1. Agenda 06 16 2020

   Documents:

   ADMINISTRATIVE ADJUSTMENT AGENDA JUNE 2020.PDF

2. Application For Administrative Adjustment 20-01

   Documents:

   APPLICATION FOR ADMINISTRATIVE ADJUSTMENT 20-01.PDF

2.I. Administrative Adjustment 20-01 Staff Report With Attachments

   Documents:

   ADMINISTRATIVE ADJUSTMENT 20-01 STAFF REPORT WITH ATTACHMENTS.PDF

3. Administrative-Adjustment 20-02-Application For BP-19-1805

   Documents:

   ADMINISTRATIVE-ADJUSTMENT 20-02-APPLICATION FOR BP-19-1805.PDF

3.I. Administrative-Adjustment 20-02 Staff Report With Attachments

   Documents:

   ADMINISTRATIVE-ADJUSTMENT 20-02 STAFF REPORT WITH ATTACHMENTS.PDF

ADMINISTRATIVE ADJUSTMENT HEARING
AGENDA

Tuesday, June 16, 2020, at 6 PM

Virtual Meeting:
www.facebook.com/WestminsterMD
www.WestminsterMD.gov

I. Call to Order

Statement of Authority. Pursuant to Maryland Code Annotated, Land Use Article, Division 1, Single Jurisdiction Planning and Zoning, Title 4, Zoning, Subtitle 2, Designation and Adoption, Section 4-205 and the City of Westminster Zoning Ordinance Section 164-158.1 A. (1), the Planning Director is authorized to grant administrative adjustments from certain requirements of the Zoning Ordinance. The Planning Director may grant an administrative adjustment in cases where the strict compliance with the requirements of this chapter would result in practical difficulty or unreasonable hardship which has not been caused by the applicant.

II. Public Hearings

CASE NO: 20-01

An application by Family and Children's Services of Central Maryland (Applicant), the contract purchaser, requesting approval of an Administrative Adjustment to the parking requirements of Zoning Ordinance Section 164-208 A. (4) and Section 164-45.21 D. (2). The expansion to the uses at 7 Schoolhouse Avenue requires 42 parking spaces and 35 parking spaces are proposed. The Applicant also is seeking an Administrative Adjustment from Zoning Ordinance Section 164-113 Location and landscaping which requires three shade trees, the plan only provides two shade trees.

CASE NO: 20-02

An application by The Celebration Temple of God, the property owner, is requesting approval of an Administrative Adjustment to the setback requirements of Zoning Ordinance Section 164-147 (A). The Administrative Adjustment will be to allow for a storage shed in a side yard.

III. Adjournment

Posted June 10, 2020

Zoning Application Number: _____

Application for Administrative Adjustment

 CITY OF WESTMINSTER, MARYLAND

Application for Hearing

In accordance with the provisions of Chapter 164-Zoning of the Westminster City Code, application is made for administrative adjustment to the Director of Planning and Public Works as follows:

APPLICANT: Family and Children's Services of Central Maryl PHONE: (410) 6699000

APPLICANT ADDRESS: 4623 Falls Road, Baltimore, MD 21209

OWNER (if other than applicant): 7 SchoolHouse Avenue, Westminster, MD 21157

OWNER ADDRESS: 7 SchoolHouse Avenue, Westminster, MD 21157

SUBJECT PROPERTY ADDRESS: 7 SchoolHouse Avenue, Westminster, MD 21157

PROPERTY IDENTIFICATION: MAP 0102 PARCEL 1588 LIBER ____ FOLIO ____

Nature of Request

Current Zoning Of Property: CN Overlay Zone

Zoning Ordinance Basis of Request: §_____

Current Use of Property: Senior affordable rental housing, medical adult day care

Acreage of Property: 1.16 ac

The applicant requests the following adjustment(s) as marked:

- ☐ Local Height Requirements
- ☐ Local Setback Requirements
- ☐ Local Bulk Requirements
- ☑ Local Parking Requirements
- ☐ Local Loading Requirements
- ☐ Local Area Requirements
- ☐ Local Dimensional Requirements

Description of Request in Detail: Two Administrative Adjustments are requested. (1) Section 164-208 A(4) and Section 164-45.21 D (2) require 42 parking spaces, but only 35 are provided. (2) Section 164-113 requires three shade trees in the parking landscape island, but only two shade trees are provided.

Signature of Applicant

5/27/2020
Date

Continued on Page Two →

Application for Administrative Adjustment

APPLICANT: Family and Children's Services of Central Maryland

ADJOINING (CONTIGUOUS) PROPERTY OWNERS:
(Including adjacent property owners on opposite side of streets or roads)

Name: Shugars Properties, Inc.
Address: 2129 Gablehammer Rd.
Westminster, MD
21157

Name: Anna Lamont
Address: 65 Pennsylvania Ave.
Westminster, MD
21157

Name: Davis + Associates Properties
Address: 175 Federal Ann Court
Westminster, MD
21157

Name: Jeffrey W. Steadding
Address: 1040 Cobl Spring Dr.
Westminster, MD
21157

Name: George T. + Marjorie A. Bachman
Address: 71 Pennsylvania Ave.
Westminster, MD
21157

Name: Brian D. + Beverly A. Wladkowski
Address: 900 Stone Road
Westminster, MD
21158

Name: Robert R. + Pamela A. Goodman
Address: 156 W. Main St.
Westminster, MD
21157

Name: Gary M. + Lisa M. Shank
Address: 67 Pennsylvania Ave.
Westminster, MD
21157

Name: Winfield Management
Address: 1106 Sams Creek Rd.
Westminster, MD
21157

Name: West Main Street Westminster, LLC
Address: 151 W. Main Street
Westminster, MD
21157

I understand that the above information is required for the processing of my case and I hereby certify the list of contiguous property owners and their addresses:

Signature of Applicant

5/27/2020
Date

Case Number Assigned: #_____
Date of Hearing: ___/___/_____
Newspaper Advertisement: _____
Property Posted: _____
Zoning Certificate Number: #_____

Date Filed: ___/___/_____
Application Fee Received: _____
Decision: _____
Date Decision Rendered: ___/___/___

Application for Administrative Adjustment

APPLICANT: Family and Children's Services of Central Maryland

ADJOINING (CONTIGUOUS) PROPERTY OWNERS:
(Including adjacent property owners on opposite side of streets or roads)

Name: William A. & Renee H. Kuhn
Address: 176 W. Main St.
Westminster, MD 21157

Name: BJ Properties, LLC
Address: PO Box 2165
Westminster, MD 21158

Name: Stephen P. Pelica & Sarah C. Abel-Pelica
Address: 180 W. Main Street
Westminster, MD 21157

Name: Anca Izabel Galliera & Joseph M. Galliera
Address: 10 Union Street
Westminster, MD 21157

Name: Katherine E. & Robert I. Henderson
Address: 12 Union Street
Westminster, MD 21157

Name: Matthew Duffy & Terilynn Mitrenga
Address: 13300 Sherwood Forest Dr.
Silver Spring, MD 20904

Name: William A. Gibson
Address: 168 W. Main Street
Westminster, MD 21157

Name: Michael J. Kicinski & Margaret Salkay
Address: 172 W. Main Street
Westminster, MD 21157

Name: Katie L. Staub & Joseph Paciella
Address: 174 W. Main Street
Westminster, MD 21157

Name: Union Street Methodist Church
Address: 12 Union Street
Westminster, MD 21157

I understand that the above information is required for the processing of my case and I hereby certify the list of contiguous property owners and their addresses:

Signature of Applicant

5/27/2020
Date

Case Number Assigned: #_____
Date of Hearing: ___/___/___
Newspaper Advertisement: _____
Property Posted: _____
Zoning Certificate Number: #_____

Date Filed: ___/___/___
Application Fee Received: _____
Decision: _____
Date Decision Rendered: ___/___/___

Application for Administrative Adjustment

CITY OF WESTMINSTER, MARYLAND

APPLICANT: Family and Children's Services of Central Maryland

ADJOINING (CONTIGUOUS) PROPERTY OWNERS:
(Including adjacent property owners on opposite side of streets or roads)

Name: Sambrum, LLC
Address: 6 Royal Forest Ct
Silver Spring, MD
20904

Name:
Address:

Name:
Address:

Name:
Address:

Name:
Address:

Name:
Address:

Name:
Address:

Name:
Address:

Name:
Address:

I understand that the above information is required for the processing of my case and I hereby certify the list of contiguous property owners and their addresses:

Signature of Applicant

5/27/2020
Date

Case Number Assigned: #
Date of Hearing: __/__/__
Newspaper Advertisement:
Property Posted:
Zoning Certificate Number: #

Date Filed: __/__/__
Application Fee Received:
Decision:
Date Decision Rendered: __/__/__

To: Mark A. Depo, Director of Community Planning and Development

From: Andrea Gerhard, Comprehensive Planner

Hearing Date: June 16, 2020

Subject: Administrative Adjustment Case #AA 20-01 Staff Memo

Request: An application by Family and Children's Services of Central Maryland (Applicant), the contract purchaser, requesting approval of an **Administrative Adjustment** to the parking requirements of Zoning Ordinance Section 164-208 A.(4) and Section 164-45.21 D.(2). The Applicant is also seeking an **Administrative Adjustment** from Zoning Ordinance Section 164-113 Location and landscaping which requires three shade trees.

I. History and Facts

On May 27, 2020, an application was submitted to the Department of Community Planning and Development, for two administrative adjustments at 7 Schoolhouse Avenue, hereinafter the "Property". The Property is zoned R-7,500 Residential and superimposed by the Compatible Neighborhood Overlay Zone (CN Zone). The Maryland State Department of Assessments and Taxation online records indicate the Property is owned by The Mayor and Common Council of the City of Westminster. Family and Children's Services of Central Maryland are the contract purchasers of the property.

II. Notice

On May 31, 2020, a Notice of Hearing appeared in the Carroll County Times. On June 2, 2020, the Property was posted with a Zoning Notice sign and a Notice of Hearing was sent to the Property owner and adjoining property owners. On June 10, a copy of the agenda was posted on the City's website. These notices were provided to meet the notification requirements set forth in the Maryland Open Meeting Act and Section four of the Administrative Adjustment Procedures, as contained in Resolution No. R03-9.

III. Authorization

Pursuant to Maryland Code Annotated, Land Use Article, Division 1, Single Jurisdiction Planning and Zoning, Title 4, Zoning, Subtitle 2, Designation and Adoption, Section 4-205 and the City of

Westminster Zoning Ordinance Section 164-158.1 A. (1), "…the Planning Director is authorized to grant administrative adjustments from the following requirements contained in this chapter:

(a) Local height requirements;
(b) Local setback requirements;
(c) Local bulk requirements;
(d) Local parking requirements;
(e) Local loading, dimensional, or area requirements; or
(f) Similar local requirements.

The Planning Director may grant an administrative adjustment in cases where the strict compliance with the requirements of this chapter would result in practical difficulty or unreasonable hardship which has not been caused by the applicant.

IV. Proposal

Family and Children's Services of Central Maryland received approval of Site Development Plan S-19-0034 for the expansion of the Family and Children Services operations to include multi-family housing for families of domestic violence with accessory offices for supportive services, pursuant to Zoning Ordinance Section 164-45.17 at the May 14, 2020 Planning Commission Meeting. To obtain final approval from the City of Westminster, S-19-0034 must demonstrate compliance with the Zoning Ordinance. The Applicant is requesting approval of an **Administrative Adjustment** to the parking requirements of Zoning Ordinance Section 164-208 A.(4) and Section 164-45.21 D.(2). The Applicant is also seeking an **Administrative Adjustment** from Zoning Ordinance Section 164-113 Location and landscaping which requires three shade trees.

V. Process

On July 14, 2003, the Mayor and Common Council adopted Resolution R03-9 that contains Administrative Adjustment Procedures. Under Section five of the Procedures, the Director may consider the factors set forth in Zoning Ordinance Section 164-161 A (3), originally related to the Board of Zoning Appeals and which are as follows:

Administrative Adjustment to the parking requirements of Zoning Ordinance Section 164-208 A. (4) and Section 164-45.21 D. (2).

Such administrative adjustment shall be authorized by the Director only upon a finding by the Director as follows:

1. There are exceptional or extraordinary circumstances or conditions applying to the property in question or to the intended use of the property that do not apply generally to other properties or classes of uses in the same zone;

   The Applicant states, the property site is extraordinary in that it is located on an inner block site, it is triangular in size and is bounded by three, narrow alley streets. The streets that bound the site include Schoolhouse Avenue, Wantz Alley, and 36th Street. The use of the

proposed expansion is also unusual in that it will provide shelter for victims of domestic violence and elder abuse.

This adjustment is being requested due to the unusual configuration of the site and the limited space available due to the site conditions.

2. Such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same zone and in the same vicinity; and

   The Applicant states, the administrative adjustments will allow for a parking deficit of seven parking spaces. The project is providing 27 parking spaces on site and an agreement is in place to provide eight spaces off site, in the immediately adjacent parking lot of the Union Street Methodist Church. Due to staffing schedules and the use of the building, it is anticipated that the parking deficit of seven spaces will not be realized in daily usage and will not negatively impact the surrounding properties.

3. The authorizing of such variance will not be of substantial detriment to adjacent properties and will not materially impair the purpose of this chapter or the public interest.

   The Applicant states, there are not expected to be any detriments to the surrounding properties. In fact, the project is expected to significantly upgrade the surrounding area through the new construction of an attractive addition, and the addition of significant landscaping throughout the property.

Findings of Facts and Conclusions of Law

Staff recommends that the Director consider the following as findings of fact and conclusions of law:

Finding 1:
The site is unusually configured, and the road access is atypical for lots in this zoning district.

Conclusion:
The Property is triangular in shape and abuts alleyways on all sides. This irregular lot configuration and multiple roadway adjacencies represent exceptional conditions for this property, which do not apply generally to other properties in the same zone. This scenario is an example of the kinds of hardship that are widely recognized as legitimate bases for granting variances. By citing Zoning Ordinance Section164-161 A (3), City Code directs attention to the variance process as a model.

Finding 2:
It was stated at the Planning Commission Meeting by Mr. Burden, the Applicant, that residents of the Domestic Abuse Shelter do not keep cars parked on the property.

Conclusion:
In the parking calculations that were provided to Planning and Zoning Commission, there were six parking spaces that were determined would be needed as part of this expansion to serve the

residents of the Domestic Abuse Shelter. These parking spaces represent six of the seven parking spaces that the Applicant is asking the Administrative Adjustment to correct.

Finding 3:
Pending the outcome of the hearing on June 16, 2020, the Applicant is claiming that there are no known detriments to adjacent properties, nor any known impairments to the purpose of the Code or the public interest.

Conclusion:
Authorizing these adjustments would not result in the aforementioned detriments or impairments.

Administrative Adjustment from Zoning Ordinance Section 164-113 Location and landscaping

Such administrative adjustment shall be authorized by the Director only upon a finding by the Director as follows:

1. There are exceptional or extraordinary circumstances or conditions applying to the property in question or to the intended use of the property that do not apply generally to other properties or classes of uses in the same zone;

   The Applicant states, the property site is extraordinary in that it is located on an inner block site, it is triangular in size and is bounded by three, narrow alley streets. The streets that bound the site include Schoolhouse Avenue, Wantz Alley, and 36th Street. The use of the proposed expansion is also unusual in that it will provide shelter for victims of domestic violence and elder abuse.

   This adjustment is being requested due to the unusual configuration of the site and the limited space available due to the site conditions.

2. Such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same zone and in the same vicinity; and

   The Applicant states, the administrative adjustment for landscaping will allow for two shade trees instead of three in a landscaped area of the site. While the area of the site designated for three shade trees may only have two, the overall site will be significantly upgraded with additional landscaping and improved site conditions.

3. The authorizing of such variance will not be of substantial detriment to adjacent properties and will not materially impair the purpose of this chapter or the public interest.

   The Applicant states, there are not expected to be any detriments to the surrounding properties. In fact, the project is expected to significantly upgrade the surrounding area through the new construction of an attractive addition, and the addition of significant landscaping throughout the property.

Findings of Facts and Conclusions of Law

Staff recommends that the Director consider the following as findings of fact and conclusions of law:

Finding 1
The site is unusually configured, and the road access is atypical for lots in this zoning district.

Conclusion
The Property is triangular in shape and abuts alleyways on all sides. This irregular lot configuration and multiple roadway adjacencies represent exceptional conditions for this property, which do not apply generally to other properties in the same zone. This scenario is an example of the kinds of hardship that are widely recognized as legitimate bases for granting variances. By citing Zoning Ordinance Section164-161 A (3), City Code directs attention to the variance process as a model.

Finding 2:
The site is unusually configured requiring parking to be accessed directly by the alleyways abutting all sides of the Property which is atypical for lots in this zoning district. The site is unusually configured requiring parking to be accessed directly by the alleyways abutting all sides of the Property.

Conclusion:
The Property is triangular in shape and abuts alleyways on all sides which makes providing the required parking while meeting landscaped area requirements difficult. The landscaped area in question, will allow for two shade trees instead of three required shade trees. The overall site does provide additional landscaping that will make up for the loss of a shade tree.

Finding 3
Pending the outcome of the hearing on June 16, 2020, the Applicant is claiming that there are no known detriments to adjacent properties, nor any known impairments to the purpose of the Code or the public interest.

Conclusion
Authorizing these adjustments would not result in the aforementioned detriments or impairments.

VI. Recommendation

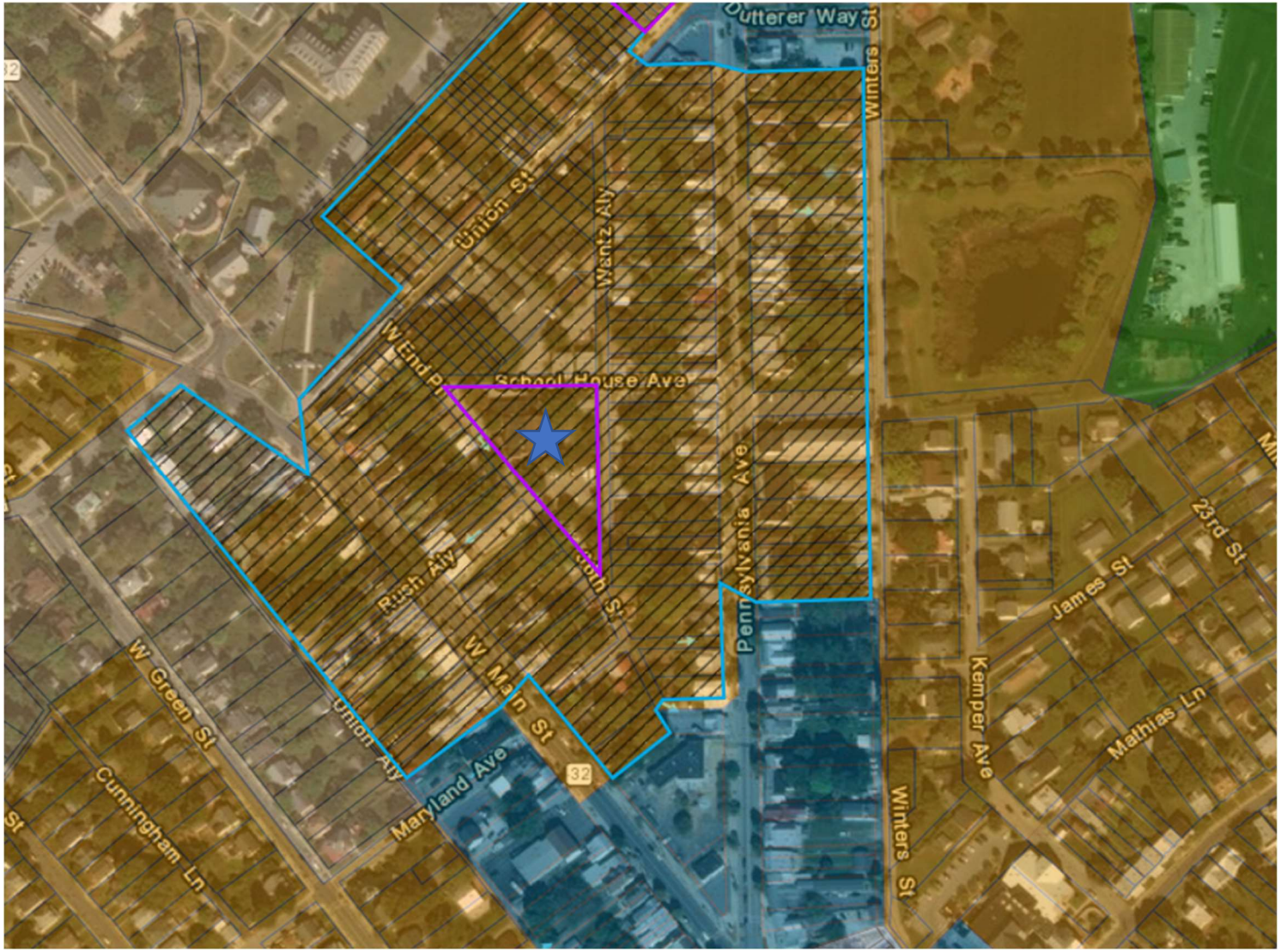
Staff recommends approval of Administrative Adjustment AA 20-01, per § 164-158.1 of the City Code.

Attachments

1. Site location aerial map
2. Planning and Zoning Commission Staff Report
3. Zoning Ordinance relevant to the Administrative Adjustment

cc: Barbara B. Matthews, City Administrator Elissa D. Levan, City Attorney

Property Location



ITEM A

PLANNING AND ZONING COMMISION

May 14, 2020

TITLE: **West End Place Family Support Center**

REQUEST: **Site Development Plan S-19-0034 Approval**
The Applicant is requesting Site Development Plan approval for the expansion of the Family and Children Services operations to include multi-family housing for families of domestic violence with accessory offices for supportive services, pursuant to Zoning Ordinance Section 164-45.17.

PROJECT INFORMATION:

LOCATION: 7 Schoolhouse Avenue (SDAT# 07-002289)
ZONE: R-7,500, Compatible Neighborhood Overlay Zone (C-N)

APPLICANT/REPRESENTATIVES:

APPLICANT: Family and Children Services of Central Maryland
OWNER: Mayor and Common Council of The City of Westminster
DEVELOPER: Episcopal Housing Corporation
ENGINEER: Mark Tsitlik, KCW Engineering Technologies
ARCHITECT: Quinn Evans Architects

STAFF: Andrea Gerhard, Comprehensive Planner
Andrew R. Gray, Comprehensive Planner
Mark A. Depo, Director of Community Planning and Development

RECOMMENDATION: Approval

ATTACHMENTS:

1. Proposed Site Development Plan for West End Place Family Support Center
2. Resolution 19-15

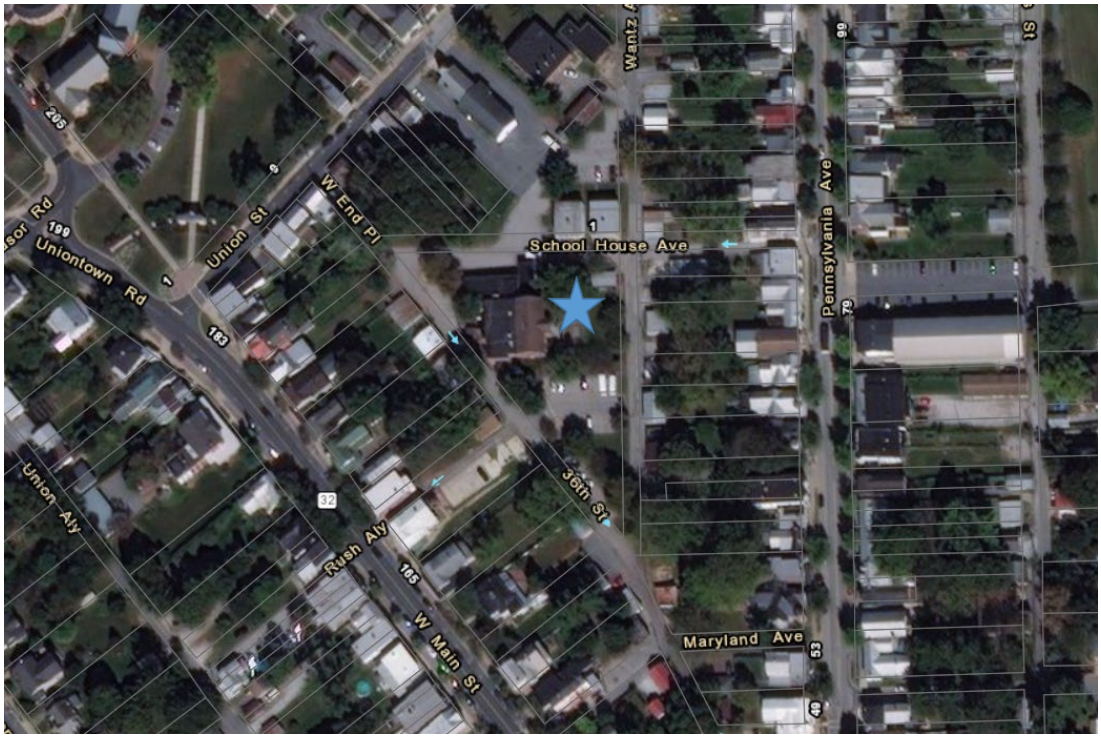
STAFF REPORT

Article XXV of the City of Westminster Zoning Ordinance ("Zoning Ordinance) requires the Planning and Zoning Commission ("Commission") to review and approve proposed site plans for the City.

DEVELOPMENT INFORMATION:

Family and Children Services of Central Maryland, represented by Episcopal Housing Corporation and KCW Engineering Technologies has applied for review of a proposed Site Development Plan (S-19-0032) for the West End Place Family Support Center. Currently, Family and Children Services offers multi-family housing for the elderly and the accessory use of adult day-care. The Applicant is requesting Site Development Plan approval for the expansion of the Family and Children Services operations to include a multi-family housing for families of domestic violence with accessory offices for supportive services. Pursuant to Zoning Ordinance Section 164-45.17.E. and 164-45.17.A. "Dwellings, multiple-family" and "Accessory uses and buildings customarily incidental to any permitted use in this section [Dwellings, multiple-family]" are permitted uses in the C-N zoning district, respectively. The subject property is located at 7 Schoolhouse Avenue and further identified as SDAT# 07-002289, hereinafter referred to as the "Property". The property is zoned R-7,500 and Compatible Neighborhood Overlay Zone (C-N).

VICINITY MAP:



= Property

SITE DEVELOPMENT PLAN REVIEW COMMENTS:

As part of Local Map Amendment (LMA) 19-02, the Compatible Neighborhood Overlay Zone was applied to the Property on July 22, 2019. Article VIIIC "Compatible Neighborhood Overlay Zone" allows for creative residential projects in residential district. In addition, the overlay zone allows for the flexibility in the design and layout of the building's structure and promotes a coordinated and integrated development scheme. This was adopted through Resolution 19-15. The original underlying zoning of this property is R-7,500. The total area of the site is indicated as 0.96 acre.

Landscape Manual

The applicant has requested the Director of Community Planning & Development approve three modifications to the Landscape Manual.

The first modification requested is to Landscaping Standards and Criteria V.C.1.b to provide a 10' wide planting area located between the abutting right-of-way and the off-street parking areas with Class B screening. The justification for this this modification is the location of the required screening is not feasible with the proposed parking layout. The proposed parking is located directly off 36th Street and Wentz Alley; no buffering or screening can be provided.

The second modification requested is to Landscape Standards and Criteria V.C.1.c to provide landscape islands equal to ten percent of the total area of the parking lot, with a minimum of two major deciduous trees for the 14 parking spaces proposed and 100 square foot area per tree. The justification for this modification is the Applicant needs to maximize the proposed parking on-site to address the required number parking spaces and there is no room available to meet the landscaping requirement, therefore no landscape islands are provided.

The third modification requested is to Landscape Standards and Criteria V.C.1.e to provide class A screening for two loading areas and dumpster. The justification for this modification is the Applicant has provided as much screening as is feasible with the limited space remaining for the required loading area along 36th Street. An existing loading area is located directly off Schoolhouse Avenue, and, as an existing and required condition, to provide any buffer area would negate the functionality of the loading area. To maximize the proposed parking on-site, no screening has been provided around the dumpster area. A 5.5 feet high concrete wall enclosure is proposed on 3 sides of the dumpster plus privacy gates on the Wentz Alley side.

Pursuant to Zoning Ordinance Section 164-131.1., Compliance with Landscape Manual, CP&D staff has reviewed S-19-0034 for compliance with the Landscape Manual, as well as, the above referenced modification requests and other applicable Zoning Ordinance landscaping regulations. With the exception of the three modification requests and some minor revisions needed to the landscape plan, S-19-0034 meets all other landscaping requirements of the Zoning Ordinance.

Development Design Preferences Manual

Pursuant to Zoning Ordinance Section 164-131.2., Compliance with Development Design Preferences Manual, and the Commission's Rules and Regulations, CP&D staff has reviewed S-19-0034 for compliance with the Development Design Preferences Manual. All CP&D staff comments have been addressed and no modifications are being requested for this project.

Signs

Being that both the R-7,500 and Compatible Neighborhood Overlay Zones are residentially based there are no sign references in either of these chapters of the City Code. There is currently minimal signage on the property and no new signage, other than directional signage is proposed with this expansion.

Parking

There are several uses taking place within the existing building along with the proposed expansion that required individualized analysis to determine how many parking spaces would be required. In accordance with Zoning Ordinance Section XX, the amount of parking required for each existing and proposed use is as follows:

Housing for Older Persons (existing use): 8 dwelling units @ 1 parking space per unit = 8 spaces
Adult Medical Daycare (existing use): 2 business vehicles @ 1 parking space per vehicle = 2 spaces
17 employees at largest shift @ 1 parking space per employee = 17 spaces
Shelter (proposed use): 6 dwelling units @ 1 parking space per unit = 6 spaces
Supportive Service Offices Employees (proposed use) @ 2,224 sf/250 sq/ft = 9 spaces

Total Spaces Required = 42 spaces

Proposed Parking:
On-site = 27 spaces (includes two handicap accessible van spaces)
Off-site = 8 spaces per MOU with Union Street Methodist Church (Located 55 feet north of Schoolhouse Avenue)

Total Parking Spaces Provided = 35 spaces (Parking deficit = 7 spaces, requested Administrative Adjustment of 7 parking spaces due to actual operations of the existing and proposed uses and needed parking)

Water

Pursuant to the City of Westminster Water and Sewer Allocation Policy 2018-2024, for allocations related to any site plan, the necessary allocations will be noted on the site plan; however, allocations are only granted at the building permit stage. Site plans for property within the City are complete following the approval of the Planning and Zoning Commission. Upon such

approval, tentative allocations are recognized for an additional six months to allow for the building permit review process. A tentative water and sewer allocation in the amount of 2,262 GPD was issued for this project. This was granted as part of the one-time allocations allowed within the policy. This project was grouped with two other Non-Profit projects and together all three were allocated 5,000 gpd.

Process

Pursuant to the City's review process, the site plan was provided to the appropriate City and County agencies to determine readiness to present to the Westminster Planning and Zoning Commission. Plans were reviewed for compliance with City and County requirements. Carroll County reviewed the plans for grading, utilities, stormwater management, site traffic, and drainage. The City reviewed this project for compliance with applicable, zoning, landscaping, and items contained in the Development Design Preference Manual. The Planning and Zoning Commission shall approve, approve subject to conditions, or disapprove Site Development Plan S-19-0034.

Recommendation

Staff recommends that the Commission consider Conditional Approval of the proposed site development plan with the following conditions:

1. Address all outstanding comments.

2. Obtain all required approvals for the three requested modifications to the Landscape Manual and the requested Administrative Adjustment to parking, as outlined in the May 14, 2020 Planning and Zoning Commission Site Development Plan S-19-0034 Staff Report.

SITE DEVELOPMENT PLAN
for

FAMILY and
CHILDREN'S
SERVICES

WEST END PLACE
FAMILY SUPPORT CENTER

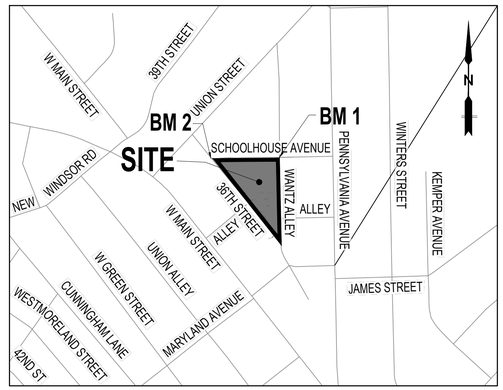
CITY OF WESTMINSTER STANDARD GENERAL NOTES

1. The construction shown on these plans shall be in accordance with the current standards and specifications for the City of Westminster. This work is subject to inspection and acceptance by the City of Westminster.
2. The contractor shall have a current copy of the City of Westminster "Standard Specifications for Construction of Public Utility Systems, Roads and Storm Drains" available to him at all times during his operations.
3. The contractor shall notify the City of Westminster "Department of Public Works" at 410-848- 2592 at least 5 days in advance of starting construction and shall not interrupt existing water or sewer service without first obtaining permission from the "Department."
4. The contractor shall notify his Engineer when proposing Field Adjustments to the Type, Size, or Location of the installations specifically shown on the plan. The contractor shall obtain final approval from the City Inspector prior to commencing work on all field changes.
5. The contractor shall provide a Certified Soils Compaction Technician on site at all times during filling and back filling operations to continuously monitor soil compaction. Test results shall be provided to the City Inspector upon request.
6. The contractor shall contact "Miss Utility" at 1-800-257-7777 in advance of his construction operations. It is the contractor's responsibility to ensure that all utility owners have existing lines in the area are properly notified.
7. The locations of existing utility lines shown in these plans is approximate only, and the contractor must verify the locations to his own satisfaction. The contractor shall take the necessary precautions to protect against damage to existing lines, and shall be solely responsible for the cost of repairs incurred by his operations.
8. The Construction Layout Datums used herein are:
   HORIZONTAL: - Maryland State Grid System (NAD 83)
   VERITCAL: - U.S.G.S. Datum
9. Failure to mention specifically any work which would naturally be required to complete the project shall not relieve the contractor of his responsibility to perform such work.
10. Lapse of approval. A site plan shall become null and void after one year from the date of approval, unless a building permit has been issued and substantial work has begun on the project.

CARROLL COUNTY SITE DEVELOPMENT PLAN INSPECTION SEQUENCE NOTES:

1. Contractor shall notify the Carroll County Bureau of Permits and Inspections at 410-386-2674, at least one day prior to beginning any work.
2. Site compliance inspections are required at the following stages during construction:
   (a) Proposed structures staked out in proper locations as shown on these approved plans.
   (b) Proposed foundations installed for all buildings shown on these approved plans.
   (c) Sub-grades established for all drives, parking lots, and surrounding grading.
   (d) Completion of all drives, parking lots, and surrounding grading.
   (e) Completion of all work shown on plans.

   It is the Contractor's responsibility to contact the Carroll County Bureau of Permits and Inspections at 410-386-2674 upon completion of each phase of construction.
3. Contractor shall notify Carroll County Bureau of Resource Management, Environmental Inspection Services Division at 410-386-2210 prior to beginning any work. All forest conservation plan devices must be in place prior to any construction.
4. Final landscaping inspection shall be arranged by notifying the City of Westminster at 410- 848-9000 by the contractor/developer or agent. Written approval must be obtained for any deviations from the approved plan or modifications in plant material.
5. The contractor shall not proceed to the next phase of construction until given approval of prior phases.
6. A "form" inspection is required on all accessible routes/ramps/curb ramp and stairs prior to the placement of final materials. Slopes and ramps shall comply with ADAAG COMAR 05.02.02, as well as the 2010 ADA Standards of Accessible Design (Department of Justice).
7. The retaining wall will be reviewed and inspected under a separate permit.
8. A passenger loading zone shall be provided in accordance with the 2010 ADA standards for accessible design section 209 and shall be in compliance with section 503.
9. The maximum slope of the ADA parking and access aisles shall be 1 in 48 in any direction.
10. The site shall comply with the requirements of the Maryland Accessibility, COMAR 09.12.53, as well as the 2010 ADA Standards of Accessible Design (Department of Justice).



LOCATION MAP
SCALE: 1"=300'

BENCHMARKS

BENCHMARK #1: MAGNETIC NAIL SET
NORTHING: 697,161.738
EASTING: 1,312,414.964
ELEVATION: 745.013

BENCHMARK #2: MAGNETIC NAIL SET
NORTHING: 697,171.967
EASTING: 1,312,109.893
ELEVATION: 762.070

LEGEND

PROPERTY LINE	
FENCE	
LIMITS OF DISTURBANCE	
RETAINING WALL	
UTITY POLE	
SEWER MAN HOLE	
WATER VALVE	
CONCRETE	
GRASS	
IMPERVIOUS AREA TO BE REMOVED	

WATER DEMAND & METER INFORMATION
1. **ESTIMATED WATER USAGE** 2262 **GPD**
2. **SIZE INTERNAL WATER METER** 2" (EXISTING)
3. **SIZE OF SPRINKLER CONNECTION** 4"
4. **NUMBER OF PRIVATE FIRE HYDRANTS** 0

NOTE: WATER METER WILL BE INSTALLED INTERNALLY, WITH EXTERIOR READER.

TRAFFIC GENERATION NOTE

This site generates 35 AM peak hour trips and 37 PM peak hour trips.
- For the following Land Uses: 30 senior Adult Apartments; 27 Senior Daycare patients; and 4,448 square feet Single Tenant Office.
- Trip rates derived from ITE Trip Generation Manual, 10th Edition, 2018.

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410-576-0440

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410-768-7700

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CRAIG RICHMOND
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410-254-7500

MEP ENGINEER
MIN ENGINEERING, INC.
10 SUDBROOK LANE
PIKESVILLE, MD 21208
410-486-4692

SHEET INDEX

SHEET 1	C101	COVER SHEET
SHEET 2	C102	EXISTING CONDITIONS PLAN
SHEET 3	C103	DEMOLITION PLAN
SHEET 4	C104	SITE PLAN
SHEET 5	C105	GRADING PLAN
SHEET 6	C106	UTILITY PROFILES
SHEET 7	C107	STORMWATER MANAGEMENT PLAN
SHEET 8	C108	SWM MICRO-BIORETENTION PLAN
SHEET 9	C109	SWM PROFILES AND SPECS
SHEET 10	C110	SWM DRAINAGE AREA MAPS
SHEET 11	C111	CONSTRUCTION DETAILS
SHEET 12	A201	BUILDING ELEVATIONS
SHEET 13	A202	BUILDING ELEVATIONS
SHEET 14	A203	BUILDING ELEVATIONS
SHEET 15	L101	LANDSCAPE PLAN
SHEET 16	L102	SITE CONSTRUCTION DETAILS
SHEET 17	S302	RETAINING WALL PLAN & SECTION
SHEET 18	S303	RETAINING WALL SECTIONS
SHEET 19	S304	RETAINING WALL SECTIONS, REPAIR DETAIL & GENERAL NOTES

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TELE: 410-768-7700
EMAIL: MTSITLIK@KCW-ET.COM

STATE OF MARYLAND MARK TSITLIK 33351 PROFESSIONAL ENGINEER

SEAL
PROFESSIONAL CERTIFICATION:
I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.
LICENSE NUMBER 333351, EXPIRATION DATE 06-30-2020

COPYRIGHT 2019 QUINN EVANS ARCHITECTS

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS BEFORE PROCEEDING WITH THE WORK.

PROJECT NAME:
WEST END PLACE
FAMILY SUPPORT CENTER
PROJECT NO: 31705000
FAMILY AND CHILDREN'S SERVICES
7 SCHOOLHOUSE AVENUE,
WESTMINSTER, MD 21157

MARK	DATE	DESCRIPTION

OWNER/DEVELOPER CERTIFICATION

I/We hereby certify that all proposed work shown on these construction drawing(s) has been reviewed by me/us and that I/We fully understand what is necessary to accomplish this work and that the work will be conducted in strict accordance with these plans. I/We also understand that any changes to these plans will require an amended plan to be reviewed and approved by the City of Westminster Planning and Zoning Commission before any change in the work is made.

SHANNON SNOW for
EPISCOPAL HOUSING CORPORATION
NAME(S) (PRINTED) **DATE**
10/8/2019
SIGNED **DATE**

ENGINEERS CERTIFICATION

I hereby certify that these construction drawings and associated computations were prepared by me or under my supervision and comply with all applicable standards and regulations of The City of Westminster. I have reviewed these documents with the Owner/Developer.

MARK TSITLIK, P.E. 05-05-2020
NAME(S) (PRINTED) **DATE**
MARYLAND REGISTRATION NUMBER **No.** 33351
Mark Tsitlik 05-05-2020
SIGNED **DATE**

CITY OF WESTMINSTER,
DIRECTOR OF COMMUNITY PLANNING AND DEVELOPMENT
APPROVED:_____**DATE** _____

CITY OF WESTMINSTER, DIRECTOR OF PUBLIC WORKS
APPROVED:_____**DATE** _____

CITY OF WESTMINSTER, PLANNING AND ZONING COMMISSION
APPROVED:_____**DATE** _____

CARROLL COUNTY HEALTH DEPARTMENT
APPROVED:_____**DATE** _____
Community Water and/or sewerage systems are in conformance with the Carroll County Master Plan for Water and Sewer

TITLE REFERENCE
MAYOR & COMMON COUNCIL
OF THE CITY OF WESTMINSTER, MD
C.C.C. 658~255
MARCH 1, 1977

COVER SHEET

WEST END PLACE
FAMILY SUPPORT CENTER

7 SCHOOLHOUSE AVE
CITY OF WESTMINSTER
7TH ELECTION DISTRICT, CARROLL CO., MD
TAX MAP: 102, GRID: 0, PARCEL: 1588
EXISTING USE: MEDICAL ADULT DAYCARE WITH AFFORDABLE APARTMENTS FOR SENIORS
PROPOSED USE: SAME AS EXISTING PLUS DOMESTIC VIOLENCE/ELDER ABUSE SHELTER WITH OFFICES FOR SUPPORTIVE SERVICES

OWNER	DEVELOPER	CONTRACT PURCHASER / OPERATOR
MAYOR AND COMMON COUNCIL OF THE CITY OF WESTMINSTER, MD P.O. BOX 010 WESTMINSTER, MD 21158	EPISCOPAL HOUSING CORPORATION 3986 ROLAND AVE. BALTIMORE, MD 21211 ATTN.: SHANNON SNOW TELE: 410-366-6200 EMAIL: Shannon@episcopalhousing.org	FAMILY AND CHILDREN'S SERVICES OF CENTRAL MARYLAND 4623 FALLS RD., BALTIMORE, MD 21209 ATTN.: F.T. BURDEN TELE: 410-366-1980

DATE: 05/05/2020	DESIGNED: MT	DRAWN: YM	CHECKED: KCA
SCALE: AS SHOWN		COUNTY FILE # S-19-0034	

DWG FILE:
DRAWN BY: YM
CHECKED BY: MT
COVER SHEET

C101

SHEET 1 OF 19

WATER USAGE WORKSHEET

EXISTING WATER USES:
1. EMPLOYEES = TOTAL 17
2. TENANTS = 8
3. ADULT DAYCARE = 27 PER DAY

PROPOSED WATER USES:
1. EMPLOYEES = TOTAL 40
2. TENANTS = CAPACITY FOR 30 TENANTS/SHELTER CLIENTS
3. ADULT DAYCARE = 27 PER DAY

WATER USAGE:
EXISTING USAGE (METERED) = 597GALLONS PER DAY AVG.
(FROM SEPTEMBER 2, 2016 TO SEPTEMBER 4, 2019)

PROPOSED ADDITIONAL USAGE = 1665 GALLONS PER DAY
22 ADDITIONAL RESIDENT CAPACITY = 1320 G.P.D.
(MDE GUIDELINE = 60 G.P.D. PER RESIDENT OF APARTMENT-MULTIPLE FAMILY)
23 ADDITIONAL EMPLOYEES = 345 G.P.D.
(15 G.P.D. PER EMPLOYEE)

TOTAL PROPOSED SITE USAGE = 2262 GALLONS PER DAY

FLOW TESTS:
FLOW TESTS PERFORMED 8-20-2018 BY BILES FIRE PROTECTION SERVICES. NEAREST HYDRANT WITH 2.5" OUTLET:
- STATIC PRESSURE = 94 PSI
- FLOW PRESSURE = 90 PSI
- PILOT PRESSURE = 29 PSI
- RATE OF FLOW = 479 GPM

WATER CONNECTION:
EXISTING WATER METER SIZE: 2"
EXISTING SPRINKLER CONNECTION SIZE: 4"
EXISTING WATER CONNECTION TO BE UTILIZED FOR PROPOSED ADDITION. NO NEW WATER SERVICE CONNECTION WITHIN THE LIMITS OF PUBLICLY OWNED RIGHTS OF WAY IS PROPOSED.

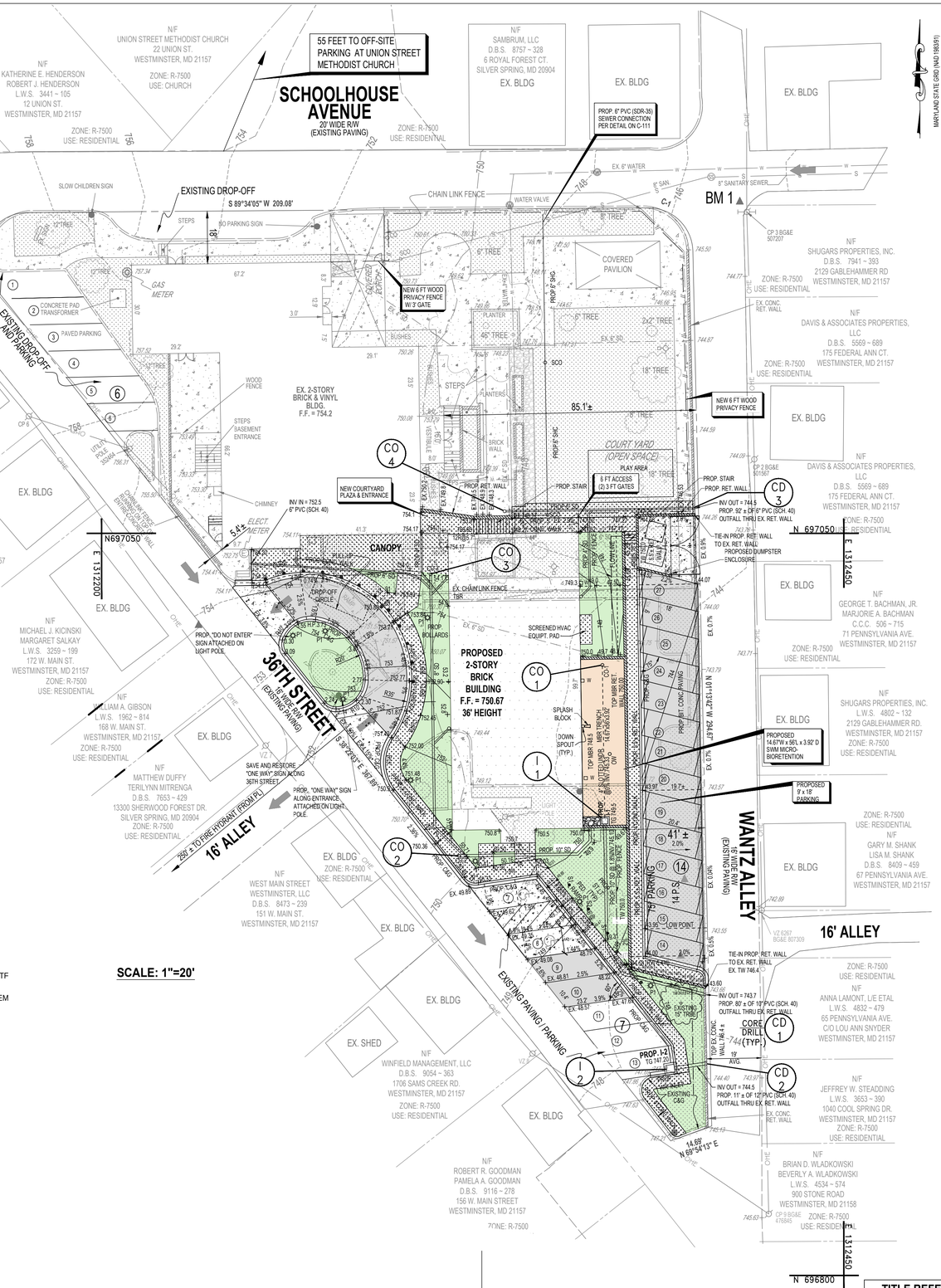
BUILDING AREAS:
- EXISTING BUILDING AREA = 11,746 SQ. FT.
- PROPOSED BUILDING AREA = 8,834 SQ. FT.
  TOTAL BUILDING AREA = 20,580 SQ. FT.

LOT COVERAGE:
- EXISTING BUILDING TO REMAIN = 6,344 SQ. FT.
- PROPOSED BUILDING ADDITIONS = 4,448 SQ. FT.
- TOTAL PROPOSED BUILDING COVERAGE = 10,792 SQ. FT.
- TOTAL PROPOSED COVERAGE OF SITE = 25.7%

PARKING REQUIRED:
- HOUSING FOR OLDER PERSONS: 8 DWELLING UNITS @ 1 PARKING SPACE PER UNIT = 8 SPACES
- ADULT MEDICAL DAYCARE: 2 BUSINESS VEHICLES @ 1 PARKING SPACE PER VEHICLE = 2 SPACES
- 17 EMPLOYEES AT LARGEST SHIFT @ 1 PARKING SPACE PER EMPLOYEE = 17 SPACES
- SHELTER: 6 DWELLING UNITS @ 1 PARKING SPACE PER UNIT = 6 SPACES
- SUPPORTIVE SERVICE OFFICES EMPLOYEES @ 2,224 SF/250 SF = 9 SPACES
  TOTAL SPACES REQUIRED = 42 SPACES

PROPOSED PARKING:
- ON-SITE = 27 SPACES (INCLUDES TWO VAN ACCESSIBLE HANDICAP SPACES)
- OFF-SITE = 8 SPACES PER MOU WITH UNION STREET METHODIST CHURCH (LOCATED 55 FEET NORTH OF SCHOOLHOUSE AVENUE)
  TOTAL SPACES PROVIDED = 35 SPACES (PARKING DEFICIT = 7 SPACES, REQUESTED ADMINISTRATIVE ADJUSTMENT OF 7 PARKING SPACES)

NOTES
ADULT MEDICAL DAYCARE OPERATES M-F ONLY, THEREFORE 17 SPACES NOT NEEDED ON WEEKENDS
OFFICES ONLY OPEN BY APPOINTMENT, NOT OPEN TO THE GENERAL PUBLIC



BENCHMARKS

BENCHMARK #1: MAGNETIC NAIL SET
NORTHING: 697,161.738
EASTING: 1,312,414.964
ELEVATION: 745.013

BENCHMARK #2: MAGNETIC NAIL SET
NORTHING: 697,171.967
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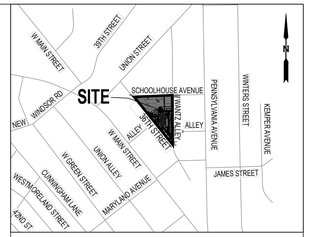

VICINITY MAP
SCALE: 1" = 500'

CURVE DATA

CURVE	RADIUS	LENGTH	CHORD	
C-1	15.00'	23.35'	N 45°49'48" W	21.07'
C-2	15.00'	33.49'	S 25°36'01" W	26.96'

LEGEND

PROPERTY LINE	
LIMITS OF DISTURBANCE	
FENCE	
RETAINING WALL	
UTILITY POLE	
SEWER MAN HOLE	
WATER VALVE	
CONCRETE	
EXISTING GRASS	
PROP. BIT. CONC. PAVING	
PROPOSED LIGHT POLE	

LIGHTING FIXTURE SCHEDULE

SYMBOL	FIXTURE DESCRIPTION	MANUFACTURER CATALOG #	LAMPS NO.	LAMPS TYPE	VOLTS	VOLT AMPERES	LUMENS	MOUNTING
○ P1	POLE LIGHT	KIM LIGHTING MODEL #FIXTURE:URQD-24L-65-4K7-3-UNV-PT24-TPR-TL #POLE: 12' POLE	1	65W LED	120	65	7000	POLE (12' POLE)
□ W	WALL RACK	KIM LITHONIA LIGHTING MODEL #TWH LED-10C-1000-40K-T3M-MVOLT-PE	1	30W LED	120	30	-	CEILING MTD

GENERAL NOTES

1. EXISTING ZONING: R-7500 RESIDENTIAL ZONE, COMPATIBLE NEIGHBORHOOD (CN) OVERLAY DISTRICT PER RESOLUTION No. 19-15 ADOPTED ON JULY 22, 2019.
   1.1. ALL ADJOINING PROPERTIES ARE ZONED R-7500
2. TOTAL AREA OF SITE: 41,912 SQ. FT. (0.9622 AC.±)
3. TOTAL DEVELOPED AREA: 18,000 SQ.FT.± (0.4132 AC.±) (LIMITS OF DISTURBANCE)
4. THE PROPERTY SHOWN HEREON IS OWNED BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF WESTMINSTER BY DEED DATED MARCH 1, 1977, RECORDED AMONG THE LAND RECORDS OF CARROLL COUNTY IN LIBER 658, FOLIO 255.
5. TAX MAP: 102, BLOCK: 0, PARCEL: 1588
6. TOPOGRAPHY SHOWN HEREON IS FIELD RUN, DATED JUNE 2017 AND FEBRUARY 2019 AND PREPARED BY RTF ASSOCIATES, INC.
7. LOCATION OF THE NEAREST WATER SUPPLY AVAILABLE FOR FIRE PROTECTION: ON SITE SPRINKLER SYSTEM NEAREST FIRE HYDRANT IS AT W. MAIN STREET AND 16' ALLEY, 250' ± FROM PROPERTY .
8. THE LOCATION OF EXISTING UTILITIES SHOWN HEREON ARE APPROXIMATE ONLY. CONTRACTOR SHALL VERIFY THE EXISTENCE, LOCATION, AND DEPTH OF ANY EXISTING UTILITIES AND SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES PRIOR TO BEGINNING WORK.
9. THE CONTRACTOR SHALL NOTIFY "MISS UTILITY" AT 1-800-257-7777 THREE WORKING DAYS PRIOR TO BEGINNING ANY WORK IN THE VICINITY OF EXISTING UTILITIES.
10. THE CONTRACTOR SHALL NOTE THAT IN CASE OF A DISCREPANCY BETWEEN THE SCALED AND FIGURED DIMENSIONS SHOWN ON THESE PLANS, THE FIGURED DIMENSIONS SHALL GOVERN.
11. ALL SIDEWALKS SHALL COMPLY WITH THE 2% CROSS SCOPE AS REQUIRED IN THE AMERICANS DISABILITY ACCESSIBLE GUIDELINES AS PUBLISHED BY THE U.S. ACCESS BOARD. GROUND SURFACES SHALL BE STABLE, FIRM AND SLIP RESISTANT
12. THE PROPOSED BUILDING WILL REQUIRE INSTALLATION OF AUTOMATIC SPRINKLERS PER BUILDING CODE.
13. THIS PROJECT IS EXEMPT FROM FOREST CONSERVATION REQUIREMENTS.
14. THE HORIZONTAL DATUM IS BASED ON MARYLAND STATE GRID, NAD-83/91.
15. THE VERTICAL DATUM IS BASED ON NAVD-88.
16. EXISTING SPOT ELEVATIONS (GRAY/FADED) AND PROPOSED SPOT ELEVATIONS SHOWN HEREON REFERENCE FLOW LINES UNLESS OTHERWISE INDICATED.
17. WATER RESOURCES: THE PROJECT SITE IS LOCATED WITHIN BOTH AQUIFER PROTECTION AND SURFACE WATER PROTECTION AREA. THERE WILL BE NO HAZARDOUS OR REGULATED SUBSTANCES ON SITE.

TITLE REFERENCE
MAYOR & COMMON COUNCIL OF THE CITY OF WESTMINSTER, MD
C.C.C. 658~255
MARCH 1, 1977

ARCHITECTS
QUINN EVANS ARCHITECTS
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EMAIL: MTSITLIK@KCW-ET.COM

SEAL
PROFESSIONAL CERTIFICATION:
I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.
LICENSE NUMBER 333351, EXPIRATION DATE 06-30-2020

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CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS BEFORE PROCEEDING WITH THE WORK

PROJECT NAME:
WEST END PLACE
FAMILY SUPPORT CENTER

PROJECT NO: 31705000

FAMILY AND CHILDREN'S SERVICES
7 SCHOOLHOUSE AVENUE,
WESTMINSTER, MD 21157

MARK	DATE	DESCRIPTION

DWG FILE:
DRAWN BY: YM
CHECKED BY: MT
SITE PLAN

C104

SHEET 4 OF 19

SITE PLAN

WEST END PLACE FAMILY SUPPORT CENTER

7 SCHOOLHOUSE AVE
CITY OF WESTMINSTER
7TH ELECTION DISTRICT, CARROLL CO., MD
TAX MAP: 102, GRID: 0, PARCEL: 1588
EXISTING USE: MEDICAL ADULT DAYCARE WITH AFFORDABLE APARTMENTS FOR SENIORS
PROPOSED USE: SAME AS EXISTING PLUS DOMESTIC VIOLENCE/ELDER ABUSE SHELTER WITH OFFICES FOR SUPPORTIVE SERVICES

OWNER	DEVELOPER	CONTRACT PURCHASER / OPERATOR
MAYOR AND COMMON COUNCIL OF THE CITY OF WESTMINSTER, MD P.O. BOX 010 WESTMINSTER, MD 21158	EPISCOPAL HOUSING CORPORATION 3986 ROLAND AVE. BALTIMORE, MD 21211 ATTN.: SHANNON SNOW TELE: 410-366-6200 EMAIL: Shannon@episcopalhousing.org	FAMILY AND CHILDREN'S SERVICES OF CENTRAL MARYLAND 4623 FALLS RD., BALTIMORE, MD 21209 ATTN.: F.T. BURDEN TELE: 410-366-1980

DATE: 05/05/2020	DESIGNED: MT	DRAWN: YM	CHECKED: KCA
SCALE: AS SHOWN		COUNTY FILE # S-19-0034	

PLANT SCHEDULE

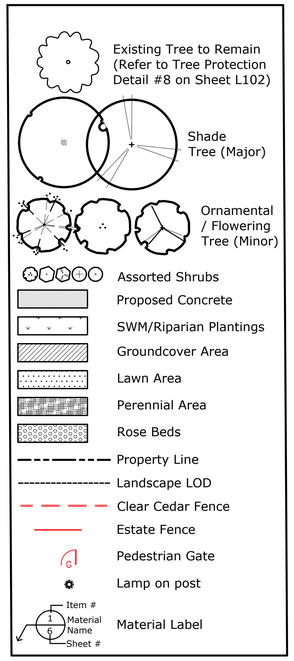
SYMB.	QTY.	BOTANICAL NAME	COMMON NAME	SIZE	SPACING / MISC. INFO	ROOT CONT.
MAJOR TREES (See Detail #5, sheet #L102)						
ACR	1	Acer 'Red Sunset'	'Red Sunset' Maple	3" Cal.	As Shown	B & B
*QUA	1	Quercus alba	White Oak	3" Cal.	" "	" "
MINOR TREES (See Detail #5, sheet #L102)						
*AMC	1	Amelanchier canadensis	Serviceberry	2" Cal.	Single Stem	B & B
*CEC	3	Cercis canadensis	Eastern Red Bud	2" Cal.	As Shown	" "
*HAV	1	Hamamelis virginia	Witch Hazel (Multi-Trunk)	8'-10' Ht.	" "	" "
LAI	1	Lagerstroemia x 'Miami'	'Miami' Crape Myrtle (Multi-Trunk)	8'-10' Ht.	" "	" "
PRK	2	Prunus serrulata 'Kwanzan'	'Kwanzan' Cherry	2" Cal.	" "	" "
SHRUBS (See Detail #6, sheet #L102)						
BUX	11	Buxus 'Green Gem'	'Green Gem' Boxwood	24"-30" Ht.	48" O.C.	" "
CAC	11	Caryopteris clandonensis 'Blue Mist'	'Blue Mist' Caryopteris	24"-30" Ht.	48" O.C.	" "
HYN	2	Hydrangea m. 'Blue Heaven'	'Blue Heaven' Hydrangea	#5 Cont.	36" O.C.	Plastic Pot
*HYQ	3	Hydrangea 'Oak Leaf'	'Oak Leaf' Hydrangea	#5 Cont.	60" O.C.	Plastic Pot
*ILG	8	Ilex glabra	Inkberry Holly	24"-30" Ht.	60" O.C.	B & B
*ILS	6	Ilex glabra 'Shamrock'	'Shamrock' Holly	24"-30" Ht.	48" O.C.	" "
*ITA	5	Itea virginica	Sweetspire	24"-30" Ht.	48" O.C.	" "
PRC	11	Prunus 'Chestnut Hill'	'Chestnut Hill' Cherry Laurel	24"-30" Ht.	48" O.C.	" "
PRL	6	Prunus 'Otto Luyken'	'Otto Luyken' Cherry Laurel	24"-30" Ht.	48" O.C.	" "
VID	3	Viburnum spp.	Doublefile Viburnum	5'-6' Ht.	As Shown	" "
SKJ	9	Skimmia japonica	Skimmia	24"-30" Ht.	48" O.C.	" "
PERENNIALS, ROSES AND GROUNDCOVERS (See Detail #7, sheet #L102)						
*AST	28	Aster 'New York'	'New York' Aster	#1 Cont.	36" O.C.	Plastic Pot
CEP	9	Ceratostigma plumbaginoides	Plumbago	" "	24" O.C.	" "
*EUP	9	Eupatoriadelphus maculatus	Spotted Joe-Pye Weed	" "	24" O.C.	" "
GEB	88	Geranium 'Johnson's Blue'	'Johnson's Blue' Geranium	" "	30" O.C.	" "
GER	13	Geranium 'Rozanne'	'Rozanne' Geranium	" "	30" O.C.	" "
HEA	88	Heuchera 'Apple Crisp'	'Apple Crisp' Coral Bells	" "	24" O.C.	" "
HEP	13	Heuchera 'Pewter Veil'	'Pewter Veil' Coral Bells	" "	24" O.C.	" "
HET	13	Heucherella 'Sweet Tea'	'Sweet Tea' Foam Flower	" "	24" O.C.	" "
HOB	41	Hosta 'Blue Angel'	'Blue Angel' Hosta	" "	48" O.C.	" "
HOD	19	Hosta 'Big Daddy'	'Big Daddy' Hosta	" "	48" O.C.	" "
HOK	41	Hosta 'Captain Kirk'	'Captain Kirk' Hosta	" "	48" O.C.	" "
HOW	41	Hosta 'Frances Williams'	'Frances Williams' Hosta	" "	48" O.C.	" "
JUC	245	Juniperus conferta 'Blue Pacific'	'Blue Pacific' Juniper	" "	24" O.C.	" "
MAZ	9	Mazus reptans 'Albus'	White Mazus	4" Cont.	12" O.C.	" "
*MOD	9	Monarda didyma	Pink Bee Balm	#1 Cont.	24" O.C.	" "
NEP	88	Nepeta Hybrid	Catmint	#1 Cont.	24" O.C.	" "
*PAP	240	Pachysandra procumbens	Allegheny Spurge	4" Cont.	8" O.C.	" "
ROC	10	Rosa 'Meidrifora'	'Coral Drift' Rose	#3 Cont.	36" O.C.	" "
ROJ	33	Rosa 'JACzeman'	Sundance™ Grandiflora Rose	#3 Cont.	36" O.C.	" "
SEB	88	Sedum 'Blue Tears'	'Blue Tears' Stonecrop	#1 Cont.	24" O.C.	" "
THY	100	Thymus 'Bressingham'	'Bressingham' Creeping Thyme	4" Cont.	8" O.C.	" "
VES	13	Veronica 'Sunny Border Blue'	Blue Speedwell	#1 Cont.	24" O.C.	" "
SWM/RIPARIAN PLANTINGS (See Detail #7, sheet #L102)						
*AI	150	Asclepias incarnata	Swamp Milkweed	#1 Cont.	8" O.C.	" "
*IL1	1	Ilex verticillata 'Red Sprite'	'Red Sprite' Winterberry	2'-3' Ht.	As Shown	B & B
*IL2	1	Ilex v. 'Jim Dandy'	'Jim Dandy' Winterberry	2'-3' Ht.	As Shown	B & B
*IV	150	Iris versicolor	Harlequin Blueflag	#1 Cont.	8" O.C.	Plastic Pot
*LC	150	Lobelia cardinalis	Cardinal flower	" "	" "	" "
*MD	150	Monarda didyma	Pink Bee Balm	" "	" "	" "
*RV	3	Rhododendron viscosum	Swamp Azalea	2'-3' Ht.	As Shown	B & B
*SS	75	Symphyotrichum spp.	New England Aster	#1 Cont.	8" O.C.	Plastic Pot

Notes:
1) If there is a discrepancy between the plant schedule and the planting plan, the planting plan shall govern.
2) Plantings are to be native or naturalized to local area and are not on known invasive species list.
* Indicates native planting

LANDSCAPE TABLE

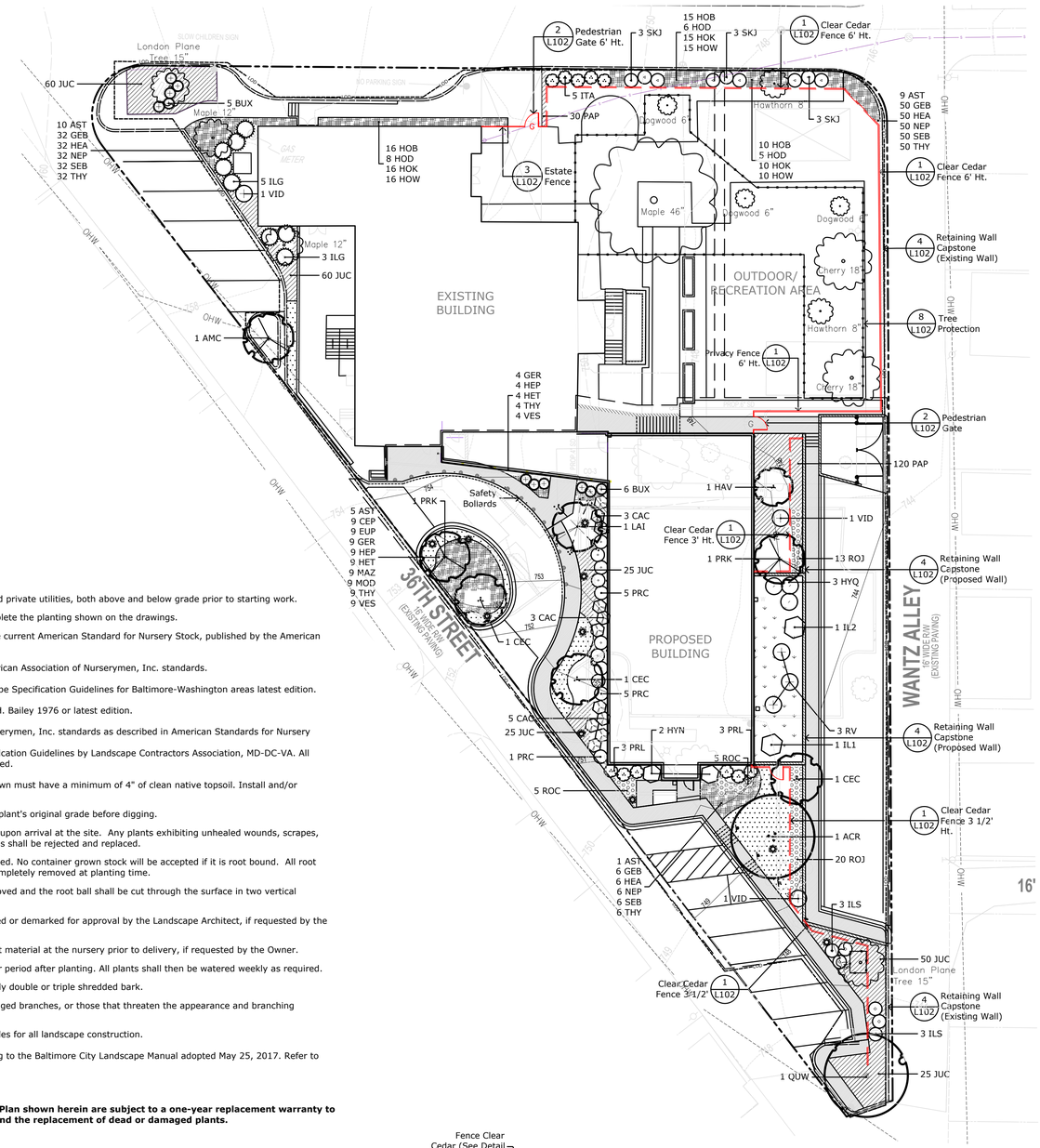
SITE CONDITION	RATE	DISTANCE/AREA	REQUIRED	PROPOSED
Schoolhouse Avenue	1 PU/40 LF	239 LF	6 PUs	6 PUs
36th Street	1 PU/40 LF	382 LF	10 PUs	4.5 PUs
Wantz Alley	1 PU/40 LF	309 LF	8 PUs	6 PUs
Interior Parking Area Plantings: N/A				

SITE KEY



PLANTING NOTES:

1. The Contractor shall locate and verify the existence of all public and private utilities, both above and below grade prior to starting work.
2. The Contractor shall supply all plant in quantities sufficient to complete the planting shown on the drawings.
3. All plant material shall conform to the guidelines established by the current American Standard for Nursery Stock, published by the American Association of Nurserymen, Inc.
4. All nursery stock shall be nursery grown and shall conform to American Association of Nurserymen, Inc. standards.
5. All planting procedures and specifications shall conform to Landscape Specification Guidelines for Baltimore-Washington areas latest edition.
6. All plants shall be identified in accordance with Hortus Third, by L.H. Bailey 1976 or latest edition.
7. All nursery stock shall conform to the American Association of Nurserymen, Inc. standards as described in American Standards for Nursery stock, publication ANSI z60.1-1980 or latest edition.
8. Landscape specifications shall conform to current Landscape Specification Guidelines by Landscape Contractors Association, MD-DC-VA. All nursery stock shall be planted in accordance with procedures outlined.
9. All planting areas for trees, shrubs, perennials, groundcover and lawn must have a minimum of 4" of clean native topsoil. Install and/or maintain as necessary.
10. All plants shall bear the same relationship to finished grade as the plant's original grade before digging.
11. All plants shall be subject to inspection by the Landscape Architect upon arrival at the site. Any plants exhibiting unhealed wounds, scrapes, cuts or bruises to the trunk or bark, and any major broken branches shall be rejected and replaced.
12. All plants shall be balled and wrapped or container grown as specified. No container grown stock will be accepted if it is root bound. All root wrapping material made of synthetics, metal or plastics shall be completely removed at planting time.
13. With container grown stock, the container shall be completely removed and the root ball shall be cut through the surface in two vertical locations with a clean sharp blade.
14. Prior to planting, the locations of all trees and shrubs shall be staked or demarked for approval by the Landscape Architect, if requested by the Owner.
15. The Landscape Architect reserves the right to select any or all plant material at the nursery prior to delivery, if requested by the Owner.
16. All plants shall be watered thoroughly twice during the first 24 hour period after planting. All plants shall then be watered weekly as required.
17. All planting beds shall be mulched with a min. 2" thick layer of finely double or triple shredded bark.
18. Pruning of plant material after planting is limited to dead and damaged branches, or those that threaten the appearance and branching structure.
19. The Contractor(s) shall verify and comply to all State and Local codes for all landscape construction.
20. The proposed landscape shall be installed and maintained according to the Baltimore City Landscape Manual adopted May 25, 2017. Refer to the following:
    Appendix 'F' for Soil Standards
    Appendix 'G' for Maintenance and Irrigation
21. **The plants installed in accordance with the Final Landscape Plan shown herein are subject to a one-year replacement warranty to ensure establishment and maintenance of the landscaping and the replacement of dead or damaged plants.**

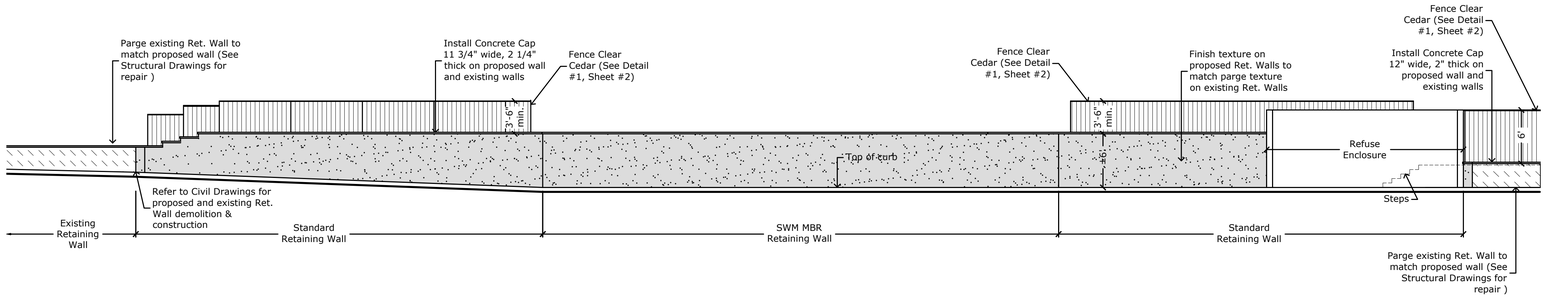


north

SCALE: 1" = 20' - 0"

GRAPHIC SCALE

FT 0 10 20 40 80



Retaining Wall Elevation

Scale: 1' = 8' - 0"

ARCHITECTS
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100 N. CHARLES STREET
14TH FLOOR
BALTIMORE, MD 21201
410-576-0440

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GLEN BURNIE, MD 21061
410-768-7700

LANDSCAPE ARCHITECT
CRAIG RICHMOND
LANDSCAPE ARCHITECTURE
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301-920-0424

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BALTIMORE, MD 21214
410-254-7500

MEP ENGINEER
MIN ENGINEERING, INC.
10 SUDBROOK LANE
PIKESVILLE, MD 21208
410-486-4692

PROFESSIONAL CERTIFICATION
I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY CRAIG RICHMOND, AND THAT I AM A DULY LICENSED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE #3749, EXPIRATION DATE 09/22/2021.

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CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS BEFORE PROCEEDING WITH THE WORK

PROJECT NAME:
WEST END PLACE FAMILY SUPPORT CENTER

PROJECT NO: 31705000

FAMILY AND CHILDREN'S SERVICES
7 SCHOOLHOUSE AVENUE,
WESTMINSTER, MD 21157

MARK	DATE	DESCRIPTION
(1)	04/15/2020	ADDED WALKS
(2)	05/06/2020	CITY COMMENTS

DWG FILE:

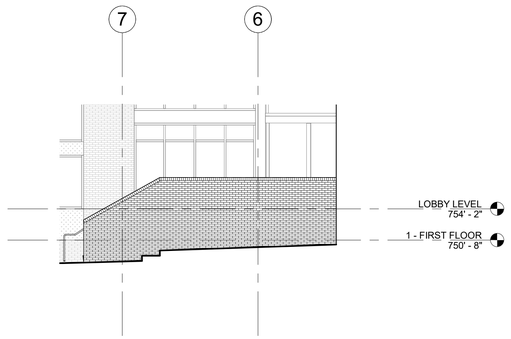
DRAWN BY: CAR

CHECKED BY: CAR

FINAL LANDSCAPE PLAN

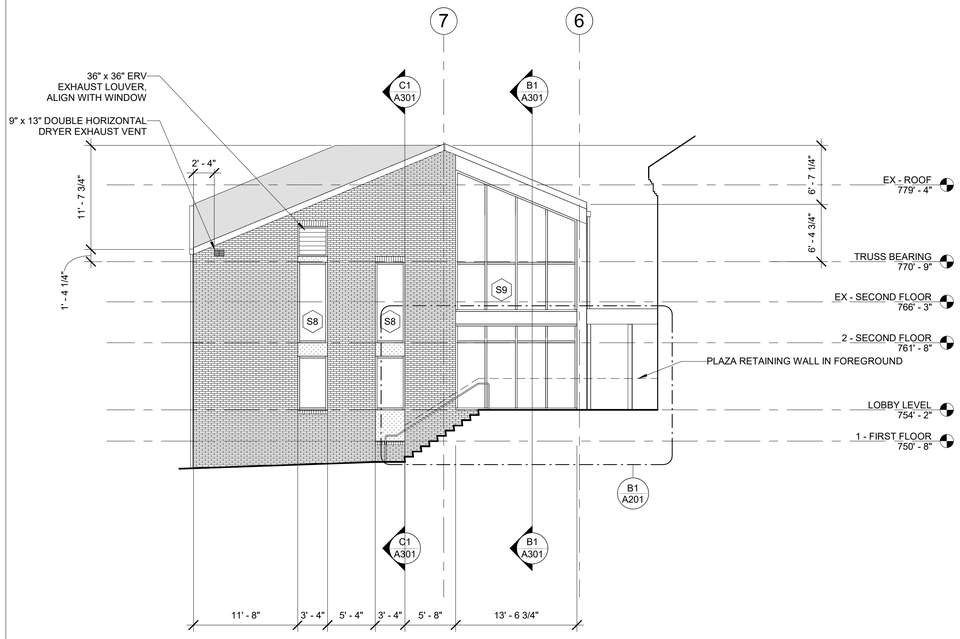
L101

SHEET ____ OF ____



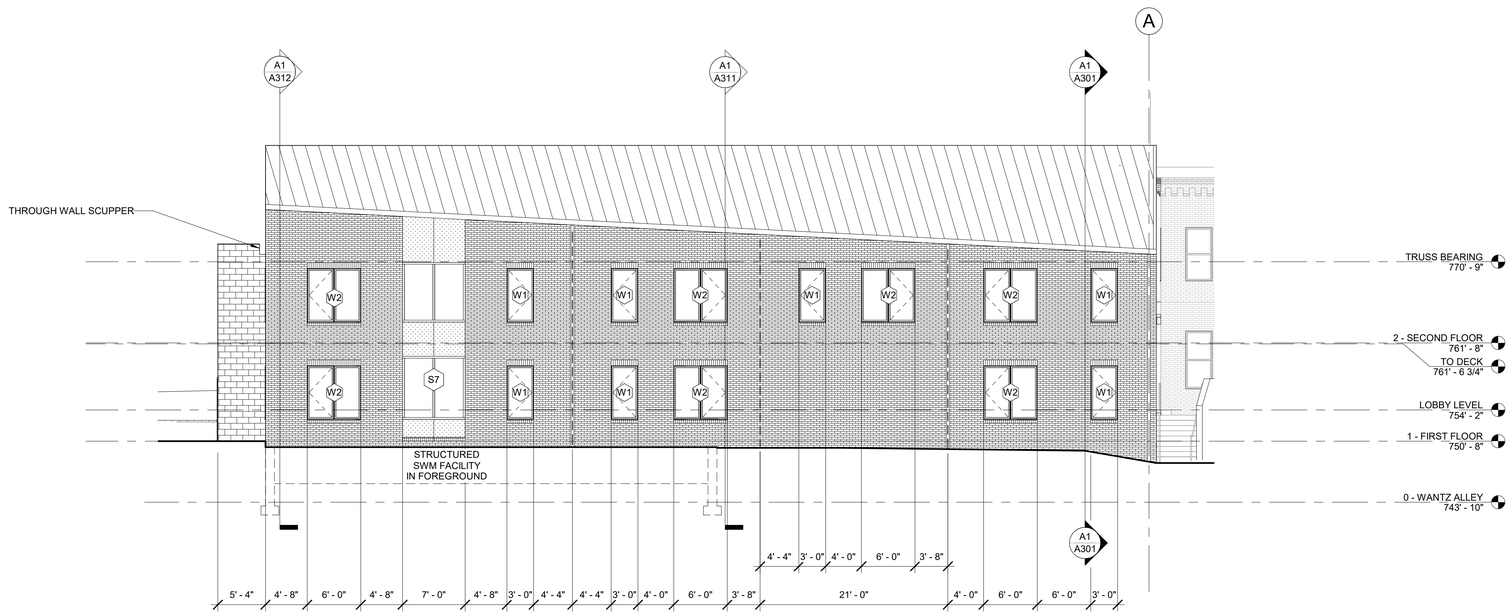
B1 / A201 PARTIAL NORTH ELEVATION - PLAZA WALL

1/8" = 1'-0"



B3 / A201 NORTH ELEVATION

1/8" = 1'-0"



A1 / A201 EAST ELEVATION

1/8" = 1'-0"

GENERAL ELEVATION NOTES:

01 - ABBREVIATIONS REFERENCED FROM THE CONSTRUCTION SPECIFICATION INSTITUTE'S UNIFORM DRAWING SYSTEM TERMS AND ABBREVIATIONS MODULE

02 - INFORMATION SHOWN ON DRAWINGS PERTAINING TO EXISTING CONDITIONS HAS BEEN OBTAINED FROM GENERAL FIELD OBSERVATIONS AND MAY NOT INDICATE ACTUAL OR EXISTING CONDITIONS IN DETAIL OR DIMENSION. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING ACTUAL EXISTING CONDITIONS PRIOR TO DEMOLITION, FABRICATION OR PERFORMANCE OF ANY WORK. SHOULD CONDITIONS BE DISCOVERED THAT PREVENT EXECUTION OF THE WORK AS INDICATED, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ARCHITECT IN WRITING AND AWAIT DIRECTION BEFORE PROCEEDING WITH THE WORK

03 - DIMENSIONS ARE TO FINISH FACE UNLESS OTHERWISE NOTED

04 - DRAWINGS DO NOT SCALE AND SHALL NOT BE SCALED

05 - PATCH AND REPAIR ALL EXISTING FINISHES DAMAGED OR DISRUPTED BY WORK FOR A CONTINUOUS FINISH AND ENCLOSURE OF BUILDING MATERIALS

BRICK -
PALMETTO BRICK COMPANY
DARK RED SMOOTH

GLAZED CMU -
ECHELON TRENWYTH
ASTRA GLAZE SW+
SAPPHIRE

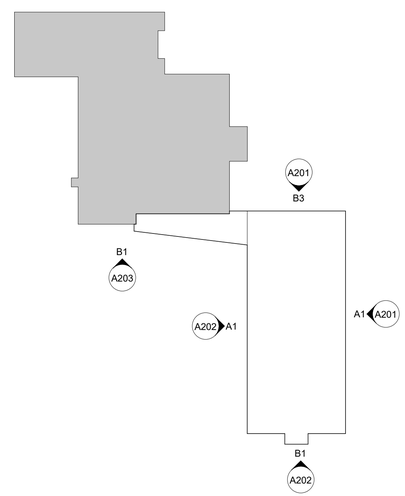
COMPOSITE METAL PANEL -
ALUCOBOND
ALUCOBOND PLUS CLASSIC
BOWTIE BLUE II

SLOPED ROOFING -
CERTAINTEED
LANDMARK ASPHALT SHINGLE
GEORGETOWN GRAY

SLOPED ROOFING ALTERNATE -
FIRESTONE BPCO
UC-6 STANDING SEAM
GALVALUME

EXTERIOR MATERIAL LEGEND

- BRICK
- GLAZED CMU
- METAL PANEL
- SLOPED ROOFING



KEY PLAN

N

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14TH FLOOR
BALTIMORE, MD 21201
410-576-0440

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CRAIG RICHMOND
LANDSCAPE ARCHITECTURE
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410-254-7500

MEP ENGINEER
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CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS BEFORE PROCEEDING WITH THE WORK

PROJECT NAME:
WEST END PLACE
FAMILY SUPPORT CENTER

PROJECT NO: 31705000

FAMILY AND CHILDREN'S SERVICES
7 SCHOOL HOUSE AVENUE,
WESTMINSTER, MD 21157

PERMIT SET
12/31/2019

MARK	DATE	DESCRIPTION

DWG FILE:

DRAWN BY: Author

CHECKED BY: Checker

BUILDING ELEVATIONS

A201

SHEET _____ OF _____

B1 A202 SOUTH ELEVATION

1/8" = 1'-0"

A1 A202 WEST ELEVATION

1/8" = 1'-0"

GENERAL ELEVATION NOTES:

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DARK RED SMOOTH

GLAZED CMU -
ECHELON TRENWYTH
ASTRA GLAZE SW+
SAPPHIRE

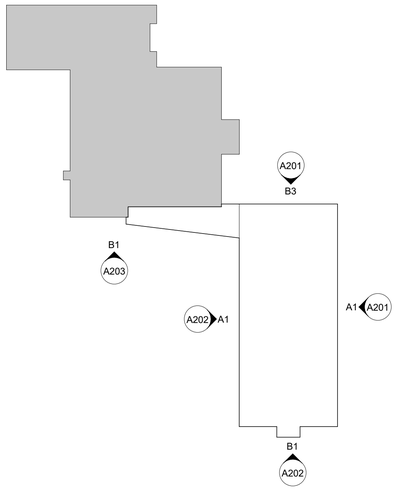
COMPOSITE METAL PANEL -
ALUCOBOND
ALUCOBOND PLUS CLASSIC
BOWTIE BLUE II

SLOPED ROOFING -
CERTAINTEED
LANDMARK ASPHALT SHINGLE
GEORGETOWN GRAY

SLOPED ROOFING ALTERNATE -
FIRESTONE BPCO
UC-6 STANDING SEAM
GALVALUME

EXTERIOR MATERIAL LEGEND

- BRICK
- GLAZED CMU
- METAL PANEL
- SLOPED ROOFING



KEY PLAN

N

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PROJECT NAME:
WEST END PLACE
FAMILY SUPPORT CENTER

PROJECT NO: 31705000

FAMILY AND CHILDREN'S SERVICES
7 SCHOOL HOUSE AVENUE,
WESTMINSTER, MD 21157

PERMIT SET
12/31/2019

MARK	DATE	DESCRIPTION

DWG FILE:

DRAWN BY: Author

CHECKED BY: Checker

BUILDING ELEVATIONS

A202

SHEET _____ OF _____

B1 / A203 SOUTH EXISTING BUILDING ELEVATION

1/8" = 1'-0"

BRICK -
PALMETTO BRICK COMPANY
DARK RED SMOOTH

GLAZED CMU -
ECHELON TRENWYTH
ASTRA GLAZE SW+
SAPPHIRE

COMPOSITE METAL PANEL -
ALUCOBOND
ALUCOBOND PLUS CLASSIC
BOWTIE BLUE II

SLOPED ROOFING -
CERTAINTEED
LANDMARK ASPHALT SHINGLE
GEORGETOWN GRAY

SLOPED ROOFING ALTERNATE -
FIRESTONE BPCO
UC-6 STANDING SEAM
GALVALUME

GENERAL ELEVATION NOTES:

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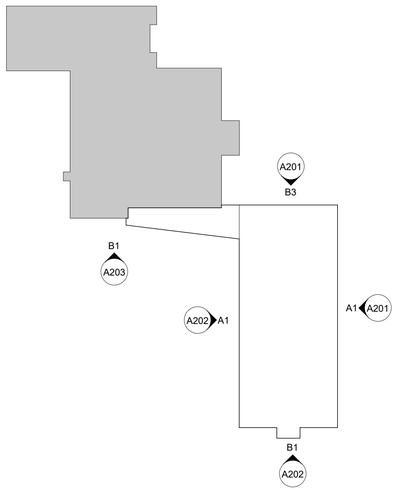
06 - COORDINATE FOUNDATION AND FOOTING HEIGHTS WITH CIVIL AND STRUCTURAL DOCUMENTS

EXTERIOR MATERIAL LEGEND

- BRICK
- GLAZED CMU
- METAL PANEL
- SLOPED ROOFING



KEY PLAN

N

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BALTIMORE, MD 21201
410-576-0440

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PROJECT NAME:
WEST END PLACE
FAMILY SUPPORT CENTER

PROJECT NO: 31705000

FAMILY AND CHILDREN'S SERVICES
7 SCHOOL HOUSE AVENUE,
WESTMINSTER, MD 21157

PERMIT SET
12/31/2019

MARK	DATE	DESCRIPTION

DWG FILE:

DRAWN BY: Author

CHECKED BY: Checker

BUILDING ELEVATIONS

A203

SHEET_____ OF _____

RESOLUTION NO. 19-15

A RESOLUTION REGARDING LOCAL ZONING MAP AMENDMENT NO. LMA 19-02, APPROVING AN APPLICATION FOR THE ESTABLISHMENT OF A COMPATIBLE NEIGHBORHOOD OVERLY DISTRICT UPON CERTAIN PROPERTY LOCATED IN THE CITY'S "R-7,500" RESIDENTIAL ZONE, KNOWN AS 7 SCHOOLHOUSE AVENUE, AND ADOPTING THE ACCOMPANYING WRITTEN DECISION

WHEREAS, the City's Zoning Ordinance is contained in Chapter 164 of the City Code; and

WHEREAS, the Mayor and Common Council of Westminster ("the City") adopted the City of Westminster's 2009 Comprehensive Plan on September 28, 2009; and

WHEREAS, on or about October 25, 2010, the City amended the Comprehensive Zoning Map in certain respects by Ordinance No. 819; and

WHEREAS, on July 10, 2006, the "the City adopted Ordinance 745, to add Article VIII-C to Chapter 164, establishing the CN District to allow creative residential projects in residential districts, which mechanism was intended to allow the Planning and Zoning Commission to review and approve site plans using flexible standards in order to allow unique solutions that would increase housing choice; and

WHEREAS, on March 6, 2019, Family and Children Services of Maryland ("FCS"), the owner of certain property located at 7 Schoolhouse Avenue ("the Property"), with the consent and approval of the Mayor and Common Council of Westminster, the owner of said Property, submitted an application for a Local Map Amendment ("LMA") seeking the designation of the Property as an NC District for the purpose of constructing and maintaining certain additional improvements to enable FCS to expand its services on the site, to provide low- and moderate-income housing for seniors, to provide domestic violence services, and to provide adult daycare; and

WHEREAS, on March 14, 2019, the Planning and Zoning Commission held a public hearing concerning the subject matter, received public comment, and recommended approval of the rezoning, and on April 11, 2019, the Commission met and adopted its Report and Recommendation regarding this matter; and

WHEREAS, on May 13, 2019, the Mayor and Common Council of Westminster held a public hearing on the application for a local map amendment; and

WHEREAS, the Mayor and Common Council of Westminster has determined that the application meets the criteria set forth in the § 164-45.14 and § 164-187 of the City Code; and

WHEREAS, it is the intention of the Mayor and Common Council of Westminster to act favorably upon Local Zoning Map Amendment No. LMA 19-02 for the reasons set forth in the accompanying written decision, which is attached hereto and incorporated herein.

Section 1. Be it resolved by The Mayor and Common Council of Westminster that Local Zoning Map Amendment No. LMA 19-02 is granted and the written decision attached hereto as Exhibit A is adopted.

Section 2. The Property described in the application submitted by Family and Children Services of Maryland, dated March 6, 2019, a copy of which is attached hereto as Exhibit B, is hereby designated a Compatible Neighborhood Overlay District for the purpose of the construction of the project.

Section 3. This Resolution shall take effect immediately upon adoption.

ADOPTED this 22nd day of July, 2019

Shannon Visocsky, City Clerk

APPROVED this 22nd day of July, 2019

Joe Dominick, Mayor

APPROVED AS TO FORM AND SUFFICIENCY
this 21st day of July, 2019.

Elissa D. Levan, City Attorney

Decision of the Common Council of the City of Westminster
In the Matter of the Application of Family and Children Services of Maryland
for the Establishment of a Compatible Neighborhood Overlay District

This matter concerns the application of Family and Children Services of Maryland ("FCS"), through its representative, John Lemmerman, for approval of a Compatible Neighborhood (CN) Overlay District designation for property known as 7 Schoolhouse Avenue, further identified as Tax Map 102, Parcel 1588. The property comprises 1.16± acres and is zoned R-7,500. It is owned by the Mayor and Common Council of Westminster ("the City"), which consents to the rezoning.

The City's Zoning Ordinance is contained in Chapter 164 of the City Code. On July 10, 2006, the Mayor and Common Council of Westminster ("the City") adopted Ordinance 745, to add Article VIII-C to Chapter 164, establishing the CN District to allow creative residential projects in residential districts. The mechanism was intended to allow the Planning and Zoning Commission to review and approve site plans using flexible standards in order to allow unique solutions that would increase housing choice.

Article VIII-C outlines a process whereby a property can be rezoned to CN by the City, after which a site plan would be submitted for review to the Planning and Zoning Commission. The site plan is not directly tied to the zoning approval; however, since the purpose of the overlay zone is to allow for a variety of housing types in the City, some level of information on the intended project, prior to the rezoning, is useful in illustrating how the proposal is anticipated to expand housing choices.

On January 28, 2019, the City adopted Resolution No. 19-03 to provide guidelines for applications related to the CN Zone, pursuant to §164-45.20 E. of the City Code. A copy of the guidelines is included in the record of this matter.

On April 11, 2019, the Planning and Zoning Commission held a public hearing concerning the present matter, received public comment, and recommended approval of the rezoning.

Notice of the hearing before the Common Council was properly published in the *Carroll County Times* on May 12, 2019, and on June 7, 2019. Additionally, a notice of the public hearing was sent by regular mail to adjoining property owners on May 14, 2019; and, on May 15, 2019, a sign with the notice was posted on the property of 7 Schoolhouse Avenue. These notices and postings were provided to meet the notification requirements in Article XXIII of the City Code and the Maryland Open Meetings Act.

Findings of Fact

At the meeting, Mr. William Mackey, Director of Community Planning and Development, stated that FCS is applying as a contract purchaser of the site. Mr. Mackey reviewed the purpose of the public hearing that was brought before the Mayor and Common Council. He summarized that the CN Zone is an overlay zone. The purpose of the CN Zone, when applied to a property, is to allow for a unique project that is not subject to regular setbacks, parking requirements, and other restrictions. This greater design flexibility is to promote creative projects, provide expanded

housing choice, and to meet one or more of the purposes outlined in the City Code for the CN Zone.

Mr. Mackey noted that one of the purposes stated in § 164-45.14 A. (11) is to provide a wide range of houses available to all socioeconomic groups, which could include housing for seniors and temporary housing.

Section 164-45.19 of the City Code contains a compatibility requirement that requires the applicant to show that all uses permitted and developments proposed shall achieve the purposes set forth in § 164-45.14 and be compatible with other uses existing or proposed adjacent to and in the vicinity of the area covered by the proposed development.

West End Place was once a public school; therefore, this property had been used for a public purpose for many years.

Mr. John Lemmerman, a Professional Land Surveyor, on behalf of FCS, opined that 7 Schoolhouse Avenue is a perfect property for the CN Zone; he noted that the purpose of the CN Zone is to provide infill development of land in certain older neighborhoods and to allow new and redevelopment projects which are integrated with the existing character, land use pattern, and infrastructure networks and opined that this project precisely meets those objectives.

Mr. Lemmerman stated that the subject property is located in an historic area. He reviewed the objectives listed in § 164-45.14 of the City Code, and provided comments to each as evidence that the applicant meets the purpose of the CN Zone.

Mr. Lemmerman stated that currently the property is triangular in shape, surrounded by three public alleys, two of which parallel Main Street and Pennsylvania Avenue. The proposal includes an addition that would be added to the existing building. The applicant is not proposing any lots or subdivision; however, 7 Schoolhouse Avenue is in the center of the programs, amenities, and activities that the City can offer for FCS's staff and its clients.

Mr. Lemmerman highlighted the Zoning Ordinance's objective of creating a process which overcomes deficiencies in ordinary planning processes and removes obstacles to development, and noted that, in this case, it is important because of the unique shape of the building. The existing building does not meet the current setback; therefore, a proposed site plan provides challenges. The proposed project is for redevelopment in an existing neighborhood, which does not require extending the infrastructure. The project architect had created plans which would preserve the original historic look of the current building, while adding some modern touches.

Mr. Lemmerman observed that in an effort to address these issues and to receive community feedback, the applicant did a mailing in late May to residents who were on the City's distribution list, provided in the agenda packet. No one from the community attended the meeting.

Mr. Lemmerman acknowledged that the proposed site plan takes away some of the current parking, but stated that, due to the expansion of the building, additional parking will be added in other areas of the property. Additionally, FCS has an agreement with the neighboring church that

provides additional parking for staff. The proposed use will also change the dynamics of traffic, the amount of required parking, and the security of the neighborhood.

F.T. Burden, CEO of FCS, noted that FCS had operated a medical adult daycare and senior living facility for 20 years at this location. The proposed expansion would include domestic violence services and elder abuse prevention. He stated that the onsite parking and the church parking, including the additional agreed upon parking at the church would consist of 39 parking spaces. That agreement does not have an expiration date. Mr. Burden said that he would provide the agreement to the City, and he did subsequently did so.

The facility would be a 24-hour operation; therefore, services would occur at different times throughout the day to accommodate the available parking. Mr. Burden advised that FCS evaluated a 24-hour period, using 12-hour intervals; the result was that 37 parking spots would be occupied during the hours of 8:30 a.m. to 4:30 p.m. and approximately 24 parking spots would be occupied during the evening hours. He noted that this evaluation was done by speaking to staff regarding the programs that would take place on the premises. Mr. Burden noted that not all staff work on the premises; many work remotely from other locations.

FCS has worked closely with the Carroll County Sheriff's Department regarding the security. It has cameras onsite (and has provided video on many occasions to assist others seeking information about suspicious or criminal activity in the neighborhood). Client vehicles are not parked onsite for the security of the clients. He cannot identify the location of the designated parking spots for those vehicles without endangering FCS' clients

Katie Cashman, Deputy Chief of Program Operations for FCS, stated that there are currently 11 staff members onsite; following redevelopment, there will 19 staff members with eight working onsite during each shift.

A number of residents testified that, although they do not oppose the activities of the organization, they believe that 7 Schoolhouse Avenue is an inappropriate location due to parking space deficits, which they believe is causing a significant adverse impact on the their daily lives. They stated their beliefs that parking, traffic and crime will continue to increase if FCS moves forward in expanding its current location. Additionally, because clients of FCS include victims of domestic violence, they feel that the location did not provide adequate protection.

Mayor Dominick clarified that the purpose of the public hearing was for approval of the CN zoning, and the parking issue could be addressed at another time. FCS advised that it is willing to discuss the site plans further, noting that the increase in people at the location and additional security would deter crime rather than attract it. He noted that this is a place for the community and encouraged the community to give FCS an opportunity to educate them on the services that it provides as well as its daily operations.

The record also includes a letter and petition, dated June 6, 2019, submitted by Maybelle Randolph, opposing the development

Conclusions of law

The City's Zoning Ordinance is set forth in Chapter 164 of the City Code. Article VIIIC, "Compatible Neighborhood Overlay Zone", contains the provisions relevant to the present application. Section 164-45.14, "Purposes", of the Code, provides as follows:

It is the purpose of the CN Zone to provide suitable sites for infill development within certain older neighborhoods and to allow new and redevelopment projects which are integrated with the existing character, land use pattern and infrastructure networks of those older neighborhoods.

A. The following objectives are sought in providing for this zone:

(1) To encourage developers to use a more creative approach in the development of land in older neighborhoods;

(2) To encourage more efficient allocation and maintenance of common open space when providing such housing through private initiative;

(3) To encourage variety in the physical development of patterns of such housing;

(4) To encourage creativity in the site design, create housing that is highly accessible to goods and services, and increase consumer choice in housing by providing for a mix of housing types and lot sizes;

(5) To create a process which overcomes deficiencies in ordinary planning processes and removes obstacles not addressed in those processes;

(6) To minimize the cost of extending or expanding public services and facilities by encouraging appropriate development in certain older neighborhoods;

(7) To attract an appropriate mix of land uses;

(8) To encourage development which complements and enhances the character of the area, including its historic resources;

(9) To ensure the developments within this zone possess a desired urban design relationship with one another and adjoining areas;

(10) To provide flexibility in the design and the layout of building structures and to promote a coordinated and integrated development scheme; and

(11) To provide a wide range of houses available to all socioeconomic groups.

Based on the testimony and documentary materials incorporated into the record at the public hearing, the Common Council finds that the objectives set forth in § 164-45.14, subsection (A) are met. The availability of CN Zoning will allow for a more creative use of the subject property than might otherwise be achieved. There is an efficient allocation and maintenance of common open space. The physical development of the site is different from most other development in the City. The property is highly accessible to goods and services, because of its location in a central part of the City. Additionally, it provides a type of housing (protected space for victims of domestic violence and elder abuse) not commonly available in the City. The designation of the site as a CN Overlay zone will overcome deficiencies in the City's ordinary planning processes and remove obstacles not addressed in those processes. The project will minimize the cost of extending or expanding public services and facilities by encouraging appropriate development in an older neighborhood. It will provide a good transitional use between uses. It encourages development of an underutilized parcel, which complements and enhances the character of the area. The project as proposed has a desirable urban design relationship with

adjoining areas. The CN Overlay Zone allows flexibility in the design and the layout of the building's structures and promotes a coordinated and integrated development scheme. Finally, it furthers the goal of providing a housing alternative for certain populations in need of safe shelter.

Section § 164-45.19, "Compatibility," directs that, "All uses permitted and developments proposed shall achieve the purposes set forth in § 164-45.14 and be compatible with other uses existing or proposed adjacent to and in the vicinity of the area covered by the proposed development." This project meets those requirements.

Section 164-187, "Decisions by the Common Council", of Article XXII, "Amendments", provides, in subsection (A), "On any application for a local map or sectional map, the Common Council shall adopt written decisions which shall contain findings of fact in each specific case, including but not limited to the following matters: the purpose of this chapter, population change, availability of public facilities, present and future transportation patterns, compatibility with existing and proposed development for the area, the recommendation of the Commission and the relationship of such proposed amendment to the City's plan; and may grant the amendment based upon a finding that there was a substantial change in the character of the neighborhood where the property is located or that there was a mistake in the existing zoning classification." Applications for overlay zones do not need to demonstrate compliance with the last requirements known as the "change or mistake rule". See, e.g., *Mayor and Council of Rockville v. Rylyns Enterprises, Inc.*, 372 Md. 514 (2002).

Based on the facts set forth above and the facts set forth in the Staff Report from William Mackey, Director of Community Planning and Development, dated June 6, 2019, which is incorporated herein by reference, the Common Council finds that there is no evidence of an undesirable population change in the neighborhood and that an increase in population attributable to the subject development will be moderate and appropriate to the surrounding neighborhood. The Common Council finds that public facilities are or will be available to the project, and the applicant understands that it must obtain water and sewer allocations before building commences. The Common Council finds that present and future transportation patterns are acceptable and will not be adversely impacted by this development and that it is compatible with existing and proposed development for the area. The City's Planning and Zoning Commission recommended approval and the zoning change is consistent with the City's Master Plan.

WHEREFORE, the Common Council grants the rezoning of the property to establish a Compatible Neighborhood Overly District on the subject property.

THE MAYOR AND COMMON COUNCIL OF WESTMINSTER

7/22/19

Date

Gregory Pecoraro, President

Questions about eCode360? Municipal users Join us daily between 12pm and 1pm

§ 164-205 Purpose.

The purpose of this article is to ensure the City that proposed development is in conformity with the intent and provisions of the land use controls and the Comprehensive Plan for Westminster and to avoid inequities and to guide the City in the issuance of building permits.

§ 164-206 Applicability.

The provisions of this article shall apply to any new, expanded or remodeled use within all zones, and no zoning certificate or building permit shall be issued therefor except in accordance with an approved site plan.

§ 164-207 Approval required.

A site plan containing the information set forth in § **164-208** or **164-209** shall be filed with and approved by the Planning Director as provided in § **164-211** prior to the issuance of a zoning certificate.

§ 164-208 Contents of site plan.

[Amended 1-28-2008 by Ord. No. 774]

A. Fifteen copies of the site plan shall be filed with the Planning Director, may cover all or any part of a lot or tract and shall contain the following information, drawn at a consistent scale:

(1) The location of the tract by an insert map at a scale of not less than one inch equals 2,000 feet and such information as the names and numbers of adjoining roads, streams and bodies of water, railroads, subdivisions, election districts or other landmarks, sufficient to clearly identify the location of the property.

(2) A boundary survey of the tract.

(3) A certificate setting forth the source of title of the owner of the tract and the place of record or the last instrument in the chain of title, if such certificate has not been provided with a development plan.

(4) All existing and proposed streets and easements, their names, numbers and widths; existing and proposed utilities; watercourses and their names; the owners, zoning and present use of adjoining tracts if not previously submitted with a development plan; and the Tax Map/parcel number, current zoning, parking required/provided, structure use and plan preparer.

(5) All existing and proposed buildings and their location, size, height and proposed use.

(6) Setback requirements and spaces between buildings.

(7) Signs, their location, size and height.

(8) The location, type and complete dimensioning of vehicular entrances to the site.

(9) The location, type, size and height of fencing, retaining walls, lighting and screen planting where required under the provisions of this chapter.

(10) All off-street parking, loading spaces and walkways, indicating type of surfacing, size, angle of stalls and width of aisles, and a specific schedule showing the number of parking spaces provided and the number required in accordance with Article **XVI**, including connection with adjacent developments and dimensions of landscaped areas and type of curbing.

(11) All locations and sizes of proposed water and sewer installations or proposed additions to existing water and sewer installations, as well as any design features which are unusual or which deviate from normal design practices. The proximity to the nearest hydrant and its area of coverage shall also be shown.

(12) Provisions for the adequate disposition of natural and storm water in accordance with the duly adopted design criteria and standards of the City, indicating locations, sizes, types and grades of ditches, catch basins and pipes and connections to the existing drainage system. Copies of all pertinent calculations and assumptions relative to the storm drainage design, to include the delineation and consideration of the off-site contributing watershed and affected areas, and provisions for sediment control and/or stormwater retention, which are to be incorporated in all phases of construction, shall accompany the site plan submissions for review by the City and the Soil Conservation District.

(13) Existing topography with a maximum of two-foot contour intervals; where the existing ground is on a slope of less than 2%, either one-foot contours or spot elevations where necessary, but not more than 50 feet apart in all directions.

(14) A drainage area map, to a usable scale.

(15) The proposed finished grading by contours supplemented where necessary by spot elevations. All horizontal dimensions shown on the site plan shall be in feet and decimals of a foot to be closest to 1/100 of a foot; and all bearings in degrees, minutes and seconds shall be to the nearest 10 seconds. Closure shall be within acceptable survey tolerances, a minimum of 1:10,000.

(16) A proposed construction schedule. If the project is proposed to be built in phases, the schedule shall specifically identify the timing for each phase. The schedule shall also show the timing for any dedication for utilities, roads, open areas and recreational facilities. The schedule must be approved by the Director and by the Planning Commission as a part of their site plan approval and the approved schedule shall establish the validity period for the entire project, including any phasing.
[Added 10-27-2008 by Ord. No. 788]

B. The Planning Director may also require such other information as the Director deems necessary to comply with the purposes of this section and this chapter.
[Amended 10-27-2008 by Ord. No. 788]

§ 164-209 **Simplified site plan.**

A. Upon the determination by the Zoning Administrator and the Planning Director, with the concurrence of all appropriate agencies, a simplified site plan may be filed by the owner/occupant of a proposed single-family detached dwelling, an accessory building, a temporary use, an addition to or change of use for a commercial or industrial structure or for a special exception use which does not require a building permit in those cases where a field inspection indicates that the scope of the proposed accessory building, addition or special exception use is of such nature that the provisions for the handling of natural and storm water, sediment control, off-street parking, setbacks, water and sewerage and other requirements can be adequately addressed with a simplified site plan. Said site plan may be approved by the Zoning Administrator and the Planning Director upon concurrence of all appropriate agencies, except that approval of industrial use site plans shall be in accordance with other sections of this chapter.

B. The simplified site plan shall contain the following information:

(1) An accurate sketch of the lot drawn to scale.

(2) The present record owner of the property.

(3) A vicinity map.

Applicants shall be required to obtain approval of the detailed site plan from the Planning Director and Commission and comply with the requisites of Article **XXV** of this chapter. Approval of the detailed site plan shall also be subject to the provisions of § **164-198E**, and a detailed site plan shall serve as a preliminary plan.

D. All proposed developments requiring a subdivision shall be required to obtain final plat approval in accordance with §§ **164-199** and **164-200**.

E. For the purposes of this article, a detailed site plan shall contain all of the information required for a site plan as provided in § **164-208**, as well as any other information required in procedures adopted by the Planning Director and approved by resolution of the Mayor and Common Council. Those procedures may also contain guidelines to assist applicants in developing properties under the requirements of this zone.

§ 164-45.21 **Criteria for approval.**

Submission of a detailed site plan commits the applicant to a greater degree of authority by the Commission and Planning Director. In considering such an application, the Commission and the Planning Director shall take into account the extent to which the following goals are met:

A. The optimal density and mix of housing types for the neighborhood is provided. In considering this criteria, the Commission and Planning Director shall consider the following factors when determining the appropriate permitted density:

(1) The specific location of the property in relation to the distribution of existing density and housing types in the area.

(2) The current and maximum potential capacity of the local roadway, water, sewer, and storm drain networks.

(3) The unique character of the property in regard to topography, sight lines, access, valuable environmental features, and the underlying zoning district, and any other factor deemed relevant by the Commission or the Planning Director.

B. The configuration of lots, lot widths, lot coverages, and setbacks are compatible with the character of the neighborhood.

C. The height, orientation, and architectural character of structures are compatible with the neighborhood's housing stock. The Commission and Planning Director shall approve architectural elevation drawings of all street-facing facades as part of the application. The Commission and Planning Director may require certain materials, architectural treatment, and locations of windows and doors for these facades in accordance with the established architectural vernacular in the neighborhood.

D. The development is served with safe, efficient, and adequate pedestrian and vehicular networks.

(1) The existing pedestrian and vehicular networks shall be seamlessly extended through the site whenever possible. The widths and corner radii of streets, alleys, sidewalks, and paths shall be specified by the Commission or the Planning Director.

(2) The number of parking spaces required and the locations, dimensions, and setbacks of parking areas shall be determined by the Commission and the Planning Director. In all cases there shall be a minimum of one parking space per dwelling unit. The Commission or Planning Director may require parking to be satisfied through any combination of on-site parking, on-street parking, and off-site parking guaranteed through long-term lease agreements or easements. In no case shall the number of parking spaces required exceed the requirements specified in § **164-111**.

(3) If the Planning Director determines that the size, configuration or other physical characteristic of the site of the planned use makes it impossible for the user to provide adequate on-site parking thereby creating a hardship, the Planning Director may, in the Planning Director's discretion, upon application from the

applicant, allow a reduction in the number of spaces; provided, however, that the applicant shall pay the City a one-time benefit assessment charge as provided in the General Fee Ordinance.[1]

[Amended 11-24-2008 by Ord. No. 792]

[1] *Editor's Note: See Ch. A175, Fees, Art.II, General Fees.*

E. The project accounts for and implements the recommendations of adopted comprehensive and neighborhood plans.

§ 164-45.22 **Action and findings.**

A. The Commission and Planning Director shall approve, subject to conditions, or disapprove the application for a detailed site plan and notify the applicant in writing.

B. In considering an application for a detailed site plan, the Commission and Planning Director shall consider whether the application and the detailed site plan fulfill the purposes and requisites set forth in this article. In doing so, the Commission and Planning Director shall make the following specific findings, in addition to any other findings which may be found to be necessary and appropriate to the evaluation of a proposed detailed site plan:

(1) That the proposed development would comply with the purposes, standards and regulations of the CN Zone, would provide the maximum safety, convenience and amenity to the residents of the development and would be compatible with adjacent development. In making that determination, the Commission and Planning Director shall consider the location, size and design of buildings, signs, other structures, open spaces, landscaping, pedestrian and vehicular circulation systems, parking and loading areas.

(2) Each structure and use, in the manner proposed, is compatible with other structures and uses in the proposed development and with existing and proposed adjacent development.

§ 164-45.23 **Validity and amendments.**

A. An approved detailed site plan or amendment thereof shall remain valid for a period of one year from final plat approval. An applicant may petition the Planning Director and Commission for up to a four-to-six-month extension with a showing of extraordinary circumstances.

B. An approved detailed site plan may be amended upon application by the developer, the property owner, the Commission or the Planning Director. Any application for an amendment to an approved detailed site plan shall be filed with the Planning Director and subject to all of the procedures and requirements contained in this chapter pertaining to the CN Zone, except as provided in Subsection **C**. The Commission and the Planning Director shall approve, approve with modifications or disapprove the application for amendment of an approved detailed site plan.

C. The Planning Director is authorized to approve applications for minor amendments to a detailed site plan to allow for the construction of decks, porches or other small additions. The Planning Director, in the Planning Director's discretion, may determine that the application requires the review and approvals provided in Subsection **B**.

D. The Commission and Planning Director may modify the requisites for minimum street and right-of-way widths provided in § **164-194** where they determine that there are extraordinary circumstances relating to the proposed development.

§ 164-45.24 **Appeals.**

Any person aggrieved by any decision of the Commission or Planning Director, or any taxpayer or any officer, department head, board or bureau of the City may appeal the same to the Circuit Court for Carroll County. Such appeal shall be taken in accordance with applicable provisions of the Maryland Rules that are in effect at that time.

§ 164-113 Location and landscaping.

Every off-street parking area, except where the public street is the approved drive aisle, for more than five vehicles shall be located at least five feet from any public walkway, 10 feet from any street or curb and five feet from every residential lot line. The edges of the parking area shall be curbed or buffered, and the space between the parking area and street or lot line shall be landscaped and maintained in a sightly condition. Where adjoining a street, such landscaping shall consist of grass and low shrubs or ornamental trees. Where adjoining a residential lot, it shall include a hedge of sufficient type and height, not less than 30 inches, to protect and screen the adjoining property. If an ornamental wall or fence is installed in lieu of such hedge and accomplishes the same purpose, then the five-foot strip may be reduced to three feet. In parking areas containing 12 or more parking spaces, the total area of said parking area shall be a minimum of 10% of landscaped islands. Said landscaped islands shall be planted with a minimum of one two-and-one-half-inch-caliper shade tree for each 350 square feet of such island.

§ 164-114 Maintenance and lighting.

A. Any off-street parking area, including any commercial parking lot, for more than five vehicles shall be surfaced or kept treated in such a manner as may be necessary to prevent any dust or nuisance to the neighboring property or the general public and shall be so arranged and marked as to provide for orderly and safe loading or unloading and parking and storage of self-propelled vehicles.

B. Adequate lighting shall be provided for all parking facilities used at night. Lighting of off-street parking facilities shall be installed and maintained in a manner not to reflect or cause glare into abutting or facing residential premises nor to cause reflection or glare which adversely affects safe vision of operators of vehicles moving on roads and highways.

§ 164-115 Design standards.

A. Approval. Designs and plans for areas to be used for automobile off-street parking, including but not limited to the design of aisle widths, stall lengths and widths, turning radii, flow patterns and paving, shall be subject to approval by the Planning Director in accordance with the purposes and requirements set forth in this section and Article **XXV** of this chapter.

B. Objectives of designs and plans. Said designs and plans shall accomplish the following objectives:

(1) The protection of the health, safety and welfare of those who use any adjoining land or public road that abuts a parking facility. Such protection shall include but shall not be limited to the reasonable control of noise, glare or reflection from automobiles, automobile perimeter, landscaping, plantings, walls, fences or other natural features or improvements.

(2) The safety of pedestrians and motorists within a parking facility.

(3) The optimum safe circulation of traffic within the parking facility and the proper location of entrances and exits to public roads so as to reduce or prevent traffic congestion.

(4) The provision of appropriate lighting, if the parking is to be used after dark.

C. Arrangement and marking. All off-street parking areas shall be arranged and marked so as to provide for orderly and safe loading, unloading, parking and storage of vehicles. All nonparallel parking spaces shall be striped to indicate parking areas. Standard parking spaces less than 10 feet in width shall be double-striped between each space to indicate the car width. Compact parking spaces shall be striped around their entire perimeter. Individual parking spaces shall be clearly defined, and directional arrows and traffic signs shall be provided as necessary for

Zoning Application Number: _____

Application for Administrative Adjustment

 CITY OF WESTMINSTER, MARYLAND

Application for Hearing

In accordance with the provisions of Chapter 164-Zoning of the Westminster City Code, application is made for administrative adjustment to the Director of Planning and Public Works as follows:

APPLICANT: Terrice Stevens PHONE: (410) 409 7293

APPLICANT ADDRESS: 61 Madison Street, Westminster, MD 21157

OWNER (if other than applicant): Celebration Temple of God Inc.

OWNER ADDRESS: 67 Madison Street, Westminster MD 21157

SUBJECT PROPERTY ADDRESS: 67 Madison Street, Westminster MD 21157

PROPERTY IDENTIFICATION: MAP 104 PARCEL 422 LIBER ____ FOLIO ____

Nature of Request

Current Zoning Of Property: _____ Zoning Ordinance Basis of Request: §_____

Current Use of Property: _____ Acreage of Property: _____

The applicant requests the following adjustment(s) as marked:

- ☐ Local Height Requirements
- ☐ Local Setback Requirements
- ☐ Local Bulk Requirements
- ☐ Local Parking Requirements
- ☐ Local Loading Requirements
- ☐ Local Area Requirements
- ☐ Local Dimensional Requirements

Description of Request in Detail: The Celebration Temple of God does not have a back yard.

Terrice Stevens
Signature of Applicant

05/06/2020
Date

Continued on Page Two →

Application for Administrative Adjustment

CITY OF WESTMINSTER, MARYLAND

APPLICANT: TERRICE STEVENS

ADJOINING (CONTIGUOUS) PROPERTY OWNERS:
(Including adjacent property owners on opposite side of streets or roads)

Name: Paul J. Wilhelm
Penny A. Wilhelm
Address: 140 Westminster Ave
Westminster MD 21157

Name:
Address:

Name: Randy C. Green Jr
Address: 21 East George Street
Westminster MD 21157

Name:
Address:

Name:
Address:

Name:
Address:

Name:
Address:

Name:
Address:

Name:
Address:

Name:
Address:

I understand that the above information is required for the processing of my case and I hereby certify the list of contiguous property owners and their addresses:

Terrice Stevens
Signature of Applicant

05/06/2020
Date

Case Number Assigned: #
Date of Hearing: ___/___/___
Newspaper Advertisement:
Property Posted:
Zoning Certificate Number: #

Date Filed: ___/___/___
Application Fee Received:
Decision:
Date Decision Rendered: ___/___/___

To: Mark A. Depo, Director of Community Planning and Development

From: Andrea Gerhard, Comprehensive Planner

Hearing Date: June 16, 2020

Subject: Administrative Adjustment Case #AA 20-02 Staff Memo

Request: An application by The Celebration Temple of God, the property owner (Applicant), is requesting approval of an Administrative Adjustment to the setback requirements of Zoning Ordinance Section 164-147 (A). The Administrative Adjustment will be to allow for a storage shed in a side yard.

I. History and Facts

On May 7, 2020, an application was submitted to the Department of Community Planning and Development, for one administrative adjustment at 67 Madison Street, hereinafter the "Property". The Property is zoned R-7,500 Residential. The Maryland State Department of Assessments and Taxation online records indicate the Property is owned by The Celebration of God Church.

II. Notice

On May 31, 2020, a Notice of Hearing appeared in the Carroll County Times. On June 2, 2020, the property was posted with a Zoning Notice sign and a Notice of Hearing was sent to the property owner and adjoining property owners. On June 10, a copy of the agenda was posted on the City's website. These notices were provided to meet the notification requirements set forth in the Maryland Open Meeting Act and Section four of the Administrative Adjustment Procedures, as contained in Resolution No. R03-9.

III. Authorization

Pursuant to Maryland Code Annotated, Land Use Article, Division 1, Single Jurisdiction Planning and Zoning, Title 4, Zoning, Subtitle 2, Designation and Adoption, Section 4-205 and the City of Westminster Zoning Ordinance Section 164-158.1 A. (1), "…the Planning Director is authorized to grant administrative adjustments from the following requirements contained in this chapter:

(a) Local height requirements;
(b) Local setback requirements;
(c) Local bulk requirements;
(d) Local parking requirements;
(e) Local loading, dimensional, or area requirements; or
(f) Similar local requirements.

The Planning Director may grant an administrative adjustment in cases where the strict compliance with the requirements of this chapter would result in practical difficulty or unreasonable hardship which has not been caused by the applicant.

IV. Proposal

The Celebration of God Church applied in August 2019 for a storage shed to be located on their property. The Church faces two streets, Madison Street and East George Street. For review purposes, the Church has two front yards and two side yards. Zoning Ordinance Section 164-147 (A). requires that an accessory structure be in a back yard and prohibited a side yard. The Applicant is requesting an Administrative Adjustment to allow for a storage shed to be located in a side yard.

V. Process

On July 14, 2003, the Mayor and Common Council adopted Resolution R03-9 that contains Administrative Adjustment Procedures. Under Section five of the Procedures, the Director may consider the factors set forth in Zoning Ordinance Section 164-161 A (3), originally related to the Board of Zoning Appeals and which are as follows:

Administrative Adjustment to the setback requirements of Zoning Ordinance Section 164-147 (A).

Such administrative adjustment shall be authorized by the Director only upon a finding by the Director as follows:

1. There are exceptional or extraordinary circumstances or conditions applying to the property in question or to the intended use of the property that do not apply generally to other properties or classes of uses in the same zone;

   The Applicant states, the Celebration Temple of God is in need of a 18' x 34' storage shed in order to store items such as folding chairs, tables, etc. when not in use. The City of Westminster required a land survey for 67 Madison Street, in order to determine setback requirements for the shed. The survey was provided. it was determined that, due to the unique boundary layout that was created when the Church acquired the Property and the adjoining property, 61 Madison Street, that the site technically did not have a backyard. As the City prohibits sheds on side yards, a variance [administrative adjustment] is requested to allow the shed in this extraordinary case.

2. Such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same zone and in the same vicinity; and

   The Applicant states, the property adjacent to the Property is owned by the Church and the resident is the Church's pastor. Neighbors in the vicinity have been overwhelmingly supportive of the Church's plans, and the shed places no discernible impact on the preservation and enjoyment of neighbor's property rights.

3. The authorizing of such variance will not be of substantial detriment to adjacent properties and will not materially impair the purpose of this chapter or the public interest.

   The Applicant states, as noted, the adjacent property is Church property, however, neighbors in the vicinity shall not be affected, materially or otherwise, by the Church's planned storage shed.

VI. Findings of Facts and Conclusions of Law

Staff recommends that the Director consider the following as findings of fact and conclusions of law:

Finding 1

The site is unusually configured with two front yards and two side yards.

Conclusion

This irregular lot configuration represents an exceptional condition for this property, which do not apply generally to other properties in the same zone. This scenario is an example of the kinds of hardship that are widely recognized as legitimate bases for granting variances. By citing Zoning Ordinance Section 164-161 A (3), City Code directs attention to the variance process as a model.

Finding 2

The adjacent property is also owned by the Church.

Conclusion

The property that will be closest to the proposed shed is owned by the Church. This is the property that would have the greatest, if any, impact from the location of the shed.

Finding 3

Pending the outcome of the hearing on June 16, 2020, the Applicant is claiming that there are no known detriments to adjacent properties, nor any known impairments to the purpose of the Code or the public interest. It should be noted that the adjoining property owners, according to the narrative submitted by the applicant, have been very supportive towards this application.

Conclusion

Authorizing these adjustments would not result in the aforementioned detriments or impairments.

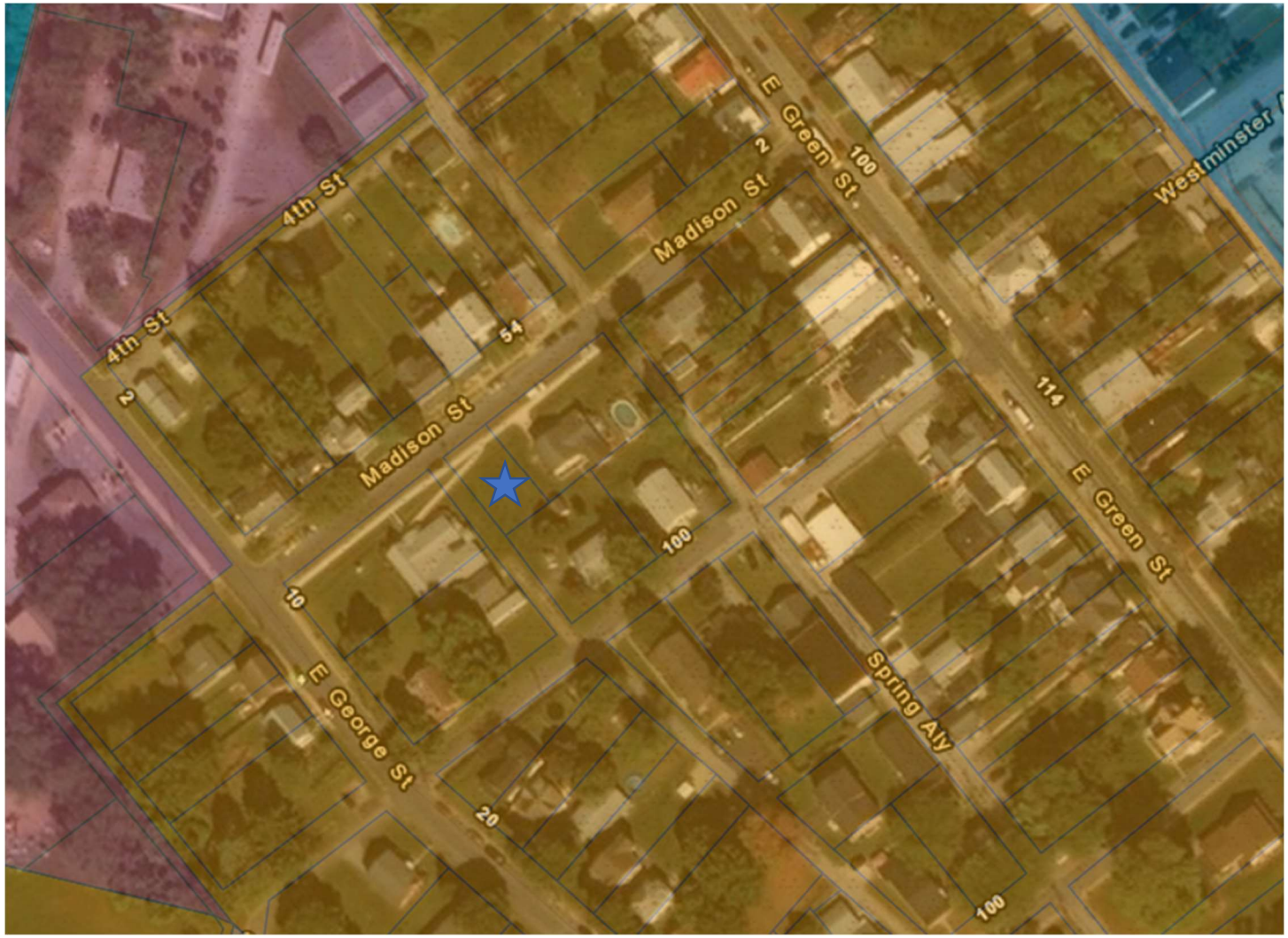
VII. Recommendation

Staff recommends approval of Administrative Adjustment AA 20-02, per § 164-158.1 of the City Code.

Attachments
Site location aerial map
Zoning Ordinance relevant to the Administrative Adjustment

cc: Barbara B. Matthews, City Administrator Elissa D. Levan, City Attorney

Proposed Shed Location



Proposed Shed Location

abutting minor road to street or 30 feet in the case of a major street. These minimums shall also apply to the side of a corner lot.

B. In computing the depth of a rear yard or the width of a side yard where the rear or side yard opens on an alley, 1/2 of the alley width may be included as a portion of the rear or side yard, provided that no buildings shall be located within five feet of an alley line.

C. The side yard width may be varied where the side wall of a building is not parallel to the side lot line or is broken or otherwise irregular. In such case the average width of the side yard shall not be less than the otherwise required least width; provided, however, that such side yard shall not be narrower at any point than 1/2 the otherwise required least width.

D. A corner lot shall have two front yard setback lines.

§ 164-146 **Height exceptions.**

[Amended 12-8-1997 by Ord. No. 624]

A. Building height limitations shall not apply to water tanks, barns, windmills, silos or other accessory farm structures; or to belfries, steeples, spires, electric or transforming or switching equipment, radio, television or radar towers, chimneys or smokestacks, flagpoles, fire or observation towers, cupolas, domes, monuments or roof structures for housing stairways or elevators; or to tanks, ventilating fans, air-conditioning equipment required to operate and maintain the building. No roof structure shall have a total area greater than 25% of the roof area, nor shall such structure be used for any purpose other than a use incidental to the main use of the building. The building height limitations contained in § **164-139.1** shall apply to telecommunications facilities.
[Amended 10-26-1998 by Ord. No. 631]

B. Any college or university building or administration, student center, dormitory, classroom, place of worship, lecture hall, laboratory, theater, or such type of building related to the educational function of the college or university, constructed on the campus may not exceed a height equal to the height of the tallest building existing on campus as of July 1, 1997; buildings for commercial purposes not principally related to the educational function of the college or university, regardless of ownership of the building or land, shall conform to the height restrictions of the zoning district in which they are located.
[Amended 5-13-2019 by Ord. No. 910]

§ 164-147 **Accessory buildings.**

A. Accessory buildings shall be confined to rear yards, except as may hereinafter be otherwise provided in this chapter.

B. Accessory buildings shall be at least eight feet in distance from alley lines and from lot lines which are adjoining lots in any residential zone.

C. In any residential zone where a corner lot adjoins in the rear a lot fronting on the side street and located in a residential zone, no part of any accessory building on such corner lot shall be nearer the side street lot line than the minimum front yard requirement along such side street for a dwelling on such adjoining lot. In no case shall any part of such accessory building be nearer to the common lot line than the minimum side yard requirement for the principal building to which it is accessory.

D. Notwithstanding the provisions of Subsection **B** above, storage sheds not in excess of 150 square feet of floor space and not in excess of one story in height may be located on rear and/or side lot lines of single-family attached dwellings and multiple-family dwellings. Such storage sheds may not be utilized for the storage of motor vehicles.

E.

Notwithstanding the provisions of Subsection **B** above, a residential garage which is a portion of a main building or is attached to a main building may be located anywhere on a lot, provided that the garage is within the rear, side and front yard requirements of the zone within which the lot is classified.

F. Notwithstanding the provisions of Subsection **B** above, a residential garage which is not a portion of a main building nor is attached to a main building may be located anywhere to the side or rear of the main building, provided that the garage is within the side yard requirements of the zone within which the lot is classified and is at least five feet in distance from the rear lot line of said lot, unless access to the garage is from an existing alley or street which abuts the rear lot line, in which case the setback shall be eight feet from the rear lot line.

§ 164-148 **Off-street parking and loading.**

In every zone, spaces for off-street parking and for loading and unloading of vehicles shall be provided in accordance with the requirements of Article **XVI**.

§ 164-149 **Automobile service stations.**

A. An automobile service station may be permitted upon a finding by the Board, in addition to the findings required in Article **XXII** of this chapter, that:

(1) The use will not constitute a nuisance because of noise, fumes, odors or physical activity in the location proposed.

(2) The use at the proposed location will not create a traffic hazard or traffic nuisance because of its location in relation to similar uses, necessity of turning movements in relation to its access to public roads or intersections or its location in relation to other buildings or proposed buildings on or near the site and the traffic pattern from such buildings or by reason of its location near a vehicular or pedestrian entrance or crossing to a public or private school, park, playground or hospital or other public use or place of public assembly.

(3) The use at the proposed location will not adversely affect nor retard the logical development of the general neighborhood or of the industrial or commercial zone in which the station is proposed, considering the service required, the population, character, density and number of similar uses.

(4) The evidence of record establishes that for the public convenience and service a need exists for the proposed use due to an insufficient number of similar uses presently available to serve existing population concentrations in the City and that the use at the location proposed will not result in a multiplicity of proposed uses. In the absence of convincing evidence to the contrary, the following shall constitute lack of probability of a reasonable public need:

(a) An automobile service station within one mile on the same side of the road, except at intersections.

(b) The presence of two service stations within the four quadrants of an intersection, including 1/2 mile from the center of the intersection in any direction.

(5) The proposed use will be conducted upon a lot having a minimum area of 20,000 square feet, provided that this size is adequate to meet the necessary services and the setback and buffering requirements, and a minimum lot frontage of 120 feet on a public road shall be required for each automobile service station site.

(6) The lot shall contain landscaping on a minimum of 10% of the site area.

B. In addition, the following requirements shall be met:

(1) When such abuts a residential zone or institutional premises not recommended for reclassification to commercial or industrial zone on an adopted Master Plan and is not effectively screened by a natural terrain feature, the use shall be screened by a solid wall or a substantial, sightly, solid fence not less than five feet in