

Pertaining to the Amendment of the Calvert County Zoning Ordinance
(Sections 1-4, 1-7, and Article 12)

RE: ZONING OFFICER & ZONING ENFORCEMENT
(Text Amendment Case No. 11-1 and 12-04)

WHEREAS, *Article 66B* of the Maryland Annotated Code, as amended, empowers the Board of County Commissioners of Calvert County, Maryland to enact a Zoning Ordinance to promote the health, safety and welfare of the citizens of Calvert County, and to provide for its administration, enforcement and amendment; and

WHEREAS, pursuant to that authority, the Board of County Commissioners of Calvert County, Maryland has heretofore adopted the Calvert County Zoning Ordinance; and

WHEREAS, after study and evaluation, the Department of Planning and Zoning of Calvert County recommended to the Planning Commission and the Board of County Commissioners text amendments to the Calvert County Zoning Ordinance, Sections 1-4, 1-7, and Article 12 to amend the definition of "Zoning Officer" and to amend the regulations regarding zoning enforcement; and

WHEREAS, after due notice was published, the Planning Commission and the Board of County Commissioners of Calvert County conducted a joint public hearing on November 1, 2011, at which time the proposed amendments were discussed, staff's recommendations were considered, and public comment was solicited; and

WHEREAS, at the conclusion of said public hearing the Planning Commission voted to hold the record open for two weeks to receive additional public comment; and

WHEREAS, at its regular meeting on November 16, 2011, after considering the evidence which had been presented at the public hearing regarding the proposed text amendments, the Planning Commission voted to recommend approval of the amendments as proposed with minor changes; and

WHEREAS, the Planning Commission conveyed its recommendation to the Board of County Commissioners by letter dated November 21, 2011; and

WHEREAS, during its regular session on November 29, 2011, after considering the evidence which had been presented at the public hearing regarding the proposed text amendments and the recommendation of the Planning Commission, and in furtherance of the public health, safety and welfare, the Board of County Commissioners of Calvert County, Maryland determined it is in the best interest of the citizens of the County to enact the text amendments to the Calvert County Zoning Ordinance as set forth in Exhibits A and B, attached thereto and made a part thereof, as recorded with Ordinance 02-12; and

WHEREAS, an incorrect reference to Zoning Ordinance sections was found in the ninth paragraph of Ordinance 02-12, recorded at Liber 038, Folio 288; and

WHEREAS, after due notice was published, the Board of County Commissioners of Calvert County conducted a public hearing on May 1, 2012, at which time the correction of the section references were discussed, staff's recommendations were considered, and public comment was solicited; and

NOW, THEREFORE, BE IT RESOLVED AND ORDAINED, by the Board of County Commissioners of Calvert County, Maryland, that Sections 1-4, 1-7, and Article 12 of the Calvert County Zoning Ordinance **BE**, and hereby **ARE**, amended by adopting amendments to Ordinance 02-12; and

BE IT FURTHER RESOLVED AND ORDAINED, by the Board of County Commissioners of Calvert County, Maryland that, in the event any portion of this Ordinance or the Calvert County Zoning Ordinance, is found to be unconstitutional, illegal, null or void, it is the intent of the Board of County Commissioners to sever only the invalid portion or provision, and that the remainder of the Ordinance shall be enforceable and valid.

BE IT FURTHER RESOLVED AND ORDAINED, by the Board of County Commissioners of Calvert County, Maryland that the foregoing recitals are adopted as if fully rewritten herein.

BE IT FURTHER RESOLVED AND ORDAINED, by the Board of County Commissioners of Calvert County, Maryland that this amendatory Ordinance shall be effective May 14, 2012.


DONE, this 1st day of May, 2012 by the Board of County Commissioners of Calvert County, Maryland, sitting in regular session.

Aye: 5
Nay: 0
Absent/Abstain: 0


ATTEST:

BOARD OF COUNTY COMMISSIONERS OF CALVERT COUNTY, MARYLAND


Cerinne J. Cook, Clerk



Gerald W. Clark, President

Approved for legal sufficiency on May 3, 2012


Steven R. Weems, Vice-President

by:


Pat Nutter


John B. Norris, III, County Attorney


Susan Shaw

Received for Record May 11 2012
at 12:00 o'clock P M. Same day
recorded in Liber KPS No. 40
104 COUNTY COMMISSIONERS
AND RESOLUTION.


Evan K. Slaughenhoupt Jr.

