

**2018 ANNUAL REPORT OF THE PLANNING AND  
ZONING ACTIVITIES OF THE TOWN OF BOONSBORO**



*Prepared by Ethan Strickler, Town Planner/Zoning Administrator/Code Enforcement Officer*



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## **INTRODUCTION**

The purpose of the Annual Report is to summarize the activities of the Planning & Zoning Department for the year and to help establish future goals and recommendations for the department. The report is developed in accordance with the Land Use Article, §1-207 of Maryland State Code to assist both the citizens of the Town of Boonsboro and the Officials of the Town, including Mayor & Council, the Planning Commission and Board of Zoning Appeals in evaluating the performance of the Department, determining growth patterns, and planning the future of the Town.



## **ADMINISTRATION**

### **Boards and Commissions**

The Town of Boonsboro has two appointed boards/commissions that are charged with upholding the Regulations and Codes of the Planning & Zoning Department.

- The Planning Commission hears applications for subdivisions and site plans, and makes recommendations on variance and special exception requests, as well as implements and updates the recommendations of the Comprehensive Plan.
- The Board of Zoning Appeals hears and decides cases of requests for variances and special exceptions. The Board also hears appeals of decisions made by the Zoning Administrator and Planning Commission.

The Planning Commission is comprised of seven members who serve five-year staggered terms and one Mayor and Council liaison appointed by the Mayor. The Commission meets the fourth Tuesday of the month and as necessary. The Commission's meetings sometimes include special joint meetings with the Mayor and Council on rezoning issues, and special joint meetings with the Utilities Commission regarding water and sewer infrastructure planning. The Commission meetings are held in the Town Hall Annex, located at 21 North Main Street.

The Board of Zoning Appeals is comprised of five members and two alternates who serve three-year staggered terms. The Board of Zoning Appeals meets every third Tuesday as necessary in the Town Hall Annex.

The names of the members of these boards, meeting dates, attendance records, and the member term expirations can be found in Appendix A.

### **Staff**

As of early 2019, Ethan Strickler is the Town Planner, Zoning Administrator, and Code Enforcement Officer for the Town. He is responsible for handling all activities related to land use within the Town of Boonsboro. However, during the 2018 calendar year, Megan Clark, who was the Town Manager at the time, was responsible for most Planning, Zoning, and Code Maintenance functions within the Town from January until March, while Ethan was responsible for these functions, roles, and responsibilities from April through the end of the year.



## **Office Hours**

The Planning and Zoning Department is located on the second floor of Town Hall and is open from 8 a.m. - 4:30 p.m. Monday through Friday.

## **Fees**

The Planning and Zoning Department collects review fees for all applications, including but not limited to those for permits, subdivision reviews, zoning amendments, entrance permits, and annexations.

Seventy-five percent of building permit review fees go to Washington County for the processing and inspection of the town's building permits. The total revenue of the Planning, Zoning, and Engineering Department in 2018 was \$30,387.30 (*\$18,841.60 for County Building Permits, \$1,465.00 for Driveway Permits, \$890.40 for Town Building Permits, \$550.21 for Sign Permits, \$825.00 for Zoning Permits, \$1,230.00 for Zoning Appeals, \$81.09 for Chicken Coop Permits, and \$6,504.00 for Development Review Applications*), mostly due to new development. \$14,131.20 of this revenue was sent to Washington County for processing and inspection of the Town's Building Permits, so the revenue after this County remittal was \$16,256.10.

Appendix B provides a breakdown of all the fees collected.



## SUMMARY OF ACTIVITIES

### Overview

The Planning and Zoning Department processes all applications relating to land use, including but not limited to those for buildings, subdivisions, commercial uses, signs, road entrances, and property maintenance. The department also keeps and maintains records that are available to the public. The following sections are broken down into categories based on the type of applications:

### Major Subdivisions / Commercial Site Plans / Other Development Review Applications

In 2018, the Planning Commission heard several applications for consideration:

- **BNCP 18-01**, High's Convenience Store: Concept Plan Reviewed for a commercial building on Lot 1 of the Easterday property (at the intersection of Alternate-40 and Route 67)
- **BNAB 18-01**, Sycamore Run As-Built Review: As-Built reviewed for Requested Bond Reductions for Phases I and II of the Sycamore Run Development.
- **BNSP 18-01**, Sycamore Run, Plan Change II: Sycamore Run Plan Change for new drainage pattern and removal of retaining wall near Monument Drive. **APPROVED** by the Planning Commission at their May 2018 meeting.
- **BNSP 18-02**, Site Plan Application for Tri-County Pumps Building Addition and Parking: Given **CONDITIONAL APPROVAL** by the Planning Commission at their September 2018 meeting with sidewalk construction as the condition for approval.
- **BNCP 18-02** and **BNCP 18-02(rev)**, Concept Plan for Fletcher's Grove Phase III: Concept Plan for 53 Single Family Lots (original) and 12 Single Story Duplex Lots (revised) in the Fletcher's Grove neighborhood near Burton Way and Chase Six Blvd.
- **BNRZ 18-01** and **BNRZ 18-01(rev)**, Map Amendment Application for Re-Zoning on the Preserve at Fox Gap, LLC Property (at the intersection of Alternate-40 and Route 67, formerly known as the Easterday property). The Planning Commission held a Public Hearing for the Map Amendment request at their December 2018 meeting, but did not forward a recommendation to the Mayor & Council until calendar year 2019.

### Minor Subdivisions

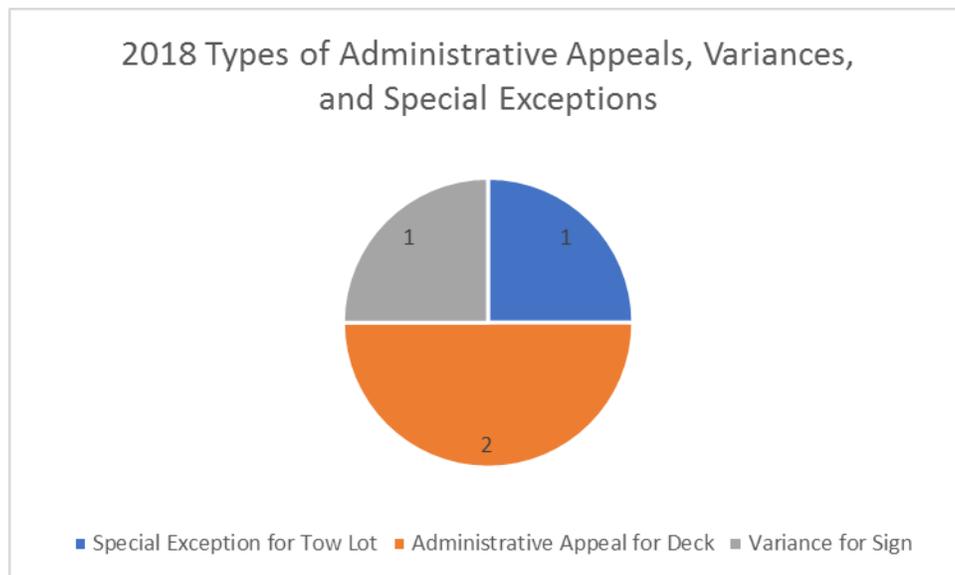
There was one minor subdivision applications in 2018.



**BNMP 18-01**, Easterday Lot 6, Re-Adjustment of the Commercial Lot Lines and the creation of one new commercial lot at the Easterday Property (at the intersection of Alternate-40 and Route 67), **APPROVED** by the Planning Commission at their January 23<sup>rd</sup>, 2018 meeting.

### **Variances, Special Exceptions, and Administrative Adjustments**

The Planning Commission and Board of Zoning Appeals each considered applications for variances, special exceptions, and administrative adjustments. The following is a breakdown of the type of requests considered for 2018.



### **Zoning and Subdivision Text Amendments**

There were no amendments to the Zoning Ordinance or Subdivision Regulations in 2018.

No Ordinances or Resolutions passed during the 2018 calendar year had a direct impact on the Planning & Zoning Department.

### **Rezoning**

There was one rezoning application heard in 2018.

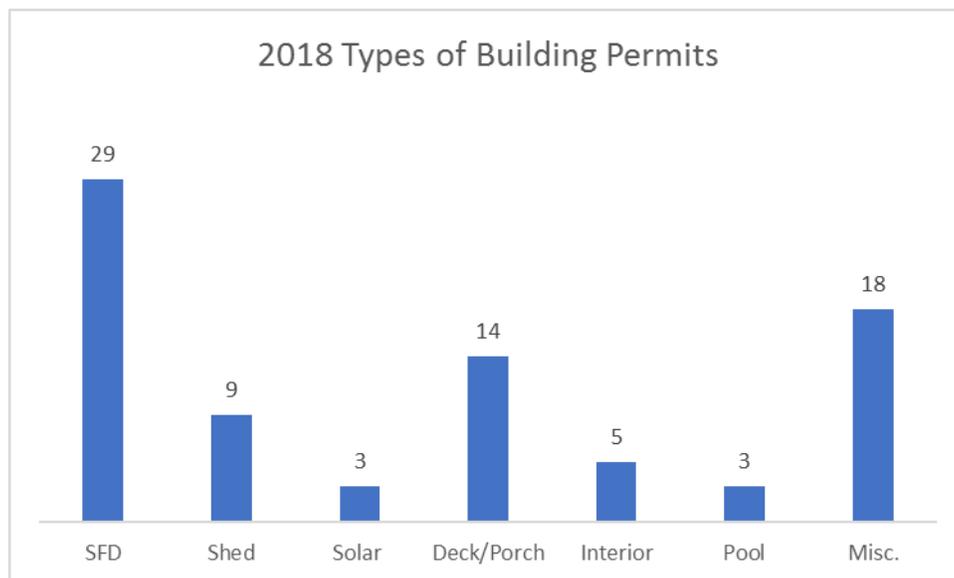


**BNRZ 18-01 and BNRZ 18-01(rev)**, Preserve at Fox Gap, LLC, MR (Multi-Family Residential) & TR (Town Residential) to TC(-R) (Town Center Residential)

The Planning Commission held a public hearing on the zoning map amendment request on December 18<sup>th</sup>, 2018. The Planning Commission did not vote, or forward a recommendation to the Mayor & Council, on the zoning map amendment request in 2018 (early 2019). The decision on BNRZ 18-01 will be reflected in the 2019 Annual Report.

### **Building and Zoning Permits**

Building and zoning permits are issued for all types of construction, use, signs, and occupancy within the corporate limits of the town. All permits are processed and approved within the Planning, Zoning, and Engineering Department. For building permits with proposed construction greater than 200 square feet, Boonsboro processes the permits and then sends them to Washington County Permits Department for review and inspections in accordance with the building code. The town's Planning, Zoning, and Engineering Department processes permits for buildings and construction less than 200 square feet. In 2018, 71 permits for buildings larger than 200 square feet and 10 permits for buildings less than 200 square feet were submitted. The table below provides a breakdown of the type of building permits the Town received in 2018:

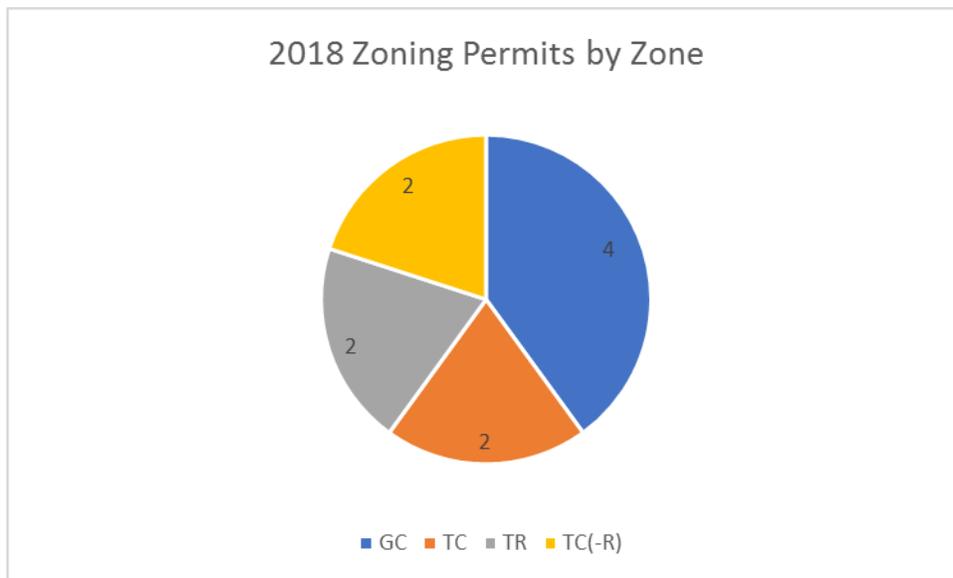


Miscellaneous permits include those for structural repairs, signs, demolitions, etc. The ten permits received for those projects less than 200 square feet were primarily for sheds.



The Planning & Zoning Department also processes all zoning permits, which are required for new businesses and new uses established within the town. In 2018, seven new businesses opened or relocated within the Town, including The Beauty Bar, Jockey Grille, and Enkore Sign.

Zoning permits are also required for applications to be forwarded to the Board of Zoning Appeals (i.e. special exceptions and variances). The following chart shows the number of zoning permits and for which zones they were issued:





## **FUTURE PROJECTS AND GOALS**

In 2018, staff worked diligently with the various boards and commissions, including the Boonsboro Municipal Utilities Commission (BMUC), the Planning Commission, the Park Board, the Public Safety Commission, and the Tree Board to ensure each commission was aware of the features of new and existing developments, and that all new development was consistent with the various Commissions' goals and visions, including those within the Comprehensive Plan. Due to an increasing number of development review applications received during the 2018 calendar year, the Town and commission expect both commercial and residential development to take place in the Town of Boonsboro in the 2019 calendar year. The Town also expects to change, update, and refine its building permit process during the 2019 calendar year. The Town will work with Washington County to make the needed changes and will give an overview of the updated county building permit process in the 2019 Planning & Zoning Report.

Moving forward into the future, the Planning Commission will continue to update the Zoning Ordinance and Subdivision Regulations in order to make sure they remain relevant with the Town's current context. Some issues that the commission reviewed during the 2018 calendar year that may result in updates to the zoning ordinance include temporary storage containers, AirBNBs and Short-Term Rentals, updates to dimensional requirements (lots) for senior targeted housing, and revisions to the Planning Commission By-Laws. The commission will also prepare itself for several updates to the Boonsboro Zoning Map that will take place during the next Comprehensive Plan Update. This will ensure that several zoning map amendment requests that were reviewed and processed between 2009 and present, but that never resulted in a change to the official map due to the fact that piecemeal zoning map amendment ordinances were never passed, become official in the Town's Zoning Map and Comprehensive Plan.

While the Planning Commission continues to have the goal of implementing recommendations from the 2009 Comprehensive Plan, including implementing design standards, the Commission has begun to prepare for its next Comprehensive Plan update, which must be completed sometime within the 2022 – 2024 timeframe. The Planning Commission is committed to budgeting for its next Comprehensive Plan update during the budgeting process for Fiscal Year 2021 (July 1, 2020 to June 30, 2021). The commission will begin the process of the next update during FY21, and work with staff to both perform the update and engage consulting services to assist with the update.

**Board of Zoning Appeals Meetings for January- December 2018**

Meetings 04/17 07/17

BZA Members    Term Expires

Linda Moser	March 2022	P	P
Darrell Jones	Oct 2019	P	P
Sara Sweeney	March 2022	P	P
Carol Long	Oct 2019	P	P
Natalie Mose (Alt)	Oct 2019	P	P
Scott Race (Alt)	July 2019	P	A

**Planning Commission Meetings for January –December 2018**

Meetings 1/23 2/27 3/27 4/24 5/22 6/26 7/24 8/28 9/25 10/23 11/27 12/18

PC Members    Term Expires

Carvel Wright	Mar 2021	P	P	P	P	P	P	P	P	P	P	P	P
David Ambrose	Mar 2020	P	P	P	P	P	P	P	P	P	P	P	P
Rob Maricle	Aug 2020	A	P	P	P	P	P	P	P	P	P	P	P
Rico Aiello	Aug 2023	P	P	P	P	A	P	P	P	A	P	P	P
David Parmelee	May 2020	A	P	P	P	A	A	P	A	P	A	P	P
Doug Moore	July 2020	P	P	P	P	P	A	P	P	P	P	P	P
Steve Jamison	Aug 2023	P	P	P	P	P	P	P	P	P	P	P	P
Janeen Solberg		P	P	P	A	A							
Rick Byrd							P	P	P	P	P	P	P

P = present            A=absent

<b>Report for January 1, 2018 to December 31, 2018</b>	
<b>County Permits</b>	
Permits Filed	71
Permit Fees Collected	\$18,841.60
Redeemable to County	\$14,131.20
Town Portion (25%)	\$4,710.40
<b>County Excise Tax</b>	
New Residential / Additions	\$29.00
Total Paid	\$93,011.00
Town Collects (28%)	\$26,043.08
<b>Town Permits</b>	
Permits Filed	10
Review Fees Paid	\$755.40
Technology Fee	\$135.00
<b>Entrance (Driveway) Permits</b>	
Permits Filed	29
Review Fees Paid	\$1,465.00
<b>Zoning Permits</b>	
Permits Filed	10
Review Fees Paid	\$750.00
Technology Fee	\$75.00
<b>Sign Permits</b>	
Permits Filed	9
Review Fees Paid	\$505.21
Technology Fee	\$45.00
<b>Board of Appeals</b>	
Review Fees Paid	\$1,200.00
Technology Fee	\$30.00
<b>Development or Engineering Review</b>	
Review Fees Paid	\$6,429.00
Technology Fee	\$75.00
<b>Miscellaneous Fees, etc.</b>	
Review Fees Paid	\$66.09
Technology Fee	\$15.00
<b>2018 Total Fees Collected</b>	\$30,387.30
<b>2018 Total Revenue</b>	\$16,256.10
<b>Excise Tax Collected</b>	\$93,011.00
<b>Excise Tax Revenue</b>	\$26,043.08

**Annual Report Worksheet- SHORT FORM**

1. Number of new Residential Permits Issued:

**Table 1: New Residential Permits Issued  
Inside and Outside the Priority Funding Area (PFA)**

<b>Residential – Calendar Year 2018</b>	<b>PFA</b>	<b>Non - PFA</b>	<b>Total</b>
<b># New Residential Permits Issued</b>	29	N/A	29

2. All land is within the boundaries of the jurisdiction are in the PFA? Y  N
3. Were there any growth-related changes which include Land Use Changes, Zoning Ordinance Changes, New Schools, Changes in Water or Sewer Service Area, etc? If yes, list. Y  N
4. Did your jurisdiction identify any recommendations for improving the planning and development process within the jurisdiction? If yes, list. Y  N
5. The adoption date of the comprehensive plan is prior to January 1, 2010? Y  N

If yes, review Section IV(A) of the Annual Report Worksheet.