

This form to be filed in triplicate.

**Please schedule a pre-submittal meeting with the Department of Planning prior to submitting your petition.*

**PETITION FOR ZONING MAP AMENDMENT
CARROLL COUNTY, MARYLAND**

To the Commissioners of Carroll County:

I, _____ (Name of Petitioner) hereby petition for reclassification of property located in Carroll County, Maryland, and which is described in the attached plat and made part hereof from a _____ (present zoning district) to _____ (requested zoning district) for reasons given in the attached statement. The property is located at _____ (N, S, E, W side of road, distance N, S, E, W, of nearest intersection) and consists of _____ acres.

1. This petition must include all the information outlined in the Carroll County Guide for Preparation of Rezoning Petitions and Procedure for Rezoning. The petitioner agrees to furnish such additional plats, plans, or other data as may be required by Board of County Commissioners, and/or the Planning and Zoning Commission in connection with the filing of this petition.
2. The petitioner further agrees to pay all costs in accordance with the attached schedule of fees.
3. The petitioner certifies that no petition for the same or substantially the same proposal on the subject property has been disapproved by the County Commissioners within 12 months of the date of this petition.

Legal Owner: _____

Legal Owner's Address: _____

Legal Owner's Phone: _____

Petitioner *: _____

Petitioner's Address: _____

Petitioner's Phone: _____

Date: _____

(Signature of Petitioner)

* If different from owner, identify interest in property _____

We recommend that you have an attorney. If you have an attorney, please indicate below your attorney's name address, and telephone number.

Attorney: _____

Address: _____

Phone: _____

For Office Use:		
Piecemeal Rezoning File # _____	Date Filed _____	Fee \$ _____
Tax Map # _____	Block # _____	Parcel # _____

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STATEMENT OF PETITION FOR MAP AMENDMENT FEES

Petitioner:

Piecemeal Rezoning File #:

To the County Commissioners of Carroll County:

The following items are attached:

- For administration, processing, publication of legal notices, and posting of public hearing notices: **\$800.00**
- **Payment Received: Check or Invoice #** _____
- *A 2.5% processing fee will be applied to all credit card payments.*

I (We) hereby understand and certify that the petitioner is responsible for the payment of costs for building and/or hearing room rental, public reporters, and any transportation should any or all of these items be determined necessary by the County Commissioners in hearing and/or considering this petition; and, as Petitioner, do hereby guarantee payment to the County Commissioners of Carroll County within thirty (30) days from the receipt of a statement of such costs. I (We) understand that these fees are non-refundable.

Signature of Petitioner

Date

Carroll County Guide for the Preparation of Rezoning Petitions and Procedure for Rezoning

1. Petitions for changes to the official zoning maps of Carroll County are available at the Department of Planning (225 N. Center Street, Westminster). When requesting forms, potential petitioners will be informed that, if they proceed, they will need to schedule a pre-submittal conference with the area planner before submitting their completed petition package. The planner will cover the following topics with the petitioner at the pre-submittal conference:

- Procedure for rezoning;
- Rezoning options: change or mistake;
- Discuss “neighborhood”; provide criteria for “good neighborhood”.
(Director of Land Use, Planning and Development must give the planner final approval on what to consider the “neighborhood”.)

It is the petitioner’s responsibility to schedule a pre-submittal meeting with the area planner.

2. Completed forms, required documentation, mylars, and paper prints of the petition plat are to be submitted to the Department of Planning. The planner will review the petition to be sure it is complete. It should include the following items at the time it is submitted to the Department of Planning:

- Requested change;
- Current use(s) of property;
- A written description of the neighborhood, along with a map delineating the neighborhood;
- Allegation of mistake in the current zoning, nature of the mistake and facts supporting the alleged mistake;
 - **and/or...**
- Allegation of a substantial change in the character of neighborhood subsequent to the most recent comprehensive plan or comprehensive rezoning and facts supporting the alleged change. A map delineating the neighborhood with verbal description must accompany the discussion;
- Whether or not the rezoning request would be consistent with the County Master Plan if granted; and,
- Whether or not the property is served by public water, sewer or roads.

The planner will identify issues in the petition packet that need to be brought to the attention of the Director of Planning or need to be addressed by the petitioner before the application packet is deemed complete.

Along with the written statement, there needs to be two (2) mylar property boundary plats of the property at least 8 ½ x 14 in size; fifteen (15) paper copies of the property boundary plats; and, a digital version of the property boundary plats prepared in accordance with the current Digital Data Policy. All submitted property boundary plats should be drawn to mapping standards. (Appendix A)

3. The planner will review the petition for the required contents, ensuring that all required information has been provided. If a petition is not in proper form or is not complete, it shall be rejected by the Department of Planning and returned to the petitioner. The planner will advise the petitioner in writing if additional information is required. If the petition is complete, the planner will notify the petitioner in writing that the package is complete and that the filing fee must be paid at the Department of Planning for the petition to be considered officially filed and accepted.

4. Once the Department of Planning officially determines the application to be complete, the petitioner will be required to pay a non-refundable filing fee of \$800.00. Fees should be paid at the Department of Planning office (225 N. Center Street, Westminster) and made payable to the “Board of Carroll County Commissioners.” A receipt will be issued at the time the filing fee is paid and will indicate the file number assigned to the case. The Department of Planning will maintain a file available for public review on the rezoning petition.

5. Once the application is officially accepted, the planner shall distribute copies of the petition and petition plat to designated agencies for comment within a specified deadline. Comments may be requested from any agency which may have jurisdiction or interest in the matter or from any other person or agency which may have information pertinent to the Planning Commission's determination. The planner coordinates with the Department of Land and Resource Management's GIS Division to prepare a map on an aerial photo base which shows the parcel data, neighborhood boundary, the petition area, and all zoning in the neighborhood.

6. The planner introduces the petition to the Planning Commission at its next meeting for informational purposes. Arrangements for a field review by the Planning Commission are made, if necessary.

7. The planner researches the facts in the case and prepares a written report to the Planning Commission, including the Department of Planning's findings of fact, comments from referral agencies, and Department of Planning recommendation to the Planning Commission.

8. The Planning Commission makes a field review, if necessary.

9. The Director of Planning's Administrative Assistant notifies the petitioner of the meeting date on which the Planning Commission will review the petition and forwards a copy of the staff report to the petitioner and the petitioner's representative, if any.

10. The planner makes an oral presentation of the written staff report to the Planning Commission at a regular monthly meeting.

11. Following the Planning Commission's field review and formal action on the petition at a regular monthly meeting, the Commission Secretary forwards the report and the Commission's recommendations on the petition to the Board of County Commissioners under standard transmittal letter, with copy to the County Attorney, Zoning Administrator, petitioner, and petitioner's representative, if any.

12. The Director of Planning's Administrative Assistant will coordinate with the Commissioner's Office to schedule a briefing and public hearing with the Board of County Commissioners. The Department of Planning then coordinates with the County Attorney and County Commissioners to advertise the public hearing, allowing sufficient time for the advertisement preparation and publication to meet the legal requirement.

14. Although not a legal requirement, the Department of Planning will prepare a letter of notice by first-class mail of the hearing to petitioners and all confronting and adjoining landowners identified in the petition, with copies to County Commissioners, County Attorney, and petitioner's representative, if any. The planner will identify any additional notices required that were not identified in the petition.

15. The Department of Planning will have the public notice published in a newspaper of general circulation in the county for two successive weeks, as well as make copies of advertisement for County Commissioners, Department of Planning, Zoning Administrator, County Attorney, Maryland Department of Planning, switchboard operator, petitioner, and petitioner's representative, if any.

16. When the advertisement appears in the newspaper, the Department of Planning will clip and mount it on letter-size paper, note the date of publication, and make copies and forward them to the County Commissioners and County Attorney.

17. On or before the first day of publication of the advertisement, the Department of Planning will prepare a public hearing sign and forward it to the Office of Zoning Administration for posting 14 days prior to the public hearing.

18. The Department of Planning will maintain a record of letters that have been sent to adjoining and confronting property owners and the date each letter was mailed.

19. Approximately two weeks prior to the public hearing, the planner will brief the Board of County Commissioners on the rezoning petition. This briefing is for informational purposes only.

20. On the day of the hearing, an attendance roster will be provided by the Department of Planning to the Clerk to the County Commissioners, who will circulate and collect the attendance roster at the hearing, and will return same to the Department of Planning by the day following the hearing.

21. The public hearing is conducted by the County Attorney. At the public hearing, the planner presents a summary of the staff report. The petitioner and any other interested individuals may provide oral comments to the Board of County Commissioners at the hearing.

22. After the hearing, the Board of County Commissioners will decide the case. The law requires the Commissioners to consider certain facts and evidence, among which are the following:

- Whether there have been any substantial changes in or near the area covered by a proposed change in the district boundary lines;
- Whether it is clearly evident that there was an error or mistake in the zoning of the subject property;
- The report and recommendations of the Planning Commission;
- The purpose of the regulations as outlined in Article 1 of the Carroll County Zoning Ordinance; and
- Any amendments or additions to the Carroll County Master Plan developed since the adoption of the current zoning.

The County Attorney's Office will issue a written decision.

23. If the rezoning request is approved, the Department of Planning prepares a resolution authorizing the Zoning Administrator to amend the zoning map. The Department of Planning secures the County Commissioners' signatures on the resolution and sends it and the plat attachment mylar to the Zoning Administrator to authorize a change in the zoning maps. The amendment may not become effective until 10 days after the public hearing.

If the petition is modified by the action of the County Commissioners, the Department of Planning will notify petitioner and petitioner's representative, if any, to have the mylar revised and resubmitted. The planner will review mylar for accuracy.

If the petition is denied, the Department of Planning will notify the petitioner and petitioner's representative, if any.

24. The Department of Planning will make 2 copies of both the rezoning resolution and approved plat of the rezoned area. The Planner will take the 2 copies plus the original to Land Records to be date stamped and the original to be recorded. Land Records will keep the original to be recorded and microfilmed. The planner returns one copy to the Office Associate and files one copy. The Office Associate will copy and distribute one to County Commissioners, one to Zoning Administration, one to the Assessments Office, and keep one for the Bureau.

25. The Zoning Administrator will direct the Department of Land and Resource Management's GIS Division, by memo, to make a change on the official zoning map in accordance with the resolution and add the resolution number, date, and rezoning case number reference to the official zoning map; the Zoning Administrator will certify that the change is correct.

26. The Department of Land and Resource Management's GIS Division will have three new paper prints of the official zoning map made. Planner drafts memo for Director of Planning's signature, forwarding maps to Chief of Staff for Commissioner's signatures.

27. After the Commissioner signatures have been obtained and the official zoning maps have been date stamped by the Clerk of the Circuit Court, a signed copy is given to the Department of Planning, the Office of Zoning Administration, and Land Records.

APPENDIX A

Map Standards

- 1.) Plats must be prepared by a registered professional engineer or surveyor, certified by them to be correct, and drawn to an appropriate scale. In cases where the area requested to be rezoned is too large to be legibly shown on an 8 ½ x 14 mylar, the petitioner can submit a larger mylar plat for purposes of processing the request. However, if the rezoning is approved, 8 ½ x 14 mylar plats must be submitted prior to signing of the rezoning ordinance.
- 2.) All rezoning plats must show the following:
 - Courses and distance of outline boundary lines and the area thereof.
 - Current use(s) of the property
 - Vicinity map
 - North arrow
 - Existing zoning of subject property and confronting and adjoining properties.
 - Proposed zoning
 - Location, extent and area of proposed change in existing zoning and/or use for the petitioner's property and any other property affected by the proposed change.
 - Any existing building, structures, signs, streams and stream buffers, quarries, slopes in excess of 25 percent, or other items required to be shown on an environmental resource inventory, adopted per the Environmental Resources Element in the Subdivision Regulations. Other objects and/or uses on the subject property, which may be required in the proper examination of petition, must also be shown.
 - Location of subject property in relation, by approximate dimension, to nearest public roads (including road right-of-way and paved roadway surface.)
 - Election District in which property is located.
 - Location of property by tax map reference.
 - Name and mailing address of property owner.
 - Names and addresses of confronting and adjoining property owners.
 - Name and mailing address of petitioner.
 - MD State Plane (NAD 83 ft.) grid reference.
- 3.) The current digital data policy requires that rezoning request layers be submitted on CD-ROM in digital format. Acceptable formats include (in the order of preference):
 - ESRI Shapefile
 - ESRI geodatabase (personal or file)
 - AutoCAD DWG/DXF
 - Microstation DGN

Note: Please make sure all of the elements of the Map Standards are represented on the rezoning plat because at the time the rezoning becomes official the plat will be filed separately from the petition.