

ORDINANCE NO. 18-12

Pertaining to the Amendment of the Calvert County Zoning Ordinance  
(Article 12, Definitions)

**RE: DEFINITION OF "AGE-QUALIFIED RESIDENT"**

(Text Amendment Case No. 11-3i)

**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 an amendment to Article 12 of the Calvert County Zoning Ordinance to amend the definition of "Age-Qualified Resident"; and

**WHEREAS**, after due notice was published, the Planning Commission of Calvert County conducted a public hearing on September 21, 2011, at which time the proposed amendment was 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 amendment as proposed; and

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

**WHEREAS**, after due notice was published, the Board of County Commissioners of Calvert County, Maryland conducted a public hearing on September 27, 2011, at which time

the proposed amendment was discussed, staff's recommendation was considered, and public comment was solicited; and

**WHEREAS**, after considering the evidence which had been presented at the public hearing regarding the proposed text amendment 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 amendment to the Calvert County Zoning Ordinance as set forth in Exhibits A and B, attached hereto and made a part hereof.

**NOW, THEREFORE, BE IT RESOLVED AND ORDAINED**, by the Board of County Commissioners of Calvert County, Maryland, that Article 12 of the Calvert County Zoning Ordinance **BE**, and hereby **IS**, amended by adopting amendments to the Calvert County Zoning Ordinance as set forth in Exhibit "A" hereto and hereby incorporated by reference such that the effect of such revisions is as reflected in Exhibit "B" hereto and hereby incorporated by reference; 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 upon recordation.

DONE, this 10th day of April, 2012 by the Board of County Commissioners of Calvert County, Maryland, sitting in regular session.

Aye: 4

Nay: 0

Absent/Abstain: 1 - Slaughenhaupt

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF CALVERT COUNTY, MARYLAND

  
Corinne J. Cook, Clerk

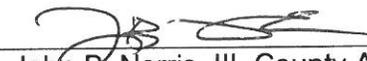
  
Gerald W. Clark, President

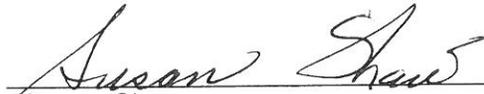
  
Steven R. Weems, Vice-President

Approved for legal sufficiency on April 19 2012

by:

  
Pat Nutter

  
John B. Norris, III, County Attorney

  
Susan Shaw

  
Evan K. Slaughenhaupt Jr.

Received for Record April 16 2012  
at 2:25 o'clock PM Same day  
recorded in Liber KPS No. 39  
FILED 429 COUNTY COMMISSIONERS  
OFFICE AND RESOLUTION.



BK0003966432

**ARTICLE 12  
DEFINITIONS**

<u>Term</u> (Date of Amendment)	<u>Definition</u>
Age-Qualified Resident	An occupant of a dwelling unit in an Age-Restricted Housing Community who is fifty-five (55) years of age or older <del>who occupies the dwelling unit as his or her primary residence.</del>

DK00039PG433

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