BY-REQUEST COMPREHENSIVE REZONING

COMMERCIAL, INDUSTRIAL & EMPLOYMENT CAMPUS DISTRICTS

C2-09-2020-0014
Carroll County Department of Planning
Comprehensive Zoning Assessment Report

1. Request

Request # C2—09-2020-0014 Applicant Name MAD PROPERTIES ENTERPRISES, LLC c/o MARSHA HENLEY

Property Address 1835 &1839 OLD WEST LIBERTY RD, WESTMINSTER, MD 21157
Current Zoning AG Requested Zoning C-2

2. Description of Property

Site Address 1835 &1839 OLD WEST LIBERTY RD, WESTMINSTER, MD 21157
Commissioner District 4 Account IDs: 0709003819 & 0709000488
Parcels 0068 & 0067 Map 0061
Total Acreage of Parcels 1.69 Area to be Rezoned: 1.69
Current Use: Residential & Commercial Improved or Unimproved: Improved
Current Zoning: AG Requested Zoning: C-2

3. Land Use and Zoning Considerations (See maps of applicable features)

Existing Land Uses:
Residence, Commercial (Heating and Air Conditioning business)

Land Use Plan Designation: Agriculture

Zoning History Summary

This property has been in the Ag District since 1965. It has been in commercial use as a nonconforming use and has received BZA approvals for expansions and substitution of other uses throughout the years. There are no zoning violations on the property.

1 Per 2014 Carroll County Master Plan as amended 2019.
Existing Zoning and Land Use in Adjacent Area (See maps of the property and the surrounding area):

<table>
<thead>
<tr>
<th>Zoning</th>
<th>Land Use (existing &amp; future)</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Agricultural</td>
</tr>
<tr>
<td>South</td>
<td>Agricultural</td>
</tr>
<tr>
<td>East</td>
<td>Agricultural</td>
</tr>
<tr>
<td>West</td>
<td>Agricultural</td>
</tr>
</tbody>
</table>

4. Consistency with Master and Functional Plans:

A. Applicable Master Plan Land Use (Such as MGA, Rural Village Designation Etc.)

This property is in the 2014 CCMP as amended 2019. It has a Future Land Use designation of Agricultural and is outside of the Rural Village of Winfield, which houses the commercial amenities for the surrounding area. The Smart Growth Act of 1997 allowed counties to certify Rural Villages as Priority Funding Areas (PFAs) if they are designated in the Comprehensive Plan. Rural Villages are small, unincorporated minor growth centers with identifiable edges to define the area. The line is drawn around the aggregation of residential and commercial properties that are logically interconnected.

This request is not consistent with the Future Land Use Designation.

B. Applicable Master Plan Goals and Objectives

This request is contrary to goals 13, 14 and 15 in the Carroll County Master Plan.

Goal 13 - Promote a healthy economy and additional employment opportunities by… providing land appropriately located and zoned for a variety of types and intensities of new economic development activities; and (d) maintaining a desirable balance between economic development and residential development.

Goal 14 - Facilitate a development pattern that remains consistent with the fabric of our communities, is in harmony with the surrounding built and natural environments, encourages community interaction and, in rural areas, preserves the County’s rural character.

Goal 15 - Pursue policies that facilitate development in appropriate areas, including the Designated Growth Areas, thereby protecting and conserving agricultural and environmental resources, preserving open space, and providing public facilities and services efficiently and cost-effectively.
C. Water Service Area and Service

No Planned Service

D.

No Planned Service

5. Environmental Constraints

Nothing of significance.

6. Historic Resources Identified

None

7. Public Safety Assessment

In the Winfield District: Adequate for Fire and EMS

8. Ag Preservation and Applicable Preservation Area

None on site or in the vicinity.
9. Assessment Summary

This request is not consistent with the 2014 Carroll County Master Plan as amended 2019 or other applicable plans. Inconsistency with the master plan and the presumption of correctness of the master plan are the two main reasons for this unfavorable recommendation.

Although the property is not currently in an Ag use, it is a legally operating nonconforming commercial use, and may continue as such indefinitely. Changing this property from Ag zoning to the C-2 zoning category would allow all the more intense commercial uses in Section 158.082 of the County Code on this property, which is outside of a nearby Rural Village and surrounded by Ag-zoned land. This was not envisioned by the 2014 Plan or the 2019 Amendment and is therefore not consistent with the Plan. The area for commercial activity in this part of the County is the Winfield Rural Village, which has defined identifiable edges. Also, the property is not a major road; it is off a small County Road which is not conducive to commercial traffic.

10. Recommendations

Department of Planning Recommendation:  
(Favorable or Unfavorable)  

Planning Commission Recommendation:  
(Favorable or Unfavorable)  

11. Appendixes

See attachments for individual assessments.
Zoning History

Request # C2—09-2020-0014  Applicant Name MAD PROPERTIES ENTERPRISES, LLC c/o MARSHA HENLEY

Property Address 1835 & 1839 OLD WEST LIBERTY RD, WESTMINSTER, MD 21157

Current Zoning R-10,000 Requested Zoning C-2

Previous Zoning Change Requests (if applicable): NONE

BZA Requests (if applicable): There have been multiple BZA cases on these properties: 1416, 3365, and 4531. Case #1416 in 1979 was for approval of a change in use from a service garage to a plumbing contractor shop and storage building and yard. Case #3365 in 1990 was for approval of the enlargement of a non-conforming use and construction of a shed. Case #4531 in 2000 was for an expansion of a non-conforming use.

Zoning Violations (if applicable):

None

If so, have they been resolved:

Comments:

The first zoning on the property was AG in 1965 and remained as such until today.
Checklist of Environmental Issues

Request # _C2—05-2020-0031_ Applicant Name _BUCKMAN ASSOCIATES LLC_

Property Address _1135 LIBERTY RD, SYKESVILLE, MD 21784_

Current Zoning _R-10,000_ Requested Zoning _C-2_

Watershed _S. Branch of the Patapsco River_

Yes  No
☐  ☒  Water Resources Protection Easement
☐  ☒  100-Year Floodplain on the Property
☐  ☒  Streams
☐  ☒  Wetlands
☐  ☒  Steep Slopes (<25%)
☐  ☒  Forest Cover (<25% □ 25-50% □ 51-75% □ >75% □ of total parcel)

If “YES” checked on any of the above, indicate extent of resource on the property below:
Historic Preservation Checklist

Request # _C2—09-2020-0014_  Applicant Name  _MAD PROPERTIES ENTERPRISES, LLC_  
c/o  _MARSHA HENLEY_  

Property Address _1835 &1839 OLD WEST LIBERTY RD, WESTMINSTER, MD 21157_  

Historic Inventory Number On-Site  _NONE_  

Historic Feature within a ½ mile radius  _NONE._  

Comments:
Fire and EMS Assessment

Request # _C2—09-2020-0014_ Applicant Name __MAD PROPERTIES ENTERPRISES, LLC c/o MARSHA HENLEY__

Property Address _1835 &1839 OLD WEST LIBERTY RD, WESTMINSTER, MD 21157__

Districts:

<table>
<thead>
<tr>
<th>EMS: Southern</th>
<th>Adequacy: Adequate__</th>
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</thead>
<tbody>
<tr>
<td>Fire: Winfield</td>
<td>Adequacy: Adequate__</td>
</tr>
</tbody>
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*Adequacy Rates for Fire and EMS:

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<th>Inadequate</th>
<th>Approaching Inadequate</th>
<th>Adequate</th>
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<tbody>
<tr>
<td>Late and No Response</td>
<td>Equals or exceeds 15%</td>
<td>Equals or exceeds 15%</td>
<td>Less than 15%</td>
</tr>
<tr>
<td>Total No Response</td>
<td>Equals or exceeds 4% over 24 months</td>
<td>Equals or exceeds 4% over 24 months</td>
<td>Equals or exceeds 4% over 24 months</td>
</tr>
<tr>
<td>Response Time</td>
<td>Exceeds 10 minutes</td>
<td>Between 8- 10 minutes</td>
<td>8 minutes or less</td>
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Notes:
Transportation Checklist

Request #  C2—09-2020-0014  Applicant Name  MAD PROPERTIES ENTERPRISES, LLC c/o MARSHA HENLEY

Property Address  1835 & 1839 OLD WEST LIBERTY RD, WESTMINSTER, MD 21157

Current Zoning  R-10,000  Requested Zoning  C-2

Frontage Road  Old Liberty Road

Most Recent ADT of Frontage Road  There are no counts for Old Liberty Road. The Count for MD 26 at this area is 10,502

Functional Classification of Frontage Road  Rural Minor Arterial

Capital Improvements of Adjacent Road(s)  None Planned

Planned Major Streets on-site or in proximity  None

Sidewalk  ☒ Yes  ☐ No

Trails  ☐ Yes  ☐ No

Trail Blazer Route or Stop  ☐ Yes  ☐ No

Other Comments:


School Assessment

Request # _C2—09-2020-0014_   Applicant Name _MAD PROPERTIES ENTERPRISES, LLC_  
c/o _MARSHA HENLEY_

Property Address _1835 &1839 OLD WEST LIBERTY RD, WESTMINSTER, MD 21157_

Districts:

- **Elementary**: Winfield  
  Current Utilization Rate _85.2_  
  Adequacy _Adequate_

- **Middle**: Mt. Airy  
  Current Utilization Rate _90.5_  
  Adequacy _Adequate_

- **High**: South Carroll  
  Current Utilization Rate _77.0_  
  Adequacy _Adequate_

* Adequacy Rates for Projected Enrollment based on the 2019-2028 EFMP


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<th>School</th>
<th>Inadequate</th>
<th>Approaching Inadequate</th>
<th>Adequate</th>
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<tbody>
<tr>
<td>Elementary</td>
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<td>110-119% SRC</td>
<td>$&lt;110%$ SRC</td>
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<tr>
<td>Middle</td>
<td>$\geq 120%$ FC</td>
<td>110-119% FC</td>
<td>$&lt;110%$ FCC</td>
</tr>
<tr>
<td>High</td>
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