

**AN ORDINANCE TO AMEND
TITLE 17
OF THE CODE OF EMMITSBURG
ENTITLED
ZONING**

BE IT RESOLVED, ENACTED AND ORDAINED by the Mayor and Board of Commissioners of the Town of Emmitsburg, Maryland, pursuant to the authority granted to them by the laws of Maryland and the Charter of the Town of Emmitsburg, that Title 17, Section 17.32 of the Emmitsburg Municipal Code, be amended as follows:

New language is indicated by being in **BOLD, CAPITAL LETTERS**, and deleted language is designated by being in ~~{brackets and strike out}~~.

Chapter 17.32 - R-1, R-2, R-3, R-S RESIDENTIAL DISTRICTS

17.32.020 - Uses permitted in the R-S district (residential suburban).

Uses permitted in the R-S district are as follows:

- A. Single-family dwellings and home occupations in a single-family dwelling;
- B. ~~[Churches,]~~ School, libraries, museums, parks, playgrounds and community centers;
- C. Accessory buildings and uses;
- D. Home occupation.
- E. **PLACE OF WORSHIP**

17.32.030 - Uses permitted in the R-1 district (low density).

Uses permitted in the R-1 district are as follows:

- A. Single-family dwellings and home occupations in a single-family dwelling;
- B. ~~[Churches schools, libraries, museums,]~~ Parks **AND** playgrounds; ~~[and community centers]~~
- C. Accessory buildings and uses;
- D. Planned unit developments;
- E. Antique shops, country inns and bed and breakfast facilities in historical structures subject to the following conditions:
 - 1. Such use is located within an existing structure which is listed on the Maryland Inventory of Historic Places or on the National Register of Historical Places,
 - 2. The structure is located on a lot with a minimum of two (2) acres,
 - 3. Parking is provided at a ratio of one parking space for each two hundred (200) square feet of floor area devoted to customer service,
 - 4. One freestanding sign shall be permitted not to exceed ten (10) square feet. One sign attached to the building shall be permitted not to exceed eight (8) square feet,
 - 5. Site plan approval by the planning commission is required;
- F. Home occupation.
- G. Family day care home licensed by the state.
- H. **PRIVATE COMMUNITY CENTER WITHIN A RESIDENTIAL SUBDIVISION DEVELOPMENT, INTENDED TO SERVE THAT RESIDENTIAL COMMUNITY.**

17.32.070 - Required lot area, lot width and yards in residential districts.

Required lot area, lot width and yards in residential districts are as follows, with yard measurements taken from closest point of structure to the corresponding lot line:

	Minimum Lot Area Per Dwelling Unit (Sq. Feet)	Minimum Lot Width Per Principal Structure (Feet)	Front (1) Yard Depth (Feet)	Each Side Yard Width (Feet) (2)(3)(6)(7)	Rear Yard Depth (Feet) (6)(7)
R-S DISTRICT Single-family dwelling	20,000(4)	100	35	12	30
R-1 DISTRICT Single-family dwelling	12,000	85	35	12	30
R-2 DISTRICT Single-family dwelling	8,000	70	35	10	30
Duplex dwelling	6,000	60	35	10	30
Town house	(See Section 17.32.080)				
R-3 DISTRICT Single-family dwelling	8,000	70	30	10	30
Duplex dwelling	6,000	60	35	10	30
Multi-family dwelling	6,000(5)	—	35	16	30
Town house	(See Section 17.32.080)				
Schools	—	—	40	100	100
{Churches} PLACE OF WORSHIP	—	—	40	100	100
Other permitted uses having structures	8,000	75	35	12	25
Residential Accessory Structures	—	—	{Same as Principal Structure} NOT ALLOWED IN FRONT YARD	6	6

- (1) Corner lots shall provide two front yards, and two side yards.
- (2) See Section 17.32.120
- (3) Exceptions to yard requirements are allowed for certain uses (chapter 17.40).
- (4) In the R-S residential district, developments of more than ten lots may have no more than forty (40) percent of the total number of lots from fifteen thousand (15,000) to twenty thousand (20,000) square feet in area.
- (5) Does not include street right-of-way or floodplain.
- (6) See Section 17.32.110 for detached garage or car canopy where lot width is thirty (30) feet or less as of September 1, 2011.
- (7) See Section 17.36.030 for residential detached garage or car canopy in village zone where lot width is thirty (30) feet or less as of May 1, 2012.

BE IT FURTHER RESOLVED, ENACTED AND ORDAINED that this Ordinance shall take effect on the date on which the Mayor approves the Ordinance after passing by the Board of Commissioners or on the date on which the Board of Commissioners passes the Ordinance over the veto of the Mayor.

PASSED this 5th day of September, 2017
by a vote of 3 for, 2 against, 0 absent, and 0 abstain.

ATTEST:

EMMITSBURG BOARD OF COMMISSIONERS:

Madeline Shaw
Madeline Shaw, Town Clerk

Timothy O'Donnell
Timothy O'Donnell, President

MAYOR

✓ APPROVED _____ VETOED
this 5th day of September, 2017.
Donald N. Briggs
Donald N. Briggs, Mayor

I hereby certify that the foregoing Ordinance has been posted as required by Chapter 2.04 of the Emmitsburg Municipal Code.

Madeline Shaw, Town Clerk
Date: