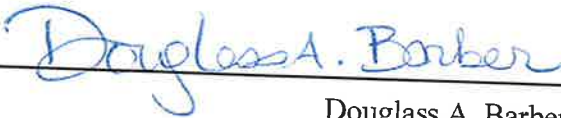


CITY OF WESTMINSTER

**REGISTRATION AND CONFIRMATION OF BOUNDARIES
FOLLOWING ANNEXATION**

Pursuant to the Amended Supplemental Agreement between the County Commissioners and the Town, and Section 158.134 of the Carroll County Zoning Ordinance, Chapter 158 of the Code of Public Local Laws and Ordinances of Carroll County, the City of Westminster hereby registers with the Commissioners of Carroll County corporate boundaries relative to the annexation of land known as Optimum Properties, LLC (Annexation 83) Annexation. The Resolution 24-11 for said annexation was enacted by the Mayor and Council of Westminster on January 27, 2025, and became effective on March 13, 2025. I hereby certify that no further legal action is possible to prevent the annexation resolution from becoming fully effective.



Douglass A. Barber, City Clerk
City of Westminster

Resolution Enactment Date & Effective Date

Return to Carroll County Department of Planning upon
Enactment of Resolution to Annex

DATE: March 13, 2025

TO: Carroll County Department of Planning

FROM: Douglass A. Barber, City Clerk
City of Westminster

RE: Enactment of Municipal Resolution to Annex

The City of Westminster acknowledges 911 dispatchers need to have in their systems the most current political boundaries for them to dispatch emergency aid appropriately. The completion and return of this form to the County will allow the update of political boundaries by the effective date of annexation.

Resolution No. 24-11 (Annexation No. 83) and Resolution No. 25-02 (Annexation Plan for Annexation No. 83) to annex property located at the northwestern end of Kent Terrace beyond its intersection with Woodside Drive and generally to the east of Starry Night Drive was enacted by the Mayor and Council of Westminster on January 27, 2025. **The signed resolutions are attached.** Given no petition for referendum on this Resolution is filed within 45 days, the Annexation Resolution 24-11 will become effective on March 13, 2025.

RESOLUTION NO. 24-11

ENLARGING THE CORPORATE BOUNDARIES OF THE CITY OF WESTMINSTER BY ANNEXING INTO THE CITY CERTAIN PROPERTY, LOCATED AT THE NORTHWESTERN END OF KENT TERRACE BEYOND ITS INTERSECTION WITH WOODSIDE DRIVE AND GENERALLY TO THE EAST OF STARRY NIGHT DRIVE, CONTAINING ± 3.572 ACRES, CONTIGUOUS TO AND ADJOINING THE CITY'S EXISTING CORPORATE BOUNDARIES, CONSISTING OF REAL PROPERTY IDENTIFIED AS TAX ACCOUNT NUMBER 07-001223, MAP 0046, GRID 0021, PARCEL 0033.

(Annexation No. 83)

WHEREAS, pursuant to Local Government Article, Title 4, Subtitle 4 of the Annotated Code of Maryland, and §164-6 of the Code of the City of Westminster, the Mayor and Common Council of Westminster (“the City”) is vested with the authority and discretion to enlarge the corporate boundaries of the City; and

WHEREAS, Optimum Properties, LLC. (the “Petitioner”) is the owner of real property, located at the northwestern end of Kent Terrace beyond its intersection with Woodside Drive and generally to the east of Starry Night Drive (“the Property”), containing ± 3.572 acres and zoned “R-20,000 Residence District” under the zoning laws of Carroll County, by virtue of a Deed dated August 24, 2023, recorded in the Land records of Carroll County at Liber 11118, Folio 431, and further identified as Tax Account Number 07-001223, Map 0046, Grid 0021, Parcel 0033; and

WHEREAS, Petitioner wishes to have the Property annexed into the City’s boundaries; and

WHEREAS, the improvements the Petitioner wishes to construct at the Property constitute a change in use and require a new water and sewer allocation from the City; and

WHEREAS, the City has only a limited quantity of water available for new development and provides that water to new development in accordance with the City’s adopted Water and

Sewer Allocation Policy, which policy requires that properties eligible for annexation under State law be annexed as a condition of receiving water from the City's system; and

WHEREAS, Petitioner understands that new water and sewer allocations are conditioned upon the annexation of the Property; and

WHEREAS, Petitioner is the sole owner of the Property proposed to be annexed and its petition for annexation under Local Gov't Article § 4-404 meets the requirement of Local Gov't Art., § 4-403 that the City have consent of the owners of at least 25% of the assessed value of the properties to be annexed; and

WHEREAS, there are no persons residing within the area to be annexed and from whom consent to annexation is required by Md. Code Ann., Local Gov't Art., § 4-403; and

WHEREAS, the Annexation Area comprises land contiguous to and adjoining the City's existing corporate boundaries and the annexation of the Annexation Area will not create any unincorporated area that is bounded on all sides by real properties presently or by this legislative action or by a combination of both within the corporate limits of the City.

IT IS THEREFORE RESOLVED, by the Mayor and Common Council of Westminster, that the tracts or parcels of land herein designated as the Annexation Area, as shown on the Annexation Plat, Exhibit A hereto, and described in a metes and bounds description set forth in Exhibit B hereto, be added to the corporate boundaries of the City of Westminster, generally subject to the provisions of the Charter, City Code, Ordinances and other rules and regulations of the City of Westminster;

AND BE IT FURTHER RESOLVED, pursuant to §164-6 and all other related and applicable sections of the City Code, that the Zoning Map of the City of Westminster shall be amended to include the Annexation Area in the "R-10,000 Residential Zone", which permits uses

substantially similar but at a higher density to that permitted by Carroll County in the “R-20,000 Residence District. Due to the increase in density, this change must obtain approval of Zoning Waiver from the Board of County Commissioner of Carroll County;

AND BE IT FURTHER RESOLVED, that the Petitioner shall pay all administrative, engineering, and legal fees incurred on behalf of the City of Westminster prior to the effective date of this Resolution;

AND BE IT FURTHER RESOLVED, that this Resolution shall become effective forty-five (45) days following its passage and approval by the Mayor and Common Council of Westminster, unless within forty-five (45) days of the date of enactment the City receives a Petition for Referendum filed in accordance with the provisions of Md. Code Ann., Local Gov’t Article, §§ 4-408 through 4-410;

AND BE IT FURTHER RESOLVED, that the City Administrator shall, on or after the effective date of the Resolution, promptly send a copy of this resolution with the new boundaries to the Clerk of the Circuit Court for Carroll County, and the Department of Legislative Services for the State of Maryland.

INTRODUCED this 28th day of October 2024


Douglas Barber, City Clerk

PASSED this 27th day of January, 2025


Douglas Barber, City Clerk

APPROVED this 27th day of January, 2025



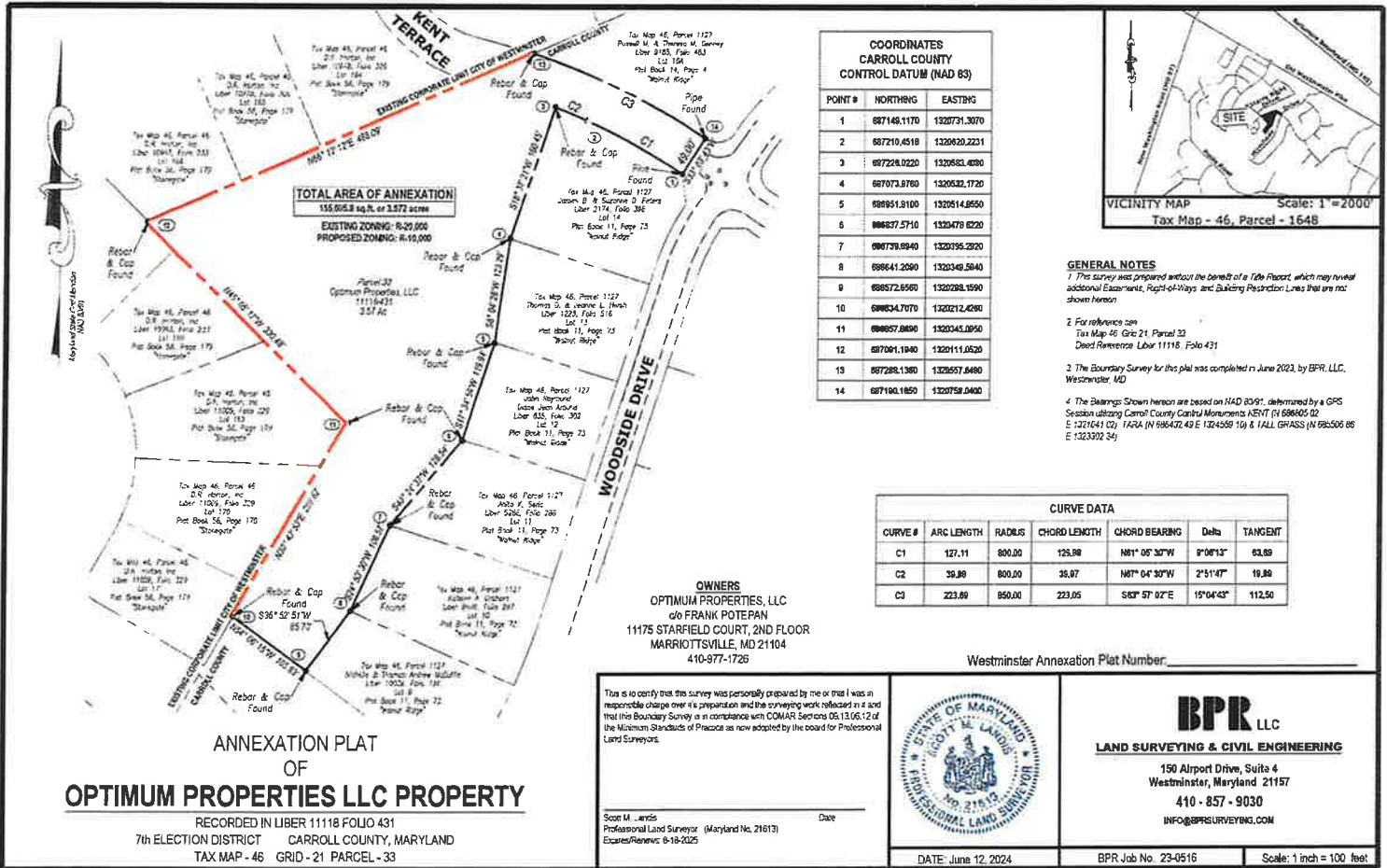
Dr. Mona Becker, Mayor

APPROVED AS TO FORM AND SUFFICIENCY

this 27th day of Jan, 2025



Elissa D. Levan, City Attorney



COORDINATES CARROLL COUNTY CONTROL DATUM (NAD 83)		
POINT #	NORTHING	EASTING
1	887148.1170	1320731.3070
2	887210.4518	1320620.2231
3	887228.0220	1320583.4080
4	887073.8780	1320532.1720
5	888951.8100	1320514.8550
6	888857.5710	1320478.8220
7	886739.8940	1320395.2920
8	888641.2080	1320340.5840
9	888572.8580	1320282.1590
10	888034.7070	1320212.4280
11	888057.8890	1320345.8950
12	887201.1040	1320111.8320
13	887288.1380	1320557.8480
14	887160.1850	1320758.0400



- GENERAL NOTES**
1. This survey was prepared without the benefit of a Title Report, which may reveal additional Encumbrances, Easements, Rights-of-Ways, and Building Restriction Lines that are not shown herein.
 2. For reference see:
Tax Map 46, Grid 21, Parcel 33
Deed Reference: Liber 11118, Folio 431
 3. The Boundary Survey for this plat was completed in June 2023, by BPR, LLC, Westminster, MD.
 4. The Bearings Shown hereon are based on NAD 83/91, determined by a GPS Session utilizing Carroll County Control Monuments KENT (H 688405 02 E 1321641 02) TARA (H 688402 49 E 1324558 10) & TALL GRASS (H 688506 85 E 1323322 34).

CURVE DATA					
CURVE #	ARC LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING	Delta
C1	127.11	800.00	125.98	N81° 06' 30" W	1° 06' 13"
C2	36.89	800.00	36.87	N87° 04' 30" W	2° 51' 47"
C3	223.89	850.00	223.05	S83° 57' 02" E	15° 04' 43"

OWNERS
OPTIMUM PROPERTIES, LLC
c/o FRANK POTEPAN
11175 STARFIELD COURT, 2ND FLOOR
MARRIOTTSVILLE, MD 21104
410-977-1725

Westminister Annexation Plat Number: _____

This is to certify that the survey was personally prepared by me or that I was in responsible charge over its preparation and the surveying work reflected in it and that this Boundary Survey is in compliance with COMAR Sections 05.13.06.12 of the Minimum Standards of Practice as now adopted by the board for Professional Land Surveyors.

Scott M. Jands
Professional Land Surveyor (Maryland No. 21613)
Expires/Renews: 6-18-2025

Date



BPR LLC
LAND SURVEYING & CIVIL ENGINEERING
150 Airport Drive, Suite 4
Westminister, Maryland 21157
410-857-9030
INFO@BPRSURVEYING.COM

DATE: June 12, 2024 BPR Job No: 23-0516 Scale: 1 inch = 100 feet



DESCRIPTION: Parcel 33 - 3.572 Acre Remainder (Northerly Tract)

PORTIONS OF CLIFFORD A. DULL AND GERALDINE DULL, PROPERTY, SITUATED NORTH OF WOODSIDE DRIVE, IN THE SEVENTH (7TH) ELECTION DISTRICT OF CARROLL COUNTY, MARYLAND, AND, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at an iron pipe found at the northernmost fillet point of Lot 14 on a plat entitled Section Three "Walnut Ridge," dated November 8, 1972 and recorded among the Plat Records of Carroll County, Maryland in Plat Book 11 Page 73, said rebar and cap also being on the southernmost Right of Way Line of Kent Terrace, a future 50 foot wide street, thence leaving the place of beginning and running with and binding on said southernmost Right of Way Line of Kent Terrace, with all bearings herein being referred to Maryland State Grid N.A.D. 83/91, and, as now surveyed by BPR, LLC, Viz:

1. 127.11 feet by a curve to the left in a northwesterly direction, having a radius of 800.00 feet, the arc of which is subtended by a chord bearing and distance of North 61 degrees 05 minutes 41 seconds West 126.89 feet to an iron pipe found at the place of beginning of a 6,340 square foot parcel of land described as a Deed of Add-On, in a deed from Clifford A. Dull and Geraldine Dull, husband and wife, to James B. Peters and Suzanne D. Peters, husband and wife, dated September 29, 2007, and, recorded among the Land Records of Carroll County, Maryland in Book 5650 Page 404, thence leaving the outline of aforesaid Lot 14, and, running reversely with and binding on the fourth (4th) and also the third (3rd) line of the aforesaid 6,340 square foot Add On, the two (2) following courses, Viz:
2. 39.98 feet by a curve to the left in a northwesterly direction, having a radius of 800.00 feet, the arc of which is subtended by a chord bearing and distance of North 67 degrees 04 minutes 30 seconds West 39.97 feet to a rebar and cap found, marked RTF Property Corner on the aforementioned southernmost Right of Way Line of Kent Terrace, future 50 foot wide street, thence leaving said Right of Way Line, and, thence,
3. **South 18 degrees 37 minutes 21 seconds West 160.45 feet** to a rebar and cap found, marked RTF Property Corner, at the end of the second (2nd) or North 08 degrees 11 minutes 06 seconds East 123.38 foot line of a 3,644 square foot Add-On Parcel to Lot 13, shown on the Plat of Section Three "Walnut Ridge" recorded among the Plat Records of Carroll County, Maryland in Plat Book 11 Page 73, said 3,644 square foot parcel intended to be recorded among the Land Records of Carroll County, Maryland as a Deed of Add-On, simultaneously herewith, thence, running reversely with and binding on said second (2nd) line, Viz:
4. **South 08 degrees 04 minutes 28 seconds West 123.29 feet** to a rebar and cap heretofore set by RTF Associates, Inc. at the end of the third (3rd) or North 17 degrees 30 minutes 54 seconds East 119.86 foot line of a 2,398 square foot Add-On Parcel of the land as described in a Deed of Add-On from Clifford A. Dull and Geraldine Dull, husband and wife, to John Raymond Arbutis and Diane Jean Arbutis, husband and wife, dated September 29, 2008 and recorded among the Land Records of Carroll County, Maryland, in Book 5625 Page 328 thence running reversely with and binding on said third (3rd) line, Viz:
5. **South 17 degrees 34 minutes 59 seconds West 119.94 feet** to a rebar and cap heretofore set by RTF Associates, Inc. , at the end of the third (3rd) or North 40 degrees 24 minutes 32 seconds East 128.50 foot line of a 5,353 square foot Add-On Parcel to Lot 11, shown on the Plat of Section Three "Walnut Ridge" recorded among the Plat Records of Carroll County, Maryland in Plat Book 11 Page 73, said 5,353 square foot parcel intended to be recorded among the Land Records of Carroll County, Maryland as a Deed of Add-On, simultaneously herewith, thence,
6. **South 40 degrees 24 minutes 37 seconds West 128.54 feet** to a rebar and cap heretofore set by RTF Associates, Inc. , at the end of the third (3rd) or North 24 degrees 53 minutes 20 seconds East 108.52 foot line of a 8,361 square foot Add-On Parcel to Lot 10, shown on the Plat of Section Three "Walnut Ridge" recorded among the Plat Records of Carroll County, Maryland, in Plat Book 11 Page 73, said 8,361 square foot parcel intended to be recorded among the Land Records of Carroll County, Maryland as a Deed of Add-On, simultaneously herewith, thence,
7. **South 24 degrees 53 minutes 30 seconds West 108.57 feet** to a rebar with broken cap found at the end of the third (3rd) or North 36 degrees 52 minutes 51 seconds East 85.72 foot line of the second (2nd) or 7,984 square foot parcel of land as described in a deed from Jacklyn A. Kilby and Nicholas W. Kilby to Thomas Andrew McDuffie and Michelle McDuffie, dated December 21, 2020 and recorded among the Land Records of Carroll County, Maryland in Book 10039 Page 196, thence,
8. **South 36 degrees 52 minutes 51 seconds West 85.70 feet** to a rebar and cap found and to intersect the fourth (4th) or South 54 degrees 00 minutes 04 seconds East 195.57 foot line of a 17,224 square foot parcel of land as described in a deed from Adele D. Genno to Brian M. Barth and Ashley O. Barth, husband and wife, dated February 7, 2023, and, recorded among the Land Records of Carroll County, Maryland in Book 10996 Page 233, at the distance of 105.83 feet measured along said line from a rebar and cap now set at the beginning thereof, thence running reversely with and binding on a part of said fourth (4th) line, Viz:

**LAND SURVEYING & CIVIL ENGINEERING**150 Airport Drive, Suite 4
Westminster, Maryland 21157

410 - 857 - 9030

WWW.BPRSURVEYING.COM

9. **North 54 degrees 06 minutes 15 seconds West 105.83 feet** to the base of a bent RTF Associates, Inc. rebar and cap found on the easternmost or South 30 degrees 03 minutes 28 seconds West 715.88 foot perimeter boundary line on the final plat entitled "Resubdivision of a portion of Parcel K, Lots 167-174," now known as Section VI "Stonegate," dated November 2021 and recorded among the Plat Records of Carroll County, Maryland in Plat Book 56 Page 182, at the distance of 259.62 feet measured along said line from a rebar and cap marked CLSI property mark found at the beginning thereof, thence running reversely with and binding on a part of said line, Viz:
10. **North 30 degrees 43 minutes 53 seconds East 259.62 feet** to a rebar and cap found, marked CLSI Property Marker, and, designated as Coordinate Point Number 6 on the aforesaid plat, thence, running reversely with and binding on the South 45 degrees 02 minutes 57 seconds East 330.48 foot northernmost perimeter boundary line of said plat, Viz:
11. **North 45 degrees 05 minutes 17 seconds West 330.48 feet** to a rebar and cap found, marked CLSI Property Marker, and, designated as Coordinate Point Number 124 on the aforesaid plat, said rebar and cap being at the end of the South 66 degrees 11 minutes 47 seconds West 570.39 foot southernmost perimeter boundary line of the land as laid out and shown on the Final Plat entitled Resubdivision of a Portion of Parcel K, Lots 163-166 and 183, now known as Section VI "Stonegate" dated November 2021 and recorded among the Plat Records of Carroll County, Maryland in Plat Book 56 Page 180, thence running reversely with and binding on a part of said southernmost perimeter boundary line, and, crossing Kent Terrace, Viz:
12. **North 66 degrees 12 minutes 12 seconds East 488.09 feet** to a rebar and cap found on the northeasternmost Right of Way Line of Kent Terrace, and, marked CLSI Property Marker, said rebar and cap also being at the westernmost corner of Lot 16-A, as laid out and shown on a Plat entitled Lot 16-A, Section 2, "Walnut Ridge," dated August 7, 1974 and recorded among the Plat Records of Carroll County, Maryland in Plat Book 14 Page 4, thence running with and binding on said northeasternmost Right of Way Line of Kent Terrace, future 50 foot street, Viz:
13. 223.69 feet by a curve to the right in a southeasterly direction, having a radius of 850.00 feet, the arc of which is subtended by a chord bearing and distance of South 63 degrees 57 minutes 02 seconds East 223.05 feet to an iron pipe found at the westernmost fillet point of Lot 16-A, thence leaving Lot 16-A and the northernmost Right of Way line of Kent Terrace, future street, and, crossing said street, Viz:
14. **South 33 degrees 03 minutes 43 seconds West 49.00 feet** to the place of beginning.

Containing 3.572 acres of land, more or less.

Being the Northerly Tract of the Remainder of the land which by deed dated February 6, 2004 and recorded among the Land Records of Carroll County, Maryland in Book 3878 Page 98, was conveyed by Scott Bair, Jr. and Harvey B. Bair to Clifford A. Dull and Geraldine Dull, husband and wife.

A Southerly Tract Remainder containing 5.470 acres, is also intended to be recorded simultaneously herewith, as the northerly and southerly remainders have been severed, by the recordation of final subdivision plats of section VI, "Stonegate," by virtue of plats recorded among the Plat Records of Carroll County, Maryland in Plat Book 56 Pages 181 and 182, sheets 3 of 5, and, sheets 4 of 5, respectively.

The above described 3.572 acre Northerly Tract Remainder as also laid out and shown on an exhibit plat attached hereto and made a part thereof.

A licensed Maryland Surveyor either personally prepared the metes and bounds description(s) as contained herein or was in responsible charge over its preparation and the surveying work reflected in it, in compliance with the Maryland Minimum Standards of Practice for Land Surveyors; COMAR 09.13.06.12.

Date: 8/14/2023

Scott M. Landis
Professional Land Surveyor - Maryland# 21613
Expires/Renews: August 18, 2025



RESOLUTION 25-02

ADOPTING AN ANNEXATION PLAN FOR CERTAIN PROPERTY CONTAINING $\pm$ 3.572 ACRES, CONTIGUOUS TO AND ADJOINING THE CITY'S EXISTING CORPORATE BOUNDARIES, LOCATED AT THE NORTHWESTERN END OF KENT TERRACE BEYOND ITS INTERSECTION WITH WOODSIDE DRIVE AND GENERALLY TO THE EAST OF STARRY NIGHT DRIVE, CONSISTING OF REAL PROPERTY IDENTIFIED AS TAX ACCOUNT NUMBER 07-001223, MAP 0046, GRID 0021, PARCEL 0033, WHICH PROPERTY IS THE SUBJECT OF A PETITION FOR ANNEXATION SUBMITTED BY THE OWNERS OF A PORTION OF THE SUBJECT PROPERTY TO THE MAYOR AND COMMON COUNCIL OF WESTMINSTER.

(Annexation No. 83)

WHEREAS, pursuant to Local Government Article, Title 4, Subtitle 4 of the Annotated Code of Maryland, and §164-6 of the Code of the City of Westminster, the Mayor and Common Council of Westminster ("the City") is vested with the authority and discretion to enlarge the corporate boundaries of the City; and

WHEREAS, Md. Code Ann., Local Government Article, § 4-415, requires municipalities to prepare an Annexation Plan for each new annexation consistent with the municipal growth element of the comprehensive plan of the municipality that: (1) includes a description of the land use pattern for the area to be annexed; (2) demonstrates the available land for public facilities which may be considered reasonably necessitated by the proposed use; (3) describes the schedule for extending to the area to be annexed each municipal service performed within the municipality at the time of annexation; and, (4) includes a statement as to the general methods by which the municipality anticipates to finance the extension of municipal services into the area to be annexed; and

WHEREAS, Optimum Properties, LLC. (the "Petitioner") is the owner of real property containing $\pm$ 3.572 acres, located at the northwestern end of Kent Terrace beyond its intersection

with Woodside Drive and generally to the east of Starry Night Drive ("the Property"), zoned "R-20,000 Residence District" under the zoning laws of Carroll County, by virtue of a Deed dated August 24, 2023, recorded in the Land Records of Carroll County at Liber 11118, Folio 431, and further identified as Tax Account Number 07-001223, Map 0046, Grid 0021, Parcel 0033; and

WHEREAS, Petitioner wishes to have the Property annexed into the City's boundaries; and

WHEREAS, Exhibit A constitutes the Annexation Plan for the proposed annexation and demonstrates that the proposed annexation meets all of the applicable requirements of State law.

Section 1. **NOW THEREFORE BE IT RESOLVED**, by the Mayor and Common Council of Westminster that the Annexation Plan for the referenced annexation as set forth in Exhibit A is approved.

Section 2. **BE IT FURTHER RESOLVED** by the Mayor and Common Council of Westminster that this Resolution is contingent upon the annexation of the Property and shall become effective concurrent with the effective date of Annexation Resolution No. 24-11 annexing the subject property into the City.

INTRODUCED AND ADOPTED this 27th day of January, 2025


Douglass A. Barber, City Clerk

APPROVED this 27th day of January, 2025


Dr. Mona Becker, Mayor

APPROVED AS TO FORM AND SUFFICIENCY this 27th day of Jan, 2025


Elissa D. Levan, City Attorney

Municipal Growth Element:

<i>Public Schools</i>	The City does not provide Public School services. There are no existing residents in the annexation area. The surrounding properties are developed with single family detached dwelling unit SFDU residential lots. Four (4) to seven (7) SFDU residential lots are proposed.
<i>Library Services</i>	The City does not provide Library services. There are no existing residents in the annexation area. 4 to 7 SFDU residential lots are proposed.
<i>Police / Fire / EMS</i>	The City does not provide Fire and EMS services. The Chief of Police estimates any impact on police services to be minimal because the annexation will not significantly increase residential population and the nature of the proposed use is such that any increase in calls for services will be nominal.
<i>Parks & Recreation</i>	Impact to Parks & Recreation is negligible. Existing parkland exceeds standards. The proposed 4 to 7 SFDU residential lots will not affect or overburden parks and recreation facilities, as the increase in population is minimal.
<i>Water & Sewerage</i>	Water and sewer lines are in close proximity or border the Property. The City has received water and sewer allocations pursuant to the City's Water and Sewer Allocation Policy and there is available allocation for the proposed 4 to 7 SFDU residential lots.
<i>Stormwater Management</i>	No impact to Stormwater Management Facilities. No disturbance is proposed in connection with the annexation. Any future proposed disturbance to the site shall be reviewed for possible impacts and required stormwater management improvements.
<i>Fiber Infrastructure:</i>	The property owner will be offered information regarding Fiber Infrastructure.
<i>City-County Policy:</i>	The proposal meets the goals of the Westminster City-County Agreement to allow for annexation of properties within the designated Growth Area Boundary.
<i>Reference Map:</i>	The dashed red line marks the City's boundaries. The blue outline and shaded area indicate the annexation area. An annexation plat and legal descriptions are included as reference.

EXHIBIT A

Resolution No. 25-02

ANNEXATION PLAN

Annexation No. 83

Acreage: 3.572 ± acres

Location: Tax Account Number 07-001223, Map 0046, Grid 0021, Parcel 0033.

Owner: Optimum Properties, LLC.

Petition: Initiated by Property Owners.

Current Zoning: “R-20,000 Residence District” under the Carroll County Zoning Ordinance.

Proposed Zoning: “R-10,000 Residential Zone” under the City of Westminster Zoning Ordinance.

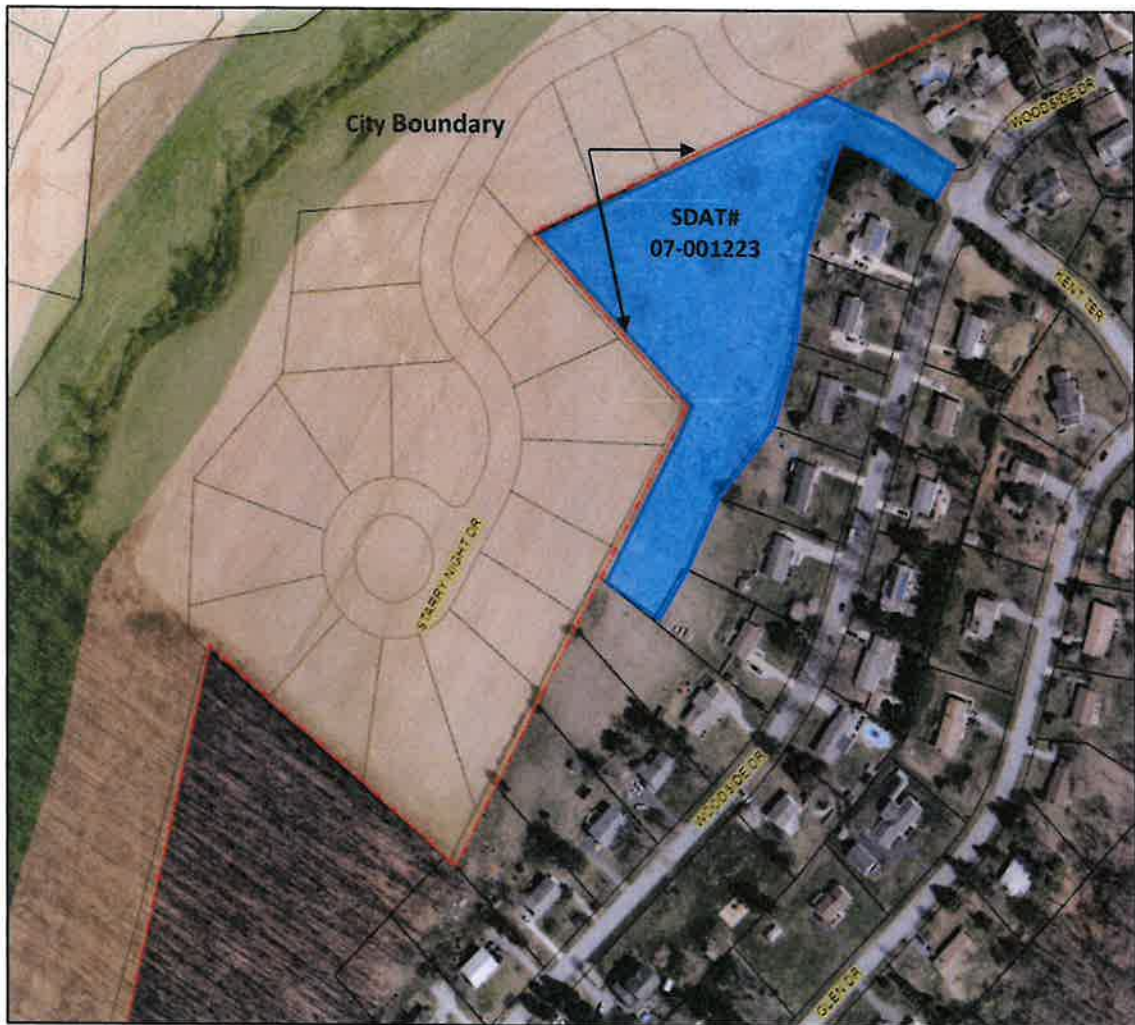
Zoning Waiver: Required. The “R-10,000 Residential Zone” permits uses substantially similar but at a higher density to that permitted by “R-20,000 Residence District”.

City Comprehensive Plan: The annexation area is located within the City of Westminster’s Municipal Growth Area Boundary. The property has a Land Use Designation of Medium Density Residential in the 2007 *Westminster Environs Community Comprehensive Plan*. Annexation No. 83 is consistent with this Land Use Designation. The property is located within the County-certified Priority Funding Area.

Goal L3 states: “Provide a sustainable balance of new commercial, industrial, and residential land to meet existing and future demand.”

Under this overarching land use goal, Objective 1 is to “Expand the corporate limits where appropriate to accommodate projected residential growth and provide needed jobs and services in the City.”

The two policies under Objective 1 are “a. Coordinate with the County to identify parcels that are appropriate for annexation as industrial or commercial land” and “b. Extend water and sewer service to annexed lands when appropriate.” This parcel is well suited to meet this goal.



 = Annexation Area

AMENDED AGENDA

CITY OF WESTMINSTER

Mayor and Common Council Meeting

Monday, January 27, 2025, at 7:00 pm

City Hall, 1838 Emerald Hill Lane, Westminster, MD 21157

[City YouTube Channel Link](#)

1. CALL TO ORDER

2. STATEMENT FOR THE RECORD – CLOSED MEETING OF MONDAY, JANUARY 13, 2025:

In accordance with the General Provisions Article, Section 3-306(c)(2) of the Annotated Code of Maryland, and without objection it is noted that the minutes of tonight's meeting reflect that Common Council met in a Closed Meeting on Monday, January 13, 2025, at 8:34 p.m. pursuant to General Provision Art., Section 3-305) (b)(4) to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State and (b)(5) to consider the investment of public funds.

Motion – Hoff/Gilbert

Vote to Close Meeting:

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Mr. Chiavacci				
Mr. Dayhoff	Yes			
Ms. Gilbert	Yes			
Mr. Hoff	Yes			
Mr. Pecoraro	Yes			
Mayor Becker				

The following staff members attended the meeting: City Administrator Imhulse, Chief of Police Ledwell, and Director of Finance Rodgers. The Common Council took no official action during the meeting. The Closed Meeting adjourned at 9:30 p.m.

3. PRESENTATIONS

A) Auditors Presentation – SB & Company, LLC for the City of Westminster FY24 Audit

4. PUBLIC HEARINGS

A) Annexation Resolution No. 24-11 (Annexation No. 83), Optimum Properties, LLC Petition for Annexation, enlarging the corporate boundaries of the City of Westminster by annexing into the City certain property containing ±3.572 acres, located at the northwestern end of Kent Terrace beyond its intersection with Woodside Drive and generally to the east of Starry Night Drive, contiguous to and adjoining the City's existing corporate boundaries, consisting of real property identified as tax account number 07-001223, Map 0046, Grid 0021, Parcel 0033. – Director of Community Planning and Development Depo

B) Annexation Resolution No. 24-13 (Annexation No. 85), Ellen Potepan Petition for Annexation, enlarging the corporate boundaries of the City of Westminster by annexing into the City certain property containing ±5.47 acres, located at the western end of Glen Drive and generally to the south of the western end of Starry Night Drive, contiguous to and adjoining the City's existing corporate boundaries, consisting of real property identified as tax account number 07-434089, Map 0046, Grid 0021, Parcel 1648. – Director of Community Planning and Development Depo

5. CONSENT CALENDAR

- A) Departmental Operating Report – December 2024
- B) Approval to Waive the Competitive Procurement for Good Cause, under the City of Westminster Code Chapter 36 “Procurement and Contracts” Subsection 36-4 Specific Regulations, to procure Carnival Services for Fallfest

6. REPORT FROM THE MAYOR

7. REPORTS FROM COMMITTEES

- A) Arts Council
- B) Economic and Community Development Committee
- C) Finance Committee
- D) Personnel Committee
- E) Public Safety Committee
- F) Public Works Committee
- G) Recreation and Parks Committee
- H) Technology Committee

8. COUNCIL COMMENTS AND DISCUSSION

9. BIDS

- A) Approval to Purchase a pickup truck from Apple Ford located at 8899 Stanford Boulevard, Columbia, Maryland under Baltimore County Contract #00004504 in the amount of \$115,000.00. – City Administrator Imhulse

10. ORDINANCE AND RESOLUTIONS

- A) Adoption of Ordinance No. 2024-09, Tobacconist and Vape Shop Text Amendment, an Ordinance of the Mayor and Common Council of Westminster, amending Chapter 164, “Zoning and Subdivision of Land”, of the City Code, to amend Article I, “General Provisions”, to add definitions of “Specialty Shop”, “Tobacconist”, and “Vape Shop”; to amend Article VIIA, “Mixed Use Infill Zone”; Article VIII, “B Business Zone”; Article VIIIB, “D-B Downtown Business Zone”; Article IX, “C-B Central Business Zone”; and Article XII, “P-I Planned Industrial Zone” to add Tobacconists and Vape Shops as permitted uses; to amend Article XIA, “N-C Neighborhood Commercial Zone” to add Vape Shops as a permitted use; to amend Article XX, “Special provisions”, to impose certain restrictions on the location of Vape Shops; and to renumber without substantive change the lists of permitted uses in certain of those zones. – Director of Community Planning and Development Depo

- B) Adoption of Annexation Plan Resolution No. 25-02 (Annexation No. 83), an Annexation Plan for certain property containing ±3.572 acres, contiguous to and adjoining the City's existing corporate boundaries, consisting of real property identified as tax account number 07-001223, Map 0046, Grid 0021, Parcel 0033, which property is the subject of a petition for annexation submitted by the owners of the subject property to the Mayor and Common Council of Westminster. - Director of Community Planning and Development Depo
- C) Adoption of Annexation Resolution No. 24-11 (Annexation No. 83), Optimum Properties, LLC Petition for Annexation, enlarging the corporate boundaries of the City of Westminster by annexing into the City certain property containing ±3.572 acres, located at the northwestern end of Kent Terrace beyond its intersection with Woodside Drive and generally to the east of Starry Night Drive, contiguous to and adjoining the City's existing corporate boundaries, consisting of real property identified as tax account number 07-001223, Map 0046, Grid 0021, Parcel 0033. – Director of Community Planning and Development Depo
- D) Adoption of Annexation Plan Resolution No. 25-03 (Annexation No. 85), an Annexation Plan for certain property containing ±5.47 acres, contiguous to and adjoining the City's existing corporate boundaries, consisting of real property identified as tax account number 07-434089, Map 0046, Grid 0021, Parcel 1648, which property is the subject of a petition for annexation submitted by the owners of the subject property to the Mayor and Common Council of Westminster. - Director of Community Planning and Development Depo
- E) Adoption of Annexation Resolution No. 24-13 (Annexation No. 85), Ellen Potepan Petition for Annexation, enlarging the corporate boundaries of the City of Westminster by annexing into the City certain property containing ±5.47 acres, located at the western end of Glen Drive and generally to the south of the western end of Starry Night Drive, contiguous to and adjoining the City's existing corporate boundaries, consisting of real property identified as tax account number 07-434089, Map 0046, Grid 0021, Parcel 1648. – Director of Community Planning and Development Depo
- F) Adoption of Resolution No. 25-01, amending the adopted Water and Sewer Allocation Policy and accompanying Master Distribution Chart to allow for sewer-only allocations and to amend certain sections for consistency without substantive changes. – Director of Community Planning and Development Depo
- G) Introduction of Ordinance No. 2025-02, an Ordinance of the Mayor and Common Council of Westminster, adopting Local Map Amendment LMA 24-02, amending the Zoning Map for certain real property located at 222 E. Green Street, Westminster, MD 21157 to superimpose the Compatible Neighborhood Overlay Zone (CN Zone) over the existing R-7,500 Residential Zone (R-7,500 Zone) to develop Multiple-Family Dwelling Units. – Director of Community Planning and Development Depo
- H) Introduction of Ordinance No. 2025-03, Cannabis Overlay District Amendment, an Ordinance of the Mayor and Common Council of Westminster, adopting a sectional map amendment to amend the boundaries of the Cannabis Overlay District, for the purpose of establishing the appropriate locations for the designation of cannabis overlay floating zones permitting the operation of cannabis businesses in the City. – Director of Community Planning and Development Depo

11. UNFINISHED BUSINESS

12. NEW BUSINESS

A) Vote to go into a Closed Meeting

Motion: I move that the Common Council adjourn into a Closed Meeting on Monday, January 27, 2025, at the conclusion of the regular meeting in accordance with the General Provisions Article of the Annotated Code of Maryland, §3-305 (b)(3) "to consider the acquisition of real property for a public purpose and matters directly related thereto" and (b)(7) "to consult with counsel to obtain legal advice". – Councilmember Chiavacci

13. DEPARTMENTAL REPORTS

14. CITIZEN COMMENTS

15. ADJOURNMENT

MINUTES

CITY OF WESTMINSTER
Mayor and Common Council Meeting
Monday, January 27, 2025, at 7:00 p.m.
1838 Emerald Hill Lane, Westminster, MD 21157
[YouTube Channel Link](#)

CALL TO ORDER

Elected Officials Present: Mayor Becker, Councilmember Chiavacci, Councilmember Gilbert, Councilmember Hoff, and Council President Pecoraro. Councilmember Dayhoff was absent.

Staff Present: City Clerk Barber, Director of Housing Services Brown, Director of Community Planning and Development Depo, Director of Recreation and Parks Gruber, City Administrator Imhulse, Chief of Police Ledwell, City Attorney Levan, Director of Technology Services Moore, and Director of Finance Rodgers.

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

Council President Pecoraro led the Pledge of Allegiance and a moment of silence.

STATEMENT FOR THE RECORD – CLOSED MEETING OF MONDAY, JANUARY 13, 2025:

Council President Pecoraro read into the record in accordance with the General Provisions Article, Section 3-306(c)(2) of the Annotated Code of Maryland, and without objection it is noted that the minutes of tonight's meeting reflect that Common Council met in a Closed Meeting on Monday, January 13 2025, at 8:34 p.m. pursuant to General Provision Art., Section 3-305) (b)(4) to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State; and (b)(5) to consider the investment of public funds.

Motion – Councilmember Hoff/Councilmember Gilbert

Vote to Close Meeting:

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Mr. Chiavacci				
Mr. Dayhoff	Yes			
Ms. Gilbert	Yes			
Mr. Hoff	Yes			
Mr. Pecoraro				
Mayor Becker				

The following staff members attended the meeting: City Administrator Imhulse, Chief of Police Ledwell and Director of Finance Rodgers. The Common Council took no official action during the meeting. The Closed Meeting adjourned at 9:30 p.m.

PRESENTATION

Auditors Presentation – SB& Company, LLC for the City of Westminster FY24 Audit

Mr. William Seymour Engagement Partner and Ms. Renata Reis, Engagement Manager with SB & Company, LLC presented to the Mayor and Common Council the City of Westminster's audited Financial Statement for the Fiscal Year ending June 30, 2024 (FY24). Mr. Seymour provided highlights from the report to the Common Council. There were no questions.

MCDANIEL COLLEGE UPDATE

Dr. Flavius Lilly, Provost with McDaniel College provided an update from McDaniel College. Dr. Lilly noted the experiences of two students from McDaniel College that completed an internship with the City of Westminster and highlighted their wonderful experience.

PUBLIC HEARINGS

Annexation Resolution No. 24-11 (Annexation No. 83)

Mayor Becker conducted a public hearing beginning at 7:16 p.m., regarding Annexation Resolution No. 24-11 (Annexation No. 83), Optimum Properties, LLC Petition for Annexation, enlarging the corporate boundaries of the City of Westminster by annexing into the City certain property containing ±3.572 acres, located at the northwestern end of Kent Terrace beyond its intersection with Woodside Drive and generally to the east of Starry Night Drive, contiguous to and adjoining the City's existing corporate boundaries, consisting of real property identified as tax account number 07-001223, Map 0046, Grid 0021, Parcel 0033. Mayor Becker noted that the Public Hearing had been published in the *Carroll County Times*, meeting all applicable requirements. Director of Community Planning and Development Depo at the direction of Mayor Becker provided the staff report on the item. The following spoke and addressed the Common Council during the hearing:

Attorney Kelly Shaffer Miller, with Shaffer, Miller, & Hurff, LLP, 73 East Main Street, addressed the Common Council representing the applicant for Annexation 83, stated her support of the proposed annexation.

With no further comments, Mayor Becker closed the public hearing at 7:22 p.m.

Annexation Resolution No. 24-13 (Annexation No. 85)

Mayor Becker conducted a public hearing beginning at 7:23 p.m., Annexation Resolution No. 24-13 (Annexation No. 85), Ellen Potepan Petition for Annexation, enlarging the corporate boundaries of the City of Westminster by annexing into the City certain property containing ±5.47 acres, located at the western end of Glen Drive and generally to the south of the western end of Starry Night Drive, contiguous to and adjoining the City's existing corporate boundaries, consisting of real property identified as tax account number 07-434089, Map 0046, Grid 0021, Parcel 1648. Mayor Becker noted that the Public Hearing had been published in the *Carroll County Times*, meeting all applicable requirements. Director of Community Planning and Development Depo at the direction of Mayor Becker provided the staff report on the item and responded to questions of clarification given by the Common Council. The following spoke and addressed the Common Council during the hearing:

Attorney Kelly Shaffer Miller, with Shaffer, Miller, & Hurff, LLP, 73 East Main Street, addressed the Common Council stating her support for the approval of the proposed annexation.

With no further comments, Mayor Becker closed the public hearing at 7:32 p.m.

CONSENT CALENDAR

A motion was made by Councilmember Chiavacci and seconded by Councilmember Gilbert to approve the Consent Calendar, which consisted of the following: Approval of the Departmental Operating Report – December 2024; and the Approval to Waive the Competitive Procurement for Good Cause, under the City of Westminster Code Chapter 36 "Procurement and Contracts" Subsection 36-4 Specific Regulations, to procure Carnival Services for Fallfest.

VOTE

AYES: Councilmember Chiavacci, Councilmember Gilbert, and Councilmember Hoff.

NAYS: None.

REPORTS FROM THE MAYOR

Mayor Becker thanked all the departments of the City for their work prior, during, and after the recent winter weather event.

REPORTS FROM COMMITTEES

Council President Pecoraro on behalf of the Finance Committee, noted that the committee had met earlier in the day (Monday, January 27, 2025) to review a contract.

Councilmember Chiavacci on behalf of the Public Safety Committee, noted that the Westminster Police Department offered Maryland Certified Police Officer Druktenis with an offer and will begin work with the City of Westminster Police Department on February 13, 2025. Councilmember Chiavacci closed his report by noting that on January 14, 2025, Officer Bogin received the Officer of the Quarter Award for outstanding performance during the last quarter of 2024.

Councilmember Gilbert, on behalf of the Public Works Committee, noted a few stats related to the recently received winter weather in the City of Westminster.

Councilmember Gilbert, on behalf of the Recreation and Parks Committee, noted the upcoming 2025 14th Annual Celtic Canter 5K and Downtown Irish Festival scheduled for Saturday March 8, 2025.

COUNCIL COMMENTS AND DISCUSSION

Councilmember Chiavacci noted all the great things happening at the City's Wakefield Valley Park and thanked Director of Recreation and Parks Gruber for her great work on the project.

Councilmember Gilbert noted her recent attendance at several meetings and events.

Councilmember Hoff thanked the City of Westminster's Planning Department for all their hard work for the City of Westminster.

BID

Approval to Purchase a Pickup Truck from Apple Ford, Under Baltimore County Contract #00004504 in the Amount of \$115,000.00

A motion was made by Councilmember Gilbert and seconded by Councilmember Dayhoff to approve the purchase of a Pickup Truck from Apple Ford, Under Baltimore County Contract #00004504 in the Amount of \$115,000.00. City Administrator Imhulse provided the staff report and responded to questions of clarification given by the Common Council on the item.

VOTE

AYES: Councilmember Chiavacci, Councilmember Gilbert, and Councilmember Hoff.

NAYS: None

ORDINANCE AND RESOLUTIONS

Adoption of Ordinance No. 2024-09, Tobacconist and Vape Shop Text Amendment, an Ordinance of the Mayor and Common Council of Westminster, Amending Chapter 164, "Zoning and Subdivision of Land", of the City Code, to Amend Article I, "General Provisions", to Add Definitions of "Specialty Shop", "Tobacconist", and "Vape Shop"; to Amend Article VIIA, "Mixed Use Infill Zone"; Article VIII, "B Business Zone"; Article VIIIB, "D-B Downtown Business Zone"; Article IX, "C-B Central Business Zone"; and Article XII, "P-I Planned Industrial Zone" to Add Tobacconists and Vape Shops as Permitted Uses; to Amend Article XIA, "N-C Neighborhood Commercial Zone" to Add Vape Shops as a Permitted Use; to Amend Article XX, "Special

provisions", to Impose Certain Restrictions on the Location of Vape Shops; and to Renumber without Substantive Change the Lists of Permitted Uses in Certain of Those Zones

A motion was made by Councilmember Chiavacci and seconded by Councilmember Gilbert to adopt Ordinance No. 2024-09, Tobacconist and Vape Shop Text Amendment, an Ordinance of the Mayor and Common Council of Westminster, amending Chapter 164, "Zoning and Subdivision of Land", of the City Code, to amend Article I, "General Provisions", to add definitions of "Specialty Shop", "Tobacconist", and "Vape Shop"; to amend Article VIIA, "Mixed Use Infill Zone"; Article VIII, "B Business Zone"; Article VIIIB, "D-B Downtown Business Zone"; Article IX, "C-B Central Business Zone"; and Article XII, "P-I Planned Industrial Zone" to add Tobacconists and Vape Shops as permitted uses; to amend Article XIA, "N-C Neighborhood Commercial Zone" to add Vape Shops as a permitted use; to amend Article XX, "Special provisions", to impose certain restrictions on the location of Vape Shops; and to renumber without substantive change the lists of permitted uses in certain of those zones. Director of Community Planning and Development Depo provided the staff report on the item. Councilmember Hoff moved to postpone adoption of Ordinance 2024-09 until the Mayor and Common Council's next meeting scheduled for Monday, February 10, 2025.

VOTE

AYES: Councilmember Chiavacci, Councilmember Gilbert, and Councilmember Hoff.

NAYS: None

Adoption of Annexation Plan Resolution No. 25-02 (Annexation No. 83), an Annexation Plan for Certain Property Containing ±3.572 Acres, Contiguous to and Adjoining the City's Existing Corporate Boundaries, Consisting of Real Property Identified as Tax Account Number 07-001223, Map 0046, Grid 0021, Parcel 0033, which Property is the Subject of a Petition for Annexation Submitted by the Owners of the Subject Property to the Mayor and Common Council of Westminster

A motion was made by Councilmember Chiavacci and seconded by Councilmember Gilbert to adopt Annexation Plan Resolution No. 25-02 (Annexation No. 83), an Annexation Plan for certain property containing ±3.572 acres, contiguous to and adjoining the City's existing corporate boundaries, consisting of real property identified as tax account number 07-001223, Map 0046, Grid 0021, Parcel 0033, which property is the subject of a petition for annexation submitted by the owners of the subject property to the Mayor and Common Council of Westminster. Director of Community Planning and Development Depo provided the staff report on the item. There was no discussion.

VOTE

AYES: Councilmember Chiavacci, Councilmember Gilbert, and Councilmember Hoff.

NAYS: None

Adoption of Annexation Resolution No. 24-11 (Annexation No. 83), Optimum Properties, LLC Petition for Annexation, Enlarging the Corporate Boundaries of the City of Westminster by Annexing into the City Certain Property Containing ±3.572 Acres, Located at the Northwestern End of Kent Terrace Beyond its Intersection with Woodside Drive and Generally to the East of Starry Night Drive, Contiguous to and Adjoining the City's Existing Corporate Boundaries, Consisting of Real Property Identified as Tax Account Number 07-001223, Map 0046, Grid 0021, Parcel 0033

A motion was made by Councilmember Chiavacci and seconded by Councilmember Hoff to adopt Annexation Resolution No. 24-11 (Annexation No. 83), Optimum Properties, LLC Petition for Annexation, enlarging the corporate boundaries of the City of Westminster by annexing into the City certain property containing ±3.572 acres, located at the northwestern end of Kent Terrace beyond its intersection with Woodside Drive and generally to the east of Starry Night Drive, contiguous to and

adjoining the City's existing corporate boundaries, consisting of real property identified as tax account number 07-001223, Map 0046, Grid 0021, Parcel 0033. Director of Community Planning and Development Depo provided the staff report on the item. There was no discussion.

VOTE

AYES: Councilmember Chiavacci, Councilmember Gilbert, and Councilmember Hoff.

NAYS: None

Adoption of Annexation Plan Resolution No. 25-03 (Annexation No. 85), an Annexation Plan for Certain Property Containing ±5.47 Acres, Contiguous to and Adjoining the City's Existing Corporate Boundaries, Consisting of Real Property Identified as Tax Account Number 07-434089, Map 0046, Grid 0021, Parcel 1648, which Property is the Subject of a Petition for Annexation Submitted by the Owners of the Subject Property to the Mayor and Common Council of Westminster

A motion was made by Councilmember Chiavacci and seconded by Councilmember Gilbert to adopt Annexation Plan Resolution No. 25-03 (Annexation No. 85), an Annexation Plan for certain property containing ±5.47 acres, contiguous to and adjoining the City's existing corporate boundaries, consisting of real property identified as tax account number 07-434089, Map 0046, Grid 0021, Parcel 1648, which property is the subject of a petition for annexation submitted by the owners of the subject property to the Mayor and Common Council of Westminster. Director of Community Planning and Development Depo provided the staff report on the item. There was no discussion.

VOTE

AYES: Councilmember Chiavacci, Councilmember Gilbert, and Councilmember Hoff.

NAYS: None

Adoption of Annexation Resolution No. 24-13 (Annexation No. 85), Ellen Potepan Petition for Annexation, Enlarging the Corporate Boundaries of the City of Westminster by Annexing into the City Certain Property Containing ±5.47 Acres, Located at the Western End of Glen Drive and Generally to the South of the Western End of Starry Night Drive, Contiguous to and Adjoining the City's Existing Corporate Boundaries, Consisting of Real Property Identified as Tax Account Number 07-434089, Map 0046, Grid 0021, Parcel 1648

A motion was made by Councilmember Chiavacci and seconded by Councilmember Hoff to adopt Annexation Resolution No. 24-13 (Annexation No. 85), Ellen Potepan Petition for Annexation, enlarging the corporate boundaries of the City of Westminster by annexing into the City certain property containing ±5.47 acres, located at the western end of Glen Drive and generally to the south of the western end of Starry Night Drive, contiguous to and adjoining the City's existing corporate boundaries, consisting of real property identified as tax account number 07-434089, Map 0046, Grid 0021, Parcel 1648. Director of Community Planning and Development Depo provided the staff report on the item. There was no discussion.

VOTE

AYES: Councilmember Chiavacci, Councilmember Gilbert, and Councilmember Hoff.

NAYS: None

Adoption of Resolution No. 25-01, Amending the Adopted Water and Sewer Allocation Policy and Accompanying Master Distribution Chart to Allow for Sewer-Only Allocations and to amend Certain Sections for Consistency without Substantive Changes

A motion was made by Councilmember Chiavacci and seconded by Councilmember Hoff to adopt Resolution No. 25-01, amending the adopted Water and Sewer Allocation Policy and accompanying Master Distribution Chart to allow for sewer-only allocations and to amend certain sections for

consistency without substantive changes. Director of Community Planning and Development Depo provided the staff report on the item and responded to questions of clarification given by the Common Council on the item.

VOTE

AYES: Councilmember Chiavacci, Councilmember Gilbert, and Councilmember Hoff.

NAYS: None

Introduction of Ordinance No. 2025-02, an Ordinance of the Mayor and Common Council of Westminster, adopting Local Map Amendment LMA 24-02, Amending the Zoning Map for Certain Real Property Located at 222 E. Green Street, Westminster, MD 21157 to Superimpose the Compatible Neighborhood Overlay Zone (CN Zone) over the Existing R-7,500 Residential Zone (R-7,500 Zone) to Develop Multiple-Family Dwelling Units

A motion was made by Councilmember Hoff and seconded by Councilmember Gilbert to introduce Ordinance No. 2025-02, an Ordinance of the Mayor and Common Council of Westminster, adopting Local Map Amendment LMA 24-02, amending the Zoning Map for certain real property located at 222 E. Green Street, Westminster, MD 21157 to superimpose the Compatible Neighborhood Overlay Zone (CN Zone) over the existing R-7,500 Residential Zone (R-7,500 Zone) to develop Multiple-Family Dwelling Units. Director of Community Planning and Development Depo provided the staff report on the item and responded to questions of clarification given by the Common Council on the item. The Common Council thanked City Administrator Imhulse and the City's Planning and Zoning Commission for their hard work on the project.

VOTE

AYES: Councilmember Chiavacci, Councilmember Gilbert, and Councilmember Hoff.

NAYS: None

Introduction of Ordinance No. 2025-03, Cannabis Overlay District Amendment, an Ordinance of the Mayor and Common Council of Westminster, Adopting a Sectional Map Amendment to Amend the Boundaries of the Cannabis Overlay District, for the Purpose of Establishing the Appropriate Locations for the Designation of Cannabis Overlay Floating Zones Permitting the Operation of Cannabis Businesses in the City

A motion was made by Councilmember Hoff and seconded by Councilmember Chiavacci to introduce Ordinance No. 2025-03, Cannabis Overlay District Amendment, an Ordinance of the Mayor and Common Council of Westminster, adopting a sectional map amendment to amend the boundaries of the Cannabis Overlay District, for the purpose of establishing the appropriate locations for the designation of cannabis overlay floating zones permitting the operation of cannabis businesses in the City. Director of Community Planning and Development Depo provided the staff report on the item and responded to questions of clarification given by the Common Council on the item.

VOTE

AYES: Councilmember Chiavacci, Councilmember Gilbert, and Councilmember Hoff.

NAYS: None

UNFINISHED BUSINESS

There was no unfinished business to be discussed by the Mayor and Common Council.

NEW BUSINESS

Vote to Go into a Closed Meeting

A motion was made by Councilmember Chiavacci and seconded by Councilmember Gilbert to adjourn into a Closed Meeting on Monday, January 27, 2025, at the conclusion of the regular meeting in

accordance with the General Provisions Article of the Annotated Code of Maryland, §3-305 (b)(3) to consider the acquisition of real property for a public purpose and matters directly related thereto and (b)(7) to consult with counsel to obtain legal advice.

VOTE

AYES: Councilmember Chiavacci, Councilmember Gilbert, and Councilmember Hoff.

NAYS: None

DEPARTMENTAL REPORTS

Administration

City Administrator Imhulse thanked the Mayor and Common Council for their acknowledgement to the City Departments who assisted in the snowstorm preparations, as well as during the storm and after with the storm clean up. City Administrator Imhulse noted that it is just not the Department of Public Works and the Police Department that provided assistance during these storms that many of the City's departments have duties that are needed prior, during and after a snow event in the City. City Administrator Imhulse closed her report by thanking Director of Finance Rodgers and the staff of the Finance Department for their work on the FY24 Audit Report.

Department of Recreation and Parks

Director of Recreation and Parks Gruber noted the City has begun selling pool memberships for the 2025 Swim Season. Director of Recreation and Parks Gruber also noted that City of Westminster Summer Camp 2025 registration will begin on Monday, February 3, 2025. Director Gruber closed her comments by reporting that the department is preparing for the 14th Annual Celtic Canter 5K and Downtown Irish Festival scheduled for Saturday March 8, 2025.

Community Planning and Development

On February 4, 2025, the Board of Zoning Appeals is scheduled to hear the following: BZA Case No. 24-05, an appeal of the Zoning Administrator's September 27, 2024, initial Notice of Violation for 279 East Main Street for the unapproved operation of a retail sales establishment at the property, the installation of unapproved signage at the property, and the illegal use of City sidewalk-the application was continued from the BZA's January 7, 2025, meeting. BZA Case No. 25-01, an amendment to the special exception for a multiple-family detached dwelling use at 301 East Main Street to allow for a 32 square foot sign for the multiple-family use.

On February 16, 2025, the Planning and Zoning Commission is tentatively scheduled to: Review 2024 City of Westminster Annual Report, a planning document for Maryland Department of Planning; and Review Site Plan S-18-0037, My K-9 Buddy, to construct a 40,000 square foot Indoor Dog Training Event facility. The subject property is located on the northern side of Kriders Church Road, behind the existing Sheltered Systems.

Finance

City Administrator Imhulse on behalf of the Department of Finance thanked SB & Company for their partnership with the City of Westminster. Director Rodgers closed her report by noting the recent McDaniel College Intern Student that worked in the Finance Department noting it was a good experience for both the student and the City.

Westminster Police Department (WPD)

Chief Ledwell thanked all the City departments involved in assisting with the current renovations at the Westminster Police Department.

CITIZEN COMMENTS

Council President Pecoraro advised that residents may submit any comments to the following email address: comments@westminstermd.gov. He noted that all emails received would be shared with the Mayor and Common Council.

Ms. Lyndi McNulty, 195 Main Street, addressed the Common Council, she thanked the Westminster Police Department for saving the life of one of her tenants.

ADJOURNMENT

Council President Pecoraro announced that the next meeting of the Mayor and Common Council would be on Monday, February 10, 2025, and the meeting will begin at 7:00 p.m. He adjourned the meeting at 8:29 p.m.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Douglass A. Barber".

Douglass A. Barber, MMC
City Clerk

Full audio version is available on www.westminstermd.gov

Adopted by the City of Westminster Common Council on February 10, 2025.



To: Mayor and Common Council

From: Mark A. Depo, Director of Community Planning & Development

Meeting Date: January 27, 2025

Re: **Annexation No. 83, Optimum Properties, LLC.; Annexation Resolution 24-11; and Annexation Plan Resolution 25-02 Public Hearing**

The Department of Community Planning and Development (DCPD) is requesting the Mayor and Common Council adopt Annexation Plan Resolution No. 25-02 then adopt Annexation Resolution No. 24-11 approving Annexation 83, Optimum Properties, LLC. [Attachments 1 and 2]

BACKGROUND

Optimum Properties, LLC. (the "Petitioner") seeks the annexation of a property containing approximately $\pm$ 3.572 acres, located at the northwestern end of Kent Terrace beyond its intersection with Woodside Drive and generally to the east of Starry Night Drive, and identified as tax account number 07-001223, Map 0046, Grid 0021, Parcel 0033 ("the Property"), into the corporate boundaries of the City. [Attachment 3]

The City has verified the signatures on the petition in accordance with § 4-404(a) and § 4-404(b). The Petitioner's annexation request is being made in coordination with a petition by Ellen Potepan for annexation of another parcel, which is the subject of Annexation Resolution No. 24-13 (Annexation No. 85).

The annexation area is zoned "R-20,000 Residence District" under the zoning laws of Carroll County. The Petitioner is requesting that the Property be zoned "R-10,000 Residential Zone" under the City's Zoning Ordinance. The Petitioner has included a Zoning Waiver with its petition for approval by the Board of County Commissioners of Carroll County. [Attachment 4]

The Petitioner is proposing to subdivide the vacant Property into 4 to 7 residential lots. No preliminary subdivision application has been submitted depicting lot layout and proposed number of lots. The subdivision of the Property will require new water and sewer allocation. Pursuant to the Carroll County Water and Sewer Master Plan and City Water and Sewer Allocation Policy Section I.D., Annexations, "property owners of property located outside the City limits but inside the water service area that are eligible for annexation under State law who desire to connect to the City's public water system or require additional allocation must be annexed into the City to be eligible to apply for water allocation."

Annexation Petition

On July 9, 2024, the property owner, pursuant to the Annotated Code of Maryland, Local Government Article, Title 4, Subtitle 4, petitioned the Mayor and Common Council to annex the Property into the corporate boundaries of the City. The Property is currently zoned R-20,000 Residence District in Carroll County. The Petitioner is requesting that the Annexation Area be zoned "R-10,000 Residential Zone".

On October 28, 2024, Annexation Resolution 24-11 for Annexation No. 83 was introduced, including the annexation plan for Annexation 83, by the Mayor and Common Council, allowing the annexation process to begin.

On October 29, 2024, Annexation Resolution 24-11, along with an annexation plan, pursuant to the Annotated Code of Maryland, Local Government Article, Title 4, Subtitle 4 ("LG Subtitle 4"), was emailed to Carroll County and forwarded to Maryland Department of Planning (MDP), Maryland Department of Transportation State Highway Administration (SHA); and certain Carroll County agencies/departments as required by State law. Additionally, hard copies were made available to Carroll County Planning & Land Management and the public at the City of Westminster Administrative Offices, 45 W. Main Street, Westminster, Maryland 21157.

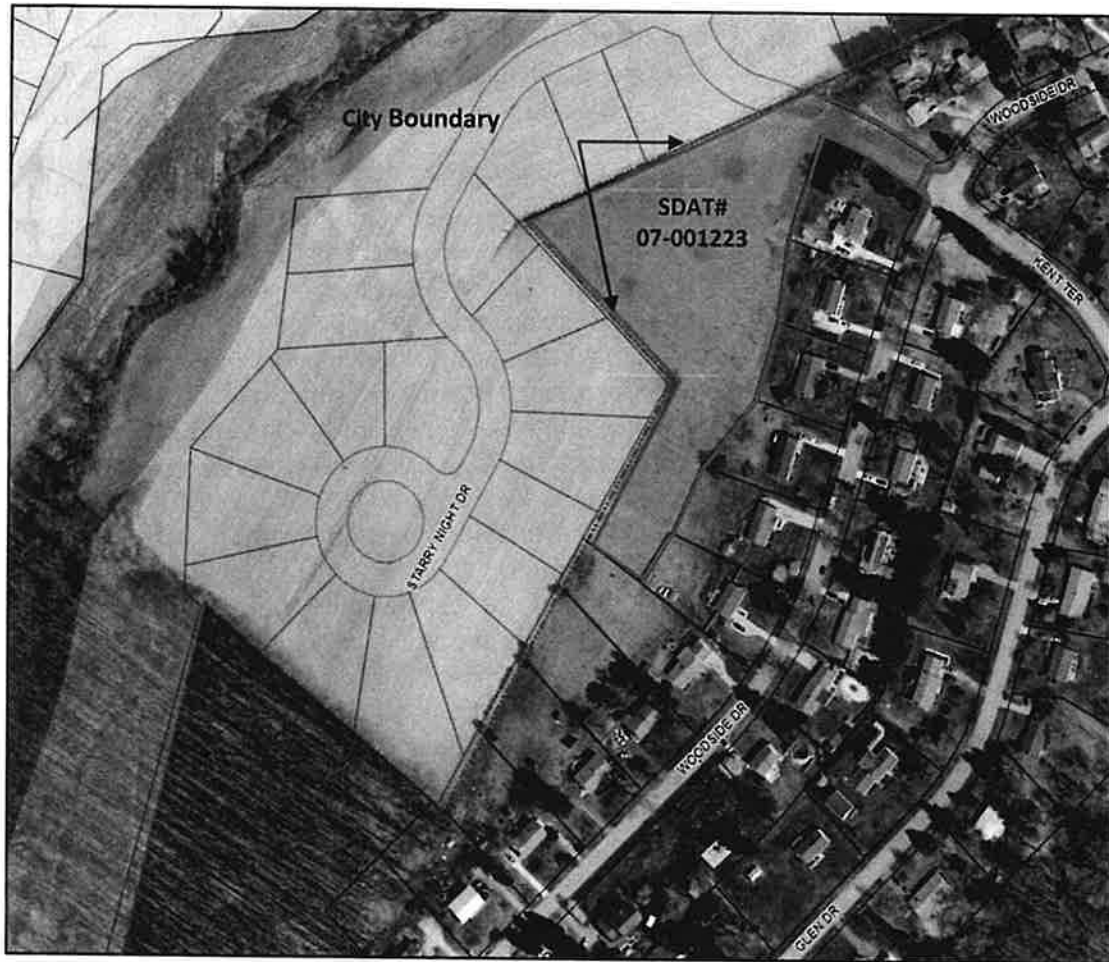
On November 22, 2024, MDP forwarded its review comments to the City [**Attachment 5**]

On December 4, 2024, the Carroll County Planning and Zoning Commission met to discuss Annexation No.83, Optimum Properties, LLC., and to provide a recommendation to the Board of County Commissioners.

On December 5, 2024, The Board of County Commissioners of Carroll County discussed Annexation No. 83 and voted to provide a comment letter documenting their review process and comments received during the Carroll County 60-day review period. [**Attachment 6**]

On January 16, 2024, the City's Planning and Zoning Commission held the public hearing on Annexation No. 83. The Planning and Zoning Commission forward Annexation No. 83, including Annexation Resolution 24-11 and the annexation plan, to the City of Westminster Mayor and Common Council with a favorable recommendation (4-0).

PROPERTY LOCATION



 = Annexation Area

COMPREHENSIVE PLAN

The annexation area and properties are located within the City of Westminster's Municipal Growth Area Boundary. The property has a Land Use Designation of Medium Density Residential in the 2007 *Westminster Environs Community Comprehensive Plan*. Annexation No. 83 is consistent with this Land Use Designation. The Property is located within the County-certified Priority Funding Area.

Additional Information

▪ Public Schools:

The City does not provide Public School services. There are no existing residents in the annexation area. The surrounding properties are developed with SFDU residential lots. Four (4)

- to seven (7) single family detached dwelling unit (SFDU) residential lots are proposed.

▪ Library Services: The City does not provide Library services. There are no existing residents in the annexation area. 4 to 7 SFDU residential lots are proposed.
- Police/Fire/EMS: The City does not provide Fire and EMS services. The Chief of Police estimates any impact on police services to be minimal because the annexation will not significantly increase residential population, and the nature of the proposed use is such that any increase in calls for services will be nominal.
- Parks & Recreation: Impact to Parks & Recreation is negligible. Existing parkland exceeds standards. The proposed 4 to 7 SFDU residential lots will not affect or overburden parks and recreation facilities, as the increase in population is minimal.
- Water & Sewer: Water and sewer lines are in close proximity or border the Property. The City has received water and sewer allocations pursuant to the City's Water and Sewer Allocation Policy and there is available allocation for the proposed 4 to 7 SFDU residential lots.
- Stormwater Management: No impact to Stormwater Management Facilities. No disturbance is proposed in connection with the annexation. Any future proposed disturbance to the site shall be reviewed for possible impacts and required stormwater management improvements.
- Fiber Infrastructure: The property owner will be offered information regarding Fiber Infrastructure.
- City-County Policy: The proposal meets goals of the Westminster City-County Agreement to allow for annexation of properties within the designated Growth Area Boundary.
- Requested City Zoning: R-10,000 Residential Zone

ANNEXATION PETITION

The annexation petition submitted by the Petitioner meets the requirements of LG Subtitle 4 and Zoning Ordinance Section 164-6. The Annotated Code requires the annexation petition to be signed by (1) at least 25% of the registered voters who are residents of the area to be annexed; and (2) the owners of at least 25% of the assessed valuation of the real property in the area to be annexed. In this case, there are no persons residing within the area to be annexed and the Property is owned entirely by the Petitioner. The Property is contiguous and adjoining to the existing boundaries of the City. Annexation of the Property will not create an isolated area (enclave) of unincorporated land within the City's boundaries.

PROCESS

Pursuant to Zoning Ordinance Section 164-6, "Zoning of Annexed Lands", "Whenever a joint petition for annexation and zoning is filed with the City and there shall be introduced before the Mayor and

[Common] Council a resolution to enlarge the corporate boundaries of the City in accordance with the requirements of applicable law, the Mayor and Council shall also consider, as appropriate, an application for a local or sectional Zoning Map amendment for the territory proposed to be incorporated into the City by the resolution.”

Following introduction of the annexation petition and annexation resolution to the Mayor and Common Council, the annexation resolution and draft annexation plan are forwarded to Carroll County Planning & Land Management and Maryland Department of Planning for its information and comment and to the City’s Planning and Zoning Commission. The City’s Planning and Zoning Commission conducts a public hearing on the annexation petition, annexation resolution and annexation plan and provide a recommendation to the Mayor and Common Council. The Mayor and Common Council also conduct a public hearing on the annexation petition, annexation resolution and annexation plan resolution.

RECOMMENDATION

The Department of Community Planning & Development recommends that the Mayor and Common Council adopt Annexation Plan Resolution 25-02 approving the annexation plan for Annexation No. 83, Optimum Properties, LLC., as provided in Attachment 1 of this report.

The Department of Community Planning & Development then recommends that the Mayor and Common Council adopt Annexation Resolution 24-11 approving Annexation No. 83, Optimum Properties, LLC., as provided in Attachment 2 of this report.

ATTACHMENTS

1. Annexation Plan Resolution No. 25-02, with Exhibit 1 Annexation Plan
2. Annexation Resolution No. 24-11
3. Annexation Petition
4. Carroll County Zoning Waiver Request
5. Maryland Department of Planning Comment Letter
6. Board of Carroll County Commissioners Comment Letter

cc: Sara Imhulse, City Administrator
Elissa D. Levan, City Attorney

RESOLUTION 25-02

ADOPTING AN ANNEXATION PLAN FOR CERTAIN PROPERTY CONTAINING $\pm$ 3.572 ACRES, CONTIGUOUS TO AND ADJOINING THE CITY'S EXISTING CORPORATE BOUNDARIES, LOCATED AT THE NORTHWESTERN END OF KENT TERRACE BEYOND ITS INTERSECTION WITH WOODSIDE DRIVE AND GENERALLY TO THE EAST OF STARRY NIGHT DRIVE, CONSISTING OF REAL PROPERTY IDENTIFIED AS TAX ACCOUNT NUMBER 07-001223, MAP 0046, GRID 0021, PARCEL 0033, WHICH PROPERTY IS THE SUBJECT OF A PETITION FOR ANNEXATION SUBMITTED BY THE OWNERS OF A PORTION OF THE SUBJECT PROPERTY TO THE MAYOR AND COMMON COUNCIL OF WESTMINSTER.

(Annexation No. 83)

WHEREAS, pursuant to Local Government Article, Title 4, Subtitle 4 of the Annotated Code of Maryland, and §164-6 of the Code of the City of Westminster, the Mayor and Common Council of Westminster ("the City") is vested with the authority and discretion to enlarge the corporate boundaries of the City; and

WHEREAS, Md. Code Ann., Local Government Article, § 4-415, requires municipalities to prepare an Annexation Plan for each new annexation consistent with the municipal growth element of the comprehensive plan of the municipality that: (1) includes a description of the land use pattern for the area to be annexed; (2) demonstrates the available land for public facilities which may be considered reasonably necessitated by the proposed use; (3) describes the schedule for extending to the area to be annexed each municipal service performed within the municipality at the time of annexation; and, (4) includes a statement as to the general methods by which the municipality anticipates to finance the extension of municipal services into the area to be annexed; and

WHEREAS, Optimum Properties, LLC. (the "Petitioner") is the owner of real property containing $\pm$ 3.572 acres, located at the northwestern end of Kent Terrace beyond its intersection

with Woodside Drive and generally to the east of Starry Night Drive (“the Property”), zoned “R-20,000 Residence District” under the zoning laws of Carroll County, by virtue of a Deed dated August 24, 2023, recorded in the Land Records of Carroll County at Liber 11118, Folio 431, and further identified as Tax Account Number 07-001223, Map 0046, Grid 0021, Parcel 0033; and

WHEREAS, Petitioner wishes to have the Property annexed into the City’s boundaries;
and

WHEREAS, Exhibit A constitutes the Annexation Plan for the proposed annexation and demonstrates that the proposed annexation meets all of the applicable requirements of State law.

Section 1. **NOW THEREFORE BE IT RESOLVED**, by the Mayor and Common Council of Westminster that the Annexation Plan for the referenced annexation as set forth in Exhibit A is approved.

Section 2. **BE IT FURTHER RESOLVED** by the Mayor and Common Council of Westminster that this Resolution is contingent upon the annexation of the Property and shall become effective concurrent with the effective date of Annexation Resolution No. 24-11 annexing the subject property into the City.

INTRODUCED AND ADOPTED this 27th day of January, 2025

Douglass A. Barber, City Clerk

APPROVED this 27th day of January, 2025

Dr. Mona Becker, Mayor

APPROVED AS TO FORM AND SUFFICIENCY this ____ day of _____, 2025

Elissa D. Levan, City Attorney

EXHIBIT A
Resolution No. 25-02

ANNEXATION PLAN

Annexation No. 83

Acreage: 3.572 ± acres

Location: Tax Account Number 07-001223, Map 0046, Grid 0021, Parcel 0033.

Owner: Optimum Properties, LLC.

Petition: Initiated by Property Owners.

Current Zoning: "R-20,000 Residence District" under the Carroll County Zoning Ordinance.

Proposed Zoning: "R-10,000 Residential Zone" under the City of Westminster Zoning Ordinance.

Zoning Waiver: Required. The "R-10,000 Residential Zone" permits uses substantially similar but at a higher density to that permitted by "R-20,000 Residence District".

City Comprehensive Plan: The annexation area is located within the City of Westminster's Municipal Growth Area Boundary. The property has a Land Use Designation of Medium Density Residential in the 2007 *Westminster Environs Community Comprehensive Plan*. Annexation No. 83 is consistent with this Land Use Designation. The property is located within the County-certified Priority Funding Area.

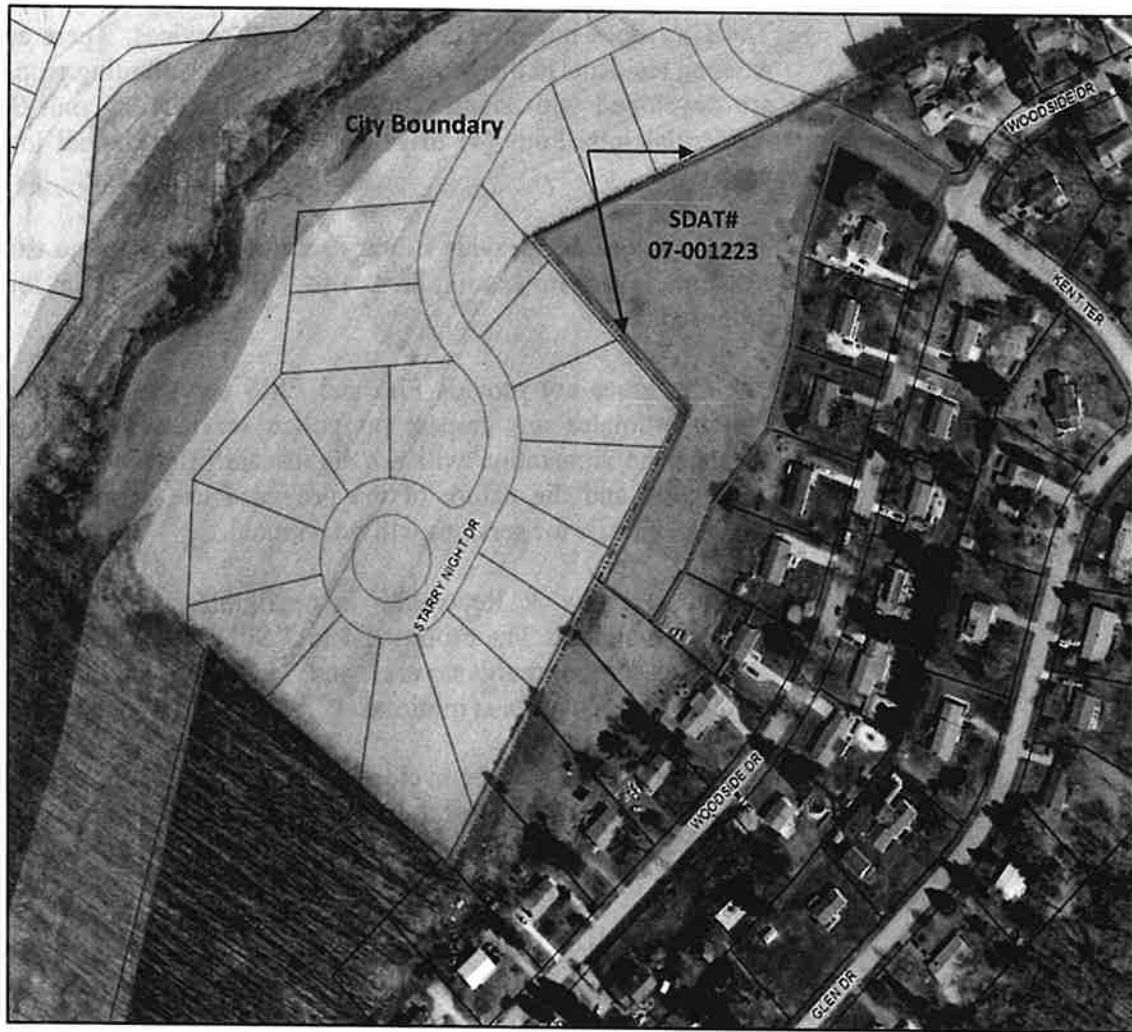
Goal L3 states: "Provide a sustainable balance of new commercial, industrial, and residential land to meet existing and future demand."

Under this overarching land use goal, Objective 1 is to "Expand the corporate limits where appropriate to accommodate projected residential growth and provide needed jobs and services in the City."

The two policies under Objective 1 are "a. Coordinate with the County to identify parcels that are appropriate for annexation as industrial or commercial land" and "b. Extend water and sewer service to annexed lands when appropriate." This parcel is well suited to meet this goal.

Municipal Growth Element:

<i>Public Schools</i>	The City does not provide Public School services. There are no existing residents in the annexation area. The surrounding properties are developed with single family detached dwelling unit SFDU residential lots. Four (4) to seven (7) SFDU residential lots are proposed.
<i>Library Services</i>	The City does not provide Library services. There are no existing residents in the annexation area. 4 to 7 SFDU residential lots are proposed.
<i>Police / Fire / EMS</i>	The City does not provide Fire and EMS services. The Chief of Police estimates any impact on police services to be minimal because the annexation will not significantly increase residential population and the nature of the proposed use is such that any increase in calls for services will be nominal.
<i>Parks & Recreation</i>	Impact to Parks & Recreation is negligible. Existing parkland exceeds standards. The proposed 4 to 7 SFDU residential lots will not affect or overburden parks and recreation facilities, as the increase in population is minimal.
<i>Water & Sewerage</i>	Water and sewer lines are in close proximity or border the Property. The City has received water and sewer allocations pursuant to the City's Water and Sewer Allocation Policy and there is available allocation for the proposed 4 to 7 SFDU residential lots.
<i>Stormwater Management</i>	No impact to Stormwater Management Facilities. No disturbance is proposed in connection with the annexation. Any future proposed disturbance to the site shall be reviewed for possible impacts and required stormwater management improvements.
<i>Fiber Infrastructure:</i>	The property owner will be offered information regarding Fiber Infrastructure.
<i>City-County Policy:</i>	The proposal meets the goals of the Westminster City-County Agreement to allow for annexation of properties within the designated Growth Area Boundary.
<i>Reference Map:</i>	The dashed red line marks the City's boundaries. The blue outline and shaded area indicate the annexation area. An annexation plat and legal descriptions are included as reference.



□ = Annexation Area

RESOLUTION NO. 24-11

ENLARGING THE CORPORATE BOUNDARIES OF THE CITY OF WESTMINSTER BY ANNEXING INTO THE CITY CERTAIN PROPERTY, LOCATED AT THE NORTHWESTERN END OF KENT TERRACE BEYOND ITS INTERSECTION WITH WOODSIDE DRIVE AND GENERALLY TO THE EAST OF STARRY NIGHT DRIVE, CONTAINING ± 3.572 ACRES, CONTIGUOUS TO AND ADJOINING THE CITY'S EXISTING CORPORATE BOUNDARIES, CONSISTING OF REAL PROPERTY IDENTIFIED AS TAX ACCOUNT NUMBER 07-001223, MAP 0046, GRID 0021, PARCEL 0033.

(Annexation No. 83)

WHEREAS, pursuant to Local Government Article, Title 4, Subtitle 4 of the Annotated Code of Maryland, and §164-6 of the Code of the City of Westminster, the Mayor and Common Council of Westminster (“the City”) is vested with the authority and discretion to enlarge the corporate boundaries of the City; and

WHEREAS, Optimum Properties, LLC. (the “Petitioner”) is the owner of real property, located at the northwestern end of Kent Terrace beyond its intersection with Woodside Drive and generally to the east of Starry Night Drive (“the Property”), containing ± 3.572 acres and zoned “R-20,000 Residence District” under the zoning laws of Carroll County, by virtue of a Deed dated August 24, 2023, recorded in the Land records of Carroll County at Liber 11118, Folio 431, and further identified as Tax Account Number 07-001223, Map 0046, Grid 0021, Parcel 0033; and

WHEREAS, Petitioner wishes to have the Property annexed into the City’s boundaries; and

WHEREAS, the improvements the Petitioner wishes to construct at the Property constitute a change in use and require a new water and sewer allocation from the City; and

WHEREAS, the City has only a limited quantity of water available for new development and provides that water to new development in accordance with the City’s adopted Water and

Sewer Allocation Policy, which policy requires that properties eligible for annexation under State law be annexed as a condition of receiving water from the City's system; and

WHEREAS, Petitioner understands that new water and sewer allocations are conditioned upon the annexation of the Property; and

WHEREAS, Petitioner is the sole owner of the Property proposed to be annexed and its petition for annexation under Local Gov't Article § 4-404 meets the requirement of Local Gov't Art., § 4-403 that the City have consent of the owners of at least 25% of the assessed value of the properties to be annexed; and

WHEREAS, there are no persons residing within the area to be annexed and from whom consent to annexation is required by Md. Code Ann., Local Gov't Art., § 4-403; and

WHEREAS, the Annexation Area comprises land contiguous to and adjoining the City's existing corporate boundaries and the annexation of the Annexation Area will not create any unincorporated area that is bounded on all sides by real properties presently or by this legislative action or by a combination of both within the corporate limits of the City.

IT IS THEREFORE RESOLVED, by the Mayor and Common Council of Westminster, that the tracts or parcels of land herein designated as the Annexation Area, as shown on the Annexation Plat, Exhibit A hereto, and described in a metes and bounds description set forth in Exhibit B hereto, be added to the corporate boundaries of the City of Westminster, generally subject to the provisions of the Charter, City Code, Ordinances and other rules and regulations of the City of Westminster;

AND BE IT FURTHER RESOLVED, pursuant to §164-6 and all other related and applicable sections of the City Code, that the Zoning Map of the City of Westminster shall be amended to include the Annexation Area in the "R-10,000 Residential Zone", which permits uses

substantially similar but at a higher density to that permitted by Carroll County in the “R-20,000 Residence District. Due to the increase in density, this change must obtain approval of Zoning Waiver from the Board of County Commissioner of Carroll County;

AND BE IT FURTHER RESOLVED, that the Petitioner shall pay all administrative, engineering, and legal fees incurred on behalf of the City of Westminster prior to the effective date of this Resolution;

AND BE IT FURTHER RESOLVED, that this Resolution shall become effective forty-five (45) days following its passage and approval by the Mayor and Common Council of Westminster, unless within forty-five (45) days of the date of enactment the City receives a Petition for Referendum filed in accordance with the provisions of Md. Code Ann., Local Gov’t Article, §§ 4-408 through 4-410;

AND BE IT FURTHER RESOLVED, that the City Administrator shall, on or after the effective date of the Resolution, promptly send a copy of this resolution with the new boundaries to the Clerk of the Circuit Court for Carroll County, and the Department of Legislative Services for the State of Maryland.

INTRODUCED this 28th day of October 2024

Douglass Barber, City Clerk

PASSED this 27th day of January, 2025

Douglas Barber, City Clerk

APPROVED this 27th day of January, 2025

Dr. Mona Becker, Mayor

APPROVED AS TO FORM AND SUFFICIENCY

this ____ day of _____, 2025

Elissa D. Levan, City Attorney

**PETITION FOR ANNEXATION
TO
MAYOR AND COMMON COUNCIL OF THE CITY OF WESTMINSTER**

OPTIMUM PROPERTIES, LLC, a Maryland limited liability company, and ELLEN POTEPAN, individually, (hereinafter “Petitioners”), pursuant to the Annotated Code of Maryland, Local Government §4-404, respectfully petitions the Mayor and Common Council of the City of Westminster (hereinafter “Westminster”) to annex property owned by the Petitioners into the corporate boundaries of Westminster and states as follows in support of this Petition:

1. The property subject to the Annexation Petition is as follows:
 - a. Petitioners request annexation of all that lot, tract or parcel of land shown on a plat prepared by BPR, LLC. (“BPR”), labeled “Annexation Plat of Optimum Properties, LLC Property” attached hereto as **Exhibit 1(A)**, totaling 3.57 acres +/- (hereinafter “Annexation Plat”), and described by a Metes and Bounds description, attached hereto as **Exhibit 1(B)**. The property being the entire lot, tract or parcel as described in a Deed dated August 24, 2023, and as recorded among the Land Records of Carroll County in Liber 11118, Folio 0431 & etc. (attached hereto as **Exhibit 1(C)**). (Hereinafter “Property 1”).
 - b. Petitioner, Ellen Potepan, requests annexation of all that lot, tract or parcel of land shown on a plat prepared by BPR, LLC. (“BPR”), labeled “Annexation Plat of Potepan Property” attached hereto as **Exhibit 2(A)**, totaling 5.470 acres +/- acres (hereinafter “Annexation Plat”), and described by a Meets and Bounds description, attached hereto as **Exhibit 2(B)** (hereinafter referred to as the “Property” or “Area to be Annexed”). The property subject to the Annexation Petition being the entire lot, tract or parcel as described in a Deed dated August 24, 2023, and recorded among the Land Records of Carroll County in Liber 11118, Folio 0416 & etc. (attached hereto as **Exhibit 2(C)**). (Hereinafter “Property 2). (Hereinafter collectively referred to as “the Properties”).
2. The Properties are contiguous and adjoining to the existing corporate area of the City of Westminster.
3. Annexation of the Properties will not create any unincorporated area which is bounded on all sides by real property presently within the corporate limits of the City of Westminster.
4. The Petitioners have signed this Petition, as owners of not less than Twenty-Five Percent (25%) of the assessed valuation of the real property located in the area to be annexed.
5. The Properties contain no dwellings and there are no individuals registered to vote who reside on the Property.

6. The Properties are in the Designated Growth Area for the City of Westminster as specified in the City of Westminster's 2009 Comprehensive Plan, with a future land use designation of Medium Density Residential. The Properties are zoned R-20,000, under Carroll County's zoning laws. The Petitioner requests that the Properties be zoned as R-10,000 under the City of Westminster's Zoning Ordinance, as more particularly shown on the attached plats prepared by BPR (**Exhibit 1(A) & 2(A)**).
7. In support of this Petition, Petitioners submit the following Exhibits:
 - a. Exhibits relevant to Property 1:
 - i. **Exhibit 1(A)**: Annexation Plat of Property (prepared by BPR);
 - ii. **Exhibit 1(B)**: Metes and Bounds description of Property (prepared by BPR);
 - iii. **Exhibit 1(C)**: Deed granting title to Optimum Properties, LLC dated August 24, 2023, and recorded among the Land Records of Carroll County Liber 11118, Folio 0431 & etc.;
 - iv. **Exhibit 1(D)**: List of Names and addresses of persons with ownership interest in the Property;
 - b. Exhibits relevant to Property 2:
 - i. **Exhibit 2(A)**: Annexation Plat of Property (prepared by BPR);
 - ii. **Exhibit 2(B)**: Meets and Bounds description of Property (prepared by BPR);
 - iii. **Exhibit 2(C)**: Deed granting title to Ellen Potepan, Grant Potepan and Tyler Potepan dated August 24, 2023, and recorded among the Land Records of Carroll County Liber 11118, Folio 0416 & etc.;
 - iv. **Exhibit 2(D)**: List of Names and addresses of persons with ownership interest in the Property;
 - c. Exhibits relevant to Property 1 & 2:
 - i. **Exhibit 3**: Site Map showing location of Property on the 2009 City of Westminster Comprehensive Plan

WHEREFORE, Petitioner respectfully requests that the Mayor and Common Council of the City of Westminster initiate all steps necessary for a final enactment of a Resolution annexing the Properties as shown on **Exhibits 1(A) and 2(A)** into the corporate boundaries of the City of Westminster and zone the Properties R-10,000 zoning, as indicated on **Exhibit 1(A) and 2(A)** under the City's Zoning Ordinance.

****SIGNATURES TO OCCUR ON FOLLOWING PAGES**

Owners/Petitioners:

Kass Miller
WITNESS

Frank Pate
OPTIMUM PROPERTIES, LLC
BY: Frank Pate
Managing Member

STATE OF MARYLAND, COUNTY OF Carroll, to wit:

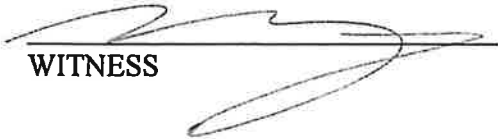
On this 12th day of June, 2024, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Frank Potepan, who acknowledged himself to be a Managing Member of **Optimum Properties, LLC**, a Maryland limited liability company, and that he, as such Managing Member, executed the foregoing instrument for the purpose therein contained.

Witness my hand and Notarial Seal.



Kelly S Miller
Notary Public
My Commission expires 12/3/26

Owners/Petitioners:


WITNESS


BY: ELLEN POTEPAN

STATE OF MARYLAND)

) TO WIT:

COUNTY OF Baltimore)

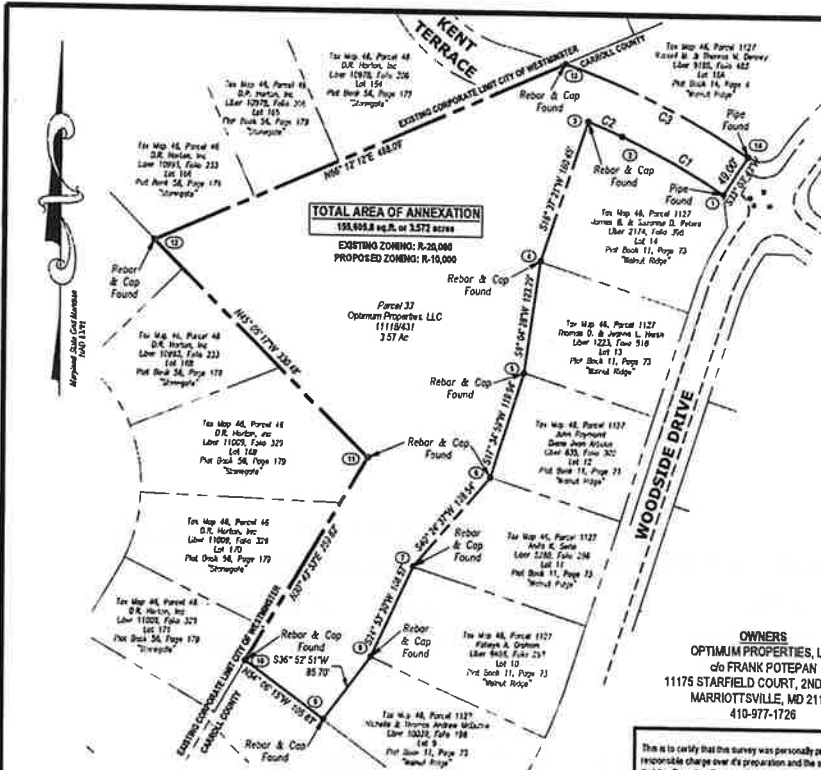
ON THIS, the 13th day of June, 2024, before me, a Notary Public, the undersigned officer personally appeared **ELLEN POTEPAN**, known to me (or satisfactorily proven) to be the person whose name is subscribed to the written instrument, and acknowledged that he/she executed the same for the purpose therein contained being so authorized to do, and acknowledged it to be his/her act.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

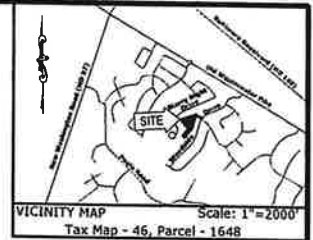

NOTARY PUBLIC (SEAL)

My commission expires: August 3, 2024

MARTHA I. JANUARY
Notary Public-Maryland
Baltimore County
My Commission Expires
August 03, 2024



COORDINATES CARROLL COUNTY CONTROL DATUM (NAD 83)		
POINT #	NORTHING	EASTING
1	687148.1170	1320791.3670
2	687210.4610	1320628.2231
3	687226.0220	1320592.4090
4	687073.8760	1320632.1720
5	686951.6100	1320614.8550
6	686887.8710	1320478.8220
7	686728.5940	1320398.2920
8	686641.2090	1320348.5540
9	686572.8590	1320298.1590
10	686454.7070	1320212.4250
11	686387.8630	1320348.8950
12	687091.1840	1320111.1620
13	687286.1380	1320597.8480
14	687186.1150	1320794.0400



- GENERAL NOTES**
- This survey was prepared without the benefit of a Title Report, which may reveal additional Encumbrances, Rights of Ways, and Building Restriction Lines that are not shown herein.
 - For reference see:
Tax Map 46, Grid 21, Parcel 33
Deed Reference: Liber 11118, Folio 431
 - The Boundary Survey for this plat was completed in June 2022 by BPR, LLC, Westminster, MD.
 - The Bearings Shown hereon are based on NAD 83/91, determined by a GPS Session utilizing Carroll County Control Monuments NE117 (N 681005 02 E 1321941 02) TARA (N 586432 43 E 1324559 10) & TALL GRASS (N 685508 86 E 1323302 34).

CURVE DATA					
CURVE #	ARC LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING	DELTA
C1	127.11	800.00	128.96	N61° 05' 30" W	8° 06' 13"
C2	38.96	800.00	39.57	N67° 04' 30" W	2° 51' 41"
C3	223.88	850.00	223.89	S63° 57' 02" E	15° 04' 43"

**ANNEXATION PLAT
OF
OPTIMUM PROPERTIES LLC PROPERTY**

RECORDED IN LIBER 11118 FOLIO 431
7th ELECTION DISTRICT CARROLL COUNTY, MARYLAND
TAX MAP - 46 GRID - 21 PARCEL - 33

OWNERS
OPTIMUM PROPERTIES, LLC
c/o FRANK POTEPA
11175 STARFIELD COURT, 2ND FLOOR
MARRIOTTVILLE, MD 21104
410-977-1728

This is to certify that this survey was personally prepared by me or that I was in responsible charge over its preparation and the surveying work reflected in it and that the Boundary Survey is in compliance with COMAR Sections 08.13.06.12 of the Minimum Standards of Practice as now adopted by the board for Professional Land Surveyors

Scott M. Lande
Professional Land Surveyor (Maryland No. 21613)
Expires/Retires 8-18-2025

Date



DATE: June 12, 2024

Westminster Annexation Plat Number: _____

BPR LLC
LAND SURVEYING & CIVIL ENGINEERING

150 Airport Drive, Suite 4
Westminster, Maryland 21157
410 - 857 - 9030
INFO@BPRSURVEYING.COM

BPR Job No. 23-0516

Scale: 1 inch = 100 feet

**LAND SURVEYING & CIVIL ENGINEERING**150 Airport Drive, Suite 4
Westminster, Maryland 21157

410 - 857 - 9030

WWW.BPRSURVEYING.COM

DESCRIPTION: Parcel 33 - 3.572 Acre Remainder (Northerly Tract)

PORTIONS OF CLIFFORD A. DULL AND GERALDINE DULL, PROPERTY, SITUATED NORTH OF WOODSIDE DRIVE, IN THE SEVENTH (7TH) ELECTION DISTRICT OF CARROLL COUNTY, MARYLAND, AND, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at an iron pipe found at the northernmost fillet point of Lot 14 on a plat entitled Section Three "Walnut Ridge," dated November 8, 1972 and recorded among the Plat Records of Carroll County, Maryland in Plat Book 11 Page 73, said rebar and cap also being on the southernmost Right of Way Line of Kent Terrace, a future 50 foot wide street, thence leaving the place of beginning and running with and binding on said southernmost Right of Way Line of Kent Terrace, with all bearings herein being referred to Maryland State Grid N.A.D. 83/91, and, as now surveyed by BPR, LLC, Viz:

1. 127.11 feet by a curve to the left in a northwesterly direction, having a radius of 800.00 feet, the arc of which is subtended by a chord bearing and distance of North 61 degrees 05 minutes 41 seconds West 126.89 feet to an iron pipe found at the place of beginning of a 6,340 square foot parcel of land described as a Deed of Add-On, in a deed from Clifford A. Dull and Geraldine Dull, husband and wife, to James B. Peters and Suzanne D. Peters, husband and wife, dated September 29, 2007, and, recorded among the Land Records of Carroll County, Maryland in Book 5650 Page 404, thence leaving the outline of aforesaid Lot 14, and, running reversely with and binding on the fourth (4th) and also the third (3rd) line of the aforesaid 6,340 square foot Add On, the two (2) following courses, Viz:
2. 39.98 feet by a curve to the left in a northwesterly direction, having a radius of 800.00 feet, the arc of which is subtended by a chord bearing and distance of North 67 degrees 04 minutes 30 seconds West 39.97 feet to a rebar and cap found, marked RTF Property Corner on the aforementioned southernmost Right of Way Line of Kent Terrace, future 50 foot wide street, thence leaving said Right of Way Line, and, thence,
3. **South 18 degrees 37 minutes 21 seconds West 160.45 feet** to a rebar and cap found, marked RTF Property Corner, at the end of the second (2nd) or North 08 degrees 11 minutes 06 seconds East 123.38 foot line of a 3,644 square foot Add-On Parcel to Lot 13, shown on the Plat of Section Three "Walnut Ridge" recorded among the Plat Records of Carroll County, Maryland in Plat Book 11 Page 73, said 3,644 square foot parcel intended to be recorded among the Land Records of Carroll County, Maryland as a Deed of Add-On, simultaneously herewith, thence, running reversely with and binding on said second (2nd) line, Viz:
4. **South 08 degrees 04 minutes 28 seconds West 123.29 feet** to a rebar and cap heretofore set by RTF Associates, Inc. at the end of the third (3rd) or North 17 degrees 30 minutes 54 seconds East 119.86 foot line of a 2,398 square foot Add-On Parcel of the land as described in a Deed of Add-On from Clifford A. Dull and Geraldine Dull, husband and wife, to John Raymond Arbutis and Diane Jean Arbutis, husband and wife, dated September 29, 2008 and recorded among the Land Records of Carroll County, Maryland, in Book 5625 Page 328 thence running reversely with and binding on said third (3rd) line, Viz:
5. **South 17 degrees 34 minutes 59 seconds West 119.94 feet** to a rebar and cap heretofore set by RTF Associates, Inc. , at the end of the third (3rd) or North 40 degrees 24 minutes 32 seconds East 128.50 foot line of a 5,353 square foot Add-On Parcel to Lot 11, shown on the Plat of Section Three "Walnut Ridge" recorded among the Plat Records of Carroll County, Maryland in Plat Book 11 Page 73, said 5,353 square foot parcel intended to be recorded among the Land Records of Carroll County, Maryland as a Deed of Add-On, simultaneously herewith, thence,
6. **South 40 degrees 24 minutes 37 seconds West 128.54 feet** to a rebar and cap heretofore set by RTF Associates, Inc. , at the end of the third (3rd) or North 24 degrees 53 minutes 20 seconds East 108.52 foot line of a 8,361 square foot Add-On Parcel to Lot 10, shown on the Plat of Section Three "Walnut Ridge" recorded among the Plat Records of Carroll County, Maryland, in Plat Book 11 Page 73, said 8,361 square foot parcel intended to be recorded among the Land Records of Carroll County, Maryland as a Deed of Add-On, simultaneously herewith, thence,
7. **South 24 degrees 53 minutes 30 seconds West 108.57 feet** to a rebar with broken cap found at the end of the third (3rd) or North 36 degrees 52 minutes 51 seconds East 85.72 foot line of the second (2nd) or 7,984 square foot parcel of land as described in a deed from Jacklyn A. Kilby and Nicholas W. Kilby to Thomas Andrew McDuffie and Michelle McDuffie, dated December 21, 2020 and recorded among the Land Records of Carroll County, Maryland in Book 10039 Page 196, thence,
8. **South 36 degrees 52 minutes 51 seconds West 85.70 feet** to a rebar and cap found and to intersect the fourth (4th) or South 54 degrees 00 minutes 04 seconds East 195.57 foot line of a 17,224 square foot parcel of land as described in a deed from Adele D. Genno to Brian M. Barth and Ashley O. Barth, husband and wife, dated February 7, 2023, and, recorded among the land Records of Carroll County, Maryland in Book 10996 Page 233, at the distance of 105.83 feet measured along said line from a rebar and cap now set at the beginning thereof, thence running reversely with and binding on a part of said fourth (4th) line, Viz:

**LAND SURVEYING & CIVIL ENGINEERING**150 Airport Drive, Suite 4
Westminster, Maryland 21157

410 - 857 - 9030

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9. **North 54 degrees 06 minutes 15 seconds West 105.83 feet** to the base of a bent RTF Associates, Inc. rebar and cap found on the easternmost or South 30 degrees 03 minutes 28 seconds West 715.88 foot perimeter boundary line on the final plat entitled "Resubdivision of a portion of Parcel K, Lots 167-174," now known as Section VI "Stonegate," dated November 2021 and recorded among the Plat Records of Carroll County, Maryland in Plat Book 56 Page 182, at the distance of 259.62 feet measured along said line from a rebar and cap marked CLSI property mark found at the beginning thereof, thence running reversely with and binding on a part of said line, Viz:
10. **North 30 degrees 43 minutes 53 seconds East 259.62 feet** to a rebar and cap found, marked CLSI Property Marker, and, designated as Coordinate Point Number 6 on the aforesaid plat, thence, running reversely with and binding on the South 45 degrees 02 minutes 57 seconds East 330.48 foot northernmost perimeter boundary line of said plat, Viz:
11. **North 45 degrees 05 minutes 17 seconds West 330.48 feet** to a rebar and cap found, marked CLSI Property Marker, and, designated as Coordinate Point Number 124 on the aforesaid plat, said rebar and cap being at the end of the South 66 degrees 11 minutes 47 seconds West 570.39 foot southernmost perimeter boundary line of the land as laid out and shown on the Final Plat entitled Resubdivision of a Portion of Parcel K, Lots 163-166 and 183, now known as Section VI "Stonegate" dated November 2021 and recorded among the Plat Records of Carroll County, Maryland in Plat Book 56 Page 180, thence running reversely with and binding on a part of said southernmost perimeter boundary line, and, crossing Kent Terrace, Viz:
12. **North 66 degrees 12 minutes 12 seconds East 488.09 feet** to a rebar and cap found on the northeasternmost Right of Way Line of Kent Terrace, and, marked CLSI Property Marker, said rebar and cap also being at the westernmost corner of Lot 16-A, as laid out and shown on a Plat entitled Lot 16-A, Section 2, "Walnut Ridge," dated August 7, 1974 and recorded among the Plat Records of Carroll County, Maryland in Plat Book 14 Page 4, thence running with and binding on said northeasternmost Right of Way Line of Kent Terrace, future 50 foot street, Viz:
13. 223.69 feet by a curve to the right in a southeasterly direction, having a radius of 850.00 feet, the arc of which is subtended by a chord bearing and distance of South 63 degrees 57 minutes 02 seconds East 223.05 feet to an iron pipe found at the westernmost fillet point of Lot 16-A, thence leaving Lot 16-A and the northernmost Right of Way line of Kent Terrace, future street, and, crossing said street, Viz:
14. **South 33 degrees 03 minutes 43 seconds West 49.00 feet** to the place of beginning.

Containing 3.572 acres of land, more or less.

Being the Northerly Tract of the Remainder of the land which by deed dated February 6, 2004 and recorded among the Land Records of Carroll County, Maryland in Book 3878 Page 98, was conveyed by Scott Bair, Jr. and Harvey B. Bair to Clifford A. Dull and Geraldine Dull, husband and wife.

A Southerly Tract Remainder containing 5.470 acres, is also intended to be recorded simultaneously herewith, as the northerly and southerly remainders have been severed, by the recordation of final subdivision plats of section VI, "Stonegate," by virtue of plats recorded among the Plat Records of Carroll County, Maryland in Plat Book 56 Pages 181 and 182, sheets 3 of 5, and, sheets 4 of 5, respectively.

The above described 3.572 acre Northerly Tract Remainder as also laid out and shown on an exhibit plat attached hereto and made a part thereof.

A licensed Maryland Surveyor either personally prepared the metes and bounds description(s) as contained herein or was in responsible charge over its preparation and the surveying work reflected in it, in compliance with the Maryland Minimum Standards of Practice for Land Surveyors; COMAR 09.13.06.12.

Date: 8/14/2023

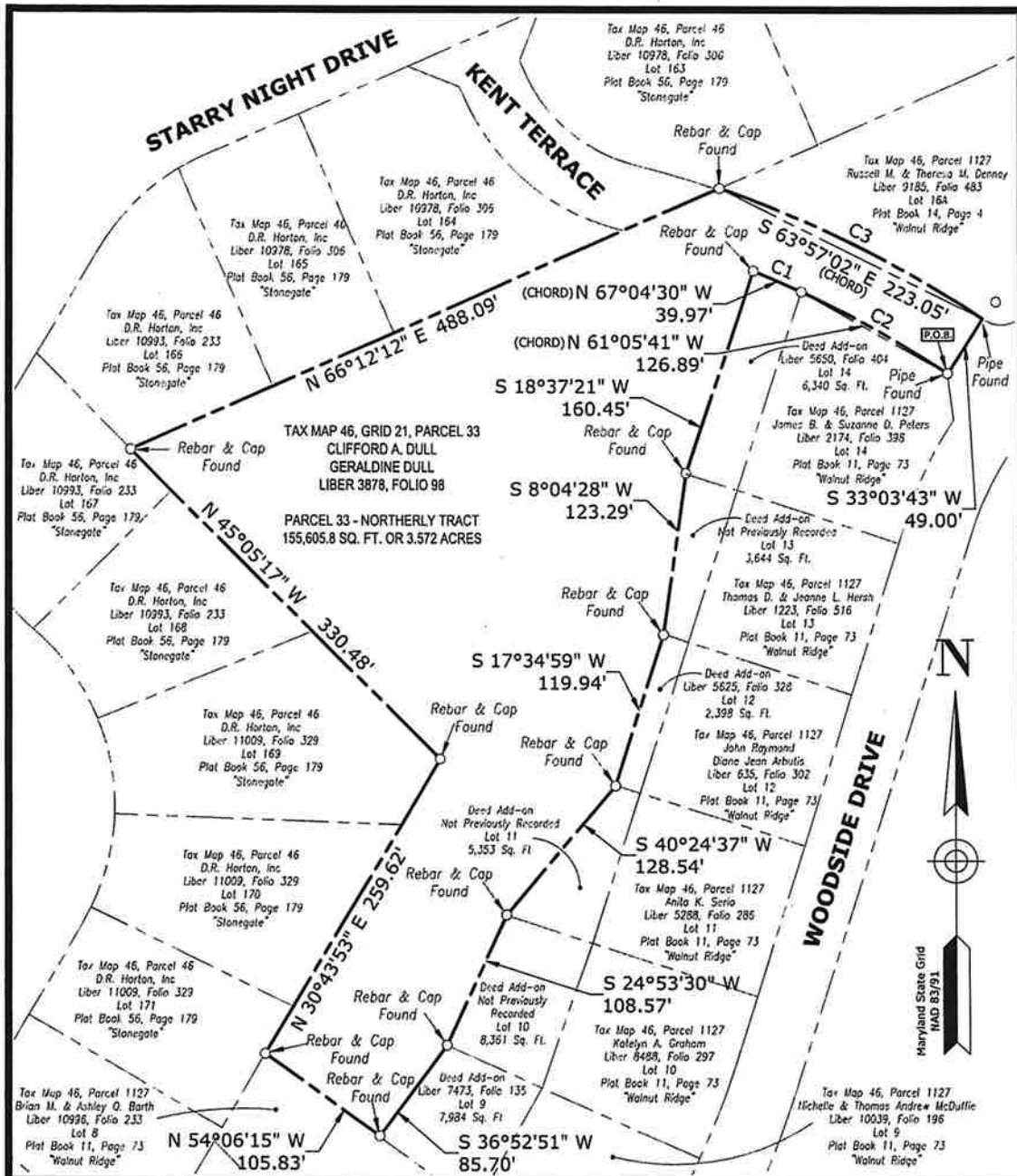
Scott M. Landis

Professional Land Surveyor - Maryland# 21613

Expires/Renews: August 18, 2025



S:\Shared Folders\BPR LLC\Drawings\Boundary\23-0516 Walnut Ridge Full Boundary Worksheet.dwg, 8/14/2023 12:21:28 PM, DWG To PDF.pc3, Previous paper size (8.50 x 14.00 inches), 1:1, Standard

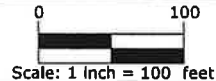


GENERAL NOTES

1. This survey was prepared without the benefit of a Title Report, which may reveal additional Easements, Right-of-Ways, and Building Restriction Lines that are not shown hereon.
2. For reference see:
Tax Map 46, Grid 21, Parcel 33
Deed Reference: Liber 3878, Folio 98
3. The Boundary Survey for this plat was completed in June 2023, by BPR, LLC, Westminster, MD.
4. The Bearings Shown hereon are based on NAD 83/91, Determined by a GPS Session.

PARCEL CURVE TABLE

CURVE #	LENGTH	RADIUS
C1	39.98'	800.00'
C2	127.11'	800.00'
C3	223.69'	850.00'



SURVEYOR'S CERTIFICATE

This is to certify that this survey was personally prepared by me or that I was in responsible charge over its preparation and the surveying work reflected in it and that this Boundary Survey is in compliance with COMAR Sections 09.13.06.12 of the Minimum Standards of Practice as now adopted by the board for Professional Land Surveyors.

Scott M. Landis
Scott M. Landis
Professional Land Surveyor (Maryland No. 21613)
Expires/Renews: 8-18-2025

8/14/2023

Date



EXHIBIT A
PARCEL 33 - NORTHERLY TRACT
CLIFFORD A. & GERALDINE
DULL PROPERTY
OLD WESTMINSTER PIKE
7TH ELECTION DISTRICT
CARROLL COUNTY, MARYLAND

Drawn: J. J. Matalavage
Checked: S. M. Landis
Date: 8/7/2023
Project No.: 23-0516
Scale: 1 inch = 100 feet
Sheet: 1 of 1



LAND SURVEYING & CIVIL ENGINEERING
150 Airport Drive, Suite 4
Westminster, Maryland 21157
410-857-9030
WWW.BPRSURVEYING.COM

After Recording, Return To:
Optimum Properties, LLC
P.O. Box 217
Glyndon, MD 21071 *MT*

Carroll County Commissioners
RECORDATION TAX

AMT: \$ 1700.00

DATE: 9/21/23

INITIALS: JP

Lakeside Title Company

File No. MD77770-VI

Tax ID # 07-001223

Insurer: WFG National Title Insurance Company

Property Address: Lot Old Westminster Pike, Westminster, MD 21157

THIS DEED, made this 24th day of August, 2023, by and between Geraldine Dull, GRANTOR, and Optimum Properties, LLC, a limited liability company of the State of Maryland, GRANTEE.

850
60
WITNESSETH, That for and in consideration of the sum of One Hundred Seventy Thousand Dollars and No Cents (\$170,000.00), the receipt whereof is hereby acknowledged, the said Grantor does hereby grant and convey unto the said Optimum Properties, LLC, its successors and/or assigns, in fee simple, all that certain lot of ground lying and being situate in the County of Carroll, State of Maryland, and described as follows, that is to say:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

BEING a portion of that property, which by Deed dated February 6, 2004, and recorded among the Land Records of Carroll County in Liber 3878 at folio 0098 was granted and conveyed by Scott S. Bair, Jr. and Harvey B. Bair, unto Clifford A. Dull and Geraldine Dull. The said Clifford A. Dull having departed this life on or about March 2, 2010, thereby vesting title in the said Geraldine Dull, surviving tenant by the entirety.

TOGETHER WITH the buildings and improvements thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot of ground and premises, unto and to the use of the said Optimum Properties, LLC, its successors and/or assigns, in fee simple.

AND the Grantor hereby covenants that she has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that she will warrant specially the property hereby granted; and that she will execute such further assurances of the same as may be requisite.

[SIGNATURE AND ACKNOWLEDGEMENT ON FOLLOWING PAGE(S)]

I HEREBY CERTIFY THIS 21st DAY OF Sept
20 23 THAT ALL Public Taxes
ASSESSMENTS AND CHARGES FOR THE CURRENT
YEAR AND ALL PRIOR YEARS ON THE PROPERTY
DESCRIBE HEREIN HAVE BEEN PAID
Jennifer D. Hobbs JP

AS WITNESS the hand and seal of said Grantor, the day and year first above written.

Geraldine Dull (SEAL)
Geraldine Dull

STATE OF Maryland, CITY/COUNTY OF Carroll, TO WIT:

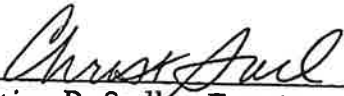
I HEREBY CERTIFY that on this 24th day of August, 2023, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared Geraldine Dull, the Grantor herein, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the same for the purposes therein contained, and further acknowledged the foregoing Deed to be her act, and in my presence signed and sealed the same, giving oath under penalties of perjury that the consideration recited herein is correct.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

[Signature]
Notary Public
My commission expires 3/3/25

AIMEE A. SMITH
NOTARY PUBLIC
CARROLL COUNTY
MARYLAND
MY COMMISSION EXPIRES MARCH 3, 2025

THIS IS TO CERTIFY that the within instrument was prepared by, or under the supervision of the undersigned, an attorney duly admitted to practice before the Court of Appeals of Maryland.


Christine R. Sadler, Esquire

LR - Deed (w Taxes)
Recording only \$120.00
Name: dult / potium
Properties 1)c
Ref:
LR - Deed (with Taxes)
Surcharge 40.00
LR - Deed State
Transfer Tax 850.00
LR - NR Tax - 1kd 0.00
SubTotal: 910.00
Total: 910.00
09/22/2023 12:09
#17576632 CC0502 -
Carroll
County/CC05.02.02 -
Register 02

MARYLAND
FORM
WH-AR

**Certification of Exemption from Withholding Upon
Disposition of Maryland Real Estate Affidavit of
Residence or Principal Residence**

2023

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change

in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor Information

Name of Transferor Geraldine Dull

2. Description of Property (Street address. If no address is available, include county, district, subdistrict and lot numbers).
Lot Old Westminster Pike, Westminster, MD 21157

3. Reasons for Exemption

Resident Status

☒

As of the date this form is signed, I, Transferor, am a resident of the State of Maryland.

☐

Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR)03.04.12.02B(11), I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.

Principal Residence

☐

Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC 121 (principal residence for 2 (two) of the last 5 (five) years) and is currently recorded as such with the State Department of Assessments and Taxation.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors

Witness

Geraldine Dull

Name

8/24/2023

**Date

Geraldine Dull
Signature

3b. Entity Transferors

Witness/Attest

Name of Entity

By

Name

**Date

Title

**** Form must be dated to be valid.**

Note: Form is only valid if it was executed on the date the Property was transferred and is properly recorded with the Clerk of the Court.

To the Clerk of the Court: Only an un-altered Form WH-AR should be considered a valid certification for purposes of Section 10-912.

01/23

EXHIBIT/SCHEDULE "A"

PORTIONS OF CLIFFORD A. DULL AND GERALDINE DULL, PROPERTY, SITUATED NORTH OF WOODSIDE DRIVE, IN THE SEVENTH (7TH) ELECTION DISTRICT OF CARROLL COUNTY, MARYLAND, AND, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at an iron pipe found at the northernmost fillet point of Lot 14 on a plat entitled Section Three "Walnut Ridge," dated November 8, 1972 and recorded among the Plat Records of Carroll County, Maryland in Plat Book 11 Page 73, said rebar and cap also being on the southernmost Right of Way Line of Kent Terrace, a future 50 foot wide street, thence leaving the place of beginning and running with and binding on said southernmost Right of Way Line of Kent Terrace, with all bearings herein being referred to Maryland State Grid N.A.D. 83/91, and, as now surveyed by BPR, LLC, Viz:

- 1. 127.11 feet by a curve to the left in a northwesterly direction, having a radius of 800.00 feet, the arc of which is subtended by a chord bearing and distance of North 61 degrees 05 minutes 41 seconds West 126.89 feet to an iron pipe found at the place of beginning of a 6,340 square foot parcel of land described as a Deed of Add-On, in a deed from Clifford A. Dull and Geraldine Dull, husband and wife, to James B. Peters and Suzanne D. Peters, husband and wife, dated September 29, 2007, and, recorded among the Land Records of Carroll County, Maryland in Book 5650 Page 404, thence leaving the outline of aforesaid Lot 14, and, running reversely with and binding on the fourth (4th) and also the third (3rd) line of the aforesaid 6,340 square foot Add On, the two (2) following courses, Viz:**

2. 39.98 feet by a curve to the left in a northwesterly direction, having a radius of 800.00 feet, the arc of which is subtended by a chord bearing and distance of North 67 degrees 04 minutes 30 seconds West 39.97 feet to a rebar and cap found, marked RTF Property Corner on the aforementioned southernmost Right of Way Line of Kent Terrace, future 50 foot wide street, thence leaving said Right of Way Line, and, thence,

3. South 18 degrees 37 minutes 21 seconds West 160.45 feet to a rebar and cap found, marked RTF Property Corner, at the end of the second (2nd) or North 08 degrees 11 minutes 06 seconds East 123.38 foot line of a 3,644 square foot Add-On Parcel to Lot 13, shown on the Plat of Section Three "Walnut Ridge" recorded among the Plat Records of Carroll County, Maryland in Plat Book 11 Page 73, said 3,644 square foot parcel intended to be recorded among the Land Records of Carroll County, Maryland as a Deed of Add-On, simultaneously herewith, thence, running reversely with and binding on said second (2nd) line, Viz:

4. South 08 degrees 04 minutes 28 seconds West 123.29 feet to a rebar and cap heretofore set by RTF Associates, Inc. at the end of the third (3rd) or North 17 degrees 30 minutes 54 seconds East 119.86 foot line of a 2,398 square foot Add-On Parcel of the land as described in a Deed of Add-On from Clifford A. Dull and Geraldine Dull, husband and wife, to John Raymond Arbutis and Diane Jean Arbutis, husband and wife, dated September 29, 2008 and recorded among the Land Records of Carroll County, Maryland, in Book 5625 Page 328 thence running reversely with and binding on said third (3rd) line, Viz:

5. South 17 degrees 34 minutes 59 seconds West 119.94 feet to a rebar and cap heretofore set by RTF Associates, Inc., at the end of the third (3rd) or North 40 degrees 24 minutes 32 seconds East 128.50 foot line of a 5,353 square foot Add-On Parcel to Lot 11, shown on the Plat of Section Three "Walnut Ridge" recorded among the Plat Records of Carroll County, Maryland in Plat Book 11 Page 73, said 5,353 square foot parcel intended to be recorded among the Land Records of Carroll County, Maryland as a Deed of Add-On, simultaneously herewith, thence,

6. South 40 degrees 24 minutes 37 seconds West 128.54 feet to a rebar and cap heretofore set by RTF Associates, Inc., at the end of the third (3rd) or North 24 degrees 53 minutes 20 seconds East 108.52 foot line of a 8,361 square foot Add-On Parcel to Lot 10, shown on the Plat of Section Three "Walnut Ridge" recorded among the Plat Records of Carroll County, Maryland, in Plat Book 11 Page 73, said 8,361 square foot parcel intended to be recorded among the Land Records of Carroll County, Maryland as a Deed of Add-On, simultaneously herewith, thence,

7. South 24 degrees 53 minutes 30 seconds West 108.57 feet to a rebar with broken cap found at the end of the third (3rd) or North 36 degrees 52 minutes 51 seconds East 85.72 foot line of the second (2nd) or 7,984 square foot parcel of land as described in a deed from Jacklyn A. Kilby and Nicholas W. Kilby to Thomas Andrew McDuffie and Michelle McDuffie, dated December 21, 2020 and recorded among the Land Records of Carroll County, Maryland in Book 10039 Page 196, thence,

8. South 36 degrees 52 minutes 51 seconds West 85.70 feet to a rebar and cap found and to intersect the fourth (4th) or South 54 degrees 00 minutes 04 seconds East 195.57 foot line of a 17,224 square foot parcel of land as described in a deed from Adele D. Genno to Brian M. Barth and Ashley O. Barth, husband and wife, dated February 7, 2023, and, recorded among the land Records of Carroll County, Maryland in Book 10996 Page 233, at the distance of 105.83 feet measured along said line from a rebar and cap now set at the beginning thereof, thence running reversely with and binding on a part of said fourth (4th) line, Viz:

9. North 54 degrees 06 minutes 15 seconds West 105.83 feet to the base of a bent RTF Associates, Inc. rebar and cap found on the easternmost or South 30 degrees 03 minutes 28 seconds West 715.88 foot perimeter boundary line on the final plat entitled "Resubdivision of a portion of Parcel K, Lots 167-174," now known as Section VI "Stonegate," dated November 2021 and recorded among the Plat Records of Carroll County, Maryland in Plat Book 56 Page 182, at the distance of 259.62 feet measured along said line from a rebar and cap marked CLSI property mark found at the beginning thereof, thence running reversely with and binding on a part of said line, Viz:

10. North 30 degrees 43 minutes 53 seconds East 259.62 feet to a rebar and cap found, marked CLSI Property Marker, and, designated as Coordinate Point Number 6 on the aforesaid plat, thence, running reversely with and binding on the South 45 degrees 02 minutes 57 seconds East 330.48 foot northernmost perimeter boundary line of said plat, Viz:

11. North 45 degrees 05 minutes 17 seconds West 330.48 feet to a rebar and cap found, marked CLSI Property Marker, and, designated as Coordinate Point Number 124 on the aforesaid plat, said rebar and cap being at the end of the South 66 degrees 11 minutes 47 seconds West 570.39 foot southernmost perimeter boundary line of the land as laid out and shown on the Final Plat entitled Resubdivision of a Portion of Parcel K, Lots 163-166 and 183, now known as Section VI "Stonegate" dated November 2021 and recorded among the Plat Records of Carroll County, Maryland in Plat Book 56 Page 180, thence running reversely with and binding on a part of said southernmost perimeter boundary line, and, crossing Kent Terrace, Viz:

12. North 66 degrees 12 minutes 12 seconds East 488.09 feet to a rebar and cap found on the northeasternmost Right of Way Line of Kent Terrace, and, marked CLSI Property Marker, said rebar and cap also being at the westernmost corner of Lot 16-A, as laid out and shown on a Plat entitled Lot 16-A, Section 2, "Walnut Ridge," dated August 7, 1974 and recorded among the Plat Records of Carroll County, Maryland in Plat Book 14 Page 4, thence running with and binding on said northeasternmost Right of Way Line of Kent Terrace, future 50 foot street, Viz:

13. 223.69 feet by a curve to the right in a southeasterly direction, having a radius of 850.00 feet, the arc of which is subtended by a chord bearing and distance of South 63 degrees 57 minutes 02 seconds East 223.05 feet to an iron pipe found at the westernmost fillet point of Lot 16-A, thence leaving Lot 16-A and the northernmost Right of Way line of Kent Terrace, future street, and, crossing said street, Viz:

14. South 33 degrees 03 minutes 43 seconds West 49.00 feet to the place of beginning.

Containing 3.572 acres of land, more or less.

**LAND SURVEYING & CIVIL ENGINEERING**150 Airport Drive, Suite 4
Westminster, Maryland 21157

410 - 857 - 9030

WWW.BPRSURVEYING.COM

DESCRIPTION: Parcel 33 - 3.572 Acre Remainder (Northerly Tract)

PORTIONS OF CLIFFORD A. DULL AND GERALDINE DULL, PROPERTY, SITUATED NORTH OF WOODSIDE DRIVE, IN THE SEVENTH (7TH) ELECTION DISTRICT OF CARROLL COUNTY, MARYLAND, AND, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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1. 127.11 feet by a curve to the left in a northwesterly direction, having a radius of 800.00 feet, the arc of which is subtended by a chord bearing and distance of North 61 degrees 05 minutes 41 seconds West 126.89 feet to an iron pipe found at the place of beginning of a 6,340 square foot parcel of land described as a Deed of Add-On, in a deed from Clifford A. Dull and Geraldine Dull, husband and wife, to James B. Peters and Suzanne D. Peters, husband and wife, dated September 29, 2007, and, recorded among the Land Records of Carroll County, Maryland in Book 5650 Page 404, thence leaving the outline of aforesaid Lot 14, and, running reversely with and binding on the fourth (4th) and also the third (3rd) line of the aforesaid 6,340 square foot Add On, the two (2) following courses, Viz:
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Date: 8/14/2023

Scott M. Landis

Professional Land Surveyor - Maryland# 21613

Expires/Renews: August 18, 2025





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Westminster, Maryland 21157
410-857-9030
WWW.BPRSURVEYING.COM

State of Maryland Land Instrument Intake Sheet

| | Baltimore City | X | County: Carroll
 Information provided is for the use of the Clerk's Office and State Department of
 Assessments and Taxation, and the County Finance Office only.
 (Type or Print in Black Ink Only All Copies Must Be Legible)

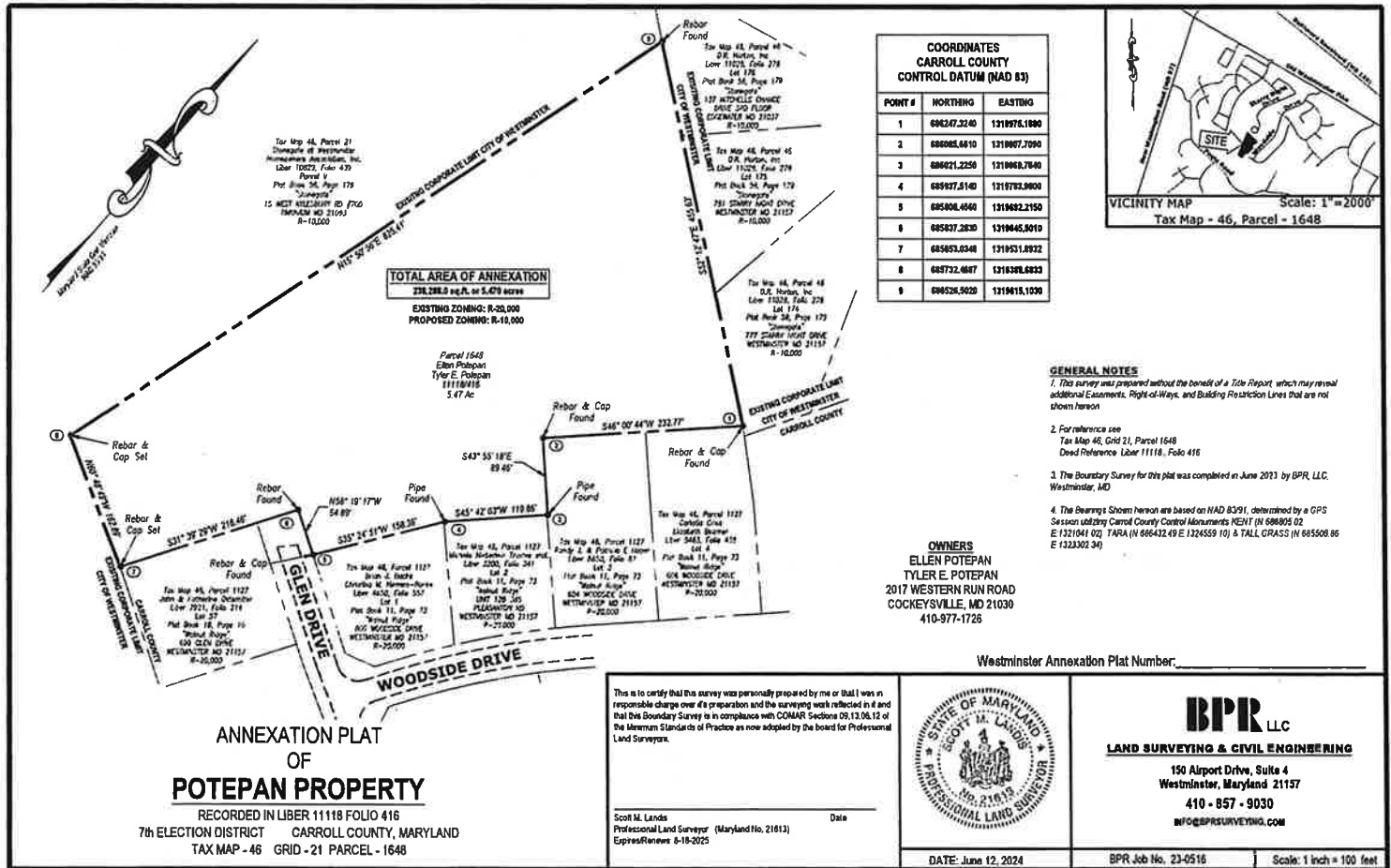
1 Type(s) of Instruments		Check Box if Addendum Intake Form is Attached.																																																																	
		☐ Deed	☐ Mortgage	☐ Other																																																															
		☐ Deed of Trust	☐ Lease																																																																
2 Conveyance Type		☒ Improved Sale Arms-Length [1]	☐ Unimproved Sale Arms-Length [2]	☐ Multiple Accounts Arms Length [3]	☐ Not an Arms-Length Sale [4]																																																														
3 Tax Exemptions (if Applicable)		<table border="1"> <tr> <th>Recordation</th> <th>Purchase</th> </tr> <tr> <td>State Transfer</td> <td></td> </tr> <tr> <td>County Transfer</td> <td></td> </tr> </table>						Recordation	Purchase	State Transfer		County Transfer																																																							
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MD77770-VI

Exhibit 1(D): List of Property Owners

**Frank Potepan
2017 Western Run Road
Cockeysville, MD 21030**

**Ellen Potepan
2017 Western Run Road
Cockeysville, MD 21030**





DESCRIPTION: Parcel 33 - 5.470 Acre Remainder (Southerly Tract)

PORTION OF CLIFFORD A. DULL AND GERALDINE DULL, PROPERTY, SITUATED NORTH OF WOODSIDE DRIVE, IN THE SEVENTH (7TH) ELECTION DISTRICT OF CARROLL COUNTY, MARYLAND, AND, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at a rebar and cap found, marked RTF Property Corner at the end of the third (3rd) or North 46 degrees 00 minutes 29 seconds East 112.94 foot line of a 10,514 square foot parcel of land described as a Deed of Add-On, in a deed from Clifford A. Dull and Geraldine Dull, husband and wife, to Carla Tia Criss and Elizabeth Beamer, dated January 28, 2008, and, recorded among the Land Records of Carroll County, Maryland in Book 5463 Page 438, said rebar and cap also being on the North 52 degrees 12 minutes 26 seconds West 168.00 foot southwesternmost perimeter boundary line of Lot 174, as laid out and shown on a final plat entitled "Resubdivision of a Portion of Parcel K" Lots 167-174, now known as Section VI "Stonegate," dated November 2021 and recorded among the Plat Records of Carroll County, Maryland, in Plat Book 56 Page 182, at the distance of 11.83 feet measured along said line from a rebar and cap found marked RTF Property Mark, at the beginning thereof, thence leaving said southwesternmost perimeter boundary line of Lot 174, and, running reversely with and binding on said third (3rd) line of the land as described in the first (1st) aforementioned deed, with all bearings herein being referred to Maryland State Grid N.A.D. 83/91, and, as now surveyed by BPR, LLC, Viz:

1. **South 46 degrees 00 minutes 44 seconds West 112.95 feet** to a rebar and cap found, marked RTF Property Corner, at the end of the third (3rd) or North 46 degrees 00 minutes 29 seconds East 119.96 foot line of a 10,795 square foot parcel of land as described in a Deed of Add-On, in a deed from Wells Fargo Bank, NA to the Secretary of Housing and Urban Development, dated January 9, 2017 and recorded among the Land Records of Carroll County, Maryland in Book 8650 Page 87, thence running reversely with and binding on said third (3rd) line and, continuing the previous course, Viz:
2. **South 46 degrees 00 minutes 44 seconds West 119.82 feet** to a rebar found, marked RTF Property Corner, thence running reversely with and binding on the second (2nd) or North 44 degrees 00 minutes 44 seconds West 90.00 foot line of the land as described in said second (2nd) aforementioned deed, Viz:
3. **South 43 degrees 55 minutes 18 seconds East 89.46 feet** to an iron pipe found at the northernmost corner of Lot 2, as laid out and shown on the Plat of Section Three "Walnut Ridge," dated November 8, 1972, and, recorded among the Plat Records of Carroll County, Maryland in Plat Book 11 Page 73, thence, running reversely with and binding on the North 45 degrees 24 minutes 00 seconds East 120.00 foot line as shown thereon, Viz:
4. **South 45 degrees 42 minutes 03 seconds West 119.86 feet** to an iron pipe found at the northernmost corner of Lot 1, as also laid out and shown on the aforesaid Plat of Section Three, "Walnut Ridge," thence running reversely with and binding on the rear or North 35 degrees 21 minutes 49 seconds East 154.59 foot line of said Lot 1, Viz:
5. **South 35 degrees 24 minutes 51 seconds West 158.36 feet** to a rebar and cap found, marked RTF Property Corner, on the South 58 degrees 20 minutes 26 seconds East 174.70 foot northernmost line of a 50 foot strip of land adjacent to aforesaid Lot 1, and, as shown on the Plat of Section Four "Walnut Ridge," Plat Book 16 Page 10 at the distance of 54.89 feet measured along said line from a rebar found at the beginning thereof, thence running reversely with and binding on a part of said northernmost side of said 50 foot strip, and, also running reversely with and binding on the North 31 degrees 39 minutes 34 seconds East 218.94 foot westernmost perimeter boundary of the aforementioned Plat of Section Four, "Walnut Ridge," the two (2) following courses, Viz:
6. **North 58 degrees 19 minutes 17 seconds West 54.89 feet** to a rebar found designated as Coordinate Point Number 25, on the Plat of Section Four, "Walnut Ridge," and, thence,
7. **South 31 degrees 39 minutes 29 seconds West 216.46 feet** to a rebar and cap now set, said rebar and cap being designated as Coordinate Point Number One on the aforesaid Plat of Section Four, "Walnut Ridge," and, to intersect the South 58 degrees 54 minutes 16 seconds East 307.41 foot line of Parcel "V", as laid out and shown on Entitled Parcel "V", resubdivision of a portion of Parcel "K", SHT 5 of 5, now known as Section VI, "Stonegate," dated November 2021, and, recorded among the Plat Records of Carroll County, Maryland in Plat Book 56 Page 183, at the distance of 162.89 feet measured along said line from an iron pipe designated as Coordinate Point Number 301, at the beginning thereof, thence running reversely with and binding on a part of said line, Viz:
8. **North 60 degrees 48 minutes 49 seconds West 162.89 feet** to rebar and cap now set at the end of the South 15 degrees 51 minutes 17 seconds West 825.41 foot perimeter boundary line of aforementioned Parcel "V", thence, running reversely with and binding on said line, Viz:

**LAND SURVEYING & CIVIL ENGINEERING**150 Airport Drive, Suite 4
Westminster, Maryland 21157

410 - 857 - 9030

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9. **North 15 degrees 50 minutes 56 seconds East 825.41 feet** to a rebar found on the North 52 degrees 12 minutes 26 seconds West 336.11 foot southernmost perimeter boundary line of the land as laid out and shown on a plat entitled resubdivision of a portion of Parcel K, Lots 175-182, and, Parcel "V", sheet 3 of 5, now known as Section VI "Stonegate", at the distance of 33.98 feet measured reversely along said line from the end thereof, and, being designated as "Plat 554," thereon, thence running with and binding on a part of said southernmost perimeter boundary line, Viz:
10. **South 52 degrees 12 minutes 47 seconds East 299.46 feet** to a point at the westernmost corner of Lot 174, as laid out and shown on the first (1st) aforementioned plat of resubdivision of a portion of Parcel "K", Lots 167-174 "Stonegate", and, at the end of the North 52 degrees 12 minutes 26 seconds West 168.00 foot southernmost perimeter boundary line of Lot 174, as shown thereon, thence running with and binding on a part of said line, and continuing the previous course, Viz:
11. **South 52 degrees 12 minutes 47 seconds East 156.17 feet** to the place of beginning.

Containing 5.470 Acres of land, more or less.

Being the Southerly Tract of the Remainder of the land which by deed dated February 6, 2004, and, recorded among the Land Records of Carroll County, Maryland in Book 3878 Page 98, was conveyed by Scott Bair, Jr. and Harvey B. Bair to Clifford A. Dull and Geraldine Dull, husband and wife.

A Northerly Tract Remainder containing 3.572 acres, is, also, intended to be recorded simultaneously herewith, as the Southerly and Northerly Remainders have been severed, by the Recordation of final subdivision plats of section VI, "Stonegate", by virtue of plats recorded among the Land Records of Carroll County, Maryland in Plat Book 56 Pages 181 and 182, respectively.

The above described 5.470 acre Southerly Tract Remainder as also laid out and shown on an exhibit plat attached hereto and made a part thereof.

A licensed Maryland Surveyor either personally prepared the metes and bounds description(s) as contained herein or was in responsible charge over its preparation and the surveying work reflected in it, in compliance with the Maryland Minimum Standards of Practice for Land Surveyors; COMAR 09.13.06.12.

Date: 8/14/2023

Scott M. Landis

Professional Land Surveyor - Maryland# 21613

Expires/Renews: August 18, 2025



After Recording, Return To:

Ellen Potepan and Tyler Potepan and Grant Potepan ~~THX~~Carroll County Commissioners
RECORDATION TAX

AMT: \$1700.00

DATE: 9/21/23

INITIALS: JH

Lakeside Title Company

File No. MD79126-VI

Tax ID # 07-001223 (parent account) New account to be assigned

Insurer: WFG National Title Insurance Company

Property Address: Lot Old Westminster Pike, Westminster, MD 21157

850
(60)

THIS DEED, made this 21st day of August, 2023, by and between Geraldine Dull, GRANTOR, and Ellen Potepan, Tyler Potepan, and Grant Potepan, GRANTEES.

WITNESSETH, That for and in consideration of the sum of One Hundred Seventy Thousand Dollars and No Cents (\$170,000.00), the receipt whereof is hereby acknowledged, the said Grantor does hereby grant and convey unto the said Ellen Potepan, as to an undivided 60% interest, and Tyler Potepan, as to an undivided 20% interest, and Grant Potepan, as to an undivided 20% interest, as tenants in common, their respective personal representatives and assigns, in fee simple, all that certain lot of ground lying and being situate in the County of Carroll, State of Maryland, and described as follows, that is to say:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

BEING a portion of that property, which by Deed dated February 6, 2004, and recorded among the Land Records of Carroll County in Liber 3878 at folio 98, was granted and conveyed by Scott S. Bair, Jr. and Harvey B. Bair, unto Clifford A. Dull and Geraldine Dull.

The said Clifford A. Dull having departed this life on or about March 2, 2010, thereby vesting title in the said Geraldine Dull, surviving tenant by the entirety.

I HEREBY CERTIFY THIS 21st DAY OF Sept
20 23 THAT ALL PUBLIC TAXES,
ASSESSMENTS AND CHARGES FOR THE CURRENT
YEAR AND ALL PRIOR YEARS ON THE PROPERTY
DESCRIBE HEREIN HAVE BEEN PAID.
Jennifer D. Hobbs
COLLECTOR

TOGETHER WITH the buildings and improvements thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot of ground and premises, unto and to the use of the said Ellen Potepan, as to an undivided 60% interest, and Tyler Potepan, as to an undivided 20% interest, and Grant Potepan, as to an undivided 20% interest, as tenants in common, their respective personal representatives and assigns, in fee simple.

GRANTEE (BUYER) INITIALS

EP

AND the Grantor hereby covenants that she has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that she will warrant specially the property hereby granted; and that she will execute such further assurances of the same as may be requisite.

[SIGNATURE AND ACKNOWLEDGEMENT ON FOLLOWING PAGE(S)]

LR - Deed (w Taxes)
Recording only \$120.00
Name: duli / potepan
Ref:
LR - Deed (with Taxes)
Surecharge 40.00
LR - Deed State
Transfer Tax 850.00
LR - NR Tax - 1kd 0.00
SubTotal: 910.00
Total: 910.00
09/22/2023 12:08
#17578630 CC0502 -
Carroll
County/CC05.02.02 -
Register 02

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[SIGNATURE AND ACKNOWLEDGEMENT ON FOLLOWING PAGE(S)]

TOGETHER WITH the buildings and improvements thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot of ground and premises, unto and to the use of the said Ellen Potepan, as to an undivided 60% interest, and Tyler Potepan, as to an undivided 20% interest, and Grant Potepan, as to an undivided 20% interest, as tenants in common, their respective personal representatives and assigns, in fee simple.

GRANTEE (BUYER) INITIALS TP

AND the Grantor hereby covenants that she has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that she will warrant specially the property hereby granted; and that she will execute such further assurances of the same as may be requisite.

[SIGNATURE AND ACKNOWLEDGEMENT ON FOLLOWING PAGE(S)]

AS WITNESS the hand and seal of said Grantor, the day and year first above written.

Geraldine Dull (SEAL)
Geraldine Dull

STATE OF Maryland, CITY/COUNTY OF Carroll, TO WIT:

I HEREBY CERTIFY that on this 24th day of August, 2023, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared **Geraldine Dull**, the Grantor herein, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the same for the purposes therein contained, and further acknowledged the foregoing Deed to be her act, and in my presence signed and sealed the same, giving oath under penalties of perjury that the consideration recited herein is correct.

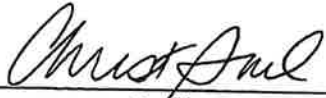
IN WITNESS WHEREOF, I hereunto set my hand and official seal.

[Signature]
Notary Public

My commission expires 3/3/25



THIS IS TO CERTIFY that the within instrument was prepared by, or under the supervision of the undersigned, an attorney duly admitted to practice before the Court of Appeals of Maryland.

A handwritten signature in cursive script, appearing to read "Christine R. Sadler", written over a horizontal line.

Christine R. Sadler, Esquire

MARYLAND
FORM
WH-AR

**Certification of Exemption from Withholding Upon
Disposition of Maryland Real Estate Affidavit of
Residence or Principal Residence**

2023

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change

in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor Information

Name of Transferor Geraldine Dull

2. Description of Property (Street address. If no address is available, include county, district, subdistrict and lot numbers).
Lot Old Westminster Pike, Westminster, MD 21157

3. Reasons for Exemption

Resident Status



As of the date this form is signed, I, Transferor, am a resident of the State of Maryland.



Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR)03.04.12.02B(11), I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.

Principal Residence



Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC 121 (principal residence for 2 (two) of the last 5 (five) years) and is currently recorded as such with the State Department of Assessments and Taxation.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors

Witness

Geraldine Dull

Name

**Date

Geraldine Dull
Signature

8/24/2023

3b. Entity Transferors

Witness/Attest

Name of Entity

By

Name

**Date

Title

**** Form must be dated to be valid.**

Note: Form is only valid if it was executed on the date the Property was transferred and is properly recorded with the Clerk of the Court.

To the Clerk of the Court: Only an un-altered Form WH-AR should be considered a valid certification for purposes of Section 10-912.

EXHIBIT/SCHEDULE "A"

PORTION OF CLIFFORD A. DULL AND GERALDINE DULL, PROPERTY, SITUATED NORTH OF WOODSIDE DRIVE, IN THE SEVENTH (7TH) ELECTION DISTRICT OF CARROLL COUNTY, MARYLAND, AND, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at a rebar and cap found, marked RTF Property Corner at the end of the third (3rd) or North 46 degrees 00 minutes 29 seconds East 112.94 foot line of a 10,514 square foot parcel of land described as a Deed of Add-On, in a deed from Clifford A. Dull and Geraldine Dull, husband and wife, to Carla Tia Criss and Elizabeth Beamer, dated January 28, 2008, and, recorded among the Land Records of Carroll County, Maryland in Book 5463 Page 438, said rebar and cap also being on the North 52 degrees 12 minutes 26 seconds West 168.00 foot southwesternmost perimeter boundary line of Lot 174, as laid out and shown on a final plat entitled "Resubdivision of a Portion of Parcel K" Lots 167-174, now known as Section VI "Stonegate," dated November 2021 and recorded among the Plat Records of Carroll County, Maryland, in Plat Book 56 Page 182, at the distance of 11.83 feet measured along said line from a rebar and cap found marked RTF Property Mark, at the beginning thereof, thence leaving said southwesternmost perimeter boundary line of Lot 174, and, running reversely with and binding on said third (3rd) line of the land as described in the first (1st) aforementioned deed, with all bearings herein being referred to Maryland State Grid N.A.D. 83/91, and, as now surveyed by BPR, LLC, Viz:

1. South 46 degrees 00 minutes 44 seconds West 112.95 feet to a rebar and cap found, marked RTF Property Corner, at the end of the third (3rd) or North 46 degrees 00 minutes 29 seconds East 119.96 foot line of a 10,795 square foot parcel of land as described in a Deed of Add-On, in a deed from Wells Fargo Bank, NA to the Secretary of Housing and Urban Development, dated January 9, 2017 and recorded among the Land Records of Carroll County, Maryland in Book 8650 Page 87, thence running reversely with and binding on said third (3rd) line and, continuing the previous course, Viz:

2. South 46 degrees 00 minutes 44 seconds West 119.82 feet to a rebar found, marked RTF Property Corner, thence running reversely with and binding on the second (2nd) or North 44 degrees 00 minutes 44 seconds West 90.00 foot line of the land as described in said second (2nd) aforementioned deed, Viz:

3. South 43 degrees 55 minutes 18 seconds East 89.46 feet to an iron pipe found at the northernmost corner of Lot 2, as laid out and shown on the Plat of Section Three "Walnut Ridge," dated November 8, 1972, and, recorded among the Plat Records of Carroll County, Maryland in Plat Book 11 Page 73, thence, running reversely with and binding on the North 45 degrees 24 minutes 00 seconds East 120.00 foot line as shown thereon, Viz:

4. South 45 degrees 42 minutes 03 seconds West 119.86 feet to an iron pipe found at the northernmost corner of Lot 1, as also laid out and shown on the aforesaid Plat of Section Three, "Walnut Ridge," thence running reversely with and binding on the rear or North 35 degrees 21 minutes 49 seconds East 154.59 foot line of said Lot 1, Viz:

5. South 35 degrees 24 minutes 51 seconds West 158.36 feet to a rebar and cap found, marked RTF Property Corner, on the South 58 degrees 20 minutes 26 seconds East 174.70 foot northernmost line of a 50 foot strip of land adjacent to aforesaid Lot 1, and, as shown on the Plat of Section Four "Walnut Ridge," Plat Book 16 Page 10 at the distance of 54.89 feet measured along said line from a rebar found at the beginning thereof, thence running reversely with and binding on a part of said northernmost side of said 50 foot strip, and, also running reversely with and binding on the North 31 degrees 39 minutes 34 seconds East 218.94 foot westernmost perimeter boundary of the aforementioned Plat of Section Four, "Walnut Ridge," the two (2) following courses, Viz:

6. North 58 degrees 19 minutes 17 seconds West 54.89 feet to a rebar found designated as Coordinate Point Number 25, on the Plat of Section Four, "Walnut Ridge," and, thence,

7. South 31 degrees 39 minutes 29 seconds West 216.46 feet to a rebar and cap now set, said rebar and cap being designated as Coordinate Point Number One on the aforesaid Plat of Section Four, "Walnut Ridge," and, to intersect the South 58 degrees 54 minutes 16 seconds East 307.41 foot line of Parcel "V", as laid out and shown on Entitled Parcel "V", resubdivision of a portion of Parcel "K", SHT 5 of 5, now known as Section VI, "Stonegate," dated November 2021, and, recorded among the Plat Records of Carroll County, Maryland in Plat Book 56 Page 183, at the distance of 162.89 feet measured along said line from an iron pipe designated as Coordinate Point Number 301, at the beginning thereof, thence running reversely with and binding on a part of said line, Viz:

8. North 60 degrees 48 minutes 49 seconds West 162.89 feet to rebar and cap now set at the end of the South 15 degrees 51 minutes 17 seconds West 825.41 foot perimeter boundary line of aforementioned Parcel "V", thence, running reversely with and binding on said line, Viz:

9. North 15 degrees 50 minutes 56 seconds East 825.41 feet to a rebar found on the North 52 degrees 12 minutes 26 seconds West 336.11 foot southernmost perimeter boundary line of the land as laid out and shown on a plat entitled resubdivision of a portion of Parcel K, Lots 175-182, and, Parcel "V", sheet 3 of 5, now known as Section VI "Stonegate", at the distance of 33.98 feet measured reversely along said line from the end thereof, and, being designated as "Plat 554," thereon, thence running with and binding on a part of said southernmost perimeter boundary line, Viz:

10. South 52 degrees 12 minutes 47 seconds East 299.46 feet to a point at the westernmost corner of Lot 174, as laid out and shown on the first (1st) aforementioned plat of resubdivision of a portion of Parcel "K", Lots 167-174 "Stonegate", and, at the end of the North 52 degrees 12 minutes 26 seconds West 168.00 foot southernmost perimeter boundary line of Lot 174, as shown thereon, thence running with and binding on a part of said line, and continuing the previous course, Viz:

11. South 52 degrees 12 minutes 47 seconds East 156.17 feet to the place of beginning.

Containing 5.470 Acres of land, more or less.



LAND SURVEYING & CIVIL ENGINEERING
150 Airport Drive, Suite 4
Westminster, Maryland 21157
410 - 857 - 9030
WWW.BPRSURVEYING.COM

DESCRIPTION: Parcel 33 - 5.470 Acre Remainder (Southerly Tract)

PORTION OF CLIFFORD A. DULL AND GERALDINE DULL, PROPERTY, SITUATED NORTH OF WOODSIDE DRIVE, IN THE SEVENTH (7TH) ELECTION DISTRICT OF CARROLL COUNTY, MARYLAND, AND, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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11. **South 52 degrees 12 minutes 47 seconds East 156.17 feet** to the place of beginning.

Containing 5.470 Acres of land, more or less.

Being the Southerly Tract of the Remainder of the land which by deed dated February 6, 2004, and, recorded among the Land Records of Carroll County, Maryland in Book 3878 Page 98, was conveyed by Scott Bair, Jr. and Harvey B. Bair to Clifford A. Dull and Geraldine Dull, husband and wife.

A Northerly Tract Remainder containing 3.572 acres, is, also, intended to be recorded simultaneously herewith, as the Southerly and Northerly Remainders have been severed, by the Recordation of final subdivision plats of section VI, "Stonegate", by virtue of plats recorded among the Land Records of Carroll County, Maryland in Plat Book 56 Pages 181 and 182, respectively.

The above described 5.470 acre Southerly Tract Remainder as also laid out and shown on an exhibit plat attached hereto and made a part thereof.

A licensed Maryland Surveyor either personally prepared the metes and bounds description(s) as contained herein or was in responsible charge over its preparation and the surveying work reflected in it, in compliance with the Maryland Minimum Standards of Practice for Land Surveyors; COMAR 09.13.06.12.



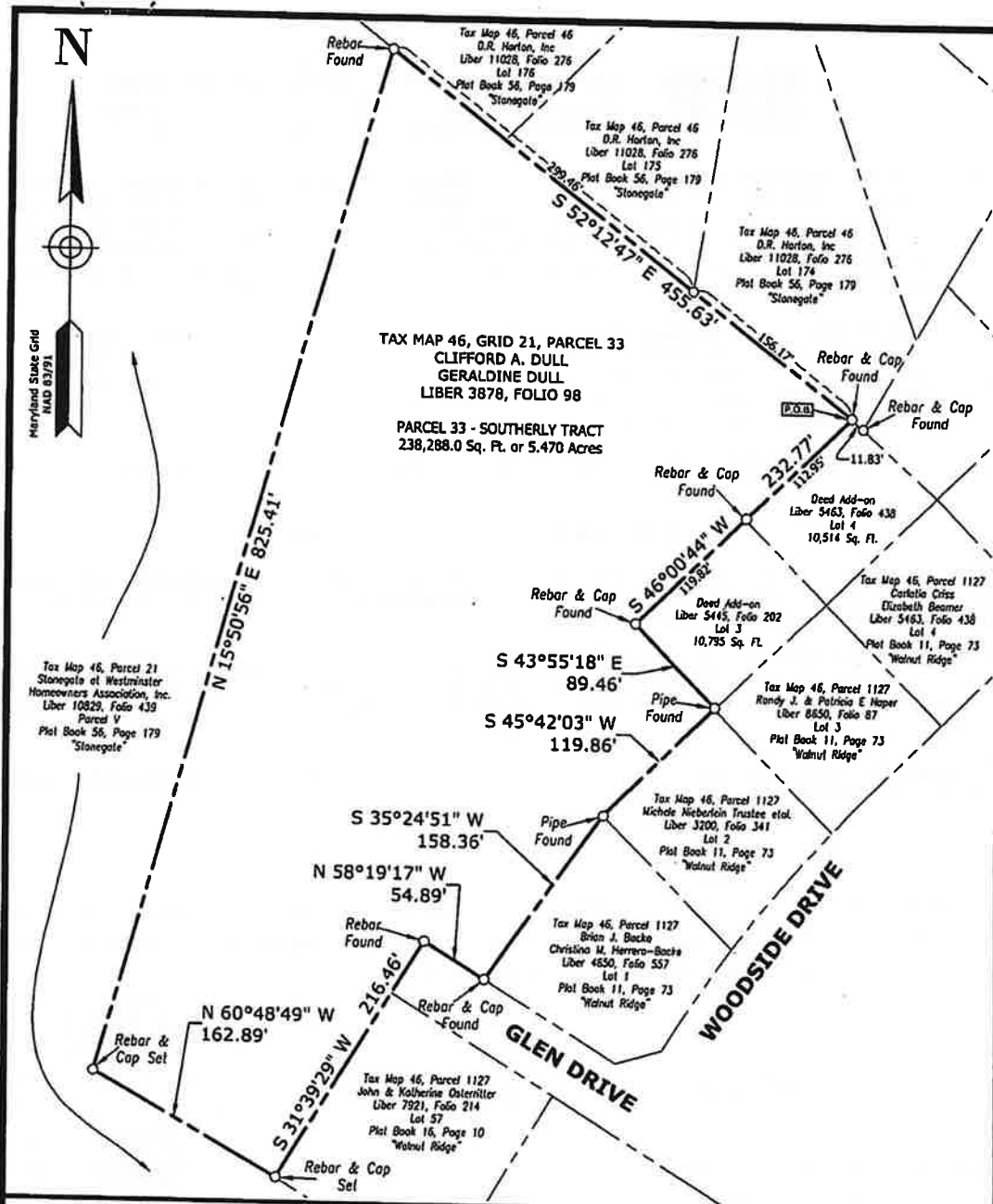
Scott M. Landis

Professional Land Surveyor - Maryland# 21613

Expires/Renews: August 18, 2025

Date: 8/14/2023



**GENERAL NOTES**

1. This survey was prepared without the benefit of a Title Report, which may reveal additional Easements, Right-of-Ways, and Building Restriction Lines that are not shown hereon.
2. For reference see:
Tax Map 46, Grid 21, Parcel 33
Deed Reference: Liber 3878, Folio 98
3. The Boundary Survey for this plat was completed in June 2023, by BPR, LLC, Westminster, MD.
4. The Bearings Shown hereon are based on NAD 83/91, Determined by a GPS Session.

0 100
Scale: 1 inch = 100 feet

SURVEYOR'S CERTIFICATE

This is to certify that this survey was personally prepared by me or that I was in responsible charge over its preparation and the surveying work reflected in it and that this Boundary Survey is in compliance with COMAR Sections 09.13.06.12 of the Minimum Standards of Practice as now adopted by the board for Professional Land Surveyors.

Scott M. Landis 8/14/2023
Scott M. Landis Date
Professional Land Surveyor (Maryland No. 21613)
Expires/Renews: 8-18-2023



EXHIBIT B
PARCEL 33 - SOUTHERLY TRACT
CLIFFORD A. & GERALDINE
DULL PROPERTY
OLD WESTMINSTER PIKE
7TH ELECTION DISTRICT
CARROLL COUNTY, MARYLAND

Drawn: J. J. Matalavage
Checked: S. M. Landis
Date: 8/7/2023
Project No.: 23-0516
Scale: 1 inch = 100 feet
Sheet: 1 of 1

BPR

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Westminster, Maryland 21157
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CARROLL COUNTY CIRCUIT COURT (Land Records) HD 11118, p. 0430, MSA_CE56_11108, Date available 09/28/2023. Printed 06/04/2024.

State of Maryland Land Instrument Intake Sheet Baltimore City X County: Carroll <i>Information provided is for the use of the Clerk's Office and State Department of Assessments and Taxation, and the County Finance Office only.</i> (Type or Print in Black Ink Only All Copies Must Be Legible)																																																																																	
1 Type(s) of Instruments		☐ Check Box if Addendum Intake Form is Attached.																																																																															
		☐ Deed ☐ Deed of Trust		☐ Mortgage ☐ Lease		☐ Other		☐ Other																																																																									
2 Conveyance Type		☒ Improved Sale Arms-Length [1]		☐ Unimproved Sale Arms-Length [2]		☐ Multiple Accounts Arms Length [3]		☐ Not an Arms-Length Sale [4]																																																																									
3 Tax Exemptions (if Applicable)		Recordation State Transfer Cite or Explain Authority																																																																															
4 Consideration and Tax Calculations		<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:30%;">Consideration</th> <th style="width:20%;">Amount</th> <th colspan="2" style="width:50%;">Finance Office Use Only</th> </tr> </thead> <tbody> <tr> <td>Purchase Price/Consideration</td> <td>\$170,000.00</td> <td colspan="2">Transfer and Recordation Tax Consideration</td> </tr> <tr> <td>Any New Mortgage</td> <td></td> <td>Transfer Tax Consideration</td> <td>\$</td> </tr> <tr> <td>Balance of Existing Mortgage</td> <td></td> <td>x () %</td> <td>= \$</td> </tr> <tr> <td>Other:</td> <td></td> <td>Less Exemption Amount</td> <td>- \$</td> </tr> <tr> <td></td> <td></td> <td>Total Transfer Tax</td> <td>= \$</td> </tr> <tr> <td>Other:</td> <td></td> <td>Recordation Tax Consideration</td> <td>\$</td> </tr> <tr> <td></td> <td></td> <td>x () per \$500</td> <td>= \$</td> </tr> <tr> <td>Full Cash Value</td> <td></td> <td>TOTAL DUE</td> <td>\$</td> </tr> </tbody> </table>								Consideration	Amount	Finance Office Use Only		Purchase Price/Consideration	\$170,000.00	Transfer and Recordation Tax Consideration		Any New Mortgage		Transfer Tax Consideration	\$	Balance of Existing Mortgage		x () %	= \$	Other:		Less Exemption Amount	- \$			Total Transfer Tax	= \$	Other:		Recordation Tax Consideration	\$			x () per \$500	= \$	Full Cash Value		TOTAL DUE	\$																																				
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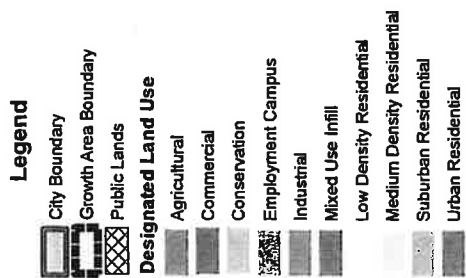
Exhibit 2(D): List of Property Owners

**Ellen Potepan
2017 Western Run Road
Cockeysville, MD 21030**

**Tyler Potepan
1710 Emmets Road
Johns Island, SC 29455**

**Grant Potepan
28111 Buena Way
Spring, TX 77386**

Designated Land Use in Growth Area Boundary



Property 1
- Property 2-



EXHIBIT
Petitioner's



ATTACHMENT 4

Annexation No. 83



SHAFFER, MILLER,
& HURFF, LLP
ATTORNEYS AT LAW

CLARK SHAFFER, Partner
KELLY MILLER, Partner
STACY SHAFFER, Partner
MATTHEW HURFF, Partner

Board of County Commissioners of Carroll County
C/O Hannah Weber, Department of Planning
225 N. Center Street
Westminster, MD 21157
VIA EMAIL & USPS

July 9, 2024

RE: Zoning Waiver Request accompanying Petition for Annexation to City of Westminster- Tax Map 46, Grid 21, Parcel 33, 3.572 ACS S/S Old Westminster Pike, S of Westminster & Potepan Property, Tax Map 46, Grid 21, Parcel 1648, 5.470 ACS S/S Old Westminster Pike (the Properties)

Dear Commissioners:

I represent Optimum Properties, LLC and the Potepan family individually (Frank, Ellen, Tyler and Grant Potepan) in connection with the above referenced properties. The purpose of this letter is to request, pursuant to Section 4-416 of the Local Government Article of the Annotated Code of Maryland, that you grant your express approval to allow development of the above referenced land for land uses substantially different than the current authorized use. The Properties are in the Designated Growth Area for the City of Westminster as specified in the City of Westminster's 2009 Comprehensive Plan, with a future land use designation of Medium Density Residential. The Properties are zoned R-20,000, under Carroll County's zoning laws. The Petitioners request that the Properties be zoned R-10,000 under the City of Westminster's Zoning Ordinance, as more particularly shown on the attached plats prepared by BPR.

The Properties are currently undeveloped. The Properties are adjacent to the new residential subdivision within the City of Westminster known as Stonegate. The Properties are part of what is known as the existing Walnut Ridge residential

Page 1

July 9, 2024

development. The adjacent Stonegate development is zoned R-10,000 in the City of Westminster. The City Zoning Ordinance has an R-7,500, R-10,000 and R-20,000 zone, therefore a zoning of R-10,000 would comply with the future land use designation of Residential Medium per the City's 2009 Comprehensive Plan and be consistent with the surrounding neighborhood.

The Properties were recently the subject of an amendment to the Water and Sewer Master Plans for the City of Westminster and were approved by this Board to come into the service areas. The Properties would be served by public facilities, which make them more appropriate for an R-10,000 zoning district as the future lots will not need to accommodate well and septic areas. The Properties are within the Designated Growth Area, which inherently indicates that smaller lot residential development is appropriate.

The Properties collectively comprise of 9.042 acres. Petitioner intends to propose a total of nineteen (19) single family residential lots on the Properties. This request would therefore not result in any greater density under the City's R-10,000 district than exists under the County's R-20,000 district.¹

The Properties are ideal for the proposed zoning and would contribute to the tax base and general economic health of the City and County. The owner contemplates single family residential development, a use which is needed and which is in general accordance with the City of Westminster's Comprehensive Plan that includes this land in the future growth area.

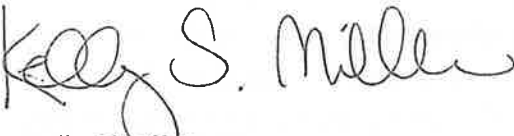
Accordingly, we request your express approval as outlined above. We understand that this request will go through a staff review process, which will include a recommendation from the Planning and Zoning Commission. We look forward to working with your Staff and the Planning Commission through that process.

¹ With a total acreage of 9.042 acres, 43,560 square feet per acre, and a lot size of 20,000 square feet (as currently zoned within Carroll County), the property would be eligible for 19.6 lots.

July 9, 2024

We would appreciate being kept apprised of any public meetings or hearings scheduled to consider this matter. Thank you in advance for your time and consideration.

Respectfully submitted,

A handwritten signature in cursive script that reads "Kelly S. Miller". The signature is written in dark ink and is positioned above the printed name.

Kelly Shaffer Miller

Partner

cc: FILE COPY
Frank Potepan (via email only)
Randy Bachtel, BPR (via email only)
Andrea Gerhard (via hand delivery)

Wes Moore, Governor
Aruna Miller, Lt. Governor



Maryland DEPARTMENT OF PLANNING

ATTACHMENT 5
Annexation No. 83
Rebecca L. Flora, AICP, Secretary
Kristin R. Fleckenstein, Deputy Secretary

November 22, 2024

The Honorable Dr. Mona Becker
The City of Westminster
45 W Main Street
Westminster, MD 21157

Dear Mayor Becker,

Thank you for providing the Maryland Department of Planning (MDP) with information pertaining to the Optimum Properties, LLC annexation located at the Northwest end of Kent Terrace between Woodside Drive and Starry Night Drive (Tax Map 0046, Grid 0021, Parcel 0033). MDP has reviewed your submission and offers the following comments for consideration.

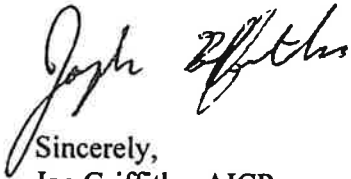
As you are aware, §4-416(b) of the Local Government Article specifies that the new zoning for the annexed land cannot be substantially different from the existing county zoning, without the express consent of the Board of Carroll County Commissioners. In reviewing this annexation request, it is the Department's view that the proposed city zoning appears to not be substantially different from the current county zoning from a use perspective, as the proposed city zoning district allows for similar uses. However, the city zoning appears to allow substantially higher density than the current county zoning, as the proposed city zoning district permits minimum lot sizes that are half those currently permitted in the county. Therefore, MDP recommends that the city seek a waiver from Carroll County prior to annexation, if it wants to allow development of the annexed land within the next five years for land uses substantially different than those authorized uses in accordance with applicable county zoning, as provided in §4-416 of the Local Government Article. Please see MDP's attached Annexation Review for further details of our analysis.

The property proposed for annexation is currently located in a county-certified Priority Funding Area (PFA). It is the policy of MDP to maintain existing PFAs after annexation, and the subject property will therefore remain designated as a PFA. Upon the effective date of Resolution 24-11, and once MDP has received official notification of the annexation from the Department of Legislative Services, MDP will confirm that no changes have occurred since our initial review and affirm the PFA eligibility of the property. If Westminster does not want the annexation parcel to be considered for designation as a PFA, then the city should notify MDP prior to the effective date of the annexation.

Enclosed you will find important information concerning post annexation notification and

participation in the Census Bureau's Boundary and Annexation Survey. The city should follow the appropriate procedures so that the annexed property is legally established as part of the incorporated municipality. To expedite MDP's updating of the PFA status, please send Stephanie Mullinix (stephanie.mullinix@maryland.gov) a copy of the notification transmitted to the Department of Legislative Services.

If you desire further assistance please contact regional planner, Brooks Phelps, at brooks.phelps@maryland.gov.



Sincerely,
Joe Griffiths, AICP
Director, Planning Best Practices

cc: Mark A. Depo, Director of Community Planning & Development, City of Westminster
Andrea Gerhard, Senior Planner, City of Westminster
Daphne P. Daly, Deputy Director, Carroll County Department of Planning and Land Management
Susan Llareus, Planner Supervisor
Brooks Phelps, Regional Planner for Central Maryland

Attachments: Maryland Department of Planning Annexation Review
Municipal Reporting Responsibilities Following Annexation
Municipal Charter or Annexation Resolution Reposition Form

Annexation Review

Optimum Properties, LLC Petition

Municipality	Westminster
Name of Annexation	Optimum Properties, LLC Petition
Resolution Number	24-11
Size of Parcels	3.57 Acres
Is the property contiguous in accordance with Section 4-401?	Yes
Public Hearing Date	
Current County Zoning	R-20,000 Residence District
Existing Density	2.18 du/acre

Purpose of the Current County Zoning District

R-20,000 Residence District - The purpose of the R-20,000 District is primarily to provide a location for single-family residential development, the individual lots of which generally contain a minimum of 20,000 square feet. The area should be served with public water and/or public sewerage facilities. The district would generally coincide with areas designated for medium-density residential development on the Master Plan.

Permitted Use in the Current County Zoning District

Single family homes, agricultural uses, private schools and churches.

Proposed Municipal Zoning

R-10,000 Residential Zone

Purpose of the Proposed Municipal Zoning District

R-10,000 Residential Zone - The purpose of conservation, agricultural and residential zones is to promote a suitable environment for family life at various densities through the provision of recreational, religious and educational facilities as basic elements of a balanced neighborhood, to stabilize and protect the essential characteristics of existing residential development and to foster development compatible with the topography and other natural characteristics of the area.

Permitted Use in the Proposed Municipal Zoning District

Single family homes, agricultural uses, colleges, and small-day care facilities.

Are the permitted uses in the proposed municipal zoning similar to those in the county zoning? Yes

The proposed municipal zoning allows for similar uses as the current county zoning.

Is the permitted density in the proposed municipal zoning similar to density permitted in the county zoning? No

The proposed municipal zoning would represent a substantial increase in density, potentially more than doubling the allowable homes from 7 to 15 homes on the annexation property. The applicant has suggested that between 4 and 7 lots would be subdivided for home construction.

County waiver recommended? Yes

MDP recommends a waiver because the proposed density would represent a potential substantial increase. The resolution notes that the petitioner included a zoning waiver with the application for approval by the Carroll County Commissioner.

Issues of State interest: None

Is the property in a Designated Growth Area? Yes

This parcel is within the Growth Area Boundary included in the 2009 Westminster Comprehensive Plan.

Is the property eligible to become a Priority Funding Area? Yes

Parcel is currently in a county PFA.

MDP Reviewer: Brooks Phelps

Date Submitted: 10/29/2024

November 22, 2024



MUNICIPAL REPORTING RESPONSIBILITIES FOLLOWING ANNEXATION

State Municipal Reporting Responsibilities

There are state law municipal reporting responsibilities requiring the municipality to promptly submit certain information after an annexation is approved:

1. The Local Government Article, section § 4-414, Annotated Code of Maryland, requires that municipalities send a copy of the annexation resolution with the new boundaries to the Maryland Department of Legislative Services if an annexation is approved. Please copy the Maryland Department of Planning so that we are aware of the approved annexation boundaries.

The copy of the annexation resolution, along with the Municipal Charter Or Annexation Resolution Reposition Form (below), with the new boundaries shall be sent within 10 days after the resolution takes effect to:

State Department of Legislative Services
Legislative Division
90 State Circle
Annapolis, Maryland 21401

2. State law requires that upon annexation approval, the chief executive and administrative officer of a municipality that has annexed property forward the annexation resolution and map with the new boundary to the local municipal clerk, Clerk of the Court in the county or counties in which the municipal corporation is located and, for those municipalities in Montgomery and Prince George's County, to the Maryland-National Capital Park and Planning Commission.

Census Bureau Boundary and Annexation Survey

To ensure that persons residing on annexed land are counted as part of the municipal population, the U.S. Census Bureau periodically mails to all municipal corporations a Boundary and Annexation Survey (BAS).

Following an annexation, no immediate action is required. The Census Bureau will notify the person who has been identified by the municipality as the contact person by mail and/or e-mail. Municipalities may submit boundary corrections or changes through the Bureau's free Partnership software. In the past, the U.S. Census Bureau mailed out the BAS survey on a varying schedule based on the population size of the incorporated town. The Mayor or other municipal officials must complete the BAS, update the maps and certify that the boundary shown reflects the legal corporate limits as of January 1 of the survey year. Boundary information must be returned to the Census Bureau by March 1st of the survey year to be properly recorded for the Census Bureau's annual population estimates and American Community Survey products.

The purpose of the Survey is to obtain the most accurate boundary information, including boundary changes due to annexations, detachments, mergers, or other reasons. These boundary changes are incorporated into the Census Bureau's files and used for tabulating Census data. The BAS information is used to provide an appropriate record for reporting the results of the decennial and economic censuses, and annual surveys such as the Population Estimates Program and the American Community Survey.

Maryland Department of Planning can assist municipalities in updating their boundary information. Questions regarding the Census Bureau's Boundary and Annexation Survey or assistance in submitting the BAS may be referred to Alfred Sundara at the Maryland Department of Planning at 410-767-4002 or alfred.sundara@maryland.gov.

Additional information about the Census Bureau's BAS program is available at the following link
<https://www.census.gov/programs-surveys/bas.html>