COUNTY COUNCIL

OF

TALBOT COUNTY, MARYLAND

2020 Legislative Session, Legislative Day No.: June 23, 2020

Resolution No.: 291

Introduced by: Mr. Callahan, Mr. Divilio, Mr. Lesher, Mr. Pack, Ms. Price

A RESOLUTION CONCERNING THE PROPOSED REZONING BY THE TOWN OF EASTON, MARYLAND (THE "TOWN") OF REAL PROPERTY LOCATED AT 29328 DUTCHMANS LANE, EASTON, MARYLAND 21601, FURTHER DESCRIBED AS TAX MAP 34, PARCEL 91, CONSISTING OF APPROXIMATELY 1.696 ACRES± (THE "PROPERTY"); FINDING THAT THE PROPOSED REZONING FROM TALBOT COUNTY'S TOWN RESIDENTIAL ("TR") ZONING DISTRICT TO THE TOWN'S R-10A ZONING DISTRICT UPON ANNEXATION WILL RESULT IN SUBSTANTIALLY DIFFERENT USES OR SUBSTANTIALLY HIGHER DENSITY, EXCEEDING 50%, THAN COULD BE GRANTED FOR PROPOSED DEVELOPMENT UNDER THE PRE-ANNEXATION COUNTY ZONING; AND, WAIVING THE 5-YEAR HOLD IN ACCORDANCE WITH LOCAL GOVERNMENT ARTICLE § 4-416 OF THE MARYLAND ANNOTATED CODE

By the Council: June 23, 2020

Introduced, read first time, and ordered posted, with Public Hearing scheduled on Tuesday, August 11, 2020 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Easton, Maryland 21601.

By order: Susan W. Moran

Susan W. Moran, Secretary

A RESOLUTION CONCERNING THE PROPOSED REZONING BY THE TOWN OF EASTON, MARYLAND (THE "TOWN") OF REAL PROPERTY LOCATED AT 29328 DUTCHMANS LANE, EASTON, MARYLAND 21601, FURTHER DESCRIBED AS TAX MAP 34, PARCEL 91, CONSISTING OF APPROXIMATELY 1.696 ACRES± (THE "PROPERTY"); FINDING THAT THE PROPOSED REZONING FROM TALBOT COUNTY'S TOWN RESIDENTIAL ("TR") ZONING DISTRICT TO THE TOWN'S R-10A ZONING DISTRICT UPON ANNEXATION WILL RESULT IN SUBSTANTIALLY DIFFERENT USES OR SUBSTANTIALLY HIGHER DENSITY, EXCEEDING 50%, THAN COULD BE GRANTED FOR PROPOSED DEVELOPMENT UNDER THE PRE-ANNEXATION COUNTY ZONING; AND, WAIVING THE 5-YEAR HOLD IN ACCORDANCE WITH LOCAL GOVERNMENT ARTICLE § 4-416 OF THE MARYLAND ANNOTATED CODE

WHEREAS, Local Gov't Article § 4-416, Md. Ann. Code, restricts the authority of a municipality to allow development of annexed land for a period of 5 years after annexation for land uses substantially different than the authorized uses, or at substantially higher densities, exceeding 50%, than could be granted for development in accordance with the county zoning classification applicable at the time of the annexation; and,

WHEREAS, on May 19, 2020, Talbot County, Maryland (the "**County**") submitted a petition for annexation to the Town of Easton, Maryland, to annex certain portions of a public roadway known as Dutchmans Lane and an adjacent residential property located at 29328 Dutchmans Lane, Easton, Maryland 21601, further described as Tax Map 34, Parcel 91, consisting of 1.696 AC± (the "**Property**"); and,

WHEREAS, upon annexation, the Town proposes to rezone the Property from the pre-annexation County Town Residential ("**TR**") zone to the Town R-10A zone.

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

1. The above recitals are hereby incorporated as if fully set forth herein.

2. The County Council finds that the rezoning of the Property to the Town R-10A zone would allow land uses substantially different from the authorized uses in the pre-annexation County TR zone or permit development of the Property at a substantially higher density, exceeding 50%, than could be granted for development in the pre-annexation County TR zone.

3. Pursuant to Local Gov't Article § 4-416, Md. Ann. Code, the County hereby expressly approves the Town placing the Property into the R-10A Town zoning district upon annexation as proposed by Town Ordinance No. 751, that will allow land uses that are substantially different or density substantially higher, greater than 50%, than the density specified in the pre-annexation County TR 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. _____ having been published, a public hearing was held on _____ at _____ 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: _____

By order: _____
Susan W. Moran, Secretary

Pack -

Callahan -

Divilio -

Price -

Lesher -

EFFECTIVE: _____