

Senate Bill No. 367

AN ACT concerning

Maryland Agricultural Land Preservation Foundation - Tenant Houses - Construction

FOR the purpose of making the construction of certain tenant houses subject to the approval of the Maryland Agricultural Land Preservation Foundation that are on farms subject to an agricultural land preservation easement; authorizing the Foundation to grant an exception, based on a showing of compelling need, to a certain construction requirement; requiring the Foundation to adopt certain regulations; and generally relating to tenant house construction on farms subject to an agricultural land preservation easement.

BY repealing and reenacting, with amendments,

Article - Agriculture

Section 2-513(b)

Annotated Code of Maryland

(1999 Replacement Volume and 2003 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Agriculture

2-513.

(b) (1) A landowner whose land is subject to an easement may not use the land for any commercial, industrial, or residential purpose except:

(i) As determined by the Foundation, for farm and forest related uses and home occupations; or

(ii) As otherwise provided under this section.

(2) Except as provided in paragraphs (3) and (6) of this subsection, on written application, the Foundation shall release free of easement restrictions only for the landowner who originally sold an easement, 1 acre or less for the purpose of constructing a dwelling house for the use only of that landowner or child of the landowner, up to a maximum of three lots, subject to the following conditions:

(i) The number of lots allowed to be released under this section, except as provided in paragraph (6) of this subsection, may not exceed:

1. 1 lot if the size of the easement property is 20 acres or more but fewer than 70 acres;

2. 2 lots if the size of the easement property is 70 acres or more but fewer than 120 acres; or