

## **BOARD OF APPEALS**

**October 28, 2026**

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

### **AGENDA**

**AP2026-033:** An appeal was filed by Cascade Properties LLC for a variance from the required 25 ft front yard setback to 10 ft and a variance from the required 25 ft rear yard setback to 10 ft for development of one single-family residential subdivision on property owned by the appellant and located at 25009 Lake Wastler Drive, Cascade, Zoned Special Economic Development District.

**AP2026-034:** An appeal was filed by Jansen & Emily Forsyth for a variance from the required 50 ft rear yard setback to 25.7 ft for proposed addition to single-family dwelling on property owned by the appellants and located at 14538 Mercersburg Road, Clear Spring, Zoned Agricultural Rural 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 19, 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:** Cascade Properties LLC  
c/o John Krumpotich  
25009 Lake Wastler Drive  
Highfield-Cascade MD 21719

**Appellant:** Cascade Properties LLC  
25009 Lake Wastler Drive  
Highfield-Cascade MD 21719

**Property Location:** 25009 Lake Wastler Drive  
Cascade, MD 21719

**Description Of Appeal:** Variance from the required 25 ft front yard setback to 10 ft and a variance from 25 ft rear yard setback to 10 ft for development of one single-family residential subdivision.

**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):** AP2026-033, AP2025-014, AP2022-018, AP2021-035

**Applicable Ordinance Sections:** Washington County Zoning Ordinance Article 19C, Section 19C.6 Lot Area, Lot Width, and Yard Requirements

**Reason For Hardship:** See justification statement

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

**Ruling Official/Agency:**

**Existing Use:** Former Military Base

**Proposed Use:** Residential Use

**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.

*[Signature]*

Appellant Signature

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this 30 day of September, 2026.

Nov. 7, 2029

My Commission Expires

*[Signature]*

Notary Public



WASHINGTON COUNTY BOARD OF ZONING APPEALS

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

## AFFIDAVIT IN COMPLIANCE WITH SECTION 25.51(C)

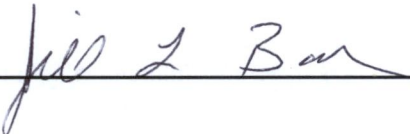
Docket No: AP2026-033

State of Maryland Washington County, To Wit:

On 9/30/2026, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Cascade Properties LLC and made oath in due form of law as follows:

Cascade Properties LLC 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 10/28/2026, 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 10/13/2026 and will remain until after the above hearing date.

  
Cascade Properties LLC

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

  
Notary Public

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!

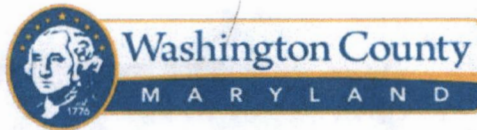
### Posting Instructions

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.





## Board of Appeals

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

[WWW.WASHCO-MD.NET](http://WWW.WASHCO-MD.NET)

### Variance Request

Property Location 25009 Lake Wastler Dr.

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

☒ Owner (Including Joint Ownership)

☐ Lessee

☐ Contract to rent/lease

☐ Contract to Purchase

Other \_\_\_\_\_

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

*Example: Article 5A, Section 5A.5-Requires 15 ft. side yard setback.*

Article 19C - Section 19C.6

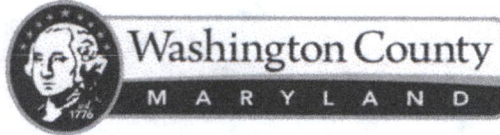
Describe the nature and extent of the desired variance from Ordinance requirements listed above:

*Example: Requesting adjustment from 15 ft. to 12 ft. for new detached garage.*

Requesting a variance from 25 ft. front yard setback to 10 ft. and from 25 ft. rear yard setback to 10 ft. for development of one single family residential subdivision.

**Applicants must make application in person and shall submit *nine (9)* complete sets of the items listed below. Incomplete applications will not be accepted.**

- A written statement demonstrating the specific reason(s) for the adjustment request including which standard the appeal is for practical difficulty or undue hardship. The standards for a variance are outlined in the Variance Filing Procedures.
- A plot plan (concept plan), drawn to a scale indicating the following information:
  - Outline of the entire property;
  - Location of all existing and/or proposed structures with measurements from structures to property lines;
  - Location of existing and/or future septic and wells;
  - Any street rights-of-way or other easements (i.e. utility, storm water management, etc.);
  - Existing/proposed entrance/exit to property, driveways, etc.
  - Existing/proposed parking areas
- If Request is for commercial use, in addition to above, the following additional information will be required:
  - Location of any freestanding signage
  - Number of employees (existing/proposed)
  - Hours of operation
  - Proposed landscaping and lighting



## BOARD OF APPEALS

### OWNER REPRESENTATIVE AFFIDAVIT

This is to certify that Jill Baker  
is authorized to file an appeal with the Washington County Board of Appeals for  
a setback variance reducing front yard and rear yard setbacks on property  
located 25009 Lake Wastler Dr.  
The said work is authorized by John Krumpotich  
the property owner in fee.

#### PROPERTY OWNER

John Krumpotich  
Name  
25009 Lake Wastler Dr.  
Address  
Cascade, MD 21719  
City, State, Zip Code  
[Signature]  
Owner's Signature

Sworn and subscribed before me this 29 day of September, 2020.

[Signature]  
Notary Public  
My Commission Expires: May 17 2029

#### AUTHORIZED REPRESENTATIVE

Jill Baker  
Name  
25009 Lake Wastler Dr  
Address  
Cascade, MD 21719  
City, State, Zip Code  
[Signature]  
Authorized Representative's Signature

Sworn and subscribed before me this 29 day of September, 2020.

[Signature]  
Notary Public  
My Commission Expires: May 17 2029

**Justification Statement**  
**Variance Request to Reduce the Number of Parking Spaces for Golf Course Use**

The owner of Cascade Properties LLC respectfully requests a variance from the Washington County Zoning Ordinance related to the front and rear yard setbacks required for a single-family lot that is proposed to be located on the land of the former Fort Ritchie military installation.

We are basing this request upon the position of practical difficulty.

**History**

Fort Ritchie is a former military base that started as a National Guard facility in 1926. Over the last 100 years the Fort has gone through significant changes to become the site that exists today. The property was used as a military base through 1998 when it was closed as part of the Federal Base Relocation and Closure Act. The property was purchased in 2021 by Cascade Properties, LLC and has had great success in revitalization and redevelopment efforts.

**Existing Conditions**

The topography of the overall property ranges from flat areas in the parade grounds to mountainous steep slopes. Most of the property that has been developed is mildly sloping but also heavily graded by the military over time.

The portion of land subject to this variance request was previously improved with an 8,600 sq. ft. administrative building including classrooms. The building was razed in 2008 under the ownership of Corporate Offices Properties Trust (COPT).

The area is located between a public road (Ritchie Road) and a private road (Banfill Avenue). The land is primarily flat with a quick upward slope to meet grade with Ritchie Road. The portion of the land nearest Ritchie Road has a greater than 20% slope (see Exhibit 1) and overall, Ritchie Road is 16 to 18 ft. higher than Banfill Avenue.

Within the vicinity of the proposed subdivision is an existing single-family home and a previous 12 space parking lot that serviced the previous building.

**Hardship Created**

The existing conditions and development patterns of the Fort are the primary reason that redevelopment is challenging. Because the property has been previously developed to meet the needs of a military base, the planning of facilities and infrastructure was done to only serve this singular function. Development of the base was done as needs arose and

not through master planning. Structures were built and torn down depending on training needs. Now being in private ownership, the property is subject to county zoning standards for the first time. This has left some previously developed areas, such as the one subject to this variance request, non-conforming to current zoning standards.

As part of the military's development, Banfill Avenue and the structures that line it were cut into the slope moving up to Ritchie Road. This development of the land created several small flat areas that were improved with residential and classroom spaces. However, none of the structures were built to meet county zoning standards. While they may not meet zoning standards, previous development has shown that relaxed standards can still meet the intent and spirit of the zoning ordinance.

The hardship at this specific location is due to its position between two roadways (Banfill Avenue and Ritchie Road) that were previously exempted from right-of-way designation requirements while under Army ownership.

Subdivision of this land would require a 25 ft. wide dedication to the county along Ritchie Road for future road improvements. These improvements are unlikely to occur given the rural location, low volume traffic counts and topography on Ritchie Road. Likely or not, a dedicated right of way will be required that creates unnecessary hardship.

Furthermore, while Banfill Avenue is currently privately owned and therefore would not be required to dedicate right-of-way, the road is intended to be improved and turned over to the county in the future. To appropriately plan for this eventuality, we are proactively addressing future conditions by accounting for right-of-way needs in front of the proposed lot. As part of the master planning of the Fort, we assume that Banfill Avenue will be a higher volume road and therefore will be classified as a collector road. Collector roads require a dedicated right-of-way of 30 ft.

At the time of future transfer of Banfill Avenue to the county, the property owner will be required to turn over the full right-of-way in fee simple. As shown in Exhibit 2, this pushes the front lot line deep into the property. Because the Army was not subject to right-of-way dedications and building setbacks, they were able to accommodate an 8,600 sq. ft. building. The footprint of the proposed single-family home will be smaller and located within the footprint of the previous building. The home will be located the same distance from Ritchie Road and slightly further away from Banfill Road than the previous structure.

#### **Proposed Variance and Justification**

The request being made for the creation of a new single-family lot is to reduce the front yard setback from 25 ft. to 10 ft. and to reduce the rear yard setback from 25 ft. to 10 ft.

In accordance with Section 25.56 of the Zoning Ordinance under the claim of practical difficulty we offer the following reasoning:

1. Strict compliance would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome. The proposed use of the property for single-family residential development is permitted in the SED district. The proposed area of the use contained an existing 8,600 sq. ft. building in the same location as the proposed residential structure. The structure existed for decades with no adverse impact on the roadways or surrounding properties. The previous occupancy of the land with a structure located within the building envelope being requested today shows that the location is suitable for development with relaxed setbacks. Therefore, strict compliance with current setback standards unfairly and unreasonably prevents the use of this land.
2. Denying the variances would do substantial injustice to the applicant and a lesser relaxation than that applied for would not give substantial relief. The variance being requested is the least amount of relaxation that could be given to constructing a single-family home at this location while still accommodating right-of-way dedications for public safety. The burden of being located between two roadways requiring a combined 55 ft. of right-of-way is unique to this property when compared to other property owners in the SED District. The variances fairly balance the public good with the needs of the property owner. It does not create adverse effects on public facilities or surrounding property owners.
3. Granting the variance would observe the spirit of the Ordinance and secure public safety and welfare. The fundamental purpose of the zoning ordinance is to create regulations that protect and promote the health, safety and general welfare of the residents in Washington County. Granting this variance would meet the spirit of these zoning regulations for multiple reasons.
  - a. Public transportation safety. The variance request is to reduce setback variances not road right-of-way dedications. While the dedications have a significant adverse effect on the proposed subdivision, they are important to provide safe public transportation.
  - b. Orderly and efficient provision of public facilities. Allowing a single-family home in this location allows the property owner to use existing infrastructure to sever the development. Because there was an existing building on the site, public water, public sewer and power utilities have existing connections. This reuse of existing infrastructure puts less cost on utility providers (i.e. Washington County).

- c. Provides sufficient area for future development at appropriate locations.

Development on the Fort promotes the principles of Smart Growth. It directs development to areas where there is existing infrastructure that can adequately support new development.

- d. Promotes conservation of natural resources and prevents environmental pollution. Developing in usable areas of the Fort provides greater protection of open space and forest resources on the property. New development must also meet more stringent environmental design standards than the previous structure. (i.e. stormwater management and forest conservation standards)

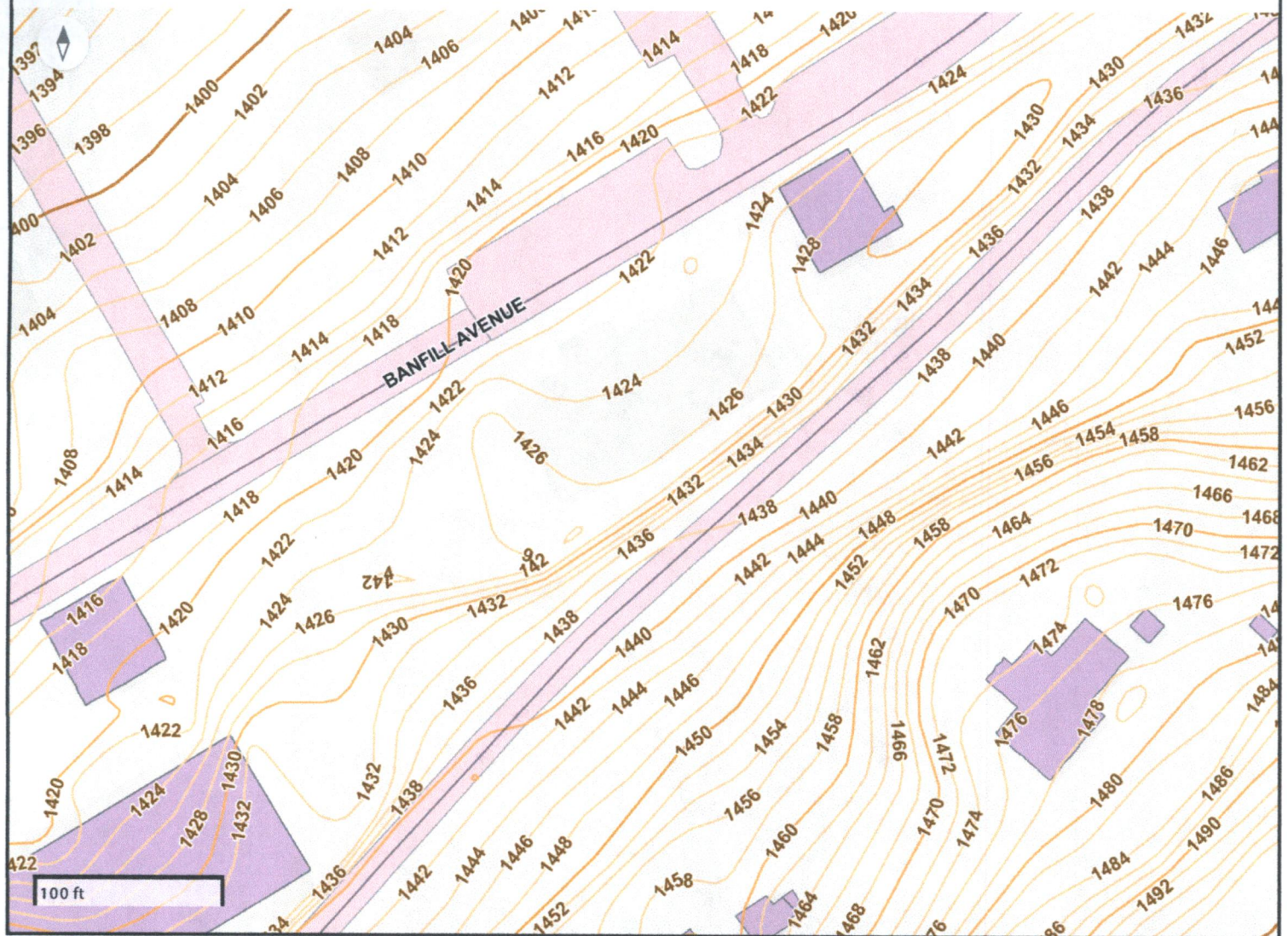
The property was developed as a military base with one primary function. It was developed as its own self-sufficient 'town' that would provide housing, employment, shopping and recreation for its soldiers and residents. Sometimes, the base would be open to the public to also enjoy the amenities the Fort had to offer, however, it was not intended or promoted to be a destination like it is today.

This property can no longer function like a military base and must now diversify and adapt to civilian development patterns. Using areas that were previously developed and still meet the purpose and spirit of the zoning ordinance are crucial in the successful redevelopment of the Fort. These areas provide additional opportunities to use existing infrastructure and improve design techniques.

For these reasons, we respectfully ask that the variance request be granted.



# Washington County Explorer



Esri Community Maps Contributors | Frederick County MD Government | WashCo MD | © Op enStreetMap, Microsoft | Esri | TomTom | Garmin | SafeGraph | GeoTechnologies, Inc | NASA | NG A | USGS | METI/NASA | FEMA | EPA | NPS | US Census Bureau | USDA | USFWS | Washington County Maryland | Washington County Maryland GIS Office, USGS, U.S. Geological Survey

Road Centerlines View Contours\_2021

Railroad

2 ft 10 ft 50 ft 100 ft 1000 ft

EOP Buildings Identity Municipalities Streams and Lakes View  
Lakes and Ponds



Major Streams

33600 46003 46006 55800

Streams

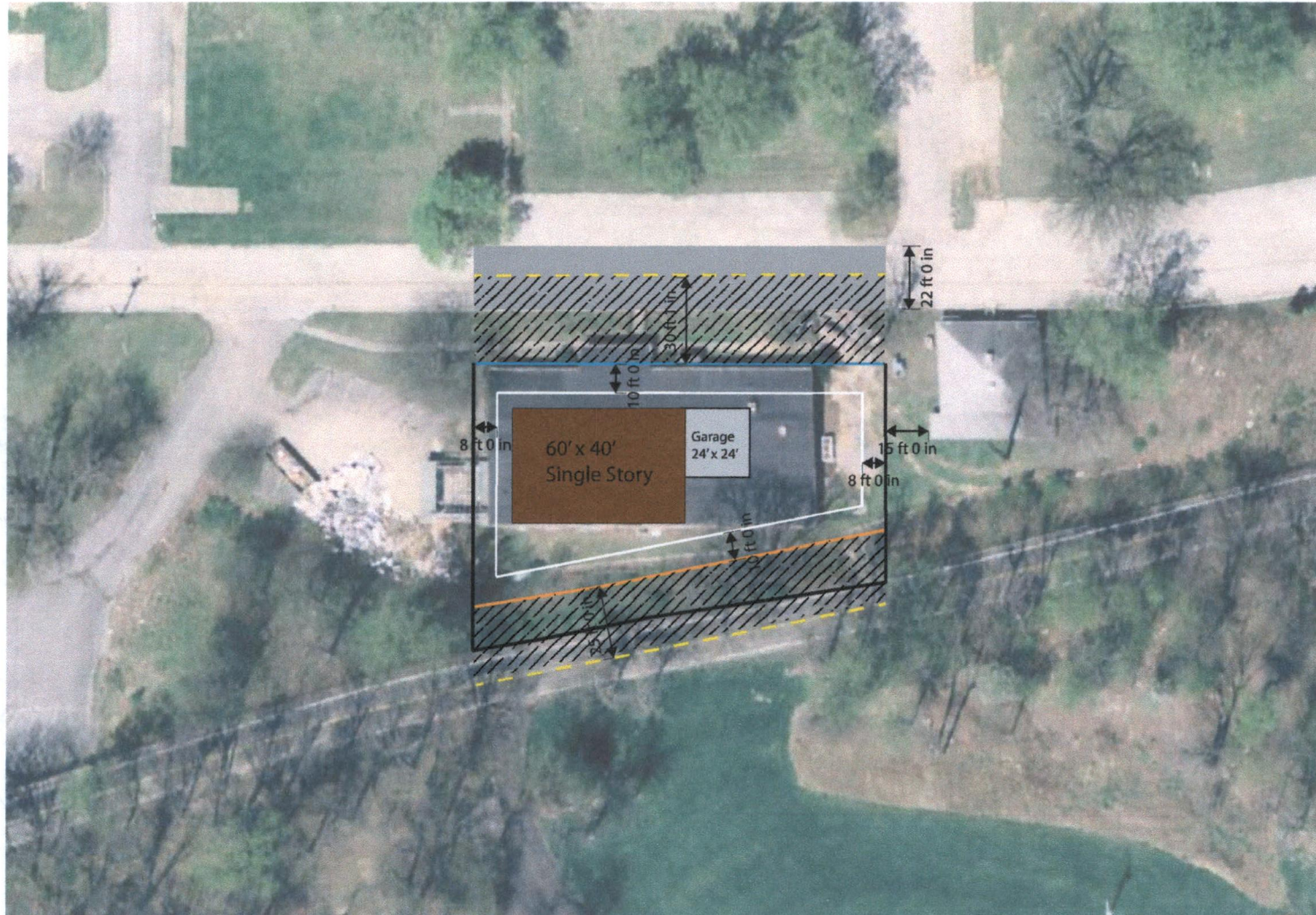
1 2 3 4 5 7

Exhibit 1



30 ft 0 in

**Variances: Front Yard - 25 ft. to 10 ft; Rear Yard 25 ft. to 10 ft.**



- Road Centerline
- Ritchie right-of-way boundary
- Banfill right-of-way boundary
- Proposed Setbacks
- Proposed Property boundaries



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:** Jansen & Emily Forsyth  
14538 Mercersburg Road  
Clear Spring MD 21722

**Appellant:** Jansen & Emily Forsyth  
14538 Mercersburg Road  
Clear Spring MD 21722

**Property Location:** 14538 Mercersburg Road  
Clear Spring, MD 21722

**Description Of Appeal:** Variance from the required 50 ft rear yard setback to 27.5 ft for proposed addition to single-family dwelling.

**Docket No:** AP2026-034  
**Tax ID No:** 04006968  
**Zoning:** A(R)  
**RB Overlay:** No  
**Zoning Overlay:**  
**Filed Date:** 10/01/2026  
**Hearing Date:** 10/28/2026

**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 Article 5A, Section 5A.5  
Residential Lot Size and Bulk Dimensions

**Reason For Hardship:** Location of the dwelling, well, and septic impact building envelope

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

**Ruling Official/Agency:**

|                                                   |                        |                      |          |
|---------------------------------------------------|------------------------|----------------------|----------|
| <b>Existing Use:</b>                              | Single-family Dwelling | <b>Proposed Use:</b> | Addition |
| <b>Previous Use Ceased For At Least 6 Months:</b> |                        | <b>Date Ceased:</b>  |          |
| <b>Area Devoted To Non-Conforming Use -</b>       |                        | <b>Existing:</b>     |          |
|                                                   |                        | <b>Proposed:</b>     |          |

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

*Emily Forsyth*

Appellant Signature

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this 1 day of October, 2026.

Nov. 3, 2029

My Commission Expires

*Theresa J. Davis*

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: AP2026-034

State of Maryland Washington County, To Wit:

On 10/1/2026, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Emily Forsyth and made oath in due form of law as follows:

Emily Forsyth 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 10/28/2026, 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.

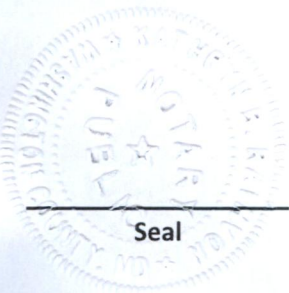
Sign(s) will be posted on 10/13/2026 and will remain until after the above hearing date.

Emily Forsyth

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

Notary Public

My Commission Expires



Seal



WASHINGTON COUNTY BOARD OF ZONING APPEALS

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

## BOARD OF ZONING APPEALS

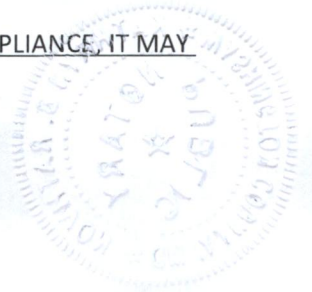
### ATTENTION!

### Posting Instructions

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

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

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





## Board of Appeals

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

[WWW.WASHCO-MD.NET](http://WWW.WASHCO-MD.NET)

### Variance Request

Property Location 14538 Mercersburg Road Clear Spring MD 21722

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

☒ Owner (Including Joint Ownership)

☐ Lessee

☐ Contract to rent/lease

☐ Contract to Purchase

Other \_\_\_\_\_

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

*Example: Article 5A, Section 5A.5-Requires 15 ft. side yard setback.*

Section 5A.5- Rear yard setback for a single family dwelling is 50 feet

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

*Example: Requesting adjustment from 15 ft. to 12 ft. for new detached garage.*

Requesting adjustment from 50 feet to 27 feet 6 inches for new home addition.

**Applicants must make application in person and shall submit *nine (9)* complete sets of the items listed below. Incomplete applications will not be accepted.**

- A written statement demonstrating the specific reason(s) for the adjustment request including which standard the appeal is for practical difficulty or undue hardship. The standards for a variance are outlined in the Variance Filing Procedures.
- A plot plan (concept plan), drawn to a scale indicating the following information:
  - Outline of the entire property;
  - Location of all existing and/or proposed structures with measurements from structures to property lines;
  - Location of existing and/or future septic and wells;
  - Any street rights-of-way or other easements (i.e. utility, storm water management, etc.);
  - Existing/proposed entrance/exit to property, driveways, etc.
  - Existing/proposed parking areas
- If Request is for commercial use, in addition to above, the following additional information will be required:
  - Location of any freestanding signage
  - Number of employees (existing/proposed)
  - Hours of operation
  - Proposed landscaping and lighting

**Emily Forsyth**

14538 Mercersburg Road  
Clear Spring, MD 21722  
(240) 217-5654  
emr22200@gmail.com

17 September 2026

**Washington County Board of Appeals**

747 Northern Avenue  
Hagerstown, MD 21742  
(240) 313-2430

To whom it may concern,

I, Emily Forsyth, joint owner of 14538 Mercersburg Road, Clear Spring, MD 21722, respectfully request a variance to construct an addition to my existing single-family dwelling.

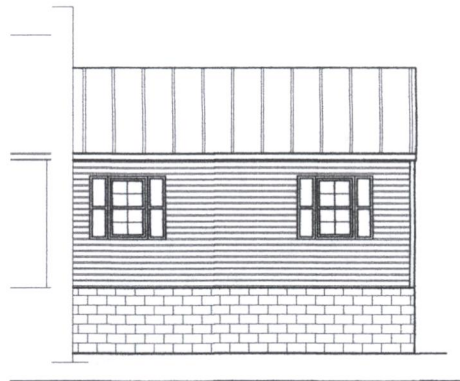
Section 5A.5 requires a 50-foot rear setback. My existing home is located only 37 feet 6 inches from the rear property line. The existing well is located 17 feet 2 inches from the home on the same side as the proposed addition, while the existing septic system is located on the opposing side. Due to the location of these existing systems and the existing dwelling, the proposed addition would be located 27 feet 6 inches from the rear property line and 16 feet 5 inches from the existing well.

These existing site conditions significantly limit where an addition can reasonably be placed on the property. I am requesting the variance based on undue hardship, as the inability to meet the required setback is caused by the existing location of the dwelling, well, and septic system. The proposed addition will provide a pantry, two closets, and a classroom/recreation room for my child.

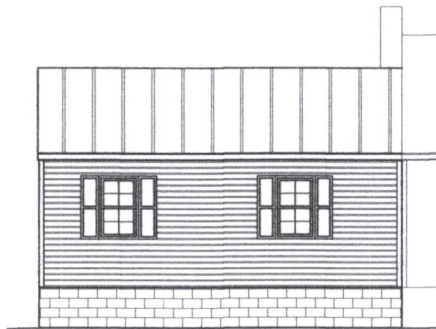
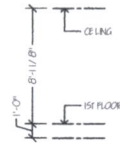
I respectfully request approval of the variance due to these unique physical limitations of the property.

Sincerely,

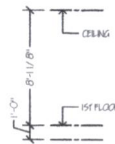
Emily Forsyth



1 FRONT ELEVATION  
A-2 SCALE: 1/4" = 1' - 0"

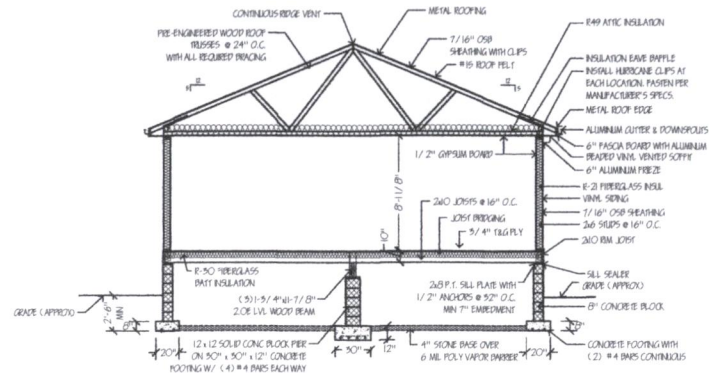


3 REAR ELEVATION  
A-2 SCALE: 1/4" = 1' - 0"



2 RIGHT ELEVATION  
A-2 SCALE: 1/4" = 1' - 0"

NOTE:  
THIS DESIGN SHOWN ARE FOR PLANNING PURPOSES  
ONLY. ACTUAL THIS DESIGN MAY VARY WITH EACH  
MANUFACTURER. MATERIAL SHIPPING SIZES, STRUCTURAL  
CONCRETE, ETC. REFER TO SUPPLIER'S DRAWINGS.



A BUILDING SECTION  
A-2 SCALE: 1/4" = 1' - 0"

LEGEND:  
DOOR & WINDOW NOTATION AS FOLLOWS:  
WINDOW: S052 WOULD BE 5'-0\"/>

1/4" = 1' - 0"

ADDITION FOR:  
**FORSYTH**  
14538 MERCERSBURG ROAD  
CLEARSPRING, MARYLAND 21722

DATE: 7-22-26  
DRAWN BY: [blank]  
CHECKED BY: [blank]  
REV: [blank]

**DRAFTING SERVICES**  
phone: 301-975-0657  
paco box 4591 Takoma park, md 21754  
paco.drafting@gmail.com



SHEET:  
**A-2**  
OF: 2  
DATE: 7-22-26

SHEET: **A-1**  
OF: **2**  
DATE: **7-22-26**

# Edna Robinson Subdivision

## Preliminary/Final Plat - Lots 1 & 2

### Simplified Plat - Parcels D & E

Situated along the west side of Mercersburg Road, approximately 1/2 mile southwest of its intersection with Dry Run Road, in Election District No. 4, Washington County, Maryland, (part of Tax Map 7, Grid 24, Parcel 37, Lot C, and Parcel 35)

Owner:  
(Parcel 37, Lot C and Parcel 35)  
Richard Marie Robinson,  
Shirley Mae Giesner,  
Jo Ann Smith,  
David Walter Robinson, and  
John Wayne Robinson

Owner/Contact:  
John Wayne Robinson  
14518 Mercersburg Road  
Clear Spring, Maryland 21711

**INTERIM FACILITIES PROPOSAL CERTIFICATION**

In compliance with COMAR 26.03.01.08 (1) and (2), the individual water supply and/or sewer system in this subdivision is a temporary interim facility. Future lot owners are advised that the individual systems serving the lot indicated on this plat are of a temporary interim nature and that construction of a future permanent system shall be made within one (1) year or less after the system becomes available.

**CERTIFICATE OF APPROVAL OF INDIVIDUAL WATER SUPPLY AND INDIVIDUAL SEWERAGE SYSTEM**

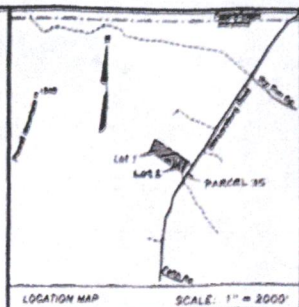
I hereby certify that the minimum sewerage area complying with the minimum lot size and minimum area requirements specified in COMAR 26.03.03 (1) and minimum sewerage area shall remain equal to the minimum lot size and minimum area set forth in COMAR 26.03.03 (1) and minimum sewerage area shall remain equal to the minimum lot size and minimum area set forth in COMAR 26.03.03 (1) and minimum sewerage area shall remain equal to the minimum lot size and minimum area set forth in COMAR 26.03.03 (1).

Date: 12-24-03 Signature: [Signature]

**Owner's Statement (For Parcel 35)**

Replication is hereby made for plat purposes of the indicated transfer of land for sewerage of land for lot enlargement purposes only and not for development. Any development of this land shall be submitted in the regular manner for approval in accordance with the provisions of the existing Subdivision Ordinance.

Richard Marie Robinson (Date) 12-24-03  
Shirley Mae Giesner (Date) 12-24-03  
Jo Ann Smith (Date) 12-24-03  
David Walter Robinson (Date) 12-24-03  
John Wayne Robinson (Date) 12-24-03



**Address Assignment Note:**

The following address assignment is based on the proposed driveway assignment shown on this plat. If the driveway is constructed at a different location, the assigned address is void, and the owner/developer of that lot must request in the office (Washington County Planning Commission) for a new address assignment.

**ADDRESS ASSIGNMENT:**  
LOT 1 - 14550 MERCEBURG ROAD  
LOT 2 - 14550 MERCEBURG ROAD

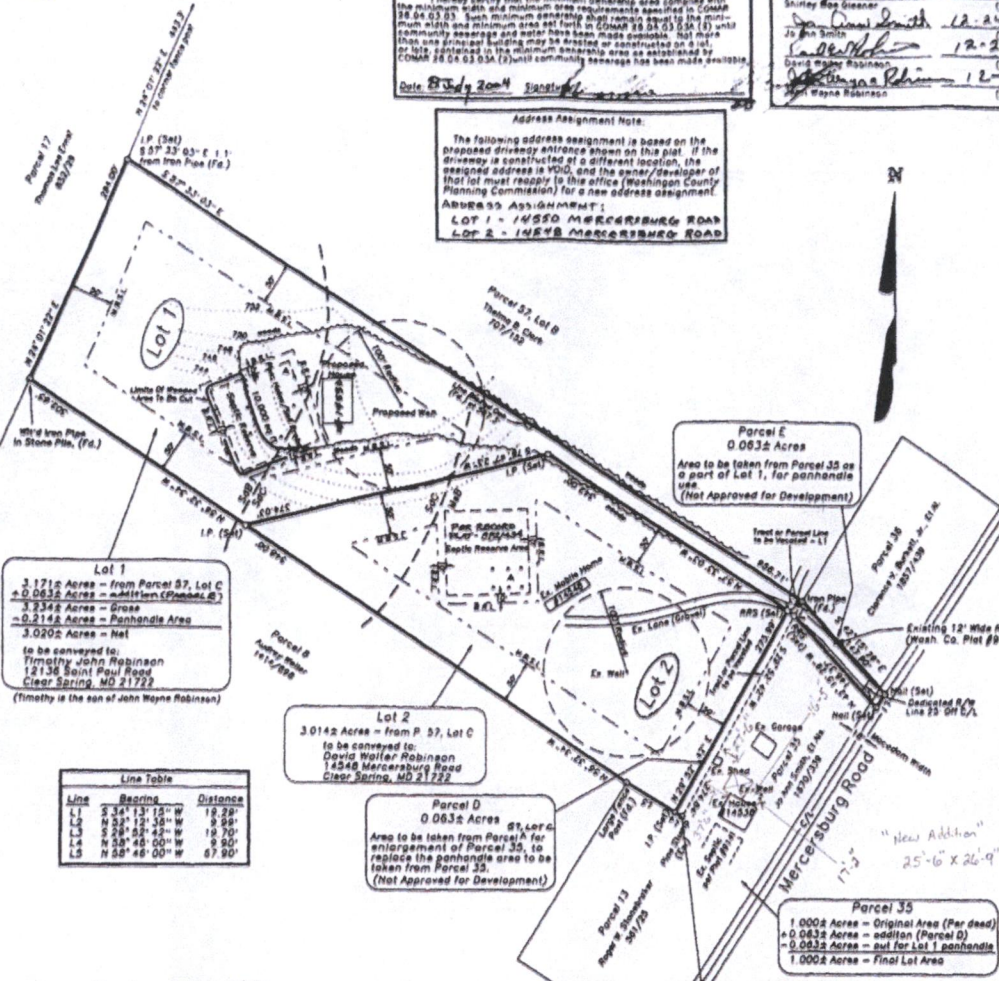
PLAT NO 782P  
DATE JUL 8 - 2004  
WASHINGTON COUNTY

- Notes:**
- Bearings and distances are from a recent survey by D.K. Golden, Land Surveying of November, 2003 with bearings based on the Preliminary/Final Plat and/or Land for Lot Enlargement, by Trudette, Saffert & Associates, Inc., dated March 18, 1982, and recorded among the land records of Washington County, Maryland, in Liber 882, Folio 434.
  - Contours derived by using spot elevations from the field survey by D.K. Golden, Land Surveying mentioned in Note 1, with base date indicated on a U.S.G.S. Map - Clear Spring, Quad 2403.
  - An eight (8) foot wide easement for utilities and drainage is to be dedicated on the interior of each side and rear lot line. A ten (10) foot wide easement for utilities is to be dedicated along the interior of the front lot line.
  - Property owner's Consentation:
    - Minimum building setback lines are 50' from all R/W's based on the current Washington County Zoning Ordinance and 10' from Setback Reserve Areas based on the current Washington County Health Department Regulations.
    - Accessory structures may be constructed in accordance with Sections 4.10 and Section 23.5(b), however, they are not permitted without the principal permitted structure.
  - Lot shall be maintained along the front lot line in such a manner as to insure maximum eight distance.
  - Lot shall be graded to insure the continuous flow of surface runoff waters along natural drainage areas.
  - Re-survey on Lot 1: 10,000 sq. ft. waste disposal system area - no construction, driveway, utility, swimming pool or physical structure permitted.
  - Soil Types: Set = Sinking gravity septic, 2 to 8 percent slope, Set = Sinking gravity septic, 8 to 18 percent slope, Set = Sinking gravity septic, 2 to 8 percent slope.
  - Area of watershed affecting this area: Less than 10 acres.
  - No additional waste or septic systems within 100' of Lot 1 except those shown.
  - Less than 40,000 square feet of forested area is to be cleared in this plan.
  - There are no flood-prone areas, steep slopes, streambeds and related buffers, or habitat of threatened or endangered species identified by the U.S. Fish and Wildlife Service (per 50 CFR 17) as required to be shown by Section 306, 307 and 314 of the Subdivision Ordinance and Section 4.21 of the Zoning Ordinance.
  - Highway Classification: A Local Road - "Mercersburg Road".
  - On 10/06/2003 a request for administrative approval of a variance from the terms of the Washington County Subdivision Ordinance, Section 4.05.11, 4.05.12, 4.05.13, to allow a portable approximately 210 feet long and 16.75 feet in width, was approved. Reference File Number 37-03-027.

**NOTICE**

A. Stormwater management will be required and must be approved by the Washington County Engineering Dept. prior to the approval of building and entrance permits.

B. Washington County Engineering Dept. review fees will be determined and due prior to the approval of building and entrance permits.



**Lot 1**  
3.1716 Acres - from Parcel 37, Lot C  
+ 0.0632 Acres - addition (Parcel D)  
3.2348 Acres - Gross  
- 0.2148 Acres - Panhandle Area  
3.0200 Acres - Net

To be conveyed to:  
Timothy John Robinson  
12136 Saint Paul Road  
Clear Spring, MD 21722  
(Timothy is the son of John Wayne Robinson)

**Line Table**

| Line | Bearing         | Distance |
|------|-----------------|----------|
| L1   | S 34° 13' 15" W | 18.28'   |
| L2   | N 52° 12' 36" W | 9.58'    |
| L3   | S 28° 52' 43" W | 19.70'   |
| L4   | N 58° 40' 00" W | 9.90'    |
| L5   | N 58° 46' 00" W | 87.90'   |

Scale: 1" = 100'

0 50 100 200

Graphic Scale



D.K. Golden, Land Surveying  
2718 Great Cove Road  
Warfordsburg, PA 17267  
Phone: 717-284-3440  
File No.: 2003-41

**SURVEYOR'S CERTIFICATE**

I hereby certify that the plan shown hereon is correct to the best of my professional ability using a Leica SDM 37 Total Station; that it is a subdivision of these 2 tracts or parcels of land that became vested in Richard Marie Robinson, Shirley Mae Giesner, Jo Ann Smith, David Walter Robinson, and John Wayne Robinson, by the following 2 deeds which are recorded among the land records of Washington County, Maryland, the first in Liber 874, Folio 180, and re-recorded in Liber 882, Folio 430, the second recorded in Liber 1870, Folio 339; I further certify that iron pins with yellow plastic identification caps marked thus "D Golden-329, Prop. M.R." have been placed as indicated (P., Set).

Signature: Dennis K. Golden Date: 12/15/03  
MD Registration No. 529

**Legend**

|              |                               |
|--------------|-------------------------------|
| --- --       | Minimum Building Setback Line |
| R/W          | Right of Way                  |
| Adm.         | Approximate                   |
| C/L          | Centerline                    |
| P.           | iron Pin                      |
| Found        | Found                         |
| Ex           | Existing                      |
| P/L          | Property Line                 |
| Witness      | Witness                       |
| Contour Line | Contour Line                  |
| Set          | Set                           |

**NOTICE: MONETARY CONTRIBUTIONS SPECIFIED BY ARTICLE V OF THE SUBDIVISION PUBLIC FACILITIES ARE DUE AND PAYABLE UPON APPLICATION FOR BUILDING PERMITS FOR CONSTRUCTION ON LOT 1 SHOWN AND APPROVED ON THIS PLAT.**

**Certificate of Approval (Lots 1 & 2)**

Final Approval Granted

2/4/04 Date

Washington County Planning Commission

By: Michael C. Pappas

**Certificate of Approval (Parcel D & E)**

Final Approval Granted

2/4/04 Date

Washington County Planning Commission

**INTERFAMILY TRANSFER DECLARATION OF INTENT**

Account # N/A, District: Map 7, Grid 24, Parcel 37, Lot C  
Name(s): Richard Marie Robinson, Shirley Mae Giesner, Jo Ann Smith, David Walter Robinson, and John Wayne Robinson  
Location: 14548 Mercersburg Road  
Current Deed Reference: Liber 882, Folio 430 and Liber 1870, Folio 338  
I/We Richard Marie Robinson, Shirley Mae Giesner, Jo Ann Smith, David Walter Robinson, and John Wayne Robinson, owners of the real property located along the west side of Mercersburg Road, approximately 1/2 mile southwest of its intersection with Dry Run Road, and described as 2 Lot (8), subdivision from the above referenced deeds, hereby declare our intent to transfer the interfamily transfer exemption for the above property in accordance with the provisions of the West Virginia Foreclosure Program and COMAR 26.18.01.04, for a period of at least five (5) consecutive full taxable years following this date.

This declaration grants an exemption for the purpose of constructing a dwelling house intended for the use by the owner, or an immediate family member of the owner based on the Washington County Foreclosure Program. The intent of the law is to provide an exemption of an immediate family member for a period of five (5) years from the date of the transfer of the property. The law also provides that the owner may use the exemption for a period of five (5) years from the date of the transfer of the property. The law also provides that the owner may use the exemption for a period of five (5) years from the date of the transfer of the property.

I declare, under the penalties of perjury, that this declaration, including any accompanying forms and statements, has been examined by me and the information contained herein is the best of my knowledge, information, and belief is true, correct and complete.

Signature: [Signature] Date: 12-24-03  
Signature: [Signature] Date: 12-24-03  
Signature: [Signature] Date: 12-24-03  
Signature: [Signature] Date: 12-24-03  
Signature: [Signature] Date: 12-24-03

**DEDICATION FOR INDIVIDUALS**

I/we do hereby certify, for ourselves and our personal representatives, heirs and assigns, that I/we are the legal and true owner(s) of the property shown and described on this plat and that I/we hereby agree to dedicate to the public use of the community the minimum building restriction lines shown hereon. I/we dedicate to public use all utility and drainage easement areas and all alley, street, and road rights of way designated on this plat, hereby agree to keep open all access and recreation areas shown hereon and hereby agree that said dedication shall not impose any responsibility on the Board of County Commissioners of Washington County regarding the use of said dedication until legal acceptance thereof by said Board, and I/we hereby reserve the fee simple title to the land underlying said easements, rights of way, open space and recreation areas and with regard to said easements, rights of way, hereby agree to convey the same to said Board for the use of said Washington County, without consideration, upon the legal acceptance of said easements and/or rights of way by said Board.

my/our grantee, assignee, successor, heirs, and personal representatives, there are no suits, actions of law, leases, liens, mortgages, trusts, easements, or rights of way affecting the property included in this plan of subdivision except the following:

**NONE**

and all parties having an interest therein have hereto affixed their signatures, indicating their consent to this plan of subdivision.

our hands and seals this 24th day of December, 2003

By: [Signature] Date: 12-24-03  
By: [Signature] Date: 12-24-03  
By: [Signature] Date: 12-24-03  
By: [Signature] Date: 12-24-03  
By: [Signature] Date: 12-24-03

Washington County Planning Commission

NOTE: REVISED PER COMMENTS 3-10-04 D.K.G.

PA7116

MSA USN 247 5416