

ORDINANCE NO.2009-03

THE MAYOR AND TOWN COUNCIL OF BOONSBORO

AN ORDINANCE TO AMEND AND ADD CERTAIN PROVISIONS TO THE ZONING
ORDINANCE TO PROVIDE FOR HOME OCCUPATION SIGNS WITH
CHANGES RELATING TO ITS TEXT

WHEREAS, the Town of Boonsboro adopted the Boonsboro Zoning Ordinance on June 2, 1975, which Zoning Ordinance became effective July 1, 1975, and enacted certain amendments to the Ordinance thereafter; and

WHEREAS, the Mayor and Town Council repealed said Zoning Ordinance and enacted the Boonsboro Zoning Ordinance of 1995 on the 5th day of September, 1995, with an effective date of October 2, 1995 (the "Zoning Ordinance"); and

WHEREAS, pursuant to a duly advertised public meeting on the Text Amendment Petition held on August 3, 2009, it has been recommended to the Mayor and Town Council by the Boonsboro Planning Commission that certain amendments pertaining to signs for home occupations should be made to the Zoning Ordinance of 1995; and

WHEREAS, pursuant to Section 1103 of the Zoning Ordinance, the Mayor and Town Council held a public hearing on August 3, 2009 for the purpose of taking testimony on the Text Amendment Petition pursuant to public notice duly given in accordance with Article 66B, Section 4.04 of the Annotated Code of Maryland; and

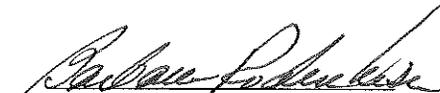
WHEREAS, following the public hearing, the Mayor and Town Council considered comments received a part of the public hearing; and

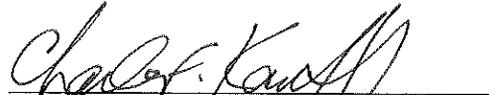
WHEREAS, the Mayor and Town Council believe the enactment of the amendments as set forth in the Text Amendment Petition to the be in the best interests of the citizens of Boonsboro, Maryland; and

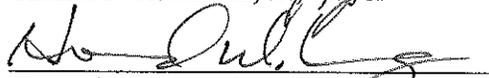
NOW, THEREFORE, BE IT ORDAINED AND ENACTED that certain provisions of the Zoning Ordinance, as amended, be further amended as follows in EXHIBIT A attached hereto and incorporated herein. Note new language/amendments are in **BOLD CAPITALIZATION** and changes are in [underlined brackets].

ATTEST:

BOONSBORO MAYOR AND TOWN COUNCIL:


Barbara Rodenhiser, Clerk

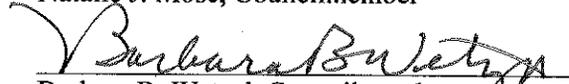

Charles F. Kauffman, Jr., Mayor

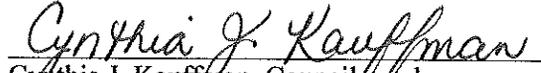

Howard W. Long, Assistant Mayor


Richard E. Hawkins, Sr., Councilmember


Kevin M. Chambers, Councilmember

ABSENT
Natalie J. Mose, Councilmember


Barbara B. Wetzel, Councilmember


Cynthia J. Kauffman, Councilmember

Date of Introduction: July 6, 2009

Date of Passage: August 3 2009

Effective Date: August 24 2009

EXHIBIT A

201.40 Home Occupation

Any use of a dwelling or accessory building conducted solely by a member or members of the family residing therein, which is incidental or subordinate to the main use of the building for dwelling purposes; which utilizes not more than twenty-five (25) percent of the floor space of the dwelling; which does not generate vehicular parking or nonresidential traffic to a greater extent than would normally result from residential occupancy; in connection with which no inventory or stock in trade is kept for regular sale to persons coming to the premises; and with no other evidence being visible, other than a sign as provided in subsection [707.B] 7.06A and 7.11.B.vi; from the outside of the dwelling nor shall any noise, odors, fumes and other nuisances extend beyond the property boundary which would indicate it is being used for anything other than residential purposes.

Section 7.11 Signs in Residential Districts.

B. Permitted Signs.

vi. HOME OCCUPATION SIGNS NOT EXCEEDING TWO (2) SQUARE FEET IN AREA, AND PROVIDED THAT NOT MORE THAN ONE SUCH SIGN SHALL BE ERECTED ON A PROPERTY UNLESS SUCH PROPERTY FRONTS ON MORE THAN ONE STREET, IN WHICH CASE ONE SUCH SIGN MAY BE ERECTED ON EACH STREET FRONTAGE.

7.06 Exemptions. The following signs are exempt and do not require a permit provided they meet the standards applicable within this Ordinance:

A. Nameplate and Identification signs, including address numerals not to exceed one square foot in area, OR THE ACCESSORY USE OF A DWELLING FOR A HOME OCCUPATION, PROVIDED THAT SUCH SIGN SHALL NOT EXCEED TWO (2) SQUARE FEET IN AREA, AND PROVIDED THAT NOT MORE THAN ONE SUCH SIGN SHALL BE ERECTED ON A PROPERTY UNLESS SUCH PROPERTY FRONTS ON MORE THAN ONE STREET, IN WHICH CASE ONE SUCH SIGN MAY BE ERECTED ON EACH STREET FRONTAGE.