

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

2014 Legislative Session, Legislative Day No. : July 22, 2014

Bill No.: 1293

Expiration Date: September 25, 2014

Introduced by: Mr. Hollis, Mr. Pack, Ms. Price

**A BILL TO AUTHORIZE THE BOARD OF APPEALS TO GRANT VARIANCES  
FROM SPECIFIC STANDARDS OR CRITERIA FOR GRANTING SPECIAL  
EXCEPTIONS**

By the Council: July 22, 2014

Introduced, read first time, ordered posted, and public hearing scheduled on Tuesday, August 12, 2014 at 2:00 p.m. at the Bradley Meeting Room, Talbot County Court House, South Wing, 11 North Washington Street, Easton, Maryland 21601.

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

**A BILL TO AUTHORIZE THE BOARD OF APPEALS TO GRANT VARIANCES FROM SPECIFIC STANDARDS OR CRITERIA FOR GRANTING SPECIAL EXCEPTIONS**

<b>KEY</b>	
<b>Boldface</b> .....	Heading or defined term
<u>Underlining</u> .....	Added to existing law by original bill
<del>Strikethrough</del> .....	Deleted from existing law by original bill
<u><b>Double underlining</b></u> .....	Added to bill by amendment
<del><b>Double strikethrough</b></del> .....	Deleted from bill by amendment
* * *.....	Existing law unaffected

SECTION ONE: BE IT ENACTED BY THE COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND, that:

\* \* \*

1       **§ 190-182 Variances**

2       A. Authority.

3           (1) The Board of Appeals or the Planning Director may authorize a variation or  
4           modification from the bulk requirements or numerical parking standards of this  
5           chapter subject to the standards given in this section.

6           (2) The Planning Director shall make decisions on minor variances and  
7           administrative variances as described in this section. All other variances shall be  
8           heard and decided by the Board of Appeals.

9           (3) A variance may not be granted to the following:

10                   (a) Density, minimum lot width requirements and, except for cottage  
11                   industries, minimum lot size.

12                   (b) Provisions other than bulk requirements or numerical parking standards,  
13                   such as the number of employees and time of operation.

14                   ~~(c) Regulations or conditions under which a special exception may be or has~~  
15                   ~~been granted by the Board of Appeals.~~

\* \* \*

**§ 190-208 Terms Defined**

\* \* \*

16 BULK REQUIREMENTS -- Numerical regulations that govern the size or dimension of lots  
17 and the location or dimensions of uses or structures within a certain zoning district or for a  
18 certain land use. Bulk requirements include setback, height, area, lot size, lot coverage, and  
19 width requirements. ~~Density requirements and regulations for specific land uses requiring a~~  
20 ~~special exception are not bulk requirements.~~

\* \* \*

SECTION TWO: BE IT FURTHER ENACTED, that the title and a summary of this Bill shall be published once on the first publication date after enactment of the Bill in accordance with County Charter § 213 (c). The title is not a substantive part of this Bill. If the Bill is amended, the title may be administratively revised if required to conform the title to the content of the Bill as finally enacted.

SECTION THREE: AND BE IT FURTHER ENACTED, that if any provision of this Bill or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of the Bill which can be given effect without the invalid provision or application, and for this purpose the provisions of this Bill are declared severable.

SECTION FOUR: AND BE IT FURTHER ENACTED, that the Publishers of the Talbot County Code or the Talbot County Office of Law, in consultation with and subject to the approval of the County Manager, may make non-substantive corrections to codification, style, capitalization, punctuation, grammar, spelling, and any internal or external reference or citation included in this Bill, as finally adopted, that are incorrect or obsolete, with no further action required by the County Council. All such corrections shall be adequately referenced and described in an editor's note following the section affected.

SECTION FIVE: AND 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 \_\_\_\_\_.

**BY THE COUNCIL**

Read the third time.

ENACTED \_\_\_\_\_

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

Pack -

Hollis -

Bartlett -

Price -

Duncan -

Effective date: \_\_\_\_\_