

**COUNTY COUNCIL**  
**OF**  
**TALBOT COUNTY, MARYLAND**

2007 Legislative Session, Legislative Day No. : June 12, 2007

Bill No.: 1061

Expiration Date: August 16, 2007

Introduced by: Mr. Bartlett, Mr. Duncan, and Mr. Harrison

**A BILL TO AMEND TALBOT COUNTY CODE CHAPTER 20, "BOARD OF APPEALS" TO SHORTEN THE TIME REQUIRED FOR MAILING NOTICE TO ADJACENT PROPERTY OWNERS OF PENDING REQUESTS FOR SPECIAL EXCEPTIONS AND VARIANCES FROM 30 TO 15 DAYS, TO REQUIRE AN APPLICANT TO SERVE A COPY OF A PRE-HEARING STATEMENT UPON COUNSEL TO THE BOARD, TO DEFINE THE TERM "IMPLEMENTATION" IN CONNECTION WITH AN APPROVAL, AND GENERALLY RELATING TO THE AUTHORITY, POWERS, PROCEEDINGS, AND RELIEF AWARDED BY THE BOARD OF APPEALS**

By the Council: June 12, 2007

Introduced, read first time, ordered posted, and public hearing scheduled on Tuesday, July 10, 2007 at 2:00 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

By Order Susan W. Moran  
Susan W. Moran, Secretary

**A BILL TO AMEND TALBOT COUNTY CODE CHAPTER 20, "BOARD OF APPEALS" TO SHORTEN THE TIME REQUIRED FOR MAILING NOTICE TO ADJACENT PROPERTY OWNERS OF PENDING REQUESTS FOR SPECIAL EXCEPTIONS AND VARIANCES FROM 30 TO 15 DAYS, TO REQUIRE AN APPLICANT TO SERVE A COPY OF A PRE-HEARING STATEMENT UPON COUNSEL TO THE BOARD, TO DEFINE THE TERM "IMPLEMENTATION" IN CONNECTION WITH AN APPROVAL, AND GENERALLY RELATING TO THE AUTHORITY, POWERS, PROCEEDINGS, AND RELIEF AWARDED BY THE BOARD OF APPEALS**

SECTION ONE: BE IT ENACTED BY THE COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND, that Chapter 20 of the Talbot County Code entitled "BOARD OF APPEALS" shall be and is hereby amended as set forth herein.

**KEY**

**Boldface** ..... Heading or defined term.

Underlining ..... Added to existing law by original bill.

~~Strikethrough~~ ..... Deleted from existing law by original bill.

Double underlining ..... Added to bill by amendment.

~~Double-strikethrough~~ ..... Deleted from existing law or bill by amendment.

\* \* \* ..... Existing law or bill unaffected.

\* \* \*

**§ 20-5. Forms and fees.**

An application shall be submitted in writing on forms provided by the Board and accompanied by the filing fee as established by the Council. An application that does not contain an appropriate application form, filing fee, and accompanying material required by § 20-6 and § 20-7 below shall not be accepted for filing and shall be returned with the required, but missing or incomplete, material identified.

\* \* \*

**§ 20-10. Notice to adjacent property owners.**

\* \* \*

**C. Mailing.**

The notice shall be mailed by regular mail, postage prepaid. For an administrative appeal the notice shall be mailed at least 30 days prior to the date scheduled for the public hearing. For special exceptions and variances, the notice shall be mailed at least 15 days prior to the date scheduled for the public hearing. The notice shall be mailed to the property owners' addresses to which County real estate tax bills are sent.

\* \* \*

**§ 20-14. Procedure for contested applications.**

The following requirements apply to all contested applications before the Board:

**A. Pre-hearing statement.**

The applicant shall file original and 5 copies of a pre-hearing statement no later than 30 days prior to the public hearing and shall serve a copy on all parties of record and upon counsel to the Board. The statement shall include the following information:

\* \* \*

**§ 20-21. Implementation.**

**A. Time limit.**

The Board shall prescribe a time limit not to exceed 18 months in which an approval shall be implemented. Failure to ~~implement the approval~~ obtain required building permits, zoning certificates, site-plan approval, or other necessary authorizations within the prescribed time voids the approval. The Board, upon written request before expiration of the initial time limit and for good cause shown, may extend the time to implement the approval for one like period.

\* \* \*

**SECTION TWO: BE IT FURTHER ENACTED,** that this ordinance shall take effect sixty (60) days from the date of its passage.

PUBLIC HEARING

Having been posted and Notice of time, date, and place of hearing, and Title of Bill No. \_\_\_\_\_ having been published, a public hearing was held on Tuesday, July 10, 2007 at 2:00 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 N. Washington Street, Easton, Maryland 21601.

BY THE COUNCIL

Read the third time.

ENACTED: July 24, 2007

By Order Susan W. Moran  
Susan W. Moran, Secretary

Duncan -	Aye
Bartlett -	Aye
Foster -	Nay
Harrison -	Aye
Carroll -	Absent