

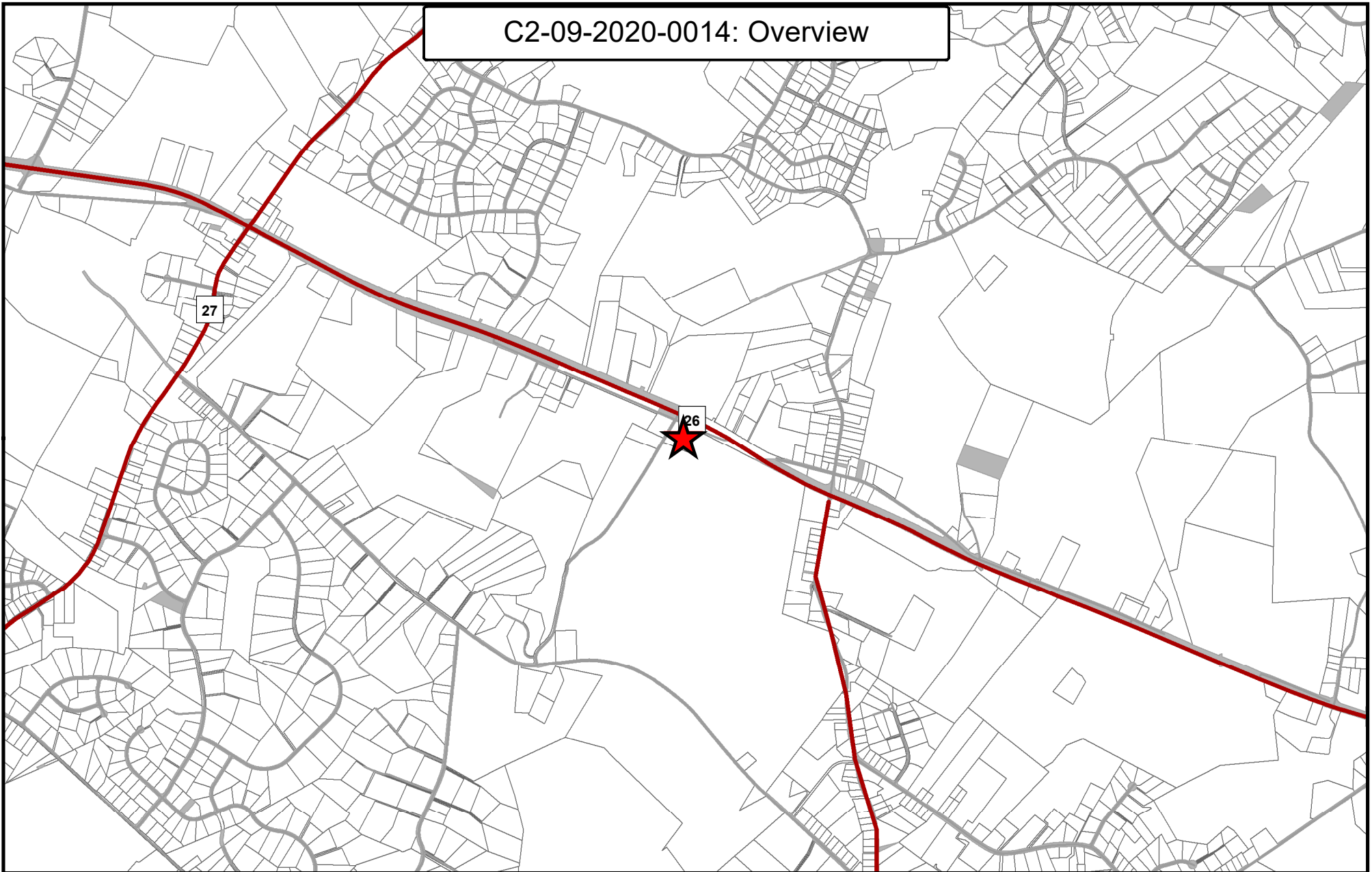
BY-REQUEST COMPREHENSIVE REZONING

COMMERCIAL, INDUSTRIAL & EMPLOYMENT CAMPUS DISTRICTS

C2-09-2020-0014



C2-09-2020-0014: Overview



Legend

- ★ C2-09-2020-0014
- Major Roads
- Roads
- Property Data

0 0.25 0.5 1 Miles





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C2-09-2020-0014: Aerial



Legend

-  C2-09-2020-0014
-  Major Roads
-  Roads
-  Property Data

0 65 130 260 Feet



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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:¹ 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):

	<u>Zoning</u>	<u>Land Use (existing & future)</u>
North	Agricultural	Agricultural
South	Agricultural	Agricultural
East	Agricultural	Agricultural
West	Agricultural	Agricultural

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)

Unfavorable

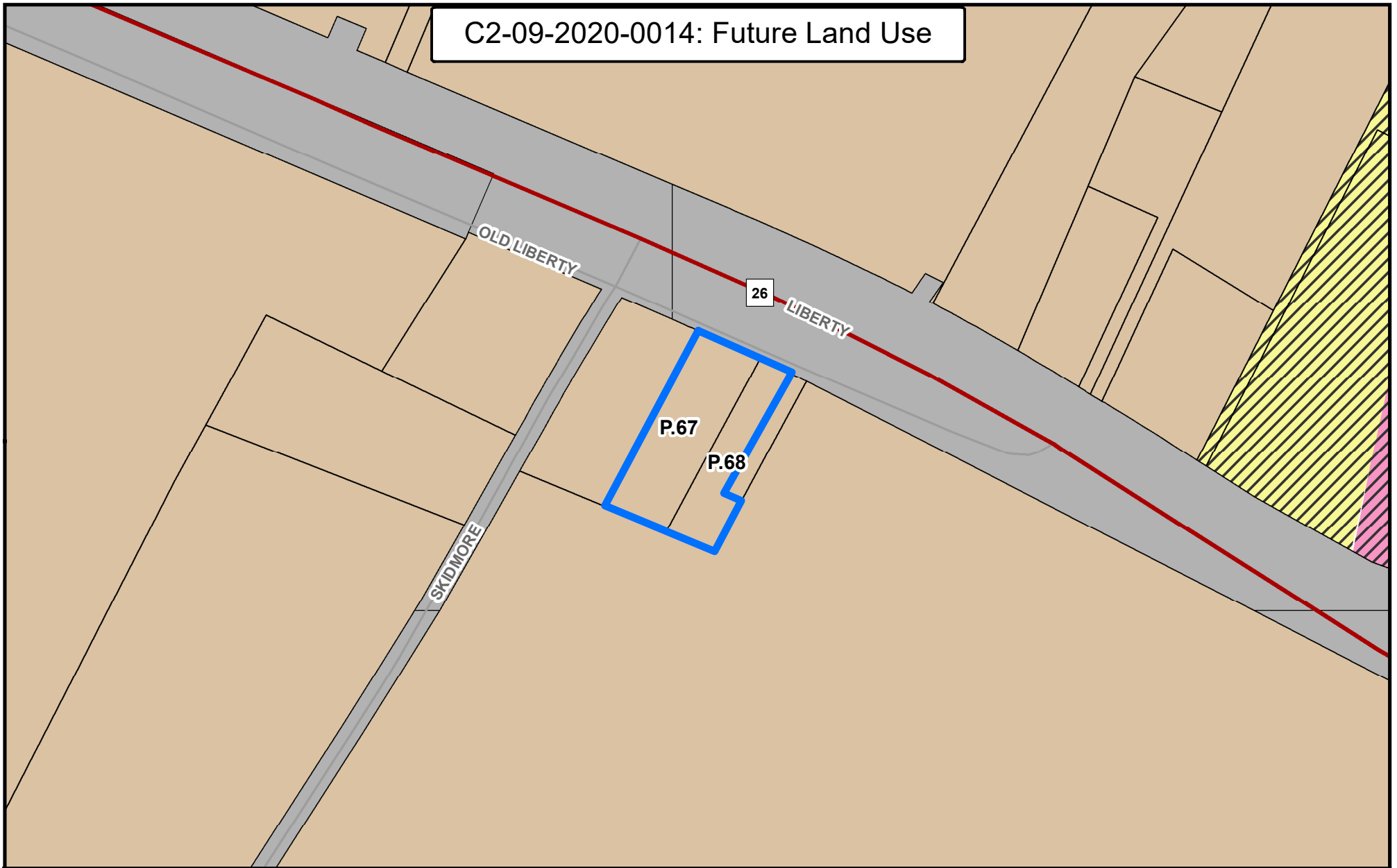
Planning Commission Recommendation:
(Favorable or Unfavorable)

Favorable







11. Appendixes



See attachments for individual assessments.

C2-09-2020-0014: Future Land Use



Legend

-  C2-09-2020-0014
-  Major Roads
-  Roads
-  Property Data
- County Future Land Use**
-  Agriculture
-  Village-Commercial/Industrial

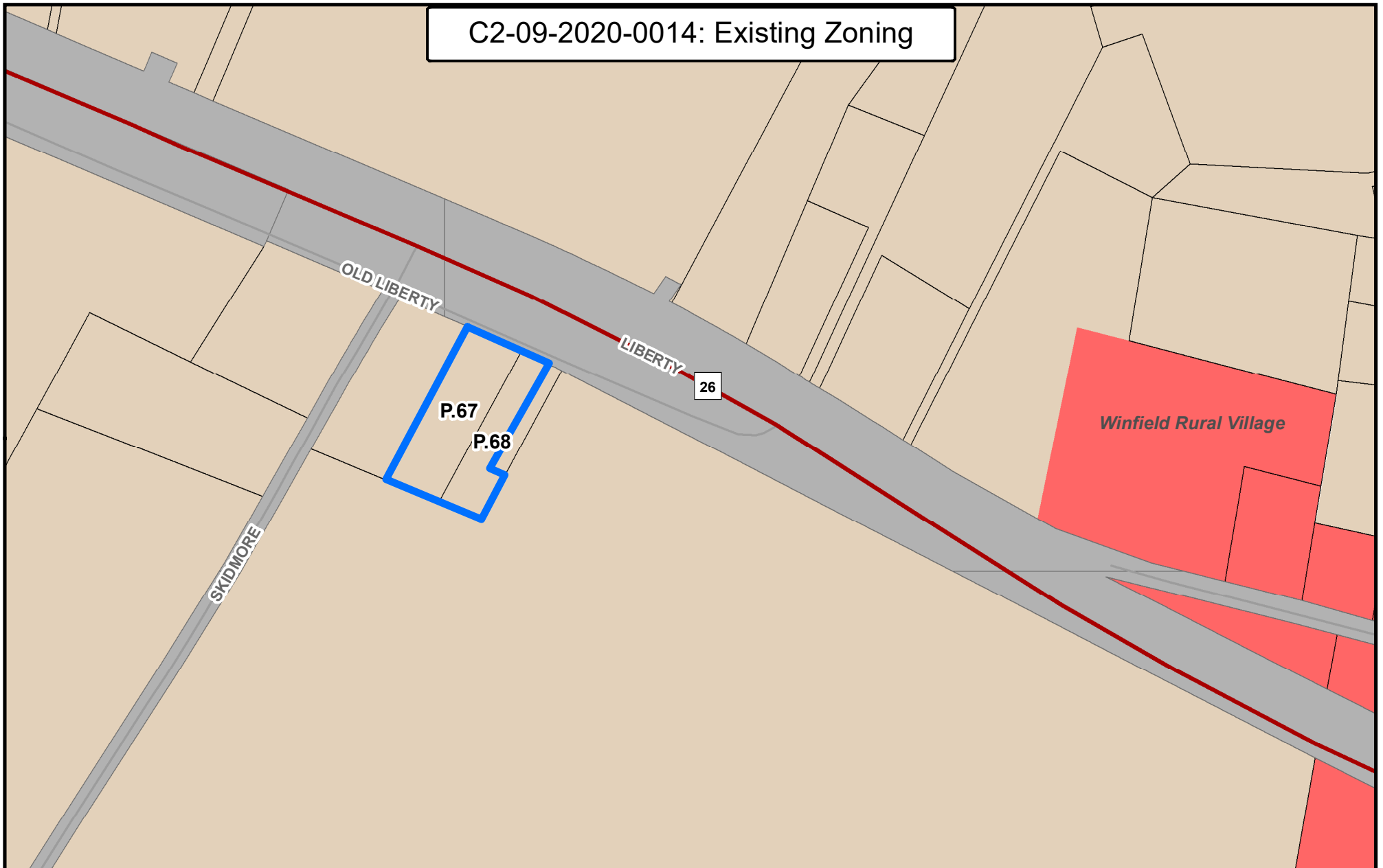
-  Village-Residential
-  Transportation

0 115 230 460 Feet







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C2-09-2020-0014: Existing Zoning



Legend

- | | | |
|--|---|------------------------|
|  C2-09-2020-0014 |  Major Roads | Existing Zoning |
|  Roads |  Agriculture | |
|  Property Data |  C-2 | |

0 130 260 520 Feet



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ATTACHMENTS ☐ YES ☒ NO
DATE COMPLETED 6/04/2020
PLANNER INITIALS LDE

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:

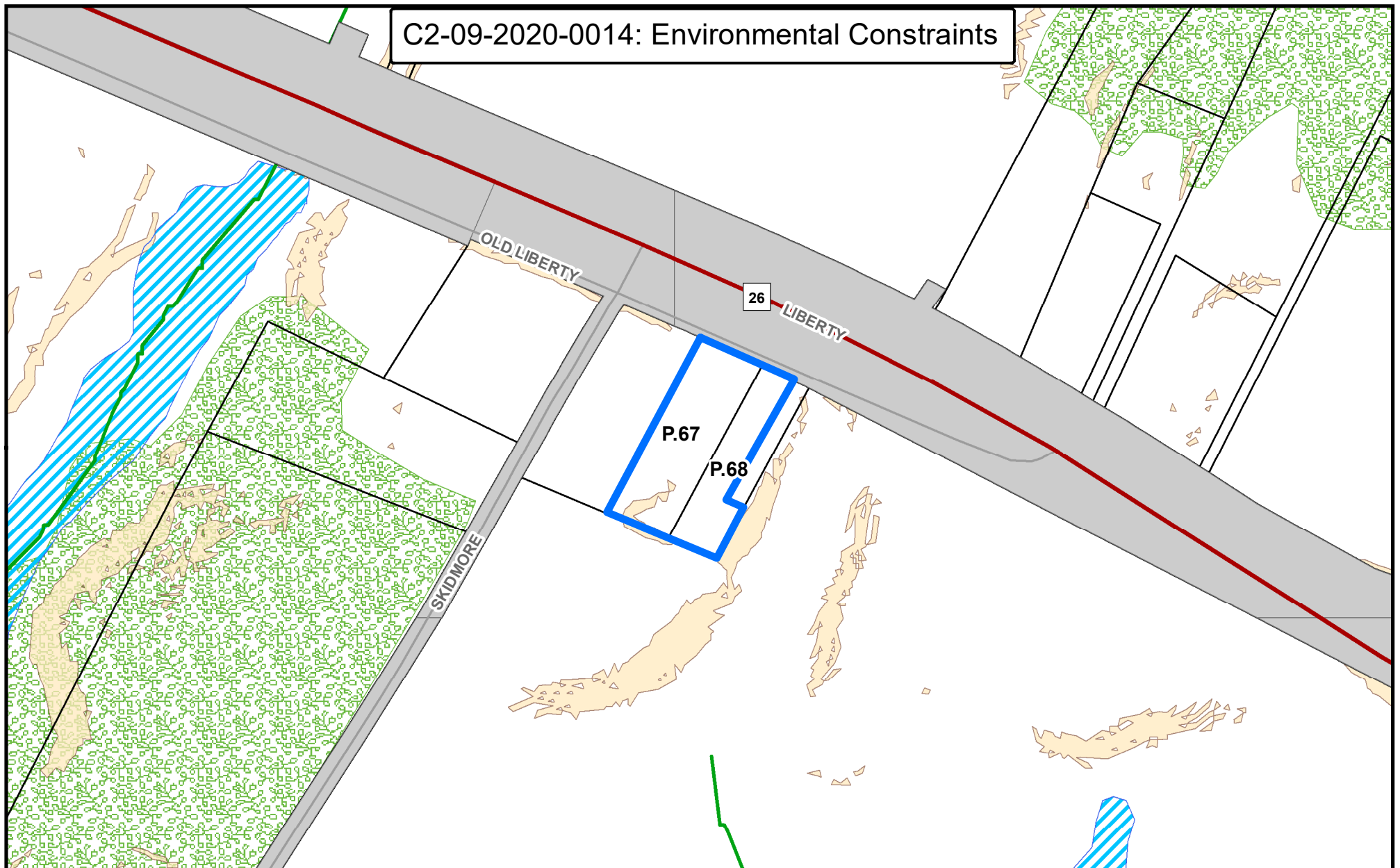
Comments:

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

PLANNER INITIALS LDE

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C2-09-2020-0014: Environmental Constraints



Legend

- | | |
|-----------------|-------------------------------------|
| C2-09-2020-0014 | Property Data |
| Major Roads | Wetlands |
| Roads | Steep Slopes Lidar (25% or greater) |
| Streams | Forest Cover |

0 115 230 460 Feet

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ATTACHMENTS ☐ YES ☒ NO
DATE COMPLETED 6/04/2020
PLANNER INITIALS LDE

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:

ATTACHMENTS ☐ YES ☒ NO
DATE COMPLETED 6/04/2020
PLANNER INITIALS LDE

Fire and EMS Assessment

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

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Districts:

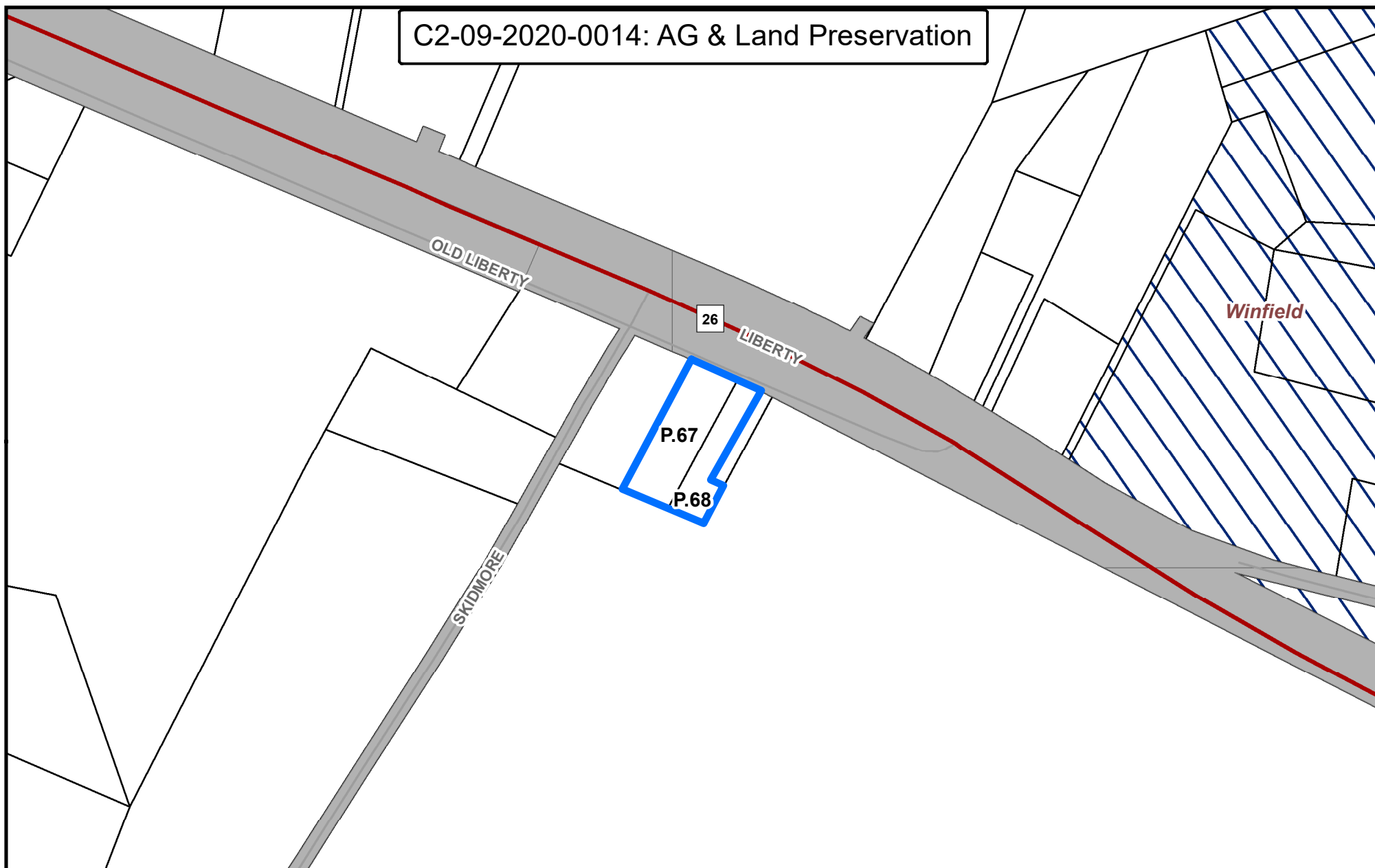
EMS: Southern	Adequacy: <u>Adequate</u>
Fire: Winfield	Adequacy: <u>Adequate</u>

*Adequacy Rates for Fire and EMS:






	Inadequate	Approaching Inadequate	Adequate
Late and No Response	Equals or exceeds 15%	Equals or exceeds 15%	Less than 15%
Total No Response	Equals or exceeds 4% over 24 months	Equals or exceeds 4% over 24 months	Equals or exceeds 4% over 24 months
Response Time	Exceeds 10 minutes	Between 8- 10 minutes	8 minutes or less

Notes:

C2-09-2020-0014: AG & Land Preservation



Legend

-  C2-09-2020-0014
-  Major Roads
-  Roads
-  Property Data
- Rural Village**
-  Winfield

0 155 310 620 Feet

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PLANNER INITIALS LDE

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ATTACHMENTS ☐ YES ☒ NO
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PLANNER INITIALS LDE

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

<https://www.carrollk12.org/admin/facilities/planning/Documents/EFMP%202019-2028%20Section%205.pdf>

School	Inadequate	Approaching Inadequate	Adequate
Elementary	$\geq 120\%$ SRC	110-119% SRC	$<110\%$ SRC
Middle	$\geq 120\%$ FC	110-119% FC	$<110\%$ FCC
High	$\geq 120\%$ SRC	110-119% SRC	$<110\%$ SRC