

THE BOARD OF GARRETT COUNTY COMMISSIONERS  
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Board of Commissioners  
Gregan T. Crawford  
Robert G. Gatto  
James M. Raley

Filed and recorded January 23, 2013.

County Administrator  
R. Lamont Pagenhardt  
County Attorney  
Gorman E. Getty III

RESOLUTION 2013 - 1

WHEREAS, The Land Use Article of the Code of Public General Laws of Maryland empowers the County to prepare, enact, amend and provide for the administration and enforcement of a Zoning Ordinance within its territorial limits; and

WHEREAS, The Garrett County Planning Commission, acting with the advice and assistance of the citizens of the County has caused to be prepared a "Deep Creek Watershed Zoning Ordinance" which the Board of County Commissioners formally adopted and became effective on June 1, 1997; and

WHEREAS, Said Zoning Ordinance may be amended from time to time to ensure that the intended standards are relevant to the changing physical and economic environment of Garrett County; and

WHEREAS, The Board of Garrett County Commissioners acting with the advice and assistance of the Planning Commission and citizens of the County has considered certain amendments to the Deep Creek Watershed Zoning Ordinance as proposed by the Planning Commission; and

WHEREAS, Said Ordinance amendments have been subject to public review and to public hearings pursuant to the Land Use Article.

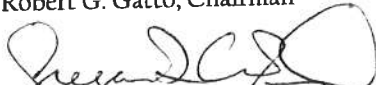
NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Garrett County does hereby enact the following text amendments to the Deep Creek Watershed Zoning Ordinance duly adopted by a unanimous vote of the Board of County Commissioners of Garrett County, Maryland this 22<sup>nd</sup> day of January, 2013.

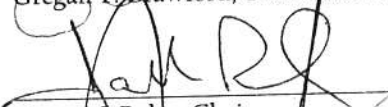
BE IT FURTHER RESOLVED that the Garrett County Planning Office shall cause said amendments to be certified to the Clerk of the Circuit Court of Garrett County.

DULY ADOPTED BY A UNANIMOUS VOTE OF THE BOARD OF COUNTY COMMISSIONERS OF GARRETT COUNTY MARYLAND THIS 22<sup>ND</sup> DAY OF JANUARY, 2013.

THE BOARD OF COUNTY COMMISSIONERS  
OF GARRETT COUNTY, MARYLAND

  
Robert G. Gatto, Chairman

  
Gregan T. Crawford, Commissioner

  
James M. Raley, Chairman

I certify that the foregoing resolution was duly passed and adopted by the Board of County Commissioners at a regular meeting held January 22, 2013; I further certify this reproduction is an accurate facsimile of said resolution; and I further certify I am the County Administrator for the said County Commissioners charged with the responsibility of keeping and recording all minutes, records and acts of the said County Commissioners; and I further certify that James M. Raley, Gregan T. Crawford and Robert G. Gatto to be the appropriate officials to sign the same resolution.

  
R. Lamont Pagenhardt,  
County Administrator

007 0498

DEEP CREEK WATERSHED ZONING AMENDMENTS

Adopted January 22, 2013

- 1) Amend Section 157.189 by replacing the existing Section with the following new Text:

**§ 157.189 FACTORS TO BE CONSIDERED BY COUNTY COMMISSIONERS.**

- A. Zoning regulations, restrictions, and boundaries may periodically be amended or repealed.
- B. Where the purpose and effect of the proposed amendment is to change a zoning classification, the County Commissioners shall make findings of fact that address the following matters:
- (1) The report and recommendations of the Planning Commission;
  - (2) Population change in the area to be affected by the proposed change;
  - (3) Availability of public facilities such as police and fire protection, and water and sewerage to serve the area;
  - (4) Present and future transportation patterns in the area;
  - (5) Compatibility with existing and proposed development of the area;
  - (6) The relationship of the proposed change to the adopted Comprehensive Plan for the County; and
  - (7) Whether there has been a convincing demonstration that the proposed rezoning would be appropriated and logical for the subject property.

- 2) Amend Section 157.190.A by replacing the existing Section with the following new Text:

**§ 157.190 ACTION BY THE COUNTY COMMISSIONERS ON AMENDMENT.**

- A. The County Commissioners may enact any proposed text amendment, modification or repeal by a majority vote of the Board. The County Commissioners may grant an amendment to change a zoning classification based upon a finding that there was a substantial change in the character of the neighborhood where the property is located or that there was a mistake in the existing zoning classification. A complete record of the hearing and the votes of all members of the Board shall be kept.