

IN THE MATTER OF \* BEFORE THE  
THE PETITION OF MAREEN D. \* COUNTY COMMISSIONERS  
WATERMAN FOR AN AMENDMENT TO \* OF  
CHESAPEAKE BAY AREA OVERLAY \* QUEEN ANNE'S COUNTY  
MAP NO. 56 \*

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FINDINGS AND DECISION

Mareen D. Waterman through his attorney, Joseph A. Stevens petitioned the County Commissioners of Queen Anne's County to amend Queen Anne's County Chesapeake Bay Critical Area Overlay Map No. 56 to re-designate parcel 22 thereon from Resource Conservation Area ("RCA") to Intense Development Area ("IDA"), through the use of growth allocation.

Pursuant to Section 14-177 of the Code of Public Local Laws of Queen Anne's County (1996 Ed.) the matter was referred to the Queen Anne's County Planning Commission who held a public hearing on September 9, 1999 following which a favorable recommendation with certain conditions was adopted as well as certain findings of fact. Following receipt of the Planning Commission recommendation the Petitioner's request was forwarded to the Chesapeake Bay Critical Area Commission for review. The Critical Area Commission approved the request as a refinement to the Queen

Anne's County Critical Area Program.

On January 4, 2000 the County Commissioners held a hearing on the Petitioner's request and on proposed County Ordinance 99-21 which had been introduced pursuant thereto. The Petition and exhibits, certificates of publication, minutes of the Planning Commission meeting of September 9, 1999, a staff report on the request and the recommendation of the Chesapeake Bay Critical Area Commission were entered as part of the record. Petitioner presented evidence and exhibits in support of his petition.

Upon consideration of all the evidence and testimony presented and after giving specific consideration to the matters set forth in Section 14-177(f)(2) of the Code of Public Local Laws, the County Commissioners of Queen Anne's County do find and determine as follows:

A. The findings of the fact made by the Queen Anne's County Planning Commission on September 9, 1999 are ratified and confirmed and incorporated herein by reference.

B. The request for growth allocation is consistent with the purposes set forth in Section 8-1800 et seq. of the Natural

Resources Article of the Annotated Code of Maryland, the Queen Anne's County Critical Area Program, the Queen Anne's County Comprehensive Plan (including the Stevensville Community Plan) and the Queen Anne's County Code.

C. The proposed development is consistent with the goals and objectives of the Comprehensive Plan and the Stevensville Community Plan.

Based on the foregoing and pursuant to Section 14-176(3) of the County Code the Petition of Mareen D. Waterman is therefore APPROVED subject to those nine (9) conditions set forth in the September 9, 1999 minutes of the Queen Anne's County Planning Commission.

ATTEST:

THE COUNTY COMMISSIONERS  
OF QUEEN ANNE'S COUNTY

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George M. O'Donnell

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Marlene F. Davis

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John T. McQueeney, Jr.

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Dated: 2-1, 2000