



Agenda Report Form

Open Session Item

SUBJECT: Public Hearing: Application for Zoning Map Amendment RZ-26-003

PRESENTATION DATE: July 21st, 2026

PRESENTATION BY: Kyla Shingleton, Comprehensive Planner, Department of Planning and Zoning

RECOMMENDED MOTION: The purpose of this public hearing is to take public comment on the rezoning application. The Commissioners have the option to reach a consensus to either approve or deny the request after the public hearing closes or deliberate on the issue at a later date.

REPORT-IN-BRIEF: Application is being made to rezone two properties to Highway Interchange from Residential Multifamily.

DISCUSSION: The applicant, Michael Godinez, is seeking a map amendment for the properties at 18132 and 18128 Maugans Ave. The applicant wishes to change the current zoning from Residential, Multifamily to Highway Interchange. The applicant has applied under both “change in neighborhood” and “mistake in current zoning”.

When rezonings are not part of a comprehensive rezoning by the governing body, individual map amendments are under an obligation to meet the test of the “Change or Mistake” Rule. The “Change or Mistake” Rule requires proof by the applicant that there has been either: a substantial change in the character in of the neighborhood since the last comprehensive zoning plan (2012), or a mistake in designating the existing zoning classification.

As part of the evaluation to determine whether the applicant has proven whether there has been either a change or mistake in the zoning of a parcel, the Maryland Annotated Code Land Use Article and the Washington County Zoning Ordinance state that the local legislative body is required to make findings of fact on at least six different criteria in order to ensure that a consistent evaluation of each case is provided. Those criteria include:

1) population change; 2) the availability of public facilities; 3) present and future transportation patterns; 4) compatibility with existing and proposed development for the area; 5) the recommendation of the planning commission; and 6) the relationship of the proposed amendment to the local jurisdiction’s Comprehensive Plan.

This item was presented to the Washington County Planning Commission at a Public Information Meeting held during their regular meeting on May 4, 2026. At their regular meeting on June 1, 2026, members unanimously recommended in favor of the proposed map amendment under the reasoning of “Change”. Several public comments have been received in favor of this proposal. No public comments have been received in opposition of this proposal.

FISCAL IMPACT: N/A

CONCURRENCES: Washington County Planning Commission

ALTERNATIVES: N/A

ATTACHMENTS: Application, staff report, Planning Commission recommendation, approved Planning Commission minutes and written public comments

AUDIO/VISUAL NEEDS: None



Washington County

MARYLAND

FOR PLANNING COMMISSION USE ONLY

Rezoning No. _____

Date Filed: _____

WASHINGTON COUNTY PLANNING COMMISSION ZONING ORDINANCE MAP AMENDMENT APPLICATION

Michael Godinez / Dominion Realty LLC

Applicant

18113 Maugans Ave Suite 101 Hagerstown, MD 21740

Address

Michael Godinez

Primary Contact

18113 Maugans Ave Suite 101 Hagerstown, MD 21740

Address

☐ Property Owner

☐ Attorney

☐ Other: _____

☒ Contract Purchaser

☐ Consultant

240-457-0288

Phone Number

michael@gardendominion.com

E-mail Address

Property Location: 18128 Maugans Ave Hagerstown, MD 21740

Tax Map: 0243 Grid: 0000 Parcel No.: 1374 Acreage: 0.35367

(According to
Survey
For \$
Assessor)

Tax Account ID: District - 13 Account Identifier - 008426

Current Zoning: RM Requested Zoning: HI

Reason for the Request:

☒ Change in the character of the neighborhood

☒ Mistake in original zoning

☐ Floating or overlay zoning district

Applicant's Signature

Subscribed and sworn before me this 19 day of February, 2026

My commission expires on 10-15-28

Notary Public

FOR PLANNING COMMISSION USE ONLY

☐ Application Form

☐ Fee Worksheet

☐ Application Fee

☐ Ownership Verification or
Owner's Affidavit

☐ Boundary Plat (Including Metes &
Bounds)

☐ Vicinity Map

☐ Justification Statement

☐ 2 hard copies and 1 digital copy of
complete Application Package



Washington County MARYLAND

FOR PLANNING COMMISSION USE ONLY

Rezoning No. _____

Date Filed: _____

WASHINGTON COUNTY PLANNING COMMISSION ZONING ORDINANCE MAP AMENDMENT APPLICATION

Michael Godinez / Dominion Realty LLC

Applicant

18113 Maugans Ave Suite 101 Hagerstown, MD 21740

Address

Michael Godinez

Primary Contact

18113 Maugans Ave Suite 101 Hagerstown, MD 21740

Address

☐ Property Owner

☐ Attorney

☐ Other: _____

☒ Contract Purchaser

☐ Consultant

240-457-0288

Phone Number

michael@gardendominion.com

E-mail Address

Property Location: 18132 Maugans Ave Hagerstown, MD 21740

Tax Map: 0243 Grid: 0000 Parcel No.: 1373 Acreage: 0.37406

(According to Survey By For Assessor)

Tax Account ID: District - 13 Account Identifier - 003890

Current Zoning: RM Requested Zoning: HI

Reason for the Request:

☒ Change in the character of the neighborhood

☒ Mistake in original zoning

☐ Floating or overlay zoning district

Michael Godinez

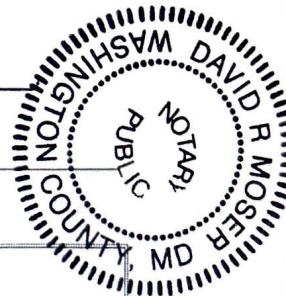
Applicant's Signature

Subscribed and sworn before me this 19 day of February, 2026

My commission expires on 10-15-28

David R. Moser

Notary Public



FOR PLANNING COMMISSION USE ONLY

☐ Application Form

☐ Fee Worksheet

☐ Application Fee

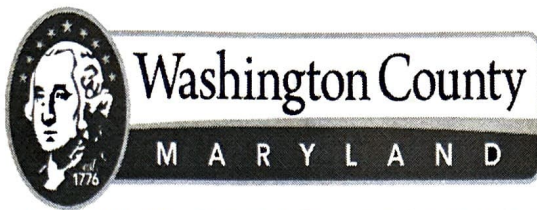
☐ Ownership Verification or
Owner's Affidavit

☐ Boundary Plat (Including Metes &
Bounds)

☐ Vicinity Map

☐ Justification Statement

☐ 2 hard copies and 1 digital copy of
complete Application Package



WASHINGTON COUNTY DEPARTMENT OF
PLANNING & ZONING FEE WORKSHEET

FOR PLANNING COMMISSION USE ONLY

Rezoning No. _____

Date Filed: _____

PLEASE COMPLETE ONLY THE
SECTION THAT APPLIES.

Applicant's Name: Michael Godinez / Dominion Realty LLC

Date: 2/19/26

Zoning Ordinance Map Amendment \$ 2,000.00

Number of Acres * 1 (min) x \$20.00 [1 acre minimum]
per acre \$ 20.00

Engineering Review Fee \$ 150.00

Technology Fee \$ 15.00

TOTAL FEES DUE – MAP AMENDMENT \$ 2,185.00

*Minimum charge of \$20.00 [if less than one acre]

Text Amendment \$ 2,000.00

Choose One: ☐ Adequate Public Facilities Ordinance
☐ Forest Conservation Ordinance
☐ Solid Waste Plan
☐ Subdivision Ordinance
☐ Zoning Ordinance
☐ Other: _____

Technology Fee \$ 15.00

TOTAL FEES DUE – TEXT AMENDMENT \$ 2,015.00

Water and Sewer Plan Amendment \$ 2,000.00

Technology Fee \$ 15.00

TOTAL FEES DUE – WATER AND SEWER PLAN AMENDMENT \$ 2,015.00

Forest Conservation Exemption \$ 25.00

Technology Fee \$ 15.00

TOTAL FEES DUE – FOREST EXEMPTION \$ 40.00

Please make checks payable to "Washington County Treasurer".



Washington County

M A R Y L A N D

WASHINGTON COUNTY PLANNING COMMISSION ZONING ORDINANCE MAP AMENDMENT

REQUIRED APPLICATION MATERIALS CHECKLIST

All materials **must** be clearly labeled

Original plus 1 copy and one digital copy (sent to
askplanning@washco-md.net) of complete application package

- ✓ ☒ 1. **Application Form:** A completed and signed application form. The application must be notarized if submitted by anyone other than the property owner(s).
- ✓ ☒ 2. **Fee Worksheet and Application Fee:** A completed Fee Worksheet must be submitted at the time application is made. If paying by check, please make checks payable to the "Washington County Treasurer". If paying by credit card, the application must be accepted for completeness and initialized by the Department prior to accepting payment. An invoice will be e-mailed to the applicant and **must** be paid prior to the deadline specified in the e-mail. The rezoning process will not begin until payment has been received.
- ✓ ☒ 3. **Ownership Verification:** Proof of ownership interest in the subject property, including a copy of the current deed to the property; **OR**, an Owner's Affidavit.
- ✓ ☒ 4. **Boundary Plat:** A boundary description, including metes and bounds, prepared and sealed by a land surveyor registered in the State of Maryland.
- ✓ ☒ 5. **Vicinity Map:** An 8 1/2 " x 11" page size map showing the zoning of all property within 1,000 feet of the site.
- ✓ ☐ 6. **Justification Statement:** Rezoning applications for Euclidean zones must provide evidence to support the applicant's claim that a change in the character of the neighborhood or a mistake in the current zoning has occurred. Applications **must** address all items specified and described in Section 27.3 of the County's Zoning Ordinance, including, but not limited to the following information:
 - ✓ a. Population change in the area of the proposed change.
 - ✓ b. Availability of public facilities in the area.
 - ✓ c. Present and future transportation patterns in the area.
 - ✓ d. Compatibility with existing and proposed development of the area including indication of neighboring sites identified by the Washington County Historic Sites Survey and subsequent revisions or updates.
 - ✓ e. The relationship of the proposed change to the Adopted Plan for the County. Development Analysis Plan Map and Policies.
 - ✓ f. Whether there was a substantial change in the character of the neighborhood where the property is located.
 - ✓ g. Whether there was a mistake in the existing zoning classification.
 - ✓ h. Whether there has been a convincing demonstration that the proposed rezoning would be appropriate and logical for the subject property.
 - ✓ i. Justification for change in the character of the neighborhood shall include:
 - i. A description of the neighborhood and events that have occurred since the last comprehensive zoning of the property; **AND**
 - ii. Describe how the request is consistent with the County's most recent adopted Comprehensive Plan; **AND**
 - iii. Provide a statement describing how the requested zoning is logical and appropriate.

✓ j. Justification for mistake in the current zoning shall include:

- i. Describe events that have occurred since the last comprehensive zoning of the property that supports the applicant's claim that the County erred in the application of the current zoning; **AND**
- ii. Describe how the request is consistent with the County's most recent adopted Comprehensive Plan; **AND**
- iii. Provide a statement describing how the requested zoning is logical and appropriate.

N/A

7. Floating Zone and Overlay Zone Map Amendments:

- a. Applications for floating or zones shall include information required by the respective Articles of the Zoning Ordinance. These include Articles 5E, 15, 16, 17, 18 and 20.
- b. Applications for floating or overlay zones shall include select information required by Article 27.3, including:
 - i. Availability of public facilities in the area.
 - ii. Present and future transportation patterns in the area.
 - iii. Compatibility with existing and proposed development of the area including indication of neighboring sites identified by the Washington County Historic Sites Survey and subsequent revisions or updates.
 - iv. The relationship of the proposed change to the County's most recent adopted Comprehensive Plan.
 - v. Provide a statement describing how the requested zoning is logical and appropriate for the area.

SPECIAL NOTE: When requesting one of the following zoning districts, a Concept Plan (developed in accordance with the requested district Articles noted above) must be submitted with the zoning map amendment application.

- Rural Business (RB)
- Mixed Use Residential (MXR)
- Mixed Use Commercial (MXC)
- Mixed Use Employment (MXE)
- Industrial Mineral (IM)
- Planned Industrial (PI) *
- Planned Business (PB) *

*Concept plans developed for proposed new PI or PB districts **must** receive Planning Commission approval prior to inclusion in an amendment application.



Washington County

M A R Y L A N D

Department of Planning and Zoning
OWNER REPRESENTATIVE AFFIDAVIT

This is to certify that Michael Godinez / Dominion Realty LLC
is authorized to file a rezoning application with the Department of Planning and Zoning for
Re-Zoning from "RM" to "HI" zoning on property
located 18132 Mangans Ave Hagerstown MD 21740.
The said work is authorized by Tracy Lynn Greene
the property owner in fee.

PROPERTY OWNER

Tracy Lynn Greene

Name

15596 Camden Drive

Address

Greencastle, PA, 17225

City, State, Zip Code

T. Greene

Owner's Signature

Sworn and subscribed before me this 18 day of February, 2026.

[Signature]
Notary Public

My Commission Expires:



AUTHORIZED REPRESENTATIVE

Michael Godinez / Dominion Realty LLC

Name

18113 Mangans Ave Suite 101

Address

Hagerstown, MD 21740

City, State, Zip Code

[Signature]

Authorized Representative's Signature

Sworn and subscribed before me this 18th day of February, 2026.

Commonwealth of Pennsylvania - Notary Seal
TINAMARIE SCOTT-HUDSON - Notary Public
Franklin County
My Commission Expires February 24, 2028
Commission Number 1230141

Tinamarie Scott-Hudson

Notary Public

My Commission Expires:

Feb. 24, 2028

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

WWW.WASHCO-MD.NET



Washington County

M A R Y L A N D

Department of Planning and Zoning

OWNER REPRESENTATIVE AFFIDAVIT

This is to certify that Michael Godinez / Dominion Realty LLC
is authorized to file a rezoning application with the Department of Planning and Zoning for
Re-zoning from "BM" to "HI" zoning on property
located 18128 Mangos Ave Hagerstown, MD 21740
The said work is authorized by FB Real Estate LLC / Fatima Bhutta
the property owner in fee.

PROPERTY OWNER

Fatima Bhutta
Name
11420 Woodview Drive
Address
Hagerstown, MD, 21742
City, State, Zip Code
Fatima Bhutta
Owner's Signature

Sworn and subscribed before me this 19th day of FEBRUARY, 2026.

[Signature]
Notary Public

My Commission Expires:

5/25/2028

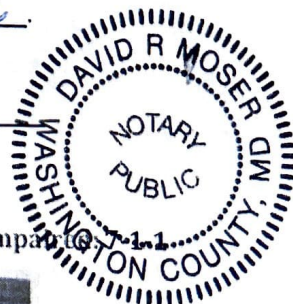
AUTHORIZED REPRESENTATIVE

Michael Godinez / Dominion Realty LLC
Name
18113 Mangos Ave Suite 101
Address
Hagerstown, MD 21740
City, State, Zip Code
[Signature]
Authorized Representative's Signature

Sworn and subscribed before me this 19 day of February, 2026.

[Signature]
Notary Public

My Commission Expires: 10-15-28



747 Northern Avenue | Hagerstown, MD 21742 | P: 240.313.2430 | F: 240.313.2461 | Hearing Impaired: 1-800-768-7111

B. Type of Loan

1. ☐ FHA	2. ☐ RHS	3. ☐ Conv. Unins.	4. File No. 2026-844	7. Loan No. 183724	8. Mortgage Insurance Case No.
4. ☐ VA	5. ☐ Conv Ins.				

C. Note: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "p.o.c." were paid outside the closing; they are shown here for informational purposes and are not included in the totals.

D. Name & Address of Borrower: FB Real Estate, LLC 11420 Woodview Drive Hagerstown, MD 21742	E. Name & Address of Seller: John Lynch 11947 Azalea Drive Hagerstown, MD 21740	F. Name & Address of Lender: Commercial Lender LLC PO BOX 3803 VERNON, CT 06066
G. Property Location: 18128 Mangans Avenue Hagerstown, MD 21740	H. Settlement Agent: Premier Settlements & Title Services, LLC Place of Settlement: 223 North Prospect Street Suite 208 Hagerstown, MD 21740	I. Settlement Date: 02/06/2026 Pending Date: 02/06/2026 Disbursement Date: 02/06/2026

J. Summary of Borrower's Transaction

K. Summary of Seller's Transaction

Settlement statement
showing that
"FB Real Estate, LLC"
a.k.a. "Fatima Bhutta"
owns the property &
not "John Lynch".
Fatima Bhutta signed
owner's affidavit.

220,000.00	400. Gross Amount Due to Seller
39,747.13	401. Contract sales price
	402. Personal property
	403.
	404.
	405.
5772.23	Adjustment for items paid by seller in advance
	406. City/Town Taxes
	407. County Taxes 02/06/2026 to 06/30/2026
	408. Assessments
	409.
	410.
	411.
	412.
260,519.36	420. Gross Amount Due to Seller
11,000.00	500. Reductions in Amount Due to Seller
223,000.00	501. Excess deposit (see instructions)
	502. Settlement charges to seller (line 1400)
	503. Existing loan(s) taken subject to
	504. Payoff of First Mortgage Loan
	505. Payoff of Second Mortgage Loan
	506. Water 5956743
	507.
	508.
	509.
	Adjustments for items unpaid by seller
	510. City/Town Taxes
	511. County Taxes
	512. Assessments
	513. Sewer 11/26/2025 to 02/06/2026
	514.
	515.
	516.
	517.
	518.
	519.
224,151.33	520. Total Reduction Amount Due Seller
240,519.36	600. Cash at Settlement to/from Seller
224,151.33	601. Gross amount due to seller (line 420)
224,151.33	602. Less reductions in amounts due seller (line 520)
34,368.03	603. Cash
	604. Cash

Section 5 of the Real Estate Settlement Procedures Act (RESPA) requires the following: • HUD must develop a Special Information Booklet to help persons borrowing money to finance the purchase of residential real estate to better understand the nature and costs of real estate settlement services; • Each lender must provide the booklet to all applicants from whom it receives or for whom it prepares a written application to borrow money to finance the purchase of residential real estate; • Lenders must prepare and distribute with the Booklet a Good Faith Estimate of the settlement costs that the borrower is likely to incur in connection with the settlement. These disclosures are mandatory.

Section 4(a) of RESPA mandates that HUD develop and prescribe this standard form to be used at the time of loan settlement to provide full disclosure of all charges imposed upon the borrower and seller. These are third party disclosures that are designed to provide the borrower with pertinent information during the settlement process in order to be a better shopper.

The Public Reporting Burden for this collection of information is estimated to average one hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

The information requested does not lend itself to confidentiality.

700. Total Real Estate Broker Fees	Paid From Borrower's Funds at Settlement	Paid From Seller's Funds at Settlement
Division of commission (line 700) as follows:		
701. \$		
702. \$		
703. Commission paid at settlement		
704.		
800. Items Payable in Connection with Loan		
801. Our origination charge		
802. Your credit or charge (points) for the specific interest rate chosen		
803. Appraisal fee		
804. Credit report		
805. Tax service		
806. Flood certification		
807. Loan Origination Fee to Commercial Lender LLC	\$5,017.50	
808. Closing Fee to Elite Commercial Closings, LLC	\$1,995.00	
809. Admin Fee to Investment Property Loan Exchange LLC	\$395.00	
810. Lender Holdback to Commercial Lender LLC	\$25,000.00	
900. Items Requested by Lender to be Paid in Advance		
901. Daily interest charges from 02/04/2026 to 03/01/2026 @ \$54.94 /day	\$1,263.74	
902. Mortgage insurance premium		
903. Homeowner's Insurance to TAPCO	\$1,545.09	
904.		
1000. Reserves Deposited with Lender		
1001. Initial deposit for your escrow account		
1002. Homeowner's Insurance		
1003. Mortgage Insurance		
1004. Property taxes		
1005.		
1006.		
1007. Aggregate Adjustment \$0.00		
1100. Title Charges		
1101. Settlement or closing fee to Premier Settlements & Title Services, LLC		
1102. Owner's title insurance to First American Title Insurance Company	\$1,191.00	
1103. Lender's title insurance to First American Title Insurance Company	\$284.00	
1104. Lender's title policy limit \$221,000.00		
1105. Owner's title policy limit \$220,000.00		
1106. Title - Buyer Settlement Fee to Premier Settlements & Title Services, LLC	\$575.00	
1107. Title - Seller Settlement Fee to Premier Settlements & Title Services, LLC		\$350.00
1108. Title - Title Abstract to American Title Services, Inc.	\$300.00	
1109. Title - Electronic Document Storage to Premier Settlements & Title Services, LLC	\$60.00	
1110. Title - Deed Prep to Mary Ann Ferguson	\$20.00	
1111. Title - Title Insurance Binder to Premier Settlements & Title Services, LLC	\$35.00	
1112. CPL (Lender) to First American Title Insurance Company	\$95.00	
1200. Government Recording and Transfer Charges		
1201. Recording Fee: Deed \$60.00 Mortgage \$115.00 Release \$ to Clerk of the Circuit Court	\$175.00	
1202. City/County tax/stamp: Deed \$650.00 Mortgage \$0.00 to Clerk of the Circuit Court	\$425.00	\$425.00
1203. State tax/stamp: Deed \$1,100.00 Mortgage \$0.00 to Clerk of the Circuit Court	\$550.00	\$550.00
1204. Reconciliation Tax - County (Deed) to Clerk of the Circuit Court	\$836.00	\$836.00
1205. Reconciliation Tax - County (Mortgage) to Clerk of the Circuit Court	\$22.80	
1300. Additional Settlement Charges		
1301.		
1302.		
1303.		
1304.		
1305.		
1306.		
1307.		
1308.		
1309.		
1400. Total Settlement Charges (enter on lines 103, Section J and 502, Section K)	\$39,747.13	\$2,161.00

See signature addendum

FB Real Estate, LLC, a Maryland Limited Liability Company

By: *Jamie Burt*
Fiduciary, Sole Member

2/6/26
Date

John Lynch
Date

2/6/26
Date

The HUD-1 settlement statement which I have prepared is a true and accurate account of this transaction. I have caused or will cause the funds to be disbursed in accordance with this statement

Settlement Agent

[Signature]

2/6/26
Date

Real Property Data Search ()
Search Result for WASHINGTON COUNTY

[View Map](#)

[No Ground Rent Redemption on File](#)

[No Ground Rent Registration on File](#)

Special Tax Recapture: None

Account Number: District - 13 Account Identifier - 003890

Owner Information

Owner Name:	GREENE TRACY LYNN	Use:	RESIDENTIAL
		Principal Residence:	YES
Mailing Address:	18132 MAUGANS AVE HAGERSTOWN MD 21740-	Deed Reference:	/07342/ 00381

Location & Structure Information

Premises Address:	18132 MAUGANS AVE HAGERSTOWN 21740-0000	Legal Description:	LOT 75X251 0.39 ACRES 18132 MAUGANS AVE
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Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0243	0000	1373	13010330.22	0000				2026	Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1950	1,410 SF		0.3900 AC	

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
1 1/2	YES	STANDARD UNIT	SIDING/	3	1 full/ 1 half	1 Detached	

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2026	07/01/2025	07/01/2026
Land:	53,400	53,400		
Improvements	155,900	201,400		
Total:	209,300	254,800	209,300	224,467
Preferential Land:	0	0		

Transfer Information

Seller: BRADLEY RALPH JR	Date: 10/23/2023	Price: \$80,000
Type: NON-ARMS LENGTH OTHER	Deed1: /07342/ 00381	Deed2:
Seller: M & T BANK	Date: 06/26/2018	Price: \$80,000
Type: NON-ARMS LENGTH OTHER	Deed1: /05780/ 00255	Deed2:
Seller: DAVIS EDWARD G	Date: 03/29/2018	Price: \$105,525
Type: NON-ARMS LENGTH OTHER	Deed1: /05717/ 00268	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2025	07/01/2026
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application	Date:
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Real Property Data Search ()
Search Result for WASHINGTON COUNTY

View Map	No Ground Rent Redemption on File	No Ground Rent Registration on File
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Special Tax Recapture: None

Account Number: District - 13 Account Identifier - 008426

Owner Information

Owner Name:	LYNCH JOHN	Use:	RESIDENTIAL
		Principal Residence:	NO
Mailing Address:	11949 AZALEA DRIVE HAGERSTOWN MD 21740-0000	Deed Reference:	/05140/ 00472

Location & Structure Information

Premises Address:	18128 MAUGANS AVE HAGERSTOWN 21740-0000	Legal Description:	PT LOT 92X110 18128 MAUGANS AVE
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Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0243	0000	1374	13010330.22	0000				2026	Piat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1933	1,638 SF		10,120 SF	

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
1 1/2	YES	STANDARD UNIT	STUCCO/	3	1 full	1 Attached	

Value Information

	Base Value	Value	Phase-In Assessments	
		As of	As of	As of
		01/01/2026	07/01/2025	07/01/2026
Land:	50,000	50,000		
Improvements	135,000	182,100		
Total:	185,000	232,100	185,000	200,700
Preferential Land:	0	0		

Transfer Information

Seller: COMMUNITY DEV ADM MD DEPT	Date: 01/07/2016	Price: \$72,800
Type: NON-ARMS LENGTH OTHER	Deed1: /05140/ 00472	Deed2:
Seller: POE STEPHEN S	Date: 04/22/2015	Price: \$136,000
Type: NON-ARMS LENGTH OTHER	Deed1: /04950/ 00028	Deed2:
Seller: BRICKER GARY L & CARLA F	Date: 05/05/2008	Price: \$184,000
Type: ARMS LENGTH IMPROVED	Deed1: /03491/ 00626	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2025	07/01/2026
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application	Date:
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FROM:

Dominion Realty LLC
18113 Maugans Ave Suite 101
Hagerstown, MD 21740

TO: Washington County Planning Commission

RE: Rezoning Request (18128 & 18132 Maugans Ave)

To whom it may concern,

We are requesting to rezone the properties located at 18128 and 18132 Maugans Avenue, Hagerstown, MD 21740, from their current “RM – Residential Multifamily” designation to “HI – Highway Interchange.” This request is based on changes in the neighborhood since the last comprehensive rezoning in 2012, as well as a potential misalignment with the original zoning in light of surrounding land uses, anticipated future development, and greatly increased vehicular traffic counts.

These parcels are situated on the west side of Maugans Avenue, which is predominantly occupied by commercially zoned HI (Highway Interchange) properties, including Burger King, Dunkin’ Donuts, the former Bobcat facility, Fulton Bank, Martin’s Garage, Allegheny Ag, UAW, and seven additional businesses located directly opposite the subject proper ties. All Maugans Avenue parcels located west of I-81, beyond the subject properties and extending up to 18113 Maugans Avenue, are zoned “HI,” with the exception of 18128 and 18132 Maugans Avenue, which retain their “RM” zoning designation. They are the last two Maugans Avenue–addressed houses on the west side of the avenue in this area that are not zoned “HI”.

These parcels are the only Maugans Avenue–fronting properties that are both physically and functionally isolated from the remainder of the RM-zoned district, which is served by a network of internal roads and neighborhood access that these parcels neither connect to nor share. While the remainder of the RM zone benefits from low-traffic, residential streets and a neighborhood-oriented setting, these parcels are located directly on Maugans Avenue—a corridor classified by MDOT as an “Urban Minor Arterial” carrying approximately 8,000 vehicles per day, or over 2.29 million vehicle passes annually. Traffic counts in front of the parcels increased by roughly 8% between 2023 and 2024 alone. The location and traffic exposure of these parcels are therefore inconsistent with the intended character and purpose of the RM zoning district, as

established under Washington County's 2012 zoning ordinance.

Additionally, these two parcels are physically separated from the remainder of the RM-zoned district by substantial buffers of mature trees, shrubs, and other vegetation—which equates to approximately 142 feet from the rear west side of the property to the nearest RM-zoned house, and approximately 59 feet from the rear east side to the nearest RM-zoned house—creating a clear visual and functional separation. This separation reflects a key intent of the zoning ordinance, which is to distinctly differentiate RM areas from HI and other commercial zoning areas. The property immediately to the west and rear of the subject parcels is owned by Washington County and is dedicated exclusively to stormwater management for the remaining RM zone; it does not serve the subject parcels. This area cannot be altered or developed for residential purposes, as it is essential for managing stormwater for all dwellings within the RM district. Dense vegetation surrounding the subject parcels further reinforces their separation from the remainder of the RM zone, and a perennial stream running through this section also contributes to their isolation. Since additional residential development is not possible due to the stream, stormwater management area, and conservation trees, reclassifying these parcels to 'HI' zoning is further supported, as such a change would have no potential for adverse impacts in the future.

Additional Considerations

Recent Neighborhood Change: The most recent comprehensive zoning plan was adopted in 2012. Since that time, substantial additional development has occurred in the immediate vicinity of these two parcels, including directly across the street. In 2012, the site across from the subject properties contained a small structure which supported, at most, a single low-volume commercial business. That structure has since been demolished and replaced with two new buildings totaling nearly 20,000 square feet of commercial space, accommodating seven businesses.

Utilities: Both parcels have access to public water (City of Hagerstown), sewer service (Washington County), natural gas, fiber-optic internet, and electricity—including three-phase power, which is uncommon in residential areas and indicates that the parcels are ready for commercial use, like the properties across from it and nearby, further supporting reclassification to 'HI' zoning.

Surrounding Areas / Development: It is our understanding that Maugans Avenue is part of the county's 20-year improvement plan, which is anticipated to further increase traffic

volumes over time. Independently of these parcels or this project, improvements are planned at the intersection of Maugans Avenue and Shawley Drive to support additional commercial development along Shawley Drive and Label Lane. These planned enhancements reinforce the expectation of continued growth in the area and suggest that both traffic and local population are likely to increase along Maugans Avenue, the primary access route to the subject parcels. Increasing traffic volumes and continued nearby development along Maugans Avenue further support the appropriateness of classifying these two parcels as "HI".

Consistent with Comprehensive County Plan: Reclassifying these two parcels from 'RM' to 'HI' ~~would remain consistent with what we~~ understand to be the County's long-term vision for this corridor. As currently configured, there is clear physical separation between these parcels and any residential or multi-family development. Notably, other HI-zoned properties directly adjoin the same RM district without the degree of buffer space or mature vegetation that separates these two parcels. As discussed in the 'Surrounding Areas / Development' section above, such a transition would be reasonable and consistent with the evolving character of the corridor, particularly given the concentration of HI-zoned commercial uses directly across the street, adjacent to, and in close proximity to the subject properties.

Potential For Error In 2012: It is reasonable to consider that the original 2012 Comprehensive Zoning Plan may not have fully accounted for the unique characteristics of these two parcels in relation to the surrounding area and Maugans Ave. At that time, commercial activity in the immediate vicinity was limited—particularly across the street—and traffic volumes were lower. The long-term intensity and evolution of development along this corridor may not have been fully foreseeable when the zoning designations were established. However, as currently situated, these two parcels are physically and functionally independent from the remainder of the RM district and are separated by substantial buffer areas. Given this separation, and considering the existing development pattern, it would have been reasonable for these parcels to have been classified as "HI" in a manner consistent with the neighboring Allegany Ag property (HI-zoned), as well as the UAW facility and seven additional HI-zoned businesses directly across the street. The neighboring land use context and infrastructure characteristics more closely align with Highway Interchange zoning than with Residential Multi-Family classification.

Dilapidated Status: The current condition of the two residential structures reflects significant disrepair, as documented in the photographs submitted with this application. Observed conditions include exposed interior areas to the outside, deteriorated and crumbling cinder block piles, collapsed roof sections on accessory structures, and general debris and litter throughout both properties. There appears to have been limited recent investment in the maintenance or upkeep of these sites. Based on conversations with former occupants, primary concerns included high traffic volumes, truck-related noise, and ongoing litter—conditions consistent with the surrounding Highway Interchange-oriented corridor rather than a residential neighborhood setting. Reclassification of these parcels to the more appropriate “HI” designation would allow for meaningful reinvestment and site improvement. Such improvements would not only bring the proper ties into alignment with the surrounding commercial character of the area, but would also enhance the visual appearance of the corridor and create a more orderly, maintained, and aesthetically improved frontage along Maugans Avenue for the benefit of adjacent proper ties and the traveling public.

In conclusion, we respectfully submit that reclassifying the subject properties located at 18128 and 18132 Maugans Avenue, Hagerstown, Maryland 21740, from “RM – Residential Multifamily” to “HI – Highway Interchange” is a logical and well-supported action based on the evidence and analysis presented herein. The proposed rezoning is consistent with the established development pattern along the Maugans Avenue corridor, compatible with adjacent / nearby HI-zoned properties, and aligned with what we believe to be the County’s long-term planning objectives for this area.

For these reasons, we respectfully request that the Planning Commission recommend approval of this rezoning application. We appreciate the Commission’s time, review, and consideration. Sincerely,

Michael Godinez

Michael Godinez
Dominion Realty LLC
2/19/2026

Plats

☐ Urban

BG

BG

RT

Wor

World Hillshade

1

•

PM

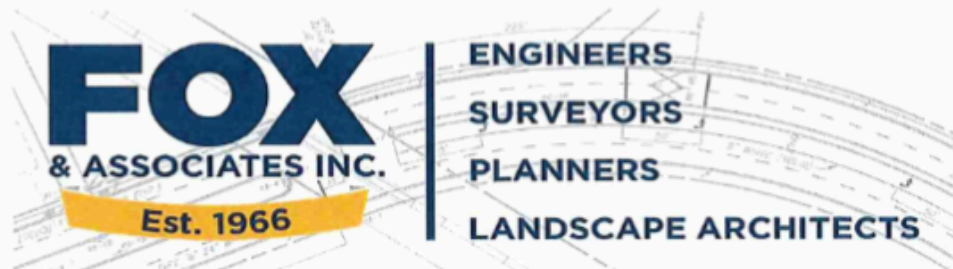
1.5

2/19/

Sources: Esri, Vantor, Airbus DS, USGS, NASA, CGIAR, N Robinson, NCEAS, NIS, CS, NMA, Geodatasturen, Rijkswaterstaat, GFA, Geoland.

Approximately 155 feet of forested buffer separates the subject parcel from the nearest residential property. (rear west)





981 Mt Aetna Rd
Hagerstown, MD 21740
Phone: 301-733-8503
Fax: 301-733-1853

February 19, 2026

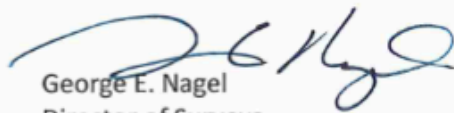
Michael Godinez
Dominion Realty LLC
18113 Maugans Ave
Suite 101
Hagerstown, MD 21740

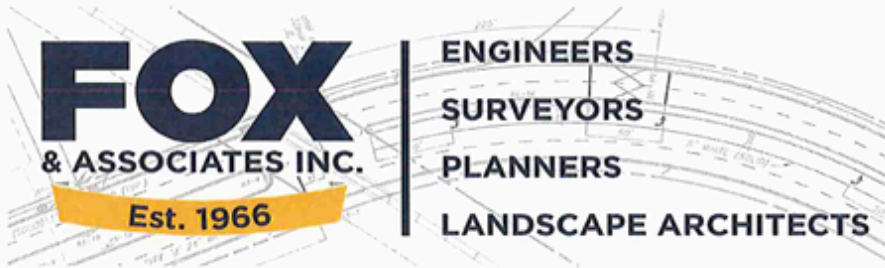
RE: 18128 Maugans Ave, Hagerstown, MD (Tax Map 0243, Parcel 1374)
18132 Maugans Ave, Hagerstown, MD (Tax Map 0243, Parcel 1373)

Dear Mr. Godinez,

The properties located at 18128 and 18132 Maugans Avenue, Hagerstown, MD, are within the "RM" - Residential, Multi-Family District. These two properties are the only two residential properties located within the RM District that front on Maugans Avenue. Both properties are isolated from the remainder of the residential properties located within "RM" District. The remainder of the residential properties in the RM district are served by a shared network of internal roads and neighborhood access. Neither of these two properties are connected to that network.

Sincerely,
FOX & ASSOCIATES, INC.


George E. Nagel
Director of Surveys



981 Mt. Aetna Road
Hagerstown, MD 21740
Phone: 301-733-8503
Fax: 301-733-1853
Email: foxhagerstown@foxassociatesinc.com

February 19, 2026

**DESCRIPTION OF
LANDS OF
JOHN LYNCH**
Liber 5140, at folio 472

Situate north of Maugans Avenue and west of Interstate 81 in District Number 13, Washington County, Maryland, and being more particularly described as follows:

Beginning at a point along the northern right of way of Maugans Avenue, said being at the end of the South 53° 35' 00" West 147.08 foot line of Stormwater Management Area No. 1, Stormwater Management Area No. 1 being graphically shown on a plat entitled "Final Plat, Seneca Ridge Subdivision", recorded as Plat No. 7546-7551 among the Land Records of Washington County, Maryland, thence with the boundary of said Stormwater Management Area No. 1 the following three (3) courses;

- | | |
|---------------------------|---|
| 1) North 53° 28' 49" East | 147.11 feet to a rebar and cap found, thence |
| 2) South 59° 03' 35" East | 58.90 feet to a rebar and cap found, thence |
| 3) South 73° 24' 03" East | 48.30 feet to a rebar and cap found at the northwest corner of a parcel of land described in a deed from Ralph Bradley, Jr. to Tracy Lynn Greene, dated October 23, 2023, and recorded in Liber 7342, at folio 381 among the aforesaid land records, thence with the western boundary of said parcel of land (Liber 7342, at folio 381) |
| 4) South 53° 38' 27" West | 192.81 feet to the northern right of way of Maugans Avenue, thence with the northern right of way of Maugans Avenue |
| 5) North 40° 08' 55" West | 92.68 feet to the Point of Beginning containing 15,406 square feet or 0.35367 acres of land more or less. |

Being part of that parcel of land described in a deed from Community Development Administration, Maryland Department of Housing and Community Development to John Lynch, dated December 29, 2015, recorded in Liber 5140, at folio 472 among the Land Records of Washington County, Maryland.

The bearings described above are in the datum of the Maryland Coordinate System of 1983 (NAD 83(2011)).

This description was either personally prepared by me or under my responsible charge of the preparation and the surveying work reflected in it, all in compliance with the requirements set forth in COMAR 09.13.06.12 in effect at the time of this work, and that I am a duly licensed land surveyor under the laws of the State of Maryland, License No. 21052, and License Expiration Date: 8/24/2026.


George E. Nagel
Professional Land Surveyor





981 Mt. Aetna Road
Hagerstown, MD 21740
Phone: 301-733-8503
Fax: 301-733-1853
Email: foxhagerstown@foxassociatesinc.com

February 19, 2026

**DESCRIPTION OF
LANDS OF
TRACY LYNN GREENE**
Liber 7342, at folio 381

Situate north of Maugans Avenue and west of Interstate 81 in District Number 13, Washington County, Maryland, and being more particularly described as follows:

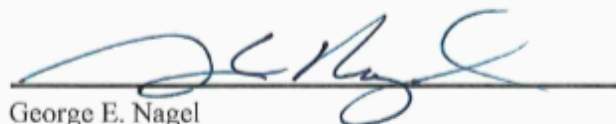
Beginning at a point along the northern right of way of Maugans Avenue, said being the southwest corner of a parcel of land described in a deed from Community Development Administration, Maryland Department of Housing and Community Development to John Lynch, dated December 29, 2015, recorded in Liber 5140, at folio 472 among the Land Records of Washington County, Maryland, thence with the eastern boundary of said parcel of land (Liber 5140, at folio 472)

- | | |
|---------------------------|--|
| 1) North 53° 38' 27" East | 192.81 feet to a rebar and cap found along the southern boundary of Stormwater Management Area No. 1, Stormwater Management Area No. 1 being graphically shown on a plat entitled "Final Plat, Seneca Ridge Subdivision", recorded as Plat No. 7546-7551 among the aforesaid land records, thence with the boundary of Stormwater Management Area No. 1 |
| 2) South 76° 30' 02" East | 96.25 feet to a rebar and cap found along the western boundary of Parcel Three, Parcel Three being described in a deed from Magnum Center, LLC to Seneca Ridge Homeowner's Association, Inc., dated May 20, 2014, recorded in Liber 4789, at folio 45 among the aforesaid land records, thence with the western boundary of Parcel Three (Liber 4789, at folio 45) |
| 3) South 53° 37' 54" West | 249.98 feet to the northern right of way of Maugans Avenue, thence with the northern right of way of Maugans Avenue |
| 4) North 40° 08' 55" West | 92.68 feet to the Point of Beginning containing 16,294 square feet or 0.37406 acres of land more or less. |

Being part of that parcel of land described in a deed from Ralph Bradley, Jr. to Tracy Lynn Greene, dated October 23, 2023, recorded in Liber 7342, at folio 381 among the Land Records of Washington County, Maryland.

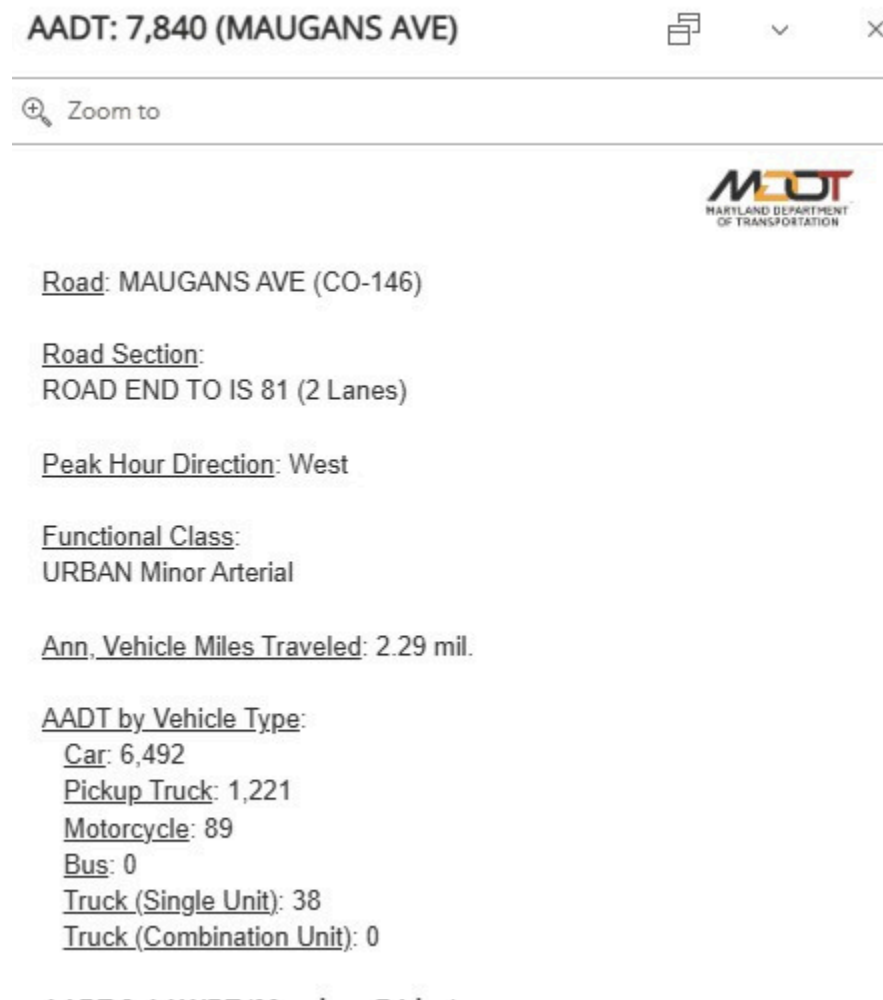
The bearings described above are in the datum of the Maryland Coordinate System of 1983 (NAD 83(2011)).

This description was either personally prepared by me or under my responsible charge of the preparation and the surveying work reflected in it, all in compliance with the requirements set forth in COMAR 09.13.06.12 in effect at the time of this work, and that I am a duly licensed land surveyor under the laws of the State of Maryland, License No. 21052, and License Expiration Date: 8/24/2026.


George E. Nagel
Professional Land Surveyor



MDOT SHA Annual Average Daily Traffic (AADT)



Source: <https://data-maryland.opendata.arcgis.com/datasets/mdot-sha-annual-average-daily-traffic-aadt-segments/explore?location=39.692634%2C-77.736986%2C17>



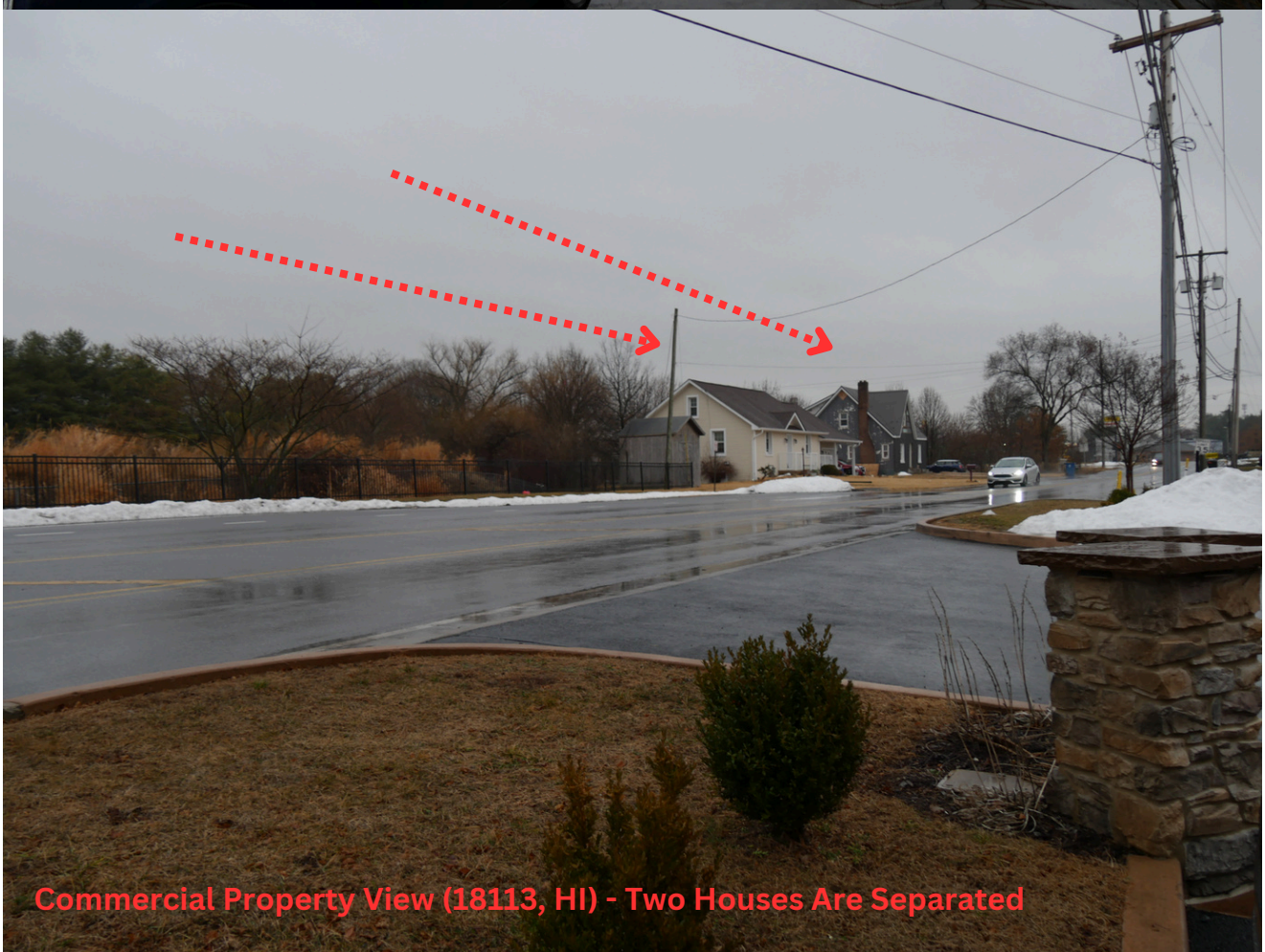
Side View - Alleghany Ag (HI), Martins Garage (HI)



Front Porch View - Three Commercial (HI) buildings



Front Driveway View - Exposed Walls / Disrepair



Commercial Property View (18113, HI) - Two Houses Are Separated



Front Driveway View - Disrepair



Front Driveway View - Disrepair



Front Driveway View - UAW (HI) - Directly across street



Front Driveway View - UAW (HI)



Yard - Disrepair, sheds caving in, litter



Front Driveway View - UAW (HI)



Yard - Disrepair



Back Yard - Shed Caving In, Litter



Yard - Disrepair, Sheds Caving In, Litter



Side Yard View - Alleghany Ag (HI)



Back of Property - Clear Buffer From All Houses (Photo Taken In WINTER)



West Side Yard View - Facing Stormwater Retention Pond / Buffered



Side View - You can see Maugans Ave Commercial Properties



Rear Yard - Houses Buffered By Trees, Photo Taken In WINTER



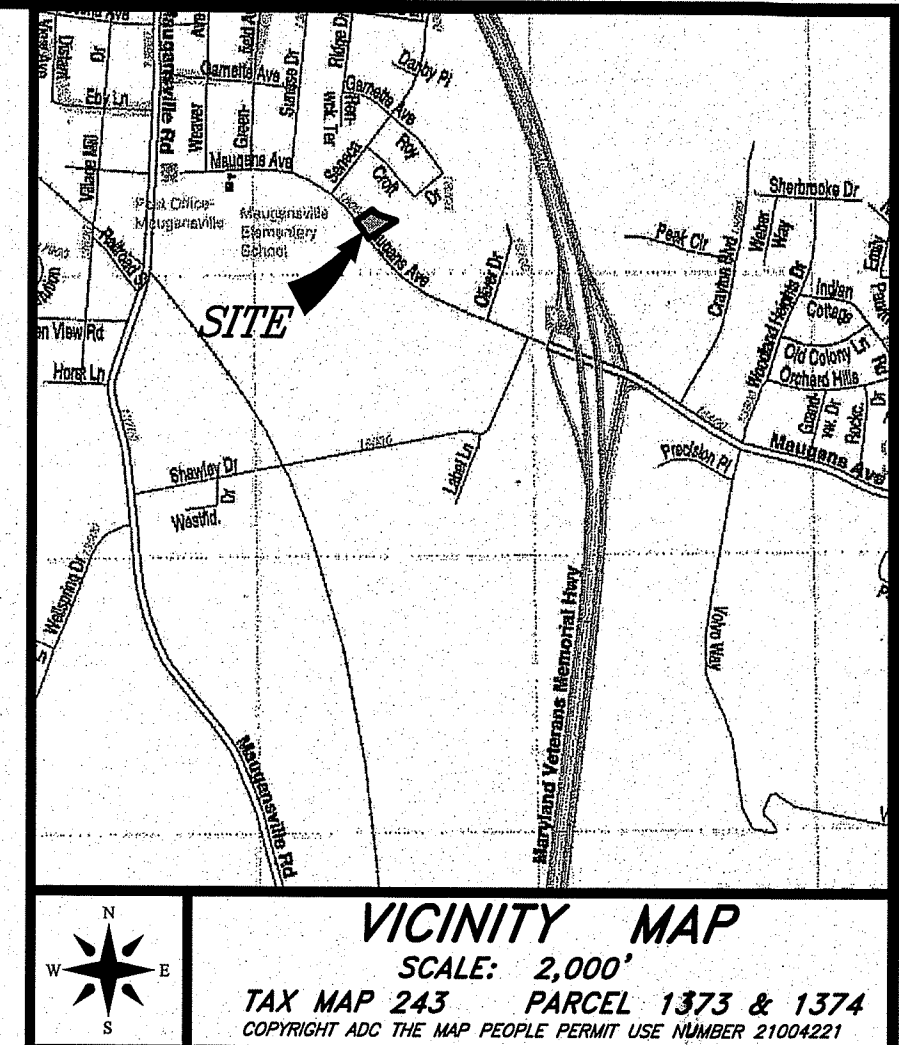
Entrance To "RM" Zone, Secluded Entrance

SURVEYORS CERTIFICATION

I HEREBY CERTIFY, TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF, THAT THE PLAN SHOWN HEREON IS CORRECT; THAT IT IS ALL OF THE LANDS CONVEYED BY RALPH BRADLEY, JR. UNTO TRACY LYNN GREENE, BY DEED DATED ON OCTOBER 23, 2023, RECORDED IN LIBER 7342, AT FOLIO 381; THAT IT IS ALL OF THE LANDS CONVEYED BY COMMUNITY ADMINISTRATION, MARYLAND DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT UNTO JOHN LYNCH, BY DEED DATED ON DECEMBER 29, 2015, RECORDED IN LIBER 5140, AT FOLIO 472, AMONG THE LAND RECORDS OF WASHINGTON COUNTY, MARYLAND; AND FURTHER THAT THIS PLAN WAS PERSONALLY PREPARED BY ME, OR UNDER MY RESPONSIBLE CHARGE, AND I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 21052, AND LICENSE EXPIRATION DATE: 8/24/2026.

02/20/2026
DATE

GEORGE E. NAGEL
MARYLAND PROFESSIONAL LAND SURVEYOR No. 21052

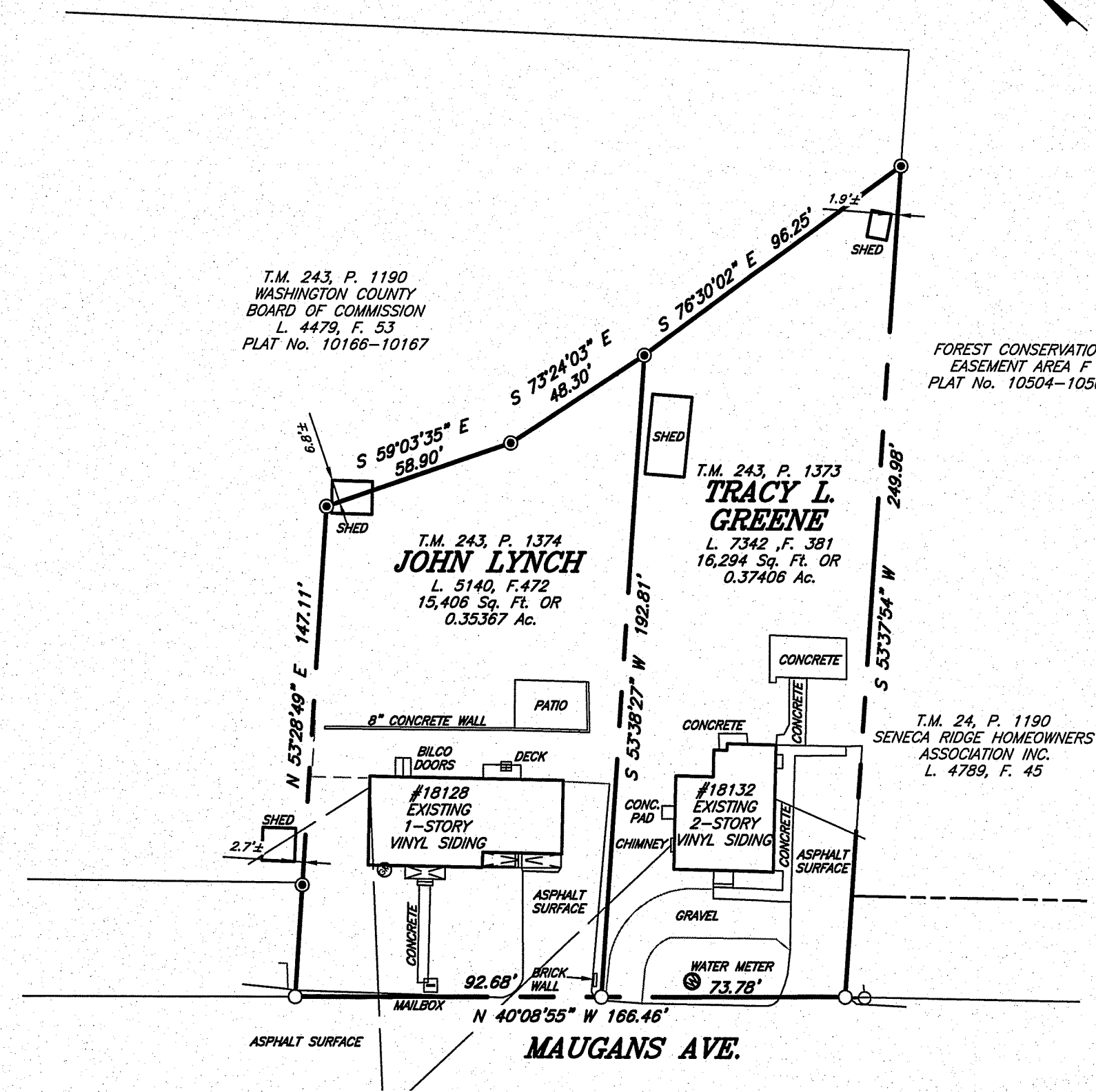


VICINITY MAP

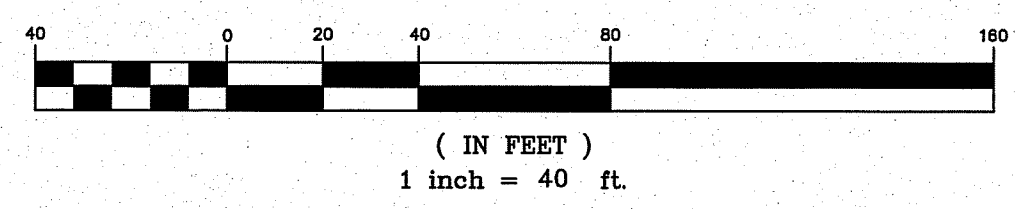
SCALE: 2,000'
TAX MAP 243 PARCEL 1373 & 1374
COPYRIGHT ADC THE MAP PEOPLE PERMIT USE NUMBER 21004221

ABBREVIATIONS:

T.M. - TAX MAP
P. - PARCEL
L. - LIBER
F. - FOLIO
NAD - NORTH AMERICAN DATUM
CONC. - CONCRETE



GRAPHIC SCALE



NOTES:

1. HORIZONTAL DATUM SHOWN HEREON IS BASED ON THE MARYLAND STATE PLANE COORDINATE SYSTEM OF 1983 (NAD83(2011)).
2. THE PROPERTIES SHOWN HEREON ARE ZONE "RM" - RESIDENTIAL, MULTI-FAMILY DISTRICT.
3. PARCELS SHOWN HEREON DO NOT LIE WITHIN ANY 100 YEAR FLOODPLAIN AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP 24043C0128D; EFFECTIVE DATE: AUGUST 15, 2017.
4. THIS PLAT IS NOT INTENDED TO SHOW EVERY MATTER AFFECTING THE OWNERSHIP AND USE, NOR EVERY MATTER RESTRICTING THE OWNERSHIP AND USE OF THIS PROPERTY.
5. THIS PLAT IS NOT INTENDED TO REPLACE AN EXAMINATION OF TITLE OR TO DEPICT OR NOTE ALL MATTERS AFFECTING TITLE.
6. NO TITLE REPORT FURNISHED.

BOUNDARY SURVEY
FOR
DOMINION REALTY, LLC
SITUATE AT 18128 & 18132 MAUGANS AVENUE
WASHINGTON COUNTY, MARYLAND

DRAWN BY: **AMD** DATE: **2-19-26**
CHECKED BY: **GEN** DATE: **2-19-26**
SCALE: **1" = 40'**

FOX & ASSOCIATES, INC.
ENGINEERS • SURVEYORS • PLANNERS
981 MT. AETNA ROAD
HAGERSTOWN, MARYLAND 21740
PHONE: (301)733-8503
FAX: (301)733-1853

FOX & ASSOCIATES, INC.
82 WORMAN'S MILL CT. STE. 'G'
FREDERICK, MARYLAND 21701
PHONE: (301)695-0880
FAX: (301)293-6009

DISTRICT **13**
TAX MAP No. **1373 & 1374**
DWG. No. **C - 3959**

SHEET No. 1 OF 1

**Application for Map Amendment
Staff Report and Analysis**

Property Owner(s)	:	Tracy Greene; FB Real Estate, LLC.
Applicant(s)	:	Michael Godinez
Location	:	18132 and 18128 Maugans Ave
Election District	:	#13 – Maugansville
Comprehensive Plan		
Designation	:	High Density Residential
Zoning Map	:	243
Parcel(s)	:	P. 1373 & 1374
Acreage	:	0.72 acres (P. 1373: 0.37 ac; P. 1374: 0.35)
Existing Zoning	:	RM – Residential, Multifamily
Requested Zoning	:	HI – Highway Interchange
Date of Meeting	:	May 4, 2026

I. Background and Findings Analysis:

1. Site Description

The proposed rezoning site is two parcels located on the northern side of Maugans Ave, approximately .30 miles northwest of Interstate 81. The total acreage of the parcels that are the subject of this rezoning is 0.72 acres. The parcels are described below:

Parcel #1: Tax Map 243; Parcel 1373 – The parcel consists of 0.37 acres. Currently sitting on the parcel is a single-family detached house with a dilapidated accessory structure. The property is lined with mature trees and shrubby on the north and east sides. There are no environmentally sensitive areas on the property.

Parcel #2: Tax Map 243; Parcel 1374 – The parcel consists of 0.35 acres. Currently on the property is a single-family detached house with an accessory structure on the edge of the property. The property is lined with mature trees and shrub on the north and west sides. There are no environmentally sensitive areas on the property.

2. Population Analysis

To evaluate the change in population, information was gathered from the US Census Bureau for a thirty-year time span. This range was chosen to provide long term population trends for the election district of the proposed rezoning and the County.

The proposed rezonings are located within the Maugansville Election District (#13). The table below shows the population for that district and county between 1990-2020. The district has grown 19% over the thirty-year period (0.63% per year) while the County has grown 21.6% (0.72% per year). Maugansville Election District saw the highest percentage growth between the years 2000-2010 at 8.0%.

Table 1: Maugansville Election District Population Trends

Population Trends 1990-2020			
<u>Year</u>	<u>Area</u>	<u>Population</u>	<u>% change from previous decade</u>
<u>1990</u>	District	<u>5,351</u>	
	County	<u>121,393</u>	
<u>2000</u>	District	<u>5,698</u>	<u>6.5%</u>
	County	<u>131,932</u>	<u>8.7%</u>
<u>2010</u>	District	<u>6,154</u>	<u>8.0%</u>
	County	<u>147,430</u>	<u>11.7%</u>
<u>2020</u>	District	<u>6,429</u>	<u>4.5%</u>
	County	<u>154,705</u>	<u>4.9%</u>

Source: US Census Bureau

3. Availability of Public Facilities

A. Water and Sewerage

The adopted Water and Sewerage Plan for the County establishes the policies and recommendations for public water and sewer infrastructure to help guide development in a manner that helps promote healthy and adequate service to citizens. By its own decree, the purpose of the Washington County Water and Sewerage Plan is "...to provide for the continued health and well-being of Washington Countians and our downstream neighbors..."¹ This is achieved through implementing recommendations within the County Comprehensive Plan and the Water and Sewerage Plan to provide for services in a

¹ Washington County, Maryland Water and Sewerage Plan 2009 Update, Page I-2

timely and efficient manner and by establishing an inventory of existing and programmed services.

Water:

W1-Existing Service (County)

The parcels are served by existing (W-1) public water facilities as they are in the Urban Growth Area. This area has water service provided by the City of Hagerstown which also owns the distribution system. The surrounding area is also designated W-1 and served by the City. The City of Hagerstown Water Division offered no comment on the proposed rezoning when sent the application for review.

Wastewater:

W1-Existing Service (County)

The subject parcels are served by existing (W-1) public sewerage facilities within the Urban Growth Area. The County owns the collection system and handles the effluent treatment at the Conococheague Wastewater Treatment Plant. Nearly all adjacent properties are also designated W-1 and served by the same treatment facility.

The Department of Water Quality, the wastewater provider for this area, offered no comment on the proposed rezoning when sent the application for review.

B. Emergency Services

Fire and Emergency Services:

Maugansville Goodwill Volunteer Fire Company (13730 Maugansville Road) – 0.4 miles away

The parcels subject to the proposed rezoning are located within the service area of the Maugansville Goodwill Volunteer Fire Company. Their station is located approximately 0.4 miles away from the properties subject to the rezoning. Community Rescue Service provides the nearest emergency rescue services; they are located 0.3 miles away.

A copy of this application was sent to the Maugansville fire company as well as to the Washington County Division of Emergency Services. No comments were received.

C. Schools

The subject sites are within the districts of Maugansville Elementary, Western Heights Middle and North Hagerstown High schools. The requested zoning classification, Highway Interchange (HI), does not allow for residential development. Therefore, there would be **no school capacity mitigation requirements** for pupil generation under the County's Adequate Public Facilities Ordinance.

4. Present and Future Transportation Patterns

Road Access

The parcels subject to the rezoning are located on Maugans Avenue. Maugans Ave is functionally classified as Urban Minor Arterial

Traffic Volume

In addition to evaluating access points of subject properties for rezoning purposes, it is also important to evaluate traffic generation from proposed development in the context of existing traffic volumes. This is commonly accomplished through the analysis of prior traffic counts and any existing traffic impact studies. The proposed sites are located on a county road, traffic counts are shown for locations near the site along Maugans Avenue.

The County's Division of Engineering & Construction Management collected single day traffic counts at five locations in the vicinity of the site in 2016 and 2022. These locations are found at various points along Maugans Avenue within ¼ mile or less from the site. These counts provide insight into the traffic volume in the neighborhood.

Shown in the table below, the highest traffic volume was recorded on Maugans Avenue with 9,847 vehicles, ~850' east of the rezoning site. The second highest volume was recorded at the intersection of Shawley Drive and Maugans Ave with 2,532 vehicles. All but two locations recorded an increase in traffic volume between 2016 and 2020.

Table 2: County Traffic Volumes

	<u>2016</u>	<u>2022</u>
<u>Maugans Ave West of Oliver Drive</u>	4,910	9,847
<u>Seneca Ridge Drive North of Maugans Ave</u>	1,471	1,914
<u>Shawley Drive South of Maugans Ave</u>	2,228	2,532
<u>Sunrise Ave North Of Maugans Ave</u>	531	453
<u>Oliver Dr North Of Maugans Ave</u>	1,314	622

Source: Washington County Division of Engineering and Construction Management Traffic Count Inventory Map

Future Road Improvements

According to a review of short- and long-term transportation planning documents, there is a project currently slated to occur in the immediate vicinity of the subject parcel on County, State or Federal roads.

Improvements to the I-81 interchange at Maugans Ave east of the site is identified in both the Hagerstown Eastern Panhandle Metropolitan Planning Organization's Long Range Transportation Plan (LRTP) and the Highways Plan of Washington County's Comprehensive Plan in the Transportation Chapter. According to the LRTP, the work will not be completed before the 2027-2035 time frame.

The Washington County Engineering Plan Review offered no comment on the proposed rezoning after receiving a copy of the application for review.

Public Transportation

This area is served by Route 443 of the County Commuter. Route 443 travels between the Washington County Transit Center in Hagerstown and the town of Maugansville. The route operates six days per week, between Monday and Saturday.

5. Compatibility with Existing and Proposed Development in the Area:

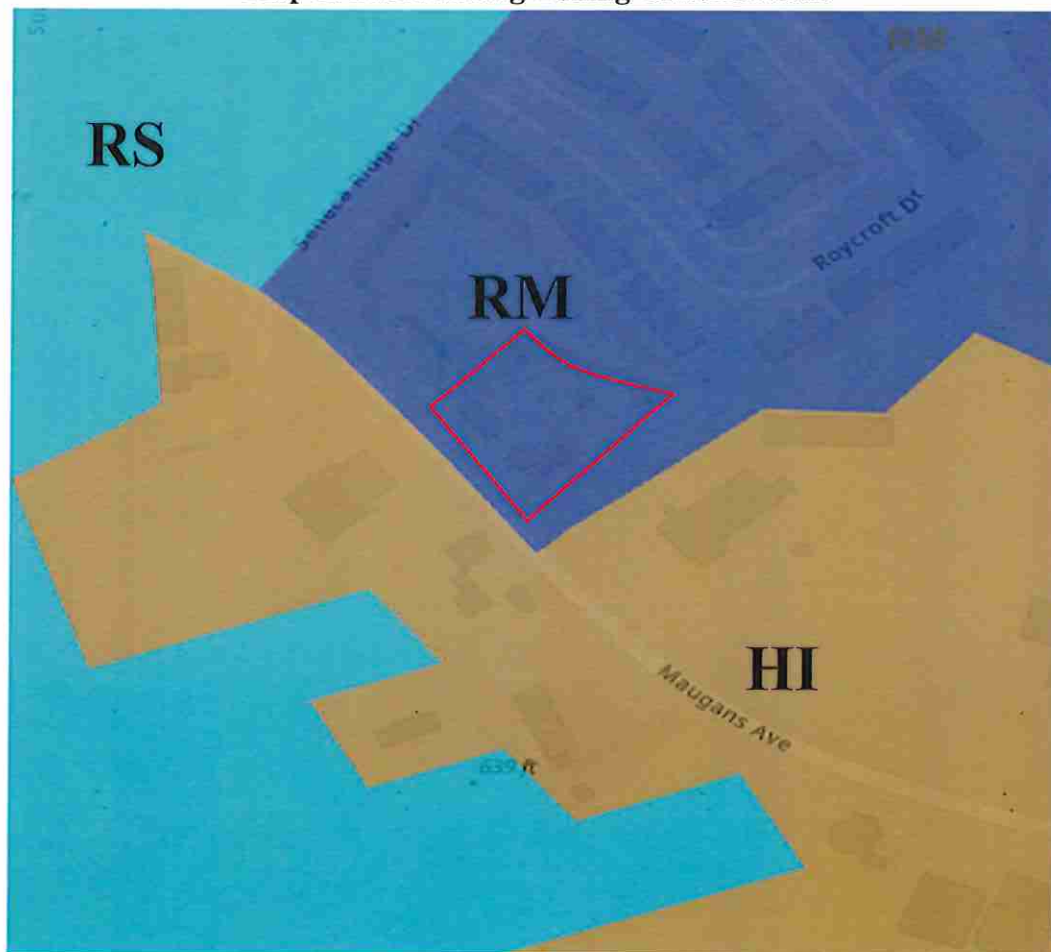
A. Zoning

The subject parcels are currently zoned Residential Multifamily (RM) and are requesting to change to Highway Interchange (HI). The purpose of the HI zoning district is:

“...to provide suitable locations for commercial activities or light industrial land uses that serve highway travelers, provide goods and services to a regional population, or uses that have a need to be located near the interstate highway system to facilitate access by a large number of employees, or the receipt or shipment of goods by highway vehicles. In addition to providing accessible locations, the Highway Interchange District is intended to protect the safe and efficient operation of the interchange and to promote its visual attractiveness...”. Washington County Zoning Ordinance, Article 19

The HI Zoning District does not define its own individual permitted uses. The district instead pulls permitted uses from the BL, BG, PB and ORT districts as well as IR with the exception of heliports and Commercial Communications Towers. The applicants for this rezoning did not state their intended use.

Map 1: Surrounding Zoning Classifications



The immediate vicinity of the rezoning is a mix of HI, RM, and RS. The subject parcels (roughly identified by the green trapezoid) lie on the edge of two districts. The

subject parcels (RM) are not part of the RM residential development to the north. RS and HI make up the majority of the surrounding area. The HI district is predominantly to the east around I-81. The RS district can be seen west of Seneca Ridge Drive and south of Maugans Ave. The Airport Overlay Zone covers the whole area around the subject parcels.

B. Land Use

Image 1: Vicinity Land Use



Source: Google Maps

The proximity of the major transportation interchange influences the nature of the land use in the area. The portion of Maugans Avenue that the subject parcels are on includes a mix of residential and commercial uses. The Seneca Ridge development sits directly north of the subject parcels, containing a mixture of single and multifamily structures.

There are a large number of commercial businesses on Maugans Avenue. Allegheny AG, United Auto Workers union, and a commercial building to house seven businesses are located in the immediate vicinity of the subject parcels. The west side of Maugans Ave is predominately commercial uses. These uses include Burger King, Dunkin' Donuts, McCarthy Tire Service, and Martin's garage.

Maugansville lies just west of the rezoning site. Holsinger's Meat Market and Maugansville Creamery give way to residential land use.

C. Historic Sites

Another important component of compatibility is the location of historic structures on and around the parcels being proposed for rezoning. According to the Washington County Historic Sites Survey there are 0 historic sites located within a 0.5-mile radius of the proposed rezoning areas.

6. Relationship of the Proposed Change to the Adopted Plan for the County:

The purpose of a Comprehensive Plan is to evaluate the needs of the community and balance the different types of growth to create a harmony between different land uses. In general, this is accomplished through evaluation of existing conditions, projections of future conditions, and creation of a generalized land use plan that promotes compatibility while maintaining the health, safety, and welfare of the general public.

Each of the properties is located in the sub-policy area High Density Residential. The Comprehensive Plan offers the following definition for this policy area:

“High Density Residential areas are located in close proximity to existing urban cores. Residential uses associated with this area include single-family & two-family residences, triplexes, quadplexes, townhouses, and multi-family structures.”²

7. “Change or Mistake” Rule

When rezonings are not part of a comprehensive rezoning by the governing body, individual map amendments (also known as piecemeal rezonings) are under an obligation to meet the test of the “Change or Mistake” Rule. The “Change or Mistake” Rule requires proof by the applicant that there has been either: a substantial change in the character in of the neighborhood since the last comprehensive zoning plan (2012), or a mistake in designating the existing zoning classification.

As part of the evaluation to determine whether the applicant has proven whether there has been either a change or mistake in the zoning of a parcel, the Maryland Annotated Code Land Use Article and the Washington County Zoning Ordinance state that the local legislative body is required to make findings of fact on at least six different criteria in order to ensure that a consistent evaluation of each case is provided. Those criteria include:

1) population change; 2) the availability of public facilities; 3) present and future transportation patterns; 4) compatibility with existing and proposed development for the

² 2040 Washington County, Maryland Comprehensive Plan, 14-22

area; 5) the recommendation of the planning commission; and 6) the relationship of the proposed amendment to the local jurisdiction's Comprehensive Plan.

Even when change or mistake has been sufficiently sustained, it merely allows the local governing body the authority to change the zoning; it *does not require* the change. When conditions are right for a change the new zone must be shown to be appropriate and logical for the location and consistent with the County's Comprehensive Plan.

II. Staff Analysis:

The analysis of a rezoning request begins with a strong presumption that the current zoning is correct. It is assumed that the governing body performed sufficient analysis, exercised care, and gave adequate consideration to all known concerns when zoning was applied to a parcel of land. However, there are instances by which a case can be established to show that the governing body either erred in establishment of the proper zoning of a property or that enough change has occurred within the neighborhood surrounding the property since the governing body's last assessment to require a new evaluation of the established zoning designation.

The applicant of this case has indicated in their justification statement that they believe that there has been both a mistake in the current zoning and a substantial change in the character of the neighborhood since last comprehensive rezoning in 2012. As noted in the prior section describing the "Change or Mistake" Rule, the Washington County's Zoning Ordinance requires data to be presented to the local legislative body on factors such as population change, present and future traffic patterns, the availability of public facilities, the relationship of the proposed change to the Comprehensive Plan and its compatibility with existing and proposed development in order to determine how the area subject to rezoning has evolved since the comprehensive rezoning.

A. Evidence for Mistake in the Current Zoning

In order to demonstrate that a mistake was made by the regulatory body in applying the existing zoning classification to the parcel, the applicant must establish error occurred as a result of factors such as:

1. A failure to take into account projects or trends probable of fruition;
2. Decisions based on erroneous information;
3. Facts that later prove to be incorrect;
4. Events that have occurred since the current zoning; or
5. Ignoring facts in evidence at the time of zoning application.

The last Comprehensive Rezoning in Washington County was completed in 2012, affecting the Urban Growth Area that surrounds the City of Hagerstown and the towns of Williamsport and Funkstown. The Rezoning affected approximately 17,000 parcels and 38,000 acres of land.³ Information such as population projections, growth trends, transportation and infrastructure data, and the recommendations of the Comprehensive Plan were considered as a part of this effort. The input of property owners, local officials, County staff and the general public was also solicited and considered in the assignment of each parcel affected by the Comprehensive Rezoning.

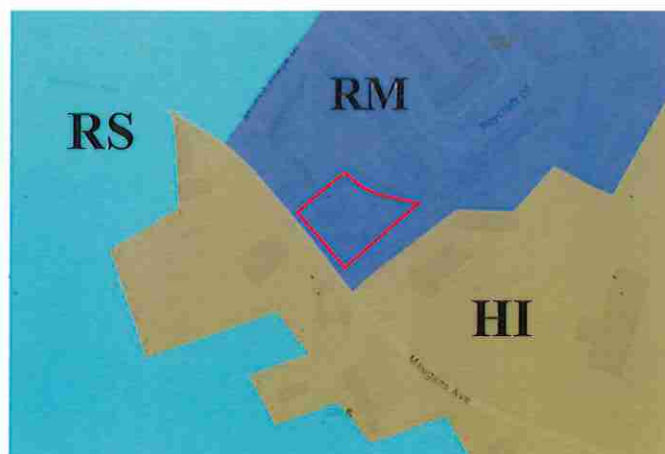
The applicant contends that the Board of County Commissioner's (BOCC) erred in their decision during the 2012 UGA Comprehensive Rezoning to rezone the lots in question to RM. The applicant claims that factors such as following were not fully considered by the Board in their 2012 decision:

- The inconsistent application of the HI-1 rezoning classification to properties along Maugans Avenue where the subject parcels are located;
- Residential usage of the subject properties would continue to be viable despite the geographic separation of the properties from adjacent residential neighborhoods and the commercial growth in the vicinity.

i. Recent Zoning History

- These properties were rezoned to the present RM designation in conjunction with the Comprehensive Rezoning of the Urban Growth Area in 2012.

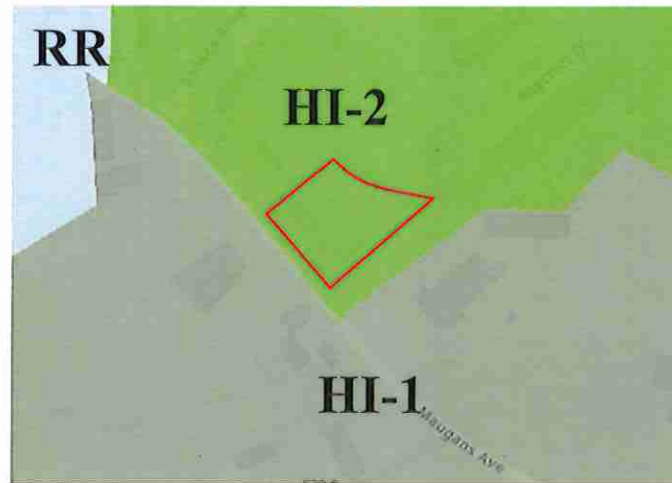
Current Zoning



³ Washington County Ordinance No. ORD-2012-08

- Prior to 2012, the properties were zoned Highway Interchange District HI-2.

Pre-2012 Zoning



The HI-2 zoning district was intended to serve as a transitional zone between HI-1 zones and nearby residential areas. Typically, HI-1 areas were designated on lands closest to interstate highway interchanges, with HI-2 zones then buffering adjacent lands in the vicinity of the interchanges. HI-1 allowed commercial and industrial uses. Permitted uses were pulled from the BL, BG, PB, and IR Districts.

HI-2 allowed low intensity business and industrial uses as well, but also residential development at varying densities. Permitted uses were pulled from the BT, RM, PUD, IT, RR, RS and RU Districts. The HI-2 zoning district was eliminated during the 2012 UGA Rezoning, while the HI-1 zoning district was later eliminated with the rezoning of the County's Town Growth Areas, beginning in 2013.

This left only the current standalone HI zoning district which now had a solely commercial/industrial focus which no longer permitted residential development of any kind. Residential properties that were formerly permitted within HI-2 zoning districts were reassigned to existing residential zoning classifications such as the RM zoning which is currently applied to the subject properties.

➤ **Discussion**

No documentation exists which definitively explains why the subject properties were not given HI-1 zoning classification when HI-2 zoning classification was repealed in 2012. However, the presence of residential structures on the properties at the time may have influenced the decision.

ii. Impacts Affecting Continued Residential Use

Looking into the second part of the applicant's argument in favor of "mistake", which concerns the continued viability of residential usage at the site. The parcels have a history of residential usage.

In considering the Board's decision not to rezone the subject parcels at the time of the 2012 Comprehensive Rezoning, it's essential to zero in on what has and has not changed since that time to impact the current residential use. In 2012, the residential structures on the subject parcels were occupied, giving the Board the disincentive to change to a commercial zoning class. In addition, the area immediately behind the subject parcels is Seneca Ridge, a multifamily residential development. However, the properties for the rezoning are not part of the development with a natural separation from a stream and vegetation.

As seen in Exhibit G, the applicant states the residential structures on the properties are currently in a dilapidated status due to limited investment interest as a result of high traffic and litter conditions from Maugans Ave. By not keeping up with the upkeep of the structures, it removes the likelihood of the structures being used as housing by new owners.

While staff would completely agree that the site is impacted by its location along a busy stretch of Maugans Avenue, near an interstate interchange, we would assert that the neglect of the properties has had an equal impact on the subject properties. Greater examination of the effects of traffic on the site will be further discussed in this report when looking at the evidence for "change in the neighborhood."

iii. Evidence for Substantial Change in the Character of the Neighborhood

In addition to the claim that the Board made a mistake in the application of the current zoning, the applicant also argues that there has been a substantial **change** in the character of the neighborhood since the time of the last comprehensive zoning plan. In order to demonstrate that a substantial change has occurred in the character of the neighborhood since the passage of the last Comprehensive Zoning Plan, the applicant must establish:

1. What area reasonably constitutes the "neighborhood" of the subject property;
2. The changes that have occurred in the neighborhood since the comprehensive zoning;
3. Proof that these changes resulted in a change in the character of the neighborhood.

Maryland case law has consistently established that these factors must be considered cumulatively, not individually, if the applicant is to demonstrate proof that a substantial change in the character of the neighborhood has occurred. Correspondingly, a substantial change in any one individual factor doesn't necessarily illustrate that substantial change has occurred in the neighborhood overall.

A. Neighborhood Definition

The Applicant does not define the neighborhood in their justification statement. However, the area around the subject parcels has built out according to the established zoning which has allowed industrial/commercial development prior to 2012 and after.

B. Changes that have occurred in the Neighborhood

The applicant contends in their Justification Statement that a substantial change has occurred in the character of the neighborhood since the 2012 Comprehensive Rezoning of the UGA. As evidence, they offer:

1. *An increase in annual average daily traffic on Maugans Avenue*
2. *The substantial commercial development in the vicinity of the site*

i. Changes in Average Annual Daily Traffic

To expand on the point above concerning traffic on Maugans Avenue, it is important to understand the caveats to the Applicant's conclusion that traffic is increasing to a substantial degree in the neighborhood.

First, traffic count data was considered by the Board as a part of the Urban Area Comprehensive Rezoning in 2012, and was factored into the ultimate decisions about the appropriate zoning classification for the subject parcels, and the surrounding area. Second, traffic data can vary considerably from year to year at any given location, due to factors that may not necessarily be locally derived. For example, construction work on a nearby road requires closure or diversion of traffic to alternate routes, nearby roads can see short-term upticks in traffic that may not necessarily be reflective of long-term traffic increases.

In support of the Applicant's claim of traffic increases, long-term traffic data shows an increase in volume along Maugans Avenue as seen in Table 2 of this report on page 5.

Traffic on Maugans Avenue has increased roughly 20% between 2016 and 2022.⁵ While this number may be inflated by external factors,⁵ it still gives a picture of growth in

the area. However, traffic data from Maryland Department of Transportation shows an increase of 23% in annual average daily trips (AADT) between 2012 (6,327 AADT) and 2025 (7,791 AADT). These numbers further show an increase of growth in the neighborhood surrounding the site.

ii. Neighborhood Zoning Changes from 2012 Comprehensive Rezoning

As shown on pages 10 & 11, the only significant zoning changes in the neighborhood from the 2012 Comprehensive Rezoning was the removal of the HI-2 zoning classification. Before, the subject parcels were zoned Highway Interchange (HI-2). The surrounding area of the site was Highway Interchange (HI-1) apart from Residential Rural (RR) to the west.

The current zoning shows the effects of the Urban Growth Area Comprehensive Rezoning. The HI-2 zoning was eliminated and that area was assigned Residential, Multifamily (RM) and Residential, Suburban (RS). The surrounding area of the site has remained mostly HI being predominately commercial and industrial uses.

The applicant's argument that substantial new commercial development in the neighborhood constitutes a change in the neighborhood is unfounded as the development is consistent with the current and previous zoning of the area.

III. Conclusion:

The applicant claims both a mistake in the designation of the existing zoning and a substantial change in the character of the neighborhood have or did occur since the time of the last comprehensive rezoning, thereby warranting their petition to rezone the properties from RM to HI.

The burden of the applicant in a "Mistake" case is to provide evidence that the Board:

- 1) Failed to take into account projects or trends probable of fruition,
2. Made decisions based on erroneous information,
3. Used facts that later prove to be incorrect,
4. Couldn't have foreseen Events that have occurred since the current zoning
5. Ignored facts in evidence at the time of zoning application.

The burden of the applicant in a "Change" case is to illustrate three points:

1. Defining the boundaries of the neighborhood,
2. Demonstrating that substantial changes have occurred since the last Comprehensive Zoning Plan, and

3. Showing that those changes resulted in the altered character of the neighborhood.

Regarding the charge of mistake, it has been demonstrated that the selective reassignment of HI-2 to RM in the area was likely due to the already existing Seneca Ridge development prior to 2012. It is likely the subject properties were grouped with the development even though they are not directly related. It has also revealed that neglect and traffic have played a role in the continued viability of residential use at the site since 2012. This makes it difficult to characterize the decisions made in 2012 to reassign the subject properties to RM as being a mistake.

The analysis also shows the applicant has not met the burdens in proving that a substantial change has occurred in the neighborhood since the 2012 UGA Rezoning. The applicant failed to define what constitutes a neighborhood except for the expected and continued commercial/industrial uses in the vicinity.

The Land Use Plan Map for the Comprehensive Plan assigns these parcels as high density residential. However, continued growth in commercial development and traffic, over time it is likely the site will be less desirable as a residential use. Despite all listed above, there is logic to now applying HI zoning classification to these properties, based on their separation from the development and proximity to other commercial uses.

Staff also wishes to advise that decision makers carefully consider the wide range of land uses permitted under the HI zoning requested by the applicant to gauge compatibility to the neighborhood surrounding the site.

Respectfully submitted,



Kyla Shingleton
Comprehensive Planner



Washington County

M A R Y L A N D

DEPARTMENT OF PLANNING & ZONING

PLANNING | ZONING | LAND PRESERVATION | FOREST CONSERVATION | GIS

June 12, 2026

RZ-26-003

APPLICATION FOR MAP AMENDMENT PLANNING COMMISSION RECOMMENDATION

Property Owner(s)	:	Tracy Greene, FB Real Estate, LLC
Applicant(s)	:	Michael Godinez
Location	:	18128 and 18132 Maugans Avenue
Election District :		#13 - Maugansville
Comprehensive Plan		
Designation	:	High Density Residential
Zoning Map	:	243
Parcel(s)	:	1373 and 1374
Acreage	:	0.72 acres (P. 1373: 0.37 ac.; P. 1374: 0.35 ac.)
Existing Zoning	:	RM – Residential Multifamily
Requested Zoning	:	HI – Highway Interchange
Date of Meeting :		May 4, 2026

RECOMMENDATION

The Washington County Planning Commission held a rezoning public input meeting on May 4, 2026 for the purpose of considering a map amendment for 0.72 acres of land located at 18128 and 18132 Maugans Avenue. The applicant is requesting a change from the existing Residential Multifamily to Highway Interchange zoning district.

The Planning Commission considered the application and supporting documents, oral testimony from the applicants and their attorney, public comment, and the Staff Report and Analysis. The Planning Commission then took action at its June 1, 2026 meeting to recommend, to the Board of County Commissioners, approval of the map amendment (RZ-26-003).

Copies of the application packet, Staff Report and Analysis, and minutes of the May 4, 2026 public rezoning input meeting and the June 1, 2026 regular meeting (unapproved) are attached.

Respectfully submitted,

Jennifer D. Kinzer
Interim Director, Washington County
Dept. of Planning & Zoning

JDK/KS/dse

Attachments

**WASHINGTON COUNTY PLANNING COMMISSION
REZONING PUBLIC INPUT AND REGULAR MEETING**

May 4, 2026

The Washington County Planning Commission held a rezoning public input meeting and its regular monthly meeting on Monday, May 4, 2026 at 6:00 p.m. at the Washington County Administrative Complex, 100 W. Washington Street, Room 2000, Hagerstown, MD.

CALL TO ORDER AND ROLL CALL

The Chairman called the rezoning public input meeting to order at 6:00 p.m.

Planning Commission members present were: Jeff Semler, Chairman, Jay Miller, Vice-Chairman, Terrie Shank, Laura Lane-Unsworth, BJ Goetz, Doug Wright, Jr. and Ex-officio County Commissioner Randy Wagner. Staff members present were: Washington County Department of Planning & Zoning: Jennifer Kinzer, Interim Director; Travis Allen, Senior Planner; Kyla Shingleton, Comprehensive Planner; Scott Stotelmyer and Misty Wagner-Grillo, Planners; and Debra Eckard, Office Manager.

Chairman Semler announced that the text amendment recommendation listed under Other Business on this evening's agenda for Danielle Eyler Durning (RZ-26-001) is being postponed until a later date at the request of the applicant.

REZONING PUBLIC INPUT MEETING

Cascade Properties LLC [RZ-26-002]

Staff Presentation

Ms. Shingleton presented a proposed text amendment to the Special Economic Development zoning district, Article 19, Sections 19c.2, 19c.3, 19c.6 and 19c.7 of the Washington County Zoning Ordinance. The SED district was created and applied to lands at the former Fort Ritchie Army Base. The land was converted into a private equity for redevelopment after the Fort's closure. The proposed amendment would expand the uses and allow for more opportunities for redevelopment and revitalization of the site.

Applicant's Presentation

Ms. Jill Baker, Site Planning Administrator for Cascade Properties LLC and Ritchie Revival, was present at the meeting representing the applicant. The proposed changes would amend the principally permitted and special exception uses in the SED district, amend the residential setback requirements within the district, and seeks to include design standards within the district.

Ms. Baker stated that the SED district has an extremely focused intent that is related to the redevelopment of Fort Ritchie after its closure in 1998. There are only two properties with this zoning classification that will be affected by the proposed amendments. The proposed changes reflect the need to address the uniqueness of the properties and the related zoning district. As an army base, Fort Ritchie operated as a small town. Significant infrastructure has been installed including water, sewer, storm water and power.

The first part of the proposed amendments focuses on commercial and light industrial uses. The commercial uses are heavily focused on retail sales and service. These uses are taken from the Business Local and Business General zoning districts that are currently found in the Zoning Ordinance. The proposed light industrial uses, which rely on manufacturing, are taken from the Planned Industrial and Industrial Restricted zoning districts. The applicant believes these uses would be compatible with other businesses/services already at the Fort and in the surrounding community. Ms. Baker asked that when considering these amendments, variety stores should be removed from the list of principally permitted uses.

The second part of the proposed amendments are related to lot size and setbacks for residential uses that are permitted within the SED district. She explained that the current setbacks and lot sizes in the Zoning Ordinance mimic the Residential Suburban and Residential Transition districts, which allow for lower density residential uses. The applicant is proposing to amend the setbacks and lot sizes to mimic the Residential Urban and Residential Multi-family districts which allow for higher density residential development. She briefly reviewed the proposed minimum lot sizes and lot widths for two-family and semi-detached units, the rear yard setbacks for single-family and two-family units and the inclusion of new setbacks and lot sizes, lot widths, front yard, side yard and rear yard setbacks for townhomes. The applicant believes this would create a greater diversity in housing types and would provide more affordable housing. The proposed changes would also create a small town setting with a more sustainable

and walkable development and would allow residents to have the necessary goods and services they need.

The third part of the amendment is related to design criteria that are intended to support redevelopment that reflects a town-like setting. These amendments include adding requirements that: provide a cohesive pathway system for pedestrians; reinforces the light regulations included within the Ordinance to mitigate and reduce light pollution; and seek regulations that would allow on-street parking to help meet parking requirements. Currently, only off-street parking is permitted. Due to the historic nature of the Fort, it is difficult to find areas for off-street parking that do not conflict with the historic nature of the area and are located within a reasonable distance.

Discussion and Comments: Mr. Wright expressed his concern that some of the proposed uses would cause a noxious discharge (specifically electroplating) into the sewerage system and asked if alternative uses could be considered that would be more environmentally sensitive. Ms. Baker noted that proposed uses would be required to meet local, State and Federal regulations in terms of environmental standards. These issues would be addressed during the review process of any proposed development. Mr. Wright expressed his opinion that the diversity of residential housing types being proposed would promote higher density development and more affordable housing for the County. He shared his concern that on-street parking limits the space required for emergency equipment access; he encourages the developer to consider alleys to help with parking issues. Ms. Baker stated that the County Engineering Department has the same concerns and recommendations. Mr. Wright noted that retirement homes have been removed from the list of uses. Ms. Baker stated that nursing homes and retirement homes are outdated terms; the County has adopted the term "comprehensive care facilities". The term "skilled nursing facilities" is being proposed in these amendments.

Mr. Goetz expressed his opinion that the residential types being proposed would help meet the needs for affordable housing.

Mr. Miller asked if the Maryland Historic Trust (MHT) governs or oversees anything that is inside the Fort. Ms. Baker stated there is a MHT easement located on a portion of the Fort that includes the parade grounds, the finger buildings, and the buildings along the lake. All proposed uses must seek approval from MHT as well as approvals for grading, exterior appearance, etc.

Mr. Semler asked if there are emergency services on-site. Ms. Baker stated currently there are no emergency services on-site; however, a security service is provided. The developer is currently researching other jurisdictions to see how emergency services are provided. A helipad is currently being installed on-site for the Maryland State Police.

Public Comment

There was no public comment.

Michael Godinez/Dominion Realty LLC [RZ-26-0031]

Ms. Shingleton presented a proposed map amendment for properties located at 18128 and 18132 Maugans Avenue. The applicant is proposing to rezone the properties from RM (Residential Multi-family) to HI (Highway Interchange). The combined acreage of these two parcels is .72 acres. Each parcel is currently improved with a single-family dwelling and accessory structures. These parcels are buffered from surrounding properties by vegetation. The applicant is claiming a change in the character of the neighborhood as well as a mistake in the original zoning of the property during the Rural Area Comprehensive Rezoning in 2012. In the case of mistake, the applicant contends that the County erred in rezoning the properties from HI-2 (Highway Interchange 2) to RM because the following factors were not considered: 1) the inconsistent application of the HI-1 zoning classification to properties along Maugans Avenue and 2) residential usage of the properties would continue to be viable despite the geographic separation of the properties from adjacent residential neighborhoods and commercial growth in the vicinity. In the case of substantial change in the character of the neighborhood, the applicant contends there has been an increase in average daily traffic on Maugans Avenue and substantial commercial development in close proximity of the subject parcels.

Staff believe that the reassignment of the HI-2 to RM zoning was likely due to the existing Seneca Ridge development prior to 2012 and that the subject properties were grouped with the development even though they are not directly related. The increase of traffic and neglect of the properties have played a significant role in the viability of a residential use at the site; therefore, it is difficult to characterize the decisions made by the County during the 2012 comprehensive rezoning. Staff does not believe the applicant has met the burden in proving a substantial change has occurred in the neighborhood since the 2012 rezoning. The applicant failed to define what constitutes the neighborhood except for the expected and continued commercial/industrial uses in the vicinity.

Applicant's Presentation

Mr. Godinez stated that the primary basis for this application is a mistake in the original zoning of the properties in 2012 from HI-2 to RM. He believes this designation was given due to the residential use of the properties at that time. However, the previous HI-2 zoning permitted retail and commercial uses which are consistent with the uses now being proposed for the properties due to frontage along Maugans Avenue and close proximity to the interstate. These properties are buffered by non-developable land and effectively isolated by a substantial natural and man-made buffer from the residential development of Seneca Ridge. To the east is a Forest Conservation easement owned by the Seneca Ridge HOA; to the north and west lies a permanent storm water management facility owned by Washington County, and a natural creek further separates these parcels from Seneca Ridge.

Mr. Godinez began with his contention that there has been a change in the character of the neighborhood. He expressed his opinion that the existing residential structures on these two parcels have fallen into disrepair due to long-term underutilization thereby no longer making this a viable use for the properties. He noted that traffic has significantly increased since the 2012 rezoning. According to the Staff Report, traffic has nearly doubled in this corridor since 2016. This continued increase reflects the continued growth and intensification of the Maugans Avenue corridor.

The applicant is proposing retail, office and general commercial uses on these properties. Mr. Godinez stated that his business across the street requires additional space to support operations and continued growth. He noted that other local businesses have expressed an interest in the proposed office/retail spaces. He believes that the additional spaces would provide improved services for the surrounding neighborhood, provide convenience for local residents and would have a positive impact on the local economy.

The applicant also contends there was a mistake in the rezoning of these two properties in 2012 and presented the following information to support that claim. Mr. Godinez noted that the subject parcels were rezoned in 2012 from HI-2 to RM. He believes the assumption was made that these two properties were part of Seneca Ridge located behind these two parcels. The Staff Report notes there was no detailed site specific parcel justification for this change despite the parcels' distinct separation from Seneca Ridge and their location along a major commercial corridor. Since the comprehensive rezoning, conditions have continued to evolve with increased traffic volumes, intense commercial development, and the strong influence of nearby I-81. Mr. Godinez expressed his opinion that the parcels are no longer suitable for residential use and would be more appropriate for commercial zoning.

Discussion and Comments: Mr. Miller expressed concern that the developer will be able to meet all requirements for parking, storm water management, and setbacks on these two parcels which total less than one acre. Mr. Godinez stated the properties are unique in shape and a concept plan has already been developed.

Public Comment

- Joshua Norris, 18113 Maugans Avenue, Suite 100 – Mr. Norris owns a fish and reptile business located across the street from these two properties. He is in favor of the proposed rezoning because he believes it will bring more people to the area businesses. He also would like to occupy a small office space in the proposed commercial development.
- Alisha Resendiz, 18123 Boxford Lane – Ms. Resendiz stated she recently moved to the area and expressed her opinion that the two existing residences do not match the aesthetics of the Seneca Ridge development; however, the plaza across the street does match. She believes it would be advantageous for the community and she is in favor of the rezoning.
- Preston Greene, 18132 Maugans Avenue – Mr. Greene owns one of the subject parcels and is in favor of the rezoning. The property is surrounded by businesses and a very busy road. He expressed his opinion that this is not a good location for his child.
- Joshua Dull, 18117 Maugans Avenue, Suite 201 – Mr. Dull is in favor of the rezoning and stated there is a vegetative buffer between these two properties and Seneca Ridge. He believes this would be a good addition to the area. Mr. Dull owns his business and stated it is very challenging to find smaller office space such as the ones being proposed.
- Alina Huihai, 18113 Maugans Avenue, Suite 102 – Ms. Huihai is in favor of the rezoning because it is more appropriate for commercial uses than residential. She expressed her opinion that it is not safe for children or pets along the busy street. Ms. Huihai believes this would be a benefit to the community.
- Brittany Compton, 18113 Maugans Avenue, Suite 103 – Ms. Compton is in favor of the rezoning. She believes the community and current residents/commercial businesses would greatly benefit.

The public input meeting was closed at 6:55 p.m.

NEW BUSINESS

MINUTES

Motion and Vote: Ms. Shank made a motion to approve the minutes of the April 6, 2026 Planning Commission meeting as presented. The motion was seconded by Mr. Wright and unanimously approved with Mr. Goetz abstaining from the vote.

ORDINANCE MODIFICATION

John R. Oliver Co., Inc. Lots 1 and 2 [OM-26-001]

Mr. Stotelmyer presented an ordinance modification to allow for proposed Lot 2 to be developed without 25-feet of usable road frontage. The site is located at 19325 Longmeadow Road and is currently zoned RS (Residential Suburban). The modification is needed to allow both sides of the duplex to utilize the single access provided to the property under separate ownership. If approved, a joint maintenance agreement will be prepared. In addition to the modification, variances would be required from the Board of Zoning Appeals.

Discussion and Comments: Mr. Goetz asked if the maintenance agreement would be recorded. Mr. Schreiber of Frederick, Seibert & Associates, the consultant, stated it would be part of the chain of title.

Motion and Vote: Mr. Goetz made a motion to approve the ordinance modification request as presented. The motion was seconded by Mr. Miller and unanimously approved.

PRELIMINARY PLAT

Arborview Phase I [PP-25-001]

Ms. Wagner-Grillo presented a preliminary plat for the proposed development of Arborview located on the north side of Mt. Aetna Road. The total acreage of the parcel is 218.23 acres which is currently zoned RT (Residential Transition). The cluster provision was approved by the Planning Commission on May 4, 2024 and a preliminary consultation was presented to the Commission on August 6, 2024. Phase I consists of 91 single-family dwellings and 100 semi-detached homes. The average lot size will be 8,868 sq. ft. for the single-family lots and 4,186 square feet for semi-detached lots. Parking required and provided will be two spaces per unit with 137 on-street parking spaces to also be provided. Sidewalks, street lighting, tot lots, and open spaces are proposed and will be maintained by the HOA. A photometric plan for street lighting will be required with the final plat submission. A sewer pump station is proposed as well as a water tower to be located at outlet 4. The water tower will be dedicated to the City of Hagerstown. Access to the development is proposed from Mossy Nook Gateway to Mt. Aetna Road and along Pergola Crossing to Sasha Boulevard. Two future road extensions are proposed from Trellis Way and Pergola Crossing. A note has been added to the plat for Phase I which states, "The developer shall be required to widen, to a minimum 20 ft. total pavement, any segment of road outside of the County's planned vertical/horizontal curvature corrections. Prior to final plat approval for the 126th lot, the development must have approved and bonded widening plans for Mt. Aetna Road, and the anticipated final plat approval must be within two years of the Capital Improvements Plan project. Alternately, should the developer wish to record the 126th lot prior to 2028, they may obtain approved and bonded plans for correction of the vertical/horizontal curves in addition to widening. Should the developer record at least 20 lots, but not more than 125 lots within 4 years of this approval, they will be responsible to widen those same segments of road to a minimum 18 ft. total pavement width." Any other conditions for future phases of the Arborview development will be included as part of the review and approval process for those phases. Schools that will serve Phase I are Greenbriar Elementary, Boonsboro Middle, and Boonsboro High. Capacity will be assessed at the final plat stage. Forest Conservation mitigation will be met through a combination of on-site planting, retention of existing forest, and payment-in-lieu of planting. All agency approvals have been received.

Discussion and Comments: Mr. Wright asked if there is a maximum number of units that can be built before alternate access points will be required. Ms. Kinzer stated that during Phase II, alternate access points will be required as a condition of approval by the Engineering Department. Mr. Wright expressed his opinion that more traffic circles should be required in Phase I to control traffic. Mr. Poffenberger of Fox & Associates, Inc., the consultant, stated that Phase I has been engineered and approved by all reviewing agencies and traffic circles cannot be added at this time; however, more traffic circles could be worked into Phase II. He also noted that four-way stops are proposed and the streets have been designed as "local" streets. Mr. Wright stated that some of the front yards consist of more than 50% concrete for parking and he believes that alleys should be added for additional parking.

Mr. Miller asked if the water tower will help alleviate water pressure issues in this area. Mr. Poffenberger stated it would help alleviate this issue and has been the topic of discussion for several years.

Forest Conservation

Mr. Allen presented a request to remove one specimen tree in Phase I. Specimen trees are greater than 30-inches in diameter and prioritized for retention under Article 8 of the Forest Conservation Ordinance. The specimen tree is located outside of a qualified forest and is in the direct path of Sassafra Drive. Retention of this tree would be very difficult. Mitigation for Phase I will be on-site retention.

Motion and Vote: Mr. Goetz made a motion to approve the removal of the one specimen tree as presented. The motion was seconded by Ms. Lane-Unsworth and unanimously approved.

Motion and Vote: Mr. Goetz made a motion to approve the preliminary plat as presented. The motion was seconded by Ms. Lane-Unsworth and approved 6-1 with Mr. Wright in opposition.

SITE PLAN

AC&T Williamsport [SP-24-020]

Ms. Wagner-Grillo presented a site plan for the redevelopment of an existing convenience store located at 16510 Virginia Avenue. The property is 1.94-acres in size and is currently zoned HI (Highway Interchange). A portion of this property was rezoned in October 2025. The proposed convenience store will be 6,138 sq. ft. with two fuel canopies; one canopy will be a diesel fueling station and the second canopy will have five fueling stations. Proposed hours of operation will be 24 hours per day, 7 days per week. Four employees per shift are proposed. No new signage is proposed; new and existing lighting is proposed. A photometric plan was included with the site plan. Buffer yards of 25-feet and vegetative screening are proposed along the property lines adjoining residential uses; a landscape plan was included in the site plan submittal. Parking required is 31 spaces; 43 vehicular parking spaces and 6 truck parking spaces will be provided. There will be one access from Brookmeade Road and one access from Virginia Avenue as well as an existing alley. Water service will be provided by the City of Hagerstown; sewer service will be provided by Washington County. Forest Conservation requirements will be met by a payment-in-lieu of planting of \$2,352.24. Storm water mitigation is on-site through a bio-retention underground system. Approvals are pending from the Washington County Engineering Department, Soil Conservation District, Washington County Planning Department, and the State Highway Administration.

Discussion and Comments: Mr. Goetz asked if there will be a full movement access from Virginia Avenue. Mr. Trevor Frederick of Frederick, Seibert & Associates, the consultant, stated it would be a full movement access. Mr. Goetz asked if there is any concern regarding stacking back into the parking spaces on-site. Mr. Frederick stated there is a second access to the site to help alleviate the stacking issue.

Mr. Wright noted that the concrete pad for the dumpster is a lower grade concrete than the pad for the diesel dispenser. He asked if it would be beneficial to use the higher grade concrete for the dumpster pad. Mr. Frederick stated they will review the plan to ensure that the correct grade of concrete is used for both pads. Mr. Wright asked if the 20-foot alley is owned by the applicant. Mr. Frederick stated it is owned by Washington County.

Motion and Vote: Mr. Miller made a motion to approve the site plan contingent upon all agency approvals. The motion was seconded by Ms. Shank and unanimously approved.

BSE, LLC Building #1 [SP-25-049]

Ms. Wagner-Grillo presented a site plan for the redevelopment of the former Citicorp Building #1 located at 14704 Citicorp Drive. Total acreage of the site is 59.56-acres and is currently zoned HI (Highway Interchange). The developer is proposing to use Building #1 as a warehouse facility. Parking required for this use is 56 spaces. There are currently 2,146 existing parking spaces on-site. There are two designated parking areas shown on the site plan for this building. Hours of operation will be Monday thru Saturday, 6 am to 6 pm and 40 employees are proposed. No new signage or pole mounted lighting is proposed. Water service is provided by the City of Hagerstown and sewer service is provided by Washington County. Forest Conservation requirements will be met by using the payment-in-lieu of planting in the amount of \$1,306.80. All agency approvals have been received.

Motion and Vote: Mr. Goetz made a motion to approve the site plan as presented. The motion was seconded by Mr. Miller and unanimously approved.

FOREST CONSERVATION

Bowman North LLC [S-23-065]

Mr. Allen presented a request to provide forest mitigation requirements off-site for a four-lot subdivision located at 17425 Snyders Landing Road. The total planting requirement is 4.50-acres. There is no qualified forest on-site; the property is currently used for agricultural purposes. The applicant owns property ¼ mile away across the road from the subject site which is the proposed location for the off-site mitigation area. This area is currently in a Maryland Environmental Trust easement; however, the easement does not guarantee retention of the existing forested area. MET will need to approve the request to place a forest easement on the property. The off-site easement would require a 2:1 ratio of retention; therefore, nine acres of forest would be retained within the easement.

Motion and Vote: Mr. Miller made a motion to approve the off-site forest retention area contingent upon approval by MET. The motion was seconded by Ms. Shank and unanimously approved.

Fletcher's Grove Phase 3 – Dean North [FP-25-002]

Mr. Allen presented a request to provide a portion of forest mitigation requirements at an off-site location for a 53-lot subdivision located along Mapleville Road in the Town of Boonsboro. There is a 7.16-acre total planting requirement; 2.8-acres of forest mitigation will be accomplished on-site by establishing a planted easement and planting street trees within the development. The remaining 4.36-acres of mitigation will be accomplished by an off-site easement at 12275 Pleasant Valley Road near Smithsburg.

Motion and Vote: Mr. Wright made a motion to approve the forest mitigation request as presented. The motion was seconded by Mr. Miller and unanimously approved.

OLD BUSINESS

2003 Mason Dixon LLC [WS-25-004]

Mr. Allen reminded members that during the April 6th meeting, a public input meeting was held to consider an amendment to the County's Water and Sewerage Plan for property at 17939 Mason Dixon Road. The applicant is requesting a change in the priority classification for water and sewer service from W-5/S-5 to W-3/S-3 and to recognize the public water distribution and public wastewater system of Antrim Township Municipal Authority to provide these services. No public comments were received either in favor of or in opposition to this request and staff have no objections.

Motion and Vote: Mr. Miller made a motion to approve the request as presented. The motion was seconded by Ms. Shank and unanimously approved with Mr. Goetz and Commissioner Wagner abstaining from the vote.

OTHER BUSINESS

Update of Projects Initialized

Ms. Kinzer provided a written report for land development plan review projects initialized during the month of March including six site plans.

Motion and Vote: Mr. Miller made a motion to adjourn to Closed Session. The motion was seconded by Ms. Lane-Unsworth, unanimously approved and so ordered by the Chairman.

CLOSED SESSION

To discuss the appointment, re-appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals.

Motion and Vote: Mr. Miller made a motion to adjourn Closed Session and to resume Open Session. The motion was seconded by Mr. Goetz, unanimously approved and so ordered by the Chairman.

RE-APPOINTMENT OF PLANNING COMMISSION MEMBER

Motion and Vote: Mr. Miller made a motion to recommend to the Board of County Commissioners the re-appointment of Ms. Shank to her first five-year term. Ms. Shank was appointed in The motion was seconded by Ms. Lane-Unsworth and unanimously approved with Ms. Shank and Commissioner Wagner abstaining from the vote.

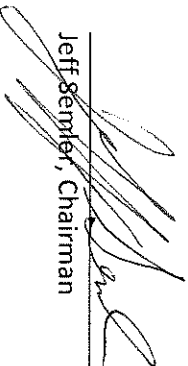
ADJOURNMENT

Mr. Goetz made a motion to adjourn the meeting at 7:45 p.m. The motion was seconded by Ms. Lane-Unsworth and so ordered by the Chairman.

UPCOMING MEETINGS

1. June 1, 2026, 6:00 p.m. – Washington County Planning Commission regular meeting

Respectfully submitted,



Jeff Semler, Chairman

WASHINGTON COUNTY PLANNING COMMISSION
REZONING PUBLIC INPUT AND REGULAR MEETING
June 1, 2026

The Washington County Planning Commission held a rezoning public input meeting and its regular monthly meeting on Monday, June 1, 2026 at 6:00 p.m. at the Washington County Administrative Complex, 100 W. Washington Street, Room 2000, Hagerstown, MD.

CALL TO ORDER AND ROLL CALL

The Chairman called the rezoning public input meeting to order at 6:00 p.m.

Planning Commission members present were: Jeff Semler, Chairman, Jay Miller, Vice-Chairman, Terrie Shank, Laura Lane-Unsworth, and Doug Wright, Jr. Staff members present were: Washington County Department of Planning & Zoning: Jennifer Kinzer, Interim Director; Travis Allen, Senior Planner; Kyla Shingleton, Comprehensive Planner; Misty Wagner-Grillo, Planner; and Debra Eckard, Office Manager.

REZONING PUBLIC INPUT MEETING

Washington County Board of County Commissioners [FCO-26-001]

Mr. Allen presented a text amendment application to amend several sections of the Forest Conservation Ordinance to comply with requirements of Maryland Senate Bill 256 (SB 256) and to provide clarification of existing regulations currently found in the Ordinance to meet the intent of Maryland's Forest Conservation Act. The majority of proposed amendments are mandated by SB 256 which was passed in 2023. Subsequent amendments under House Bill 1511 require that most of these changes under the original bill be adopted by July 1, 2026. These changes represent the most significant update to the Statewide Forest Conservation Act in 30 years. A statewide Technical Study on Changes in Forest Cover and Tree Canopy in Maryland was released in 2022, which mandated HB 991 in 2021. The Study was completed using higher resolution aerial imagery than has previously been available and was the most comprehensive study of changes in forest cover since 1991. The purpose of the Study was to evaluate the effectiveness of forest protection laws in Maryland over the last 20 years and to track progress of the State's commitment to completing its portion of the Chesapeake Bay Agreement.

Mr. Allen briefly noted that State laws, such as the Forest Conservation Act have been effective in stabilizing forest loss across the State overall, particularly in the last 10 years, despite a growing population. He noted that the positive nature of this trend is somewhat mitigated by a concurrent trend which revealed a replacement in forest cover with what the Study terms "*tree canopy outside of forests*". This refers to a trend known as "*forest fragmentation*". Fragmented forests do not off the same benefits to people and wildlife as contiguous blocks of intact forest cover.

Mr. Allen summarized some of the major provisions that will take effect Statewide as follows:

1. **Changes to forest mitigation ratios:** Forest cleared for development must be replaced at 1:1 ratio unless in a Priority Funding Area (and not in a priority retention area), in which case mitigation will be a 0.5:1 ratio.
2. **New Qualified Exemption:** Qualified exemptions related to transit-oriented development, multi-family housing and solar photovoltaic facilities mean these types of projects are now responsible for reforestation requirements, not afforestation.
3. **Expanded Priority Areas for Retention:** Existing forests in urban areas and in high value watersheds are among the new areas prioritized for retention during development.
4. **Expanded Opportunities for Public Review and Challenge:** Forest clearing that takes place in the expanded priority retention areas will now sometimes require public notice and/or comment as part of the project approval.
5. **Minimum Distances for Stream Buffers:** Intermittent streams must be buffered at least 50 feet from the stream channel while perennial streams must be buffered at least 100 feet from the stream channel. Unforested stream buffers will need to be planted as part of the project's mitigation.

In addition to the state-mandated changes, staff are proposing other changes to the Ordinance to provide clarification and to clean-up the existing text in the Ordinance. Mr. Allen noted that a comprehensive amendment to the Ordinance has not occurred since its adoption in 1993. Time has clarified how we administer the Ordinance on a day-to-day basis with far greater clarity than was possible 30 years ago.

The proposed changes have been preliminarily reviewed by the Department of Natural Resources (DNR) for consistency with requirements of SB 256. DNR is the agency responsible for administering the Forest Conservation Act statewide. The proposed language incorporates all comments received from DNR. Letters of support have been received from Jill Baker, the former Director of Planning & Zoning and the Washington County Soil Conservation District. Staff recommend approval of these proposed amendments

to meet requirements of SB 256 and to provide consistent implementation of forest conservation policies and regulations.

Discussion and Comments: There was a brief discussion regarding farmers clearing land to use in their farming operations. Mr. Allen stated that if the land is being used for farming operations, they would be exempt from forestation requirements; however, if the land is cleared to be used for a use such as a wedding venue then forestation would be required.

There was a brief discussion regarding the new public notification requirement. Mr. Allen explained that disturbance of forest in specific priority retention areas, such as: forested urban areas, high value watershed areas, forest suitable for interior forest dwelling species and stream buffers would require public notification. Notification could be made by mailing letters to affected property owners and allowing public comment via e-mail or standard mail. If more than 75% of the priority area is being cleared a public meeting for verbal comment would be required. If the Planning Commission would deny a request, the developer would need to seek other forest conservation measures.

Public Comment

Ms. Jill Baker, Williamsport – Ms. Baker spoke in favor of the proposed amendments. She noted that the State is trying to prevent forest fragmentation by providing many options for developers to retain or mitigate disturbed forest. She encouraged the Planning Commission to review each project on an individual basis and consider the proposed technique(s) chosen by the developer for mitigation.

Mr. Semler closed the Public Input Meeting at 6:23 p.m. and called the regular meeting to order.

NEW BUSINESS

MINUTES

Mr. Wright requested a change to the minutes of May 4, 2026.

Motion and Vote: Mr. Miller made a motion to approve the minutes of the May 4, 2026 Planning Commission meeting as amended. The motion was seconded by Ms. Shank and unanimously approved.

PRELIMINARY PLAT/SITE PLAN

Home2Suites – South Hagerstown [PSP-25-003]

Ms. Wagner-Grillo presented a preliminary plat/site plan for a proposed 4-story, 105-room hotel with a footprint of 25,200 square feet at 18565 Champs Crossing Drive. Lot 4 is 2.39-acres and is currently zoned HI (Highway Interchange). Water service will be provided by the City of Hagerstown and sewer service will be provided by Washington County. Storm water management will be handled through an off-site pond east of the McDonald's. Hours of operation will be 24 hours/day, 7 days/week; 20 employees are proposed. Parking required is 106 spaces; parking provided will be 112 spaces. Lighting will be pole and building mounted; a photometric plan has been submitted with the site plan. Pylon pole and building mounted signs are proposed. Landscaping will be provided around the building and throughout the parking area. Forest Conservation requirements were mitigated on a previously approved plat using off-site forest mitigation. All agency approvals have been received.

Discussion and Comments: Mr. Wright expressed his opinion that sidewalks should be provided for ease in access to other businesses in the area.

Mr. Semler asked if storm water management has been sized to accommodate Lots 3 and 5. Ms. Wagner-Grillo stated it can accommodate the remaining lots.

Mr. Miller expressed his concern that the County continues to approve projects and also continues to discuss the lack of water and sewer capacity. Ms. Kinzer stated that the City of Hagerstown as well as the County's Department of Water Quality have reviewed and approved this plan. She explained that this does not guarantee services; however, it indicates there is still allocation available. Allocation is given on a first-come/first serve basis.

Motion and Vote: Mr. Miller made a motion to approve the preliminary plat/site plan as presented. The motion was seconded by Ms. Lane-Unsworth and unanimously approved.

FOREST CONSERVATION

Fulton Forest Conservation Plan [TWN-26-010]

Mr. Allen presented two requests to meet forest conservation requirements on property located on Conococheague Street in Williamsport. The first request is to provide a payment-in-lieu of planting for 1.16-acres and the second request is to remove one specimen tree. The developer is proposing a gravel parking lot for tractor trailer parking in the Town of Williamsport. Mr. Allen explained that the County approves forest conservation requirements in the Town while the Town will approve the site plan. He noted that under normal circumstances, this project would qualify for the express procedure without Planning Commission approval. However, because the developer is requesting the removal of one specimen tree, the Planning Commission must approve the payment-in-lieu of request. The Forest Conservation Plan indicates the retention of forest on-site in existing floodplains; the remaining existing forest that is not being put under easement is located within a utility easement that precludes retention. The specimen tree is located in a centralized area of the site which makes retention very difficult. One specimen tree will be retained on the site.

Discussion and Comment: Mr. Miller asked if off-site retention on another parcel was considered. Mr. Allen noted that typically this developer does as much on-site retention as possible then requests the payment-in-lieu of planting to meet the remaining mitigation requirements. He reminded members that if the specimen tree removal was not requested, this project would be eligible for express approval without the Planning Commission's approval. Mr. Miller stated he is not in favor of approving the payment-in-lieu of planting request.

Motion and Vote: Mr. Miller made a motion to approve the request to remove one specimen tree. The motion was seconded by Mr. Wright and unanimously approved.

Motion and Vote: Ms. Shank made a motion to deny the payment-in-lieu of planting request and require reforestation. The motion was seconded by Ms. Lane-Unsworth.

Discussion before the vote: Mr. Allen asked for clarification if the Planning Commission wants the developer to provide mitigation on-site or use a different technique of mitigation.

Amended Motion and Vote: Ms. Shank made a motion to deny the payment-in-lieu of planting request and require another mitigation technique. The motion was seconded by Ms. Lane-Unsworth and unanimously approved.

OLD BUSINESS

Cascade Properties LLC [RZ-26-002]

Staff Presentation

Ms. Shingleton stated that a proposed text amendment to the Special Economic Development zoning district, Article 19, Sections 19c.2, 19c.3, 19c.6 and 19c.7 of the Washington County Zoning Ordinance was submitted. The proposed amendments to Article 19 of the Zoning Ordinance would include newly permitted and special exception uses as well as residential setbacks and design criteria which would allow for more opportunities, redevelopment and revitalization of the former Fort Ritchie Army Base.

Discussion and Comment: Mr. Wright expressed his opinion that Section 19.C.2 should not include electroplating or other uses that would put more serious chemical discharge into the sewage system. He believes those types of activities should occur in more industrialized areas in the County.

Ms. Kinzer reminded members that variety stores were stricken as a principally permitted use by the applicant during the public input meeting.

Motion and Vote: Mr. Miller made a motion to recommend approval to the Board of County Commissioners the proposed text amendment with electroplating and variety stores stricken from the text. The motion was seconded by Mr. Wright and unanimously approved.

Michael Godinez/Dominion Realty LLC [RZ-26-003]

Ms. Shingleton stated a proposed map amendment for properties located at 18128 and 18132 Maugans Avenue was submitted. The applicant is proposing to rezone the properties from RM (Residential Multi-family) to HI (Highway Interchange). The applicant is claiming a mistake in the original zoning of the property as well as a change in the character of the neighborhood. In the case of mistake, the applicant contends that the County erred in rezoning the properties due to the inconsistent application of the HI-1 zoning classification to properties along Maugans Avenue during the 2002 comprehensive rezoning. In the case of substantial change in the character of the neighborhood, the applicant contends there has been an increase in average daily traffic on Maugans Avenue and substantial commercial development in close proximity of the subject parcels.

Due to the reasons stated above, Staff believes it is logical to apply the Highway Interchange zoning classification to these properties based on the separation from the neighborhood that is currently zoned RM (Residential Multi-family) and the close proximity to other commercial uses.

Discussion and Comment: Mr. Semler does not believe there was a mistake in the original zoning; however, he does believe there has been a change in the character of the neighborhood.

Motion and Vote: Mr. Miller made a motion to recommend approval of the proposed map amendment to the Board of County Commissioners based on a change in the character of the neighborhood. The motion was seconded by Ms. Shank and unanimously approved.

OTHER BUSINESS

Annual Report

Ms. Kinzer presented the 2025 Annual Report which is required by the Maryland Department of Planning (MDP). She briefly highlighted sections of the Report. During 2025, 63% of the County's permits were issued in six PFAs (Priority Funding Areas), which is where the State wants development focused and 37% were outside the PFA (in the rural area). The County goal in the 2002 Comprehensive Plan was 80% in the PFAs and 20% in the rural areas (80/20 ratio); the 2040 Comp Plan goal is an 85/15 ratio. This goal continues to follow State guidance to keep development where services are available and on smaller lots leaving more of the rural community untouched.

Update of Projects Initialized

Ms. Kinzer provided a written report for land development plan review projects initialized during the month of April including 12 site plans. She also noted that the final plat for the Village at Valencia – Phase I has been submitted.

ADJOURNMENT

Mr. Miller made a motion to adjourn the meeting at 7:25 p.m. The motion was seconded by Ms. Lane-Unsworth and so ordered by the Chairman.

UPCOMING MEETINGS

1. July 6, 2026, 6:00 p.m. – Washington County Planning Commission regular meeting

Respectfully submitted,

Jeff Semler, Chairman