

ZONING AMENDMENT RESOLUTION

WHEREAS, Philip H. Dorsey, III, owner of the subject property located at 107 Washington Street known as Lot 1 and 2 of St. Peter's Subdivision containing .59 acres of land, more or less, and Lot 5 in the Dent Subdivision has applied to rezone the subject property from Residential Multi-Family (R-MF) to Commercial Office (C-0).

WHEREAS, the Leonardtown Planning and Zoning Commission, after due public notice, conducted a public hearing on the application on Tuesday, January 20, 1987.

WHEREAS, the Planning and Zoning Commission, after deliberation following the public hearing on January 20, 1987, and by a unanimous vote of the three members present, recommended to the Commissioners of Leonardtown that the application to rezone the subject property from R-MF to C-0, be granted.

WHEREAS, the Commissioners of Leonardtown, after due public notice, conducted a public hearing on the application on February 9, 1987.

WHEREAS, the Commissioners of Leonardtown, pursuant to Article 66B, Section 4.05(a) of the Annotated Code of Maryland, make the following findings of fact with respect to the application:

I. Substantial Change in Character of Neighborhood:

The neighborhood for the subject property is defined as the properties bounded on the corner of Washington Street and Route 5 and Shadrick Street, next to Hardees. This includes all properties fronting on Washington Street and in between. In recent years the following changes have occurred in the subject neighborhood: In recognition of the need for additional physicians' offices in Leonardtown, particularly near St. Mary's Hospital, Dr. David C. Allen's property was rezoned to Commercial Office on July 15, 1986; The Burch property was rezoned for a car wash in 1976; the Henderson House has been occupied by the Office of the Public Defender for law offices; and, a Thrift Shop was established by the St. Andrews Parish to the rear of the subject property. Accordingly, we hereby find as a fact that there has been a substantial change in the character of the neighborhood where the subject property is located.

II. Mistake in Existing Zoning Classification:

This issue was not raised by the applicant to support the rezoning.

III. Population Change:

The population of the Town and County has grown and the need for attorneys has grown, especially in an area accessible to the courthouse as it exists now and with its proposed expansion to Leonard Hall in the near future.

IV. Availability of Public Facilities:

Water and sewer would be no greater with this proposed use, nor would traffic flow be increased significantly.

V. Present and Future Transportation Patterns:

The future Leonardtown By-Pass has many concerned about adverse effects on business. A law office would encourage people to come into Town.

VI. Compatibility with Existing and Proposed Development:

The proposed use is compatible with the neighborhood, even without the zoning change, because of the existence of Bell Motor Company, the car wash, the Public Defenders' Office, the Town water tower, schools, churches and the Thrift Shop. It is no longer viable residential property or for the Church's use, since it has moved to a new location on St. Andrews Church Road. There is no intention of making physical changes to the property, so it will still tie in with the residences next to it. A law office is the least offensive commercial use.

VII. Recommendation of the Leonardtown Planning and Zoning Commission:

The Leonardtown Planning and Zoning Commission has, by a unanimous vote of the three members present, recommended that the application to rezone be granted.

VIII. Relationship of Proposed Amendment to Comprehensive Plan:

The Leonardtown Comprehensive Plan appears to designate the subject property for church purposes. However, the proposed use meets the Plan's goals of preserving existing buildings and expanding Leonardtown's facilities to meet and anticipate future population demands. The proposed use may also serve to continue to bring people into the general business district of Leonardtown after the By-Pass is constructed.

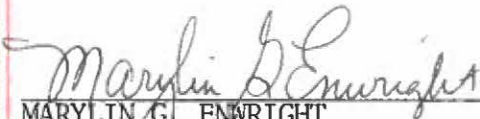
IX. Fiscal and Physical Impact:

Commercial assessment of the property will generate more tax dollars for the Town. There will be no additional burden on the streets, sewer and public facilities. The access road in the alley, leading back to the Town's water tower and surrounding area, is protected with a right of way easement on the plat and will remain in effect.


NOW THEREFORE, be it ordained this 9th day of March, 1987, by the COMMISSIONERS OF LEONARDTOWN, that the application is hereby granted and the subject property is hereby rezoned from R-MF to C-0.

ATTEST:


COMMISSIONERS OF LEONARDTOWN



MARYLIN G. ENWRIGHT
Town Secretary



EDWARD H. LONG, President

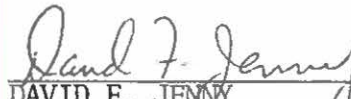


J. MAGUIRE MATTINGLY, JR., Vice President


APPROVED AS TO LEGAL FORM AND SUFFICIENCY:



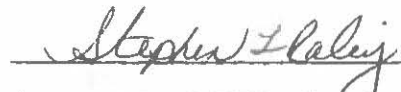
DANIEL W. BURRIS, Commissioner



DAVID F. JENNY
Corporation Counsel



DANIEL W. MUCHOW, Commissioner



STEPHEN L. RALEY, Commissioner