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COUNTY ORDINANCE NO. 1

AND ORDINANCE for the regulation and control of the use of public disposal areas in Queen Anne's County, Maryland.

SECTION I. BE IT ORDAINED by The County Commissioners of Queen Anne's County that it shall be unlawful for any person to dispose of any garbage, trash or other object or substance on any portion of the public disposal areas of Queen Anne's County EXCEPT in the trench or specific section of said disposal area designated.

SECTION II. BE IT FURTHER ORDAINED, that any person, firm or corporation violating any provision of this ordinance, or aiding, abetting or assisting in the violation of any provision of this ordinance shall be subject to arrest; and upon conviction before the Trial Magistrate for Queen Anne's County, be sentenced to pay a fine of not less than One Dollar (\$1.00) and not more than Fifty Dollars (\$50.00) and costs of prosecution for each offense.

The County Commissioners of Queen Anne's County

/S/ Clayton C. Carter

/S/ E. Oliver Legg, Sr.

/S/ S. Grayson Chance

/S/ James E. Thompson, Jr.
Attorney

No persons having appeared and presented objections to the above Ordinance as set forth in the minutes of October 4, 1955, the same was formally adopted on November 1, 1955 to be come effective immediately.

TRUE COPY, TEST:

Frances C. Legg
(Frances C. Legg)
Clerk of the County Commissioners
of Queen Anne's County

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COUNTY ORDINANCE NO. 2

AND ORDINANCE for the licensing, control and regulation of persons, firms, and corporations engaged in the business of cleaning and emptying septic tanks, seepage pits, privies, or any other sewage disposal facility.

SECTION I. BE IT ORDAINED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY that it shall be unlawful for any person, firm, or corporation to engage in the business of cleaning and emptying septic tanks, seepage pits, privies, or any other sewage disposal facility in Queen Anne's County without first obtaining a license from the Queen Anne's County Department of Health.

SECTION II. BE IT FURTHER ORDAINED that upon application duly made the Queen Anne's County Department of Health shall issue a license to engage in the business of cleaning and emptying septic tanks, seepage pits, privies, or any other sewage disposal facility for a period of one year to all persons, firms or corporations, upon said applicant complying with all requirements and regulations of said Queen Anne's County Department of Health and payment of a fee of Twenty Five Dollars (\$25.00).

SECTION III. BE IT FURTHER ORDAINED that said licenses shall be subject to all regulations governing sewage disposal passed by the Queen Anne's County Board of Health and/or the Maryland State Board of Health pursuant to the authority conferred upon them by Section 2, Article 43, Annotated Code of Maryland, 1951 Edition.

SECTION IV. BE IT FURTHER ORDAINED that said license may be revoked at any time by the Queen Anne's County Department of Health for such period of time as said Department shall prescribe if, in the sole discretion of the Queen Anne's County Department of Health, said licenses is violating or has violated any of said regulations governing sewage disposal.

SECTION V. BE IT FURTHER ORDAINED that any person, firm, or corporation violating any provision of this ordinance shall be subject to arrest; and upon conviction shall be sentenced to pay a fine of not less than Fifty Dollars (\$50.00) and not more than one Hundred Dollars (\$100.00) and costs of prosecution for each offense.

SECTION VI. BE IT FURTHER ORDAINED that this ordinance shall take effect January 1, 1956

The County Commissioners of Queen Anne's County

/S/ Clayton C. Carter

/S/ E. Oliver Legg, Sr.

/S/ James E. Thompson, Jr.
Attorney

/S/ S. Grayson Chance

No persons having appeared and presented objections to the above Ordinance as set forth in the minutes of October 18, 1955, the same was formally adopted on November 22, 1955.

TRUE COPY, TEST:

Frances C. Legg

(Frances C. Legg
Clerk of the County Commissioners
of Queen Anne's County

COUNTY ORDINANCE NO. 3

INTERIM ZONING ORDINANCE

WHEREAS, The County Commissioners of Queen Anne's County, pursuant to the authority contained in Article 66B of the Annotated Code of Maryland, as amended, have appointed the Queen Anne's County Planning and Zoning Commission with the powers and duties set forth in said Article; and

WHEREAS said Commission has undertaken the preparation of a master plan for Queen Anne's County, and the preparation of appropriate zoning regulations for said County; and

WHEREAS, the elements to be considered in a workable and just plan and the final preparation and adoption of such a master plan and a set of zoning regulations will require approximately one year's work and consideration; and

WHEREAS it is in the interest of the public health, safety and welfare of the citizens of Queen Anne's County that such a plan should be adopted only after an exhaustive study and consideration, and that the Commission in its study should not be impelled to use unwarranted speed in an effort to curtail the commencement of further construction, contrary to the plan under consideration, or to prevent unhealthy and undesirable subdivisions of land; and

WHEREAS the Queen Anne's County Planning and Zoning Commission has recommended unanimously that this interim ordinance be enacted.

BE IT ENACTED by the County Commissioners of Queen Anne's County that from and after the 10th day of January, 1961, and for a period of one year from said date:

(1) No structure of an industrial, commercial or advertising nature shall be erected nor shall any land be subdivided in lots smaller than five acres of land each, unless and until the person planning to erect such a structure or so subdivide such land shall apply to the office of The County Commissioners of Queen Anne's County for a permit for the erection of such structure or the sub-division of such land. Such application shall be reviewed by the Queen Anne's County Planning and Zoning Commission and the permit issued in the discretion of the Commission. The permit shall be issued without charge.

(2) Whenever an application shall have been made pursuant to Paragraph (1) of this Ordinance and the permit shall have been denied by the Queen Anne's Planning and Zoning Commission, the applicant shall have thirty (30) days from the date of such denial to appeal to the Board of Appeals now about to be established by the County Commissioners of Queen Anne's County, and subsequently to appeal to the County Commissioners of Queen Anne's County and to the Courts in the same manner as that provided by the Zoning and Planning Law, as set forth in Article 66B of the Annotated

Code of Maryland.

(3) A violation of this Ordinance is hereby declared to be a misdemeanor and any person convicted of such a violation shall be subject to a fine of not less than One Hundred Dollars nor more than One Thousand Dollars, or imprisonment in the County Jail for a period of not more than Thirty Days, or both such fine and imprisonment in the discretion of the Court.

(4) This Ordinance shall be applicable in all areas of Queen Anne's County except within the corporate boundaries of the incorporated towns; provided, however, that the governing bodies of these communities may elect by resolution to have this Ordinance effective within their respective boundaries.

(5) Should any section or part of a section or provision of this Ordinance be declared invalid or unconstitutional by a Court of competent jurisdiction, this shall not affect the validity of any other section, part of a section or provision of this Ordinance, or the Ordinance as a whole, other than the part so declared to be invalid or unconstitutional.

(6) Whereas an emergency exists for the immediate taking effect of this Ordinance, therefore the same shall be in full force and effect from and after its passage.

APPROVED AND RECOMMENDED this 10th day of January, 1961, for submission to The County Commissioners of Queen Anne's County.

QUEEN ANNE'S COUNTY PLANNING AND ZONING COMMISSION

By: /S/ Kenneth Wilson
Chairman

ADOPTED AND MADE EFFECTIVE this 10th day of January, 1961.

THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY

By: /S/ S. Grayson Chance
President

TRUE COPY, TEST:

Frances C. Legg

(Frances C. Legg)
Clerk of the County Commissioners
of Queen Anne's County

COUNTY ORDINANCE NO. 4

PLANNING AND ZONING ORDINANCE NUMBER TWO

WHEREAS, it is the intention of the County Commissioners of Queen Anne's County to proceed to adopt reasonable zoning regulations, zoning ordinances and subdivision regulations for Queen Anne's County under the authority of Article 66B of the Annotated Code of Maryland, 1957 edition, and for that purpose to create and appoint a planning commission and to confirm the appointment of a board of appeals pursuant to the provisions of said law:

THEREFORE, BE IT ENACTED AND ORDAINED AS FOLLOWS, by the County Commissioners of Queen Anne's County:

Section 1. Creation of Planning Commission.

Pursuant to Titles 1 to 5, inclusive, of Article 66B of the Annotated Code of Maryland, 1957 edition, as amended, there is hereby created a planning commission, to be known as the Queen Anne's County Planning and Zoning Commission, hereinafter called the "Commission", with all the authorities and duties vested in and devolving upon such Commission by virtue of the provisions of Article 66B aforesaid.

Section 2. Membership of the Commission.

The following named persons shall constitute said Commission, each to hold office for the term of office set opposite his name and until his successor is duly qualified:

- T. Walter Denny, Stevensville, Maryland - one year;
- S. Grayson Chance, Queenstown, Maryland - two years;
- Charles Barton, Queen Anne, Maryland - three years;
- F. Patrick Duggan, Sudlersville, Maryland - four years;
- Kenneth Wilson, Centreville, Maryland - five years.

Section 3. Board of Appeals

The appointment and membership of the Board of Appeals appointed on February 7, 1961, by the County Commissioners of Queen Anne's County at its regular meeting held on that date for terms of office of three years from February 7, 1961, with all the authority and duties vested in and devolving upon such Board of Appeals by virtue of the provisions of Article 66 B aforesaid, is hereby ratified, and confirmed, to wit:

- Samuel E. W. Friel, Queenstown, Maryland, Chairman;
- William V. Riggs, Centreville, Maryland;
- J. Price Johnson, Sudlersville, Maryland

Section 4. Jurisdiction.

Planning and zoning adopted under the terms of this ordinance shall be applicable in all areas of Queen Anne's

County except the incorporated towns thereof which may, under law, establish separate commissions at their discretion; provided however that in the interest of uniformity the governing bodies of these communities may by resolution elect to waive their right to separate commissions and to have this ordinance effective within their respective boundaries. The Commission and the Board of Appeals shall have all the authorities and duties vested in the Queen Anne's County Planning and Zoning Commission and the Board of Appeals, respectively, by the Interim Zoning Ordinance adopted by the County Commissioners of Queen Anne's County on January 10, 1961.

Section 5. Rules regarding Board of Appeals.

The Board of Appeals may be referred to as the Queen Anne's County Board of Zoning Appeals. It is hereinafter referred to as the "Board".

The Board is hereby empowered to adopt and, from time to time, amend or supplement rules of procedure not inconsistent with the provisions of this ordinance.

Appeals to the Board shall be taken within thirty (30) days of the filing of the decision appealed from in the office of the official or officials rendering such decision.

Appeals from the Board shall be governed by the provisions of Article 66B aforesaid; or by the Maryland Rules; and any appeal procedure specified in the abovementioned Interim Zoning Ordinance adopted on January 10, 1961, which may be contrary to the appeal provision of Article 66B aforesaid, or said Maryland Rules, is hereby repealed.

Section 6. Should any section of this ordinance, or any part of a section or provision of this ordinance be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any other section, part of a section or provision of this ordinance, or the ordinance as a whole, other than the part so declared to be invalid or unconstitutional.

Section 6. This ordinance shall take effect from the time of its passage on this 17th day of February, 1961.

ADOPTED, APPROVED and made effective this 17th day of February, 1961.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

S. GRAYSON CHANCE

(S. Grayson Chance) President

PERCY E. THOMAS

(Percy E. Thomas

WILLIAM E. COLEMAN

(William E. Coleman)

TRUE COPY, TEST:

Frances C. Legg
(Frances C. Legg)
Clerk of the County Commissioners
of Queen Anne's County

I HEREBY CERTIFY, this 17th day of February, 1961,
that the foregoing is a true and correct copy of Planning and
Zoning Ordinance Number Two of the County Commissioners of
Queen Anne's County, passed on February 17, 1961.

S. Grayson Chance
(S. Grayson Chance)
President of the County Commis-
sioners of Queen Anne's
County

SUBDIVISION CONTROL ORDINANCE

WHEREAS, The County Commissioners of Queen Anne's County, pursuant to the provisions of Article 66B, Sections 24 through 30, inclusive, of The Annotated Code of Maryland, (1957), as amended, have adopted a major street plan for Queen Anne's County and have filed a certified copy of such plan in the Office of the Clerk of The County Commissioners of Queen Anne's County and in the office of the Clerk of the Circuit Court for Queen Anne's County; and,

WHEREAS, The County Commissioners of Queen Anne's County believe and find such regulations to be necessary to avoid traffic congestion and population congestion and to promote appropriate open spaces for recreation, light and air, and to protect the public health, safety and welfare:

SECTION 1. BE IT ORDAINED AND ENACTED by The County Commissioners of Queen Anne's County that the following subdivision control regulations be and they are hereby adopted:

I. APPLICABILITY.

A. The provisions of this Ordinance shall apply to all of Queen Anne's County except those portions of said County which lie within the corporate limits of any incorporated town.

B. The provisions of this Ordinance shall not apply to the division of any lands into two (2) or less parcels, nor shall they apply to any subdivision in which each lot therein contains five (5) or more acres of land.

II. DEFINITIONS.

A. "Commission" means the Queen Anne's County Planning and Zoning Commission.

B. "Subdivision" means any division of a lot, tract or parcel of land or part thereof, as now owned or hereafter acquired, into three (3) or more parcels, any one of which contains less than five (5) acres of land.

III. GENERAL REGULATIONS.

A. No land shall be subdivided into three (3) or more parcels until an application for approval of such subdivision on a form to be supplied by the Commission, together with a plat showing that such subdivision is in accordance with the provisions of this Ordinance, shall have been filed with and approved by the Commission.

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B. No lot in any subdivision shall contain less than two (2) acres of land, nor shall any such lot have a frontage on the principal road or street on which it abuts of less than one hundred (100) feet, nor a frontage on any waterway of less than two hundred (200) feet; PROVIDED, HOWEVER, that should any greater or smaller area or frontage requirement hereafter be specified by a Queen Anne's County Zoning Ordinance with respect to any zone, then as to lots in such zone, the area or frontage requirements of such zoning ordinance shall govern; AND PROVIDED, further, that pending the adoption of any such ordinance, upon application and consideration of such supporting evidence as any proposed subdivider applying may present, and a determination thereon by the Commission that the existing use of land in the immediate neighborhood of the proposed subdivision is such as to justify a relaxation of said minimum lot area of two (2) acres, no lot in such subdivision shall contain less than such area or average area as may be specified by such determination. Notwithstanding the foregoing provision, no lot in any subdivision shall contain less than one-half (1/2) of an acre of land.

C. No street in a subdivision may be less than fifty (50) feet in width and no lane or alley in a subdivision may be less than twenty (20) feet in width. All subdivisions must provide for minimum building setback lines as follows: Fifty (50) feet from the adjacent right-of-way line of any highway, road or street, or seventy-five (75) feet from the center line of any highway, road or street, whichever is greater; eight (8) feet from any land or alley; eight (8) feet from any lot side line; provided, however, that should any greater or smaller setback requirements hereafter be specified by any Queen Anne's County zoning ordinance with respect to any zone, then as to lots in such zone, the setback requirements of such zoning ordinance shall govern. Corner lots shall provide minimum setback lines as above provided for both streets or the streets and alleys or lane on which they corner. Additional street requirements are:

(1) Streets shall conform to the major street plan of Queen Anne's County.

(2) The street plan shall give suitable recognition to existing topography, attempt to preserve trees, and shall provide for good drainage.

(3) Proposed streets shall provide for appropriate continuation of existing streets whether constructed or recorded, where appropriate, and shall be arranged to provide access to existing subdivisions.

(4) Wherever desirable, the Street Plan shall include one or more marginal access streets. A marginal access street is a street which is generally parallel to and near a main thoroughfare or highway, and which provides access to abutting properties by means of as few intersections with such thoroughfare or highway as is practically possible.

(5) Streets ordinarily shall intersect as nearly at right angles as is practicable.

(6) Cul-de-sac streets of reasonable length (normally not over 600 feet) will be approved where necessitated by topography or when, in the judgment of the Commission, appropriate for the type of development. A turn-around shall be provided at the end of such street with a diameter of at least one hundred (100) feet.

(7) Minor residential streets shall be so planned as to discourage non-local traffic.

(8) Minimum gravel surface widths for streets will vary with the amount of building development and traffic, but shall be not less than Queen Anne's County specifications.

D. No subdivision plat shall be finally approved by the Commission until the Queen Anne's County resident roads engineer has approved in writing the street plan of the subdivision and street construction specifications, which shall include at least the following: Grades and center line gradients, storm drainage, rounding of curbs and property line corners at intersections, vertical and horizontal street alignment, road materials and construction methods.

E. No subdivision plat shall be finally approved by the Commission until the methods of drainage, sewage disposal and water supply shall have been approved in writing by the Queen Anne's County Health Officer.

F. All subdivision plans must be accompanied by proposed restrictions and covenants, if any, to be applied to all land in the subdivision, in a form found to be adequate by the Commission for the protection of public health, safety and welfare. Restrictions and covenants must provide a procedure for amendment to meet changed conditions and any amendment to such restrictions or covenants must be submitted to the Commission for approval prior to adoption.

IV. PROCEDURE

A. Whenever any subdivision of land is proposed to be made and before any contract for the sale of, or any offer to sell said subdivision or any part thereof is made, the subdivider thereof, or his agent, shall file a plat of the proposed subdivision with the Commission and obtain its final approval thereof. Said plat and all procedures relating thereto shall, in all respects, be in full compliance with the provisions of this Ordinance.

B. The subdivider shall cause a Preliminary Subdivision Plat to be prepared by a registered land surveyor, and shall present two (2) copies to the Commission for review and tentative approval.

C. The subdivider, following tentative approval of the Preliminary Subdivision Plat, shall file with the Commission the original and two (2) copies of the Final Subdivision Plat. Upon approval of the final map or plat by the Commission, the original tracing and one (1) print, each bearing the approval stamp of the Commission and of the Queen Anne's County Health Officer, shall be returned to the subdivider; the remaining print shall be retained by the Commission for its file. The subdivider shall within sixty (60) days of the return of the approved final map or plat file one (1) copy thereof with the Clerk of the Court of Queen Anne's County, for recording among the Land Records of said County.

D. The Final Subdivision Plat will be approved by the Commission if found by it to be in conformity with the requirements of law and of this Ordinance. Approval of the Final Subdivision Plat shall be by resolution of the Commission and signatures of its duly authorized officers inscribed thereon.

V. PRELIMINARY SUBDIVISION PLAT.

A. The subdivider shall present to the Commission a tentative map prepared by a registered land surveyor. Two (2) copies of the Preliminary Subdivision Plat shall be filed with the Commission, preferably at the scale of one (1) inch equals one hundred (100) feet, but in no case smaller than one (1) inch equals two hundred (200) feet. Such map shall show the following:

- (1) Subdivision name.
- (2) Names and addresses of recorded owner, subdivider and surveyor.
- (3) Location and name of any adjacent subdivision and name of owner and location of any other adjacent property.
- (4) Widths and locations of all streets and other public ways.
- (5) Lot lines with approximate dimensions.
- (6) Proposed uses of property.
- (7) Public areas proposed, if any.
- (8) Date, north point and scale.
- (9) Key map showing location of property when same is in an outlying area and not adjoining a recorded subdivision.

B. (1) Accompanying such Preliminary Subdivision Plat shall be a statement as to the methods of sewage disposal, water supply and surface drainage to be employed in said subdivision.

(2) Topographical maps need be furnished only when required by the Commission, which is hereby empowered to require the same when deemed by it to be necessary. If a topographical map is required, the Preliminary Subdivision Plat may be used for this purpose.

C. After filing with the Commission, the Preliminary Subdivision Plat shall be approved with or without modifications, or disapproved by the Commission. The Commission shall advise the subdivider of such tentative approval or disapproval, and of the modifications required, if any. One (1) copy of the Preliminary Subdivision Plat shall be returned to the subdivider and one (1) copy retained in the files of the Commission. Unless a Final Subdivision Plat, prepared in accordance with the approved Preliminary Subdivision Plat and including the modifications thereof, if any, made by the Commission, is filed with the Commission within six (6) months after approval of the Preliminary Subdivision Plat, the Commission's approval thereof shall be deemed cancelled.

VI. FINAL SUBDIVISION PLAT.

A. The Final Subdivision Plat shall be clearly and legibly drawn in black India ink upon tracing cloth and be accompanied by two (2) legible blue or black line prints for presentation to the Commission. The size of these sheets shall be not more than 24 inches x 30 inches and not less than 8 inches x 12 inches, including a margin of one-half inch outside ruled border lines. All maps shall preferably be drawn to a scale of one hundred (100) feet to one (1) inch, but not smaller than two hundred (200) feet to one (1) inch, showing all details clearly, particularly lettering and figures. Upon filing the Final Subdivision Plat, the subdivider shall pay to the Commission a filing fee of Fifteen Dollars (\$15.00). The Final Subdivision Plat shall show:

- (1) The street and alley lines, lots, building lines, reservations, easements, and areas to be dedicated to public use.
- (2) Sufficient data to determine readily the location, bearing, and length of every street line, lot line, block line and boundary line and to reproduce same on the ground.
- (3) A certificate of surveyor that all land within the subdivision is covered by title of record

under the name of the owner, together with Certificate of Survey of outline boundaries of entire subdivision and if required by the Commission, tabulated traverse of tract showing percentage of error, if any, in survey. All surveys shall be made with an accuracy of not less than one to five thousand (1 - 5000) on tracts of five (5) acres or more, or less than one to ten thousand (1 - 10,000) on tracts less than five (5) acres.

- (4) A permanent monument or marker shall be set at each corner of the outline boundaries of the entire subdivision, at each road or street intersection, and at the termination of any road or street where said termination is on an adjoining property line. From each monument or marker the position of one (1) other monument or marker must be visible. Such monuments or markers shall be made of stone, metal or good quality concrete, and shall be not less than thirty (30) inches in length by five (5) inches square cross-sections, and shall be placed to extend not more than four (4) inches above the surface of the ground. The location of such monuments or markers shall be precisely designated, at least four (4) of them by coordinates, upon the plat by the symbol:
 —
 —
- (5) All bearings are to be referred to true meridan.
- (6) Name and location of any adjacent subdivision and location and ownership of any other adjacent property.
- (7) Name of subdivision, location, north point and scale. Name of subdivision shall not duplicate the name of any previously recorded subdivision located in Queen Anne's County.
- (8) Key map showing location of platted property when same is in an outlying area not adjoining a recorded subdivision.

Accompanying the final plat shall be a properly executed statement of dedication to Queen Anne's County of all streets in the subdivision. This statement shall constitute an irrevocable offer to the County for five (5) years from its delivery date; but may not be accepted and the County shall have no obligation to take over and make public any street in a subdivision unless;

- (a) All required improvements shown on the approved final plat have been constructed and conform to county standards and specifications;

(b) A petition signed by the owners of at least fifty per cent (50%) of the frontage of the street in question, requesting that the street be taken over and made public is filed with the Clerk of The County Commissioners;

(c) It is established to the satisfaction of The County Commissioners of Queen Anne's County that there is a need for the street to be taken over and made public.

Queen Anne's County shall have no responsibility with respect to any street within a subdivision, notwithstanding the use of the same by the public, unless the street is accepted by ordinance or resolution of The County Commissioners of Queen Anne's County.

VII. APPROVAL OF PLAT.

The Commission shall approve or disapprove a plat within thirty (30) days after the submission thereof to it; otherwise such plat shall be deemed to have been approved, and a certificate to that effect shall be issued by the Commission on demand; provided, however, that the applicant for the Commission's approval may waive this requirement and consent to an extension of such period. The ground of disapproval of any plat shall be stated upon the records of the Commission.

VIII. VARIATIONS.

Where topography or other conditions are such that compliance with the foregoing requirements would cause practical difficulty and unnecessary hardship, the Commission may relax the minimum requirements in order to grant relief and at the same time, protect the public interest.

IX. PENALTIES FOR VIOLATIONS.

A. Whoever, being the owner or agent of the owner of land located within a subdivision, transfers or sells or agrees to sell or negotiates to sell any land by reference to, or exhibition of, or by other use of a plat of a subdivision, before a Final subdivision Plat has been approved by the Commission, and recorded or filed in the Office of the County Clerk, shall forfeit and pay a penalty of One Hundred Dollars (\$100.00) for each lot or parcel so transferred or sold or agreed or negotiated to be sold; and the description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties or from the remedies herein provided. The Commission may enjoin such transfer or sale or agreement by action for injunction brought in any court of equity jurisdiction or may recover the said penalty by civil action in any court of competent jurisdiction.

B. Every act or omission in violation of this Ordinance shall be punishable as provided in this Section. Where such an act or omission is of continuing nature, each and every day during which such act or omission continues shall be deemed a separate misdemeanor.

X. APPEAL.

A. Any person aggrieved or any officer, department, board or bureau of Queen Anne's County affected by any decision of the Commission may take an appeal to the Board of Appeals pursuant to the provisions of Section 22 of Article 66B, of The Annotated Code of Maryland, (1957), or the Maryland Rules.

XI. SEVERABILITY.

A. If any section of this Ordinance or any clause, sentence, part or parts of the same shall be held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the remaining parts of this Ordinance or any section thereof.

SECTION 2.

This Ordinance shall take effect immediately from and after the date of its passage.

APPROVED AND RECOMMENDED this 13th day of April, 1961, for submission to The County Commissioners of Queen Anne's County.

QUEEN ANNE'S COUNTY PLANNING AND ZONING COMMISSION

Chas. E. Barton
Secretary

By Kenneth Wilson
Chairman

ADOPTED AND MADE EFFECTIVE this 18th day of April, 1961.

THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY

Frances C. Legg
Clerk

By S. Grayson Chance
President

TRUE COPY, TEST:

Frances C. Legg
(Frances C. Legg)
Clerk of the County Commissioners of Queen Anne's County

COUNTY ORDINANCE NO. 6

ORDINANCE AMENDING SUBDIVISION CONTROL ORDINANCE

WHEREAS, The County Commissioners of Queen Anne's County, pursuant to the provisions of Article 66B, Sections 24 through 30, inclusive, of the Annotated Code of Md. (1957), as amended, have adopted a major street plan for Queen Anne's County and thereafter, on April 18, 1961, adopted a Subdivision Control Ordinance; and

WHEREAS, The County Commissioners of Queen Anne's County believe and find it desirable to amend certain regulatory provisions of the abovementioned ordinance respecting the improvement of streets:

SECTION 1. BE IT ORDAINED AND ENACTED by The County Commissioners of Queen Anne's County that sub-paragraph "D" of paragraph "III" of Section 1 of the abovementioned ordinance is hereby repealed, and is hereby re-ordained and re-enacted as follows:

D. No subdivision plat shall be finally approved by the Commission until the subdivider has either:

(1) Improved all of the streets shown on the subdivision plat (and obtained the inspection and written approval of the same by the Queen Anne's County resident roads engineer) in accordance with the minimum requirements hereinafter set forth; or

(2) Furnished to The County Commissioners of Queen Anne's County a satisfactory bond in an amount sufficient to cover the estimated cost of such improvements, for the purpose of guaranteeing to the County that the subdivider will complete the improvements within such reasonable limit of time or renewal periods as may be designated by the Queen Anne's County Planning & Zoning Commission in each case. Said Commission shall have the authority to adopt regulations respecting such performance bonds generally.

Minimum requirements for the improvement of streets are as follows: All new streets shall be graded and drained, base material and surface treatment applied, in accordance with the minimum standards of design and construction adopted by The County Commissioners of Queen Anne's County for paved roads for acceptance into the County System of Roads. The minimum required width of surfacing shall be 18 feet. Stabilized shoulders at least 9 feet wide shall be provided on both sides of the pavement. A stabilized drainageway shall be provided outside each shoulder, conforming to the standards of cross-section and construction adopted by the County. A name sign of an approved design shall be erected at each new street intersection.

Plans for the abovementioned improvements shall be prepared for approval by the Queen Anne's County resident roads

engineer prior to construction. Such plans need not be detailed construction plans but shall be sufficient to show the proposed location, sizes, types, grades and general design features of each street, including the following:

(a) Profile of each street centerline, with grades, and showing culverts, streams, etc. Scale: 1 inch to 100 feet or less horizontal, 1 inch to 10 feet or less vertical.

(b) Typical street cross-sections for all streets, at a scale not smaller than 1 inch to 5 feet, showing width of roadway, type of paving, locations and widths of any curbs, sidewalks, trees, utilities, etc. Where considerable cuts or fills are required, special cross-sections shall be prepared to show proposed grading, and their locations shall be shown on the plan. A grading plan showing existing and proposed contours may be furnished in lieu of cross-sections.

(c) Location plans and profiles for any proposed sanitary and storm sewers and drains, with grades and pipe sizes indicated.

(d) Location plan of any proposed water distribution system showing pipe sizes and locations for valves and fire hydrants.

Inspection and Acceptance. All construction work on improvements required herein, and all materials used, shall be subject to approval of and inspection during and upon completion of construction by the Queen Anne's County resident roads engineer and to approval and acceptance by The County Commissioners of Queen Anne's County, if found to be in accordance with the approved plan. No Final Plat shall be approved until all required improvements shall have been satisfactorily completed and accepted in compliance herewith, or satisfactory bond posted; and no such bond shall be released until all improvements secured by such bond shall have been completed and accepted in compliance herewith.

SECTION 2. BE IT ORDAINED AND ENACTED by The County Commissioners of Queen Anne's County that sub-paragraph "(8)" of paragraph "III-C" of Section 1 of the abovementioned ordinance is hereby repealed.

SECTION 3. This ordinance shall take effect immediately from and after the date of its passage.

APPROVED and RECOMMENDED this 14th day of December,

1961, for submission to The County Commissioners of Queen Anne's County.

QUEEN ANNE'S COUNTY PLANNING &
ZONING COMMISSION

CHARLES E. BARTON
(Charles Barton) Secretary

By KENNETH WILSON
(Kenneth Wilson) Chairman

ADOPTED and MADE EFFECTIVE, this 26th day of
December, 1961.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

FRANCES C. LEGG
(Frances C. Legg) Clerk

By S. GRAYSON CHANCE
(S. Grayson Chance) President

TRUE COPY, TEST:

Frances C. Legg
(Frances C. Legg)
Clerk of The County Commission-
ers of Queen Anne's County

COUNTY ORDINANCE NO. 7

INTERIM ZONING ORDINANCE NUMBER THREE

AN ORDINANCE FOR THE PURPOSE OF PROMOTING HEALTH, SAFETY, MORALS, AND THE GENERAL WELFARE OF THE COUNTY, REGULATING FOR A PERIOD NOT EXCEEDING THIRTY (30) MONTHS - THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE, INDUSTRY, RESIDENCE, OR OTHER PURPOSES IN QUEEN ANNE'S COUNTY, MARYLAND, OUTSIDE OF THE INCORPORATED MUNICIPALITIES, BY PROHIBITING THE ERECTION, CONSTRUCTION, ALTERATION, AND USE OF BUILDINGS OR OTHER STRUCTURES, OR THE USE OF LAND, FOR ANY COMMERCIAL OR INDUSTRIAL PURPOSE IN RESIDENCE DISTRICTS, AND FOR SPECIFIED COMMERCIAL OR INDUSTRIAL PURPOSES AT ANY OTHER LOCATION UNLESS APPROVED BY THE PLANNING AND ZONING COMMISSION: BY RESTRICTING AND REGULATING THE LOCATION OF TOURIST CAMPS IN RESIDENCE DISTRICTS: BY PRESCRIBING THE MINIMUM LOT AREAS AND LOT FRONTAGES OF LOTS TO BE USED FOR RESIDENTIAL PURPOSES: BY PRESCRIBING MINIMUM LOT AREAS AND THE PERCENTAGE OF THE LOT THAT MAY BE OCCUPIED BY BUILDINGS IN TOURIST CAMPS: BY PRESCRIBING LIMITS WITHIN WHICH NON-CONFORMING EXTRACTIVE-TYPE USES CAN BE EXTENDED; BY REQUIRING SET-BACK LINES AND SIDE YARDS: BY DEFINING BUSINESS AND RESIDENCE DISTRICTS: BY PROVIDING FOR ZONING CERTIFICATES AND APPLICATIONS: AND BY MAKING CERTAIN EXCEPTIONS: CREATING THE OFFICE OF COUNTY ZONING INSPECTOR AND THE BOARD OF APPEALS: PROVIDING FOR THE ENFORCEMENT OF AND FOR PENALTIES FOR THE VIOLATION OF ANY OF ITS PROVISIONS.

WHEREAS, Article 66-B of the Annotated Code of Maryland, 1951, as amended, provides that the County Commissioners, upon the recommendation of the County Planning and Zoning Commission, may adopt regulations governing the location and use of buildings, structures, and land for trade, industry, residence, or other purposes, the size of yards, courts, and other open spaces, as well as other matters, which regulations shall be made in accordance with a comprehensive plan; and said Article further provides that the County Commissioners may create a Planning Commission and that it shall be the duty of the Planning Commission to make and adopt a Master Plan for the physical development of the County, such plan to show the Commission's recommendations for the development of the County, including, among other things, a zoning plan for the control of the location, height, area, bulk, and use of the buildings and premises, and that the Planning Commission, in preparing such a plan, shall make careful and comprehensive surveys and studies of present conditions and future growth of the County, and

WHEREAS, in compliance with the aforesaid provisions of law, the County Commissioners of Queen Anne's County have established the Queen Anne's County Planning and Zoning Commission with the powers and duties set forth in said Article; and

WHEREAS, the said Planning and Zoning Commission has begun the preparation of a Master Plan for the development of the County, including a zoning ordinance, consisting of numerous maps, charts, plats, and descriptive matter, as provided for in said Article 66-B; but the preparation of such plan and zoning ordinance

including the careful and comprehensive surveys and studies of present conditions and future growth of the County as required by said article will require considerable time before the same can be completed and made effective; and

WHEREAS, although it is the policy of the county to foster desirable business and industrial development in the county, yet to permit the further indiscriminate placing of such establishments or uses within the residence or farm areas during the time that such zoning plan, including text and maps, is being prepared and made effective, or the indiscriminate placing of certain commercial or industrial establishments within business areas, or of tourist camps in residence or farm areas, or the overcrowding of land with buildings, would be destructive or injurious to the health, safety, morals, and general welfare of the community, which such zoning plan is intended to promote; and

WHEREAS, it is the intention and desire of the Commission to encourage carefully planned and balanced development; and

WHEREAS, in view of the foregoing, the protection of the health, safety, morals, and general welfare of the county requires that the temporary regulations and limitations provided for by this interim zoning ordinance be placed into effect immediately,

BE IT, THEREFORE, ENACTED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY, MARYLAND, by authority of Article 66-B of the Annotated Code of Maryland (1st Edition) as amended, an Ordinance which shall read as follows:

SECTION 1. - ORDINANCE TEMPORARY. This INTERIM ZONING ORDINANCE shall remain in force until a permanent comprehensive zoning ordinance, including text and maps, is adopted and has taken effect, but not for a period exceeding thirty (30) months from and after the date of its adoption.

SECTION 2. - TERRITORIAL LIMITS. The provisions of this Ordinance shall apply to all the lands, properties, buildings and other structures in Queen Anne's County, Maryland, outside the incorporated municipalities.

SECTION 3. - DEFINITIONS. For the purpose of this Ordinance certain terms used herein are defined as follows:

A. Agriculture or Agricultural Purposes - Farming, Dairying, pasturing, apiculture, horticulture, floriculture, viticulture, forestry, tree farming, and animal and poultry husbandry, excepting fur farms and the commercial feeding of garbage to hogs or other animals; and including the necessary accessory uses for packing, treating or storing the produce, provided that the operation of any such accessory uses shall be secondary to that of normal agricultural activities.

B. Building - Any structure used or constructed for the

enclosure, shelter or protection of persons, animals or chattels (including tents, cabins, and trailer houses).

C. Business District - (1.) Any number of adjoining lots fronting on a road where twenty per cent (20%) or more of the frontage is used by two or more establishments for commercial or industrial purposes, excluding billboards or other outdoor advertising signs or structures; provided that no Business District shall have a depth from the road greater than 400 feet.

In determining whether a lot is in a Business District, upon which lot any building is sought to be used, erected, located, constructed or altered for commercial or industrial purposes, or where such land is sought to be used for such purposes, the frontage shall be measured 200 feet in both directions from the center line of the lot in question on both sides of the road on which the lot fronts. If at least twenty per cent (20%) of the said frontage is used by two or more establishments for commercial or industrial purposes, excluding billboards or other outdoor advertising signs or structures, then the lot in question shall be deemed to be in a business district; provided, however, that in case the lot fronts on a dual highway having a right-of-way width of at least 100 feet, the frontage shall be measured 400 feet in both directions from the center line of the lot in question, on that side of the road only on which said lot abuts.

In case a commercial or industrial building, structure, or use is sought to be established on a corner lot, the owner shall, for the purpose of determining whether said lot is or is not located in a business district, have the privilege of choosing either road as the road on which his property fronts.

(2.) A Business District shall also include any area hereafter established as such by the Board of County Commissioners, in accordance with the provisions of Section 15.

D. Lot - Any plot or parcel of land occupied or intended to be occupied by one principal building or use, or a group of buildings, and its accessory buildings and uses, including such open spaces as required by this Ordinance and other laws, and having frontage on a road as defined herein; and in the case of a plot or parcel of land to be used for residence purposes meeting, in addition, the requirements respecting minimum area and road frontage stipulated in Section 4.

E. Corner Lot - A lot abutting upon two or more roads at their intersection or upon two parts of the same road, and in either case forming an interior angle of less than one hundred thirty-five (135) degrees.

F. Interior Lot - Any lot other than a corner lot.

G. Parking Lot - Any premises used primarily for the parking or storage of vehicles in operating condition, whether for pay or not.

H. Residence District - All land other than that defined herein as being within a Business District.

I. Residence District Uses - The following specified uses:

(1) Buildings or premises used exclusively for residence purposes, except hotels, tourist camps, trailer houses or mobile homes - whether on wheels, foundations, or otherwise; and tents.

(2) Boarding and lodging houses or tourist homes.

(3) The office of a resident professional person; customary incidental home occupations, when carried on in the residence of the occupant or in the accessory building.

(4) Churches, Sunday Schools and other places of worship.

(5) Schools, colleges, libraries, and similar public or semi-public buildings; parks, playgrounds, and community centers publicly owned and operated.

(6) Private clubs, lodges, social and recreational buildings, and grounds for games, sports, or camping, except those where liquor is sold or those the chief activity of which is carried on, or is one customarily carried on, primarily for gain.

(7) Hospitals or sanitariums not primarily for contagious diseases or for the care of epileptics or liquor patients; charitable institutions not for the care of the insane nor feebleminded.

(8) Electrical, communication, water, sewer, or fuel transmission, distribution, or collection lines, and necessary buildings, structures and equipment incidental thereto; but not buildings, structures, or uses of an administrative, construction, maintenance, manufacturing, storage, or waste disposal nature.

(9) Buildings or grounds used for customary general agricultural purposes, truck gardening, nurseries or non-commercial greenhouses.

(10) Accessory buildings, structures, signs, or uses, subordinate and customarily incident to, and located on the same lot with, any of the foregoing principal uses.

J. Road - Any private right-of-way thirty (30) feet or more in width, and any public highway, street, lane, square, or court set aside for public travel if it existed at the time of the enactment of this Ordinance, and any new street or road having a right-of-way (50) feet or more in width if created after the enactment of this Ordinance.

K. Semi-public - Operated as a public service by a private, non-profit organization, or for a religious or educational purpose.

L. Structure - Anything constructed, the use of which

requires a fixed location on the ground or is attached to something having such location.

M. Tourist Camp - Any park, tourist park, tourist court, trailer park, trailer court, camp, court, motel, site, lot, parcel, or tract of land upon which two or more camp cottages, cabins, rooms or apartments are located and maintained for the accommodation of transients; or which is designed, maintained, or intended for the purpose of supplying a location or accommodations for two or more trailer houses for living purposes, or upon which two or more trailer houses or mobile homes are parked or mounted upon permanent or semi-permanent foundations, for living purposes.

SECTION 4. - ALL BUILDINGS, EXCEPT THOSE FOR AGRICULTURAL USES, SHALL BE LOCATED ON A LOT: AND ANY BUILDING FOR RESIDENTIAL USES ON A LOT OF MINIMUM REQUIRED SIZE. Except as specified elsewhere in this Ordinance, no building or structure, or group of related buildings or structures in a single ownership, shall be erected, constructed, reconstructed or enlarged, and no premises shall be put to any use other than agricultural use, unless located on or comprising a "lot" as hereinbefore defined.

Any building to be used in whole or in part for residence purposes, except one in connection with agricultural uses, shall be located on a lot meeting the following minimum requirements:

(1) Where a public or community water system and sanitary sewers are both available or are to be provided, the lot shall have an area of at least 8,000 square feet and a road frontage of at least 70 feet.

(2) Where a public or community water system is available or is to be provided prior to occupancy, but not sanitary sewers, the lot shall have an area of at least 15,000 square feet and a road frontage of at least 100 feet.

(3) Where neither a public or community water system nor sanitary sewers is available or is to be provided prior to occupancy, the lot shall have an area of at least 20,000 square feet and a road frontage of at least 100 feet.

EXCEPT:

(a) That in subdivisions recorded prior to January 10, 1961, the lot shall have an area of at least 15,000 square feet and a road frontage of at least 100 feet.

(b) That any lot or plot of official record, or which is the subject of a valid, enforceable purchase contract, (provided said contract is filed for record with the Planning and Zoning Commission or the Zoning Inspector on or before March 31, 1962) as of the effective date of this Ordinance and in separate ownership from any adjacent lot or plot, and any lot shown on a subdivision

plat recorded on or after January 10, 1961, may be used for a single-family dwelling irrespective of its area or frontage, subject to approval by the Health Officer as hereinafter provided.

In all cases except where both a public or community water system and sanitary sewers are available or are to be provided, the minimum areas above stipulated shall be subject in each case to approval by the Health Officer of Queen Anne's County and shall be increased to such extent as required by him in order to satisfy all applicable requirements concerning approved water supply and the disposal of sanitary wastes.

SECTION 5. COMMERCIAL AND INDUSTRIAL USES PROHIBITED IN RESIDENCE DISTRICT. Except as otherwise provided herein, it shall be unlawful to locate, erect, construct, enlarge or alter any building or other structure intended or designed to be used for commercial or industrial purposes or any other than residence district uses as defined hereinbefore, or to alter a building to be used for such purposes, or to change or extend the use of any building or land for such purposes, within any Residence District as hereinbefore defined.

SECTION 6. - APPROVAL OF PLANNING AND ZONING COMMISSION REQUIRED FOR CERTAIN COMMERCIAL OR INDUSTRIAL USES AND THE EXTENSION OF A BUSINESS OR INDUSTRIAL USE IN EXCESS OF 400 FEET IN DEPTH.

Except as otherwise provided in Section 10, it shall be unlawful to locate, erect, construct, enlarge, or alter any building or structure in any Business District, as herein defined, which is intended or designed to be used for any of the commercial, industrial or manufacturing uses specified below in this Section, or to use any land for such purposes, without the approval of the Planning and Zoning Commission:

A. Except when within a completely enclosed building; storage of building materials or coal, contractors' or other equipment; scrap iron, paper, rags, or other waste materials; junk automobiles or automobile parts; automotive, farm machinery, and trucks or trailers for sale.

B. Commercial recreation or entertainment, such as a dance hall, skating rink, theatre, amusement park, race track, driving range, target range or similar uses.

C. Any industry, manufacturing, or utility, except such utility installations as are permitted in the Residence District which shall be permitted in the Business District without the approval of the Planning and Zoning Commission; and except a light industrial or manufacturing use that is incidental to a retail business or service where the product is sold or the service rendered primarily on the premises and where not more than five (5) operatives are engaged in such industrial or manufacturing activity.

D. Sand, gravel, rock, or similar pits, mines and quarries; provided that before approving any of these uses, the Planning and Zoning Commission shall require that adequate bond or other satis-

factory guarantee be given to insure the restoration of the lands to a safe and usable condition upon termination of the excavating or mining operations, by regrading, draining, or other treatment suitable to the particular situation, but not necessarily refilling.

E. Sewage or refuse disposal areas and facilities; airports; commercial hog or fur farms, veterinary hospitals and kennels.

F. Advertising Signs and Structures, except a sign not exceeding 40 square feet in size identifying or directing the way to a lawful business, industry, institution, subdivision, or other establishments, provided that not more than 3 such signs shall be permitted for each establishment, which signs may be located on the premises of such establishment, or on either side of the road on which such establishment is located and at any distance therefrom, or on either side of another road at or near its intersection with a road leading to such establishment.

No identification or directional sign, nor any other advertising sign, structure, or device, shall be designed or illuminated so as to simulate or conflict with traffic signs or signals, warning lights, or police, ambulance, fire, or towing truck blinkers. Animated displays or lights, if otherwise conforming, shall be located at least twenty-five (25) feet back from the property line of any street or road. No sign or place of business shall be illuminated in any way so as to produce glare sufficient to distract or temporarily blind a passing motorist.

The Planning and Zoning Commission may also permit, upon petition, the extension of a business or industrial use more than 400 feet back from the front line of a lot in the Business District, on a showing that a greater distance is essential owing to the peculiar requirements of the particular commercial or industrial use.

In authorizing any commercial, industrial, or manufacturing uses under this section, or the extension of a use more than 400 feet back, the Planning and Zoning Commission shall issue a Special Zoning Permit in which shall be stipulated such conditions or requirements concerning the location and operating of said uses as the Commission may consider necessary for the protection of the neighborhood and the public interest. No such permit shall be authorized by the Commission except after public notice and hearing, in accordance with such rules as the Commission may adopt. No use shall be authorized under this Section by the Planning and Zoning Commission which, in its opinion, even when conducted under proper and adequate safeguards, may become noxious or offensive to the neighborhood by reason of the emission of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matter, or water-carried waste, or may be dangerous because of fire, explosion, or radiation hazard, so as to be detrimental to the health, safety, morals and general welfare of the community.

Any final decision of the Planning and Zoning Commission

relative to an application for a Special Zoning Permit as required in this Section or in Section 7 may be appealed to the Board of County Commissioners, within ten (10) days of such decision, either by the applicant or by any other person affected and aggrieved thereby, by filing with the Secretary of the Commission and the Clerk of the Board a notice of such appeal. The Commission shall furnish to the Board an explanation of its decision and may appear before the Board to present the facts and information on which its determination was based. The Board shall consider the matter in open meeting, after which it may reverse, affirm, or modify the decision of the Commission and make such final determination as in its judgment ought to be made.

SECTION 7. - USES PERMITTED CONDITIONALLY IN RESIDENCE DISTRICT. It shall be unlawful to locate, erect, or construct any of the buildings, structures, or uses hereinafter specified in this Section, or to convert or alter a building or structure for such purposes, or to use the land for such purpose, within any Residence District as defined hereinbefore, unless authorized by the Planning and Zoning Commission and by the issuance, by said Commission, of a Special Zoning Permit subject to such conditions, in addition to the requirements stipulated in the following, as the Commission may impose in order to preserve the character of the neighborhood and to otherwise promote and effectuate the purposes of this Ordinance. No such permit shall be authorized except after public notice and hearing in accordance with such rules as the Commission may adopt. The decision of the Commission shall be subject to appeal to the Board of County Commissioners as provided in Section 6.

A. Tourist camps, subject to the following conditions:

1. Any lot to be used for a tourist camp in a residence district shall be not less than two (2) acres in area, and all cabins and other buildings or structures and all trailers and trailer sites in such tourist camp shall be distant not less than fifty (50) feet from every lot line.
2. The cabins or trailer sites in any tourist camp, together with any non-accessory buildings or other structures already on the lot, shall not occupy in the aggregate more than twenty-five percent (25%) of the area of the lot, and each lot used for a tourist camp shall contain not less than twenty-five hundred (2,500) square feet of area for each cabin or trailer site.
3. No retail business or merchandising, other than such as is incidental to the operation of a tourist camp and intended primarily for its occupants, shall be permitted in connection with any tourist camp in any Residence District.
4. No vehicular entrance to or exit from any tourist camp for more than ten (10) tourist cabins or trailers, wherever such tourist camp may be located, shall be within four hundred (400) feet along roads of any school, public playground, church, hospital, library, or institution for dependents or for children, except where such building or property is in another block or fronts on a road on

which such tourist camp will have no entrance or exit.

5. Public or community water supply and sanitary sewage collection and disposal facilities shall be available and provided to each site. Such water and sewage collection and disposal facilities shall be subject to approval by the County Health Officer.

B. Business of garbage feeding of hogs, fur farms, veterinary hospitals, kennels, airports, sewage and refuse disposal areas and facilities; and public utility structures or facilities not included among Residence District Uses; provided none of these uses or any other having, in the opinion of the Commission, similar characteristics, shall be authorized by the Commission if located within a distance of 200 feet of any building used as a residence which is not on the same lot as the said use, or of any school, church or institution for human care, or within such greater distance and subject to such conditions respecting location, design and operation as the Commission may deem necessary to effectively further the purposes of this Ordinance.

SECTION 8. - SET-BACK LINES AND SIDE YARDS REQUIRED. Along any State or U.S. numbered highway, no building or structure, including outdoor advertising signs or billboards where permitted, shall be located within sixty (60) feet of the present right-of-way line of such highway or the proposed right-of-way line in those instances where a highway widening or relocation plan has been officially adopted and an attested copy filed for reference in the office of the County Planning and Zoning Commission. On all through county roads, no building or structure, including outdoor advertising signs or billboards where permitted, shall be located within eighty (80) feet of the present center line of such road, or the proposed center line as established by the Board of County Commissioners or its authorized agent. On all other roads no building or structure, including outdoor advertising signs or billboards where permitted, shall be located within thirty-five (35) feet of the established right-of-way line, nor less than sixty (60) feet from the established center line, of such road. On a corner lot, no building or structure, including outdoor advertising signs or billboards where permitted, shall be located within less than thirty-five (35) feet of the established right-of-way line, nor less than sixty (60) feet of the established center line, of the intersecting road.

The foregoing requirements shall not apply in a case where there is at least one existing principal building on each side of the lot or tract proposed to be built upon, on the same side of the road and within two hundred (200) feet of the center line of such lot or tract (except across an intersecting road). In such case, the setback required for the proposed building or structure shall be the average of the setback distances of the existing buildings located within said two hundred (200) feet, but not less than fifty (50) feet from the center line.

On every lot occupied by a dwelling, and on that side of every other lot which adjoining a dwelling lot, no building or structure,

including outdoor advertising signs or billboards where permitted, shall be located within ten (10) feet of the side lot line or within twenty (20) feet of another dwelling; except that accessory buildings located at least 100 feet back from the front lot line may be located within not less than three (3) feet of the side lot line.

The foregoing setback requirements shall not apply to fences, utility poles, gas regulators, and other public utility equipment of a similar nature, which are a necessary and incidental part of a public utility line running along, across, or adjacent to a road; and no Zoning Certificate shall be required for the erection, placement, or replacement of any such structure.

In specific cases where there exist special and peculiar conditions pertaining to the lot or tract, such that the strict enforcement of these requirements will result in unwarranted hardship and injustice, the Board of Appeals may authorize, upon appeal filed as required by its rules, such variation from the foregoing setback and yard requirements as will not be contrary to the public interest and will most nearly accomplish the purpose and intent of this Ordinance.

SECTION 9. CERTAIN BUILDINGS AND LAND USES EXCEPTED.

Existing Buildings and Uses. Any building or other structure or use of land, including seasonal use, lawfully existing at the time of the enactment of this Ordinance may be continued, even though such building, structure or use of land does not conform with the provisions hereof.

Any such building or structure which may become damaged or destroyed by fire or other disaster may be repaired or restored to its previous condition.

Residence District Uses. Except for compliance with the requirement in Section 4 that it be located on a lot of adequate size and the setback lines and yards required in Section 8, as well as the certificates required in Sections 10 and 11, nothing in this Ordinance shall prohibit the locating, erection, or construction, reconstruction, enlargement, or use of any building or other structure for any residence district uses as hereinbefore defined, or the use of any land for any such uses.

Agricultural Uses. Except for compliance with the setback lines required in Section 8, nothing in this Ordinance shall prohibit the use of any land for agricultural purposes or the construction or use of buildings or structures incident to the use for agricultural purposes of the land on which such buildings or structures are located, or the construction and use of dwellings on a farm by the owner thereof and members of his immediate family for their use.

Mines and Quarries. A non-conforming extractive type of use, such as a mine, quarry, or gravel pit, which cannot be continued without being extended gradually over a larger area, may be extended within the property acquired or under option for such use prior to January 10, 1962, but not to within less than fifty (50) feet of any public road or any adjoining property in the residence district, and in no case closer

than one hundred (100) feet to any building on an adjoining property; and such continuation or extension of use may include the alteration, enlargement, or re-location of existing structures or the erection of additional structures necessary to such use, within the aforementioned limits of area.

SECTION 10. - ZONING CERTIFICATE REQUIRED. Except as provided in Section 9, it shall be unlawful (1) to use or permit the use of any building or other structure or part thereof, hereafter located, erected or constructed, changed, converted, or enlarged, wholly or partly, in its character of use or structure, or (2) to change the use or permit the change of use of any building, structure or land, until a Zoning Certificate (and in the cases hereinbefore specified, also a Special Zoning Permit), shall have been issued by the County Zoning Inspector. Such Zoning Certificate shall show that the proposed building or other structure or part thereof and the proposed use thereof, or the proposed use of the land or premises, conforms with the provisions of this Ordinance. It shall be the duty of the County Zoning Inspector to issue a Zoning Certificate if he is satisfied that the building or other structure and the proposed use thereof, or the proposed use of the land or premises, conforms with all the requirements herein set forth. No Zoning Certificate shall be issued, however, until certificates shall have been issued by (a) the County Health Officer approving the proposed methods of water supply and disposal of wastes, and (b) the County Roads Engineer, or the State Roads Commission Resident Maintenance Engineer, as the case may be, approving the location and design of any driveways and drainage structures that are to connect with any public roads under their respective jurisdictions.

SECTION 11. - FILING OF APPLICATIONS. Application for a Zoning Certificate shall be made coincident with the application for a building permit where such is required. Every application for Zoning Certificate, whether in connection with a building permit or not, shall be accompanied by a plat drawn to scale, showing the actual shape and dimensions of the lot to be built upon, the exact size and location on the lot of existing buildings and structures, and the lines within which the proposed building or structure and driveways shall be located or altered, the existing and intended use of each building or part of a building, and such other information with regard to the lot and neighboring lots and their use as may be necessary to determine and provide for the enforcement of this Ordinance.

SECTION 12. - ENFORCEMENT. The provisions of this Ordinance shall be enforced by the County Zoning Inspector. Appeal from any action of the County Zoning Inspector may be made to the Board of Appeals as provided herein.

SECTION 13. - COUNTY ZONING INSPECTOR. There is hereby established the office of County Zoning Inspector. The Board of County Commissioners may designate any existing County official or employee to serve in this capacity or may appoint another as Inspector.

SECTION 14. - BOARD OF APPEALS. The Queen Anne's County Board

of Zoning Appeals established heretofore in accordance with Section 22 of Article 66-B, the Annotated Code of Maryland, is hereby re-established and re-appointed to serve in accordance with the terms of office, powers and duties prescribed in said Section 22.

Appeals to the said Board of Appeals may be taken by any person aggrieved or by any Officer, Department, Board or Bureau of the County affected by any action of the County Zoning Inspector, pursuant to the provisions of Article 66B, Section 22 of The Annotated Code of Maryland.

The Board of Appeals shall fix a reasonable time for the hearing of an appeal, shall give at least ten days notice to the public and to the parties in interest, and decide the same within a reasonable time after it is submitted. Upon the hearing, any party may appear in person or by agent or attorney. Any party adversely affected by a decision of the Board of Appeals may appeal to the Circuit Court of Queen Anne's County in the manner set forth in said Section 22, on the grounds that such decision was illegal. The Court may affirm, reverse, vacate or modify the decision complained of in the appeal.

SECTION 15. - AMENDMENTS. Upon petition of one or more property owners, the Board of County Commissioners may establish, by ordinance, other Business Districts in addition to those determined by definition in Section 3 herein, provided said Board first refers such petition to the County Planning and Zoning Commission, receives its recommendations, gives public notice, and holds a public hearing thereon - subject to the following provisions:

- (a) That the area in question shall comprise at least five acres.
- (b) That appropriate maps indicating the boundaries, size, topography, and drainage characteristics of the proposed business district, its location in the county, its location in relation to surrounding development, major highways, public utilities, railroads, and major water resources, and a description of the proposed use of such land, shall accompany said petition to be considered by the Planning Commission.
- (c) That the Planning and Zoning Commission shall carefully consider all documents and testimony relating to the petition, make such investigations as it deems necessary, and recommend approval or disapproval to the Board of County Commissioners based upon the appropriateness of the proposed site for its intended use in terms of its size, its location with respect to resources and facilities, the character of its terrain, its location with respect to surrounding development and population centers and a desirable pattern of development for the locality in general, and any other considerations pertinent to the petition under review.
- (d) That there be a public need, in the judgment of the Board of County Commissioners, for the commercial or industrial use or uses to be established in the proposed Business District, or for the proposed business or industrial sites, in order to serve the neighborhood or

community, to afford additional employment in commerce or industry of a type advantageous to the economy of the County and desirable in other respects as well, or to further sound economic development.

(e) That the Board of County Commissioners, upon recommendation by the Planning and Zoning Commission, shall stipulate either performance standards for the type of development to be permitted within the Business District or the specific uses to be permitted therein.

(f) That the establishment of any such business district by the Board of County Commissioners shall become void unless the entire development is started and completed within such time as may be determined by the Board of County Commissioners; provided, that where a business or industrial site is held in public ownership or by a non-profit industrial development corporation, for development and use in accordance with an economic development plan, such time limits need not be applied. In no case, however, shall the designation of a new Business District under this Section be deemed to create an established right by which the property in any such District must necessarily be included in a business or industrial district established under any permanent comprehensive Zoning Ordinance. All new Business Districts established under the provisions of this Interim Zoning Ordinance shall be deemed to be solely for the purpose of meeting the needs of the county for new business or industrial facilities during the period of this Ordinance or of encouraging and providing for desirable types of economic growth.

SECTION 16. - VIOLATIONS AND PENALTIES. As provided in Section 34 of said Article 66-B of the Annotated Code of Maryland, any person, firm or corporation violating any provision of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than One Hundred Dollars (\$100.00), nor more than One Thousand Dollars (\$1000.00), or may be imprisoned in the County Jail for a period of not more than thirty (30) days, or may be subject to both such fine and imprisonment in the discretion of the Court. Each and every day during which such illegal locating, erection, construction, reconstruction, enlargement, change, or use continues may be deemed a separate offense.

SECTION 17. - SAVING CLAUSE. Should any section or part of a section or provision of this Ordinance be declared invalid or unconstitutional by a court of competent jurisdiction, this shall not affect the validity of any other section, part of section, or provision of this Ordinance, or the Ordinance as a whole, other than the part so declared to be invalid or unconstitutional.

SECTION 18. - EFFECTIVE DATE. This Ordinance shall take effect

and be in full force on and after January 10, 1962.

APPROVED and ADOPTED this 9th day of January, 1962.

THE COUNTY COMMISSIONERS OF QUEEN ANNE'S
COUNTY

ATTEST: FRANCES C. LEGG
(Frances C. Legg) Clerk

By: S. GRAYSON CHANCE
(S. Grayson Chance) President

TRUE COPY, TEST:

Frances C. Legg
(Frances C. Legg)
Clerk of The County Commission-
ers of Queen Anne's County

COUNTY ORDINANCE NO. 8

ORDINANCE AMENDING INTERIM ZONING ORDINANCE NUMBER THREE

WHEREAS The County Commissioners of Queen Anne's County adopted Zoning Ordinance No. 3, effective January 10, 1962, with an accompanying request that the Planning and Zoning Commission take steps to determine exactly what, if any, hardship the Ordinance might impose on existing subdividers where lots have been sold or homes built, and after several conferences with subdividers, the Planning and Zoning Commission has obtained information showing that a good proportion of lots in many of the existing subdivisions have been sold, frequently in irregular patterns; and

WHEREAS it therefore appears to the County Commissioners that no substantial advantage will be attained by attempting to raise the standards within the existing subdivisions by imposing minimum lot areas or road frontages and that any such attempt would result in unnecessary hardship and unreasonable inconvenience and incur serious delay to the subdividers, as well as raise many difficult administrative problems in proportion to the small benefits to be gained; and

WHEREAS the Commissioners recognize that in the future it is likely that public water facilities, public sewer facilities, or both, will become necessary in order to serve many of the existing subdivisions; and

WHEREAS, for the above practical reasons, in view of the fact that this is an Interim Zoning Ordinance only, the Commissioners deem the following amendments desirable even though the laying out of lots in existing subdivisions did not itself create any vested legal right to exemption from zoning regulations;

NOW, THEREFORE, BE IT ORDAINED that Zoning Ordinance No. 3, Section 4 be amended by deleting the two (2) paragraphs designated "(a)" and "(b)" and substituting therefor the following:

EXCEPT:

(a) That any lot of official record as of the 10th day of January, 1962, and in separate ownership from any adjacent lot, and any lot shown on a subdivision plat recorded on or after January 10, 1961, may be used for a single family dwelling irrespective of its areas or frontage subject to approval by the Health Officer as hereinafter provided.

(b) That in any subdivision, the plat or plan revision or amendment thereof, being recorded prior to January 10, 1961, (a) in which any lot or lots have been sold by bona fide contract, or conveyed to any purchaser by deed, within twenty-four months immediately preceding the effective date of this Ordinance, or (b) in which ten percent (10%) or more of the lots shown on said plat or plats shall have been sold by bona fide contract, whether or not consummated by deed, or (c) in which a substantial amount of roads shall have been laid out and actually constructed; any lot shown thereon may be used for a single family dwelling irrespective of its area or frontage, subject to the approval

of the Health Officer as hereinafter provided.

(c) Any developer or subdivider wishing to take advantage of paragraph "(b)" above shall, before July 1, 1962, file with the Planning & Zoning Commission, a statement under oath showing (1) the titling place and date of record of the subdivision plat or plan, and (2) the number of lots sold as of January 10, 1962, by a bona fide contract of sale, or (3) the number of lots as to which contracts shall have been consummated by deed as of January 10, 1962 or (4) conveyances and sales, if any, within 24 months prior to January 10, 1962, or (5) the lineal feet of roads which have been laid out and actually constructed, and the location thereof. If the Commission questions the correctness of any such statement, it shall conduct a hearing at which the developer or subdivider shall be required to appear and be sworn, and to produce testimony and documentary evidence supporting such statement. Within a reasonable time after receipt of such statement or after hearing, if a hearing is held, the Commission, it if shall have granted such exception, shall issue to the developer or subdivider a "Certificate of Exemption" as to such subdivision plat or plan in such form as to be entitled to be recorded among the Land Records of Queen Anne's County.

ADOPTED and MADE EFFECTIVE, this 17th day of April, 1962.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

FRANCES C. LEGG
(Frances C. Legg) Clerk

By S. GRAYSON CHANCE
(S. Grayson Chance) President

TRUE COPY, TEST:

Frances C. Legg
(Frances C. Legg)
Clerk of The County Commissioners
of Queen Anne's County

COUNTY ORDINANCE NO. 9

Upon petition of John Dudley Sparks and Clara Ann Kirkley for the establishment of a business district filed May 1, 1962 and the recommendation of the Queen Anne's County Planning and Zoning Commission;

BE IT ORDAINED that the following described parcels of land be and they are hereby designated as a "Business District".

PARCEL NO. 1 - All that tract or parcel of land being a part of the John Dudley Sparks Lands, Fourth District,

Beginning for the same at a point on the Northerly right-of-way line of U. S. Route #301 (200' wide), Said point being 100' measured radially from station #474 + 06 as shown on State Road Commission plat #8494. And running, thence, by and with the right-of-way lines as shown on the aforementioned State Road Commission plat #8494, North 43 degrees 10 minutes 20 seconds West - 82.49' to a point (end of denied access), and North 02 degrees 24 minutes 10 seconds East - 82.89 feet to a point on the Easterly side of a public road (50' wide); thence, by and with the Easterly right-of-way line of said road, North 06 degrees 39 minutes 50 seconds East - 187.04' to a point and the Southwest corner of the lot now or formerly of Lewis; thence, by and with said Lewis lot and leaving said public road, South 81 degrees 32 minutes 20 seconds East 195.00' to a point, North 06 degrees 29 minutes 30 seconds East - 75.00' to a point, and North 80 degrees 04 minutes 10 seconds West 195.00' to the Easterly right-of-way line of the aforementioned public road; thence, by and with said public road, North 06 degrees 39 minutes 50 seconds East - 85.31' to a point and a corner of the Gardiner lot; thence, by and with said Gardiner lot, South 77 degrees 03 minutes 40 seconds East - 241.28 feet to the Lee Bell lands; thence, by and with said Bell lands, South 46 degrees 03 minutes 30 seconds East - 646.55' to the Northerly right-of-way line of the aforementioned 200' wide U. S. Route #301; thence, by and with said line of right-of-way (denied access), along an arc the length of which is 689.10', the radius of which is 5829.58' and the chord of which is North 89 degrees 11 minutes 20 seconds West - 688.70' to the place of beginning. Containing in all 4.699 acres of land, more or less.

Being a part of the John Dudley Sparks lands as described in a deed recorded in the Land Record Books of Queen Anne's County, W.H.C. 2A, Folio 515. And all of that land Quit Claimed by the State Road Commission, see T.S.P. 16, Folio 111. As surveyed by J. R. McCrone, Jr., Inc., April, 1962.

NOTE: The above description includes a house lot having the frontage of 85.31' on a public road and an area Quit Claimed by the State Roads Commission which is enclosed in the Denny title, see T.S.P. 50, Folio 278.

PARCEL NO. 2 - All that tract or parcel of land being the Clara Ann Kirkley tract, Fourth District.

Beginning at an iron pipe driven on the Westerly side-line of

the County Road, leading through the Village of Chester to "Old Point", where said side-line is intersected by the Right-of-way line of the Northwest approach apron on the New State Highway (now under construction); Thence: (1) With said approach apron, South 46 degrees, 34 minutes West, 96.85' to an iron pipe and the Northerly line of the main Right-of-Way of said New State Highway; Thence: (2) With said Northerly side-line and on a curve with a radius of 5,629.58' the chord of which bears South 85 degrees 11 minutes West 338.03' to an iron pipe and the Easterly line of lands reserved by Lillie J. Tanner et al; Thence: (3) With said reserved land, North 4 degrees 49 minutes West, 300.0' to an iron pipe; Thence: (4) Still with the reserved lands aforesaid, North 84 degrees 50 minutes East, 465.95' to an iron pipe on the Westerly side-line of the County Road, herein before first mentioned; Thence: (5) With the Westerly side-line of the said Road, South 7 degrees 46 minutes West, 240.0' to the place of beginning--containing 2.915 A.).

The above described lot or parcel of land being more particularly shown upon a map made by the subscribers entitled:--"MAP SHOWING TANNER FARM LOT PURCHASED BY FREDERIC WINTHROP AT THE VILLAGE OF CHESTER, QUEEN ANNE COUNTY, MARYLAND. Scale:--100' to 1", August, 1950. Deed recorded in the Land Record Books of Queen Anne's County, T.S.P. 5, Folio 464.

ADOPTED and MADE EFFECTIVE, the 29th day of May, 1962.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

FRANCES C. LEGG
(Frances C. Legg) Clerk

By S. GRAYSON CHANCE
(S. Grayson Chance) President

TRUE COPY, TEST:

Frances C. Legg
(Frances C. Legg)
Clerk of The County Commissioners of Queen Anne's
County

COUNTY ORDINANCE NO. 10

Upon petition of James T. Anthony, III, Alday M. Clements, George H. Skeggs, et al., for the establishment of a business district filed May 2, 1962 and the recommendations of the Queen Anne's County Planning and Zoning Commission;

BE IT ORDAINED that the following parcels of land be and they are hereby designated as a "Business District":

A Lot, Parcel or Tract of Land, situated, lying and being in Kings Town, the Second Election District of Queen Anne's County, State of Maryland, lying on the northeasterly side of the Chestertown to Church Hill Road (Route 213) and composed of the lands of Carroll, James T. Anthony III and those of George Skeggs. Being more particularly described as follows--that is to say:

Beginning at a point on the northeasterly line of the aforementioned State Road and at the southwesterly corner of the Carroll Lot and running (1) Thence by and with the line of the aforementioned State Road the six following courses and distances: South 52 degrees 54 minutes East, 218.70 feet, more or less to a point; South 50 degrees 29 minutes East, 125.40 feet to a point on the centerline of a private road; South 45 degrees 09 minutes East, 217.90 feet to a point; South 42 degrees 36 minutes East, 128.80 feet to a point on the centerline of a public road leading northeasterly at this point; North 50 degrees 02 minutes East, 05.00 feet along the centerline of the said public road; South 42 degrees 36 minutes East, 227.00 feet to a concrete monument set at the southwesterly corner of the Stephen R. Collins Lands and the southeasterly corner of the George Skeggs lot;

(2) Thence by and with the lands of the said Stephen R. Collins North 50 degrees 02 minutes East, 350.00 feet to a point on the division line therein established of the George Skeggs' Lands;

(3) Thence by and with the said division line North 42 degrees 36 minutes West, 227.00 feet, more or less, to the centerline of the aforementioned public road;

(4) Thence by and with the centerline of the aforementioned public road North 50 degrees 02 minutes East, 101.80 feet to a point on the division line of the Anthony Lands;

(5) Thence by and with the said division line of the Anthony lands the five (5) following courses and distances: North 42 degrees 24 minutes West, 145.30 feet to a concrete marker; South 50 degrees 14 minutes West, 168.20 feet to a concrete marker; North 43 degrees 18 minutes West, 207.20 feet to a point on the centerline of the aforementioned private road; South 47 degrees 59 minutes West, 157.70 feet to a point; North 47 degrees 49 minutes West, 250.00 feet to a point on the easterly line of the Carroll Lands;

(6) Thence by and with the said Carroll Lands the two (2)

following courses and distances: North 47 degrees 49 minutes West, 105.70 feet, more or less, to a point; South 44 degrees 11 minutes West, 150 feet, more or less, to the point of beginning;

Containing in all:

Carroll Lot - 0.373 Acres, more or less

Anthony Lot - 3.734 Acres, more or less

Skeggs Lot - 1.823 Acres, more or less

5.930 Acres total, more or less

ADOPTED and MADE EFFECTIVE, this 31st day of July, 1962.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

FRANCES C. LEGG
(Frances C. Legg) Clerk

By S. GRAYSON CHANCE
(S. Grayson Chance) President

TRUE COPY, TEST:

Frances C. Legg
(Frances C. Legg)
Clerk of The County Commissioners
of Queen Anne's County

COUNTY ORDINANCE NO. 11

ORDINANCE AMENDING ZONING ORDINANCE NO. 3
INTERIM QUEEN ANNE'S COUNTY ZONING ORDINANCE

WHEREAS, The County Commissioners of Queen Anne's County, pursuant to the provisions of Article 66B of the Annotated Code of Md. (1957) as amended, have adopted Zoning Ordinance No. 3, Interim Queen Anne's County Zoning Ordinance; and

WHEREAS, the Queen Anne's County Planning & Zoning Commission has approved and recommended the following amendments be made to said Zoning Ordinance No. 3; and

WHEREAS, The County Commissioners of Queen Anne's County on September 4, 1962 held a public hearing on the recommended amendments, said hearing having been duly advertised; and

WHEREAS, The County Commissioners of Queen Anne's County believe and find it desirable to amend certain regulatory provisions of Zoning Ordinance No. 3 by adding thereto the following designated sub-sections and section:

SECTION 1. BE IT ORDAINED AND ENACTED by The County Commissioners of Queen Anne's County that the following new sub-section to Section 3 of Zoning Ordinance No. 3 is hereby adopted to be designated and read as follows:

N. ROAD FRONTAGE - The width of a lot measured at right angles to its center line, at the right-of-way line of the road on which it fronts or at the required building set-back line, whichever is greater.

SECTION 2. AND BE IT FURTHER ORDAINED AND ENACTED by The County Commissioners of Queen Anne's County that a new sub-section be added to Section 9 of Zoning Ordinance No. 3 to be entitled "Temporary House Trailers and Buildings" and to follow after sub-section designated "Mines and Quarries" is hereby adopted, to read as follows:

Temporary House Trailers and Buildings. A house trailer, office trailer, or other temporary building may be permitted by the issuance, by the Planning and Zoning Commission, of a Special Zoning Permit for its temporary use during construction of a permanent dwelling or other principal building on the premises; provided, that such construction is being done by a responsible contractor or builder under a contract having a definite completion date, and that such trailers or other temporary buildings shall be removed upon completion of construction. In issuing any such permit, the Commission may stipulate a reasonable removal date and may attach any reasonable conditions judged to be required for the protection of neighboring property rights and the general welfare. No public hearing shall be required.

SECTION 3. AND BE IT FURTHER ORDAINED AND ENACTED by The County Commissioners of Queen Anne's County that the following new section to be designated as Section 7-A of Zoning Ordinance No. 3 is hereby adopted:

SECTION 7-A. - TRAILER HOUSES IN RESIDENCE DISTRICT.

It shall be unlawful to locate or erect any trailer house or mobile home within any Residence District as hereinbefore defined, for occupancy as a dwelling, unless such structure and its location meet the following qualifications and conditions:

(a) It may be located on a farm if occupied by the owner thereof or members of his immediate family, or by persons engaged primarily in the operation of such farm, provided that every such trailer house or mobile home shall be located either in the farm building group or at least four hundred (400) feet from any permanent dwelling on adjacent property, and shall comply with the setback requirements in Section 8.

(b) If not located on a farm as provided above, it shall be located (1) in an area in which at least thirty per cent (30%) of the lawfully existing dwellings within a radius of five hundred (500) feet of the trailer site are trailer houses or mobile homes, provided there shall be at least three (3) such existing trailer houses or mobile homes; or (2) in an area that may be found by the Planning and Zoning Commission, on application and evidence presented by the applicant, and after public notice and hearing as provided for in SECTION 7, to be of such general character and value that trailer houses or mobile homes in such area would not be likely to depreciate the area but would be appropriate to its character.

(c) It shall be designed for occupancy by not more than one family.

(d) It shall be mounted on a permanent foundation, with finished enclosure all around.

(e) It shall have a gross floor area of not less than two hundred fifty (250) square feet, except where located on a farm in compliance with paragraph (a) above in which case no minimum size is required.

(f) It shall comply in all other respects with the requirements herein for dwellings, except where located on a farm in compliance with paragraph (a) above.

ADOPTED AND MADE EFFECTIVE, this 4th day of September, 1962.

THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY

FRANCES C. LEGG By S. GRAYSON CHANCE
(Frances C. Legg) Clerk (S. Grayson Chance) President

TRUE COPY, TEST:
Frances C. Legg
(Frances C. Legg) Clerk of The County Commissioners of Q. A.'s Co.

COUNTY ORDINANCE NO. 12

The County Commissioners in conformity with their decision rendered on the 15th day of January, 1963, and for the reasons set forth therein, they having received satisfactory proof that the legal and equitable title of Pioneer Point Farms as previously vested in Funkhouser Industries, Inc., Bev-Vend, Inc., and Raymond J. Funkhouser was transferred to United Nuclear Corporation on February 4, 1963, by motion made by Mr. Thomas, seconded by Mr. Coleman and unanimously carried, it was

RESOLVED that the following Ordinance be adopted, to be effective immediately:

BE IT ORDAINED that a new business district be created within the following metes and bounds, courses and distances, as set down on a plat by J. R. McCrone, Jr., Inc., Registered Engineers and Surveyors, on January 10, 1963, to wit:

BEGINNING for the same at a point on the northerly side of an existing fifty (50) foot road leading from the State Road through Pioneer Point Farms, of which the herein described is a part, said point being located North 05 degrees 58 minutes East 6.7 feet and thence North 70 degrees 44 minutes West 513.78 feet from a 14" by 14" concrete post on the west side of said State Road and in the South 05 degrees 58 minutes West 1170.7 foot line of Parcel #4 as shown on a plat entitled "Pioneer Point Farm" showing various divisions of same in Corsica Neck, Third District, Queen Anne's County, Md., as prepared by J. B. Metcalfe, Engineer and Surveyor, and dated June 1955, Revised January 1958, said concrete post being also in the division line as described in B.H.T. 11, Folio 355 and in B.H.T. 11, Folio 359, Land Records of Queen Anne's County;

THENCE from the place of beginning so fixed and running with the northerly side of said existing fifty (50) foot road leading through "Pioneer Point Farms", and with part of the North 70 degrees 44 minutes West 2789.8 foot line as shown on the abovementioned plat, North 70 degrees 44 minutes West 270 feet; thence leaving said road and said line, and running for lines of division across Pioneer Point Farms with a line drawn parallel to and 500 feet more or less westerly from the west side of a 50 foot road (or right of way) leading from the first abovementioned 50 foot road across Parcel #4 to the parcel designated Lot #18 as shown on said Plat, North 04 degrees 33 minutes West 2940 feet to a point located 1000 feet southerly from the existing shore line of Corsica River; thence continuing for lines of division, North 64 degrees 10 minutes West 1450 feet; thence South 75 degrees 35 minutes West 570 feet; thence South 66 degrees 49 minutes West 2180 feet to intersect the easterly side of an existing 50 foot road; thence running with the easterly side of said road, North 23 degrees 11 minutes West 1005 feet to a concrete monument at the southernmost corner of Lot #5 as shown on said Plat; thence continuing with the easterly side of said road and with the westerly lines of Lots #5, #4, #2 and #6 as shown on said Plat, North 23 degrees 11 minutes West 1496.2 feet to the westerly corner of Lot #6 and to

the intersection formed by the easterly side of said 50 foot road with the southerly side of a 26 foot road or right of way, as shown on said Plat; thence leaving said 50 foot road and running with the northerly line of said Lot #6, along the south side of said 26 foot road or right of way, North 71 degrees 44 minutes East 693.3 feet to the southeast end of said road or right of way and to the northerly corner of said Lot #6; thence with the division line between said Lot #6 and Lot #1, as shown on said Plat, South 16 degrees 34 minutes East 159.9 feet; thence still with the division line between said Lot #6 and Lot #1 and also with the division line between said Lot #1 and an 0.855 acre lot lying adjacent hereto on the south, North 71 degrees 44 minutes East 220 feet, more or less, to intersect the shore line of Middle Quarter Cove on Corsica River, as shown on said plat; thence with said shore line and with the shore line of Corsica River, North 03 degrees 00 minutes West 310 feet; thence North 12 degrees 13 minutes 20 seconds West 630 feet; thence North 34 degrees 00 minutes East 230 feet; thence North 70 degrees 15 minutes West 500 feet; thence South 62 degrees 45 minutes West 550 feet; thence South 75 degrees 15 minutes West 1090 feet to the intersection formed by the shore line of said Corsica River with the North 17 degrees 55 minutes West 1227.1 foot, more or less, line of Lot #10 as shown on said Plat; thence leaving said shore line and running with part of said line, reversely, South 17 degrees 55 minutes East 1000 feet; thence leaving said line and running for lines of division, as aforesaid South 88 degrees 40 minutes West 725 feet; thence North 77 degrees 00 minutes West 425 feet; thence with a line crossing Robin Cove, South 42 degrees 55 minutes West 1585 feet; thence South 28 degrees 55 minutes West 1350 feet; thence South 31 degrees 30 minutes West 800 feet to intersect the North 67 degrees 25 minutes West 2111.2 foot line of Lot #16 as shown on said Plat; thence with part of said line, reversely, South 67 degrees 25 minutes East 1975 feet to the beginning thereof; thence with part of the North 27 degrees 30 minutes East 340.6 foot line, reversely, of said Lot #16, and with the center of a 50 foot road, South 27 degrees 30 minutes West 310 feet to intersect the north side of an existing 50 foot road leading through the said Pioneer Point Farms easterly to the first above-mentioned State Road; thence with the north side of said 50 foot road, North 87 degrees 00 minutes East 1390 feet to a point of curve; thence along the arc of a curve to the right, having a radius of 503 feet, for a distance of 497.48 feet to a point of tangency; thence with the northeast side of said 50 foot road, South 36 degrees 20 minutes East 530 feet; thence South 63 degrees 05 minutes East 355 feet to intersect the division line between Parcel #1 and Parcel #2 as shown on said plat; thence crossing said road and running with part of said division line, South 11 degrees 35 minutes West 1120 feet; thence leaving said division line and running South 63 degrees 10 minutes East 720 feet; thence South 88 degrees 30 minutes East 1401.66 feet and thence South 73 degrees 30 minutes East 2275.41 feet to intersect a line drawn parallel to and 25 feet northerly at right angles to the center line of the Public Road (Wrights Neck Road) leading from Centreville to Wrights Neck; thence running with said line, North 69 degrees 49 minutes East 1217.93 feet; thence leaving said road and running with a line drawn parallel to and 500 feet westerly at right angles from the aforementioned South 05 degrees 58 minutes West 1170.7 foot line (said line is also the west side of the aforementioned State

Road) as shown on said Plat, North 05 degrees 58 minutes East 1485 feet to the place of beginning; CONTAINING 896 acres, more or less, inclusive of all roads and/or rights of way.

SUBJECT to the following conditions:

1. That the following uses be permitted in the business district:

- a. Offices of an administrative or executive nature.
- b. Research, development and testing laboratories, including pilot plants or manufacturing processes incidental to or associated therewith.
- c. The processing, preparing or packaging of nuclear products of such types, by such processes and under such conditions, as may be approved in each case by the Atomic Energy Commission and the appropriate State regulatory bodies as being safe in close proximity to residential and agricultural surroundings.
- d. Fabrication and assembly of:
 - (1) Nuclear reactors and reactor components.
 - (2) Space equipment components (excluding rocket test stands or launching pads).
 - (3) Electronic equipment.
 - (4) Military Hardware components associated with nuclear or electronic devices.
- e. Warehouses for the storage of materials, tools, equipment and supplies incidental to or associated with the foregoing uses.
- f. Operation of small experimental reactors.
- g. A private aircraft runway not to exceed 4,200 feet in length and not to accommodate jet or turbine aircraft.
- h. Farming, forestry and other general agricultural uses.
- i. Accessory uses and structures, not of a type herein prohibited, customarily accessory and incidental to any permitted uses, subject to the same conditions.

2. That the following uses be prohibited in the new business district:

- a. Any punch presses or hammers of over twenty (20) tons rated capacity; any sawmill or planing mill; any heavy riveting equipment; any central mixing plant for asphalt, concrete or plaster, except when the same shall be located on the premises on a temporary basis while being used for current

construction; any boiler or tank works; any auto wrecking or other junk or salvage yard or business; any power plant or electric generating plant; any smelter, commercial petrochemical refinery, mining or fertilizer plant.

b. Any school, hospital, church, clinic or other institution for human care, or any retail business or service; provided, however, that any such use which is purely incidental and accessory to the permitted use shall be permitted, and any existing dwelling may continue to be used as such.

c. Any billboard or advertising sign, other than a suitable identification sign for each plant or establishment nor exceeding 150 square feet in area or a temporary sign of like size offering the property for sale or rent.

3. That the following conditions be required in the new business district:

a. All uses, processes and equipment employed and goods processed, tested, stored or sold, shall be limited to those which are not likely to become an annoyance or nuisance to residential or other developments in the vicinity or be detrimental to marine or wild life by reason of hazard, odor, dust, smoke, cinders, gas, fumes, noise, vibration, radiation, refuse matter or water-carried waste.

b. All processing, testing and storing shall be within completely enclosed buildings or otherwise out of sight.

c. Off-street parking areas shall be provided sufficient to accommodate the combined total number of employees on the two heaviest shifts, plus adequate areas for officials and visitors. ✓

d. All parking, loading and driveway areas shall be surfaced with a dustless all-weather material.

e. Storage facilities shall be provided for all company vehicles.

f. All buildings and structures including office buildings, gatehouses and the like shall be set back at least two hundred (200) feet from all boundaries of the business district and one hundred and fifty (150) feet from the center line of all existing roads as shown on the plat of the same which is attached hereto and one thousand (1000) feet from the Chester River and the Corsica River; except that any existing building within such distances may be used for office purposes or for research and development but not for manufacturing, and may be enlarged by not more than fifty (50) per cent. All setback lines have been delineated on the plat prepared by J. R. McCrone, Jr., Inc., hereinabove referred to as a part hereof, and are intended to be controlling. ✓

g. All buildings shall be substantially constructed of masonry or other fireproof construction, except sheet or corrugated

materials, and shall have finished exteriors.

h. All grounds shall be landscaped or maintained in a naturalistic condition, clean and presentable.

i. No building or structure shall exceed two (2) stories or thirty-five (35) feet in height except for the customary stacks, chimneys, poles, towers, penthouses, vents and the like, which may extend to not more than sixty (60) feet in height.

j. Buildings within the area shall not cover in the aggregate more than twenty (20) per cent of the gross site area.

4. Access roads must be provided at all times for the residents of Pioneer Point Farms. In the event the residents of Pioneer Point Farms are precluded from using any of the existing access roads, new access roads built to county specifications must be provided.

5. That the establishment of the instant business district shall become void unless the entire development is started and completed within five (5) years from the date of the passage of the ordinance.

ADOPTED and MADE EFFECTIVE, this 5th day of February, 1963.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

FRANCES C. LEGG
(Frances C. Legg) Clerk

By S. GRAYSON CHANCE
(S. Grayson Chance) President

TRUE COPY, TEST:

Frances C. Legg
(Frances C. Legg)
Clerk of The County Commission-
ers of Queen Anne's County

COUNTY ORDINANCE NO. 13

WHEREAS, The County Commissioners of Queen Anne's County, pursuant to the provisions of Article 66B of the Annotated Code of Md. (1957) as amended, have adopted Zoning Ordinance No. 3, Interim Queen Anne's County Zoning Ordinance; and

WHEREAS, the Queen Anne's County Planning & Zoning Commission has approved and recommended the following amendments be made to said Zoning Ordinance No. 3; and

WHEREAS, The County Commissioners of Queen Anne's County on March 21, 1963 held a public hearing on the recommended amendments, said hearing having been duly advertised; and

WHEREAS, The County Commissioners of Queen Anne's County believe and find it desirable to amend certain regulatory provisions of Zoning Ordinance No. 3 by adding thereto or deleting the following designated sub-sections and section:

SECTION 1. BE IT ORDAINED AND ENACTED by The County Commissioners of Queen Anne's County that the following new Definition be added in Section 3 of Zoning Ordinance No. 3 and is hereby adopted, to be designated and read as follows:

O. SIGN, ADVERTISING - Any structure or portion thereof, situated on private premises, on which lettered, figured or pictorial matter is displayed for advertising purposes, other than the name and occupation of the user of such premises or the nature of the business conducted thereon or the principal products sold or manufactured thereon.

SECTION 2. AND BE IT FURTHER ORDAINED AND ENACTED by The County Commissioners of Queen Anne's County that paragraph F. of Section 6 (advertising signs in Business Districts requiring special approval) and the paragraph that follows it be deleted, retaining the balance of Section 6.

SECTION 3. AND BE IT FURTHER ORDAINED AND ENACTED by The County Commissioners of Queen Anne's County that the following new section, to be designated as Section 6-A of Zoning Ordinance No. 3 is hereby adopted:

SECTION 6-A - ADVERTISING SIGNS OR BILLBOARDS IN BUSINESS DISTRICTS. Advertising signs and structures as defined in Section 3 may be located in Business Districts subject to the following conditions:

(a) No such sign structure shall have an area of more than 425 square feet per facing, exclusive of architectural trim and structural supports, and such architectural trim shall not increase the sign area by more than 40 percent. No such sign shall

have an over-all height of more than 25 feet above the natural ground level below the sign, or above the grade level of the adjacent road, whichever is higher. Only one face of a double-face or V-type sign structure shall be considered in computing square foot area.

(b) No such sign or structure shall be located less than 200 feet from any other advertising sign or structure on the same side of the road, except that such sign may be part of a double-faced or "V"-type structure where the interior angle of the "V" does not exceed 45 degrees; nor shall any such sign or structure be located less than 100 feet from any dwelling located in a Residence District.

(c) Advertising signs and structures, and all other signs, sign structures and similar devices, shall be subject to the following regulations:

(1) They shall be located so as not to obstruct or conflict with traffic sight lines or traffic control signs or signals, especially at traffic intersections. Signs visible from a public road shall not contain the word "stop" or "danger", or otherwise simulate highway traffic or other official signs.

(2) No lighting shall be permitted, of signs or for advertising purposes, which is of a flashing, intermittent, rotating, or other animated type, or which simulates that of any police or emergency vehicle, or which tends to blind or distract an approaching motorist or shine directly into a dwelling in any Residential District.

SECTION 4. AND BE IT FURTHER ORDAINED AND ENACTED by The County Commissioners of Queen Anne's County that the following new section, to be designated as Section 7-B of Zoning Ordinance No. 3, is hereby adopted:

SECTION 7-B. DIRECTIONAL SIGNS IN RESIDENCE DISTRICT.
Directional signs displaying only the name, nature and location of (a) one or more establishments located in Queen Anne's County which offer travelers accommodations, meals, supplies and/or other similar services or locally produced specialties, or (b) real estate developments, industries, churches, parks, historical shrines or buildings, or other features or institutions of note, located in Queen Anne's County, may be located in the Residence District subject to the following conditions:

(1) No such sign whether single-faced or double-faced shall exceed 25 square feet in size (exclusive of mountings) or 10 feet in over-all height.

(2) No such sign shall be located less than 500 feet from any other sign on the same side of the road, nor less than 200 feet from any dwelling, school, church, institution for human care, or public building or shrine (unless such sign

pertains to such building or use and is on the same lot therewith), nor less than 100 feet from any intersecting road.

(3) Such signs shall be limited to one for each establishment advertised, in each direction from the establishment along each road, and within a three-mile radius of the establishment.

(4) Such signs shall not be subject to the set-back requirements in Section 8.

SECTION 5. AND BE IT FURTHER ORDAINED AND ENACTED by The County Commissioners of Queen Anne's County that the following new section, to be designated as Section 8-A of Zoning Ordinance No. 3, is hereby adopted:

SECTION 8-A. TOURIST CAMPS IN BUSINESS DISTRICTS. Every tourist camp hereafter located, erected, constructed, or enlarged in any Business District as hereinbefore defined, shall be made to comply with the following conditions:

(1) Every lot used for a tourist camp shall contain not less than twenty-five hundred (2,500) square feet of area for each cabin or trailer site, and shall front for at least fifty (50) feet on a street or road or the setback line.

(2) The cabins or trailer sites in any tourist camp, together with any non-accessory buildings or other structures already on the lot, shall not occupy in the aggregate more than twenty-five per cent (25%) of the area of the lot, and all cabins and other buildings or structures and all trailers and trailer sites in such tourist camp shall be distant not less than forty (40) feet from every lot line, except where protected by a solid fence or wall at least six (6) feet high in which case such distance need not exceed fifteen (15) feet.

(3) No retail business or merchandising, other than such as is incidental and subordinate to the operation of a tourist camp and intended primarily for its occupants, shall be permitted on the same lot with a tourist camp. A small grocery store, community building, automatic laundry, beauty shop, or similar use meeting the foregoing requirements may be permitted. Any other non-residential use or building shall be considered as being on a separate lot, the area and frontage of which shall not be counted as part of the tourist camp lot.

(4) No vehicular entrance to or exit from any tourist camp for more than ten (10) tourist cabins or trailers shall be within four hundred (400) feet along roads of any school, public playground, church, hospital, library or institution for dependents or for children, except where such building or property is in another block or fronts on a road on which such tourist camp will have no entrance or exit.

(5) Public or community water supply and sanitary

sewage collection and disposal facilities shall be available and provided within each dwelling unit and to each trailer site. Such water and sewage collection and disposal facilities shall be subject to approval by the County Health Officer.

SECTION 6. AND BE IT FURTHER ORDAINED AND ENACTED by The County Commissioners of Queen Anne's County that Section 11 of Zoning Ordinance No. 3 be amended by the addition of the following:

The following fees are required:

(a) A fee of Two Dollars (\$2.00) for the issuance of a Zoning Certificate and/or Building Permit for alterations or additions to existing buildings.

(b) A fee of Five Dollars (\$5.00) for the issuance of a Zoning Certificate and/or Building Permit for new construction.

(c) A filing fee of One Hundred Dollars (\$100.00) for petitions for the establishment of new business districts under Section 15 of Interim Zoning Ordinance No. 3.

ADOPTED AND MADE EFFECTIVE, this 21st day of March, 1963.

THE COUNTY COMMISSIONERS OF QUEEN
ANNE'S COUNTY

FRANCES C. LEGG
(Frances C. Legg) Clerk

By S. GRAYSON CHANCE
(S. Grayson Chance) President

TRUE COPY, TEST:

Frances C. Legg
(Frances C. Legg) Clerk
of The County Commissioners
of Queen Anne's County

County Ordinance No. 14

COMPREHENSIVE ZONING ORDINANCE

Queen Anne's County, Maryland

ADOPTED this 16th day of June, 1964.

Approved April 29, 1964, by the
County Planning and Zoning Commission
and Recommended for Adoption to
The Board of County Commissioners
on April 29, 1964.

Prepared with the Assistance of
Julian Tarrant, Consultant
Richmond, Virginia

Financed in part through an Urban Planning Grant
from the Housing and Home Finance Agency, under
the provisions of Section 701 of the Housing Act of 1954,
as amended.

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QUEEN ANNE'S COUNTY ZONING ORDINANCE

An ORDINANCE passed under and by virtue of the power and authority of Article 66-B, Annotated Code of Maryland, 1957 Edition, as amended, to be known as Queen Anne's County Zoning Ordinance.

WHEREAS, the Queen Anne's County Planning and Zoning Commission, created on the 17th day of February, 1961 by Ordinance of the County Commissioners, in compliance with said law and ordinance, has made a comprehensive study of present conditions and expected future growth of Queen Anne's County and has drawn up a Master Plan for said County and a Zoning Ordinance based on such plan.

NOW THEREFORE, the County Commissioners of Queen Anne's County having complied with the procedural and substantive prerequisites of Article 66B, Annotated Code of Maryland, 1957 Edition, as amended, hereby adopt and do ordain the following as the Queen Anne's County Zoning Ordinance.

Article 1
PURPOSE

1.00 The purpose of this ordinance is to promote the health, safety, morals and the general welfare of the community, by regulating and restricting the height, number of stories, and size of buildings and other structures, the percentage of lot that may be occupied, the size of lots, yards, courts, and other open spaces, and the location and use of buildings, structures, and land for trade, industry, residence, and other purposes; to provide for adequate light and air; to prevent congestion and undue crowding of land; to secure safety from fire, panic, and other dangers; to conserve the value of property, to provide adequately for schools, parks, and other public requirements, and for other purposes.

Article 2
APPLICATION AND INTERPRETATION

2.10 TERRITORY AFFECTED. This Ordinance shall apply to all lands, buildings, and properties lying in the unincorporated territory of Queen Anne's County, including any submerged lands, water areas, or islands.

2.20 INTERPRETATION OF PROVISIONS. In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements, not intended to prohibit the use or application of higher standards; but where this Ordinance imposes a greater restriction than is imposed or required by other provisions of law or by other rules, regulations, or ordinances, or by private restrictions, the provisions of this Ordinance shall control.

Article 3

DEFINITIONS

3.00 In the interpretation and construction of this Ordinance, certain words and phrases shall be understood to have particular or limited meanings as herein defined, except where the context otherwise requires. In general, the singular number shall include the plural, and the plural the singular; the word "building" shall include the word "structure"; the word "used" shall include arranged, designed, constructed, altered, converted, rented, leased, or intended to be used; and the word "shall" is mandatory and not directory.

3.01 Accessory Use or Structure: A use or structure subordinate to the principal use of a building on the same lot and serving a purpose customarily incidental to the use of the principal building or land use.

3.02 Agriculture: The use of land for agricultural purposes, including farming, dairying, pasturing, apiculture, horticulture, floriculture, viticulture, forestry, tree farming, and animal and poultry husbandry, and the necessary accessory uses for packing, treating, or storing the produce; provided however, that the operation of any such accessory uses shall be secondary to that of normal agricultural activities and provided further that the above uses shall not include the business of garbage feeding of hogs or other animals, or fur farms, or the raising of such animals as rats, mice, monkeys, and the like for use in medical or other tests or experiments.

3.03 Alley: A public or private way affording secondary means of access to abutting property.

3.04 Basement: A story where the floor is more than twelve (12) inches, but not more than half of its story height, below the average level of the adjoining ground (as distinguished from a "cellar" which is a story more than one-half below such level).

3.05 Billboards and Signs:

A. Billboard: Any structure or portion thereof, situated on private premises, on which lettered, figured, or pictorial matter is displayed for advertising purposes, other than the name and occupation of the user of such premises or the nature of the business conducted thereon or the principal products sold or manufactured thereon.

B. Real Estate Sign: A billboard or signboard advertising for sale or rent the premises on which located.

C. Directional Sign: A billboard or signboard displaying only name, nature, and location of (a) one or more establishments located in Queen Anne's County which offer travelers accommodations, meals, supplies, and/or other similar services or locally produced specialties, or (b) real estate developments, industries, churches, parks, historical shrines, monuments, buildings, or other features or institutions of note, located in Queen Anne's County - erected and maintained for the convenience of tourists.

3.06 Board: The Board of Appeals of Queen Anne's County.

3.07 Boarding or Lodging House: A dwelling or part thereof where meals and/or lodgings are provided for compensation, for persons not transients.

3.08 Building: Any structure having a roof supported by columns or walls, used or intended to be used for the shelter or enclosure of persons, animals, or chattels, and any tent, cabin, or trailer house. When such structure is divided by one or more unpierced walls extending from the ground up, it shall be considered one building for the purpose of applying the provisions of this Ordinance.

3.09 Building, Height of: The vertical distance from the average finished grade at the building line to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the mean height level between eaves and ridge for gable, hip, and gambrel roofs.

3.10 Cellar: A story having more than one-half (1/2) of its height below average contact grade. A cellar is counted as a story for the purpose of height regulations only if used as a separate dwelling.

3.11 Community Development Project: A development in single ownership consisting of a group of dwellings and associated uses together with common yards, service areas, and open spaces, where the arrangement of buildings makes it impracticable to apply the normal requirements of this Ordinance to the individual building units in the project.

3.12 Conditional Use: A use which may be permitted in a district through the granting by the Board of Appeals of a Special Exception as defined in Article 66-B, Annotated Code of Maryland, upon a finding by the Board that it meets specified conditions.

3.13 Construction, Starting of: The combining of labor and material into any portion of the structure, on the site thereof.

3.14 Court: An open unoccupied and unobstructed space, other than a yard, on the same lot with a building or group of buildings.

3.15 District: A portion of the unincorporated territory of Queen Anne's County within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this Ordinance. The term "R District" shall mean any "R-1", "R-2", "R-3", "R-4", or "R-5" District; the term "B District" shall mean any "B-1" or "B-2" District; and the term "M District" shall mean any "M-0", "M-1", or "M-2" District.

3.16 Dwelling: Any building or portion thereof occupied or intended to be occupied exclusively for residence purposes, but not including a tent, cabin, trailer, or trailer house, or a room in a hotel or motel.

A. Dwelling, Single-Family: A detached building designed for or used exclusively for residence purposes by one family or housekeeping unit.

B. Dwelling, Two-Family: A detached building or two semi-detached buildings designed for or used exclusively for residence purposes by not more than a total of two families or housekeeping units.

3.16 Continued.

C. Dwelling, Multi-Family: A detached building or a group of attached and semi-detached buildings designed for or used exclusively for residence purposes by more than two families or housekeeping units.

3.17 Essential Services: Facilities owned or maintained by public utility companies or public agencies, located in public ways or in easements provided for the purpose, or on a customer's premises and not requiring a private right-of-way, and reasonably necessary for the furnishing of adequate water, sewer, gas, electric, communication, or similar services to adjacent customers; but not including any building, or any yard, station, or facility requiring a site in excess of four hundred (400) square feet, and not including any cross-country line on towers or in a private right-of-way.

3.18 Family: A person living alone or two or more persons living together as a single housekeeping unit, but not including a group of persons occupying a boarding house, lodging house, hotel, dormitory, or institution.

3.19 Farm: A parcel of land not less than five (5) acres in size used for agricultural use as defined in sub-section 3.02.

3.20 Garage, Private: A garage intended for, and used for, the storage of the private motor vehicles of the families resident upon the premises.

3.21 Garage, Public: A space or structure other than a private garage, for the storage, sale, hire, care, repair, or refinishing of self-propelled vehicles or trailers.

3.22 Junk Yard: Any area where waste, discarded, or salvaged materials are bought, sold, exchanged, baled, parked, stored, disassembled, or handled, including auto wrecking yards, house wrecking yards, used lumber yards, and places or yards for storage of salvaged house wrecking and structural steel materials and equipment; but not including areas where such uses are conducted entirely within a completely enclosed building, and not including pawn shops and establishments for the sale, purchase, or storage of used furniture and household equipment, used cars in operable condition, salvaged machinery, and the processing of used, discarded, or salvaged materials as a part of manufacturing operations.

3.23 Land Use Plan: The long-range plan for desirable use of land in Queen Anne's County, as officially adopted and as amended from time to time by the Planning Commission; the purpose of such plan being, among other purposes, to serve as a guide in zoning and progressive changes in the zoning of land to meet changing community needs, in the subdividing and use of undeveloped land, and in the acquisition of rights-of-way or sites for such public facilities as streets, parks, schools, and public buildings.

3.24 Lot: Any plot or parcel of land occupied or intended to be occupied by a principal building or use, or a group of buildings conforming with the regulations of this Ordinance, and its accessory buildings and uses, including all open spaces required by this Ordinance, and having frontage on a road as defined herein.

A. Lot, Corner. A lot abutting upon two (2) or more roads at their intersection or upon two parts of the same road, and in either case forming an interior angle of less than one hundred thirty-five (135) degrees.

3.24 Continued.

B. Lot, Double Frontage: A lot having frontage on two (2) non-intersecting roads as distinguished from a corner lot.

3.25 Lot Depth. The mean horizontal distance between the front and rear lot lines.

3.26 Lot Line, Front: The line separating the lot from a road upon which it fronts.

3.27 Lot Line, Rear: The lot line opposite and most distant from the front lot line.

3.28 Lot Line, Side: Any lot line other than a front or rear lot line.

3.29 Lot Line, Street or Alley: Any lot line separating the lot from a street or alley.

3.30 Lot Width: The width of the lot measured at right angles to its center line, at the front building line.

3.31 Motel: Any establishment consisting of two (2) or more guest rooms or suites, with separate outside entrances and adjacent parking spaces, designed and maintained for the accommodation of transients; or any establishment for the accommodation of transients which proclaims itself a "motel".

3.32 Non-Conforming Use: A building, structure, or premises legally devoted to or occupied by, or for, a use that does not conform with the provisions of this Ordinance or amendments thereto for the district in which located.

3.33 Parking Lot, Commercial: A surfaced area of one (1) or more "Parking Spaces" designed or used for the parking of self-propelled vehicles and available to the public whether for a fee or as an accommodation to clients or customers.

3.34 Parking Space: A surfaced area either within a structure or in the open, exclusive of driveways or access drives, for the parking of one motor vehicle.

3.35 Planned Unit Development: A residential subdivision containing lots in separate ownership having less than the minimum size prescribed herein for the district in which it is located, together with a balancing proportion of common open space.

3.36 Planning Commission: The Planning and Zoning Commission of Queen Anne's County, Maryland.

3.37 Principal Highway: An officially designated Federal or State-numbered highway, or a county or other road designated as a Primary Highway on the official Major Highway Plan of Queen Anne's County.

3.38 Road: A public or private right-of-way fifty (50) feet or more in width which provides a public means of access to abutting property, or any such public or private right-of-way not less than thirty (30) feet, in width which existed prior to the enactment of this Ordinance. The term "road" shall include street, avenue, drive, lane, circle, square, court, highway, or similar term.

3.39 Roadside Stand: A structure designed or used for the display or sale of neighborhood agricultural products, or goods produced on the premises upon which such a stand is located.

3.40 Setback Line: The minimum building line along the front of a lot, or along the side of a corner lot adjoining the side road, as determined by the yard requirements of this Ordinance.

3.41 Stable, Private: A stable with a capacity of not more than two (2) animals.

3.42 Story: That portion of a building other than a cellar as defined herein, included between the surface of any floor and the surface of the floor next above it, or, if there be no floor above it, the space between the floor and the ceiling next above it.

A. Story, Ground: The lowest story, or the ground story, or first story of any building, the floor of which is not more than three and one-half (3-1/2) feet below the average contact ground level at the exterior walls of the building, except that any basement used as a separate dwelling by other than a janitor or caretaker or his family shall be deemed a ground or first story.

B. Story, Half: A partial story under a gable, hip, or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than four (4) feet above the floor of such story, provided, however, that any partial story used as a separate dwelling, other than for a janitor or caretaker and his family, shall be deemed a full story.

3.43 Street: Same as Road.

3.44 Street Line (or Road Line): the right-of-way or property line.

3.45 Structure: Anything constructed, the use of which requires a fixed location on the ground, or is attached to something having such location, but not including fences, sidewalks, driveways, curbs, or essential services defined in subsection 3.17.

3.46 Structural Alteration: Any change in the structural members of a building, such as bearing walls, columns, beams, or girders.

3.46a Summer Cottage: A dwelling designed or used solely for temporary seasonal occupancy, in any season, such as a vacation cabin, beach cottage, hunting or fishing lodge, or the like.

3.47 Trailer (including Automobile Trailer and Mobile Home): Any vehicle or structure constructed in such a manner as to permit occupancy thereof as sleeping quarters or the conduct of any business, trade, or occupation, or use as a selling or advertising device, and so designed that it is or may be mounted on wheels and transported over highways and streets, propelled or drawn by its own or other motive power.

3.48 Trailer Park: Any park, tourist park, camp, court, site, lot, parcel, or tract of land, which is designed, maintained, or intended for the purpose of supplying a location or accommodation for two or more trailers for living purposes, or upon which two or more trailers are parked or mounted for living purposes.

3.49 Unified Shopping Center: A group of retail stores, service establishments, and other similar uses, designed as a unit, conforming with the requirements of Section 17.09.

3.50 Use First Permitted in a Particular Zoning District: A use which in the sequence of successively listed zoning districts occurs as a permitted use for the first time in the particular zoning district.

3.51 Yard, Front: An open space extending the full width of the lot between any part of a building not hereinafter excepted and the front lot line, unoccupied and unobstructed from the ground upward except as hereinafter specified in Article 18.

A. Front Yard, Least Width: The shortest distance, measured horizontally, between any part of a building, other than such parts as excepted in Section 18.7, and the front lot line.

3.52 Yard, Rear: An open space extending the full width of the lot between a building and the rear lot line, unoccupied and unobstructed from the ground upward except as hereinafter specified in Article 18.

A. Rear Yard, Least Depth: The shortest distance, measured horizontally, between any part of a building, other than such parts as excepted in Section 18.7, and the rear lot line.

3.53 Yard, Side: An open space extending from the front yard to the rear yard between a building and the nearest side lot line, unoccupied and unobstructed from the ground upward except as hereinafter specified in Article 18.

A. Side Yard, Least Width: The shortest distance, measured horizontally, between any part of a building, other than such parts hereinafter excepted in Section 18.7, and the nearest side lot line.

3.54 Zoning Inspector: The Zoning Inspector (Administrative Officer) or his authorized representative, appointed in accordance with the provisions of Article 19.

3.55 Zoning Map: The Zoning Maps of Queen Anne's County, Maryland, dated April, 1964, together with all amendments thereto subsequently adopted.

3.56 Zoning Certificate: Written statement issued by the Zoning Inspector authorizing the use of buildings, structures, or premises consistent with the terms of this Ordinance and for the purpose of carrying out and enforcing its provisions.

Article 4
DISTRICTS AND BOUNDARIES THEREOF

4.00 For the purposes of this Ordinance, the unincorporated territory of Queen Anne's County is hereby divided into the following districts:

- "A-1" - Agricultural District
- "A-2" - Agriculture-Conservation District
- "R-1" - Estate District
- "R-2" - Suburban Residence District
- "R-3" - Urban Residence District
- "R-4" - Apartment District
- "R-5" - General Residence District
- "B-1" - Community Business District
- "B-2" - General Business District
- "M-0" - Controlled Industrial Districts
- "M-1" - Industrial Park District
- "M-2" - General Industrial District

4.01 The boundaries of these districts are hereby established as shown on the Zoning Maps of Queen Anne's County, Maryland, which maps together with all notations, references, and other matters thereon shall be and are hereby made a part of this Ordinance. Said "Zoning Maps," properly attested, shall be and remain on file in the office of the Zoning Inspector of Queen Anne's County.

4.02 Except where referenced on said maps to a road line or other designated line by dimensions shown on said maps, the district boundary lines are intended to follow property lines, lot lines, or the center lines of roads, alleys, railroads, streams, or other identifiable landmarks as they existed at the time of the adoption of this Ordinance; but where a district line obviously does not coincide with the property lines, lot lines, or such center lines, or where it is not designated by dimensions, it shall be deemed to be two hundred (200) feet back from the nearest road line in case it is drawn parallel with a road line, or its location shall be determined by scaling in other cases.

4.03 Where a district boundary line as established in this Article or as shown on a Zoning Map divides a lot which was in single ownership and of record at the time of enactment of this Ordinance the use authorized thereon and the other district requirements applying to the least restricted portion of such lot under this Ordinance shall be considered as extending to the entire lot, provided the more restricted portion of such lot is entirely within fifty (50) feet of said dividing district boundary line. The use so extended shall be deemed to be conforming.

4.04 Questions concerning the exact location of district boundary lines shall be determined by the Board of Appeals as provided in Section 20.42 and in accordance with rules and regulations which it may adopt.

4.05 Whenever any road, alley, or other public way is abandoned by official action as provided by law, the zoning districts adjoining the sides of such public way shall be automatically extended, depending on the side or sides to which such lands revert, to include the right-of-way of the public way thus vacated, which shall thenceforth be subject to all regulations of the extended district or districts.

4.06 Wherever land adjoins a river or other body of water, the district boundary lines, unless clearly indicated otherwise, shall be deemed to extend one hundred (100) feet out from the mean low water line, and all other land beyond such line, whether submerged or not, shall be deemed to be in the "A-1" Agricultural District.

4.07 In case any territory has not been specifically included within a district, or where territory becomes a part of the unincorporated area of Queen Anne's County by detachment from any municipality or the dissolution thereof, such territory shall automatically be classified in the "A-1" District until otherwise classified.

Article 5
GENERAL PROVISIONS

5.01 CONFORMANCE REQUIRED. Except as hereinafter specified, no land, building, structure, or premises shall hereafter be used, and no building, or part thereof or other structure shall be located, erected, reconstructed, extended, enlarged, converted, or altered, except in conformity with the regulations herein specified for the district in which it is located.

5.02 CONTINUING EXISTING USES. Except as provided in Section 5.03, any lawful use, building, or structure existing at the time of the enactment of this Ordinance (including a seasonal use) may be continued, even though such use, building, or structure may not conform with the provisions of this Ordinance for the district in which it is located.

5.03 NON-CONFORMING USES. No existing building or premises devoted to a use not permitted by this Ordinance in the district in which such building or premises is located, except when required to do so by law or order, shall be enlarged, extended, substituted, or structurally altered unless the use thereof is changed to a use permitted in the district in which such building or premises is located, except as follows:

5.031 Substitution:

5.0311 If no structural alterations are made, a non-conforming use of a building may be changed to another non-conforming use of the same or of a more restricted classification.

5.0312 Whenever a non-conforming use has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed back to a less restricted use.

5.0313 When authorized by the Board of Appeals according to the provisions of sub-section 20.451, a non-conforming use of land may be changed to another non-conforming use, or a non-conforming use of a building may be changed to one of a less restricted classification.

5.032 Discontinuance:

5.0321 No building, structure or premises where a non-conforming use has ceased for one (1) year or more shall again be put to a non-conforming use.

5.0322 All non-conforming uses of land not involving any building or structure having an assessed value for tax purposes of more than five hundred dollars (\$500) at the time of becoming non-conforming, all non-conforming buildings and structures each having an assessed value for tax purposes of not more than five hundred dollars (\$500) at the time of becoming non-conforming, and all non-conforming signs, billboards, and outdoor advertising structures of whatever value, may be continued for a period of two (2) years after the date of enactment of this Ordinance, at the end of which period such non-conforming uses, buildings, and structures shall be changed to conforming uses or shall be removed.

5.0323 In any "R-1", "R-2", "R-3", or "R-4" District any non-conforming building or use other than hereinafter specified, that is of a class first permitted in a "B-2", "M-1", or "M-2" District, shall be changed to a conforming use, or shall be terminated and the buildings and structures removed, within ten (10) years after the effective date of this Ordinance, unless the owner thereof shall produce satisfactory evidence that the building was constructed or the use established after January 1, 1934, in which case the period shall be forty (40) years from the date of such construction or establishment.

5.033 Extensions:

5.0331 A building devoted to a non-conforming use may be completed or extended, and other buildings may be erected in addition thereto, for uses necessary and incidental to the continuation of the existing use, provided that such additions and extensions are located on the same premises or on adjoining premises that were under the same ownership on the date such building became non-conforming, and provided that the floor areas of all such additions and extensions shall not exceed, in the aggregate, thirty-five (35) % of the floor area of the existing building devoted to a non-conforming use; provided also that such completions, extensions, and additions shall be undertaken within five (5) years of the date when the use of such building became non-conforming. Any other extension of a non-conforming building or use of land shall be subject to Board of Appeals approval as provided in Section 20.452. The extension or completion of a building or the construction of additional buildings as herein provided shall not be deemed to extend or otherwise affect the date when such non-conforming use or building must be changed or removed, if subject to any of the provisions of Section 5.032.

5.0332 A non-conforming use may be extended throughout those parts of a building which were manifestly designed or arranged for such use prior to the effective date of this Ordinance, provided no structural alterations are made except as required by law.

5.0333 Any dwelling lawfully existing at the time of enactment of this Ordinance, not located on a lot having frontage on a road as required herein, may be continued and may be enlarged, without increasing the number of dwelling units therein, provided no such addition shall extend closer to the road than the existing building or the set-back line for the district.

5.034 Replacing Damaged Buildings: Any non-conforming building or structure, or group of related buildings comprising one enterprise or establishment and under one ownership, which may become damaged more than sixty (60) per cent of its then fair market value exclusive of the foundation by fire, flood, explosion, war, riot, or Act of God, shall not be restored or reconstructed and used as before such happening, but if less than sixty (60) per cent damaged it may be restored or reconstructed and used as before, provided this be done within one (1) year.

5.04 UNSAFE BUILDINGS. Nothing in this Ordinance shall prevent the strengthening or restoring to a safe condition of any part of any building or structure declared unsafe by proper authority.

5.05 AGRICULTURE. Except for compliance with the set-back lines required herein, with Section 19.2, and with the Trailer Provisions in sub-section 17.05, nothing in this Ordinance shall prohibit the use of any land for agricultural purposes or the construction or use of buildings or structures incident to the use for agricultural purposes of the land on which such buildings or structures are located, or the construction and use of dwellings on a farm by the owner thereof and the members of his immediate family, for their use.

5.06 PENDING APPLICATIONS FOR ZONING CERTIFICATES. Nothing herein contained shall require any change in the overall layout, plans, construction, size or designated use of any development, building, structure, or part thereof, for which official approvals and required zoning certificates have been granted before the enactment of this Ordinance, the construction of which conformably with such plans shall have been started within six (6) months after the effective date of this Ordinance and completion thereof carried on in a normal manner and not discontinued for reasons other than those beyond the builder's control.

5.07 LOT REQUIREMENTS. Except as otherwise provided by this Ordinance:

5.071 Every building or group of related buildings shall be located on a lot as herein defined, having at least the area, width, lot area per family, and yards herein prescribed for the district in which such building is located:

5.072 No lot of less than five (5) acres shall be used for dwelling purposes which does not abut for at least thirty-five (35) feet on a road as herein defined:

5.073 Not more than one dwelling structure shall be located on a lot as herein defined.

5.08 ACCESSORY BUILDINGS IN RESIDENCE DISTRICTS.

5.081 No accessory building shall be located in any required court or in any yard other than a rear yard, except as provided hereinafter. Accessory buildings shall be distant at least six (6) feet from alley lines and from any other building on the same lot, and at least three (3) feet from lot lines of adjoining lots which are in any "R" District.

5.082 Accessory buildings, except stables, may be erected as a part of the principal building, or, if at least six (6) feet therefrom, may be connected thereto by a breezeway or similar structure, provided all yard requirements for a principal building are complied with.

5.083 In any "A" or "R" District, where a corner lot adjoins in the rear a lot fronting on the side street and located in an "A" or "R" District, no part of any accessory building on such corner lot shall be nearer the side street lot line than the least depth of the front yard required along such side street for a dwelling on such adjoining lot; and in no case shall any part of such accessory building be nearer to the common lot line than the least width of a side yard required for the principal building to which it is accessory.

5.09 REQUIRED YARD CANNOT BE REDUCED. No lot shall be reduced in area so as to make any yard or any other open space less than the minimum required by this Ordinance, and if already less than the minimum required said yard or open space shall not be further reduced. No part of a yard or other open space provided about any building or structure for the purpose of complying with the provisions of this Ordinance shall be considered as part of a yard or other open space required under this Ordinance for another building or structure.

5.10 OFF-STREET PARKING AND LOADING. In every district, spaces for off-street parking and for loading or unloading of vehicles shall be provided in

accordance with the requirements in Article 17. Off-street parking and loading areas may occupy all or part of any required yard or open space except as specified in Sections 17.01 and 17.02.

5.11 TRANSITIONAL USES. In any "R-1", "R-2", or "R-3" District, a transitional use shall be permitted on a lot the side lot line of which adjoins, either directly or across an alley, a "B" or "M" District. The permitted transitional uses for any such lot shall be of any use permitted in the "R-4" District. In such case, the requirements governing lot area per family, off-street parking, yards and other open spaces, shall be the same as in an "R-4" District. Any transitional use shall not extend more than seventy-five (75) feet from the district boundary line.

5.12 FRONT YARDS ON THROUGH LOTS. In any district where a lot runs through a block from street to street, and where a front yard is required, such front yard shall be provided along each street.

5.13 FRONT YARD DEPTH, HOW MEASURED. Each front yard depth or setback specified herein shall be measured at right angles (or radially) from the nearest street right-of-way lines, except that where the right-of-way of any existing street is less than fifty (50) feet wide in the case of a County or local road, or less than sixty (60) feet wide in the case of a State road, the front yard or setback shall be measured from a line twenty-five (25) feet or thirty (30) feet, as the case may be, from the center line of such road; provided, however, that in the case of any road designated as a Primary or Secondary Highway on the Major Highway Plan adopted by the Board of County Commissioners, or any duly adopted amendment thereto, the front yard depth or setback shall be measured from the intended right-of-way line for such road. Such intended right-of-way line shall be as designated on any State or County road location or widening plan endorsed by the responsible head of the appropriate road department as representing the plans and intentions of such department as of the date of endorsement, signed copy of which is filed with the Zoning Inspector; or if no such plan is on file, then the appropriate road department shall be given not more than sixty (60) days in which to determine the intended right-of-way line and file a plan, and no zoning certificate shall be issued prior to such filing. The foregoing rules shall apply also to the measurement of a side yard on the street side of a corner lot.

5.14 COURT REQUIREMENTS.

5.141 Where a court is provided in any building other than a single-family dwelling, for the purpose of furnishing light and air to rooms in which persons are to live, sleep, or work, except storage rooms, such court shall be an outer court (open on one side) the least dimensions of which shall be as follows:

5.1411 Least Width: (a) for residential buildings, and other buildings in "A" or "R" Districts, the sum of heights of building wings opposite one another, but not less than forty (40) feet; (b) for non-residence buildings in "B" or "M" Districts, two-thirds the sum of heights of buildings wings opposite one another, but not less than thirty (30) feet.

5.1412 Maximum Depth: One and one-half (1-1/2) times the width.

5.15 YARD REQUIREMENTS ALONG ZONING BOUNDARY LINES. Along any zoning boundary line, on a lot adjoining such boundary line in the less restricted

district, any abutting front yard, side yard, rear yard or court, unless subject to greater restrictions or requirements stipulated by other provisions of this Ordinance, shall have a minimum width or depth equal to the average of the required minimum widths or depths for such yards or courts in the two districts on either side of such zoning boundary line. In case the height of a proposed structure on such lot in the less restricted district is greater than the maximum height permitted in the adjoining more restricted district, the minimum width or depth of the yard or court for such structure shall be determined by increasing the minimum width or depth required for the highest structure permitted in such more restricted district by one (1) foot for each two (2) feet by which the proposed structure exceeds the maximum height permitted in said more restricted district.

5.16 TRAFFIC VISIBILITY ACROSS CORNER LOTS. In any "A" or "R" District on any corner lot, no fence, structure, or planting that would interfere with traffic visibility across the corner shall be erected or maintained within twenty (20) feet of the intersection of the road right-of-way lines, so as to interfere with traffic visibility across the corner.

5.17 CONVERSION OF DWELLING. The conversion of a building into a dwelling, or the conversion of a dwelling so as to accommodate an increased number of dwelling units or families, shall be permitted only within a district in which a new building for similar occupancy would be permitted under this Ordinance, and only when the resulting occupancy will comply with the requirements governing new construction in such district.

5.18 ESSENTIAL SERVICES EXEMPTED. Essential services as defined in Section 3.17 shall be permitted in any district, as authorized and regulated by law and ordinances of Queen Anne's County, it being the intention hereof to exempt such essential services from the application of this Ordinance.

5.19 DISTANCE REQUIREMENTS. All uses, buildings, or premises for which compliance with the distance requirements in this section is stipulated elsewhere in this Ordinance shall be distant at least two hundred (200) feet from any lot in any "R" District, or any lot in the "A-1" District occupied by a dwelling, school, church, or any institution for human care not on the same lot as the said uses or buildings.

5.20 TEMPORARY BUILDINGS. Temporary buildings and structures, including trailers, for uses incidental to construction work on the premises, shall be permitted in any district, where such construction is being done by a responsible contractor or builder under a contract having a definite completion date, and on condition that such temporary buildings and structures shall be removed upon the completion or discontinuance of construction.

5.21 MINIMUM SITE ELEVATIONS. No dwelling or part thereof, or other building used or intended to be used for dwelling purposes, shall hereafter be located, erected, constructed, extended, enlarged, converted, or altered, where the finished grade at any point adjoining the building and for a distance of at least five (5) feet in all directions is less than five (5) feet above Mean Sea Level, U.S.C. & G.S. datum, and the lowest habitable floor level shall be at least seven (7) feet above such datum. No such building shall be located in any case where it may be subject to periodic flooding by any stream, lake, or other body of water, nor shall it be located within fifty (50) feet of any such water or any marsh or swamp, nor shall the lowest habitable floor level be less than seven (7) feet above the level of such water.

5.22 FLOOR AREA, HOW MEASURED. The Minimum Floor Area specified herein shall be construed to include the gross floor areas of all finished and usable floors or portions thereof, other than a basement or cellar floor, and shall be measured from outside to outside of exterior walls. The Minimum Floor Area requirements shall pertain to the principal building only.

Article 6
"A-1" AGRICULTURAL DISTRICT

6.00 The following uses shall be permitted, and the following regulations and the applicable regulations contained in other Articles shall apply, in the "A-1" Agricultural District:

6.10 PRINCIPAL PERMITTED USES.

6.101 Agriculture, grazing, and the usual agricultural buildings and structures including farm office buildings, commercial and non-commercial nurseries and greenhouses; provided that any greenhouse heating plant, or any building or feeding pen in which farm animals are kept, shall comply with the distance requirements in Section 5.19.

6.102 Single-family and two-family dwellings, including trailers on farms as provided in Section 17.05.

6.103 Churches and parish houses; schools and colleges including dormitories; public buildings, structures, and properties of a recreational, cultural, administrative, or public service type.

6.104 Private non-commercial recreation areas and centers including country clubs, yacht clubs, swimming pools, golf courses, and summer camps; public and private forests and wildlife preserves, and similar conservation areas.

6.105 Hospitals, sanitoriums, and charitable institutions for human care and the treatment of non-contagious diseases, provided that any new establishment shall have a minimum lot area of five (5) acres and any powerhouse, storage, or service building shall be distant not less than fifty (50) feet from any lot in any "R" District.

6.106 Rest homes and nursing homes for convalescent patients, provided any building for such use shall have a minimum lot area of one (1) acre and shall be distant not less than fifty (50) feet from any lot in an "R-1", "R-2", "R-3" or "R-4" District.

6.107 Forests, forestations, and production of forest products, including temporary sawmills, for cutting timber grown primarily on the premises, provided that any sawmill shall be located not less than six hundred (600) feet from any dwelling not located on the same premises, or school, church, or institution for human care.

6.108 Directional signs in accordance with the provisions of Section 17.062.

6.20 CONDITIONAL USES, REQUIRING BOARD AUTHORIZATION.

6.201 Sand and gravel pits, borrow pits, clay pits, mines, and quarries, or stripping of soil, including the processing or compounding of products composed largely of such materials, provided (a) that any building housing power-driven or power-producing machinery or equipment shall be distant at least two hundred (200) feet from all adjacent property or road lines; (b) that the extractive operations be confined to areas at least fifty (50) feet distant from

all adjoining properties and one hundred (100) feet from any then-existing principal building on an adjoining property; (c) that all excavations be backfilled or regraded on a four-to-one (4:1) slope, whenever operations are discontinued; (d) that, before authorizing such use, the Board shall obtain an adequate bond or other satisfactory guarantee to ensure the provision of adequate fencing and the restoration of the land to a safe and usable condition, by regrading, draining, replanting or other suitable treatment, during or at the completion of the extractive operation; and (e) that, for borrow pits, the top soil shall be removed, stockpiled, and respread at the completion of the extractive operation.

6.202 Hospitals, sanitoriums, and charitable institutions for the treatment of contagious diseases, the insane, or liquor or drug addicts; provided that any new establishment shall have a minimum area of ten (10) acres and the buildings shall be distant at least four hundred (400) feet from every lot line.

6.203 Motels (excluding restaurants, gas stations, or other business) and antique shops, along principal highways as defined in sub-section 3.37; and commercial summer gardens, swimming pools, fishing resorts, or boat harbors - all subject to compliance with the distance requirements in Section 5.19, and motels subject to the special provisions in Section 17.10.

6.204 Trailer parks, subject to the requirements in Section 5.19 and Section 17.05.

6.205 Boat harbors, for the mooring, launching, fueling, and incidental maintenance of pleasure craft only, including (a) launching ramps or other devices for the launching or removal of boats from the water (but not including any marine railway), (b) dry storage of seaworthy boats in operable condition, not over 26 feet in length, if screened from adjoining roads and properties, but not including any boat house or shed over 10 feet high, (c) light maintenance facilities for minor hull, deck, and interior repairs and painting, (d) sale of fuels and incidental supplies, if fuels are stored underground only; Provided, that off-street parking space shall be provided at the rate of not less than one space for each boat launched and remaining launched at any given time; that no advertising sign or device over three (3) square feet in size shall be displayed, nor any light or lighted sign that might create a hazard to navigation; and that all grounds shall be surfaced or landscaped, drained, and maintained in a neat, safe, and usable condition.

6.206 Non-objectionable processing of farm or dairy products raised on the premises or in the immediate neighborhood; riding stables, kennels for the raising, breeding, and boarding of dogs and other animals: - provided that all buildings including runways shall comply with the distance requirements of Section 5.19.

6.207 Gun clubs, trap shooting ranges, and similar uses, subject to five (5) times the distance requirements in Section 5.19.

6.208 Public utility structures and properties other than essential services defined in sub-section 3.17, provided that production, construction, maintenance, or storage buildings or yards shall comply with the distance requirements in Section 5.19.

6.209 Penal and correctional institutions, provided that any such institution shall have a minimum lot area of twenty (20) acres and shall comply with three (3) times the distance requirements of Section 5.19.

6.210 Public or privately-owned and operated airports or landing fields, provided that all runways, landing strips, taxiways and other installations or parts of the airport or landing field normally used for aircraft operation shall comply with five (5) times the distance requirements of Section 5.19, and provided hangars, storage buildings, repair shops, and other buildings or structures comply with the distance requirements of said Section 5.19.

6.211 Business of garbage feeding of hogs, and fur farms or farms for the raising of animals for experimental or test purposes such as rats, mice, monkeys and the like, provided that all buildings housing animals and all feeding pens shall comply with three (3) times the distance requirements in Section 5.19.

6.212 Sewage disposals plants and disposal of garbage or refuse, by the County or a municipality thereof, and provided that it shall comply with five (5) times the requirements of Section 5.19.

6.213 Livestock purchase or sales yards and buildings, subject to two (2) times the distance requirements of Section 5.19.

6.214 Fair grounds and race tracks or courses for the conduct of seasonal or periodic racing meets of horses, dogs, aircraft, automobiles, motorcycles, and the like - subject to three (3) times the distance requirements of Section 5.19.

6.215 Cemeteries, including such accessory uses as mausoleums and crematories, provided any mausoleum or crematory shall be distant at least two hundred (200) feet from adjacent property and road lines, and provided further that any new cemetery other than one located in the yard of a church, shall contain an area of twenty (20) acres or more. No graves or burial lots shall be located in any cemetery within a front yard such as required herein for a dwelling.

6.216 Veterinary clinic or animal hospital, but not including any exercising runway, provided any structure or area used for such purposes shall be at least two hundred (200) feet from any "R" District and one hundred (100) feet from any "B-1" District.

6.217 Private summer homes and cabins for seasonal and not permanent or year-round occupancy, including trailers used as such, which buildings need not abut upon a road.

6.30 ACCESSORY USES. Accessory buildings and uses customarily incidental to any principal use or authorized conditional use, including:

6.301 Living quarters of persons employed on the premises, including trailers as provided in Section 17.05.

6.302 A private garage, parking area, or stable - provided that any stable shall comply with one-half (1/2) the distance requirements in Section 5.19.

6.303 Customary incidental home and farm occupations, provided nothing is sold or stocked except what is produced on the premises. An unlighted or indirectly lighted sign not to exceed two (2) square feet in area shall be permitted in connection with such home or farm occupations.

6.304 The home office of a doctor of medicine or dentistry, in his residence, in which office or profession no outside person is engaged; provided that the minimum off-street parking requirement for such an office shall be two (2) spaces, notwithstanding the provisions of Section 17.021.

6.305 The keeping of roomers or boarders by a resident family.

6.306 Roadside stands offering for sale only neighborhood agricultural products in season, or other products produced on the premises.

6.307 Farm signs identifying the farm, displaying the name of the owner and the nature of the farm and its products, including such live-stock, dairy products, or other farm products as are raised or produced on the premises, provided, however, that any sign exceeding eight (8) square feet in area shall be subject to the provisions of Section 17.06.

6.308 Real estate signs, subject to the provisions of Section 17.063, and other exterior signs, subject to the provisions of Section 13.202 and 13.203.

6.309 The keeping of animals and fowls as pets or for domestic use.

6.310 Temporary buildings including trailers for uses incidental to construction work, complying with requirements of the Health Department, which buildings shall be removed upon the completion or abandonment of the construction work.

6.40 HEIGHT REGULATIONS. Except on farms and except for certain other buildings, structures, or parts thereof as provided in Section 18.2, no building or structure shall exceed two and one-half (2-1/2) stories or thirty (30) feet in height.

6.50 LOT AREA, AND WIDTH, YARD AND FLOOR AREA REQUIREMENTS. The following requirements shall be observed, subject to the modified requirements in Article 18:

	Min. Lot Area	Min. Lot Width	Lot Area per Family	Front Yard Depth (1)	Side Yard width each Side	Rear Yard Depth	Min. Floor Area (sq.ft.)
Dwellings Trailers	1 acre	200 ft. (5)	1/2 acre	35 ft.	20 ft.	50 ft.	250
Motels, and Trailer Parks	5 acres (2)		2,500 s.f.	35 ft. (2)	50 ft.	50 ft.	-
Churches	3 acres	200 ft.	-	35 ft. (3)	30 ft. (3)	50 ft. (3)	-
Public Utility Uses (4)	20,000 sq. ft.	100 ft.	-	35 ft.	20 ft.	50 ft.	-
Other Permitted Uses	5 acres	200 ft.	-	35 ft. (3)	30 ft. (3)	50 ft. (3)	-

(1) Local roads only. For Major Highway frontage see Sec. 18.44; for built-up frontage see Sec. 18.41.

- (2) Subject to requirements of Sections 17.053 & 17.10.
- (3) Or greater as may be required elsewhere in this Ordinance.
- (4) Other than essential services as defined in Sec. 3.17.
- (5) Except in approved subdivisions, Section 18.8.

Article 7
"A-2" AGRICULTURE-CONSERVATION DISTRICT

7.00 The following uses shall be permitted, and the following regulations and the applicable regulations contained in other Articles shall apply, in the "A-2" Agriculture-Conservation District:

7.10 PRINCIPAL PERMITTED USES.

7.101 Agriculture, grazing, and the usual agricultural buildings and structures including farm dwellings, farm office buildings, commercial and non-commercial nurseries and greenhouses; provided that any greenhouse heating plant, or any building or feeding pen in which farm animals are kept, shall comply with the distance requirements in Section 5.19.

7.102 Forests, forestation, and production of forest products, including portable sawmills.

7.103 Public and private parks, landings, camp grounds, golf courses, hunting or fishing camps, game preserves, yacht clubs, and the like, for the purpose of conserving and enjoying the natural resources.

7.104 Water supply works, floodways, flood prevention, erosion control, or similar works, fish or game hatcheries.

7.105 Private summer cottages, and trailers used as such, in season; which buildings need not abut upon a road.

7.106 Public buildings and structures of a recreational, cultural, conservation, administrative, or public service type.

7.107 Directional signs in accordance with the provisions of Section 17.062.

7.20 CONDITIONAL USES, REQUIRING BOARD AUTHORIZATION.

7.201 Sand and gravel pits, borrow pits, clay pits, mines, and quarries, including the processing or compounding of products composed largely of such materials, provided: (a) that any building housing power-driven or power-producing machinery or equipment shall be distant at least two hundred (200) feet from all adjacent property or road lines; (b) that the extractive operations be confined to areas at least fifty (50) feet distant from all adjoining properties and one hundred (100) feet from any existing principal building on an adjacent property; (c) that all excavations be back-filled or regraded on a four-to-one (4:1) slope, whenever operations are discontinued, and that appropriate measures are taken to leave the premises in as safe, usable and presentable a condition as possible; (d) that no such operation be conducted so as to impede the natural flow of any stream or to pollute its waters; and (e) that before authorizing such use, the Board shall obtain an adequate bond or other satisfactory guarantee to ensure compliance with these requirements and any others the Board may impose in accordance with sub-section 20.44.

7.202 Public utility structures and properties other than essential services defined in Section 3.17, provided that production, construction, maintenance, or storage buildings or yards shall comply with the distance requirements of Section 5.19.

7.203 Sewage disposal plants and disposal of garbage or refuse, by the County or a municipality thereof, subject to the provisions of Section 20.44 and provided that these areas shall comply with five (5) times the distance requirements of Section 5.19.

7.204 Boat harbors, for the mooring, launching, fueling, and incidental maintenance of pleasure craft only, including (a) launching ramps or other devices for the launching or removal of boats from the water (but not including any marine railway), (b) dry storage of seaworthy boat in operable condition, not over 26 feet in length, if screened from adjoining roads and properties, but not including any boat house or shed over 10 feet high, (c) light maintenance facilities for minor hull, deck, and interior repairs and painting, (d) sale of fuels and incidental supplies, if fuels are stored underground only; Provided, that off-street parking space shall be provided at the rate of not less than one space for each boat launched and remaining launched at any given time; that no advertising sign or device over three (3) square feet in size shall be displayed, nor any light or lighted sign that might create a hazard to navigation; and that all grounds shall be surfaced or landscaped, drained, and maintained in a neat, safe, and usable condition.

7.205 Single-family and two-family dwellings for year-around occupancy, where located on high well-drained sites with soil conditions suitable for proper sewage disposal systems, and provided that such sites are located on existing county or state roads.

7.30 ACCESSORY USES. Accessory buildings and uses customarily incidental to any principal use or authorized conditional use, including any accessory use or structure permitted and as regulated in the "A-1" District.

7.40 HEIGHT REGULATIONS. Except on farms and except for certain other buildings, structures, or parts thereof as provided in Section 18.2, no building or structure shall exceed two and one-half (2-1/2) stories or thirty (30) feet in height.

7.50 LOT AREA, WIDTH, AND YARD REQUIREMENTS. The following minimum requirements shall be observed, subject to the modified requirements in Article 18:

	Min. Lot Area	Min. Lot Width	Front Yard Depth (1)	Side Yard Width Each Side	Rear Yard Depth	Min. Floor Area (sq.ft.)
Summer cottages, trailers, dwellings	2 acres	300 ft.	50 ft.	50 ft.	50 ft.	250
Public utility uses (2)	1 acre	200 ft.	50 ft.	30 ft.	50 ft.	-
Other permitted uses	5 acres	300 ft.	50 ft.	100 ft.	50 ft.	-

(1) For built-up frontage, see Section 18.41.

(2) Other than essential services as defined in sub-section 3.17.

Article 8
"R-1" ESTATE DISTRICT

8.00 The following uses shall be permitted, and the following regulations and the applicable regulations contained in other Articles shall apply, in the "R-1" Estate District.

8.10 PRINCIPAL PERMITTED USES.

8.101 Single-family dwellings.

8.102 Churches and parish houses.

8.103 Schools and colleges for academic instruction.

8.104 Farms, gardens, estates, forests, private game preserves, and the usual agricultural, grazing, forestry, and conservation uses and structures; provided that any greenhouse heating plant, stable, dairy barn, feeding pen, or other building in which farm animals are kept shall comply with the distance requirements in Section 5.19.

8.20 CONDITIONAL USES, REQUIRING BOARD AUTHORIZATION.

8.201 Country clubs, golf courses, hunting, riding, or fishing clubs, yacht clubs, and other social and recreational clubs and facilities, for private non-commercial use; provided that any such establishment shall have an area of at least ten (10) acres and every principal building or swimming pool shall comply with the distance requirements in Section 5.19.

8.202 Public parks, playgrounds, landings, game preserves, and buildings or properties of a cultural or conservation nature.

8.203 Private airports or landing strips without any commercial servicing facilities.

8.204 Private or church cemeteries.

8.205 Temporary sawmills incident to the cutting of timber on the premises.

8.206 Religious or charitable institutions, except hospitals or places of confinement or correction.

8.207 Cross-country electric transmission or communication lines, cables, or towers; oil, gas, water, sewer, or other pipelines; railroad lines; or any other utility located on a private right-of-way.

8.30 ACCESSORY USES. Accessory buildings and uses customarily incidental to any principal use or authorized conditional use, including:

8.301 Accessory dwellings for employees or relatives, on the same lot with the principal dwelling.

8.302 The home office of a doctor of medicine or dentistry, in his residence, in which office or profession no outside person is engaged; provided that the minimum off-street parking requirements for such an office shall be two (2) spaces, notwithstanding the provisions of Section 17.021.

8.303 Private garages, parking areas, stables, swimming pools, and other customary outbuildings and structures; provided that any stable shall comply with the distance requirements in Section 5.19.

8.304 Temporary real estate signs for the purpose of selling or renting the property on which they are located, and complying with the regulations in Section 17.06.

8.305 Identification signs displaying only the name and nature of the premises or directing the way thereto, and not exceeding twelve (12) square feet in size.

8.306 One bulletin board or sign for any permitted church, school, or other public or semi-public institution, not exceeding twenty-four (24) square feet in size, which sign may be indirectly lighted.

8.40 HEIGHT REGULATIONS. Except on farms and except for certain other buildings, structures, or parts thereof as provided in Section 18.2, no structure shall exceed two and one-half (2-1/2) stories or thirty (30) feet in height.

8.50 LOT AREA AND WIDTH, YARD, AND FLOOR AREA REQUIREMENTS. The following minimum requirements shall be observed, subject to the modified requirements in Article 18:

	Min. Lot Area	Min. Lot Width	Lot Area per Family	Front Yard Depth (1)	Side Yard Width each side	Rear Yard Depth	Min. Floor Area (sq.ft.)
Dwellings	5 acres	400 ft.	5 acres(4)	50 ft.	50 ft.	50 ft.	1800 (3)
Churches	3 acres	200 ft.	-	50 ft.	30 ft.	50 ft.	-
Other per- mitted uses	5 acres	200 ft.	-	50 ft. (2)	30 ft. (2)	50 ft. (2)	-

(1) Local roads only. For Major Highway frontage see Section 18.44; for built-up frontage see Section 18.41.

(2) Or greater as may be specified elsewhere in this Ordinance.

(3) Principal dwelling only.

(4) Including one accessory dwelling per 5 acres.

Article 9
"R-2" SUBURBAN RESIDENCE DISTRICT

9.00 The following uses shall be permitted, and the following regulations and the applicable regulations contained in other Articles shall apply, in the "R-2" Suburban Residence District.

9.10 PRINCIPAL PERMITTED USES.

9.101 Any Principal Use permitted and as regulated in the "R-1" District, except as hereinafter modified.

9.102 Public buildings and properties of an administrative or public service type but not including such uses as storage yards, warehouses, or garages.

9.103 Public parks, playgrounds, landings, community centers, game preserves, and buildings or properties of a cultural or conservation nature.

9.20 CONDITIONAL USES, REQUIRING BOARD AUTHORIZATION.

9.201 Any Conditional Use permitted and as regulated in the "R-1" District, except as hereinafter modified.

9.202 Social and recreational clubs and facilities specified in Section 8.201, on sites of less than ten (10) acres but not less than five (5) acres; subject to the distance requirements in Section 5.19.

9.203 Hospitals and sanitoriums, not for contagious diseases nor for mental, liquor, or drug patients; and religious or charitable institutions, not including penal or correctional institutions; provided any such establishment shall comply with the distance requirements in Section 5.19.

9.204 Cemeteries, provided that no graves or burial lots be located in a required front yard or required street side yard. (Concerning cemeteries accessory to a church, see Section 9.303.)

9.205 Public utility structures and properties other than essential services defined in Section 3.17, but not including production, construction, maintenance, or storage buildings or yards.

9.206 Boat harbors, for the mooring, launching, fueling, and incidental maintenance of pleasure craft only, including (a) launching ramps or other devices for the launching or removal of boats from the water (but not including any marine railway), (b) dry storage of seaworthy boats in operable condition, not over 26 feet in length, if screened from adjoining roads and properties, but not including any boat house or shed over 10 feet high, (c) light maintenance facilities for minor hull, deck, and interior repairs and painting, (d) sale of fuels and incidental supplies, if fuels are stored underground only; Provided, that off-street parking space shall be provided at the rate of not less than one space for each boat docking slip or fixed mooring buoy, plus two spaces for each boat launched and remaining launched at any given time; that no advertising sign or device over three (3) square feet in size shall be displayed, nor any light or lighted sign that might create a hazard to navigation; and that all grounds shall be surfaced or landscaped, drained, and maintained in a neat, safe, and usable condition.

9.30 ACCESSORY USES. Accessory buildings and uses customarily incidental to any principal use or authorized conditional use, including:

9.301 Any accessory use or structure permitted and as regulated in the "R-1" District.

9.302 Customary incidental home occupations such as handicraft, dress-making, millinery, preserving, and home cooking, provided that no person other than a resident of the building may be engaged or employed in such occupation, that nothing is sold or stocked except what is produced on the premises, and that such occupation shall not require external or internal alterations or the use of mechanical equipment not customary in dwellings. An unlighted or indirectly lighted sign of not over one (1) square foot in area and attached flat against the building shall be permitted in connection with such home occupation.

9.303 Cemeteries when accessory to a church, provided that no graves or burial lots shall be located in a required front yard or in a required street side yard.

9.304 The keeping of not more than two roomers or boarders by a resident family.

9.40 HEIGHT REGULATIONS. Except on farms and except for certain other buildings, structures, or parts thereof as provided in Section 18.2, no principal structure shall exceed two and one-half (2-1/2) stories or thirty (30) feet in height, and no accessory structure shall exceed one and one-half (1-1/2) stories or twenty-five (25) feet in height.

9.50 LOT AREA AND WIDTH, YARD, AND FLOOR AREA REQUIREMENTS. The following minimum requirements shall be observed, subject to the modified requirements in Article 18:

	Min. Lot Area	Min. Lot Width	Lot Area per Family	Front Yard Depth (1)	Side Yard Least Width	Yard Widths Sum of Widths	Rear Yard Depth	Min. Floor Area (s.f.)
Dwellings	20,000 sq. ft.	100 ft.	20,000 sq. ft.	35 ft.	15 ft.	35 ft.	50 ft.	1,000
Churches	2 acres	200 ft.		35 ft.	25 ft.	50 ft.	50 ft.	-
Schools	5 acres	200 ft.		35 ft.	25 ft.	50 ft.	50 ft.	-
Public Utility Uses (3)	20,000 sq. ft.	100 ft.		35 ft.	25 ft.	50 ft.	50 ft.	-
Other Permitted Uses	20,000 sq. ft.	100 ft.		35 ft.	25 ft. (2)	50 ft. (2)	50 ft. (2)	-

(1) Local roads only. For Major Highway frontage see Sec. 18.44; for built-up frontage see Sec. 18.41.

(2) Or greater as may be specified elsewhere in this Ordinance.

(3) Other than essential services as defined in sub-section 3.17.

Article 10
"R-3" URBAN RESIDENCE DISTRICT

10.00 The following uses shall be permitted, and the following regulations and the applicable regulations contained in other Articles shall apply, in the "R-3" Urban Residence District:

10.10 PRINCIPAL PERMITTED USES.

10.101 Any Principal Use or structure permitted and as regulated in the "R-2" District, except as hereinafter modified.

10.20 CONDITIONAL USES REQUIRING BOARD AUTHORIZATION.

10.201 Any Conditional Use permitted and as regulated in the "R-2" District, except as hereinafter modified.

10.202 Nursery schools and child care centers when located not less than twenty (20) feet from any other lot in any "R" District, provided there is established and maintained in connection therewith a completely fenced and screened play lot of adequate size.

10.203 Community Development Projects containing single-family or two-family dwellings, subject to the provisions of Section 17.07.

10.30 ACCESSORY USES.

10.301 Any accessory use or structure permitted and as regulated in the "R-2" District.

10.302 The keeping of not more than four (4) roomers or boarders by a resident family.

10.40 HEIGHT REGULATIONS. Same as specified in the "R-2" District.

10.50 LOT AREA AND WIDTH, YARD, AND FLOOR AREA REQUIREMENTS. The following minimum requirements shall be observed, subject to the modified requirements in Article 18:

	Min. Lot Area	Min. Lot Width	Lot Area per Family	Front Yard Depth (1)	Side Yard Width	Sum of Widths	Rear Yard Depth	Min. Floor Area (s.f.)
Dwellings	8,000 sq. ft. (2)	70 ft. (2)	8,000 sq. ft.	35 ft.	10 ft.	30 ft.	40 ft.	800
Public Utility Uses (3)	- - - Same as Dwellings - - - - -							
Community Development Project (4)	3 acres		6,000 sq. ft.	-	-	-	-	800

- (1) Local roads only. For Major Highway frontage see Section 18.44; for built-up frontage, see Section 18.41.
- (2) Subject to requirements of Section 18.31.
- (3) Other than essential services as defined in sub-section 3.17.
- (4) Subject to requirements of Section 17.07.

Article 11
"R-4" APARTMENT DISTRICT

11.00 The following uses shall be permitted, and the following regulations and the applicable regulations contained in other Articles shall apply, in the "R-4" District:

11.10 PRINCIPAL PERMITTED USES.

11.101 Any Principal Use or structure permitted and as regulated in the "R-3" District, except as hereinafter modified.

11.102 Two-family and Multi-family dwellings.

11.20 CONDITIONAL USES, REQUIRING BOARD AUTHORIZATION.

11.201 Any conditional use permitted and as regulated in the "R-3" District, except as hereinafter modified.

11.202 Clubs, fraternities, lodges, and meeting places of other organizations, not including any use that is customarily conducted as a gainful business; provided that buildings in which such meeting places are housed shall be located at least twenty (20) feet from any other lot in any "R" District.

11.203 Community Development Projects containing single-family, two-family, and multi-family dwellings, subject to the provisions of Section 17.07.

11.30 ACCESSORY USES.

11.301 Accessory uses and structures permitted and as regulated in the "R-3" District, except as hereinafter modified.

11.302 Other accessory uses and structures, not otherwise prohibited, customarily accessory and incidental to any permitted principal use.

11.40 HEIGHT REGULATIONS. No principal structure shall exceed three (3) stories or forty (40) feet in height, and no accessory structure shall exceed one and one-half (1-1/2) stories or twenty-five (25) feet in height; except as provided in Section 18.2 and except that farm and utility structures may be built to any required height; - provided further, that the Board of Appeals, by an Exception, may authorize a building not exceeding six (6) stories or seventy-five (75) feet in height, provided that for each story in excess of three, the front, side, and rear yard requirements shall each be five (5) feet greater than herein required for a three-story building, and the total open space on the lot shall not be less than what it would be for a three-story building plus an amount equal to the gross floor areas of all stories above the third. In granting such an exception, the Board may also impose such other conditions as it deems necessary to protect the general character of the district, as provided in Section 20.44.

11.50 LOT AREA AND WIDTH, YARD, AND FLOOR AREA REQUIREMENTS. The following minimum requirements shall be observed, subject to the modified requirements in Article 18:

	Min. Lot Area (1)	Min. Lot Width (1)	Lot Area per Family	Front Yard Depth (2)	Side Yard Widths		Rear Yard Depth	Min. Floor Area (s.f.)
					Least Width	Sum of Widths		
One-family, 1 & 1½ Stories	7,000 sq.ft.	60 ft.	7,000 sq.ft.	30 ft.	8 ft.	18 ft.	35 ft.	800
One-family, 2 & 2½ Stories	7,000 sq.ft.	65 ft.	7,000 sq.ft.	30 ft.	10 ft.	22 ft.	40 ft.	1,000
Two-family, 1 & 1½ Stories	9,000 sq.ft.	75 ft.	4,500 sq.ft.	30 ft.	10 ft.	22 ft.	40 ft.	800 each
Two-family, 2 & 2½ Stories	9,000 sq.ft.	75 ft.	4,500 sq.ft.	30 ft.	12 ft.	25 ft.	45 ft.	1,000 each
Multi-family, 1 & 1½ Stories	12,000 sq.ft.	75 ft.	3,500 sq.ft.	30 ft.	10 ft.	22 ft.	40 ft.	600 each
Multi-family, 2 & 2½ Stories	12,000 sq.ft.	75 ft.	3,500	30 ft.	12 ft.	26 ft.	45 ft.	600 each
Multi-family 3 Stories (5)	12,000 sq.ft.	75 ft.	3,500 sq.ft.	30 ft.	14 ft.	30 ft.	50 ft.	600 each
Community Development Projects (3)	3 acres		3,000 sq.ft.	30 ft.				
Public Utility Uses (4)	7,000 sq.ft.	60 ft.		30 ft.	8 ft.	18 ft.	35 ft.	-

Other

Permitted Uses: Same as specified in the "R-2" District.

- (1) Subject to requirements of sub-section 18.31.
- (2) Local roads only. For Major Highway frontage, see Sec. 18.44; for built-up frontage, see Sec. 18.41.
- (3) Subject to requirements of Section 17.07.
- (4) Other than essential services as defined in sub-section 3.17.
- (5) For greater heights, see Section 11.40.

Article 12
"R-5" GENERAL RESIDENCE DISTRICT

12.00 The following uses shall be permitted, and the following regulations and the applicable regulations contained in other Articles shall apply, in the "R-5" General Residence District.

12.10 PRINCIPAL PERMITTED USES.

12.101 Any Principal Use or structure permitted and as regulated in the "R-4" District, except as hereinafter modified.

12.102 Trailer homes.

12.103 Conversion of a building to accommodate two or more families, in accordance with the requirements in Section 5.17.

12.104 Boarding or lodging houses not primarily for transients.

12.105 Rest homes and nursing homes for convalescent patients, provided any buildings for such uses shall be distant not less than twenty (20) feet from any other lot in any "R" District.

12.20 CONDITIONAL USES, REQUIRING BOARD AUTHORIZATION.

12.201 Any Conditional Use permitted and as regulated in the "R-4" District, except as hereinafter modified.

12.202 Trailer parks, subject to the requirements in Section 17.053.

12.203 Motels (excluding restaurants, gas stations, or other business), subject to the special provisions in Section 17.10.

12.204 Cabin courts, subject to the requirements in Section 17.11.

12.30 ACCESSORY USES.

12.301 Accessory uses and structures as permitted and as regulated in the "R-4" District, except as hereinafter modified.

12.302 Other accessory uses and structures, not otherwise permitted, customarily accessory and incidental to any permitted principal use.

12.40 HEIGHT REGULATIONS. No principal structure shall exceed three (3) stories or forty (40) feet in height, and no accessory structure shall exceed one and one-half (1-1/2) stories of twenty-five (25) feet in height; except as provided in Section 18.2 and except that farm and utility structures may be built to any required height.

12.50 LOT AREA AND WIDTH, YARD, AND FLOOR AREA REQUIREMENTS. The following minimum requirements shall be observed, subject to the modified requirements in Article 18:

	Min. Lot Area (1)	Min. Lot Width (1)	Lot Area per Family	Front Yard Depth (2)	Side Yard Widths		Rear Yard Depth	Min. Floor Area (s.f.)
					Least Width	Sum of Widths		
<u>Dwellings, Trailers</u>								
1-Family, 1 & 1½ Story	7,000 sq.ft.	60 ft.	7,000 sq.ft.	25 ft.	8 ft.	18 ft.	35 ft.	400
1-Family, 2 & 2½ Story	7,000 sq.ft.	65 ft.	7,000 sq.ft.	25 ft.	10 ft.	22 ft.	40 ft.	400
2-Family, 1 & 1½ Story	7,000 sq.ft.	70 ft.	3,500 sq.ft.	25 ft.	10 ft.	22 ft.	40 ft.	400 each
2-Family, 2 & 2½ Story	7,000 sq.ft.	70 ft.	3,500 sq.ft.	25 ft.	12 ft.	25 ft.	45 ft.	400 each
Multi-Family 1 & 1½ Story	10,500 sq.ft.	75 ft.	3,500 sq.ft.	25 ft.	10 ft.	22 ft.	40 ft.	400 each
Multi-Family 2 & 2½ Story	10,500 sq.ft.	75 ft.	3,500 sq.ft.	25 ft.	12 ft.	26 ft.	45 ft.	400 each
Multi-Family 3 Story	10,500 sq.ft.	75 ft.	3,500 sq.ft.	25 ft.	14 ft.	30 ft.	50 ft.	400 each
Community De- velopment Projects (3)	3 acres		3,000 sq.ft.	25 ft.				
Motels & Trailer Parks	2 acres	200 ft.	2,500 sq.ft.	25 ft. (4)	50 ft.	100 ft.	50 ft.	-
Cabin courts (5)	1 acre	100 ft.	2,500	25 ft.	20 ft.	40 ft.	50 ft.	400
Public Utility Uses (6)	7,500 sq.ft.	60 ft.		25 ft.	8 ft.	18 ft.	35 ft.	
Other Permitted Uses	Same as specified in the "R-1" District.							

(1) Subject to requirements of sub-section 18.31.

(2) Local roads only. For Major Highway frontage see Section 18.44; for built-up frontage, see Section 18.41.

12.50 Continued.

- (3) Subject to requirements of Section 17.07.
- (4) Subject to requirements of Sections 17.053 and 17.10.
- (5) Subject to requirements of Section 17.11.
- (6) Other than essential services as defined in sub-section 3.17.

Article 13
"B-1" COMMUNITY BUSINESS DISTRICT

13.00 The following uses shall be permitted, and the following regulations and other applicable regulations contained in other Articles shall apply, in the "B-1" Community Business District:

13.10 PRINCIPAL PERMITTED USES - subject to the conditions in Section 13.30.

13.101 Any use permitted and as regulated in the "R-4" Apartment District, except as hereinafter modified.

13.102 Conversion of a building to accommodate two or more families, in accordance with the requirements in Section 5.17.

13.103 Boarding or lodging houses.

13.104 Any neighborhood or community retail business or service establishment such as a food, drug, clothing, hardware, accessory, variety, or department store, a barber, beauty, florist, or specialty shop, a shoe repair shop, an automatic laundry or cleaning shop, a bank or savings and loan office, a professional office, a real estate or insurance office, or the like, - supplying commodities or performing services primarily for residents of the surrounding community.

13.105 Restaurants, cafes, and confectionaries, - not including entertainment or dancing.

13.106 Antique or gift shops.

13.107 Automobile service stations, light repair and storage garages, and commercial parking lots for passenger vehicles, - subject to provisions in Section 17.04 and provided that all motor tuning or testing, or other noisy activities, be conducted within enclosed buildings.

13.108 Theatres, bowling halls, other indoor commercial recreation places, and funeral homes.

13.109 Carpenter, electrical, plumbing, heating, sheet metal, sign painting, printing, upholstery, furniture repairing, painting, or interior decorating shops - provided all principal buildings and workshops, and all paint storage, be located at least fifty (50) feet from any lot in any "R" District.

13.110 Commercial greenhouses and nurseries, provided any greenhouse heating plant shall observe the distance requirements in Section 5.19.

13.111 Unified Shopping Centers complying with the requirements of Section 17.09.

13.112 General administrative and executive offices.

13.113 Any other retail business or service establishment which is determined by the Board of Appeals to be of the same general character as those specified herein, but not including any use of a class first permitted in a "B-2" or "M" District.

13.20 ACCESSORY USES.

13.201 Accessory buildings and uses customarily incidental to any permitted principal use, and not otherwise prohibited, including those permitted and as regulated in the "R-5" District.

13.202 Exterior signs pertaining only to the uses conducted on the same premises or to the occupancies thereof. Such signs shall be integral with or attached to the building; or if any such building is more than 100 feet back from the street line, a free-standing sign located at the street line shall be permitted. No such sign shall project over any building line or street line more than three (3) feet unless attached to a marquee or canopy, nor more than three (3) feet above the parapet wall or roof line if mounted on the building, nor shall it exceed fifteen (15) feet in total height if free-standing, and the areas of all such signs on the premises shall not exceed in the aggregate two (2) square feet for each linear foot of building frontage. Where the lot adjoins an "R" District, any exterior sign within fifty (50) feet thereof shall be attached flat against the front of the building.

13.203 Directional and other incidental signs, not exceeding four (4) square feet each in area, required in connection with the operation of an automobile service station, parking lot, or similar use, provided such signs do not extend over street lines nor otherwise obstruct or impair the safety of pedestrians or motorists.

13.204 The manufacturing, processing, or treatment of goods for sale primarily at retail on the premises, or the cleaning, laundering, repairing, or other treatment of objects as a retail service to customers on the premises, in which operations not more than three (3) persons shall be engaged at any one time.

13.30 REQUIRED CONDITIONS.

13.301 All businesses and processing shall be conducted wholly within completely enclosed buildings, except for the sale of automotive fuels, fluids, and incidental services at service stations, and the parking or loading of vehicles, - unless authorized in connection with a Unified Shopping Center.

13.302 Where a "B-1" District fronts directly across the street from any "R" District, the parking and loading facilities shall be set back at least twenty-five (25) feet from the street line, and the intervening space shall be landscaped. All buildings in such cases shall be set back at least seventy-five (75) feet.

13.303 Goods sold or stocked shall consist primarily of new merchandise or of bona fide antiques.

13.304 Processes and equipment employed and goods processed or sold shall be limited to those which are not objectionable by reason of hazard, odor, dust, smoke, cinders, gas, fumes, noise, vibration, radiation, refuse matter, or water-carried waste.

13.40 HEIGHT REGULATIONS. No structure shall exceed three (3) stories or forty (40) feet, except as provided in Section 18.2.

13.50 LOT AREA AND WIDTH, YARD, AND FLOOR AREA REQUIREMENTS. The following minimum requirements shall be observed, subject to the modified requirements in Article 18:

	Min. Lot Area	Min. Lot Width	Lot Area per Family	Front Yard Depth (1)	Side Yard Widths each side	Rear Yard Depth	Min. Floor Area
Dwellings	Same	as	in	"R - 4"	District		
Other Permitted Uses	-	-	-	35 ft. (3)	None required except adjoining an "R" District; then 15 ft.	50 ft.	-
Unified Shopping Centers (2)	2 acres	-	-	35 ft. (3)	Same as above	50 ft.	-

(1) Local roads only. For Major Highway frontage, see Section 18.44; for built-up frontage, see Section 18.41.

(2) See Section 17.09.

(3) Or greater, as specified elsewhere in this Ordinance.

Article 14
"B-2" GENERAL BUSINESS DISTRICT

14.00 The following uses shall be permitted, and the following regulations contained in other Articles shall apply, in the "B-2" General Business District:

14.10 PRINCIPAL PERMITTED USES - Subject to the conditions in Section 14.40.

14.101 Any use or structure permitted and as regulated in the "R-5" and "B-1" Districts, except as hereinafter modified.

14.102 Tourist homes, produce stands.

14.103 Hotels and motels, - subject to the applicable provisions of Section 17.10.

14.104 Drive-in eating and drinking establishments, summer gardens and road houses including entertainment and dancing, provided the principal building shall comply with the distance requirements of Section 5.19.

14.105 Automobile repair shops or general garages, subject to the provisions in Section 17.04.

14.106 Automobile, tire, battery, trailer, and implement establishments for display, hire, sale, or general repair, including sales lots, all subject to the requirements in Section 5.19.

14.107 Animal hospital, veterinary clinic or kennel, provided any structure or area used for such purposes shall comply with the requirements of Section 5.19 and are at least one hundred (100) feet from any "B-1" District.

14.108 Bakery, laundry, clothes cleaning and dyeing establishment - all subject to one-half (1/2) the distance requirements of Section 5.19.

14.109 Billboards, - subject to the same regulations as other uses and to the provisions of Section 17.06.

14.110 Wholesale business, warehousing, storage and distributing establishments, - except for flammable liquids or explosives.

14.111 The following uses - (1) when conducted wholly within a completely enclosed building, provided that any openings in such building, other than stationary windows and required fire exits, shall observe one-half (1/2) the distance requirements of Section 5.19 (or such greater distance as provided below for a particular use but not less than one-quarter (1/4) the distance requirements of Section 5.19 in any case); or (2) when conducted within an area enclosed on all sides by a solid wall or uniformly painted solid board fence, not less than six (6) feet high, meeting the requirements of Section 5.19:

(a) Building materials sales yard, not including concrete mixing.

(b) Contractor's equipment storage yard or plant, or storage and rental of equipment commonly used by contractors.

14.111 Continued.

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- (c) Trucking or motor freight station or terminal.
- (d) Retail lumber yard, including mill work only when incidental.
- (e) Storage, sale, and incidental milling or other processing of grain and livestock feed, or storage and sale of coal, coke, or firewood; provided dust is effectively controlled during all operations.
- (f) Carting, express, or hauling establishments, including storage of vehicles.
- (g) Stone or monument works not employing power driven tools; or if employing such tools then only within a completely enclosed building subject to one-half (1/2) the distance requirements of Section 5.19.

14.112 Any other use that is determined by the Board of Appeals to be of the same general character as the above-mentioned uses, including any kind of manufacturing or treatment incidental to the conduct of a retail business on the premises, except a use which is first permitted in an "M" District or is prohibited therefrom.

14.113 Electric, communication, water, sewer, gas, and fuel transmission lines and necessary equipment incidental thereto; wireless transmitting stations, transformers, boosters, railroad lines and stations.

14.20 CONDITIONAL USES, REQUIRING BOARD AUTHORIZATION.

- 14.201 Trailer parks, subject to the provisions of Section 17.05.
- 14.202 Cabin courts, subject to the provision of Section 17.11.
- 14.203 Inflammable liquids, underground storage only, not to exceed forty thousand (40,000) gallons, and subject to the distance requirements of Section 5.19.
- 14.204 Drive-in theatres, provided that the screen shall be so located that the picture will not be visible from adjacent streets or highways and said screen shall be set back not less than one hundred (100) feet from the street line; and provided all parts of such drive-in theatres shall comply with the distance requirements of Section 5.19.
- 14.205 Swimming pools, dancing, skating, golf driving ranges, livery stables, riding academies, amusement parks, circus, carnival, target ranges, or similar open-air recreational uses and facilities except race tracks, all subject to the requirements of Section 5.19.
- 14.206 Commercial marinas, for the sale, rent, repair, storage, launching, docking, equipping, and servicing of pleasure boats of any size and of work boats not over 40 feet in length, and of their engines, sails, parts, and equipment, including (a) marine railways, (b) repair shops or sheds not inconsistent with the general character of the "B-2" District, (c) docks for the unloading

14.206 Continued.

of seafood catch or haul in containers, provided that there shall be no storing, processing, or packing or such products on the premises; Provided, that off-street parking space shall be provided at the rate of not less than three spaces for every two boat moorings, plus two spaces for each boat launched and remaining launched at any given time, plus one space for each employee; that all parking and storage spaces shall be screened from adjoining roads and from any adjacent property in a more restricted district; that no light or lighted sign shall be displayed that might create a hazard to navigation; and that all repair shops or sheds, marine railways, seafood docks, boat storage yards, and the like, shall observe the distance requirements of Section 5.19.

14.30 ACCESSORY USES.

14.301 Accessory uses and structures permitted and as regulated in the "B-1" District.

14.302 Accessory uses and structures customarily incidental to any permitted principal use, except those of an industrial type that are not permitted in the "M-1" District as a principal use.

14.40 REQUIRED CONDITIONS.

14.401 Processes and equipment employed and goods processed or sold shall be limited to those which are not objectionable by reason of hazard, odor, dust, smoke, cinders, gas, fumes, noise, vibration, radiation, refuse matter or water-carried waste.

14.402 Lots for the public display or sale of automobiles, trucks, trailers, implements, boats, or other machinery or equipment shall comply with the following requirements:

14.4021 Every such lot shall be fenced along each public street or road by an ornamental fence not less than thirty (30) inches high, located at least five (5) feet back from the property line or from any public sidewalk, and the space in front thereof shall be landscaped and properly maintained.

14.4022 No lighting of such lot, other than minimum protective night lighting, shall remain on after normal business hours. All lighting shall be shaded so as to direct the light away from residential premises and from public roads.

14.4023 Along any side adjacent to any "R" District, or institutional premises, an ornamental wall, fence, or compact evergreen hedge and wire fence, not less than four (4) feet or more than six (6) feet high, shall be installed and maintained in good condition without any advertising thereon.

14.50 HEIGHT REGULATIONS. Same as in "B-1" District.

14.60 LOT AREA AND WIDTH, YARD, AND FLOOR AREA REQUIREMENTS. The following minimum requirements shall be observed, subject to the modified requirements contained in Article 18:

14.60 Continued.

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	Min. Lot Area	Min. Lot Width	Lot Area per Family	Front Yard Depth (1)	Side Yard Width each side	Rear Yard Depth	Min. Floor Area
Dwellings	- - - - - Same as specified in the "R-5" District - - - - -						
Hotels motels	1 acre	100 ft.	1,000 s.f. per bedroom	35 ft.	20 ft.	40 ft.	-
Trailer Parks (2)	2 acres	200 ft.	2,500 s.f.	35 ft. (2)	40 ft. (2)	40 ft. (2)	-
Cabin courts (3)	20,000 sq.ft.	100 ft.	2,500 s.f.	35 ft.	20 ft.	40 ft.	400 sq. ft.each
Other Permitted Uses				35 ft. (4)	None required except adjoin- ing an "R" Dist., then 15 ft.	40 ft.	-

- (1) Local roads only. For Major Highway frontage, see Section 18.44; for built-up frontage, see Section 18.41.
- (2) Subject to requirements of Section 17.05.
- (3) Subject to requirements of Section 17.11.
- (4) Or greater as may be specified elsewhere in this Ordinance.

Article 14-A
"M-0" CONTROLLED INDUSTRIAL DISTRICTS

14.A.00 In order to provide greater freedom in the selection of areas for certain classes of industries and at the same time to secure and maintain effective control over the locations, type, and arrangement of industrial uses and to protect the uses in neighboring residential districts, areas for "M-0" Districts may be designated on the zoning map and/or may be created by petition in accordance with the procedure specified in Sec. 14.A.80. Such areas may be located in any "A-1", "A-2", or "R-1" district but in no other. Any such area shall be at least ten (10) acres in size.

14.A.01 The following uses shall be permitted, and the following regulations and the applicable regulations contained in other Articles shall apply, in the "M-0" Controlled Industrial Districts.

14.A.10 PRINCIPAL PERMITTED USES - Subject to the conditions in Section 14.A.50.

14.A.101 Single-family dwellings.

14.A.102 Churches and parish houses.

14.A.103 Schools and colleges for academic instruction.

14.A.104 Farms, gardens, estates, forests, private game preserves, and the usual agricultural, grazing, forestry, and conservation uses and structures; provided that any greenhouse heating plant, stable, dairy barn, feeding pen, or other building in which farm animals are kept shall comply with the distance requirements in Sec. 5.19.

14.A.105 Libraries and archives.

14.A.20 SPECIAL USES. When designating or creating any "M-0" District area, the Board of County Commissioners may authorize any one or more of the following uses in such area, in addition to those specified in Sections 14.A.10 and 14.A.30. In authorizing any such additional use, the Commissioners may impose such requirements and conditions with respect to location, construction, maintenance, and operation - in addition to those expressly stipulated hereinafter - as they may deem necessary for the protection of adjacent properties and the public interest.

14.A.201 General administrative and executive offices.

14.A.202 Laboratories - chemical, physical, and biological - for research, development, or testing, and incidental or associated pilot plants and production facilities; but not including any rocket test stand or launching pad.

14.A.203 Electronic or similar data processing centers.

14.A.204 Institutions for research and training in the arts and sciences, or for cultural, social, or educational purposes.

14.A.205 The processing, preparing, or packaging of nuclear products of such types, by such processes, and under such conditions, as may be approved in each case by the Atomic Energy Commission and the appropriate State regulatory bodies as being safe in close proximity to residential and other developments.

14.A.206 Fabrication and assembly of nuclear reactors and reactor components.

14.A.207 Operation of small experimental nuclear reactors.

14.A.208 The fabrication or assembly and testing of space equipment components (excluding rocket test stands or launching pads), military hardware components associated with nuclear or electronic devices, aircraft, spacecraft, engines, communications, or similar equipment, and of electrical appliances or electronic instruments, parts or devices.

14.A.209 Observatories, tracking or communications stations.

14.A.210 Electric sub-stations and transmission or communications towers.

14.A.211 Private airports or landing strips without any commercial servicing facilities.

14.A.30 ACCESSORY USES.

14.A.301 Accessory buildings and uses customarily incident to any permitted use, and not otherwise prohibited, including the underground storage of inflammable liquids, not exceeding forty thousand (40,000) gallons, if complying with the distance requirements in Section 5.19. Storage uses shall be entirely within buildings unless specifically authorized by the Board of County Commissioners.

14.A.302 A suitable identification sign for each establishment, not exceeding one hundred fifty (150) square feet in size, or a temporary sign of like size offering the property for sale or rent.

14.A.40 PROHIBITED USES.

14.A.401 Any hospital, clinic, or other institution for human care, or any retail business, service, billboard, or other use permitted in the "B-2" District other than those expressly permitted in this Article; provided, however, that any such use that is purely incidental and accessory to a permitted use, such as a restaurant, canteen, recreation field, or dispensary, shall be permitted in connection therewith, and provided that any prohibited use legally existing in any "M-0" District at the time of its establishment shall not be subject to any of the limitations or other regulations prescribed for non-conforming uses elsewhere in this Ordinance.

14.A.50 REQUIRED CONDITIONS.

14.A.501 All "Special Uses" shall be subject to two (2) times the distance requirements in Section 5.19.

14.A.502 All uses except agricultural, public utility, airport, and similar uses, shall be conducted wholly within completely enclosed buildings, except for parking, loading, and unloading facilities.

14.A.503 No use shall be permitted to be established or maintained which by reason of its nature or manner of operation is or may become hazardous, objectionable, or offensive, by reason of explosion, fire, odor, dust, smoke, cinders, gas, fumes, noise, vibration, radiation, refuse matter, or water-carried waste.

14.A.504 The front yard requirements shall apply along all public streets and roads, including side roads, and such yards shall be landscaped and maintained in good condition.

14.A.505 All roads, driveways, and parking areas shall be surfaced with a dustless all-weather material.

14.A.506 Off-street parking areas shall be provided sufficient to accommodate the combined total number of employees on the two heaviest shifts, plus adequate areas for officials and visitors.

14.A.507 Storage facilities shall be provided for all company vehicles.

14.A.508 All buildings on any premises shall not cover in the aggregate more than twenty (20) per cent of the gross site area.

14.A.60 HEIGHT REGULATIONS. No structure shall exceed two (2) stories or thirty-five (35) feet in height, except as provided in Section 18.2, and except that farm structures may be built to any required height.

14.A.70 LOT AREA AND WIDTH, YARD, AND FLOOR AREA REQUIREMENTS. The following minimum requirements shall be observed, subject to the modified requirements contained in Article 18; except that Dwellings, Churches, Parish houses, Schools, Colleges, and Farms shall comply with the requirements of the district in which the area was located before its designation as an "M-0" District.

	Front Yard Depth (1) (2)	Side Yard Width each Side (2)	Rear Yard Depth (2)
All buildings	100 ft.	25 ft. except adjoining an "R" District, in which case not less than 50 ft.	None required except adjoining an "R" District; then 100 ft.

(1) For built-up frontage, see Section 18.41.

(2) Additional requirements may apply to certain cases, as specified elsewhere in this Ordinance.

14.A.80 PROCEDURE FOR CREATING AN "M-0" DISTRICT.

14.A.801 A petition for the creation of an "M-0" District shall be addressed to the Board of County Commissioners, shall be referred to the County

Planning and Zoning Commission, and shall be processed in the manner prescribed for changes and amendments in Article 21, including public notice and hearing. The filing fee shall also be the same, and all requirements of Article 21 relative to plats and other information shall be met.

14.A.802 Such petitions shall be accompanied by sufficient information, shown on tentative or general development plans or otherwise, to indicate the uses to be made of the property, the general layout of the proposed development, the controlling design features or standards, or other type of information as the Commissioners may require to enable them to carefully and adequately consider the proposal in its relationship to the comprehensive plan and objectives of the County, the need for economic growth and employment of a constructive type, the welfare of the community and of neighboring interests, and all other proper considerations.

14.A.803 Approval of an "M-O" District area shall be by resolution of the Board of County Commissioners, specifying the uses and conditions applying therein. Such approval shall include a requirement that the buildings, grounds and uses continue to be maintained and conducted in accordance with said conditions of approval and in such manner as will not adversely affect vicinial properties. Failure to comply with this requirement may be grounds for reclassification of the property by the proper authority after notice and public hearing. Every approved "M-O" District area shall be designated on the Zoning Map.

14.A.804 No building or zoning permit shall be issued in any "M-O" district for a building or use which does not comply substantially with the approved general plan, layout, or standards, and with the conditions of approval. If the authorized use has not been established within five (5) years, the approval shall be void unless the County Commissioners, upon written request and after recommendation and report from the Planning Commission, grant an extension; except that not more than two (2) such extensions, of one year each, may be granted.

Article 15
"M-1" INDUSTRIAL PARK DISTRICT

15.00 The following uses shall be permitted, and the following regulations and the applicable regulations contained in other Articles shall apply, in the "M-1" Industrial Park District.

15.10 PRINCIPAL PERMITTED USES - Subject to the conditions in Section 15.50.

15.101 General administrative and executive offices.

15.102 Laboratories - chemical, physical, and biological - for research, development, or testing, and incidental or associated pilot plants and production facilities; but not including any rocket test stand or launching pad.

15.103 Electronic or similar data processing centers.

15.104 Printing and publishing plants.

15.105 Libraries or archives.

15.106 The preparation and packaging of cosmetics, pharmaceuticals, candies, and food products, except fish and meat products or any other products the preparation of which produces strong or offensive odors, such as sauerkraut, vinegar, or yeast, or the rendering or refining of fats or oils, or the canning of fruits or vegetables.

15.107 The manufacturing, compounding, assembling, or treatment of small articles of merchandise from semi-finished materials such as cloth, leather, paper, light metals, or pieces of wool, largely by hand operations and not employing heavy or noisy machinery such as sawmills, planing mills, punch presses, knitting machines, looms, or the like.

15.108 The manufacture or assembly of small electrical or electronic devices, instruments, parts, or equipment, or of musical instruments, optical or dental goods, toys, novelties, photographic equipment, and the like.

15.109 Farms, gardens, forests, and the usual agricultural, grazing, forestry, and conservation uses and structures including farm dwellings; provided that any greenhouse heating plant, stable, dairy barn, feeding pen, or other building in which farm animals are kept shall comply with the distance requirements in Section 5.19.

15.110 Wholesale warehouses or distributing plants, except for flammable liquids or explosives.

15.111 Electric, communication, water, sewer, gas, and fuel transmission lines and necessary equipment incidental thereto; wireless transmitting stations, transformers, boosters, railroad lines and stations.

15.112 Any other use that is determined by the Board of Appeals to be of the same general character as the above-mentioned uses, but not including any use first permitted in the "M-2" District or prohibited therefrom.

15.20 CONDITIONAL USES, REQUIRING BOARD AUTHORIZATION - and subject to two (2) times the distance requirements in Section 5.19.

15.201 The manufacture of pottery or other similar ceramic products using only previously pulverized clay and kilns fired only by electricity or gas.

15.202 Bakeries, laundries, and dry cleaning and dyeing plants.

15.203 Bottling plants for soft drinks.

15.204 Creameries or milk processing and bottling plants, or distribution stations for dairy products.

15.30 ACCESSORY USES.

15.301 Accessory buildings and uses customarily incident to any permitted use, and not otherwise prohibited, including the underground storage of inflammable liquids, not exceeding forty thousand (40,000) gallons, if complying with the distance requirements in Section 5.19.

15.302 A suitable identification sign for each establishment, not exceeding one hundred fifty (150) square feet in size, or a temporary sign of like size offering the property for sale or rent.

15.40 PROHIBITED USES.

15.401 Any dwelling, school, hospital, church, clinic, or other institution for human care, or any retail business, service, billboard, or other use permitted in the "B-2" District other than those expressly permitted in this Article; provided, however, that any such use that is purely incidental and accessory to a permitted use shall be permitted in connection therewith, and that any such use legally existing in the "M-1" District at the time of enactment of this Ordinance, or any amendment thereto, shall not be subject to any of the limitations or other regulations prescribed for non-conforming uses elsewhere in this Ordinance.

15.50 REQUIRED CONDITIONS.

15.501 All uses except agricultural, public utility, airport, and similar uses, shall be conducted wholly within completely enclosed buildings, except for parking, loading, and unloading facilities.

15.502 No use shall be permitted to be established or maintained which by reason of its nature or manner of operation is or may become hazardous, objectionable, or offensive, by reason of explosion, fire, odor, dust, smoke, cinders, gas, fumes, noise, vibration, radiation, refuse matter, or water-carried waste.

15.503 The front yard requirements shall apply along all public streets and roads, including side roads, and such yards shall be landscaped and maintained in good condition.

15.504 All roads, driveways, and parking areas shall be surfaced with a dustless all-weather material.

15.505 Off-street parking areas shall be provided sufficient to accommodate the combined total number of employees on the two heaviest shifts, plus adequate areas for officials and visitors.

15.506 Storage facilities shall be provided for all company vehicles.

15.507 All buildings shall be substantially constructed and shall have finished exteriors.

15.508 The buildings on any premises shall not cover in the aggregate more than twenty (20) per cent of the gross site area.

15.60 HEIGHT REGULATIONS. No structure shall exceed two (2) stories or thirty-five (35) feet in height, except as provided in Section 18.2, and except that farm structures may be built to any required height.

15.70 YARD REQUIREMENTS. The following minimum requirements shall be observed, subject to the modified requirements contained in Article 18:

	Front Yard Depth (1) (2)	Side Yard Width each Side (2)	Rear Yard Depth (2)
All buildings	100 ft.	25 ft. except adjoining an "R" District, in which case not less than 50 ft.	None required except adjoining an "R" District; then 100 ft.

(1) For built-up frontage, see Section 18.41.

(2) Additional requirements may apply to certain cases, as specified elsewhere in this Ordinance.

Article 16
"M-2" GENERAL INDUSTRIAL DISTRICT

16.00 The following uses shall be permitted, and the following regulations and the applicable regulations contained in other Articles shall apply, in the "M-2" General Industrial District:

16.10 PRINCIPAL PERMITTED USES - subject to the conditions in Sec. 16.50.

16.101 Any use or structure permitted and as regulated in the "B-2" District, except as hereinafter modified and excepting retail businesses and services, dwellings, and certain other uses as stipulated in Section 16.402.

16.102 Any principal use or structure permitted and as regulated in the "M-1" District, except as hereinafter modified.

16.103 Any other use not prohibited altogether in the "M-2" District or in certain parts of said district, by this Article or by any other law or ordinance.

16.104 The following uses when conducted wholly within completely enclosed buildings, except for parking and loading areas, and subject to the distance requirements of Section 5.19.

(a) Automobile, truck, trailer, bus, implement, machinery, or similar equipment fabrication, assembly, or major repair.

(b) Automobile body or paint shops.

(c) Tire recapping plants.

(d) Blacksmith, welding, or other metalworking shops not employing reciprocating hammers or punch presses over twenty (20) tons rated capacity.

(e) Creamery, bottling, ice manufacturing, or cold storage plant, or milk distributing depot.

(f) Foundry casting lightweight non-ferrous metals, or electric foundry not producing noxious fumes or odors.

16.105 The following uses subject to the distance requirements of Section 5.19:

(a) Lumber yards, including millwork; contractor's equipment storage yards or plants or storage and rental of equipment commonly used by contractors; storage and sale of livestock feed and/or coal, coke, or firewood, provided dust is effectively controlled; storage yards for vehicles of a delivery or draying service; storage of construction or maintenance vehicles, equipment, and supplies, such as poles, pipe, cable, or wire.

(b) Ship yards for the construction, launching, repairing, servicing, fitting, storing, sale, rent, docking, loading, or unloading of boats of any kind, and their engines, parts, and equipment, including marine ways or railways.

16.105 Continued.

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- (c) Inflammable liquids, underground storage only, not to exceed forty-thousand (40,000) gallons.
- (d) Freight stations or truck terminals.
- (e) Railroad yards and engine or car service facilities.
- (f) Electric sub-stations, water treatment plants, water tanks, stand-pipes, and pumping stations.

16.106 The following uses when located not less than three hundred feet from any "R" District, and not less than one hundred (100) feet from any other district:

Asbestos manufacturing.
 Asphalt mixing plants.
 Bleaching, cleaning, or dyeing plant of large scale production.
 Boiler shops, machine shops, structural steel fabricating shops,
 and railway car or locomotive shops including repair; metal-
 working shops employing reciprocating hammers or punch presses
 over twenty (20) tons rated capacity.
 Brewing or distilling of liquors.
 Brick, pottery, tile and terra cotta manufacturing.
 Candle manufacturing.
 Concrete mixing plants.
 Cooperage works.
 Crematory.
 Disinfectant, insecticide, or poison manufacturing.
 Dye and dyestuff manufacture.
 Electric generating plant.
 Enameling, lacquering, or japanning.
 Emory cloth or sandpaper manufacturing.
 Felt manufacturing.
 Flour or grain mill.
 Forge or foundry works.
 Gas storage, illuminating or heating, including liquefied gas,
 for distribution to consumers.
 Grain drying, or poultry feed manufacturing from refuse, mash, or
 grain.
 Hair or hair products manufacturing.
 Inflammable liquid storage underground in excess of forty thousand
 (40,000) gallons, and storage above ground if less than forty
 thousand (40,000) gallons.
 Lime products manufacturing.
 Linoleum, oil cloth, or oiled goods manufacturing.
 Livestock purchase or sales yards and buildings.
 Meat and seafood packing; but not stockyards or slaughterhouses
 specified as a conditional use in Section 16.20.
 Oil paint or enamel manufacturing or the grinding of colors by
 machine.
 Perfume manufacturing.
 Pickle, sauerkraut, or sausage manufacturing.
 Printing ink manufacturing.
 Rubber, caout-chouc, gutta-percha, or balata manufacturing or
 treatment.

16.105 Continued.

Sandblasting or cutting.
 Sawmill, or the manufacture of excelsior, wood fiber, or sawdust products.
 Sewage disposal plant.
 Shoddy manufacturing.
 Shoe blacking or polish or stove polish manufacturing.
 Stone and monument works employing power-driven tools if not complying with the provisions in sub-section 14.113 (g).
 Vinegar manufacturing.
 Wire or rod drawing, nut, screw, or bolt manufacturing.
 Yeast manufacturing.
 Any other use which, in the opinion of the Board of Appeals, is of a similar character to those specified above.

16.20 CONDITIONAL USES, REQUIRING BOARD AUTHORIZATION - subject to the conditions in Section 16.50.

16.201 Any conditional use permitted and as regulated in the "M-1" District, except as hereinafter modified.

16.202 The following uses when the location of each use shall have been authorized by the Board of Appeals, provided that any such use shall be located at least six hundred (600) feet from any "R" District and at least two hundred (200) feet from any other district:

Abattoirs and slaughterhouses or stock yards.
 Acids, wholesale storage of.
 Circus, carnival, revival tent, or similar transient enterprise.
 Explosive manufacture or storage, including fireworks.
 Fairgrounds, race tracks, drag strips, and the like.
 Fertilizer manufacturing.
 Fish smoking or curing.
 Garbage, offal, or dead animal or fish reduction or dumping.
 Inflammable liquids refining or storage above ground in excess of forty thousand (40,000) gallons.
 Junk yards including auto wrecking yards; the storage, sorting, drying, cleaning, refining, or baling of iron, junk, rags, glass, cloth, paper, or other materials, wool pulling and scouring; - subject to the special provisions in Section 17.12.
 Poultry slaughterhouse, including packing and storage for wholesale.
 Sand and gravel pits, borrow pits, clay pits, mines, and quarries, or stripping of soil, including the processing or compounding of products largely composed of such materials, provided: (a) that any building which houses power-driven or power-producing machinery or equipment shall be distant at least two hundred (200) feet from all road lines and from all adjacent property located in any district other than the "M-2" District; (b) that the extractive operation be confined to areas at least twenty-five (25) feet distant from all adjoining property and one hundred (100) feet from any then existing principal building on an adjoining property; (c) that all excavations be backfilled on a four-to-one (4:1) slope during or at the completion of operations; (d) that, before authorizing such use, the Board shall obtain an adequate bond or other satisfactory guarantee to ensure the provision of adequate fencing and the restoration

of the land to a safe and usable condition by regrading, draining, or other suitable treatment, during or at the completion of the extractive operation.

Smelting or reduction of ores or metallurgical products.

Any other use which in the opinion of the Board of Appeals is of a similar character to those specified above.

16.30 ACCESSORY USES.

16.301 Accessory uses and structures permitted and as regulated in the "M-1" District, except as hereinafter modified.

16.302 Other uses and structures customarily accessory and incidental to a permitted principal use, except of a type which is permitted only subject to Board authorization.

16.40 PROHIBITED USES.

16.401 Any use in conflict with any Ordinance of Queen Anne's County or law of the State of Maryland, regulating nuisances.

16.402 Any dwelling, trailer, school, hospital, church, clinic or other institutions for human care, or any retail business or service; provided however, that any retail business or service which is incidental to a permitted principal use, and any watchman's or caretaker's dwelling which is accessory to such use, shall be a permitted use; and provided further that any retail business or service legally existing in the "M-2" District at the time of the enactment of this Ordinance, or any amendment thereto, shall not be subject to any of the limitations or other regulations prescribed for non-conforming uses elsewhere in this Ordinance.

16.403 Any of the following uses:

Acetylene manufacture in excess of fifteen (15) pounds pressure per square inch.

Acid manufacture.

Asphalt or tar roofing or waterproofing manufacture.

Bleaching powder, ammonia, or chlorine manufacture.

Celluloid or pyroxyline manufacture or processing.

Creosote manufacture or creosoting plant.

Distillation of bones.

Fat rendering.

Gas generation.

Glue or size manufacture.

Lime, gypsum, plaster, or plaster-of-paris manufacture.

Match manufacture.

Paper or pulp manufacturing.

Petroleum refining or re-processing of petroleum or coal-tar products.

Potash manufacture.

Radium extraction.

Soap manufacturing.

Soda, soda ash, potash, caustic soda, or washing compound manufacture.

Starch, glucose, or dextrin manufacture.

Sugar refining.

Tin distillation or manufacturing.

Turpentine, varnish, or shellac manufacture.

16.403 Continued.

- Starch, glucose, or dextrine manufacture.
- Sugar refining.
- Tar distillation or manufacturing.
- Turpentine, varnish, or shellac manufacture.

16.50 REQUIRED CONDITIONS.

16.501 The best practicable means available for the disposal of refuse matter or water-carried waste, the abatement of obnoxious or offensive odor, dust, smoke, gas, noise, vibration, radiation, or similar nuisance, and protection against fire and explosion, shall be employed.

16.502 The requirement that certain businesses, services, or processing shall be conducted in the "M-1" District within a completely enclosed building, and the other conditions specified in Section 15.50, shall not apply to any such principal use in the "M-2" District.

16.60 HEIGHT REGULATIONS. No structure within six hundred (600) feet of any "R" District shall exceed three (3) stories or fifty (50) feet in height, except as provided in Section 18.2.

16.70 YARD REQUIREMENTS. The following requirements shall be observed, subject to the modified requirements contained in Article 18:

	Front Yard Depth (1)	Each Side Yard (1)	Rear Yard Depth (1)
All Buildings	35 ft.	15 ft. except adjoining an "R" District, in which case not less than 50 ft.	50 ft.

(1) Or greater as may be specified elsewhere in this Ordinance.

Article 17
SPECIAL PROVISIONS

17.01 OFF-STREET LOADING SPACES. In any district, in connection with every building or part thereof hereafter erected, having a gross floor area of ten thousand (10,000) square feet or more and which is to be occupied by manufacturing, storage, warehouse, goods display, retail store, wholesale store, market, hotel, hospital, mortuary, laundry, dry cleaning or other use similarly requiring the receipt or dispatch by vehicles of materials or merchandise, there shall be provided and maintained on the same lot with such building at least one (1) off-street loading space, plus one (1) additional such loading space for each twenty thousand (20,000) square feet or major fraction thereof of gross floor area so used in excess of the first twenty thousand (20,000) square feet.

17.011 Each loading space shall be not less than ten (10) feet in width, forty-five (45) feet in length, and fourteen (14) feet in clear height.

17.012 Such space may occupy all or any part of any required yard or court space, except a front yard or the required side yard on the street side of a corner lot.

17.013 No such space shall be located closer than fifty (50) feet to any lot located in any "R" District, unless the loading space is wholly within a completely enclosed building or unless enclosed on all sides by a wall or uniformly painted board fence not less than six (6) feet in height.

17.02 OFF-STREET PARKING AREAS.

17.021 In all districts, in connection with every industrial, commercial, business, trade, institutional, recreational, dwelling, and other use, space for parking and storage of vehicles shall be provided in accordance at least with the following schedule of minimum requirements:

Automobile Sales and Service Garages - 50 per cent of floor area.

Banks, Business Offices, and Professional Offices other than a doctor's office - 50 per cent of floor area.

Bowling Alleys - 5 spaces for each alley.

Churches and Schools - 1 space for each 4 seats in a principal auditorium or 1 space for each 10 classroom seats, whichever is greater.

Dance Halls, Assembly Halls - 200 per cent of floor area used for dancing or assembly.

Doctor's Office - 8 parking spaces per doctor.

Dwellings - 1 parking space for each family or dwelling unit.

Funeral Homes, Mortuaries - 4 spaces for each parlor or 1 space for each 50 square feet of floor area whichever is greater.

17.021 Continued.

Furniture and Appliance Stores, Household Equipment or Furniture Repair Shops, over 1,000 square feet of floor area - 100 per cent of floor area.

Hospitals - 1 space for each 2 beds.

Manufacturing Plants - 1 space for each 2 employees on the maximum working shift or 25 per cent of floor area, whichever is the greater.

Restaurants, Beer Parlors, and Night Clubs, over 1,000 square feet floor area - 200 per cent of floor area.

Retail Stores, Supermarkets, etc., over 2,000 square feet floor area - 200 per cent of floor area.

Retail Stores, Shops, etc. under 2,000 square feet floor area - 100 per cent of floor area.

Sports Arenas, Auditoriums other than in Schools - 1 parking space for each 3 seats.

Theatres, Assembly Halls with fixed seats - 1 parking space for each 3 seats.

Wholesale Establishments or Warehouses - 1 space for each 2 employees or 10 per cent of floor area, whichever is greater.

17.022 In the case of any building, structure, or premises, the use of which is not specifically mentioned herein, the provisions for a use which is so mentioned and to which said use is most nearly similar, shall apply.

17.023 Except in the case of dwellings, no parking area provided hereunder shall be less than one thousand (1,000) square feet in area exclusive of necessary driveways, aisles, or entrances. Each parking space shall be at least ten (10) feet wide and twenty (20) feet deep.

17.024 Every parcel of land hereafter used as a public or private parking area, including a commercial parking lot, shall be improved and maintained in accordance with the following requirements.

17.0241 Off-street parking areas for more than five (5) vehicles shall be effectively screened on each side that adjoins or is faced by premises located in any "R" District, or institutional premises, by an ornamental wall or fence, or a compact evergreen hedge and wire fence. Such wall or hedge shall be not less than four (4) feet or more than six (6) feet in height and shall be maintained in good condition without any advertising thereon.

17.0242 No part of any parking space shall occupy a required front yard or side yard on the street side of a corner lot, or be closer than five (5) feet to any established road right-of-way.

17.0243 Any off-street parking area, including any commercial parking lot, for more than five (5) vehicles shall be surfaced or kept treated in such manner as may be necessary to prevent any dust nuisance to the neighboring property or the general public, shall be so graded and drained as to dispose of

17.0243 Continued.

all surface water accumulation within the area, and shall be so arranged and marked as to provide for orderly and safe loading or unloading and parking and storage of self-propelled vehicles.

17.0244 Any lighting used to illuminate any off-street parking area, including any commercial parking lot, shall be so arranged as to direct the light away from adjoining residential premises and from public roads.

17.0245 All entrances and exits to and from such areas shall open on or lead directly to a main thoroughfare, insofar as practicable.

17.025 The Board of Appeals may authorize, subject to the provisions of Section 20.4, a modification, reduction, or waiver of the foregoing requirements if it should find that in the particular case appealed the peculiar nature of the residential, business, trade, industrial, or other use, or the exceptional shape or size of the property or other exceptional situation or condition, would justify such modification, reduction, or waiver.

17.03 RESTRICTED ACCESSORY PARKING AREAS.

17.031 The Board of Appeals may also authorize, subject to the provisions of Section 20.4, the establishment and operation of off-street parking areas in any "A" or "R" District that adjoins a "B" or "M" District, subject to the following conditions and limitations:

17.0311 The parking lot shall provide parking space for ten (10) or more self-propelled vehicles.

17.0312 It shall be accessory to and for the use of one or more businesses or industrial establishments located in the adjoining "B" or "M" District.

17.0313 It shall be located on premises having an area of not less than four thousand (4,000) square feet, which shall abut at least forty (40) feet on a "B" or "M" District.

17.0314 No charge shall be made for parking or storage of vehicles.

17.0315 Entrances and exits shall be located within the adjoining business or industrial districts.

17.0316 The application shall be accompanied by the names and addresses of all property owners within two hundred (200) feet of the premises in question, who shall be given the opportunity to be heard at a public hearing by the Board in connection with the consideration of such application.

17.0317 In addition to the above, the Board may prescribe further requirements or conditions deemed necessary or desirable in respect to surfacing, marking, lighting, enclosures, or planting, for protection of the adjacent property.

17.0318 A zoning certificate issued for an accessory parking area under the above provisions shall be revocable, subject to continued compliance with the requirements and conditions.

17.04 FILLING STATIONS, PUBLIC GARAGES, AND PARKING LOTS.

17.041 No gasoline filling station, or commercial, customer, or employee parking lot for more than five (5) motor vehicles, or public garage or automobile repair shop, shall have an entrance or exit for vehicles within four hundred (400) feet along the same side of a road of the premises of any school, public playground, church, hospital, public library, or institution for dependents or for children, except where such property is in another block or on another road which the lot in question does not abut, or is accessory to such use; and no part of any such gasoline filling station, parking lot, garage or shop shall be located within one hundred (100) feet of any of the said public, semi-public, or institutional buildings or properties.

17.042 No gasoline filling station or public garage shall be permitted where any oil draining pit or visible appliance for any such purpose, other than filling caps, is located within twelve (12) feet of any street lot line or within twenty-five feet of any "R" District, except where such appliance or pit is within a building.

17.043 On all corner lots, all vehicular entrances to or exits from any gasoline filling station, or commercial, customer, or employee parking lot for more than five (5) motor vehicles, or public garage or automobile repair shop, shall be set back a minimum of twenty-five (25) feet from the corner property lines extended or from the right-of-way lines determined as specified in Section 5.13. No such vehicular entrance or exit, whether on a corner lot or not, shall exceed forty (40) feet in width at the curb line, or thirty (30) feet at the property line; and there shall be a minimum of 20 feet, measured along the curb line, between any two successive vehicular entrances or exits except where they are adjacent.

17.05 TRAILERS OR TRAILER PARKS.

17.051 Parking of a trailer in any "A", "R", or "B-1" District shall be prohibited, except as provided in sub-sections 5.20, 6.102, 6.107, 7.105, and 12.102, and except that one (1) trailer may be parked or stored in an enclosed garage or other accessory building or on the same lot with the principal use, provided no living quarters shall be maintained or any business conducted in connection therewith while such trailer is parked or stored. Provided, however, that on a farm any private trailer shall be permitted if occupied by the owner or tenant of such farm or members of his immediate family, or by persons engaged primarily in the operation of such farm, and on condition that it shall be located in the farm building group and at least four hundred (400) feet from any permanent dwelling on adjacent property, and at least 200 feet back from any public road. No trailer, wherever located, shall be used as a dwelling except in compliance with requirements of the Health Department as to water supply and waste disposal.

17.052 Every trailer used as a dwelling, except in a trailer park or on a farm, and except where permitted as a seasonal or temporary use, shall comply with the following conditions:

- (a) It shall be designed exclusively for single-family occupancy.
- (b) The wheels and undercarriage shall be removed and it shall be erected on a durable masonry foundation or columns, with solid footings, fully enclosed and finished.

17.052 Continued.

- (c) It shall have a gross floor area, excluding any additions not a part of the original manufactured unit, not less than the minimum prescribed herein for the District in which it is located, but not less than 250 square feet in any case.
- (d) It shall comply in all other respects with the requirements for dwellings in the district in which it is located.

17.053 Every trailer park shall comply with all sanitary and other requirements prescribed by law or regulation, and further:

17.0531 All trailers and trailer sites shall be distant from every property line as follows:

- (a) In any "A" or "R" District, where permitted, not less than fifty (50) feet.
- (b) In any "B" District, where permitted, not less than forty (40) feet; except that this distance may be reduced to not less than fifteen (15) feet where the trailer park is enclosed by a solid fence or wall at least six (6) feet high.

17.0532 The trailer sites together with any non-accessory buildings on the lot shall not occupy in the aggregate more than twenty-five (25) per cent of the gross area of the lot.

17.0533 No retail business or merchandising, other than such as is purely incidental and subordinate to the operation of a trailer park and intended primarily for its occupants, shall be permitted on the same lot with any trailer park; provided, however, that in a "B" District a small grocery store, community building, automatic laundry, beauty shop, or similar use meeting the foregoing requirements may be permitted.

17.0534 No vehicular entrance to or exit from any trailer park for more than ten (10) trailers, wherever located, shall be within four hundred (400) feet along roads of any school, public playground, church, hospital, library, or institution for dependents or for children, except where such building or property is in another block or fronts on a road on which such trailer park will have no entrance or exit.

17.0535 Approved public or community water supply and sanitary sewage collection and disposal facilities shall be available and provided to each trailer site.

17.0536 No existing trailer park shall be enlarged or extended unless the entire park is made to conform substantially to all requirements for a new trailer park. A Zoning Certificate, and Board authorization where required, shall be obtained for any such enlargement or extension, the same as for a new establishment.

17.06 BILLBOARDS AND OTHER SIGNS. Billboards and other outdoor advertising signs and structures, where permitted, shall be subject to the following conditions:

17.061 Billboards.

17.0611 No billboard shall have more than two hundred (200) square feet of copy area per facing, and the trim shall not exceed forty (40) per cent of the copy area. No such sign shall have an over-all height of more than twenty (20) feet above ground level, or twenty (20) feet above the grade level of the adjacent road if higher. Not more than one such billboard shall be erected at any one location and facing the same direction.

17.0612 No billboard shall be located less than three hundred (300) feet from any other billboard on the same side of the road; except when such sign is part of a double-faced or "V"-type structure where the interior angle of the "V" does not exceed forty-five (45) degrees; nor shall any billboard be located less than one hundred (100) feet from any "A" or "R" District or three hundred (300) feet from any public or parochial school, park, library, church, historical shrine, or other buildings or landmarks maintained as such by a public or semi-public agency.

17.0613 Billboards shall be set back at least as far as the required front yard depth for a principal building, except that at an intersection along any state or county highway the setback of any billboard on unimproved land shall be at least one hundred (100) feet from each highway and intersecting road.

17.062 Directional Signs. No directional sign in any "A" District, whether single-faced or double-faced, shall exceed twenty-five (25) square feet in size (exclusive of mountings), or ten (10) feet in total height. No such sign shall be located less than five hundred (500) feet from any other such sign on the same side of the road, or less than two hundred (200) feet from any dwelling, school, church, institution for human care, or public or semi-public building or shrine (unless pertaining to such building or use and located on the same lot therewith), nor less than one hundred (100) feet from any intersecting road. Not more than one such sign shall be erected for each establishment advertised, in each direction from the establishment along each road, nor shall any such sign be more than three (3) miles distant from the establishment advertised. Such signs shall be exempt from all set-back requirements.

17.063 Real Estate Signs. Real Estate signs advertising improved property and not exceeding twenty (20) square feet in size shall be set back from the front lot line at least one-half (1/2) the distance required for a principal building on the lot, and no Zoning Certificate for the erection of such sign shall be required provided it conforms with this and other provisions of this Ordinance. Other real estate signs shall be set back from every street line at least a distance in feet equal to one-half (1/2) the number of square feet area of the sign, provided, that such setback shall be not less than forty (40) feet from the right-of-way line in any "A" or "R" District and not less than the front yard depth required for a principal building in any "B" or "M" District; provided, further, that such setback need not be more than one hundred (100) feet.

17.064 Signs in General. No billboard, real estate sign, accessory or other sign, sign structure, or similar device, shall be located so as to obstruct or conflict with traffic sight lines or traffic control signs or signals, especially at traffic intersections. Signs visible from a public road shall not contain the word "stop" or "danger", or otherwise simulate traffic control or other official signs. No lighting shall be permitted, of signs.

17.064 Continued.

or for advertising purposes, which is of a flashing, intermittent, rotating, or other animated type, or which simulates that of any police or emergency vehicle, or which tends to blind or distract an approaching motorist or shine directly into any dwelling in an "R" District.

17.07 COMMUNITY DEVELOPMENT PROJECTS. In the case of a community development project when authorized under Sections 10.203, 11.203, or elsewhere, a Zoning Certificate for such project shall be issued only when authorized by the Board of Appeals subject to the provisions of Section 20.44, after public hearing and after the Board has received a report and recommendations from the County Planning and Zoning Commission.

17.071 The Planning Commission shall investigate and ascertain that the plans for such project meet the following conditions:

17.0711 That the tract of land for the project comprises not less than three (3) acres.

17.0712 That the buildings are to be used only for residential purposes and the customary accessory or associated uses, such as private garages, storage spaces, recreational and community activities, churches, and schools.

17.0713 That the average lot area per family or dwelling unit on the site, exclusive of the area occupied by streets, will not be less than the lot area per family specified for such project in the district in which it is located; except as follows:

- (a) Where there is to be provided and maintained, as a part of the proposed development, adequate recreation areas to serve the needs of the anticipated population to be housed in such project, the average lot area per family or dwelling unit may be reduced not to exceed ten (10) per cent for two-family dwellings, and not to exceed twenty (20) per cent for multi-family dwellings.

17.0714 That there is to be provided, within the tract, parking spaces in private garages or off-street parking areas in accordance with the requirements of Section 17.02.

17.0715 That the proposed project will constitute a residential environment of sustained desirability and stability; that it will be in harmony with the character of the surrounding neighborhood and ensure substantially the same type of occupancy as obtains or may be expected to obtain in said neighborhood; that it will result in standards of open space at least as high as permitted or specified in the district in which it is located.

17.0716 That property adjacent to the proposed project will not be adversely affected.

17.072 A report of its findings and recommendations shall be furnished by the Planning Commission to the Board. Thereupon, if the Board finds that the proposed project will be consistent with the intent and purpose of this Ordinance to promote public health, safety, morals, and general welfare, it

17.072 Continued.

may authorize the Zoning Inspector to issue a Zoning Certificate even though the use of the land and the location of the buildings to be erected and the yards and other open spaces contemplated by the plan do not conform in all respects to the requirements of this Ordinance for the district in which the proposed project is to be located.

17.08 PLANNED UNIT DEVELOPMENTS. A plan for the subdividing and development of a tract of land comprising not less than thirty (30) acres may be submitted to the Planning Commission with written application for its approval, which development may include lots having less area or width than herein prescribed for the district in which it is located, and the Planning Commission, at its discretion, may approve such development and authorize the use of such lots provided the following conditions are met:

17.081 No lot in such development shall be reduced by more than twenty (20) per cent in area or width, and no lot shall be less than fifty (50) feet wide.

17.082 The total number of lots in the development shall not exceed the number that would have been produced by a conventional plan in which all the lots are of at least the minimum size prescribed for the district.

17.083 No lot in such development shall be of less size in any case than is prescribed in Section 18.31.

17.084 Not less than twenty (20) per cent of the net residential area, not including streets, church sites, or sites for other non-residential uses, nor less than five (5) acres in any case, shall be set aside for public or community uses such as recreation, education, or conservation, which areas shall be dedicated to the public, or with approval of the Planning Commission and subject to appropriate conditions may be deeded to an acceptable community association for the common use and enjoyment of the residents in the development or the general public. The locations, sizes, shapes and other aspects of such open spaces shall be subject to approval by the Planning Commission, but no such area shall be less than three (3) acres in area unless it is an addition to an existing area intended for similar use.

17.085 The average area per lot of all lots in the subdivision (excluding non-residential lots) shall be not less than the minimum lot area prescribed for the same class of dwellings in the same district. For the purpose of determining such average, the areas of open spaces provided under subsection 17.084 above shall be included.

17.086 Where any lots adjoin a major highway or railroad, or a multi-family, commercial, industrial, or other non-residential area, the Planning Commission may require such lots to have at least the minimum size prescribed for the district.

17.09 UNIFIED SHOPPING CENTERS.

17.091 The owner of a tract of land located in any district at or near where a proposed shopping center is shown on the Official Land Use Plan of Queen Anne's County and containing not less than five (5) acres, may submit

17.091 Continued.

to the Planning Commission for its review a preliminary plan for the use and development of such tract of land for a unified shopping center project.

17.092 In accepting such plan for review, the Planning Commission must be satisfied that the proponents of the unified shopping center intend to start construction within two (2) years of the approval of the project and any necessary change in zoning, and intend to complete it within a reasonable time as determined by the Commission.

17.093 It shall then be the duty of the Planning Commission to investigate and ascertain whether the location, size, and other characteristics of the site, and the proposed plan, comply with the following conditions:

17.0931 The need for the proposed center at the proposed location, to provide adequate shopping facilities or services to the surrounding neighborhood or community, has been demonstrated by the applicant by means of market studies or such other evidence as the Commission may require.

17.0932 The proposed shopping center is sufficient but not excessive in size, to provide adequate neighborhood or community shopping facilities for the population which reasonably may be expected to be served by such shopping facilities.

17.0933 The proposed shopping center is at a location where traffic congestion does not then exist on the roads to be utilized for access to the proposed shopping center, and where such congestion will not likely be created by the proposed center; or where such congestion will be obviated by presently projected improvements of access roads, by demonstrable provision in the plan for proper entrances and exits, and by internal provisions for traffic and parking.

17.0934 The plan provides for a shopping center consisting of one or more groups of establishments in buildings of integrated and harmonious design, together with adequate and properly arranged traffic and parking facilities and landscaping, which will be an attractive and efficient shopping center, convenient, pleasant, and safe to use, and which will fit harmoniously into, and will have no adverse effect upon, the adjoining or surrounding development.

17.094 The uses permitted in a unified shopping center shall be those retail businesses, commercial and service uses permitted in the "B-1" District. No residential, heavy commercial, or industrial uses shall be permitted or any use other than such as is necessary or desirable to supply with goods or services the surrounding neighborhood or community.

17.095 The following regulations shall apply to a unified shopping center project:

17.0951 Building Heights: No building shall exceed three (3) stories or forty (40) feet in height, except as modified by Section 18.2 of this Ordinance.

17.0952 Yards: No building shall be less than one hundred twenty-five (125) feet from the centerline of a public road or less than fifty (50)

17.0952 Continued.

feet from any other boundary of the tract on which the shopping center is located. The center shall be permanently screened from all adjoining properties located in any "R" District and, except for necessary entrances and exits, from all properties located in any "R" District across the road and within one hundred (100) feet from such center, by a solid wall, fence, or compact evergreen hedge at least six (6) feet in height. Such wall, fence, or hedge shall be placed at least five (5) feet from the property line and the space between such property line and the wall, fence, or hedge shall be properly landscaped and maintained.

17.0953 Tract Coverage: The ground area occupied by all the buildings shall not exceed in the aggregate twenty-five (25) per cent of the total area of the lot or tract.

17.0954 Customer Parking Space: Notwithstanding any other requirements of this Ordinance, there shall be provided one (1) off-street parking space for each one hundred (100) square feet of rental floor space, not including basement storage space.

17.0955 Loading Space: Notwithstanding any other requirements of this Ordinance, there shall be provided one (1) off-street loading and unloading space for each twenty thousand (20,000) square feet, or fraction thereof of aggregate floor space of all buildings in the center. At least one-third (1/3) of the spaces required shall be sufficient in area and vertical clearance to accommodate trucks of the tractor-trailer type.

17.0956 Accessway and Illumination of Parking Areas: These shall conform to the requirements for off-street parking areas, Section 17.02 of this Ordinance.

17.0957 Signs: In addition to signs permitted and as regulated in the "B-1" or "B-2" District, as the case may be, each such center shall be permitted two (2) free standing signs not over twenty-five (25) feet in height, having a maximum total size of one hundred (100) square feet. All signs within the center shall be controlled by written agreement between the owners and tenants of the center or otherwise, to avoid excessive advertising and ensure an attractive and harmonious appearance to the center as a whole. All signs shall conform to the distance requirements from property side-lines for the buildings in the center.

17.096 Upon determination by the Planning Commission that the proposed shopping center, as shown by the preliminary plan, appears to conform to the requirements of this Section and all other applicable requirements of this Ordinance, the proponents shall prepare and submit a final development plan which shall incorporate any changes or modifications required by the Commission.

17.097 If the final development plan is found to comply with the requirements set forth in this Section and other applicable provisions of this Ordinance, the Planning Commission shall approve such plan for development in substantial conformity therewith and within the time determined by the Commission. If a change in zoning is necessary, the Planning Commission shall submit said plan with its report and recommendations, together with an application by the proponents for such change in zoning classification, to the Board of County Commissioners which shall hold a public hearing on both the development plan and application for a change in zoning.

17.098 Following the public hearing, the Board of County Commissioners may modify the plan consistent with the intent and meaning of this Ordinance, transmit the plan if modified to the Planning and Zoning Commission for its comments and recommendations, and after receipt thereof may rezone the property to the classification permitting the proposed center, for development in substantial conformity with the final plan as approved by it.

17.099 After the final development plan has been approved, and in the course of carrying out this plan adjustments or rearrangements of buildings, parking areas, loading areas, entrances, heights, or yards may be requested by the proponents, and provided such requests conform to the standards established by the final development plan and this Ordinance, such adjustments or rearrangements may be authorized by the Planning Commission.

17.10 MOTELS: Every motel shall comply with all sanitary and other requirements prescribed by law or regulation; and in the "A-1" and "R-5" Districts:

17.101 All buildings shall be distant not less than fifty (50) feet from every property line.

17.102 The buildings shall not occupy in the aggregate more than twenty-five (25) per cent of the gross lot area.

17.103 No vehicular entrance to or exit from any motel of more than ten (10) units shall be within four hundred (400) feet along roads of a school, public playground, church, hospital, library, or institution for dependents or for children, except where such building or property is in another block or fronts on a road on which such motel will have no entrance or exit.

17.104 Approved water supply and sanitary sewage collection and disposal facilities shall be provided for each unit.

17.105 No existing motel, tourist camp, or similar establishment shall be enlarged or extended unless the entire establishment is made to conform substantially to all requirements for a new motel.

17.11 CABIN COURTS. Every cabin court hereafter erected, constructed, located, or enlarged, consisting of a group of dwelling units for more-or-less temporary occupancy and in a single ownership, shall comply with the following requirements:

17.111 It shall comply with the lot size, yard, floor area, and other requirements specified for the district in which it is located.

17.112 The buildings shall not occupy in the aggregate more than twenty-five (25) per cent of the gross area of the lot.

17.113 No retail business or merchandising, other than self-service facilities for the exclusive use of the occupants, shall be permitted.

17.114 Each dwelling unit shall be equipped with running water, a flush toilet, and adequate heating and cooking facilities, and shall be connected to officially approved water supply and sanitary sewage collection and disposal facilities.

17.115 Provision shall be made for the sanitary collection and disposal of all wastes.

17.12 JUNK YARDS. Every junk yard, including auto wrecking yards, shall be set back from every public road at least one hundred (100) feet and shall be completely fenced. Where exposed to public view, such fence shall be of sufficient height (at least eight (8) feet), and of such nature, as to screen the contents effectively from public view; or the contents may be screened by dense foliage or topography. Such fences, where exposed to public view, shall be kept neatly and unobtrusively painted or finished and in good condition. No used parts, wrecked vehicles, or other junk shall be kept or displayed outdoors in front of such fence or screen, but a store, garage, or other related business establishment shall be permitted in accordance with applicable provisions for such uses in the "B-2" District.

17.121 Every existing junk yard, including auto wrecking yards, shall be made to comply with the foregoing requirements within two (2) years after the date of enactment of this Ordinance, or shall be discontinued and removed.

Article 18
EXCEPTIONS AND MODIFICATIONS

18.00 The regulations specified in this Ordinance shall be subject to the following exceptions, modifications, and interpretations:

18.1 USE OF EXISTING LOTS OF RECORD. In any district where dwellings are permitted, a single-family dwelling may be located on any lot or plot of official record as of the effective date of this Ordinance and in separate ownership from any adjacent lot, irrespective of its area or width or the width of the road on which it fronts, subject to the following requirements:

(1) The sum of the side yard widths on any such lot or plot need not exceed thirty (30) per cent of the width of the lot, but in no case shall any one side yard be less than ten (10) per cent of the width of the lot.

(2) The depth of the rear yard on any such lot need not exceed twenty (20) per cent of the depth of the lot, but in no case shall it be less than ten (10) feet.

(3) In case the right-of-way of the road on which the lot fronts is less than fifty (50) feet wide, the depth of the front yard shall be the required depth for the district plus twenty-five (25) feet, measured from the center line of the road.

(4) The use of such lot shall be subject to approval by the County Health Officer as to water supply and disposal of sanitary wastes, if a public water supply and public sewer are not to be provided.

18.11 The foregoing provisions in Section 18.1 shall also apply to any lot of official record but not in separate ownership, if such lot is shown on a subdivision plat (a) legally recorded on or after January 10, 1961, or (b) legally recorded prior to January 10, 1961, if any lots therein have been sold by bona fide contract, or have been conveyed to any purchaser (by deed, since April 17, 1960, or (c) in any subdivision in which ten (10) per cent or more of the lots shown on said plat shall have been sold by bona fide contract, whether or not consummated by deed, or (d) in any subdivision in which a substantial amount of roads shall have been laid out and actually constructed; provided, that a "Certificate of Exemption" shall have been issued by the Planning Commission prior to July 1, 1962, for any such subdivision recorded prior to January 10, 1961, in accordance with the provisions of Section 4, exception (c), of Zoning Ordinance No. 3 adopted January 10, 1962, as amended.

18.2 STRUCTURES PERMITTED ABOVE HEIGHT LIMIT The building height limitations of this Ordinance shall not apply to:

18.21 Penthouses or roof structures for housing stairways, tanks, ventilation fans or similar equipment required to operate and maintain the building; fire or parapet walls, cupolas, steeples, flag poles, poles, smoke stacks, masts, water tanks or other superstructures that project into the airway.

18.22 Bulkheads, elevator penthouses, water tanks, monitors, and scenery on roofs, provided no linear dimension of any such structure exceeds fifty (50) per cent of the corresponding street lot line frontage; towers, monuments, fire towers, hose towers, cooling towers, grain elevators, gas holders or other structures.

18.22 Continued.

where the manufacturing process requires a greater height; or essential services defined in sub-section 3.17. Provided, however, that all such structures above the heights otherwise permitted in the district shall not occupy more than twenty-five (25) per cent of the area of the lot and shall be distant not less than fifty (50) feet in all parts from every lot line not a street lot line.

18.23 Churches, schools, institutional buildings, public utility buildings and structures, and any building or structure in the "M-2" District if not less than six hundred (600) feet distant from any "R" District; provided that for each three (3) feet by which the height of such building or structure exceeds the maximum height otherwise permitted in the district, its side and rear yards shall be increased in width or depth by an additional foot over the side and rear yards required for the highest building otherwise permitted in the district.

18.3 AREA REQUIREMENT MODIFICATIONS.

18.31 In any district, where neither public water supply nor public sanitary sewer is accessible and where an acceptable community water supply and sewage system is not provided, the otherwise specified lot area and lot width requirements, where less than the following, shall be: Lot Area - 20,000 sq.ft., Lot Width - one hundred (100) feet; provided, however, that where a public or an acceptable community sewage disposal system is accessible or is to be provided prior to occupancy, these requirements shall be fifteen thousand (15,000) square feet and one hundred (100) feet respectively.

18.32 In the case of a Planned Unit Development, individual lot sizes may be reduced in accordance with the provisions of Section 17.08.

18.4 FRONT YARD MODIFICATIONS.

18.41 Where the average depth of at least two (2) existing front yards on lots within two hundred (200) feet of the center line of the lot in question and within the same block front is less or greater than the least front yard depth prescribed elsewhere in this Ordinance, the required depth of the front yard on such lot shall be modified. In such case, this shall not be less than the average depth of said existing front yards, or the average depth of existing front yards on the two (2) lots immediately adjoining, or, in the case of a corner lot, the depth of the front yard on the lot immediately adjoining; provided, however, that the depth of a front yard on any lot shall be at least ten (10) feet but need not exceed fifty (50) feet.

18.42 In any district, on any lot which fronts on a road having a right-of-way less than fifty (50) feet wide, a building shall be located at a distance from the center line of such road right-of-way not less than the depth of the front yard otherwise required in the district plus twenty-five (25) feet.

18.43 In the case of a development for which a subdivision plat is officially approved by the County Planning and Zoning Commission, showing building setback lines different from the yard requirements prescribed herein, such lines shall determine the yard requirements.

18.44 In any district, where a lot abuts a Primary or Secondary Highway designated by the official Major Highway Plan of Queen Anne's County, the minimum side yard required on the street side of a corner lot, where less than 100 feet, shall be increased by the following amounts:

18.44 Continued.

front yard otherwise required for any building, and the minimum side yard required on the street side of a corner lot, where less than 100 feet, shall be increased by the following amounts:

- (a) On a Primary Highway - 25 feet.
- (b) On a Secondary Highway - 15 feet.

18.5 DOUBLE FRONTAGE LOTS. Buildings on lots extending through from street to street shall provide the required front yard on both streets, but need not provide the required rear yard in case an equivalent open space is provided in lieu of such required rear yard.

18.6 REAR AND SIDE YARD MODIFICATIONS.

18.61 In computing the depth of a rear yard or the width of a side yard, where the rear or side yard opens on an alley, one-half (1/2) of the alley width may be included as a portion of the rear or side yard as the case may be.

18.62 Each side yard shall be increased in width by two (2) inches in any "R" District for each foot by which the length of the side wall of the building, adjacent to the side yard, exceeds forty (40) feet.

18.63 The side yard width may be varied where the side wall of a building is not parallel with the side lot line or is broken or otherwise irregular. In such case the average width of the side yard shall not be less than the otherwise required least width; provided, however, that such side yard shall not be narrower at any point than one-half (1/2) the otherwise required least width, or narrower than three (3) feet in any case.

18.64 The width of one side yard may be reduced when authorized by the Board, in the case of a one-family or two-family dwelling, to a width of not less than three (3) feet; provided the sum of the widths of the two side yards is not less than the required minimum, and provided the distance between the proposed dwelling and another dwelling, existing or proposed, on an adjacent lot is not less than the required minimum sum of the widths of the two side yards. Such reduction may be authorized only when the Board finds it to be warranted by the location of existing buildings or conducive to the desirable development of two or more lots.

18.65 A side yard along the side street lot line of a corner lot, which lot abuts in the rear, either directly or across an alley, the side lot line of another lot in an "R" District, shall have a width of not less than one half (1/2) the required depth of the front yard on such other lot fronting on the side street.

18.7 OTHER EXCEPTIONS TO YARD REQUIREMENTS.

18.71 The following architectural features may project into required yards or courts as hereinafter set forth:

18.711 Into any required front yard, rear yard, outer court, or required side yard adjoining a side-street lot line:

18.7111 Cornices, canopies, eaves or other architectural features, may project a distance not exceeding two (2) feet six (6) inches.

18.7112 Fire escapes may project a distance not exceeding four (4) feet six (6) inches.

18.7113 An uncovered stair and necessary landings may project a distance not to exceed six (6) feet; provided that such stair and landing shall not extend above the entrance floor of the building except for a railing not to exceed three (3) feet in height.

18.7114 Bay windows, balconies, and chimneys may project a distance not to exceed three (3) feet; provided that such features do not occupy, in the aggregate, more than one-third (1/3) of the length of the wall on which they are located.

18.712 Subject to the conditions specified above, the above-named features may project into any required side yard adjoining an interior-side lot line a distance not to exceed one-fifth (1/5) of the required least width of such side yard, but not to exceed three (3) feet in any case.

18.72 Fences, walls, and hedges, may be located in required yards or courts, subject to the limitation in sub-section 5.16 and the following:

18.721 Fences and walls not exceeding at any point four (4) feet in height above the elevation of the surface of the ground at such point may be located in any yard or court.

18.722 Fences and walls not exceeding at any point six (6) feet in height above the elevation of the surface of the ground at such point may be located in any rear yard or side yard area; provided that on a reversed corner lot, no such fence, wall, or hedge shall be closer to the side-street lot line, within twenty-five (25) feet of the side lot line of an adjoining lot to the rear, than a distance equal to the least depth of the front yard required for a one (1) story building on such adjoining lot.

18.8 LOT MODIFICATIONS IN A-1 DISTRICT.

Where a lot in the A-1 District is part of an officially approved subdivision containing at least (10) ten lots, the lot width requirement may be reduced by the Planning Commission, when approving such subdivision, to not less than one hundred fifty (150) feet, provided:

(a) The lots are to face upon an interior local service street having a width of at least fifty (50) feet, or if facing on an existing public road then a strip shall be dedicated from the subdivided area to widen such road to at least thirty (30) feet from the center line.

(b) The lots are to be restricted to one single family dwelling each.

(c) The private water supply and sewage disposal requirements of the Health Department can be met.

Article 19
ADMINISTRATION AND ENFORCEMENT

19.1 COUNTY ZONING INSPECTOR. The office of County Zoning Inspector (hereinafter called Zoning Inspector), established under the Interim Zoning Ordinance adopted January 9, 1962, is hereby re-established and confirmed. The Board of County Commissioners may designate any existing county official or employee to serve in this capacity or may appoint another as Inspector. It shall be the duty of the Zoning Inspector to administer and cause the enforcement of the provisions of this Ordinance in accordance with its administrative provisions. All departments, officials, and public employees of Queen Anne's County that are vested with the duty or authority to issue permits or licenses shall conform to the provisions of this Ordinance and shall issue no permit or license for any use, building, or purpose if the same would be in conflict with the provisions of this Ordinance. Any permit or license issued in conflict with the provisions of this Ordinance shall be null and void.

19.2 ZONING CERTIFICATES AND BUILDING PERMITS.

19.21 Except as otherwise provided herein, it shall be unlawful to locate, erect, or begin the construction, reconstruction, extension, conversion, or structural alteration of any building or structure, or to begin the excavation therefor or the construction of a well or sewage disposal system, other than the reconstruction, replacement, or extension of any existing well or sewage disposal system, without first applying for a Zoning Certificate therefor. Likewise, it shall be unlawful to use or permit the use of any building or land or part thereof, hereafter created, erected, constructed, reconstructed, extended, converted, or structurally altered, wholly or partly, or to change the use or permit the change of use of any building, structure, or land, until a Zoning Certificate (together with Special Use Permit where required) shall have been issued by the Zoning Inspector. Such Zoning Certificate shall show that the building or other structure or part thereof and the proposed use thereof, or the proposed use of the land or premises, conform with the provisions of this Ordinance. It shall be the duty of the Zoning Inspector to issue such Zoning Certificate if he finds to his satisfaction that the building, structure, premises, and proposed use thereof conform with all the requirements herein set forth.

19.22 Application for a Zoning Certificate shall be made to the Zoning Inspector coincident with the application for a building permit where such is required. Every application for a Zoning Certificate, whether in connection with a building permit or not, shall be accompanied by a drawing approximately to scale, showing the shape and dimensions of the lot to be used or built upon, the size and location on the lot of every existing building and structure, the location, outlines, and dimensions of the proposed building or structure and its driveways, the existing and intended use of the premises and of each building or part thereof, and such other information with regard to the lot and its neighboring lots, buildings, and uses, as may be necessary to determine and provide for the administration and enforcement of this Ordinance.

19.23 Issuance of a Zoning Certificate shall be withheld until the building or the necessary work thereon has been completed in accordance with the provisions of this Ordinance. No work shall be commenced, however, before the issuance of a building permit therefor, showing that application has

19.23 Continued.

been made for a Zoning Certificate and that the building or part thereof and the proposed use thereof conform with the provisions of this Ordinance. No such permit shall be issued until all necessary certificates have been issued by (a) the County Health Officer approving the proposed water supply and waste disposal facilities, (b) the County Roads Engineer or State Roads Commission District Engineer, as the case may be, approving the location and design of any driveways and drainage structures that are to connect with any public roads under their respective jurisdictions. No construction work shall be started before the lot and the location thereon of the projected building or other improvements have been staked out on the ground for inspection by the Zoning Inspector.

19.24 A building permit issued in accordance with the provisions of this Ordinance shall become void twelve (12) months after the date of its issuance, if the construction for which it was issued has not been started or has been substantially discontinued.

19.25 Upon written request from the owner or tenant, the Zoning Inspector shall issue a Zoning Certificate for any building or premises lawfully existing at the time of enactment of this Ordinance, certifying, after inspection, the extent and kind of use made of the building or premises and whether or not such use conforms with the provisions of this Ordinance. Application for such certificate shall be made within twelve (12) months after the date of enactment of this Ordinance.

19.26 A filing fee shall accompany each application for a Zoning Certificate, in such amount as may be determined by the Board of County Commissioners.

19.3 VIOLATIONS AND PENALTIES. It shall be unlawful to locate, erect, construct, reconstruct, enlarge, change, maintain, or use any building or land in violation of any regulation in or any provisions of this Ordinance, or any amendment or supplement thereto lawfully adopted by the Board of County Commissioners of Queen Anne's County; or to fail to comply with any reasonable requirement or condition imposed by the Board of Appeals. Any person, firm, or corporation violating any regulation in or any provision of this Ordinance or of any amendment or supplement thereto shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than one hundred (100) dollars nor more than one thousand (1,000) dollars, or may be imprisoned in the County Jail for a period of not more than thirty (30) days, or may be subject to both such fine and imprisonment in the discretion of the Court. Each and every day during which such illegal location, erection, construction, reconstruction, enlargement, change, maintenance, or use continues may be deemed a separate offense.

19.31 All Zoning Certificates and building permits shall be revocable, subject to the continued compliance with all requirements and conditions.

19.4 VIOLATIONS - HOW PREVENTED. In case any building is or is proposed to be located, erected, constructed, reconstructed, altered, repaired, converted, maintained, or used, or any land is or is proposed to be used, in violation of this Ordinance or any amendment or supplement thereto, the Board of County Commissioners, the attorney to the County Commissioners, the Zoning Inspector, or any adjacent or neighboring property owner who would be specifically damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement, or any other appropriate action or proceeding to prevent, restrain, correct, or abate such unlawful location, erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use, to prevent the occupancy of said building, or land, or to prevent

19.4 Continued.

tion, construction, reconstruction, alteration, repair, conversion, maintenance, or use, to prevent the occupancy of said building or land, or to prevent any illegal act, conduct, business, or use in or about such premises.

Article 20
BOARD OF APPEALS

20.1 APPOINTMENT. The Board of Appeals of Queen Anne's County, established heretofore in accordance with Section 22 of Article 66-B, the Annotated Code of Maryland, is hereby re-established and confirmed. The number of members of said Board, their terms of office, succession, removal, filling of vacancies, and their powers and duties, shall be as provided in Section 22 of Article 66-B, Annotated Code of Maryland, except that the Board of County Commissioners, by resolution, may re-appoint any or all of the incumbent members of said Board of Appeals and continue their terms of office in accordance with the schedule already in effect, or may appoint new members at its discretion.

20.2 ORGANIZATION. The Board shall be organized and its rules shall be amended, if necessary, in accordance with the provisions of this Ordinance. Meetings of the Board shall be held at the call of the Chairman, and at such other times as the Board may determine. The Chairman, or in his absence the Acting Chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be filed immediately in the office of the Board and shall be a public record. All actions of the Board shall be by resolution.

The Board may call upon any County official or department head for assistance in the performance of its duties, and it shall be the duty of such officers to render such assistance to the Board as may reasonably be required.

20.3 APPLICATIONS, APPEALS, HEARINGS, AND STAY OF PROCEEDINGS.

20.31 APPLICATIONS - WHEN AND BY WHOM TAKEN. An application, in cases in which the Board has original jurisdiction under the provisions of this Ordinance, may be made by any property owner or contract purchaser, or by a governmental officer, department, board or bureau. Such application shall be filed with the Clerk of the Board, with copy to the Zoning Inspector.

20.32 APPEALS - WHEN AND BY WHOM TAKEN. An appeal to the Board may be taken by any person aggrieved, or by any officer, department, board or bureau of Queen Anne's County by any decision of the Zoning Inspector. Such appeal shall be taken within thirty (30) days after the decision by filing with the Zoning Inspector and with the Board a notice of appeal, specifying the grounds thereof. The Zoning Inspector shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

20.33 FEES. A filing fee of twenty five (25) dollars shall accompany each application or appeal to the Board.

20.34 HEARINGS. The Board shall fix a reasonable time for the hearing of the application or appeal, shall give at least ten (10) days notice of the time and place of such hearing, in a newspaper of general circulation in the County and to the parties in interest, shall cause the property to be posted conspicuously with a notice of the hearing, and shall decide the same within a reasonable time. At the hearing, any party may appear in person or by agent or attorney.

20.35 STAY OF PROCEEDINGS. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Zoning Inspector certifies to the Board, after notice of appeal shall have been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. In such case proceedings shall not be stayed otherwise than by restraining order which may be granted by the Board or by a court of record, on application, after notice to the Zoning Inspector and on due cause shown.

20.36 ACTION OF THE BOARD. In exercising its powers, the Board may, in conformity with the provisions of statute and of this Ordinance, reverse or affirm, wholly or partly, or may modify, the order, requirement, decision, or determination appealed from, and may make such order, requirement, decision, or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken.

20.37 REPEATED APPLICATIONS. If an application or appeal is disapproved by the Board of Appeals, thereafter the Board shall not be required to consider another application for substantially the same proposal, on the same premises, until after one (1) year from the date of such disapproval. If an appeal to the Board is perfected and the public hearing advertised, and thereafter the applicant withdraws the application or appeal, he shall be precluded from filing another application or appeal for substantially the same proposal on the same premises for six (6) months.

20.38 COURT REVIEW. Any person or persons, jointly or severally, aggrieved by any decision of the Board of Appeals, or any taxpayer, officer, department, board, or bureau of the County, may appeal the same to the Circuit Court of Queen Anne's County. If, upon the hearing, it shall appear to the court that testimony is necessary for the proper disposition of the matter, it may take evidence or appoint a referee to take such evidence as it may direct and report the same to the court with his findings of fact and conclusions of law, which shall constitute a part of the proceedings upon which the determination of the court shall be made. The court may reverse or affirm, wholly or partly, or may modify, the decision brought up for review. Appeals from such determinations may be taken to the Court of Appeals as provided by law.

20.4 POWERS OF THE BOARD OF APPEALS.

20.41 ADMINISTRATIVE ERRORS. The Board of Appeals shall have the power to hear and decide Appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this Ordinance.

20.42 INTERPRETATION AND ADJUSTMENT OF ZONING MAP AND DISTRICT LINES. The Board may determine, after notice as provided in Section 20.34 and after public hearing, boundaries of districts as follows:

20.421 Where the street or lot layout actually on the ground, or as recorded, differs from the street or lot lines shown on the Zoning Maps, the Board shall interpret the maps in such a way as to carry out the intent and purpose of this Ordinance for the particular section or district in question.

20.422 Where the boundary line of a district divides a lot held in a single ownership on the effective date of this Ordinance, the Board may permit the extension of a district, but not more than one hundred (100) feet beyond said boundary line.

20.43 TEMPORARY USES. The Board may authorize the temporary use of a building or premises in any district for a purpose or use that does not conform to the regulations prescribed by this Ordinance for the district in which it is located; provided that such use be of a temporary nature and does not involve the erection of substantial buildings. Such certificate shall be granted in the form of a temporary and revocable permit for not more than a twelve (12) month period, subject to such conditions as will safeguard the public health, safety, convenience, and general welfare.

20.44 CONDITIONAL USES AND SPECIAL EXCEPTIONS. The Board shall have the power to hear and decide applications for Conditional Uses, special exceptions or other special questions on which the Board is authorized by this Ordinance to pass. All such applications shall be deemed to be for Special Exceptions authorized by Section 22 of Article 66-B, the Code of Maryland. In considering an application for a conditional use or other exception, the Board shall give due regard to the nature and condition of all adjacent uses and structures; and in authorizing a conditional use or exception the Board may impose such requirements and conditions with respect to location, construction, maintenance, and operation - in addition to those expressly stipulated in this Ordinance for the particular conditional use or exception - as the Board may deem necessary for the protection of adjacent properties and the public interest.

20.441 In addition to permitting the conditional uses and exceptions hereinbefore specified, the Board shall have the power to permit the following conditional uses and special exceptions:

(a) A business use in any "A" or "R" District, next to a non-conforming business or industrial use or between two such uses.

(b) On a lot adjoining or in a building adjoining a non-conforming use, a use of the next higher classification.

(c) A transitional use on the boundary of an "R-1", "R-2", or "R-3" District where it adjoins a "B" District, but not extending more than one hundred (100) feet into the "R" District, consisting of any use permitted in the "R-4" District; or where any "R" District adjoins an "M" District, a use permitted in any "B" District.

(d) Within any district, the disposal of wastes by the sanitary fill method.

20.442 In connection with the authorization of any conditional use or exception, the Board may require the installation, operation, and maintenance on or in connection with the proposed use, of such devices and methods of operation as may, in its opinion, be reasonably required to prevent or reduce hazardous or congested traffic conditions, odor, dust, smoke, gas, noise, or similar nuisances, and it may impose such other conditions and requirements as may be necessary in its opinion to protect adjacent properties and neighborhoods and prevent conditions which may become obnoxious or offensive. In authorizing a conditional use or exception, subject to compliance with certain conditions, the Board shall require from the owners, lessees, or tenants of the property for which the conditional use or exception is granted

20.442 Continued.

such evidence, written agreement, guarantee, or bond as it may deem necessary to ensure that the conditions stipulated by the Board are being and will be complied with. Any such written agreement may be required by the Board to be recorded among the Land Records of Queen Anne's County, at the expense of the applicant.

20.45 NON-CONFORMING USES. The Board may authorize issuance of a Zoning Certificate, after public hearing, for any of the following:

20.451 The substitution for a non-conforming use of another non-conforming use, if no structural alterations are made except those required by law or regulation; provided, however, that in any "R" District no change shall be permitted to any use prohibited in a "B" District, and in any "B" District no change shall be permitted to any use prohibited in an "M-1" District.

20.452 The extension of a building devoted to a non-conforming use or the construction of additional buildings, or the extension of a non-conforming use of land, where any such extension is necessary and incidental to the continuation of the existing use but is not authorized by Section 5.0331. No such extension or addition shall be deemed to extend or otherwise affect the date when such non-conforming use or building must be changed or removed, if subject to any of the provisions of Section 5.032.

20.46 VARIANCES. Where by reason of the exceptional narrowness, shallowness, or unusual shape of a specific piece of property on the effective date of this Ordinance, or by reason of exceptional topographic conditions or other extraordinary situation or special condition of such piece of property in question, the literal enforcement of the requirements of this Ordinance would make it exceptionally difficult, if not impossible, to comply with the exact provisions of this Ordinance and would cause unwarranted hardship and injustice - unnecessary to carry out the purpose and intent of this Ordinance - The Board shall have the power upon appeal in specific cases, filed as hereinbefore provided, to authorize such variance from the terms of this Ordinance as will not be contrary to the public interest and will relieve such hardship, so that the purpose and intent of this Ordinance shall be observed and substantial justice done. In authorizing a variance, the Board may attach thereto such conditions regarding the location, character, and other features of the proposed structure or use as it may deem necessary in the interest of the furtherance of the purposes of this Ordinance and in the public interest. In authorizing a variance, with attached conditions, the Board shall require such evidence and guarantee or bond as it may deem to be necessary, that the conditions attached are being and will be complied with.

20.461 No such variance in the provisions or requirements of this Ordinance shall be authorized by the Board unless the Board finds, beyond reasonable doubt, that all the following facts and conditions exist:

(a) That there are exceptional or extraordinary circumstances or special conditions applying to the property in question, or to the intended use of the property, that do not apply generally to other properties or classes of uses in the same zoning district.

(b) That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same zoning district and in the same vicinity.

20.461 Continued.

(c) That the authorizing of such variance will not be of substantial detriment to adjacent property, and will not be contrary to the purpose of this Ordinance or the public interest.

20.462 No grant of a variance shall be authorized unless the Board specifically finds that the condition or situation of the specific piece of property, or the intended use of said property, for which variance is sought - one or the other or in combination - is not of so general or recurrent a nature as to make reasonably practicable the formulation of a general regulation for such conditions or situation, to be adopted by the Board of County Commissioners as an amendment to this Ordinance.

20.5 LIMITATIONS, GUIDES AND STANDARDS. Where in this Ordinance certain powers are conferred upon the Board of Appeals, or the approval of the Board of Appeals is required before a permit may be issued, or the Board is called upon to decide certain issues, such Board shall study the specific property involved and the neighborhood, cause the property to be posted in a conspicuous place, hold a public hearing, and consider all testimony and data submitted, and it shall hear any person for or against the issuance of the permit. However, the application for permit shall not be approved where the Board finds the proposed building, addition, extension of building or use sign, use, or change of use would adversely affect the public health, safety, security, morals, or general welfare, or would result in dangerous traffic conditions, or would jeopardize the lives or property of people living in the neighborhood. In deciding such matters the Board shall give consideration, among other things, to the following:

(a) The purpose, application, interpretation, and standards of these regulations as set forth in Articles 1 and 2.

(b) Decisions of the Circuit Court for Queen Anne's County and the Court of Appeals of Maryland.

(c) The orderly growth and improvement of the neighborhood and community.

(d) The most appropriate use of land and structures in accordance with a comprehensive plan.

(e) Facilities for sewers, water, schools, transportation, and other services, and the ability of the County or a political subdivision thereof to supply such services.

(f) The limitations of fire-fighting and rescue equipment, and the means of access for fire and police protection.

(g) The probable effect of such use upon the peaceful enjoyment of people in their homes.

(h) The number of people residing, working, or studying in the immediate vicinity.

(i) The type, character, and use of structures in the vicinity, especially where people are apt to gather in large numbers such as in schools, churches, theatres, hospitals, and the like.

(j) Traffic conditions including facilities for pedestrians, such as sidewalks and safety zones, and parking facilities available and the access of

20.5 Continued.

- (j) Traffic conditions including facilities for pedestrians, such as sidewalks and safety zones, and parking facilities available and the access of cars to highways.
- (k) The preservation of cultural and historic landmarks.
- (l) The conservation of property values.
- (m) The probable effect of odors, dust, gas, smoke, fumes, vibration, glare, or noise upon the uses of surrounding properties.
- (n) The contribution, if any, such proposed use, building, or addition would make toward the deterioration of areas and neighborhoods.

20.6 LIMITED EFFECT OF AN EXCEPTION, VARIANCE, ETC. Where the Board approves an exception, variance, or other application or appeal under these regulations, such approval shall not change the use classification of the building or premises, nor give it any status as a non-conforming use other than it may already have had, nor qualify any adjacent property for any special treatment such as an exception or variance, nor shall there be another change or use without approval of the Board.

Article 21
DISTRICT CHANGES AND OTHER AMENDMENTS

21.1 GENERAL.

21.11 Whenever the public necessity, convenience, general welfare, or good zoning practice require, the Board of County Commissioners may by ordinance, after recommendation by the County Planning and Zoning Commission and subject to the procedure set forth in this Article, amend, supplement, or change the regulations, district boundaries, or classifications of property now or hereafter established by this Ordinance or amendments thereof. Such amendment, supplement, or change may be initiated by resolution of the Board of County Commissioners, by motion of the Planning and Zoning Commission, or by petition of any property owner or contract purchaser addressed to the Board of County Commissioners.

21.12 The Board of County Commissioners hereby expresses recognition of the fact that sections of Queen Anne's County are changing from a rural to a residential, commercial, industrial, and other character, and, although an attempt has been made in the official Master or Land Use Plan to anticipate and direct such growth along desirable lines, it is inevitable that no such plan can be perfect or everlastingly valid. The Commissioners therefore anticipate that the said Master Land Use Plan will need amending from time to time as contemplated and authorized by Sec. 15 of Article 66-B, Code of Maryland, and that the Zoning Map must also be amended from time to time in order that it may continue to be in conformity with such comprehensive plan, as required by Sec. 21 of said Article 66-B.

21.2 PROCEDURE FOR CHANGE.

21.21 Any proposed amendment, supplement, or change originating with or received by the Board of County Commissioners shall first be referred to the County Planning and Zoning Commission for an investigation and recommendation. The Planning Commission shall cause such investigation to be made as it deems necessary and for this purpose may require the submission of pertinent data and information by any person concerned, may hold such public hearings as are provided by its own rules, and shall submit its report and recommendation to the Board of County Commissioners within sixty (60) days unless an extension of time is granted.

21.22 After receiving the recommendation of the Planning Commission on any proposed amendment, supplement, or change, and before adopting such amendment, the Board of County Commissioners shall hold a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. At least fifteen (15) days notice of the time and place of such hearing shall be published in a paper of general circulation in the county, and the property in question shall be posted conspicuously with a notice of the hearing.

21.23 No change in or departure from the proposed amendment as recommended by the Planning Commission shall be made unless the same be re-submitted to said Commission for its further recommendation. The Planning Commission shall file its further recommendation within thirty (30) days, unless additional time is granted, after which the County Commissioners shall make their decision.

21.24 In case of a protest against any proposed amendment, supplement, or change as specified in Section 21 (e) of Article 66-B, the Annotated Code of Maryland, 1957 Edition, or in any amendment thereto, the provisions of said Section relative to the vote required for adoption shall govern.

21.25 A filing fee of one hundred (100) dollars shall be charged for processing an application for a change in zoning.

21.26 Every application for a change in zoning district boundaries shall be accompanied by a plat drawn to such scale as the Zoning Inspector shall require, showing the existing and proposed boundaries and such other information as he may need to enable him to properly locate and plot the amendment on the official zoning maps. It shall be the duty of the Zoning Inspector to change the official zoning maps promptly upon the adoption of any amendment so that they will always be an up-to-date public record of the zoning districts in the county.

Article 22

VALIDITY, REPEAL, AND WHEN EFFECTIVE

22.1 VALIDITY. If any article, section, sub-section, paragraph, sentence or phrase of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

22.2 REPEAL. The Interim Zoning Ordinance adopted January 9, 1962, and all ordinances amendatory thereof, and all other ordinances or parts thereof which are in conflict with the provisions of this Ordinance, are hereby repealed; except that the provisions of Ordinance No. 12, adopted February 5, 1963, shall remain in full force and effect.

22.3 WHEN EFFECTIVE. This ordinance shall take effect and be in full force immediately upon its passage.

ADOPTED AND MADE EFFECTIVE, this 16th day of June, 1964.

THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY

/s/ S. Grayson Chance
S. Grayson Chance, President

ATTEST:

/s/ William E. Coleman
William E. Coleman, Vice President

/s/ Frances C. Legg
Frances C. Legg, Clerk

/s/ Percy E. Thomas
Percy E. Thomas, Member

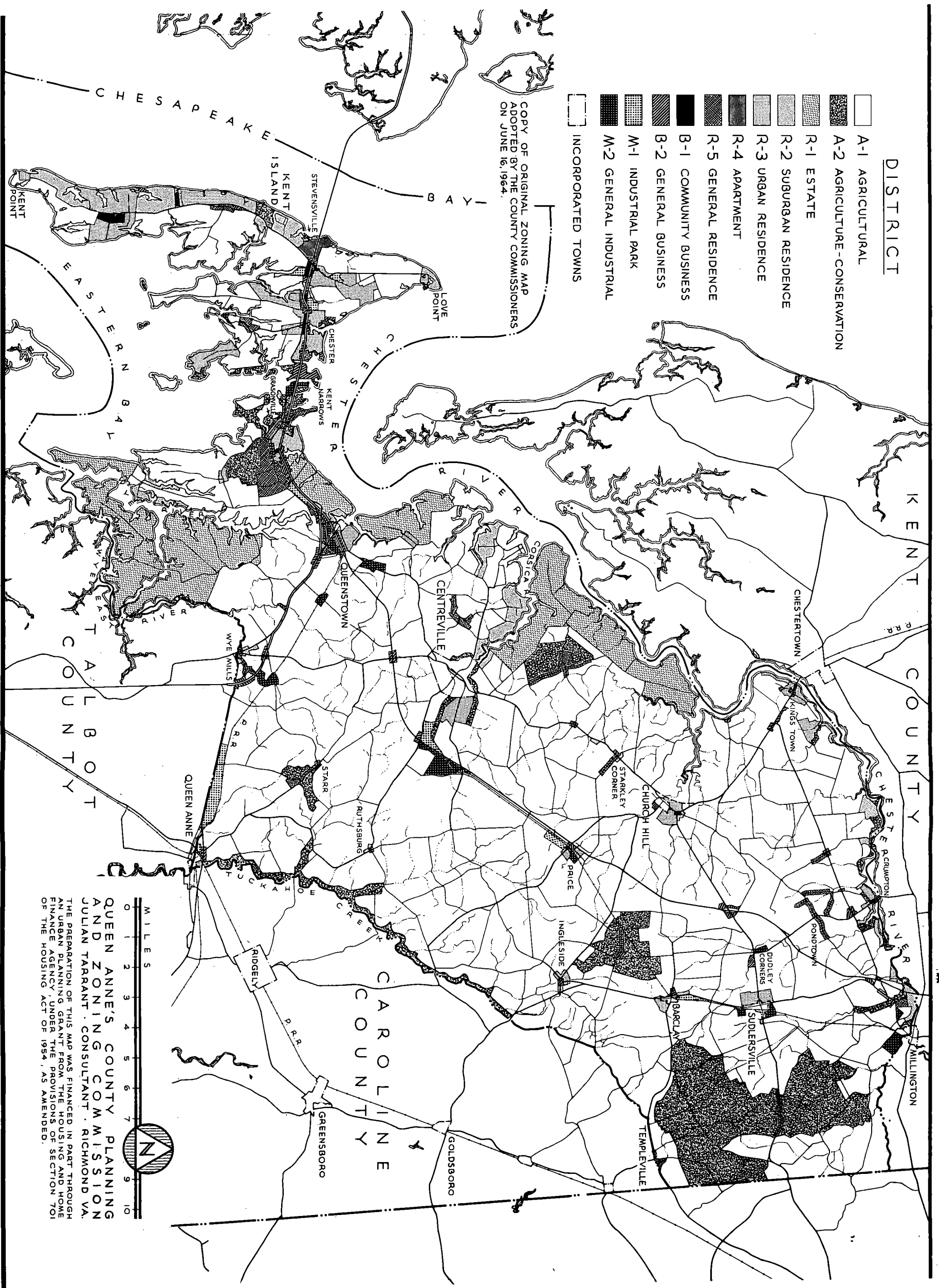
*True Copy, Test:
Frances C. Legg, Clerk*

THE ZONING MAP

The following map is a copy of the official General Zoning Map adopted by the County Commissioners of Queen Anne's County on June 16, 1964, as a part of the foregoing Zoning Ordinance.

Also adopted is a set of Sectional Zoning Maps, covering the entire county, at the scale of 600 feet to 1 inch, from which any details may be ascertained. The sectional maps are on file in the office of the Zoning Inspector where they may be consulted on request.

QUEEN ANNE'S COUNTY MARYLAND GENERAL ZONING MAP

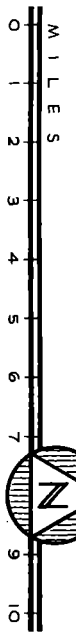


- DISTRICT**
- A-1 AGRICULTURAL
 - A-2 AGRICULTURE-CONSERVATION
 - R-1 ESTATE
 - R-2 SUBURBAN RESIDENCE
 - R-3 URBAN RESIDENCE
 - R-4 APARTMENT
 - R-5 GENERAL RESIDENCE
 - B-1 COMMUNITY BUSINESS
 - B-2 GENERAL BUSINESS
 - M-1 INDUSTRIAL PARK
 - M-2 GENERAL INDUSTRIAL
 - INCORPORATED TOWNS

COPY OF ORIGINAL ZONING MAP
ADOPTED BY THE COUNTY COMMISSIONERS
ON JUNE 16, 1964.

QUEEN ANNE'S COUNTY PLANNING AND ZONING COMMISSION
JULIAN TARRANT, CONSULTANT, RICHMOND VA.

THE PREPARATION OF THIS MAP WAS FINANCED IN PART THROUGH AN URBAN PLANNING GRANT FROM THE HOUSING AND HOME FINANCE AGENCY, UNDER THE PROVISIONS OF SECTION 701 OF THE HOUSING ACT OF 1954, AS AMENDED.



COUNTY ORDINANCE NO. 15

IN THE MATTER OF:

THE PETITION OF GEORGE C. MOORE, and JOHN LEE GIBSON and RACHAEL J. GIBSON, his wife and THE SUSQUEHANNA TERMINAL COMPANY, a body corporate, FOR CHANGE IN CLASSIFICATION OF TRACT OF LAND IN 6th ELECTION DISTRICT FROM " R-3 " URBAN RESIDENCE DISTRICT TO " B-2 ", GENERAL BUSINESS DISTRICT

From the testimony presented, The County Commissioners find the following facts:

1. That at the time of the original recommendation by the Planning and Zoning Commission to the County Commissioners regarding Comprehensive Zoning Ordinance, neither the Planning and Zoning Commission nor the County Commissioners were aware of the location of the proposed Tuckahoe State Park, which is taking a substantial portion of the land zoned for business in this particular area.

2. That at the time of the original recommendation to the County Commissioners of Queen Anne's County, the Planning and Zoning Commission was not aware that a portion of instant property had been purchased by the Susquehanna Terminal Company for business purposes.

3. That it does not appear from an examination of the evidence that the rezoning will adversely affect the public health, safety, morals and general welfare of the community nor will it create a traffic hazard.

4. That the land in question is not generally adapted for residential use and that the highest and best use for the property and perhaps the only use is for commercial purposes.

It is the opinion of The County Commissioners that there is insufficient evidence concerning the tract of George C. Moore to warrant any change in the classification of said property at this time.

It is the opinion of The County Commissioners of Queen Anne's County that the reclassification should be granted as to the tract of land owned by John Lee Gibson and Rachael J. Gibson, his wife, and as to the tract of land owned by the Susquehanna Terminal Company for the reason that there was an error in the original zoning and for the additional reason, that the Tuckahoe State Park and the taking of a substantial portion of the business area in this locality constitutes a change in the character of the neighborhood.

For the reasons stated, it was moved by Mr. Coleman, seconded by Mr. Thomas, and unanimously resolved, that the Petition of George C. Moore be denied, and that the Petition of John Lee Gibson and Rachael J. Gibson, his wife, and the Petition of the Susquehanna Terminal

Company be granted.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

/S/ S. Grayson Chance
S. Grayson Chance

/S/ William E. Coleman
William E. Coleman

/S/ Percy E. Thomas
Percy E. Thomas

Dated: February 2, 1965

ATTEST:

/S/ Frances C. Legg
Frances C. Legg, Clerk

TRUE COPY, TEST:

(Frances C. Legg, Clerk)
Clerk of The County Commissioners
of Queen Anne's County

COUNTY ORDINANCE NO. 16

IN THE MATTER OF:

THE PETITION OF ROY E. GOLT and LILLIAN CELESTA GOLT, his wife FOR CHANGE IN CLASSIFICATION OF TWO TRACTS OF LAND IN 4th ELECTION DISTRICT FROM "A-1" AGRICULTURAL DISTRICT TO "R-3" URBAN RESIDENCE DISTRICT

For the reasons stated in a decision of The County Commissioners of Queen Anne's County dated May 18, 1965 as the result of a public hearing held on April 6, 1965, the following Ordinance was adopted.

BE IT ORDAINED, that all the area as designated on Sectional Zoning Map 64 of Queen Anne's County that lies to the South of the present "R-5" Dominion zoning including the lands of Willian Kerber and extends southerly to the "M-2" zoning at Little Creek, bounded on the West by Crab Alley Creek and the "R-2" zone of the Golt subdivision, bounded on the East by the County Road and "M-2" zone at Little Creek by Little Creek to the Michael Pelczar boundary line, thence with the Pelczar lands to the "R-5" zoning of Dominion, and thence following the "R-5" zoning southerly and westerly to the County Road, BE AND IT IS HEREBY REZONED from "A-1" agricultural to "R-3" Urban Residence District, effective as of the date hereof.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

/S/ S. Grayson Chance
S. Grayson Chance

/S/ William E. Coleman
William E. Coleman

/S/ Percy E. Thomas
Percy E. Thomas

Dated: May 18, 1965

ATTEST:

/S/ Frances C. Legg
Frances C. Legg, Clerk

TRUE COPY, TEST:

(Frances C. Legg, Clerk)
Clerk of The County Commissioners
of Queen Anne's County



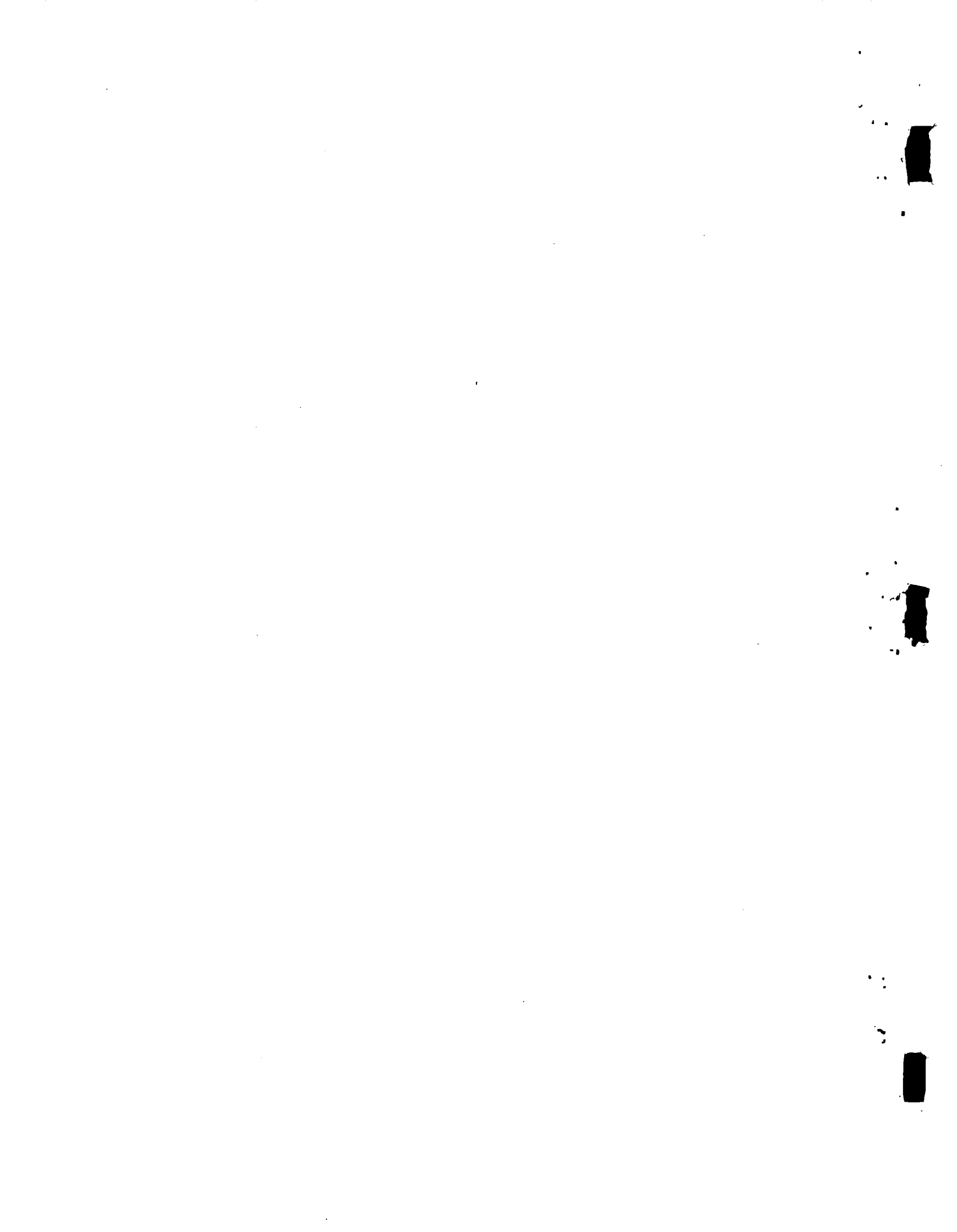
ORDINANCE NO. 17

SUBDIVISION REGULATIONS

QUEEN ANNE'S COUNTY, MARYLAND

ADOPTED THE 1st DAY OF JUNE, 1965

The preparation of this document was financed in part through an urban planning grant from the Housing and Home Finance Agency, under the provisions of Section 701 of the Housing Act of 1954, as amended.



C O N T E N T S

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SUBDIVISION REGULATIONS

Queen Anne's County, Maryland

I. APPLICABILITY

A. The rules and regulations contained herein shall apply to all of Queen Anne's County except those portions which lie within the corporate limits of any incorporated town. In case any incorporated town adopts regulations applying to the subdividing of land outside its corporate limits, in accordance with Article 66-B of the Annotated Code of Maryland, and the requirements of such regulations should differ from those contained herein, then in each case the more exacting requirements shall prevail. These regulations shall be in addition to any others promulgated by law or by the State Board of Health or other authority, and in case of any conflict the more exacting requirements shall prevail.

II. DEFINITIONS

A. "Commission" means the Queen Anne's County Planning and Zoning Commission.

B. "Subdivision" means any division of a lot, tract, or parcel of land or part thereof, as now owned or hereafter acquired, into two (2) or more lots or parcels any one of which contains less than five (5) acres or has frontage on a public road which frontage is less than 400 feet, and is for immediate or future transfer of ownership or building development.

III. GENERAL REGULATIONS

A. No land shall be subdivided into two (2) or more parcels until an application for approval of such subdivision on a form to be supplied by the Commission, together with a plat showing that such subdivision is in accordance with the provisions of this Ordinance, shall have been filed with and approved by the Commission.

B. No subdivision plat shall be finally approved by the Commission until the methods of drainage, sewage disposal and water supply shall have been approved in writing by the Queen Anne's County Health Officer.

C. All subdivision plats must be accompanied by proposed restrictions and covenants, if any, to be applied to all land in the subdivision, in a form found to be adequate by the Commission for the protection of public health, safety and welfare. Restrictions and covenants must provide a procedure for amendment to meet changed conditions and any amendment to such restrictions or covenants must be submitted to the Commission for approval prior to adoption.

D. No plat of any subdivision shall be recorded until it shall have been submitted to and approved by the Planning Commission as provided herein. The Planning Commission shall not approve said plat unless it is satisfied that the requirements of these regulations have been complied with.

E. No land in a subdivision created after the adoption of these Regulations shall be transferred, sold, or offered for sale, nor shall a building permit be issued for a structure thereon, until a Final Plat of such subdivision shall have been recorded in accordance with these regulations and the provisions of the State Code.

F. No subdivision plat shall be finally approved by the Commission until the subdivider has either:

(1) Constructed all the streets and other improvements required hereunder (and obtained the inspection and written approval of the same by the Queen Anne's County resident roads engineer or other appropriate official, according to the kind of improvement), in accordance with the minimum requirements hereinafter set forth; or

(2) Furnished to The County Commissioners of Queen Anne's County a satisfactory bond in an amount sufficient to cover the estimated cost of such improvements, for the purpose of guaranteeing to the County that the subdivider will complete the improvements within such reasonable limit of time or renewal periods as may be designated by the Queen Anne's County Planning & Zoning Commission in each case. Said Commission shall have the authority to adopt regulations respecting such performance bonds generally.

III-a. PRINCIPLES AND STANDARDS OF DESIGN

In laying out a subdivision, the subdivider shall comply with the following general principles and requirements:

A. General.

1. The subdivision layout shall conform to the official Master Plan for Queen Anne's County, including the Major Road or Highway Plan, Land Use Plan, Parks and Open Spaces Plan, and others, and with the official zoning regulations of the County. The necessary lands for such roads or highways shall be provided in the subdivision plan, including additional widths for existing major roads or highways where required: provided that no road or highway dedication more than 100 feet wide shall be required.

2. Not less than ten (10) per cent of the gross land area of the subdivision shall be provided for public or community use as permanent parks, playgrounds, beaches, forests, game preserves, or similar open spaces, except that this requirement shall not apply to any subdivision of less than 15 lots nor to any subdivision consisting of large lots averaging more than one acre each. In any case, however, where an open space area for public or community use is called for by the Master Plan, regardless of the 10 percent requirement or size of subdivision, it shall be reserved for acquisition by an appropriate public or semi-public non-profit agency, within 10 years and at not more than its original value, plus taxes. If there is no appropriate site within the subdivision for park or other open-space use, or if in the judgment of the Planning Commission the need is being met or is to be met by other facilities in the vicinity, then the Planning Commission may waive or modify the foregoing 10 - per cent requirement in consideration of some alternate arrangement that would most nearly accomplish the purpose of this regulation, which is to preserve a reasonable part of the natural countryside in Queen Anne's County for recreation, light and air, and the conservation of present and future values.

3. No land shall be subdivided into building lots which is poorly drained or subject to periodic flooding. An elevation less than 5 feet above mean sea level shall be deemed to be subject to flooding. A plat of such land may be approved tentatively, on condition that the deficiency is corrected by drainage, filling, or other suitable treatment.

B. Streets.

1. The street layout shall conform to the Major Street or Highway Plan of Queen Anne's County or of any of its municipalities, and shall be designed to obtain the most effective and efficient development of the site and of adjoining areas, and the entire neighborhood.

2. The street plan shall give suitable recognition to existing topography, and shall attempt to preserve trees, provide for good drainage, develop natural building sites, produce suitably-shaped lots, and give proper access to all lots.

3. Proposed streets shall be continuations of existing streets wherever appropriate, including undeveloped but platted streets, and provision shall be made for street connections at suitable points with future adjoining subdivisions. Such connections shall be free of any reserved strips and shall be provided with temporary turn-arounds by means of easements, where a dead-end would otherwise exist. Boundary-line streets shall be avoided, but may be required to match or widen an existing boundary street.

IIIa. Continued.

4. Land adjoining major roads or highways shall be served by separate service roads or by an interior street system, connecting with the major roads or highways at infrequent intervals. Such land shall have no direct access to the through roads or highways. The arrangement shall be designed to minimize the impact of through traffic on residential lots and to reduce the accident hazards. Where adjacent lots face inward upon a local service street, there may be a parkway easement along the rear of such lots, adjoining the through road or highway, covered by deed restrictions.

5. No private street will be approved, nor will any public improvement be permitted in any private street, except that a private street may be permitted by the Planning Commission in the case of a subdivision where the Planning Commission finds that a private street will be likely to assist in producing a superior quality of development; provided, that satisfactory arrangements are made to guarantee the perpetual care of and responsibility for such private street. Any approved private street shall be clearly marked as such on the Final Plat, and the fact that such street is private and not a responsibility of Queen Anne's County shall be noted in each deed. The right-of-way or easement for a private street shall be the same width as for a public street. Provided, also, that in the case of any subdivision containing more than ten (10) lots, all streets shall be improved to the same specifications as for public streets.

6. Streets ordinarily shall intersect at right angles, as nearly as is practicable.

7. Cul-de-sac streets of reasonable length (normally not over 600 feet) will be approved where necessitated by topography or where, in the judgment of the Commission, appropriate for the type of development. A turn-around shall be provided at the end of such street with a diameter of at least one hundred (100) feet.

8. Minor residential streets shall be so planned as to discourage through traffic.

9. Streets shall be spaced to allow for blocks meeting the dimensional requirements specified herein. The number of intersections along major roads and highways shall be held to a minimum, normally not less than 1,200 feet apart.

10. Alleys shall be avoided. Easements for utility lines or drainage purposes shall be provided along the rear or side lot lines, where required, and these shall be used for the installation of service pole lines instead of the streets.

11. Minimum widths for the right-of-ways of streets and other ways or easements shall be as follows, provided that extra widths may be required for unusual situations:

a. Highways and major roads: As designated by the Major Highway Plan, but not less than 100 feet for a State Highway nor 80 feet for any other major road.

b. Collector streets, (feeding or collecting from a series of local streets): 66 feet in residential areas, 80 feet in commercial or industrial areas.

c. Local streets (serving primarily the abutting properties): 50 feet in single-family areas, 60 feet in multi-family areas (residential developments at 10 or more families per net acre) and in commercial or industrial areas.

d. Turn-arounds: Circle of 50-foot radius.

III-a. Continued.

B. Continued.

- e. Alleys: 20 feet.
- f. Cross-walks: 10 feet.
- g. Easements: 10 feet.

12. Street grades, curves, and sight distances shall be as follows:

- (a) Grades shall be adequate to provide for effective drainage, but shall not exceed six per cent in any case.
- (b) All changes in street grades of more than 1 per cent shall be connected by vertical curves of a minimum length of 50 feet or equal to 15 times the algebraic difference in the change in grade, whichever is larger.
- (c) The radii of curves on the center line shall not be less than the following:
 - (1) Highways and other major roads: 400 feet.
 - (2) Collector streets: 300 feet.
 - (3) Minor streets and service drives: 100 feet.
- (d) Between reversed curves either of which has a radius less than 200 feet, there shall be a tangent at least 100 feet long, if possible.
- (e) At street intersections, each property corner shall be rounded off by an arc, the minimum radius of which shall be 20 feet; except that in a business district a chord may be substituted for such arc. At alley intersections (within the block), a chord shall be used cutting off the corner at least 10 feet back from the point of intersection in each direction. Where the smallest angle of intersection is less than 60 degrees, the foregoing radii and chords shall be increased to insure good sight clearance.
- (f) Curbs at street intersections shall be rounded off concentrically with the property line.

13. Street names shall be subject to approval by the Planning Commission. Names shall not duplicate or closely approximate existing street names in the county, except for extension of existing streets.

C. Blocks and Lots.

1. Residential blocks normally shall have sufficient width to provide for two tiers of lots of appropriate depth. As to length:

- (a) Maximum length - 1,800 feet.
- (b) Minimum length - 500 feet.

III-a. Continued.

C. Continued.

2. In any block more than 1,000 feet long, a crosswalkway may be required to improve access to a school, church, playground, or other pedestrian objective.

3. Business and industrial blocks may be specially designed to serve their particular purposes, which designs shall be subject to approval by the Planning Commission. Business blocks shall not exceed 300 feet in length, unless provided with interior public driveways for access and circulation.

4. Lots shall be of such size, shape, and orientation as will be appropriate for the location and the type of development contemplated. Normally, a proportion of about 2-1/2 to 1 in depth and width will be considered appropriate. Excessive depths in relation to width shall be avoided, except that extra depth will usually be required for waterfront lots to allow for shore erosion.

5. Lots shall comply with at least the minimum size and area requirements of the Zoning District in which located, except that lots fronting upon major roads or highways and having direct access thereto shall not be less than 200 feet wide unless specially approved by the Planning Commission. In no case, however, shall any new residential lot hereafter platted be of less size or width (at the building set-back line) than the following:

- (a) Where a public or approved community water system and sanitary sewers are both available or are to be provided, the lot shall have an area of at least 8,000 square feet and width of at least 70 feet.
- (b) Where a public or approved community water system is available or is to be provided, but not sanitary sewers, the lot shall have an area of at least 15,000 square feet and width of at least 100 feet.
- (c) Where neither a public or approved community water system nor sanitary sewers are available or are to be provided, the lot shall have an area of at least 20,000 square feet and a width of at least 100 feet.

6. Corner lots shall have extra widths to provide for extra side yards on the street sides of such lots, in accordance with good design practice and sufficient in any case to meet the side yard requirements for such lots in any applicable Zoning Ordinance.

7. Residential lots fronting or abutting on highways and major roads should have extra depths and extra deep building lines, or should have service drives.

8. Every lot shall abut on a public street or an approved private road. Double-frontage lots (extending through the block), and reversed-frontage lots (fronting on a side street), shall be avoided.

9. Side lot lines shall be approximately at right angles to or radial to the right-of-way line of the street.

10. Front and side building lines shall be shown on the plat, along each street at least as required in each case by the applicable zoning regulations. The locations of these lines shall be clearly indicated by dimensions.

C. Continued.

11. Rear building lines shall be established on the plat for all waterfront lots, not less than 200 feet from the top of bank, except that this distance may be reduced to not less than 50 feet where adequate and acceptable erosion prevention works are constructed in accordance with designs approved by the Section of Shore Erosion Control, Dept. of Chesapeake Bay Affairs; provided, however, that such 200-foot setback may also be reduced by the Planning Commission where it finds, on the basis of evidence before it, that the shores in question are not subject to erosion or are subject to erosion only to a minor degree warranting a modification of the basic setback requirement, but not to less than 100 feet in any case.

12. All lot measurements shall be net measurements, not including any part of any street, alley, or crosswalkway. Easements, however, shall be regarded as within the lot.

IV. PROCEDURE

A. Whenever any subdivision of land is proposed to be made and before any contract for the sale of, or any offer to sell said subdivision or any part thereof is made, the subdivider thereof, or his agent, shall file a plat of the proposed subdivision with the Commission and obtain its final approval thereof. Said plat and all procedures relating thereto shall, in all respects, be in full compliance with the provisions of this Ordinance.

B. The subdivider shall cause a Preliminary Subdivision Plan to be prepared by a qualified land planner or registered land surveyor, and shall present two (2) copies to the Commission for review and tentative approval.

C. The subdivider, following tentative approval of the Preliminary Subdivision Plan and having complied with the requirements in sub-paragraph "F" of paragraph III hereof, shall prepare a Final Subdivision Plat and submit the same (original and at least five (5) prints of which two shall be on cloth) to the Planning Commission for approval. A Final Subdivision Plat may include all or part of the area covered by the Preliminary Plan. Said plat shall be filed with the Commission at least two weeks prior to the meeting at which it is to be considered. Upon its approval by the Commission, and by any other agencies involved, the two cloth prints shall be filed with the Clerk of the Court of Queen Anne's County, by the Secretary of the Commission, for recording among the Land Records of said County.

D. The Final Subdivision Plat will be approved by the Commission if found by it to be in substantial conformity with the Preliminary Plan as tentatively approved and with the requirements of law and of these Regulations. Approval of the Final Subdivision Plat shall be by resolution of the Commission attested by the identifying signatures of its duly authorized officers inscribed thereon.

V. PRELIMINARY SUBDIVISION PLAN

A. The subdivider shall present to the Commission a tentative map prepared by a qualified land planner or registered land surveyor. Two (2) copies of the Preliminary Subdivision Plan shall be filed with the Commission, preferably at the scale of one (1) inch equals one hundred (100) feet, but in no case smaller than one (1) inch equals two hundred (200) feet. Such map shall show the following:

- (1) Subdivision name, which shall not closely resemble any other such name in this county.
- (2) Names and addresses of recorded owner, subdivider, designer, and surveyor.
- (3) Location and name of any adjacent subdivision and name of owner and location of any other adjacent property.
- (4) Widths and locations of all streets and other public ways.
- (5) Lot lines with approximate dimensions.
- (6) Proposed uses of property.
- (7) Public areas proposed, if any.
- (8) Date, north point and scale.
- (9) Key map showing location of property when same is in an outlying area and not adjoining a recorded subdivision.

B. (1) Accompanying such Preliminary Subdivision Plan shall be a statement as to the methods of sewage disposal, water supply and surface drainage to be employed in said subdivision.

(2) Topographic maps need be furnished only when required by the Commission, which is hereby empowered to require the same when deemed by it to be necessary. If a topographic map is required, the Preliminary Subdivision Plan may be used for this purpose.

C. After filing with the Commission, the Preliminary Subdivision Plan shall be approved with or without modifications, or disapproved by the Commission. The Commission shall advise the subdivider of such tentative approval or disapproval, and of the modifications required, if any. One (1) copy of the Preliminary Subdivision Plan shall be returned to the subdivider and one (1) copy retained in the files of the Commission. Unless a Final Subdivision Plat, prepared in accordance with the approved Preliminary Subdivision Plan and including the modifications thereof, if any, made by the Commission, is filed with the Commission within six (6) months after approval of the Preliminary Subdivision Plan, the Commission's approval thereof shall be deemed cancelled.

VI. FINAL SUBDIVISION PLAT

A. The Final Subdivision Plat shall be clearly and legibly drawn in black India ink upon tracing cloth, and be accompanied by five (5) legible prints, of which two shall be on cloth, for presentation to the Commission. The size of these sheets shall be not more than 24 inches x 30 inches and not less than 8 inches x 12 inches, including a margin of one-half inch outside ruled border lines. All maps shall preferably be drawn to a scale of one hundred (100) feet to one (1) inch, but not smaller than two hundred (200) feet to one (1) inch, showing all details clearly, particularly lettering and figures. Upon filing the Final Subdivision Plat, the subdivider shall pay to the Commission a filing fee of Fifteen Dollars (\$15.) plus One Dollar (\$1.) per lot for each lot over 15. The Final Subdivision Plat shall show:

(1) The street and alley lines, lots, building lines, reservations, easements, and areas to be dedicated to public use.

(2) Sufficient data to determine readily the location, bearing, and length of every street line, lot line, block line and boundary line and to reproduce same on the ground. Water-front boundaries shall be clearly identified as top of high bank or otherwise.

(3) A Certificate of Survey of outline boundaries of entire subdivision and if required by the Commission, tabulated traverse of tract showing percentage of error, if any, in survey. All surveys shall be made with an accuracy of not less than one to five thousand (1 - 5,000) on tracts of five (5) acres or more, or less than one to ten thousand (1 - 10,000) on tracts less than five acres.

(4) A permanent monument or marker shall be set at each corner of the outline boundaries of the entire subdivision, at each road or street intersection, and at the termination of any road or street where said termination is on an adjoining property line. From each monument or marker the position of one (1) other monument or marker must be visible. Such monuments or markers shall be made of stone, metal or good quality concrete, and shall be not less than thirty (30) inches in length by five (5) inches square cross section, and shall be placed to extend not more than four (4) inches above the surface of the ground. The location of such monuments or markers shall be precisely designated, at least four (4) of them by coordinates, upon the plat by the symbol:

(5) All bearings are to be referred to true meridian.

(6) Name and location of any adjacent subdivision and location and ownership of any other adjacent property.

(7) Name of subdivision, location, north point, and scale. Name of subdivision shall not duplicate the name of any previously recorded subdivision located in Queen Anne's County.

(8) Key map showing location of platted property when same is in an outlying area not adjoining a recorded subdivision.

VI. Continued.

Accompanying the final plat shall be a properly executed statement of dedication to Queen Anne's County of all public streets in the subdivision. This statement shall constitute an irrevocable offer to the County which may be released only by County Ordinance vacating such streets or subdivision, or part thereof. Queen Anne's County shall have no responsibility with respect to any street within a subdivision, notwithstanding the use of the same by the public, unless the street is accepted by ordinance or resolution of The County Commissioners of Queen Anne's County.

VII. APPROVAL OF PLAT.

The Commission shall approve or disapprove a final plat within thirty (30) days after the submission thereof to it; otherwise such plat shall be deemed to have been approved, and a certificate to that effect shall be issued by the Commission on demand; provided, however, that the applicant for the Commission's approval may waive this requirement and consent to an extension of such period. The ground of disapproval of any plat shall be stated upon the records of the Commission.

VIII. VARIATIONS

A. Where the topographic or other conditions are such that compliance with the foregoing requirements would cause practical difficulty and unreasonable hardship, the Commission may relax the minimum requirements in order to grant relief and at the same time protect the public interest. In the event that relaxation of the minimum requirements is determined by the Commission to be of a substantial nature or affecting adjoining property owners, then the Commission shall notify in writing, by ordinary mail, all adjoining property owners, as determined by the assessment records of Queen Anne's County, of said proposed variations and upon receipt of a written request by any adjoining property owner shall hold a public hearing prior to granting approval.

B. Where a subdivision is to consist of not more than five (5) lots, not involving the opening, widening, or extension of any road or street or a private easement of access, the requirements herein of a Subdivision Plat (Preliminary and Final) shall be waived: provided that all of the following conditions be complied with:

- (a) Within one (1) year, only one (1) such subdivision or two (2) or more subdivisions containing in the aggregate not more than five (5) lots off any one tract may be submitted and will be approved by the Planning Commission without a plat.
- (b) No subdivision may be submitted or will be authorized by the Planning Commission without a plat when 10 per cent of the tract has been divided into lots.
- (c) All of the foregoing limitations and conditions shall apply to each tract in one ownership at the effective date of this Regulation, and they are to run with the land.

An application for approval of such subdivision shall be accompanied by:

- (a) A sketch showing the tract of which the proposed subdivision is a part, as this tract was of record in one ownership at the time of the effective date of these Regulations, the location and dimensions of the lots to be created, the names of adjoining property owners, and such other information as is necessary or pertinent to the determination of the approval of the proposed subdivision.
- (b) A certificate of the Zoning Inspector to the effect that the proposed subdivision conforms to all applicable provisions of the Zoning Ordinance of Queen Anne's County.

If the Planning Commission is satisfied that the proposed subdivision is not contrary to applicable provisions of these Regulations or any other law or ordinance, it will approve such subdivision at its next regular meeting and, on presentation of a conveyance of a lot or parcel, created thereby, will stamp the same "Approved by the County Planning and Zoning Commission of Queen Anne's County, Maryland; no plat required," and have it signed and dated by its secretary or other official designated by the Commission.

IX. PENALTIES FOR VIOLATIONS

A. Whoever, being the owner or agent of the owner of land located within a subdivision, transfers or sells or agrees to sell or negotiates to sell any land by reference to, or exhibition of, or by other use of a plat of a subdivision, before a Final Subdivision Plat has been approved by the Commission, and recorded or filed in the Office of the County Clerk, shall forfeit and pay a penalty of One Hundred Dollars (\$100.00) for each lot or parcel so transferred or sold or agreed or negotiated to be sold; and the description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties or from the remedies herein provided. The Commission may enjoin such transfer or sale or agreement by action for injunction brought in any court of equity jurisdiction or may recover the said penalty by civil action in any court of competent jurisdiction.

B. Every act or omission in violation of this Ordinance shall be punishable as provided in this Section. Where such an act or omission is of continuing nature, each and every day during which such act or omission continues shall be deemed a separate misdemeanor.

X. REQUIRED IMPROVEMENTS

A. Requirements. The minimum improvements required in any subdivision as a condition for its approval shall be as follows:

1. Streets. All new public streets shall be graded and drained, base material and surface treatment applied, in accordance with the minimum standards of design and construction adopted by The County Commissioners of Queen Anne's County for paved roads for acceptance into the County System of Roads. The minimum required width of surfacing shall be 18 feet. Stabilized shoulders at least 9 feet wide shall be provided on both sides of the pavement. A stabilized drainageway shall be provided outside each shoulder, conforming to the standards of cross-section and construction adopted by the County. A name sign of an approved design shall be erected at each new street intersection.

2. Curbs and Gutters. Streets in business areas, and in small-lot residential subdivisions where the general lot width is less than 80 feet, shall have concrete (or equal) curbs and gutters instead of drainageways. Curbs shall be at least 6 inches thick at the top and have a face 6 inches high, and the gutters shall be integral therewith. Where curbs are used in low-density single-family residential areas with individual driveways (lots generally 80 feet wide or more), the distance between curbs may be reduced by the Commission to not less than 26 feet on minor streets and cul-de-sacs. Drop inlets and storm drains shall be provided as needed to prevent street or property flooding.

3. Water and Sewer Systems. Where required by law or regulation, because of the density or character of development or other reason, a community water system and/or a community sewer system shall be installed, including connections for each lot, appropriately spaced standard fire hydrants, an approved source of potable water supply, and an approved method of sewage disposal. The design, installation, and operation of such facilities shall be subject to approval by the Queen Anne's County Health Officer. If connected to an existing public system, any such water or sewer installation shall meet the standards and requirements of such system and shall become a part thereof, without cost to the public agency.

4. Shore Erosion Prevention Works. Where the subdivision is located in a Shore Erosion District in which erosion prevention works are required, or where the subdivider elects to install such works in accordance with provisions of these regulations, the works shall be designed and constructed in accordance with such plans, designs, and requirements as may be designated by the Section of Shore Erosion Control, Department of Chesapeake Bay Affairs, State of Maryland, and shall be subject to its approval and acceptance.

B. Plans. General plans and specifications for all public street improvements shall be prepared for approval by the Queen Anne's County resident roads engineer prior to construction. Such plans need not be detailed construction plans but shall be sufficient to show the proposed locations, sizes, types, grades, and general design features of each street, including the following:

(a) When required by the appropriate Roads Engineer, a profile of each street centerline, with grades, showing culverts, streams, etc. Scale: 1 inch to 100 feet or less horizontal, 1 inch to 10 feet or less vertical.

(b) Typical street cross-sections for all streets, at a scale not smaller than 1 inch to 5 feet, showing sidewalks, trees, utilities, etc. Where considerable cuts or fills are required, special cross-sections shall be prepared to show proposed grading, and their locations shall be shown on the plan. A grading plan showing existing and proposed contours may be furnished in lieu of cross-sections.

X. Continued.

(c) Location plans and profiles for any proposed sanitary and storm sewers and drains, with grades and pipe sizes indicated.

(d) Location plan of any proposed water distribution system showing pipe sizes and locations for valves and fire hydrants.

C. Inspection and Acceptance. All construction work on improvements required herein, and all materials used, shall be subject to approval of and inspection during and upon completion of construction by the Queen Anne's County resident roads engineer or other appropriate authority and to approval and acceptance by The County Commissioners of Queen Anne's County if found to be in accordance with the approved plan. No Final Plat shall be approved until all required improvements shall have been satisfactorily completed and accepted in compliance herewith, or satisfactory bond posted; and no such bond shall be released until all improvements secured by such bond shall have been completed and accepted in compliance herewith.

XI. REPEAL AND EFFECTIVE DATE

1. The Subdivision Control Ordinance adopted and made effective April 18, 1961 and all amendments thereto are hereby repealed.

2. This Ordinance shall take effect and be in full force immediately upon passage.

ADOPTED AND MADE EFFECTIVE, this 1st day of
June, 1965.

THE COUNTY COMMISSIONERS OF QUEEN
ANNE'S COUNTY

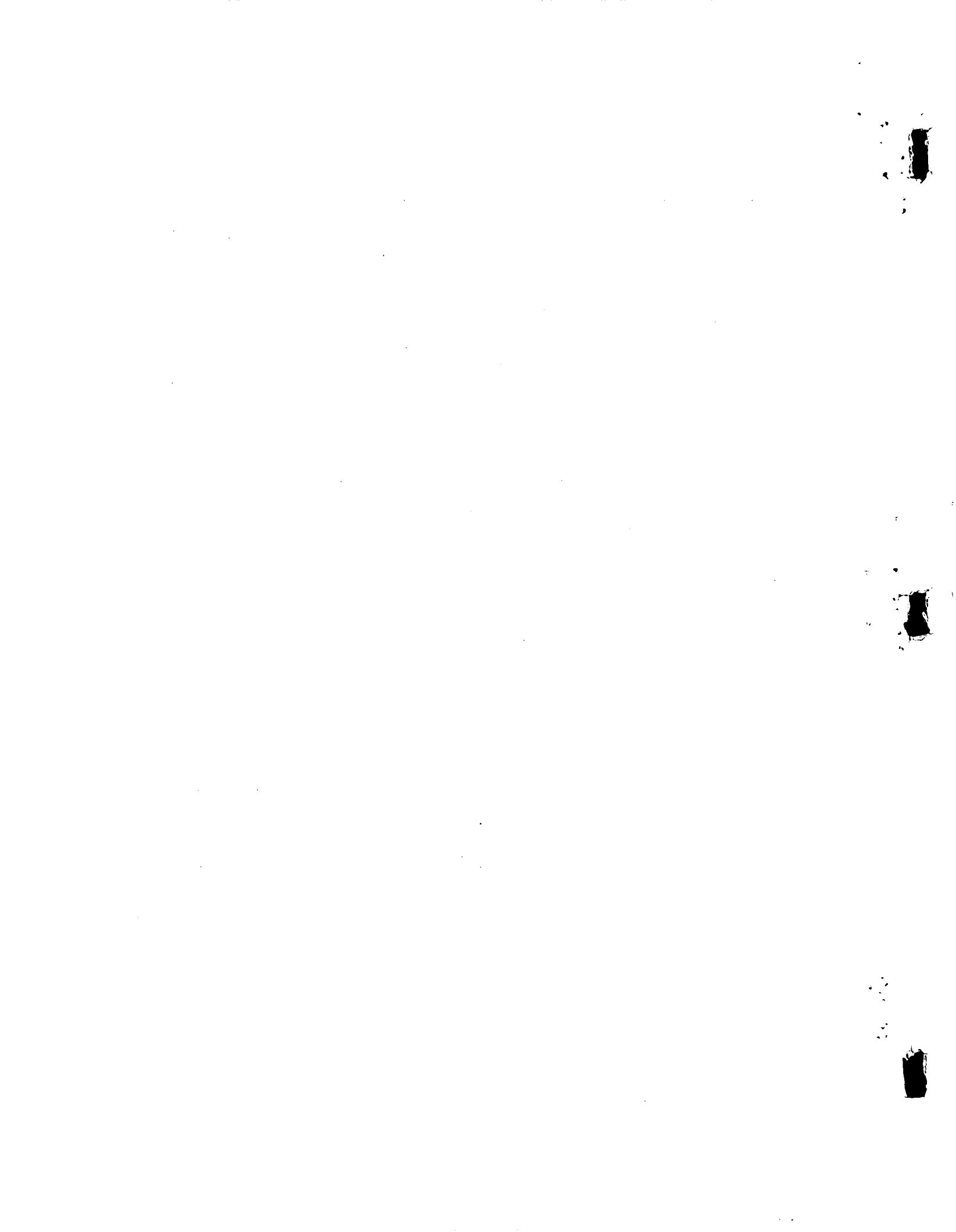
S. Grayson Chance, President

William E. Coleman

ATTEST: †

Frances C. Legg, Clerk

Percy E. Thomas



IN THE MATTER OF:

AMENDMENTS TO THE COMPREHENSIVE ZONING ORDINANCE

As the result of a public hearing on June 1, 1965, the following amendments were adopted.

AMENDMENTS:

- 19.1 County Zoning Administrator
- 3.54 Zoning Administrator: The Zoning Administrator (Administrative Officer) or his authorized representative, appointed in accordance with the provisions of Article 19.
- 3.56 Zoning Certificate: Written statement issued by the Zoning Administrator authorizing the use of buildings, structures, or premises consistent with the terms of this Ordinance and for the purpose of carrying out and enforcing its provisions.
- 4.01 The boundaries of these districts are hereby established as shown on the Zoning Maps of Queen Anne's County, Maryland, which maps together with all notations, references, and other matters thereon shall be and are hereby made a part of this Ordinance. Said "Zoning Maps", Properly attested, shall be and remain on file in the office of the Zoning Administrator of Queen Anne's County.
- 5.13 FRONT YARD DEPTH, HOW MEASURED. Each front yard depth of setback specified herein shall be measured at right angles (or radially) from the nearest street right-of-way lines, except that where the right-of-way of any existing street is less than fifty (50) feet wide in the case of a County or local road, or less than sixty (60) feet wide in the case of a State road, the front yard or setback shall be measured from a line twenty-five (25) feet or thirty (30) feet, as the case may be, from the center line of such road; provided, however, that in the case of any road designated as a Primary or Secondary Highway on the Major Highway Plan adopted by the Board of County Commissioners, or any duly adopted amendment thereto, the front yard depth or setback shall be measured from the intended right-of-way line for such road. Such intended right-of-way shall be as designated on any State or County road location or widening plan endorsed by the responsible head of the appropriate road department as representing the plans and intentions of such department as of the date of endorsement, signed copy of which is filed with the Zoning

Administrator; or if no such plan is on file, then the appropriate road department shall be given not more than sixty (60) days in which to determine the intended right-of-way line and file a plan, and no zoning certificate shall be issued prior to such filing. The foregoing rules shall apply also to the measurement of a side yard on the street side of a corner lot.

17.072 A report of its findings and recommendations shall be furnished by the Planning Commission to the Board. Thereupon, if the Board finds that the proposed project will be consistent with the intent and purpose of this Ordinance to promote public health, safety, morals, and general welfare, it may authorize the Zoning Administrator to issue a Zoning Certificate even though the use of the land and the location of the buildings to be erected and the yards and other open spaces contemplated by the plan do not conform in all respects to the requirements of this Ordinance for the district in which the proposed project is to be located.

19.1 COUNTY ZONING ADMINISTRATOR. The office of County Zoning Administrator (hereinafter called Zoning Administrator), established under the Interim Zoning Ordinance adopted January 9, 1962, under the title of County Zoning Inspector, is hereby re-established and confirmed under the new title of County Zoning Administrator. The Board of County Commissioners may designate and existing county official or employee to serve in this capacity or may appoint another as Administrator and, in addition, may appoint such assistant administrators and other clerical and secretarial employees as they feel necessary for the enforcement of this ordinance. The Zoning Administrator, assistant administrator, and all secretarial and clerical employees to receive such remuneration as the County Commissioners may from time to time determine. It shall be the duty of the Zoning Administrator to administer and cause the enforcement of the provisions of this Ordinance in accordance with its administrative provisions. All departments, officials, and public employees of Queen Anne's County that are vested with the duty or authority to issue permits or licenses shall conform to the provisions of this Ordinance and shall issue no permit or license for any use, building, or purpose if the same would be in conflict with the provisions of this Ordinance. Any permit or license issued in conflict with the provisions of this Ordinance shall be null and void.

19.2 ZONING CERTIFICATES AND BUILDING PERMITS

19.21 Except as otherwise provided herein, it shall be unlawful to locate, erect, or begin the construction, reconstruction, extension, conversion, or structural alteration of any building or structure, or to begin

the excavation therefor or the construction of a well or sewage disposal system, other than the reconstruction, replacement, or extension of any existing well or sewage disposal system, without first applying for a Zoning Certificate therefor. Likewise, it shall be unlawful to use or permit the use of any building or land or part thereof, hereafter created, erected, constructed, reconstructed, extended, converted, or structurally altered, wholly or partly, or to change the use or permit the change of use of any building, structure, or land, until a Zoning Certificate (together with Special Use Permit where required) shall have been issued by the Zoning Administrator. Such Zoning Certificate shall show that the building or other structure of part thereof and the proposed use thereof, or the proposed use of the land or premises, conform with the provisions of this Ordinance. It shall be the duty of the Zoning Administrator to issue such Zoning Certificate if he finds to his satisfaction that the building, structure, premises, and proposed use thereof conform with all the requirements herein set forth.

19.22 Application for a Zoning Certificate shall be made to the Zoning Administrator coincident with the application for a building permit where such is required. Every application for a Zoning Certificate, whether in connection with a building permit or not, shall be accompanied by a drawing approximately to scale, showing the shape and dimensions of the lot to be used or built upon, the size and location on the lot of every existing building and structure, the location, outlines, and dimensions of the proposed building or structure and its driveways, the existing and intended use of the premises and of each building or part thereof, and such other information with regard to the lot and its neighboring lots, buildings, and uses, as may be necessary to determine and provide for the administration and enforcement of this Ordinance.

19.23 Issuance of a Zoning Certificate shall be withheld until the building or the necessary work thereon has been completed in accordance with the provisions of this Ordinance. No work shall be commenced, however, before the issuance of a building permit therefor, showing that application has been made for a Zoning Certificate and that the building or part thereof and the proposed use thereof conform with the provisions of this Ordinance. No such permit shall be issued until all necessary certificates have been issued by (a) the County Health Officer approving the proposed water supply and waste disposal facilities, (b) the County Roads Engineer of State Roads

Commission District Engineer, as the case may be, approving the location and design of any driveways and drainage structures that are to connect with any public roads under their respective jurisdictions. No construction work shall be started before the lot and the location thereon of the projected building or other improvements have been staked out on the ground for inspection by the Zoning Administrator.

19.25 Upon written request from the owner or tenant, the Zoning Administrator shall issue a Zoning Certificate for any building or premises lawfully existing at the time of enactment of this Ordinance, certifying, after inspection, the extent and kind of use made of the building or premises and whether or not such use conforms with the provisions of this Ordinance. Application for such certificate shall be made within twelve (12) months after the date of enactment of this Ordinance.

19.4 VIOLATIONS & HOW PREVENTED. In case any building is or is proposed to be located, erected, constructed, reconstructed, altered, repaired, converted, maintained, or used, or any land is or is proposed to be used, in violation of this Ordinance or any amendment or supplement thereto, the Board of County Commissioners, the attorney to the County Commissioners, the Zoning Administrator, or any adjacent or neighboring property owner who would be specifically damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement, or any other appropriate action or proceeding to prevent, restrain, correct, or abate such unlawful location, erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use, to prevent the occupancy of said building or land, or to prevent any illegal act, conduct, business, or use in or about such premises.

20.31 APPLICATIONS- WHEN AND BY WHOM TAKEN. An application, in cases in which the Board has original jurisdiction under the provisions of this Ordinance, may be made by any property owner or contract purchaser, or by a governmental officer, department, board or bureau. Such application shall be filed with the Clerk of the Board, with copy to the Zoning Administrator.

20.32 APPEALS - WHEN AND BY WHOM TAKEN. An appeal to the Board may be taken by any person aggrieved, or by any officer, department, board or bureau of Queen Anne's County by any decision of the Zoning Administrator. Such appeal shall be taken within thirty (30) days after the decision by filing with the Zoning Administrator and with the Board a notice of appeal, Specifying the grounds thereof.

The Zoning Administrator shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

20.35 STAY OF PROCEEDINGS. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Zoning Administrator certifies to the Board, after notice of appeal shall have been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. In such case proceedings shall not be stayed otherwise than by restraining order which may be granted by the Board or by a court of record, on application, after notice to the Zoning Administrator and on due cause shown.

21.26 Every application for a change in zoning district boundaries shall be accompanied by a plat drawn to such scale as the Zoning Administrator shall require, showing the existing and proposed boundaries and such other information as he may need to enable him to properly locate and plot the amendment on the official zoning maps. It shall be the duty of the Zoning Administrator to change the official zoning maps promptly upon the adoption of any amendment so that they will always be an up-to-date public record of the zoning districts in the county.

Page 82 Also adopted is a set of Sectional Zoning Maps, covering the entire county, at the scale of 600 feet to 1 inch, from which any details may be ascertained. The sectional maps are on file in the office of the Zoning Administrator where they may be consulted on request.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

/S/ S. Grayson Chance
S. Grayson Chance

/S/ William E. Coleman
William E. Coleman

/S/ Percy E. Thomas
Percy E. Thomas

Dated: June 1, 1966

ATTEST:

/S/ Frances C. Legg
Frances C. Legg, Clerk

TRUE COPY, TEST:

(Frances C. Legg, Clerk)
Clerk of the County Commissioners
of Queen Anne's County

COUNTY ORDINANCE 19

IN THE MATTER OF:

THE PETITION OF BENJAMIN HERSHKOWITZ, T/A CHESTER RIVER LUMBER, CONTRACT PURCHASER FOR CHANGE IN CLASSIFICATION OF TRACT OF LAND IN THE SEVENTH ELECTION DISTRICT OF QUEEN ANNE'S COUNTY FROM A-1 AGRICULTURAL DISTRICT TO B-2 GENERAL BUSINESS AND M-2 INDUSTRIAL

For the reasons stated in a decision of The County Commissioners of Queen Anne's County dated March 8, 1966 as the result of a public hearing held on February 15, 1966 the following Ordinance was adopted.

BE IT ORDAINED that the area designated on Petitioner's Exhibit No. 3 "Proposed B-2 General Business" and colored in red consisting of twenty acres, more or less, parallel to and with a depth from Maryland Route No. 313 of five hundred feet be and the same is hereby rezoned "B-2".

BE IT FURTHER ORDAINED, that the area designated on Petitioner's Exhibit No. 3 "Proposed M-2 Industrial Zone" and colored blue be and the same is hereby rezoned "M-2", subject to the following conditions:

1. That any access road into the "M-2" area be located with its entrance on Maryland Route No. 313 and located a minimum of 400 hundred feet distant from the western boundary line of Petitioner's property and a minimum of 800 feet from the eastern boundary line of Petitioner's property.
2. That the "buffer areas" designated on Petitioner's Exhibit No. 3 be maintained in a clean condition and not be used for the storage of either raw material or finished products.
3. That the areas designated for rezoning be surveyed by a registered surveyor and marked by permanent markers.
4. That the area designated on Petitioner's Exhibit No. 3 as "A-1" Agricultural Zone" be maintained in its present wooded condition to serve as a buffer area between the property rezoned and the Unicorn Millpond and Park owned by the State of Maryland Game and Inland Fish Commission.
5. That the multiflora rose hedging along Rte. 313 be maintained as near as possible in its present condition except for the removal of a section necessary for the access road.

BE IT FURTHER ORDAINED that the zoning administrator make such changes in the Queen Anne's County Zoning Map as are required by this Ordinance.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

/S/ S. Grayson Chance
S. Grayson Chance

/S/ William E. Coleman
William E. Coleman

/S/ Percy E. Thomas
Percy E. Thomas

Dated: March 8, 1966

ATTEST:

/S/ Frances C. Legg
Frances C. Legg, Clerk

TRUE COPY, TEST:

(Frances C. Legg, Clerk)
Clerk of The County Commissioners
of Queen Anne's County

COUNTY ORDINANCE NO. 20

IN THE MATTER OF:

THE RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION
FOR AN AMENDEMTN TO THE SUB-DIVISION CONTROL ORDINANCE,
SECTION B (b)

For the reasons stated in a decision of The County
Commissioners of Queen Anne's County dated June 14, 1966
as a result of a public hearing held on May 18, 1966
the following Ordinance was adopted.

BE IT ORDAINED, that Article VIII, Variations, Sec-
tion B (b) under sub-title "An Application for Approval
of Such Sub-Division Shall Be Accompanied By" is hereby
repealed and the said sub-section is amended to read as
follows:

"If the Zoning Administrator is satisfied that
the proposed sub-division is not contrary to appli-
cable provisions of these regulations or any other
law or ordinance, he will approve such sub-division
and on presentation of a conveyance of a lot or
parcel created thereby will stamp the same "Approved
by the County Planning and Zoning Commission of
Queen Anne's County Maryland, No Plat Required"
and sign and date the same; provided, however, if
the said proposed sub-division does not front on
an existing public road or varies from any other
applicable provisions of these regulations, then
said application shall require the approval of the
Planning Commission at its next regular meeting and
upon approval shall be stamped, signed, and dated
by the Zoning Administrator as above provided."

BE IT FURTHER ORDAINED, that this Ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

/S/ S. Grayson Chance
S. Grayson Chance

/S/ William E. Coleman
William E. Coleman

/S/ Percy E. Thomas
Percy E. Thomas

Dated: June 14, 1966

ATTEST:

/S/ Frances C. Legg
Frances C. Legg, Clerk

TRUE COPY, TEST:

(Frances C. Legg, Clerk)
Clerk of the County Commissioners
of Queen Anne's County

COUNTY ORDINANCE 21

IN THE MATTER OF:

THE RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION TO AMEND THE COMPREHENSIVE ZONING ORDINANCE, ARTICLE V, SECTION 5.0322 AND ARTICLE XVII, SECTION 17.121

For the reasons stated in a decision of The County Commissioners of Queen Anne's County dated June 14, 1966 as the result of a public hearing held on May 18, 1966 the following Ordinance was adopted.

BE IT ORDAINED, that Article V, Section 5.0322 of the Queen Anne's County Comprehensive Zoning Ordinance be amended to read as follows:

"5.0322-All non-conforming uses of land not involving any building or structure having an assessed value for tax purposes of more than Five Hundred Dollars (\$500.00) at the time of becoming non-conforming, all non-conforming buildings and structures each having an assessed value for tax purposes of not more than Five Hundred Dollars (\$500.00) at the time of becoming non-conforming, and all non-conforming signs, billboards, and outdoor advertising

structures of whatever value, may be continued for a period of two (2) years after the date of enactment of this Ordinance at the end of which period such non-conforming uses, buildings, and structures shall be changed to conforming uses or shall be removed within three (3) months after written notice to the property owner from the Zoning Administrator. Notwithstanding said provision for notice, all such non-conforming uses, buildings, and structures shall be changed to conforming uses or shall be removed within five (5) years from the date enactment of this Ordinance."

AND BE IT FURTHER ORDAINED, that Article XVII, Section 17.121 of the Queen Anne's County Comprehensive Zoning Ordinance be amended to read as follows:

"17.121 - Every existing junk yard, including auto wrecking yards, may be continued without complying with the foregoing requirements for a period of two (2) years after date of the enactment of this Ordinance. At the end of which period, said junk yard, including auto wrecking yards, shall comply or be discontinued and removed within six (6) months after receipt by the owner of a written notice from the Zoning Administrator. Notwithstanding the above provisions for notice, all existing junk yards, including auto wrecking yards, shall comply with the foregoing requirements or shall be discontinued and removed within five (5) years from the date of this Ordinance."

BE IT FURTHER ORDAINED, that this Ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

/S/ S. Grayson Chance
S. Grayson Chance

/S/ William E. Coleman
William E. Coleman

/S. Percy E. Thomas
Percy E. Thomas

DATED: June 14, 1966

ATTEST:

/S/ Frances C. Legg
Frances C. Legg, Clerk

TRUE COPY, TEST:

(Frances C. Legg, Clerk)
Clerk of the County Commissioners
of Queen Anne's County

COUNTY ORDINANCE 22

IN THE MATTER OF:

THE PETITION OF THOMAS R. EWING FOR A CHANGE IN CLASSIFICATION OF A TRACT OF LAND IN THE FIFTH ELECTION DISTRICT FROM "A-2" AGRICULTURAL CONSERVATION DISTRICT TO "B-2" GENERAL BUSINESS DISTRICT

For the reasons stated in a decision of The County Commissioners of Queen Anne's County dated July 18, 1966 as the result of a public hearing held on June 7, 1966 the following Ordinance was adopted.

BE IT ORDAINED, that the parcel of land designated in the Petition as Tract No. 1, which is bounded on the South by a service road, on the West by a "B-2" General Business Zone and on the North by Tract No. 2, and on the East by "A-2" lands of William M. Smith, and more particularly described in a deed from William M. Smith, widower, to Thomas R. Ewing and Mary C. Weing, his wife, dated September 28, 1950, recorded in Liber N. B. W. No. 7, folio 360, containing 6.001 acres of land, more or less, be rezoned from "A-2" to "B-2".

AND BE IT FURTHER ORDAINED, that the parcel of land described in the Petition as Tract No. 2, which tract is bounded on the north by the County Landing at Jackson Creek, on the west by the Jackson Creek public road, and on the south by lands of William M. Smith zoned "A-2" and which is more particularly described in a deed from Grasonville Memorial Post # 7464, Veterans of Foreign Wars of the United States, Inc. to Thomas R. Ewing and Mary Ewing, his wife, dated September 7, 1949, recorded October 5, 1953, in Liber T. S. P. No. 12, folio 511, as adjusted by deed and agreement between Thomas R. Ewing and Mary Ewing, his wife, and Henry W. Miehe and Lillian A. Miehe, his wife, by deed dated June 10, 1954, recorded July 31, 1954, in Liber T.S.P. No. 17, folio 141, be and the same is hereby rezoned from "R-5" to "B-2".

BE IT FURTHER ORDAINED, that this Ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

/S/ S. Grayson Chance
S. Grayson Chance

/S/ William E. Coleman
William E. Coleman

/S/ Percy E. Thomas
Percy E. Thomas

Dated: July 18, 1966

ATTEST:

/S/ Frances C. Legg
Frances C. Legg, Clerk

TRUE COPY, TEST:

(Frances C. Legg, Clerk)
Clerk of The County Commissioners
of Queen Anne's County

COUNTY ORDINANCE NO. 23

IN THE MATTER OF:

THE PETITION OF WALTER E. THOMPSON AND MARGARET LEE THOMPSON,
his wife, FOR A CHANGE IN ZONING BOUNDARIES AND CLASSIFI-
CATION FOR A TRACT OF LAND IN THE FIFTH ELECTION DISTRICT
OF QUEEN ANNE'S COUNTY, MARYLAND, ON THE SOUTH SIDE OF THE
PUBLIC ROAD FROM QUEENSTOWN TO KENT NARROWS

For the reasons stated in a decision of The
County Commissioners of Queen Anne's County dated July 26,
1966 as the result of a public hearing held on June 7, 1966
the following Ordinance was adopted.

BE IT ORDAINED, that the land in the Fifth
Election District of Queen Anne's County, Maryland, Outlined
in red on the plat attached to the Petitioner's petition,
which said land is bounded on the north by old Route #18,
on the east by the lands of Herman S. Thompson, on the south
by the lands of Marshy Creek, and on the west by other lands
of the Petitioner containing an area of approximately 25 acres,
be and the same is hereby rezoned from "a-2" Agricultural-
Conservation to "B-2" General Business district.

BE IT FURTHER ORDAINED, that this Ordinance shall
be effective as of the date hereof.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

/S/ S. Grayson Chance
S. Grayson Chance

/S/ William E. Coleman
William E. Coleman

/S/ Percy E. Thomas
Percy E. Thomas

Dated: July 26, 1966

ATTEST:

/S/ Frances C. Legg
Frances C. Legg, Clerk

TRUE COPY, TEST:

(Frances C. Legg, Clerk)
Clerk of The County Commissioners of Queen Anne's County

COUNTY ORDINANCE 24

EX PARTE IN THE MATTER OF

THE PARTITION OF KENT ISLAND LIMITED PARTNERSHIP FOR A
CHANGE IN ZONING CLASSIFICATION

For the reasons stated in a decision of The
County Commissioners of Queen Anne's County dated September
27, 1966 as the result of a public hearing held on Sept-
ember 14, 1966 the following Ordinance was adopted.

BE IT ORDAINED, that the land in the Fourth
Election District of Queen Anne's County, Maryland, designed
as parcels A and C on Petitioner's Exhibit No. 2 consisting
of 70.2516 acres and 51.6136 acres respectively, be rezoned
from "R-4" Apartment District to "M-1" Industrial Park
District.

AND BE IT FURTHER ORDAINED, that Parcels D and
F as shown on Petitioner's Exhibit No. 2 consisting of
8.1053 acres and 1.5173 acres respectively, be rezoned
as "B-2" General Business District.

BE IT FURTHER ORDAINED, that this ordinance
shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

/S/ S. Grayson Chance
S. Grayson Chance

/S/ William E. Coleman
William E. Coleman

/S/ Percy E. Thomas
Percy E. Thomas

Dated: September 27, 1966

ATTEST:

/S/ Frances C. Legg
Frances C. Legg, Clerk

TRUE COPY, TEST:

(Frances C. Legg, Clerk)
Clerk of the County Commissioners
of Queen Anne's County

MERIT SYSTEM
QUEEN ANNE'S COUNTY, MARYLAND

QUEEN ANNE'S COUNTY ORDINANCE NO. 25.

An Ordinance to Provide for
the Establishment of a

CIVIL SERVICE SYSTEM

for

QUEEN ANNE'S COUNTY

ADOPTED this 3rd day of January, 1967.

QUEEN ANNE'S COUNTY ORDINANCE NO.

An Ordinance to provide for the establishment of a Civil Service System for Queen Anne's County, State of Maryland.

This Ordinance is enacted pursuant to the authority vested in the County Commissioners of Queen Anne's County, for establishing a merit system.

Section 1. Definitions

- a. "Position" is a group of duties and responsibilities assigned to one employee. A position can be vacant or occupied.
- b. "Employee" is the person employed to perform the work of a position and shall mean that person who receives a regular and stated compensation from the County other than a pension or retainer.
- c. "Position Description" is a written explanation of one position or of several very similar positions which always includes a title, a general definition of responsibilities, a list of typical duties, the minimum required qualifications and allocated as to grade level.
- d. "Classification" is the process of reviewing the duties and responsibilities of a position or positions and incorporating these duties and responsibilities into a position description.
- e. "Reclassification" is the process of reviewing the duties and responsibilities of an existing position or positions in order to revise the position description to which the position or positions are assigned, or moving a position description from one pay grade to another pay grade.
- f. "Pay Plan" is the written chart which places every position description in a pay grade. Each pay grade consists of a maximum and minimum level and intermediate levels of pay.
- g. "Civil Service" is the name given to the system which includes the regulations and procedures prescribed in and promulgated under the authority of this Ordinance, the Personnel Administrator, the Civil Service Board, the Position Descriptions, the Pay Plan and all of the County Employees who are included in the Civil Service System of Queen Anne's County under this Ordinance.
- h. "Promotion" is the movement of a Civil Service employee from one pay grade to a higher pay grade.
- i. "Transfer" is the movement of a Civil Service employee from one position to another in the same pay grade and on higher pay grade level.
- j. "Probationary Status" is the Status given to new Civil Service employees for a minimum of 12 months of service.
- k. "Permanent Status" is the status given to Civil Service

employees who have been recommended and have accumulated at least one year of satisfactory probational status employment.

1. "Appointing Authority" for the purpose of this Ordinance is the County Commissioners of Queen Anne's County.

(1) The County Commissioners of Queen Anne's County are the appointing authority for all non-elective positions provided by the County.

(2) For the purpose of this Ordinance the following are designated as supervisory appointing authorities: all elected officials whose personnel are paid by the County Commissioners, the Assessor of Queen Anne's County and those department heads so designated by law.

(3) Supervisory appointing authorities may make recommendations on appointments within their respective staffs to the County Commissioners of Queen Anne's County.

m. "Appointment Lists" contain the names of qualified applicants for the appropriate position, ranked on the basis of one or more of the following: applicant's qualifications, competitive examination score and personal interview.

n. For the purpose of this Ordinance the words "Commissioners," "County Commissioners" and "Commissioners of Queen Anne's County" shall be one and the same as County Commissioners of Queen Anne's County.

Section 2. Scope

a. All positions in the County are hereby included in either the Exempt Service or the Civil Service.

b. The Exempt Service shall include:

(1) All the elected officials.

(2) All County Attorneys under retainer, members of boards, commissions, committees, officials whose appointments are prescribed by State and/or public local law and those excluded by specific statutory provisions, including employees of the Queen Anne's County Board of Education.

(3) Consultants and all other persons rendering temporary service under Contract.

(4) Positions involving seasonal, special, temporary or temporary part-time employment, except those specifically placed in the Civil Service System by the County Commissioners upon recommendation of the Civil Service Board.

(5) All personnel under the jurisdiction of the Circuit Court.

c. The Civil Service System shall include all positions in the County except those placed in the Exempt Service by this Ordinance, including those persons holding positions by virtue of

County Ordinances.

d. When this Ordinance becomes effective, all persons who have held positions included in the Civil Service System for a period of six (6) months or more shall have permanent status. All persons who have less than six (6) months service shall be required to serve a six (6) months probationary period from the date of this Ordinance.

Section 3. Personnel Administrator

a. The County Commissioners of Queen Anne's County shall appoint a personnel administrator, either full or part-time, to serve at their pleasure. Said personnel administrator to receive such remuneration as the County Commissioners may from time to time determine.

b. The Personnel Administrator shall be responsible for:

(1) Forwarding requests from supervisory appointing authorities for the creation of new positions, the abolishment and reclassification of existing positions, promotions and in-grade pay increases to the Civil Service Board; and the administration of the approved change or changes.

(2) Maintenance of the necessary records for Civil Service Personnel and of the proceedings of the Civil Service Board.

(3) Cooperating with appointing authorities in soliciting, examining and selecting applicants for vacant Civil Service positions.

Section 4. Civil Service Board

a. A Civil Service Board consisting of three registered voters of Queen Anne's County, each of whom must be the owner or spouse of an owner of taxable real property located in Queen Anne's County, shall be appointed by the County Commissioners. Civil Service Board members shall receive such remuneration as the County Commissioners may from time to time determine for three-year terms or until his or her successor takes office. However, the terms of the members first appointed shall be one, two and three years, respectively. Every two years the Civil Service Board shall elect a chairman from its membership. Any member of the Civil Service Board shall be eligible to succeed himself either as chairman or as a member.

The members of the Civil Service Board shall be persons in sympathy with the application of civil service merit principles to public employment. No member of the Civil Service Board shall be employed by or be an official of the County, nor shall he hold or be a candidate for any elective political office.

Persons appointed to the Civil Service Board must be reputable citizens, must not be or ever have been convicted of a felony or crime involving moral turpitude, must not be a member of any organization declared to be subversive to the laws of the State of Maryland and the United States of America by the Attorney General of the United States of America and must submit an affidavit attesting to these qualifications to the County Commissioners.

Persons appointed to the Civil Service Board must have had

experience in employee-employer relationships or have sufficient knowledge and judgment to serve as effective members of the Civil Service Board.

b. The Civil Service Board shall be responsible for:

(1) Classification and establishment of minimum qualifications for all Civil Service positions.

(2) Recommendations to the County Commissioners on requests from appointing authorities for the creation of new positions and the abolishment or reclassification of existing positions.

(3) Recommendations to the Commissioners for revisions in the Pay Plan as requested by appointing authorities or initiated by the Civil Service Board, itself.

(4) Adoption of Civil Service rules, not in conflict with the Queen Anne's County Code or any Ordinance of the County, to implement the provisions of this Ordinance. However, the County Commissioners shall approve all such rules.

(5) Recommendations to the County Commissioners and department heads designed to promote the morale and training of the Civil Service employees.

(6) Hearing and deciding all appeals from Civil Service employees against dismissal, suspension of more than ten (10) days, intolerable working conditions and other such areas as enumerated in the Civil Service Rules.

(7) Reviewing and deciding all requests from appointing authorities for promotion and in-grade pay increases.

(8) Recommendations to the County Commissioners concerning the appointment, suspension, dismissal, layoff, transfer, demotion or promotion of those Civil Service employees for which the County Commissioners are designated as the appointing authority in the Ordinances and Code of Queen Anne's County.

(9) Minutes shall be kept of hearings and meetings of the Civil Service Board; and such minutes shall be open to the public.

c. Any member of the Civil Service Board shall be subject to removal by a two-thirds vote of the County Commissioners for:

(1) Inadequate attendance at Civil Service Board meetings.

(2) Failure to maintain all qualifications for appointment to the Civil Service Board as specified in Section 4a of this Ordinance.

(3) Inability to perform duties or for improper or unreasonable performance of duties due to physical or mental disability.

d. Before removal, the member of the Civil Service Board

to be removed shall be given a written copy of the charges against him and shall have a public hearing on them before the County Commissioners if he so requests within ten days after receiving the written copy of the charges against him.

e. Vacancies on the Civil Service Board shall be filled for the unexpired term by the County Commissioners.

Section 5. Responsibilities of the County Commissioners with Respect to the Civil Service System

a. The County Commissioners shall:

(1) In conjunction with the adoption of the County budget and whenever deemed necessary, consider the recommendations of the Civil Service Board on requests from appointing authorities for the creation of new positions, the abolishment of positions and the classification and reclassification of existing positions.

(2) Adopt by resolution a Pay Plan and subsequent revisions after consideration of the recommendations of the Civil Service Board.

(3) Consider and adopt by resolution, position description and minimum qualifications for each classification or position giving consideration to the recommendations of the Civil Service Board.

(4) In conjunction with the Civil Service Board, have the final authority to appoint, suspend, dismiss, layoff, transfer, demote and promote in accordance with the provisions of this Ordinance and when not in conflict with the Ordinances and Code of Queen Anne's County - Civil Service employees for whom the County Commissioners are designated as the appointing authority.

Section 6. Rules

The Civil Service Board shall be responsible for preparing such rules as may be necessary to carry out the provisions of this Ordinance. Following a public hearing conducted by the Civil Service Board, these rules shall be submitted to the County Commissioners for adoption by resolution. The rules shall have full force and effect. Amendments to the rules shall be made in accordance with the above procedure. Copies of all Civil Service rules and regulations shall be made available to employees of Queen Anne's County.

Section 7. Classification

The Civil Service Board shall be responsible for the Classification and the reclassification of every position in the Civil Service System. Each position shall be classified in a position description on the basis of the type and level of duties and responsibilities assigned to the position. The positions classified in one position description shall be sufficiently alike to permit the use of a single descriptive title, the same minimum qualifications and the same pay scale. Position descriptions may also be formulated in series, indicating differences in classification of positions encompassing the same work but differing in skill-level, experience and other qualification. Position descriptions and subsequent revisions thereof

shall be forwarded to the County Commissioners for adoption by resolution.

Section 8. Pay Plan

a. The County Commissioners shall be responsible for the preparation and maintenance of a pay plan. Each position description in the Civil Service System shall be placed in a pay grade which offers a range of pay commensurate with the duties and responsibilities enumerated in the position description.

b. Revisions in the Pay Plan requested by supervisory appointing authorities for personnel within their respective jurisdictions shall first be submitted to the Civil Service Board. The Civil Service Board may also initiate such revisions in the Pay Plan for all Civil Service employees as said Board deems necessary. The Civil Service Board shall forward Pay Plan revisions to the County Commissioners with recommendations.

c. In-grade pay increases for all permanent Civil Service employees shall be awarded by the Civil Service Board to those employees who have satisfactorily performed their duties. Civil Service employees below the supervisory level shall not be granted in-grade pay increases without the favorable recommendations of the supervisory authority concerned. At least twelve months must ensue between each in-grade pay increase granted to any one permanent Civil Service employee and shall be effective at the beginning of the County's fiscal year. Except for longevity pay, no employee shall be paid a salary less than the minimum nor more than the maximum limits prescribed by the pay grade to which his or her position has been assigned.

d. Periods of absence, or leave without pay status, will not be included in computing the time for in-grade pay increase requirements.

e. Once the Pay Plan has been adopted, the County Commissioners shall not increase or decrease the pay of individual employees in the classified service but shall change rates of pay only by the passage of a resolution amending the Pay Plan.

Section 9. Longevity Pay

Employees in the County service may qualify for a three (3) per cent longevity pay increase for each three year period they have spent in the last step (maximum step) of their grade. The amount of each longevity increase shall be computed by multiplying the employee's previous total yearly salary, excluding overtime pay, by three (3) per cent and adding this amount to his annual salary. All longevity increases will be effective at the beginning of the County's fiscal year.

If an employee who is receiving a longevity pay increase is promoted or his job is reclassified to a higher grade, he shall not receive an annual salary less than his previous annual salary plus longevity; however, he shall not be eligible for another longevity pay increase until he has spent a three (3) year period in the last step of his new grade.

An employee's service in the last step of his grade must be

consecutive unless the employee was reinstated with prior service under provisions of Section 12b.

Prior to the award of a longevity increase, the supervisor of the employee concerned and the Personnel Administrator must certify that the employee has performed his duties in a satisfactory manner.

Computation of an employee's length of service for the purpose of qualifying for this longevity pay will commence for those employees in the last step of their present grade as of the effective date of this Ordinance. All persons who are employees of the County on the effective date of this Ordinance shall be given full credit for prior County service for all purposes.

Section 10. Appointments - Promotions - Transfers

a. Appointments to vacancies occurring after this Ordinance becomes effective shall be based on merit determined by procedures established by the appointing authorities concerned, in collaboration with the Civil Service Board.

b. Applicants who qualify for employment or re-employment shall be placed on the appropriate appointment list. When an appointment is to be made to a vacancy, the appointing authority in collaboration with the Personnel Administrator, shall determine the person or persons ranked highest on the appointment list who have indicated a willingness to accept employment. The decision of the appointing authority concerned as to the employment of any applicant shall be final.

c. Vacancies in Civil Service positions shall be filled by promotion or transfer by the appointing authority concerned, if said authority finds a qualified and interested employee within the Civil Service System. Promotions and transfers shall be on a competitive basis. Promotions and transfers shall be based on consideration of the applicant's qualifications, competitive examination score (if one is given), record of performance and seniority.

d. Promoted employees shall receive a rate of pay at least \$120.00 higher than that which they received in their former position.

e. Transferred employees shall receive a rate of pay equal to, or higher than that which they received in their former position.

f. Policies and procedures for administering appointment lists shall be enumerated in the Civil Service Rules concerning the duration, cancellation, replacement and consolidation of such lists and the removal or suspension of the names of eligible applicants.

Section 11. Probationary Status

a. Employees appointed from appointment lists or by promotion, shall be subject to a twelve month minimum probationary period.

b. If the work of a probationary employee is found to be below standards satisfactory to the appointing authority, the appointing authority may dismiss, demote or transfer the probationary employee at any time during the probationary period. Such actions by the

appointing authority shall not be subject to review or appeal.

c. Promoted employees who previously held permanent Civil Service status shall, upon promotion, retain all permanent status rights and privileges during their probationary period.

Section 12. Permanent Status

a. A probationary status Civil Service employee shall be retained beyond the end of his or her probationary period and granted permanent Civil Service Status after at least twelve months of probation, if the appointing authority concerned certifies that the performance of the probationary employee is satisfactory and recommends to the Civil Service Board that the employee be given permanent status.

b. A permanent status employee may resign by filing his or her reasons with his appointing authority. Whenever possible, employees shall give notice of resignation at least two weeks in advance. A permanent status employee who resigns in good standing may be reinstated to a position with full credit for prior service, if there is any need for his or her services within two years after the date of resignation.

Section 13. Separations

a. The tenure of every employee shall be conditioned on good behavior and the satisfactory performance of duties. Any employee may be temporarily separated by layoff, or suspension and permanently separated by dismissal.

b. Whenever there is lack of work or lack of funds, which requires a reduction in the number of employees in a County department, layoff shall be made in such positions as the appointing authority may designate, provided that employees shall be laid off in the inverse order of their length and quality of service, subject to such rules as may be enacted governing the evaluation of service. Probationary employees shall be laid off before permanent employees.

c. When in the judgment of the supervisory appointing authority, a permanent status employee's work performance or conduct justifies disciplinary action, short of dismissal or demotion, the employee may be suspended without pay and shall be given written notice within forty-eight (48) hours, stating the charges and duration of the suspension. A copy of which shall be forwarded to the Civil Service Board of Queen Anne's County. A suspended employee may not request a hearing before the Civil Service Board unless the suspension is for more than five (5) working days.

d. A permanent status employee may be suspended, pending dismissal; dismissed or demoted, whenever in the judgment of the supervisory appointing authority the employee's work or misconduct so warrants. When the supervisory appointing authority decides to take such action, said supervisory appointing authority shall file with the employee and the Civil Service Board a written notification containing a statement of the substantial reasons for the action immediately.

e. The following may constitute grounds for misconduct

charges leading to dismissal or suspension.

(1) Incompetency, incapacity or inefficiency in performance of duties.

(2) Violation of law, official rules, regulations or order; or failure to obey any lawful or reasonable direction, when such action amounts to insubordination or serious breach in discipline.

(3) Conviction of a felony or of any infamous or disgraceful offense.

(4) Willful or repeated negligence in performing duties and conduct unbecoming an employee of the County.

(5) Conduct subversive to the laws of the State and Nation.

(6) Sustained conduct, detrimental to the efficiency and morale of the service.

(7) Misuse of public funds or public property.

(8) Falsifying reports or records.

(9) Intoxication while on duty.

(10) In addition to the above, the provisions of Section 17 shall also constitute grounds for misconduct charges leading to dismissal or suspension.

Section 14. Appeals

a. Permanent status Civil Service employees shall be entitled to appeal to the Civil Service Board, on action by appointing authorities concerning a suspension of more than five (5) consecutive working days or a dismissal. Intolerable working conditions and other complaints enumerated in the Civil Service Rules may also be appealed to the Civil Service Board by permanent status employees.

b. If an aggrieved employee files a request with the Civil Service Board for a hearing within five (5) days of the supervisory appointing authority's action, the Civil Service Board shall schedule a hearing at its next regular meeting following receipt of the employee's request. The hearing shall be open to the general public and the appeal presented by private counsel if so requested, and provided for, by the aggrieved employee. The hearing shall not be bound by common law or statutory rules of evidence or by technical rules of procedures, such hearing shall be conducted in such manner as to ascertain the substantial rights of the parties. During the course of any investigation or hearing, the Civil Service Board may request any employee or employees of the County to give testimony.

c. Upon request of any party to the hearing, the Civil Service Board may compel by subpoena, the attendance of any witness or the production of any documents or records.

d. If the Civil Service Board finds that the action of the supervisory appointing authority was in error, or based on political, religious or racial prejudice; or that the appointing authority failed to follow the dismissal procedure enumerated in Section 13d; the Civil Service Board may decide either to overrule or modify the appealed action and, if appropriate, may order reinstatement of the aggrieved employee with or without loss of pay. In all instances, the decision of the Civil Service Board shall be final.

Section 15. Leave

a. Unless otherwise specified, the provisions of this Section will apply to all Civil Service County employees.

b. Leave of Absence Without Pay. The appointing authority may recommend to the Civil Service Board a request for a Leave of Absence for a period of not more than six (6) months. In case of maternity or other good cause, such leave may be extended for two successive periods of not more than three (3) months each. However, the total leave shall not exceed six (6) months. The Civil Service Board shall approve or disapprove all recommendations for Leaves of Absence Without Pay. Such leave must be for a valid purpose and appear that reinstatement would be in the best interest of the County. At the termination of such leave, Civil Service employees shall be reinstated in the Civil Service System with all previous rights and privileges, except for annual leave credit and in-grade pay increase status. Following a leave of absence without pay, a reinstated employee shall begin work with no accumulated annual leave credit.

c. Official Leave. The supervisory appointing authority concerned may grant official leave with pay, after approval by the County Commissioners to allow employees to attend professional meetings, technical conferences, short term courses on subjects related to official duties or for other valid purposes. Such leave shall not be deducted from any other leave earned by the employee.

d. Jury Leave. Any employee called for jury duty will be reimbursed the difference between payments received as a juror and his regular salary. Such leave shall not be deducted from any other leave earned by the employee.

e. Military Leave.

(1) Any employee who is a member of any United States Military Reserve or National Guard Unit and is required to engage in annual training exercises will be granted military leave and will be entitled to receive from the County, when their County pay is greater than their Government pay, the difference between their County pay and their Government pay, for a period not exceeding two weeks in one year. Military leave will not be deducted from any other leave earned by the employee.

(2) Any County employee, after one year of service in Civil Service status, who enlists for "active duty", inducted under the Universal Military Training and Service Act of 1951 as amended, or members of the "reserve components of the armed forces," who are ordered or called into "active duty" will be granted a Leave of Absence not to exceed four years or the period of the emergency. Under this subsection the employee whose County salary is greater than

his Government pay shall receive the difference between his County pay and Government pay for a period not to exceed four (4) weeks. A review of all military leave status exceeding four (4) years may be made by the appointing authority. All accrued annual leave will be paid in a lump sum at the time of reporting for active duty, in addition to the above.

f. Funeral Leave. Permission for funeral leave or conditions caused by death in the immediate family, for a maximum period of four (4) work days, may be granted by the supervisory appointing authority concerned. Funeral leave shall not be deducted from any other leave earned by the employee.

g. Annual Leave. All regular full-time employees of the County shall be entitled to paid annual leave computed on a calendar year basis. Regular full-time employees are those employees who are employed on a full-time basis.

(1) Upon completion of six months continuous employment, all full-time employees shall be entitled to annual leave accrued from the date of first employment, at the rate of one (1) working day per month.

(2) Upon completion of five years continuous employment, all full-time employees shall be entitled to annual leave accrued, at the rate of one and one-quarter ($1\frac{1}{4}$) working days per month.

(3) Upon completion of ten years continuous employment all full-time employees shall be entitled to annual leave accrued, at the rate of one and one-half ($1\frac{1}{2}$) working days per month.

(4) Annual leave may accumulate up to a maximum accrual of thirty (30) working days.

(5) Requests for scheduling annual leave will be determined by seniority, upon approval of the supervisory appointing authority.

(6) Annual leave may be granted by supervisory appointing authorities, as conditions permit, for periods of not less than one hour for any period of unused annual leave.

(7) Upon termination of employment, employees with six or more months of continuous service shall be paid for any accumulated annual leave credit. Such payment shall never exceed the equivalent of thirty (30) working days of salary.

h. Sick Leave. All regular full-time employees shall be entitled to paid sick leave at their regular rate of pay. Regular full-time employees are those employees who are employed on a full-time basis.

(1) Upon completion of six months continuous employment, all regular full-time employees shall be entitled to sick leave accrued from the date of first employment, at the rate of two and one-half ($2\frac{1}{2}$) working days per month. There shall not be more than 100 days of accrued sick leave carried forward in any year.

(2) When an employee becomes ill, it shall be incumbent on said employee to notify his department by noon on the first day of illness and the probable date of return to work. Absence due to illness for over two consecutive days must be substantiated by a certificate from a practicing physician, describing the nature of the illness, date treatment began and date of discharge or probable date of discharge from treatment. Failure to notify the supervisor will be considered sufficient cause for disciplinary action.

(3) All sick leave must be substantiated by an approved sick leave form to be submitted by the employee concerned.

(4) A permanent, probationary or limited term employee who is temporarily disabled in line of duty shall receive full pay for the period of his disability without charge against his annual or sick leave, subject to the following conditions:

(a) Provided that the disability resulted from an injury or illness sustained directly in the performance of the employee's work, as provided in the State Workmen's Compensation Act.

(b) If incapacitated for his regular employment, the employee may be given other duties with the County Government for the period of recuperation. Unwillingness to accept such an assignment as directed by the Department Head or the Personnel Director will make the employee ineligible for disability leave during the time involved.

(c) A physician selected by the Director of Personnel shall determine the physical ability of the employee to continue working or to return to work.

(d) Disability leave shall not exceed ninety working days for any one injury.

(e) Payment of disability leave is also contingent upon the assignment of workmen's compensation checks for the first ninety day period to the County.

(f) A temporary employee who is disabled in line of duty shall not receive disability leave but shall be paid in accordance with the provisions of the State Workmen's Compensation Act.

(5) Sick leave will not be paid in addition to regular salary or as a severance pay on termination of employment.

i. Compensatory Leave. All County employees, except annual salaried employees who are required to perform overtime work may, at the discretion of their supervisory appointing authority, be granted compensatory leave for such period of overtime work within 1 year of date earned.

j. Holiday Leave. All employees shall be granted holiday leave as prescribed in the Civil Service Rules. Holiday leave shall not be deducted from any other leave earned by any employee.

k. All leaves as set forth in this Ordinance shall be on a calendar year basis beginning January 1, 1967.

Section 16. Hours of Work

Hours of work shall be established by the Civil Service Board Rules.

Section 17. Conduct of Employees

a. Unless otherwise specified, the provisions of this section shall apply.

b. No County employee shall directly or indirectly, use or seek to use, his official position, authority or influence to control or modify the political action of any other person. Nor shall any employee, during duty hours, engage in any form of political activity.

c. No employee shall become a candidate for any elective public office or accept nomination to any elective public office without first resigning his or her position with the County.

d. No County officer or employees shall receive or be in any manner concerned, with receiving any money or things of value from any other County employee, for any political purpose.

e. Outside business interests on the part of County personnel in commercial enterprises doing business with the County, is prohibited, where such personnel are by virtue of their County employment in a position to influence the acceptance and consummation of such business, or to provide significant information not generally made available to other similar commercial enterprises.

f. All of the foregoing subsections may constitute grounds for misconduct charges, leading to dismissal or suspension as provided in Section 13e.

Section 18. General Prohibitions

a. Civil Service employees shall be selected without regard to political considerations, except that political belief or affiliation subversive to the laws of the State of Maryland and of the United States of America is disqualifying.

b. There shall be no discrimination against any person seeking employment or employed in the Civil Service because of any consideration of political or religious affiliation or belief, race, sex, marital status or national origin.

c. Prior conviction of a felony or crime punishable by imprisonment for two (2) years or more is disqualifying.

Section 19. Amendment Procedure

a. Any proposed amendment or change to this Ordinance originating with or submitted to the County Commissioners of Queen Anne's County, shall be referred by the County Commissioners of Queen Anne's County to the Civil Service Board for evaluation and recommendation.

b. The Civil Service Board:

(1) Shall make such investigation and evaluation as it deems necessary and in accordance with, its own rules and for this purpose may require the submission of all pertinent data and information by any person concerned;

(2) May hold public hearings in accordance with its own rules and with the approval of the County Commissioners;

(3) Shall submit its report and recommendation to the County Commissioners of Queen Anne's County within sixty (60) days of the time of referral, unless an extension of time is granted by the County Commissioners of Queen Anne's County.

c. The County Commissioners upon receipt of the report and recommendation of the Civil Service Board:

(1) May decide to adopt all or any part of the recommendations of the Civil Service Board;

(2) May decline to adopt the recommendation of the Civil Service Board;

(3) May decide to hold public hearings on the proposed amendment or changes, providing at least fifteen (15) days notice of the time and place of such hearing shall be published in a paper of general circulation in the County;

(4) Shall decide to reject or make the proposed amendment or change to this Ordinance in accordance with the procedures governing the Ordinance-making powers of the County Commissioners of Queen Anne's County.

Section 20. Severability

If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect; and to this end the provisions of this Ordinance are hereby declared to be severable.

The effective date of this Ordinance shall be January 3, 1967.

Date Approved:

/s/ William E. Coleman

January 3, 1967

/s/ Leonard E. Smith

ATTEST:

/s/ Julius Grollman

/s/ Lillian C. Callaway
Clerk

Constituting the Board of County Commissioners of Queen Anne's County

IN THE MATTER OF:

THE PETITION OF ISLAND ENTERPRISES, INC. AND THE RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION FOR AMENDMENTS TO THE COMPREHENSIVE ZONING ORDINANCE

For the reasons stated, it was moved by Mr. Grollman, seconded by Mr. Smith, and unanimously resolved that the following amendments to the Comprehensive Zoning Ordinance of Queen Anne's County be adopted.

BE IT ORDAINED, that Article 13, Section 13.103 be amended to provide as one of the principal permitted uses of a "B-1" Business District the operation of a hotel or motel.

BE IT FURTHER ORDAINED, that Article 5, Section 5.22 be amended to read as follows:

FLOOR AREA, HOW MEASURED. The minimum floor area specified herein shall be construed to include the gross floor area of all finished and usable floors or portions thereof, other than floors of a basement, cellar, porch, breezeway, patio, attached garage, carport or the like, and shall be measured from outside to outside of the main exterior walls. The minimum floor area requirements shall pertain to the principal building only.

The intent of this section is to include only the actual living areas of the dwelling which contain the usual utilities.

BE IT FURTHER ORDAINED, that Article 18 be amended by adding new section 18.9 which shall read as follows:

SUBDIVISION IN A-1 DISTRICT. Where a lot in the A-1 District is part of an officially approved subdivision, the following requirements shall be met.

- (a) The lots are to be restricted to residential uses only.
- (b) The minimum floor area per family shall be 800 square feet.

Footnote in Article 6, Section 6.50 shall include an additional footnote as follows:

- (6) Except in approved subdivisions, Section 18.9.

AND BE IT FURTHER ORDAINED, that Article 19, Section 19.22 be amended to read as follows:

Application for a Zoning Certificate shall be made by the landowner, contract purchaser, or their attorney or agent to the Zoning Administrator coincident with the application for a building permit where such is required. Every application for a Zoning Certificate, whether in connection with a

building permit or not, shall be accompanied by a drawing approximately to scale, showing the shape and dimensions of the lot to be used or built upon, the size and location on the lot of every existing building and structure, the location, outlines, and dimensions of the proposed building or structure and its driveways, the existing and intended use of the premises and of each building or part thereof, and such other information with regard to the lot and its neighboring lots, building, and uses, as may be necessary to determine and provide for the administration and enforcement of this Ordinance.

BE IT FURTHER ORDAINED, that this Ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

/S/ William E. Coleman
William E. Coleman

/S/ Leonard E. Smith
Leonard E. Smith

/S/ Julius Grollman
Julius Grollman

Dated: January 24, 1967

ATTEST:

/S/ Lillian C. Callaway
Lillian C. Callaway, Clerk

TRUE COPY, TEST:

Lillian C. Callaway
(Lillian C. Callaway, Clerk)
Clerk of the County Commissioners
of Queen Anne's County

COUNTY ORDINANCE 27

IN THE MATTER OF:

THE PETITION OF KERR-MCGEE CHEMICAL CORP., A BODY CORPORATE,
FOR A CHANGE IN THE CLASSIFICATION OF A TRACT OF LAND IN THE
THIRD ELECTION DISTRICT FROM "A-2" TO "B-2"

For the reasons stated, to wit, that it was a
mistake not to provide in the original Ordinance for some
expansion of an obviously growing industry within the
town limits of Centreville, it was moved by Mr. Grollman,
seconded by Mr. Smith, and resolved that the following
amendment to the Comprehensive Zoning Ordinance of Queen
Anne's County be adopted.

*This Ordinance was declared Void by the Court -
Decided 19, 1967, J.W.*

BE IT ORDAINED, that all that lot or part of a lot
of land situate, lying and being outside the limits of the
Town of Centreville, said portion being shown on a tracing
of a plat by Shew & Bartlett, recorded among the Land Records
of Queen Anne's County in Liber T.S.P. No. 67, folio 240,
as beginning at a concrete monument on the Northwest
side of the Burrisville Road, on the corporate limits of
the Town of Centreville, which monument is South 56
degrees 16 minutes West, 241.67 feet from the corner of
the corporate limits of the Town of Centreville, nearest
the southern terminus of the "Long Bridge" and running
thence with the corporate limits of the Town of Centreville
(1) South 20 degrees 48 minutes West, 284.19 feet to a
concrete monument; (2) thence South 22 degrees 01 minutes
East, 52 feet, more or less, to the lands of the Town
Commissioners of Centreville; thence, leaving the corporate
limits of the Town of Centreville and running with the
lands of the Town Commissioners of Centreville, South
76 degrees 37 minutes East, 106 feet, more or less, to
the end of the presently filled area, thence with the
east edge of the presently filled area and with other lands
of the Petitioner, Kerr-McGee, approximately North 18
degrees East, 396 feet, more or less, to the corporate
limits of the Town of Centreville, thence with said
corporate limits South 56 degrees 16 minutes West, 130 feet,
more or less, to the place of beginning, containing 43,765
square feet of land, more or less, be rezoned from "A-2"
Agricultural Conservation to "B-2" General Business.

BE IT FURTHER ORDAINED, that this Ordinance shall
be effective as of the date hereof.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

Dated: April 11, 1967

/S/ William E. Coleman
William E. Coleman

ATTEST:

Lillian C. Callaway
Lillian C. Callaway, Clerk

/S/ Leonard E. Smith
Leonard E. Smith

/S/ Julius Grollman
Julius Grollman