CONCEPT SITE PLAN REPORT

to the

Carroll County Planning and Zoning Commission July 16, 2024

Prepared by David Becraft, Bureau of Development Review

SUBJECT:

S-19-0027, Freedoms Grant

LOCATION:

North side of Arrington Road, east of Slacks Road; C.D. 5

OWNER:

EV, LLC, 7035 Albert Einstein Drive, Ste 200, Columbia, MD 21046

(LLC Member: U.S. Home Corporation)

DEVELOPER:

same as owner

SURVEYOR:

CLSI, 439 East Main Street, Westminster, MD 21157

ZONING:

R-20,000 (66.71 acres) / Conservation (1.5 acres)

ACREAGE:

68.21 acres

WATERSHED:

South Branch Patapsco

NO. OF UNITS:

237 Age Restricted units

FIRE DISTRICT:

Sykesville Freedom District

MASTER PLAN:

Residential Medium - 2018 Freedom Community Comprehensive

Plan

PRIORITY

FUNDING AREA:

Freedom

DESIGNATED

GROWTH AREA:

Freedom

* 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 site plan. **No action is required**.

Existing Conditions:

The 68.21-acre subject property for Freedoms Grant lies mainly in the R-20,000 Zoning District (66.71 acres) with 1.5 acres of property in the Conservation Zoning District. The property has frontage on Arrington Road, Slacks Road, and Argonne Drive, all County roads. The property is mostly vacant, open land, with trees on the northeastern portion of the property. There are no streams located on site; however, there is a small floodplain from a nearby stream on the northeastern portion of the property.

On the 1977 Comprehensive Freedom Plan, Raincliffe Road was depicted to be extended to

connect to Arrington Road. With this connection still being shown in the 2018 Freedom Community Comprehensive Plan, the developer will construct the portion of roadway extension located on the subject property.

Surrounding properties to the south, east, and west lie in the R-20,000/Conservation Zoning District and currently host private residences or vacant land. The property to the north and west (across Slacks Road) is owned by the State of Maryland and is in the Agricultural Zoning District.

The subject property is in the Freedom Existing water and sewer service areas and is within the Freedom Designated Growth Area and Priority Funding Area.

❖ Plan History:

On March 23, 2005, a major subdivision (Eldersburg Ventures) was received by the County and proposed a cluster plan of 103 residential lots on the subject property. Through the process, the lot count was decreased, and the name was changed to "Freedoms Grant". On February 16, 2010, the Planning and Zoning Commission approved the preliminary plan of a 101-lot cluster plan.

It was determined that with the extensive scope of work, the final plans were to be approved in phases. Phase 1 of the Freedoms Grant subdivision was reviewed and approved by the Planning and Zoning Commission on February 12, 2012; however, the plat was not recorded.

* Plan Review:

On November 23, 2020, an initial site development plan package was submitted to Development Review and distributed to review agencies. The developer proposes a 237-unit age restricted retirement home community. The community is comprised of 26 detached units that are proposed at 2,400 square feet and 211 attached units that are proposed at 1,800 square feet. The attached units will be in groups that vary from 2-5 unit buildings. The majority of the proposed buildings are sited along a serpentine private road (Loch Lomond Road) with connecting roadways. Sidewalks are proposed throughout the site with connectivity to a proposed walking trail.

Also proposed is the construction of an approximately 5,600 square foot clubhouse with outdoor seating/pool and independent parking. The clubhouse will be accessed directly from Loch Lomond Road.

A Traffic Impact Study (TIS) was required for the Freedoms Grant site development plan and has been reviewed. The study proposes three full movement access points: at Slacks Road, Arrington Road, and Argonne Drive. Argonne Drive was constructed as part of the Amberly subdivision (plat attached) and currently ends at the property boundary. According to the study, all intersections and movements will operate at a level of service (LOS) D or above. LOS D is adequate and does not require mitigation. Engineering Review and the State Highway Administration have concurred with the findings of the analysis.

Parking requirements for age-restricted adult townhouses and single-family units are 2 spaces for each dwelling unit and overflow / guest parking may be required at the discretion of the Director. Each unit has a garage and a private driveway provided. Parking requirements for a community center equal 1 space for every 3 persons based on maximum capacity. With a maximum capacity of 112 persons, 38 parking spaces are required for the community center; 40 parking spaces are provided.

Building elevations are included in the plan set. Proposed colors include tan, brown, blue, and gray with white trim and garage doors. Although materials are not annotated, the rendering appears to depict siding, stone veneer, and asphalt shingled roofs. Decorative garage doors, trim details, rooflines, shutters, light fixtures, and custom windows adorn the facades.

An entrance sign is proposed at the entrance to the site from East Raincliffe Road. A detail for the sign is provided on sheet 24 within the plan set and depicts a total height of 6'- 0". Pole lights are proposed throughout the community and for the community center parking area. Details for the two types of pole lights are provided on sheet 13 and state a height of 16'- 0".

On July 13, 2021, the Design and Architectural Review Committee (DARC), an advisory group, met to review the project. Their comments are as follows:

- 1. Although the architectural/renderings look good, they may give a false sense of space between homes.
- 2. As there are a lot of buildings along the serpentine drive, similar to a wall, it may be beneficial to stagger home placement from the road to provide depth and remove the wall effect.
- 3. Consider a connection from the proposed neighborhood to the adjoining American Legion.
- 5. The inclusion of some trees within the front yards of the proposed townhomes would help to green up the street corridor and provide some shade and color.

The plan was subject to citizen's involvement on December 21, 2020 during the Technical Review Committee (TRC) meeting. Prior to the meeting, comments were received from Susan Arrington, an adjoining property owner, and have been attached. At the meeting, six citizens were in attendance and voiced concerns about density on the property, water and sewer usage/infrastructure, and about trees separating the proposed community from the existing neighborhood.

Retirement homes are a conditional use in the R-20,000 Zoning District requiring Board of Zoning Appeals (BZA) authorization. Prior to the BZA review, the project was brought before the Planning and Zoning Commission (PZC) on August 17, 2021 to review the site development plan and traffic study, and make determinations regarding density, exterior design, and site layout (minutes attached). During this meeting, there was robust discussion as it relates to the proposed density. Citizens at the meeting raised concerns of density, environmental impacts, and traffic. The meeting concluded with the Commission having no significant changes to the exterior design or site layout provided, with the exception of staggering of the dwelling units. The use was approved by the BZA in case #6349 on November 2, 2021 (decision attached).

Following the PZC and BZA meetings, various correspondence has been received via emails and phone calls. Many concerns raised relate to project density, traffic, and environmental impacts (emails attached).

The Bureau of Utilities has granted concept approval of the plan with water and sewer connections proposed. Site Compliance and Zoning has granted approval of the concept plan. Fire Protection has approved the concept plan with the addition of fire hydrants on-site. Engineering review has granted concept approval of the plan and has concurred with the findings of the Traffic Impact Study.

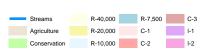
Landscape requirements have been met on the concept plan. The majority of the proposed landscaping is shown abutting East Raincliffe Road, Slacks Road, and surrounding the parking

area for the community center. Water Resource Management and Floodplain Management have both approved with concept plan with requirements of an easement. Forest Conservation has granted concept approval with on-site easements being required.

The plan has received concept Stormwater Management approval. Requirements are addressed by means of micro-bio retention facilities, drywells, grass swales, and submerged gravel wetlands.

In their review, the Bureau of Comprehensive Planning determined that the proposed plan is consistent with the 2018 Freedom Community Comprehensive Plan land use designation of Residential-Medium and with the Water and Sewer Master Plan. As Slacks Road is identified as a future sidewalk connection within the Bicycle-Pedestrian Master Plan, an ADA compliant sidewalk the entire length of the portion of property abutting Slacks Road was recommended. Recommendations were also made to add sidewalk on the northern side of proposed East Raincliffe Road and both sides of proposed Innes Court to create a complete pedestrian network (drawing attached).





Freedoms Grant S-19-0027



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







Freedoms Grant S-19-0027



FILE # F87-27

(8) Ü 7 O. 0 in w. NUMBER OF BUILDING SITES = T TOTAL ARBA OF LOTS = 76,0136,0R 1.745046 AMBERLY COURT NORTH: 20.458 & OR C.4686 ARCOULE DRIVE: 28,942 H, OR 05496 40. ALREAGE COORDINATES, CURVE DATA ARRA OF OPELL SPACE: PARCEL B. AREA OF LIEW STREETS: 44,597 \$,00 1.0192 Ac. (m) OF EACH DEN OFREET: TABULATIONS (MATS, SEN 1) Other Parcels: Parcel 'D'' .32,508 fr 0.7555 Ac. Farcel 'E'' .16,368 fr 0.4216 Ac. Far : 214,510 fr 4.3247 Ac. 42,833 to 08 0.08334c. OPEN SPACE 42.833 B EASEMENT -(3) LORTH 074 414.28 (B) Edmund R. Cheman // 1/2-89 CARROLL COUNTY DEPT. OF PUBLIC-WORKS FOR BUREAU OF UTILITIES PLAN FOR WATER AND SEWER (1005 - 8C.) WATER PERMIT NO 80-12-382 ISSUED MAY 3, 1988 COMMUNITY WATER AND/OR SEWERAGE SYSTEMS ARE IN SEWER PERMIT NO. CO. 22-3031SSUED MAY 3, 1988 HARYLAND DEPARTMENTOF THE CARROLL COUNTY HEALTH DEPARTMENT, MOL. LASA (8) Aus -45:00 (4) POLOGO PO F ;;; F. A. T. P. DATE #/8/89 PARCEL L E. 0.4216 AC 58.44 LO:62:50:07 (u) AMBERLY HEREON ARE NOT 1 Store ... 95.58° D) 300 4 25.176 507:14:15 E MOWARD 3 NO7:14:15 W 000 4 Set of the states 20.00 3 COUR 0.2280 46. 100 S 552 1066A D 5/11/29 D" & E "SHOWN" FOR RESIDENTIAL 0.2859 45 O Pacio: 620 NAUEL 96.00 7-17-8 REMOVED LOS 23-27 246.87 228.67 NORTH 3 COMPUTED BY 42.14 48.00 PER P& ZCOMMENTS RB REVISION 3000 10 40 A 128.54 (8) 550.58 BPR, INC. (-) S27: 52: 15W DABERL OWNER AND DEVELOPER PLAT 3, DECTION I (2) DATE CRIZ Pere. 301.015.5579 2011 OLD TALLEYTOMIN ROAD WESTMINSTER, MD. 21157 3 PLAT BOOK LIM.S. No. 31 Page 125, LOTS 19.30 (1) PLANNERS - SURVEYORS
359 MANCHESTER ROAD
WESTMINSTER, MD 21157
(301) 857-9030 - (301) 876-0333 NO2014:15"W , CARROLL CO., MD. DMBERLY PLATZ, SEC. MOL. 1 THE STATE OF THE S (D) (v) DEVELOPER SOLE 1 = 50

Show pole lights are proposed to be installed in the parking lot. Smith Avenue divides the Agricultural Center site to its north from the residential neighborhood to its south. The pole lights are proposed to be 25 feet in height. The light fixtures will use LED bulbs equipped with motion sensors. A note on the plans states that the lights operate at hight at 30% brightness until motion is detected and they automatically increase output to 100%. The note also states "The lights will not turn on when no events are scheduled."

Light levels outside of the property are shown to be rated at 0 footcandles. The gravel parking lot is planned to be paved with asphalt, and the lights will be installed in conjunction with this resurfacing project.

Discussion:

Kierstin Eggerl presented the staff report.

Heather Kuykendall, Carroll County Ag Center, and Mike Rodkey, Fern Rodkey electric, were present.

There was no public comment.

Decision:

Naction is required.

SPECIAL REPORT

SUBJECT:

S-19-0027, Freedoms Grant

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FIRE DISTRICT:

Sykesville Freedom District

MASTER PLAN:

Residential Medium – 2018 Freedom Community Comprehensive Plan

PRIORITY

FUNDING AREA:

Freedom

DESIGNATED

GROWTH AREA:

Freedom

* Action Required:

The plan is before the Planning and Zoning Commission per Chapter 158.073(D)(1) for review of the site development plan and traffic study, and determinations regarding density, exterior design, and site layout. Action is required.

Existing Conditions:

The 68.21-acre subject property for Freedoms Grant lies mainly in the R-20,000 Zoning District (66.71 acres) with 1.5 acres of property in the Conservation Zoning District. The property has frontage on Arrington Road, Slacks Road, and Argonne Drive, all County roads. The property is mostly vacant, open land, with trees on the northeastern portion of the property. There are no streams located on site; however, there is a small floodplain from a nearby stream on the northeastern portion of the property.

On the 1977 Comprehensive Freedom Plan, Raincliffe Road was depicted to be extended to connect to Arrington Road. With this connection still being shown in the 2018 Freedom Community Comprehensive Plan, the developer will construct the portion of roadway extension located on the subject property.

Surrounding properties to the south, east, and west lie in the R-20,000/Conservation Zoning District and currently host private residences or vacant land. The property to the north and west (across Slacks Road) is owned by the State of Maryland and is in the Agricultural Zoning District.

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It was determined that with the extensive scope of work, the final plans were to be approved in phases. Phase 1 of the Freedoms Grant subdivision was reviewed and approved by the Planning and Zoning Commission on February 12, 2012; however, the plat was not recorded.

❖ Plan Review:

On November 23, 2020, an initial site development plan package was submitted to Development Review and distributed to review agencies. The developer proposes a 237-unit age restricted retirement home community. The community is comprised of 26 detached units that are proposed at 2,400 square feet and 211 attached units that are proposed at 1,800 square feet. The attached units will be in groups that vary from 2-5 unit buildings. The majority of the proposed buildings are sited along a serpentine private road (Loch Lomond Road) with connecting roadways. Sidewalks are proposed throughout the site with connectivity to a proposed walking trail.

Also proposed is the construction of an approximately 5,586 square foot clubhouse with outdoor seating/pool and independent parking. The clubhouse will be accessed directly from Loch Lomond Road.

Retirement homes are a conditional use in the R-20,000 Zoning District requiring Board of Zoning Appeals authorization. Prior to BZA review, the Planning Commission shall review the site development plan and traffic study, and make determinations regarding density, exterior design, and site layout.

§ 158.073 R-20,000 RESIDENCE DISTRICT.

- (D) **Conditional uses requiring BZA authorization.** Conditional uses requiring BZA authorization shall be as follows:
- (1) Nursing homes, retirement homes, continuing care retirement communities and assisted-living facilities, hospitals (Class A), medical and dental clinics, subject to prior concept site development plan and traffic study review and determination of density, exterior design, and site layout by the Planning Commission;

Chapter 158 of the Carroll County Code of Public Local Laws and Ordinances, the Zoning Ordinance, requires a minimum lot size of 45,000 square feet for this use in the R-20,000 Zoning District. The site is 68.21 acres (2,962,080 square feet).

The Zoning Code states the density for retirement homes which propose single-family and town homes in the R-20,000 Zoning District as the following: "as determined by the Planning Commission but not exceeding 1 dwelling unit per 7,500 square feet". The development is on a property with an area of 2,962,080 square feet. The maximum density at a ratio of 1 unit for every 7,500 square feet would be 394 units. This plan proposes 237 units.

Additionally, Chapter 158 sites the base setbacks for age restricted communities as 50 foot at the front, 40 foot at the side, and 50 foot at the rear. However, for lot areas in excess of 45,000 square feet, increased provision for front, side, and rear yards shall be determined by the Planning Commission and the Carroll County Health Department based on the site development plan. The Health Department has no comments pertaining to the minimum building lines as proposed and has provided approval of the plan design.

§ 158.073 R-20,000 RESIDENCE DISTRICT.

- (G) **Bulk requirements.** The following minimum requirements shall be observed, subject to the modified requirements in § <u>158.130</u>:
 - (2) Nursing homes and assisted living facilities.

Use	Lot Area	Lot Width (feet)	Density	Front Yard Depth (feet)	Side Yard Width (each side yard) (feet)	Rear Yard Depth (feet)
Retirement homes, single- family and town homes	45,000 sq. ft.	150	As determined by the Planning Commission but not exceeding 1 DU/7,500 sq. ft.	50 ²	40²	50 ²

² As lot area increases above minimum of 45,000 square feet, increased provision for front, side, and rear yards shall be determined by the Planning Commission and the Carroll County Health Department based on the site development plan.

A Traffic Impact Study (TIS) was required for the Freedoms Grant site development and has been reviewed. The study proposes three full movement access points: at Slacks Road, Arrington Road, and Argonne Drive. Argonne Drive was constructed as part of the Amberly subdivision (plat attached) and currently ends at the property boundary. According to the study, all intersections and movements will operate at a level of service (LOS) D or above.

LOS D is adequate and does not require mitigation. Engineering Review and the State Highway Administration have concurred with the findings of the analysis.

Parking requirements for age-restricted adult townhouses and single-family units are 2 spaces for each dwelling unit and overflow / guest parking may be required at the discretion of the Director. Each unit has a garage and a private driveway provided. Parking requirements for a community center equal 1 space for every 3 persons based on maximum capacity. Maximum capacity will need to be provided as well as a parking tabulation.

Building elevations are included in the plan set. Proposed colors include tan, brown, blue, and gray with white trim and garage doors. Although materials are not annotated, the rendering appears to depict siding, stone veneer, and asphalt shingled roofs. Decorative garage doors, trim details, rooflines, shutters, light fixtures, and custom windows adorn the facades.

On July 13, 2021, the Design and Architectural Review Committee (DARC), an advisory group, met to review the project. Their comments are as follows:

- 1. Although the architectural/renderings look good, they may give a false sense of space between homes.
- 2. As there are a lot of buildings along the serpentine drive, similar to a wall, it may be beneficial to stagger home placement from the road to provide depth and remove the wall effect.
- 3. Consider a connection from the proposed neighborhood to the adjoining American Legion.
- 5. The inclusion of some trees within the front yards of the proposed townhomes would help to green up the street corridor and provide some shade and color.

The plan was subject to citizen's involvement on December 21, 2020 during the Technical Review Committee (TRC) meeting. Prior to the meeting, comments were received from Susan Arrington, an adjoining property owner, and have been attached. At the meeting, six citizens were in attendance and voiced concerns about density on the property, water and sewer usage/infrastructure, and about trees separating the proposed community from the existing neighborhood.

The concept review is in the technical review process and the plan will be back before the Planning and Zoning Commission for review and consideration of a concept plan.

Discussion:

David Becraft presented the staff report.

Marty Hackett and Martin Rickell, CLSI, Matthew Destino, Lennar, John Maguire, Attorney, Mark Keeley, Traffic Concepts, Mike Fitzgerald were present.

The Commission agreed on the need for this type of project but had robust discussion regarding the density.

Citizen, lives in Amberly community, concerned with negative impact on the neighborhood and services.

Alicia Gipe, citizen, does not think the density fits the surrounding area, would prefer less townhomes, would like the Commission to consider the environmental impact of this project and traffic.

Kyle Murray, citizen, is concerned about the traffic pattern, environmental impact and water runoff.

Sue Arrington, citizen, is concerned about traffic and lead remediation from the previous

shooting range.

Sandra Murray, citizen, is concerned about traffic and density. Ms. Murray stated the traffic study was performed during the pandemic when people were mostly home.

Decision:

The Commission did not have any issues with the exterior design or site layout, with the exception of staggering of the dwelling units.

The Commission, on motion of Mr. Wothers, seconded by Ms. Kirkner and carried, voted to approve the density of 3.5 units per acre. Mr. Lester was not in favor of the motion.

RECESS

RESIDENTIAL TEXT - CONTINUED DISCUSSION

Mary Land reviewed the Decision Table so far.

The Commission, on motion of Mr. Wothers, seconded by Mr. Lester and carried, voted to adopt the preliminary vote as their final vote with respect to private kennels.

The Commission, on motion of Mr. Wothers, seconded by Ms. Kirkner and carried, voted to adopt the preliminary vote as their final vote with respect to storage containers as a permanent accessory use.

The Commission, on motion of Mr. Lester, seconded by Ms. Kirkner and carried, voted to adopt the preliminary vote as their final vote with respect to private schools.

The Commission discussed Age Restricted Housing. The Commission will continue the discussion and decision at the September 1st media.

PUBLIC COMMENT

David Bowersox, Attorney, commented in favor of the decision regarding private schools and is in favor of the staff proposal regarding cluster regulation.

Isaac Ambruso, Maryland Building Industry Association, commented in favor of the staff proposal regarding cluster regulation.

John Maguire, Attorney, commented on Freedom's Grant and current text changes.

Jason Van Kirk commented in favor of the staff proposal regarding cluster regulation.

Jo Ann Grundy, citizen, commented on development and public sewer.

ADJOURNMENT

Chair	Cheatwood	adjourned	the	meeting at	approximately	2:20	pm.
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	Secretary	Approved	

Tax Map/Block/Parcel No. <u>78-12-537</u> Case 6349

OFFICIAL DECISION BOARD OF ZONING APPEALS CARROLL COUNTY, MARYLAND

APPLICANT:

EV, LLC

7035 Albert Einstein Drive, Suite 200

Columbia, MD 21046

ATTORNEY:

Mark G. Luzuriaga

Hollman, Maguire, Korzenewski & Luzuriaga, Chtd.

189 East Main St.

Westminster, MD 21157

REQUEST:

A request for a conditional use for a retirement home.

LOCATION:

The site is located at 68.21 acres N/S Arrington Road and E/S Slacks Road, Eldersburg, Maryland in an "R-20,000" Residential

District in Election District 5.

BASIS:

Code of Public Local Laws and Ordinances, Chapter 223-37

HEARING HELD:

October 27, 2021

FINDINGS AND CONCLUSION

On October 27, 2021, the Board of Zoning Appeals (the Board) convened to hear the request for a conditional use for a retirement home. Based on the testimony and evidence presented, the Board made the following findings and conclusions.

Chris Armstrong testified as the Entitlements Manager of Lennar Homes. He has been with the company for about seven months. He manages permitting approvals. He took over the project from someone else. He prepared the power point presentation which was admitted into evidence as Exhibit 1. He was fully involved with the concept approval of the plan and the planning commission approval of the plan. He stated that EV, LLC, the applicant in this case, is 100% owned by Lennar Homes. The project is located within the Freedom Community Comprehensive Plan and fits within the Freedom Community Comprehensive Plan. It includes villa products and single family dwellings. It does not include typical townhomes. It is for an active adult community. Most of the adults in the community will be 55+. There will probably be restrictions in the deed that will require someone in the house to be 55+.

Martin W. Hackett, President of CLSI, testified as a witness. He was accepted as an expert witness in land use and land planning. His resume was admitted into evidence as Exhibit 2. The project was for 238 units. It will comply with parking requirements. The Planning

Commission was satisfied with the density. There were three means of access to the property. The property was developed to public road standards. It included a clubhouse and swimming pools. There were no issues with water or sewer capacity. Like other 55+ communities the covenants would be placed on later in the process. There would be no negative impacts on the school system. The snow would be plowed privately.

J. Mark Keeley, testified as a witness. He was accepted as an expert in traffic. His resume was entered into evidence as Exhibit 3. He conducted a traffic impact study in this case. The impact study was entered into evidence as Exhibit 6. His traffic impact study was accepted by MDOT in Exhibit 4 and the Bureau of Development Review in Exhibit 5. The Carroll County Traffic Impact Study Guidelines require all key intersections to operate at a level of service "D" or better. Using both the Highway Capacity Manual Analysis method and the Critical Lane Volume method, all of the study intersections are forecasted to operate with acceptable "D" or better levels of service under the future build-out traffic conditions. The queuing analyses results also show that all of the dedicated left turn lanes at the signalized intersections have adequate turn bay storage.

Edward M. Steere, testified as a witness. He was accepted as an expert in market valuation. His resume was entered into evidence as Exhibit 7. He stated that the potential impacts of this development will have no greater adverse impacts at this location than it would at any other location in the same zoning district. There would be no greater adverse impact at this location above and beyond those inherently associated with such a conditional use at any other location within the R-20,000 zone. There is no particular impact on value of pre-existing neighborhoods and otherwise generally, the new construction of this neighborhood will add to public revenue, while also providing state-of-the-art environmental controls and buildings, that are less of a burden on the community than older facilities.

An October 18, 2021 memorandum from the Department of Planning and Abigail Rogers, Planning Technician, stated that the staff finding was that this request is consistent with the 2014 Carroll County Master Plan as amended in 2019 and the 2018 Freedom Community Comprehensive Plan and would not have an adverse effect on the current use of the property.

Wayne Arrington testified in opposition to the application. When the project started there were only going to be 105 homes. Now the project has the approval of 238 units. He does not understand how the number went from 105 to 238 units. He wants the Board to consider the long term goals for the county.

The Board was convinced that authorization of the request with regard to a conditional use was consistent with the purpose of the zoning ordinance, appropriate in light of the factors to be considered regarding conditional uses of the zoning ordinance, and would not unduly affect the residents of adjacent properties, the values of those properties, or public interests. Based on the findings of fact made by the Board above, the Board found that the proposed project would not generate adverse effects (i.e. noise, traffic, dust, water issues, lighting issues, property depreciation, etc.) greater here than elsewhere in the zone. The Board approved the conditional use requested by the applicant.

Nov 2, 202

Melvin E. Baile, Jr., Chairman

Decisions of the Board of Zoning Appeals may be appealed to the Circuit Court for Carroll County within 30 days of the date of the decision pursuant to Land Use Article, Section 4-401 of the Annotated Code of Maryland.

Pursuant to Section 158.132 (E) of the County Code, this approval will become void one year after the date of issuance if the construction or use for which the certificate was issued has not been started. Contact the Office of Zoning Administration at 410-386-2980 for specific compliance instructions.

Pursuant to Section 158.133(H)(3) of the County Code:

(3) Approvals.

- (a) If the application is approved by the BZA which does not require a site plan, the approval shall become void unless a building permit conforming to the plans for which the approval was granted is obtained within six months.
- (b) An approval for which a building permit is not required shall become void unless the use or variance is implemented within one year of the date of the written decision.
- (c) An approval for which a **site plan** is required shall become void unless the concept **site plan** has been submitted for distribution to the reviewing agencies and accepted by the Bureau of Development Review, or its success agency, within six months from the date of the written decision. An approval for which a **site plan** is required may become void if the property owner or developer fails to take action to secure an approval of the **site plan** from the Planning Commission in a timely manner, as determined by the Bureau of Development Review.

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