

Lot Consolidation Ordinance, Number 13-24
Background/Purpose

- Commissioners introduced Ordinance # 13-24 on November 12 that if passed would require that lots not conforming to existing zoning be consolidated with adjoining lots titled to the same person so as to create, to the extent possible, a lot conforming to existing zoning. Application is limited to Neighborhood Conservation (NC) Districts, which are generally older established subdivisions, and to areas now without public sewer service.
- The zoning classification for the affected areas has been in effect since 1987 with the sewer service designation for those areas being in effect since 2006. So, underlying laws are longstanding and are not being changed.
- Before passage can be considered, there will be opportunity for citizen input at public meetings before the Planning Commission and then the County Commissioners. A public outreach meeting is also planned. This process will take at least three to four months.
- The ordinance's introduction reflects ongoing efforts to resolve the decade's long public health problem in South Kent Island (SKI) arising from failing septic systems. County staff and officials have been coordinating with State government counterparts in an effort to secure State funding to enable extension of public sewer to nine communities in South Kent Island now burdened with failing septic systems. Managing development arising from sewer extension to the SKI communities has been a concern.
- There are approximately 3500 lots in the nine communities with 1518 existing homes. The ordinance will reduce lots available for new home construction to approximately 650. Experience in similar communities where public sewer has been provided under similar circumstance indicates development will be extended over many years with new homes being constructed on only approximately 85% of the lots, i.e. approximately 560 developed lots.
- The extension of public sewer to the nine SKI communities will require that homeowners pay sewer fees and, if the ordinance passes, limit new development. Therefore, perspectives will be sought from existing households in the nine SKI communities through a survey. The survey will be conducted by the Center for the Study of Local Issues at the Anne Arundel Community College.
- State funding will be needed to assure that, with the development limits, monthly sewer charges in the SKI communities will not be excessive. State legislation will be required to enable access to such funding, hopefully from the Bay Restoration Fund (BRF). Securing that legislation is a priority for the County Commissioners.
- The County Commissioners and staff have committed significant time and effort in seeking a solution to the SKI communities' public health challenges. These efforts have included commissioning a comprehensive engineering study, retention of counsel to ensure a fair and legally defensible implementation strategy, and multiple meetings with State officials and staff. The interest and cooperation of the State officials and staff is appreciated and most encouraging.