

RESOLUTION NO. 396

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 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 S & S Investment Properties, LLC 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 15.74 acre growth allocation is hereby awarded and the Critical Area Protection District classification for said 15.74 acres is hereby changed from a Limited Development Area (LDA) to an Intensely Developed Area (IDA) said 15.74 acres being the critical area portion of parcel 13 on Tax Map 30 described as follows:

Beginning for the same at a concrete monument found; said concrete monument being the easterly most corner of the herein described land; said concrete monument also being the southwesterly most corner of Lot 309 as shown on a plat entitled "Garden Estates" and recorded among the Land Records of Dorchester County, Maryland in Platfile 4/11; said concrete monument also being on the northwesterly side of the public road which leads from Glasgow Street to Canterbury Drive, known as Jenkins Creek Road; and from said Place of Beginning running by and with the northerly side of the said Jenkins Creek Road the following five courses and distances (1) South 66 degrees 28 minutes 39 seconds West, 623.03 feet; thence (2) by and with the arc of a curve deflecting to the right, which has a radius of 888.33 feet for a length of 378.39 feet, the chord of which bears South 78 degrees 41 minutes 09 seconds West, 375.54 feet; thence (3) by and with the arc of a curve deflecting to the right, which has a radius of 1318.56 feet for a length of 561.65 feet, the chord of which bears North 76 degrees 54 minutes 31 seconds West, 557.41 feet; thence (4) North 64 degrees 42 minutes 21 seconds West, 1606.90 feet; thence (5) by and with the arc of a curve deflecting to the left, which has a radius of 170.87 feet for a length of 66.23 feet, the chord of which bears North 75 degrees 54 minutes 26 seconds West, 65.82 feet to the land of John Herbert Allen, Jr. and Veronica P. Allen (Liber 190, Folio 296); thence by and with the said John Herbert Allen, Jr. and Veronica P. Allen land the following three courses and distances (6) North 65 degrees 18 minutes 11 seconds West, 116.50 feet to a concrete monument found; thence (7) continuing North 65 degrees 18 minutes 11 seconds West, 1087.17 feet to a concrete monument found; thence (8) still continuing North 65 degrees 18 minutes 11 seconds West, 4.00 feet more or less to Jenkins Creek and the many meanderings thereof generally the following seven courses and distances (9) North 31 degrees 47 minutes 51 seconds East, 56.97 feet; thence (10) North 58 degrees 29 minutes 30 seconds West, 69.20 feet; thence (11) North 13 degrees 54 minutes 28 seconds West, 90.30 feet; thence (12) North 28 degrees 20 minutes 29 seconds East, 195.92 feet; thence (13) North 53 degrees 02 minutes 18 seconds East, 161.05 feet; thence (14) North 80 degrees 01 minutes 25 seconds East, 84.83 feet; thence (15) North 52 degrees 09 minutes 18 seconds West, 31.88 feet to Lot 4 as shown on plat entitled "Algonquin Manor" the following three courses and distances (16) South 81 degrees 27 minutes 21 seconds East, 25.0 feet more or less; thence (17) continuing South 81 degrees 27 minutes 21 seconds East, 348.08 feet; thence (18) South 73 degrees 52 minutes 31 seconds East, 1419.0 feet to the land of Jay G. Harper and Nancy Harper (Liber 200, Folio 239); thence by and with the said Jay G. Harper and Nancy Harper land the following three courses and distances (19) South 09 degrees 37 minutes 49 seconds West, 8.25 feet to a concrete monument found; thence (20) South 64 degrees 16 minutes 32 seconds East, 31.6 feet to a concrete monument found; thence (21) continuing South 64 degrees 16 minutes 32 seconds East, 140.31 feet to a concrete monument found and the land of Medora B. Dashiell, Trustee (Liber 265, Folio 527); thence by and with the said land of Medora B. Dashiell, Trustee (Liber 265, Folio 527) and the aforementioned Garden Estates (Platfile

4/11) (22) still continuing South 64 degrees 16 minutes 32 seconds East, 2199.37 feet to the Place of Beginning,

Containing 66.572 Acres of Land, more or less.

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

THIRD: If S & S Investment Properties, LLC should fail to use or begin construction of the "Longboat Estates" subdivision, 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).

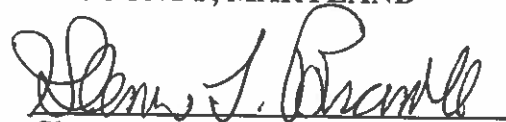
FOURTH: This resolution shall take effect upon Critical Area Commission approval.

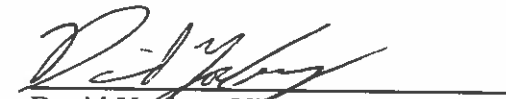
THIS RESOLUTION IS HEREBY ADOPTED, PASSED AND APPROVED
THIS 17th DAY OF AUGUST, 2004.

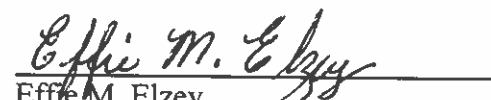
ATTEST:

COUNTY COUNCIL OF
DORCHESTER COUNTY, MARYLAND


Jane Baynard, County Manager


Glenn L. Bramble, President


David Yockey, Vice President


Effie M. Elzey


Dr. Thomas A. Flowers

FILED

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