

RESOLUTION NO. 2005 -3

A RESOLUTION OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND PURSUANT TO CHAPTER 155, ENTITLED ZONING, SECTION 155-38 (N) OF THE DORCHESTER COUNTY CODE GRANTING RESIDENTIAL GROWTH ALLOCATION AND CHANGING THE CLASSIFICATION WITHIN THE CRITICAL AREA PROTECTION DISTRICT AND PROVIDING FOR REVERTER PROVISIONS.

BE IT RESOLVED, by the County Council of Dorchester County, Maryland pursuant to Chapter 155, Entitled "Zoning" Section 155-38 (N) that the following growth allocation be hereby granted to Gootee's Marine, Inc. and the area within the Critical Area Protection District reclassified as an Intensely Developed Area (IDA) within the Critical Area Protection District as follows:

FIRST: A 14.52 acre growth allocation is hereby awarded and the Critical Area Protection District classification is hereby changed from a Resource Conservation Area (RCA) to an Intensely Developed Area (IDA) said 14.52 acres being parcel 25 on Tax Map 85 more particularly described as follows:

"All that parcel of land situate lying and being on Maryland State Route 335 in the Lakes Election District of Dorchester County, Maryland and described as follows:

Beginning for the same point, said point being on the north side of the State Road leading from Lakesville to Blackwater Bridge, and near the junction of said road with the road leading to Hoopers Island and beginning for the outlines of the lot or parcel of land hereby conveyed at a point on the Northward side of said State Road where a ditch which divides the property of Robert L. Simmons from this land intersects said road and from thence runs (1) in a general Northward direction binding with said divisional ditch to where the same makes a sharp turn to the West and thence runs (2) in a general westward direction still binding with said ditch to a cart path, thence runs (3) in a general Northward direction binding with the Westward side of said cart path and with the land of the children of William J. Bradshaw to a corner of the said lands and thence runs (4) in general Westward direction binding with said land belonging to the said Bradshaw children to the lands of John Bradshaw, thence runs (5) in a Southward direction binding with the said Bradshaw land to the County Road, thence on across said road to the lands now owned by Clara Gootee, and thence runs (6) in a general Eastward direction binding with the said Gootee land to the said County Road and thence across said road and binding with the Northward edge of the State Road leading from Lakesville to Blackwater Bridge to the place of beginning, containing about 14.52 acres of land, more or less,"

Being the same land and property which was conveyed to Norma Lee Cusick by Edgar C. Cusick, by deed dated January 19, 1965, and recorded among the Land Records for Dorchester County, Maryland in Liber No. 141, Folio 314.

SECOND: That the Director of Planning is hereby authorized to change the Dorchester County Critical Area Maps accordingly.

THIRD: If Gootee's Marine, Inc. should fail to use or begin construction of the marina expansion, within two (2) years from the date of passage of this resolution or complete construction within a reasonable period, the approval shall become void, and the land shall revert to its original zoning classification, unless an extension has been granted by the County Council prior to expiration of the change in zoning. For the purpose of this section, commence the use or begin construction means either:

- A. Submission to the county of a site plan;
- B. Application for a building permit for structures comprising a substantial portion of the improvements; or
- C. Substantial completion of construction. (As determined in the sole discretion of the County Council).

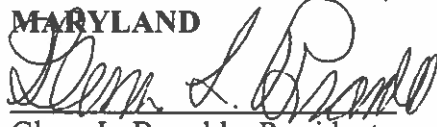
FOURTH: This Resolution shall take effect upon Critical Area Commission approval.

THIS RESOLUTION IS HEREBY ADOPTED, PASSED AND APPROVED THIS
15th DAY OF MARCH, 2005.

ATTEST:


Jane Baynard, County Manager

**COUNTY COUNCIL OF
DORCHESTER COUNTY,
MARYLAND**


Glenn L. Bramble, President


David Yockey, Vice President


Effie M. Elzey


Thomas A. Flowers


William V. Nichols

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