

ORDINANCE NO. 22-05

Introduced by: Alton Hardee, Jr., President

AN ORDINANCE OF THE TOWN OF QUEENSTOWN TO AMEND SECTION 67 OF THE QUEENSTOWN ZONING ORDINANCE TO PERMIT THE STORAGE OF ONE BOAT ON BLOCKS, JACKS, OR SIMILAR SUPPORTS PROVIDED THAT CERTAIN CONDITIONS ARE MET

WHEREAS, pursuant to Md. Code Ann. Local Government § 5-213, the Commissioners of Queenstown have the authority to adopt regulations concerning zoning; and

WHEREAS, Md. Code Ann. Land Use Article § 4-202 authorizes municipalities to adopt zoning regulations as it determines are in the public health, safety and welfare; and

WHEREAS, the Queenstown Planning Commission has recommended that certain changes be made to the Queenstown Zoning Ordinance, specifically—to permit the parking or storage of not more than one recreational vehicle and one piece of recreational equipment or a utility trailer which may not exceed 35 feet in length, provided that they are at least 3 feet from the property line, and in the case of side yard storage, are also situated at least 10 feet to the rear of a lateral projection of the front foundation of the building; and

WHEREAS, on September 1, 2021, the Queenstown Planning Commission considered the text proposed in Ordinance No. 21-07 and made a favorable recommendation to the Queenstown Commissioners to approve the text contained in Ordinance No. 21-07; and

WHEREAS, on NOV. 17, 2021, the Queenstown Commissioners held a public hearing on Ordinance No. 21-07 and have determined that it is desirable and in the public interest to make certain amendments to the Zoning Ordinance as recommended by the Queenstown Planning Commission; and

WHEREAS, after the adoption of Ordinance 21-07, the Queenstown Commissioners raised concern about storing a boat that is incapable of being placed on a trailer due to the keel, which many work boats in town have; and

WHEREAS, to give those boat owners the same benefit as boat owners of boats without a keel, the Commissioners desire to amend Section 67.C. to permit the storage of boats that are unable to be stored on a trailer due to the keel provided that the bottom of the boat does not exceed a height of twelve inches above the ground.

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSIONERS OF QUEENSTOWN AS FOLLOWS:

Section 1. Article VII, Section 67.C. of Queenstown Zoning Ordinance is hereby amended as follows:

§ 67. Accessory uses regulations.

C. Storage and parking of recreational vehicles, recreational equipment, and utility trailers, not part of an approved commercial use, subject to the following:

1. Not more than one (1) recreational vehicle and one (1) piece of either recreational equipment or a utility trailer may be parked or stored in the rear or side yard of any lot in a residential zoning district, provided that they are at least three (3) feet from the property line, and in the case of side yard storage, provided that they are at least three (3) feet from the property line and are situated at least ten (10) feet to the rear of a lateral projection of the front foundation of the building. The recreational vehicle, recreational equipment, or utility trailer may not exceed 35 feet in length. For this provision, one piece of recreational equipment is equal to a single non-motor vehicle with no more than one (1) watercraft, personal watercraft, or specialty prop-crafts. Two personal watercraft (e.g., jet skis) on a single watercraft trailer may be treated as a single piece of recreational equipment.
2. Recreational vehicles, recreational equipment, and utility trailers may not be parked or stored in a required front yard. However, one recreational vehicle, one piece of recreational equipment, or one utility trailer may be parked in the front yard if:
 - a. setback at least three (3) feet from any side lot line,
 - b. located on a driveway, and
 - c. does not intrude into the public right-of-way or obstruct a sidewalk.
3. The Planning Commission may approve alternative parking or storage arrangements if it finds there is no reasonable access to the building side yards or rear yards because of topography or other physical conditions on the site. However, not more than one recreational or utility vehicle parking shall be permitted in the front setback.
4. Storage or parking of recreational vehicles, recreational equipment, or utility trailer in or on the public right-of-way is prohibited.
5. Recreational vehicles, recreational equipment, and utility trailers stored or parked in residential zoning districts must be owned by the owner or occupant of the subject property.
6. All recreational vehicles, recreational equipment, and utility trailers, intended for highway use, must be properly licensed and ready for highway use.

7. *Except as provided in subsection (a) below, no* recreational vehicle, equipment, or utility trailer may have its wheels removed or be affixed to the ground to prevent immediate removal.


(a). Boats that are unable to be stored on a trailer due to the keel may be placed on blocks, jacks, or similar supports provided that the lowest portion of the boat does not exceed a height of twelve (12) inches above the ground.

Section 2. Unless specifically amended as set forth above, all other provisions of the Queenstown Zoning Ordinance shall remain unchanged.

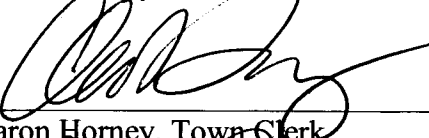
Section 3. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town Commissioners of Queenstown hereby declare that they would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

ORDAINED, APPROVED, AND PASSED by the Town Commissioners for the Town of Queenstown on this 27 day of July, 2022.

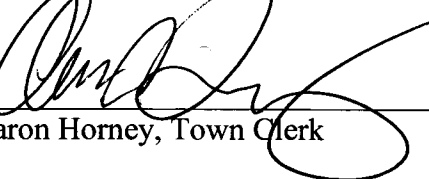
WITNESS:



Aaron Horney, Town Clerk

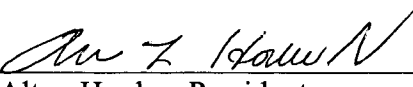


Aaron Horney, Town Clerk



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TOWN COMMISSIONERS FOR THE TOWN OF QUEENSTOWN:



Alton Hardee, President



Tom Willis, Jr., Commissioner



Bryon Callahan, Commissioner

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Bold, italicized text = added text