

COUNTY ORDINANCE NO. 05-03

A BILL ENTITLED

AN ACT CONCERNING the Petition of the Estate of Virginia S. White for Rezoning of Property Shown on Queen Anne's County Sectional Zoning Map No. 52, Block 4 as Part of Parcel 2;

FOR THE PURPOSE of reconfiguring the existing AG and LIHS zoning districts of the subject property by rezoning 6.003 acres of land from Agricultural (AG) District to LIHS (Light Industrial Highway Service) District and an equal amount of land from LIHS to AG.

BY AMENDING Official Queen Anne's County Zoning Map No. 54;

SECTION I

BE IT ENACTED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY, MARYLAND that Parcel 2, Block 4, as shown on Queen Anne's County Sectional Zoning Map No. 52 be rezoned as shown on the attached Exhibit.

SECTION II

BE IT FURTHER ENACTED that this Ordinance shall be effective on the forty-sixth day following its passage.

INTRODUCED BY: Gene Ransom

DATE: January 18, 2005

PUBLIC HEARING HELD: February 15, 2005 @ 7:15 PM

VOTE: 4 Yea 1 Nay

DATE OF ADOPTION: March 1, 2005

IN THE MATTER OF THE * BEFORE THE
PETITION OF THE ESTATE OF * COUNTY COMMISSIONERS
VIRGINIA S. WHITE FOR * OF QUEEN ANNE S COUNTY
REZONING OF PART OF PARCEL *
2, TAX MAP 52, THIRD ELECTION * COUNTY ORDINANCE 05-03
DISTRICT, QUEEN ANNE S CO. *

FINDINGS OF FACT AND DECISION

A hearing was held on February 15, 2005 at 7:15 p.m. in the County Commissioners meeting room, Liberty Building, 107 N Liberty Street, Centreville, Maryland on the Amended Petition of The Estate of Virginia S. White to rezone 6.003 acres of property from AG zoning district to LIHS zoning district and to simultaneously rezone 6.003 acres of property from LIHS zoning district to AG zoning district. The property in question is part of parcel 2 as shown on Queen Anne s County Sectional Zoning Map No. 52. The exact dimensions of the areas proposed to be rezoned are shown on the amended Rezoning Exhibit 1 filed with the Petition of the Estate of Virginia S. White.

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

Plan for Queen Anne s County, it was RESOLVED that the County Commissioners of Queen Anne s County make the following findings:

A. The existing zoning designations indicate the property is generally appropriate for LIHS and AG zoning districts.

B. The existing configuration of the LIHS district failed to consider and provide for acceptable State Highway access to the property. There is, therefore, strong evidence of a mistake given the configuration of the existing LIHS zoning.

C. In accordance with Section 18:1-222C. of the Code, it is specifically found that no significant change in population or availability of public facilities was demonstrated. It is, however, specifically determined that the proposed rezoning will significantly increase compatibility of future development of the area with the balance of the property in the area and that the proposed configuration of the LIHS district will allow for a future commercial entrance within the LIHS zoned portion of the property and will promote safe ingress and egress from such LIHS zone.

D. The findings of the Queen Anne s County Planning Commission are adopted by reference.

Based on the foregoing the County Commissioners do determine that a mistake was made in the existing zoning of the subject property and the requested rezoning is therefore ORDAINED and ENACTED as requested in the Petition of the Estate of Virginia S. White.

ATTEST:

THE COUNTY COMMISSIONERS OF
QUEEN ANNE S COUNTY

signed
Joseph F. Cupani

signed
Benjamin F. Cassell

signed
Margie A Houck

signed
Michael S. Koval

signed
R.O. Nemo Nedomanski

signed
Gene Ransom, III

Dated: March 1, 2005