

SPECIAL REPORT
to the
Carroll County Planning and Zoning Commission
January 17, 2023

Prepared by
Laura Matyas, Bureau of Development Review

SUBJECT: Brillhart Terrace, Section Two, Plat A
LOCATION: Schaefer Drive, parcel between 3402 & 3404 Schaefer Drive; C.D. 2
OWNER: Scott Ford, 3404 Schaefer Drive, Hampstead, MD 21074
DEVELOPER: same as owner
ENGINEER: N/A
ZONING: R-40,000
ACREAGE: 0.438 acres
WATERSHED: Liberty Reservoir
FIRE DISTRICT: Hampstead
MASTER PLAN: Residential Low Density
PRIORITY
FUNDING AREA: Outside
DESIGNATED
GROWTH AREA: Outside

❖ **Action Required:**

This Special Report is before the Planning and Zoning Commission for a determination regarding a request to remove the “Reserved for Future Rd” designation from a parcel, as shown on the approved 1976 Plat A of Section Two of Brillhart Terrace.

❖ **Existing Conditions:**

The subject parcel consists of 0.438 acres and was created with Plat A of Section Two of Brillhart Terrace which was recorded in 1976 (see attached). Flanked by Lot 13 (3402 Schaefer Drive) and Lot 12 (3404 Schaefer Drive), it adjoins a 41.17-acre property to the north. The parcel is 50 feet wide, flares to 100 feet wide at Schaefer Drive, and is designated as “Reserved for Future Rd” on the plat. Mr. Scott Ford owns the subject parcel and the adjoining property, 3404 Schaefer Drive, which is built with a single-family dwelling.

A designation of “Reserved for Future Rd,” approved by the Planning and Zoning Commission in 1976, ensured the availability of land for construction of a public road from Schaeffer Road to the 41.17-acre, R-40,000-zoned, parcel to the north. While that property does have frontage along Brodbeck Road, the “Reserved for Future Rd” parcel provided a definitive access point; either a primary or secondary access to future development.

In 2011, the owner of the 41.47-acre property placed the lands into an Agricultural Land Conservation Easement with Carroll County (see attached deed recorded in liber 6607 folio 216). This easement is in perpetuity and intended to conserve and preserve the land.

Mr. Scott Ford is petitioning the Planning and Zoning Commission for a determination of the current applicability of the designation placed on the 0.438 acre parcel in 1976.

General Note 14 on Plat Book 15, Page 67 reads "The 50 foot wide reservation for future road as shown hereon is hereby dedicated to the County Commissioners of Carroll County for public use and at such time that a valid Public Works Agreement has been accepted by the County Commissioners of Carroll County for the construction of a road thereon to serve interior property abutting on the North 87° 03' 56" East line of the 50 foot wide reservation for a future road in accordance with an approved preliminary plan therefor, a deed shall be executed by the owners, his heirs or assigns conveying the area so dedicated and reserved to the County Commissioners of Carroll County."

❖ Request:

Mr. Ford is requesting a determination from the Planning and Zoning Commission regarding removal of the annotation "Reserved for Future Rd" on the plat and the related General Note so that the parcel may be unencumbered by the designation.

Following a determination from the Commission, the owner will submit an amended plat to Development Review for processing and removal of the parcel's road designation.