

regulations, for the grant of power to the Board of Zoning Appeals of Prince George's County and the County Board of Appeals of Montgomery County upon appeal, to permit (1) an extension of a lawful non-conforming use throughout a part or whole of a building in which such non-conforming use lawfully exists; or (2) the restoration or reconstruction of an existing lawful non-conforming use where through fire, or other calamity such use has been destroyed to the extent of not more than seventy-five per centum (75%) of the reconstruction value of the building in which such lawful non-conforming use was carried on; or (3) an extension of an existing lawful non-conforming use on the same lot as such lot existed as a single lot under single ownership at the time of the enactment of the regulation which made the then existing use on such lot non-conforming. Nothing in this section shall be held to authorize the validation, ratification, or legalization of any violation of law or regulation existing at the time of the action by the District Council under this section.

## **82. Commercial Licenses in Residential Zones; Non-Conforming uses.**

(a) *Licenses not to be issued.*—No Clerk of the Circuit Court of Montgomery County or of Prince George's County, no administrative official, no licensing body or board, and no person whatever shall issue a license or permit for any commercial or industrial purpose or for the conducting of any commercial or industrial enterprise or business whatsoever in a residential zone, that is, in any district designated on the zone maps as residential within the Regional District.

(b) *Lawful non-conforming uses continued.*—However, in the case of a lawful non-conforming use existing at the time of the enactment of the respective zoning ordinances within that portion of the Regional District in Montgomery and Prince George's counties comprising the Maryland-Washington Metropolitan District, created by Chapter 448 of the Acts of the General Assembly of Maryland of 1927, as amended, the particular use may be continued, and appropriate licenses may be issued, limited, however, to the particular use already existing in each case.

(c) *Alcoholic beverage licenses.*—In addition, the Board of License Commissioners of Montgomery County, within its discretion, may renew such licenses as were lawfully renewed by the Liquor Control Board in 1938 for premises on which lawful non-conforming uses either as restaurants, grocery stores, or roadside stands have continuously existed since 1928.

(d) *Non-conforming uses outside of Metropolitan District.*—In addition, in the case of a lawful non-conforming use existing at the time of the enactment of zoning ordinances under the provisions of this sub-title in that portion of the Regional District in Montgomery and Prince George's counties, respectively, outside the said Metropolitan District, the particular use which existed at the effective date of the said zoning ordinances, adopted under the authority of this sub-title, may be continued, and appropriate licenses may be issued, limited, however, to such particular use in each case.