

**THE BOARD OF GARRETT COUNTY COMMISSIONERS**

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**Board of Commissioners**

Paul C. Edwards  
 Ryan S. Savage  
 S. Larry Tichnell

**County Administrator**

Kevin G. Null

**County Attorney**

Gorman E. Getty III

**RESOLUTION 2024 – 9****DEEP CREEK WATERSHED ZONING ORDINANCE AMENDMENTS - FARM WINERY**

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

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

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

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

**WHEREAS**, said Ordinance amendments have been subject to public review and to public hearings pursuant to the Land Use Article of the Maryland Annotated Code.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of County Commissioners of Garrett County, Maryland does hereby enact the following text amendments to the Deep Creek Watershed Zoning Ordinance as set forth in Exhibit A of this Resolution. Said Amendments were duly adopted by a unanimous vote of the Board of County Commissioners of Garrett County, Maryland this 7<sup>th</sup> day of October 2024.

**BE IT FURTHER RESOLVED** that the Garrett County Planning Commission shall cause said amendments to be filed with the Clerk of the Circuit Court of Garrett County.

**DULY ADOPTED BY A UNANIMOUS VOTE OF THE BOARD OF COUNTY COMMISSIONERS OF GARRETT COUNTY MARYLAND THIS 7<sup>th</sup> DAY OF OCTOBER 2024.**

  
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 PAUL C. EDWARDS, Chairman

  
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 RYAN S. SAVAGE, Commissioner

  
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 S. LARRY TICHNELL, Commissioner

I certify that the foregoing resolution was duly passed and adopted by the Board of County Commissioners at a regular meeting held September 3, 2024; I further certify that this is the original resolution; that I am the County Administrator for the said County Commissioners charged with the responsibility of keeping and recording all minutes, records and acts of the said County Commissioners; and I further certify Paul C. Edwards, Ryan S. Savage, and S. Larry Tichnell to be the appropriate officials to sign the said resolution.

  
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 KEVIN G. NULL

County Administrator

## Exhibit A

## DEEP CREEK WATERSHED ZONING ORDINANCE AMENDMENTS

1. Add a new Definition to read as follows: 157.007.B.(29)B "*FARM WINERY* – A winery operation having an approved Maryland Class 3 or 4 winery license and conducted on property classified as agricultural by the Maryland Department of Assessments and Taxation. A Farm Winery may conduct wine tastings that include accessory food sales and have retail sales of wine and winery-related products."
2. Amend Section 157.024 Table of Use Regulations by adding a new Section 157.024(E)29 "Farm Winery, subject to the following provisions:
  - a) A maximum of 500 square feet of floor area may be devoted to retail sales of wine and winery-related products.
  - b) At least two acres of the ingredients used in the production of beverages must be grown on- site. The growing area must be established within two years of approval."

The use shall be permitted by Special Exception in all zoning districts

3. Amend Section 157.041 Table of Dimensional Requirements by adding a new section "157.041.E.4 Farm Winery (Minimum Yard Widths shall be for any structures used for retail sales or tastings)". The Table columns shall be completed as follows: Zoning District: Anywhere Permitted; Minimum Total Lot or Land Area Per Use: 20 acres; Minimum Average Lot Area Per Dwelling Unit: Blank; Minimum Lot Width: Blank; Minimum Front Yard Width: 75; Minimum Side Yard Width: 100; Minimum Rear Yard Width: 100.