

COUNTY COUNCIL
OF
TALBOT COUNTY, MARYLAND

2011 Legislative Session, Legislative Day No.: June 14, 2011

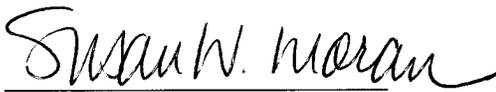
Resolution No.: 183

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

A RESOLUTION ADOPTED BY TALBOT COUNTY, MARYLAND, PURSUANT TO ART. 23A, § 9 (C), MD. ANN. CODE, TO EXPRESSLY APPROVE OF THE EASTON TOWN COUNCIL RE-ZONING PROPERTY PROPOSED FOR ANNEXATION BY TOWN RESOLUTION NO. 5978. THE PROPERTY INCLUDES TWO PARCELS OWNED BY JENSEN'S, INC. LOCATED ON THE EAST SIDE OF U.S. ROUTE 50, NORTH OF THE TOWN'S EXISTING MUNICIPAL BOUNDARY, CONSISTING OF A TOTAL OF 117.994 ACRES OF LAND, MORE OR LESS ("ANNEXATION PROPERTY"). THE PROPERTY IS COMPRISED OF: TAX MAP 25, PARCEL 13, CONTAINING 94.485 ACRES OF LAND, MORE OR LESS, AND TAX MAP 17, PARCEL 39, CONTAINING 23.509 ACRES OF LAND, MORE OR LESS. THE PROPERTY IS TO BE RE-ZONED INTO THE TOWN R-10M RESIDENTIAL ZONING DISTRICT, AS PROPOSED BY EASTON ORDINANCE NO. 588, INTRODUCED ON MAY 16, 2011, PENDING BEFORE THE EASTON TOWN COUNCIL

By the Council: June 14, 2011

Introduced, read the first time, and ordered posted, with Public Hearing scheduled on Tuesday, July 12, 2011 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, Secretary

A RESOLUTION ADOPTED BY TALBOT COUNTY, MARYLAND, PURSUANT TO ART. 23A, § 9 (C), MD. ANN. CODE, TO EXPRESSLY APPROVE OF THE EASTON TOWN COUNCIL RE-ZONING PROPERTY PROPOSED FOR ANNEXATION BY TOWN RESOLUTION NO. 5978. THE PROPERTY INCLUDES TWO PARCELS OWNED BY JENSEN’S, INC. LOCATED ON THE EAST SIDE OF US ROUTE 50, NORTH OF THE TOWN’S EXISTING MUNICIPAL BOUNDARY, CONSISTING OF A TOTAL OF 117.994 ACRES OF LAND, MORE OR LESS (“ANNEXATION PROPERTY”). THE PROPERTY IS COMPRISED OF: TAX MAP 25, PARCEL 13, CONTAINING 94.485 ACRES OF LAND, MORE OR LESS, AND TAX MAP 17, PARCEL 39, CONTAINING 23.509 ACRES OF LAND, MORE OR LESS. THE PROPERTY IS TO BE RE-ZONED INTO THE TOWN R-10M RESIDENTIAL ZONING DISTRICT, AS PROPOSED BY EASTON ORDINANCE NO. 588, INTRODUCED ON MAY 16, 2011, PENDING BEFORE THE EASTON TOWN COUNCIL

1 **WHEREAS**, Jensen’s, Inc. (“Jensen’s”) and numerous residents of the Hyde Park
2 community have executed and caused to be filed a Petition for Annexation before the Town
3 Council of Easton, Maryland of certain parcels of land owned by Jensen’s (“Annexation
4 Property”) depicted by a plat entitled “ANNEXATION 2011 TOWN OF EASTON OF THE
5 LAND OF JENSENS, INCORPORATED,” prepared by Lane Engineering, LLC (“Plat”), which
6 is incorporated by reference herein as Exhibit A; and,

7 **WHEREAS**, pursuant to that Petition, the Easton Town Council has introduced
8 Resolution No. 5978 (“Annexation Resolution”) to annex the Annexation Property, which
9 includes the following term:

10 Section 4. Zoning Classification. Jensen’s has requested that the
11 Town apply the R-10M zoning classification to the Annexation Property. Prior to
12 the public hearing on this Resolution, the Town Council will introduce Ordinance
13 Number 588 to establish zoning for the Annexation Property. If Ordinance
14 Number 588 is not enacted before the effective date of this Resolution, or, if as
15 enacted, it contains provisions that are deemed unacceptable to Jensen’s, Jensen’s
16 shall be free to withdraw this request for annexation by written notice delivered
17 to the Town Clerk before the effective date of this Resolution and this Resolution
18 shall become null and void.

19

20 **WHEREAS**, the Easton Town Council has introduced Ordinance No. 588 to amend the
21 Easton Zoning Ordinance to establish the R-10M Residential zoning district for the Annexation
22 Property, which includes the following term:

23 Section 4. County Zoning Consent. The proposed R-10M zoning
24 classification is consistent with the County's Town Residential (TR) District and
25 with the Manufactured Home Development (MHD) Floating District in terms of
26 density and uses. With respect to the application of the R-10M zoning
27 classification to the portions of the property zoned General Commercial (GC) and
28 Town Conservation (TC) under the County zoning, the proposed zoning
29 classification of R-10M may require Talbot County to consent to the
30 classification in accordance with Article 23A, Section 9(c) of the Code. Section
31 9(c) provides that if Talbot County expressly approves, the Town may place the
32 annexed land in a zoning classification that permits a land use or density
33 substantially different from the land use or density specified in the County zoning
34 classification. The classification of the portions of the Annexation Property
35 zoned GC and TC under County jurisdiction into the Town's R-10M zoning
36 district is contingent upon the Town's receipt of the express consent of the
37 County prior to the effective date of this Ordinance. In the event that such
38 consent is required but not received prior to the effective date of this Ordinance,
39 then Jensen's may withdraw its annexation request as provided for in the
40 Resolution. If it chooses not to withdraw its annexation request, then the portions
41 of the Annexation Property zoned GC and TC shall retain their County zoning
42 classifications until such time as the Town rezones those portions of the
43 Annexation Property in accordance with Maryland law.

44
45 SECTION ONE: BE IT RESOLVED BY THE COUNTY COUNCIL OF TALBOT
46 COUNTY, MARYLAND, that, pursuant to Art. 23A, § 9 (c), Md. Ann. Code, the County hereby
47 expressly approves the Town of Easton, upon annexation of the Annexation Property, placing the
48 Annexation Property in the R-10M Residential zoning district, as proposed by Easton Ordinance
49 No. 588.

50 SECTION TWO: This Resolution shall take effect immediately upon the date of its
51 passage.

PUBLIC HEARING

Having been posted and Notice, Time and Place of Hearing, and Title of Resolution No. _____ having been published, a public hearing was held on _____ in the Bradley Meeting Room, South Wing, Courthouse, 11 North Washington Street, Easton, Maryland on _____.

BY THE COUNCIL

Read the second time:

Enacted: _____

By Order: _____
Secretary

Bartlett - _____

Hollis - _____

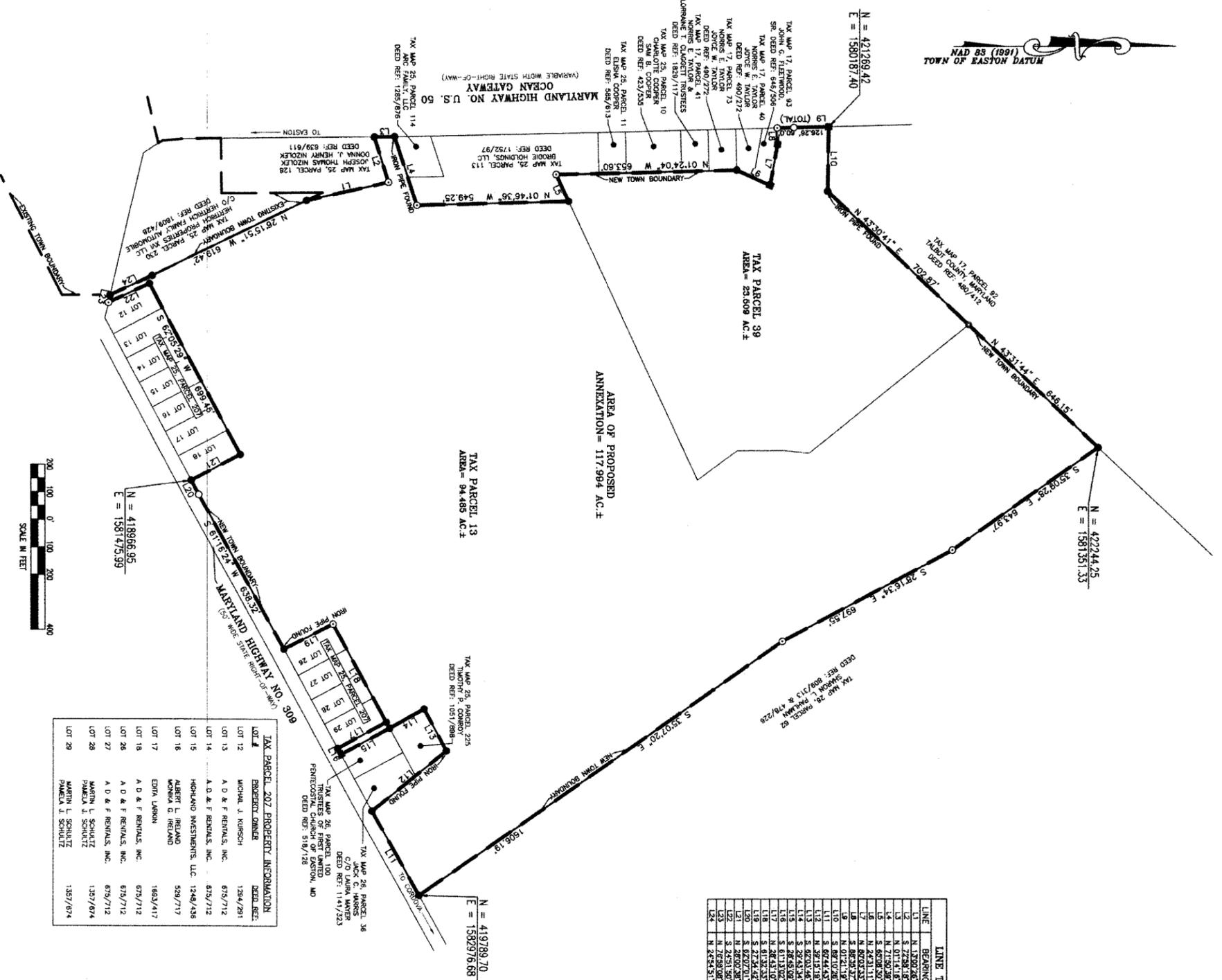
Pack - _____

Price - _____

Duncan - _____

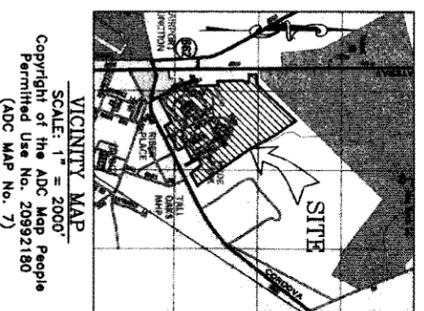
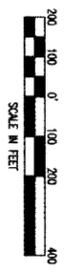


EXHIBIT A



LINE	BEARING	DISTANCE
L1	N 137°02'42" E	392.45
L2	S 72°51'18" W	172.89
L3	S 67°51'18" W	77.45
L4	N 71°50'59" E	281.71
L5	S 65°08'50" W	106.86
L6	N 2°51'11" E	133.22
L7	S 88°03'52" W	53.06
L8	S 88°03'52" W	53.06
L9	N 01°21'19" E	158.26
L10	S 89°10'26" E	235.07
L11	S 69°44'45" E	348.57
L12	S 25°03'18" W	391.72
L13	S 25°03'18" W	144.24
L14	S 29°43'54" E	480.14
L15	S 27°24'42" E	199.84
L16	S 62°07'01" W	56.18
L17	N 26°02'38" W	200.18
L18	S 27°51'00" W	281.18
L19	S 27°51'00" W	281.18
L20	N 24°54'51" W	168.90

LOT #	TAX PARCEL 207 PROPERTY INFORMATION	DEED REF.	DATE
LOT 12	MICHAEL J. KIRSCH	1284/291	
LOT 13	A. D. & F. REYNOLDS, INC.	675/712	
LOT 14	A. D. & F. REYNOLDS, INC.	675/712	
LOT 15	HIGHLAND INVESTMENTS, LLC	1248/438	
LOT 16	ALBERT L. IRELAND	529/717	
LOT 17	EDNA JARVIN	1683/417	
LOT 18	A. D. & F. REYNOLDS, INC.	675/712	
LOT 26	A. D. & F. REYNOLDS, INC.	675/712	
LOT 27	A. D. & F. REYNOLDS, INC.	675/712	
LOT 28	MARTIN L. SCHULTZ	1357/674	
LOT 29	MARTIN L. SCHULTZ	1357/674	



VICINITY MAP
 SCALE: 1" = 2000'
 Copyright of the ADC Map People
 Permitted Use No. 20992180
 (ADC MAP No. 7)

LEGEND
IRON ROD FOUND (UNLESS OTHERWISE NOTED)
STONE FOUND
COMPUTED POINT
CONCRETE MONUMENT FOUND
IRON ROD SET
PROPOSED TOWN BOUNDARY
EXISTING TOWN BOUNDARY

<p>NO. DATE DESCRIPTION BY</p> <p>1 6/10/11 REVISED PER TOWN COMMENTS DMB</p>	<p>ANNEXATION 2011 TOWN OF EASTON OF THE LAND OF JENSENS, INCORPORATED</p> <p>IN THE FIRST ELECTION DISTRICT ALBERT COUNTY, MARYLAND TAX MAP 25 GRID 9 PARCELS 13 & 39</p> <p>ISSUED FOR: DATE: 6/7</p>	<p>SCALE: 1" = 200'</p> <p>SHEET NO. 1 OF 1</p> <p>DATE: 7/2/09</p> <p>JOB NO. 090256</p> <p>FILE NO. 153</p>	<p>Lane Engineering, LLC Established 1986</p> <p>Civil Engineers • Land Planning • Land Surveyors</p> <p>117 Bay St. • Suite 200 • Annapolis, MD 21401 410-293-8800 • Fax: 410-293-8808 200 Westgate Dr. • Suite 200 • Annapolis, MD 21401 410-293-8800 • Fax: 410-293-8808</p>
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