

RESOLUTION NO. 392

**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 TWO NONRESIDENTIAL GROWTH ALLOCATIONS AND CHANGING THE CLASSIFICATION OF TWO AREAS 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 two growth allocations are hereby granted and the following two areas within the Critical Area Protection District are hereby reclassified as an Intensely Developed Area (IDA) within the Critical Area Protection District as follows:

**FIRST:** A 10.604 acre growth allocation is hereby awarded and the Critical Area Protection District classification for said 10.604 acres is hereby changed from a Resource Conservation Area (RCA) to an Intensely Developed Area (IDA) said 10.604 acre area being described as follows:

All that parcel of land situate lying and being on Maryland State Route 16 in the Taylors Island Election District of Dorchester County, Maryland and described as follows:

Beginning for the same at a point, said point being the southwesternmost corner of the parcel described herein, said also being on the zoning district boundary between the RC Resource Conservation district and the B-2 General Business district on the land of Smith Brothers Pile Driving, Inc., said point also bears North 03 degrees 07 minutes 00 seconds East 121.88 feet from the point formed by the intersection of the northwestern side of Maryland Route 16 and the eastern boundary of the aforementioned B-2 General Business district, and from said place of beginning running by and with the said B-2 General Business district 1) North 03 degrees 07 minutes 00 seconds East 362.04 feet to a point and the land of Martin K Johnson ( Liber 433 folio 703), Thence running by and with the said Martin K. Johnson land, 2) South 88 degrees 18 minutes 00 seconds East 25.01 feet to a point, thence by and with a new zoning district boundary the following five courses and distances, 3) South 88 degrees 18 minutes 00 seconds East 90.05 feet to a point, thence 4) North 03 degrees 06 minutes 30 seconds East 311.47 feet to a point, thence 5) North 73 degrees 45 minutes 28 seconds East 545.42 feet to a point, thence 6) South 26 degrees 18 minutes 07 seconds East 609.37 feet to a point, thence 7) South 73 degrees 45 minutes 28 seconds West 984.54 feet to the place of beginning,

Containing 10.604 Acres of land more or less.

And being a part of the land described in the deed to Smith Brothers Pile Driving, Inc. dated March 16, 1967 and recorded among the Land Record Books of Dorchester County, Maryland in Liber P.L.C. No. 150, folio 654.

**SECOND:** An 7.484 acre growth allocation is hereby awarded and the Critical Area Protection District and classification for said 7.484 acres is hereby changed from a Limited Development Area (LDA) to an Intensely Developed Area (IDA) said 7.484 acre area being described as follows:

All that parcel of land situate lying and being on Maryland State Route 16 in the Taylors Island Election District of Dorchester County, Maryland and described as follows:

Beginning for the same at a point, said point being the northwesternmost corner of the parcel described herein, said point also being on the mean high water line of Slaughter Creek and the southwesternmost corner of the land of Martin K. Johnson (Liber 433 folio 703), and from said place of beginning running by and with the said Martin K. Johnson land 1) South 88 degrees 18 minutes 00 seconds East 325.22 feet to a point, said point being on the eastern boundary of the existing RC Resource Conservation District, thence running by and with the said RC-Resource Conservation District the following two courses, 2) South 03 degrees 07 minutes 00 seconds West 362.04 feet to a point, thence 3) continuing South 03 degrees 07 minutes 00 seconds West 121.88 feet to a point and the public road leading from Madison to Taylor's Island known as Maryland Route 16, thence running by and with the northwest side of the said Maryland Route 16, 4) by and with the arc of a curve deflecting to the left having a Radius of 1014.93 feet for an arc length of 715.21 feet the chord of which bears South 43 degrees 42 minutes 37 seconds West 700.50 feet to a point near Slaughter Creek, thence running by and with the mean high water line of the said Slaughter Creek and the many meandering thereof generally the following five courses and distances, 5) North 88 degrees 26 minutes 30 seconds West 102.42 feet to a point, thence 6) North 33 degrees 41 minutes 12 seconds West 215.58 feet to a point, thence 7) North 45 degrees 35 minutes 29 seconds East 150.57 feet to a point, thence 8) North 28 degrees 28 minutes 51 seconds East 214.87 feet to a point, thence 9) North 11 degrees 45 minutes 05 seconds East 141.90 feet to a point at the southwestern corner of a private marina basin, thence by and with the limits of the said private marina basin the following twelve courses and distances, 10) South 46 degrees 22 minutes 03 seconds East 16.68 feet to a point, thence 11) North 88 degrees 01 minutes 43 seconds East 229.91 feet to a point, thence 12) North 02 degrees 57 minutes 43 seconds West 20.77 feet to a point, thence 13) North 87 degrees 21 minutes 47 seconds East 50.11 feet to a point, thence 14) North 01 degrees 24 minutes 14 seconds West 14.88 feet to a point, thence 15) South 89 degrees 21 minutes 48 seconds West 50.10 feet to a point, thence 16) North 06 degrees 07 minutes 18 seconds East 14.76 feet to a point, thence 17) North 87 degrees 58 minutes 12 seconds East 57.04 feet to a point, thence 18) North 00 degrees 56 minutes 08 seconds East 33.39 feet to a point, thence 19) North 87 degrees 27 minutes 24 seconds West 55.38 feet to a point, thence 20) North 01 degrees 15 minutes 10 seconds West 40.30 feet to a point, thence 21) North 86 degrees 00 minutes 03 seconds West 174.08 feet to at the northwestern corner of the aforesaid private marina basin and the aforementioned Slaughter Creek, thence by and with the mean high water line of the said Slaughter Creek and the many meanderings thereof generally, the following six courses and distances, 22) North 08 degrees 16 minutes 10 seconds East 133.75 feet to a point, thence 23) South 81 degrees 36 minutes 40 seconds East 27.36 feet to a point, thence 24) North 14 degrees 34 minutes 15 seconds East 84.22 feet to a point, thence 25) North 28 degrees 25 minutes 40 seconds East 17.65 feet to a point, thence 26) North 77 degrees 05 minutes 26 seconds East 18.88 feet to a point, thence 27) North 15 degrees 48 minutes 30 seconds East 16.12 feet to the place of beginning, Containing 7.484 Acres of land more or less.

And being a part of the land described in the deed to Smith Brothers Pile Driving, Inc., dated March 16, 1967 and recorded among the Land Record Books of Dorchester County, Maryland in Liber P.L.C. No. 150, folio 654.

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

**FOURTH:** If Smith Brothers Pile Driving, Inc. should fail to use or begin construction of the expansion of the Taylors Island Marina boat hauling and storage operations (The "Project"), within two (2) years from the date of passage of this resolution or complete the construction of The Project within a reasonable period, as determined in the sole discretion of the County Council, the growth allocations herein awarded are hereby rescinded, null and void and the Critical Area Protection Classifications of the two areas shall revert to their original Critical Area Protection Classifications existing prior to the adoption of this resolution. 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).

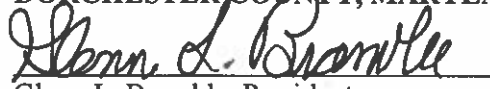
**FIFTH:** This resolution shall take effect 60 days after Bill Number 2004-9 Taylors Island Rezoning Marina, is signed or upon Critical Area Commission approval, whichever is later.

**THIS RESOLUTION IS HEREBY ADOPTED, PASSED AND APPROVED THIS**  
22nd DAY OF June, 2004.

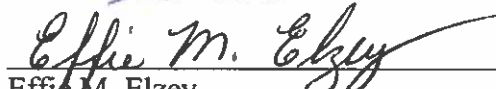
ATTEST:

  
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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