

SPECIAL REPORT
to the
Carroll County Planning and Zoning Commission
March 15, 2022

Prepared by
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SUBJECT: P-17-0058/FX-20-0002 Amended Remaining Portion of Hearl’s Farm
LOCATION: West side of Ridge Road (MD Route 27), north of West Liberty Road (MD Route 26), E.D. 9
OWNER: Charles Burgess Condon & Hearl G. Condon, 205 Flower Court, Mt. Airy, MD 21771
DEVELOPER: same as owner
ENGINEER: CLSI, 439 East Main Street, Westminster, MD 21157
ZONING: Agricultural
ACREAGE: 44.4236 Acres

❖ Action Required:

The developer proposes to reconfigure the Remaining Portion of Hearl’s Farm, reducing it from 44.43 acres to 6.43 acres and adding 37.99 acres to an adjoining property. General note #3 on Plat Book 56 Page 139 (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 related to the developer’s new proposal, staff requests direction from the Commission.

❖ Background:

Hearl’s Farm is a five-lot residential subdivision within the Agricultural zoning district which was approved by the Planning Commission in 2021. It was subsequently recorded in Plat Book 56 Page 139 (attached).

The developer is proposing a reconfiguration of the 44.4236 acre Remaining Portion. This reconfiguration would reduce the size of the Remaining Portion to 6.43 acres and add 37.99 acres of land onto the property adjoining its northwestern border (Parcel 2, recorded in Liber 8721 Folio 300).

This adjoining property is presently a 100.48 acre parcel of land. It is also located within the Agricultural zoning district and is currently used as a farm. The additional 37.99 acres proposed to be added to it would also be utilized as farmland. The addition of the 37.99 acres would not increase the lot yield for the parcel, and the following language would be included in the deed of consolidation, per section 155.005 of the County Code:

SUBDIVISION.

(...)

(2) This term does not include (...) a transfer to an adjoining property owner if the transfer is made with the following statement in the deed:

“The land conveyed herein is being transferred to an adjoining landowner to enlarge the grantee’s existing property and shall be considered merged under the Subdivision Regulations of the county with the existing property of the grantee. Such land conveyed is not intended for development, other than accessory structures, and in order to be eligible for development requires approval under the then applicable governmental regulations.”

While Hearl’s Farm presently has the potential to take 3 additional lots per the first subdivision’s plans yield tabulation, the size of the reduced Remaining Portion would only be able to yield one additional lot. However, the Remaining Portion’s yield is unattainable without further reconfiguration to provide the necessary minimum frontage to a publicly maintained road.

❖ **Decision:**

The property owner has requested that the Planning Commission review and approve the modification of the Remaining Portion from 44.42 acres to 6.43 acres. If approved, an amended plat will be processed.