BOARD OF APPEALS

October 14, 2026

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

AGENDA

AP2026-032: An appeal was filed by Dyllis & Jacob Minang for a variance from the required 25 ft setback from the road right-of-way to 6.38 ft for proposed monument sign on property owned by the appellants and located at 13601 Paradise Church Road, Hagerstown, Zoned Residential Suburban District. - **GRANTED**

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 5, 2026. Any person desiring a stenographic transcript shall be responsible for supplying a competent stenographer.

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

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

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

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

Tracie Felker, Chairman

Board of Zoning Appeals

WASHINGTON COUNTY BOARD OF ZONING APPEALS
747 Northern Avenue | Hagerstown, MD 21742-2723 | P:240.313.2430 | F:240.313.2431 | Hearing Impaired: 7-1-1

ZONING APPEAL

Property Owner: Dyllis & Jacob Minang
13601 Paradise Church Road
Hagerstown MD 21742

Appellant: Dyllis & Jacob Minang
13601 Paradise Church Road
Hagerstown MD 21742

Property Location: 13601 Paradise Church Road
Hagerstown, MD 21742

Docket No: AP2026-032
Tax ID No: 27013929
Zoning: RS
RB Overlay: No
Zoning Overlay:
Filed Date: 09/21/2026
Hearing Date: 10/14/2026

Description Of Appeal: Variance from the required 25 ft setback from the road right-of-way to 6.38 ft for proposed monument sign.

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

Previous Petition/Appeal Docket No(s):

Applicable Ordinance Sections: Washington County Zoning Ordinance Article 22, Division II Signs, Section 22.23 (e)

Reason For Hardship: See justification statement

If Appeal of Ruling, Date Of Ruling:

Ruling Official/Agency:

Existing Use: Residence
Proposed Use: Private School

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 23 day of September, 2026.

Nov. 7, 2029
My Commission Expires

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: AP2026-032

State of Maryland Washington County, To Wit:

On 9/21/2026, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Frederick Seibert & Assocates Inc and made oath in due form of law as follows:

Frederick Seibert & Assocates 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 10/14/2026, and that said sign(s) will be erected on the subject property in accordance with the required distances and positioning as set out in the attached posting instructions.

Sign(s) will be posted on 09/29/2026 and will remain until after the above hearing date.

Frederick Seibert & Assocates Inc

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

Notary Public

Seal

Nov. 7, 2029

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 APPEALS

OWNER REPRESENTATIVE AFFIDAVIT

This is to certify that Wyatt Pearre
is authorized to file an appeal with the Washington County Board of Appeals for
Variance's on property
located 13601 Paradise Church Road Hagerstown MD 21740.
The said work is authorized by Dyllis Minang and Jacob Minang
the property owner in fee.

PROPERTY OWNER

Dyllis Minang & Jacob Minang
Name
13601 Paradise church Road
Address
Hagerstown, MD, 21740
City, State, Zip Code

Owner's Signature

Sworn and subscribed before me this 17 day of September, 2026.

Notary Public

My Commission Expires:

NIKKI S. EICHELBERGER
NOTARY PUBLIC
WASHINGTON COUNTY
STATE OF MARYLAND
My Commission Expires 9/15/2028

AUTHORIZED REPRESENTATIVE

Wyatt Pearre
Name
128 S. Potomac Street
Address
Hagerstown, MD, 21740
City, State, Zip Code

Authorized Representative's Signature

Sworn and subscribed before me this 17 day of September, 2026.

Notary Public

My Commission Expires:

NIKKI S. EICHELBERGER
NOTARY PUBLIC
WASHINGTON COUNTY
STATE OF MARYLAND
My Commission Expires 9/15/2028

BOARD OF APPEALS

WASHINGTON COUNTY, MARYLAND

APPLICATION FOR AREA VARIANCE

Monument Sign Setback — Chesterton Academy

Project: Chesterton Academy — 13601 Paradise Church Road

Project	Chesterton Academy
Owners / Applicants	C/O Dyllis Minang / Jacob Minang
Property	13601 Paradise Church Road, Hagerstown, Maryland 21740
Tax identification	Tax Map 24 | Grid 18 | Parcel 1049 | Account 27-013945
Zoning	RS — Residential Suburban
Requested relief	Variance from Washington County Zoning Ordinance §22.23(e)
Required setback	25.00 feet
Proposed setback	6.38 feet
Variance requested	18.62-foot reduction
Sign	Proposed monument sign advertising Chesterton Academy

WRITTEN STATEMENT IN SUPPORT OF AREA VARIANCE

1. Nature of the Request

The Applicant requests an area variance from Washington County Zoning Ordinance §22.23(e) to reduce the required 25-foot setback for the supporting structure of a free-standing business sign to 6.38 feet from the applicable street right-of-way line. The proposed monument sign will identify and advertise Chesterton Academy at 13601 Paradise Church Road.

The requested relief is a reduction of 18.62 feet from the stated 25-foot setback requirement. The request is limited to the location of the proposed monument sign and does not seek approval of a use that is otherwise prohibited by the zoning regulations.

2. Property and Site Conditions

The subject property is located at 13601 Paradise Church Road, Hagerstown, Maryland 21740, and is identified as Tax Map 24, Grid 18, Parcel 1049, Account 27-013945. The property is zoned RS (Residential Suburban).

The submitted Monument Sign Exhibit identifies Paradise Church Road as having a 20-foot cartway and 50-foot right-of-way, and depicts a 25.00-foot dedicated right-of-way area along the property frontage. The exhibit also identifies a line to be vacated, an existing brick wall, and the proposed monument sign location.

The existing brick wall is a significant physical condition along the Paradise Church Road frontage. It affects the visibility of an entrance sign when the sign is located farther back from the roadway.

3. Evidence to Establish Uniqueness / Practical Difficulty

The requested variance is based upon physical conditions affecting this particular property rather than upon personal preference or convenience. The property's frontage is affected by the existing right-of-way configuration, including the 25-foot dedicated ROW, together with the existing brick wall.

These conditions constrain the practical placement of an entrance identification sign. Requiring the supporting structure to be located the full 25 feet from the applicable right-of-way line would move the monument sign farther back from Paradise Church Road. Because of the existing brick wall, that location would substantially diminish the sign's visibility to motorists approaching the property.

The proposed 6.38-foot location allows the entrance to be identified from the roadway while keeping the sign on the subject property and outside the public right-of-way. The submitted exhibit provides the scaled site information and identifies the proposed monument sign and the 6.38-foot dimension.

4. Why Strict Compliance Creates Practical Difficulty

Strict compliance with the 25-foot setback would require the sign to be placed farther from the roadway despite the property's existing frontage constraints. The resulting placement would reduce the sign's ability to identify the entrance because of the existing brick wall.

The practical difficulty is therefore tied to the physical relationship among the dedicated ROW, the property frontage, the existing brick wall, and the entrance. The applicant is not relying on construction cost, financial hardship, or personal convenience as the basis for the request.

The requested relief is limited to the sign location shown on the submitted exhibit and is intended to provide the minimum relief necessary for reasonable entrance visibility.

5. Section 25.6 Neighborhood Considerations

- The proposed variance is limited to the setback of the monument sign shown on the submitted exhibit.
- The sign will remain on the subject property and outside of the public right-of-way.
- The sign will be maintained so that it does not create a traffic or pedestrian safety hazard or obstruct required sight distance.
- The request does not authorize a change to the property's underlying zoning classification.
- The requested variance is not intended to create a special privilege unrelated to the physical conditions of the property.
- The proposed sign is intended to provide identification of the Chesterton Academy entrance and will not create an unusual land-use impact beyond the sign itself.

6. Minimum Relief Requested

The Applicant has identified a proposed setback of 6.38 feet from the applicable right-of-way line. The requested variance is therefore limited to the difference between the 25-foot requirement and the proposed 6.38-foot location. No greater setback reduction is requested.

7. Requested Action

For the reasons stated above, the Applicant respectfully requests that the Washington County Board of Appeals grant an area variance from Section 22.23(e) of the Washington County Zoning Ordinance, permitting the supporting structure of the proposed Chesterton Academy monument sign to be located 6.38 feet from the applicable street right-of-way line, consistent with the submitted Monument Sign Exhibit and subject to all other applicable County requirements.

PROPOSED FINDINGS OF FACT AND CONCLUSION

The following is offered as an organizational aid for the Board and County staff and may be revised based on the evidence presented at the hearing.

1. The Applicants, C/O Dyllis Minang & Jacob Minang, is the owner/applicant for the property at 13601 Paradise Church Road, Hagerstown, Maryland 21740.

2. The property is identified as Tax Map 24, Grid 18, Parcel 1049, Account 27-013945.

3. The property is zoned RS (Residential Suburban).

4. The Applicant proposes a monument sign advertising and identifying Chesterton Academy.

5. Section 22.23(e) requires a 25-foot setback applicable to the supporting structure of a free-standing business sign.

6. The requested location for the proposed monument sign is 6.38 feet from the applicable street right-of-way line, requiring an 18.62-foot reduction.

7. The submitted Monument Sign Exhibit depicts a 25.00-foot dedicated right-of-way, a line to be vacated, an existing brick wall, and the proposed monument sign.

8. The existing brick wall affects visibility of a sign located farther back from Paradise Church Road.

9. The combination of the existing ROW configuration and brick wall creates a property-specific practical difficulty in locating an entrance identification sign while maintaining reasonable visibility.

10. The requested relief is limited to the sign location shown on the submitted exhibit and is the minimum relief requested by the Applicant.

11. The sign will remain outside the public right-of-way and will remain subject to applicable sight-distance and safety requirements.

12. Granting the variance will permit identification of the commercial entrance without changing the underlying zoning of the property.

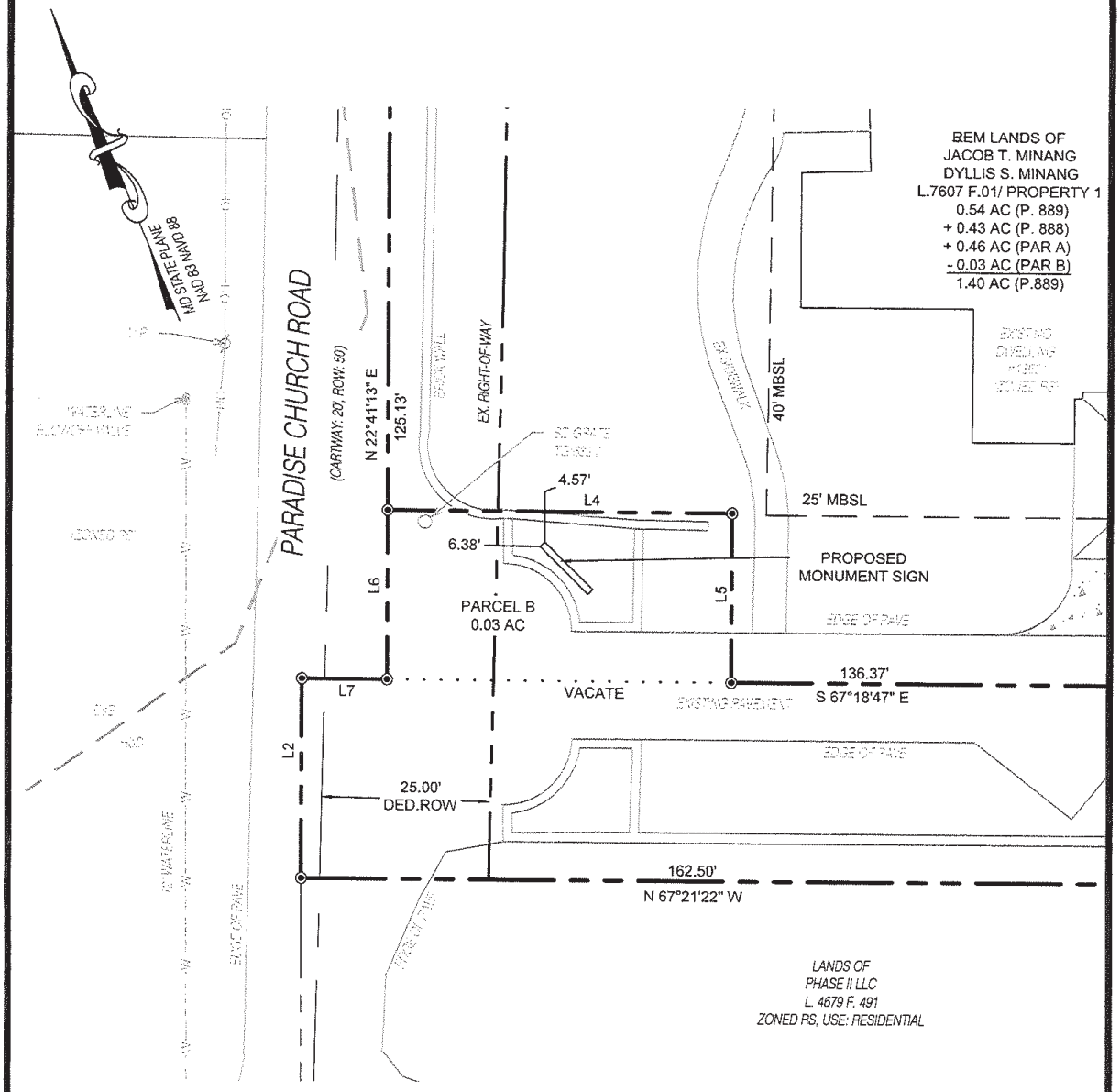
Conclusion

Based upon the physical conditions of the subject property, the Applicant respectfully requests that the Board grant the requested variance from Section 22.23(e) and permit the proposed monument sign to be located 6.38 feet from the applicable street right-of-way line, as shown on the submitted Monument Sign Exhibit.

MONUMENT SIGN EXHIBIT

FOR

CHESTERTON ACADEMY OF THE DEVINE FAMILY



SCALE: 1" = 20'

20 0 10 20 40

PROPERTY INFORMATION	24-18-1049
DWN BY: MTJ	DATE: 08-19-2026
PROJECT MANAGER: FFrederick	EMAIL: FFrederick@fsa-inc.com
SCALE	1" = 20'
SHEET 01 OF 01	

FREDERICK, SEIBERT & ASSOCIATES, INC. ©2026 fsa-inc.com

CIVIL ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS • LAND PLANNERS

128 SOUTH POTOMAC STREET, HAGERSTOWN, MD 21740, 301.791.3650

11142 WILLIAMSPORT PIKE, GREENCASTLE, PA 17225, 717.597.1007

505 SOUTH HANOVER STREET, CARLISLE, PA 17013, 717.701.8111

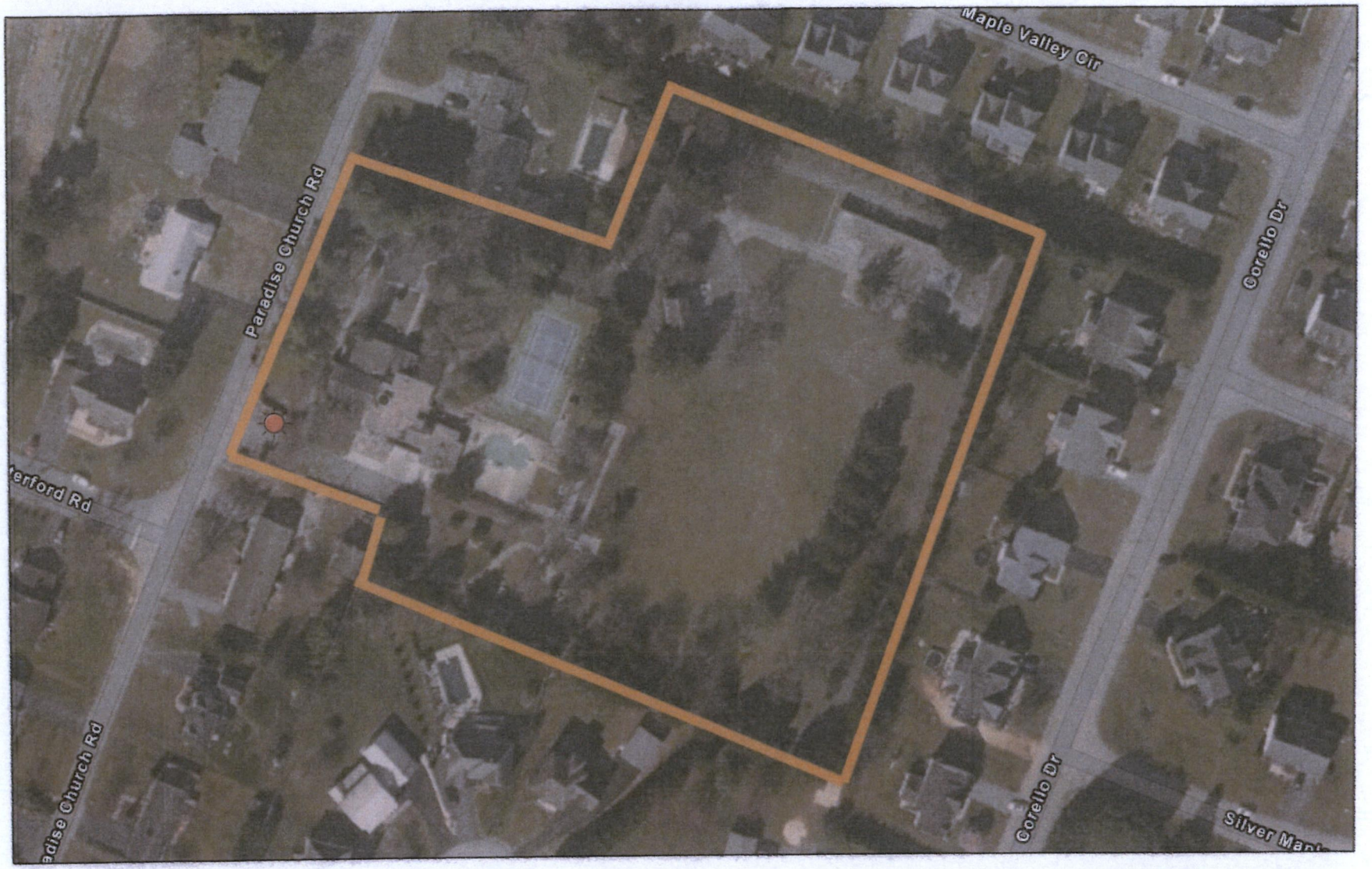
15 EAST MAIN STREET, NEW BLOOMFIELD, PA 17068, 717.275.7531

PROJECT NO. 2025-0186

P:\SHARED FOLDERS\PROJECTS\2025\2025-0186\DWG\SUBDIVISION\2025-0186 - SIGN EXHIBIT - 2026.DWG 2026-08-19

Key: Red dot indicates location of the Sign.

Frederick Seibert & Associates, Inc.



9/9/2026, 11:05:12 AM

SixInchImagery2023_2024

World_Transportation

1:1,796

0 0.01 0.02 0.04 mi

0 0.02 0.04 0.07 km

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

Web AppBuilder for ArcGIS

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

BEFORE THE BOARD OF APPEALS
FOR WASHINGTON COUNTY, MARYLAND

Dyllis and Jacob Minang	*	**Appeal No.: AP2026-032**
	*	
APPELLANT	*	
	*	

* * * * * * * * * * * * *

OPINION

Dyllis and Jacob Minang (hereinafter "Appellants") requests a variance to reduce the required setback from the road right of way for a free-standing sign from 25 feet to 6.38 feet. The subject property is located at 13601 Paradise Church Road, Hagerstown, MD 21742 and is zoned Residential Suburban. The Board held a public hearing on this matter on October 14, 2026.

The appeal was heard pursuant to Article 25 of the Zoning Ordinance for Washington County and upon notice to the parties and general public as required. Kathryn Rathvon provided the Staff Report indicating that proper notice of the hearing was given to adjacent property owners by letter, publication was made in the newspaper, and the subject property was properly posted. Initially, there was third party testament provided in opposition to the proposed variance. During this testimony, it became clear that the third party's concerns were based on a mistaken understanding of the requested variance, and the opposition was withdrawn.

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. Appellants are the owners of the subject property located at 13601 Paradise Church Road, Hagerstown, MD 21742. The subject property is zoned Residential Suburban.

2. The property is the future site of a private school, Chesterton Academy.

3. The unique layout of the area coupled with existing terrain features as well as

artificial features such as a low brick wall, would make it difficult to see a sign 25 feet from road right of way.

4. The proposed sign is not intrusive nor out of character for the neighborhood and does not represent a safety issue as it is separated from the roadway by a low brick wall with no possibility of becoming a potential obstacle for motorists.

5. Requiring strict compliance would cause Practical Difficulty for the owners of the property.

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.[1] "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 difficulties are typically generated due to the uniqueness of a property. "'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)

[1] **"**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)

or other similar restrictions." *North v St. Mary's Cnty.*, 99 Md.App. 502, 514 (1994).

Pursuant to Section 22.23 of the Zoning Ordinance, a free-standing business sign may be erected provided that it is not less than 25 feet from the street right of way. The Board finds that, based on the layout and nature of the property in question, there are unique difficulties inherent in the property that impose Practical Difficulties on the Appellant, which cannot be ameliorated by lesser relaxing of the Ordinance, for a use which would undoubtedly both serve the spirit of the ordinance and be in the interest of public welfare by increasing the overall safety of the property.

The property in question is large for the area and is separated from the nearest road by a low brick wall and substantial vegetation. These obstacles mean that placing the sign 25 feet away from the right of way would significantly reduce the visibility of the entrance sign from the right of way. In contrast, placing the proposed sign 6.38 feet from the roadway significantly increases the visibility of the sign. Furthermore, while the wall and vegetation could be removed in order to accommodate a sign that is at least 25 feet removed from the right of way, the Board finds that this would represent an unnecessary burden given the fact that placing the sign 6.38 feet from the right of way on this property would not represent any additional public safety risk or result in any detriment to the public. The sign is separated from the nearest road by a brick wall; therefore, the sign will not encroach upon the road or represent a danger to motorists. Furthermore, due to surrounding vegetation, the sign will be more visible in the proposed spot than if it were placed further from the right of way. The spirit of the code, that is to provide appropriate notice to motorists while maintaining their safety, is satisfied by the proposed setback.

Accordingly, the request for a variance request to reduce the required setback from 25 feet to 6.38 feet is granted by a vote of four with one dissention. 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: November 11, 2026

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.