

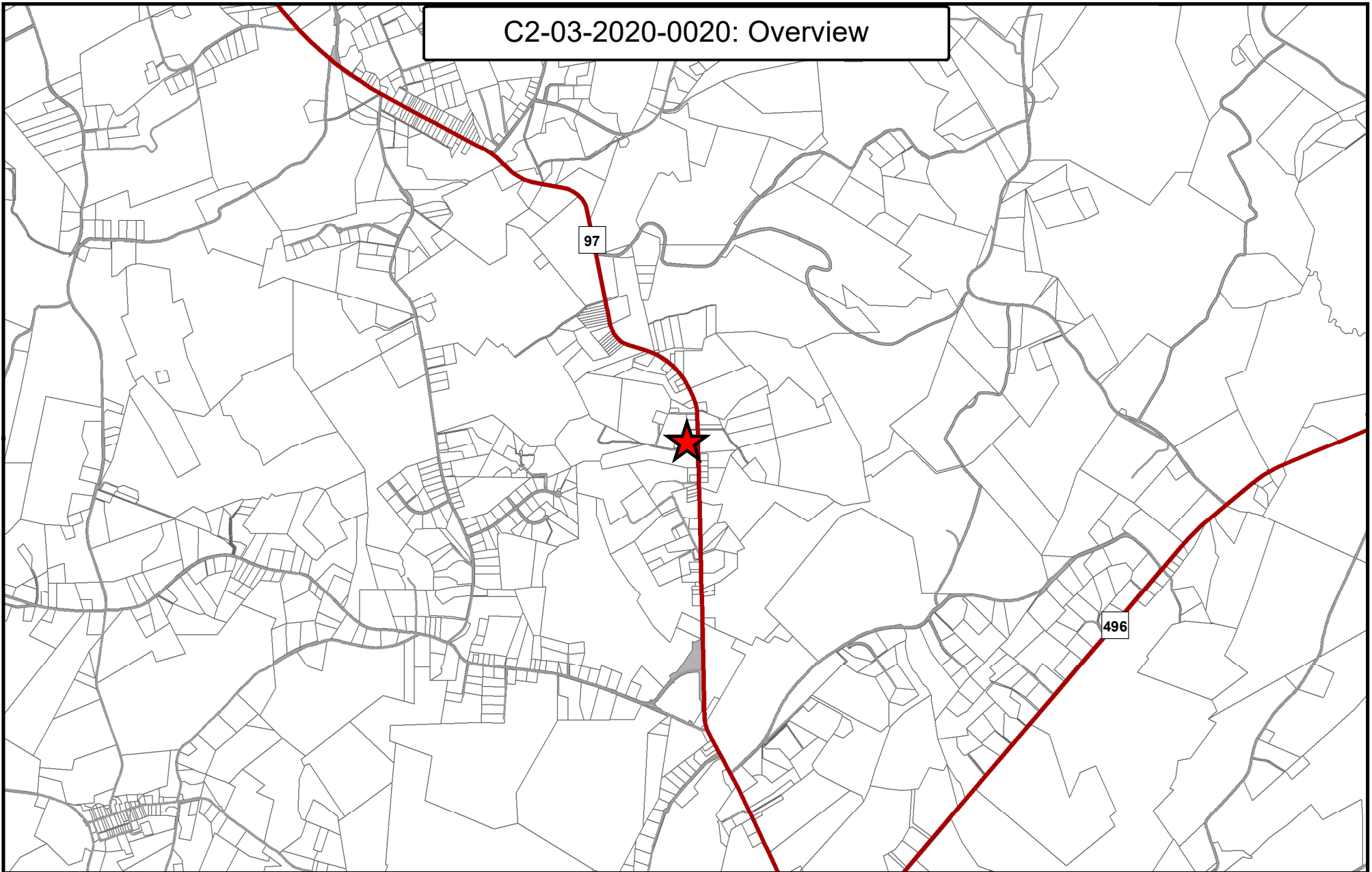
BY-REQUEST COMPREHENSIVE REZONING

COMMERCIAL, INDUSTRIAL & EMPLOYMENT CAMPUS DISTRICTS

C2-03-2020-0020



C2-03-2020-0020: Overview



Legend

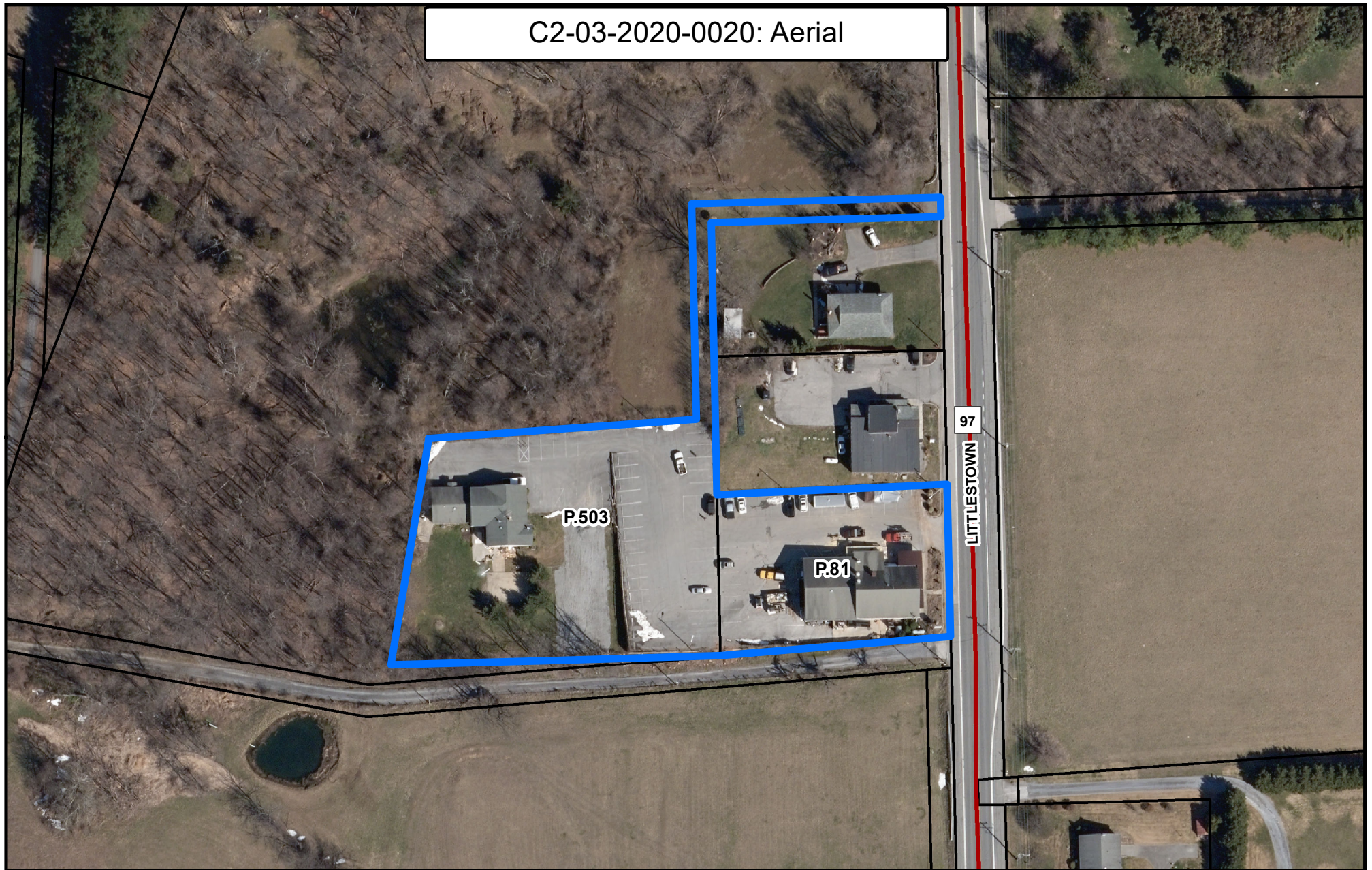
- ★ C2-03-2020-0020
- Major Roads
- Roads
- Property Data

0 0.25 0.5 1 Miles





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C2-03-2020-0020: Aerial



Legend

-  C2-03-2020-0020
-  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 # C2-03-2020-0020 Applicant Name: 97 Crab House LLC (c/o Kenneth Shane McQuay)

Property Address: 2820 Littlestown Pike, Westminster, MD 21158

Current Zoning: AG Requested Zoning: C-2

2. Description of Property

Site Address 2820 Littlestown Pike, Westminster, MD 21158

Commissioner District 1

Parcel 0081, 0503 Map 0021

Total Acreage of Parcel P81-25,000 Sf; P503-1.17 acres Area to be Rezoned: 1.74 acres

Current Zoning: AG Requested Zoning: C-2

3. Land Use and Zoning Considerations

Existing Land Uses: Parcel 810-Commercial

Parcel 503-Residential

Land Use Plan
Designation:¹

Agriculture

Zoning History Summary

This property has been in the Agricultural District since 1965. It has had a nonconforming tavern/restaurant on the property since that time, which has had several BZA approvals for expansion

¹ Per 2014 Carroll County Master Plan as amended 2019.

Existing Zoning and Land Use in Adjacent Area:

	<u>Zoning</u>	<u>Land Use</u>
North	Agriculture	Commercial and Residential
South	Agriculture	Agriculture and Residential
East	Conservation	Residential
West	Agriculture	Agriculture and Residential

4. Consistency with Master and Functional Plans:

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

This property is in 2019 Amendment to the 2014 Carroll County Master Plan. It has a Future Land Use designation of Agricultural. This request is not consistent with the Future Land Use Designation.

B. Applicable Master Plan Goals and Objectives

This property is not consistent with the to the 2014 Carroll County Master Plan as amended 2019.

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

Not within planned water service area.

D. Sewer Service Area Service

Not within planned sewer service area.

5. Environmental Constraints

None of significance

6. Historic Resources Identified

The Frock-Burgoon Farm (CARR-1548) is located within the ½ mile Area of Potential Effect (APE) identified on the Maryland Cultural Resource Information system.

7. Public Safety Assessment

In the Pleasant Valley District; Adequate for Fire and EMS

8. Ag Preservation and Applicable Preservation Area

Not in the immediate area. (see map)

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 surrounded by Ag-zoned land. This was not envisioned by the 2014 Plan or the 2019 Amendment.

10. Recommendations

Department of Planning Recommendation:
(Favorable or Unfavorable)

Unfavorable

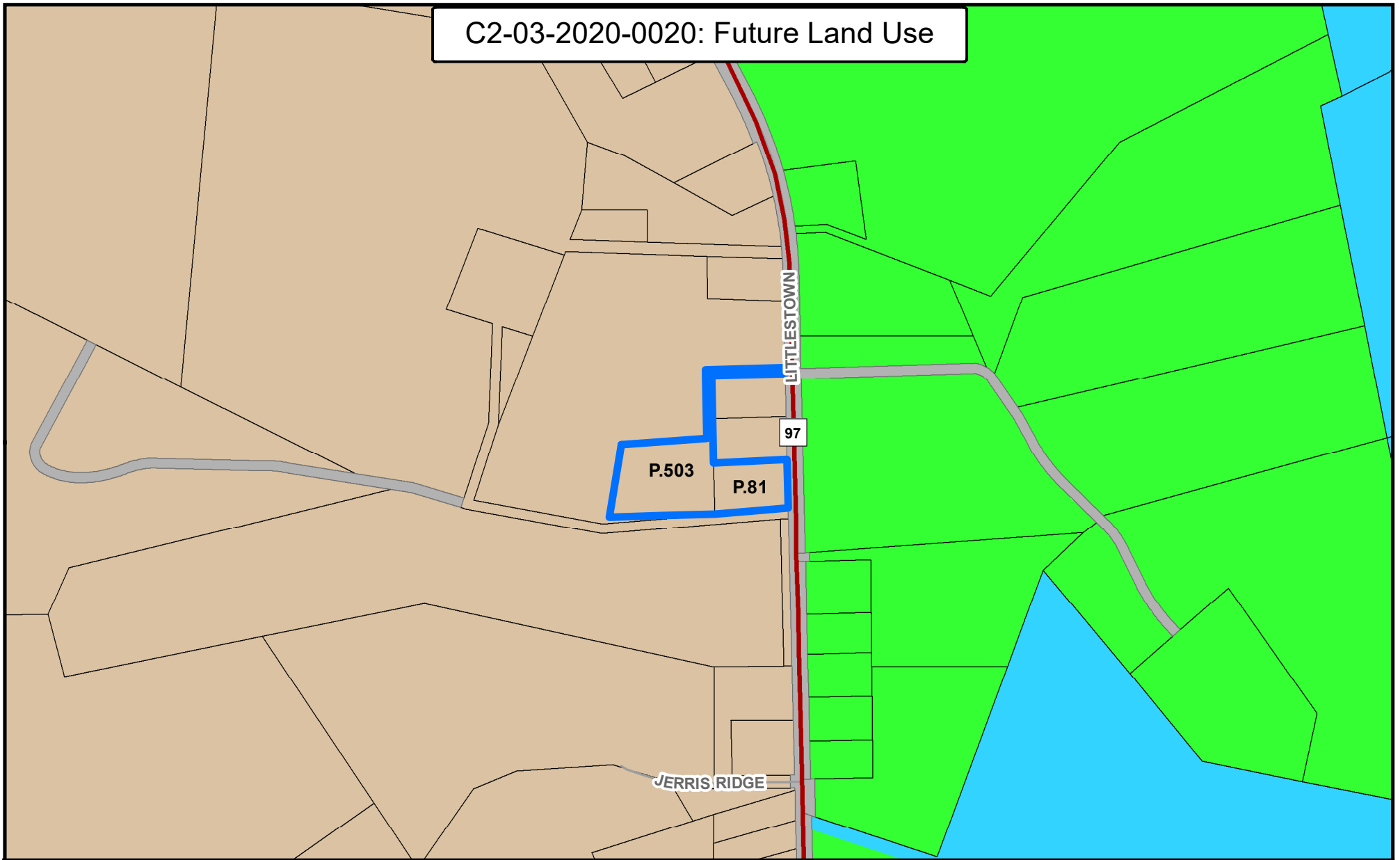
Planning Commission Recommendation:
(Favorable or Unfavorable)

Favorable









11. Appendixes

See attachments for individual assessments.

C2-03-2020-0020: Future Land Use



Legend

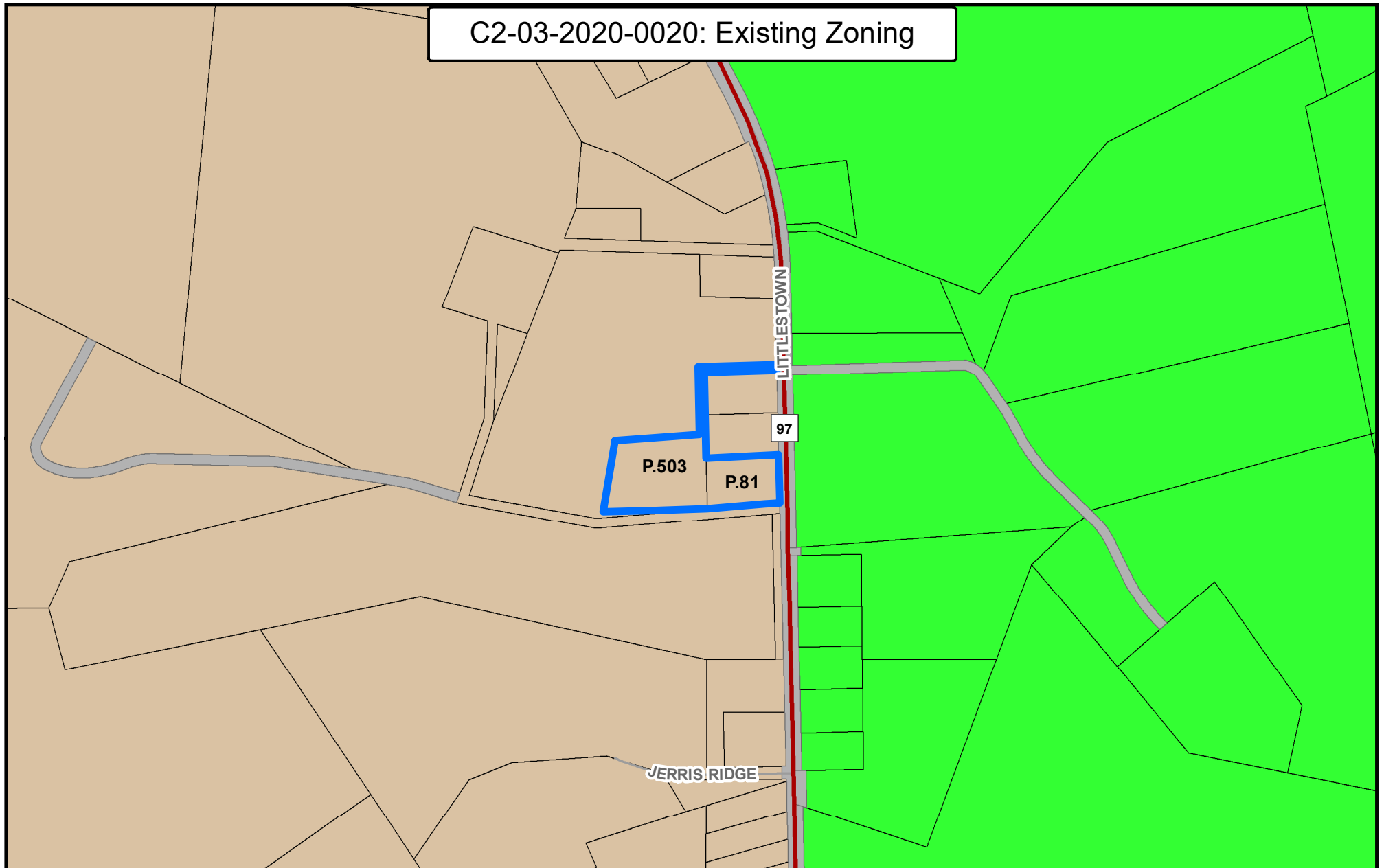
- | | | |
|--|---|--|
|  C2-03-2020-0020 | County Future Land Use |  Reservoir |
|  Major Roads |  Agriculture |  Transportation |
|  Roads |  Resource Conservation | |
|  Property Data | | |

0 150 300 600 Feet

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C2-03-2020-0020: Existing Zoning



Legend



C2-03-2020-0020

Major Roads

Roads

Property Data

Existing Zoning

Agriculture

Conservation

0 150 300 600 Feet

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ATTACHMENTS ☒ YES ☐ NO
DATE COMPLETED 6/3/2020
PLANNER INITIALS WPW

Zoning History

Request # C2-03-2020-0020 Applicant Name: 97 Crab House LLC (c/o Kenneth Shane McQuay)

Property Address: 2820 Littlestown Pike, Westminster, MD 21158

Current Zoning: AG Requested Zoning: C-2

Previous Zoning Change Requests (if applicable): _____

BZA Requests (if applicable): BZA Case # 1599, BZA Case # 2277, BZA Case # 5985

Zoning Violations (if applicable): _____

Comments:

BZA Case # 1599- Enlargement of a tavern (Frank and Mary's Mt. Pleasant Inn), classified as a non-conforming use, by the construction of an attached addition, 20' x 40', to the rear of the existing building.

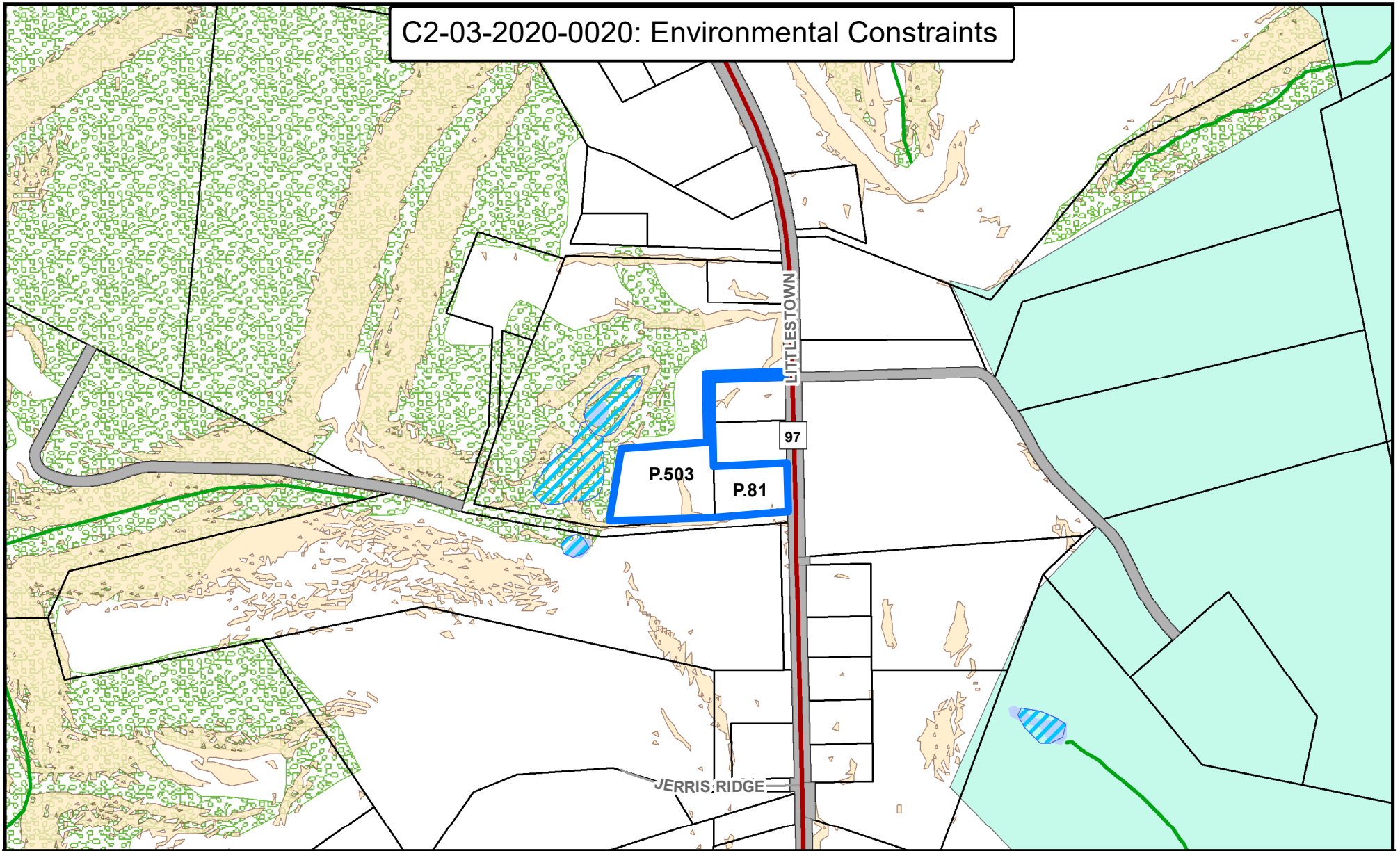
BZA Case # 2277- Request to allow enlargement and structural alterations to existing tavern.

BZA Case # 5985- Confirmation of previous non-conforming use \$225.00.

PLANNER INITIALS WPW

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C2-03-2020-0020: Environmental Constraints



Legend

- | | |
|-----------------|--|
| C2-03-2020-0020 | Wetlands |
| Major Roads | Ponds - Reservoirs |
| Roads | Union Mills Water Resource Protection Zone |
| Streams | Steep Slopes Lidar (25% or greater) |
| Property Data | Forest Cover |

0 150 300 600 Feet

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ATTACHMENTS ☒ YES ☐ NO

DATE COMPLETED 6/3/2020

PLANNER INITIALS WPW

Historic Preservation Checklist

Request # C2-03-2020-0020 Applicant Name: 97 Crab House LLC (c/o Kenneth Shane McQuay)

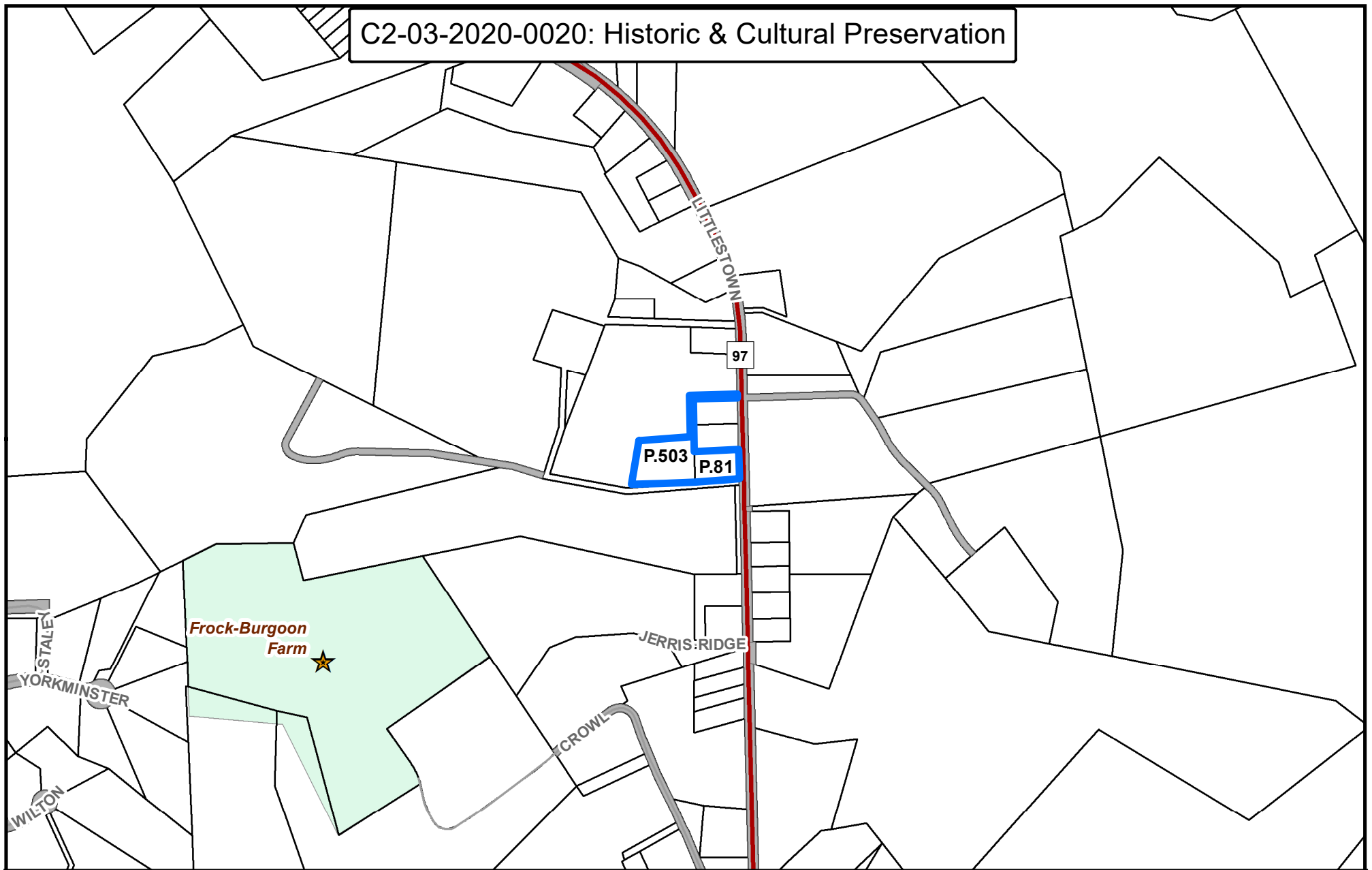
Property Address: 2820 Littlestown Pike, Westminster, MD 21158

Current Zoning: AG Requested Zoning: C-2

Historic Inventory Number: N/A

Comments:

C2-03-2020-0020: Historic & Cultural Preservation



Legend

- | | | |
|--|---|---|
|  C2-03-2020-0020 |  Major Roads |  County Border |
|  Historic Site Points |  Roads |  Property Data |
| | |  Historic District |

0 240 480 960 Feet

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ATTACHMENTS ☒ YES ☐ NO

DATE COMPLETED 6/3/2020

PLANNER INITIALS WPW

Fire and EMS Assessment

Request # C2-03-2020-0020 Applicant Name: 97 Crab House LLC (c/o Kenneth Shane McQuay)

Property Address: 2820 Littlestown Pike, Westminster, MD 21158

Current Zoning: AG Requested Zoning: C-2

Districts:

Fire and EMS: Pleasant Valley

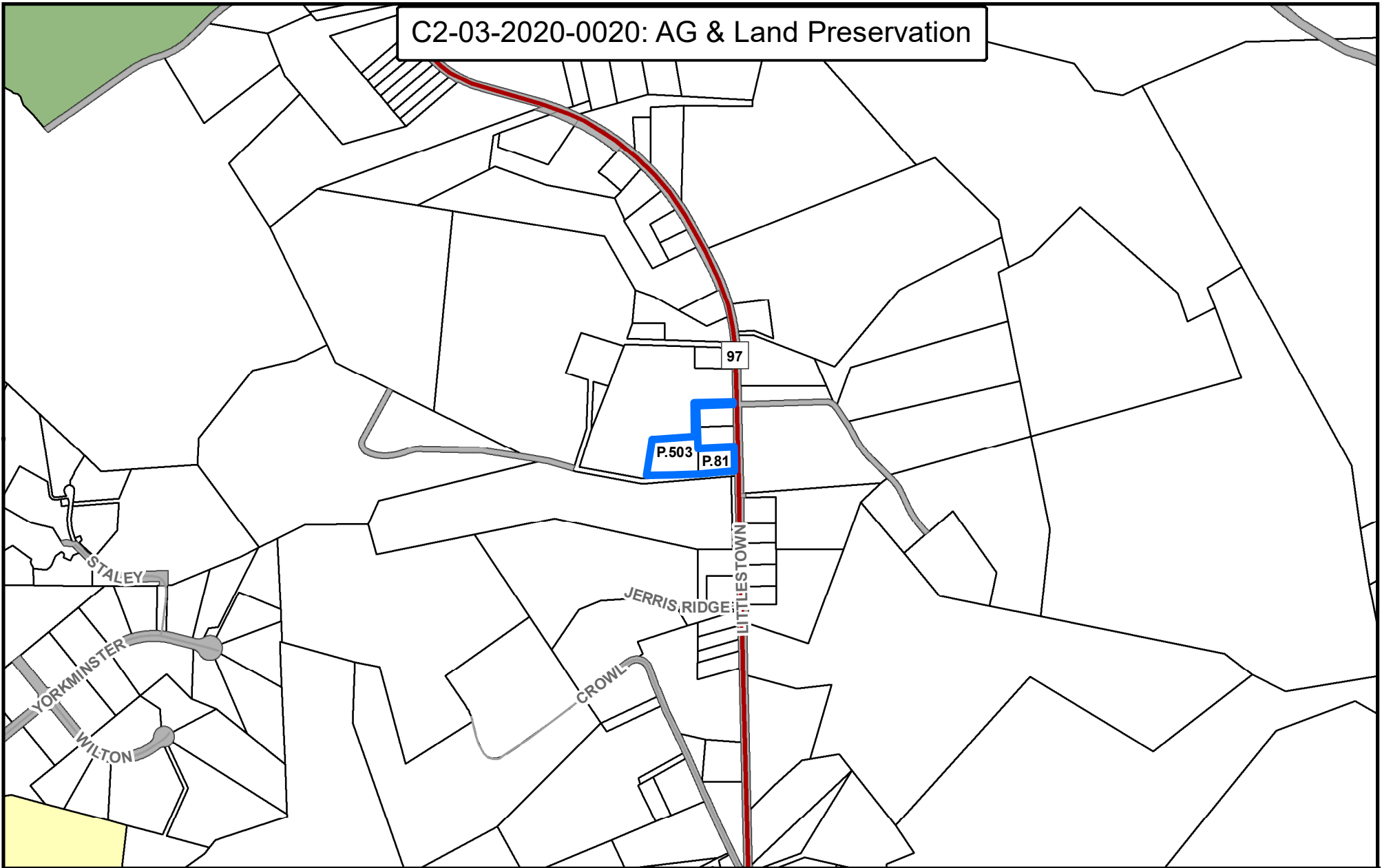
Adequacy: Adequate for
Fire and EMS

*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:


C2-03-2020-0020: AG & Land Preservation



Legend

- | | |
|---|---|
|  C2-03-2020-0020 |  Property Data |
|  Major Roads |  MALPF Easement |
|  Roads |  Land Trust Easement |

0 305 610 1,220 Feet



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ATTACHMENTS ☒ YES ☐ NO
DATE COMPLETED 6/3/2020
PLANNER INITIALS WPW

Transportation Checklist

Request # C2-03-2020-0020 Applicant Name: 97 Crab House LLC (c/o Kenneth Shane McQuay)

Property Address: 2820 Littlestown Pike, Westminster, MD 21158

Current Zoning: AG Requested Zoning: C-2

Frontage Road: Littlestown Pike (MD 97)

Most Recent ADT of Frontage Road: 14,750

Functional Classification of Frontage Road: 3R

<https://www.carrollcountymd.gov/media/1675/fclass-list.pdf>

Capital Improvements of Adjacent Road(s): Reconstruct of MD 97

Planned Major Streets on-site or in proximity N/A

Sidewalk ☐ Yes ☒ No

Trails ☐ Yes ☒ No

Trail Blazer Route or Stop ☐ Yes ☒ No

Other Comments:

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ATTACHMENTS ☒ YES ☐ NO
DATE COMPLETED 6/3/2020
PLANNER INITIALS WPW

School Assessment

Request # C2-03-2020-0020 Applicant Name: 97 Crab House LLC (c/o Kenneth Shane McQuay)

Property Address: 2820 Littlestown Pike, Westminster, MD 21158

Current Zoning: AG Requested Zoning: C-2

Districts:

Elementary: Runnymede Current Utilization Rate: 92.7% Adequacy: Adequate

Middle: East Current Utilization Rate: 90.8% Adequacy: Adequate

High: Winters Mill Current Utilization Rate: 84.1% 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	<= 120% SRC	110-119% SRC	>110% SRC
Middle	<= 120% FC	110-119% FC	>110% FCC
High	<= 120% SRC	110-119% SRC	>110% SRC

Notes: