

# CITY COUNCIL

## READ FILE COVER SHEET

Subject: **Ordinance 1111 concerning Amending Chapter 205 - Zoning Through Lots, Fences**  
(Public Hearing)

Date: **6/6/2023**

**Notice:** Any comments made after 5:00 p.m. on the Thursday before the Council Meeting will not be seen in the agenda packet.

- Purpose:
- FYI
  - Read and Comment as Needed**
  - Action Required by June 20, 2023**
  - In Confidential File Drawer

Approve:

Johnny Boker  Yes  No  No Comment

Comment: \_\_\_\_\_

Casi Boyer  Yes  No  No Comment

Comment: \_\_\_\_\_

Vicki Jones  Yes  No  No Comment

Comment: \_\_\_\_\_

Jim Ringsaker  Yes  No  No Comment

Comment: \_\_\_\_\_

Jason Robertson  Yes  No  No Comment

Comment: \_\_\_\_\_

Tammy Lynn Schneegas  Yes  No  No Comment

Comment: \_\_\_\_\_

Note: N/A

CITY COUNCIL  
OF  
HAVRE DE GRACE, MARYLAND

ORDINANCE NO. 1111

Introduced by \_\_\_\_\_ Council Member Schneegas

**AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER TO AMEND CITY CODE SECTION 205 - ZONING**

On: June 5, 2023

at: 7:00 p.m.

Ordinance introduced, read first time, ordered posted and public hearing scheduled.

**PUBLIC HEARING**

A Public Hearing is scheduled for June 20, 2023 at 7:00 p.m.

EXPLANATION

Underlining indicates matter added to existing law.

**[Bold Brackets]** indicate matter deleted from existing law.

Amendments proposed prior to final adoption will be noted on a separate page with line references or by handwritten changes on the draft legislation.

31 § 205-3. Continuing existing uses and approvals.

32 A. After March 15, 1982, an existing structure or combined use of structure and land devoted to  
33 a use not principally or conditionally permitted in the district in which it is located shall not be  
34 modified (i.e. enlarged, extended, substituted, reconstructed, converted or altered) except as  
35 follows:

36  
37 (1) Modifications of nonconforming uses and structures to permitted uses and structures shall  
38 be permitted without Board of Appeals approval. Once a nonconforming use and/or  
39 structure is modified to a permitted use and structure, the prior nonconforming use and  
40 structure shall no longer be permitted unless Board of Appeals variance approval is  
41 obtained.

42  
43 (2) Modifications of nonconforming uses and structures to conditional uses and structures  
44 **[shall be permitted with]** requires Board of Appeals approval.

45  
46 (3) Modifications of nonconforming uses and structures shall be permitted in conformance  
47 with orders of governmental agencies having jurisdiction over the premises.

48  
49 **[(4) Modifications of nonconforming uses to other nonconforming uses and modification**  
50 **of nonconforming structures to other nonconforming structures shall be permitted**  
51 **with Board of Appeals approval.]**

52  
53 (4) [5] Modification of a combined nonconforming use and structure (conforming or  
54 nonconforming) shall be permitted without Board of Appeals approval within the following  
55 restrictions:

56  
57 (a) An increase of no more than 25% in the gross floor area applicable to the combined  
58 nonconforming use and structure will be allowed on a one-time basis.

59  
60 (b) Additions to structures shall conform to lot specifications in Table I.

61  
62 § 205-13 Definitions.

63  
64 **LOT LINE, FRONT**

65 The line separating the lot from the street right-of-way upon which it fronts. In the case of a corner  
66 or **[double-frontage]** through lot, it shall be the line separating said lot from the street right-of-  
67 way as determined by the Department of Planning to be the front yard **[that is designated as the**  
68 **front street in the]** at the time of a request for a building permit.

69  
70 **LOT, THROUGH**

71 A lot which fronts upon two parallel roads with a 36 foot right-of-way or greater or which fronts  
72 upon two roads with a 36 foot right-of-way or greater which do not intersect at the boundary of  
73 the lot or which is bounded on one side by a **[street]** road with a 36 foot right-of-way or greater  
74 and on the opposite side by a navigable waterway and which has no rear lot line.

75

76 § 205-24 Conditional Uses.

77

78 L. Personal service shops.

79

80 M. Restaurants.

81

82 N. Boutique hotels.

83

84 **NOW, THEREFORE**, it is determined, decided, and ordained by the City Council that the above  
85 amendments to the City Code Section 205-Zoning are hereby approved.

86

87 In accordance with the provisions of the Maryland Ann. Code, Land Use Article, §4-203 and  
88 the City Charter requirements, this ordinance shall become effective no earlier than ten days  
89 after the close of the public hearing on the Zoning Code amendments set forth herein.

90

91

92 ADOPTED by the City Council of Havre de Grace, Maryland this \_\_\_ day of \_\_\_\_\_, 2023.

93

94 SIGNED by the Mayor and attested by the Director of Administration this \_\_\_\_ day of  
95 \_\_\_\_\_, 2023.

96

97

98 ATTEST:

99

MAYOR AND CITY COUNCIL  
OF HAVRE DE GRACE

100

101

102 \_\_\_\_\_  
103 Stephen J. Gamatoria  
104 Director of Administration

\_\_\_\_\_  
William T. Martin  
Mayor

105

106 Introduced/First Reading: 6/5/2023

107 Public Hearing:

108 Second Reading/Adopted:

109

110 Effective Date: