

IN THE MATTER OF  
COUNTY ORDINANCE 11-14

\* BEFORE THE COUNTY  
\* COMMISSIONERS OF  
\* QUEEN ANNE'S COUNTY, MARYLAND

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**FINDINGS AND DECISION**

A hearing was held on July 26, 2011 by the County Commissioners of Queen Anne's County ("the Commissioners") in the Commissioners' meeting room, Liberty Building, 107 North Liberty Street, Centreville, Maryland, 21617 on proposed County Ordinance 11-14, An Act Concerning Development of Greater than Five Lots on a Private Road.

This matter was initiated by a request from the Department of Public Works of Queen Anne's County to change §18:1-89 of the code of Public Local Laws to allow more than the current limit of five residential dwellings units on a private road subject to the approval of the Queen Anne's County Planning Commission. The Planning Commission considered the matter at their April 14, and May 12, 2011 meetings and received comments and testimony from the public as well as staff of the County Department of Public Works. On May 12, 2011 the Planning Commission voted to forward the proposal to the County Commissions with their request for approval.

The Commissioners have carefully considered the recommendation of this Planning Commission as well as the testimony received at the July 26 hearing and the purposes set forth in Article 66B of the Annotated Code of Maryland, the Queen Anne's County Comprehensive Plan and Chapter 18:1 of the County Code and hereby make the following findings and decision.

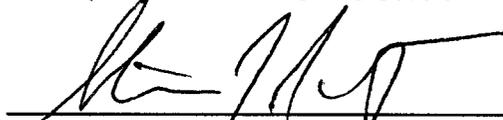
**A. The County Zoning Ordinance (Chapter 18:1 of the County Code) currently allows no more than five residential dwellings units on a private road. Permitting greater than this number would allow greater flexibility for property owners, provide owners greater privacy and reduce the County's obligation and financial cost of repair and maintenance of public roads.**

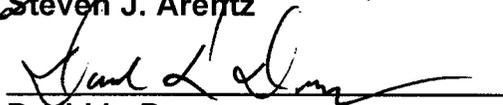
**B. County private road standards are comparable to public road standards. The Planning Commission, with the advice and technical assistance of the Department of Public Works, will determine and impose appropriate conditions addressing design, construction and maintenance of private roadways during the development review process.**

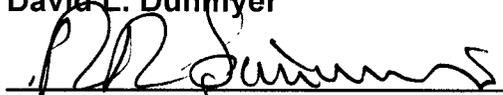
**C. The proposal will preserve and enhance the County's rural character and is consistent with the Queen Anne's County Comprehensive Plan and the purposes set forth in §18:1-4 of the County Code. The lessening of the financial burden of public road maintenance and repair will promote the health, safety and general welfare of the inhabitants of Queen Anne's County.**

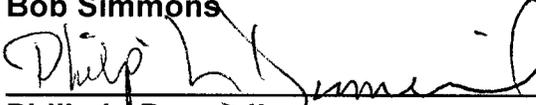
**BASED UPON THE FOREGOING, the County Commissioners of Queen Anne's County do hereby agree that County Ordinance 11-14 be and is hereby ADOPTED.**

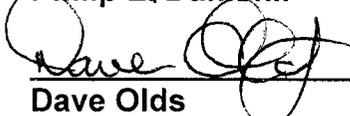
THE COUNTY COMMISSIONERS  
OF QUEEN ANNE'S COUNTY

  
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Steven J. Arentz

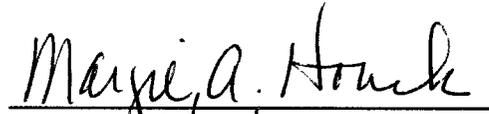
  
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David L. Dunmyer

  
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Bob Simmons

  
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Philip L. Dumenil

  
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Dave Olds

ATTEST:

  
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Date 8/9/11