

**FOR THE PURPOSE OF AMENDING THE OFFICIAL ZONING MAPS
OF CALVERT COUNTY TO CORRECT A MISTAKE
(REZONING CASE NO. 12-01, SHIP POINT RESEARCH PARK)**

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

WHEREAS, by Ordinance 35-06, the Board adopted the current Zoning Ordinance and associated Official Zoning Maps; and;

WHEREAS, the owner of the property described in the Deed recorded among the Land Records of Calvert County at ABE Liber 348, folio 701 claims that portions of said property were mistakenly placed in the Residential Zoning District that should have been placed in the Marine Commercial Zoning District; and

WHEREAS, after due notice was published, the property duly posted, and notices sent to adjoining property owners, the Planning Commission and the Board of County Commissioners of Calvert County conducted a joint public hearing on July 31, 2012;

WHEREAS, on September 19, 2012 the Planning Commission recommended approval of the rezoning; and

WHEREAS, it was noted in correspondence dated January 19, 1993, between Gregory A. Bowen, Deputy Director of the Department of Planning and Zoning and Ms. Nancy Haas, "According to Section 2.2 of the Calvert County Zoning Ordinance...District boundaries are meant to and shall be considered to follow street, alley or lot lines, or lines parallel or perpendicular thereto, unless such boundaries are otherwise shown on the Zoning Maps." "After reviewing the zoning maps, it appears that the Marine Commercial Zoning was intended to follow the boundaries of the subject property...we intend to correct our zoning map to follow the boundaries as shown on the McCrone plat."

WHEREAS, upon due consideration of the comments of the public and staff, the recommendations of the Planning Commission and in furtherance of the public health, safety and welfare, the Board finds that it is in the best interest of the citizens of the County to amend the Official Zoning Maps Designation upon a portion of that property designated on Tax Map 44A and described in the deed of trust recorded among the Land Records of Calvert County at Liber 348, folio 701 from Residential District to Marine Commercial as shown on Exhibit A hereto upon the Official Zoning Map, which shall otherwise remain in full force and effect.

WHEREAS, after considering the evidence which had been presented at the public hearing regarding the proposed correction of the zoning map and the recommendation of the Planning Commission, and in furtherance of the public health, safety and welfare, the Board determined it is in the best interest of the citizens of the County to enact the amendment to the Zoning Map as set forth in Exhibit A, attached hereto and made a part hereof.

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Calvert County, Maryland that the Official Zoning Maps of Calvert County **BE**, and hereby **ARE**, amended as shown in attached Exhibit A, incorporated herein by reference; and

BE IT FURTHER ORDAINED, by the Board that, in the event any portion of the Zoning Map if found to be unconstitutional, illegal, null or void, it is the intent of the Board to sever only the invalid portion or provision, and that the remainder of the Zoning Maps shall be enforceable and valid.

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

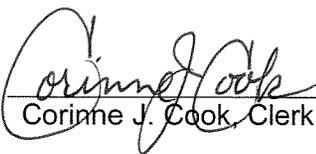
BE IT FURTHER ORDAINED, by the Board of County Commissioners of Calvert County, Maryland that this Zoning Map change shall be effective upon recordation. (the "Effective Date").

DONE, this 25 day of September, 2012 by the Board of County Commissioners of Calvert County, Maryland sitting in regular session.

Aye:	<u>4</u>
Nay:	<u>0</u>
Absent/Abstain:	<u>1</u>

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF CALVERT COUNTY, MARYLAND


 Corinne J. Cook, Clerk


 Gerald W. Clark, President

Approved for legal sufficiency on September 25, 2012

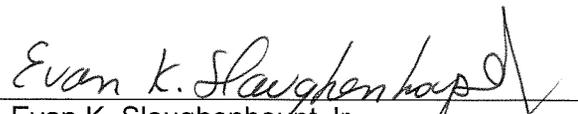

 Steven R. Weems, Vice-President

by:

Absent
 Pat Nutter


 John B. Norris, III, County Attorney


 Susan Shaw


 Evan K. Slaughenhoupt Jr.

Received for Record..... 10/3 2012
 at 4:06 o'clock P M. Same day
 recorded in Liber KPS No. 41
 Filed 104 COUNTY COMMISSIONERS
 ORDINANCES AND RESOLUTION.



