

**FOR THE PURPOSE OF CONSIDERING AN APPLICATION TO AMEND THE
ZONING MAPS OF CALVERT COUNTY TO REMOVE A HISTORIC DISTRICT
OVERLAY FROM THE LOCUST INN PROPERTY
(Zoning Map Amendment)**

WHEREAS, Title 4 of the *Land Use Article* of the Maryland Annotated Code, as amended, empowers the Board of County Commissioners of Calvert County, Maryland (the “Board of County Commissioners”) to enact a Zoning Ordinance and maps to promote the health, safety and welfare of the citizens of Calvert County, and to provide for its administration, enforcement and amendment;

WHEREAS, the Board of County Commissioners has, heretofore, exercised its authority to designate boundaries for sites, structures, and districts that are considered to be of historic, archaeological, or architectural significance granted by Section 8-105 of the *Land Use Article* of the Maryland Annotated Code;

WHEREAS, the Board of County Commissioners has exercised its authority granted by Section 8-201 of the *Land Use Article* of the Maryland Annotated Code to create a local historic district commission and has adopted local legislation pertaining to the authorities to designated boundaries and districts of historic, archaeological, or architectural significance that is codified at Chapter 58 of the Calvert County Code;

WHEREAS, the Locust Inn, located at 14478 S Solomons Island Road in Solomons, Maryland and shown on Tax Map 46A as parcel 21, is subject to a Historic District Overlay imposed by a Resolution 55-88, adopted on November 15, 1988;

WHEREAS, PAR Limited Partnership, property owner, has submitted a petition to Historic District Commission (HDC) to remove historic district designation from the Locust Inn property;

WHEREAS, local legislation provides that, “...should an Historic District no longer meet the above criteria and the specific criteria for which it was originally designated, the Historic District designation may be removed by legislative action of the County Board of Commissioners after receipt of a recommendation from the Historic District Commission...;”

WHEREAS, following public meeting, the Calvert County Historic District Commission recommended denial of the application;

WHEREAS, after due notice was published, the Board of County Commissioners and the Planning Commission of Calvert County, Maryland (hereinafter, the “Planning Commission”) conducted a joint public hearing on April 11, 2017, at which time the applicant’s request was discussed, the recommendation of the Historic District Commission was discussed, and public comment was solicited;

WHEREAS, after study and evaluation following the conclusion of said public hearing the Planning Commission voted to recommend approval of the applicant’s request; and

WHEREAS, after considering the staff report, testimony presented at the public hearing regarding the proposed text amendments, and the recommendation of the Planning Commission, and in furtherance of the public health, safety and welfare, the Board of County Commissioners of

Calvert County, Maryland shall determine if it is in the best interest of the citizens of the County to amend the Calvert County Zoning Maps to reflect the removal of the Locust Inn from a Historic District Overlay based upon mistake or change.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners of Calvert County, Maryland makes the following legislative findings:

1. The Locust Inn, located at 14478 S Solomons Island Road, Solomons, Maryland and shown on Tax Map 46A as Parcel 21, is subject to a Historic District Overlay imposed by a Resolution 55-88, adopted on November 15, 1988;
2. The building was constructed as a two-story dwelling *circa* 1886 and enlarged to its present, three-story with several obvious additions by the early twentieth century;
3. As early as 1906, the dwelling functioned as a boarding house, beginning its century-long function housing boarders and guests of the seaside community;
4. There are at least two rear additions built in two distinct stages during the first half of the 20th century;
5. In 1988, the property was determined to meet criteria (1)(a) (has significant character, interest or value as part of the development, heritage or cultural characteristics of the county, state or nation), and (1)(d) (exemplifies the cultural, economic, social, political or historic heritage of the county and its communities) by the Calvert County Historic Preservation Commission and a Historic District Overlay was placed upon the property;
6. At the time of the property's historic designation in 1988, architectural features and details extant in the 1920's photograph submitted with the record had been removed or covered in metal siding and the front porch has been significantly modified;
7. Presently, two non-historic sheds, a non-historic workshop and pump house, two piers, a satellite dish, vinyl replacement windows have been installed, and an in-ground swimming pool further augment the property, a concrete deck and metal fencing surround the in-ground pool; and
8. The Locust Inn was largely burnt by fire within the week of the public hearing, the result of which leaves a structure where the "[f]raming supporting the exterior walls and second floor level has been severely charred and degraded as a result of the fire" by structural engineering report dated June 6, 2017 from The Watkins Partnership, Inc., Consulting Structural Engineering;
9. The Watkins Partnership, Inc. has further recommended in their report of June 6, 2017 that "...it is our opinion the structure should be razed to the ground..."

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that it is apparent that a mistake was made in the adoption of Resolution 55-88 because the character, interest or value as part of the development, heritage or cultural characteristics of the county, state or nation was questionable at best in the structure as it existed in 1988; as was the exemplification of the cultural, economic, social, political or historic heritage of the county and its communities was lost before the property was made the subject of a Historic District Overlay in

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1988 and the Historic District Overlay shall be removed from the subject property upon these grounds;

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that the form, mass and feel of the Locust Inn have changed since even the 1988 designation of the property through the numerous additions of improvements like a swimming pool and chain-link fence and satellite dish approved by the Historic District Commission and the Historic District Overlay shall be removed from the subject property upon these grounds;

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that, as is public knowledge from the extensive media coverage, the Locust Inn has been consumed by a fire, is severely burned out on the first floor, and is not structurally sound, posing a threat to public safety, and the Historic District Overlay shall be removed from the subject property upon these grounds;

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that, the applicable zoning maps be revised and republished without the Historic District Overlay upon the property located at 14478 S Solomons Island Road, Solomons, Maryland and shown on Tax Map 46A as Parcel 21;

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that, the Calvert County Zoning Maps shall otherwise remain in full force and effect, in the event any portion of this Ordinance, the Calvert County Zoning Ordinance or the Calvert County Zoning Maps, are found to be unconstitutional, illegal, null or void, it is the intent of the Board of County Commissioners to sever only the invalid portion or provision, and that the remainder of the Ordinance or Map shall be enforceable and valid;

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

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that this amendatory Ordinance shall be effective upon recordation and without publication of a fair summary.

DONE, this 11th day of July 2017 by the Board of County Commissioners of Calvert County, Maryland.

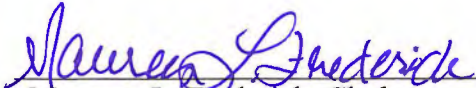
Aye: 4
Nay: 0
Absent/Abstain: 1 - Weems

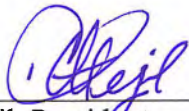
7-12-17
Received for Record.....[SIGNATURES ON FOLLOWING PAGE]
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recorded in Liber KPS No. 52.....
Folio.....183.....COUNTY COMMISSIONERS
ORDINANCES AND RESOLUTION.

Garry P. Smith

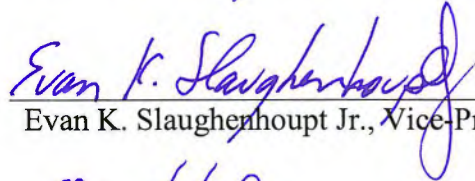
ATTEST:

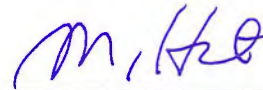
**BOARD OF COUNTY
COMMISSIONERS OF CALVERT
COUNTY, MARYLAND**

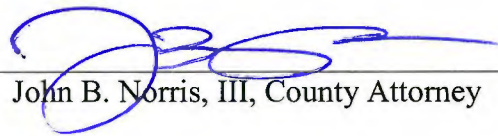

Maureen L. Frederick, Clerk

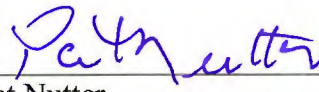

Tom Hejl, President

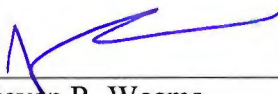
Approved for form and legal
sufficiency by:


Evan K. Slaughenhaupt Jr., Vice-President


Mike Hart


John B. Norris, III, County Attorney


Pat Nutter


Steven R. Weems