



**AGENDA FOR THE
BURGESS & COMMISSIONERS AND
PLANNING COMMISSION**

DINNER MEETING
October 7, 2019
6:30 p.m.

1. Planning Issues Update
 - a. Cross Stone Commons
 - b. Miller Property
 - c. Dowd Property – Hollow Creek Professional Center
 - d. Memar Property (Foxfield Section VI)

2. Accessory Structures Regulations

September 17, 2019

Ann Miller
Miller Commercial Properties LLC
8600 Myersville Road
Middletown, MD 21769

RE: MILLER PROPERTY PHASE III REDLINE REVISIONS APPROVAL

Dear Ms. Miller:

We have reviewed the proposed redline revision changes to the Phase III plans which include changes to the lighting on the site; changes to the porch; and the addition of fencing on the east side of the property. They were conditionally approved by the Middletown Planning Commission on September 16, 2019. The conditions of approval are as follows:

- the modifications to the 15 items identified and discussed on the attached spreadsheet;
- on items with modifications listed, they are to be added to the redline plans;
- items related to lighting are to be addressed prior to the restaurant opening;
- all other items are to be completed within 90 days of restaurant opening;
- if changes do not occur, the applicant will have to come back before the Planning Commission for review and discussion;
- the Staff Planner will review all item actions for compliance.

If there are any questions please feel free to contact me at your earliest convenience at 301-371-6171.

Sincerely,
Burgess and Commissioners
Middletown, MD

Cynthia K. Unangst, AICP
Staff Planner

CC: Geoff Ciniero, PE, CMS Associates LLC
Mark Carney, Middletown Planning Commission Chairperson



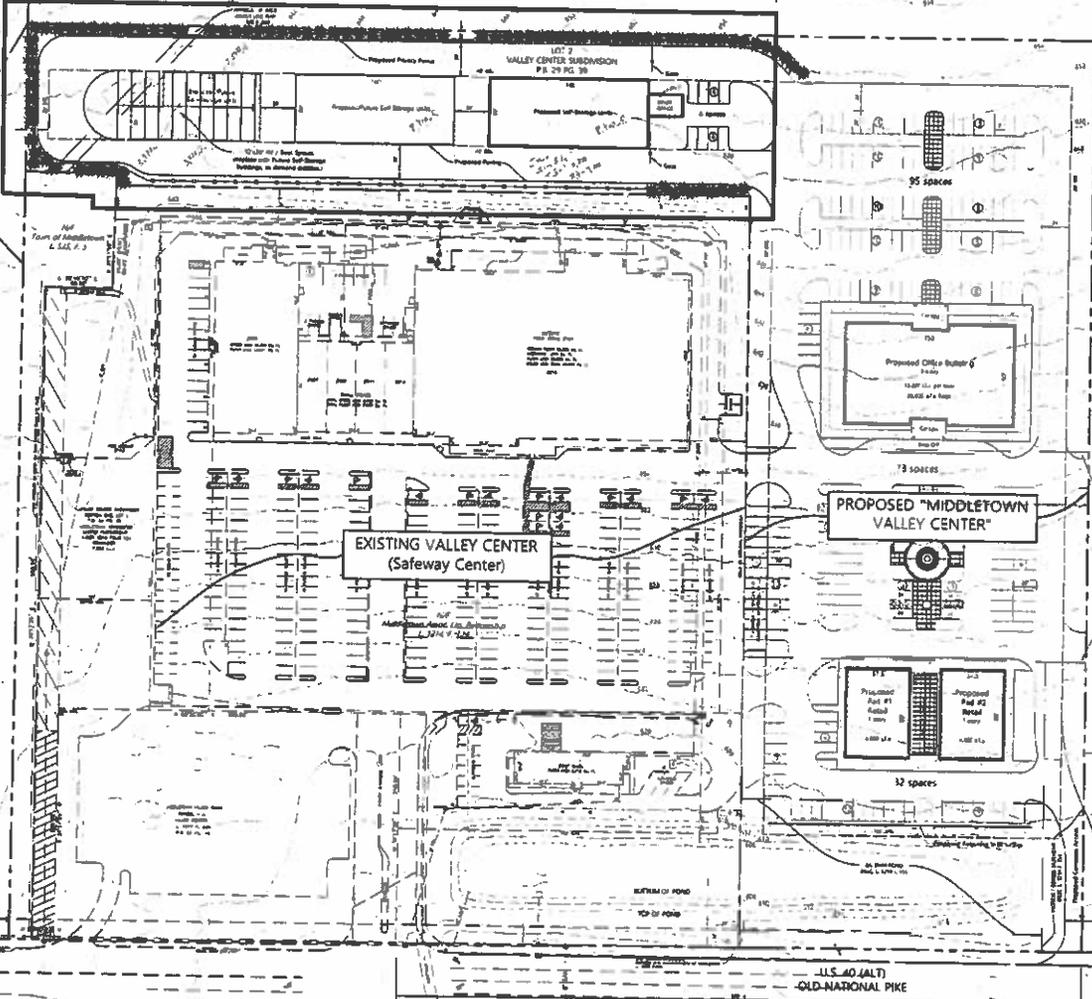
Miller Commercial Property Design Plan / Construction Comparison - 9/13/2019

Item #	Construction Item (approved as part of the 01/02/2018 Approved Plans)	proposed actions/modifications
1	Exterior Building Lighting	approved red-line with change 5 door lights and the 12-foot light to Maxi Melrie lights as per red-line plan
2	Parking Lot Pole Lights	approved red-line with west side 8.5-foot pole to be shielded from west property line; 2 stormwater mgt lights to be kept at 15-feet in height; northeastern light by building to be addressed separately;
3	Step Lighting	approved as proposed in red-line
4	Front Patio String Lights	dimmer-capabilities to be brought forward with proposed ambiance lighting limits; timer to be set to turn off the lights within one hour of closing;
5	Front Patio Walls	safety rail to be added to red-line
6	Front Patio Landscaping	identify square-footage that has been made available for additional patio use associated with removal of landscaping as shown; red-line approved;
7	Water Meter Location	not shown on red-line and needs to be added;
8	Roof Drain Locations	should be shown on red-line
9	Eastern Property Line Fence	approved as proposed in red-line
10	Trash Corral	approved as proposed in red-line
11	Northwest Entrance Area to Restaurant	approved as proposed in red-line
12	Building Wall Lights for existing warehouse building onsite	to be shielded with replacement if needed due to glare on adjacent properties
13	Building Wall Lights for existing office - southern office porch light	to be shielded with replacement if needed due to glare on adjacent properties
14	lighting of exit and parking spaces on east side	addition of lights to light driveway and parking on eastern side of property to be determined by applicant with solution to be presented to town planner to reduce glare and light the area; intended to be less than 6-feet in height

15	Pole light at northeastern corner of building	to be reduced to 8-feet in height and provisions be made to illuminate trash area without glare on adjacent properties to be reviewed by town planner;
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NW
A.C. HITS, LLC &
Old Indian Tract, LLC
L 10346 # 456

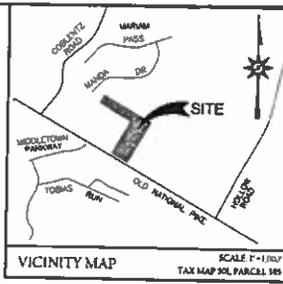
AREA OF PROPOSED
SPECIAL EXCEPTION
(Subject of BoA Site Plan)



NW
Town of Middletown
L 2057 # 683

EXISTING
"CHOSS STORE COMPANY"
Shopping Center

U.S. 40 (ALT)
OLD NATIONAL PIKE



Owner:
Thomas H. David Trust
c/o First Federal Bank
246 East Park Street
Suite 200
Cincinnati, OH 45202

Architect/Consulting Engineer:
Landscape Properties, LLC
3136 Old Federal Pkwy
Middletown, MD 21789
(301) 371-6701

BOA SITE PLAN NOTES:

- The subject of this Board of Appeals Site Plan is a 2.2 acre portion of the existing parcel recorded as T-1.2, Valley Center Subdivision in Plan Book 26 of Page 26. The latter parcel contains 7,829 Acres Excepted use as well as 200' of Right-of-Way. The subject of this plan is a portion of the parcel recorded as T-1.2, Valley Center Subdivision in Plan Book 26 of Page 26. The subject of this plan is a portion of the parcel recorded as T-1.2, Valley Center Subdivision in Plan Book 26 of Page 26. The subject of this plan is a portion of the parcel recorded as T-1.2, Valley Center Subdivision in Plan Book 26 of Page 26.
- General Comment: Please Standby.**

Building Restriction Lines	Set	Min. Retention	Created
Front	40'	40'	40'
Side	30'	30'	30'
Rear	40'	40'	40'

Minimum Required Lot Width: None, Proposed Lot Width: 300'
 Minimum Required Lot Area: None, Proposed Lot Area: 7.5 Acres
 Maximum Allowed Building Height: 5 Stories or 30'
 Proposed Sign Height: 5 Stories max.
- Particulars & Location Particulars: (Subject of Special Exception Use Only.)**
 The Town of Middletown Zoning Ordinance does not specify a separate number of parking or loading spaces for a Self-Storage use.
 However, this plan provides eight (8) parking spaces located at the Self-Storage Office for self-storage customers.
 No existing loading spaces are proposed due to the nature of the self-storage use, providing security for the self-storage use.
 All building development is required.
 All property lines surrounding the Self-Storage Special Exception area possess a 4' high opaque privacy fence, and all existing landscape screening is shown on plan.
 The Frederick County Water & Sewer Classifications are W-10-1-1, respectively.
 The project will be served by Town of Middletown public water & sewer.
 Stormwater Management for this project will be provided by the existing 24" Solid Round facility of the property, and supplemented with additional Commercial Site Drainage facilities, if needed.
 All waste storage and utility easement is shown on map as 10' wide.

NOTES:

- The boundary information herein is taken from Plan of Subdivision entitled "Valley Center Subdivision" as recorded in Plan Book 26 of Page 26.
- The survey was prepared without the benefit of a title report.
- The survey was prepared without the benefit of a title report.
- There are no easements or encroachments on the subject property.
- Info on this site, per the 2011 Survey of Frederick County, Maryland are as follows:
 Soil - Hagerstown 88 Series, 0-2% slope
 Soil - Hagerstown 88 Series, 2-4% slope
 Soil - Hagerstown-Corbin-Upper Level, 3-4% slope
 Soil - Hagerstown-Corbin-Center, 0-1% slope
 Soil - Hagerstown 88 Series, 0-2% slope
- A Parcel Bound Determination entitled "Parcel Bound Determination, Lot 2, Valley Center Subdivision" dated 08/16/16 was conducted by the Town of Middletown on 07/16/16, determining that no level existed on the site.
- Information regarding zoning, underground utility locations, in some instances, may have been obtained from utility companies and other sources. The information does not constitute an engineering or architectural survey. The information is provided for informational purposes only and is not intended to be used as a basis for any engineering or architectural work. The information is provided for informational purposes only and is not intended to be used as a basis for any engineering or architectural work. The information is provided for informational purposes only and is not intended to be used as a basis for any engineering or architectural work.

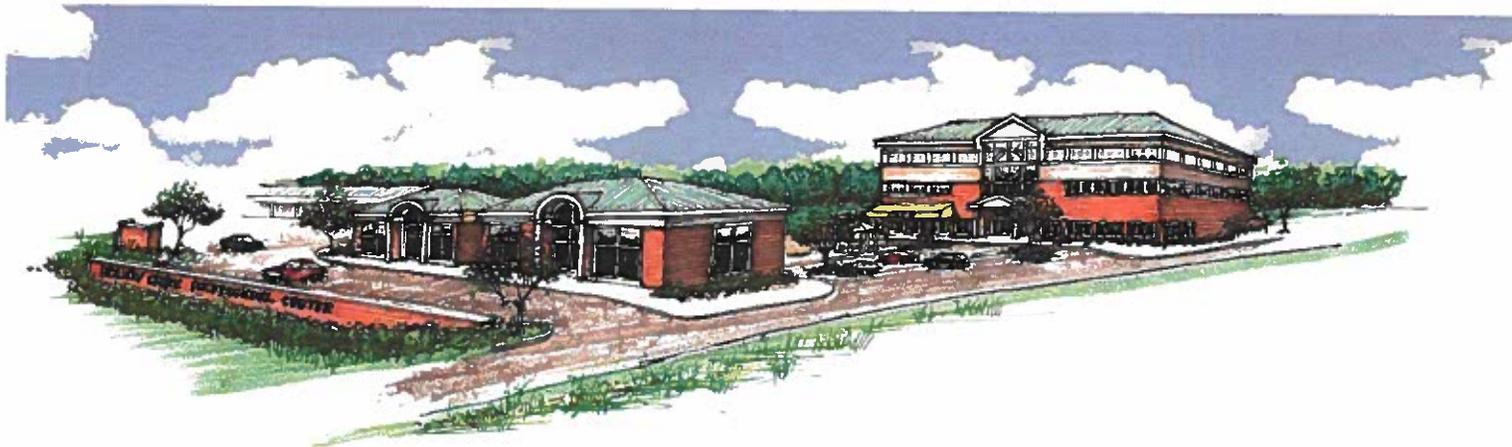
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Board of Appeals Site Plan
Self-Storage Special Exception Use
Middletown Valley Center
VALLEY CENTER SUBDIVISION, LOT 2
SUBJECT OF ALTERNATE
TOWN OF MIDDLETOWN, MARYLAND

PROJECT NO. 16-001
SHEET 1 OF 1
DATE: 10/16/16
L.P.C. PROJECT NO. 16-001
PROJECT

LINGG
PROPERTY CONSULTING
10000 Old Federal Pkwy
Suite 200
Middletown, MD 21789
(301) 371-6701
www.lingg.com

DW
DESIGN WAREHOUSE
11111 WOODBURN DRIVE, SUITE 201, FARMERSBURG, MD 21032
P: 410-326-7400 F: 410-326-7401 WWW.DWDESIGN.COM



**HOLLOW CREEK PROFESSIONAL CENTER
US ROUTE 40- ALTERNATE
MIDDLETOWN, MARYLAND**



**NOELKER
AND HULL** NOELKER AND HULL ASSOCIATES, INC.
ASSOCIATES, INC. 6 N. EAST STREET, SUITE 300
FREDERICK, MD 21701
ARCHITECTS 301.662.8611

**MARK LANCASTER PROPERTIES LLC
MIDDLETOWN, MD**

Foxfield Section 6

Master Plan
Middletown, Maryland

1-30-2018



LOT TABLE

Lot 1	8,120 SF	Lot 83	6,000 SF
Lot 2	7,825 SF	Lot 86	6,000 SF
Lot 3	7,800 SF	Lot 87	6,000 SF
Lot 4	7,800 SF	Lot 88	6,000 SF
Lot 5	7,800 SF	Lot 89	6,000 SF
Lot 6	7,800 SF	Lot 90	6,000 SF
Lot 7	7,800 SF	Lot 91	6,000 SF
Lot 8	7,800 SF	Lot 92	6,000 SF
Lot 9	7,800 SF	Lot 93	6,480 SF
Lot 10	7,800 SF	Lot 94	6,430 SF
Lot 11	7,800 SF	Lot 95	6,900 SF
Lot 12	7,800 SF	Lot 96	6,900 SF
Lot 13	9,750 SF	Lot 97	6,900 SF
Lot 14	7,770 SF	Lot 98	6,900 SF
Lot 15	7,800 SF	Lot 99	6,900 SF
Lot 16	9,820 SF	Lot 100	6,900 SF
Lot 17	10,140 SF	Lot 101	6,900 SF
Lot 18	9,100 SF	Lot 102	6,900 SF
Lot 19	9,100 SF	Lot 103	7,250 SF
Lot 20	9,100 SF	Lot 104	6,820 SF
Lot 21	9,210 SF	Lot 105	8,380 SF
Lot 22	10,090 SF	Lot 106	10,200 SF
Lot 23	9,900 SF	Lot 107	6,100 SF
Lot 24	9,280 SF	Lot 108	6,880 SF
Lot 25	9,280 SF	Lot 109	6,400 SF
Lot 26	16,000 SF	Lot 110	6,400 SF
Lot 27	10,290 SF	Lot 111	6,400 SF
Lot 28	9,360 SF	Lot 112	6,400 SF
Lot 29	9,360 SF	Lot 113	6,400 SF
Lot 30	9,960 SF	Lot 114	6,400 SF
Lot 31	9,080 SF	Lot 115	6,400 SF
Lot 32	6,450 SF	Lot 116	6,400 SF
Lot 33	6,450 SF	Lot 117	10,300 SF
Lot 34	8,450 SF	Lot 118	10,300 SF
Lot 35	8,450 SF	Lot 119	6,400 SF
Lot 36	8,450 SF	Lot 120	6,400 SF
Lot 37	7,800 SF	Lot 121	6,400 SF
Lot 38	9,090 SF	Lot 122	6,400 SF
Lot 39	12,660 SF	Lot 123	6,400 SF
Lot 40	11,990 SF	Lot 124	6,400 SF
Lot 41	11,800 SF	Lot 125	6,400 SF
Lot 42	11,830 SF	Lot 126	6,400 SF
Lot 43	11,490 SF	Lot 127	6,400 SF
Lot 44	11,340 SF	Lot 128	14,560 SF
Lot 45	11,070 SF	Lot 129	6,400 SF
Lot 46	12,960 SF	Lot 130	6,400 SF
Lot 47	12,750 SF	Lot 131	6,400 SF
Lot 48	11,250 SF	Lot 132	6,400 SF
Lot 49	11,410 SF	Lot 133	6,400 SF
Lot 50	11,620 SF	Lot 134	6,070 SF
Lot 51	11,880 SF	Lot 135	6,700 SF
Lot 52	11,940 SF	Lot 136	11,085 SF
Lot 53	11,500 SF	Lot 137	11,140 SF
Lot 54	13,820 SF	Lot 138	10,690 SF
Lot 55	10,130 SF	Lot 139	6,400 SF
Lot 56	6,400 SF	Lot 140	6,400 SF
Lot 57	6,400 SF	Lot 141	6,400 SF
Lot 58	6,400 SF	Lot 142	6,400 SF
Lot 59	6,400 SF	Lot 143	6,400 SF
Lot 60	6,400 SF	Lot 144	6,400 SF
Lot 61	6,400 SF	Lot 145	6,400 SF
Lot 62	6,400 SF	Lot 146	6,400 SF
Lot 63	6,400 SF	Lot 147	6,400 SF
Lot 64	6,400 SF	Lot 148	6,000 SF
Lot 65	6,400 SF	Lot 149	6,000 SF
Lot 66	6,370 SF	Lot 150	6,000 SF
Lot 67	8,045 SF	Lot 151	6,000 SF
Lot 68	9,756 SF	Lot 152	6,000 SF
Lot 69	13,940 SF	Lot 153	6,000 SF
Lot 70	6,400 SF	Lot 154	6,000 SF
Lot 71	6,400 SF	Lot 155	6,000 SF
Lot 72	6,400 SF	Lot 156	6,000 SF
Lot 73	6,400 SF	Lot 157	6,000 SF
Lot 74	6,420 SF	Lot 158	6,000 SF
Lot 75	6,400 SF	Lot 159	6,000 SF
Lot 76	6,400 SF	Lot 160	6,000 SF
Lot 77	6,400 SF	Lot 161	6,000 SF
Lot 78	6,400 SF	Lot 162	6,000 SF
Lot 79	6,820 SF	Lot 163	6,000 SF
Lot 80	9,120 SF	Lot 164	6,000 SF
Lot 81	11,380 SF	Lot 165	6,000 SF
Lot 82	9,330 SF	Lot 166	6,000 SF
Lot 83	8,210 SF	Lot 167	6,000 SF
Lot 84	9,540 SF	Lot 168	6,000 SF

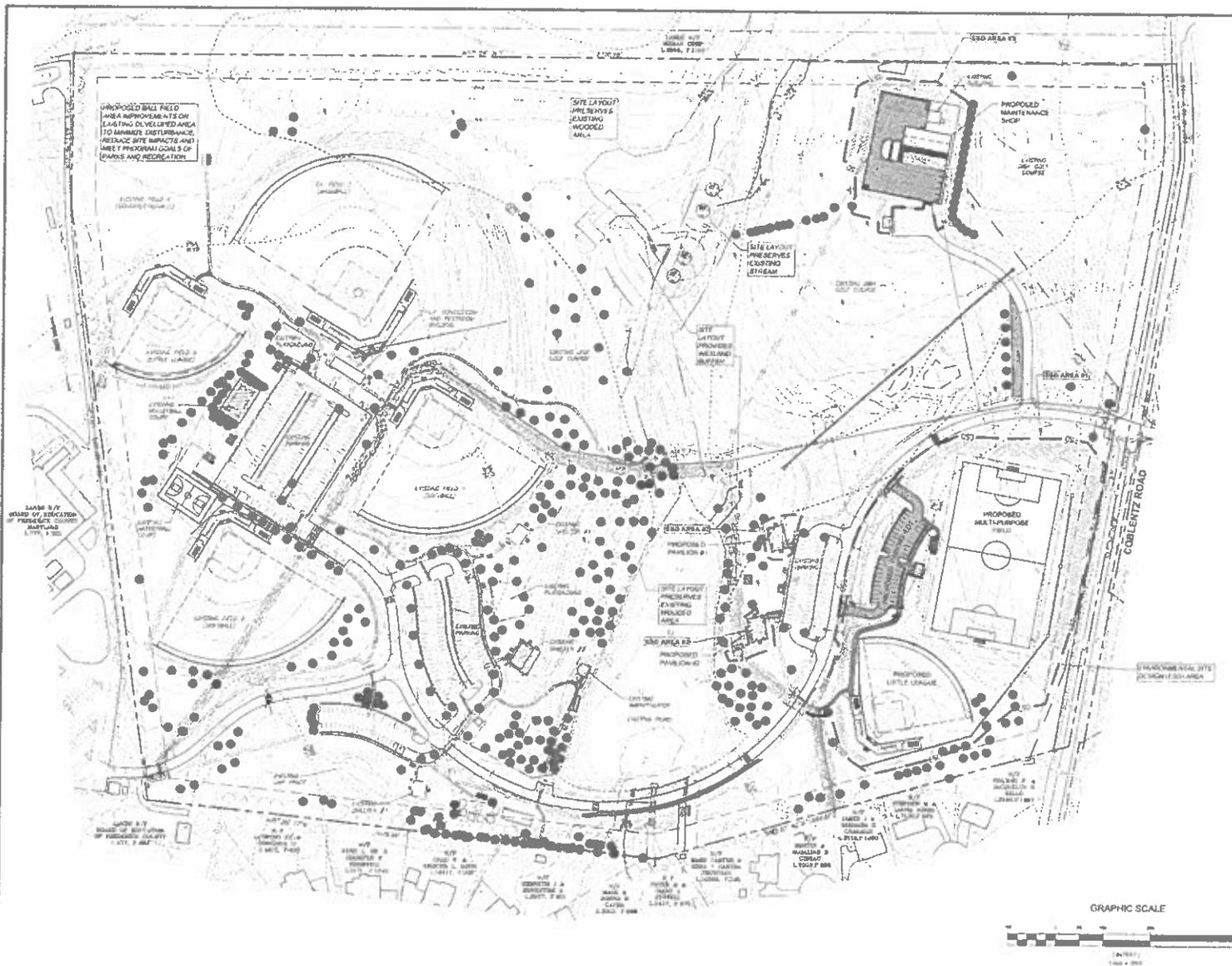
Totals:
1,332,066 SF
30.6 Acres ±

DEVELOPMENT NOTES

Total Development Area: 32.9 Acres
Open Space: 60 Acres ±
Zoning: R-20
Action Aerial:
Setbacks: Front: 20'
Side: 5'
Rear: 15'
Minimum Lot Area: 3,200 SF (0.07 Acres)



COBLENTZ ROAD



- ### Site Fingerprinting and Development Layout
- The development of Middletown Community Park incorporates the following strategies for site impact:
- Plan the building footprint and layout to protect conservation areas.
 - The building footprint and layout are planned to avoid any forest conservation areas on-site and are to be constructed near existing public transportation network and pedestrian routes.
 - Enhance opportunities to enhance and restore wetland and stream buffers.
 - Areas of wetland have been identified and buffers established. No other natural expansion of forest or stream buffers on site.
 - Create the site to that runoff all stormwater runoff areas directly to pervious areas or other natural stormwater systems.
 - Proposed design incorporate pervious areas that directly to pervious areas.
 - Maintain natural flow paths between the site and adjacent and downstream systems.
 - Site design incorporate existing conveyance systems with proposed conveyance systems and maintain natural upstream and downstream flow paths.
 - Maintain short line and linking drainage flow processes where feasible.
 - Limiting site sheet flow paths into natural overland flow processes are maintained in the maximum extent practicable.
 - Provide usable connectivity of land use.
 - Design incorporate stormwater management of land use.
 - Reduce imperviousness.
 - In accordance with the design process stormwater practices are proposed to treat stormwater runoff.
 - Implementation of the Stormwater Management Plan will be integrated into the Soil Erosion and Sediment Control design.
 - Protect the woodlands and wetlands during construction from construction vehicles and equipment by place protective berms along these areas.
 - All trees 10" or greater in diameter shall be protected during construction, and grading within the natural root zone (RZ) of a specimen tree shall require root pruning and/or other protective structures prior to start of grading activity.
- NOTE:**
SEE SHEET ESD-2 FOR LOCATION OF E.S.D. PRACTICES

SYMBOL	DESCRIPTION	PERCENT (HOLE)	HYDROLOGIC BOLS GROUP
CGA	COORDED AND AN EROSION SLOPE 0 TO 3 PERCENT SLOPES	0.30	C
MWB	MID ZONE GRAVELLY SILT CLAY TO 2 PERCENT SLOPES	0.20	B
SHC	SHALLOW GRAVELLY SILT CLAY TO 15 PERCENT SLOPES	0.20	B
MWB	MID ZONE GRAVELLY SILT CLAY TO 15 PERCENT SLOPES	0.20	B
MAA	MID ZONE GRAVELLY SILT CLAY TO 15 PERCENT SLOPES	0.20	B
MWB	MID ZONE GRAVELLY SILT CLAY TO 15 PERCENT SLOPES	0.20	B
MVC	MID ZONE GRAVELLY SILT CLAY TO 15 PERCENT SLOPES	0.20	B
MWB	MID ZONE GRAVELLY SILT CLAY TO 15 PERCENT SLOPES	0.20	B
MAA	MID ZONE GRAVELLY SILT CLAY TO 15 PERCENT SLOPES	0.20	B
SHC	SHALLOW GRAVELLY SILT CLAY TO 15 PERCENT SLOPES	0.20	B
MAA	MID ZONE GRAVELLY SILT CLAY TO 15 PERCENT SLOPES	0.20	B
SHC	SHALLOW GRAVELLY SILT CLAY TO 15 PERCENT SLOPES	0.20	B

90% SUBMISSION

FREDERICK COUNTY, MARYLAND

DEVELOPMENT REVIEW ENGINEERING

APPROVED: _____ DATE: _____

APPROVED: _____ DATE: _____

Approval is contingent upon final County engineering, if within County, approval is hereby for design and construction. Approval is void for more than 120 days after the final plan is approved. The applicant shall be aware that approval is subject to the approval of the appropriate agency. Construction of other public utility facilities shall be subject to the applicable authority for design and construction. Approval is not intended to be a warranty.

REV	DATE	REVISIONS (BY SUBMITTER/RESPONSIBLE)	CONTROL DATE AND INITIAL	REV. APPROVED DATE AND INITIAL

HUMAN & ROHDE, INC.
Landscape Architects
512 Virginia Ave.
Towson, Maryland 21286
(410) 825-3885 Phone
(410) 825-3887 Fax

TRIAD ENGINEERING, INC.
1075D SHERMAN AVE.
HAGERSTOWN, MD 21740
(301) 797-6400 Phone
(301) 797-2424 Fax

OWNER / DEVELOPER

FREDERICK COUNTY, MD
PRINCE STEPHEN HALL
13 EAST CHURCH STREET
FREDERICK, MARYLAND 21701
PHONE: (301) 694-1300

**ENVIRONMENTAL SITE DESIGN
SITE FINGERPRINTING AND
DEVELOPMENT LAYOUT**

ESD-2

CAPITAL PROJECT NO.
**MIDDLETOWN PARK
DEVELOPMENT & REHAB
PROJECT**

FREDERICK COUNTY, MARYLAND
DATE: JUNE 2018
SHEET 4 OF 79

SCALE: 1"=100'
STAFF: BJS
DRAWN BY: CHECKED BY:
DATE: JUNE 2018
SHEET 4 OF 79

SEAL

To: John Miller, Burgess

From: Mark Hinkle, Zoning Administrator

Date: August 26, 2019

Subject: Accessory structures and proposed changes

I have compiled some information regarding “accessory structures” from other municipalities like Middletown, for comparison. Also, included in this memo is a proposed change to the current Code

Items of note:

- Most allow as a minimum, the structure to occupy 30% of rear yard.
- Most allow accessory structures as close as 6 feet to the property line.
- More than half limited the height to between 15-20 feet.

Let me know if you have questions or need further information as the Town Board deliberates this issue.

Middletown:

CURRENT: Allowable Projections of Accessory Buildings into Yards. One-story accessory buildings with a maximum height of twenty-five (25) feet may project into yards provided that: (1) the building does not occupy more than thirty (30) percent of the rear yard; (2) when more than ten (10) feet from the building, it may project into the side or rear yards providing it projects no closer than six feet to the side or rear lot lines; (3) garage accessory buildings entered from alley or street in the case of double frontage lots are not closer than ten (10) feet to the street or alley line; (4) one-story accessory structures on townhouse lots may be located up to two feet of a side property line and six feet of a rear property line provided the accessory structure is no more than eighty (80) square feet in size; (5) any accessory structure greater than twenty (20) feet in height must provide an additional one foot of setback for each one foot of additional height; (6) all accessory structures defined as sheds must be located to the rear of the principal structure.

PROPOSED: Allowable Projections of Accessory Buildings into Yards. The following regulations apply to any accessory building, use or structure within the Town, irrespective of zoning district:

Location. All accessory buildings and structures shall be located behind the front building line of the principal building.

Easements. No accessory building or structure, except for public utility panels or boxes, shall be erected in any easement areas. All accessory buildings or structures shall be a minimum of one foot off easements.

Height and size. One-story or 10 feet in height, or a maximum of 15 feet with roof. Accessory buildings or structures may project into yards provided that: (1) An accessory structure shall be limited in size, when located on a residential zoned property, to the following. (a) The total square footage of all floors of the accessory structure shall not exceed the above grade finished square foot size of primary dwelling. (b) The footprint of an accessory structure may not exceed the greater of One-half of the footprint of the principal dwelling; or Six hundred square feet, except in the follow situation, One (1) accessory structure may exceed the footprint limits, provided that the footprint of that accessory structure does not exceed 2000 square feet, and provided that the lot size equals or exceeds 20,000 square feet. The square footage allowed for business purposes in an accessory structure shall be 600 square feet. (2) When more than ten (10) feet from the building, it may project into the side or rear yards providing it projects no closer than six feet to the side or rear lot lines; (3) garage accessory buildings entered from alley or street in the case of double frontage lots are not closer than ten (10) feet to the street or alley line; (4) one-story or 10 feet in height, or a maximum of 15 feet with roof accessory structures on townhouse lots may be located up to two feet of a side property line and six feet of a rear property line provided the accessory structure is no more than eighty (80) square feet in size.

It is the homeowner's responsibility to have the accessory structure approved by his or her homeowners' association where applicable. A Zoning Certificate from the Town does not negate a homeowners' association's covenants and/or restrictions.

Myersville:

§ 165-8. Accessory buildings. One-story accessory structures are permitted in rear yards and shall be distant at least 10 feet from alley lines and at least six feet from any lot lines of adjoining lots. [Amended 10-11-2005]

Accessory buildings may be erected as a part of the principal buildings or, if at least six feet therefrom, may be connected thereto by a breezeway or similar structure, provided that all yard requirements for a principal building are met.

Taneytown:

§ 205-24. Accessory buildings or structures. [Amended 10-11-1982 by Ord. No. 9-82] An accessory structure shall not be erected within 10 feet of a street line or five feet of any other property line or within a front yard of any property and shall not exceed 15 feet in height or occupy more than 30% of a required rear yard. The setback requirements of this section shall not apply to attached dwelling units as defined in this chapter. No more than two accessory buildings or structures shall be allowed on any lot on which there is located an attached dwelling as defined in this chapter.

Mt. Airy:

§ 112-34. Accessory structures. Permit required. Accessory structures over 100 square feet require a building permit. A. Location. Accessory structures are not permitted in front yard areas. Accessory structures 100 square feet or less shall be set back three feet from side and rear lot lines. Accessory structures over 100 square feet shall be set back a minimum of six feet from side and rear lot lines. B. Maximum lot coverage. The total coverage of any structure on one lot shall not exceed 30% of the total rear yard area. C. Height general rule. Accessory structures shall not exceed one story or 10 feet in height. For structures covered by a roof, the highest point of the roof shall not exceed 15 feet in height. [Amended 3-3-2003 by Ord. No. 2003-6] Garages may have up to two stories but shall not exceed the elevation of the principal structure. Garages exceeding one story must meet all setbacks and other requirements of this chapter that apply to the principal structure. (1) Any use of a garage or accessory structure as a residence shall be considered an accessory apartment and as such subject to the special exception process and standards provided under § 112-62F(22) of this chapter, as well as any other applicable rules, requirements and regulations for accessory apartments. (2) It is the homeowner's responsibility to have any accessory structure approved by his or her homeowners' association where applicable. A permit from the Town does not negate a homeowners' association covenants and/or restrictions. (3) D. Permitted accessory uses and structures: Detached garage (attached garages are considered part of the principal use and structure.) (1) (2) Swimming pool. (3) Garden or tool shed. (4) Freestanding gazebo. (5) Satellite dish. (6) Hot tub or sauna. E. :1 Homeowners' association. It is the homeowner's responsibility to have the accessory structure approved by his

or her homeowners' association where applicable. A permit from the Town does not negate a homeowners' association's covenants and/or restrictions.

New Windsor:

§ 215-88. Exceptions and yard requirements. Allowable projections of structures into yards and other exceptions to yard requirements. Except as otherwise provided herein, architectural features of buildings, such as window sills, cornices, roof overhangs and unenclosed porches, open fire escapes, fireproof outside stairways, chimneys and flues may project into the required yard not more than six feet. Ground floor terraces, patios or attached raised or elevated decks may extend into the rear yard, not, however, to within six feet of either side lot line. A. Side yards not required for second story residential uses in nonresidential structures. Side yards shall not be required for residential dwellings erected above commercial structures. B. Allowable projections of business structures into yards. Signs, awnings, canopies and marquees as attached to and part of a building may project into the front yard in the commercial districts only. C. Allowable projections of accessory buildings into yards. Accessory buildings may project into yards, provided that the building does not occupy more than 30% of the rear yard; when more than 10 feet from the building and 60 feet from the front yard, it may project into the side or rear yards, provided that it projects no closer than six feet to the side or rear lot lines; and garage accessory buildings entered from an alley or street, in case of double frontage lots, are not closer than 10 feet to the street or alley line. D. Allowance projections of fences into yards. Fences may be constructed in or project into yards, provided that no fence or planting more than three feet high shall be located within 30 feet of a street intersection, no fence more than four feet high may be located closer to the front of the lot than the principal building and no fence more than six feet high shall be allowed on any other part of the lot.

Antrim PA:

§ 150-65. Accessory building regulations. An accessory building not attached to the principal structure may be located in any required side or rear yard, provided that: (1) Such building shall not exceed 20 feet in height. Such building shall be set back five feet from any lot line, if accessory to a residential use. (2) All such buildings in the aggregate shall not occupy more than 30% of the area of the required rear or side yard where located.

Manchester:

The following regulations apply to any accessory building, use or structure within the Town, irrespective of zoning district: Location. All accessory buildings and structures shall be located behind the front building line of the principal building. No detached accessory building or structure shall be located closer than six feet to any principal building unless it exists fully in the rear of the building and does not exist outside of the footprint of the principal dwelling. All

accessory buildings or structures shall be located a minimum of five feet inside rear and side property lines unless otherwise noted in regulations. A. Easements. No accessory building or structure, except for utility panels or boxes, shall be erected in any easement areas. All accessory buildings or structures shall be a minimum of one foot off easements. B. Height. Any accessory building or structure shall not exceed one story or 10 feet in height, or a maximum of 15 feet with roof. Accessory buildings and structures may not exceed the height of any principal building. C. Area. In the R-40,000, R-20,000 and R-15,000 residential districts, the maximum total area of all accessory buildings or structures on any lot shall not exceed 50% of the perimeter area of the structure and shall not cover more than 50% of the rear yard. In the R-10,000 and R-7,500 residential districts and the BL Business Local district the maximum total area of all accessory buildings or structures shall not cover more than 75% of the rear yard. The maximum size of any one structure shall not exceed 1,000 square feet. The maximum total area of all accessory buildings or structures shall not exceed 1,500 square feet.

Havre de Grace:

Accessory structures and fences shall not be located in a front yard and shall not occupy more than 50% of the entire yard. Accessory structures and uses customarily incidental to any principal permitted use or conditional use shall be permitted without hearing.

Accessory Structure Regulations

Structures

- **Accessory structure:** A subordinate structure, which is located on the same lot as the principle building and serves a purpose customarily incidental to the principle building. No accessory structures will be permitted in designated floodplain areas. (§1-19-11.100).
- **Accessory Structures include:** garages, tool sheds, storage buildings, barns, signs, or similar structures. (§1-19-4.300).

Location

(§1-19-4.300.1)

- (A) No accessory building will be erected within the required front yard, except as provided in §1-19-8.250.1. No accessory structure will be erected within 6 feet of any lot lines or within 6 feet of any building on the lot, except as provided in §1-19-8.250.1.
- (B) No accessory structure, wind energy system, solar array or associated structure, will be erected within the required front yard setback, except as provided in §1-19-8.250.1.
- (C) Accessory structures shall be located on the same parcel as the principal permitted use or structure.
- (D) Accessory structures on residential properties see also §1-19-8.240(B).

Accessory Structure on Residential Properties

(B) An accessory structure shall be limited in size when located on a residential **zoned** property to the following: (§1-19-4.300.2) The total square footage of all floors of the accessory structure shall not exceed that of the dwelling.

- (1) The total square footage of all floors of the accessory structure shall not exceed that of the dwelling;
- (2) Except as provided in subsection (B)(3) below, the footprint of an accessory structure may not exceed the greater of:
 - (a) One-half of the footprint of the principal dwelling; or
 - (b) Six hundred square feet
- (3) One (1) accessory structure located on a Residential-1 (R-1) zoned property may exceed the footprint limits of subsection (B)(2) above, provided that the footprint of that accessory structure does not exceed 2000 square feet, and provided that the lot size equals or exceeds 20,000 square feet.
- (4) The square footage allowed for business purposes in an accessory structure shall be 600 square feet.
- (5) Accessory structures shall not exceed 70% of the maximum height allowed for the principal permitted use, except as otherwise provided within this chapter.

For More Information

To determine if your lot is residential zoned or to determine your required front yard, please contact the Zoning Office at:

30 N. Market St.