BOARD OF APPEALS

December 2, 2026

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

AMENDED 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.

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 November 23, 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

Docket No: AP2026-033
Tax ID No: 14066790
Zoning: SED
RB Overlay: No
Zoning Overlay:
Filed Date: 09/30/2026
Hearing Date: 12/02/2026

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

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.

JP 2 3 4
Appellant Signature

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this 4 day of Nov., 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: AP2026-033

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 Jill Baker and made oath in due form of law as follows:

Jill Baker 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 12/02/2026, 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 11/17/2026 and will remain until after the above hearing date.

Jill Z Baker

Jill Baker

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

Notary Public

Nov. 7, 2029

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 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!

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Washington County
MARYLAND

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

Variance Request

Property Location 25009 Lake Wastler Dr.

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

__x__ 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

- Other information that applicants feel will be useful to justify their request, this could include pictures, letters of support from impacted neighbors, concept draws of the structure.

- If you are not the property owner, a notarized affidavit from the property owner authorizing the appeal shall be submitted. This includes applicants filing as an agent on behalf of the property owner.

- Pay the filing fee by cash, Visa/MasterCard, or check made payable to the Washington County Treasurer:
  - Residential Variance.....$150.00
  - Commercial Variance.....$300.00

  ALL FILING FEES ARE NON-REFUNABLE

  Note: A plan review fee of $150 and/or floodplain review of $150.00 may be charged by the Engineering Department.

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

Signature of Appellant/Agent

25009 Lake Wastler Dr, Cascade MD 21719
Address and of Appellant/Agent

jbaker@ritchierevival.com
Email of Appellant/Agent

301-241-2231
Phone Number of Appellant/Agent

Washington County
MARYLAND

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

Owner's Signature

Sworn and subscribed before me this 29 day of September, 20 26.

Selena Casar
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

Jill L Baker
Authorized Representative's Signature

Sworn and subscribed before me this 29 day of September, 20 26.

Selena Casar
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:

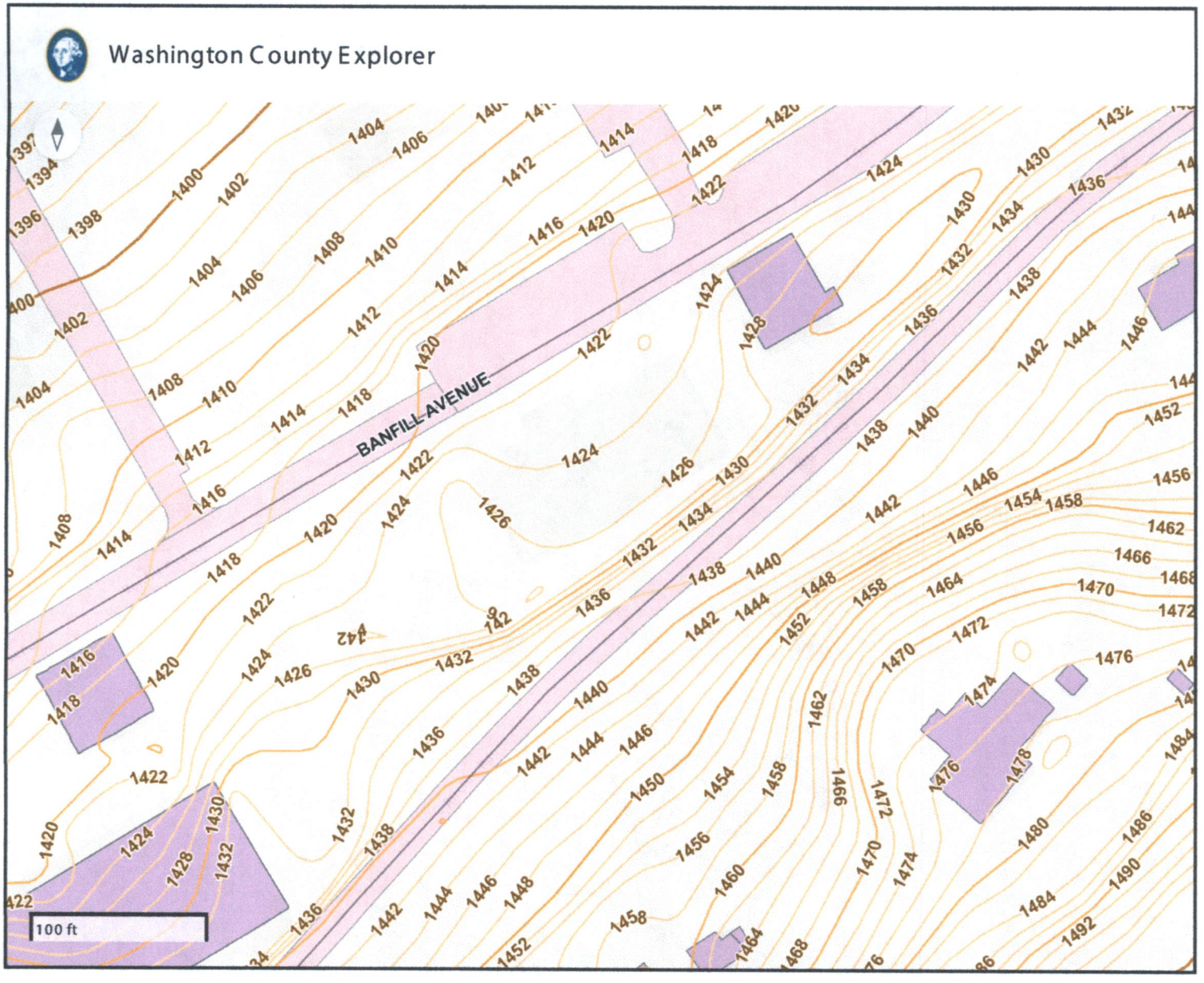
1. Strict compliance would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome. The proposed use of the property for single-family residential development is permitted in the SED district. The proposed area of the use contained an existing 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.



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

2 ft — 10 ft — 50 ft — 100 ft — 1000 ft

Railroad

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

Scale: 1in = 30 ft

30 ft 0 in

Assuming Banfill as a public road
1 story home - 2,400 sq. ft.
12,750 sq. ft. Lot
10,300 sq. ft. - Subtraction of Ritchie Road R/W dedication
Variances: Front Yard - 25 ft. to 10 ft; Rear Yard 25 ft. to 10 ft.



Exhibit 2