

Bureau of Development Review - Frequently Asked Questions

The Bureau of Development Review is the lead agency in the review of all residential, commercial, and industrial plans in Carroll County. Staff is aware of any development plan that has been submitted to the County and can provide information regarding development activity in the County.

The following is a list of basic questions and answers that have been previously asked of the Bureau. For more detailed responses, staff will gladly assist you in person, by phone, or via e-mail. When meeting with a member of the Bureau staff, you should bring the deed to the relevant property and any information you may have regarding the property. Questions on properties that are located in any municipality in the County will require that you contact that municipality directly. Each municipality has their own set of development and zoning regulations and is responsible for their approval authority. Additionally, be aware that details about the price of proposed houses, style of houses, etc. are not regulated by the County and would require one to contact one's developer.

Can I divide my property?

Division of property depends on (at a minimum) the following:

- the size of the property in acres or square feet,
- the zoning of the property,
- whether or not the property fronts on a publicly maintained road (County or State) and,
- the history of the property back to April 23, 1963 (adoption of Carroll County subdivision regulations)

Where can deed history be located?

Begin by reading the deed to the current property. A copy was provided at property settlement. A copy can be purchased at the Land Records at the Courthouse Annex at 55 North Court Street in Westminster, Maryland. If the property is in a recorded subdivision, Land Records has copies of record plats, maintenance agreements for use-in-common driveways, and deeds of easement. If the property is in a subdivision, no deed history is needed. For properties not in a subdivision, researching the history of the property, from the current date back to April 23, 1963 is necessary as Bureau staff will need to review the current deed and review every prior deed through a chain of title. One could also contact an attorney to have deed research performed for a fee.

How do I determine the zoning of my property?

The Office of Zoning Administration (410-386-2980; located in room 111 of the County Office Building) can provide the zoning of the property. Zoning Office staff can also provide minimum setback distances for structures (such as sheds, pools, garages, new residences, decks, etc.) to be constructed on the property. Questions regarding the type of uses that are permitted (such as: can I start a business on my property, etc.) can be answered by that office.

What is an off-conveyance?

An off-conveyance is the legal method of creating buildable lots, subsequent to April 23, 1963, without requiring the subdivision process or the recording of a subdivision plat. An off-conveyance application is submitted by a Maryland licensed attorney for review and staff approval. If approved, the attorney will record deeds in the Land Records. Only properties that have not been divided since April 23, 1963 may be eligible. Frontage onto a publicly maintained road is not required (right-of-ways are acceptable). If the property is in a recorded subdivision, then the property is not entitled to off-conveyances.

What is a Minor Subdivision?

A Minor Subdivision is a division of the original property (recorded on or before April 23, 1963) into no more than 3 subdivision lots (after any eligible off-conveyances have been taken). A subdivision requires the recording of a plat into the Land records. A local surveyor/engineer will submit preliminary plans and final plats through a process that requires Planning and Zoning Commission approval. Specific processing information will require a meeting with Bureau staff.

What is Major Subdivision?

A Major Subdivision is a division of the original property (recorded on or before April 23, 1963) that will create a fourth or more lot. A division of property that involves: a Planned Major Street (as shown on the adopted Master plans), construction of a new County road, or a public project; is a major subdivision. Specific processing information will require a meeting with Bureau staff.

Does the Bureau have plot plans?

A plot plan is the outline or perimeter of a property plotted graphically from the metes and bounds description contained in the deed. The Bureau of Development Review does not have individual plot plans. Generally when a property is mortgaged, the lender requires a location survey to be performed. This survey shows the perimeter of the property and the location of improvements on that property. The best place to look for the location survey is in the papers one may have from settlement. If significant changes have occurred since settlement, one might consider having the location survey updated by the engineer/surveyor who performed the original survey. If the property is in a subdivision, copies of a recorded plat may be obtained from Land Records in the Courthouse Annex.

Well/septic questions.

A substantial number of properties are served by private well and septic systems. Questions related to well yield and/or results or percolation results can be asked of the Carroll County Health Department (a state agency located at 290 South Center Street, Westminster, 410-876-1884). Regulations regarding these systems are enforced by the Health Department.

Shared driveways (use-in-common).

A use-in-common driveway is a shared driveway by two or more users. Use-in common driveways created through the subdivision process are typically established on the recorded plat with easements allowing for crossing over property lines to access the driveway. Maintenance agreements are also recorded at the time of the subdivision plat. A name assigned to the driveway does not indicate County maintenance only assists in addressing the property. Use-in common driveways created through the off-conveyance process may not have recorded easements and/or maintenance agreements. Disputes regarding maintenance of any use-in-common driveway are private property issues and may require the services of a private attorney.

Age-restricted developments

Several developments have been established in Carroll County that are age-restricted. The property is typically owned by a homeowner's or condominium association. Enforcement of those development regulations are strictly by the association.

Accessory dwelling

Carroll County Zoning regulations currently permits the construction of an attached accessory dwelling on any property. These attached accessory dwellings are not limited to in-law apartments, but can be used by any person; however, the property owner must reside at the property. Certain size and setback requirements must be met. A building permit is required.

Properties entitled to further division may be allowed to construct a detached accessory dwelling. Since these properties can be further divided, this allows the property owner to construct the house prior to creating the lot.

List of local surveyors/engineers

The Bureau has a list of surveyors/engineers that perform work in Carroll County. To submit plans, a surveyor/engineer does not have to be on that list, but they must be licensed in the State of Maryland to seal their surveying work. The Bureau does not maintain a list of attorneys. We will not recommend a specific surveyor or an attorney to perform your requested work.

Other agency reviews

The Bureau has a contact list of additional review agencies. Contacting agencies directly with specific questions is an appropriate and direct way to address concerns or to seek assistance.

When is a site plan needed?

A Site Development Plan provides specific site layout (Storm Water Management, landscaping, sediment control, parking, lighting, signage, etc.) details for the development of commercial, industrial, or non-residential property. In general, a site plan is required for the establishment of a new commercial use, expansion of same, or the change of use of an existing commercial

facility. A one-time disturbance of up to 5,000 square foot for existing uses may be eligible for a simplified site plan. Specific processing and approval requirements regarding a site plan require consultation with a Bureau staff member.