

COUNTY COUNCIL
OF
TALBOT COUNTY, MARYLAND

2022 Legislative Session, Legislative Day No.: August 23, 2022

Bill No.: 1525

Expiration Date: October 27, 2022

Introduced by: Mr. Callahan, Mr. Divilio, Mr. Leshner, Mr. Pack, Ms. Price

A BILL TO AMEND CHAPTER 190 OF THE TALBOT COUNTY CODE (ZONING, SUBDIVISION AND LAND DEVELOPMENT) REGARDING THE EXPANSION OF STRUCTURES UTILIZED FOR NONCONFORMING USES, SUBJECT TO CERTAIN CONDITIONS

By the Council: August 23, 2022

Introduced, read first time, ordered posted, and public hearing scheduled on Tuesday, September 13, 2022 at 6:30 p.m. at the Bradley Meeting Room, Talbot County Courthouse, South Wing, 11 North Washington Street, Easton, Maryland 21601.

By Order: 
Susan W. Moran, Secretary

A BILL TO AMEND CHAPTER 190 OF THE TALBOT COUNTY CODE (ZONING, SUBDIVISION AND LAND DEVELOPMENT) REGARDING THE EXPANSION OF STRUCTURES UTILIZED FOR NONCONFORMING USES, SUBJECT TO CERTAIN CONDITIONS

SECTION ONE: BE IT ENACTED BY THE COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND that Chapter 190 (Zoning, Subdivision and Land Development) shall be and is hereby amended as follows:

KEY	
Boldface	Heading or defined term
<u>Underlining</u>	Added to law by Bill
Strikethrough	Deleted from law by Bill
* * *	Existing law unaffected

* * *

§ 190-48.3. Expansion and major modification of nonconforming uses.

Expansion of a nonconforming use, or modifications to site improvements deemed major by the Planning Director, shall be permitted only if approved by the Board of Appeals, subject to the following criteria:

- A. Applications shall be subject to the procedures and requirements of § 190-56 for Board of Appeals special exception applications.
- B. Expansion of structures utilized for nonconforming uses shall be limited to no more than 20% of the gross floor area of the nonconforming use or (ii) 3,000 square feet, whichever is greater; provided, however, that under no circumstances shall any such expansion exceed 100% of the gross floor area of the nonconforming use.

* * *

SECTION TWO: AND BE IT FURTHER ENACTED, that if any provision of this Bill or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Bill which can be given effect without the invalid provision or application, and for this purpose the provisions of this Bill are declared severable.

SECTION THREE: AND BE IT FURTHER ENACTED, that the Talbot County Department of Planning and Zoning and the Talbot County Office of Law, in consultation with and subject to the approval of the County Manager, may make non-substantive corrections to codification, style, capitalization, punctuation, grammar, spelling, and any internal or external reference or citation included in this Bill, as finally adopted, that are incorrect or obsolete, with no

further action required by the County Council. All such corrections shall be adequately referenced and described in an editor's note following the section affected.

SECTION FOUR: AND BE IT FURTHER ENACTED, that this Bill shall take effect sixty (60) days from the date of its passage.

PUBLIC HEARING

Having been posted and Notice of time, date, and place of hearing, and Title of Bill No. 1525 having been published, a public hearing was held on Tuesday, September 13, 2022 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland.

BY THE COUNCIL

Read the third time.

ENACTED: September 27, 2022

By Order Susan W. Moran
Susan W. Moran, Secretary

Callahan	-	Aye
Divilio	-	Aye
Leshner	-	Nay
Price	-	Aye
Pack	-	Aye

EFFECTIVE DATE: November 26, 2022