

COUNCIL OF THE CITY OF ABERDEEN
Ordinance No. 15-O-02

Introduced By: Mayor Michael E. Bennett
Date Introduced: February 23, 2015
Public Hearing: March 23, 2015
Deferred on: March 23, 2015 to
April 27, 2015
Date Adopted: April 27, 2015
Date Effective: May 18, 2015

ORDINANCE NO. 15-O-02

AN ORDINANCE concerning

**REVISION OF CITY OF ABERDEEN
ACCESSORY USES AND OTHER RESTRICTIONS**

- 1 **FOR** the purpose of altering City of Aberdeen accessory uses and other restrictions, including
2 provisions for administration; repealing with amendments existing accessory uses and other
3 restrictions regulations; providing that the provisions of this ordinance are severable; and matters
4 generally related to revisions to the City’s accessory uses and other regulations.
5
6 **BY** repealing and reenacting, with amendments
7 Chapter 235. PROVISIONS APPLICABLE TO ALL DISTRICTS
8 Section 235-27
9 Code of the City of Aberdeen (2010 Edition as amended)

EXPLANATION:

Bold Italics indicate matter added to existing law or new law.
((Double Parenthesis)) indicate matter deleted from existing law.
Underlining indicates amendments to bill.
~~Strike Out~~ indicates matter stricken from bill by amendment or deleted
from the law by amendment.
* * * indicates existing unmodified text omitted from Ordinance

1 **SECTION 1. BE IT ENACTED BY THE COUNCIL OF THE CITY OF**
2 **ABERDEEN**, that Chapter 235 of the Code of the City of Aberdeen (2010 Edition as amended),
3 Section 27, PROVISIONS APPLICABLE TO ALL DISTRICTS, are amended to read as
4 follows:

5
6 §235-27 Accessory Uses and Other Restrictions
7

- 8 A. Generally. Except as otherwise restricted by this chapter, customary accessory structures
9 and uses shall be permitted in any district in connection with the principal permitted use
10 within such district. ~~No accessory use shall be permitted without a principal use.~~
11
12 B. *No accessory use shall be permitted without a principal use.*
13
14 C. ~~B.~~ No accessory use or structure shall be established on any lot prior to substantial
15 completion of the construction of the principal structure.
16
17 D. ~~C.~~ No accessory use or structure shall increase any impervious surface area beyond the
18 maximum permitted.
19
20 E. ~~D.~~ No accessory use or structure on any lot shall be established within the required front
21 yard, except signs, fences, walls or parking area, and projections or garages as specified
22 in the exceptions and modifications to minimum yard requirements.
23
24 F. ~~E.~~ No accessory use or structure, except fences, shall be located within any recorded
25 easement area.
26
27 G. ~~F.~~ An accessory structure ~~which does not abut the principal building~~ shall be located at
28 least six **(6)** feet from any other building on the same lot and at least six **(6)** feet from side
29 and rear property lines.
30
31 H. ~~G.~~ Accessory uses in residential districts. The following accessory uses shall be permitted
32 in residential districts:
33
34 (1) Swimming pools shall be located not less than ten **(10)** feet from any side or rear lot
35 line. A walk space at least three **(3)** feet wide shall be provided around pool walls
36 and a safety fence with self-closing gate at least four **(4)** feet in height shall be
37 installed. In the case of above ground pools more than three **(3)** feet in height above
38 the yard surface, no fence is required. ~~They are permitted in the side and rear yards.~~
39 If the swimming pool is located within the side yard it must be fully screened from
40 adjacent properties and streets.
41
42 (2) The office or studio of a physician or surgeon, dentist, artist, lawyer, architect,
43 engineer, teacher, or person engaged in a home occupation as defined herein,
44 provided that the individual concerned resides on the premises and that not more than

1 **twenty-five percent** (25%) of the entire floor space on the lot shall be used for such
2 purpose.

3 (3) A private detached garage not exceeding **one thousand, two hundred** (1,200) square
4 feet.

5
6 (4) The keeping of small animals, insects, reptiles, fish, or birds as pets or for household
7 use and not as a business **shall be permitted**. The ~~keeping and~~ **breeding**, raising, or
8 **possessing** of poultry or farm animals shall not be permitted **in any district**.

9
10 (5) Doghouse for up to ~~three~~ **five (5)** dogs.

11
12 I. ~~H.~~ Restrictions in residential districts.

13
14 (1) The ~~accessory use or structure~~ **total number of accessory use structures shall not**
15 **exceed two (2) and the total square feet of said structures** shall not exceed **fifty**
16 **percent** (50%) of the square footage of the principal use or structure **as shown in the**
17 **records of the Maryland Department of Assessments and Taxation**.

18
19 (2) Recreational vehicles, **trailers**, and boats shall be **regulated in the following manner**:
20 ~~stored in rear yard, or in the side yard if completely screened or covered from view of~~
21 ~~any adjacent residence and the side yard setback of the district for the principal use is~~
22 ~~maintained. No occupancy, either permanent or temporary, of a recreation vehicle,~~
23 ~~boat, camper or trailer shall be permitted. No recreational vehicle, boat, camper or~~
24 ~~trailer may be utilized for storage.~~

25
26 (a) **Definitions:**

27
28 **[1] RECREATIONAL VEHICLE (RV) – Any camping trailer, motor home,**
29 **travel trailer, truck camper used primarily for recreational purpose; as well as**
30 **vehicles including, but not limited to all-terrain vehicles, boats, snowmobiles,**
31 **watercraft, and other similar vehicles.**

32
33 **[2] TRAILER – A wheeled unit attached and towed by a motorized vehicle,**
34 **which is designed to carry property. A trailer cannot be motorized or self-**
35 **operable.**

36
37 **[3] BOAT – A vessel for transport by water constructed to provide buoyancy by**
38 **excluding water and shaped to give stability and permit propulsion.**

39
40 (b) **Allowable uses - An owner or occupant of a residential structure may store a**
41 **RV, trailer, or boat owned by the property owner or occupant on their property**
42 **provided that:**

43

1 ***[1] If stored in the required front yard of the lot, the RV, trailer, or boat shall be***
2 ***parked on the driveway or driveway apron.***

3
4 ***[2] The RV, trailer, or boat is operable and is currently registered in the home***
5 ***state of the owner or occupant of the property. All active military will be exempt***
6 ***from the home state requirement if proof of military identification is provided.***

7
8 ***[3] A boat stored in a residential district shall not be longer than twenty-five***
9 ***(25) feet in length and a trailer or RV stored in a residential district shall not be***
10 ***longer than forty (40) feet in length.***

11
12 ***[4] The RV, trailer, or boat stored on the property cannot exceed a height of***
13 ***thirteen (13) feet.***

14
15 ***(c) Exceptions.***

16
17 ***(1) A kayak, canoe, and non-trailer boat less than seventeen (17) feet in***
18 ***length shall not be regulated under this chapter.***

19
20 ***(d) Street parking or storage of a recreational vehicle, boat, or trailer is not***
21 ***permitted on any street, except for a period not exceeding forty-eight (48)***
22 ***consecutive hours for purposes of loading and unloading. A recreational***
23 ***vehicle, boat, or trailer may not be parked or stored in any fashion that would***
24 ***block any public right-of-way or sightlines of drivers, bicyclists, or pedestrians.***

25
26 ***(e) Any RV, boat, camper, or trailer stored on the property may not be utilized for***
27 ***storage unless the items are associated with the accessory use related to the RV,***
28 ***boat, camper, or trailer.***

29
30 ***(f) No occupancy, either permanent or temporary, of an RV, boat, camper, or***
31 ***trailer shall be permitted.***

32
33 **J. ~~F~~ Accessory uses in business and industrial districts.**

34
35 **(1) The following accessory uses shall be permitted in the business and industrial**
36 **districts:**

37
38 **(a) A dwelling unit, including an office trailer, for a caretaker or watchman shall be**
39 **permitted, provided that:**

40
41 **[1] Not more than one dwelling is provided for security or protection of the**
42 **principal use.**

43

1 [2] The requirements for the dwelling unit shall not differ from those imposed by
2 this chapter for a housing unit of the same or similar type as a principal permitted
3 use.
4

5 (b) Accessory uses permitted in the residential districts (See § 235-27).
6

7 (2) Business, industrial, and institutional accessory structures shall be subject to the same
8 side and rear yards as required for the principal structure.
9

10 K. ~~J.~~ Transit Oriented Development District. Accessory uses or structures in TOD Districts
11 shall be permitted and shall be subject to the same side yard and rear setbacks as required
12 for the principal structure.
13

14 **SECTION 2. BE IT FURTHER ENACTED BY THE COUNCIL OF THE CITY**
15 **OF ABERDEEN**, that this ordinance shall become effective at the expiration of twenty (20)
16 calendar days following adoption.
17

COUNCIL OF THE CITY OF ABERDEEN

Michael E. Bennett, Mayor

Ruth E. Elliott, Councilwoman

Sandra J. Landbeck, Councilwoman

Stephen A. Smith, Councilman

Ruth Ann Young, Councilwoman

ATTEST:

SEAL:

Monica A. Correll, City Clerk

Date _____