

SPECIAL REPORT
to the
Carroll County Planning and Zoning Commission
June 18, 2024

Prepared by
David Becraft, Bureau of Development Review

SUBJECT: AP-22-0039 – Rocky Acres, Parcel ‘A’ Amended
LOCATION: West of Niner Road, south of Ruppert Drive; C.D. 2
OWNER: Marie & Donald Haga, 3719 Niner Road, Finksburg, MD 21048
DEVELOPER: Same as owner
SURVEYOR: CLSI, 439 East Main Street, Westminster, MD 21157
ZONING: Agriculture
ACREAGE: 4.571 acres - Parcel ‘A’

❖ **Action Requested:**

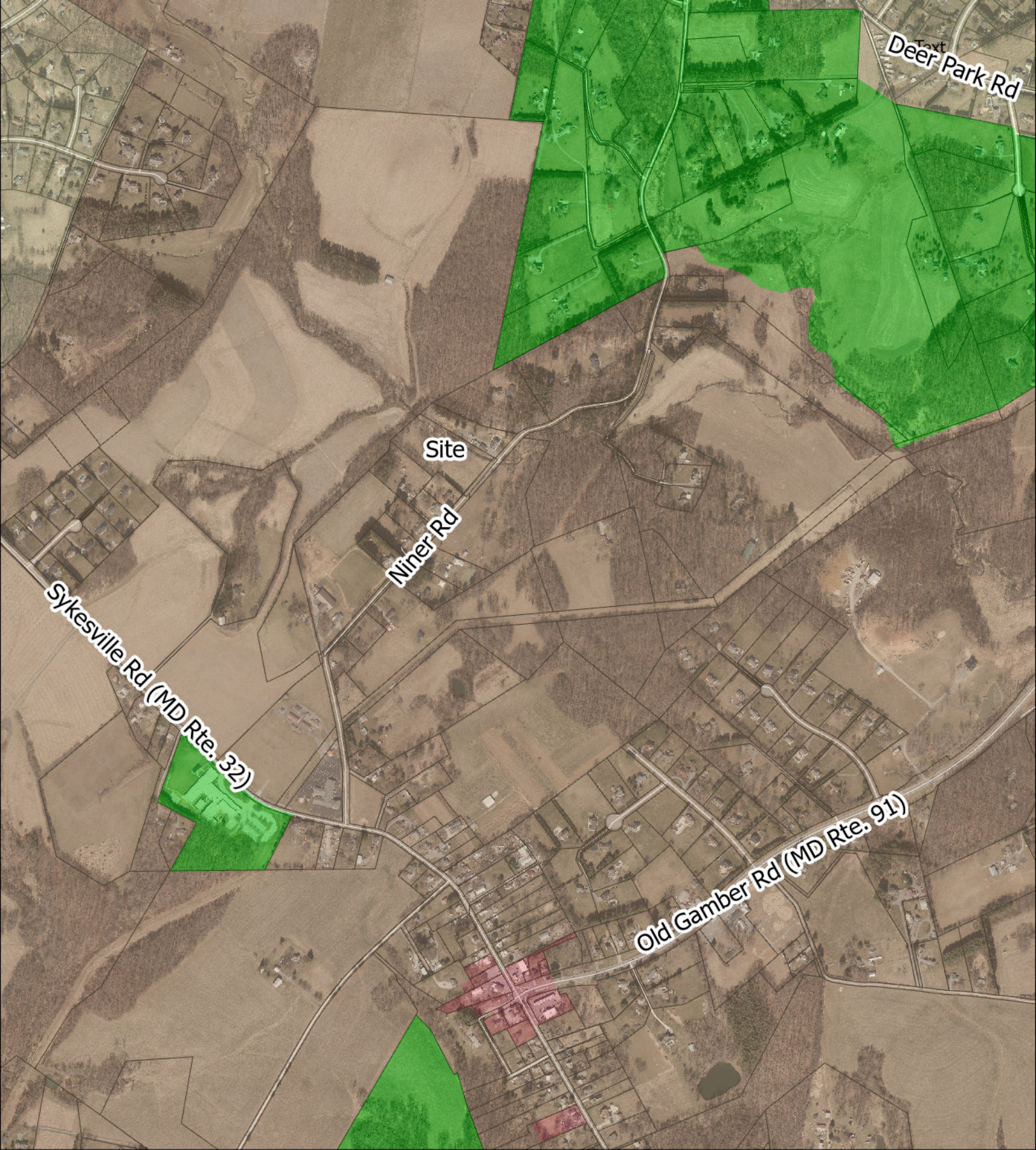
The plan is before the Planning and Zoning Commission with a request from the developer for a modification to the approved Preliminary Plan of Rocky Acres subdivision.

❖ **Project History & Request:**

A preliminary plan of subdivision for Rocky Acres was presented to the Planning and Zoning Commission on December 14, 1976. With the provisions of the Code at the time, the Commission approved the plan as presented. Rocky Acres, a three-lot subdivision, was then recorded on July 6, 1977 in Plat Book 17, Pages 72 (plat attached).

Due to the placement of lot 1, an area of the remaining lands was separated from the rest and was deemed non-buildable Parcel ‘A’. With the creation of this parcel, a note stating the following was added to the record plat: “Not for residential construction unless submitted to and approved by the Carroll County Planning Commission.”

Staff and the developer are requesting approval of the proposed modification to the Preliminary Plan of Rocky Acres changing the designation of the parcel to a lot, allowing the construction of a residential dwelling. Following the Planning and Zoning Commission’s approval, an amended preliminary plan will be reviewed, and the associated record plat will be processed for recordation.





- Legend**
- Agriculture
 - R-40,000
 - Conservation
 - C-1

Rocky Acres, Parcel A



Property line shown hereon are from tax maps and therefore are approximate and are shown for illustrative reference only. Photograph date: Spring 2020



-  FEMA Floodplain
-  HYD_StreamsLidar

Rocky Acres, Parcel A



Property line shown hereon are from tax maps and therefore are approximate and are shown for illustrative reference only. Photograph date: Spring 2020

OWNERS CERTIFICATE

I (WE) OWNER(S) OF THE PROPERTY SHOWN HEREON, AND DESCRIBED IN THE SURVEYORS CERTIFICATE, HEREBY ADOPT THIS PLAN OF SUBDIVISION, ESTABLISH THE BUILDING LINES AS SHOWN, AND CERTIFY THAT THE REQUIREMENTS OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND (1974) AS AMENDED PERTAINING TO THE PREPARATION OF RECORD PLATS, AND SUBSEQUENT ACTS, IF ANY, AMENDATORY THERETO AS FAR AS THEY RELATE TO THE PREPARATION OF THIS PLAT AND THE SETTING OF MARKERS HAVE BEEN COMPLIED WITH. NEW STREETS, ROADS, OPEN SPACES AND THE MENTION THEREOF IN DEEDS, ARE FOR THE PURPOSE OF DESCRIPTION ONLY AND THE LAND SO SHOWN IS EXPRESSLY RESERVED IN THE PRESENT OWNER(S) SHOWN ON THIS PLAT, THEIR SUCCESSORS, HEIRS AND ASSIGNS. NO MORE THAN ONE PRINCIPAL BUILDING SHALL BE PERMITTED ON ANY RESIDENTIAL LOT, AND NO SUCH LOT MAY EVER BE RESUBDIVIDED SO AS TO PRODUCE A BUILDING SITE OF LESS AREA OR WIDTH THAN THE MINIMUM REQUIRED BY APPLICABLE HEALTH, ZONING OR OTHER REGULATIONS.

OWNERS SIGNATURE *Robert C. Brothers*

WITNESS *Susan Rollock*

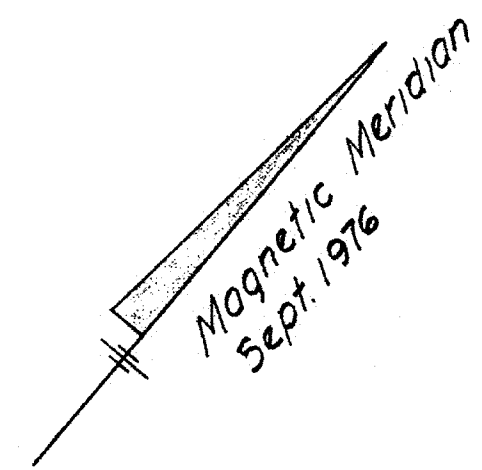
DATE *March 5-77*

COORDINATES

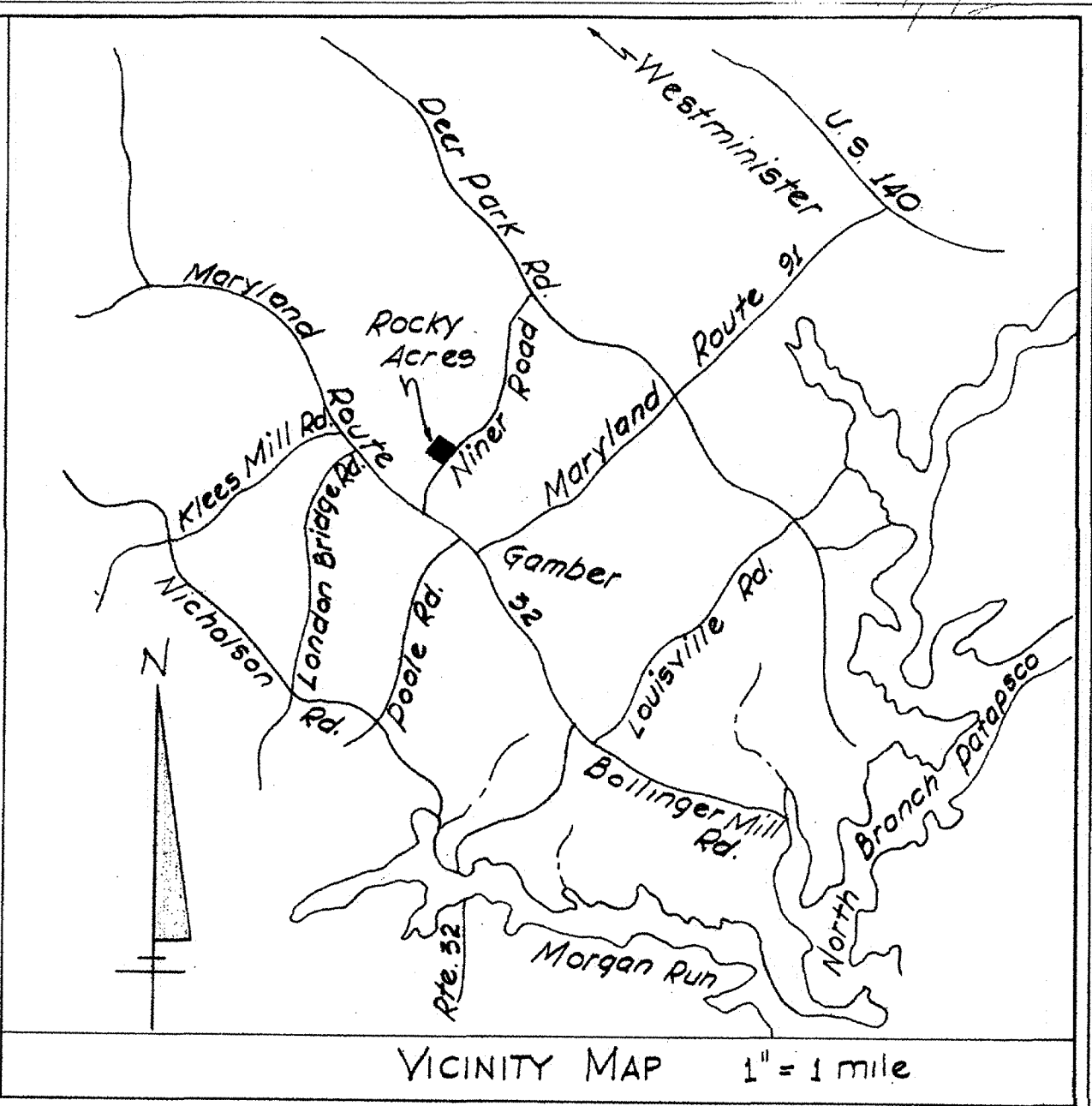
NO.	NORTH	EAST
1	9,957.80	4,981.41
2	10,795.14	4,895.85
3	11,350.34	5,681.34
4	11,414.45	5,694.84
5	11,571.02	5,938.44
6	11,157.55	6,435.82
7	10,931.60	6,170.59
8	11,141.78	5,997.91
9	10,950.70	5,766.39
10	10,741.54	5,938.49
11	10,538.80	5,690.91
12	10,561.96	5,671.85
13	10,819.37	5,460.06
14	11,009.44	5,692.17
15	11,229.83	5,510.84
16	11,109.95	5,959.34
17	10,764.70	5,919.43
18	10,752.03	5,903.95

NOTES:

- WHERE APPLICABLE, UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE CURRENT REGULATIONS, OR AS MAY HEREAFTER BE AMENDED OF THE PUBLIC SERVICE COMMISSION OF MARYLAND REGARDING UNDERGROUND SERVICE, AND MAY REQUIRE PRE-CONSTRUCTION REFUNDABLE DEPOSITS FROM THE DEVELOPER.
- THERE IS A 20 FEET WIDE DRAINAGE AND UTILITY EASEMENT CENTERED ON ALL NONROAD FRONTAGE LOT LINES, UNLESS OTHERWISE SHOWN HEREON.
- NUMBER OF BUILDING SITES = 3
- TITLE REFERENCE: ROBERT C. BROTHERS AND IDA B. BROTHERS, 265/31 AUG. 6, 1956
- COUNTY MASTER PLAN FOR WATER AND SEWAGE, 1976-77 WATER: NO SERVICE PLANNED SEWER: NO SERVICE PLANNED HOWEVER, IF AND WHEN WATER AND SEWER FACILITIES BECOME AVAILABLE TO THIS SUBDIVISION, CONNECTION THERE TO SHALL BE REQUIRED BY THE AGENCY HAVING JURISDICTION.
- NO GRADING, FILLING OR CONSTRUCTION SHALL BE PERMITTED WHICH OBSTRUCTS OR INHIBITS THE SURFACE FLOW OF NATURAL OR STORM WATER DRAINAGE WITHIN DRAINAGE AND UTILITY EASEMENTS AS SHOWN HEREON.
- ANY LAND LOCATED BETWEEN THE CENTERLINE OF NINER ROAD AND 30 FEET THEREFROM IS HEREBY DEDICATED TO THE COUNTY COMMISSIONERS OF CARROLL COUNTY FOR PUBLIC USE.
- RESIDENTIAL CONSTRUCTION ON ANY OF THE LOTS SHOWN HEREON IS LIMITED TO SINGLE FAMILY DWELLINGS.
- NO BUILDING PERMIT SHALL BE ISSUED FOR THE CONSTRUCTION OF A DWELLING ON ANY LOT SHOWN HEREON UNTILL A WELL APPROVED BY APPLICABLE STATE AND COUNTY AGENCIES HAVING JURISDICTION HAS BEEN LOCATED ON-SITE OF ANY LOT.
- NO FURTHER SUBDIVISION OF THE LOTS AND/OR TRACTS SHOWN HEREON SHALL BE PERMITTED FOR THE PURPOSE OF CREATING ADDITIONAL LOTS OR TRACTS. ANY MODIFICATIONS OR PLAT RE-ASSEMBLY SHALL BE SUBJECT TO APPROVAL BY THE CARROLL COUNTY PLANNING AND ZONING COMMISSION.
- THE DRIVEWAY FOR LOT #1 IS RESTRICTED TO THE LOCATION AS SHOWN HEREON.
- TOTAL AREA OF LOTS = 4.471 ACRES
- TOTAL AREA OF DEDICATED PARCELS FOR ROADS = 0.457 ACRES
- TOTAL AREA OF NON-DEDICATED PARCELS = 4.971 ACRES
- TOTAL AREA OF PLAT = 22,598 ACRES
- THE COORDINATE VALUES AS SHOWN HEREON ARE BASED ON ASSUMED DATUM.



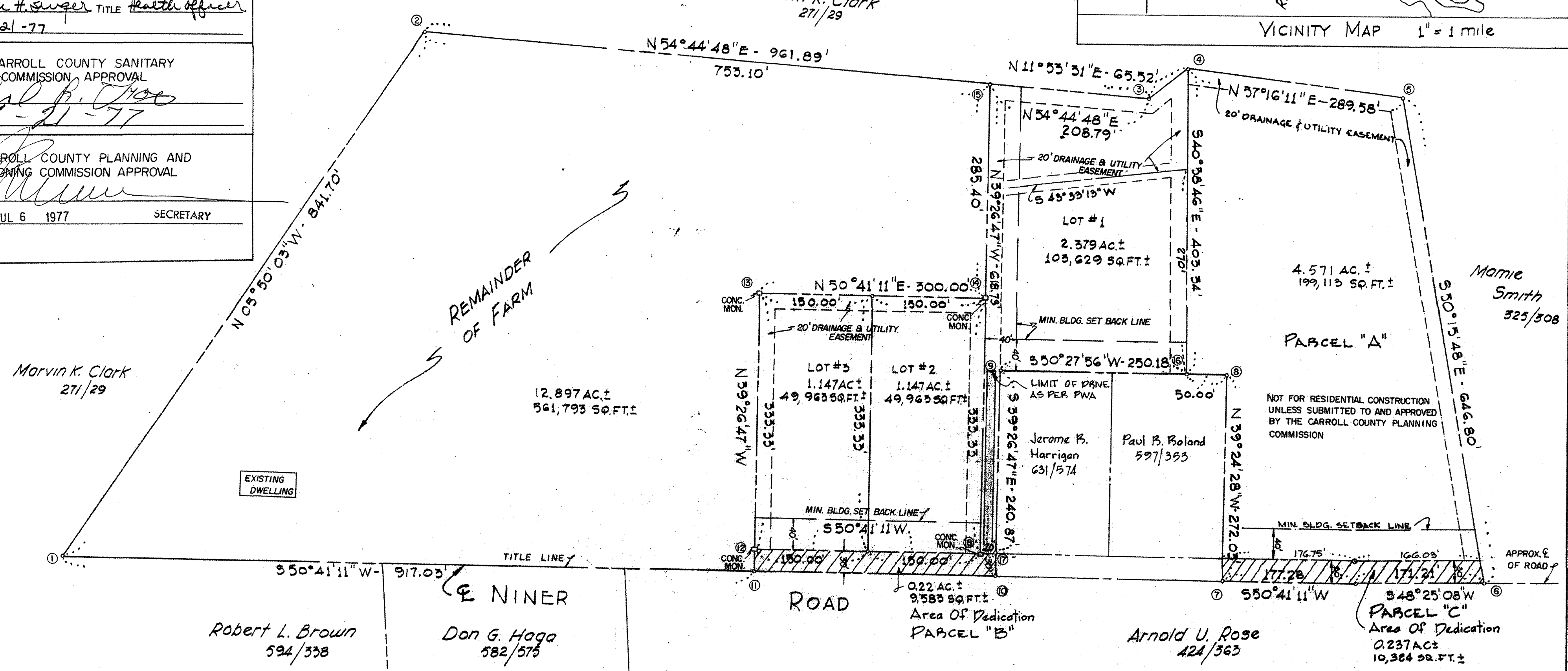
Marvin K. Clark
271/29



CARROLL COUNTY HEALTH DEPT. APPROVAL
INDIVIDUAL WELLS & SEWAGE DISPOSAL SYSTEMS, EFFLUENT DISPOSAL
BY Tile Fields
QUALIFICATIONS: INDIVIDUAL WELLS & SEWAGE SYSTEMS TO BE INSTALLED UNDER HEALTH DEPT. PERMIT TO BE OBTAINED ON EACH LOT PRIOR TO CONSTRUCTION
BY *Ruth H. Swiger* TITLE *Health Officer*
DATE *6-21-77*

CARROLL COUNTY SANITARY COMMISSION APPROVAL
BY *Carl P. Cox*
DATE *6-21-77*

CARROLL COUNTY PLANNING AND ZONING COMMISSION APPROVAL
BY *[Signature]*
DATE JUL 6 1977 SECRETARY



Marvin K. Clark
271/29

Robert L. Brown
594/538

Don G. Hoga
582/575

Arnold U. Rose
424/363

Mamie Smith
325/308

ROCKY ACRES
ROBERT C. BROTHERS PROPERTY
SCALE: 1" = 100'



SURVEYOR'S CERTIFICATE
I, JOHN C. MELLEMA SR., A REGISTERED LAND SURVEYOR OF THE STATE OF MARYLAND, DO HEREBY CERTIFY THAT THE LAND SHOWN HEREON HAS BEEN LAID OUT AND THE PLAT PREPARED IN COMPLIANCE WITH SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND (1974), AS AMENDED PERTAINING TO THE PREPARATION OF RECORD PLATS.
John C. Mellema Sr. 3-7-77
SIGNATURE DATE

DEVELOPMENT ENGINEERS
ENGINEERS · PLANNERS · SURVEYORS
342 OLD JOPPA ROAD
FALLSTON, MARYLAND
21047

CARROLL COUNTY CIRCUIT COURT (Subdivision Plats, CR) Plat Book 08-17 p. 72, 9A-91240-1788. Date available 1977/07/26. Printed 04/07/2024.