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**To:** Myersville Planning Commission  
**CC:** Kathy Gaver, Town Clerk; File  
**From:** Brandon Boldyga, Planning & Zoning Administrator  
**Date:** August 28, 2025  
**Re:** Village Center (VC) District Maximum Building Size

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Myersville Planning Commission,

At the regular meeting of the Myersville Mayor and Council, on August 12, 2025, The Mayor and Council considered the approval of an ordinance put forth by the Planning Commission to establish a maximum building size in the Village Center (VC) zoning district. The Mayor and Council have elected to refer the ordinance back to the Commission for further consideration. The Mayor and Council cited unclear reasoning for the 12,000 square-foot figure recommended by the Commission in the proposed ordinance. The Commission must now consider one of the following actions in accordance with §165-118 of the Myersville Town Code:

1. Provide justification or reasoning for the 12,000 square-foot maximum building floor area size previously recommended by the Commission and reaffirm the previous recommendation.
2. Withdraw the original recommendation and amend the proposed ordinance to include a proposed maximum building floor area size to a figure that is different than 12,000 square feet.
3. Take no action on the matter. This option would allow no maximum building floor area size to continue unless a 3/4 Council approval of a modified ordinance without Planning Commission recommendation.

**Background:**

On June 11, 2024, at the regular meeting of the Mayor and Council, the Mayor and Council requested that the Myersville Planning Commission recommend and draft regulations establishing maximum building sizes for each zoning district permitting commercial uses. These districts include the Village Industrial (VI), General Commercial (GC), and Village Center (VC) zoning districts. Over the course of one year, the Planning Commission successfully drafted regulations for the VI and GC districts, where the Mayor and Council adopted those regulations by ordinance. Regulations for the VC district were recommended by the Planning Commission at the Planning Commission's regular meeting held on June 3, 2025. Over the course of several months, the Planning Commission deliberated on the issue, considering a myriad of variables and factors that would ultimately lead to the recommendation of 12,000 square feet as a maximum building size within the VC district. The Planning Commission considered the following information when deliberating on the issue:

1. The GC district allows a maximum building floor area size of 60,000 square feet.

2. The GC district allows for predominantly commercial uses
3. 100% of current land uses within the district, other than undeveloped land, are commercial in nature
4. The VC district should allow for maximum building floor area sizes less than that which is permitted within the GC district.
5. The VC district allows for lighter commercial uses and an assortment of residential uses.
6. The maximum building floor area size must allow for the reasonable employment of permitted land uses established for the VC district within the Town Code.
7. Approximately 20% of current land uses within the VC district, other than undeveloped land, are commercial uses; whereas approximately 25% of current land uses within the district are institutional, 52% are residential and 3% of current land uses include other uses such as recreational or public utility purposes.
8. Only two (2) of the other jurisdictions studied within Frederick County establish a maximum building floor area or footprint size (Emmitsburg and Frederick City) for similar zoning districts within those respective jurisdictions.
9. Both jurisdictions studied which currently regulate building size within similar zoning districts utilize a percentage of the lot area as the maximum building floor area size.
10. The VC district contains lots of all sizes ranging from less than one acre to over 30 acres.
11. A maximum building floor area size that utilizes a percentage of the lot size would be limiting to smaller sites and more liberal to larger sites.

Considering all of the information and considerations provided above, the Planning Commission determined that the optimal maximum floor area size would be 12,000 square feet or 20% of 60,000 square feet as allowed in the GC district with the following rationale:

1. The maximum building floor area within the GC district is 60,000 square feet where commercial land uses make up 100% of the active land use within the district; therefore, the maximum building floor area within the VC district would equate to 12,000 square feet when scaling building floor area sizes in comparison to the commercial proponent of each district.
2. A maximum building floor area size of 12,000 square feet appears to reasonably allow the employment of all land uses permitted within the VC zoning district, though cases where a larger building may be required as a matter of practicality, could be achieved through a variance granted by the Board of Zoning Appeals if a hardship is determined.
3. A maximum building floor area size of 12,000 square feet would allow for multiple smaller-scale commercial spaces to be placed within a single building for efficiency, convenience, and environmentally sound design.

4. A maximum building floor area size of 12,000 square feet would allow for smaller, more affordable, residential dwelling units to be placed above or alongside commercial spaces within the VC district: a district designed to accommodate mixed use development.
5. A maximum building floor area using a formula calculating the size of the building as a percentage of the lot area is problematic in cases where there are particularly large or small lots.

Once the ordinance was recommended by the Commission, a public hearing was held on July 8, 2025, to hear public comments on the proposed ordinance. The ordinance was introduced that same evening at the Mayor and Council’s regular meeting. No public comments were made at the public hearing, nor at the time of introduction.

**Considerations:**

When researching regulations adopted by other jurisdictions within Frederick County for similar zoning districts, Town staff cited the data listed in Table 1 below:

Jurisdiction	Zoning District	Max. Building Area
Brunswick	B-2	N/A
Emmitsburg	B-1	70% of Lot Area
Frederick City	MX-1	85% of Lot Area
Frederick County	VC	N/A
Middletown	TC	N/A (“small”)
Thurmont	TB	N/A
Walkersville	OTM	N/A

*Table 1*

Of the 12 municipalities in Frederick County, staff chose to research six (6) other municipalities other than Myersville with populations of more than 1,000 residents. Excluded from this list are the Towns of Burkittsville, New Market, Woodsboro, and the Village of Rosemont. These jurisdictions have populations lower than 1,000 residents and largely do not function in the same manner as Towns with larger populations. Mt. Airy was excluded from the list since the Town primarily lies within Carroll County, while Frederick County was added to the list since some unincorporated areas of the County serve as primary growth areas. Of the seven (7) total jurisdictions studied, only three (3) mention building size within the regulations. Middletown specifies that buildings within the Town Center (TC) district should be “small” without providing any further guidance as to what equates to “small”. Emmitsburg and Frederick City provide formula-based regulations that allow building floor area sizes equivalent to a specific portion of the lot area as a whole. There were no jurisdictions that provided a specific size for buildings in similar zoning districts.

While considering these regulations from other jurisdictions, it is important to understand the impact that those regulations would have on Myersville if those regulations were to be adopted for the Myersville VC district. While most of the district is developed with very few vacant lots available for development, the large 27.13-acre “Waters Farm” property stands out as the most impacted area these regulations would have on the district and Town at-large. This area affords a developer an opportunity to integrate mixed use, residential, or light commercial development into an existing main street community, providing the potential for needed services, housing and recreational activities within walking distance from almost all points within the Town. As such, when applying the zoning regulations of similar zoning districts in other

nearby jurisdictions, the results are staggering when they are applied to this particular parcel. These results are shown in Table 2 below:

Jurisdiction	Max. Building Area	27.13-Acre Lot
Brunswick	N/A	Unlimited
Emmitsburg	70% of Lot Area	827,248 SF
Frederick City	85% of Lot Area	1,004,515 SF
Frederick County	N/A	Unlimited
Middletown	N/A (“small”)	Unlimited (subjective)
Thurmont	N/A	Unlimited
Walkersville	N/A	Unlimited

Table 2

Five (5) of the jurisdictions researched would essentially permit a building with an unlimited floor area size. The floor area for buildings in these jurisdictions would only be limited by stormwater requirements, parking requirements, forest conservation areas and maximum building height limitations. The other two (2) jurisdictions researched, Emmitsburg and Frederick City, would allow for buildings of 827,248 SF and 1,004,515 SF respectively. These buildings would also be subject to stormwater, parking, forest conservation and height restrictions; however, even with a two-story design, these buildings would match the largest of warehouses along I-81 to the west and dwarf even the largest structure in the Town of Myersville.

The proposed maximum building floor area size of 12,000 square feet would be the most restrictive regulation in Frederick County. Frederick County’s regulations reference guidelines or “recommendations” for building size within the Frederick County Village Center (VC) district. The guidelines range from 6,000 square feet to 10,000 square feet depending upon the use and various other factors. These guidelines would appear to be more restrictive than the Town’s proposed regulations; however, when looking at a Frederick County zoning map, the Frederick County VC district is very sparse and generally located in limited number of communities. Wolfsville, Sabillasville, Jefferson, Point of Rocks, Urbana, Mount Pleasant, Lewistown, New Midway, Rocky Ridge, Unionville, Johnsville, Creagerstown Mountaintale, and Libertytown account for a majority of the Frederick County VC districts. A majority of these areas are not served by water and sewer systems and are not designated as primary community growth areas within the Frederick County Comprehensive Plan. Urbana and Jefferson are primary community growth areas supported by water and sewer systems and generally employ this district differently than the smaller more rural areas where this district is otherwise employed. In these communities, the building floor area sizes can apply to separated commercial spaces under the same roof in a manner that is similar to townhouses in a residential setting. This would not address any concerns with “swamping” or massing, as the physical construct would be much larger in reality than the 6,000 – 10,000 square foot guidelines.

**Perspective:**

In most cases, the idea of what qualifies as “large” verses “small” is a matter of perspective. When compared to something familiar or long-standing, something that previously seemed incomprehensible may seem more “normal”. Several buildings within the Middletown Valley, which have become “normal” to those who pass them on a regular basis are comparable in size, or even much larger than the proposed maximum building floor area size in the Myersville VC district. Those structures are listed below in Table 3 with a comparison to the proposed 12,000 square foot maximum building floor area size:

<b>Building</b>	<b>Floor Area (SF)</b>	<b>% (SF)</b>
JB Apartment Building	9,000	75%
St. Paul's Lutheran Church	13,000	109%
Mt. Zion Methodist Church	17,000	131%
First United Bank	8,000	67%
Myersville Municipal Center	38,000	317%
Middletown CVS Store	14,000	117%
Myersville Library	8,200	68%
MYES	60,000	500%

*Table 3*

Within the Myersville VC district alone, four (4) structures exceed 12,000 square feet in floor area. Two (2) of those structures substantially exceed 12,000 square feet. Other structures approach the proposed maximum building floor area size while being celebrated by the community.

**Summary:**

In summary, the Planning Commission used rational comparisons, research, development scale and planning practices to propose a maximum building floor area size that allows all permitted uses to continue within the district while protecting the Town's character from domination by unusually large structures in areas where lot size could permit this scenario otherwise. In the event the proposed maximum building floor area size is reduced to a figure lower than 12,000 square feet, The Town should explore modifications to the zoning ordinance to eliminate certain permitted uses within the VC district, or even re-zoning the "Waters Farm" property.