

On March 10, the Council met and discussed all the proposed changes to the Code of Ordinances (see full set of proposed changes elsewhere on the website). In response to questions raised by residents and in the interest of clarifying language so that it is more understandable, the Council proposes the following change from the original Section 6-304 Building Lines section of the code to the red underlined wording below. The substance is the same, but the proposed wording makes the ordinance more understandable.

Section 6-304 **Building Lines**

~~No building or accessory building shall be erected any closer than 20 feet from any street which fronts along the lot, nor any closer than 5 feet from the side property line and 20 feet from the rear property line. No new main building shall be erected any closer than 8 feet from the side property line and the sum of both side setbacks must be at least 18 feet. For the purposes of the preceding sentence, an addition to an existing main building that is set back no less than the existing main building shall not be considered a new main building but the replacement of all or substantially all of an existing main building shall be considered a new main building. No parking space within an off-street parking facility containing six (6) or more parking spaces shall be constructed or maintained closer than 30 feet from any street and 20 feet from any abutting lot improved and with a single family dwelling. For purposes of this Section, a corner lot that is, a lot which fronts on or abuts two streets shall be deemed to have two front property lines running with the streets and two rear property lines with no side property lines.~~

~~Notwithstanding any other provision of this Article, a shed with a floor area of 144 square feet or less may be placed only in a rear yard and may be erected no closer than 2 feet from the rear property line or 5 feet from the side property line.~~

(a) General Rule. Buildings (including additions to existing buildings) shall not be built closer than 30 feet from any front property line, 20 feet from the rear property line and 8 feet from any side property line. The sum of the side setbacks shall be not less than 18 feet. Structures such as porches, chimneys, air conditioning units and similar installations or construction may not encroach into the setbacks.

(b) Rule for Existing Buildings. A building that is in existence as of April 14, 2004 and has been constructed 5 feet or more from any side property line shall not be considered a non-conforming building. Such buildings may be altered, renovated, or enlarged provided that any expansion of the three-dimensional boundaries of such a building shall not be constructed any closer to the side property line than the existing wall of such building or 8 feet, whichever is less, and provided that the sum of the side setbacks equals at least 18 feet.

(c) Rule for Corner Lots. For a corner property, the terms front, rear and side property lines shall have the same meaning as front, rear and side lot lines as defined in the Montgomery County Zoning Ordinance. On a corner lot, no building (including an addition to an existing building) shall be erected any closer than 30 feet from the front property lines, 20 feet from the rear property line, or 10 feet from the side property line.

A building that is in existence as of April 14, 2004 and that has been constructed 5 feet or more from any side property line shall not be considered a non-conforming building. Any addition to such an existing building shall comply with the general rule for corner lots as set forth in this subsection, except that such an addition may be constructed no closer to the side property line than the existing wall of such building or 10 feet, whichever is less, and provided that the rear setback of such building shall be at least 20 feet.

(d) Parking Facility. No parking space within an off-street parking facility containing 6 or more parking spaces shall be constructed or maintained closer than 30 feet from any front property line and 20 feet from any abutting property that is improved with a single-family dwelling.

(e) Sheds. Notwithstanding any other provision of this section, a shed with a floor area of 144 square feet or less may be constructed only in a rear yard and may be erected no closer than 5 feet from the rear and side property lines.