

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 17.36.030 of the Emmitsburg Municipal Code, be amended as follows.

The amended section of this regulation reads as follows with new wording indicated in **BOLD, CAPITAL** letters and deleted words in ~~strike-out~~.

17.36.030 Accessory Uses and Structures

Accessory uses and structures permitted in the VZ zone are: detached one story accessory uses (such as a private garage, a private swimming pool and a garden or tool shed). **ACCESSORY STRUCTURES MAY BE PLACED IN SIDE OR REAR YARDS, BUT ARE NOT ALLOWED IN ANY FRONT YARD AS DEFINED IN §17.04.020.**

Accessory structures **LESS THAN ONE HUNDRED AND FIFTY SQUARE FEET IN SIZE** shall remain ~~six (6)~~ **THREE (3)** feet from the side **LOT LINES** and **SIX FEET FROM THE** rear lot lines, or in the case of a swimming pool, a distance equal to the maximum depth of the pool. Detached means not connected to the principle ~~AL~~ structure. No satellite dishes **S** may be installed on roof lines. **WHERE THE LOT WIDTH EXISTING AS OF MAY 1, 2012 IS THIRTY (30) FEET OR LESS, AN ACCESSORY STRUCTURE LESS THAN ONE HUNDRED AND FIFTY SQUARE FEET IN SIZE SHALL REMAIN AT LEAST THREE (3) FEET FROM THE SIDE LOT LINES AND SIX (6) FEET FROM THE REAR LOT LINE.**

A PRIVATE DETACHED GARAGE, CAR CANOPY OR STRUCTURE ONE HUNDRED AND FIFTY SQUARE FEET OR LARGER SHALL REMAIN SIX FEET OFF THE SIDE AND REAR LOT LINES. In the case of a private detached garage, car canopy **OR STRUCTURE ONE HUNDRED AND FIFTY SQUARE FEET OR LARGER**, where the lot width existing as of May 1, 2012, is thirty (30) feet or less, the side setback requirement shall be a distance of at least six feet from one side lot line, and six feet from the rear property line.

ADDITIONALLY, ACCESSORY STRUCTURES MUST ALSO MEET THE REQUIREMENTS LISTED BELOW:

- 1. NO MORE THAN 30% OF THE REAR YARD OF A LOT, AS DEFINED IN §17.04.020, IS ALLOWED TO BE COVERED WITH ACCESSORY STRUCTURES.**
- 2. ONLY ONE ACCESSORY STRUCTURE ON A LOT MAY BE BUILT UNDER THE ZERO LOT LINE SETBACK AS ALLOWED FOR LOTS LESS THAN THIRTY (30) FEET IN WIDTH.**

3. ALL LOTS WITH ACCESSORY STRUCTURES MUST DEMONSTRATE A CLEAR AND DIRECT SIX (6) FOOT PATH FROM THE REAR OF THE LOT TO THE PRINCIPAL STRUCTURE ON THE LOT.

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 pass the Ordinance over the veto of the Mayor.

PASSED this 1st day of February, 2016 by a vote of 5 for, 0 against, 0 absent, and 0 abstain.

ATTEST:

By: Cathy Willets
Cathy Willets, Town Clerk

EMMITSBURG BOARD OF COMMISSIONERS
Timothy O'Donnell
Timothy O'Donnell, President

MAYOR

✓ APPROVED VETOED
this 1st day of February, 2016.
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.

Date: 2-15-16

Cathy Willets
Cathy Willets, Town Clerk