

SPECIAL REPORT
to the
Carroll County Planning and Zoning Commission
November 19, 2024

Prepared by
David Becraft, Bureau of Development Review

SUBJECT: AP-24-0011 – Devlin Square, Parcels B and C Amended
LOCATION: Intersection of Sullivan Road and Snowfall Way; C.D. 3
OWNER: Carroll County Commissioners, 225 N Center Street, Westminster, MD 21157
DEVELOPER: Arc of Carroll County, 180 Kriders Church Road, Westminster, MD 21158
SURVEYOR: BPR, 150 Airport Drive, Suite 4, Westminster, MD 21157
ZONING: R-10,000
ACREAGE: 14,732 square feet - Parcel ‘B’
12,892 square feet - Parcel ‘C’

❖ **Action Requested:**

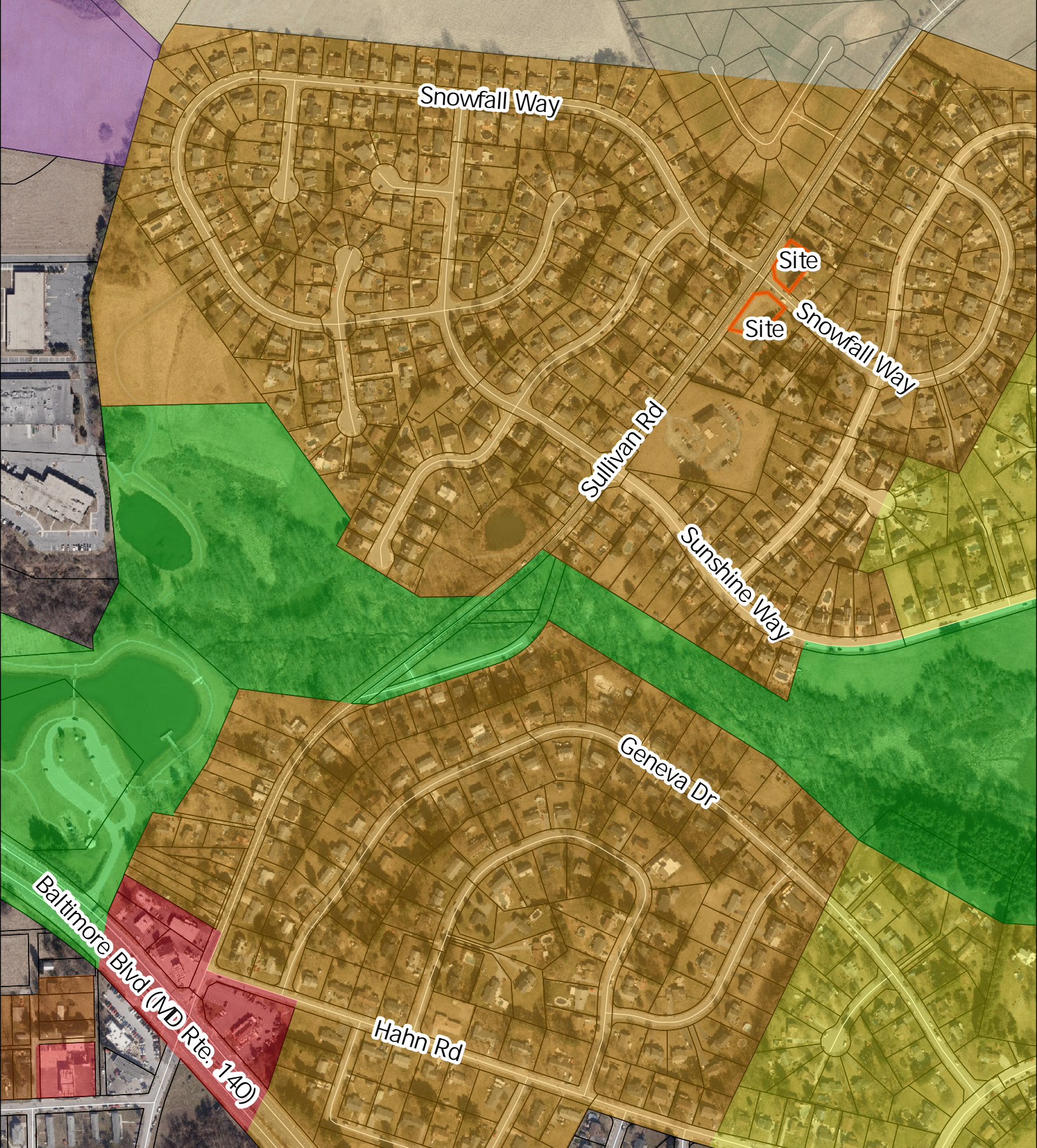
The plan is before the Planning and Zoning Commission with a request from the developer for a modification to the approved Preliminary Plan of Devlin Square subdivision.

❖ **Project History & Request:**

A preliminary plan of subdivision for Devlin Square was presented to the Planning and Zoning Commission on June 19, 1979. With the provisions of the Code at the time, the Commission approved the plan as presented. Section one of Devlin Square was then recorded on December 19, 1980 in Plat Book 23, Page 92 (plat attached).

Within this subdivision, Parcels ‘B’ and ‘C’ were to hosts stormwater management facilities for the subdivision and were deeded to the Carroll County Commissioners. The facilities were constructed and were in use until 2021. In 2021, the storm water associated with the two facilities was rerouted to the existing Willow Pond along Sunshine Way, rendering the two facilities unnecessary. The two facilities were then decommissioned; the fencing was removed, and the facilities were filled in. On December 14, 2023, The County Commissioners held a public hearing on the possible transfer of the Parcels to the Arc of Carroll County, resulting in Resolution 1208-2023 (attached).

Staff and the developer are requesting approval of the proposed modification to the Preliminary Plan of Devlin Square changing the designation of the parcel to buildable lots, allowing residential construction on each lot. 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.



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

Devlin Square Parcels B & C



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



Sullivan Rd

Snowfall Way

Site

Site

Devlin Square Parcels B & C



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for illustrative reference only.
Photograph date: Spring 2020

COORDINATE SCHEDULE

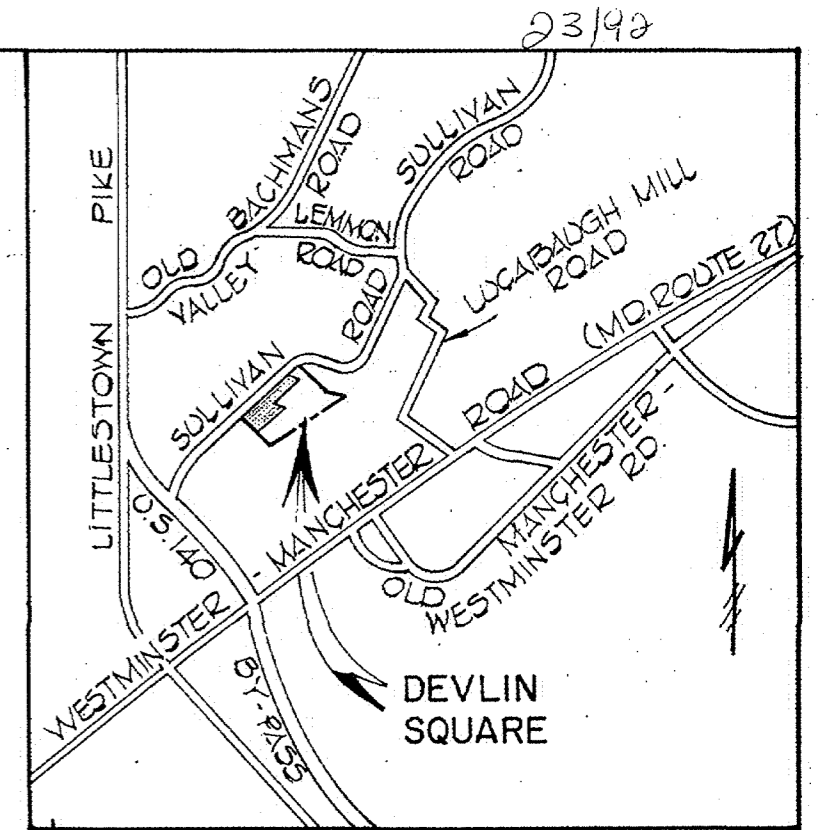
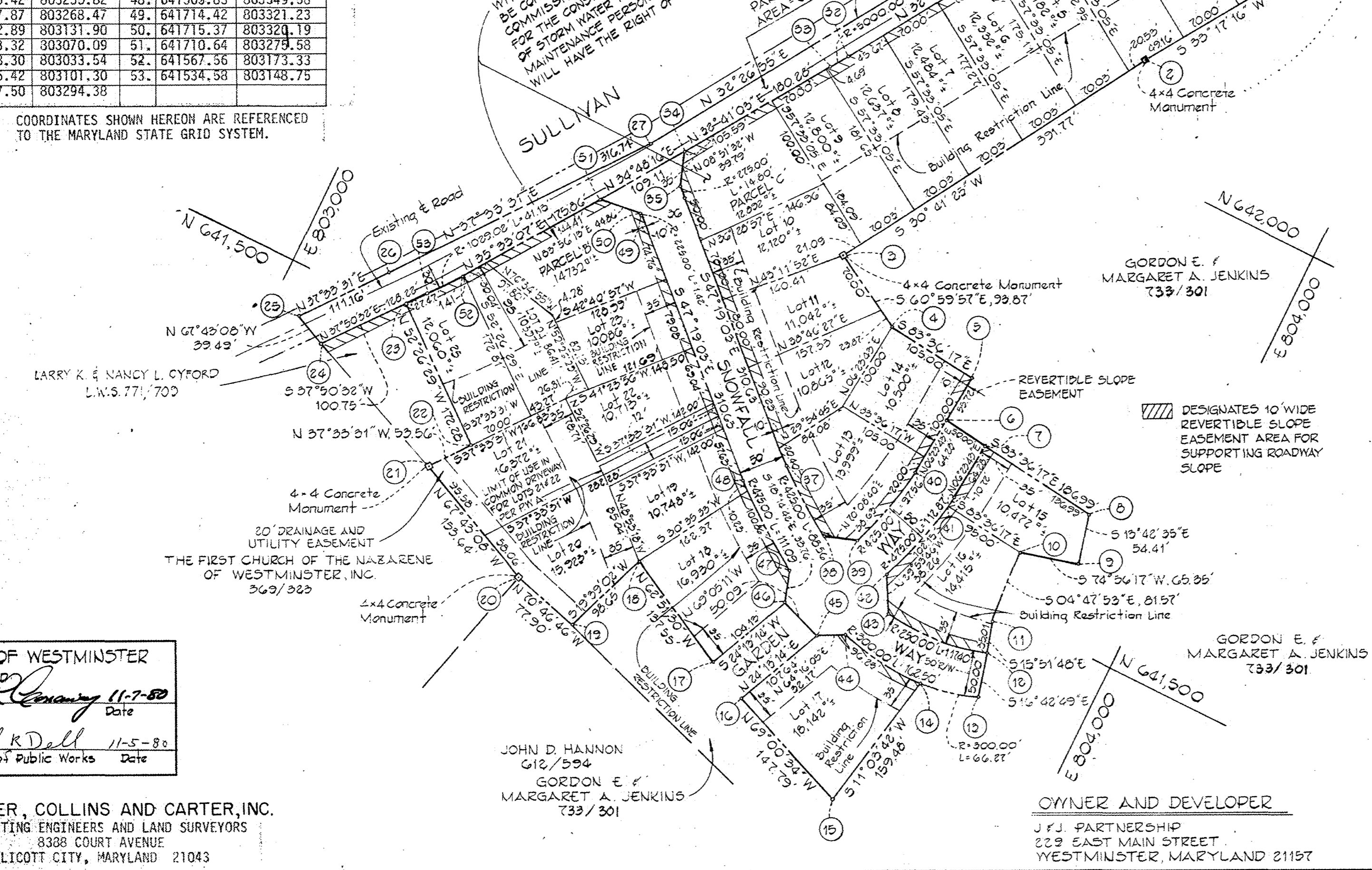
	NORTH	EAST	NORTH	EAST	
1	642230.33	803884.68	28	642209.14	803562.46
2	642109.10	803739.42	29	642425.38	803717.37
3	641772.18	803539.45	30	642414.11	803733.11
4	641726.67	803621.55	31	642277.47	803642.30
5	641714.98	803725.90	32	641968.50	803445.78
6	641659.60	803719.69	33	641951.96	803435.21
7	641654.03	803769.38	34	641800.23	803337.86
8	641638.77	803905.52	35	641760.91	803343.98
9	641585.91	803918.42	36	641751.17	803355.12
10	641568.93	803885.31	37	641540.58	803583.48
11	641487.65	803862.14	38	641487.74	803654.35
12	641453.97	803871.71	39	641500.86	803690.68
13	641406.09	803886.08	40	641595.72	803712.53
14	641394.16	803821.04	41	641590.15	803762.22
15	641237.64	803790.44	42	641480.53	803736.50
16	641290.59	803652.47	43	641447.36	803755.57
17	641311.67	803607.12	44	641402.73	803725.61
18	641374.42	803484.72	45	641388.76	803696.63
19	641281.51	803451.55	46	641406.64	803649.84
20	641307.16	803377.99	47	641438.70	803639.27
21	641365.42	803235.82	48	641503.83	803549.58
22	641407.87	803268.47	49	641714.42	803321.23
23	641512.89	803131.90	50	641715.37	803320.19
24	641433.32	803070.09	51	641710.64	803279.58
25	641448.30	803033.54	52	641567.56	803173.33
26	641536.42	803101.30	53	641534.58	803148.75
27	641787.50	803294.38			

TABLE OF CURVE DATA

No.	RADIUS	LENGTH	TANGENT	Δ	CHORD BEARING & DISTANCE
53-52	1029.02'	41.13'	20.57'	02°17'25"	N36°41'50" E 41.13'
33-32	5000.00'	19.64'	9.82'	00°13'30"	N32°34'17" E 19.64'
31-30	4098.26'	164.08'	82.05'	02°17'38"	N33°36'22" E 164.07'
35-36	275.00'	14.80'	7.40'	03°04'59"	S48°51'12" E 14.80'
37-38	425.00'	88.56'	44.44'	11°56'19"	S53°17'13" E 88.39'
39-40	425.00'	97.56'	48.99'	13°09'07"	N12°58'17" E 97.34'
42-41	475.00'	112.87'	56.70'	13°36'53"	N13°12'09" E 112.60'
43-12	250.00'	117.40'	59.80'	26°54'23"	S86°44'19" W 116.33'
44-13	300.00'	162.50'	83.30'	31°02'02"	N88°48'15" E 160.52'
50-49	225.00'	1.42'	0.71'	00°21'38"	S47°27'44" E 1.42'
13-14	300.00'	66.27'	33.27'	12°39'21"	S79°36'22" W 66.13'
48-47	475.00'	111.09'	55.80'	13°24'02"	S54°01'04" E 110.84'

NOTE: COORDINATES SHOWN HEREON ARE REFERENCED TO THE MARYLAND STATE GRID SYSTEM.

PARCELS 'B' AND 'C' WHICH ARE INTENDED TO BE CONVEYED TO THE COUNTY COMMISSIONERS OF CARROLL COUNTY FOR THE CONSTRUCTION AND MAINTENANCE OF STORM WATER MANAGEMENT FACILITIES WILL HAVE THE RIGHT OF INGRESS AND EGRESS



GENERAL 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.
- Number of lots - 25.
- Title Reference: Gordon E. Jenkins and Margaret A. Jenkins Liber L.W.S. 733, Folio 301 Dated February 2, 1979.
- County Master Plan for Water and Sewerage, 1978-79 Water - Existing Service, Sewer - Existing Area, No individual water or sewerage systems shall be permitted.
- No grading, filling or construction shall be permitted which obstructs or inhibits the surface flow of natural or storm water drainage within drainage or drainage and utility easements as shown hereon.
- Any modification or plat re-assembly shall be subject to approval by the Carroll County Planning and Zoning Commission.
- The area shown as Parcel A, containing 0.846 acre, is to be conveyed to the Carroll County Commissioners by deed intended to be recorded simultaneously herewith.
- Residential construction on any of the lots shown hereon is limited to single family dwellings.
- Length of Snowfall Way - 690'+. Length of Garden Way - 224'+.
- Total Length of roads - 978'+.
- Acresage Tabulations
Total area of lots - 7.248 Acres +.
Acresage of Snowfall Way - 0.814 Acre +.
Acresage of Garden Way - 0.285 Acre +.
Total Area of Streets - 1.099 Acres +.
Parcel 'A' - 0.846 Acre +.
Parcel 'B' - 0.338 Acre +.
Parcel 'C' - 0.296 Acre +.
Parcels 'B' and 'C' to be conveyed to County Commissioners of Carroll County.
Total Area of Plat - 9.827 Acres.
- The coordinates as shown hereon are based on Maryland State Grid System.
- There is a 20' wide drainage and utility easement centered on all non-road frontage lot lines, unless otherwise shown hereon.
- Lots 20 & 21 shall utilize the use in common driveway as shown hereon. Adequate provisions for use in common and the method of maintenance shall be included in the original deeds of conveyance.

CITY OF WESTMINSTER
APPROVED: *[Signature]* 11-7-80
Mayor
[Signature] 11-5-80
Director of Public Works

FISHER, COLLINS AND CARTER, INC.
CONSULTING ENGINEERS AND LAND SURVEYORS
8388 COURT AVENUE
ELLCOTT CITY, MARYLAND 21043

JOHN D. HANNON
G12/594
GORDON E. & MARGARET A. JENKINS
733/301

OWNER AND DEVELOPER
J & J PARTNERSHIP
229 EAST MAIN STREET
WESTMINSTER, MARYLAND 21157

CARROLL COUNTY HEALTH DEPARTMENT APPROVAL
DATE 11/19/80
BY *[Signature]*
Community water and sewerage systems are in conformance with the Carroll County Master Plan for Water and Sewer Maryland State Department of Health
Water Permit No. 80-12-709 Issued JULY 10, 1980
Sewer Permit No. 80-22-710 Issued JULY 10, 1980
CARROLL COUNTY PLANNING AND ZONING COMMISSION APPROVAL
DATE DEC 19 1980
BY *[Signature]* SECRETARY
FOR BUREAU OF UTILITIES
BY *[Signature]* DATE 11-19-80

OWNER'S CERTIFICATE
We, the owner of the property shown hereon, and described in the surveyor's certificate, hereby adopt this plan of subdivision, establish the building lines as shown, and certify that the requirements of Section 3-103 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 plan, 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. Community water and sewerage facilities will be available to all lots offered for sale.
OWNERS: *[Signature]*
WITNESS: *[Signature]* Date 8/24/79

SURVEYOR'S CERTIFICATE
I, Terrell A. Fisher, 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.
[Signature] Date August 28, 1979
Terrell A. Fisher, L.S. #10692

SECTION ONE
DEVLIN SQUARE
LOTS 1-25
CARROLL COUNTY, MARYLAND
7TH ELECTION DISTRICT
SCALE: 1" = 100' AUGUST 22, 1979

CARROLL COUNTY CIRCUIT COURT (Subdivision Plats, CR) Plat Book 11-19-80, p. 92 (VISA, \$1240) 1010. Date at 11/19/80. Printed 11/19/80.

RESOLUTION NO. 1208 -2023

WHEREAS, the County Commissioners of Carroll County holds two parcels, namely Parcels B and C as shown on a Plat entitled "Section One Devlin Square Lots 1-25" which Plat is recorded at the Land Records of Carroll County in Plat Book No. 23 folio 92, ("the Parcels"); and

WHEREAS, the Parcels were intended to be used for stormwater management purposes; and

WHEREAS, due to the reconstruction of the nearby Westminster Community Pond, the Parcels are no longer needed for stormwater management purposes; and

WHEREAS, under Section 3-213 of the Code of Public Local Laws and Ordinances of Carroll County, the County Commissioners may determine that public property is no longer needed for a public purpose, and the property may be transferred to a nonprofit corporation that is authorized to receive appropriations, with or without consideration; and

WHEREAS, the ARC of Carroll County is a nonprofit corporation authorized to receive appropriations from the County and has expressed an interest in acquiring the Parcels from the County; and

WHEREAS, pursuant to Section 3-213 of the Code of Public Local Laws and Ordinances of Carroll County, a public hearing on the possible transfer of the Parcels to the ARC of Carroll County was convened on December 14, 2023, after being duly advertised.

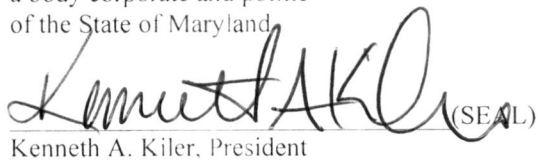
NOW, THEREFORE, BE IT RESOLVED this 14th day of December, 2023 that:

1. The County Commissioners authorize of the transfer of the Parcels to the ARC of Carroll County with no consideration.
2. County staff is directed to coordinate with the ARC of Carroll County to effect the transfer of the Parcels to the ARC of Carroll County.

THE COUNTY COMMISSIONERS OF
CARROLL COUNTY, MARYLAND
a body corporate and politic
of the State of Maryland

ATTEST:



Vivian Daly, County Clerk

 (SEAL)
Kenneth A. Kiler, President

 (SEAL)
Joseph A. Viglianti, Vice-President

 (SEAL)
Thomas S. Gordon, III, Commissioner

 (SEAL)
Michael R. Guerin, Commissioner

 (SEAL)
Edwards C. Rothstein (COL Ret.), Commissioner

Approved for legal sufficiency:


Timothy C. Burke, County Attorney