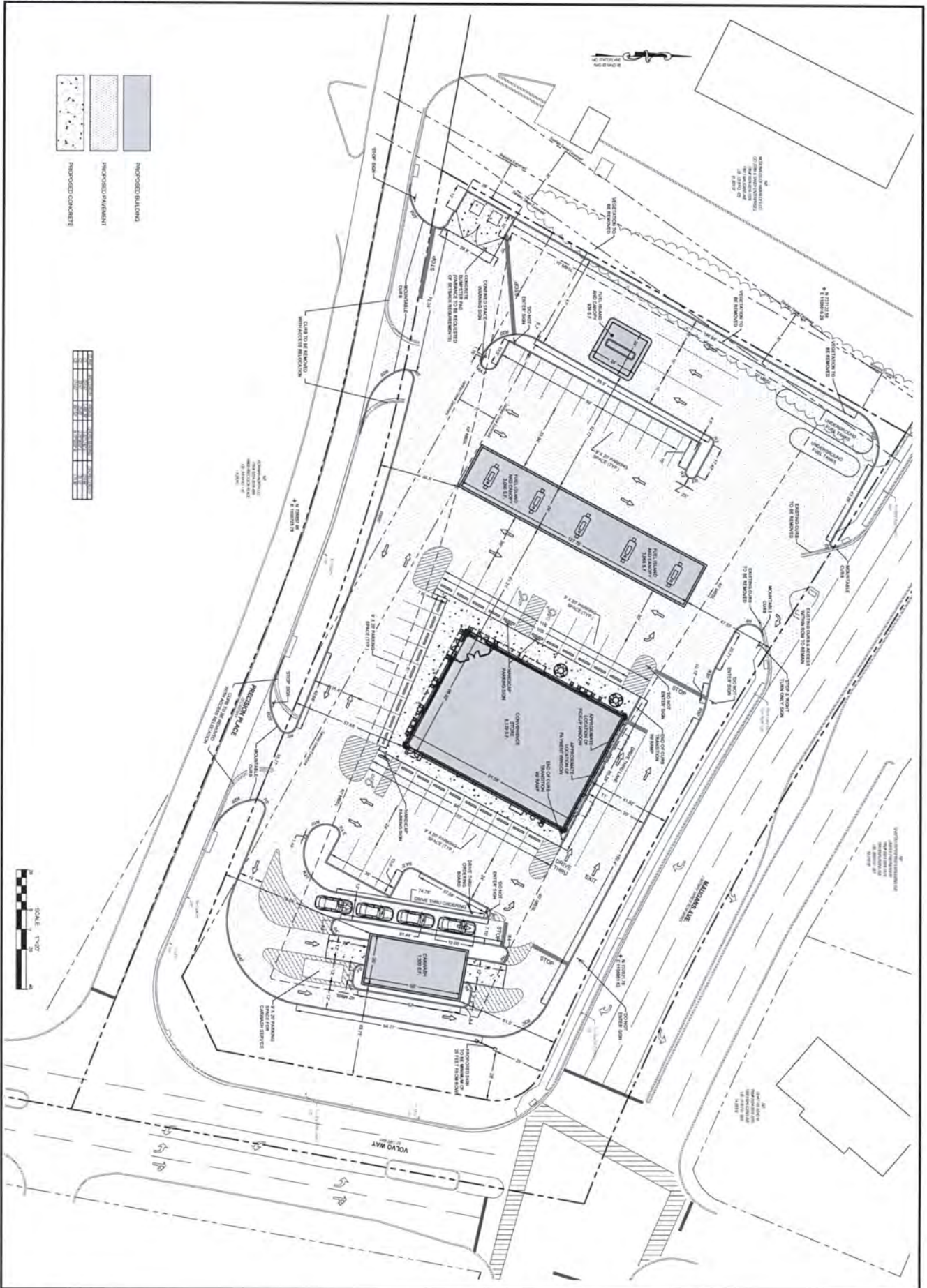
A check for the Board's filing fee and engineering review fee, and list of adjacent property owners are provided herewith.

Very truly yours,
JD LAW COMPANY, INC.

A handwritten signature in black ink, appearing to read 'J. M. Divelbiss', with a long horizontal flourish extending to the right.

Jason M. Divelbiss
Attorney at Law

Email: jdivelbiss@divelbisslaw.com



PROJECT NO. 15-001
 DATE 01/15/18
 DRAWN BY J. L. WOOD
 CHECKED BY J. L. WOOD
 SCALE 1" = 20'
 SHEET 04 OF 18

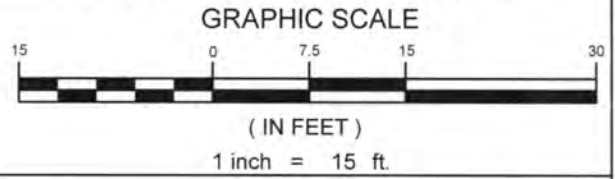
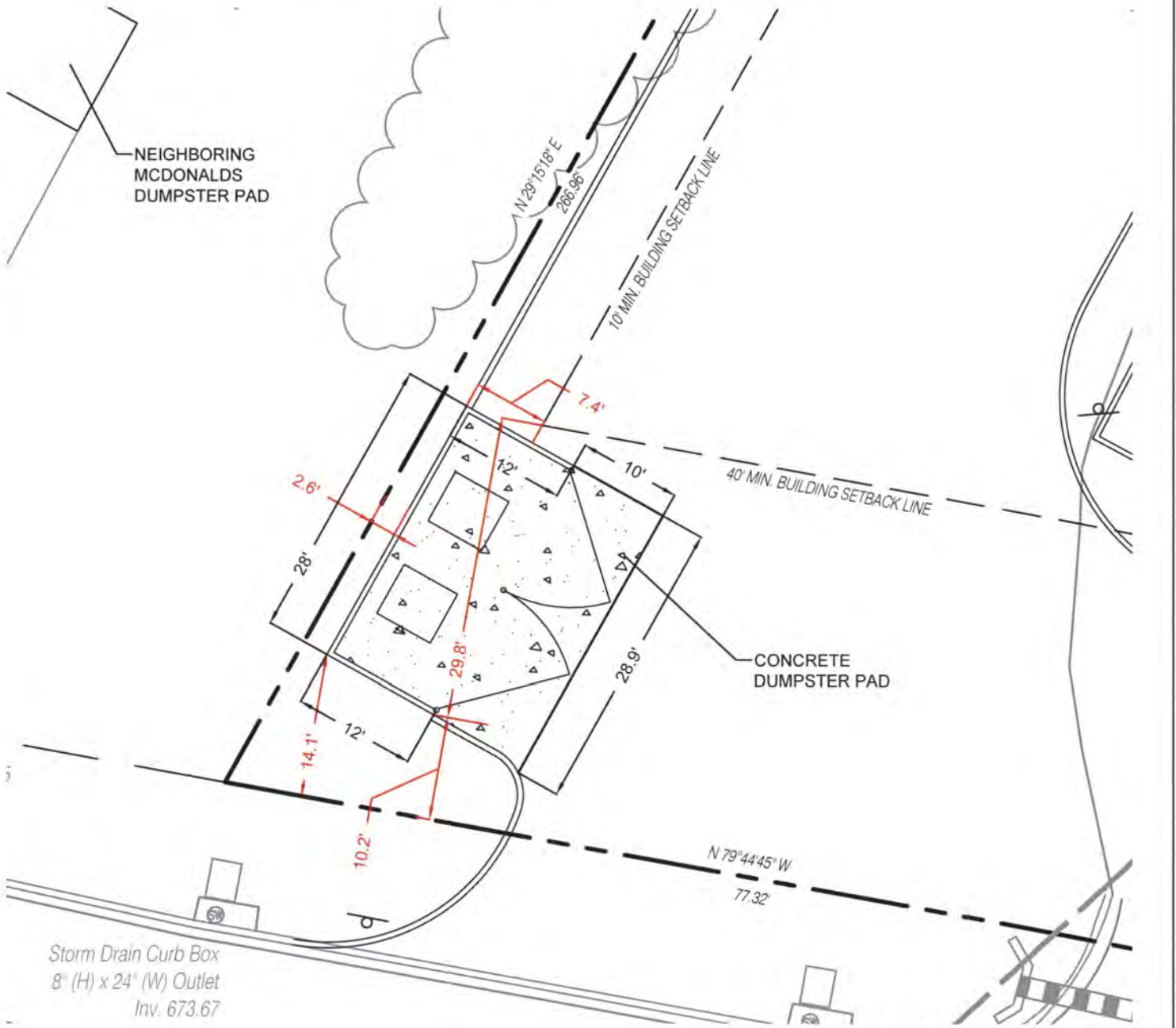
MAUGANS AVE AC&T
 SITUATED ALONG THE SOUTH SIDE OF MAUGANS AVENUE
 AND THE WEST SIDE OF VOLVO WAY
 WASHINGTON COUNTY, MARYLAND
 11555 HOSPITAL DR. HAGERSTOWN, MD 21740
 301-792-4000

NO.	REVISION	DATE

FSA
 FREDERICK SEBERT & ASSOCIATES, INC.
 CIVIL ENGINEER • SURVEYOR • LANDSCAPE ARCHITECT • LAND PLANNING
 11555 HOSPITAL DRIVE, SUITE 200, HAGERSTOWN, MD 21740
 301-792-4000

PROJECT NO. 15-001
 DATE 01/15/18
 DRAWN BY J. L. WOOD
 CHECKED BY J. L. WOOD
 SCALE 1" = 20'
 SHEET 04 OF 18

Dumpster Pad Zoning Exhibit



PARCEL ID 0024-0016-693	
DRAWING NUMBER 1 OF 1	
DRAWN BY: RMK	DATE: 2023
CHECKED BY: RMK	DATE: 2023
SCALE: 1" = 15'	

FREDERICK SEIBERT & ASSOCIATES, INC.



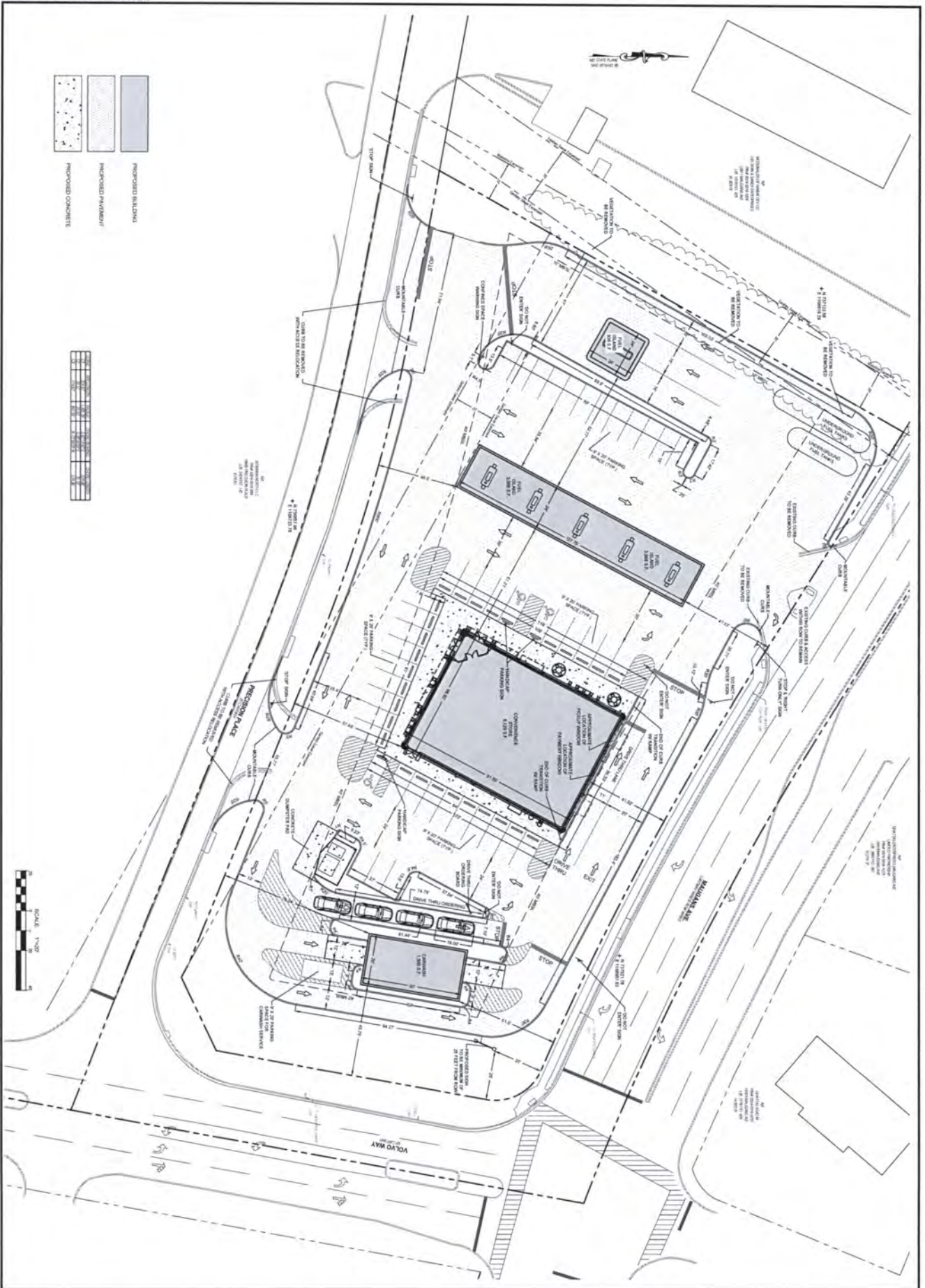
© 2023

CIVIL ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS • LAND PLANNERS • ENVIRONMENTAL

128 SOUTH POTOMAC STREET, HAGERSTOWN, MARYLAND 21740
 20 WEST BALTIMORE STREET, GREENCASTLE, PENNSYLVANIA 17225
 505 SOUTH HANOVER STREET, CARLISLE, PENNSYLVANIA 17013
 5201 SPRING ROAD, SUITE 3, SHERMANS DALE, PENNSYLVANIA 17090

(301) 791-3850 (301) 418-7478 www.fsa-md.com (717) 597-1007 (717) 701-8111

JOB NUMBER:
7661



SHEET 04 OF 18
 C-102
 SITE &
 DIMENSION PLAN

MAUGANS AVE AC&T
 SITUATED ALONG THE SOUTH SIDE OF MAUGANS AVENUE
 AND THE WEST SIDE OF VOLVO WAY
 WASHINGTON COUNTY, MARYLAND

NO.	DESCRIPTION	DATE

FSA
 FREDERICK SUBERT & ASSOCIATES, INC.
 CIVIL ENGINEERS • SURVEYORS • CONSTRUCTORS • ARCHITECTS • LAND PLANNERS

40201
 1000 WASHINGTON BLVD., SUITE 200
 FREDERICK, MD 21701
 TEL: 301-746-1000
 FAX: 301-746-1001
 WWW.FSA-INC.COM

PROJECT NO. C-102
 SHEET NO. 04 OF 18
 DATE: 02/16/2017
 DRAWN BY: J. SMITH
 CHECKED BY: M. HARRIS
 APPROVED BY: M. HARRIS



Maugans Ave

Maugans Ave

Maugans Ave

Maugans Ave

18415

18419

18423

18427

Precision Pl

Precision Pl

Precision Pl

Precision Pl

Precision Pl

Olvo Way

13606

18424

McDonald's
Fast Food · \$

Proposed Dumpster
Location



ADJACENT PROPERTY OWNERS					
	NAME	PREMISES ADDRESS	LIBER/FOLIO	MAILING ADDRESS	TAX MAP/PARCEL
1	MCDONALDS OF HAWAII DEV CO C/O STAN & SANDY ENTERPRISES	18411 MAUGANS AVE	1018/425	1101 OPAL COURT, SUITE 315 HAGERSTOWN, MD 21740	24/1026
2	BOWMAN NORTH, LLC	18400 PRECISION PL	3424/1142	10228 GOVERNOR LANE BLVD. SUITE 302, HAGERSTOWN, MD 21742	24/698
3	GHATTAS ASAD M & GHATTAS VELDA M	18501 MAUGANS AVE	1730/401	13621 CRAYTON BLVD, P.O. BOX 1916, HAGERSTOWN, MD 21742	24/1056
4	PAN SUITES LLC & PAN ENCLAVE, LLC	13609 CRAYTON BLVD	4604/94	1292 BROOKLINGS LANE, SUNNYVALE, CA 94087	24/1179
5	GHATTAS ENTERPRISES MAUGANS AVE LIMITED PARTNERSHIP	18418 MAUGANS AVE	2660/567	13621 CRAYTON BLVD, P.O. BOX 1916, HAGERSTOWN, MD 21742	24/1073
6	GHATTAS ASAD M	18424 MAUGANS AVE	2776/608	13621 CRAYTON BLVD, P.O. BOX 1916, HAGERSTOWN, MD 21742	2776/608
7	CHENG IAO HONG & CHENG KAI WAI	18502 MAUGANS AVE	6015/381	13607 WOODLAND HEIGHTS DR, HAGERSTOWN, MD 21742	24/694



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: Hetzer C. William Inc
PO Box 506
Hagerstown MD 21741
Appellant: Hetzer C William Inc
PO Box 506
Hagerstown MD 21741
Property Location: 13810 A -13814 B Weaver Avenue
Maugansville, MD 21767
Docket No: AP2023-004
Tax ID No: 13001502
Zoning: RS
RB Overlay: No
Zoning Overlay:
Filed Date: 01/12/2023
Hearing Date: 02/01/2023

Description Of Appeal: Variance from the 12 ft. side yard requirement to 8 ft. for future semi-detached dwellings.

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

Previous Petition/Appeal Docket No(s):

Applicable Ordinance Sections: Washington County Zoning Ordinance Section 8.5 (a)

Reason For Hardship: Due to the change in the zoning and increase in setback requirements.

If Appeal of Ruling, Date Of Ruling:

Ruling Official/Agency:

Existing Use: Vacant Lots Proposed Use: 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.

[Signature] Appellant Signature

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this 12 day of Jan., 20 23.

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

[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: AP2023-004

State of Maryland Washington County, To Wit:

On 1/12/2023, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Jeffrey Piper and made oath in due form of law as follows:


Jeffrey Piper will post the zoning notice sign(s) given to me by the Zoning Administrator in accordance with Section 25.51(c) of the Washington County Zoning Ordinance for the above captioned Board of Appeals case, scheduled for public hearing on 02/01/2023, 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 01/17/2023 and will remain until after the above hearing date.



Jeffrey Piper

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




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

Seal

My Commission Expires



BOARD OF ZONING 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 for Variance

Appeal is hereby made for a variance from a requirement of the Washington County Zoning Ordinance as follows:

Location 13810A, 13810B, 13812A, 13812B, 13814A and 13814B Weaver Avenue, Maugansville, MD 21767

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

Owner (Including Joint Ownership) Lessee Contract to rent/lease
 Contract to Purchase Other Owner Representative by Affidavit.

Specify the Ordinance section and subsection from which the variance is desired:
Section 8.5(a) Lot Area, Lot Width, and Yard Setback Requirements.

Specify the particular requirement(s) from which a variance is desired in that section or subsection:
Dwelling Smei-Detached 12 foot (exterior side only) Side Yard Setback.

Describe the nature and extent of the desired variance from Ordinance requirements: listed above:
Desired variance is to reduce the 12 foot side yard setback requirement to a 8 foot side yard setback.

Describe reason(s) why the Ordinance requirement(s) in question would result in peculiar and/or unusual practical difficulties to or would impose exceptional or undue hardship upon the owner of the property if the requested variance were not granted:

Provide Detailed Explanation on Separate Sheet

Has any previous petition or appeal involving this property been made to the Board?

Yes No

If yes, list docket number(s): AP2003-151, AP2007-016, AP2007-017 and AP2007-018

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

Jeffrey A. Piper
P.O. Box 94, Mercersburg, PA 17326

Address and of Appellant

jap@jeffreypiperandco.com

240-520-4605

Email of Appellant

Phone Number of Appellant

This appeal form is to be used to assist the customer in gathering the information necessary to submit an application. However, the application shall be processed in person.



Washington County

M A R Y L A N D

DIVISION OF

ENGINEERING & CONSTRUCTION MANAGEMENT

PLAN REVIEW | PERMITTING | ENGINEERING CONSTRUCTION

Washington County Building Code Board of Appeals Owner's Representative Affidavit

This is to certify that Jeffrey A. Piper is authorized to file an appeal with the Washington County Building Code Board of Appeals for a variance from side yard setback on property located at 13810A, 13810B, 12812A, 13812B, 13814A and 13814B Weaver Avenue, Maugansville, MD 21767.

The said work is authorized by C. William Hetzer, Inc. the property owner in fee.

PROPERTY OWNER

C. William Hetzer, Inc.

Property Owner's Name

P.O. Box 506

Property Owner's Address

Hagerstown, MD 21741

City, State, Zip Code

Tony L. Kerns, President

Property Owner's Signature

Sworn and subscribed before me this 9th day of January, 2023.

My Commission Expires: 12/8/24

Robin Di Giuseppe

Notary Public

AUTHORIZED REPRESENTATIVE

Jeffrey A. Piper

Authorized Representative's Name

P.O. Box 94

Authorized Representative's Address

Mercersburg, PA 17326

City, State, Zip Code

Authorized Representative's Signature

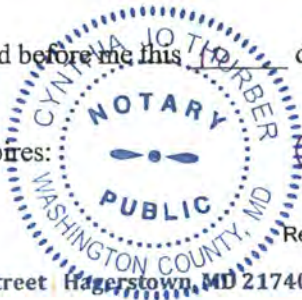
Sworn and subscribed before me this 10th day of January, 2023.

My Commission Expires:

April 7, 2023

Notary Public

ROBIN DI GIUSEPPE
Notary Public-Maryland
Washington County
My Commission Expires
December 08, 2024



Revised: 7-30-15

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

January 10, 2023

Jeffrey A. Piper, Applicant by Affidavit
C. William Hetzer, Inc., Maryland, Owner
Lots 1 through 6, S & H, LLC
13810A, 13810B, 13812A, 13812B, 13814A and 13814B Weaver Avenue
Maugansville, MD 21767

BZA Variance Criteria

The subject Lots 1 through 6 are located at 13810A through 13814B Weaver Avenue and are vacant and undeveloped at this time. These lots are shown on plats entitled, "Combined Preliminary/Final Plat of Re-Subdivision, Lots 1 Through 6, S & H, LLC" and recorded among the land records of Washington County, Maryland as plat numbers 9180 – 9181. These plats were finally approved on July 24, 2007 under the previous, now defunct 'RR' Rural Residential Zoning District, which then required a 10' minimum side yard setback for semi-detached dwellings (see Exhibit "A"). The zoning has since changed for this property and is now subject to the requirements of the 'RS' Residential Suburban District (see Exhibit "B"). This district requires a 10' minimum side yard setback for single family dwellings and 12' minimum side yard setback for semi-detached dwellings, which are what is intended to be constructed at this time. Due to the change in zoning and increase in setback requirements, the building envelope for these lots have been reduced, rendering them much less usable, buildable, marketable and desirable.

A. Practical Difficulty

1. Due to the reduction of the building envelope caused by the change in zoning and current side yard setbacks, the width of this lot will not allow for the construction of a typical width semi-detached dwelling. Based upon experience, local construction knowledge and other available information, the typical full width of a semi-detached dwelling is approximately 40', 20' of width for each half of dwelling. This would allow for a 16' wide single car garage and a 4' wide entrance way for each half of dwelling at street level. Strict compliance with the required side yard setback will render conformance unnecessarily burdensome and will only allow a dwelling width of approximately 34', 17' of width for each half of dwelling.

2. Considering the above information, denying the variances would do substantial injustice to the applicant and a relaxation lesser than the 8 foot side yard being applied for would not give substantial relief.

3. Granting the variance would observe the spirit of the Ordinance and not impede on public safety and welfare. (See Exhibit "C") Based on GIS and aerial images, there are existing business buildings, apartment buildings, single family dwellings and duplexes within 2 blocks

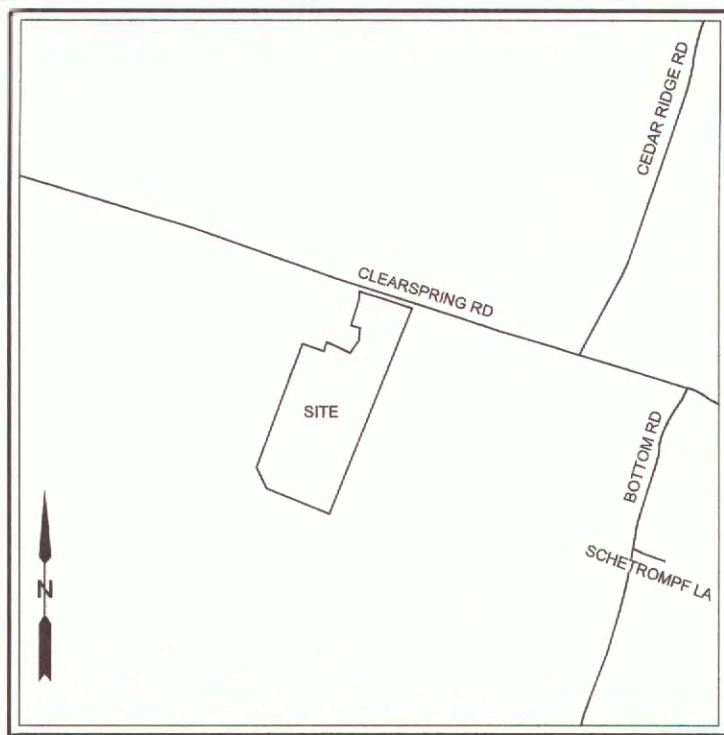
East-West and 3 block to the North-South of this property that are within the current yard setbacks. The requested 8' side yard setback would create a minimum clear width of 16' between buildings, which would exceed the required fire separation distance.

B. Undue Hardship

1. Due to the change in zoning and increase in setback requirements, a typical width semi-detached dwelling cannot be constructed on these lots. A smaller width dwelling would not allow for the necessary frontage to accommodate amenities typically included in these type of dwellings. The infrastructure is in place within the right of way of Weaver Avenue, which would still need constructed and connected to these dwellings. Unfortunately, the cost of installing utilities to these dwellings will be difficult to offset if larger dwellings cannot be constructed. Considering these points, strict compliance with the Ordinance would prevent the applicant and owner from securing a reasonable return from or make reasonable use of this lot.

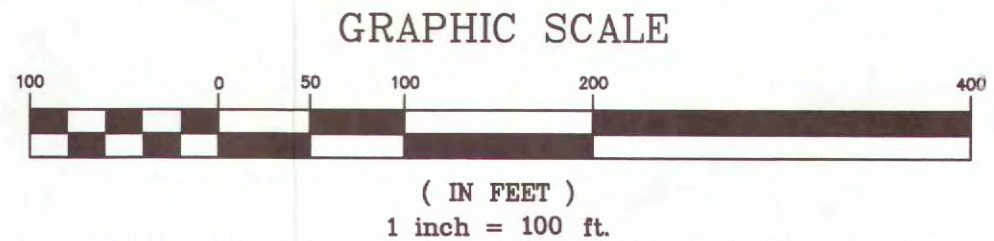
2. Since the change in zoning and increase in setback requirements occurred after the approval date of these lots on the previously mentioned subdivision plats, the difficulties and hardships are peculiar to Lots 1 through 6. (See Exhibit "D") There are only two other vacant and undeveloped lots out of more than 170 lots within 2 blocks East-West and 3 block to the North-South of this property. This property, being Lots 1 through 6 of this subdivision, is adversely affected by the change in zoning and increase in setback requirements.

3. As stated previously, Lots 1 through 6 of which the variance is being applied for is shown on plats that were finally approved on July 24, 2007 under the previous, now defunct 'RR' Rural Residential Zoning District. The zoning has since changed for this property and is now subject to the requirements of the 'RS' Residential Suburban District. The hardship is not the result of the applicant's or owner's actions.



VICINITY MAP
SCALE 1"=2000'

Parcel is zoned A(R) - Agricultural (Rural)
Variance request to reduce 50' setback requirements as shown hereon
Special exception to allow a 7,500 S.F. machine shop in the A(R) district



FSAI
FREDERICK, SEIBERT & ASSOCIATES, INC. ©2023
CIVIL ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS • LAND PLANNERS
 fsa-inc.com
 15 EAST MAIN STREET
 NEW BLOOMFIELD, PA 17088
 717.276.7831
 965 SOUTH HANCOCK STREET
 GREENCASTLE, PA 17225
 717.597.1007
 20 WEST BALTIMORE STREET
 GREENCASTLE, PA 17225
 717.701.8111
 128 SOUTH POTOMAC STREET
 HAGERSTOWN, MD 21740
 301.791.8650

BZA EXHIBIT
 FOR
Jared L. Petre and Rachel A. Petre
 SITUATE ALONG THE SOUTH SIDE OF CLEAR SPRING ROAD, WILLIAMSPORT
 WASHINGTON COUNTY, MARYLAND

PROJECT NO.	3641
DWN BY	DATE
LEJ	1.3.2023
PROJECT MANAGER	EJS
EMAIL	ESchreiber@fsa-inc.com
ELECTION DISTRICT	23
PROPERTY INFORMATION	47-8-83
ACCOUNT NO.	23-005344
SCALE	1" = 50'
SHEET TITLE	

BZA
 EXHIBIT

P:\SHARED FOLDERS\PROJECTS\3641\DWG\3641_BZA_2023.DWG 1/6/2023

N/F
EDWARD W. BREWER and
DONNA J. BREWER
L.643, F.239

N/F
BUCZKOWSKI, LLC
L.1693, F.69

"A"
8.0' SIDE YARD SETBACK
VARIANCE REQUESTED,
LOTS 1-6

"A"
8.0' SIDE YARD SETBACK
VARIANCE REQUESTED,
LOTS 1-6

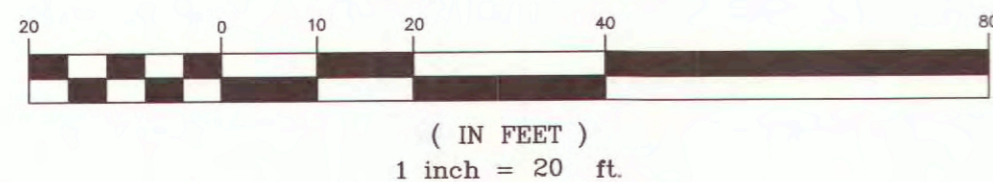
ACREAGE TABULATION

EXISTING LOT 3A PER PLAT 8581	9,065 S.F.±
LESS NEW LOT 1	4,550 S.F.±
LESS NEW LOT 2	4,515 S.F.±
REMAINING AREA LOT 3A	0 S.F.±
EXISTING LOT 3B PER PLAT 8581	8,925 S.F.±
LESS NEW LOT 3	4,480 S.F.±
LESS NEW LOT 4	4,445 S.F.±
REMAINING AREA LOT 3B	0 S.F.±
EXISTING LOT 3C PER PLAT 8581	8,786 S.F.±
LESS NEW LOT 5	4,410 S.F.±
LESS NEW LOT 6	4,376 S.F.±
REMAINING AREA LOT 3C	0 S.F.±

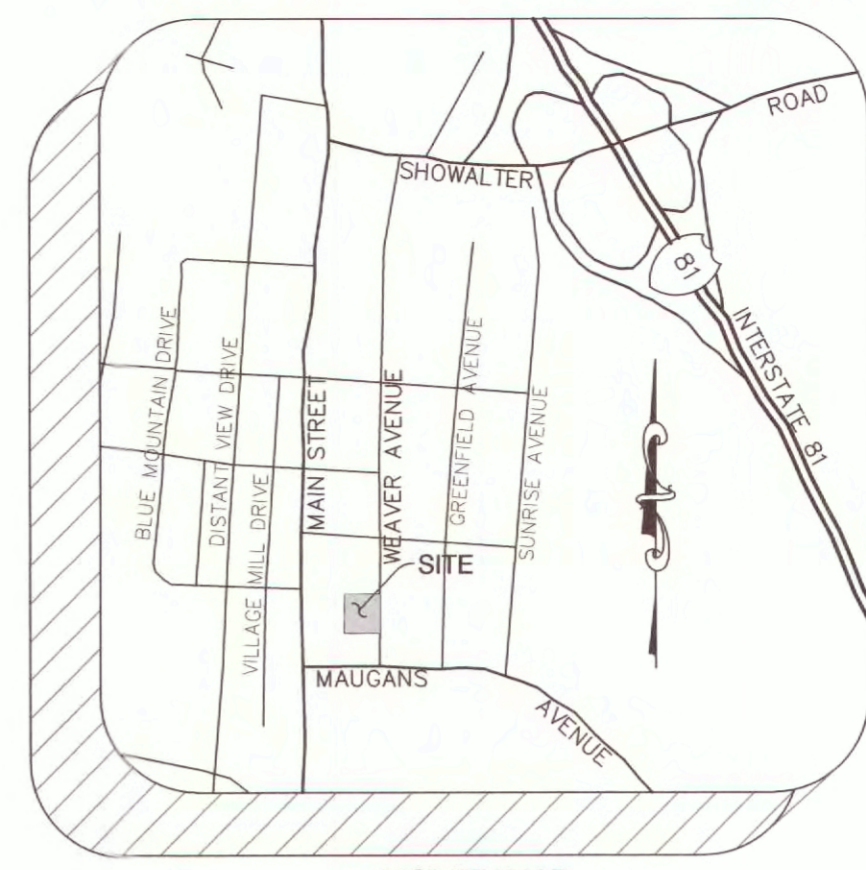
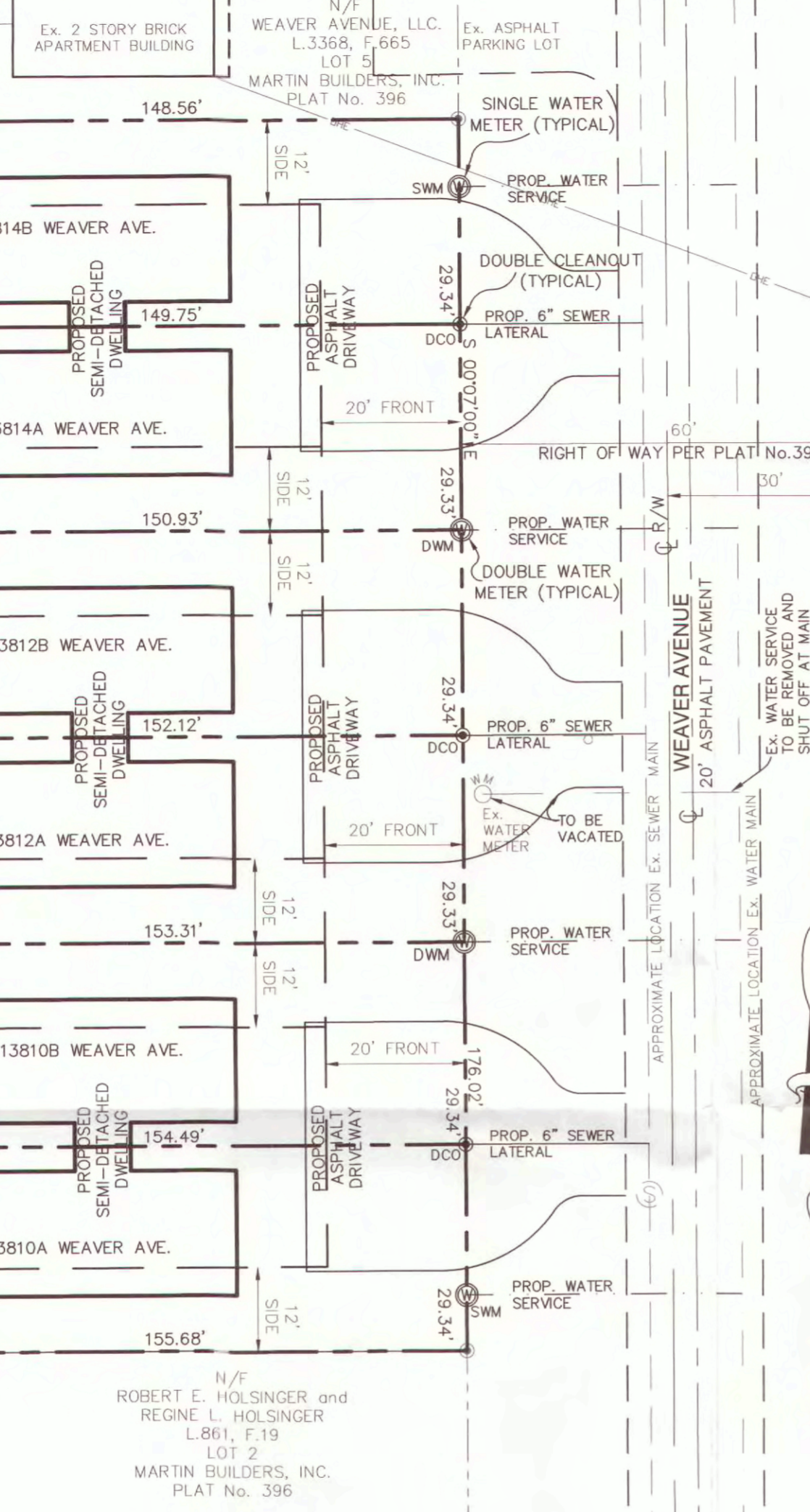
**Sensitive Area Notice
Stream Buffer**

The stream buffers shown hereon are established pursuant to the requirements of the Washington County Subdivision Ordinance, Article IV, Section 409. 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 are permitted within the stream buffer except those existing at the time of this subdivision and shown hereon and those designated 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 septic reserve area be established within the buffer.

GRAPHIC SCALE



APPLICANT:
JEFFREY A. PIPER AND COMPANY
ATTN: MR. JEFFREY A. PIPER
P.O. BOX 94
MERCERSBURG, PA 17326
(240)520-4605



General Notes:

- No title report performed by or provided to Triad Engineering, Inc. regarding the property shown hereon. This plat makes no attempt to locate any easements or rights of way, if any exist, other than those shown hereon.
- Contours shown hereon are derived from field surveys and based on an assumed datum.
- 10 feet along front, 8 feet along side and rear lot lines is dedicated for drainage and utility easements.
- Zoned "RR" Rural Residential
- "MBSL" denotes minimum building setback lines for semi-detached dwellings per Zoning Ordinance.
Front: 30' Side: 12' Rear: 40'
- Accessory structures may be constructed in accordance with section 4.10 and 23.5(b) of the Zoning Ordinance. No accessory structures permitted prior to construction of a principle permitted structure.
- "BRL" denotes building restriction line per Health Department, developer, or other regulatory agency.
- House address is based on entrance location as shown on this plat, if driveways are constructed at different locations, the address for the lot is void and the owner or developer of the lot must reapply to the Planning Department for a new address.
- The lot shown hereon is not affected by the limits of the 100 year flood plain as shown on flood insurance rate map number 240070-0080A, dated May 1, 1978
- The lot shown hereon is served by The City of Hagerstown water and Washington County sewerage systems.
- There are no known wells or sewer areas within 100 feet of the lot shown hereon, except as shown.
- Weaver Avenue is classified a local road with a future right of way width of 50 feet, the existing right of way width is 60', no dedication is required.
- Soil types:
Ft: Funkstown silt loam
SpA: Swanpond silt loam, 0 to 3 percent slopes
- There are no known habitats of threatened or endangered species identified by the U.S. Department of the Interior, Fish and Wildlife Service per 50CFR 17 as required to be shown by section 314 of the Subdivision Ordinance and section 4.21 of the Zoning Ordinance. This subdivision is not within the limits of the Appalachian Trail Corridor or the watersheds of the Edgemont-Smithsburg Reservoirs. This subdivision is not within the Beaver Creek drainage basin. There are no wetlands on these Lots per mapping by the U.S. Department of the Interior, Fish and Wildlife Service's, Hagerstown, MD-PA "quad".
- There is an intermittent stream symbol present on these Lots as shown on the soil survey map number 11 of Washington County see "Sensitive Area Notice". There are no areas of steep slopes as defined by Article 28.631 of the Washington County Zoning Ordinance.
- The watershed area above this site is less than 400 acres.
- Reference is hereby made to a plat entitled "LOTS 1 THROUGH 6, S & H, LLC." dated May 3, 2007, and recorded among the land records of Washington County, Maryland as Plat 9180.
- Reference is hereby made to Variances granted by the Washington County Board of Zoning Appeals, Docket number AP2003-151 and AP2007-016 through AP2007-018 for a reduction of the minimum Lot Area and Lot Width as established hereon.

Exhibit "B"

VARIANCE REQUEST				
DEPICTED VARIANCE	SECTION OF ZONING ORDINANCE	TYPE OF REGULATION	ORDINANCE REQUIREMENT	PROPOSED DIMENSION (VARIANCE REQUESTED)
"A"	8.5(a)	SIDE YARD SETBACK	MIN. WIDTH 12 FEET	8 FEET

TRIAD ENGINEERING, INC.
1075-D SHERMAN AVENUE
HAGERSTOWN, MD 21740
PH: 301.797.6400 FAX: 301.797.2424
OFFICE LOCATIONS
MARYLAND • PENNSYLVANIA • VIRGINIA • WEST VIRGINIA

CADD FILE: 03221053-BZA-EX
DRAWN BY: C.W.J.
CHECKED BY: R.D.B.
DATE: 01/10/2023
SCALE: 1"= 20'

OWNER/DEVELOPER:
OWNER: C. WILLIAM HETZER, INC.
P.O. BOX 506
HAGERSTOWN, MD 21741-0506
ELECTION DISTRICT: 13
TAX MAP: 0243 GRID: 0003
1504 & 1505
PARCEL: 1505

BOARD OF ZONING APPEALS EXHIBIT
FOR
LOTS 1-6
S & H LLC

SITUATED ON THE WEST SIDE OF AND AT 13810-13814 WEAVER AVENUE,
APPROXIMATELY 290 FEET NORTH FROM THE INTERSECTION OF MAUGANS
AVENUE, IN MAUGANSVILLE, WASHINGTON COUNTY, MARYLAND

TRIAD ENGINEERING, INC.
www.triadeng.com

SHEET NUMBER:
1 OF 1

FILE NO.:
JOB NO.: 03-22-1053

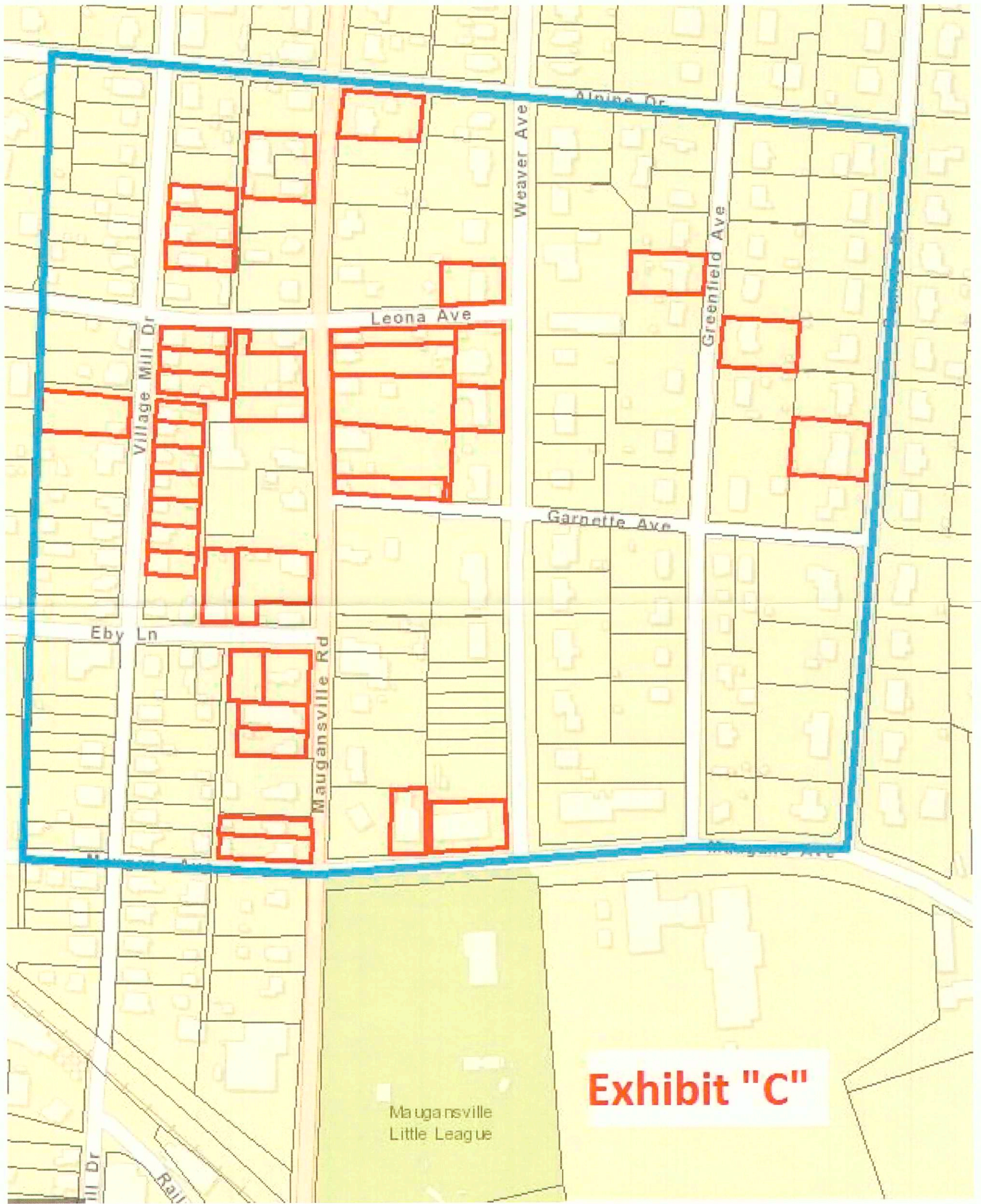
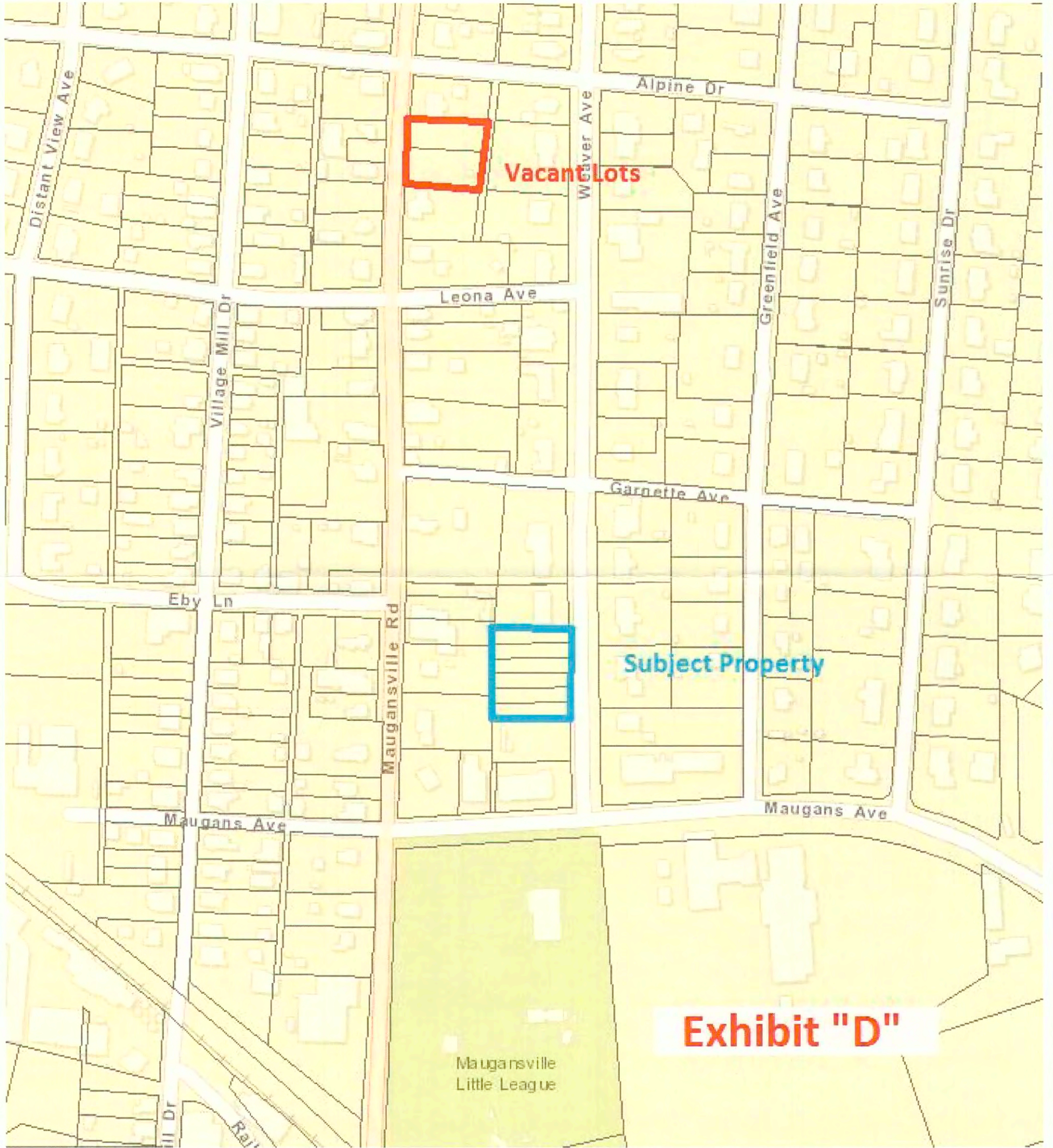


Exhibit "C"



Vacant Lots

Subject Property

Exhibit "D"

Maugansville Little League