

BOARD OF APPEALS

October 29, 2025

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

AGENDA

AP2025-024: An appeal was filed by Bryce Block for a special exception to establish a contractor equipment and storage yard on property owned by Railside Properties LLC and located at 15244 Fairview Road, Clear Spring, Zoned both Rural Village and Agriculture Rural District.

AP2025-025: Sharpsburg Pike Holding LLC is charging administrative error of the Zoning Administer stating the interpretation of Section 22.23(e) regarding "Use on the Premises Signs" is incorrect for installation of a freestanding sign that would advertise the uses(s) or tenant(s) on adjacent parcels. An appeal was also filed for a variance from the requirement of a property to have a lot frontage of at least 40 ft. in width to be reduced to 25 ft. and a variance from the 25 ft. setback for the sign support structure from the road right-of-way to 10 ft. for proposed freestanding sign on the property owned by the appellant and located at 10440 Vida Drive, Hagerstown, Zoned Highway Interchange District.

AP2025-026: An appeal was filed by Sharpsburg Pike Real Estate LLC for a variance from the 25 ft. setback for the sign support structure from the road right-of-way to 10 ft. for proposed freestanding sign and a variance from the 10 ft. setback from the road right-of-way to 3.47 ft. for a parking space on property owned by the appellant and located at 10320-10406 Sharpsburg Pike, Hagerstown, Zoned Highway Interchange District.

Pursuant to the Maryland Open Meetings Law, notice is hereby given that the deliberations of the Board of Zoning Appeals are open to the public. Furthermore, the Board, at its discretion, may render a decision as to some or all of the cases at the hearing described above or at a subsequent hearing, the date and time of which will be announced prior to the conclusion of the public hearing. Individuals requiring special accommodations are requested to contact Katie Rathvon at 240-313-2464 Voice, 240-313-2130 Voice/TDD no later than October 20, 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: Railside Properties LLC
13705 Railroad Street
Hagerstown MD 21740

Appellant: Bryce Block
PO Box 2909
Hagerstown MD 21740

Property Location: 15244 Fairview Road
Clear Spring, MD 21722

Description Of Appeal: Special exception to establish a contractor equipment and storage yard.

Docket No: AP2025-024
Tax ID No: 13005397
Zoning: RV; A(R)
RB Overlay: No
Zoning Overlay:
Filed Date: 09/25/2025
Hearing Date: 10/15/2025

Appellant's Legal Interest In Above Property:

Owner: No

Contract to Rent/Lease: No

Lessee: No

Contract to Purchase: Yes

Other:

Previous Petition/Appeal Docket No(s):

AP2022-028

Applicable Ordinance Sections:

Washington County Zoning Ordinance Section: 3.3(1) Table of Land Use Regulations: Q

Reason For Hardship:

If Appeal of Ruling, Date Of Ruling:

Ruling Official/Agency:

Existing Use: Residential Lot with no Dwelling

Proposed Use: Contactor's Equipment and Storage Yard

Previous Use Ceased For At Least 6 Months:

Date Ceased:

Area Devoted To Non-Conforming Use -

Existing:

Proposed:

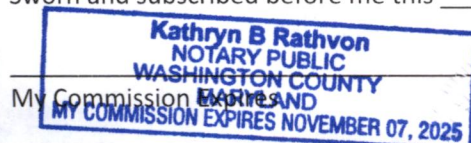
I hereby affirm that all of the statements and information contained in or filed with this appeal are true and correct.

Bryce Block

Appellant Signature

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this 25 day of September, 2025.



[Signature]

Notary Public



WASHINGTON COUNTY BOARD OF ZONING APPEALS

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AFFIDAVIT IN COMPLIANCE WITH SECTION 25.51(C)

Docket No: AP2025-024

State of Maryland Washington County, To Wit:

On 9/25/2025, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Bryce Block and made oath in due form of law as follows:

Bryce Block 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 10/15/2025, 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 09/30/2025 and will remain until after the above hearing date.

Bryce Block

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

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BOARD OF ZONING APPEALS

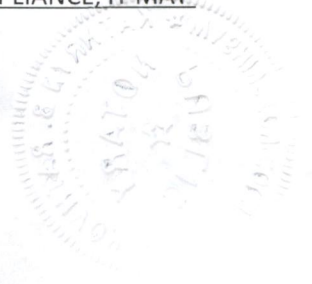
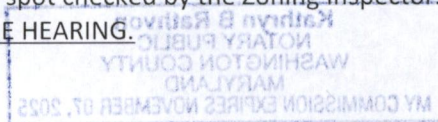
ATTENTION!

Posting Instructions

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

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

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



Bryce Block – Legacy Residential Elevators

PO Box 2909

Hagerstown, MD 21741

9/24/2025



To the Board of Zoning Appeals:

747 Northern Ave

Hagerstown, MD 21742

Board of Zoning Appeals Members:

I am submitting this justification letter in support of my application for a special exception to operate a contractors storage yard for my residential elevator and handicap equipment service company, Legacy Residential Elevators at the property located at 15244 Fairview Rd, Clear Spring MD 21722. The proposed special exception is for a 5,000 square foot storage office facility only, the property will not become a bustling commercial hub. All sales, installation, meetings, and service work will be performed off site.

The on-site activities are limited to:

- Answering phone calls and communicating with team members and clients
- Scheduling services
- Managing administrative and billing paperwork
- Receiving, Staging and delivering enclosed residential packages to customers
- The business will operate Monday through Friday from 8:00 am – 4:00 pm with minimal to no noise disruption.

The proposed 5,000 square foot storage/office space will have no discernable impact on the (4) direct surrounding residential properties. There are to be no more than 2 deliveries per month from a semi-truck, and box trucks delivering materials to the customer(s) 2-3 times per week during normal business hours. All other business operations and duties will be conducted indoors within the standard business hours stated above, ensuring that the business activities do not disrupt or deter the neighborhoods residential character and community. The deliveries in and out of the proposed building are minimal and will not increase traffic congestion or negatively impact vehicular and pedestrian safety. All vehicles will either be parked well within property lines or within the building itself.

The proposed building use poses no threat to the public health, safety, or welfare of the surrounding community, there will be no hazardous materials stored or used on the property and the day-to-day use does not involve any dangerous activity that would increase environmental

damage or disrupt the peace of the nearby residential neighborhood. The business will not create any substantial noise, odor, dust, glare, or vibration that could harm the surrounding properties. Furthermore, the addition of the proposed building will not have a negative affect on the surrounding property values.

To ensure the Board that the communities welfare will be amongst top priority, I would also like to add that I, the owner of the building, have lived and grown up in the Clear Spring area. I also plan to build a single family dwelling on the same property as the proposed building within the next 5 years. I am sincere to keeping the peace and having a low negative impact on the community. I commit to the following mitigation measures:

- No customer visits to the property
- Conducting all business activity outside of receiving deliveries within the confines of the building. (Deliveries do not last longer than 30 minutes at a time)
- Storing all non-vehicular material within the confines of the building
- Displaying no free-standing signage on the property
- Keeping all delivery times within the confines of normal business hours

Based on the information presented in this proposal, I respectfully request the Board's approval. This Contractors storage yard is a low-impact use that meets all applicable criteria and will not negatively impact the surrounding community or neighborhood.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Bryce Block". The signature is written in a cursive, flowing style.

Bryce Block

1 Any damage to adjoining public roads, utilities, etc. during construction will be repaired in kind by the contractor.
2 No subsurface investigation has been performed by Frederick, Seibert and Associates, Inc. to determine ground water, rock, sinkholes or any other natural or man-made existing features. See geotech report by Hill & Carver Engineering Associates, Inc. for subsurface findings.
3 BSA & Associates assumes no liability for the location of any above ground and below ground utilities. Existing utilities are shown on the final approved information. Contractor to verify location and depth of all above and below ground utilities prior to construction.
4 The contractor shall locate & existing utilities in advance of construction operations in the vicinity of proposed utilities.
5 The contractor shall take all necessary precautions to protect the existing utilities and maintain uninterrupted service. Any damage incurred due to the contractor's operation shall be repaired immediately at the contractor's expense. Contractor to use caution in the vicinity for hanging wires.
6 All utilities shall be cleared by a minimum of 1'0". All utility poles shall be cleaned by a minimum of 2'0" or bunched if required.
7 The Contractor shall notify the following utilities or agencies at least five (5) days before starting work shown on these drawings.

9. The contractor shall be responsible for coordination of his construction with the construction of other contractors.
10. See Sheet C-101 for site benchmark.
11. The contractor shall notify the Architect/Engineer, before construction, of any conflicts between the plans and actual field conditions.
12. The contractor shall protect utilities and culvert pipes during construction by installing proper cover, increasing cover, or conducting roadway surveying through base course before loading site with heavy vehicles.
13. Job site safety is the sole responsibility of the contractor. The Contractor shall perform all excavation in accordance with OSHA Regulations for trench safety.
14. The contractor shall perform his own field inspection and surveys (if necessary) to determine the point of interest to be worked to complete this project. Any earthwork quantities that may be shown hereon are preliminary estimates only, and are intended for Soil Erosion control plan review, if required. There is no warranty or acceptance made to the earthwork quantities shown hereon due to the completion of fill.
15. The contractor shall be aware that in the event of discrepancy between scaled and figured dimensions shown on the plan, the figured dimensions shall govern.
16. The existing contour lines shall be established by permanent elevation control points, details and specifications.
17. Please refer to Geotechnical Report compiled by H.E. Cass Engineering Associates, Inc. for load bearing data, etc.
18. The entire area included within the proposed limits of cut and fill shall be stripped of all root material, trash and other organic and otherwise objectionable, non-complying and unsuitable soils and materials.
19. It shall be strictly understood that failure to mention specifically any work which would naturally be required to complete the project shall not release the contractor of the responsibility to complete the project.
20. All handcarried parking spaces shall be designed, ramped and signed to meet the minimum requirements of the Maryland Accessibility Code and ADA Standards for Accessible Design.
21. The existing site contours shown hereon are "U.S. 1" contours and field checked by FSA in February 2013. (Contour accuracy is to plus or minus one half the contour interval).
22. All utility and easement areas are to be the limit of property ownership, unless otherwise noted.
23. Limit of disturbed areas as to both means at the completion of the project.
24. This project has a projected start date of June 2014 and a completion date of December 2024.
25. A complete set of approved plans and a copy of the grading permit must be on site and available for review by the inspector, or other representative of Washington County.
26. This is a Class C Erosion Cases for this property under Washington County Appeal No. AP2022-028 to establish a machine shop facility in the Rural/Village and Agricultural, Rural zoning district. The conditions of appeal, as required by this Appeals Case, appropriate buffering and screening for surrounding properties, and that downward facing lighting is required, is shown hereon.
27. Proposed SWAI will consist of an on-site Submerged Gravel Wetland.
28. All existing drainage culverts and drainage easements are to be maintained and unaltered.
29. Based on the peak hour trip being less than 21 trips, the road width is greater than 18 feet and the pavement appears to be in good condition, this project is exempt from APFO requirements. MDOTSA also did not require a Traffic Impact Study by performed.
30. There are no floodplains as shown on Community Parcel number 240430-01280 within effective date of 06/17/2017. There are steep slopes, stream crossings, and wetlands. There is no record of livestock or other domestic species within the floodplain as identified by the U.S. Fish and Wildlife Service per US FCR 17.4 as required to be shown by section 307 of the Subdivision Ordinance section 4.21 of the Zoning Ordinance.

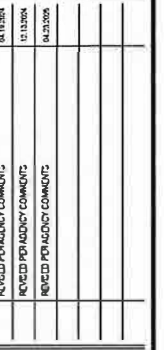
- 1 In conformance with the Stormwater Management Ordinance of Washington County, a performance security and executed maintenance agreement shall be required from the developer prior to issuance of any building or grading permit for construction for these plans.
- 2 This project will require a third party qualified professional to be present at the preconstruction meeting. Construction inspection will be required for this project per the "Roadway and Stormwater Management Construction Verification Procedures" dated October 17, 2008.
- 3 A complete set of approved plans and a copy of the grading permit must be on site and available for use by the inspector, or other representative of Washington County Division of Public Works.
- 4 Developer shall retain the consulting engineering firm and the County at least 5 days prior to the start of construction of the stormwater management system to schedule and coordinate inspection time tables.
- 5 This development plan must comply with the current Washington County Stormwater Management, Grading, Soil Erosion and Sediment Control Ordinance.
- 6 All grading for this project shall be the full responsibility of the property owner.
- 7 No permanent structures (e.g., forests, sheds, pile equipment, retaining walls) shall be permitted within any stormwater storm drainage easement on this property.

TRACT MAP - GRID - PARCEL	0006-0024-0009
ELECTION DISTRICT	13
ACCOUNT NUMBER	006537
LIBER / FOLIO	7188 / 0195
AREA SUMMARY	
PARCEL	9.62 AC
DISTURBED AREA	3.50 AC
EXISTING IMPERVIOUS	0.3 AC
PROPOSED IMPERVIOUS	0.97 AC (28%)
BUILDING SUMMARY	
FOOTPRINT	32,258 SF 5,000 SF
OFFICE SPACE	4,600 SF 100 SF
MACHINE SHOP SPACE	12,172 SF 4,600 SF
HEIGHT	14-20 FT
PROPOSED USE	MACHINE SHOP contractor storage yard
HOURS OF OPERATION	MON THURSDAY 7:30AM-5:00 PM
FREIGHT & DELIVERY	SEMI-TRUCK-ONCE WEEKLY, BOX TRUCK-3 TIMES WEEKLY
EMPLOYEE SUMMARY	
OFFICE	2 1
WATER SHED	15
WATER & SEWER USAGE	
WATER PROVIDED	PRIVATE (WELL)
SEWER PROVIDED	PRIVATE (ON LOT SEPTIC)
WASTE & RECYCLABLES	
SOLID WASTE REMOVAL	ONSITE DUMPSTER
RECYCLE REMOVAL	ONSITE DUMPSTER
SITE LIGHTING	
EXISTING	NONE
PROPOSED	BUILDING MOUNTED
SITESIGNAGE	
EXISTING	NONE
PROPOSED	CONTRACTOR SIGNAGE NONE
ADDRESS ASSIGNMENT	15244 FARVEY ROAD, CLEAR SPRING, MARYLAND 21722
OWNER AND/OR VARIANCE	APR2022-028
FOREST CONSERVATION	APPROVED PER PLAT #11525
WATERSHED	
NAME	CONOCOCHEAGUE CREEK
NUMBER	02-14-05-04
FEMA PANEL #	264243C0128D

USE	REQUIREMENT	CALCULATION	REQUIRED
UNDERGROUND Average yard	1 SPACE PER EMPLOYEE ON MAIN SHFT PLUS 1 SPACE PER 350 GFA OF SALES AND/OR OFFICE SPACE	1 EMPLOYEES X 1 SPACE 3000 SF / 350 SF 200 130	1 3 SPACES X SPACES
TOTAL REQUIRED SPACES			1 3 SPACES
TOTAL PROVIDED PARKING SPACES			1 33 SPACES

	EXISTING	PROPOSED
SUBJECT BOUNDARY		
BUILDING SETBACK LINE		
RIGHT OF WAY		
EASEMENT LINE		
ADJACENT BOUNDARY		
FENCE (METAL)		
FENCE (WOODEN)		
DITCH (STREAM)		
EDGE OF WATER		
WETLAND		
FLOODPLAIN		
SOIL BOUNDARY		
RAILWAY		
CENTERLINE		
EDGE OF PAVEMENT		
EDGE OF GRAVEL		
CURB		
WALL		
GUARD RAIL		
EDGE OF CONCRETE BUILDING		
MAIL BOX		
SIGN (ROAD)		
SIGN (SITE)		
TRAFFIC SIGNAL		
TOPOGRAPHIC FEATURES		
CONTOUR (INDEX)		
CONTOUR (INTERMEDIATE)		
SPOTS ELEVATION		
VEGETATION AREAS		
TREELINE		
DECIDUOUS TREES		
EVERGREEN TREES		
SAINTARY SEWER		
GRAVITY LINE		
FORCE MAIN LINE		
LATERAL		
MANHOLE		
CLEANOUT		
VALVE		
WATER		
COLD WATER LINE		
HOT WATER LINE		
MANHOLE		
FIRE HYDRANT		
VALVE		
METER		
WELL		
STORM DRAINAGE		
STORM SEWER LINE		
ROOF DRAIN LINE		
MANHOLE		
INLETS		
CLEANOUT		
UTILITIES		
<u>GAS LINE</u>		
ELECTRICAL LINE		
FIBER OPTIC LINE		
COMMUNICATION LINE		
OVERHEAD LINES		
MANHOLE		
PEDS, BOX, & ETC		
POLE		
LIGHT POLE		
GAS METER		
GAS VALVE		

AASTHO	AMERICAN ASSOCIATION OF STATE	OC	ON CENTER
	HIGHWAY AND TRANSPORTATION OFFICIALS	PC	POINT OF CURVE
ADS	ADVANCED DRAINAGESYSTEM	PCL	POINT OF COMPOUND CURVE
ASTM	AMERICAN SOCIETY FOR TESTING AND MATERIAL	PG	PROPOSED GRADE LINE
AWWA	AMERICAN WATER WORKS ASSOCIATION	PRC	POINT OF REVERSE CURVE
BLDG	BUILDING	PVC	POINT OF VERTICAL CURVE
BOT	BOTTOM	PVI	POINT OF VERTICAL INTERSECTION
C-P	CAST IRON PIPE	PVT	POINT OF VERTICAL TANGENT
CL	CENTERLINE	RCV	RIGHT-OF-WAY
CVP	CORRUGATED METAL PIPE	SAN	SANITARY
CO	SANITARY SEWER CLEAN-OUT	SD	STANDARD CONSTRUCTION ENTRANCE
COMM	COMMUNICATION	SDR	STANDARD DIMENSION RATIO
CONC	CONCRETE	SIP	SET IRON PIN
DA	DRAINAGE AREA	SD	STORM DRAINAGE
DAV	DAVEY	SDMH	STORM DRAIN MANHOLE
EGL	EXISTING GRADE LINE	SF	SQUARE FEET
EX	EXISTING	SS	SANITARY SEWER
EIP	EXISTING IRON PIN	SSMH	SANITARY SEWER MANHOLE
FFE	FINISH FLOOR ELEVATION	STA	STATION
PH	FIRE HYDRANT	STD	STANDARD
GV	GATE VALVE	SY	SQUARE YARDS
HGL	HYDRAULIC GRADE LINE	T&T	TYPE AS NOTED
HOPE	HIGH DENSITY POLYETHYLENE	TEMP	TEMPORARY
INV	INVERT	TS	TOP OF STRUCTURE
LF	LINEAR FEET	TG	TOP OF GRATE
MAX	MAXIMUM	TR	TOP OF RM
MB	MAN BOX	TY	TYPICAL
MN	MANHOLE	UP	UTILITY POLE
MJ	MECHANICAL JOINT	VF	VERTIFY IN FIELD
NO	NUMBER	WL	WATERLINE
NO-C	NOT IN CONTRACT	WJ	WATER JETTER
NTS	NOT TO SCALE	WV	WATER VALVE
OAC	OR APPROVED EQUAL		

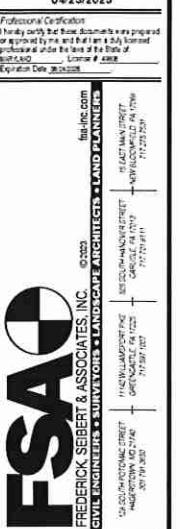
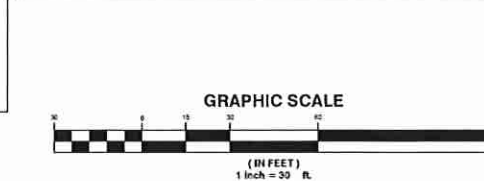
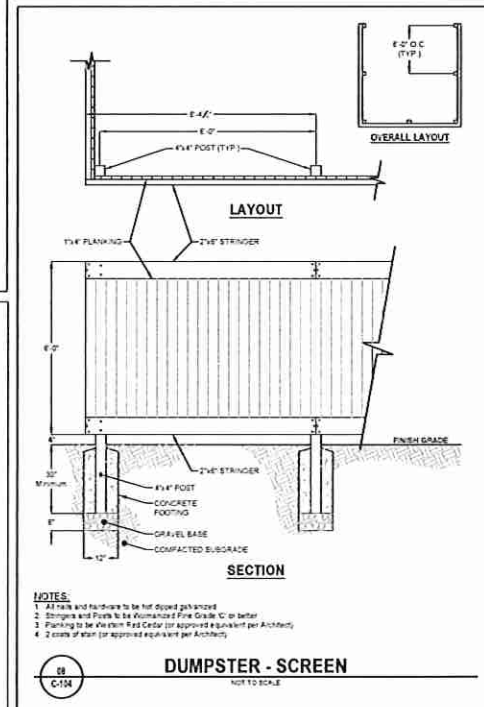
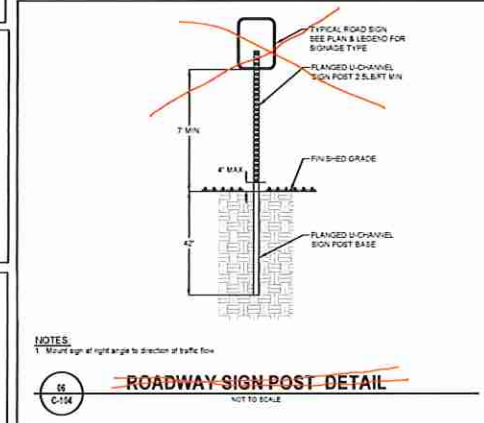
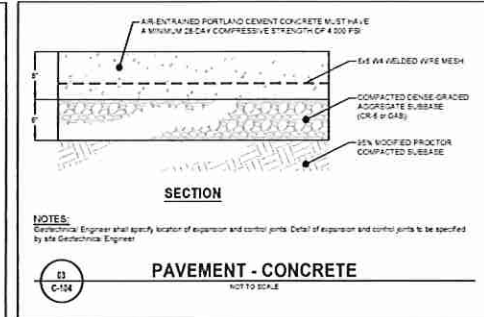
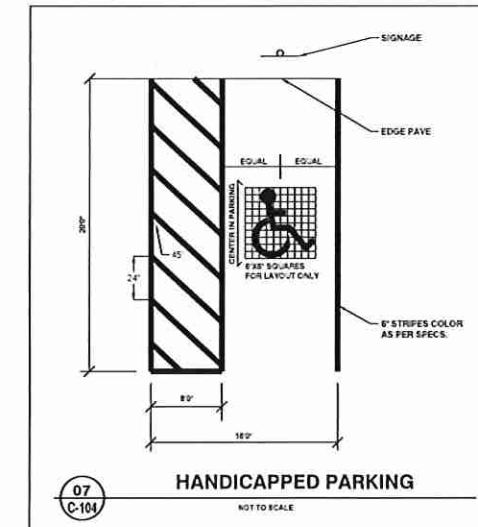
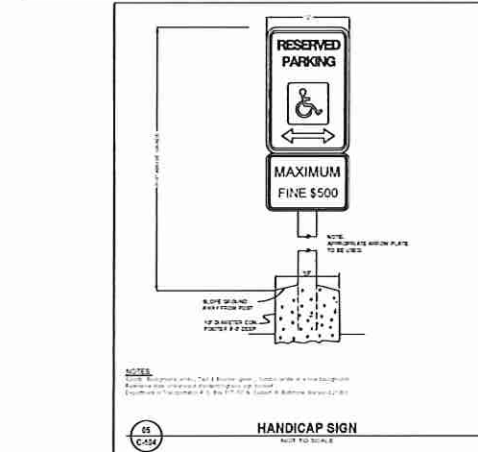
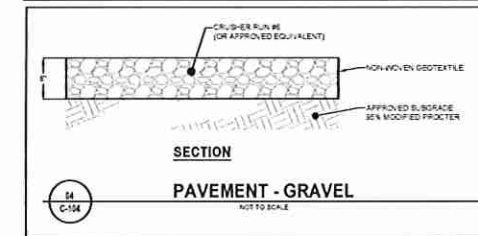
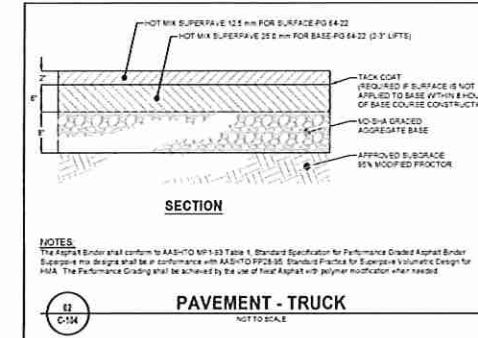
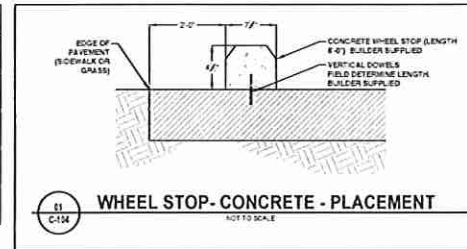


C-002
SHEET 02 OF 11

STRIPING NOTES:

1. FINAL APPLICATION OF WHITE AND YELLOW WATERBORNE PAVEMENT MARKINGS SHALL BE AFTER COMPLETION OF ALL ASSOCIATED PROJECT ROADWAY CLEAN-UP.
2. REFERENCE PUBLICATION 111M TC-8500 RECOMMENDED JUNE 13, 2013 FOR PAVEMENT MARKING DETAILS.
3. REFERENCE PUBLICATION 111M TC-8504 RECOMMENDED JUNE 13, 2013 FOR DELINEATION DETAILS.
4. REFERENCE PUBLICATION 111M TC-8700 SERIES RECOMMENDED JUNE 13, 2013 AND ANY CHANGES/REVISIONS FOR TRAFFIC CONTROL SIGNING STANDARDS.
5. REFERENCE FEDERAL HIGHWAY ADMINISTRATION M.U.T.C.D. 2009 EDITION CHAPTER 8B SECTION 27 FOR GRADE CROSSING PAVEMENT MARKINGS (FIGURE 8B-7)
6. ALL LONGITUDINAL WATERBORNE PAVEMENT MARKINGS SHALL REQUIRE TWO COATS

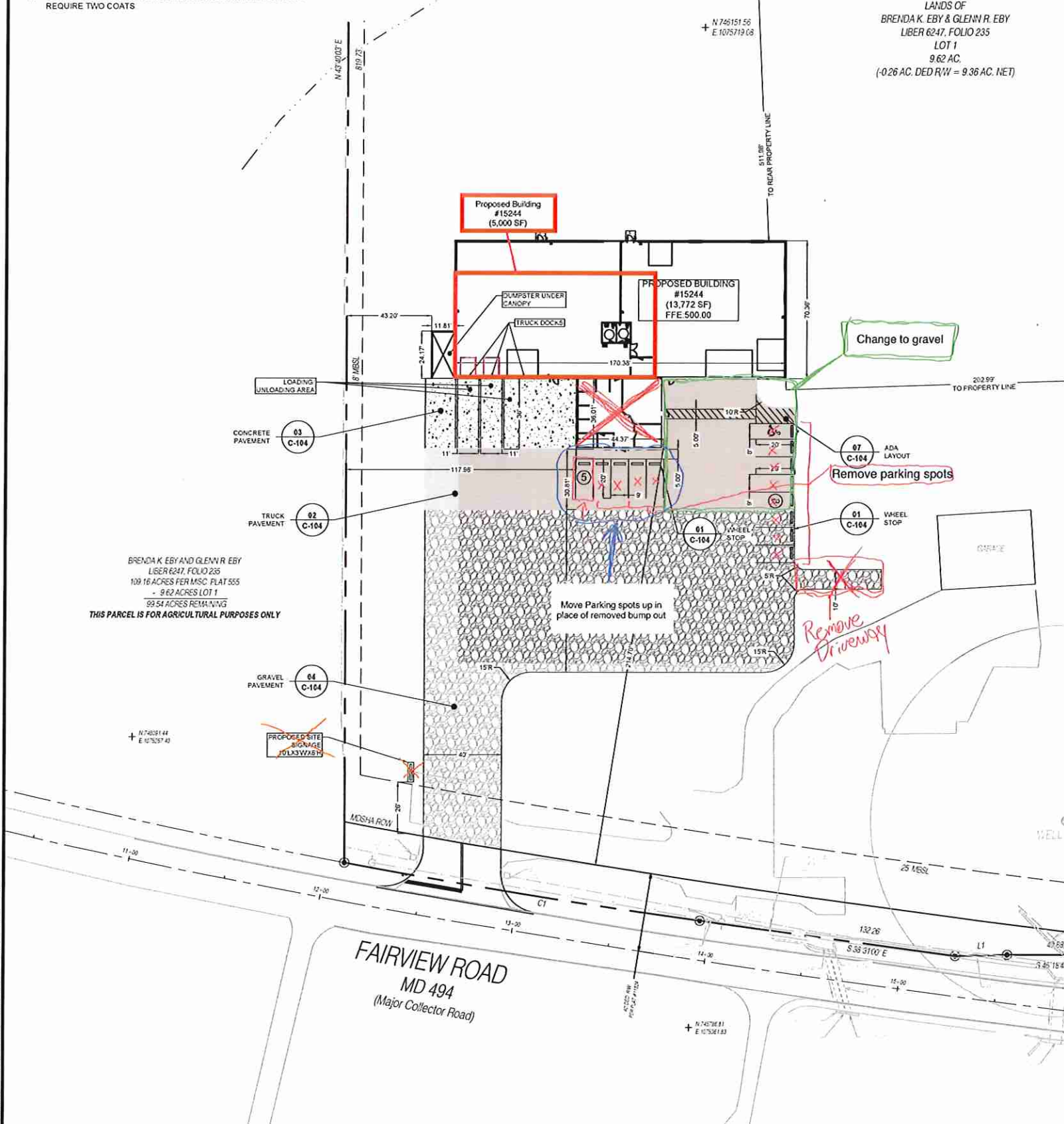
HATCH LEGEND		
HATCH	DESCRIPTION	SHEET/DETAIL
	TRUCK PAVEMENT	C-104-02
	GRAVEL PAVEMENT	C-104-04
	CONCRETE PAVEMENT	C-104-05
	GORE HATCHING	N/A



DATE	REVISION	DESCRIPTION
04/13/2024	1	REVISED PER AGENCY COMMENTS
04/13/2024	2	REVISED PER AGENCY COMMENTS
04/13/2024	3	REVISED PER AGENCY COMMENTS

MAUGANSVILLE AG
 SITUATE AT 1524 FAIRVIEW ROAD (MARYLAND ROUTE 84)
 WASHINGTON COUNTY, MARYLAND
 CLIENT: GLENN EBY
 15008 LOCUST LEVEL ROAD GREENCASTLE, PA 17225
 PHONE: 717.720.9547

PROJECT NO: 1183.BMA
 DRAWN BY: ADAM MYERS
 PROJECT MANAGER: T. FREDERICK
 EMAIL: TFREDERICK@FSAI-INC.COM
 TYP MAP: 024 - 009
 SCALE: 1" = 30'
 SHEET TITLE: SITE & DIMENSIONING PLAN
C-104
 SHEET 06 OF 11





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: Sharpsburg Pike Holding LLC
1741 Dual Highway
Suite B
Hagerstown MD 21740

Appellant: Sharpsburg Pike Holding
1741 Dual Highway
Suite B
Hagerstown MD 21740

Property Location: 10440 Vida Drive
Hagerstown, MD 21740

Description Of Appeal: Charging administrative error of the Zoning Administer stating the interpretation of Section 22.23(e) regarding "Use on the Premises Signs" is incorrect for installation of a freestanding sign that would advertise the use(s) or tenant(s) on adjacent parcels.
Variance from the requirement for a property to have a lot frontage of at least 40 ft. in width to be reduced down to 25 ft. and a variance from the 25 ft. setback for the sign support structure from the road right-of-way to 10 ft. for proposed freestanding sign.

Appellant's Legal Interest In Above Property:

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

Previous Petition/Appeal Docket No(s):

Applicable Ordinance Sections: Washington County Zoning Ordinance Section: 22.23 (3)

Reason For Hardship: See justification statement

If Appeal of Ruling, Date Of Ruling:

Ruling Official/Agency:

Existing Use: Commercial Lot

Proposed Use: Freestanding Sign

Previous Use Ceased For At Least 6 Months:

Date Ceased:

Area Devoted To Non-Conforming Use -

Existing:

Proposed:

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

Appellant Signature

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this _____ day of October, 2025.

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



WASHINGTON COUNTY BOARD OF ZONING APPEALS

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

AFFIDAVIT IN COMPLIANCE WITH SECTION 25.51(C)

Docket No: AP2025-025

State of Maryland Washington County, To Wit:

On 10/2/2025, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Frederick Seibert & Associates Inc and made oath in due form of law as follows:

Frederick Seibert & Associates Inc 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 10/29/2025, 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 10/14/2025 and will remain until after the above hearing date.

Frederick Seibert & Associates Inc

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

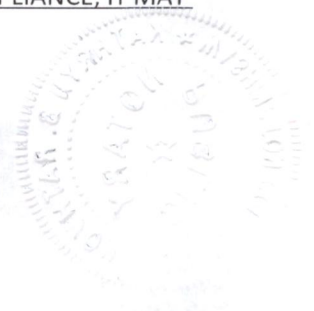
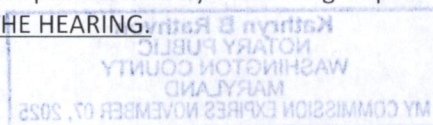
ATTENTION!

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
MARYLAND

BOARD OF ZONING APPEALS

OWNER REPRESENTATIVE AFFIDAVIT

This is to certify that ED SCHREIBER
is authorized to file an appeal with the Washington County Board of Appeals for
ADMINISTRATIVE ERROR AND VARIANCES on property
located 10440 VIDAR DR, HAGERSTOWN MD 21740
The said work is authorized by SHARPSBURG PIKE HOLDING LLC
the property owner in fee.

PROPERTY OWNER

ADAM SHAOOL

ASHAOL@WASHCODEVELOPMENTS.
COM

240-527-9014

SHARPSBURG PIKE HOLDING, LLC

Name

1741 DUAL HIGHWAY STE B

Address

HAGERSTOWN, MD 21740

City, State, Zip Code

[Signature]

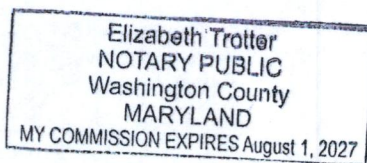
Owner's Signature

Sworn and subscribed before me this 26 day of September, 2025.

Elizabeth Trotter

Notary Public

My Commission Expires:



AUTHORIZED REPRESENTATIVE

ED SCHREIBER

Name

128 S. POTOMAC ST

Address

HAGERSTOWN MD 21740

City, State, Zip Code

[Signature]

Authorized Representative's Signature

Sworn and subscribed before me this 29 day of September, 2025.

Nikki S. Eichelberger

Notary Public

My Commission Expires: 08/01/2028

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

Ed J. Schreiber

From: Baker, Jill <JBaker@washco-md.net>
Sent: Wednesday, September 10, 2025 11:37 AM
To: Ed J. Schreiber
Cc: Trevor M. Frederick; Rathvon, Kathryn B.
Subject: RE: 10440 Vida Drive, Shops at Sharpsburg, FSA 5563
Attachments: 5563 Sign BZA.pdf

9/10 EMAIL FROM PLANNING DIRECTOR/ZONING ADMIN.
I have reviewed your request and offer the following opinion.

As you eluded to in your request for review, the ordinance says that, "Individual businesses or industrial establishments may erect a free-standing business sign, provided the lot frontage is at least 40 ft." (Section 22.23(e)). This regulation pertains to "Use on the Premises Signs". Because the sign being proposed will be on a separate premises from where the use(s) is/are taking place, it would be considered an 'Outdoor Advertising Sign' and the regulations in Section 22.24 will apply. I also need to point out that the tenant of Lot 2 already has one freestanding sign advertising their business. You also state that the sign being proposed will function in the same manner as a pylon sign in a shopping center. There is no regulatory language to allow for functionally similar signage. Either it is on-premises, or it is off-premises.

It is clear from the location on the exhibit you provided (attached), that the sign would be located on a separate premises from the other lots in the commercial subdivision that you wish to advertise. It is my opinion that this sign meets the definition of an Outdoor Advertising Sign and must therefore conform to the regulations for that use.

Please consider this a formal written opinion in response to your request for review. This opinion may be appealed to the Board of Zoning Appeals charging Administrative Error within 30 days of the sent date of this email. If you have any further questions or concerns, please let me know.

Jill



Jill Baker, AICP
Director/Zoning Administrator
747 Northern Avenue
Hagerstown, MD 21742
Phone: (240) 313-2433
E-mail: jbaker@washco-md.net
Website: www.washco-md.net

Get Connected and See Updates



NOTICE: This e-mail, including any attachments, is intended solely for the use of the addressee(s) and may contain confidential, proprietary, and privileged information, the unauthorized disclosure or use of which is prohibited. If you are not the intended recipient of this email or if you received this e-mail in error, please immediately notify the sender by reply email and delete this e-mail and any attachments from your system. Thank you.

From: Ed J. Schreiber <ESchreiber@fsa-inc.com>

Sent: Thursday, August 14, 2025 9:32 AM

To: Baker, Jill <JBaker@washco-md.net>

Cc: Trevor M. Frederick <TFrederick@fsa-inc.com>; Rathvon, Kathryn B. <krathvon@washco-md.net>

Subject: 10440 Vida Drive, Shops at Sharpsburg, FSA 5563

8/14/25 EMAIL FROM APPLICANT

WARNING!! This message originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Any claims of being a County official or employee should be disregarded.

Jill,

Please accept this email as a request for your determination to allow the Board of Zoning Appeals hear a request for a freestanding sign to serve as an outdoor advertising sign. Section 22.23(e) of the Washington County Zoning Ordinance states that individual businesses are permitted a freestanding sign to advertise the use or tenant on the same lot as the freestanding sign. We have a project that several commercial lots have been created and each are proposed to be occupied by individual businesses. Four (4) of the six (6) lots created have panhandles that are approximately 250 feet in length or the main body of the lot is 300 feet from the main road frontage. These lots are range is size from .69 acres to 7.84 acres give the appearance of a small shopping center of smaller individual buildings and occupants. This enclave of lots/buildings gives the appearance of a shopping center and it is the desire to construct an individual sign to advertise for all four (4) lots, not unlike a shopping center. What is proposed is nothing like a true "Outdoor Advertising" that would be seen along an interstate.

An attempt was made to file for a Board of Zoning Appeals variance to allow 1 freestanding sign advertise the businesses on 4 individual lots, reduce the front yard setback from 25' to 10' and reduce the 40' lot frontage requirement to 25' which is the width of the panhandle. At the time I was advised that a variance of this nature would not be entertained by the Board and that if I disagreed I would need to file for Administrative Error. This is my request for a written decision explaining why this variance will not be entertained by the Board so I may move forward with filing for Administrative error. I have included a sketch of the subject properties for a better understanding of the site.

Project Name: Shops of Sharpsburg Pike

Owner/Applicant: Sharpsburg Pike Holding LLC

Project Address: 10305 Ezra Dr, Hagerstown, MD 21740

Tax Map__57__ **Grid**__10__ **Parcel**__644__ **Lot**__4__

Account # 10009707

Zoning: HI

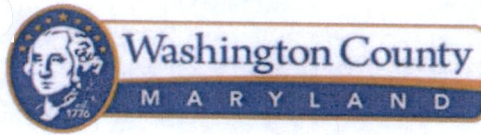
Variance request: From section 22.23(e) "Use on the Premises" signs. As stated in the Washington County Zoning Ordinance individual businesses are permitted a freestanding sign to advertise the use or tenant on the same lot as the freestanding sign. Also mentioned is that the sign must be 25' from the ROW. The applicant is requesting relief from the 25' setback requirement to 10', reduced lot width from 40' to 25' and that the freestanding sign may only advertise for the use on the lot that the sign would be constructed on and allow advertising for lots 2,6,7 & 8

In an effort to combine the advertising for 4 lots onto one sign the applicant is seeking to do the following:

1. Reduce clutter and confusion as to the tenants of each building and where to exit Sharpsburg Pike to get to said buildings.
2. Combining the signs of lots 2,6,7 & 8 is requested similar to the design of the private road that provides access to each lot. One access off of Sharpsburg Pike has been provided for several lots.
3. Reduction of the 25' setback is requested due to the odd configuration of the ROW in that area.

Undo burden is being placed on the applicant to provide individual freestanding signs not to mention the increased amount of clutter and confusion that is caused by multiple signs along the road.

Additional testimony will be provided at the hearing to support the applicants desire for combining signs and reducing the lot frontage requirement.



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 Charging Error In Administrative Ruling or Action

Property Location: 10440 VIDA DR, 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

Official or agency from whose ruling or action this appeal is made: PLANNING & ZONING DEPT
PLANNING DIRECTOR / ZONING ADMINISTRATOR

Date of ruling or action: 9/10/2025

On attached sheet please provide:

- Brief description of ruling or action from which this appeal is made. (Attach copy of ruling or document indicating such action) SEE EMAIL FROM 9/10
- Brief description of what, in Appellant's view, the ruling or action should have been. SEE EMAIL FROM 8/14
- Section/subsection of the Zoning Ordinance which Appellant contends was misinterpreted SEE EMAIL 8/14
- Error in fact, if any, involved in the ruling or action from which this appeal is made
- Error of law, if any, involved in the ruling or action from which this appeal is made
- Questions of fact, if any, presented to the Board of this appeal
- State of Appellant's interest, i.e. manner in which Appellant is aggrieved by the ruling or action complained of (as property owner or otherwise):

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

SEE AFFIDAVIT

Signature of Appellant

SEE AFFIDAVIT

Address of Appellant

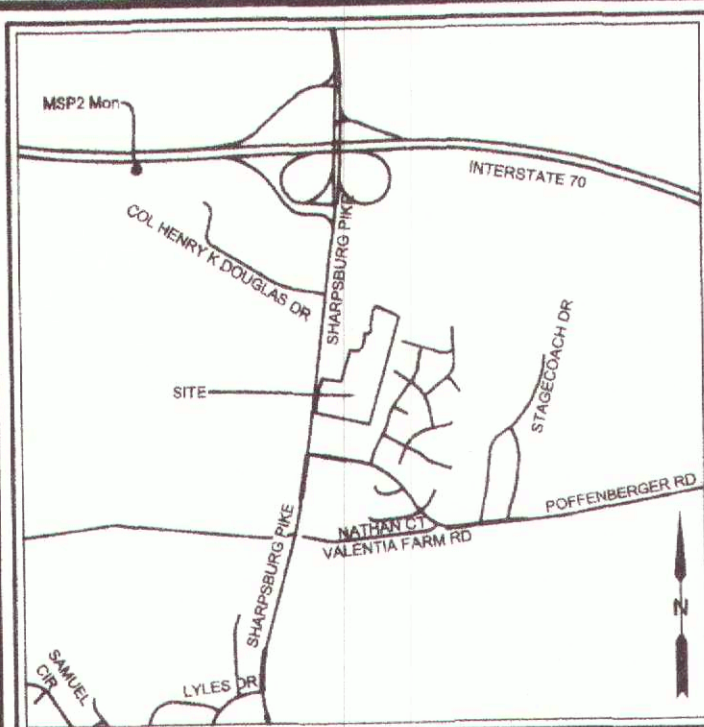
SEE AFFIDAVIT

Email of Appellant

SEE AFFIDAVIT

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.



LEGEND

- = PROPERTY LINE
- - - = PROPOSED PROPERTY LINE
- - - = PROPERTY LINE TO BE VACATED
- - - = RIGHT OF WAY
- = PROPERTY CORNER

LOT & AREA TABULATION

13.50 Acres Lands of Sharsburg Pike Holding, LLC

- 1.27 Acres Lot 2
- 0.98 Acres Lot 4
- 0.81 Acres Lot 5
- 1.69 Acres Lot 6
- 0.78 Acres Lot 7
- 7.84 Acres Lot 8
- 0.15 Acres Ded. R/W for Sharsburg Pike
- 0.00 Acres Remaining

*For future development on Lots 4-8, see General Note #4 on Sheet 2 regarding MBSLs.

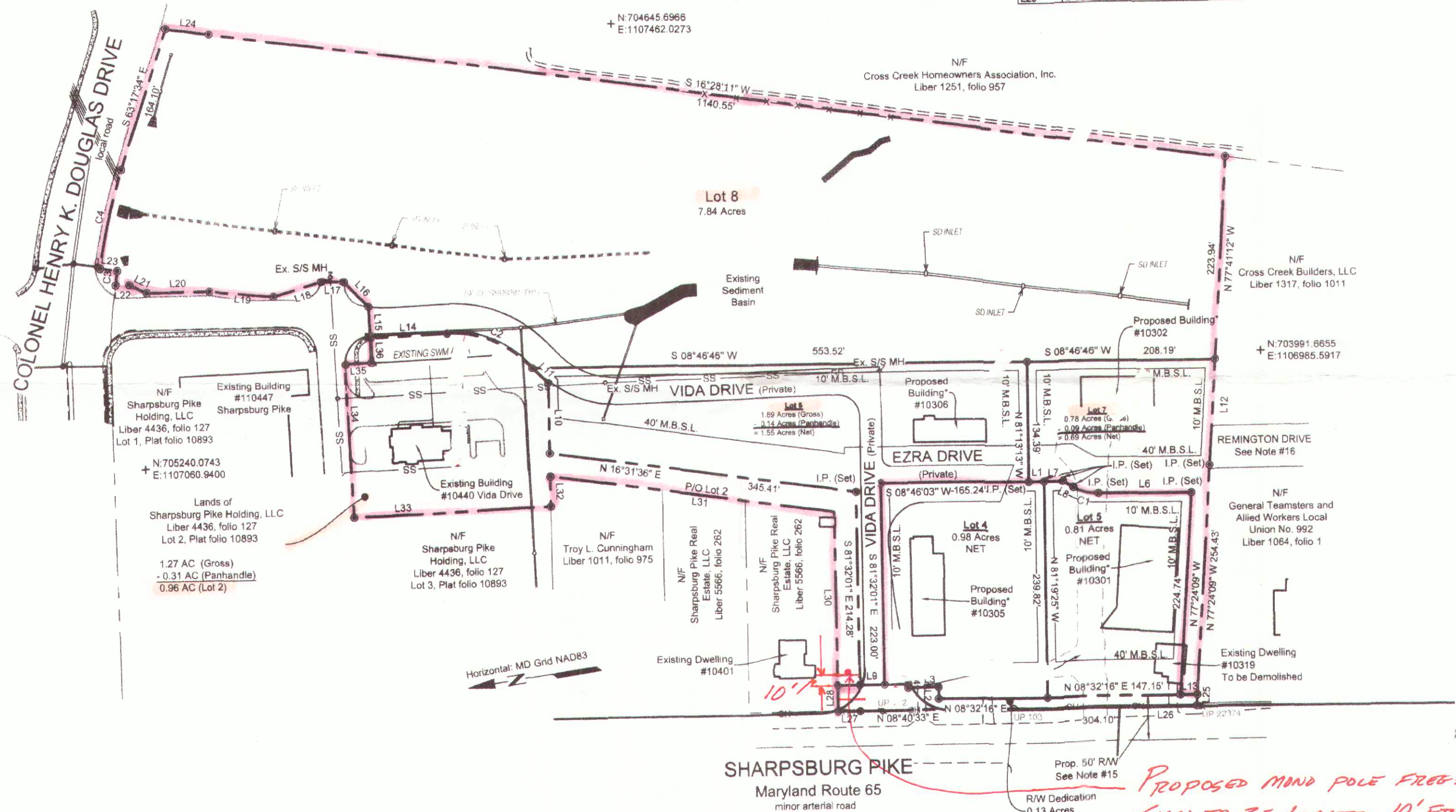
Sheet Index

Sheet 1 - Subdivision
Sheet 2 - Notes and Access Easement
Sheet 3 - SWM Easements
Sheet 4 - S/S and WL Easements

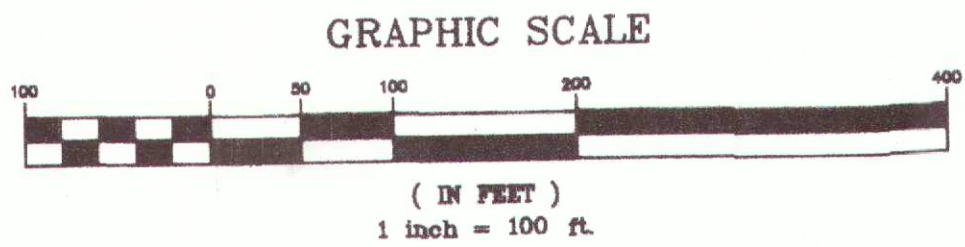
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	50.00'	28.14'	32°14'58"	S 24°53'32" W	27.77'
C2	118.00'	106.54'	51°43'58"	N 32°05'27" E	102.96'
C3	64.00'	16.17'	1°28'44"	S 73°33'03" E	16.17'
C4	660.00'	109.88'	9°32'20"	S 68°03'43" E	109.75'

LINE	BEARING	DISTANCE
L1	S 08°46'03" W	17.31'
L2	S 81°27'44" E	13.27'
L3	N 06°32'16" E	33.59'
L4	S 81°27'44" E	4.29'
L5	N 08°32'16" E	26.48'
L6	S 08°46'03" W	103.33'
L7	S 08°46'03" W	20.98'
L8	S 41°01'00" W	13.86'
L9	N 08°32'16" E	28.00'
L10	S 81°32'01" E	79.12'
L11	N 53°42'08" E	24.90'
L12	N 77°36'09" W	119.88'
L13	N 08°32'16" E	18.80'
L14	N 06°13'28" E	85.48'
L15	S 83°26'20" E	34.24'
L16	N 55°28'40" E	39.52'
L17	N 10°05'50" E	25.18'
L18	N 07°03'10" W	65.19'
L19	N 14°08'29" E	71.68'
L20	N 08°12'08" E	70.57'
L21	N 36°17'47" E	20.89'
L22	N 08°12'08" E	15.20'
L23	N 17°10'07" E	19.00'
L24	S 16°29'06" W	49.11'
L25	N 77°24'09" W	12.41'
L26	N 08°45'59" E	70.82'
L27	S 08°41'37" W	25.01'
L28	S 81°33'05" E	28.86'
L29	S 06°32'16" W	25.01'

LINE	BEARING	DISTANCE
L30	S 81°31'55" E	192.55'
L31	N 16°31'32" E	320.16'
L32	N 81°32'01" W	32.64'
L33	N 06°13'28" E	219.77'
L34	S 83°46'32" E	172.18'
L35	S 08°13'28" W	30.00'
L36	S 83°26'20" E	28.00'



PROPOSED MOND POLE FREE-STANDING SIGN TO BE LOCATED 10' FROM ROW (R/L). SIGN WILL ADVERTISE FOR TENANTS OF LOTS 2, 6, 7 & 8



PLAT NO **11758**
DATE **MAY 01 2024**
WASHINGTON COUNTY



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

15 EAST MAIN STREET
NEW BLOOMFIELD, PA 17068
717.275.7301

606 SOUTH HANOVER STREET
CARLEISLE, PA 17033
717.701.8111

20 WEST BALTIMORE STREET
GREENCASTLE, PA 12225
717.591.1907

128 SOUTH POTOMAC STREET
HAGERSTOWN, MD 21740
301.791.3850

FINAL PLAT OF SUBDIVISION
OF
LOTS 4-8
FOR
Sharsburg Pike Holding, LLC
SITUATE ALONG THE EAST SIDE OF SHARPSBURG PIKE
WASHINGTON COUNTY, MARYLAND

PROJECT NO.	5563.C
DWN BY	LEJ
DATE	2.17.2023
PROJECT MANAGER	TMF
EMAIL	TFrederick@fsa-inc.com
ELECTION DISTRICT	10
PROPERTY INFORMATION	57-10-160
ACCOUNT NO.	10-020174
SCALE	1" = 100'
SHEET TITLE	

FINAL PLAT OF
SUBDIVISION
S-23-020
SHEET 01 OF 04

Owner:
Sharsburg Pike Holding, LLC
1741 Dual Highway, Suite B
Hagerstown MD 21740



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: Sharpsburg Pike Real Estate LLC
117 West Patrick Street
Suite 200
Frederick MD 21701

Appellant: Sharpsburg Pike Real Estate LLC
117 West Patrick Street
Suite 200
Frederick MD 21701

Property Location: 10320 -10406 Sharpsburg Pike
Hagerstown, MD 21740

Description Of Appeal: Variance from the 25 ft. setback for the sign support structure from the road right-of-way to 10 ft. for proposed freestanding sign and a variance from the 10 ft. setback from the road right-of-way to 3.47 ft. for parking space.

Docket No: AP2025-026
Tax ID No: 10013364
Zoning: HI
RB Overlay: No
Zoning Overlay:
Filed Date: 10/02/2025
Hearing Date: 10/29/2025

Appellant's Legal Interest In Above Property:

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

Previous Petition/Appeal Docket No(s):

Applicable Ordinance Sections:

Washington County Zoning Ordinance Section 22.23(e) and Section 22.12 (f) 3 i

Reason For Hardship: Expanded Road right-of-way and limiting visibility

If Appeal of Ruling, Date Of Ruling:

Ruling Official/Agency:

Existing Use: Commercial Lot

Proposed Use: Freestanding Sign

Previous Use Ceased For At Least 6 Months:

Date Ceased:

Area Devoted To Non-Conforming Use -

Existing:
Proposed:

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

Appellant Signature

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this 7 day of October, 20 25.

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: AP2025-026

State of Maryland Washington County, To Wit:

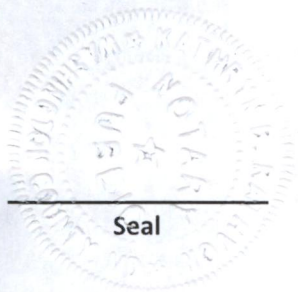
On 10/2/2025, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Frederick Seibert & Associates Inc and made oath in due form of law as follows:

Frederick Seibert & Associates Inc 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 10/29/2025, 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 10/14/2025 and will remain until after the above hearing date.

Frederick Seibert & Associates Inc

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



Seal

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

Notary Public

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

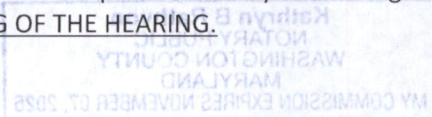
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3. The sign must be posted in a conspicuous manner not over six (6) feet above the ground level, and affixed to a sturdy frame where it will be clearly visible and legible to the public.
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5. An affidavit 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 MARYLAND

BOARD OF ZONING APPEALS

OWNER REPRESENTATIVE AFFIDAVIT

This is to certify that FSA, Inc (C/O: Ed Schreiber)
is authorized to file an appeal with the Washington County Board of Appeals for
Sharpsburg Pike Real Estate LLC SIGN SETBACK VARIANCE on property
located at 10320-10406 Sharpsburg Pike, Hagerstown, MD 21740
The said work is authorized by Sharpsburg Pike Real Estate LLC C/O: Ed Scott
the property owner in fee.

ED SCOTT
301-676-8444
301 694-6571

PROPERTY OWNER

Sharpsburg Pike Real Estate LLC

Name

117 W Patrick St, 200

Address

Hagerstown, MD 21701

City, State, Zip Code

[Signature]

Owner's Signature

Sworn and subscribed before me this 21st day of Aug, 2025.

[Signature]

Notary Public

My Commission Expires: 8/23/2025



AUTHORIZED REPRESENTATIVE

ED SCHREIBER

Name

128 S. POTOMAC ST

Address

HAGERSTOWN MD, 21740

City, State, Zip Code

[Signature]

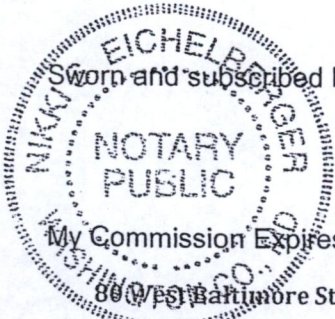
Authorized Representative's Signature

Sworn and subscribed before me this 29 day of September, 2025.

[Signature]

Notary Public

My Commission Expires: 9/15/2028



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

Frederick Seibert & Associates, Inc.

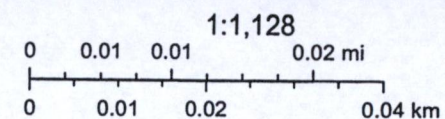


9/30/2025, 1:22:23 PM

World_Transportation

Parcels Washington County

MD_SixInchImagery



Maxar, Microsoft, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Esri, HERE, iPC,

Web AppBuilder for ArcGIS

Maxar, Microsoft | MD IMAP, DoIT | U.S. Geological Survey | Hagerstown MD | Washington County Planning Department | Source: USDA NRCS, Esri | Washington County | Maryland Department of Transportation (MDOT), Maryland Department of Transportation State

Project Name: Sharpsburg Pike Retail

Owner/Applicant: Sharpsburg Pike Real Estate, LLC

Project Address: 10320-10406 Sharpsburg Pike, Hagerstown, MD 21740

Tax Map 57 **Grid** 10 **Parcel** 113

Account # 10017726, 10015685, 10004829, 10019567, 10019087, 10013364

Zoning: HI

**Variance Request – Section 22.23(e) – Use on Premises Signs
Washington County Zoning Ordinance**

The applicant is requesting a variance from Section 22.23(e) of the Washington County Zoning Ordinance, which states that "no part of the supporting structure of a use on premises sign shall be located closer than twenty-five (25) feet to the right-of-way." The applicant seeks to reduce this setback requirement to permit the supporting structure of the proposed sign to be no closer than thirteen (13) feet from the right-of-way.

As illustrated in the accompanying exhibit, the existing right-of-way (ROW) in the vicinity of the proposed sign is approximately 90 feet wide. This expanded ROW was required by the Maryland State Highway Administration (MDSHA) due to the anticipated installation of traffic signals. However, the area reserved for those signals was ultimately not used, and the ROW remains substantially wider than necessary for current roadway infrastructure.

If not for the additional ROW dedication that was requested—but never utilized—the variance sought would be only five (5) feet instead of thirteen (13) feet. Therefore, the extent of the variance request is directly tied to an unusual and exceptional circumstance that is not of the applicant's making.

The hardship in this case arises from the fact that the applicant was required to provide ROW that is now unused. As a result, the location of the sign must shift farther from the entrance to remain outside of the expanded ROW, significantly limiting visibility and functional placement. Without the variance, the sign cannot be placed where it is most needed—for effective identification and wayfinding at the property entrance.

Due to the unanticipated and now-unnecessary ROW expansion, strict enforcement of the 25-foot setback would impose practical difficulties and deny the applicant reasonable use of signage in line with the property's intended commercial use.

For these reasons, the applicant respectfully requests that the variance be granted to allow the supporting structure of the sign to be located no closer than thirteen (13) feet from the right-of-way.

Project Name: Sharpsburg Pike Retail

Owner/Applicant: Sharpsburg Pike Real Estate, LLC

Project Address: 10320-10406 Sharpsburg Pike, Hagerstown, MD 21740

Tax Map 57 **Grid** 10 **Parcel** 113

Account # 10017726, 10015685, 10004829, 10019567, 10019087, 10013364

Zoning: HI

1. Variance Request – Section 22.23(e) – Use on Premises Signs

Washington County Zoning Ordinance

The applicant is requesting a variance from Section 22.23(e) of the Washington County Zoning Ordinance, which states that "no part of the supporting structure of a use on premises sign shall be located closer than twenty-five (25) feet to the right-of-way." The applicant seeks to reduce this setback requirement to permit the supporting structure of the proposed sign to be no closer than thirteen (13) feet from the right-of-way.

As illustrated in the accompanying exhibit, the existing right-of-way (ROW) in the vicinity of the proposed sign is approximately 90 feet wide. This expanded ROW was required by the Maryland State Highway Administration (MDSHA) due to the anticipated installation of traffic signals. However, the area reserved for those signals was ultimately not used, and the ROW remains substantially wider than necessary for current roadway infrastructure.

If not for the additional ROW dedication that was requested—but never utilized—the variance sought would be only five (5) feet instead of thirteen (13) feet. Therefore, the extent of the variance request is directly tied to an unusual and exceptional circumstance that is not of the applicant's making.

The hardship in this case arises from the fact that the applicant was required to provide ROW that is now unused. As a result, the location of the sign must shift farther from the entrance to remain outside of the expanded ROW, significantly limiting visibility and functional placement. Without the variance, the sign cannot be placed where it is most needed—for effective identification and wayfinding at the property entrance.

Due to the unanticipated and now-unnecessary ROW expansion, strict enforcement of the 25-foot setback would impose practical difficulties and deny the applicant reasonable use of signage in line with the property's intended commercial use.

For these reasons, the applicant respectfully requests that the variance be granted to allow the supporting structure of the sign to be located no closer than thirteen (13) feet from the right-of-way.

2. Variance Request – Section 22.11(f)i- Parking facility setbacks

The applicant is requesting a variance from Section 22.11(f)i of the Washington County Zoning Ordinance, which states that Surface parking facilities shall be physically separated from a public or private street by a buffer area of at least 10 feet from the right of way line or from the property line, whichever is greater. The applicant seeks to reduce this setback requirement to permit the parking area to be no closer than 3.47 feet from the right-of-way.

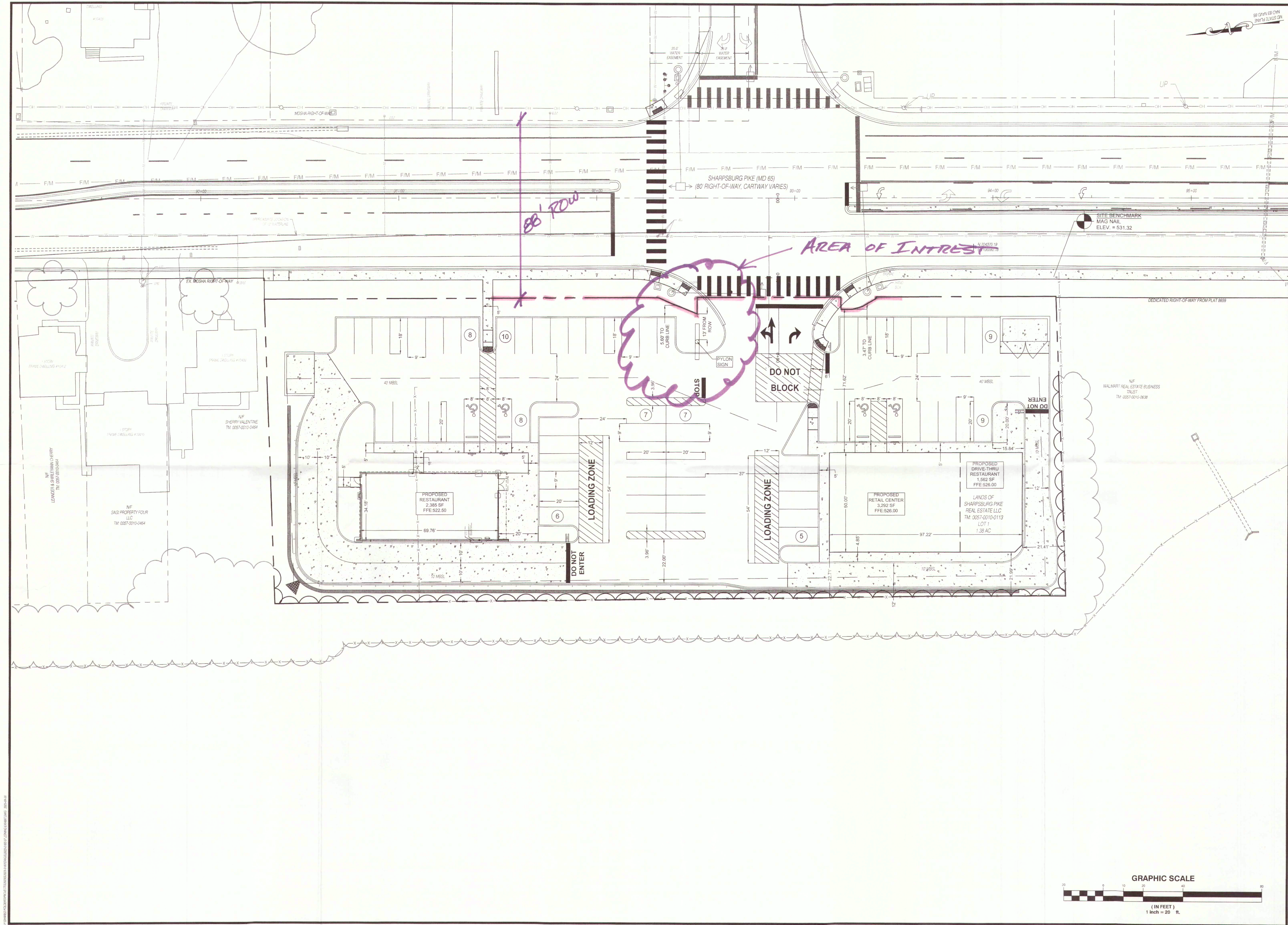
As illustrated in the accompanying exhibit, the existing right-of-way (ROW) in the vicinity of the proposed sign is approximately 90 feet wide. This expanded ROW was required by the Maryland State Highway Administration (MDSHA) due to the anticipated installation of traffic signals. However, the area reserved for those signals was ultimately not used, and the ROW remains substantially wider than necessary for current roadway infrastructure.

If not for the additional ROW dedication that was requested—but never utilized—the variance would not be sought.. Therefore, the extent of the variance request is directly tied to an unusual and exceptional circumstance that is not of the applicant's making.

The hardship in this case arises from the fact that the applicant was required to provide ROW that is now unused. As a result, the location of the parking must shift farther from the entrance to remain outside of the expanded ROW, significantly limiting the parking and functional placement of the paving. Without the variance, the parking would not meet the requirements of ZO

Due to the unanticipated and now-unnecessary ROW expansion, strict enforcement of the 10-foot setback would impose practical difficulties and deny the applicant reasonable use of land in line with the property's intended commercial use.

For these reasons, the applicant respectfully requests that the variance be granted to allow the parking area of the to be located no closer than 3.47 feet from the right-of-way.



SHARPSBURG PIKE RETAIL

NOT APPROVED FOR CONSTRUCTION

DATE: 09/22/2025

PROJECT NO: 2023-0183

OWNER: ABRAHAM MYERS

PROJECT MANAGER: T. FREDERICK

EMAIL: TFREDERICK@FSA-INC.COM

TAX MAP - GRID - PARCEL: 0057 - 0010 - 0113

SCALE: 1" = 20'

SHEET TITLE: ZONING EXHIBIT

SHEET 01 OF 01

PROFESSIONAL CERTIFICATION

I hereby certify that these documents were prepared or approved by me and that I am a duly licensed professional engineer in the State of Maryland.

DATE: 09/22/2025

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