

COUNTY COUNCIL OF CECIL COUNTY, MARYLAND
LEGISLATIVE SESSION DAY 2020-24
RESOLUTION NO. 67-2020

Title of Resolution: Approval - Annexation - Town of Elkton – Belle Hill Road et al - Zoning Designation.

Synopsis: A Resolution to approve the request from the Town of Elkton that the zoning of the property, located on Belle Hill Road, Swallow Drive, and Elkton Road; also known as the Preston and Laetitia Ayars Property, which is being annexed into the Town, be changed from High Density Residential (RM) to the Town’s Highway Interchange Commercial (C-3) zone.

Introduced by: Council President on behalf of the County Executive

Introduced and order posted on: December 15, 2020

Consideration scheduled on: January 5, 2021

By: _____
Council Manager

Notice and title of Resolution having been posted by (date) at the County Administration Building, 200 Chesapeake Blvd, Elkton and consideration by the Council having been scheduled on (date).

By: _____
Council Manager

Explanation: CAPITAL LETTERS INDICATE LANGUAGE ADDED TO EXISTING DOCUMENT
~~Strike through~~ indicates language deleted from existing document Underlining indicates language added to document by amendment.
~~Double Strike through~~ indicates language stricken from document by amendment

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1 **WHEREAS**, the Town of Elkton intends to annex Parcel 0807 on the Cecil County Tax Map 027B,
2 pursuant to the Annotated Code of Maryland, Local Government Article, Division II. Municipalities, Title 4.
3 In General, Subtitle 4. Annexations, Sections 4-402 to 4-416; and

4 **WHEREAS**, the Town of Elkton intends to annex Parcel 2483 on the Cecil County Tax Map 027B,
5 pursuant to the Annotated Code of Maryland, Local Government Article, Division II. Municipalities, Title 4.
6 In General, Subtitle 4. Annexations, Sections 4-402 to 4-416; and

7 **WHEREAS**, the Town of Elkton intends to annex Parcel 0058 on the Cecil County Tax Map 027B,
8 pursuant to the Annotated Code of Maryland, Local Government Article, Division II. Municipalities, Title 4.
9 In General, Subtitle 4. Annexations, Sections 4-402 to 4-416; and

10 **WHEREAS**, the Town of Elkton has transmitted a copy of the Petition for Annexation to the County
11 Council; and

12 **WHEREAS**, the Elkton Planning Commission will consider the Petition for Annexation at their
13 regularly scheduled meeting on January 11, 2021; and

14 **WHEREAS**, the Mayor and Council of the Town of Elkton will meet in special session on
15 January 20, 2021 to conduct a public hearing on Resolution A3-2020 “2020 Annexation: a resolution
16 annexing three parcels of land, also known as the Preston and Laetitia Ayars property, including:

17 Parcel 1 – identified on Tax Map 027B, Parcel 0807, consisting of approximately 1.094 acres and
18 addressed as 65 Swallow Drive, Elkton, MD 21921;

19 Parcel 2-- identified on Tax Map 027B, Parcel 2483, consisting of approximately 9.459 acres and
20 located on Elkton Road, Elkton, MD 21921;

21 Parcel 3-- identified on Tax Map 027B, Parcel 0058, consisting of approximately 49.4012 acres and
22 located on Belle Hill Road, Elkton, MD 21921.

23 **WHEREAS**, the Annexation Resolution and supporting documents state that the zoning of the
24 subject property is proposed to be substantially different from its present County designation of High
25 Density Residential (RM) to the Town of Elkton's Highway Interchange Commercial (C-3) zone; and

26 **WHEREAS**, without the expressed approval of the County Council of Cecil County, Maryland, the
27 municipality may not allow development of the annexed land for uses substantially different than the
28 authorized use for a period of five (5) years, in accordance with Division II, Title 4, Subtitle 4, Section
29 4-416(b) of the Local Government Article of the Annotated Code of Maryland; and

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30 **WHEREAS**, if the County Council expressly approves, the municipality may place the annexed land in
31 a zoning classification that allows a land use different from the land use specified by the County, in
32 accordance with Division II, Title 4, Subtitle 4, Section 4-416(c) of the Local Government Article of the
33 Annotated Code of Maryland; and

34 **WHEREAS**, this expressed approval by the County Council of Cecil County is necessary as County’s
35 RM zone permits land uses that are substantially different from Elkton’s C-3 zone.

36 **NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY,**
37 **MARYLAND**, that the zoning designation of Parcel 0807 on Tax Map 027B, located at 65 Swallow Drive,
38 Parcel 2483 on Tax Map 027B, located on Elkton Road; and Parcel 0058 on Tax Map 027B, located on Belle
39 Hill Road; known as the Preston and Laetitia Ayars Property, grants its expressed approval to the Town of
40 Elkton for a change in zoning designation after annexation, from the County designation of High Density
41 Residential (RM) to the Town of Elkton's Highway Interchange Commercial (C-3) zone.

42 **BE IT FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY, MARYLAND**, that all
43 provisions of this Resolution shall take effect on the date of its passage.

INTRODUCED: December 15, 2020

ADOPTED: _____

President of the Council

ATTEST:

Council Manager