COUNTY COUNCIL

OF

TALBOT COUNTY, MARYLAND

2015 Legislative Session, Legislative Day No. : September 8, 2015

Bill No.: 1320

Expiration Date: November 12, 2015

Introduced by: Mr. Bartlett, Mr. Callahan, Ms. Price, Ms. Williams

A BILL TO ESTABLISH A HISTORIC DISTRICT OVERLAY DISTRICT ON TAX MAP 1, PARCEL 4, LOCATED AT 14256 OLD WYE MILLS ROAD, WYE MILLS, MARYLAND, KNOWN AS THE "MILLER'S HOUSE"

By the Council: September 8, 2015

Introduced, read first time, ordered posted, and public hearing scheduled on Tuesday, October 13, 2015, 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 ESTABLISH A HISTORIC DISTRICT OVERLAY DISTRICT ON TAX MAP 1, PARCEL 4, LOCATED AT 14256 OLD WYE MILLS ROAD, WYE MILLS, MARYLAND, KNOWN AS THE "MILLER'S HOUSE"

WHEREAS, Robert F. Wilson and Stuart A. Wilson own a parcel of real property located at 14256 Old Wye Mills Rd., Wye Mills, Maryland, Tax Map 1, Parcel 4, improved by a historic structure known as the "Miller's House" and have applied for designation of the property as a Historic District Overlay district; and,

WHEREAS, the Talbot County Historic Preservation Commission by a unanimous vote of 5-0 recommended to the Planning Commission that the property owners' application be granted and that the subject parcel and dwelling be designated as a Historic District Overlay district; and,

WHEREAS, the Planning Commission by a unanimous vote of 4-0 concurred with the recommendation from the Talbot County Historic Preservation Commission that the subject parcel and dwelling was of "local, State, or national historic or architectural significance" in accordance with § 190-108 B (1), Talbot County Code, and the application and recommendations have been forwarded to the County Council for consideration and legislative action following the procedures set forth in Article IX for amendments to the Official Zoning Maps in accordance with § 190-108 B. (1); and,

WHEREAS, § 190-173 F. provides that the Council shall not approve or disapprove an amendment to the Official Zoning Maps until a site visit has been made by a majority of the Council members to inspect the physical features of the property and determine the character of the surrounding area, and § 190-172 D. requires notice to adjacent property owners of the public hearing to consider the application.

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

1. The County Council makes the following legislative findings:

   (a) The County Council concurs with the recommendation of the Talbot County Historic Preservation Commission and the Planning Commission and finds that the subject property meets the criteria for designation as a Historic District Overlay district because the parcel and dwelling are of "local, State, or national historic or architectural significance" in accordance with § 190-108 B (1).

(b) A majority of the members of the County Council have visited the site in accordance with § 190-173 F.

(c) The public notice requirements of § 190-172 for a zoning map amendment have been fulfilled, including notice to adjacent property owners in accordance with the requirements of § 190-172 D.

(d) the subject property lies in the Chesapeake Bay Critical Area, the Planning Director has sent the application to the Critical Area Commission at least two weeks prior to the public hearing pursuant to § 190-170 C, and this map amendment, if approved, shall be forwarded to the Critical Area Commission for its review pursuant to § 190-173 G. (1).

2. The parcel and dwelling located at 14256 Old Wye Mills Rd., Wye Mills, Maryland, Tax Map 1, Parcel 4, consisting of 1.86 acres known as the "Miller's House" is reclassified from (VC) Village Center Zoning District to (VC-HD) Village Center – Historic District Overlay district.

SECTION TWO: AND BE IT FURTHER ENACTED, that if any provision of this Ordinance 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 THREE: AND 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 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: BE IT FURTHER ENACTED, that this ordinance shall take effect sixty (60) days from the date of its passage, or upon approval by the Critical Area Commission, if required, whichever is later.

SECTION SIX: AND BE IT FURTHER ENACTED, that the Planning Director shall change the Official Zoning Map within 60 days after this amendment becomes final and shall provide a copy to the Critical Area Commission in accordance with § 190-174 E.

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 -

Williams -

Bartlett -

Price -

Callahan -

Effective date: _____