

COUNTY COUNCIL
OF
TALBOT COUNTY, MARYLAND

2016 Legislative Session, Legislative Day No.: May 24, 2016

Resolution No.: 226

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

A RESOLUTION CONCERNING THE PROPOSED ANNEXATION OF A PARCEL OF LAND LOCATED AT 4659 BACHELOR POINT ROAD, OXFORD, MARYLAND 21654, FURTHER IDENTIFIED AS TAX MAP 53, PARCEL 128, LOT 1, CONSISTING OF 1.893 ACRES OF LAND, MORE OR LESS (THE "PROPERTY"), OWNED BY RONALD L. WALKER AND ANNE Y. WALKER, FINDING THAT THE PROPOSED REZONING FROM THE COUNTY'S EXISTING RURAL RESIDENTIAL ("RR") ZONE TO THE TOWN OF OXFORD'S R-1 (RESIDENTIAL) ("R-1") ZONE WILL ALLOW A SUBSTANTIALLY HIGHER DENSITY, EXCEEDING 50%, THAN COULD BE GRANTED FOR DEVELOPMENT OF THE PROPERTY UNDER THE COUNTY'S EXISTING "RR" ZONING, AND WAIVING THE 5-YEAR HOLD ON THE PROPOSED REZONING IN ACCORDANCE WITH LOCAL GOVERNMENT ARTICLE § 4-416, MARYLAND ANNOTATED CODE

By the Council: May 24, 2016

Introduced, read first time, and ordered posted, with Public Hearing scheduled on Tuesday, June 7, 2016 at 2:15 p.m., in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 N. Washington St., Easton, MD 21601.

By order: 
Susan W. Moran, Secretary

A RESOLUTION CONCERNING THE PROPOSED ANNEXATION OF A PARCEL OF LAND LOCATED AT 4659 BACHELOR POINT ROAD, OXFORD, MARYLAND 21654, FURTHER IDENTIFIED AS TAX MAP 53, PARCEL 128, LOT 1, CONSISTING OF 1.893 ACRES OF LAND, MORE OR LESS (THE “PROPERTY”), OWNED BY RONALD L. WALKER AND ANNE Y. WALKER, FINDING THAT THE PROPOSED REZONING FROM THE COUNTY’S EXISTING RURAL RESIDENTIAL (“RR”) ZONE TO THE TOWN OF OXFORD’S R-1 (RESIDENTIAL) (“R-1”) ZONE WILL ALLOW A SUBSTANTIALLY HIGHER DENSITY, EXCEEDING 50%, THAN COULD BE GRANTED FOR DEVELOPMENT OF THE PROPERTY UNDER THE COUNTY’S EXISTING “RR” ZONING, AND WAIVING THE 5-YEAR HOLD ON THE PROPOSED REZONING IN ACCORDANCE WITH LOCAL GOVERNMENT ARTICLE § 4-416, MARYLAND ANNOTATED CODE

1 WHEREAS, Local Government Article (“LG”) § 4-416 (b), Md. Code Ann., restricts the
2 authority of a municipality annexing land to allow development of the annexed land for a period
3 of 5 years for land uses substantially different from the authorized uses, or at substantially higher
4 densities, exceeding 50%, than could be granted for proposed development in accordance with
5 the county zoning classification applicable at the time of the annexation; and,
6

7 WHEREAS, the Town of Oxford (the “Town”) is authorized by the provisions of LG § 4-
8 401 *et. seq.* to expand its municipal boundaries by annexing lands adjacent to it, and Ronald L.
9 Walker and Anne Y. Walker (the “Petitioners”) have requested that the Town annex a parcel of
10 land they own located adjacent to the Town at 4659 Bachelor Point Road, Oxford, Maryland
11 21654, further identified as Tax Map 53, Parcel 128, Lot 1, consisting of 1.893 acres of land,
12 more or less (the “Annexation Property”). The Annexation Property is more particularly
13 described in a metes and bounds description prepared by Lane Engineering, LLC, titled
14 “DESCRIPTION OF TAX PARCEL 128, LOT 1, BACHELORS POINT SUBDIVISION EAST
15 SECTION TO BE ANNEXED INTO THE TOWN OF OXFORD IN THE THIRD ELECTION
16 DISTRICT, TALBOT COUNTY, MARYLAND,” dated April 6, 2016, a copy of which is
17 attached hereto as Exhibit “A”. The Annexation Property is also shown on a plat titled
18 “ANNEXATION PLAT TAX PARCEL 128, LOT 1, TOWN OF OXFORD,” prepared by Lane
19 Engineering, LLC, dated April 5, 2016, which is attached hereto as Exhibit “B”; and,
20

21 WHEREAS, the Annexation Property is currently in the County’s Rural Residential
22 (“RR”) zone; upon annexation the Town proposes to rezone the property into the Town’s R-1
23 (Residential) (“R-1”) zone; and,
24

25 WHEREAS, rezoning from the County’s “RR” zone to the Town’s “R-1” zone will allow
26 development of the Annexation Property at a substantially higher density, exceeding 50%, than
27 could be granted for development under the County’s “RR” zoning classification; and,
28

29 WHEREAS, LG § 4-416 (c) provides that if the County expressly approves, the Town
30 may place the Annexation Property in a zoning classification that allows a density substantially
31 different from the density specified in the County’s existing zoning classification.
32

33 NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF TALBOT
34 COUNTY, MARYLAND, that:

35
36 1. The County Council finds that the rezoning of the Annexation Property from its current
37 Rural Residential (“RR”) zoning classification to the proposed R-1 (Residential) (“R-1”) zoning
38 classification will allow development of the Annexation Property at a substantially higher
39 density, exceeding 50%, than could be granted for development in accordance with the County’s
40 RR zoning classification.

41 2. Pursuant to Local Government Article § 4-416 (c), Md. Code Ann., the County hereby
42 expressly approves the Town placing the Annexation Property into a zoning classification, the R-
43 1 zoning classification as proposed by Town Resolution No. 1608, upon annexation of the
44 Annexation Property, that will allow a density substantially higher than the density specified in
45 the County’s RR zoning classification.

AND BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately
upon the date of its passage.

PUBLIC HEARING

Having been posted, and a Notice of the Time and Place of the Public Hearing, and the Title of Resolution No. 226 having been published, a public hearing was held on Tuesday June 7, 2016 at 2:15 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 N. Washington St., Easton, Maryland.

BY THE COUNCIL

Read second time:

Enacted: **June 7, 2016**

By order: *Susan W. Moran*
Susan W. Moran, Secretary

Pack - Aye

Williams - Aye

Bartlett - Aye

Price - Aye

Callahan - Aye

Effective Date: **June 7, 2016**

Lane Engineering, LLC

Established 1986

Civil Engineers • Land Planning • Land Surveyors

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Cambridge, Maryland 21613
Tel 410-221-0818
Fax 410-476-9942

117 Bay Street
P.O. Box 1767
Easton, Maryland 21801
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Fax 410-822-2024

354 Pennsylvania Avenue
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Tel 410-758-2095
Fax 410-758-4422

**DESCRIPTION OF
TAX PARCEL 128, LOT 1
BACHELORS POINT SUBDIVISION EAST SECTION
TO BE ANNEXED INTO THE TOWN OF OXFORD
IN THE THIRD ELECTION DISTRICT
TALBOT COUNTY, MARYLAND**

April 6, 2016

All that piece, parcel or tract of land situate, lying and being in the Third Election District, Talbot County, Maryland, and being more particularly described as follows;

Beginning for the same at an Iron Rod found, said Iron Rod found also being the northwest corner of Lot 1, as delineated on a plat of subdivision entitled "Bachelor Point Subdivision East Section" recorded among the Land Records of Talbot, Maryland in Plat Book 33 at Folio 12, said Iron Rod found also being on the east side of the public road leading from Oxford to Bachelor Point known as Bachelor Point Road, said Point of Beginning also being the southwest corner of the lands of Richard B. Schmitt and Susan L. Schmitt (Liber 871, Folio 366) and from said Point of Beginning, and running in the meridian of the Town of Oxford 2009 annexation and by and with said Richard B. Schmitt and Susan L. Schmitt lands the following two courses and distances

- (1) South 58 degrees 28 minutes 52 seconds East, 562.69 feet to a point near an Iron Rod found; thence
- (2) South 58 degrees 28 minutes 52 seconds East, 7.00 feet more or less to the waters of the Boone Creek; thence by and with the Mean High Water Line of the said Boone Creek and many meanderings thereof generally the following five courses and distances
- (3) South 41 degrees 14 minutes 07 seconds West, 20.39 feet to a point; thence
- (4) South 39 degrees 01 minutes 47 seconds West, 51.94 feet to a point; thence
- (5) South 49 degrees 12 minutes 00 seconds West, 36.44 feet to a point; thence
- (6) South 63 degrees 36 minutes 46 seconds West, 16.97 feet to a point; thence



(7) South 82 degrees 27 minutes 04 seconds West, 51.48 feet to a point and the lands of Leo F. Nollmeyer and Jean B. Nollmeyer (Liber 669, Folio 368) ; thence by and with said Leo F. Nollmeyer and Jean B. Nollmeyer lands the following two courses and distances

(8) North 58 degrees 28 minutes 52 seconds West, 5.00 feet to an Iron Rod found; thence

(9) North 58 degrees 28 minutes 52 seconds West, 470.43 feet to an Iron Rod found; thence

(0) North 22 degrees 37 minutes 25 seconds East, 155.00 feet to the Place of Beginning, containing 1.893 Acres of Land, more or less, and

The above parcel is intended to be all of the same land, as shown as Tax Parcel 128, Lot 1 on a plan entitled "Annexation Plat Tax Parcel 128, Lot 1" as prepared by Lane Engineering, LLC, on April 5, 2016, I hereby certify that these documents were prepared by me or under my responsible charge and complies with requirements as set forth in regulation 09.13.06.12, and that I am a duly licensed property line surveyor under the laws of the State of Maryland, License No. 363, and, subject to biennial renewal, my current expiration date is August 3, 2017

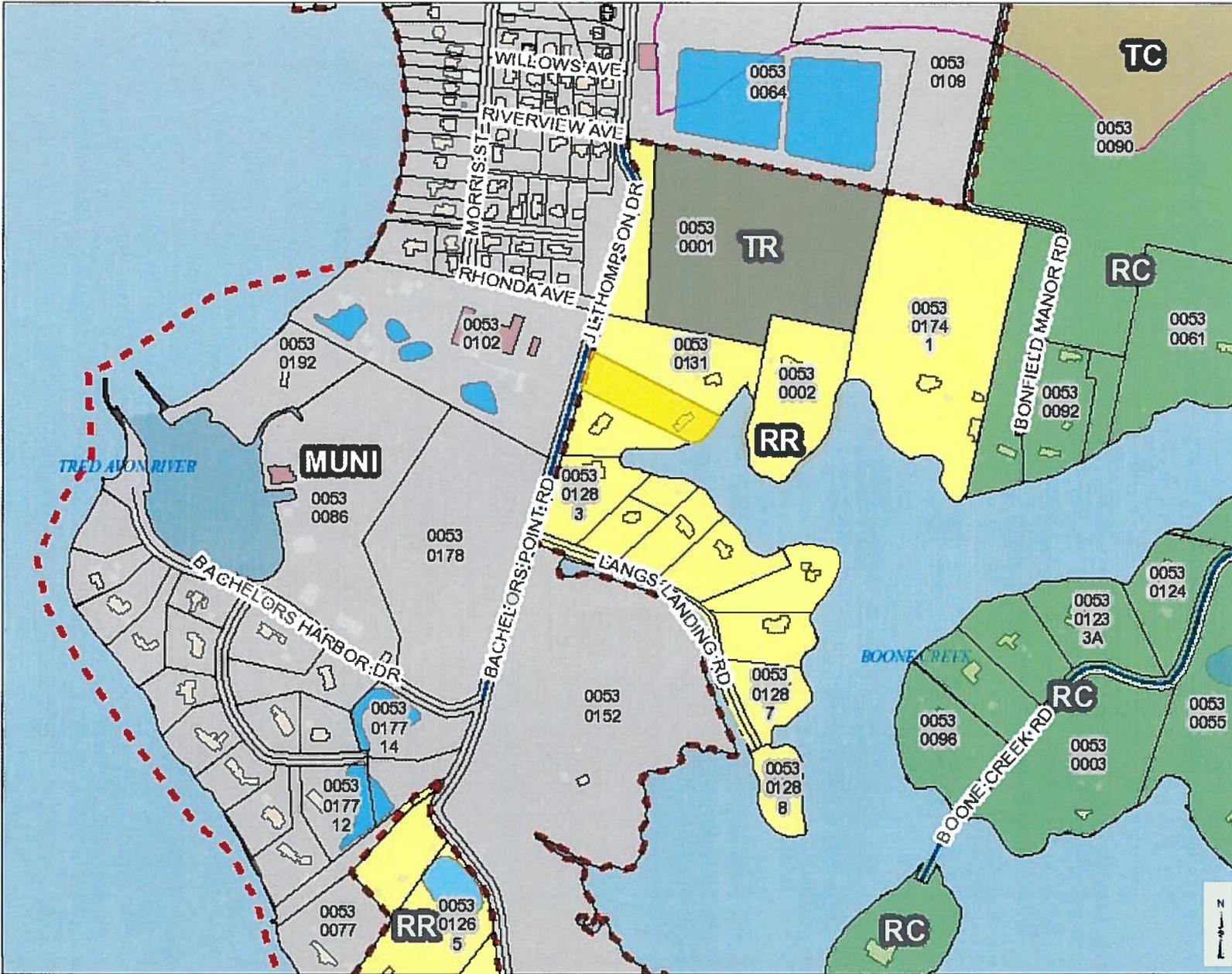


Jefferson Ewell Hubbard
Registered Property Line Surveyor
Maryland Registration Number 363





Bachelor Point Annexation

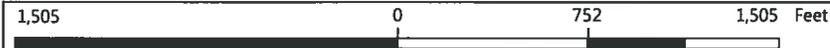


Legend

- Parcels
- Municipalities
- Roads
 - Other Roads
 - County Roads
 - State Roads
 - US Highway
- Buildings
 - COMMERCIAL
 - NO BUILDING
 - RESIDENTIAL
- Out Buildings
- Streams
- lakes
- Water
- Chesapeake Bay Critical Area

Zoning (Effective Oct 11, 2014)

- Agricultural Conservation
- Countryside Preservation
- General Commercial
- Limited Commercial
- Limited Industry
- Municipal
- Rural Conservation
- Rural Residential
- Town Conservation



This map is for reference only. Land use layers that appear on this map may or may not be accurate

Notes
Enter note.