

**PERTAINING TO THE AMENDMENTS OF THE CALVERT COUNTY ZONING
ORDINANCE**

RE: Revising Section 19-1 Regulations concerning Accessory Structures and Uses

(Text Amendment Case No. 25-10)

WHEREAS, Title 4 of the *Land Use Article* of the Maryland Annotated Code, as amended, and specifically Md. Code Ann., Land Use § 4-204, empowers the Board of County Commissioners of Calvert County, Maryland (the “Board of County Commissioners”) 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 a

WHEREAS, Calvert County has a Comprehensive Plan and Town Center Master Plans that guide the future growth and development in the community, by Ordinance 13-25, the Board of County Commissioners of Calvert County, Maryland has heretofore adopted the Calvert County Zoning Ordinance;

WHEREAS, Md. Code Ann., Land Use § 4-204 and Section 30-13 of the Calvert County Zoning Ordinance prescribe the process and procedures for adoption, repeal, amendment and reclassification of zoning regulations and maps;

WHEREAS, the present proposed text amendment requests a revision to Section 19-1 of the Calvert County Zoning Ordinance, concerning Accessory Structures and Uses;

WHEREAS, after study and evaluation, the Calvert County Department of Planning & Zoning recommended to the Planning Commission and the Board of County Commissioners text amendments to the Calvert County Zoning Ordinance;

WHEREAS, upon consideration of the input of the public and governmental agencies, the Planning Commission found that the zoning text amendment is consistent with and implements the Plans, and forwarded its findings and recommendation to the Board of County Commissioners by Resolution dated August 20, 2025;

WHEREAS, after due notice was published, the Board of County Commissioners of Calvert County, Maryland conducted a public hearing on September 30, 2025, at which time the proposed amendments were discussed, staff's recommendations were considered, and public comment was solicited;

WHEREAS, after considering the staff report, testimony 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 amendments to the aforementioned Calvert County Zoning Ordinance 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, the Calvert County Zoning Ordinance **BE**, and hereby **IS**, amended by amending Section 19-1 of the Calvert County Zoning Ordinance, concerning Accessory Structures

BK0077PG0436

Ordinance No. 44-25

RE: Text Amendment Case No. 25-10
Amendments to Calvert County Zoning Ordinance
RE: Section 19-1 Accessory Structures and Uses
Page 2 of 2

and Uses, as shown in Exhibit A hereto and made a part hereof (Exhibit B depicts the amendments as they will actually appear in the Zoning Ordinance);

BE IT FURTHER 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 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 amendatory Ordinance shall be effective upon recordation and without publication of a fair summary, but not sooner than ten (10) days following adoption.

DONE, this 30th day of Sept., 2025, by the Board of County Commissioners of Calvert County, Maryland.

Aye: 5

Nay: 0

Absent/Abstain: 0

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF CALVERT COUNTY, MARYLAND

Katie Brittain
Katie Brittain, Clerk

Earl F. Hance
Earl F. Hance, President

Todd Ireland
Todd Ireland, Vice-President

Approved for form and legal
sufficiency by:

Mark C. Cox Sr.
Mark C. Cox Sr.

John B. Norris
John B. Norris, County Attorney

Catherine M. Grasso
Catherine M. Grasso

Received for Record... OCTOBER 3, 2025

10:43 o'clock... A.M. Same day

Recorded in Liber KPS No. 77

435 COUNTY COMMISSIONERS
ORDINANCES AND RESOLUTION.

Kathy P. Smith

Text Amendment Case #25-10
Amendment to the Calvert County
Zoning Ordinance
Section 19-1 Accessory Structures and
Uses

Black font – existing ordinance language

Red font – proposed ordinance language

~~Black Strikethrough~~ – existing ordinance language to be removed

19-1 ACCESSORY STRUCTURES AND USES

A. General Regulations for Accessory Structures

All accessory structures are subject to the following regulations, unless otherwise permitted or restricted by regulations for specific structures addressed in Section 19-1 and this Ordinance.

1. A building permit shall be required for the construction **or installation** of an accessory structure ~~greater than~~ 200 square feet **or greater** in size and is required for all structures within the Critical Area.
3. **All D**etached accessory structures, **regardless of size**, shall meet the required setbacks in Table 19-1 unless otherwise specifically permitted or restricted in this Article.
7. The accessory structure or use may be located on a property adjoining the primary structure or use if the following conditions are met:
 - a. The properties share a common boundary line for a minimum of 20 feet.
 - b. The properties are under the same ownership.
 - c. ~~The accessory structure or use meets the setback requirements for a primary structure.~~ **Power generating systems and solar energy generating systems require a use and maintenance easement be platted.**
8. **On a property without a primary structure, an accessory structure may be permitted if special exception approval is granted from the Board of Appeals. If item 7 above applies a special exception is only required if the conditions a or b cannot be met.**

Text Amendment Case #25-10

Amendment to the Calvert County

Zoning Ordinance

Section 19-1 Accessory Structures and Uses

19-1 ACCESSORY STRUCTURES AND USES

A. General Regulations for Accessory Structures

All accessory structures are subject to the following regulations, unless otherwise permitted or restricted by regulations for specific structures addressed in Section 19-1 and this Ordinance.

- 1.** A building permit shall be required for the construction or installation of an accessory structure 200 square feet or greater in size and is required for all structures within the Critical Area.
- 3.** All detached accessory structures, regardless of size, shall meet the required setbacks in Table 19-1 unless otherwise specifically permitted or restricted in this Article.
- 7.** The accessory structure or use may be located on a property adjoining the primary structure or use if the following conditions are met:
 - a.** The properties share a common boundary line for a minimum of 20 feet.
 - b.** The properties are under the same ownership.
 - c.** Power generating systems and solar energy generating systems require a use and maintenance easement be platted.
- 8.** On a property without a primary structure, an accessory structure may be permitted if special exception approval is granted from the Board of Appeals. If item 7 above applies a special exception is only required if the conditions a or b cannot be met.