



Department of Planning Staff Report to the Carroll County Planning and Zoning Commission

Mt. Airy Annexation # 76 – Full Property

Presented to the Planning Commission on August 31st, 2022

Summary:

Petitioner/Property Owner:	Buffalo Road Investment, LLC
Total Acreage:	8.33 acres
County Zoning:	“R-40,000” Residential
Proposed Municipal Zoning:	“R2” Residential
Waiver Requested:	Yes
Existing Use of Land:	Improved – dwellings
Land Use Designation:	Low Density Residential
Public Water Service Area:	Long Range Water Service Area (W-6)
Public Sewer Service Area:	Long Range Sewer Service Area (S-6)

Petitioner/Property Owner:

The petitioner and property owner of the property to be annexed is Buffalo Road Investment, LLC.

Annexation Area Description:

Located in the Thirteenth Election District, the area to be annexed is 8.336 acres of Parcel 30 and located on Tax Map 70. The annexation is bordered by Buffalo Road and the County’s border with Frederick County. The property is contiguous to the Town’s corporate limits and will not create an enclave.

The area to be annexed is located to the north of Buffalo Road and on the western side of the Town of Mt. Airy corporate limits, and is bordered to the:

- north by Tax Map 70, Parcel 145 (unincorporated and owned by Nicole Brooks).
- east by Tax Map 70, Parcel 322 (incorporated and owned by the Town of Mt. Airy).
- south by Tax Map 70, Buffalo Road; Tax Map 70, Parcel 29 (unincorporated and incorporated and owned by Sheila K. Anderson).
- west by Frederick County.

Use of Land & Description:

The annexation area is largely unimproved with one dwelling. Access is from Buffalo Road. The

annexation area is approximately 8.33 acres and encompasses parcel 30 in its entirety. The proposed annexation area does not include Buffalo Road. The proposed concept plan shows 9 lots being added to the annexation area (see Exhibit B – Full Property Site Plan).

Zoning:

The annexation area is in the County's "R-40,000" Residential Zoning district (see Exhibit F – Zoning). All adjoining properties within the County are zoned "R-40,000" Residential. All adjoining properties within the Town of Mt. Airy are zoned "R2" Residential.

The Town has indicated its intent to place the annexation area into the "R2" Residential Zoning district. All adjoining properties within the Town of Mt. Airy are zoned "R2" Residential.

The County's "R-40,000" Residential Zoning district allows for 1 du/acre, while the Town "R2" Residential Zoning district allow for 2 du/acre. The Town's proposed zoning is substantially different (greater than the 50% threshold established in §4-416(b) of the LGA) from the current County zoning from a density perspective. This annexation **does** require a zoning waiver.

Comprehensive Plan:

The annexation area is located within the Town's Municipal Growth Area Boundary. The annexation area has a Land Use Designation of Low Density Residential in the *2013 Mt. Airy Comprehensive Plan* (see Exhibit G – Designated Land Use). The proposed annexation is consistent with this Land Use Designations.

The annexation area is located within the County-certified Priority Funding Area.

Agency Referrals:

The following agencies were notified of the proposed annexation and have been asked to submit comments:

C.C. Dept. of Public Works	C.C. Office of the County Attorney
C.C. Bureau of Engineering	C.C. Board of Education
C.C. Bureau of Utilities	C.C. Health Department
C.C. Dept. of Land Resource Management	C.C. Dept. of Fire & Emergency Services
C.C. Dept. of Economic Development	MD Dept. of Transportation - SHA
C.C. Dept. of Public Safety	MD Dept. of Planning
C.C. Dept. of Recreation & Parks	

C.C. Dept. of Public Works:

DPW is recommending the Town of Mt. Airy assume maintenance responsibility on the proposed annexation area's road frontage on Buffalo Road.

The following agencies DO NOT have comments:

C.C. Department of Health	C.C. Dept. of Recreation & Parks
C.C. Fire and Medical Emergency Services	Carroll County Attorney's Office
Maryland Dept. Transportation- SHA	C.C. Bureau of Utilities

Water and Sewer:

The *Carroll County Water and Sewer Master Plan* identifies the annexation area as being in the Long-Range Water Service Area (W-6) and the Long-Range Sewer Service Area (S-6) (see Exhibit H – Water Service Area and Exhibit I – Sewer Service Area). Planning staff is recommending the Town go through a water and sewer amendment to the Carroll County Water and Sewer Master Plan to place the property in the Priority Service Categories (W-3, S-3).

Other Municipal Services:

Roads: Any and all road improvements pursuant to any future development of the Property shall adhere to Town road construction standards in terms of thickness of curb, gutter, and sidewalk unless otherwise agreed to in the development plan review process. All such road improvements and respective rights of way, when completed, shall be conveyed to the Town by Owner, upon final inspection and acceptance by the Town and/or other governing bodies.

Parks and Recreation: Subdivision regulations will govern the applicable open space requirements if the annexation is successful.

Fire/EMS/Police: Upon the effective date of the Annexation Resolution, the Property will

receive police service coverage from the Town of Mt. Airy Police Department and fire service coverage in the same manner as other properties in the Town.

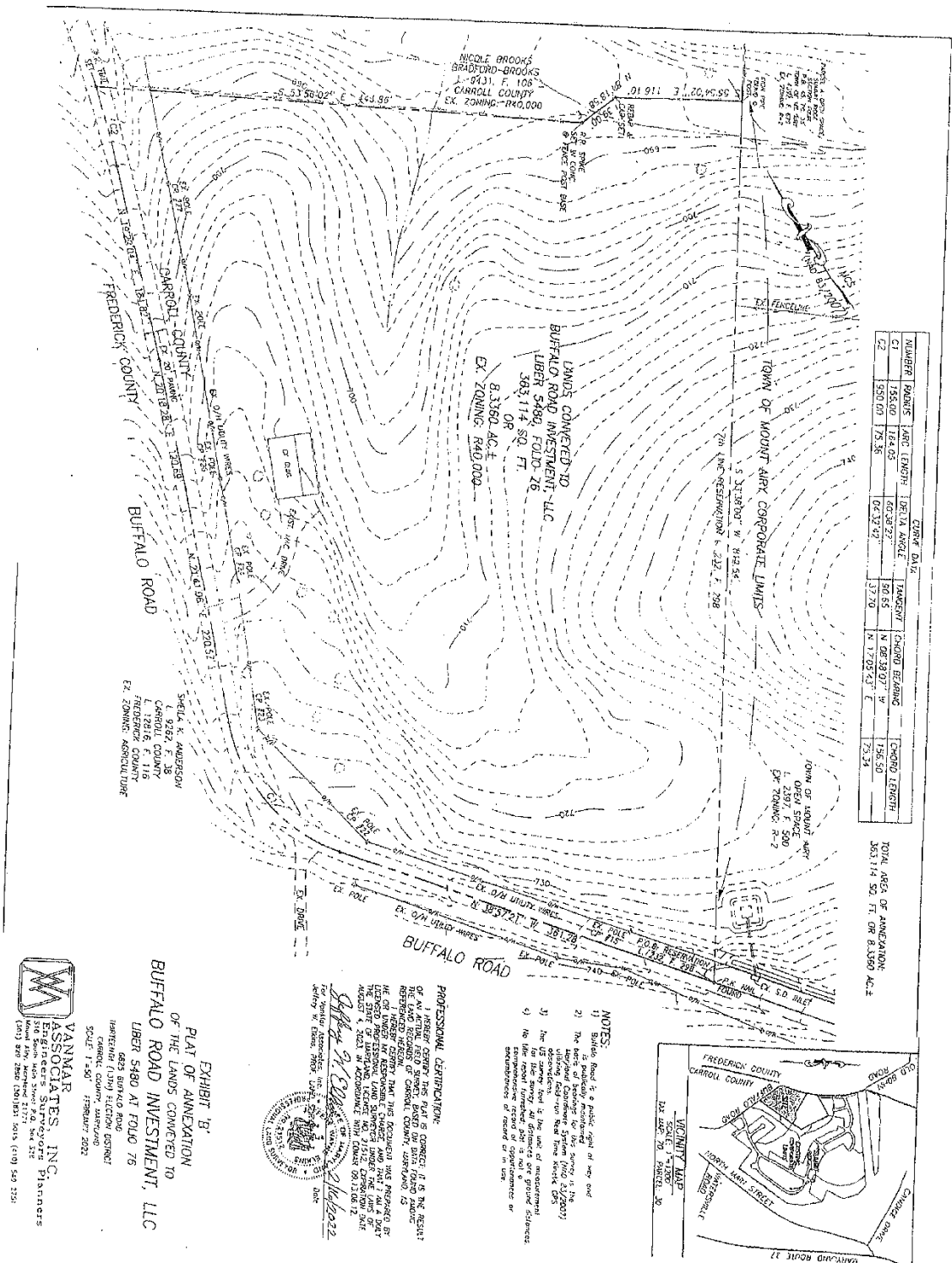
Staff Recommendation:

Planning staff is recommending support of this annexation and zoning waiver. Planning staff is also recommending the Town go through a water and sewer amendment to the Carroll County Water and Sewer Master Plan to place the property in the Priority Service Categories (W-3, S-3). Planning staff is also recommending the Town take maintenance responsibility for the annexation area's road frontage on Buffalo Road as the C.C. DPW is advising.

Staff Recommended Motion:

I make a motion that the Carroll County Planning and Zoning Commission forward the comments and recommendations outlined in this staff report and of the zoning waiver request to the Board of County Commissioners with a favorable recommendation.

Exhibit A – Annexation Plat



VANMAR ASSOCIATES, INC.
SURVEYORS & PLANNERS
100 South Main Street, 2nd Floor
Hagerstown, MD 21751
Phone: 410-326-2222
Fax: 410-326-2223

EXHIBIT 'B'
PLAT OF ANNEXATION
OF THE LANDS CONVERTED TO
BUFFALO ROAD INVESTMENT, LLC
LIBERT 5480 AT FOLIO 76
HARRISBURG, (100) SECTION 03N02E
FREDERICK COUNTY, MARYLAND
SCALE: 1"=50'



PROFESSIONAL CERTIFICATION:
I, HEREBY CERTIFY THAT THIS PLAT IS CORRECT, IN ACCORDANCE WITH THE ACTUAL FIELD SURVEY, PLANNED BY SAID PLANNING REFERENCED HEREON.
I, HEREBY CERTIFY THAT THIS DOCUMENT HAS BEEN PREPARED BY A LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE MARYLAND PROFESSIONAL LAND SURVEYING ACT, AND THAT I AM A duly licensed and active member of the Maryland Professional Land Surveyors Association, Inc. (MPLSA), No. 1151, State of Maryland.
Signed: Jeffrey H. Elmer, PLS
Date: 11/11/2022

- NOTES:**
- 1) Buffalo Road is a public right of way and the center of Buffalo Road shown in the Maryland Computer System (MCS) (2011) is shown in red.
 - 2) The center of Buffalo Road shown in the Maryland Computer System (MCS) (2011) is shown in red.
 - 3) The center of Buffalo Road shown in the Maryland Computer System (MCS) (2011) is shown in red.
 - 4) The center of Buffalo Road shown in the Maryland Computer System (MCS) (2011) is shown in red.
 - 5) The center of Buffalo Road shown in the Maryland Computer System (MCS) (2011) is shown in red.

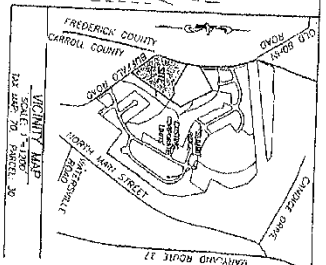


Exhibit C – Parcel Layout of Mt. Airy

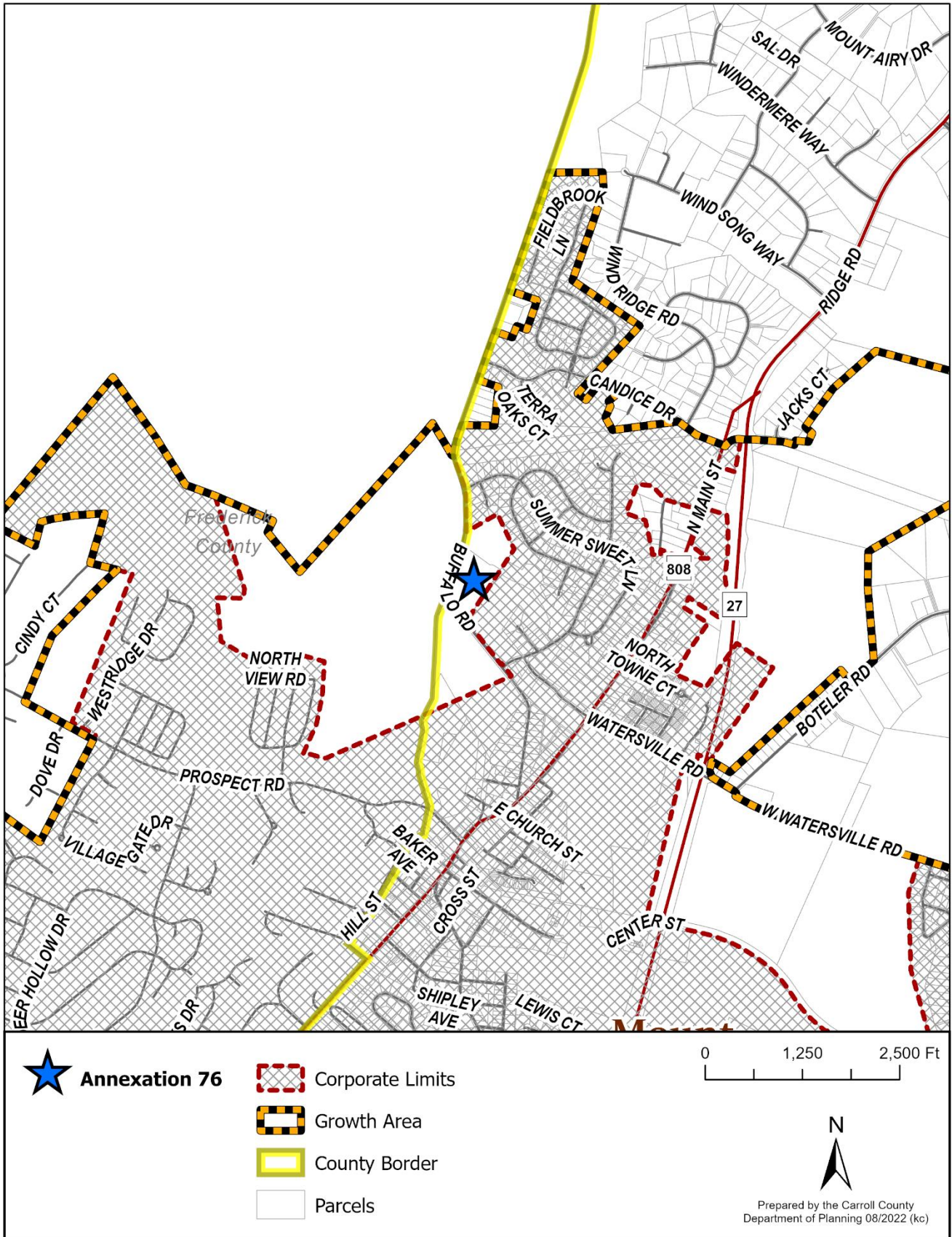
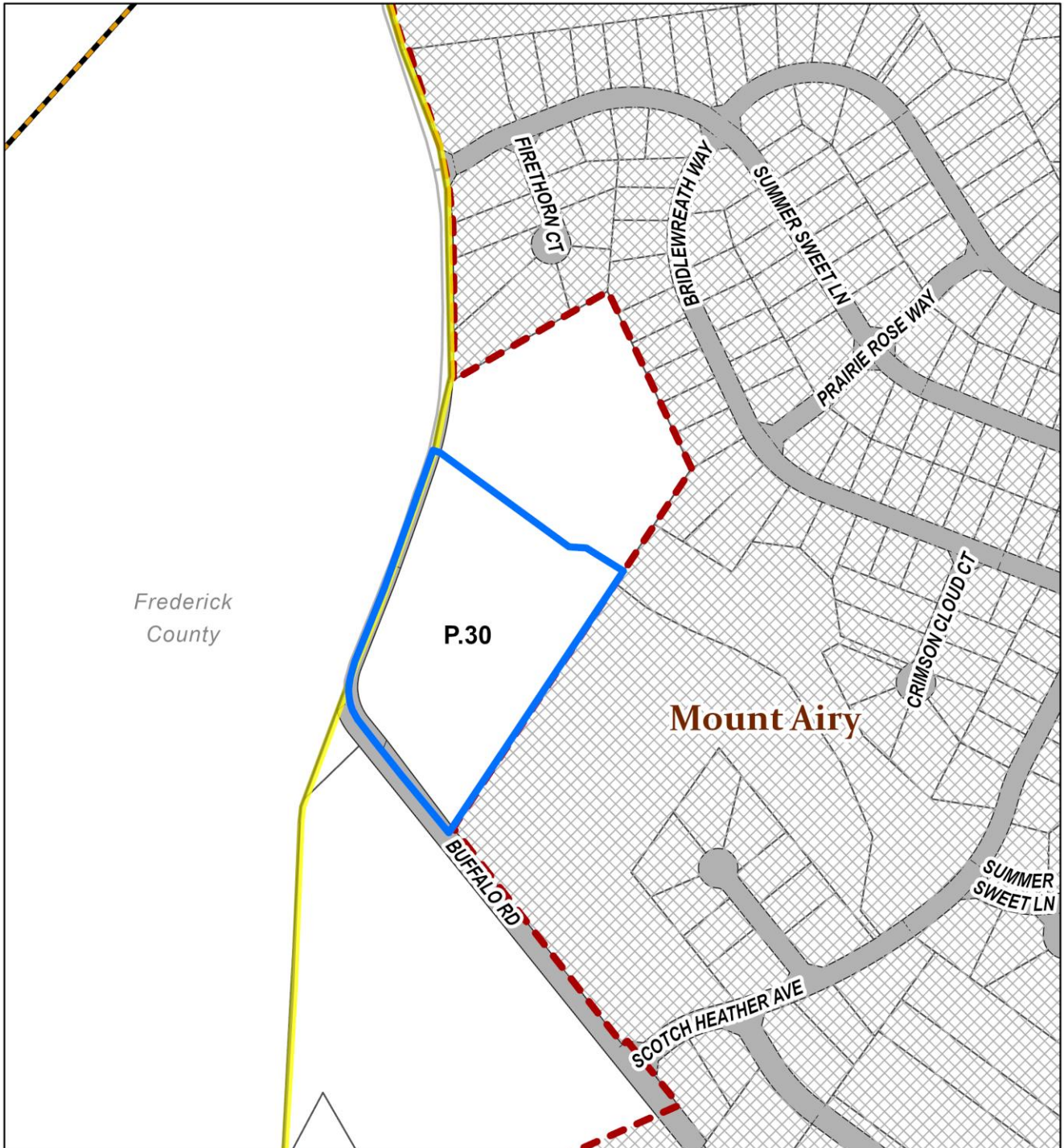
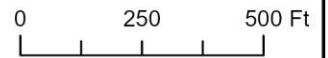


Exhibit D – Parcel Layout of Annexation Area

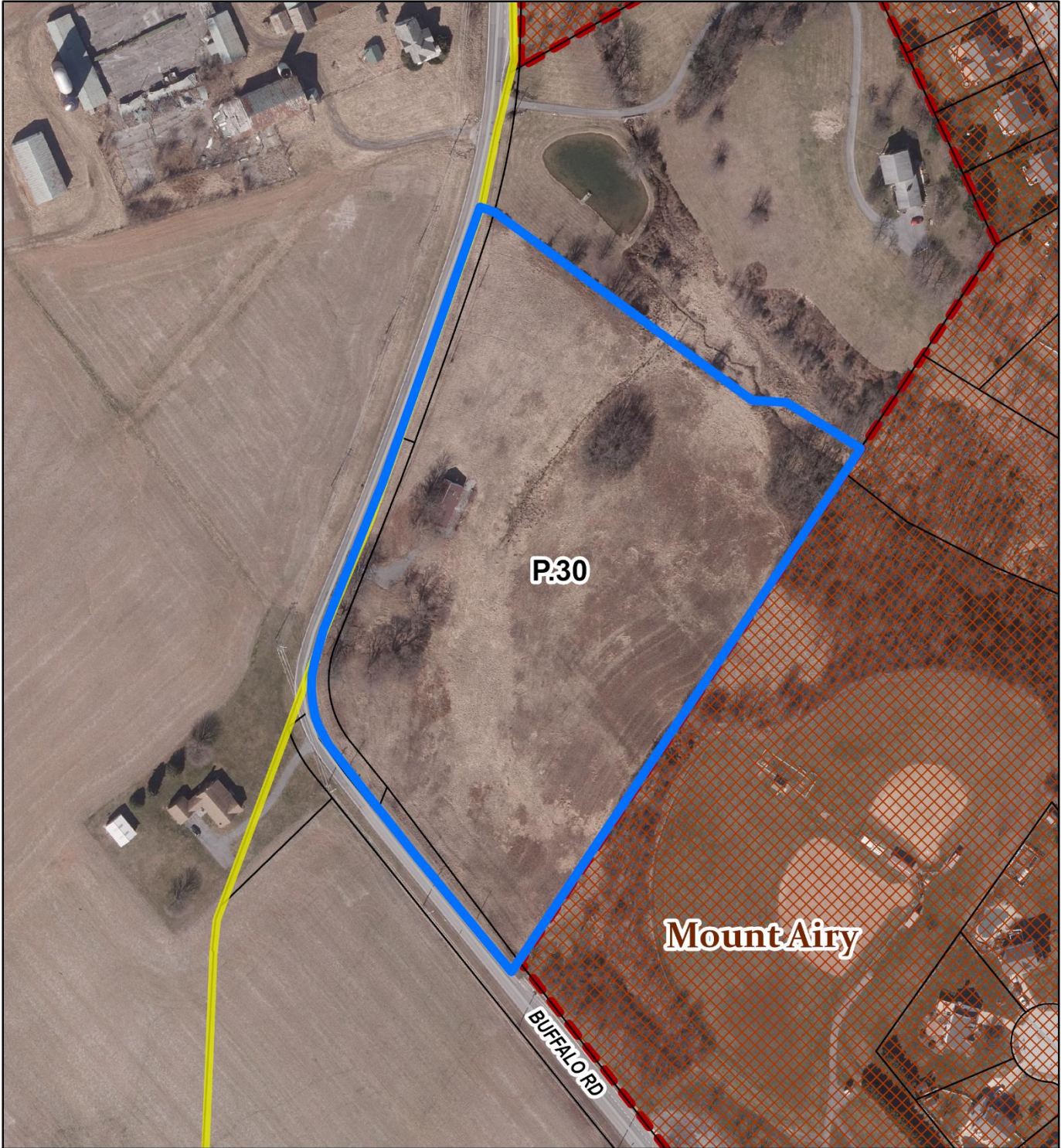






- Annexation 76**
- Corporate Limits
- Growth Area
- County Border
- Parcels

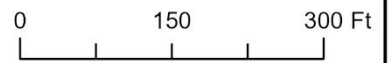


Prepared by the Carroll County
Department of Planning 08/2022 (kc)

Exhibit E – Ortho of Annexation Area

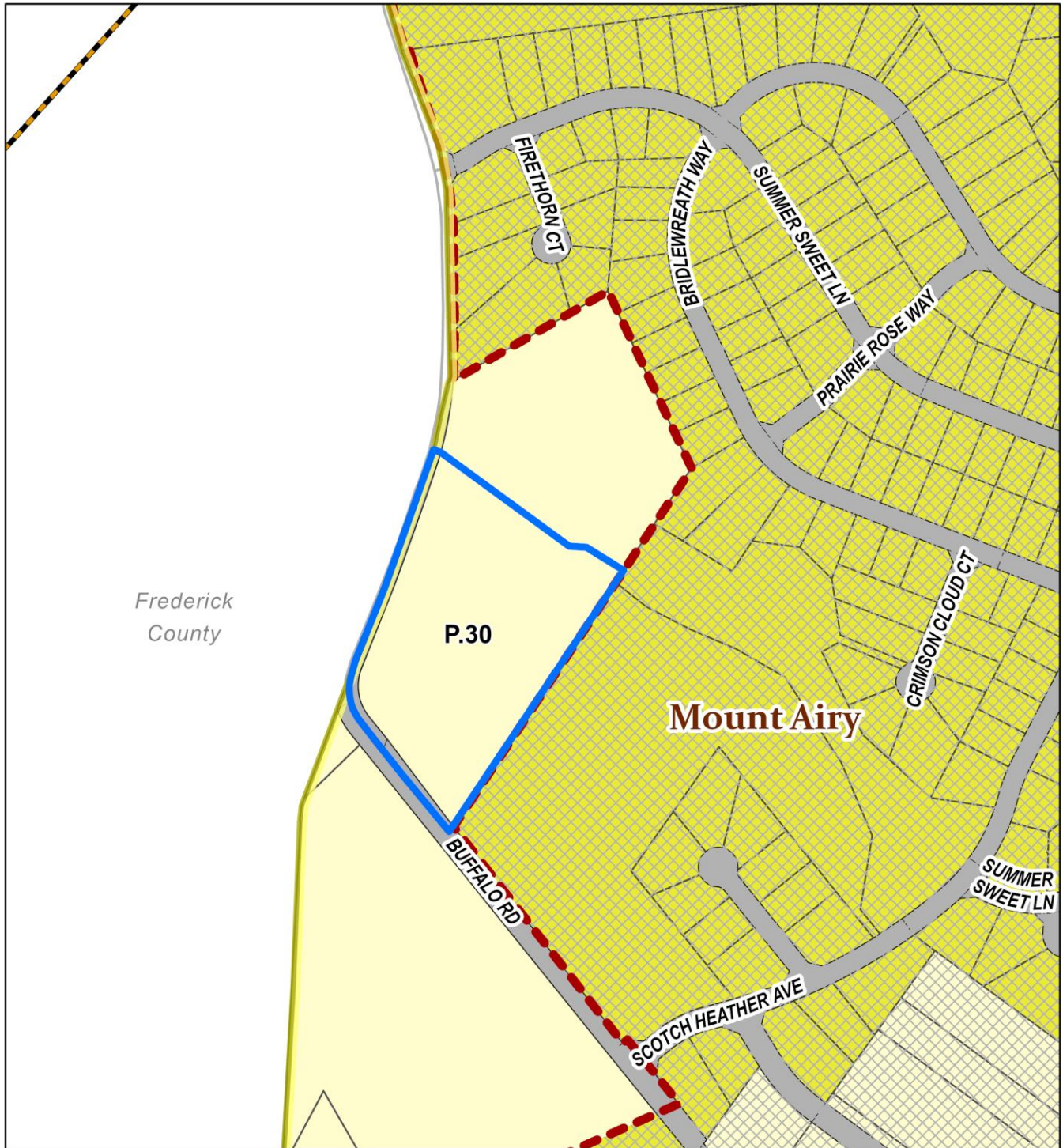


-  **Annexation 76**
-  Corporate Limits
-  County Border
-  Parcels







Prepared by the Carroll County
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Exhibit F – Zoning of Annexation Area



Annexation 76

-  Corporate Limits
-  Growth Area
-  County Border
-  Parcels

Mt. Airy Zoning

-  RE
-  R2

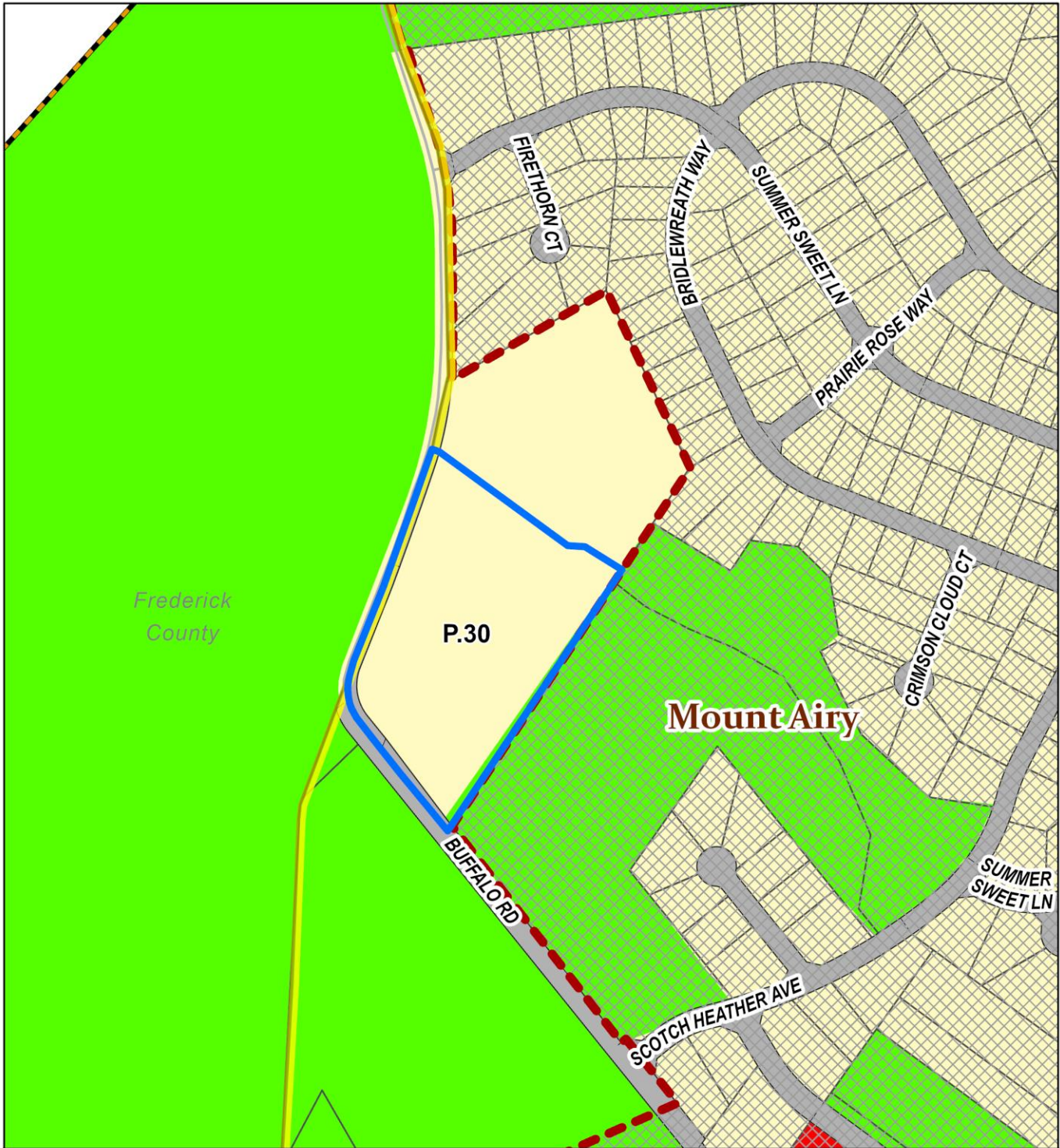
County Zoning

-  R-40,000

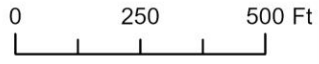


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Exhibit G – Designated Land Use of Annexation Area

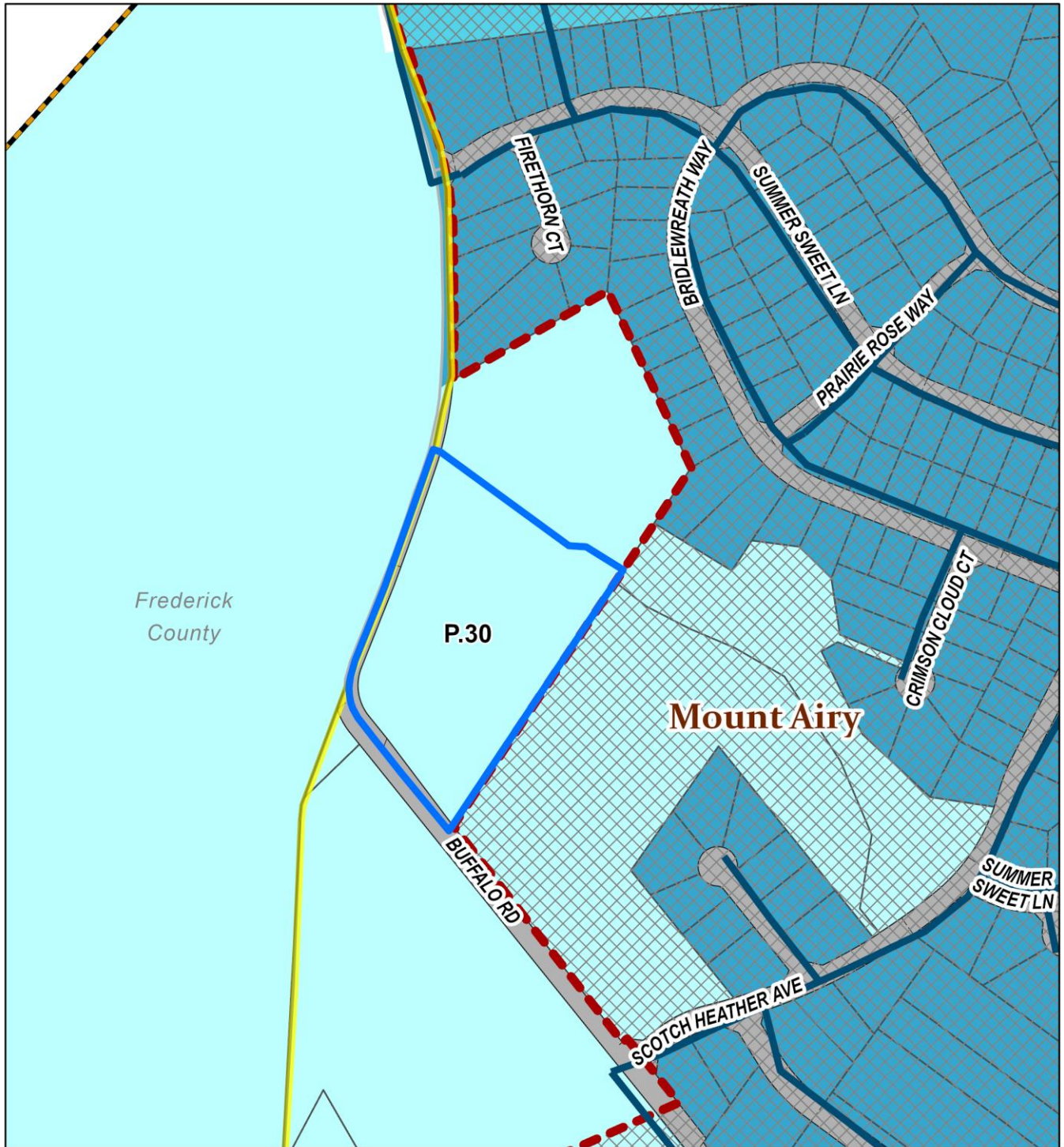


 Annexation 76	 Corporate Limits	Designated Land Use
 Growth Area	 County Border	 General Commercial
 Parcels		 Low Density Residential
		 Open Space



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Exhibit H – Water Service Area



Annexation 76

Corporate Limits

Water Service Area

0 250 500 Ft

Growth Area

Water Lines

Existing

County Border

Existing

Priority

Parcels

Priority

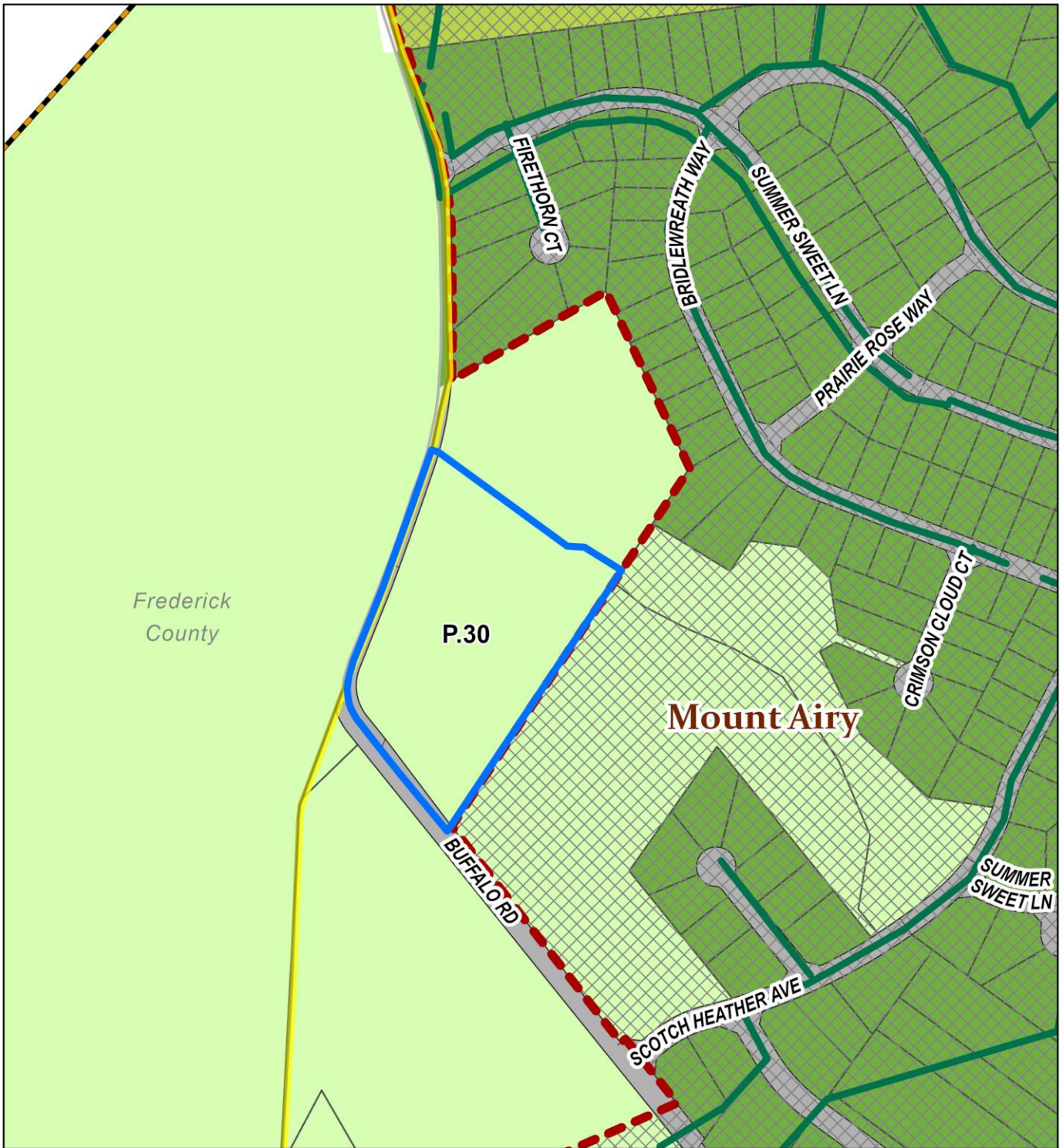
Long Range Future

Long Range Future

Long Range Future

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Exhibit I – Sewer Service Area



Annexation 76

Roads

Corporate Limits

Growth Area

County Border

Parcels

Sewer Service Area

Sewer Lines

Existing

Priority

Long Range

0 250 500 Ft



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Exhibit J – Maryland Department of Planning Comments

Not received as of 8/23.

