

IN THE MATTER OF THE	* BEFORE THE
PETITION OF WHITE PINES,	* COUNTY COMMISSIONERS
A MARYLAND PARTNERSHIP,	* QUEEN ANNE'S COUNTY
FOR A CHANGE IN DEVELOPMENT	*
AREA CLASSIFICATION	* COUNTY ORDINANCE 99-16

FINDINGS OF FACT AND DECISION

A hearing was held on September 7, 1999 at 11:00 a.m. in the County Commissioners meeting room, Liberty Building, 107 N. Liberty Street, Centreville, Maryland 21617 on the petition of White Pines, a Maryland Partnership requesting growth allocation be utilized to redesignate approximately 9.85 acres of land from Resource Conservation Area (RCA) to Limited Development Area (LDA). The area in question is a part of Parcel 9, Block C as shown on Queen Anne's County Critical Area Overlay Map Nos. 48, 49, 56 and 57.

The County Commissioners of Queen Anne's County gave specific consideration to:

- 1) the testimony and evidence presented at the hearing.
- 2) the recommendations of the Queen Anne's County Planning Commission.
- 3) the recommendations of the Chesapeake Bay Critical

Area Commission.

4) the purposes set forth in §8-1800 et seq. of the Natural Resources Article of the Annotated Code of Maryland.

5) the Queen Anne's County Critical Area Program.

6) the Comprehensive Plan of Queen Anne's County.

7) Title 14, Subtitle 1 of the Code of Public Local Laws of Queen Anne's County.

8) the relationship of the proposed amendment to the Queen Anne's County Critical Area Program and Comprehensive Plan.

Based on consideration of the foregoing it is unanimously RESOLVED by the County Commissioners as follows:

A. The critical area portion of the property is currently designated RCA and could support a single dwelling unit. Award of growth allocation to redesignate the area to LDA would allow a maximum density of 34 dwelling units based on the underlying Stevensville Master Planned Development (SMPD) zoning district. The applicant proposes 15 dwelling units on approximately 8,000 square foot lots and approximately 6.4 acres of open space.

B. The property is located in the Stevensville Growth area. It is consistent with the Queen Anne's County Comprehensive Plan and the objectives of the Stevensville Growth

Area Plan to focus new development and awards of growth allocation in designated growth areas.

C. The current zoning designation of SMPD is inconsistent with the density limitations inherent in a RCA critical area designation.

D. The area in question has been pre-mapped for growth allocation as part of the Stevensville Growth Area Plan, is adjacent to a major single family subdivision (Cloverfields), is designated as S-1/W-1 in the Master Water and Sewer Plan and has public water and sewer readily available.

E. The grant of growth allocation will have minimal impact on shore buffers, protected resources, habitat protection areas and existing waterfront characteristics. The closest lot will be approximately 600' from mean high water.

F. The conditions suggested by the Queen Anne's County Planning Commission are reasonable and necessary in light of the request for growth allocation.

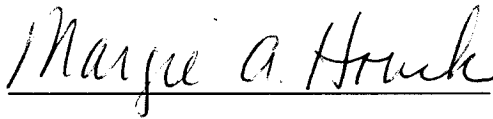
Based on the foregoing the County Commissioners of Queen Anne's County do determine that the redesignation of the subject area as LDA be and is hereby ORDAINED and ENACTED subject to the conditions recommended by the Queen Anne's County Planning Commission and the provisions of Section 14-177(h) of the County

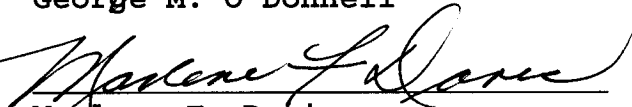
Code. Upon failure of the applicant, its successors or assigns to comply with any condition imposed within twelve months of the date hereof, the grant of growth allocation shall be null and void and all such growth allocation shall be immediately recaptured by Queen Anne's County.


ATTEST:

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY


George M. O'Donnell


Marge A. Houck


Marlene F. Davis


John T. McQueeney, Jr.

Dated: October 5, 1999

kjr-county-white pines