

FINAL

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2022, Legislative Day No. 16

Bill No. 82-22

Introduced by Ms. Fiedler

By the County Council, September 6, 2022

Introduced and first read on September 6, 2022
Public Hearing set for and held on October 3, 2022
Bill Expires on November 1, 2022

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Subdivision and Development – Modifications – Notice

2
3 FOR the purpose of allowing a certain notice requirement to be satisfied by mailing notice
4 to the president of any community or homeowners' association of any subdivision that
5 is located within a certain distance of a property that is the subject of an application for
6 a modification; and generally relating to subdivision and development.

7
8 BY repealing and reenacting, with amendments: § 17-2-108(a)(5)
9 Anne Arundel County Code (2005, as amended)

10
11 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
12 That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:

13 14 **ARTICLE 17. SUBDIVISION AND DEVELOPMENT**

15 16 **TITLE 2. GENERAL PROVISIONS**

17 18 **17-2-108. Modifications.**

19
20 (a) **Generally.** The Planning and Zoning Officer may approve an application for a
21 modification to any provision of this article other than § 17-2-107 or one contained in Titles
22 5, 8, or 9, except as allowed by §§ 17-5-203(b), 17-5-205(b), 17-8-201(b), 17-8-203(c),
23 17-8-403, 17-8-601(b)(2), 17-8-601(c), 17-8-901, or 17-9-401, and to any applicable
24 regulations, manuals, or specifications, including the DPW Design Manual, upon making

EXPLANATION: CAPITALS indicate new matter added to existing law.
[[Brackets]] indicate matter deleted from existing law.
Captions and taglines in **bold** in this bill are catchwords and are not law.
Asterisks *** indicate existing Code provisions in a list or chart that remain unchanged.

1 specific findings, enumerated in writing, that the modification request satisfies each of the
2 following criteria:

3
4 ***

5
6 (5) the applicant has submitted written verification to the Office of Planning and
7 Zoning that:

8
9 (i) the requested modification was disclosed and discussed at a community
10 meeting required under this article; or

11
12 (ii) A NOTICE EXPLAINING THE REASON FOR THE MODIFICATION, ALONG WITH
13 A COPY OF THE REQUEST FOR MODIFICATION, WAS MAILED TO:

14
15 1. all owners of property located within 300 feet of the affected property;


16 AND

17
18 2. THE PRESIDENT OF ANY COMMUNITY OR HOMEOWNERS' ASSOCIATION
19 OF ANY SUBDIVISION THAT IS LOCATED WITHIN 300 FEET OF THE AFFECTED PROPERTY
20 SUBJECT TO THE APPLICATION THAT ARE ON THE LIST OF COMMUNITY ASSOCIATIONS,
21 PERSONS, AND ORGANIZATIONS MAINTAINED IN THE OFFICE OF THE COUNTY EXECUTIVE
22 [[were mailed a notice explaining the reason for the modification, along with a copy of the
23 request for modification]].


24
25 SECTION 2. *And be it further enacted*, That this Ordinance shall take effect 45 days
26 from the date it becomes law.

READ AND PASSED this 3rd day of October, 2022

By Order:


Laura Corby
Administrative Officer

PRESENTED to the County Executive for his approval this 4th day of October, 2022


Laura Corby
Administrative Officer

APPROVED AND ENACTED this 11th day of October, 2022


Stuart Pittman
County Executive

EFFECTIVE DATE: November 25, 2022

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF
BILL NO. 82-22 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.



Laura Corby
Administrative Officer