

RECEIVED

RESOLUTION 2025-1

A RESOLUTION OF THE TOWN OF BETTERTON TO DESIGNATE ZONING TO THE ANNEXED AMERICAN LEGION PROPERTY

WHEREAS, the Town of Betterton (hereinafter referred to as the "Town"), a municipal corporation organized under the laws of the State of Maryland, has annexed the property known as the C. Henry Price II, Post No. 246, American Legion Inc., more commonly known as the American Legion Property, containing 2.351 acres located on the south side of Sixth Street, as shown on tax map 0004 as parcels 0088 and 0130 (hereinafter referred to as the "Property"); and

WHEREAS, the annexation of the Property was completed in accordance with the requirements of Maryland law, including the adoption of all necessary resolutions and public hearings to ensure transparency and compliance with applicable procedures; and

WHEREAS, the Town recognizes the need to designate appropriate zoning for the Property in order to ensure its alignment with the Town's Comprehensive Plan and to guide future development and use of the land in a manner consistent with community goals and standards; and

WHEREAS, the Planning Commission has reviewed the proposed zoning designation and recommended that the Property be designated as B-1 (Neighborhood Business) based on its compatibility with surrounding properties and intended use; and

WHEREAS, the Mayor and Council have considered the recommendation of the Planning Commission and determined that the proposed zoning designation is in the best interest of the Town and its residents.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Betterton as follows:

1. **Zoning Designation:** The annexed American Legion property is hereby designated with the zoning classification of B-1 (Neighborhood Business). The Town's Official Zoning Map shall be amended to reflect the annexed property and its zoning classification.
2. **Consistency with Comprehensive Plan:** This zoning designation is consistent with the Town's Comprehensive Plan and supports the goals of sustainable development, economic growth, and the preservation of community character.
3. **Recordation:** A copy of this Resolution shall be provided to the Kent County Department of Planning and Zoning and recorded in the official records of the Town.
4. **Effective Date:** This Resolution shall become effective at the later of ten (10) days from the date of the public hearing or the date of its adoption.

Adopted and approved this 13th day of May 2025, by the Mayor and Council of the Town of Betterton.

BY AUTHORITY OF THE MAYOR AND COUNCIL OF THE TOWN OF BETTERTON

ATTEST

Sheila Dugoborski
Town Clerk Treasurer

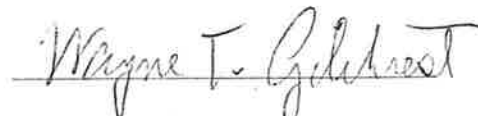
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Donald E. Sutton, Mayor



Harry S. Marcy, Councilmember



Wayne T. Gilchrest, Councilmember

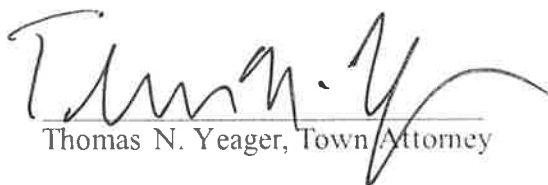


Gerry Werner, Councilmember



Barbara Lamphere, Councilmember

Approved as to form:



Thomas N. Yeager, Town Attorney

consideration in determining finally the tax to be certified to the Montgomery County Council.

C. The tax levied in accordance with this section shall be collected and shall be subject to the same penalties and interest as all other County taxes, and the amounts so collected shall be paid over by the Department of Finance of Montgomery County to the Chevy Chase View Town Manager.

D. The County Council also shall order and have paid to the Town Manager the proportion of the county road tax to be levied and collected in the same manner as used for other incorporated towns and villages.

E. At or after the public meeting, the annual budget shall be adopted by a resolution of the Council of Chevy Chase View.

NOTE: Underlining indicates language added to the Charter
[**Boldface Brackets**] denote language deleted from the Charter

Section 2. AND BE IT FURTHER RESOLVED, that the date of the adoption of this Resolution is May 21, 2024, which is at least twenty-one (21) days after introduction according to Maryland Code, Local Government Article, Section 4-304, and that the Amendment to the Charter hereby proposed by this enactment shall be and become effective on July 10, 2024, which is at least fifty (50) days after adoption as required by Maryland Code, Local Government Article, Section 4-304, unless a proper petition for a referendum hereon shall be filed as permitted by law, forty (40) days from adoption.

Section 3. AND BE IT FURTHER RESOLVED, that a complete and exact copy of this Resolution shall be posted at the Town Office, 10401 Connecticut Avenue, Suite 103, Kensington, Maryland 20895 for at least forty (40) days following adoption and a fair summary of this Resolution shall be published in a newspaper of general circulation in the Town one (1) time, and delivering a copy of a fair summary by hand or by mail once to every residence in the Town, which delivery may be accomplished by including a fair summary in a printed newsletter or any other regular municipal publication.

Section 4. AND BE IT FURTHER RESOLVED, that as soon as the Charter Amendment hereby enacted shall become effective, either as herein provided or following a referendum, the Chair shall send, by certified mail, return receipt requested, bearing a postmark from the United States Postal Service, to the Department of Legislative Services, the following information concerning the Charter Amendment: (1) the complete text of this Amendment to the Town Charter as hereby enacted; (2) the date of the referendum election, if any, held with respect thereto; (3) the number of votes cast for and against the question concerning the Charter Amendment, whether by the Town Council or in a referendum; and (4) the effective date of the Charter Amendment.

Section 5. AND BE IT FURTHER RESOLVED, that the Chair be and is hereby specifically enjoined and instructed to carry out the provisions of Sections 3 and 4. As evidence of compliance herewith, the said Chair shall cause to be placed in the Town files (1) an appropriate certificate of publication of the newspaper in which a fair summary of this Resolution shall have been published and (2) a copy of the newsletter or other notice to residents, and shall further complete and execute the Certificate of Effect attached hereto.


Ed Tarbutton, Chair

Attest:

I hereby attest that the above Resolution was duly adopted by the Town Council at a regular meeting held on May 21, 2024.


Denise Hitt, Manager