

Ordinance No.: 2021-4-1
Introduced: April 15, 2021
Adopted: June 17, 2021
Effective Date: July 7, 2021

THE VILLAGE OF MARTIN'S ADDITIONS

SUBJECT: AN ORDINANCE TO AMEND THE CODE OF ORDINANCES TO
CLARIFY THE FRONT-LOADING GARAGE RESTRICTIONS

WHEREAS, Local Government Article, Section 5-202 of the Maryland Code grants to the legislative body of every incorporated municipality in Maryland, including the Village of Martin's Additions, general power to pass such ordinances not contrary to the Constitution of Maryland, or public general law, as they may deem necessary in order to assure the good government of the municipality, to protect and preserve the municipality's rights, property, and privileges, to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort and convenience of the citizens of the municipality;

WHEREAS, Maryland Code, Land Use Article, Section 20-509 grants to the legislative body of incorporated municipalities in the Maryland-Washington Regional District, general power to adopt building regulations for the protection of the public health, safety, and welfare; the preservation, improvement, and protection of lands, water, and improvements in the municipal corporation; and to regulate the construction, repair, or remodeling of buildings on land zoned for single-family residential uses at it relates to fences, walls, hedges, and similar barriers; signs; residential parking; residential storage; the location of structures, including setback requirements; the dimensions of structures, including height, bulk, massing, and design; and lot coverage, including impervious surfaces;

WHEREAS, Maryland Code, Local Government Article, Section 5-211 authorizes the legislative body of each municipal corporation in the State of Maryland to make reasonable regulations concerning buildings to be erected within the limits of the municipality, including a building code and the requirement for building permits;

WHEREAS, Section 501 of the Charter of the Village of Martin's Additions authorizes the Village Council to pass such ordinances as it may deem necessary for the preservation of the property, rights, and privileges of the Village and its residents;

WHEREAS, after proper notice to the public, the Village Council introduced the Ordinance in an open meeting conducted on the 15th day of April, 2021; and considered the Ordinance in an open meeting conducted on the 17th day of June, 2021;

WHEREAS, to comply with Maryland Code, Land Use Article, Section 20-509, on the 16th day of April, 2021, a copy of following Ordinance was submitted to the Montgomery County Council for its comments;

WHEREAS, by letter dated May 26, 2021, the Montgomery County Council indicated that it did not have any comments;

WHEREAS, the Village Council finds that the foregoing Ordinance would assure the good government of the municipality, protect and preserve the municipality's rights, property, and privileges, preserve peace and good order, secure persons and property from danger and destruction, and protect the health, comfort and convenience of the citizens of the Village of Martin's Additions, and is necessary for the preservation of the property, rights, and privileges of the Village and its residents.

NOW, THEREFORE, the Village Council does hereby adopt the following Ordinance.

BE IT ORDAINED AND ORDERED, this 17th day of June, 2021, by the Village Council, acting under and by virtue of the authority given it by the Maryland Code and the Charter of the Village of Martin's Additions, that the Village Code is hereby amended as follows:

* * *

Section 7-101. Definitions

For the purposes of this Chapter, the following words and phrases shall have the following meanings:

* * *

(17) "Front-loading garage" means a garage with a door that faces a front lot line.

* * *

(19) "Front lot line" means ~~the~~ a lot line running along the front of the lot separating it from ~~the~~ a street. **Corner lots have two or more front lot lines.**

* * *

(22) "Garage" means an accessory building or portion of a main building designed, arranged, or used for the housing of private motor vehicles.

(23) "Garage, front-loading" (see front-loading garage).

* * *

(Ord. No. 11-15-1 * * * ; **Ord. No. 2021-4-1, adopted 6/17/21, effective 7/7/21**)

* * *

Section 7-402. Construction Standards and Requirements

* * *

(k) No more than one (1) front-loading garage shall be permitted on a lot. The door width of a front-loading garage shall not exceed ten (10) feet. **Corner lots are subject to these restrictions with respect to all street frontages.**

* * *

(Ord. No. 11-15-1 * * * ; **Ord. No. 2021-4-1, adopted 6/17/21, effective 7/7/21**)

* * *

AND BE IT FURTHER ORDAINED AND ORDERED, by the Village Council, acting under and by virtue of the authority granted to it by the Maryland Code, and the Charter of the Village of the Village of Martin's Additions, that:


(1) If any part or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, the part or provision held to be invalid shall not affect the validity of the Ordinance as a whole or any remaining part thereof; and

(2) This Ordinance shall take effect on the 7th day of July, 2021 (at least 20 days after adoption).

ATTEST:

THE VILLAGE OF MARTIN'S ADDITIONS


Katie Howard, Secretary


Andrew Kauders, Chair
Village Council

Bold underline indicates new material
~~Strikethrough~~ indicates material deleted
* * * indicates material unchanged

152.4