

RESOLUTION NO. 4-85
ORIE P. BEASLEY, III
123 Jefferson Street

ZONING AMENDMENT RESOLUTION

WHEREAS, Orie P. Beasley has made application to rezone a parcel of land owned by her from Single-Family Residential to CH, Commercial Highway. The land is seventy (70) feet wide by three hundred thirty-eight (338) feet deep and fronts Maryland Route Five (Jefferson Street), Third Election District, St. Mary's County, Maryland. The land is improved by a dentist office.

WHEREAS, following publication of notice and notification of property owners contiguous to the subject property by certified mail, the Leonardtown Planning Commission conducted a public hearing on the request on February 19, 1985.

WHEREAS, after deliberation, the Planning Commission on February 19, 1985, by a unanimous vote, recommended to the Commissioners of Leonardtown that rezoning to C-H be granted.

WHEREAS, the Commissioners of Leonardtown, after publication of notice and notification of all contiguous property owners by certified mail, conducted a public hearing on the application on March 11, 1985.

WHEREAS, the Commissioners of Leonardtown unanimously approved the rezoning of subject property to C-H at their meeting of March 11, 1985.

WHEREAS, it is the intention of the present Commissioners of Leonardtown to affirm the approval of the rezoning, although some members did not actually participate in the deliberations and decision to approve the rezoning.

WHEREAS, the Commissioners of Leonardtown, in accordance with the provisions of Section 4.05(a) of Article 66B of the Annotated Code of Maryland, find as fact the following with regard to the above-referenced application:

I. Change in neighborhood:

There has been a change in the neighborhood, which includes land on both sides of Maryland Route Five to a depth of approximately five hundred (500) feet between the entrance to the new St. Mary's Hospital south to the intersection of Maryland Route Five and Maryland Route 245. This change includes commercial development of Tri-County Savings and Loan Association, the planned construction of a new nursing home on the site of the old St. Mary's Hospital, the closing of St. Mary's Academy, the use of the property across Maryland Route Five as a dental office, and the Leonardtown by-pass proposed by the State Highway Administration.

II. Population change:

During the past decade the population of Leonardtown has remained stable.

III. Adequacy of public facilities:

There will be no significant impact on the schools, recreation and

parks, police, fire and rescue units, water and sewer, and government services.

IV. Present and future transportation patterns:

The subject property is already in use as a dental office, which is a non-conforming use. The rezoning of the property to CH should not adversely affect present and future transportation patterns on Maryland Route Five.

V. Relation to Comprehensive Plan:

The Comprehensive Plan stipulates that Commercial Highway uses should be encouraged along Maryland Route Five. The rezoning of the existing non-conforming use is compatible with the goals of the Comprehensive Plan.

VI. Fiscal impact on government:

There should be some additional tax revenue from the commercial rezoning of the property.

VII. Suitability of property for uses under existing and proposed zoning classifications:

The subject property is already commercially developed as a dental office in a legally constituted non-conforming use and is suitable for CH uses.

VIII. Compatibility with existing and proposed development for the area:

The commercial zoning will be compatible with the surrounding commercial uses in the area.


IX. Mistake in original zoning:

There was no mistake in the initial zoning on the subject property.

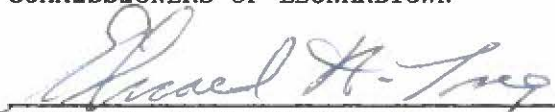
NOW THEREFORE, BE IT RESOLVED AND ORDAINED BY THE COMMISSIONERS OF LEONARDTOWN THIS 16th day of October, 1985, that the subject property is hereby reclassified from Single-Family Residential to Commercial Highway.

ATTEST:

COMMISSIONERS OF LEONARDTOWN



MARYLIN G. ENWRIGHT
TOWN SECRETARY



EDWARD H. LONG, PRESIDENT



FRANK A. HAYDEN, VICE PRESIDENT

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ORIE P. BEASLEY ~~TILL~~
123 Jefferson Street
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Abstained

PENNY BEASLEY-BELL, COMMISSIONER

APPROVED AS TO LEGAL SUFFICIENCY:

Joseph R. Densford

JOSEPH R. DENSFORD
CORPORATION COUNSEL

Abstained

J. MAGUIRE MATTINGLY, JR., COMMISSIONER

Stephen L. Raley

STEPHEN L. RALEY, COMMISSIONER