

Pertaining to the Amendment of the Calvert County Zoning Ordinance  
(Sections 2-6.01 & 2-6.02)

**RE: CERTIFICATES OF NON-CONFORMITY**  
(Text Amendment Case No. 11-2 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 amendments to Sections 2-6.01 and 2-6.02 of the Calvert County Zoning Ordinance to allow for the issuance of Certificates of Non-Conformity for Non-Conforming Uses and Structures; 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 recommendation was considered, and public comment was solicited; and

**WHEREAS**, at the conclusion of said public hearing the Planning Commission voted to recommend approval of the amendments as proposed with minor changes; and

**WHEREAS**, 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 03-12; and

**WHEREAS**, an incorrect reference to Zoning Ordinance sections was found in the seventh paragraph of Ordinance 03-12, recorded at Liber 38, Folio 305; 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 2-6.01 & 2-6.02 of the Calvert County Zoning Ordinance **BE**, and hereby **ARE**, amended by adopting amendments to Ordinance 03-12; 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.

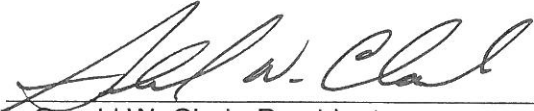
**DONE**, this 1st day of May, 2012 by the Board of County Commissioners of Calvert County, Maryland, sitting in regular session.

Aye: 5  
Nay: Ø  
Absent/Abstain: Ø

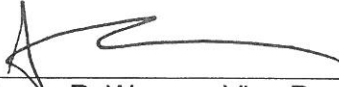
ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF CALVERT COUNTY, MARYLAND

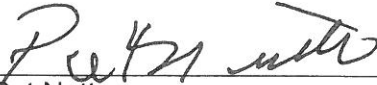
  
Corinne Cook, Clerk


  
Gerald W. Clark, President

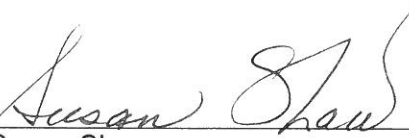
Approved for legal  
sufficiency on May 3, 2012

  
Steven R. Weems, Vice-President

by:

  
Pat Nutter

  
John B. Norris, III, County  
Attorney

  
Susan Shaw

  
Evan K. Slaughterhaupt Jr.

Received for Record May 11 2012  
at 12:00 o'clock P.M. Same day  
recorded in Liber KPR No. 40  
Folio 109 COUNTY COMMISSIONERS  
ORDINANCE AND RESOLUTION.

