

MEETING SUMMARY
Carroll County Planning and Zoning Commission

May 21, 2019

Location: Carroll County Office Building

Members Present: Richard Soisson, Chair
Cynthia L. Cheatwood, Vice Chair
Jeffrey A. Wothers
Daniel E. Hoff
Janice R. Kirkner
Michael D. Gosnell, Alternate
Ed Rothstein, Ex-officio

Members Absent: Eugene A. Canale

Present with the Commission were the following persons: Lynda Eisenberg, Arco Sen and Laura Bavetta, Department of Planning; Clay Black, Laura Matyas, Kierstin Eggerl and David Becraft, Development Review.

CALL TO ORDER/WELCOME

Chair Soisson called the meeting to order at approximately 9:03 a.m.

ESTABLISHMENT OF QUORUM

Laura Bavetta took attendance and noted that seven members of the Board were present, and a quorum was in attendance.

PLEDGE OF ALLEGIANCE

REVIEW AND APPROVAL OF AGENDA

On motion of Mr. Wothers seconded by Mr. Hoff and carried, the Agenda was approved.

REVIEW AND APPROVAL OF MINUTES

On motion of Mr. Hoff, seconded by Mr. Wothers and carried, the Minutes from the April 9, 2019 meeting were approved.

PUBLIC COMMENTS

There were no public comments.

COMMISSION MEMBER REPORTS

A. COMMISSION CHAIRMAN

Chair Soisson welcomed Michael Gosnell, the new Alternate member of the Commission. Chair Soisson stated that he approved the site development plan for South Carroll Gateway Industrial Park Lot 2 and Carroll Hospital Center Building Expansion.

B. EX-OFFICIO MEMBER

Commissioner Rothstein welcomed Mr. Gosnell to the Planning Commission. Commissioner Rothstein updated the Commission on the Freedom Community Group that is a priority goal in the Freedom Plan. Commissioner Rothstein also mentioned the upcoming Memorial Day Holiday and observances.

C. OTHER COMMISSION MEMBERS

There were no other reports.

ADMINISTRATIVE REPORT

A. ADMINISTRATIVE MATTERS

Secretary Eisenberg welcomed Mr. Gosnell to the Commission as well. Secretary Eisenberg noted the Future of Housing article that was handed out to the Commission and gave an overview of the Baltimore Metropolitan Council's Maximize 2045 and the proposed transportation projects.

B. EXTENSIONS

Clay Black reported there were two extensions since the last meeting, Carroll Station and Fern Hill.

C. BZA CASES

Arco Sen reported four cases were heard in April; Case No. 6142, Case No. 6143 and Case No. 6144 and Case. No. 6145. There are four cases that will be heard in May; Case No. 6141 (postponed from April), Case No. 6147, Case No. 6148 and Case No. 6149.

D. OTHER

There were no other reports.

SPECIAL REPORT

SUBJECT: Replacement sign at Carroll Community Bank (Formerly First Mariner Bank)
LOCATION: 1010 Baltimore Boulevard, Westminster, Election District 7
OWNER: Carroll Community Bank, 1321 Liberty Rd, Eldersburg, MD 21784
CONTRACTOR: Shannon-Baum Signs, 105 Competitive Goals Drive, Eldersburg, MD 21784
ZONING: Industrial Restricted (IR)
ACREAGE: 1.108 acre

❖ Action Requested:

Staff is requesting that the Commission review the proposal and provide direction regarding a proposed replacement sign.

❖ **Background:**

Carroll Community Bank currently owns the subject property, located at the corner of Baltimore Boulevard (MD route 140) and Leidy Road which continues as Hemlock Lane. It is zoned Industrial Restricted (IR) and a site plan for its use as a bank was approved by the Carroll County Planning and Zoning Commission in 2008 (attached). Properties to the north and east are also zoned IR, and the northern properties are occupied by residences while the eastern site operates as a real estate office. The area to the west of the site is within the City of Westminster.

The approved site plan for First Mariner Bank includes details of the existing freestanding sign on page 19A. During the Planning Commission's review of the concept plan there was discussion regarding the sign, including its use of pylons, height, and inclusion of an LED message board. (minutes attached); the final plan addressed those comments. The existing sign is 10 feet in height with a brick base and three columns that support an approximately 4 foot tall by 8 foot wide backlit cabinet sign (photo attached). A replacement sign is now being proposed which includes many of the discussed features.

Note 11 on the site plan reads "Any changes to this plan will require an amended site development plan to be approved by the Carrol County Planning and Zoning Commission." The replacement sign is shown to be in approximately the same location as what is shown on the site plan, but the design is different than the previously approved sign. Staff forwarded the proposal to the Planning Commission Chair for input and direction. The Chair indicated that the entire Commission should review the attached proposal. The Carroll County Code of Public Local Laws and Ordinances § 155.059 SITE PLAN REQUIREMENTS states the following:

(A) General requirements.

(1) Except as provided in division (A)(4) below, all principal permitted and conditional uses in any district shall be subject to a site plan review by all applicable review agencies as determined by the Director.

(2) The site plan shall be presented to the Planning Commission, which shall have the authority to approve the plan as presented, approve the plan with modifications or conditions, or disapprove the plan.

(3) No zoning certificate or building permit may be issued until the Planning Commission has approved the plan.

(B) Site development plans. In approving site development plans, the Planning Commission shall have the authority to:

(1) Approve the location and design of all site improvements;

(2) Limit the number and approve the location and design of entrances and exits;

(3) Require a plan which shows how signs are to be located and designed and may approve, reject, or modify the sign plan to promote an attractive and pleasing appearance;

(4) Require a plan which shows the location, design, and effect of any outside lights to be used on the property and the effect of any inside lights to be used if their use would affect adjacent, neighboring, or contiguous properties. The Planning Commission may approve, reject, or modify the plan where appropriate to prevent visual interference to the traveling public on adjacent roadways, or glare or reflections on adjacent buildings or neighboring properties;

On behalf of the Property Owner, the Contractor has submitted a building permit to replace the existing 10 foot high backlit cabinet sign with a sign that is 25 feet in height, 12 feet wide, and supported by two pylons. Two sign panels are proposed; a backlit cabinet sign at the top that is 3.5 feet tall by 9 feet wide, and an 8 foot by 8 foot square LED message board sign beneath the backlit sign. (renderings attached) Upon receiving the building permit application, staff contacted the applicant and brought the Planning Commission's previous comments to their attention.

The proposed sign meets the applicable zoning regulations for height, size, and location as stated in the Carroll County Code of Public Local Laws and Ordinances 158.114 USE-ON-THE-PREMISES SIGNS:

- (A) No such sign shall project over or into any street right-of-way or more than four feet above the parapet wall or roofline.
- (B) Any sign which is attached to the ground shall be located in such a manner that traffic visibility is not impaired.
- (C) The total area of all signs shall not exceed four times each linear foot of the building wall most nearly parallel to or confronting the adjacent street. Only one building frontage shall be used in computing the sign area allowance, except on a corner lot, in which case an additional 25% of the sign area allowed may be authorized. In no case shall the area of any one sign exceed 200 square feet on any one side. Computations of signs shall include all sides (where applicable) including the entire face of the sign and any wall work incidental to its decoration and shall include the space between letter figures and designs or the space within letter figures and designs.
- (D) No exterior sign shall exceed 30 feet in total height, if freestanding.
- (E) No business sign shall obstruct the vision of motorists using entranceways, driveways, or any public road intersection.
- (F) A sign must be set back from a public road right-of-way line by at least five feet. No freestanding sign shall be located closer than 20 feet to a side property line or five feet to a front property line.

Staff is requesting that the Commission review the proposal and provide direction.

Discussion:

Kierstin Eggerl presented the staff report.

Russ Grimes, President and CEO, Carroll Community Bank, and Wayne Barnes, Board member, were present.

The Commission discussed the height of the sign.

Mr. Barnes submitted photos of other competing signs in the area.

Joe Weber, Shannon-Baum Signs, provided feedback regarding the grade of the road and sign height.

Decision:

The Commission, on motion of Mr. Hoff, seconded by Ms. Kirkner and carried, voted to approve the sign with a maximum height of 22'.

RECESS

SPECIAL REPORT

SUBJECT: Replacement sign at Winfield Medical Center
LOCATION: 1200 W. Old Liberty Road, Sykesville, Election District 14
OWNER: Liberty Medical Building, LLC c/o Hollie Ellis 1200 W. Old Liberty Road, Sykesville, MD 21784
CONTRACTOR: Shannon-Baum Signs, 105 Competitive Goals Drive, Eldersburg, Maryland 21784
ZONING: Agricultural
ACREAGE: 3.04 acre

❖ **Background and Action Requested:**

On behalf of the property owner, the Contractor has submitted a building permit for a replacement sign to be installed at 1200 W. Old Liberty Road. In 1988, the Planning Commission approved a site plan for an addition at the site (attached). The approved site plan did not include a sign detail as the sign was labelled “existing”. The property owner proposes to replace the existing wooden sign with a 15 foot high pylon illuminated sign (drawing attached).

The sign proposed on the building permit is shown to be in approximately the same location as the existing sign. Staff forwarded the proposal to the Planning Commission Chair for input and direction. The Chair indicated that the entire Commission should review the attached proposal. The Carroll County Code of Public Local Laws and Ordinances § 155.059 SITE PLAN REQUIREMENTS states the following:

(A) General requirements.

(1) Except as provided in division (A)(4) below, all principal permitted and conditional uses in any district shall be subject to a site plan review by all applicable review agencies as determined by the Director.

(2) The site plan shall be presented to the Planning Commission, which shall have the authority to approve the plan as presented, approve the plan with modifications or conditions, or disapprove the plan.

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(1) Approve the location and design of all site improvements;

(2) Limit the number and approve the location and design of entrances and exits;

(3) Require a plan which shows how signs are to be located and designed and may approve, reject, or modify the sign plan to promote an attractive and pleasing appearance;

(4) Require a plan which shows the location, design, and effect of any outside lights to be used on the property and the effect of any inside lights to be used if their use would affect

adjacent, neighboring, or contiguous properties. The Planning Commission may approve, reject, or modify the plan where appropriate to prevent visual interference to the traveling public on adjacent roadways, or glare or reflections on adjacent buildings or neighboring properties;

Chapter 158 of the Carroll County Code, Zoning Regulations, states the following:

§ 158.114 USE-ON-THE-PREMISES SIGNS.

Business signs pertaining to use-on-the-premises, as an accessory use in all districts, provided that the following provisions are adhered to:

- (A) No such sign shall project over or into any street right-of-way or more than four feet above the parapet wall or roofline.
- (B) Any sign which is attached to the ground shall be located in such a manner that traffic visibility is not impaired.
- (C) The total area of all signs shall not exceed four times each linear foot of the building wall most nearly parallel to or confronting the adjacent street. Only one building frontage shall be used in computing the sign area allowance, except on a corner lot, in which case an additional 25% of the sign area allowed may be authorized. In no case shall the area of any one sign exceed 200 square feet on any one side. Computations of signs shall include all sides (where applicable) including the entire face of the sign and any wall work incidental to its decoration and shall include the space between letter figures and designs or the space within letter figures and designs.
- (D) No exterior sign shall exceed 30 feet in total height, if freestanding.
- (E) No business sign shall obstruct the vision of motorists using entranceways, driveways, or any public road intersection.
- (F) A sign must be set back from a public road right-of-way line by at least five feet. No freestanding sign shall be located closer than 20 feet to a side property line or five feet to a front property line.

Staff is requesting that the Commission review the proposal and provide direction.

Discussion:

Clay Black presented the staff report.

Joe Weber and Doug Baum, Shannon-Baum Signs, were present.

Mr. Baum presented photos of the proposed sign with measurements.

Decision:

The Commission, on motion of Mr. Hoff, seconded by Ms. Kirkner and carried, voted to approve the replacement sign.

Chair Soisson asked staff to review sign guidelines in the Code.

SPECIAL REPORT

SUBJECT: AP-18-0076 Amended Remaining Portion of My Ladies Manor II and My Ladies Manor

LOCATION: 2971 Bird View Road, E.D. 04

OWNER: My Ladies Manor 2 Remaining Portion: My Ladies Manor LLC c/o Robert Fischer 2971 Bird View Road, Westminster, MD 21157

My Ladies Manor Remaining Portion: Robert Fischer 2971 Bird View Road, Westminster, MD 21157

DEVELOPER: same as owner

ENGINEER: RTF Associates, Inc., 142 East Main Street, Westminster, MD 21158

ZONING: Agricultural

ACREAGE: My Ladies Manor II: 50.6 acres Plat Book 53 Page 37

My Ladies Manor: 45 acres Plat Book 30 Page 45

❖ Action Required:

The developer proposes to add 36 acres from My Ladies Manor II remaining portion to My Ladies Manor remaining portion. General note # 2 on Plat Book 53 Page 37 (attached) states “Any modification or plat reassembly shall be subject to approval from the Carroll County Planning and Zoning Commission.” Prior to official plan submittal, staff requests direction from the Commission on the current proposal.

❖ Background:

My Ladies Manor, a three lot residential agricultural zoned subdivision, was approved by the Planning Commission and subsequently recorded in 1988 in Plat Book 30 Page 45 (attached) leaving a 45 acre remaining portion with no additional residential lot yield entitled to the remaining portion.

My Ladies Manor 2, a five lot residential agricultural zoned subdivision, was approved by the Planning Commission and subsequently recorded in 2011 in Plat Book 52 Pages 197/198 (attached) leaving a 50 acre remaining portion. The residential building right that would have been associated with the remaining portion was included in the subdivision, as one of the lots, thereby rendering the remaining portion to a non-residential tract with no additional residential lot yield. Several notes on that plat state that prohibition.

Per a petition from Mr. Fischer, the Board of County Commissioners on December 13, 2012 approved Resolution 873-12 that rezoned a portion (1.54 acres) of the remaining portion from Agricultural to R-40,000. A Special Purpose Plat was subsequently recorded on March 19, 2013 in Plat Book 53 Page 37 that identified the area of the rezoning.

A one lot subdivision, My Ladies Manor 3, was then recorded on September 16, 2013 in Plat Book 53 Page 87 (attached) that created Lot 9. This lot #9 is only a portion of that R-40,000 rezoned area. The 50 foot R-40,000 zoned in-fee strip remains part of the My Ladies Manor 2 agricultural zoned remaining portion.

On December 18, 2018, the Carroll County Planning and Zoning Commission heard a request to add 13 acres from My Ladies Manor 2 remaining portion to lot number seven of My Ladies Manor 2. The Commission denied that request (minutes attached).

The developer has now requested that an amended plat be processed and recorded which will reconfigure 37 acres to increase the size of My Ladies Manor remaining portion from 45 acres to 82 acres while decreasing the size of the My Ladies Manor II remaining portion from 50 acres to 13 acres. As these properties are zoned Agricultural, this proposed amended plat does not modify any lot yield calculations and all residential lot yield remains exhausted, per the current zoning.

As a proposal for this property was recently denied, the developer's request was reviewed jointly by the Secretary of the Planning Commission and staff and it was determined that this proposal was a new request allowing it to be processed.

❖ **Decision:**

The property owner has requested that the Planning Commission review and approve the request. Staff is requesting direction on whether to proceed with the add-on request.

Discussion:

Clay Black presented the staff report.

John Lemmerman, RTF Associates, Inc and Clark Shaffer, Attorney, were present.

Decision:

The Commission, on motion of Mr. Hoff, seconded by Ms. Cheatwood and carried, voted to approve the scenario as presented.

PUBLIC COMMENT

Mr. Shaffer commented on subdivision rights of private property owners, stating that a smaller farm should have just as much impact on Agribusiness as an 80-acre farm.

Secretary Eisenberg noted the Bicycle – Pedestrian Master Plan that has been printed and provided to the Commission. Clare Stewart will be reviewing the Plan at the next meeting.

RECESS

PROCLAMATION OF SERVICE

Commissioner Rothstein presented Alec Yeo with a service award for his time as a Planning and Zoning Commission Board member.

ADJOURNMENT

On motion of Mr. Wothers, seconded by Ms. Kirkner and carried, the Commission adjourned at approximately 11:20 a.m.

Secretary

Approved