

## BOARD OF APPEALS

October 1, 2025

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

### AGENDA

**AP2025-021:** An appeal was filed by Nathan Gardenhour for a variance from the required 40 ft. front yard setback to 31 ft. for proposed addition to the single-family dwelling on the property owned by the appellant and located at 14024 Frazier Road, Smithsburg, Zoned Agricultural Rural District. **-GRANTED**

**AP2025-022:** An appeal was filed by the Town of Funkstown seeking variances from the Washington County Floodplain Ordinance Sections: Section 5.4A to allow lowest floor to be constructed below Flood Elevation, Section 5.4.B.1 to allow floodproofing for a new non-residential building, Section 5.4.B.3.a to allow wet floodproofing in lieu of dry floodproofing for proposed public restroom for public park facility on property owned by the appellant and located at 20 West Poplar Street, Funkstown. - **GRANTED**

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Pursuant to the Maryland Open Meetings Law, notice is hereby given that the deliberations of the Board of Zoning Appeals are open to the public. Furthermore, the Board, at its discretion, may render a decision as to some or all of the cases at the hearing described above or at a subsequent hearing, the date and time of which will be announced prior to the conclusion of the public hearing. Individuals requiring special accommodations are requested to contact Katie Rathvon at 240-313-2464 Voice, 240-313-2130 Voice/TDD no later than September 22, 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:** Nathan Gardenhour  
14024 Frazier Road  
Smithsburg MD 21783

**Appellant:** Nathan Gardenhour  
14024 Frazier Road  
Smithsburg MD 21783

**Property Location:** 14024 Frazier Road  
Smithsburg, MD 21783

**Description Of Appeal:** Variance from the required 40 ft. front yard setback to 32 ft. for proposed addition to the single-family dwelling.

**Docket No:** AP2025-021  
**Tax ID No:** 14003231  
**Zoning:** A(R)  
**RB Overlay:** No  
**Zoning Overlay:**  
**Filed Date:** 09/08/2025  
**Hearing Date:** 10/01/2025

**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 5A.5

**Reason For Hardship:** Unusual/irregular shaped property.

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

**Ruling Official/Agency:**

**Existing Use:** Single Family Dwelling **Proposed Use:** Addition to Expand Livable Space

**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 8 day of September, 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

# BOARD OF ZONING APPEALS

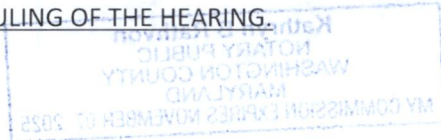
## ATTENTION!

### Posting Instructions

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

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

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







WASHINGTON COUNTY BOARD OF ZONING APPEALS

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: AP2025-021

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

On 9/8/2025, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Nathan Gardenhour and made oath in due form of law as follows:

Nathan Gardenhour 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 10/01/2025, 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 09/16/2025 and will remain until after the above hearing date.

Nathan Gardenhour

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

Notary Public



My Commission Expires



Seal



9.7.2025

Dear Board,

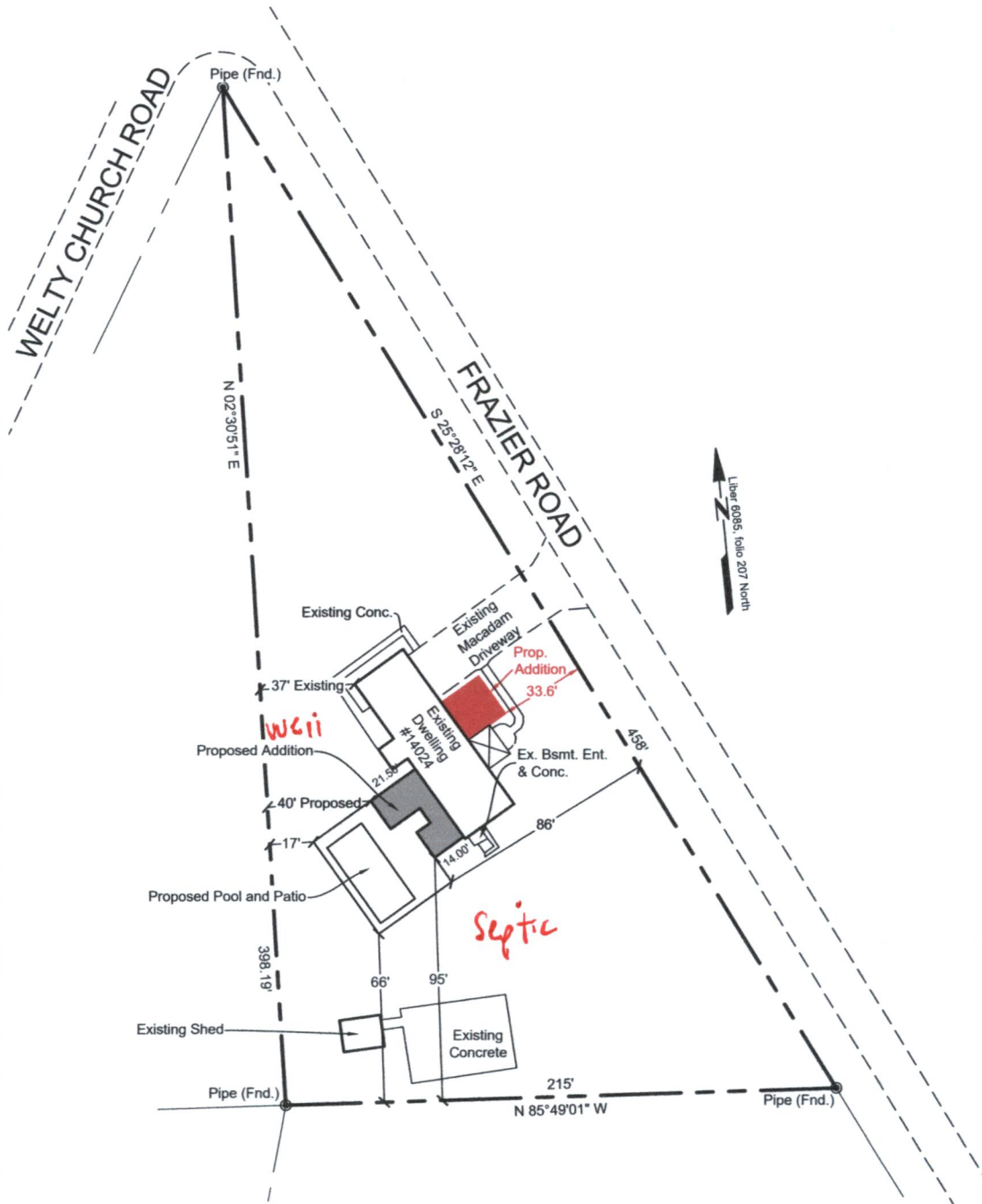
I live at 14024 Frazier Road in Smithsburg. This property is unique in the fact it is my home place. I purchased it from my parents about 17 years ago upon exiting the military. I have spent money on plans. I have designed an 18'x18' living room on the front of my home that will not only bring value but will be aesthetically pleasing. I recently installed an addition with an inground swimming pool to the rear of my property. If you look at my plot plan you will notice, it's a rather unusual plot. It's a pie shape. At almost 1 acre there's a lot of area that is unusable based on its irregular shape. I believe by looking at my plot plan, one can clearly see the dilemma I'm faced with. The 18'x18' room will not interfere with traffic, views, or take away any value to anyone else's property. The land to my right and across from me is in federal preservation and the contract on that is still good for approximately 75 years. The new addition I propose will not even encroach beyond the existing sidewalk I use leading from my porch to my driveway. I'm a respectable citizen, business owner, and human being. I don't bother anyone and ask only for the right and ability to improve my property which I spend so much time and money on each year.

Respectfully,

Nathan Gardenhour

PLOT PLAN  
for  
Nathan Gardenhour  
14024 Frazier Road  
Smithsburg MD 21783

Parcel is Zoned A(R) - Agricultural (Rural)



THIS DOCUMENT IS FOR THE SOLE BENEFIT AND USE OF THE PARTIES NAMED HEREIN AND IS NOT TO BE PUBLISHED OR RECORDED WITHOUT THE EXPRESS WRITTEN CONSENT OF FREDERICK, SEIBERT AND ASSOCIATES, INC.

PROPERTY INFORMATION 27-9-299	
DWN BY LEJ/JTK	DATE 7/30/2025
PROJECT MANAGER FMF	EMAIL FFrederick@fsa-inc.com
SCALE 1" = 50'	



FREDERICK, SEIBERT & ASSOCIATES, INC.

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fsa-inc.com

128 SOUTH POTOMAC STREET  
HAGERSTOWN, MD 21740

20 WEST BALTIMORE STREET  
GREENCASTLE, PA 17225

505 SOUTH HANOVER STREET  
CARLISLE, PA 17013

15 EAST MAIN STREET  
NEW BLOOMFIELD, PA 17068

PROJECT NO.  
2023-0097

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

**NATHAN GARDENHOUR**

\*

**Appeal No.: AP2025-021**

**Appellant**

\*

\*

\* \* \* \* \*

**OPINION**

Nathan Gardenhour (hereinafter "Appellant") requests a variance to reduce the required front yard setback from 40 feet to 32 feet for a proposed addition to the home at the subject property. The subject property is located at 14024 Frazier Road, Smithsburg, Maryland 21783 and is zoned Agricultural, Rural. The Board held a public hearing in this matter on October 1, 2025.

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

**Findings of Fact**

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

1. Appellant is the owner of the subject property located at 14024 Frazier Road, Smithsburg, Maryland 21783. The subject property is zoned Agricultural, Rural.
2. The subject property consists of approximately
3. The subject property is triangular shaped and comes to a point at the intersection of Frazier Road and Welty Church Road.
4. The garage is located on the right side of the home and the well is located to the rear of the garage. The septic field is situated to the left side of the home, which is also where the bedrooms are located.
5. Appellant proposes to construct an 18-foot by 18-foot living room addition to be located at the front of the home. The addition will have an unfinished storage room underneath.



6. There were no comments from other County departments or agencies.
8. There was no opposition presented to this appeal.

### **Rationale**

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

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

Pursuant to Section 5A.5 of the Zoning Ordinance, the required front yard setback is forty (40) feet. Appellant has chosen a location for his addition that will result in the actual setback measuring 32 feet. Appellant testified about his plans for the home. He has recently installed a swimming pool and built an addition to the rear of the property. He described the extreme shape of the property and the various limitations imposed by the shape and depth of the lot, as well as the location of the well and septic, and the interior layout of his

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

home. Appellant testified that the proposed addition will not affect any of the surrounding properties.

Appellant is unable to expand the living space to the right of the property due to the location of the garage and the well. He is unable to expand the living space to the left of the property because the bedrooms are located there and any addition on that side would encroach upon the septic area. Based on the testimony and evidence there is no room to locate an addition to the rear of the property, and thus Appellant is forced to expand in the front.

The Board finds that practical difficulty would result from strict compliance with the setback requirements. Without relaxation of the setbacks, Appellant would have no ability to make an otherwise reasonable improvement to his home. He is forced to construct the shed in the middle of his backyard. The Board finds that the proposed location for the addition will have no impact on the surrounding properties. It does not confer any special privilege and is a relatively minor relaxation of the setback requirements. Appellant's request appears to be the minimum necessary to facilitate practical use of the property. The Board finds that relaxation of the front yard setback requirement is necessary and remains consistent with the spirit and intent of the Ordinance.

Accordingly, the request for a variance to reduce the required front yard setback from 40 feet to 32 feet for a proposed addition to the home at the subject property is GRANTED by a vote of 5 to 0. The variance relief is granted subject to the standard condition that the use is consistent with the testimony and evidence presented during the hearing before the Board.

BOARD OF APPEALS

By: Tracie Felker, Chair

**Date Issued: October 30, 2025**

Notice of Appeal Rights

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



## 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:** Town of Funkstown  
PO Box 235  
30 East Baltimore Street  
Funkstown MD 21734

**Appellant:** Town of Funkstown  
30 East Baltimore Street  
Funkstown MD 21734

**Property Location:** 20 -10 West Poplar Street  
Funkstown, MD 21734

**Description Of Appeal:** Variance is sought for the following ordinance sections: Section 5.4A to allow lowest floor to be constructed below Flood Elevation, Section 5.4.B.1 to allow floodproofing of a new non-residential building, Section 5.4.B.3.a to allow wet floodproofing in lieu of dry floodproofing for proposed public restroom for public park facility.

**Docket No:** AP2025-022  
**Tax ID No:** 10007917  
**Zoning:** TOWN  
**RB Overlay:** No  
**Zoning Overlay:**  
**Filed Date:** 09/11/2025  
**Hearing Date:** 10/01/2025

**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 Floodplain Ordinance Section: 5.4A. 5.4.B.1 & 5.4.B.3.a

**Reason For Hardship:** See application

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

**Ruling Official/Agency:**

**Existing Use:** Public Park

**Proposed Use:** Public Park Restrooms

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

**Date Ceased:**

**Area Devoted To Non-Conforming Use -**

**Existing:**  
**Proposed:**

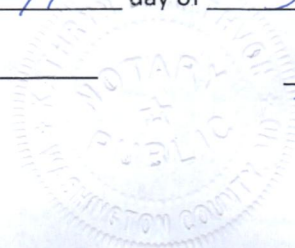
I hearby affirm that all of the statements and information contained in or filed with this appeal are true and correct.

Appellant Signature

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this 11 day of Sept., 2025.

Kathryn B. Rathvon  
My Commission Expires  
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

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~~Town of Funkstown~~ KBR

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



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

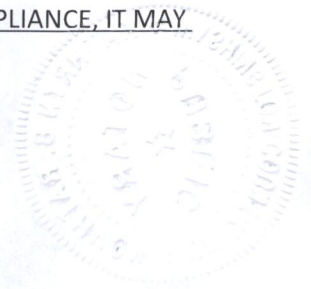
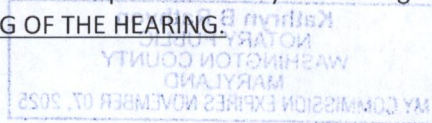
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## BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21740 | P: 240.313.2460 | F: 240.313.2461 | Hearing Impaired: 7-1-1

WWW.WASHCO-MD.NET

### Appeal for Floodplain Variance Application

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.

#### Checklist

- ☒ Copy of permit application
- ☒ Site map showing the location of flood hazard areas, designated floodway boundaries, flood zones, base flood elevations, and flood protection setbacks.
- ☐ Architectural drawings
- ☐ Elevation Certificate
- ☐ Other: \_\_\_\_\_

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

#### Section I. Project Information

##### A. Applicant

Name: Town of Funkstown, Attn: Paul Crampton, Mayor

Address: 30 East Baltimore Street, Funkstown, MD 21734

Phone: 301-791-0948 Email: \_\_\_\_\_

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

☒ Owner (Including Joint Ownership) ☐ Lessee ☐ Contract to rent/lease  
☐ Contract to Purchase ☐ Other \_\_\_\_\_

##### B. Owner

Name: Town of Funkstown

Address: 30 East Baltimore Street, Funkstown, MD 21734

Phone: 301-791-0948 Email: \_\_\_\_\_



C. Property

Property Address: Corner of North Westside Avenue and West Poplar Street

SDAT Account Identifier: 10007917

Map: 571 Grid: \_\_\_\_\_ Parcel: 950 Lot: \_\_\_\_\_

Brief Description of Project: The Town of Funkstown wishes to add restrooms to existing Poplar Street Park.

The parcel was formerly a trailer park. The entirety of the parcel lies within the 100-year floodplain.

Existing Use: Park Proposed Use: Park

Current Value of Structure: \_\_\_\_\_ As of Date: 8/25/25

Estimated Project Cost (including labor): \_\_\_\_\_

D. Flood Insurance Rate Map (FIRM)

Panel No.: 24043C0302D Effective Date: 8/15/17

Flood Source: Antietam Creek Floodplain Type(s): Tidal/Riverine/Coastal

Flood Zone: \_\_\_\_\_ Base Flood Elevation: 468.6 Elevation Datum: \_\_\_\_\_

**Section II. Variance Information**

A. Description of the variance sought:

Variance is sought to the following ordinance sections:

Section 5.4A to allow Lowest Floor to be constructed below Flood Elevation, Section 5.4.B.1 to allow floodproofing of a  
new non-residential building, Section 5.4.B.3.a to allow wet floodproofing in lieu of dry floodproofing

B. Reason for the variance request:

The entire park property lies within the floodplain. Lack of restroom facilities would limit public enjoyment of the park.

C. Applicable Section(s) of the Code:

5.4A, 5.4.B.1 & 5.4.B.3.a

### Section III. Considerations for Variances (please address each one)

- A. The danger that materials may be swept onto other lands to the injury of others.  
Restroom facility will be CMU construction and resist to flood damage.  
\_\_\_\_\_
- B. The danger to life and property due to flooding or erosion damage.  
This is a public park facility which i would assume would not be used during a severe storm event.  
\_\_\_\_\_
- C. The susceptibility of the proposed development and its contents (if applicable) to flood damage and the effect of such damage on the individual owner.  
Restroom facility will be CMU construction and resist to flood damage.  
\_\_\_\_\_
- D. The importance of the services to the community provided by the proposed development.  
Restroom facility will make public park more enjoyable.  
\_\_\_\_\_
- E. The availability of alternative locations for the proposed use which are not subject to, or are subject to less, flooding or erosion damage.  
Entire park property is in the 100 year floodplain making alternative locations not viable.  
\_\_\_\_\_
- F. The necessity to the facility of a waterfront location, where applicable, or if the facility is a functionally dependent use.  
Restroom facility is a part of the overall park development and NOT functionally dependent.  
\_\_\_\_\_
- G. The compatibility of the proposed use with existing and anticipated development.  
Restroom facility will be part of the existing park development so compatible with the existing use.  
\_\_\_\_\_
- H. The relationship of the proposed use to the comprehensive plan and hazard mitigation plan for that area.  
This park is in the Town of Funkstown and part of their long term plans.  
\_\_\_\_\_
- I. The safety of access to the property in times of flood for passenger vehicles and emergency vehicles.  
Park will not be used during severe storm events. Entire park property is located in the floodplain.  
\_\_\_\_\_

- J. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site.

Minimal as the location is in the existing bridge headwaters.

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- K. The costs of providing government services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

All services will be owned and maintained by the Town of Funkstown. No financial liability to the County.

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- L. The comments provided by MDE (NFIP State Coordinator).

Plans, applications and correspondence has been made with Wuhib Bayou at MDE to modify our existing waterway construction permit.

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#### Section IV. Limitations for Granting Variances (please address each one)

- A. A showing of good and sufficient cause. Good and sufficient cause deals solely with the physical characteristics of the property and cannot be based on the character of the improvement, the personal characteristics of the owner/inhabitants, or local provision that regulates standards other than health and public safety.

Entire park property is located in the floodplain. Restroom is being provided for the enjoyment of park visitors.

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- B. A determination that failure to grant the variance would result in exceptional hardship due to the physical characteristics of the property. Increased cost or inconvenience of meeting the requirements of these regulations does not constitute an exceptional hardship to the applicant.

Exceptional hardship as there is no alternative location available. The entire park property is within the 100 year floodplain.

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- C. A determination that the granting of a variance for development within any designated floodway, or flood hazard area with base flood elevations but no designated floodway, will not result in increased flood heights beyond that which is allowed in these regulations.

This small structure in the floodplain fringe will not have any measurable impact to the 100 year water surface elevation.

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- D. A determination that the granting of a variance will not result in additional threats to public safety; extraordinary public expense, nuisances, fraud or victimization of the public, or conflict with existing local laws. No additional threat. The park will not be occupied during a severe storm event.
- 
- 
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- E. A determination that the building, structure or other development is protected by methods to minimize flood damages.

Restroom facility will be CMU construction and resist to flood damage.

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- F. A determination that the variance is the minimum necessary to afford relief, considering the flood hazard.

Restroom facility has been designed to as small as a footprint as possible.

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#### Section V. Previous Appeal Information

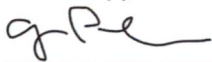
Has any previous petition or appeal involving this property been made to the Board?

☐ Yes ☒ No

If yes, list docket number(s): \_\_\_\_\_

#### Section VI. Certification

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

gpoffenberger@foxassociatesinc.com

Email of Appellant

981 Mt Aetna Rd, Hagerstown, MD 21740

Address of Appellant

301-733-8503

Phone Number of Appellant

## Section VII. Resources

Maryland Flood Risk Application, <https://mdfloodmaps.net/>

FEMA Map Service Center, <https://msc.fema.gov/portal/home>

FEMA Technical Bulletins (TBs), <https://www.fema.gov/emergency-managers/risk-management/building-science/national-flood-insurance-technical-bulletins>

*Technical Bulletin, Update Overview*

*Technical Bulletin 0, User's Guide to NFIP Technical Bulletins*

*Technical Bulletin 1, Openings in Foundation Walls and Walls of Enclosures (2020)*

*Technical Bulletin 2, Flood Damage-Resistant Materials Requirements*

*Technical Bulletin 3, Non-Residential Floodproofing Requirements and Certifications*

*Technical Bulletin 4, Elevator Installation*

*Technical Bulletin 5, Free-of-Obstruction Requirements (2020)*

*Technical Bulletin 6, Below-Grade Parking Requirements*

*Technical Bulletin 7, Wet Floodproofing Requirements*

*Technical Bulletin 8, Corrosion Protection of Metal Connectors in Coastal Areas*

*Technical Bulletin 9, Design and Construction Guidance for Breakaway Walls Below Elevated Coastal Buildings*

*Technical Bulletin 10, Ensuring That Structures Built on Fill In or Near Special Flood Hazard Areas Are Reasonably Safe From Flooding*

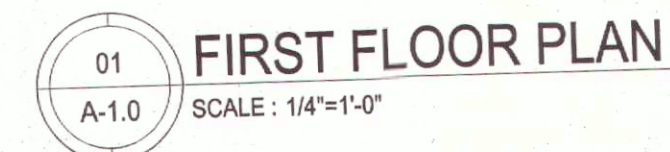
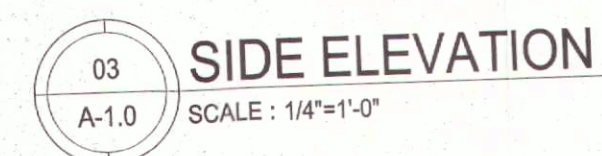
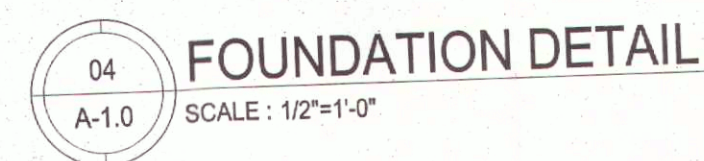
*Substantial Improvement/Substantial Damage Desk Reference (FEMA P-758)*

[https://www.fema.gov/sites/default/files/2020-07/fema\\_nfip\\_substantial-improvement-substantial-damage-desk-reference.pdf](https://www.fema.gov/sites/default/files/2020-07/fema_nfip_substantial-improvement-substantial-damage-desk-reference.pdf)

*Floodplain Management Bulletin – Variances and the National Flood Insurance Program (FEMA P-993)*

[https://www.fema.gov/sites/default/files/2020-08/FEMA\\_P-993\\_FPM-Bulletin\\_Variance.pdf](https://www.fema.gov/sites/default/files/2020-08/FEMA_P-993_FPM-Bulletin_Variance.pdf)





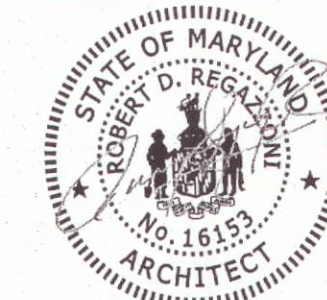
LEGEND	
SYMBOL	DESCRIPTION
	INTERIOR CEILING LIGHTS
	EXTERIOR WALL LIGHTS
	FLOOR DRAIN
	ELECTRICAL OUTLET

WALL TYPE SCHEDULE	
8" REINFORCED CONCRETE MASONRY BLOCK WALL WITH MORTAR JOINTS, GROUTED SOLID ALL CELLS RUNNING BOND PATTERN	

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PROJECT NUMBER :	25-04-1152
FILE NAME :	FUNKSTOWN BATHROOM
DRAWN BY :	WAD
PLOT DATE :	4/8/202
SHEET No.	

# A-1.0



Professional Certification:  
I certify that these documents were prepared or  
approved by me, and that I am a duly licensed architect  
under the laws of the State of Maryland. License number  
18153, expiration date 03/29/2026.

**WADE**  
//ARCHITECTURE  
HAGERSTOWN, MD 240-452-4631

## FLINKSTOWN BATHROOMS

TOWN OF ELKSTOWN MD

## PLAN, ELEVATIONS & DETAIL



ESD PRACTICES SUMMARY TABLE									
CONSTRUCTION TYPE (NEW, REDEVELOPMENT, RESTORATION)									
ESD PRACTICES (CHAPTER 5 - NON-STRUCTURAL & STRUCTURAL)									
TYPE	NO.	DA TO STRUCTURE (AC)	IPERVIOUS DA TO STRUCTURE (AC)	AC-FT	AC-FT	AC-FT	AC-FT	ADDRESS (N)	
NON-ESD PRACTICES (CHAPTER 3 - STRUCTURAL PRACTICES)									
TYPE	NO.	DA TO STRUCTURE (AC)	IPERVIOUS DA TO STRUCTURE (AC)	AC-FT	AC-FT	AC-FT	AC-FT	ADDRESS (N)	

#### ESTIMATED PROJECT SCHEDULE

SITE PLAN APPROVAL	APRIL, 2023
GRADING PERMIT ISSUANCE	MAY, 2023
START SITE CONSTRUCTION	MAY, 2023
COMPLETE SITE CONSTRUCTION	JUNE, 2023
BUILDING OCCUPANCY	JUNE, 2023

#### GENERAL CONSTRUCTION NOTES

- NO SUBSURFACE INVESTIGATION HAS BEEN PERFORMED BY FOX & ASSOCIATES, INC. TO DETERMINE THE EXISTENCE OR LOCATION OF ROCK OR OTHER NATURAL OR MAN-MADE FEATURES EXCEPT AS SPECIFICALLY INDICATED. NO ENVIRONMENTAL STUDIES HAVE BEEN CONDUCTED BY OUR FIRM.
- EXISTING UTILITY INFORMATION SHOWN HEREON IS FROM DRAWINGS AND/OR OTHER SOURCES PROVIDED BY OWNERS OF THE VARIOUS UTILITIES. EXACT LOCATIONS SHALL BE DETERMINED IN THE FIELD BEFORE BEGINNING CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY MISS UTILITY AT (1-800-257-7777) A MINIMUM OF 48 HOURS BEFORE BEGINNING ANY WORK SHOWN ON THESE DRAWINGS. ANY DAMAGE TO UTILITIES BY THE CONTRACTOR SHALL BE REPAIRED BY THE CONTRACTOR AT HIS EXPENSE AND TO THE SATISFACTION OF THE UTILITY OWNER. HAND PIT EXCAVATION SHALL BE PROVIDED AS NEEDED BY CONTRACTOR TO LOCATE EXISTING UNDERGROUND UTILITIES.
- THE CONTRACTOR SHALL NOTIFY THE APPLICABLE MUNICIPAL, COUNTY AND/OR STATE AUTHORITIES AT LEAST 48 HOURS BEFORE BEGINNING ANY WORK WITHIN PUBLIC RIGHT(S) OF WAY.
- THE CONTRACTOR SHALL VERIFY ALL SURFACE AND SUBSURFACE CONDITIONS (LOCATIONS AND ELEVATIONS) PRIOR TO BIDDING AND START OF CONSTRUCTION. ANY DISCREPANCIES BETWEEN THE DRAWINGS AND ACTUAL FIELD CONDITIONS SHALL BE REPORTED TO THE OWNER AND/OR ENGINEER BEFORE PROCEEDING IF THEY AFFECT THE DESIGN FEASIBILITY OF THIS PROJECT. ANY DAMAGE TO FACILITIES, STRUCTURES, PAVEMENT OR OTHER MAN-MADE ITEMS ON OR ADJACENT TO THE SITE OR NOT SPECIFICALLY INDICATED FOR THE DEMOLITION SHALL BE REPAIRED OR REPLACED AT CONTRACTOR'S EXPENSE AND TO THE SATISFACTION OF THE OWNER.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR COMPLYING WITH ALL APPLICABLE LEGAL AND REGULATORY REQUIREMENTS. CONTRACTOR SHALL OBTAIN ANY BONDS REQUIRED BY COUNTY/STATE FOR WORK WITHIN COUNTY/STATE RIGHT-OF-WAYS.
- ALL CONSTRUCTION METHODS AND MATERIALS SHALL BE IN STRICT ACCORDANCE WITH THE WASHINGTON COUNTY ENGINEERING DEPARTMENT STANDARDS AND SPECIFICATIONS, THE LATEST EDITION OF WASHINGTON COUNTY DEPARTMENT OF WATER QUALITY STANDARDS AND SPECIFICATIONS, THE WASHINGTON COUNTY PLUMBING CODE, THE TOWN OF FUNKSTOWN WATER & SEWER DEPARTMENT PROCEDURES AND REGULATIONS, AND THE STATE OF MARYLAND DEPARTMENT OF TRANSPORTATION, STATE HIGHWAY ADMINISTRATION BOOK OF STANDARDS.
- ANY WORK WITHIN THE COUNTY RIGHT-OF-WAY WILL REQUIRE THE POSTING OF A PERFORMANCE BOND AND EXECUTING PUBLIC WORKS PRIOR TO THE ISSUANCE OF THE GRADING PERMIT, IN ACCORDANCE WITH THE WASHINGTON COUNTY S-3 POLICY.
- JOB SITE SAFETY SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
- A PRE-CONSTRUCTION MEETING, INTERIM (WATER QUALITY) INSPECTION, AND A FINAL SITE CLOSE OUT REVIEW ARE REQUIRED FOR ALL PROJECTS WITH SOIL DISTURBANCES GREATER THAN 15,000 SQUARE FEET OR 500 CUBIC YARDS. CONTRACT THE WASHINGTON COUNTY SOIL CONSERVATION DISTRICT AT 301-797-6821, TO SCHEDULE THE REQUIRED MEETING OR INSPECTION.
- TEMPORARY EROSION CONTROL MEASURES WILL BE USED TO CORRECT CONDITIONS THAT DEVELOP DURING CONSTRUCTION THAT ARE UNFORESEEN DURING THE DESIGN STAGE OR THAT ARE NEEDED TO TEMPORARILY CONTROL EROSION THAT DEVELOPS DURING NORMAL CONSTRUCTION PRACTICES.
- A COMPLETE SET OF APPROVED PLANS AND A COPY OF THE THE GRADING PERMIT MUST BE ON SITE AND AVAILABLE FOR USE BY THE INSPECTOR, OR OTHER REPRESENTATIVES OF WASHINGTON COUNTY PUBLIC WORKS.
- NO PERMANENT STRUCTURES (E.G. FENCES, SHEDS, PLAY EQUIPMENT, RETAINING WALLS) SHALL BE PERMITTED WITHIN ANY STORMWATER OR STORM DRAINAGE EASEMENT ON THIS PROPERTY.

#### GENERAL NOTES

- TOPOGRAPHY SHOWN HEREON IS FROM WASHINGTON COUNTY GIS TOPOGRAPHIC MAPS.
- ANTIETAM CREEK (MARYLAND 8-DIGIT WATERSHED CODE 02140502).
- THE U.S. FISH AND WILDLIFE SERVICE NATIONAL WETLAND INVENTORY (NWI) MAPPER DOES NOT IDENTIFY WETLAND HABITAT ON THE SITE.
- THE ENTIRE PARCEL LIES WITHIN THE 100-YR FLOODPLAIN AS SHOWN ON MAP 24043C03020 EFFECTIVE DATE 8/15/17.
- THERE ARE NO STEEP SLOPES ON THE SUBJECT PROPERTY.
- THE WASHINGTON COUNTY SOIL SURVEY, MAP 36, ISSUED 2006, IDENTIFIES NO THREE DOT STREAMS ON THE SUBJECT SITE, HOWEVER, SITE IS ADJACENT TO ANTIETAM CREEK.
- NO STATE OR FEDERALLY PROTECTED RARE SPECIES, CRITICAL HABITATS, NOR FOREST INTERIOR DWELLING (FID) BIRD, ARE KNOWN TO OCCUR ONSITE. REFER TO APPENDIX C, NWI-FSD REPORT.
- THE SITE IS NOT LOCATED WITHIN THE ANTIETAM PARK OR THE ANTIETAM BATTLEFIELD OVERLAY.
- THE SITE IS NOT LOCATED WITHIN 1,000 FEET OF THE APPALACHIAN TRAIL CORRIDOR.
- THERE ARE NO LISTED HYDRO SOIL TYPES AT THE SITE.
- THE WCB SOIL TYPE IS PRIME FARMLAND SOILS.
- THERE ARE NO STEEP SLOPES OVER 15% OCCUR ON SITE.
- SITE WILL BE SERVED BY PUBLIC SEWER AND WATER SERVICE PROVIDED BY THE TOWN OF FUNKSTOWN.
- FOREST CONSERVATION REQUIREMENTS WILL BE MET BY PAYMENT-IN-LIEU.
- THERE ARE HIGHLY ERODIBLE SOILS ON SITE. SEE SHEET 2.

## FOX & ASSOCIATES, INC.

ENGINEERS • SURVEYORS • PLANNERS

981 MT. AETNA ROAD  
HAGERSTOWN, MD. 21740  
PHONE: (301)733-8503  
or (301)416-7250  
FAX: (301)733-1853

82 WORMANS MILL COURT  
SUITE 'G'  
FREDERICK, MD. 21701  
PHONE: (301)695-0880  
FAX: (301)293-6009

**FOX**  
& ASSOCIATES INC.  
Est. 1966

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www.foxassociatesinc.com

Email: foxassoc@foxassociatesinc.com

#### OWNER/DEVELOPER

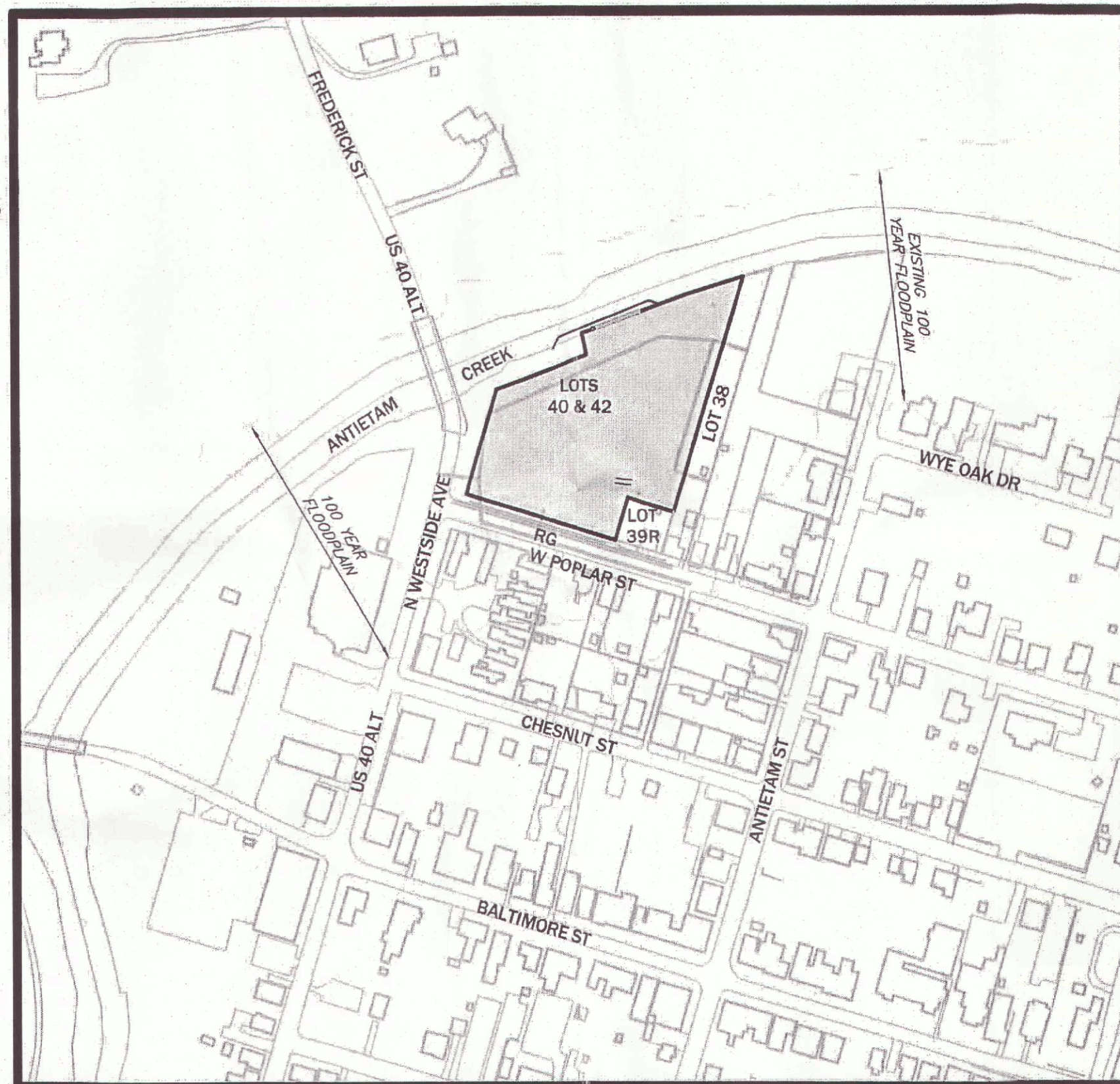
TOWN OF FUNKSTOWN  
30 E. BALTIMORE STREET  
FUNKSTOWN, MD 21734  
PHONE: 301.791.0848  
ATTN: GRENDA HAINES, TOWN MANAGER  
PAUL CRAMPTON, MAYOR

## SITE PLAN

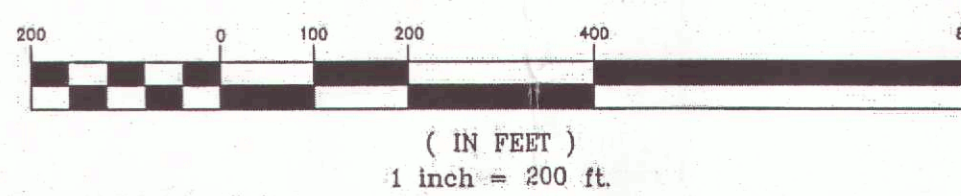
# POPLAR STREET PARK PAVILION

## TOWN OF FUNKSTOWN

SITUATE AT THE CORNER OF N WESTSIDE AVE & W POPLAR ST  
ELECTION DISTRICT 10  
FUNKSTOWN, WASHINGTON COUNTY, MARYLAND



#### GRAPHIC SCALE



#### SWM NARRATIVE

THIS PROJECT ENTAILS THE CONSTRUCTION OF A PUBLIC, MUNICIPAL PARK AT THE CORNER OF NORTH WESTSIDE AVENUE AND WEST POPLAR STREET IN THE TOWN OF FUNKSTOWN. THE LOCATION WAS PREVIOUSLY A TRAILER PARK CONSISTING OF MANY DRIVE AISLES, MOBILE HOMES AND STORAGE SHEDS. TOTAL IMPERVIOUS COVER AT THAT TIME WAS 42,575 SQUARE FEET. THE DEMOLITION OF THE TRAILER PARK HAS ALREADY BEGUN BY THE TOWN SINCE PROPERTY ACQUISITION. THE PROPOSED, COMMUNITY PARK LAYOUT WILL PROVIDE A PAVILION, KAYAK LAUNCH AREA, PICNIC TABLES, STATIONARY GRILLS, RESTROOMS, AND A SMALL PARKING AREA. THE PROPOSED IMPERVIOUS COVER WILL BE 14,779 SQUARE FEET. THIS PROJECT WILL SATISFY STORMWATER MANAGEMENT QUALITY AND QUANTITY REQUIREMENTS THROUGH AN IMPERVIOUS AREA REDUCTION. PER THE MDE SWM MANUAL, ESD REQUIREMENTS FOR REDEVELOPMENT PROJECTS REQUIRE A 50% REDUCTION IN IMPERVIOUS COVER. BASED ON THE FIGURES STATED ABOVE, THE IMPERVIOUS AREA REDUCTION FOR THIS PROPERTY WILL BE 65%. THIS MEANS THE POST-DEVELOPMENT RUNOFF RATES WILL BE MUCH LOWER THAN THE PRE-DEVELOPMENT RUNOFF RATES.

#### INDEX OF SHEETS

COVER SHEET	1
EXISTING CONDITIONS/DEMOLITION PLAN	2
SITE/GRADING/SECC PLAN	3
DETAILED SITE/GRADING/SECC PLAN	4
SITE/SECC NOTES AND DETAILS	5
BOAT LAUNCH PLAN AND PROFILES	6
BOAT LAUNCH DETAILS	7

#### DISTURBED AREA QUANTITIES

THE TOTAL AREA TO BE DISTURBED SHOWN ON THESE PLANS HAS BEEN DETERMINED TO BE APPROXIMATELY 1.58 ACRES AND THE TOTAL AMOUNT OF EXCAVATION AND FILL AS SHOWN ON THESE PLANS HAS BEEN COMPUTED TO BE APPROXIMATELY 300 C.Y. OF EXCAVATION AND 300 C.Y. OF FILL.

- \* THESE QUANTITIES ARE APPROXIMATE AND SHALL NOT BE USED BY THE CONTRACTOR FOR BIDDING PURPOSES.
- \*\* EARTHWORK QUANTITIES HAVE BEEN COMPUTED FROM PROPOSED SURFACE TO EXISTING SURFACE AND DOES NOT TAKE INTO ACCOUNT TOPSOIL STRIP OR PAVING DEPTHS.

#### UTILITY NOTIFICATION

"THE SOIL CONSERVATION DISTRICT MAKES NO REPRESENTATION AS TO THE EXISTENCE OR NON-EXISTENCE OF ANY UTILITIES AT THE CONSTRUCTION SITE. SHOWN ON THESE CONSTRUCTION DRAWINGS ARE THOSE UTILITIES WHICH HAVE BEEN IDENTIFIED. IT IS THE RESPONSIBILITY OF THE LANDOWNERS OR OPERATORS AND CONTRACTORS TO ASSURE THEMSELVES THAT NO HAZARD EXISTS OR DAMAGE WILL OCCUR TO UTILITIES. IT IS SUGGESTED THAT MISS UTILITY BE CONTACTED AT PHONE No. 1-800-257-7777.

#### "NO-RISE" CERTIFICATION

THIS IS TO CERTIFY THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER LICENSED TO PRACTICE IN THE STATE OF MARYLAND.

IT IS FURTHER TO CERTIFY THE ATTACHED TECHNICAL DATA SUPPORTS THE FACT THAT THE PROPOSED PARKING AREA, PICNIC PAVILION, AND BOAT LAUNCH AT POPLAR STREET PARK WILL NOT IMPACT THE 100 YEAR FLOOD ELEVATIONS, FLOODWAY ELEVATIONS OR FLOODWAY WIDTHS OF ANTIETAM CREEK TO THE POTOMAC RIVER AS DEPICTED ON FLOOD INSURANCE RATE MAP 24043C03020 EFFECTIVE DATE 8/15/17.

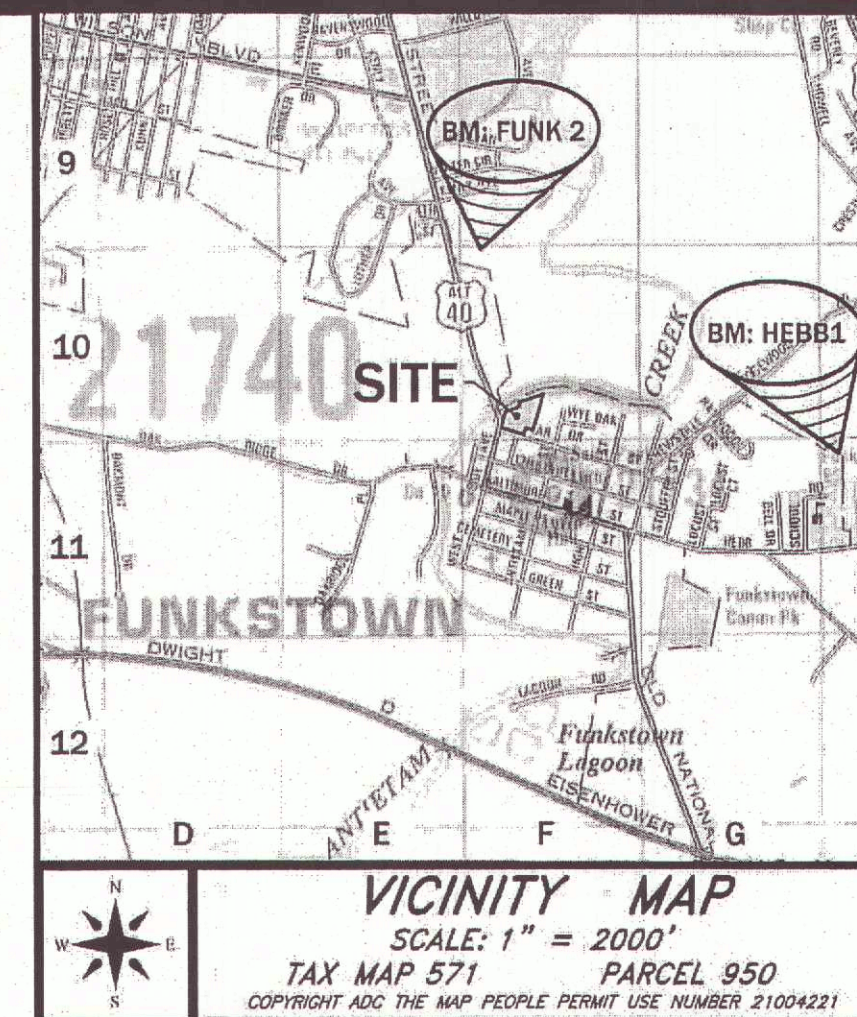
THE ABOVE STATEMENTS ARE BASED ON THE SLIGHT INCREASE TO THE CREEK'S FLOW AREA AND MINIMAL GRADING REQUIRED FOR THE PROPOSED PARKING AREA AND PAVILION.

GORDON S. POFFENBERGER  
REGISTRATION NUMBER: 27053  
EXPIRATION DATE: 1/25/24

SIGNATURE: Aug 26, 2024

FUNK 2  
N: 711.103.28  
E: 1.111.962.31  
ELEV= 530.4

HEBB1  
N: 708.634.80  
E: 1.115.826.33  
ELEV= 525.4



ADC MAP 21  
GRID 10 F

#### AGENCY & UTILITY CONTACTS

COUNTY D.P.W. - ENGINEERING AND CONSTRUCTION	(240) 313-2400
TOWN OF FUNKSTOWN (UTILITIES)	(301) 791-0948
POTOMAC EDISON	(301) 582-5271
WASH. CO. SCD	(301) 797-6821
ANTIETAM CABLE	(301) 797-1835
VERIZON	(301) 790-7135
COLUMBIA GAS	(800) 440-6111

#### ENGINEER PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.

NAME: GORDON S. POFFENBERGER  
LICENSE No.: 27053  
EXPIRATION DATE: 1/25/24



#### ENGINEER/ARCHITECT DESIGN CERTIFICATION

I HEREBY CERTIFY THAT THE PLANS HAVE BEEN DESIGNED IN ACCORDANCE WITH LOCAL ORDINANCES, COMAR 26.17.01.07, MARYLAND STANDARDS AND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL.

Aug 26, 2024  
DATE: 27053  
REG. NO.

SIGNATURE:

#### OWNER/DEVELOPER CERTIFICATION - DPW

I/WE HEREBY CERTIFY THAT ALL CLEARING, GRADING, CONSTRUCTION, AND/OR DEVELOPMENT WILL BE DONE PURSUANT TO THIS PLAN AND IN ACCORDANCE WITH THE STORMWATER MANAGEMENT ORDINANCE OF WASHINGTON COUNTY AND THE POLICY ON CONSTRUCTION OF SUBSIDIARY INFRASTRUCTURE FOR ACCEPTANCE AND OWNERSHIP BY WASHINGTON COUNTY (S-3).

8/26/24  
DATE: PAUL CRAMPTON  
PRINTED NAME:

#### OWNER/DEVELOPER CERTIFICATION - SCD

I/WE CERTIFY ALL/ANY PARTIES RESPONSIBLE FOR CLEARING, GRADING, CONSTRUCTION, AND/OR DEVELOPMENT WILL, BE DONE PURSUANT TO THIS PLAN AND RESPONSIBLE PERSONNEL INVOLVED IN THE CONSTRUCTION PROJECT WILL HAVE A CERTIFICATE OF TRAINING AT A MARYLAND DEPARTMENT OF THE ENVIRONMENT APPROVED TRAINING PROGRAM FOR THE CONTROL OF SOIL EROSION AND SEDIMENT.

8/26/24  
DATE: PAUL CRAMPTON  
PRINTED NAME:

#### WASHINGTON COUNTY DIVISION OF ENGINEERING

WASHINGTON COUNTY  
DIVISION OF ENGINEERING

Approved By:   
Date: 8/28/2024, 12:10:18 PM

#### WASHINGTON COUNTY SOIL CONSERVATION DISTRICT



SOIL EROSION AND  
SEDIMENT CONTROL  
PLAN APPROVAL

Plan is valid for two years from date stamp below

8/28/2024, 2:22:00 PM

Mark Kendle

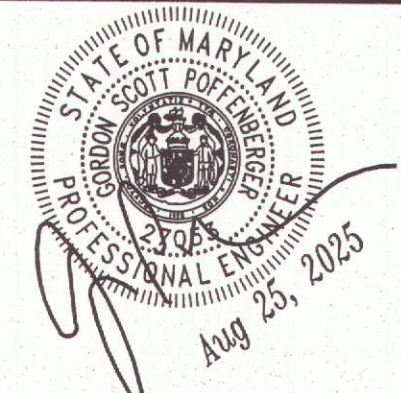


EXISTING CONDITIONS / DEMOLITION PLAN

**POPLAR STREET PARK**  
**TOWN OF FUNKSTOWN**

SITUATE AT THE CORNER OF N WESTSIDE AVE & W POPLAR ST  
ELECTION DISTRICT 10  
TOWN OF FUNKSTOWN, WASHINGTON COUNTY, MARYLAND

SCALE: 1" = 20'



LICENSE No.: 27053 EXP. DATE: 1/25/26

PROJECT NO. 21-31729  
DRAWING NO. D-6730  
DATE: JANUARY, 2023  
DRAWN BY: DCM  
CHECKED BY: GSP

**SHEET 2 OF 7**

**SOIL DATA**

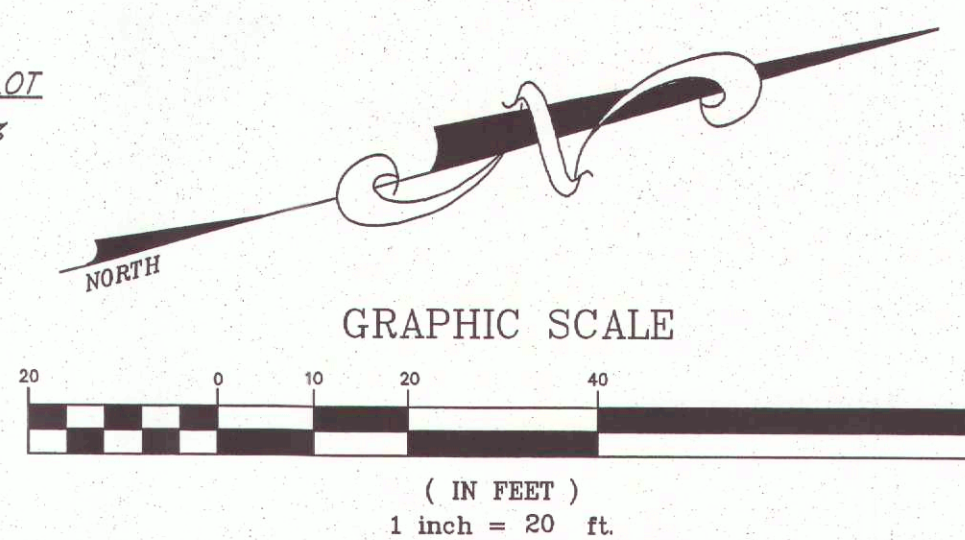
SYMBOL	DESCRIPTION	SLOPES	K FACTOR	HYDROLOGIC GROUP	% OF LOT
Co <sup>1</sup>	COMBS FINE SANDY LOAM		0.28	A	90.7%
WcB <sup>2</sup>	WALKERSVILLE GRAVELLY LOAM	3 TO 8 PERCENT	0.20	B	6.7%
W	WATER				2.6%

<sup>1</sup> IN FLOODPLAIN, NOT PRIME FARMLAND

<sup>2</sup> PRIME FARMLAND

**NOTE**

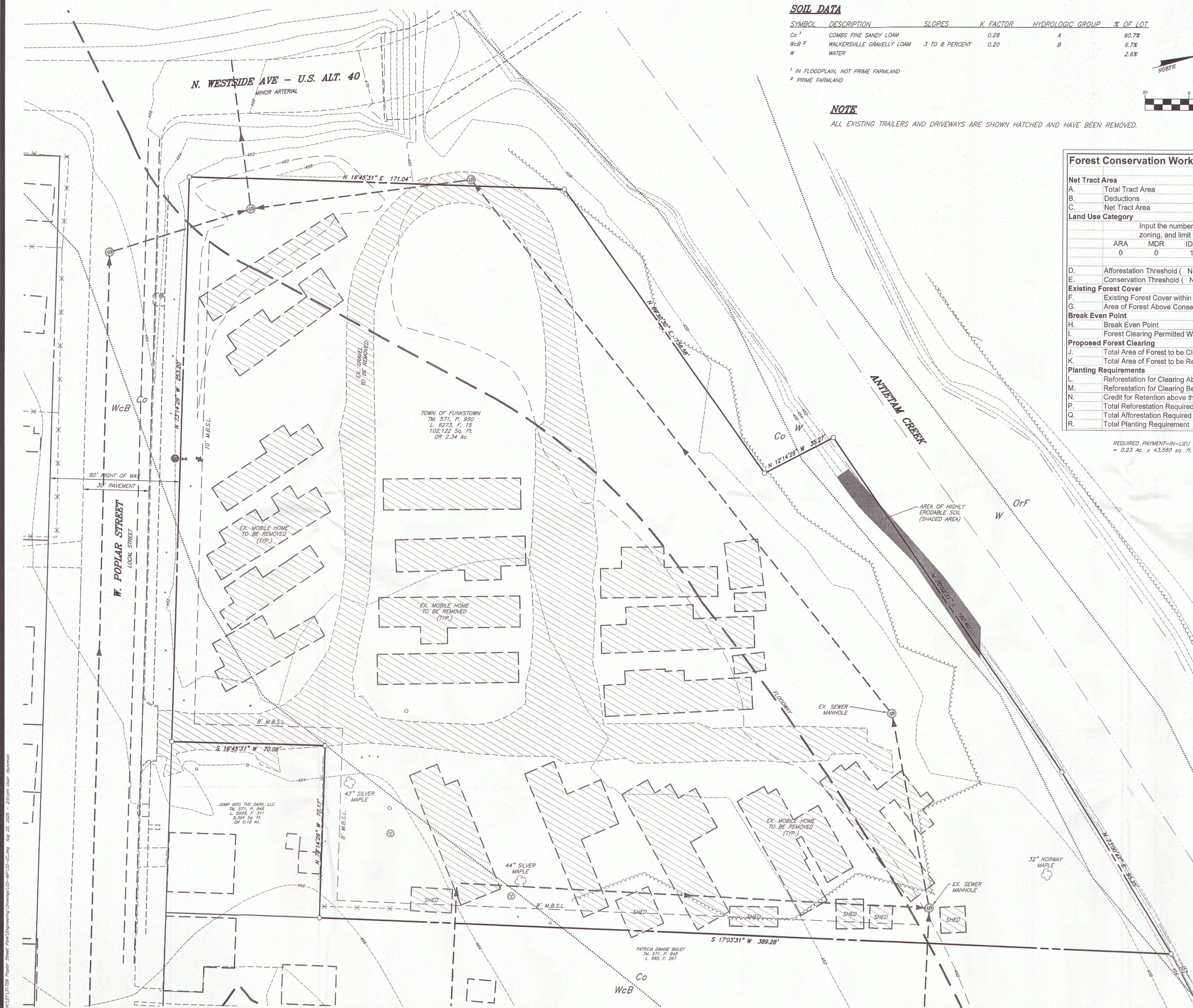
ALL EXISTING TRAILERS AND DRIVEWAYS ARE SHOWN HATCHED AND HAVE BEEN REMOVED.



**Forest Conservation Worksheet 2.2**

<b>Net Tract Area</b>						
A.	Total Tract Area					A = 1.56
B.	Deductions					B = 0.00
C.	Net Tract Area					C = 1.56
<b>Land Use Category</b>						
Input the number "1" under the appropriate land use zoning, and limit to only one entry						
	ARA	MDR	IDA	HDR	MPD	CIA
	0	0	1	0	0	0
D.	Afforestation Threshold ( Net Tract Area x 15% )					D = 0.23
E.	Conservation Threshold ( Net Tract Area x 20% )					E = 0.31
<b>Existing Forest Cover</b>						
F.	Existing Forest Cover within the Net Tract Area					F = 0.00
G.	Area of Forest Above Conservation Threshold					G = 0.00
<b>Break Even Point</b>						
H.	Break Even Point					H = 0.00
I.	Forest Clearing Permitted Without Mitigation					I = 0.00
<b>Proposed Forest Clearing</b>						
J.	Total Area of Forest to be Cleared					J = 0.00
K.	Total Area of Forest to be Retained					K = 0.00
<b>Planting Requirements</b>						
L.	Reforestation for Clearing Above the Conservation Threshold					L = 0.00
M.	Reforestation for Clearing Below the Conservation Threshold					M = 0.00
N.	Credit for Retention above the Conservation Threshold					N = 0.00
P.	Total Reforestation Required					P = 0.00
Q.	Total Afforestation Required					Q = 0.23
R.	Total Planting Requirement					R = 0.23

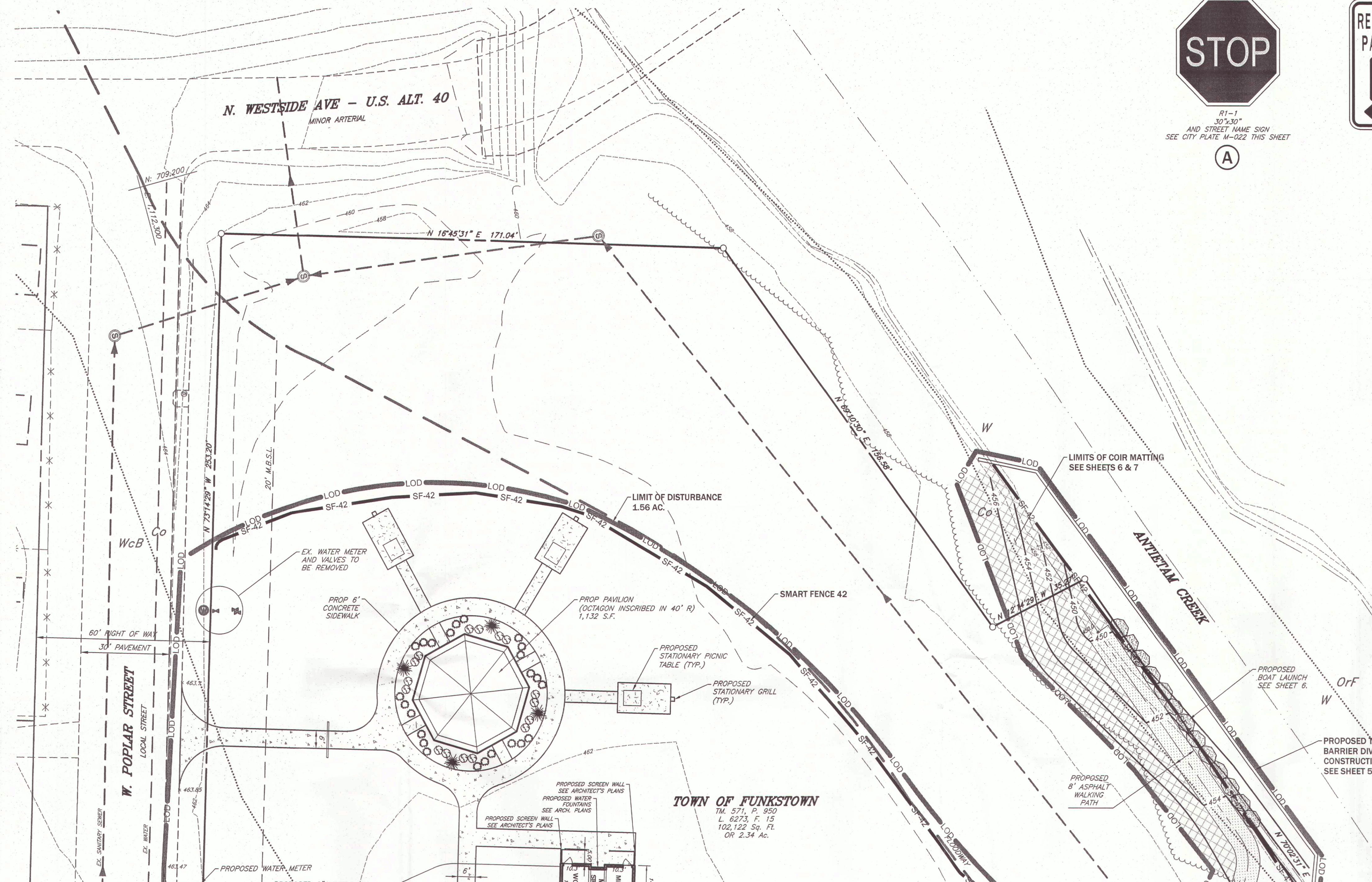
REQUIRED PAYMENT-IN-LIEU AMOUNT  
= 0.23 Ac. x 43,560 sq. ft. / Acre x \$0.30 / sq. ft. = \$3,005.64



PATRICK DWAN BAILEY  
T.M. 571, P. 849  
L. 953, F. 261

TWN-23-005





STOP  
R1-1  
30"x30"  
AND STREET NAME SIGN  
SEE CITY PLATE M-022 THIS SHEET  
A

RESERVED  
PARKING  
12"x18"  
B

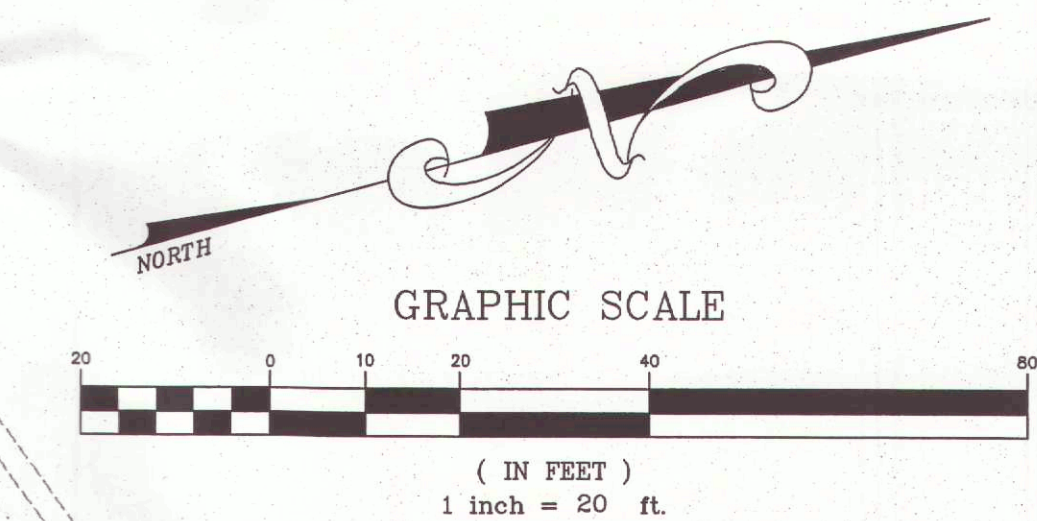
NO  
PARKING  
LOADING &  
UNLOADING  
ONLY  
12"x18"  
C

NO  
VEHICLES  
BEYOND  
THIS  
POINT  
12"x18"  
D

SIGN DETAILS  
N.T.S.

SITE DATA	
TAX MAP/PARCEL	571/950
ELECTION DISTRICT	10
D.B./Pg.	6273/15
ZONING	TR (TOWN RESIDENTIAL)
MINIMUM SETBACKS	FRONT 20 ft. SIDE 15 ft. REAR 25 ft.
PARCEL ACREAGE	102.122 S.F. / 2.34 Ac.
EXISTING LAND USE	TRAILER PARK
PROPOSED LAND USE	COMMUNITY PARK
WATER SERVICE	TOWN OF FUNKSTOWN
SEWER SERVICE	TOWN OF FUNKSTOWN
PROPOSED IMPERVIOUS AREA	
PAVILION / RESTROOM	1,420 Sq. Ft. = 0.03 Ac.
ASPHALT PARKING / DRIVE AREA / ASPHALT TRAIL	13,316 Sq. Ft. = 0.31 Ac.
	14,736 Sq. Ft. = 0.34 Acres = 14.5%
SITE USERS TRANSPORTATION	AUTOMOBILE
ON SITE PARKING/PAVEMENT/LANDSCAPE MAINTENANCE	BY OWNER

- NOTES:
- THE GRILLS AND PICNIC TABLES SHOWN SHALL BE DESIGNED AND CONSTRUCTED TO PREVENT FLOTATION, COLLAPSE, OR LATERAL MOVEMENT DURING A FLOOD (I.E. ANCHORED.)
  - THE PAVILION SHALL BE DESIGNED TO SAFELY SUPPORT FLOOD LOADS, BEING CONSTRUCTED WITH METHODS AND PRACTICES THAT LIMIT FLOOD DAMAGE, USE FLOOD RESISTANT MATERIALS.
  - ANY ELECTRICAL SYSTEM SHALL BE ELEVATED ABOVE THE F.P.E. (469.6 ft.) UNLESS THEY ARE DESIGNED TO BE UNDER WATER.
  - ANY ELECTRIC PANEL BOARDS SHALL BE AT LEAST 3 ft. ABOVE B.F.E.



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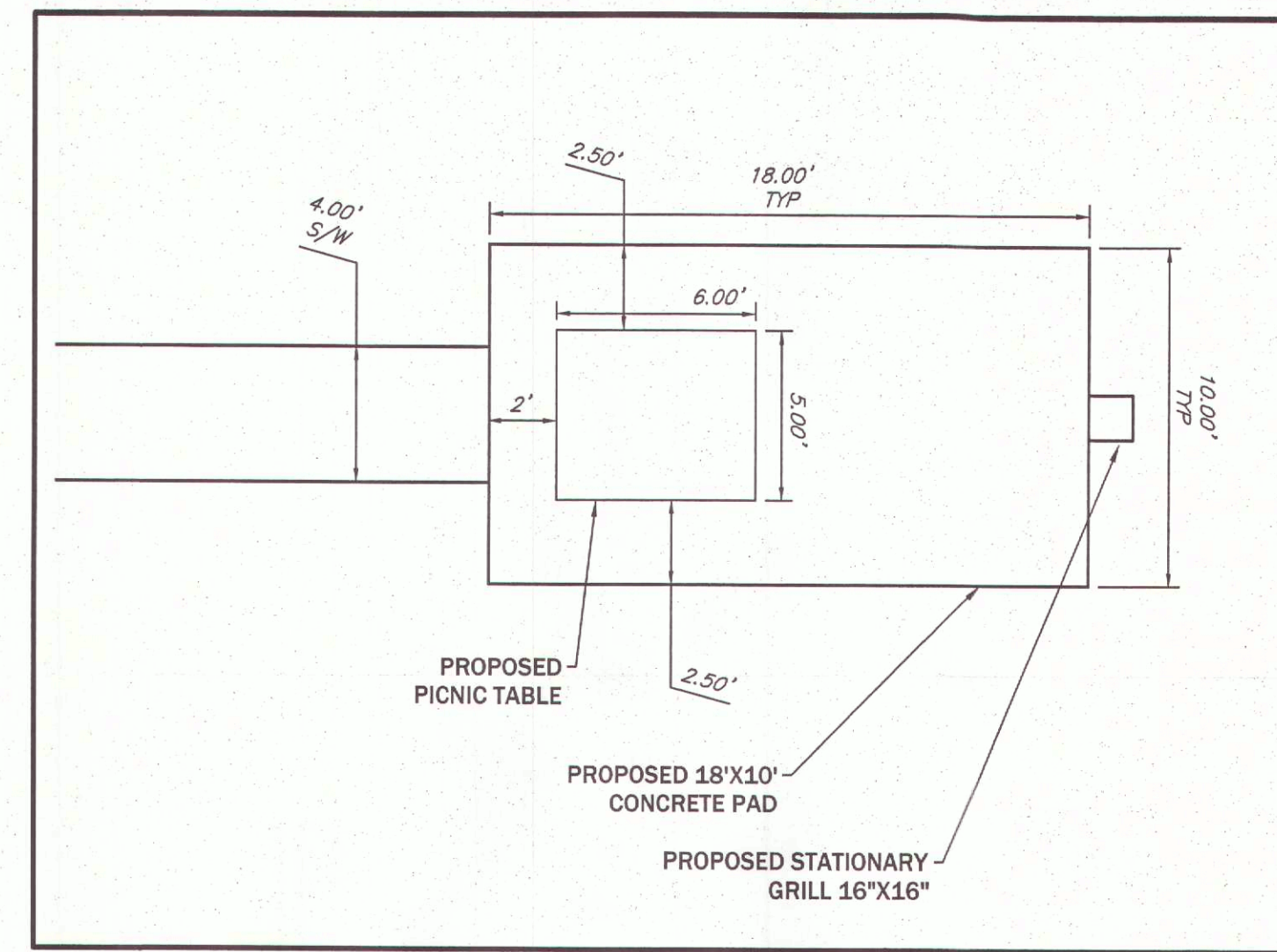
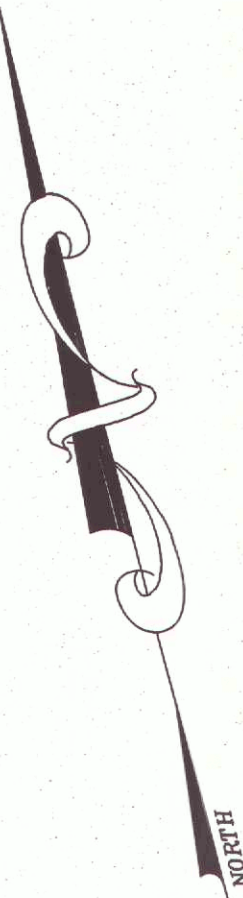
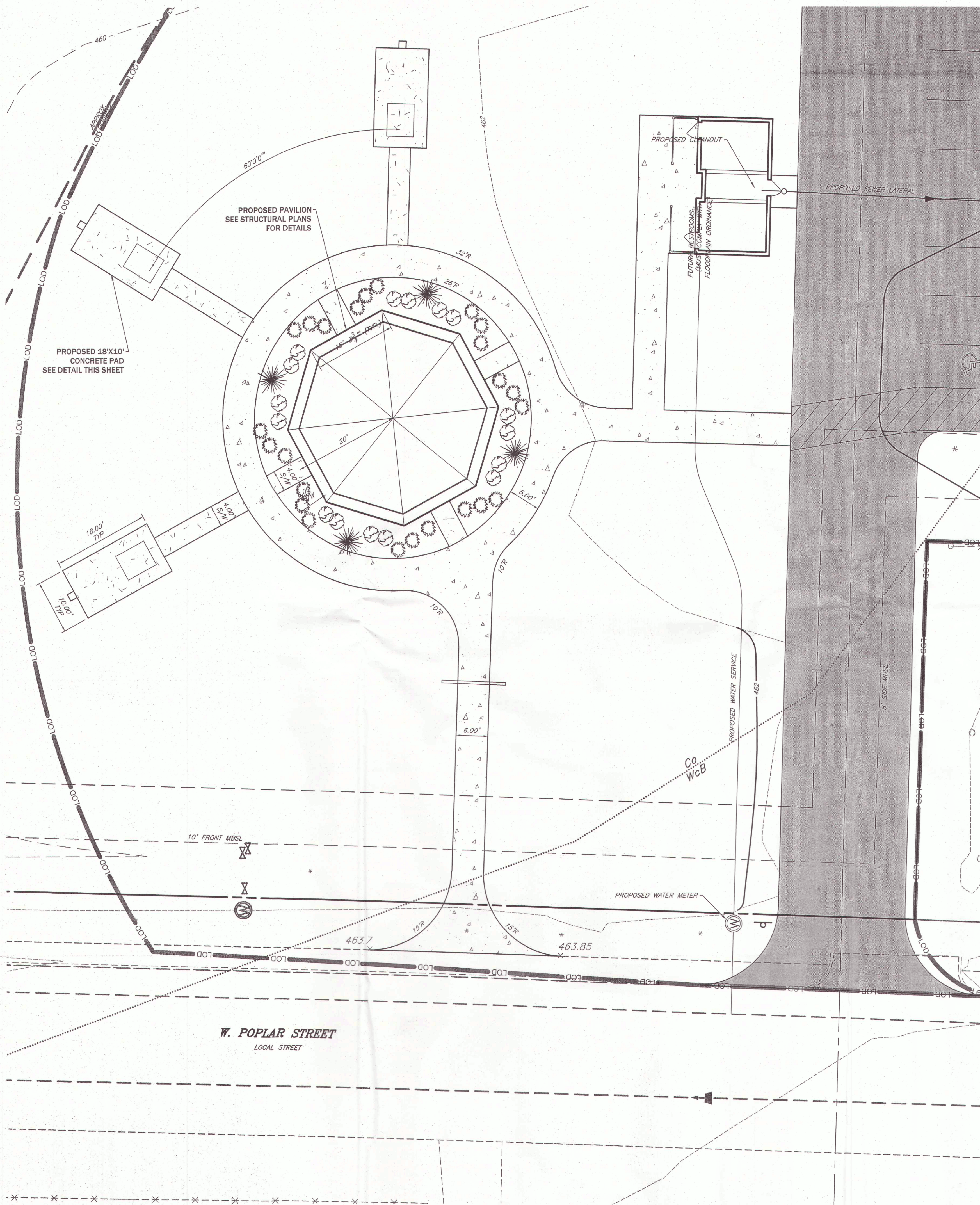
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ENGINEERS • SURVEYORS • PLANNERS  
82 WORMANS MILL COURT  
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FREDERICK, MD. 21701  
PHONE: (301)733-8503  
or (301)416-7250  
FAX: (301)733-1853  
Email: foxassoc@foxassociatesinc.com  
www.foxassociatesinc.com

GRADING / SESC PLAN  
R STREET PARK  
OF FUNKSTOWN  
NER OF N WESTSIDE AVE & W POPLAR ST  
LECTION DISTRICT 10  
OWN, WASHINGTON COUNTY, MARYLAND

DRAWN BY  
REVISION  
DATE



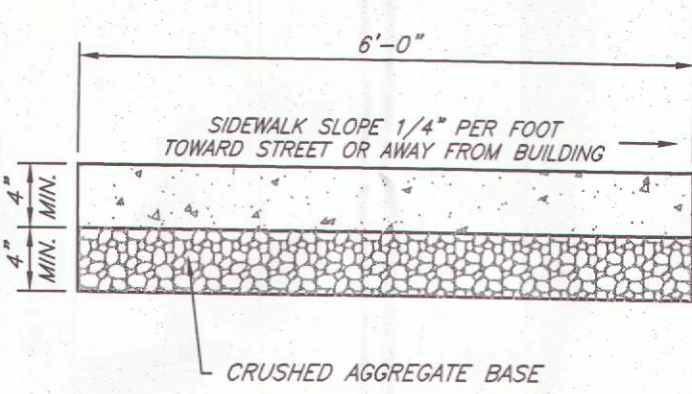
14.12.13.17229 Poplar Street Park (Engineering) [Drawing] [02-2023] [14-01-2023] Aug 25, 2023 - 2:52pm User: bndm



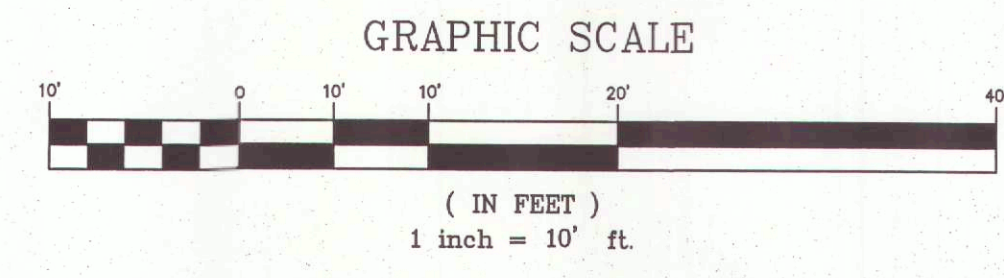
CONCRETE PAD DETAIL  
SCALE: 1" = 5'

NOTES:

1. TRANSVERSE EXPANSION JOINT TO BE PLACED AT INTERVALS NOT TO EXCEED 40 FT.
2. CONCRETE FOR SIDEWALK CONSTRUCTION SHALL BE MD S.H.A. STANDARD MIX No. 3 WITH A 28 DAY COMPRESSIVE STRENGTH OF 3500 P.S.I.
3. SIDEWALK BETWEEN EXPANSION JOINTS SHALL BE DIVIDED INTO 4' BLOCKS BY TRANSVERSE CUTS.
4. 1/2" BITUMINOUS EXPANSION JOINT FILLER REQUIRED ONLY WHEN SIDEWALK IS AGAINST BUILDINGS OR OTHER FIXED OBJECTS.



TYPICAL SIDEWALK SECTION

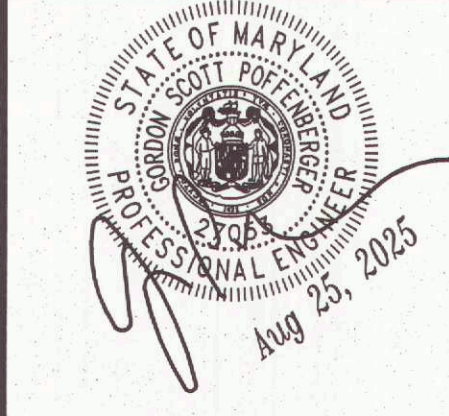


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FAX: (301)733-1853  
Email: foxassoc@foxassocinc.com  
www.foxassocinc.com

REVISION	DATE	DRAWN BY

**DETAILED SITE & GRADING PLAN**  
**POPLAR STREET PARK**  
**TOWN OF FUNKTOWN**  
SITUATE AT THE CORNER OF N WESTSIDE AVE & W POPLAR ST  
ELECTION DISTRICT 10  
TOWN OF FUNKTOWN, WASHINGTON COUNTY, MARYLAND

SCALE: 1" = 10'



LICENSE No.: 27053 EXP. DATE: 1/25/26  
PROJECT NO.: 21-31729  
DRAWING NO.: D-6730  
DATE: JANUARY, 2023  
DRAWN BY: DCM  
CHECKED BY: GSP



SOIL EROSION, SEDIMENT CONTROL & SEEDING NOTES

1. ALL EROSION/SEDIMENT CONTROL MEASURES SHALL COMPLY WITH THE "2011 MARYLAND STANDARDS AND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL," SECTION B – GRADING AND STABILIZATION" AND THE PROVISIONS OF THE APPROVED PLAN.
2. ALL GRADING AND STABILIZATION SHALL COMPLY WITH THE "2011 MARYLAND STANDARDS AND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL," SECTION B – GRADING AND STABILIZATION" AND THE PROVISIONS OF THE APPROVED PLAN.
3. ALL SOIL EROSION AND SEDIMENT CONTROL PRACTICES (BMP'S) ARE TO BE CONSTRUCTED AND/OR INSTALLED PRIOR TO OR AT THE INITIATION OF GRADING IN ACCORDANCE WITH "2011 MARYLAND STANDARDS AND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL," AND THE APPROVED PLAN.
4. A GRADING UNIT IS THE MAXIMUM CONTIGUOUS AREA ALLOWED TO BE GRADED AT A GIVEN TIME AND IS LIMITED TO 20 ACRES. WORK MAY PROCEED TO A SUBSEQUENT GRADING UNIT WHEN AT LEAST 50 PERCENT OF THE DISTURBED AREA IN THE PRECEDING GRADING UNIT HAS BEEN STABILIZED AND APPROVED BY THE ENFORCEMENT AUTHORITY AND/OR THE WASHINGTON COUNTY SOIL CONSERVATION DISTRICT (APPROVAL AUTHORITY). UNLESS OTHERWISE SPECIFIED AND APPROVED BY THE APPROVAL AUTHORITY, NO MORE THAN 30 ACRES CUMULATIVELY MAY BE DISTURBED AT A GIVEN TIME.
5. FOR INITIAL SOIL DISTURBANCE OR RE-DISTURBANCE, TEMPORARY OR PERMANENT STABILIZATION MUST BE COMPLETED WITHIN:
- a) THREE (3) CALENDAR DAYS AS TO THE SURFACE OF ALL PERIMETER DIKES, SWALES, DITCHES, PERIMETER SLOPES, AND ALL SLOPES STEEPER THAN 3 HORIZONTAL TO 1 VERTICAL (3:1); AND
- b) SEVEN (7) CALENDAR DAYS AS TO ALL OTHER DISTURBED OR GRADED AREAS ON THE PROJECT SITE NOT UNDER ACTIVE GRADING.
6. STOCKPILES MUST BE STABILIZED IN ACCORDANCE WITH THE 7 DAY STABILIZATION REQUIREMENT, AS WELL AS, STANDARD B-4-4, INCREMENTAL STABILIZATION AND STANDARD B-4-4 TEMPORARY STABILIZATION, (AS APPLICABLE)
7. ALL CONSTRUCTED CHANNELS AND SWALES SHALL HAVE SPECIFIED TREATMENT INSTALLED TO THE DESIGN FLOW DEPTH COMPLETED DOWNSTREAM TO UPSTREAM AS CONSTRUCTION PROGRESSES. AN INSTALLATION DETAIL SHALL BE SHOWN ON THE PLANS.
8. ALL STORM DRAIN AND SANITARY SEWER LINES NOT IN PAVED AREAS ARE TO BE MULCHED AND SEEDED WITHIN 3 DAYS OF INITIAL BACKFILL UNLESS OTHERWISE SPECIFIED ON PLANS.
9. ELECTRIC POWER, TELEPHONE, AND GAS LINES ARE TO BE COMPACTED, SEEDED AND MULCHED WITHIN 3 DAYS AFTER INITIAL BACKFILL UNLESS OTHERWISE SPECIFIED ON PLANS.
10. NO SLOPE SHALL BE GREATER THAN 2:1.
11. AS REQUIRED BY SECTION B. OF THE MARYLAND STANDARDS AND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL, "ADEQUATE VEGETATIVE STABILIZATION", IS DEFINED AS 95 PERCENT GROUND COVER. THE WASHINGTON COUNTY SOIL CONSERVATION DISTRICT REQUIRES THE PROJECT ADHERE TO THIS FOR SCHEDULING OF THE FINAL SITE CLOSEOUT REVIEW, AND/OR THE RELEASE OF THE SITE FOR SOIL EROSION AND SEDIMENT CONTROL.

FOR SITES 1.0 ACRE OR MORE, THE FOLLOWING ARE REQUIRED:

- A. MARYLAND DEPARTMENT OF THE ENVIRONMENT, GENERAL PERMIT FOR STORMWATER ASSOCIATED WITH A CONSTRUCTION ACTIVITY, N.P.D.E.S. PERMIT NUMBER MD0C, STATE DISCHARGE PERMIT NUMBER 20CP, OR AN INDIVIDUAL PERMIT.
- B. THE MARYLAND DEPARTMENT OF THE ENVIRONMENT (GENERAL/INDIVIDUAL PERMIT – NOTICE OF INTENT N.O.I.) APPLICATION AND PERMIT SHALL BE POSTED AND/OR AVAILABLE ON-SITE AT ALL TIMES.
- C. DURING CONSTRUCTION, ALL SOIL EROSION AND SEDIMENT CONTROL PRACTICES (B.M.P.'s) SHALL BE INSPECTED AND RECORDED ON THE "STANDARD INSPECTION FORM", "GENERAL PERMIT FOR STORMWATER ASSOCIATED WITH CONSTRUCTION ACTIVITY" PER MARYLAND DEPARTMENT OF THE ENVIRONMENT (GENERAL/INDIVIDUAL PERMIT – NOTICE OF INTENT – N.O.I.).
- D. FOLLOWING CONSTRUCTION AND RELEASE OF THE SIGHT FOR SOIL EROSION AND SEDIMENT CONTROL BY THE WASHINGTON COUNTY SOIL CONSERVATION DISTRICT, I.E., ALL PORTIONS OF A SITE HAVE BEEN PERMANENTLY STABILIZED, AND ALL STORMWATER DISCHARGES FROM THE CONSTRUCTION SITES THAT ARE AUTHORIZED BY THE PERMIT AREA ELIMINATED, THE AUTHORIZED PERMITTEE SHALL SUBMIT THE MARYLAND DEPARTMENT OF THE ENVIRONMENT, GENERAL/INDIVIDUAL PERMIT – NOTICE OF TERMINATION – N.O.T.

PERMANENT SEEDING SUMMARY

SEED MIXTURE (HARDNESS ZONE 6B) FROM TABLE B.3					FERTILIZER RATE (10-20-20)			LIME RATE
No.	SPECIES	APPLICATION RATE (LB/AC)	SEEDING DATES	SEEDING DEPTHS	N	P205	K20	
6	TALL FESCUE WHITE CLOVER PERENNIAL RYE GRASS	40 5 25	3/1 – 5/15 8/1 – 10/15	1/2" – 3/4"	45 LB/AC (1.0 LB/ 1000 S.F.)	90 LB/AC (2 LB/ 1000 S.F.)	90 LB/AC (2 LB/ 1000 S.F.)	2 TONS/AC (90 LB/ 1000 S.F.)

PERMANENT SEEDING SHALL COMPLY WITH  
SECTION B-4-5 OF THE 2011 MARYLAND STANDARDS FOR SOIL EROSION AND SEDIMENT CONTROL

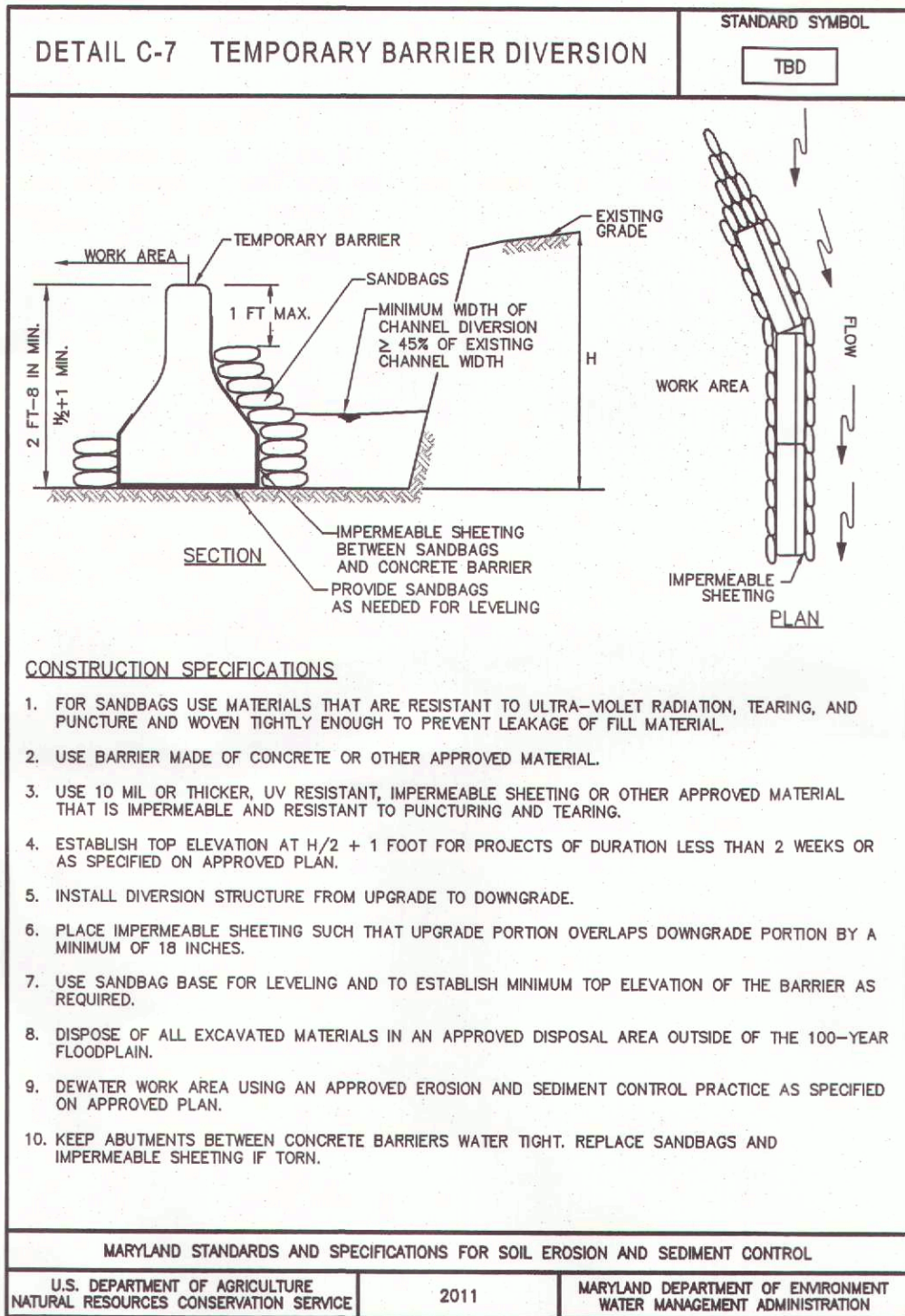
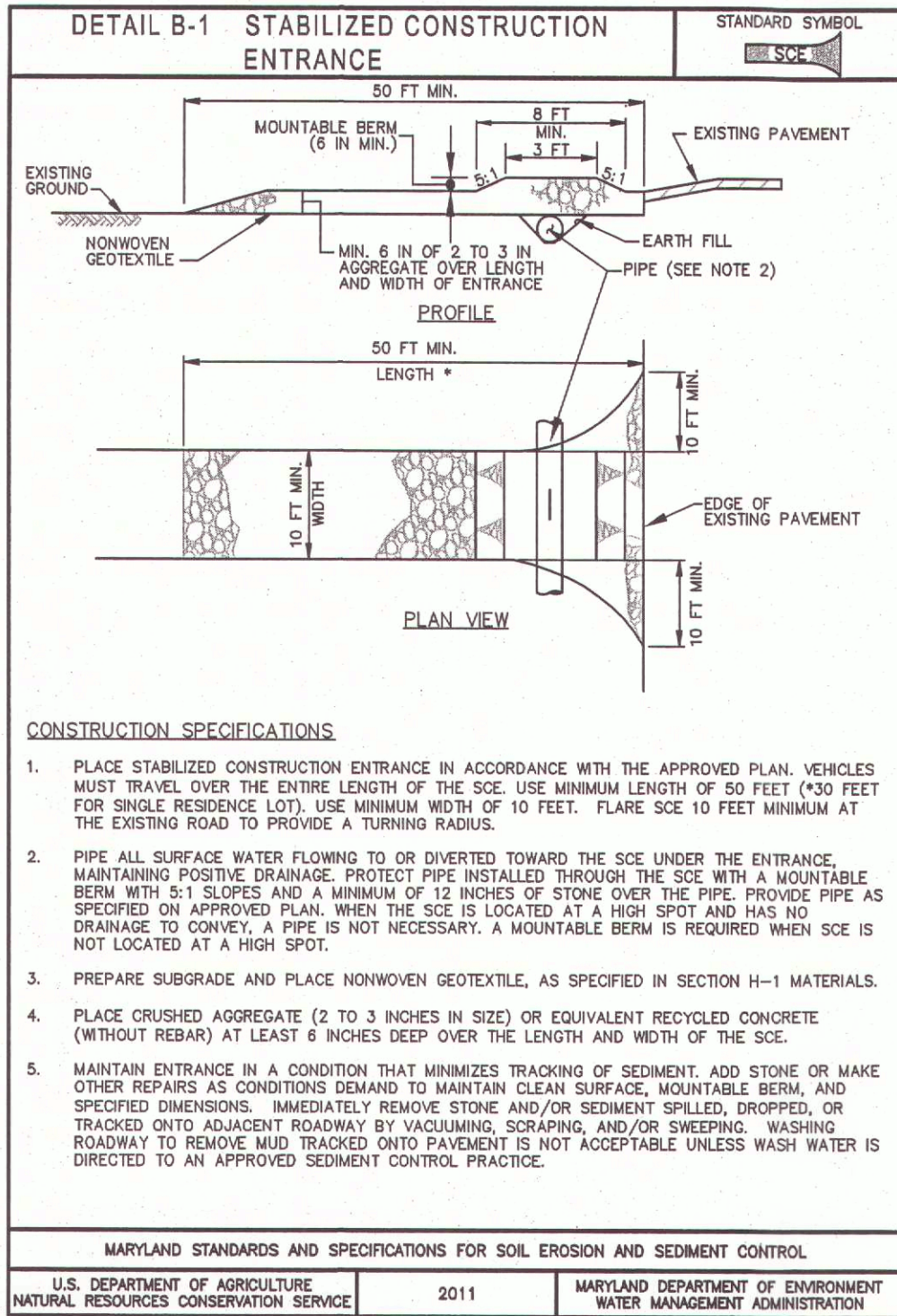
TEMPORARY SEEDING SUMMARY

SEED MIXTURE (HARDNESS ZONE 6B) FROM TABLE B.1					FERTILIZER RATE (10-20-20)	LIME RATE
No.	SPECIES	APPLICATION RATE (LB/AC)	SEEDING DATES	SEEDING DEPTHS		
2	BARLEY (HORDEUM VULGARE)	95	3/1 – 5/15 8/1 – 10/15	1.0"	435 LBS./AC. (10 LBS/1000 S.F.)	2 TONS/AC. (90 LBS/1000 S.F.)

TEMPORARY SEEDING SHALL COMPLY WITH  
SECTION B-4-4 OF THE 2011 MARYLAND STANDARDS FOR SOIL EROSION AND SEDIMENT CONTROL

STANDARD UTILITY NOTES

1. CONTRACTOR TO ONLY OPEN UP LENGTH OF TRENCH THAT CAN BE CONSTRUCTED AND BACKFILLED IN ONE WORKING DAY.
2. CONTRACTOR TO PLACE EXCAVATED MATERIALS IN A DUMP TRUCK AND HAIL TO AN APPROVED LOCATION FOR WASTE MATERIALS FROM PAVED AREAS.
3. CONTRACTOR TO BACKFILL TRENCH WITH APPROVED MATERIALS AND STABILIZE DISTURBED AREAS THE SAME WORKING DAY.
4. IN AREAS WHERE THE CONSTRUCTION TAKES PLACE OUTSIDE OF THE EXISTING ROADBED, CONTRACTOR TO INSTALL SILT FENCE ALONG THE DOWNHILL SIDE OF THE TRENCH BEFORE BEGINNING CONSTRUCTION AND PLACE EXCAVATED MATERIAL FROM THE TRENCH ON THE UPHILL SIDE.
5. IF DEWATERING OF THE TRENCH IS REQUIRED, CONTRACTOR TO PUMP WATER TO A FILTER BAG TO DEWATER.
6. CONTRACTOR TO SWEEP STREET OF ANY DEBRIS OR SEDIMENTS CAUSED BY CONSTRUCTION OPERATIONS AND DISPOSE OF AT AN APPROVED LOCATION.
7. CONTRACTOR TO STABILIZE ALL DISTURBED AREAS WITH SEED & MULCH OR APPROPRIATE STREET REPAIR.



SMARTfence® 42

SMARTfence

HIGH-TENSILE / HIGH-MODULUS  
WOVEN GEOTEXTILE SEDIMENT  
FENCE

SMARTfence 42 is a heavy-duty, high-tensile/ high-modulus, woven geotextile sediment fence. Designed using a value engineering approach, it is equivalent in strength and stiffness to that of wire or chain-link backed silt fence for less money, significantly lower carbon emissions and less material waste.

This woven geotextile fence is specifically designed and fabricated to withstand high-tensile stresses and to prevent excessive material elongation and strain. It is built to resist fence deflection and ultimate failure due to ripping, sagging or overturning from forces associated with excessive backwater depths, debris flows and overtopping.

SMARTfence 42 is a 100% American made product.

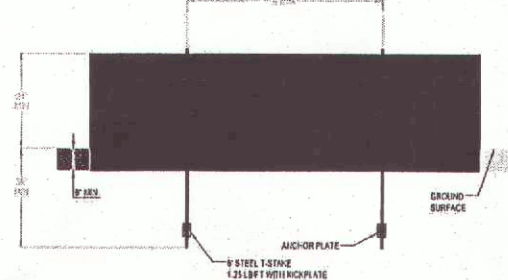
NTPEP Compliant | GTX-2018-01-187

ADVANTAGES:

- No wire or chain-link backing necessary
- High-tensile / high-modulus - able to resist fence deflection and failure
- Reduced labor costs

For more information about Sediment and Perimeter Control, contact Inside Sales at 800.448.3636 email at info@acfenv.com

ACF ENVIRONMENTAL



LET'S GET IT DONE

The below table shows a comparison of 14-gauge wire-backing fence and 9-gauge wire-backing fence structural characteristics versus SMARTfence 42. The modulus of elasticity is a measure of material stiffness.

	14-GAUGE WIRE FENCE 2"x4" mesh	9-GAUGE WIRE FENCE 2.375" mesh	SMARTfence® 42
Average Breaking Tensile Strength (lb/ft)	710	4,100	>5,500 (average)
Average Modulus of Elasticity (lb/ft)	2,600 lengthwise 19,400 widthwise	21,100 lengthwise 21,700 widthwise	>46,700 lengthwise >41,000 widthwise

PRODUCT SPECIFICATIONS:

TEST METHOD	MINIMUM AVERAGE ROLE VALUE (MARV)	TEST METHOD	MINIMUM AVERAGE ROLE VALUE (MARV)
Wide Width Tensile Strength (ASTM D 4595)	>5,070 lbf-ft - MD x >3,500 lbf-ft - TD	Mullen Burst (ASTM D 3786)	>750 psi
Wide Width Test Elongation (ASTM D 4595)	<10.5% - MD x <9% - TD	Apparent Opening Size (ASTM D 4751)	Sieve #70
Grab Tensile Strength (ASTM D 4632)	>530 lbs - MD x >280 lbs - TD	Water Flow (ASTM D 4491)	>18 gpm/sf
CAR Puncture (ASTM D 4241)	>1,800 lbs	UV Stability (ASTM D 4355)	>90% strength retained - MD
Trapezoidal Tear (ASTM D 4533)	>195 lbs - MD x >170 lbs - TD		

MD - Machine Direction  
TD - Transverse Direction  
Testing performed by TBS Environmental, Inc.

Average of 89.4% solids removal (ASTM D 5141)

SMARTfence® 42 is NTPEP Compliant  
GTX-2018-01-187

ACF ENVIRONMENTAL  
"LET'S GET IT DONE"  
800.448.3636  
acfenv.com/enr

SEQUENCE OF CONSTRUCTION

PHASE 1 – INITIAL DISTURBANCE

1. CONTACT THE WASHINGTON COUNTY DPW – ENGINEERING & CONSTRUCTION AT (240) 313-2400 AND THE WASHINGTON COUNTY SOIL CONSERVATION DISTRICT AT (301) 797-6821 FIVE (5) DAYS PRIOR TO THE START OF CONSTRUCTION TO SCHEDULE PRE-CONSTRUCTION MEETING.
2. CONDUCT PRE-CONSTRUCTION MEETING.
3. INSTALL STABILIZED CONSTRUCTION ENTRANCES AS SHOWN ON GRADING PLAN.
4. CLEAR & GRUB AS NECESSARY FOR INSTALLATION OF PERIMETER CONTROLS. INSTALL PERIMETER SMART FENCE 42.

PHASE 2 – BOAT RAMP CONSTRUCTION

1. INSTALL TEMPORARY BARRIER DIVERSION AS SHOWN ON PLAN.
2. PLACE IMBRICATED RIPRAP AS SHOWN ON PLANS AND CONSTRUCT ASPHALT BOAT RAMP/WALKING PATH AS SHOWN ON PLAN.
3. AFTER RAMP HAS BEEN COMPLETE, INSTALL EG-7 COIR MATTING AS SHOWN ON PLAN SHEETS 6 & 7. STABILIZE AS NOTED ON PLANS.
4. WHEN DISTURBED AREAS OF THE STREAM BANK HAVE BEEN FULLY STABILIZED, GET PERMISSION FROM THE SEDIMENT CONTROL INSPECTOR TO REMOVE THE TEMPORARY BARRIER DIVERSION.

PHASE 3 – SITE WORK CONSTRUCTION

1. CLEAR AND GRUB TOPSOIL FROM THE AREA OF PROPOSED PAVILION AND SIDEWALKS. PLACE TOPSOIL IN TOPSOIL STOCKPILE AS SHOWN ON GRADING PLAN.
2. BEGIN GRADING OPERATIONS. ALL SPOIL OR BORROW MATERIAL MUST COME FROM OR GO TO A SITE WITH A VALID SEDIMENT CONTROL PERMIT.
3. BEGIN FOOTER AND STRUCTURE ERECTION.
4. INSTALL CONCRETE CURBS.
5. INSTALL ASPHALT PAVING.
6. STABILIZE ALL REMAINING GRASS AREAS.

PHASE 4 – PROJECT CLOSE-OUT

1. WHEN SITE IS STABILIZED, OBTAIN PERMISSION FROM SCD TO REMOVE PERIMETER CONTROLS. STABILIZE AREAS LEFT DISTURBED BY PERIMETER CONTROL REMOVAL.
2. CONTACT THE WASH. CO. SCD AT 301-797-6821 AND THE WASHINGTON COUNTY DEPARTMENT OF PUBLIC WORKS-ENGINEERING & CONSTRUCTION AT 240-313-2400 TO SCHEDULE A FINAL SITE CLOSEOUT REVIEW MEETING.

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Est. 1966

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SUITE 'C'  
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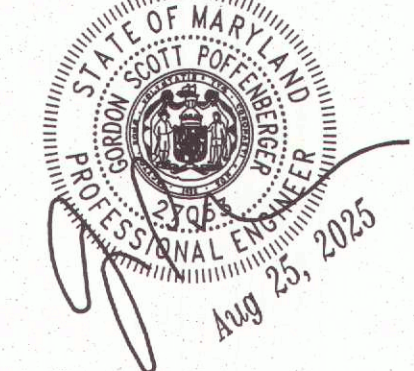


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REVISION  
DATE

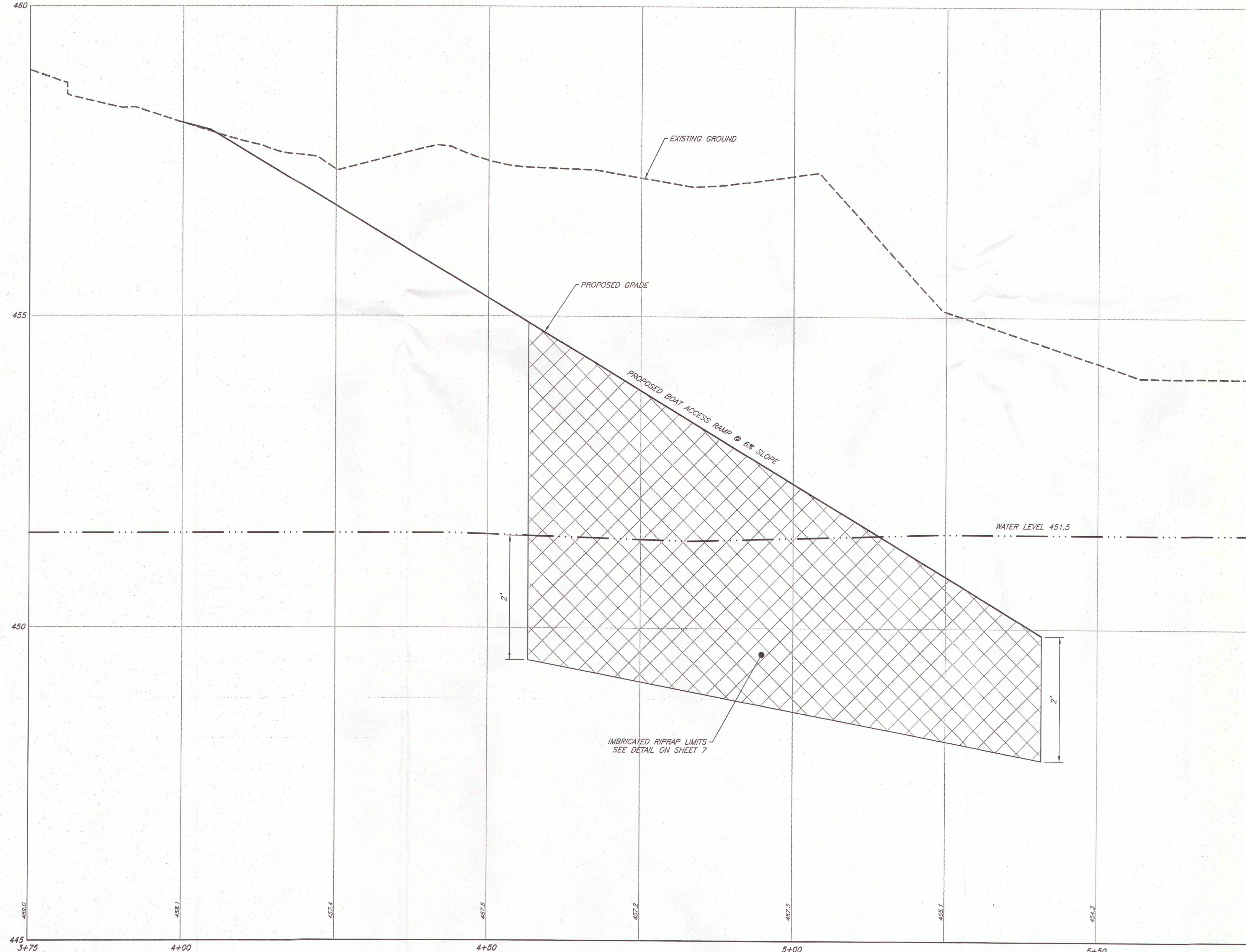
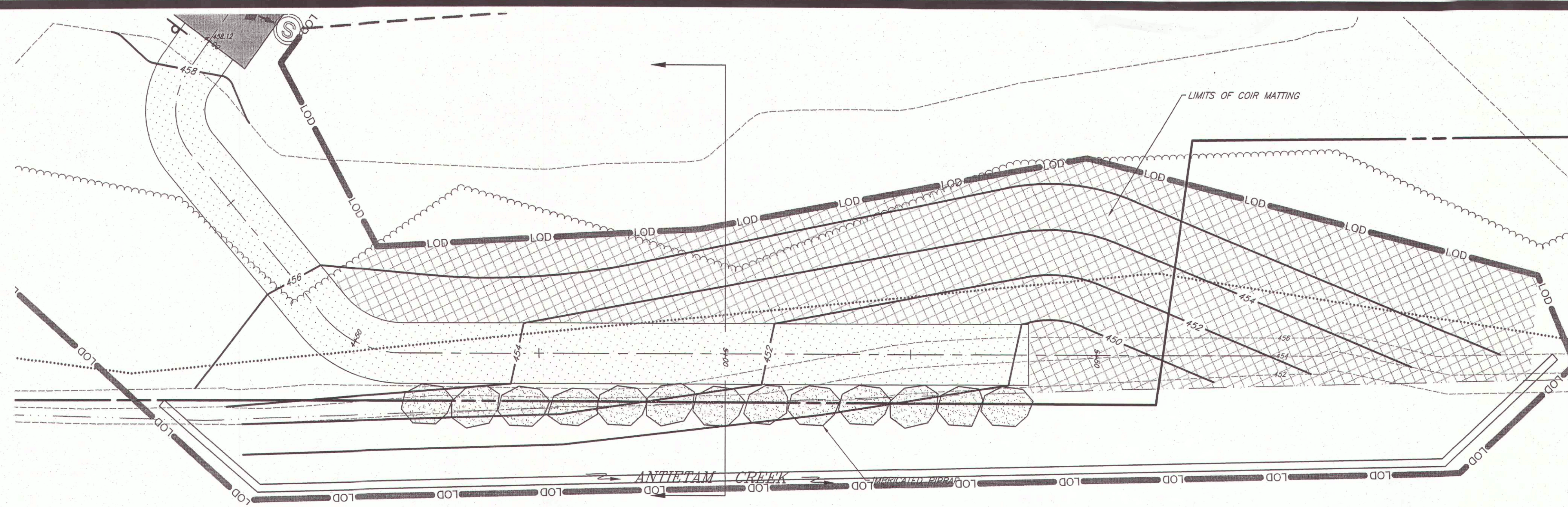
**BOAT LAUNCH PLAN AND PROFILES**  
**POPLAR STREET PARK**  
**TOWN OF FUNKSTOWN**  
SITUATE AT THE CORNER OF N WESTSIDE AVE & W POPLAR ST  
ELECTION DISTRICT 10  
TOWN OF FUNKSTOWN, WASHINGTON COUNTY, MARYLAND

SCALE: AS SHOWN

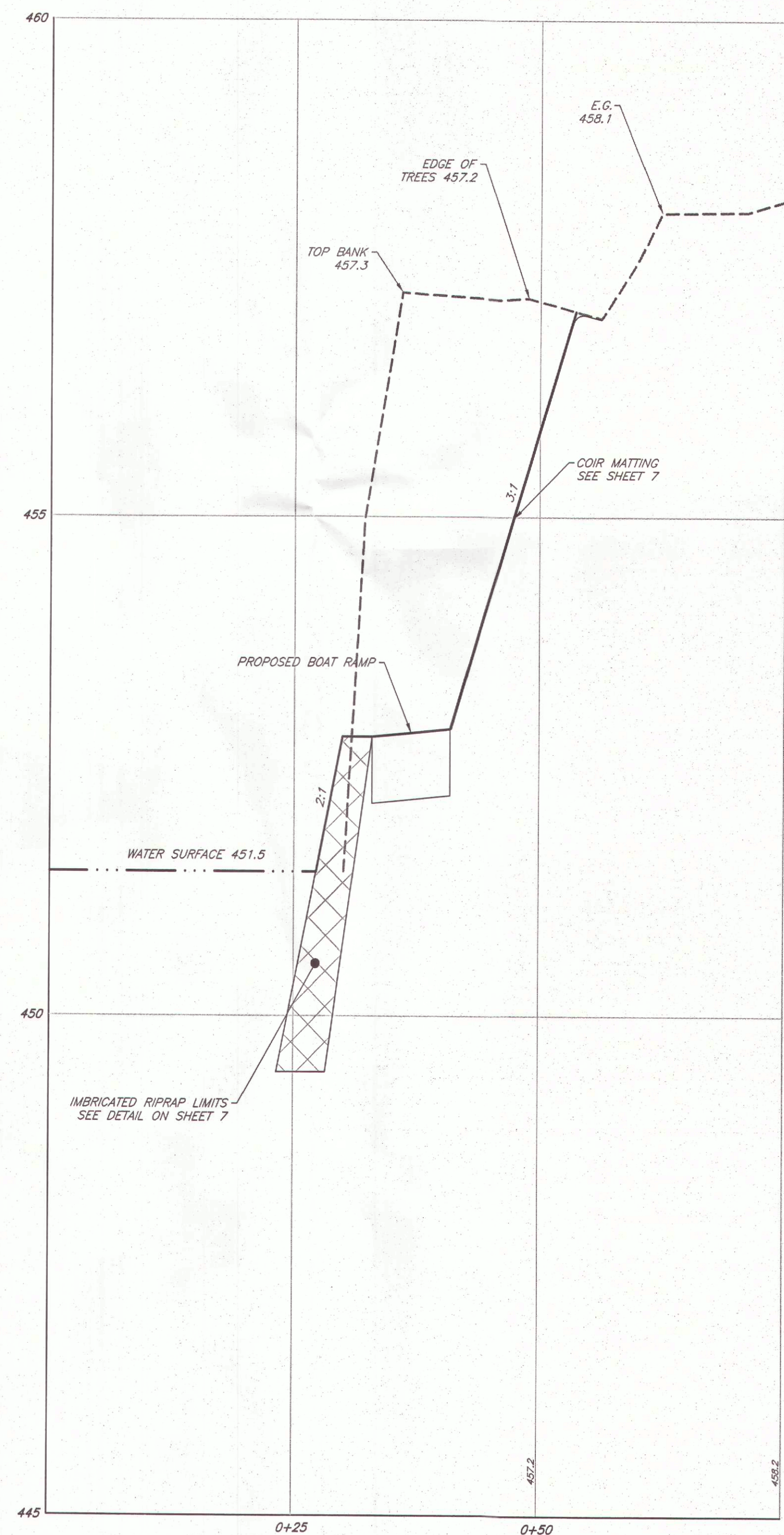


LICENSE No. 27053 EXP. DATE: 1/25/26  
PROJECT NO. 21-31729  
DRAWING NO. D-6730  
DATE: JANUARY, 2023  
DRAWN BY: DCM  
CHECKED BY: GSP

**SHEET 6 OF 7**



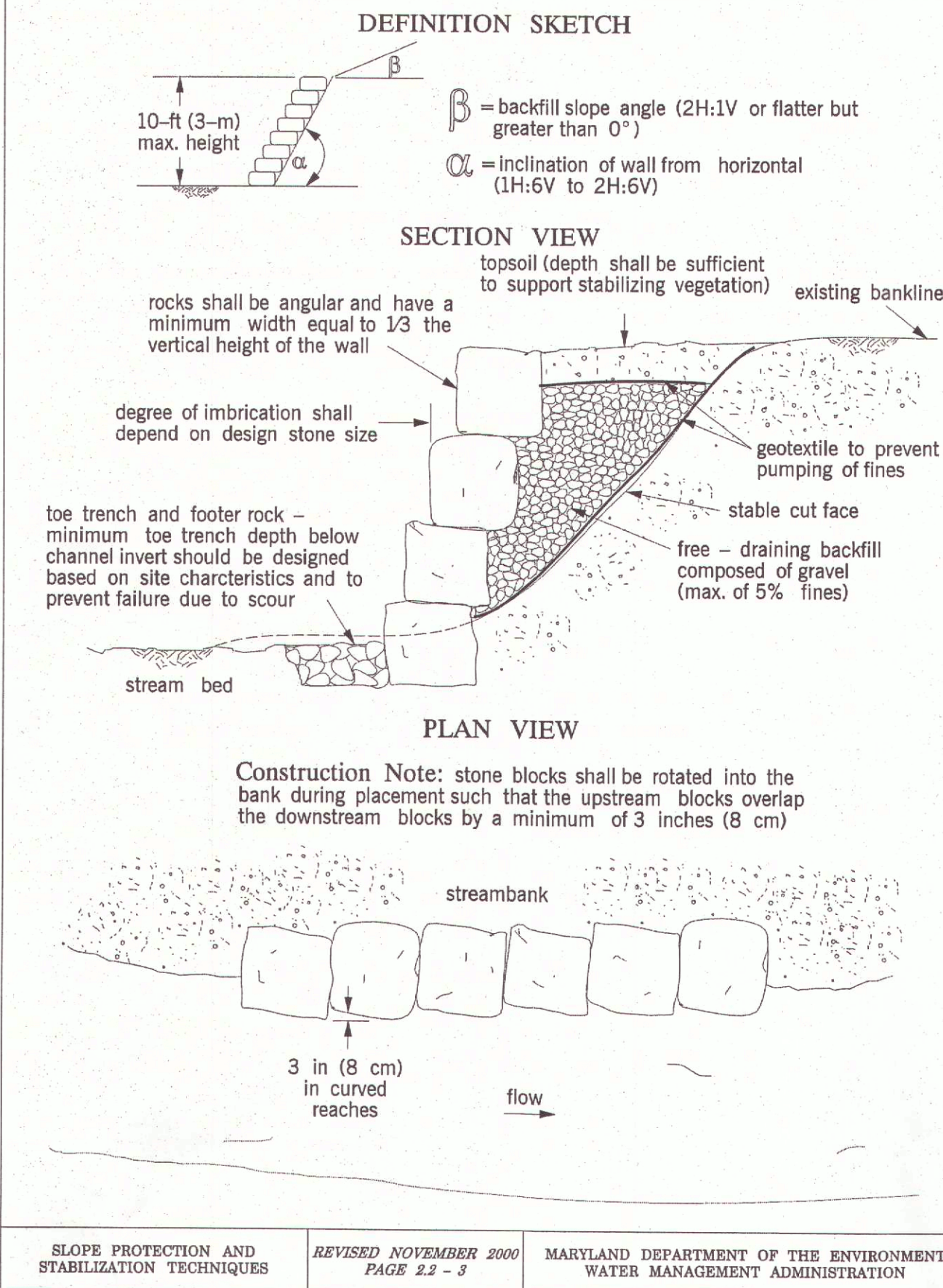
**CENTERLINE BOAT RAMP**  
SCALE: H: 1" = 10'  
V: 1" = 1'



**BOAT RAMP SECTION @ STA. 5+00**  
SCALE: H: 1" = 10'  
V: 1" = 1'



# Maryland's Guidelines To Waterway Construction DETAIL 2.2: IMBRICATED RIPRAP



Proud Member and Participant of:  
443 Bricker Road, Bernville, PA 19506  
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## Material and Performance Specification

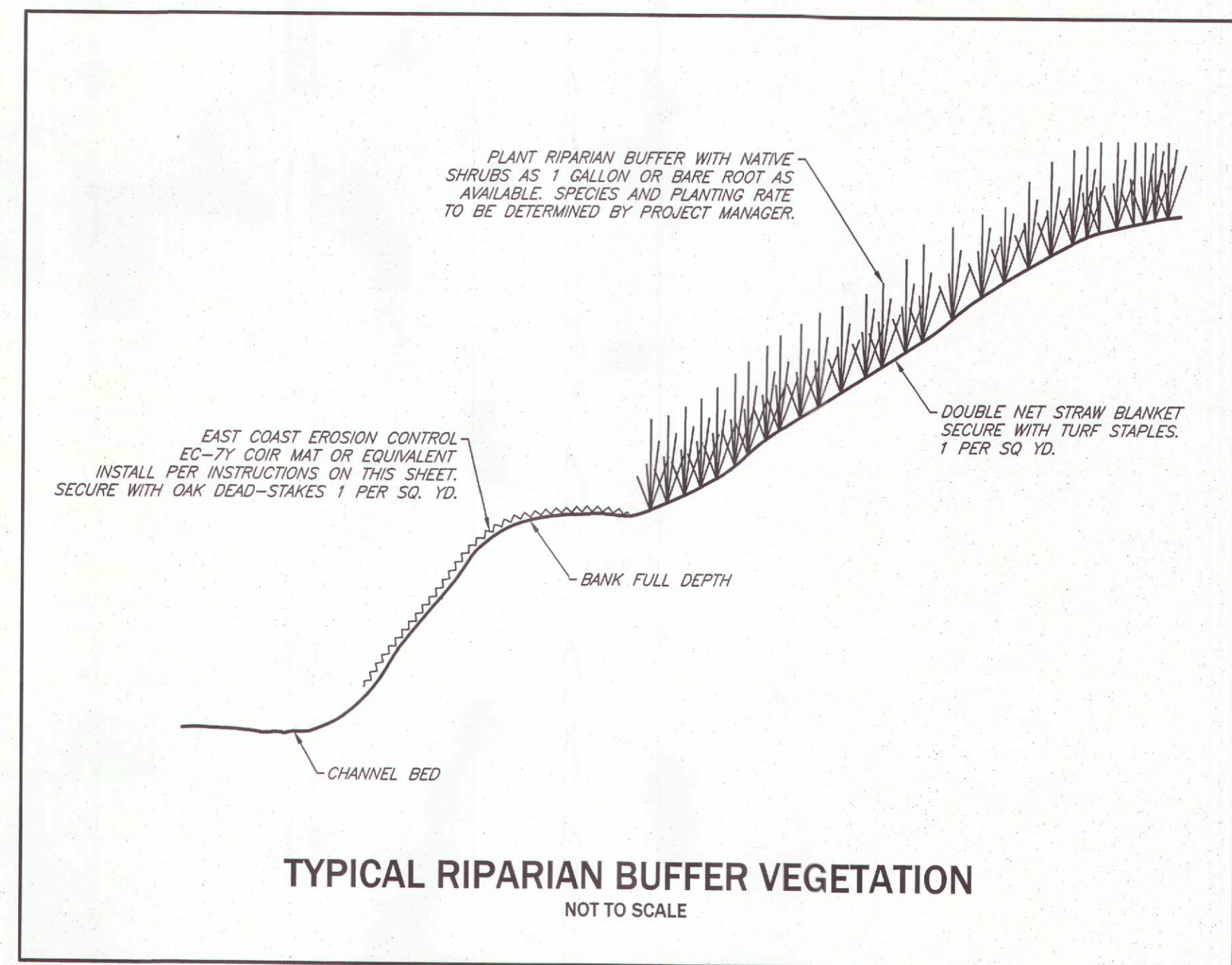
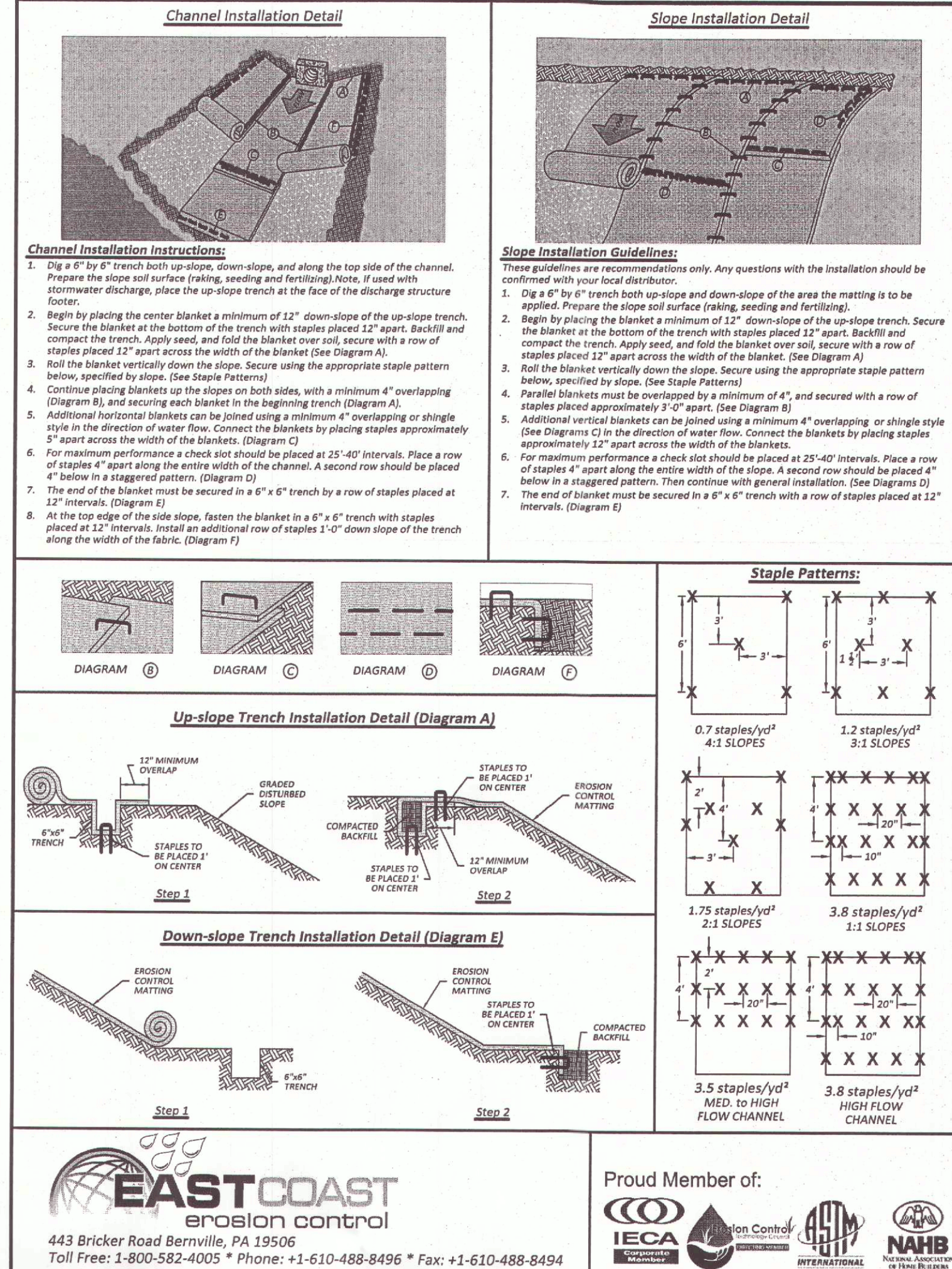
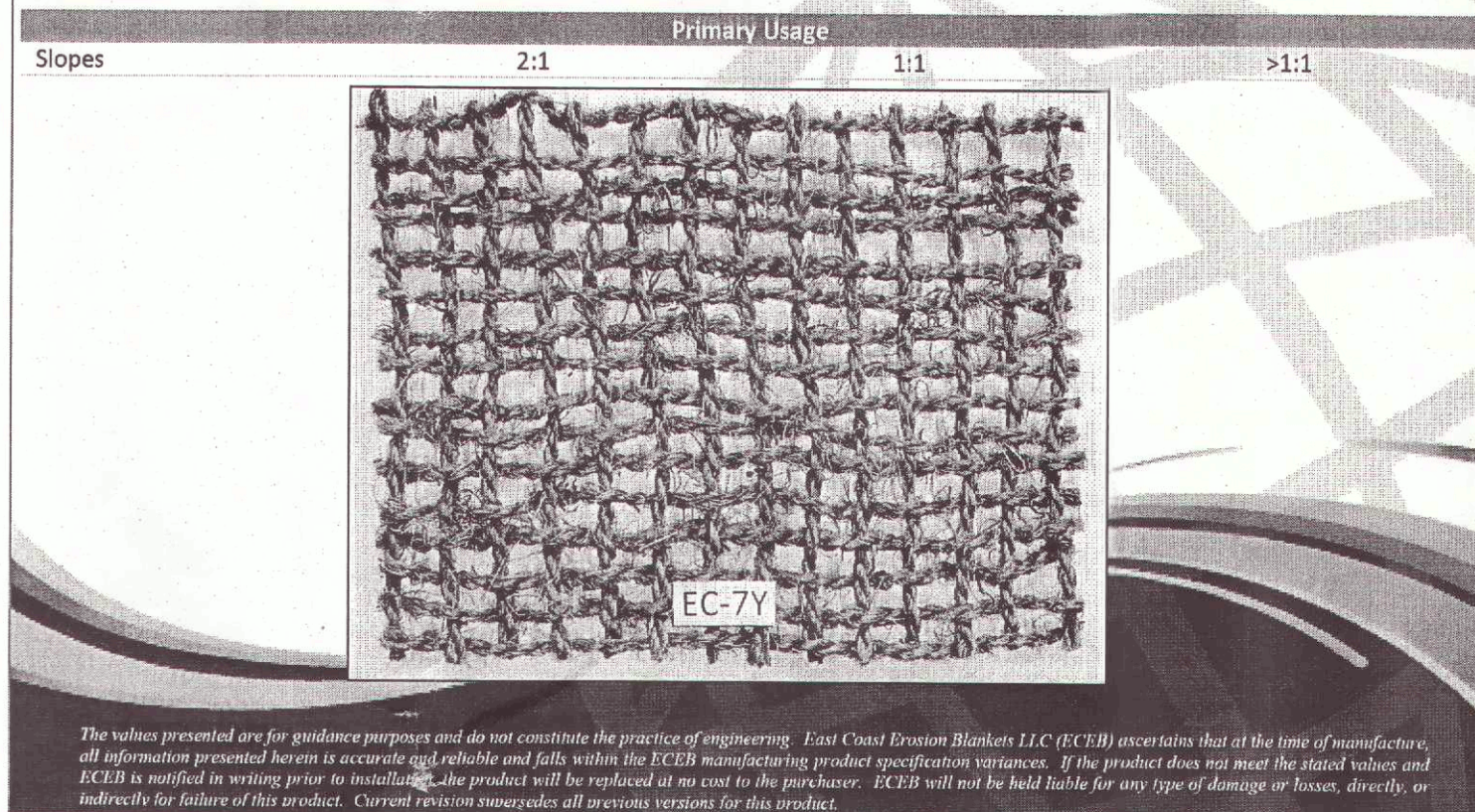
### EC-7Y COIR MAT

**Description:** Coir fiber is obtained from the bristles of the outer layer of the fruit of the Coconut tree and is 100% biodegradable. Coir Mats are woven with coir fiber yarns providing strength, environmental friendliness and functional longevity in excess of three years. EC-7Y meet the Type 4.A, specifications established by the Erosion Control Technology Council (ECTC) and also meets the Federal Highway Administration's (FHWA) FP-03 Section 713.17.

**Material:** Coconut Fiber

Roll Size		Index Value Properties		
Width:	6.5 ft (2 m)	Property	Test Method	Value
Length:	167 ft (50 m)	Mass/Unit Area	ASTM D5261	22.3 oz/yd2 (757.0 g/m2)
Area:	120 yd2 (100 m2)	Thickness	ASTM D5199	0.36 in. (9.1 mm)
Weight +10%:	24 oz/yd2 (814 g/m2)	Light Penetration	ASTM D6567	33%
Design Value Properties		Dry Tensile Strength-MD	ASTM D4595/ASTM D6818*	1600 lb/ft (23.4 kN/m)
Property		Dry Elongation-MD	ASTM D4595/ASTM D6818*	27%
Shear Stress	4.50 lbs/ft2 (215 Pa)	Dry Tensile Strength-TD	ASTM D4595/ASTM D6818*	1310 lb/ft (19.2 kN/m)
Velocity	12.0 ft/s (3.66 m/s)	Dry Elongation-TD	ASTM D4595/ASTM D6818*	27%
C Factor	0.003	Wet Tensile Strength-MD	ASTM D4595	1455 lb/ft (21.3 kN/m)
Open Area – Calculated	41%	Wet Elongation-MD	ASTM D4595	27%
Net Opening	5/8" (15 mm) x 1/2" (12 mm)	Wet Tensile Strength-TD	ASTM D4595	1425 lb/ft (20.8 kN/m)
		Wet Elongation-TD	ASTM D4595	27%

\*Both ASTM D4595 and D6818 are used to test tensile strength. ASTM D6818 is preferred in erosion control applications.



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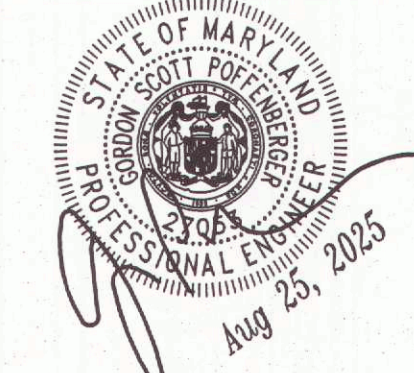
DRAWN BY

REVISION

DATE

**BOAT LAUNCH DETAILS**  
**POPLAR STREET PARK**  
**TOWN OF FUNKSTOWN**  
SITUATE AT THE CORNER OF N WESTSIDE AVE & W POPLAR ST  
ELECTION DISTRICT 10  
TOWN OF FUNKSTOWN, WASHINGTON COUNTY, MARYLAND

SCALE: AS SHOWN



LICENSE No.: 21053 EXP. DATE: 1/25/26  
PROJECT NO.: 21-31729  
DRAWING NO.: D-6730  
DATE: JANUARY, 2023  
DRAWN BY: DCM  
CHECKED BY: GSP

SHEET 7 OF 7

TWN-23-005



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

**TOWN OF FUNKSTOWN**

\*

**Appeal No.: AP2025-022**

**Appellant**

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\* \* \* \* \*

**OPINION**

The Town of Funkstown, (hereinafter “Appellant”) requests variances from the Washington County Floodplain Ordinance to allow the lowest floor to be constructed below Flood Elevation (Section 5.4A), to allow floodproofing for a new non-residential building (Section 5.4.B.1) and to allow wet floodproofing in lieu of dry floodproofing (Section 5.4.B.3) all for a proposed public restroom for the public park facility located at the subject property. The subject property is located at 20 W. Poplar Street, Funkstown, Maryland 21734. The Board held a public hearing in this matter on October 1, 2025.

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

**Findings of Fact**

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

1. Appellant is the owner of the subject property located at 20 W. Poplar Street, Funkstown, Maryland 21734 which is situated within the town limits of the Town of Funkstown.

2. The subject property was formerly part of the Copper Kettle mobile home community. The homes were removed, and the Town began improvements to convert a portion of the property into public park space.

3. The subject property is situated along the Antietam Creek east of the bridge extending U.S. Alternate 40 from Frederick Street to N. Westside Avenue.

4. Appellant proposes to construct a public restroom building at the subject property to serve members of the public who utilize the park.

5. The subject property is located within the 100-year floodplain and is subject to the Floodplain Ordinance.

6. The County reviewed Appellant's proposal and recommended approval of the variances for floodproofing and wet floodproofing.

7. The County recommended approval of a variance from the elevation requirements, with the condition that the building be constructed at least two (2) feet above elevation.

8. There was no opposition presented to this appeal.

### **Rationale**

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

Practical difficulty and undue hardship are typically the result of a property being unique. "'Uniqueness' of a property for zoning purposes requires that the subject property have an inherent characteristic not shared by other properties in the area, i.e., its shape, topography, subsurface condition, environmental factors, historical significance, access or non-access to navigable waters, practical restrictions imposed by abutting properties (such

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

as obstructions) or other similar restrictions.” *North v St. Mary’s Cnty.*, 99 Md.App. 502, 514 (1994).

Appellant is seeking variance relief under three (3) separate provisions of the Washington County Floodplain Ordinance. The County, through Heather Williams, CFM, Senior Plan Reviewer/Floodplain Manager, provided a written Memorandum of its recommendations and Ms. Williams also testified at the hearing. The Board shall address each provision and request separately.

#### ***Lowest Floor for Flood Elevation***

Section 5.4A of the Floodplain Ordinance provides in pertinent part that the elevation requirement “have the lowest floor (including the basement) elevated to or above the flood protection elevation...” For the subject property, the Flood Protection Elevation has been determined to be 469.6 feet. The existing ground elevation at the location of the proposed restroom building is between 462 and 464 feet. Thus, pursuant to Section 5.4A, the restroom building would have to be elevated between 5.6 and 7.6 feet above ground level to meet the elevation requirement. Appellant testified that this would completely frustrate the need to make the restroom ADA accessible, as it would necessitate long ramps extending far away from the building. The County’s recommendation was to modify the requirement to a minimum of two (2) feet above elevation; however, Appellant proposed a compromise to one (1) foot above elevation. The parties were able to agree on the variance relief being granted with the condition that the lowest floor of the restroom building be constructed at least one (1) foot above elevation.

#### ***Floodproofing for a New Non-Residential Building***

Pursuant to Section 5.4.B.1 of the Floodplain Ordinance, floodproofing of new nonresidential buildings is not allowed in nontidal waters of the State (citing to COMAR 26.17.04.11(B)(7)). The County recommended that the variance be granted to allow for floodproofing methods, principally because an allowance was being made for elevation. Floodproofing involves one of three methods: 1) using elevation to avoid flood waters, 2) making the walls and openings watertight to keep out flood waters, or 3) altering the building minimize damage flood waters as they flow through. Given that Appellant has already asked



to modify the elevation requirements, it would seem necessary that Appellant be permitted to utilize an alternative method of floodproofing.

*Wet Floodproofing in Lieu of Dry Floodproofing*

Having determined that floodproofing will be necessary, the Board must consider Appellant's request to utilize wet floodproofing. Section 5.4.B.3 provides as follows:

If floodproofing is proposed, structures shall be designed to be dry floodproofed such that the building or structure is watertight with walls and floors substantially impermeable to the passage of water to the level of the flood protection elevation plus 1.0 feet.

In applying this provision to the proposed project, it would require dry floodproofing between 6.6 and 8.6 feet above ground level. Appellant contends that this is both impractical and impossible, considering that the agreed upon elevation would be a minimum of one (1) foot above elevation. In consideration of the agreement and conditional elevation variance, the County has also recommended that any floodproofing for the proposed building be wet floodproofing. The County suggested, and the Appellant has adopted, a plan in which there is a combination of elevation and wet floodproofing as part of the variance relief.

Based on the evidence and testimony provided, and the County's recommendations, the Board finds that practical difficulty would result from strict compliance with the Floodplain Ordinance provisions. Appellant has an obligation, in the public interest to construct a public restroom that is accessible and ADA compliant. The proposed modifications which constitute the variance relief requested are the minimum necessary to strike a balance between accessibility and flood protection. Without relaxation of the Floodplain Ordinance requirements, Appellant would have to construct a public restroom building approximately six (6) feet above the ground, which does not serve the public interest and is impractical. The requested variances do not confer any special privileges and ultimately preserve the spirit and intent of the Ordinance.

Accordingly, the request for a variances from the Washington County Floodplain Ordinance to allow the lowest floor to be constructed below Flood Elevation (Section 5.4A), to allow floodproofing for a new non-residential building (Section 5.4.B.1) and to allow wet

floodproofing in lieu of dry floodproofing (Section 5.4.B.3) all for a proposed public restroom for the public park facility at the subject property are GRANTED by a vote of 5 to 0. The variance relief is granted subject to the standard condition that the use is consistent with the testimony and evidence presented during the hearing before the Board.

BOARD OF APPEALS

By: Tracie Felker, Chair

**Date Issued: October 30, 2025**

Notice of Appeal Rights

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