

IN THE MATTER OF COUNTY	*	BEFORE THE
ORDINANCE NO. 13-10 RESPECTING		
THE PROPOSED REZONING OF	*	COUNTY COMMISSIONERS OF
PART OF PARCEL 143, TAX MAP 30		
FROM SE TO VC		QUEEN ANNE'S COUNTY, MD
* * * * *	*	* * * * *

FINDINGS AND DECISION

A hearing was held on July 23, 2013 in the County Commissioner's Meeting Room, Liberty Building, 107 N. Liberty Street, Centreville MD, 21617 on the petition of SSB Realty Holdings, LLC for the rezoning of a 14.43 acres, more or less, portion of a 36.7 acre parcel known as Parcel 143 on Queen Anne's County Sectional Zoning Map No. 30 from Suburban Estate (SE) to Village Center (VC) Zoning District.

The Petitioner was represented by Joseph A. Stevens, Esquire, who presented testimony and exhibits in support of the proposed rezoning. A number of citizens testified in opposition to the proposed rezoning.

The Queen Anne's County Planning Commission made an unfavorable recommendation with respect to the proposed rezoning.

After consideration of the testimony and evidence presented, the recommendations of the Queen Anne's County Planning Commission, the purposes set forth in Article 66B of the Annotated Code of Maryland, the Comprehensive Plan

and Chapter 18:1 of the County Code, the County Commissioners make the following findings;

A. Parcel 143 on Queen Anne's County Tax Map 30 is approximately 36.7 acres. Approximately 14.46 acres (the subject property) is zoned Suburban Estate (SE). The balance of the parcel is zoned Agricultural (AG). Such zoning district designations have been in place since 1987.

B. The subject property is located at the east side of U.S Route 301, North of Price.

C. The subject property is bounded at the north by the balance of Parcel 143, zoned AG, on the south by property zoned Village Center (VC) and on the west by U.S Route 301, a major arterial road, and to the east and adjacent to Rabbit Hill Road by property zoned Neighborhood Conservation, a residential zone.

D. The Suburban Estate zone is intended to provide for low-density, large-lot residential uses or single family cluster development with significant associated open space and is characterized by residential neighborhoods of an estate-type character.

E. No mistake has been demonstrated in the designation of the property as SE in 1987 as such zoning supported a transition from the residential NC-1 zoning district to its east.

F. There was no showing that the proposed rezoning was consistent with the Queen Anne's County Comprehensive Plan.

Petitioner's counsel suggested that we consider a rezoning of the subject property to Agricultural (AG). As no showing of mistake has been made and the Planning Commission has made no recommendation with respect to Agricultural zoning, we decline to do so, however, we do so without prejudice or prejudgment should a future request be submitted for Agricultural zoning.

For the reasons stated, there has been no showing of mistake in the zoning of the subject property as Suburban Estate (SE) and the rezoning request will be DENIED.

ATTEST:

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY



Margie Bouck



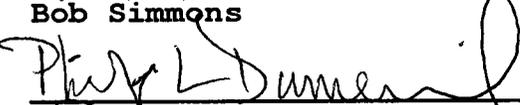
Steven J. Arentz



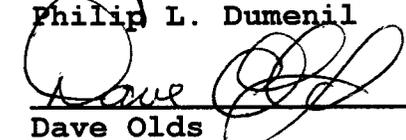
David L. Dunmyer



Bob Simmons



Philip L. Dumenil



Dave Olds