



DEPARTMENT OF PLANNING & ZONING
COMPREHENSIVE PLANNING | LAND PRESERVATION | FOREST CONSERVATION | GIS

AGENDA

WASHINGTON COUNTY PLANNING COMMISSION

March 1, 2021, 7:00 PM

VIRTUAL MEETING ONLY

Access to County buildings is currently restricted due to the Governor's State of Emergency declaration due to the COVID-19 pandemic. Therefore, the general public may not attend the physical meeting but will have access to the meeting through the County's Facebook live stream or the Washington County Commissioners' YouTube channel.

CALL TO ORDER AND ROLL CALL

MINUTES

1. January 25, 2021 Planning Commission Workshop minutes *
2. February 1, 2021 Planning Commission regular meeting minutes *

OTHER BUSINESS

1. Request to remove Rural Business overlay at 14025 Greencastle Pike – Jill Baker *
2. **Update of Staff Approvals** – Ashley Holloway

ADJOURNMENT

UPCOMING MEETINGS

1. Monday, March 15, 2021, 6:30 p.m. – Washington County Planning Commission Workshop
2. Monday, April 5, 2021, 7:00 p.m. – Washington County Planning Commission regular meeting

**a t t a c h m e n t s*

The Planning Commission reserves the right to vary the order in which the cases are called. Individuals requiring special accommodations are requested to contact the Washington County Planning Department at 240-313-2430 to make arrangements no later than 10 working days prior to the meeting. Notice is given that the Planning Commission agenda may be amended at any time up to and including the Planning Commission meeting.

100 West Washington Street, Suite 2600 | Hagerstown, MD 21740 | P: 240.313.2430 | F: 240.313.2431 | TDD: 7-1-1

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DEPARTMENT OF PLANNING & ZONING
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February 17, 2021

Case #: RZ-21-002

**Application for Map Amendment
Staff Report and Analysis**

Property Owner(s)	:	Frank & Katherine Murray
Applicant(s)	:	same
Location	:	14025 Greencastle Pike
Election District	:	#13 – Maugansville
Comprehensive Plan	:	
Designation	:	Rural Village
Zoning Map	:	23
Parcel(s)	:	67
Acreage	:	1.50 acres
Existing Zoning	:	Rural Village (RV) with a Rural Business (RB) Floating Zone
Requested Zoning	:	Rural Village
Date of Meeting	:	March 1, 2021

Background and Findings Analysis:

Location and Description of Subject Properties

The subject parcel is located in the Southeast quadrant of intersection of Greencastle-Williamsport Pike (MD 63) and Cearfoss Pike (MD 58). The property is currently improved with a large structure that includes a residence and former commercial area. It has an irregular rectangular shape consisting of 1.5 acres. The property is relatively flat and has no defined sensitive areas, delineated historic resources or significant forest area.

The property is located outside of the designated Urban Growth Area and within the Rural Village of Cearfoss.

Staff Analysis:

The applicant is requesting a full termination of the Rural Business Floating Zone on property located at 14025 Greencastle Pike. With the removal of the floating zone from the 1.50 acre parcel, the underlying zoning of Rural Village would be re-activated as the governing zoning district. The owners are seeking the removal of the RB floating zone because they are no longer interested in pursuing commercial activities on the site. They


would like to convert the structure to be fully residential and divided into a two-family dwelling.

Regulations regarding the application and removal of floating zone districts are different than those that must be followed in the change of the more familiar Euclidean zoning districts. Amendments to Euclidean zoned properties require the applicant to prove that there has been a change in the character of the neighborhood since the last comprehensive rezoning or that there was a mistake in the zoning of the property during the last comprehensive rezoning. Properties that are assigned floating zone districts are not required to meet the test of the “change or mistake rule”. Instead, specific regulations are established for those districts that applicants must follow to either apply or remove the floating district. In this specific case the Rural Business floating zone removal is governed by Section 5E.8 of the Zoning Ordinance. There are no specific criteria to evaluate for the proposed removal of the RB floating zone. The guidelines simply state that the floating zone may be removed completely or partially by the County Commissioners after Planning Commission review and recommendation. A public hearing is not required.

Recommendation:

This request does conform to the policies of the Comprehensive Plan which delineates this parcel in the rural village land use policy area. With the underlying zoning of Rural Village reinstated, the use proposed by the applicant is consistent with the policies of the land use plan and the County zoning ordinance. Staff recommends approval of the application.

Respectfully Submitted,


Jill Baker
Director

February 6, 2021

Frank, Sr & Katherine Murray
5354 Red Mulberry Way
Frederick, MD 21703
ph# 240-409-0266
flmurray61@gmail.com

Planning Commission
100 West Washington Street
Suite 2600
Hagerstown, MD


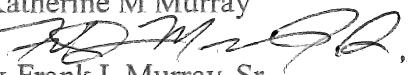
Good-day,

My wife & I own the property;
14025 Greencastle Pike, Hagerstown, MD 21740.
It is located at the intersection of Greencastle Pike & Cearfoss Pike

According to my inquiries with Director Jill Baker, this property is currently listed as a 'Residential Property with a Commercial Floating Overlay'.

We would like to remove the 'Commercial Floating Overlay' & list the property as a 'Two Family Residential'.

Thank you for your consideration in this matter.

Best regards,
 2/6/2021
Katherine M Murray

& Frank L Murray, Sr



14025 Greencastle Pike

Applicant
Katherine Murray

Location
14025 Greencastle Pike

Present Zoning
Rural Business

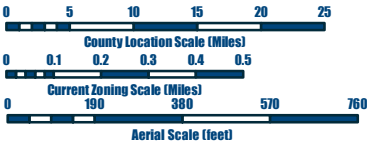
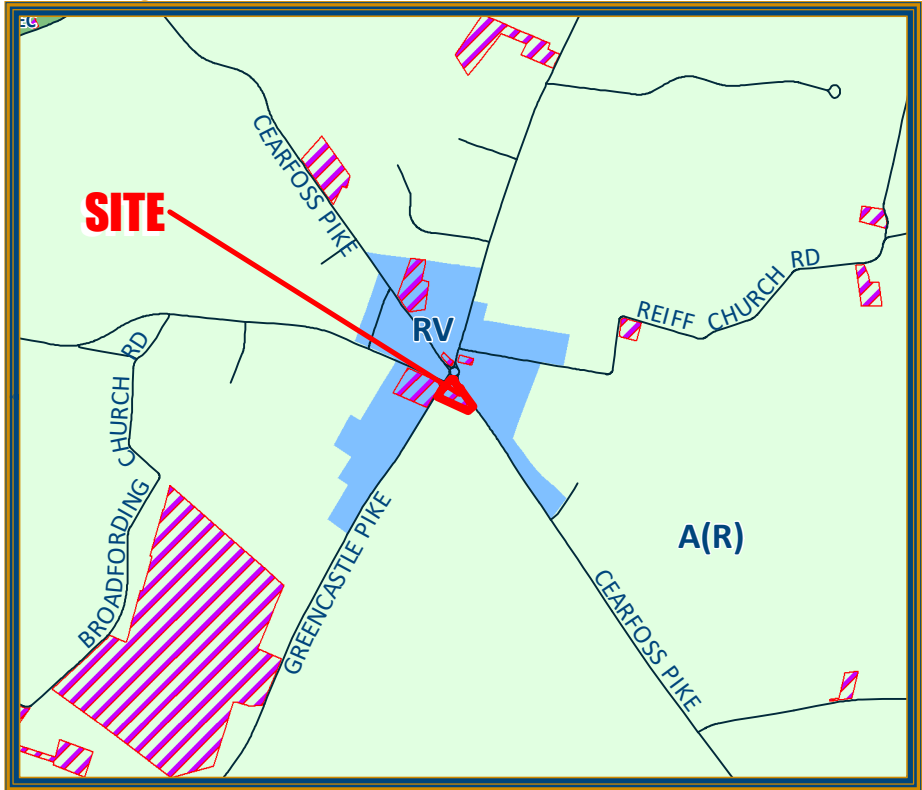
Acreage
1.50 acres

Map/Parcel
Map 23, Parcel 67

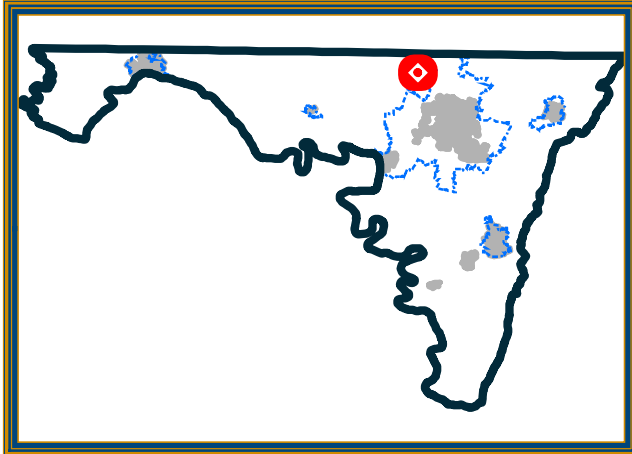
Legend

- Roads
- Rezoning Site
- Growth Areas
- Rural Business
- A(R)
- RV
- RT
- EC
- County Boundary

Current Zoning



County Location



Aerial (2015 NAIP/USDA)

