

For:

Introduction and referral to PC 1/20/26

Public Hearing _____

Adoption _____

THE TOWN OF MANCHESTER, MARYLAND

ORDINANCE NO. 271

**AN ORDINANCE TO AMEND PART II
OF THE CODE OF THE TOWN OF MANCHESTER
ENTITLED “GENERAL LEGISLATION”, BY COMPREHENSIVELY AMENDING
VARIOUS PROVISIONS OF CHAPTER 250 ENTITLED “ZONING”
IN ORDER TO UPDATE THE ZONING CHAPTER**

WHEREAS, Town Staff and the Planning Commission have recommended various updates to the Zoning Chapter of the Town Code including to, among other things, replacing references to the now repealed Article 66B of the Maryland Code, which has been replaced by the Land Use Article, correcting and making consistent provisions of the Town’s Zoning Chapter that had become inconstant through various changes in the Chapter over the years, making updates to the Zoning Chapter due to recent enactment of Ordinance No. 268 which in part made changes relative to the keeping of chickens, eliminating as a permitted use in certain zone agricultural uses, and otherwise making changes as reflected below; and

WHEREAS, the Town Council has determined it to be in the best interests of the Town to enact these changes.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF MANCHESTER:

Section 1. That Sections of Chapter 250 entitled “Zoning”, Article IV entitled “General Provisions” be and are hereby amended as follows:

§ 250-12. ~~Agricultural uses permitted generally~~ Reserved.

~~Except for compliance with yard requirements and distance requirements set forth in § 250-19, nothing in this chapter shall prohibit the use of land for agricultural purposes, as defined in § 250-125, or the construction or use of buildings or structures incident to the use for agricultural purposes of the land on which such buildings or structures are located, unless specifically prohibited by ordinance of the Town of Manchester.~~

§ 250-17. Major road plans.

In an area where a major road plan has been duly adopted in accordance with ~~Article 66B~~ the Land Use Article of the Annotated Code of Maryland, as amended, showing a proposed new highway or street or a proposed relocation or widening of an existing highway or street, no building or part of a building shall be permitted to be erected within the lines of such proposed highway or street except as provided hereinafter:

§ 250-19. ~~Distance requirements~~ Reserved.

~~Any uses or buildings subject to compliance with this section shall be located at least 200 feet from any lot in an R District or any lot which is part of a duly recorded residential subdivision or any lot occupied by a~~

~~dwelling, school, church or institution for human care not located on the same lot as the said use or building.~~

§ 250-23. Temporary offices and storage trailers.

A trailer may be located as a temporary office or storage use in any district as an accessory use in connection with public works, public utility projects, or other similar nonpublic construction projects, all of which are of a temporary nature, provided a definite completion date is furnished and on condition that such trailer shall be removed upon completion or discontinuance of construction. Storage modules can be placed as a temporary use within any district, provided that a definite date is furnished for removal, for no longer than three months unless an extension in writing is granted by the Zoning Administrator. Storage pods must be located on the property and not in the public street. A zoning certificate is required for all such temporary structures.

§ 250-25. Private stables Reserved.

~~In any district in which they are authorized, private stables, as defined in § 250-125, shall be subject to the following:~~

- ~~A. The minimum lot size for a private stable shall be no less than three acres.~~
- ~~B. Location shall be at least 200 feet from a dwelling on an adjoining lot or at least 150 feet from a lot line on an unimproved lot.~~
- ~~C. An in-fee strip or portion of a panhandle or flag lot abutting or next adjacent to the lot or tract in question shall not be considered the adjoining lot or tract of land in determining space requirements.~~

§ 250-26. Accessory uses, buildings and structures.

The following regulations apply to any accessory building, use or structure within the Town, irrespective of zoning district:

* * *

F. Accessory uses.

* * *

- (4) Fences, trees, planted barriers (plants, bushes, shrubs, etc.). Fences must not enclose utilities. Fences must be located a minimum of ~~10 feet~~ 5 feet from any sidewalk; if no sidewalk, then a minimum of ~~10 feet~~ 5 feet from the road surface; and follow regulations as they pertain to visibility across corner lots detailed in § 250-21. Fences require a zoning certificate from the Town of Manchester. Hedges or other planted barriers cannot exceed three feet in height and/or obstruct traffic visibility.
 - (a) Privacy fences. Privacy fences must be located in the rear yard behind the front building and may not exceed six feet in height. Posts shall be generally spaced six to eight feet apart and may extend above the height of the fence up to four inches, including caps or other architectural treatments. The Town recommends the fence be placed ~~away from~~ inside the property line so maintenance can be performed from both sides of the fence. A privacy fence shall be constructed of standard dimensional lumber, vinyl or synthetic lumber. The Planning and Zoning Commission must approve chain-link, wire or plastic fences

- (b) Decorative fences. Decorative fences may be located in any yard or setback area. Decorative fences located outside of the rear yard cannot exceed three feet in height, and must not interfere with visibility and may not be solid. Decorative fences shall be constructed of ~~stone~~, standard dimensional lumber, synthetic lumber, wrought iron or aluminum.

* * *

- (6) Swimming pools. All pools must be located in the rear yard. All pools must be a minimum of 10 feet from all property lines. In the case of a corner lot or multiple frontage lot, the pool must meet the minimum required front yard setback to be located in the side yard. A swimming pool may not be located in a septic area.

Above ground pools must be located a minimum of 10 feet from all property lines. This includes the pool, decking, pool filter and pump. Nothing can be located in the 10 feet that pertains to the pool. If decking to the pool is to be attached to the principal building, the rear zoning district minimum requirements must be met in addition. Above ground pools and any decking will be counted in total square foot of accessory buildings.

Inground pools must be located a minimum of 10 feet from all property lines. The pool, pool filter, and pump must be a minimum of 10 feet from either side or rear property line. This includes the pump, filter, or anything used for the pool operation. In ground pools will not be counted toward total square footage of accessory buildings or structures. Any concrete must remain 5ft from any property line.

~~A private swimming pool may be located only in the rear yard. The pool, decking (wood, vinyl, concrete, etc.), pool filter and pump must be a minimum of 10 feet from any side or rear property line. In the case of a corner lot or multiple frontage lot, the pool must at a minimum meet the required front yard setbacks. A private swimming pool may not be placed in a septic area. Aboveground pools and any decking will be counted in the total square footage of accessory buildings and structures. In ground pools will not count toward total square footage of accessory buildings or structures.~~

* * *

- (10)Chicken Coop – A chicken coop is defined as an enclosed area or structure in which chickens are kept. Chicken coops must be enclosed on all sides and roofed and must be located in the rear yard only and a minimum of 25 ft from any lot line. Chicken coops may only be located on single family dwelling lots of at least one half acre or more in size.

- (11)Alternative energy devices. Alternative energy devices (i.e., windmills, solar panels, etc.) will be considered on a case-by-case basis by the Planning and Zoning Commission. Solar Panels (of which the maximum size cannot exceed the aggregate square footage of the roof area of the principal structure on the property on which the solar panels are installed.) No more than 25% of the solar panels may be ground-mounted and cannot

exceed 10,000 square feet. All ground mounted solar panels must be located behind the rear building line and screened by an earthen berm or fenced. Ground Mounted solar panel square footage area will be counted as entire arial coverage (entire footprint-frame, gaps, panels, etc.) not just footprint for the square footage. Total area is outline of arial coverage. Maximum Height is 10ft. Must be a minimum of 10’ off the property lines. Must be a minimum of 10ft from the septic system. . Ground mounted Solar panel square footage will be counted in total square footage of accessories. All roof mounted solar panels must be flat to the roof.

(12) Wireless facilities.

* * *

G. Variances. Any variance of this section of less than 50% up to but not greater than 10% can be granted by the Zoning Administrator. Variances from 26% - 49% can be requested with an in-office variance hearing. ~~Any other variances to this section~~ Variances greater than 49% shall only be granted by the Manchester Board of Zoning Appeals unless otherwise stated.

Section 2. That Sections of Chapter 250 entitled “Zoning”, Article VI entitled “C Conservation District” be and are hereby amended as follows:

§ 250-30. Principal permitted uses.

In the C Conservation District, the following principal uses shall be permitted:

A. ~~Agriculture, as defined in § 250-125, provided that any greenhouse heating plant or any building or feeding pens in which farm animals are kept shall comply with the two hundred foot distance requirement specified in § 250-19.~~ Reserved.

* * *

§ 250-32. Accessory uses.

In the C Conservation District, the following accessory uses shall be allowed:

A. Accessory buildings and uses customarily incidental to any principal permitted use or authorized conditional use.

B. ~~One private stable, as defined in § 250-125, in a rear yard on a lot or tract of three acres or more and as regulated in § 250-25.~~

* * *

Section 3. That Sections of Chapter 250 entitled “Zoning”, Article VII entitled “R-40,000 Residential District” be and are hereby amended as follows:

§ 250-36. Principal permitted uses.

In the R-40,000 Residential District, the following principal uses shall be permitted.

- A. ~~Agriculture, as defined in § 250-125; provided any building or feeding pens in which farm animals are kept shall comply with distance requirements specified in § 250-19.~~ Reserved.

Section 4. That Sections of Chapter 250 entitled “Zoning”, Article VIII entitled “R-20.000 Residential District” be and are hereby amended as follows:

§ 250-42. Principal permitted uses.

In the R-20,000 Residence District, the following principal uses shall be permitted:

- A. ~~Agriculture, as defined in § 250-125; provided any building or feeding pens in which farm animals are kept shall comply with distance requirements specified in § 250-19.~~ Reserved.

§ 250-43. Conditional uses requiring Board authorization.

In the R-20,000 Residence District, the following conditional uses require Board authorization:

- A. Buildings and properties of a cultural, civic, educational, social or community service type, such as libraries, ponds and playgrounds, community centers, but not storage yards, warehouses or service garages.⁸
- B. Antique shops and/or arts and craft shops where operated solely by the resident.
- C. Beauty parlors or barbershops, operated solely by the resident.

* * *

Section 5. That Sections of Chapter 250 entitled “Zoning”, Article IX entitled “R-15.000 Residential District” be and are hereby amended as follows:

§ 250-48. Principal permitted uses.

In the R-15,000 Residence District, the following principal uses shall be permitted:

- A. Dwellings, single-family.
- B. Churches, schools, and colleges.
- C. ~~Agriculture, as defined in § 250-125; provided any building or feeding pens in which farm animals are kept shall comply with distance requirements specified in § 250-19.~~ Reserved.
- D. Family day care as defined in § 250-125.

§ 250-49. Conditional uses requiring Board authorization.

In the R-15,000 Residence District, the following conditional uses require Board authorization:

- A. Bed-and-breakfast meeting regulations in § 250-13.
- B. Publicly owned recreational facilities for daytime use.
- C. Buildings and properties of a cultural, civic, educational, social or community service type, such as libraries, ponds and playgrounds, community centers, but not storage yards, warehouses or service garages.
- D. Antique shops and/or arts and craft shops, where operated solely by the resident.
- E. Beauty parlors or barbershops, where operated solely by the resident.

* * *

Section 6. That Sections of Chapter 250 entitled “Zoning”, Article X entitled “R-10.000 Residential District” be and are hereby amended as follows:

§ 250-52. Purpose.

The purpose of this district is to provide for smaller lot sizes (10,000 square feet minimum) for single-~~and two-~~family dwellings, based on use of public water and sewerage facilities

* * *

§ 250-54. Principal permitted uses.

In the R-10,000 Residence District, the following principal uses shall be permitted:

- A. ~~Agriculture, as defined in § 250-125, provided any building or feeding pens in which farm animals are kept shall comply with distance requirements specified in § 250-19.~~ Reserved.

* * *

§ 250-55. Conditional uses requiring Board authorization.

In the R-10,000 Residence District, the following conditional uses require Board authorization:

- A. Buildings and properties of a cultural, civic, educational, social or community service type, such as libraries, ponds and playgrounds, community centers, but not storage yards, warehouses or service garages.¹²
- B. Antique shops and/or arts and craft shops, where operated solely by the resident.
- C. Beauty parlors or barbershops, where operated solely by the resident.

* * *

Section 7. That Sections of Chapter 250 entitled “Zoning”, Article XI entitled “R-7.500 Residential District” be and are hereby amended as follows:

§ 250-58. Purpose.

The purpose of this district is to enable in the urban areas of the Town, where both public water and sewerage facilities are available, a greater number of dwellings per acre. The minimum lot size for single- family dwellings is 7,500 square feet. ~~This district also enables the use of multifamily structures.~~

* * *

§ 250-60. Principal permitted uses.

In the R-7,500 Residence District, the following principal uses shall be permitted:

- A. Dwellings, single-family.
- B. Churches, schools and colleges.
- C. ~~Agriculture, as defined in § 250-125, provided any building or feeding pens in which farm animals are kept shall comply with distance requirements specified in § 250-19.~~
Reserved.
- D. Family day care as defined in § 250-125.

§ 250-61. Conditional uses requiring Board authorization.

In the R-7,500 Residence District, the following conditional uses require Board authorization:

- A. Buildings and properties of a cultural, civic, educational, social or community service type, such as libraries, ponds and playgrounds, community centers, but not storage yards, warehouses or service garages.
- B. Medical and dental clinics, subject to approval of the site development plan and exterior design of the structure by the Commission.
- C. (Reserved)
- D. Antique shops and/or arts and crafts shops, where operated solely by the resident.
- E. Beauty parlors or barbershops, where operated solely by the resident.
- F. Funeral establishments.
- G. Country clubs, private clubs and similar recreational uses privately owned and/or operated.
- H. Nursery schools or day-care centers.

- I. ~~Family day care as defined in § 250-125.~~ Reserved.

* * *

Section 8. That Sections of Chapter 250 entitled “Zoning”, Article XII entitled “B-L Local Business District” be and are hereby amended as follows:

§ 250-66. Principal permitted uses.

In the B-L Local Business District, the following principal uses shall be permitted:

A. Local retail business or service shops, including:

- (1) Alcoholic beverage package stores.
- (2) Antique shops.
- (3) Appliance repair and sales stores.
- (4) Arts and crafts shops.
- (5) Automobile repair and accessory.
- (6) ~~Bakery shops.~~ Artisan Bakeries, Coffee Houses, Tea Shops.
- (7) Bank, ~~savings and loan institutions.~~ credit unions, financial institutions.
- (8) ~~Beauty and barber shops.~~ Bookstores.
- (9) Brewery, Distillery, Winery (15,000 barrels or less).
- (10) Candy stores.
- (11) Clothing stores.
- (12) Commercial amusements conducted within a bldg.. – including billard parlors, game rooms or theatres.
- (13) Consumer Graphic Design & Print.
- (14) Dairy products stores.
- (15) Delicatessens.
- (16) Dress or millinery shops.
- (17) Drugstores.
- (18) Dry goods or variety stores.
- (19) Florist or garden shops.
- (20) Food and grocery stores.

- (21) Fruit or vegetable stores/markets.
- (22) Furniture and upholstering stores.
- (23) Gift or jewelry shops.
- (24) Hardware stores.
- (25) ~~(Reserved)~~ Laundry/Dry Cleaning pick up stations where no work is done on premises.
- (26) Long term vehicle restoration.
- (27) Meat markets, butchery.
- (28) Personal Services shops such as beauty shops, barbers, nail salons, spas, tattoo parlors, dog groomers, shoe repair and tailor shops.
- (29) Pet shops.
- (30) Photographic studios.
- (31) Performing Arts & Recreation (music, art, dance studios, record shops).
- (32) Pre-Schools and Day Care Centers. Adult Day Care – no overnight.
- (33) Private Clubs and Lodges.
- (34) Produce stands.
- (35) ~~Radio and television studios or repair shops.~~ Reserved.
- (36) Restaurants and lunchrooms.
- (37) Retail stores for the servicing of the surrounding neighborhood with convenience items such as dry goods, household items, electrical appliances, home furnishings, paint and garden stores, jewelry sales and repair, and apparel stores.
- (38) Service stations with pumps.
- (39) Shoe repair shops.
- (40) Snowball/ice cream stands.
- (41) ~~Specialty shops.~~ Reserved.
- (42) Sporting goods or hobby shops.
- (43) Stationery stores.
- (44) Storage facility for overflow business or household items.
- (45) ~~Tailor establishments.~~ Reserved.

- (46) Taverns.
- (47) Taxi stands.
- B. Commercial parking lot.
- C. Funeral establishments.
- D. Offices ~~and clinics~~, professional and business, including animal hospitals or veterinary clinics without runways.
- E. Planned business centers, subject to the provisions of § 250-86.
- F. Schools: art, trade, business, nursery or day-care centers.
- G. Social clubs, fraternal organizations, community meeting halls.²⁴
- H. Dwellings, single-family.
- I. Churches, schools and colleges.
- J. ~~Agriculture, as defined in § 250-125, provided any building or feeding pens in which farm animals are kept shall comply with distance requirements specified in § 250-19.~~ Reserved.

Section 9. That Sections of Chapter 250 entitled “Zoning”, Article XIII entitled “B-G General Business District” be and are hereby amended as follows:

§ 250-73. Principal permitted uses.

In the B-G General Business District, the following principal uses shall be permitted:

- A. Any commercial use or structure permitted as regulated in the B-L District.
- B. Retail trades, businesses and services of a general commercial nature, including the following:
 - (1) Amusement parks.
 - (2) Automobile, trailer or implement sales, service and repair establishments, including motorcycle shops.
 - (3) Bottling of soft drinks or milk or distribution stations therefor.
 - (4) Bowling alley.
 - (5) Carpentry or woodworking shops.
 - (6) Department stores.
 - (7) Drive-in eating and drinking establishments.
 - (8) Golf driving ranges.

- (9) (Reserved)
- (10) Newspaper publishing establishments.
- (11) ~~Printing shops.~~ Commercial Printing shops. Print House – large quantity.
- (12) Schools: Business, dancing, music, trade or other commercial nature.
- (13) Sheet metal shop.
- (14) Sign painting shop.
- (15) Signs, outdoor advertising, subject to the provisions of § 250-84.
- (16) Skating rink.
- (17) (Reserved)²⁷
- (18) Telephone central office or service center.
- (19) Tourist homes, short term rentals (e.g., VRBO, AIRBNB)
- (20) (Reserved)
- (21) Wholesale business, warehousing or service establishments.
- C. Planned business centers, subject to the provisions of § 250-86.
- D. Dwellings, single-family.
- E. Churches, schools and colleges.
- F. Commercial parking lot.
- G. Funeral establishments.
- H. Offices and clinics, professional and business, including animal hospitals or veterinary clinics without runways.
- I. (Reserved)²⁹
- J. ~~Schools: business, dancing, music, trade or other commercial nature or day care centers.~~
Slaughter House.
- K. ~~Social clubs, fraternal organizations, community meeting halls.~~

Section 10. That Sections of Chapter 250 entitled “Zoning”, Article XIV entitled “Special Provisions” be and are hereby amended as follows:

§ 250-77. Parking space requirements.

- A. Off-street parking spaces. For the following uses of buildings hereafter erected or hereafter increased in size by as much as 20% of the size existing at the time of the adoption of this

chapter or uses hereafter established, off-street parking facilities which are outside the public right-of-way shall be required as follows:

- (1) All dwellings and apartment houses in residential districts shall provide paved facilities for off- street parking of not less than 600 square feet per dwelling unit or apartment, not including garage area. Driveways may extend to property line.
- (2) Business District uses.
 - (a) All Business District uses shall provide off-street parking facilities which are not more than 300 feet distance from an entrance to said establishment and which shall accommodate normal parking requirements, as determined by the Zoning Administrator at the time of application for zoning certificate, but in any case not less than the number specified in Subsections A(2)(b) and (c) hereof.
 - (b) In addition to the number of parking spaces required by Subsection A(2)(c) hereof, those uses designated by * (one asterisk) shall provide one parking space for each employee on the maximum shift.
 - (c) The following uses shall provide the indicated minimum number of parking spaces, in addition to those required by Subsection A(2)(b) hereof:
 - [1] General retail, financial institutions, business, professional, government and medical offices: one space for each 300 square feet of floor area.*
 - [2] Recreational, civic, cultural and religious facilities, such as community centers, theaters, bowling alleys, commercial swimming pools, social and fraternal organizations, libraries, museums and churches: one space for each four persons, based on maximum capacity.*
 - [3] Personnel-only uses such as utility facilities, research and development establishments, truck and motor freight terminals, industrial manufacturing, warehouses and emergency service facilities: one space for each employee on maximum shift, plus one space for each company vehicle or piece of mobile equipment if applicable.
 - [4] High-volume uses such as fast-food restaurants, convenience stores, medical clinics, and funeral homes: one space for each 50 square feet of public floor space.*
 - [5] Residential uses:
 - [a] Single-family, two-family, multifamily dwellings and retirement homes: two spaces for each unit, with multifamily parking being identified on site.
 - [6] Other uses:

- [a] Automobile service station: two spaces for each service bay. *
- [b] Automobile, trailer implement and motorcycle salesrooms: one space for each 500 square feet of floor space and two additional spaces for each service bay. *
- [c] Beauty and barber shops: one space per station.
- [d] Day-care centers or nursery schools (eight or more children): two spaces identified for pickup and drop off of children. *
- [e] Hospitals: one space for each two beds.
- [f] Hotels and motels: one space for each bedroom. *
- [g] Restaurants, taverns, nightclubs: one space for each three patrons, based on maximum capacity.

* * *

- B. ~~Expansion of existing apartment house uses. For existing apartment house uses, hereafter expanded to include a greater number of apartments, facilities shall be provided for off-street parking for not less than two motor vehicles per apartment for the total number of apartments.~~ Reserved.

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§ 250-83.1. Temporary signs.

* * *

D. Display without a valid zoning certificate. Unless otherwise authorized in this chapter, display of any temporary sign without a zoning certificate shall be a municipal infraction punishable by a fine of \$~~25~~50 per occurrence, with each day of display constituting a separate occurrence.

Section 11. That Sections of Chapter 250 entitled “Zoning”, Article XVII entitled “Board of Zoning Appeals” be and are hereby amended as follows:

§ 250-102. Creation of Board.

The Board of Appeals of the Town of Manchester is hereby created and designated the "Board of Zoning Appeals." The number of members of said Board, their term of office, succession, removal, filling of vacancies, alternate membership and their powers and duties shall be as provided in ~~Article 66B~~ the Land Use Article of the Annotated Code of Maryland.

§ 250-106. Appeals and applications to Board.

- A. An appeal to the Board may be taken by any person aggrieved or by any officer, department, board, commission or bureau of the county or Town affected by any decision of the Zoning Administrator. Such appeal shall be taken within 30 days after the decision

by filing, with the Zoning Administrator and with the Board, a notice of appeal, specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

- B. An appeal to the Board may be taken pursuant to the Land Use Article ~~66B~~, ~~§4.07~~ 4-305(1) and § 3-306, of the Annotated Code of Maryland, pursuant to §250-104A(3), or pursuant to an application for a conditional use pursuant to § 250-104A(2).

§ 250-111. Decisions by Board; appeal from decisions.

The Board shall render a decision within a reasonable time. Any party aggrieved by a decision of the Board of Appeals may appeal to the Circuit Court of Carroll County in a manner set forth in the applicable sections of ~~Article 66B~~ the Land Use Article of the Annotated Code of Maryland, as amended. The Court may affirm, reverse, vacate or modify the decision complained of in the appeal.

Section 12. That Sections of Chapter 250 entitled “Zoning”, Article XVIII entitled “Enforcement” be and are hereby amended as follows:

§ 250-115. Violations and penalties.

As provided in applicable sections of ~~Article 66B~~ the land Use Article of the Annotated Code of Maryland, any person, firm or corporation violating any provisions of this chapter shall be fined not more than ~~\$400~~ 250 for the first violation and \$500 for each subsequent violation ~~or face imprisonment for a period not exceeding 30 days, or both.~~ Each and every day during which such illegal location, erection, construction, reconstruction, enlargement, change, maintenance or use continues may be deemed a separate offense. A violation occurring within 6 months of any same or similar violation shall be considered a subsequent violation.

Section 13. That Sections of Chapter 250 entitled “Zoning”, Article XIX entitled “Amendments” be and are hereby amended as follows:

§ 250-121. Vote required to effect amendment.

Unless otherwise provided by ~~Article 66B~~ the land Use Article of the Annotated Code of Maryland, as amended, no proposed amendment, supplement, or change to this chapter shall be approved without the favorable votes of members of the Council as required by the Town Charter.

Section 14. That Sections of Chapter 250 entitled “Zoning”, Article XX entitled “Terminology” be and are hereby amended as follows:

§ 250-125. Definitions; word usage.

* * *

AGRICULTURE or AGRICULTURAL PURPOSES

The raising of farm products for use or sale, including animal or poultry husbandry, and the growing of crops, such as grain, vegetables, fruit, grass for pasture or sod, trees, shrubs, flowers and similar products of the soil, chickens and planting of crops except as otherwise restricted by the code.

* * *

CONDITIONAL USES

Uses which are specified for Board of Zoning Appeals approval prior to authorization and which uses, after public hearing, may be approved conditionally or disapproved in accordance with § 250-104. The term "conditional use" shall constitute the same as "special exception," specified as one of the general powers of the Board of Appeals in accordance with the Land Use Article 66B of the Annotated Code of Maryland.

* * *

DWELLING

Any building arranged, designed or used in whole or in part for residential purposes, but not including a tent, cabin, trailer or mobile home or a room in a hotel or motel. A dwelling shall include a modular dwelling or a manufactured home when converted to real property on approved foundation and support system.

- (1) DWELLING, SINGLE-FAMILY — A detached building designed for or used exclusively for residential purposes by one family or one housekeeping unit.

* * *

KENNEL

Any building or structure and/or land used, designed or arranged for housing, boarding, breeding or care of more than three adult dogs kept or bred for hunting, sale, exhibition or other use for profit, and is licensed by Carroll County.

Section 15: The provisions of this Ordinance are severable such that any provision found to be invalid or unenforceable by a Court of law shall be severed from the remainder of this provisions of this ordinance which shall remain in full force and effect.

BE IT ENACTED AND ORDAINED BY THE AUTHORITY AFORESAID, that
this Ordinance shall take effect on the _____ day of _____, 2026.

Introduced the 20th day of January, 2026.

Enacted this _____ day of _____, 2026 by a vote of _____ in favor and _____ opposed.

ATTEST:

Kelly J. Baldwin, Secretary

Jenn Miller, Vice-President

Approved this _____ day of _____, 2026.

ATTEST:

Kelly J. Baldwin, Secretary

Melinda Smith, Mayor

REVIEWED AND APPROVED AS TO LEGAL FORM AND SUFFICIENCY.

This _____ day of _____, 2026.

Thomas V. McCarron, Town Attorney