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Cecil County LUDS
Division of Planning & Zoning

REZONING APPLICATION

DATE FILED: 3/16/2020 PC MTG: 4/20/2020
AMT. PD: \$250.00 COM.MTG: _____
ACCEPTED BY: BCL FILE NO: 2020-02

APPLICANT INFORMATION

OWNER REPRESENTATIVE

Cecil Real Properties LLC c/o Thomas C. Kleine, counsel to Applicant (757) 687-7789
APPLICANT NAME - please print clearly (additional names can be listed on page 2) PHONE NUMBER
Troutman Sanders LLP, 222 Central Park Ave, Suite 2000, Virginia Beach VA 23462
ADDRESS CITY STATE ZIP CODE

PROPERTY INFORMATION

CRITICAL AREA? YES NO

183 Zeitler Road, Elkton, MD 21921 395.37 acres
SUBJECT PROPERTY ADDRESS SIZE OF PROPERTY
03 014401 0305 0007 0023
ELEC DISTRICT ACCOUNT# TAX MAP# BLOCK PARCEL LOT#

PRESENT ZONING ST REQUESTED ZONING M2
PRESENT LAND USE DESIGNATION vacant/farm/brownfield REQUESTED LAND USE DESIGNATION See Proposed Use Below

PRESENT USE OF PROPERTY vacant/farm/brownfield PROPOSED USE OF PROPERTY _____
Light industrial, warehousing and logistics-based business park, and similar uses consistent with the proposed zoning district
PREVIOUS ZONING CHANGE? YES NO If yes, explain _____

TIME SCHEDULE FOR PROPOSED DEVELOPMENT No specific schedule has been developed.

REASON FOR REZONING REQUEST

MISTAKE IN THE COMPREHENSIVE REZONING OF MAY 1, 2011? YES NO
IF YES, PLEASE EXPLAIN See attached memorandum from Troutman Sanders LLP

SUBSTANTIAL CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD? YES NO
IF YES, PLEASE EXPLAIN _____

MISTAKE IN CHESAPEAKE BAY CRITICAL AREA LAND USE DESIGNATION OF JULY 5, 1988 YES NO
IF YES, PLEASE EXPLAIN _____

ADDITIONAL COMMENTS (attached sheet if necessary) See attached memorandum

EXPLAIN ANY PROBLEM AREAS AND PROPOSALS TO CORRECT THOSE AREAS

LIST THE NAME AND ADDRESSES OF ADDITIONAL APPLICANTS

Cecil Real Properties, LLC 127 North Street, Elkton, MD 21922 attn: Mr. Thomas J. Ahearn
APPLICANT NAME (please print clearly) ADDRESS

APPLICANT NAME ADDRESS

APPLICANT NAME ADDRESS

LIST THE NAME AND ADDRESSES OF ALL PROPERTY OWNERS

Cecil Real Properties, LLC 127 North Street, Elkton MD 21922 attn: Mr. Thomas J. Ahearn
OWNER NAME (please print clearly) ADDRESS

OWNER NAME ADDRESS

OWNER NAME ADDRESS

OWNER NAME ADDRESS

CERTIFICATION – SIGNATURES

I/We certify that the information and exhibits submitted are true and correct to the best of my/our knowledge and belief.

APPLICANT(S):

Cecil Real Properties LLC *Thomas C. Kleine* 3-16-20
PRINT NAME Thomas C. Kleine, counsel for SIGNATURE DATE
Applicant

PRINT NAME SIGNATURE DATE

PRINT NAME SIGNATURE DATE

PRINT NAME SIGNATURE DATE

OWNER(S):

Cecil Real Properties LLC *Thomas Ahearn, Manager* 3-16-2020
PRINT NAME Thomas Ahearn SIGNATURE DATE

PRINT NAME SIGNATURE DATE

PRINT NAME SIGNATURE DATE

PRINT NAME SIGNATURE DATE

TO: Cecil County Department of Land Use & Development
Division of Planning and Zoning

FROM: Thomas C. Kleine, Esquire

DATE: March 16, 2020

RE: Rezoning Application for 183 Zeitler Road, Elkton, Maryland

This memorandum supports the rezoning application of Cecil Real Properties LLC for all of that approximately 395.37 acres located at 183 Zeitler Road that is not already zoned M2 as shown on the exhibit enclosed herewith.

Reason for Rezoning Request

MISTAKE IN THE COMPREHENSIVE REZONING OF MAY 1, 2011 YES

IF YES, PLEASE EXPLAIN

Cecil Real Properties LLC (the "Owner") is currently the owner of the approximately 395.37 acres located at 183 Zeitler Road (the "Property"). The Property is currently an unimproved tract that was primarily classified Suburban Transition ("ST") during the County's 2011 comprehensive rezoning process, with the exception of a small portion that remains M2. The Owner respectfully contends that the rezoning to the ST classification was a mistake, as the Property is well-known as the site of certain historic munitions-related uses. The history of the Property is one that has been evaluated by the appropriate environmental regulatory agencies (both federal and state). Accordingly, residential uses on a site with historical industrial uses is not an appropriate designation. Given the Property's history, its size, its proximity to important transportation networks, and its adjacency to another industrially-zoned park (also zoned M2), the Owner believes that the M2 classification is appropriate, as contrasted with any proposed residential uses.

For these reasons and others that Owner proposes to present at the public hearing, we respectfully submit that the current zoning is a mistake and request that the zoning map be amended to designate the Property as M2.



Account ID.: 0803014401

[SDAT Link: Maryland Property View](#)

Map: 305

Parcel: 23

Lot: null

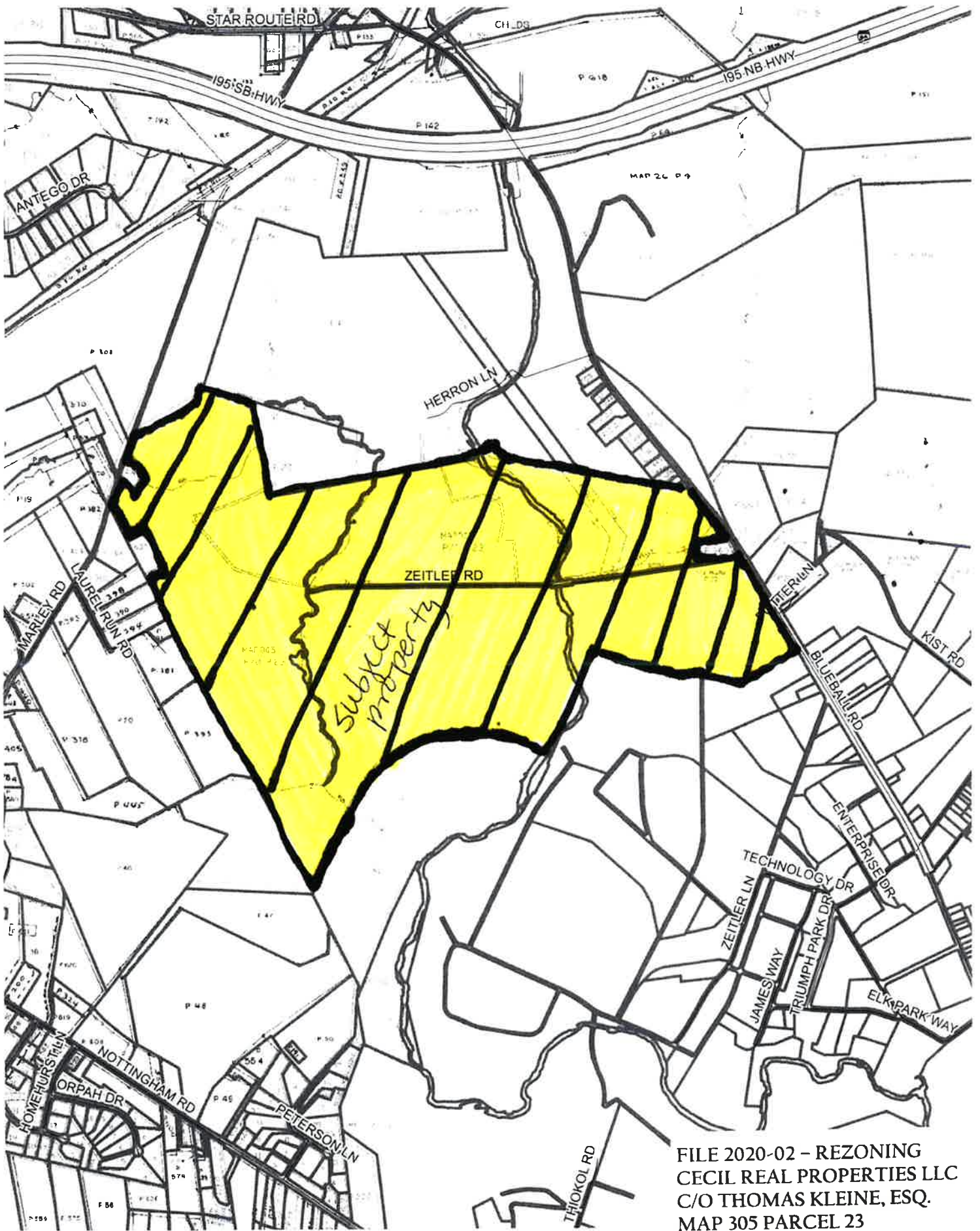
Owner: CECIL REAL PROPERTIES LLC

Owner2: null

Prem. Address: 193 ZEITLER RD

Zoning: Split

[Zoom to:](#)



FILE 2020-02 - REZONING
CECIL REAL PROPERTIES LLC
C/O THOMAS KLEINE, ESQ.
MAP 305 PARCEL 23

REZONINGS

FILE NO: 2020-02

APPLICANT: Cecil Real Properties, LLC

LOCATION: 183 Zeitler Road, Elkton, MD 21921 (Tax Map 305, Parcel 23)

REQUEST: Rezone 395.37 acres from Suburban Transition Residential (ST) to Heavy Industrial (M2).

STAFF RECOMMENDATION: Approval, based on a demonstrated mistake in the 2011 Comprehensive Rezoning.

PLANNING COMMISSION RECOMMENDATION: Approval, based on a demonstrated mistake in the 2011 Comprehensive Rezoning.

FINDINGS OF FACTS

NEIGHBORHOOD: The neighborhood is an area within 1/2 mile radius of the subject property. The subject property and all of the immediately adjoining properties are zoned Suburban Transition Residential (ST), Heavy Industrial (M2), and Urbanized Residential (UR). The properties within the neighborhood are zoned Suburban Transition Residential (ST), Heavy Industrial (M2), and Urbanized Residential (UR). The periphery of the neighborhood is zoned Low Density Residential (LDR).

CHANGES IN AREA: There has been one rezoning in the neighborhood since the 2011 Comprehensive Rezoning. File number 2016-06 was approved to rezone 0.5 acres of M2 to BG based upon a substantial change in the character of the neighborhood since the 2011 Comprehensive Rezoning.

POPULATION CHANGES:	<u>2000</u>	<u>2010</u>	<u>% of Change</u>
Cecil County	85,951	101,108	17.7%
Census Tract: 305.03	4,695	5,751	22.49%

AVAILABILITY OF PUBLIC FACILITIES: The property is not presently served by water and sewer, but is located within future water and sewer service areas W-3 and S-4 per the adopted Master Water & Sewer Plan.

PRESENT AND FUTURE TRANSPORTATION AND TRAFFIC PATTERNS, CHARACTER, AND VOLUME: Access to the property is from Blue Ball and Zeitler Roads. Any additional access onto Blue Ball Road would require a permit from the State Highway Administration. The proposed rezoning would have a minor effect on future transportation and traffic patterns, character, and volume.

COMPATIBILITY WITH EXISTING AND PROPOSED DEVELOPMENT IN THE AREA: The proposed rezoning should be compatible with existing and proposed development.

COMPATIBILITY WITH THE INTENT OF THE COMPREHENSIVE PLAN: The property is located within the Medium Density Growth Area of the Comprehensive Plan. The Medium Density Growth Area offers the opportunity for development on the periphery of the Designated Growth Area and may contain commercial uses mostly at moderate intensities.

COMPATIBILITY WITH THE PURPOSES OF ANY SPECIAL DISTRICT IN WHICH THE AREA REQUESTED TO BE REZONED IS LOCATED: The subject parcel is not located within any special district.