

Ordinance No:	<u>2020-11</u>
Accepted by Planning Commission:	<u>10/07/2020</u>
Introduced by Town Council:	<u>10/12/2020</u>
Two Newspaper Advertisements:	<u>10/29/2020</u> <u>11/05/2020</u>
Public Hearing:	<u>11/09/2020</u>
Enacted:	<u>11/09/2020</u>
Effective:	<u>12/09/2020</u>

ORDINANCE
AMENDING THE WASHINGTON GROVE ZONING ORDINANCE
TO MODIFY THE FRONT MINIMUM SETBACK REQUIREMENTS FOR
ACCESSORY BUILDINGS IN RESIDENTIAL ZONES

PART 1. Background:

- A. Recently, the owner of a property in the RR-2 zone requested permission to locate a shed on his property, where the total length of his property is less than 62 feet. This situation called into question the 60-foot front minimum setback requirement for an accessory building which prohibits locating a shed anywhere on this property. The 50-foot and 60-foot front minimum setbacks requirements for accessory building in the RR-1 and RR-2 zones have not been modified since inclusion in the first Code of Ordinances of the Town of Washington Grove, adopted April 11, 1964.
- B. The Planning Commission prepared an application for a zoning text amendment to modify the front minimum setback requirements for accessory buildings in the residential zones to specify the front minimum setback to be 50 feet or one half the distance between the front and rear lot lines, whichever is less.
- C. The Town's 2009 Master Plan includes the following: This Plan does not recommend any changes to the permitted land uses, or the existing standards for minimum lot size, setbacks, and heights for the RR-2 zone, and this statement is repeated for each residential zone. The Planning Commission initiated a change due to recognition of the potential burden associated with the front setback. The new change still supports the historic preference for accessory buildings in the rear half of the property.
- D. The Planning Commission accepted the application for a text amendment to the Washington Grove Zoning Ordinance on October 7, 2020. The Zoning Ordinance is Article VII of the Code of Ordinances of the Town of Washington Grove, and all subsequent Section references are to Article VII. The application for zoning text amendment was filed and accepted pursuant to Section 13. The proposed zoning text amendment involves modifying the front minimum setback standards for accessory buildings in Section 9.

PART 2. The Town Council adopts the following opinion:

A public hearing regarding the proposed zoning text amendment was held on November 9, 2020. At this hearing concerned residents testified. After consideration of the public record, the Town Council concludes that modifying the front minimum setback requirements for accessory buildings is consistent with the statement of general purposes of the Zoning Ordinance as

provided in Section 1. The Town Council acknowledges that Section 3.14 average setback distance provisions for main buildings do not apply for accessory buildings.

PART 3. The Town Council enacts the following amendments to the text of the Washington Grove Zoning Ordinance:

In Section 9. Schedule of Standards, Section 9.1, the Minimum Setback Requirements for Accessory Building – Front (specified in feet) are modified as follows:

RR-1 Zone 50* RR-2 Zone 50* RR-3 Zone 50* RR-4 Zone 50*

* 50 FEET OR ONE HALF THE DISTANCE BETWEEN THE FRONT AND REAR LOT LINES, WHICHEVER IS LESS.

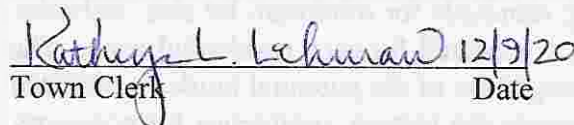
PART 4. EFFECTIVE DATE: This Ordinance shall become effective thirty (30) days from the date of enactment hereof in the absence of a petition by qualified voters as set forth in Section 15 of the Charter of the Town.

ENACTED THIS 9th DAY OF NOVEMBER 2020.

TOWN OF WASHINGTON GROVE


Mayor

ATTEST:


Town Clerk Date