

## **BOARD OF APPEALS**

**May 14, 2025**

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

### **AGENDA**

**AP2025-006:** An appeal was filed by Stratosphere Social for a variance from the required 313 parking spaces to 163 parking spaces for proposed restaurant/indoor recreation center on property owned by Washco Arnett Farm LLC and location at 10313 Arnett Drive, Hagerstown, Zoned Highway Interchange.

**AP2025-007:** An appeal was filed by Ashley Bruno for a variance from the required 8 ft. side yard setback to 1 ft. for proposed deck on property owned by the appellant and location at 18709 Fairfield Road, Hagerstown, zoned Resident Urban.

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Pursuant to the Maryland Open Meetings Law, notice is hereby given that the deliberations of the Board of Zoning Appeals are open to the public. Furthermore, the Board, at its discretion, may render a decision as to some or all of the cases at the hearing described above or at a subsequent hearing, the date and time of which will be announced prior to the conclusion of the public hearing. Individuals requiring special accommodations are requested to contact Katie Rathvon at 240-313-2464 Voice, 240-313-2130 Voice/TDD no later than May 5, 2025. 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:** WASHCO ARNETT FARM LLC  
1741 DUAL HWY STE B  
HAGERSTOWN MD 21740

**Appellant:** Stratosphere Social  
1332 Londontown Boulevard  
Suite 103  
Eldersburg MD 21784

**Property Location:** 10313 Arnett Drive 201  
Hagerstown, MD 21740

**Description Of Appeal:** Variance from the required 313 parking spaces to 163 parking spaces for proposed restaurant/indoor recreation center.

**Docket No:** AP2025-006  
**Tax ID No:** 10059283

**Zoning:** HI; RM  
**RB Overlay:** No  
**Zoning Overlay:**

**Filed Date:** 04/17/2025 KBR  
**Hearing Date:** 05/14/2025

**Appellant's Legal Interest In Above Property:**

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

**Previous Petition/Appeal Docket No(s):**

**Applicable Ordinance Sections:** Washington County Zoning Ordinance Section 22.12 (b)

**Reason For Hardship:** See justification statement

**If Appeal of Ruling, Date Of Ruling:**

**Ruling Official/Agency:**

**Existing Use:** Vacant Commerical Space **Proposed Use:** Restaurant/Indoor Recreation Center.

**Previous Use Ceased For At Least 6 Months:** **Date Ceased:**

**Area Devoted To Non-Conforming Use -**  
**Existing:**  
**Proposed:**

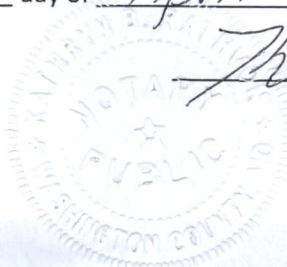
I hearby affirm that all of the statements and information contained in or filed with this appeal are true and correct.

Appellant Signature

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this 17 day of April, 2025.

My Commission Expires  
**Ron E. Rathvon**  
NOTARY PUBLIC  
WASHINGTON COUNTY  
MARYLAND  
MY COMMISSION EXPIRES NOVEMBER 07, 2025



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: AP2025-006

State of Maryland Washington County, To Wit:

On 4/9/2025, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Stratosphere Social and made oath in due form of law as follows:

Stratosphere Social 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 05/14/2025, 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 04/29/2025 and will remain until after the above hearing date.

Stratosphere Social

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





WASHINGTON COUNTY BOARD OF ZONING APPEALS

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

## BOARD OF ZONING APPEALS

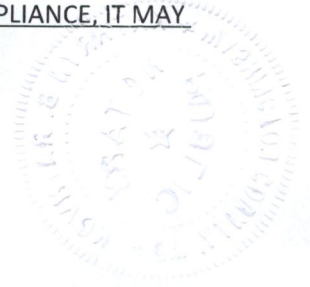
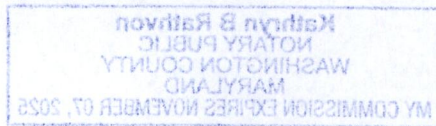
### ATTENTION!

### Posting Instructions

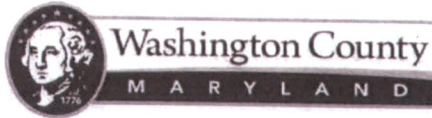
The premises MUST be posted in accordance with the following rules:

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

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







**BOARD OF ZONING APPEALS**  
**OWNER REPRESENTATIVE AFFIDAVIT**

This is to certify that \_\_\_\_\_  
is authorized to file an appeal with the Washington County Board of Appeals for  
located \_\_\_\_\_ on property  
The said work is authorized by Washco Arnett Farm, LLC  
the property owner in fee.

**PROPERTY OWNER**

Washco Arnett Farm, LLC

**Name**

1741 Dual Highway, Suite B

**Address**

Hagerstown, MD 21740

**City, State, Zip Code**

*[Signature]*  
Owner's Signature

Sworn and subscribed before me this 16th day of April, 2025.

Elizabeth Trotter  
NOTARY PUBLIC  
Washington County  
MARYLAND

MY COMMISSION EXPIRES Aug 1, 2027

*[Signature]*  
Notary Public

**AUTHORIZED REPRESENTATIVE**

Bryan Zuber  
Name

753 Rustling Leaf Ct  
Address

Eldersburg MD 21784  
City, State, Zip Code

*[Signature]*  
Authorized Representative's Signature

Sworn and subscribed before me this 16th day of Apr. 1, 2025.

*[Signature]*  
Notary Public

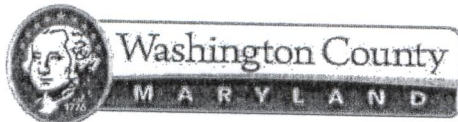
MARC R EATON  
NOTARY PUBLIC  
BALTIMORE COUNTY  
MARYLAND

My Commission Expires: 2-18-2027

My Commission Expires Feb. 18, 2027  
Hearing Impaired: 7-1-1

747 Northern Avenue | Hagerstown, MD 21742 | P: 240.313.2430 | F: 240.313.2461

WWW.WASHCO-MD.NET



## 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 10313 Arnett Drive, Hagerstown, MD

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

☐ Owner (Including Joint Ownership) ☒ Lessee ☐ Contract to rent/lease

☐ Contract to Purchase ☐ Other \_\_\_\_\_

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

Article 22 section 22.12 - Off street Parking Requirements

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

Reduce the number of customer/visitor parking spaces needed for indoor recreational establishment

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

Reduce the number of customer parking required spaces from 313 to 1163.

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): \_\_\_\_\_

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

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

\_\_\_\_\_  
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.

**Bryan Zuber**

Stratosphere Social

1332 Londontown Blvd, Suite 103

Eldersburg, MD 21784

April 16, 2025

**Board of Zoning Appeals**

747 Northern Avenue

Hagerstown, MD 21742

Dear Members of the Board,

I am writing to respectfully request a **variance from the minimum parking requirements** set forth in the Washington County Zoning Ordinance for our proposed project at **10313 Arnette Drive, Hagerstown, MD**—a new location for **Stratosphere Social**, a proven and successful Family Entertainment Center (FEC) model currently operating in Eldersburg, Maryland.

Under the current zoning code, our projected use, including restaurant, bowling, and indoor recreation—appear to require **in excess of 194 parking spaces**. While our site provides **118 dedicated guest parking spaces**, supplemented by an **additional 45 striped employee spaces in the rear**, we are seeking a variance based on a comprehensive operational analysis and industry-supported data that demonstrate this parking count is not only sufficient, but thoughtfully planned to ensure the safety, efficiency, and welfare of our guests and community.

**Justification for Variance – Practical Difficulty**

1. **Strict compliance with the Ordinance is unnecessarily burdensome:** The theoretical parking calculation is based on maximum building occupancy (1,088 persons), which does not reflect the true nature of our business model. Stratosphere Social offers a blend of entertainment options—bowling, axe throwing, arcade, and dining—that are used concurrently by the same guests in groups, rather than simultaneously by individual users. This dramatically reduces vehicle volume relative to occupancy.
2. **Denying the variance would result in substantial injustice:** Our model's average peak usage (based on extensive operating data) results in **approximately 122 vehicles** on-site at peak hours. When turnover and dwell time are factored in, actual space usage remains under **60–65 spaces at any given time**. We have also **segregated employee parking** behind the building, freeing up all 118 guest spaces for customer use.
3. **Granting this variance serves the public interest and the spirit of the Ordinance:** We have exceeded due diligence in parking planning, using data from the **FHWA, Urban Land Institute**, and **IAAPA**, which confirm group-based entertainment centers



consistently yield high guest-per-vehicle ratios (3.0–4.0). We also offer **shared lot usage during peak hours**, as the Dan Ryan Builders' lot—now unified with our parcel—is unused during our operating times.

#### **Additional Considerations**

- **Traffic and safety:** Guests arrive in waves, with dwell times of 60–120 minutes depending on activity. This enables natural parking turnover, reducing congestion and ensuring safe, continuous flow without overflow onto adjacent properties.
- **Future adaptability:** Should additional parking be required, the site has **ample land behind the structure** to add more spaces without disturbing surrounding properties.
- **Public benefit:** Stratosphere Social will be a major attraction that enhances the recreational offerings in the community while boosting local employment and tax revenue. Our Eldersburg location has demonstrated consistent, positive community engagement and impact.

We respectfully request approval of this variance based on the above justifications and the accompanying supporting documents. We are confident our parking plan is sufficient, sustainable, and in full alignment with the objectives of the Washington County Zoning Ordinance.

Thank you for your time and consideration. I am available to answer any questions or provide further clarification at your convenience.



Sincerely,

**Bryan Zuber**

CEO, Stratosphere Social

bryan@stratospheresocial.com

443-883-0071

# Stratosphere Social – Comprehensive Parking Justification

**Location:** 10313 Arnette Drive, Hagerstown, MD  
**Total On-Site Guest Parking:** 118 striped spaces (including 5 ADA)  
**Dedicated Employee Parking (Rear Lot):** 45 striped spaces  
**Shared Lot (formerly Dan Ryan Builders):** Unified and available evenings/weekends

## 1. Building Use & Operational Context

While the code-calculated building occupancy is **1,088**, this figure reflects a theoretical maximum. Stratosphere Social operates as a **Family Entertainment Center (FEC)** with a mix of attractions where guests rotate through experiences—**typically engaging in multiple activities per visit** (e.g., dining and gaming, or parties and bowling).

This means parking demand is **not proportional to maximum occupancy**, as guests **arrive in groups**, stay for 1–3 hours, and frequently participate in overlapping activities.

**Facility Use Includes:**

- 8 Bowling Lanes
- 8 Axe Throwing Lanes
- Full-service Restaurant & Bar
- Arcade (50 games)
- Indoor “Social Games” Area
- Party Rooms & Mezzanine
- Indoor “Backyard” event Space

## 2. Realistic Occupancy Model (Peak Hours)

Based on operations at our existing location and industry norms, we’ve built a realistic evening and weekend guest snapshot:

Facility Area	Estimated Guest Count	Estimated Vehicles
Bowling (8 lanes)	4–6 guests/lane = 32–48 guests	1 vehicle/lane → <b>8 cars</b>
Axe Throwing (8 lanes)	2–3 guests/lane = 16–24 guests	1 vehicle/lane → <b>8 cars</b>
Restaurant & Bar	120–140 guests	2.75 guests/vehicle → <b>~50 cars</b>
Arcade (50 games)	~75 guests (active/rotating)	3.25 guests/vehicle → <b>~23 cars</b>
Indoor “Social Games” Area	~20–30 guests (transitional use)	3.25 guests/vehicle → <b>~9 cars</b>

Facility Area	Estimated Guest Count	Estimated Vehicles
Party Rooms & Mezzanine	60–80 guests	3.25 guests/vehicle → <b>~24 cars</b>
Indoor “Backyard” Space	~20–30 guests (casual mingling)	Already included in above groups
<b>Estimated Total</b>	~350–430 guests	<b>~122 total vehicles</b>

➔ **Key Consideration:** Most guests use **multiple spaces in one visit**, not individual attractions. One vehicle may represent **a group that bowls, eats, and plays games**, which results in significantly lower vehicle demand per space.

### 3. Turnover Impact & Duration Modeling

To further validate this plan, we evaluated **guest dwell time** and the corresponding **turnover rate** for parking spaces:

Zone	Vehicle Count	Avg Dwell Time	Turnover in 4 hrs	Spaces Needed
Bowling (8 lanes)	8 vehicles	120 mins	~1.5x	~5.3 spaces
Axe Throwing (8 lanes)	8 vehicles	120 mins	~1.5x	~5.3 spaces
Restaurant & Bar	50 vehicles	60–75 mins	~2.5x	~20 spaces
Arcade	23 vehicles	60–75 mins	~3x	~8 spaces
Parties/Events	24 vehicles	~2 hours	~1.5–2x	~12–16 spaces
Social/Backyard Area	~9 vehicles	Mixed use	2–3x turnover	~4–5 spaces
<b>Total Estimated Demand</b>	<b>122 vehicles</b>	—	Adjusted by turnover	<b>~55–60 spaces</b>

➔ **Result:** Even with longer experiences (120 min bowling/axe), peak demand only requires **~60 parking spaces at a time**.

➔ **118 guest spaces fully cover this demand, with ample buffer.**

### 4. Parking Inventory Breakdown

Parking Area	# of Spaces	Use
Main Lot (Front)	118 (incl. 5 ADA)	Guest Parking
Rear Lot (Striped)	45 (Dan Ryan and Stratosphere)	Employee Parking
Shared Lot (Unified Parcel)	Fully accessible evenings/weekends	Part of main property



➔ **Note:** The “Dan Ryan Builders” lot is not overflow — it is part of our parcel and is **fully available during our peak hours**. It is used exclusively by Stratosphere Social during evenings/weekends when Dan Ryan is not in operation or in a very limited operation.

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## 5. Employee Parking Allocation

Staff on Duty (Peak)	45 Rear Spaces Available
25–30 staff members	Leaves 15–20 buffer spaces

This ensures all employees park in the rear, preserving the **entire 118-space main lot** for guests.

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## 6. Cited Industry Data & Guest Behavior

Group-based and multi-activity visits lead to **higher guest-per-vehicle ratios** in the entertainment sector. Supported by:

### Federal Highway Administration (FHWA)

**Title:** 2022 National Household Travel Survey – Summary of Travel Trends

- **Key Stat:** Social/recreational trips average **2.6–3.2 occupants per vehicle**
- **Use in Report:** Establishes national vehicle occupancy average for non-work trips
- **Link:** [https://nhts.ornl.gov/assets/2022/pub/2022\\_NHTS\\_Summary\\_Travel\\_Trends.pdf](https://nhts.ornl.gov/assets/2022/pub/2022_NHTS_Summary_Travel_Trends.pdf)

### Urban Land Institute (ULI) – Shared Parking Guidelines

**Title:** Shared Parking Guide Summary – National League of Cities

- **Key Stat:** Endorses **parking reductions for mixed-use, staggered-peak developments**
- **Use in Report:** Supports Stratosphere’s multi-attraction, shared-use model
- **Description:** This comprehensive guide provides methodologies for accurately estimating parking requirements in mixed-use developments, incorporating factors such as varying peak periods and shared parking strategies. Please note that accessing the full content may require a ULI membership or purchase.
- **Link:** <https://knowledge.uli.org/en/books/2019/shared-parking>

### IAAPA (International Association of Amusement Parks & Attractions)

**Title:** IAAPA Facility Operations and Attendance Benchmark Reports

- **Key Stat:** FECs average 3.0–4.0 guests per vehicle due to group/family outings
- **Use in Report:** Supports higher guest-per-vehicle ratio for entertainment complexes
- Link: <https://www.iaapa.org/research>  
(Note: IAAPA reports often require membership for full access, but summary data is available via public research summaries or their executive overviews)

➡ Stratosphere Social’s model fits squarely within this range and often **exceeds national guest-per-car averages**, further reducing parking strain.

**7. Final Parking Math Recap**

Metric	Value
Estimated Peak Guest Count	~350–430 guests
Avg Guests per Vehicle (weighted avg)	~3.25
<b>Estimated Vehicles at Peak</b>	<b>~122</b>
On-Site Guest Parking (Main Lot)	118
Staff Parking (Rear Lot, striped)	45
<b>Total On-Site Operational Capacity</b>	<b>163 spaces</b>
Additional Flexibility (Shared Parcel Lot)	Fully accessible evenings/weekends

✓ **Conclusion**

Stratosphere Social’s parking strategy is:

- **Thoughtfully planned** based on guest behavior, not static assumptions
- **Supported by national transportation, planning, and entertainment industry data**
- **Optimized for flow**, with staggered peak usage and high group occupancy
- **Efficiently segmented**, with employee traffic moved to the rear
- **Scalable and sustainable**, using shared access without requiring off-site overflow

We respectfully submit this strategy as a **comprehensive, data-driven solution** that exceeds operational needs while aligning with best practices in zoning and land use planning.

### **Adjacent Properties to 10313 Arnett Drive**

18375 Bentonville Dr  
Hagerstown, MD 21740

Owner: WASHCO Arnett Farm LLC  
(Same as 10313 Arnett Dr)

10300 Sharpsburg Pike  
Hagerstown, MD 21740

Owner: WASHCO Arnett Farm LLC  
(Same as 10313 Arnett Dr)

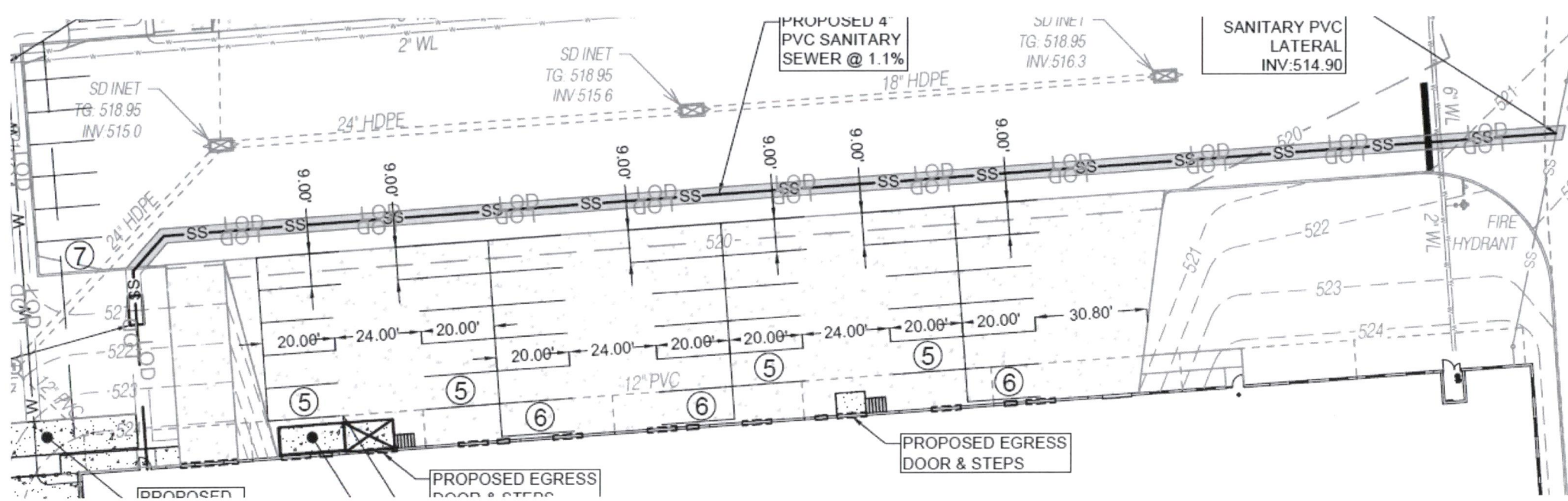
10350 Supercenter Dr.  
Hagerstown, MD 21740

Owner: WASHCO Arnett Farm LLC  
(Same as 10313 Arnett Dr)

10420 Walmart Dr.  
Hagerstown, MD 21740

Owner: Walmart Real Estate Business Trust











# 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:** Ashley Bruno  
18709 Fairfield Road  
Hagerstown MD 21742

**Appellant:** Ashley Bruno  
18709 Fairfield Road  
Hagerstown MD 21742

**Property Location:** 18709 Fairfield Road  
Hagerstown, MD 21742

**Description Of Appeal:** Variance from the required 8 ft. side yard setback to 1 ft. for proposed deck.

**Docket No:** AP2025-007  
**Tax ID No:** 27001734  
**Zoning:** RU  
**RB Overlay:** No  
**Zoning Overlay:**  
**Filed Date:** 04/24/2025  
**Hearing Date:** 05/14/2025

**Appellant's Legal Interest In Above Property:**

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

**Previous Petition/Appeal Docket No(s):**

**Applicable Ordinance Sections:** Washington County Zoning Ordinance Section 9.5 (a)

**Reason For Hardship:** Conditions of the property is prone to mud and meeting the setback will create an unusable strip of land.

**If Appeal of Ruling, Date Of Ruling:**

**Ruling Official/Agency:**

**Existing Use:** Residential **Proposed Use:** Deck

**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 24 day of April, 2025

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

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)

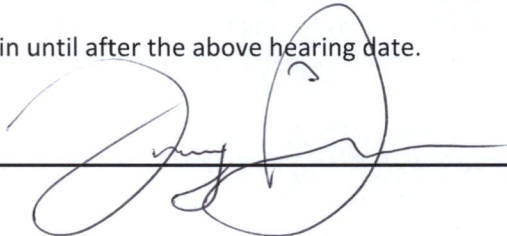
Docket No: AP2025-007

State of Maryland Washington County, To Wit:

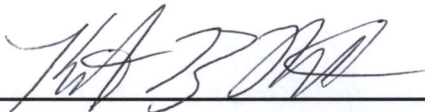
On 4/24/2025, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Tyrone Anderson and made oath in due form of law as follows:


Tyrone Anderson 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 05/14/2025, 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 04/29/2025 and will remain until after the above hearing date.

  
\_\_\_\_\_  
Tyrone Anderson

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

  
\_\_\_\_\_  
Notary Public

  
\_\_\_\_\_  
My Commission Expires



Seal



WASHINGTON COUNTY BOARD OF ZONING APPEALS

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

## BOARD OF ZONING APPEALS

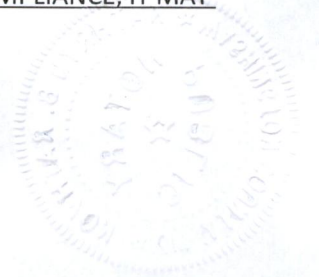
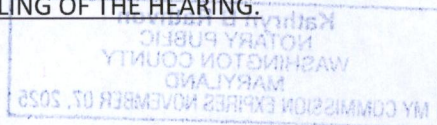
### ATTENTION!

### Posting Instructions

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

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







# Washington County MARYLAND

## BOARD OF ZONING APPEALS

### OWNER REPRESENTATIVE AFFIDAVIT

#### Decks By Anderson LLC

This is to certify that \_\_\_\_\_  
is authorized to file an appeal with the Washington County Board of Appeals for  
**Ashley Bruno** \_\_\_\_\_ on property  
located **18709 Fairfield rd Hagerstown Md 21742**  
The said work is authorized by \_\_\_\_\_  
the property owner in fee.

#### PROPERTY OWNER

**Ashley Bruno**

Name \_\_\_\_\_  
**18709 Fairfield rd**  
Address \_\_\_\_\_  
**Hagerstown, MD 21742**  
City, State, Zip Code \_\_\_\_\_  
*Ashley Bruno*  
Owner's Signature \_\_\_\_\_

Sworn and subscribed before me this 23 day of April, 2025.

*Caroline*  
Notary Public

My Commission Expires:

#### AUTHORIZED REPRESENTATIVE

*Tyrone Anderson*  
Name \_\_\_\_\_  
**924 Pennsylvania ave**  
Address \_\_\_\_\_  
**Hagerstown, md 21742**  
City, State, Zip Code \_\_\_\_\_  
*Tyrone Anderson*  
Authorized Representative's Signature \_\_\_\_\_

Sworn and subscribed before me this 24 day of April, 2025.

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

My Commission Expires:

747 Northern Avenue Hagerstown, MD 21742 240.313.2430 240.313.2461

7-1-1

**CAROLINE ADO ADO ANDERSON**  
NOTARY PUBLIC  
WASHINGTON COUNTY  
MARYLAND  
MY COMMISSION EXPIRES FEB. 20, 2028

WWW.WASHCO-MD.NET



To: Zoning Appeals Board

Washington County, MD

Re: Zoning Appeal for Deck at 18709 Fairfield Rd, Hagerstown MD 21742

Homeowner: Ashley Bruno

Dear Zoning Appeals Board,

My name is Ashley Bruno, and I'm writing to kindly request a variance to allow the construction of a small backyard deck at my home. Due to the current zoning code, decks are not permitted within 8 feet of the property line. However, the unique layout of my yard presents some challenges that I hope you'll consider.

The area behind my home is shaded heavily by trees, making it impossible for grass to grow. This results in constant mud, especially when it rains, which has been difficult for both my kids and our dogs to safely and comfortably enjoy the yard. The deck I'm planning would only be about 2 feet off the ground and placed near an existing 7-foot privacy fence that already provides a strong visual and physical boundary.

If we followed the 8-foot setback rule exactly, it would leave an unusable strip of land prone to mud and drainage issues—an area that would still not support grass or plants due to the shade. I truly believe this deck will improve the functionality and safety of my yard without negatively impacting the neighborhood or surrounding properties.

This request is being made in good faith with the intent of enhancing the livability of my home while

still honoring the spirit of the zoning code. I appreciate your time and consideration and hope for a favorable outcome.

Warm regards,

Ashley Bruno 4/23/25  
Ashley Bruno

18709 Fairfield Rd

Hagerstown, MD 21742

Neighbor Support Signature Sheet

For: Deck Project at 18709 Fairfield Rd, Hagerstown MD 21742

Homeowner: Ashley Bruno

We, the undersigned neighbors of Ashley Bruno, acknowledge that we have been informed about the proposed deck project at her residence. We confirm that we do not object to the construction of the deck and support her appeal for a zoning variance.

Please print your name, address, and sign below:

-----  
| Printed Name | Address | Signature |

-----  
\* Robin Robins  
\* Constance Spang  
\* Kailey Cassanna 13228  
\* Tyler Hornbecker 13230

| 18704

| Lydia Hutch 18710

-----  
| Tracy R. |

| Kailey Cassanna |

| [Signature] |

| Lydia Hutch |





# UNGER SURVEYING & CONSTRUCTION

HAGERSTOWN, MD 21742  
301.991.9547  
MUNGER@UNGERSC.COM  
UNGERSC.COM

## #18709 FAIRFIELD ROAD

HAGERSTOWN, MD 21742  
PROPERTY OF:

N/F  
ASHLEY BRUNO  
BOOK 7504 AT PAGE 175  
WASHINGTON COUNTY, MARYLAND  
TAX ID NO. 27-001734

## BOUNDARY SURVEY

REVISIONS	DATE

DRAWN BY: KDU  
CHECKED BY: MBU  
DATE ISSUED: 2025-0403  
FIELD DATE: 2025-0402

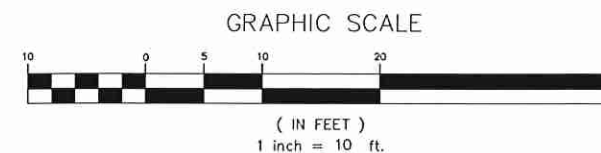
PROJECT No. 740

SCALE 1" = 10'

SHEET 1 OF 1



VICINITY MAP  
1" = 1,000'



### LEGEND

---	PROPERTY LINES
-x-x-x-x-x-	FENCE LINE
-D-W-D-W-	OVERHEAD WIRES
PB.....	PLAT BOOK
CONC.....	CONCRETE
IPF.....	IRON PIPE FOUND
IPS.....	IRON PIPE SET
B.....	BOOK
P.....	PAGE
N/F.....	NOW OR FORMERLY
FEN.....	FENCE
P/L.....	PROPERTY LINE
SQ. FT.....	SQUARE FEET
EM.....	ELECTRIC METER
BLG OVH.....	BUILDING OVERHANG
COR.....	CORNER
EOA.....	EDGE OF ASPHALT

### NOTES

1. THE SUBJECT PROPERTY IS LOCATED ON TAX ASSESSMENT MAP NO. 024, GRID 23, PARCEL 25 WITH A TAX ACCOUNT NO. OF 27-001734.
2. THE HORIZONTAL DATUM IS BASED ON PLAT NO. 308.
3. THE SUBJECT PROPERTY IS LOCATED IN ZONE "X" ( AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN ) AS SHOWN ON FLOOD INSURANCE RATE MAP (FIRM) MAP NO. 24043C0137D, FOR WASHINGTON COUNTY, MARYLAND, DATED AUGUST 15, 2017.
4. THE SUBJECT PROPERTY WAS ACQUIRED BY ASHLEY BRUNO BY DEED DATED AUGUST 2, 2024 AND RECORDED IN BOOK 7504 AT PAGE 175.
5. THE SITE ADDRESS PER THE TAX ASSESSMENT RECORDS IS #18709 FAIRFIELD ROAD, HAGERSTOWN, MD 21742.
6. NO TITLE REPORT FURNISHED TO UNGER SURVEYING AS OF APRIL 3, 2025.
7. THE SUBJECT PROPERTY IS ZONED "RU" RESIDENTIAL, URBAN DISTRICT PER THE WASHINGTON COUNTY ZONING ORDINANCE, DATED APRIL 26, 2018. THIS INFORMATION DOES NOT CONSTITUTE A "ZONING OPINION" AND IS NOT SUBJECT TO THIS SURVEY.
8. THE ACCURACY IS  $\pm 0.2'$ .
9. DISTANCES AND ARROWS (  $\frac{FEN}{1.3}$  ) INDICATE THE DISTANCE AND DIRECTION FROM SUBJECT PROPERTY LINES IN RELATIONSHIP TO THE FIELD LOCATED FENCE "FEN" AND OR SITE FEATURE DESCRIBED.

### SURVEYOR'S CERTIFICATION

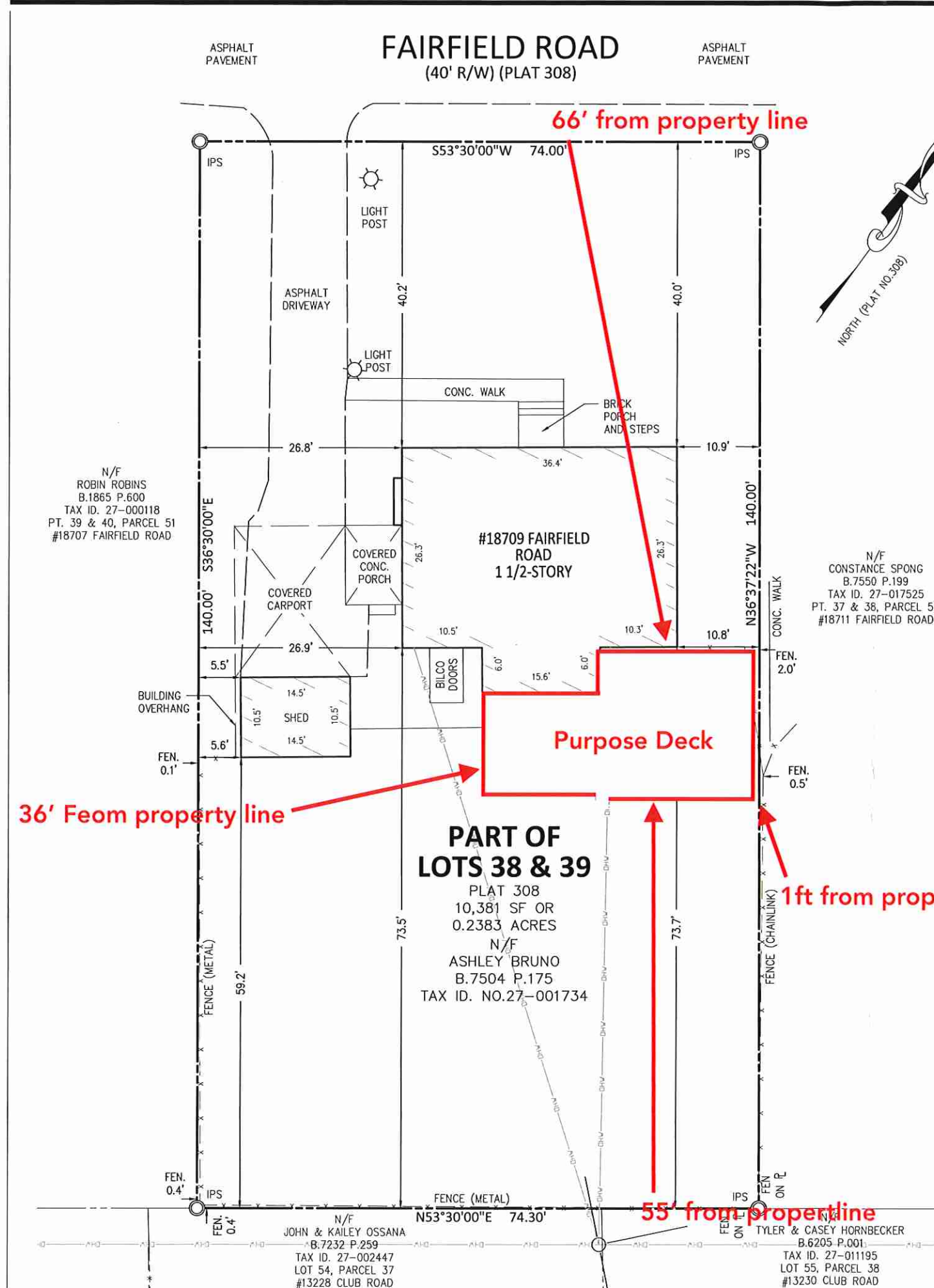
I HEREBY CERTIFY THAT THE BOUNDARY SURVEY INFORMATION SHOWN HEREON IS CORRECT, TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF, THAT IT IS BASED ON FIELD RUN SURVEY USING ACCEPTED SURVEYING METHODS AND THAT IT MEETS THE MARYLAND MINIMUM STANDARDS FOR SURVEYING AS ESTABLISHED BY (COMAR), DEPARTMENT OF LABOR, LICENSING AND REGULATION PER SUBTITLE 13, CHAPTER 06.03. THE PROPERTY SHOWN HEREON IS ALL OF THE PROPERTY DESCRIBED IN BOOK 7504 AT PAGE 175, AND BEING PARTS OF LOT 38 AND LOT 39, AS SHOWN ON PLAT NO.308, ENTITLED, "FAIRGREEN ACRES", ALL RECORDED AMONG THE LAND RECORDS OF WASHINGTON COUNTY, MARYLAND.

*Matthew Unger*

MATTHEW B. UNGER  
PROFESSIONAL LAND SURVEYOR  
MARYLAND NO. 21997  
LICENSE EXPIRES: FEBRUARY 2, 2027  
EMAIL: MUNGER@UNGERSC.COM



APRIL 3, 2025  
DATE



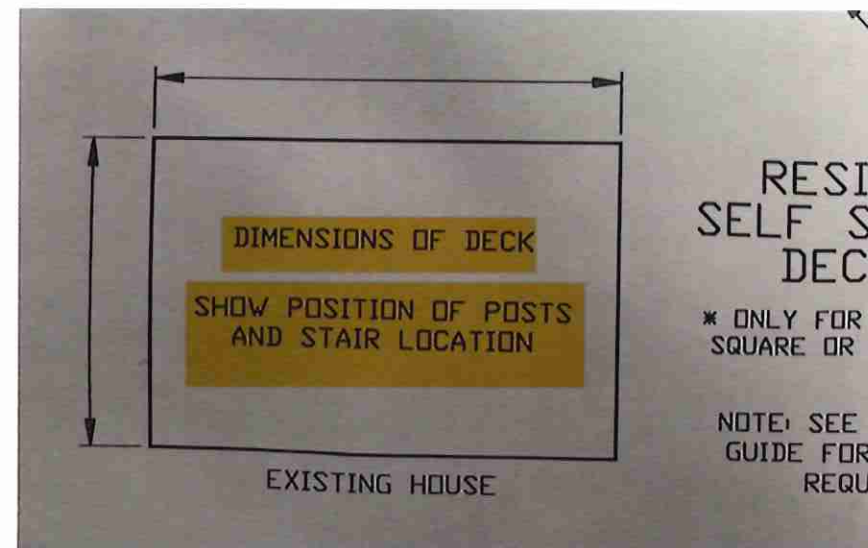
Permit 2025-01660 / 18709 Fairfield Road

To: Tyrone Anderson

Good morning,

The above permit cannot be processed at this time pending additional requirements listed below.

- The deck form you submitted will need the bottom section (Dimensions of deck and position of post and stair location) completed.
- Please provide the entire square footage of the deck.



- The plot plan you provided reflects a left side setback of 1 foot. The minimum required side yard setback is 8 feet.
  - Please provide an updated plot plan reflecting a setback of at least 8 feet.
  - If the property owner wants to keep the deck at 1 foot, they can apply for a variance to reduce the setbacks. This would be done through the Board of Zoning Appeals. They can contact Katy Rathvon, Zoning Coordinator if they would like information on the process and fees.
  - I also want to make sure that you are aware, if you choose to place the deck right at the 8 foot marker, a site survey will be required by zoning.
- I have attached an affidavit to be completed by you and the property owner.

You can email all forms back to me or upload them to the permit.

If you have any questions, please let me know.

Have a wonderful day,



Michelle Brown  
Permit Technician



