

CONCEPT SUBDIVISION PLAN REPORT
to the
Carroll County Planning and Zoning Commission
January 21, 2025

Prepared by
Kierstin Marple, Bureau of Development Review

SUBJECT: P-22-0102 - The Sanctuary

LOCATION: South side of Hook Road, east of MD 97, Westminster MD, 21104, C.D. 3

OWNER: Kennell, Inc., 6200 Candle Court, Sykesville MD, 21784

DEVELOPER: Same as owner

SURVEYOR: RTF Associates, Inc., 142 East Main Street, Westminster, MD 21157

ZONING: Residential-20,000 (R-20), Conservation, and Agricultural

ACREAGE: Acreage of lots: 27.833 acres. Acreage of Remainder: 44.8 acres.

WATERSHED: Liberty Reservoir

NO. OF LOTS: 10 and a Remainder

FIRE DISTRICT: Westminster

MASTER PLAN: Residential Medium Density– 2019 Amended Comprehensive Plan for Carroll County

PRIORITY FUNDING AREA: Partially within Westminster priority funding area

DESIGNATED GROWTH AREA: Outside

❖ **Action Required:**

The plan is before the Planning and Zoning Commission per Chapter 155 of the Code of Public Local Laws and Ordinances of Carroll County for consideration of a concept major subdivision plan. **No action is required.**

❖ **Existing Conditions:**

The subject site is located 0.6 miles south of the City of Westminster, on the south side of Hook Road and just east of MD 97 (New Washington Road). The bulk of the property is situated behind established dwellings along Hook Road and the Campus Heights/Maplecrest/Kolbe subdivision neighborhoods. The subject property has four narrow strips of land that connect it to two public roads; one 50'± wide and two 16'± wide connections to Hook Road, and one 50'± wide connection to the terminus of Maple Crest Drive.

The site consists of two separate properties totaling to 73.59 acres, both owned by the same owner. Parcel 146 is 10.65 acres in size, and Parcel 11 is 62.94 acres total. Parcel 146 is zoned Residential-20,000 (R-20), and Parcel 11 is split zoned R-20 (37.4 acres), Conservation (20 acres), and Agricultural (5.5 acres).

These two properties are adjoined along their south sides by seven other un-developed properties that are also owned by the same owner (totaling to about 63 additional acres), however these seven other properties are not included in this subdivision. The future development of dwellings and potentially residential division via the off-conveyance process may also be possible for these properties.

To the north and west of the site, the land is also zoned R-20 and it is developed with single family dwellings, primarily with lots that are around a half-acre in size. Properties to the east of the site are zoned both R-20 and Agricultural and are developed with single family dwellings on lots that are mostly larger than one acre in size. The properties to the south are zoned Conservation and Agricultural and are mostly undeveloped, consisting of forests and fields with streams flowing in a southeasterly direction.

The subject site is outside of the City of Westminster's municipal growth area, and it is not within current or planned water or sewer service areas. All adjoining properties to the immediate north, east, and west are within the municipal growth area, and some properties to the west are served by public water and sewer. Parcel 146 of the subject site is also within a priority funding area.

❖ **Plan Review:**

The developer proposes to subdivide the two properties into a total of 10 new residential lots, with all proposed dwellings being located within the R-20 zoning district. The minimum lot size in this district is 20,000 square feet, and the proposed lots range in size from 1.3 acres to 6.4 acres. Most lots are between 1.5 and 3 acres in size.

As the site is not within a public water and sewer area, larger lot sizes are necessary in order to accommodate the installation of private wells and septic systems. Additionally, Section 155.031(M) of the County Code allows for only 7 new lots to be created from an existing parcel through the subdivision process. This project consists of two parcels that existed prior to the effective date of this regulation. Under this regulation, Parcel 146 could be eligible for the creation of 7 new lots and is creating 4 new lots, and Parcel 11 could be eligible for 7 new lots and is creating 6. Instead of reviewing the division of these two parcels separately, the concurrent division of the two properties are being reviewed on one comprehensive plan, which was authorized by the Health Department and Development Review.

(M) Septic minor subdivision.

(1) A septic minor subdivision will be defined as up to seven new lots for purposes of the Carroll County Health Department approval of on-site disposal systems. The preliminary plan will indicate the number of lots that have been created from the parcel since October 1, 2012. All development proposals will be required to comply with all other processing and County Code provisions applicable to subdivisions.

Following the division of these lots, the land left over, the Remainder, will contain 44.8 acres of land that is zoned a mix of R-20, Conservation, and Agricultural. The Remainder is eligible for the construction of a dwelling and/or other uses as allowed in these zoning districts. Although the plan shows the possible location of a well and septic system to support the development of the Remainder, no construction is presently proposed on these plans.

The proposed lots are arranged in two distinct locations within the subdividing properties. 7 of the 10 new lots are located on the northeastern portion of the property, arranged along a new cul-de-sac off of Hook Road. The remaining 3 lots are proposed to be located off of a new public cul-de-sac at the end of the existing Maple Crest Drive.

The new public road off of Hook Road, Sanctuary Court, is proposed to be located between 425 and 429 Hook Road. It connects to the south side of Hook Road and terminates with a cul-de-sac after 900'± feet in road length. 4 of the 7 new lots proposed in this area (Lots 1, 2, 3 and 7) will have direct access to Sanctuary Court via private driveways.

Lots 4, 5, and 6 on the east side of the new cul-de-sac are proposed to be accessed via a shared use-in-common driveway (UIC), Sanctuary Drive. The UIC will be a privately owned and maintained driveway. Lot 4 also has an in-fee strip 16' in width that connects to Hook Road between 445 and 449 Hook Road, however this plan does not propose the installation of a driveway in this location at this time.

The Remainder and 5 of the owner's other existing parcels to the south of the subdivision site will also have access to Sanctuary Court via an existing driveway. This driveway presently connects directly to Hook Road, and it will be modified to be tied into Sanctuary Court at the time of the court's construction.

On the western side of the site, 3 new lots (Lots 8, 9, and 10) are proposed to connect to an extension of the public road Maple Crest Drive. Maple Crest Drive is shown to be extended slightly to the south and then terminated with a cul-de-sac. The 3 lots will all have direct access to the extended road via individual private driveways. At the end of the cul-de-sac and over portions of Lot 10 and the Remainder, an easement is shown that allows access to Maple Crest Drive for 2 of the owner's other existing parcels located to the south of this area. No driveway is proposed within this easement at this time.

There are also 2 developed residential properties along the western side of this extension that will be impacted by this change to the road; they currently access Maple Crest Drive via a shared gravel driveway located on the subdividing property, and after construction of the extension, they will instead have individual private driveways that connect directly to the public road. As they will still connect to Maple Crest Drive, no address changes are necessary.

On November 27, 2023, the concept subdivision plan was submitted to the Bureau of Development Review and distributed to the technical review agencies for review.

The plan was subject to citizen involvement during the December 18th, 2023, Technical Review Committee (TRC) meeting. 29 citizens signed the attendance sheet at the meeting, and the County has also received phone calls and emails from the public. (Emails attached)

During the TRC meeting, many of the attendees spoke about their concerns, chief of which were regarding increased traffic on Hook Road where speeding is already an issue, and concerns about this development potentially impacting the existing private wells and septic systems in use by neighboring properties. Neighbors said that many of the wells in this area have experienced issues.

Richard Brace, the Carroll County Health Department's water quality supervisor, was present at the meeting and spoke in response to these citizen concerns. He explained how the Health Department is very aware of the issues and concerns in this area; that in the early 2000s, multiple homes to the west of this proposed subdivision experienced well failure, and public water had to be extended from the City's service area. The Health Department is reviewing this project to ensure that it meets all applicable requirements.

Emails and phone calls have been largely regarding that the subdivision has online real estate listings that advertise 21 lots for sale instead of the 10 shown on this plan, that “For sale” signs are posted on the property and at the corner of Hook Road’s intersection with MD 97, and that a stone subdivision name sign as well as a driveway have been constructed on the property.

The County has communicated to inquirers that the construction of the driveway was authorized through the grading permit process. The driveway is to provide access to some of the owner’s other existing properties south of this site, however at this time no building permits for dwellings have been received. As it is possible that other properties owned by this owner could be eligible for the construction of a dwelling or off-conveyance division, this could potentially total to the 21 lots that the real estate listings are advertising.

While the County regulations generally don’t restrict the subject of advertisements, Section 155.030 of the County Code does restrict and prohibit the actual transfer of or construction of a subdivision lot prior to full completion of the County’s review process:

§ 155.030 SUBDIVISION CONTROL.

(A) General requirements.

(1) Any developer contemplating the subdivision of land shall prepare subdivision plans in accordance with this chapter, and after approval by the Planning and Zoning Commission shall record a copy of the plat in the Land Records of Carroll County.

(2) No subdivision lot may be transferred nor may a building permit be issued for a structure thereon prior to complying with this chapter.

(3) No building permit may be issued for a property included in an approved preliminary subdivision plan, but not described on a final subdivision plat, unless the property was eligible for the issuance of a permit without subdivision approval. The proposed improvements shall be shown on the preliminary and final subdivision plan.

Following the TRC meeting, Development Review arranged a meeting with the Health Department, the City of Westminster, and the County’s Planning office to discuss the concerns about water. The representative of the Health Department explained that most of the existing wells in the area are older and are considered grandfathered under the old regulations. The new lots will need to meet current regulations. There are no plans to extend the water lines in this area, and the lines that are within the Maple Crest subdivision closest to The Sanctuary property are generally unsuitable for extension.

The site is located outside of the jurisdiction of the County’s Bureau of Utilities, thus Utilities had no comments during their plan review. The Health Department has approved the concept plan, and they will continue to receive the latest plans as the project continues through the review process.

Comprehensive Planning has reviewed the plan and found that “The subject property has a land use designation of Medium Density Residential in the 2014 Carroll County Master Plan – 2019 Amended. Although the above-referenced development proposal is not consistent with this designation, the property lies outside the growth area of the City, and extension of water and sewer in not planned. Large lots are in line with these properties being planned for septic and Planning does not have objection to this plan.”. Planning also recommended the inclusion of sidewalk along both Sanctuary Court and the extension of Maple Crest Drive. At this time, no sidewalk has been included on the plans.

Engineering Review has no objection to concept-level approval. Their remaining comments regarding the construction of the public roads, Sanctuary Court and the extension of Maple Crest Drive, can be handled at

the preliminary and final stages of review. These comments included providing turn templates to demonstrate that larger vehicles will be able to navigate the road entrances, ensuring that the roads connect properly to the existing pavement, and that drainage from the new roads do not sheet flow onto private property.

Fire Protection approved the concept plan for the subdivision, but also had questions about the private driveway depicted at the end of the proposed Sanctuary Court. As this private driveway does not serve the subdivision, it would be reviewed in separate processes.

The Zoning Administration has approved the plan.

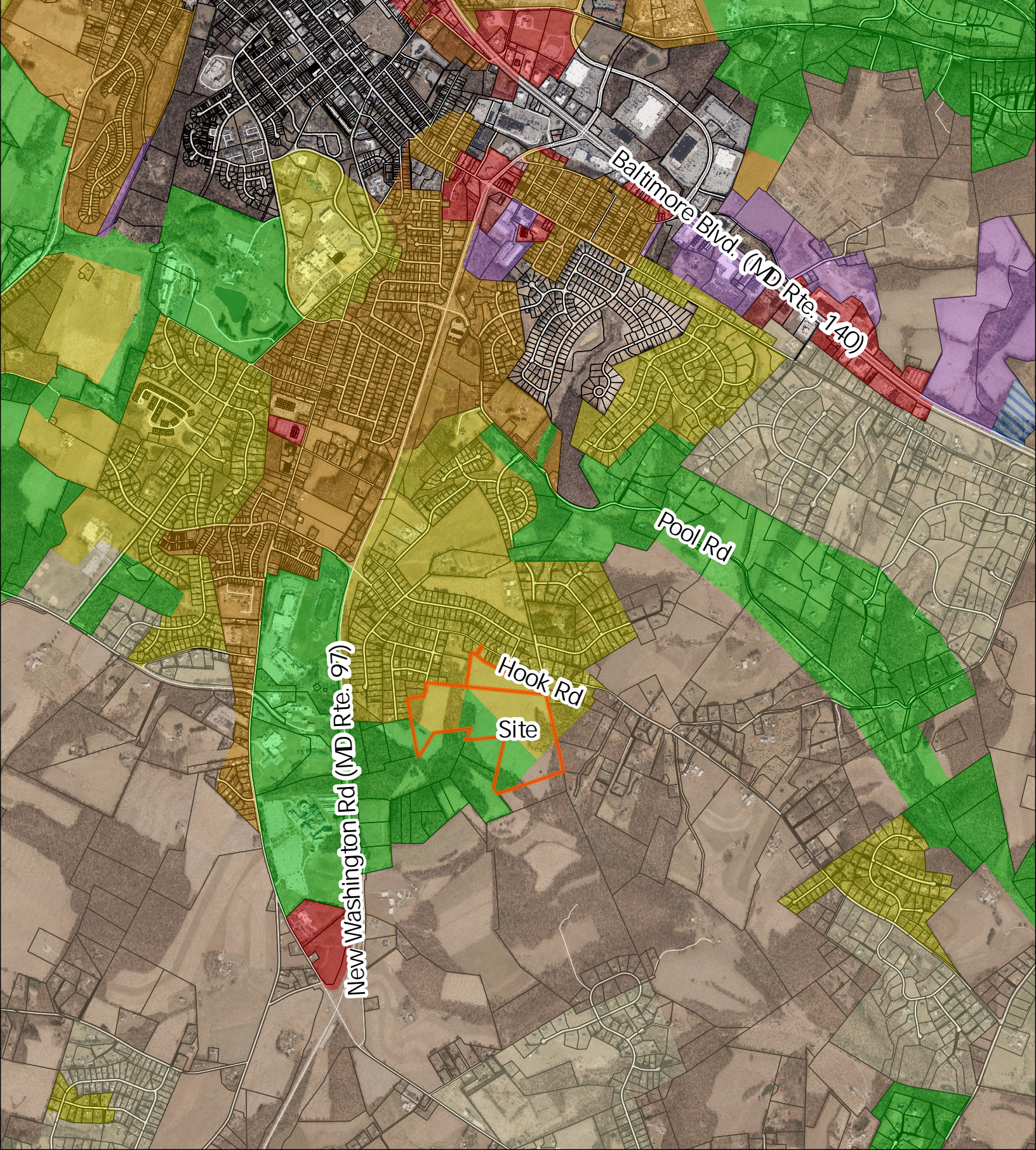
The Grading office issued concept-level approval and will review more detailed grading plans in the next phase of review. Soil Conservation has issued concept approval.

Stormwater Management Review has issued concept approval of the plans. The plans address stormwater management requirements by the use of drywells for each house, grass swales, and grading.

This project is exempt from Floodplain Management requirements, and Water Resource Management has issued concept approval of the plan. The preliminary phase of review will provide additional details regarding the required stream buffer protection easements on Lots 8 and 9.

Forest Conservation requirements are proposed to be met via forest conservation easements located on the Remainder and Lots 8-10. While no landscaping is required, it should be noted that the row of landscaping that the developer has proposed along a portion of the north side of Parcel 146 (behind 445 Hook Road) is not a requirement of the County Code and was included on the plans electively by the developer. If otherwise-unrequired landscaping such as this is still shown on the approved preliminary plans, its installation will become a requirement.

The project is subject to the provisions of Concurrency Management, Chapter 156 of the Code, and will be tested prior to presentation of the plan to the Commission for approval of the preliminary plan.



Zoning_County	R-40,000	C-2
Zoning	R-20,000	C-3
	R-10,000	I-1
Agriculture	R-7,500	Employment Campus
Conservation	C-1	

The Sanctuary

P-22-0102



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



— HYD_StreamsLidar

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