

ZONING

REGULATIONS

HOWARD COUNTY, MARYLAND

Z O N I N G R E G U L A T I O N S
O F
H O W A R D C O U N T Y, M A R Y L A N D

Adopted January 12, 1954
And as amended to October 1, 1959

Z O N I N G B O A R D - C O U N T Y C O M M I S S I O N E R S

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SECTION 1. - PURPOSE

The zoning regulations and districts as herein set forth are made in accordance with a comprehensive master plan for the purpose of promoting the health, safety, morals and general welfare of the community. They are designed to lessen congestion in streets, to secure safety from fire, panic and other dangers to provide adequate light and air, to prevent the overcrowding of land and buildings to avoid undue concentration of population, to prevent blight and property deterioration, to facilitate adequate provision for transportation, water, sewerage, schools, parks and other public requirements.

SECTION 2. - DISTRICTS ESTABLISHED

For the purpose set forth in Section 1 and considering, among other things:

- (a) Traffic problems and their relation to the public safety and welfare.
- (b) The physical layout of the County.
- (c) The orderly growth of the County.
- (d) The ability of the County to provide essential services.
- (e) The most appropriate use of land.
- (f) The conservation and stabilization of property values.
- (g) The needs for adequate open spaces for light and air.
- (h) The preservation of the scenic beauty of the County.
- (i) The necessity of facilitating the provision of adequate community utilities and facilities such as transportation, fire-fighting equipment, water, sewerage, schools, parks and other public requirements.
- (j) Population trends throughout the County and in particular areas within the County.
- (k) The proximity of large urban centers to the County.
- (l) The road building and road widening plans of the State and County.
- (m) The needs of the County as a whole and the reasonable needs of particular communities within the County.

- (n) The character of each district and its peculiar suitability for particular uses.
- (o) Such other matters considered relevant and pertinent to the establishment of a comprehensive zoning plan;

Howard County is hereby divided into the following Zoning Districts:

- A.
 - 1. Rural Residential, to be known as the R-R District.
 - 2. Residential, to be known as the R District.
 - 3. Business 1, to be known as the B-1 District.
 - 4. Business 2, to be known as the B-2 District.
 - 5. Manufacturing 1, to be known as the M-1 District.
 - 6. Manufacturing 2, to be known as the M-2 District.
- B. Special Zoning Districts
 - 1. Tourist Accomodations 1, to be known as T-1 District.
 - 2. Tourist Accomodations 2, to be known as T-2 District.
 - 3. Shopping Center, to be known as S-C District.
 - 4. Manufacturing Restricted to be known as M-R District.

SECTION 3. - DISTRICT MAPS

The zoning districts shall be of the number, size, and shape as shown on the zoning map of Howard County and said map with the necessary symbols, legends and dimensions, are hereby made a part of these regulations. As evidence of the authenticity of said map, it shall be signed by the Commissioners of Howard County upon the adoption of these regulations.

SECTION 4. - R-R DISTRICTS

A. USES PERMITTED IN THE R-R DISTRICTS

In the R-R Districts only the following uses of land or building shall be permitted:

- 1. One and two family detached dwellings.
- 2. Carnivals sponsored by charitable, social, civic or educational organizations for a period of time not exceeding fourteen days in any calendar year, provided that all equipment, banners, stands and other material and equipment shall be completely removed

from the premises within five days of the closing of such carnivals.

3. Churches, convents and monasteries.
4. Farming, including necessary and customary uses and accessory buildings provided, however, that no building for housing animals or fowl shall be erected within 100 ft. of a dwelling and that no manure shall be stored within 100 ft. of a dwelling, except that dogs and cats and other household pets shall be allowed to be housed within 100 ft. of a dwelling, but in no case, in the front or side yards of a dwelling nor within 25 ft. of the side lines of a lot.
5. Fire houses for the housing of fire-fighting equipment.
6. Golf courses, including one club house for each course as an accessory use.
7. Nursing homes, convalescent homes, homes for the aged, hospitals, children's homes and other similar institutions.
8. Public parks or playgrounds.
9. Publicly owned and operated museums and libraries.
10. Schools and colleges, public or private, including their research and development laboratories and related, supporting and recreational facilities, except trade schools for adults, provided that no commercial activities shall be conducted.

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B. ACCESSORY USES PERMITTED IN THE R-R DISTRICTS.

1. Any use normally and customarily incident to any use permitted in the R-R District shall be permitted as an accessory use.
2. Customary home occupations operated by a resident family or member thereof.
3. Office of a physician, dentist, attorney or other similar professional person located in the bona fide residence of such professional person, provided such use shall be confined to not more than one floor of the residence.
4. Ordinary telephone or electric light poles and wires,

sewer and water pipes and underground cables or other similar public utility uses, except overhead high tension power lines, radio or television broadcasting antennae or towers.

5. Roadside stands, not exceeding 180 square feet in area, for the sale of crops, produce, flowers or fruit, grown on the land where such stand is located, provided such stands shall be so situated as to permit customers to drive completely off the highway to make purchases.
6. Providing room and board or renting rooms by a resident family to not more than four persons.

C. HEIGHT REGULATIONS IN THE R-R DISTRICTS

No building or structure or part thereof shall be erected or extended to exceed a height of 34 feet, except as provided in Section 14, B-1.

D. AREA REGULATIONS IN THE R-R DISTRICTS

1. LOT SIZE. No building shall be erected on any lot where the area of such lot is less than one acre. Each lot shall have a minimum width of 125 feet.
2. FRONT YARD. A front yard not less than 60 feet deep shall be provided for each building hereafter erected or extended.
3. SIDE YARDS. Two side yards, each of which shall be not less than 20 feet wide, shall be required for each building hereafter erected or extended.
4. REAR YARD. A rear yard not less than 30 feet deep shall be required for each building hereafter erected or extended.
5. COVERAGE. Dwelling including accessory buildings, hereafter erected or extended shall not be permitted to cover more than 20 percent of the lot. Buildings other than dwellings, including accessory buildings hereafter erected or extended shall not be permitted to cover more than 30 percent of the lot.
6. FLOOR SPACE REQUIREMENTS. For buildings hereafter

erected or converted at least 600 square feet of usable floor space shall be provided for each family housed.

SECTION 5. - R DISTRICTS

A. USES PERMITTED IN THE R DISTRICTS.

Same as R-R District, except that no fowl other than for the normal use of the family residing on the lot and in no case livestock, shall be kept on a lot of less than 1 acre.

B. ACCESSORY USES PERMITTED IN THE R DISTRICTS.

Same as R-R District.

C. HEIGHT REGULATIONS IN THE R DISTRICTS.

Same as R-R District.

D. AREA REGULATIONS IN THE R DISTRICTS.

1. LOT SIZE.

a. Where neither public water nor public sewerage is provided, no building shall be erected on any lot where the area of such lot is less than 20,000 square feet. Each lot shall have a minimum width of 100 ft.

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b. Where either public water or public sewerage is provided, no building shall be erected on any lot where the area of such lot is less than 15,000 square feet. Each lot shall have a minimum width of 75 feet.

c. Where both public water and public sewerage are provided, no building shall be erected on any lot where the area of such lot is less than 10,000 sq. ft. Each lot shall have a minimum width of 60 feet.

2. FRONT YARD.

a. A front yard not less than 50 feet shall be provided for each building hereafter erected or extended on a lot containing 20,000 square feet or more.

b. A front yard not less than 40 feet shall be pro-

vided for each building hereafter erected or extended on a lot containing less than 20,000 sq. ft.

3. SIDE YARDS.

Two side yards, each of which shall be not less than 10 feet wide, shall be required for each building hereafter erected or extended.

4. REAR YARD.

A rear yard not less than 25 feet deep shall be required for each building hereafter erected or extended.

5. COVERAGE.

Dwellings including accessory buildings hereafter erected or extended shall not be permitted to cover more than 30 percent of the lot. Buildings other than dwellings, including accessory buildings, hereafter erected or extended shall not be permitted to cover more than 40 percent of the lot.

6. FLOOR SPACE REQUIREMENTS.

For buildings hereafter erected or converted at least 600 square feet of usable floor space shall be provided for each family housed.

SECTION 6. - B-1 DISTRICTS

A. USES PERMITTED IN THE B-1 DISTRICTS.

In the B-1 Districts only the following uses of land or building shall be permitted:

1. Uses permitted in the R-R and R Districts.
2. Advertising signs or devices advertising products sold on the premises, provided such signs shall be attached to the building and shall not project more than 6 feet therefrom. (See Sect. 14 Par. D-7)
3. Art, trade, and business schools.
4. Personal and household service shops.
5. Retail stores and service shops.
6. Offices, professional and business.
7. Parking lots or garages for parking purposes only, provided no automobile repairs or service shall be permitted and no motor vehicles shall be sold from

the premises.

8. Restaurants and lunch rooms.
 9. Bakery, provided all goods baked on the premises shall be sold at retail from the premises.
 10. Banks and Savings and Loan Associations.
 11. Taverns.
 12. Boarding houses.
 13. Funeral homes.
 14. Community meeting halls.
 15. Clubs and lodges.
- B. ACCESSORY USES PERMITTED IN THE B-1 DISTRICTS.
- Any use normally and customarily incident to any use permitted in the B-1 District shall be permitted as an accessory use, provided the area provisions of subsection D of this section are complied with.
- C. HEIGHT REGULATIONS IN THE B-1 DISTRICTS.
- No building or structure or part thereof shall be erected or extended to exceed a height of 40 feet.
- D. AREA REGULATIONS IN THE B-1 DISTRICTS.
1. For any use covered by the list of uses in the R-R and R Districts, the area regulations in the B-1 District shall be the same as the area regulations for the R District.
 2. For any other use permitted in the B-1 District and not permitted in the R-¹ and R Districts, the following area regulations shall apply:
 - a. LOT SIZES
No minimum lot size is required provided that any lot shall front on an approved street.
 - b. FRONT YARD
A front yard not less than 50 feet in depth, shall be provided for each building hereafter erected or extended. Same may be used for parking area.
 - c. SIDE YARDS
No side yards shall be required.
 - d. REAR YARD
No rear yard shall be required.

e. COVERAGE

Buildings, with their accessory buildings, hereafter erected or extended shall not be permitted to cover more than 50 percent of the lot.

SECTION 7. - B-2 DISTRICTS

A. USES PERMITTED IN THE B-2 DISTRICTS.

In the B-2 Districts only the following uses of land or building shall be permitted.

1. Uses permitted in the B-1 Districts.
2. Advertising signs or devices advertising products sold on the premises. (See Sect. 14 Par. D-9)
3. Amusement and recreation uses, including swimming pools, roller skating rinks and dance halls.
4. Automobile or truck gasoline service station.
5. Automobile, truck or farm equipment storage, sales, repairs and services, provided vehicles shall not be dismantled or wrecked on the premises.
6. Storage or sale of bottle gas or liquified petroleum for retail distribution, provided no tank shall be located nearer than 300 feet to any school, hospital or church and, provided further, that maximum storage on any lot shall not exceed 25,000 gallons, or its equivalent in pounds or cubic feet.
7. Bowling alleys and pool rooms.
8. Public buildings.
9. Sports centers.
10. Storage of gasoline or fuel oil for retail distribution, provided not more than 25,000 gallons shall be stored on any lot and, provided further, that no tank shall be located nearer than 300 feet to any school, hospital or church.
11. Theatres or motion picture theatres.
12. Tourist cabins, hotels or motels, provided the design, layout and ingress and egress roads shall be approved by the Planning Commission and provided further, the written approval of the Health Officer

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of Howard County, containing necessary requirements for maintaining health standards, shall be filed with the Building Inspector before the permit is issued. No permit shall be issued by the Buildings Inspector until the application conforms with the requirements of the Planning Commission and the County Health Officer.

13. Building supplies and lumber yards.
14. Printing, lithographing, or publishing house, employing not more than 25 persons.
15. Storage of prepared dairy products and other food products to be distributed on milk truck routes, provided that no processing of dairy products and no storage of bulk milk shall be permitted.
16. Research Laboratories as defined in Section 30, Paragraph A, sub-paragraph 24.

B. ACCESSORY USES PERMITTED IN THE B-2 DISTRICTS.

Any use normally and customarily incident to any use permitted in the B-2 District shall be permitted as an accessory use provided the area provisions of sub-section D of this section shall be complied with.

C. HEIGHT REGULATIONS IN B-2 DISTRICTS.

Same as B-1 District.

D. AREA REGULATIONS IN THE B-2 DISTRICTS.

Same as B-1 District.

SECTION 8. - M-1 DISTRICTS.

A. USES PERMITTED IN THE M-1 DISTRICTS.

In the M-1 Districts only the following uses of land or building shall be permitted.

1. Uses permitted in the B-2 Districts.
2. Advertising signs, including billboards.
3. Bakery.
4. Bookbinding.
5. Broom and brush manufacture.
6. Camera and photographic equipment manufacture.
7. Ceramic products manufacture.
8. Christmas decorations or ornament manufacture, provided that paint spraying shall be done in a

fireproof room and that the requirements of the County Health Officer shall be complied with.

9. Clothing or hat manufacture.
10. Cosmetic and toiletries manufacture, except soap.
11. Dry food manufacture or packing.
12. Furniture manufacture.
13. Glass products, from previously manufactured glass.
14. Ice cream manufacture.
15. Jewelry manufacture.
16. Laundry or dry cleaning plant.
17. Milk bottling.
18. Musical instrument manufacture.
19. Non-alcoholic beverage manufacture or bottling.
20. Optical equipment manufacture.
21. Orthopedic and medical appliance manufacture, such as artificial limbs, braces, supports and stretchers.
22. Perfume manufacture.
23. Pharmaceutical products, compounding only.
24. Precision instruments manufacture, including clocks and watches.
25. Printing establishments.
26. Shoe and leather products manufacture, provided no tanning is done on the premises.
27. Silverware manufacture.
28. Soap and detergents, packaging only.
29. Spice manufacture or packing.
30. Sporting goods manufacture, including balls, bats, gloves, baskets, rackets, rods, reels and lures.
31. Stationery manufacture.
32. Television, radio and household appliance manufacture.
33. Truck terminals and warehouses, provided all loading and unloading shall be done entirely on private property and that no part of any vehicle shall extend into a street while loading or unloading.
34. Wholesale houses and merchandise distribution centers.
35. The manufacture of cement, cinder or slag products.
36. The re-capping and re-treading of automobile and truck tires.

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B. ACCESSORY USES PERMITTED IN THE M-1 DISTRICTS.

Any use normally and customarily incident to any use permitted in the M-1 District shall be permitted as an accessory use.

C. HEIGHT REGULATIONS IN THE M-1 DISTRICTS.

No building or structure or part thereof shall be erected or extended to exceed a height of 50 feet.

D. AREA REGULATIONS IN THE M-1 DISTRICTS.

The area regulations for the M-1 District shall be the same as the B-1 and B-2 Districts except as to Coverage, which shall be as follows:

1. COVERAGE.

Buildings, with their accessory buildings, hereafter erected or extended shall not be permitted to cover more than 60 percent of the lot.

SECTION 9. - M-2 DISTRICTS.

A. USES PERMITTED IN THE M-2 DISTRICTS.

In the M-2 Districts only the following uses of land or building shall be permitted:

1. Uses permitted in the M-1 Districts.
2. Aircraft manufacture or assembly.
3. Automobile or truck assembly plant.
4. Beverage manufacture and bottling, including alcoholic beverage.
5. Bottle gas, storage for retail distribution, provided no tank shall be located nearer than 300 feet to any school, hospital or church.
6. Brass, bronze, aluminum or white metal works.
7. Bulk storage of not more than 25,000 gallons of oil or petroleum products.
8. Coal yard.
9. Cotton mill, cloth manufacture.
10. Food manufacturing, packing or processing plant.
11. Ice factory.
12. Iron, steel, copper, brass or aluminum products manufacture.

13. Machine shop, including manufacture of precision instruments.
14. Match manufacture.
15. Monument works, open or enclosed.
16. Motor vehicle repair shop - dismantling or wrecking not permitted without approval of the Board of Zoning Appeals.
17. Packing houses for seafood, meat, fruit or vegetables.
18. Poultry killing and dressing establishment.
19. Public utility structure and uses.
20. Woodworking plants.
21. Bituminous road material mixing plants.

In addition to the above uses, any use approved by the Board of Zoning Appeals under Section 23, sub-section A.

B. ACCESSORY USES PERMITTED IN THE M-2 DISTRICTS.

Any use normally and customarily incident to any use permitted in the M-2 District shall be permitted as an accessory use, provided the area provisions of sub-section E of this section are complied with, and provided further, that such accessory use is not restricted or limited by action of the Board of Zoning Appeals, in a specific case, where approval of the Board is required in the M-2 District.

C. USES EXCLUDED FROM THE M-2 DISTRICTS.

Any use not permitted as a matter of right which is found by the Board of Zoning Appeals, after public notice and hearing, and subject to the limitations, guides and standards provided in Section 24, to be detrimental to the public health, safety, morals or general welfare of the community.

D. HEIGHT REGULATIONS IN THE M-2 DISTRICTS.

No building or structure or part thereof shall be erected or extended to exceed a height of 50 feet.

E. AREA REGULATIONS IN THE M-2 DISTRICTS.

Same as M-1 District.

SECTION 9.5 - SPECIAL DISTRICTS

SECTION 9.51 - T-1 DISTRICTS.

A. USES PERMITTED IN THE T-1 DISTRICTS

In the T-1 Districts, only the following uses of land or buildings shall be permitted.

1. Uses permitted in the R-R and R Districts.
2. Motels and tourist cabins and hotels, provided that the design, layout and ingress roads shall be approved by the Planning Commission and provided further that written approval of the Health Officer of Howard County, containing necessary requirements for maintaining health standards shall be filed with the Buildings Engineer before the permit is issued. No permit shall be issued by the Buildings Engineer until the application conforms with the requirements of the Planning Commission and the County Health Officer.
- 3.. Restaurant. As an accessory use in connection only with those uses permitted under sub-paragraph 2 of this sub-section.

B. ACCESSORY USES PERMITTED IN T-1 DISTRICTS.

Any use normally and customarily incident to any use permitted in the T-1 District, shall be permitted as an accessory use provided the area provisions of sub-section D of this Section shall be complied with.

C. HEIGHT REGULATIONS IN T-1 DISTRICTS.

Same as in B-2 Districts.

D. AREA REGULATIONS.

1. For any uses covered by the list in the R-R and R Districts, the area regulations shall be the same as the area regulations for the R District.
2. For any other use permitted in the T-1 District and not permitted in the R-R and R Districts, the following area regulations shall apply.
 - a. Lot size. Minimum lot area shall be three (3) acres.
 - b. Front yards. A front yard not less than 50 feet

in depth, shall be provided for each building hereafter erected or extended. Same may be used as parking area.

- c. Side yard. No building hereafter erected or extended shall be within 10 ft. of any side lot line.
- d. Rear yard. No building hereafter erected or extended shall be within 25 ft. of any rear lot line.
- e. Coverage. Buildings, with their accessory buildings, hereafter erected or extended shall not be permitted to cover more than 50 percent of the lot.

SECTION 9.52 - T-2 DISTRICTS.

A. USES PERMITTED IN THE T-2 DISTRICTS.

- 1. Uses permitted in the T-1 District.
- 2. Trailer coach park provided that the design, layout and ingress roads shall be approved by the Planning Commission and provided further that written approval of the Health Officer of Howard County, containing necessary requirements for maintaining health standards shall be filed with the Buildings Engineer before the permit is issued. No permit shall be issued by the Buildings Engineer until the application conforms with the requirements of the Planning Commission and the County Health Officer.

B. ACCESSORY USES PERMITTED IN T-2 DISTRICTS.

Any use normally and customarily incident to any use permitted in the T-2 District, shall be permitted as an accessory use provided the area provisions of sub-section D of this Section shall be complied with.

C. HEIGHT REGULATIONS IN T-2 DISTRICTS.

Same as in B-2 Districts.

D. AREA REGULATIONS.

- 1. For any use covered by the list in T-1 District, the area regulations shall be the same as the area regulations for such use in the T-1 District.
- 2. For any other use permitted in the T-2 District and not permitted in the T-1 District, the following area

regulations shall apply:

- a. Minimum lot area shall be three (3) acres.
- b. Front yard. No building shall be erected or trailer coach parked within 50 ft. of the front street.
- c. Side yard. No trailer coach shall be parked within 20 ft. of any side lot line.
- d. Rear yard. No trailer coach shall be parked within 25 ft. of any rear lot line.
- e. Coverage. Buildings, with their accessory buildings, and trailer coach spaces hereafter erected or extended, shall not be permitted to cover more than 50 percent of the lot.

SECTION 9.53 - S-C DISTRICTS.

- A. The S-C Districts are the community shopping center districts. Such centers are retail business areas, characterized by a concentrated grouping of stores, shops, and other uses, providing common parking facilities, ingress and egress roads and other facilities of a community aspect. Community shopping centers shall be planned with good architectural treatment and shall be erected as an integrated project. The project may be in single or multiple ownership but it shall be necessary to provide general supervision or management to assume responsibility for compliance with the requirements of this Section and to assure the benefits and services such districts are intended to provide. All requirements as to uses permitted, height, area and parking space requirements shall be as hereinafter provided in this Section.
- B. It shall not be necessary to provide a separate lot for each separate store, shop or building which go to make up the uses planned and erected in a community shopping center.
- C. In the S-C Districts only the following uses of land or building shall be permitted:

1. Automobile parking lots, for customer parking only, provided no automobile repairs or service shall be permitted and no motor vehicles shall be sold from the premises.
 2. Bakery, provided all goods baked on the premises shall be sold at retail from the premises.
 3. Banks and savings and loan associations.
 4. Business and professional offices.
 5. Not more than one building in each project to be used as a community meeting house.
 6. Department stores, including the sale of clothing, furniture and household appliances.
 7. Not more than two gasoline service stations, provided no repair work, except minor repairs and adjustments, shall be permitted.
 8. Laundryettes.
 9. Personal service shops, such as barber shops, beauty shops, tailor shops, and shoe repair shops.
 10. Radio and television sales and service shops.
 11. Restaurants and lunch rooms.
 12. Retail stores such as general food, meat, grocery, drug, confectionery, variety and hardware stores.
 13. Not more than one theatre or motion picture theatre, except that open air theatres shall not be permitted.
- D. The height, area and parking space requirements for S-C Districts shall be as follows:
1. Buildings may be erected to a height of two stories, but no building shall exceed a height of 34 feet.
 2. A community shopping center as permitted in the S-C Districts shall contain not less than ten acres of land within the project area and such land shall not be divided by a street, except ordinary ways to serve as means of ingress and egress to parking areas and shopping facilities, and constituting a part of the project area maintained by the owners of the shopping center.

3. No building shall be erected within 100 feet of any street line, provided that gasoline service stations erected as a part of a shopping center may be erected within 100 feet of a street line, but in no case less than 70 feet, and provided further that no parking lot or other facility or accessory use shall be used or erected within 20 feet of any street line.
 4. Buildings shall not be permitted to cover more than 25 per cent of the entire project area.
 5. For every 100 square feet of floor space designed to be used for business purposes and for each ten seats in a place of public assembly, a usable parking space for one car, not less than 200 square feet in area, shall be provided within the project area used as a community shopping center. Such car space and the ingress and egress roads shall be paved and kept paved with a hard dust-proof surface. Ingress and egress roads shall have access over a paved road to an approved street.
- E. Areas for S-C Districts may be designated on the Official Zoning Map or may be created by petition to the County Commissioners of Howard County for an amendment to the Zoning Map in accordance with procedure set forth in Section 26 of these regulations.
- F. A petition for creating such a shopping center district shall be accompanied by two or more copies of complete preliminary development plans showing existing topography, proposed grading, screening, planting, extent, location and character of proposed structures, uses and open area. Such preliminary development plan shall have the approval of the Planning Commission of Howard County.
- G. After a public hearing on the proposed plan, the County Commissioners shall pass their order of disapproval, approval, or approval with conditions incorporated therein. All plans approved hereunder shall contain a specific requirement that buildings and ground continued to be so maintained that they will not adversely affect vicinal

properties. Failure to comply with this requirement may be grounds for reclassification of such property by the proper authority after notice and public hearing. All uses of any property zoned S-C District must be in compliance with an approved development plan.

- H. No building permit shall be issued in any S-C District for a building which does not comply with the approved development plan. If such an approved plan has not been utilized within a period of two years from the date of its final approval, it shall be void unless on written request from the petitioner, the County Commissioners grant an extension, provided, however, that not more than one such extension, for a period of one year, may be granted.
- I. The S-C Districts shown on the zoning district maps shall be used only for the purposes provided in this Section, namely, community shopping centers. If not used for such purposes the regulations for the R District shall apply to such S-C District and only the uses permitted by the R District regulations shall be permitted.

SECTION 9.54 M-R DISTRICTS

- A. In order to provide greater freedom in the selection of industrial areas and at the same time to secure and maintain effective control over the locations, type, and arrangement of industrial uses and to protect the uses in neighboring residential zones, areas for M-R Districts may be designated on the zoning map and/or may be created by petition in accordance with the procedure outlined in the following sections.
- B. A petition for creating such an M-R District, shall be filed with the Zoning Commissioner. It shall be accompanied by two or more copies of complete preliminary development plans showing the existing topography, proposed grading, screening and planting, extent, locations, and character of proposed structures, uses, and open area. To be classified in the M-R District a tract must comprise at least five acres.

- C. A copy of such development plans shall be transmitted by the Zoning Commissioner to the Planning Commission for a recommendation on the proposed project and the suitability of the location.
- D. After a public hearing on the proposed plan, the County Commissioners shall pass their order of disapproval, approval, or approval with conditions incorporated therein. All plans approved hereunder shall contain a specific requirement that buildings and ground continued to be so maintained that they will not adversely affect vicinal properties. Failure to comply with this requirement may be grounds for reclassification of such property by the proper authority after notice and public hearing. All uses of any property zoned M-R District must be in compliance with an approved development plan.
- E. No building permit shall be issued in any M-R District for a building which does not comply with the approved development plan. If such an approved plan has not been utilized within a period of two years from the date of its final approval, it shall be void unless on written request from the petitioner, the County Commissioners grant an extension, provided, however, that not more than one such extension, for a period of one year, may be granted.
- F. The following uses are permitted:
 - 1. Assembly of electrical appliances, electronic instruments and devices, radios and phonographs.
 - 2. Bakery.
 - 3. Bottling establishment, except alcoholic beverages.
 - 4. Cold storage plant.
 - 5. Laboratory, research only.
 - 6. Laundry, cleaning, and dyeing establishments.
 - 7. Manufacture, compounding, packaging, or treatment of candy, cosmetics, drugs, perfumes, and food products.
 - 8. Manufacture, compounding, assembling, or treatment of articles or merchandise from the following previously prepared materials: Bone, canvas, cellophane,

cloth, cork, feathers, felt, fibre, fur, glass, hair, horn, leather, paper, pipe, plastics, precious or semi-precious metals or stones, sheet metal (excluding large stampings such as motor vehicle fenders and bodies), shells, textiles, tobacco, wax, wire, wood and yarns.

9. Manufacture of musical instruments, precision instruments, clocks, watches, toys, novelties, wrought iron products, rubber or metal stamps, and other small moulded rubber products.
10. Offices and office buildings.
11. Printing, lithographing, or publishing plant.
12. Warehouses, sales and storage.

G. The following uses are prohibited:

1. Dwellings.

H. Height Regulations

Same as in B-1 District.

I. Area Regulations

1. Front yard of not less than 100 feet deep shall be provided for each building hereafter erected or extended.
2. Side yard of not less than 50 feet measured from the side property line shall be provided, provided that any building erected on a corner lot shall have a side yard along the side street of not less than 100 feet from the centerline of the side street.
3. Rear yard of not less than 50 feet shall be provided for each building hereafter erected or extended.
4. Not more than 25 per cent of the land area of any one industrial project may be covered by buildings. The total floor area of buildings, excluding basements, shall not exceed one-half of the area of the lot.
5. Off-street parking area shall be in accordance with the requirements of Section 16 of these regulations, but no parking is permitted within 25 feet of any residential zone boundary. Parking areas shall be

paved, and any lighting thereof shall be reflected away from residential districts, and if on standards, lights shall not exceed the height of the highest building.

6. No display of products shall be permitted closer than 75 feet to the center line of any street. No storage of products or materials of any kind shall be permitted in the front yard.

SECTION 10 - STUDY OF USES

The Planning Commission, the Zoning Commissioner and the Board of Zoning Appeals shall study property uses generally and their effect upon each other and the community, and the specific uses permitted in the several zoning districts and shall, from time to time, as business, manufacturing and industrial techniques develop and change, recommend the addition of uses of the same general character to the list of uses permitted as a matter of right in any zoning district, or that certain uses shall be excluded from a particular district or shall require approval of the Board of Appeals in the M-2 Districts or under uses limited as to location in Section 12. However, no such addition or change shall become effective until approved by the County Commissioners as provided in Section 26 of these regulations and in compliance with Chapter 19 of the Acts of the General Assembly of Maryland, Extraordinary Session of 1948, as amended by Chapter 604 of the Acts of 1953.

SECTION 11 - CLASSIFICATION OF USES

Uses shall be classified in the order in which they are permitted in the districts as they appear under Section 2-A, the highest classification being uses permitted in the R-R and R Districts and the lowest classification being uses permitted in the M-2 Districts.

SECTION 12 - USES LIMITED AS TO LOCATION

- A. Notwithstanding other provisions of these regulations, certain uses, because of their particular or exceptional needs and requirements, or their effect upon the neighborhoods

in which they are permitted to operate, shall be further limited as to location, so that no such use shall be permitted in Howard County unless approved by the Board of Zoning Appeals, after public notice and hearing and subject to the limitations, guides and standards provided in Sections 23 and 24, and provided further, an approval of the Board shall carry with it the necessity of complying with all use, height and area requirements of these regulations, except as specifically modified or changed by this Section. The Board's authority with respect to such uses shall be limited to the districts specifically mentioned so that ---

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1. The Board may approve in any District temporary saw and planing mills in conjunction with the clearing of land for cultivation or building, provided any approval of the Board shall be limited to one year, subject to renewal for additional periods after public notice and hearing.
2. The Board may approve in any district overhead, high tension power lines and other similar public utility lines or radio and television antennae and towers provided the height of such towers and lines shall be approved by State and Federal aviation authorities and shall contain no advertising signs or light, except those required by said State and Federal aviation authorities.
3. The Board may approve rock or stone quarries, sand and gravel pits in any district provided approval by the Board of such uses shall specifically state the requirements for maintaining such uses in a safe condition. The Board shall have continuing jurisdiction in such cases and may, from time to time, impose additional safeguards in the interest of public safety and security, or said Board may revoke the use granted and the permit issued where it finds such use endangers the lives and safety of people living in the community, provided however, no such permit shall be revoked without public notice and hearing.

4. The Board may permit additions to existing cemeteries in any district and new cemeteries in the R-R and R Districts, provided adequate provisions, satisfactory to the Board and legally binding upon the operation of any cemetery, requiring perpetual care of such cemeteries, shall be filed with the Board before such use is approved. Entrances and exits to and from cemeteries shall be clearly marked and the location of such exits and entrances shall be approved by the Board only after a thorough study of traffic conditions in the neighborhood.
5. The Board may approve in any District commercial aircraft landing fields and airports, provided the Board shall find that such use is essential or desirable to the public convenience and welfare.
6. The Board may approve animal and motor vehicle race tracks in the M-1 and M-2 Districts, provided that in the interest of public safety and to prevent such uses from becoming serious traffic hazards, the Board may provide, among other things, that no entrance or exit to and from the enclosed area so used shall be nearer than 200 feet from any approved street.
7. The Board may approve in the R-R and R Districts research laboratories as defined in Sub-paragraph 24 of Paragraph A of Section 30 of these Regulations operated by business or research organizations, provided that:
 - (a) The lot area for such use shall not be less than 25 acres.
 - (b) Building or buildings erected or to be used shall not be less than 200 feet from any property line of the lot.
 - (c) Such use shall be confined to a building or buildings.
 - (d) Off-Street parking shall be not less than 100 feet from any property line of the lot.
8. The Board may approve riding academies in the R-R and R Districts only, provided:

- (a) That any lot used for such purposes shall contain not less than 15 acres of land.
 - (b) That no stable shall be erected, extended or used within 200 feet of the street or property line.
 - (c) That no permit for a riding academy shall be issued without the approval of the County Health Officer.
 - (d) That no stable shall be erected or maintained within 300 feet of a residence of any other person without a permit being granted by the local Board of Health of Howard County as provided in Chapter 196, Acts of 1945, General Assembly of Maryland.
- 8.5 The Board may approve kennels for commercial boarding and breeding of dogs in any district, provided:
- (a) That any lot used for such purposes shall contain not less than five acres of land.
 - (b) That no kennels shall be erected, extended or used within 100 feet of a street or property line where adjoining property is being used for purposes permitted in the R-R and R Districts.
 - (c) That no permit for a dog kennel shall be issued without the approval of the County Health Officer.
 - (d) That no kennel shall be erected or maintained within 300 feet of a residence of any other person without a permit being granted by the local Board of Health of Howard County as provided in Chapter 196, Acts of 1945, General Assembly of Maryland.
9. The Board may approve in any district apartment houses having more than two (2), but not more than twelve (12) apartment dwelling units in any one building, provided that:
- (a) The lot area shall not be less than 5,000 square feet for each apartment dwelling unit.
 - (b) All other height and area regulations pertaining to dwellings for the district in which the apartment houses are located shall be complied with.

- (c) Sewage disposal and water supply facilities for such apartment houses shall be approved by the County Health Officer.
 - (d) The design, layout, ingress and egress roads and required parking spaces of such apartment houses shall be approved by the Planning Commission.
 - (e) Where public sewer and public water are provided, the Board may approve apartment dwelling units of less than 600 square feet floor space, but in no case less than 475 square feet; provided further, that not more than 1/3 of the total number of apartment dwelling units shall be less than 600 sq. feet.
 - (f) Parking space constructed in accordance with Section 16, Paragraphs A and B shall be provided in the amount of one car space for each apartment dwelling unit.
10. The Board may approve non-profit clubs, lodges, community meeting halls, and funeral homes in the R-R and R Districts.
 11. The Board may approve the providing of rooms or room and board to more than four persons by a resident family in the R-R and R Districts.
 12. The Board may approve in the R-R and M-2 Districts, livestock auction markets, consisting of pens or other enclosures and their appurtenances, in which livestock are received, held, sold or kept or sold for shipment in commerce, provided, that no buildings or appurtenances for housing animals shall be erected within 300 feet of a dwelling house and that no manure shall be stored within 300 ft. of any dwelling and provided further that any parcel or lot used for such purposes shall have an area of not less than 25 acres in the aggregate, and provided further that no slaughtering of any kind shall be permitted.
 13. The Board may approve in any district public utility uses, buildings or structures, (except as are otherwise specifically provided for in these regulations) and without regard to any area requirements, except such as may be imposed by the Board.

14. The Board may approve in the R-R and R District, a public swimming pool, provided that:
- (a) Approval of the Health Department of Howard County is first obtained for such swimming pool.
 - (b) The area of the lot to be used shall be not less than five (5) acres.
 - (c) The pool and buildings, including accessory buildings, and any other structures, shall set back not less than 100 ft. from any street or highway.
 - (d) The pool and buildings, including the accessory buildings, or any other structures, shall set back not less than 50 ft. from any adjoining lot lines.
 - (e) Commercial sales shall be limited to non-alcoholic beverages, sandwiches, candy and similar confections, designed to be consumed only on the premises.
 - (f) The area of the building from which such commercial sales are to be made shall not exceed 1,000 square feet of floor space.
 - (g) That off-street parking constructed in accordance with Section 16, paragraphs A and B, shall be provided in the amount of one car space for each two patrons, to be determined by the normal capacity of the pool.
 - (h) The hours and mode of operation, the amount and type of screening from the adjacent residential property and the mode of lighting shall be determined by the Board. The Board shall have continuing jurisdiction in such cases, and may, from time to time, impose additional conditions in order to carry out the purpose and intent of the Zoning Regulations as set forth in Section 1 and Section 2 hereof.
15. The Board may approve in the R-R and R Districts, an antique shop in an existing building, provided, however, that:
- (a) The height and area regulations of the district in which such antique shop is located are complied with.
 - (b) Any alterations or additions to the building shall

conform generally in design to buildings permitted in the R District.

- (c) No building shall be altered or additions erected with a store front or designed for any use other than those uses permitted in the R District, except as provided in this sub-paragraph.
 - (d) All merchandise sold, offered for sale, or stored on the property shall be confined to the building.
 - (e) No display of any kind shall be permitted except that one sign not to exceed twelve (12) square feet in area may be displayed on the premises advertising only the name of the antique shop and the proprietor's name and address.
 - (f) The property on which such antique shop is located shall be of sufficient size to allow for off-street parking in accordance with Section 16, paragraph A, sub-paragraph 6 of these regulations.
16. The Board may approve in the R-R and R District the raising and selling of Chinchillas within 100 feet of a dwelling, provided, however, that:
- (a) The height and area regulations of the district in which such raising and selling is located are complied with;
 - (b) No building shall be altered or additions erected with a store front or designed for any use other than those uses permitted in the R District;
 - (c) The raising and selling of Chinchillas shall be confined to the building;
 - (d) No display of any kind shall be permitted except, that one sign, not to exceed 2 square feet in area, may be displayed on the premises advertising only the name of the animal being raised and sold, and the owner's name and address.
17. The Board may approve in the R and R-R Districts animal hospitals, provided all such uses and buildings are in conformance with all height and area requirements of the district in which the same are located; provided, however,

that the lot area shall be at least 40,000 square feet and that any such animal hospital, including pens or runs, shall be confined to a building.

18. The Board may approve in any district an open air theater, including drive-in theaters, provided that:

- (a) The lot to be used for any drive-in theater shall be not less than ten acres.
- (b) The property on which any open air theater, except a drive-in theater, is located shall be of sufficient size to allow for off-street parking in accordance with Section 16 of these regulations.
- (c) All other height and area regulations pertaining to the district within which any open air theater is located shall be complied with.
- (d) The design, ingress and egress roads and required parking spaces for any open air theater shall be approved by the Planning Commission.
- (e) Sewage disposal and water supply facilities for any open air theater shall be approved by the Health Department of Howard County.
- (f) Any motion picture screen or stage shall be so located, designed or screened so as not to be seen from any public highway at a point less than 6 feet above such highway.
- (g) Commercial sales shall be limited to non-alcoholic beverages, sandwiches, candy and similar confection designed to be consumed on the premises.
- (h) Parking spaces for any theater shall be constructed in accordance with Sub-paragraph B, Section 16, of these regulations.

19. The Board may approve in the R-R, R and B-1 Districts, Temporary Directional Signs, for the purpose of directing the public to a residential subdivision or development, providing, however, that:

- (a) Each sign shall not exceed 24 square feet in area and shall not be illuminated.
- (b) The sign shall contain no advertising matter other

than the name of the subdivision or development and a directional arrow and distance and shall contain no other matters.

- (c) The number of signs that may be permitted each residential subdivision or development shall be limited to one for each location. The number of locations that may be permitted for each residential subdivision or development shall be limited to four.
 - (d) Any person who is aggrieved by the existence of any sign permitted under this sub-section may require a hearing before the Board of Zoning Appeals for Howard County, upon written notice to said Board, which said hearing shall be held prior to the granting of the permit or prior to the renewal of any permit whichever shall thereafter occur.
 - (e) Such signs shall be placed at the approved location in such a manner so as not to interfere or obstruct the vision of motorists as to other traffic.
 - (f) The approval by the Board as herein provided, shall permit the applicant to place this temporary directional sign at the approved location on the days hereinbefore provided, for a period of six months from the date of said approval, and upon written request by the applicant thirty days before the end of said six months period, the Board may extend said temporary use for an additional six month period and may be further extended for additional six month periods : provided said Board are requested by said written notices as hereinafter provided.
 - (g) At the time of approval of said temporary directional sign and at the time of each request for extension thereof the applicant shall be required to pay the sum of Twenty-Five (\$25.00) Dollars for said permit, to the County Commissioners of Howard County.
20. The Board may approve in the R-R and R Districts a beauty parlor, provided that:

- (a) The same shall be located within a structure actually occupied as a residence and conducted by the person or persons residing in said residence.
 - (b) Not more than two operators shall practice at said residence.
 - (c) Advertising thereof shall be limited to one non-illuminated sign not exceeding two square feet in area.
 - (d) The Board shall find such use is essential or desirable to the public convenience.
21. The Board may approve in any District a country and/or private club with a bona fide annual limited membership, including (a) all necessary and incidental recreational facilities and uses, as well as accessory uses, normally and customarily considered as and constituting a part of the operation of a country and/or private club; (b) and/or swimming and/or wading pools; (c) and/or golf course; provided, however, that the said club is operated for the private enjoyment of its members and their guests and shall not be open to the general public.
- B. The Board may impose reasonable conditions, limitations and requirements in any order or resolution approving any use under this Section to safeguard neighboring properties, in harmony with the spirit and intent of these regulations.

SECTION 13. NON-CONFORMING USES.

- A. Any use which now legally exists and does not comply with the regulations of the district in which it is situated shall be known as a non-conforming use. Such use shall be confined to that part of a building or the extent of land actually used at the time of the passage of these regulations, except as hereinafter provided.
- B. If a non-conforming use is changed to a use of a higher classification it may not thereafter be changed to a use of a lower classification.
- C. A non-conforming use may not be changed to a use of the same classification unless approved by the Board of Zoning Appeals

provided in Section 23 and subject to the limitations, guides and standards provided in Section 24.

- D. A non-conforming use may not be extended, increased in size or changed in design and buildings may not be erected or extended on land used as a non-conforming use unless approved by the Board of Zoning Appeals, as provided in Section 23 and subject to the limitations, guides and standards provided in Section 24.
- E. A non-conforming use, situated in the R-R or R Districts, which shall remain idle and unused for a continuous period of three years, shall be considered abandoned as a non-conforming use and thereafter such building or land shall be used for a non-conforming use.
- F. Whether a non-conforming use exists or whether a non-conforming use has been abandoned shall be a question of fact and shall be determined by the Board of Zoning Appeals after a public notice and hearing in accordance with rules of the Board.
- G. The casual, temporary or illegal use of land or building shall not be sufficient to establish the existence of a non-conforming use.
- H. Nothing in these regulations shall prevent the restoration of a building or part thereof destroyed by fire, wind, flood, explosion, act of the public enemy or accident, or prevent the continuance of the use thereof as such use existed at the time of such destruction of such building or part thereof, provided a permit is obtained and reconstruction work begun within two years of the destruction or partial destruction of such building. Nothing in these regulations shall prevent the restoration of any building declared unsafe by the Buildings Inspector.

SECTION 14. SUPPLEMENTARY DISTRICT REGULATIONS.

A. USE REGULATIONS.

- 1. The parking of a trailer coach or coaches and trailer coach parks shall be excluded from all but the T-2 District, provided, however, that:
 - (a) On application to the Zoning Commissioner, a permit may be issued for the parking of one trailer coach on any lot upon which there is a dwelling, provided that such trailer coach is owned by a resident of the dwelling and shall not be occupied for dwelling or sleeping purposes and shall not be parked or stored within the front or side yards.

- (b) On application to the Zoning Commissioner, a permit may be issued for the parking of one trailer coach on a bona fide farm for the use of farm help only, provided that such trailer coach is located within the main farm building area on such farm, but in no case shall any such trailer be parked within 300 ft. of a public road or an adjoining property line, and provided further such trailer shall first have approval of the Howard County Health Department as to water supply and sewerage disposal system.
- (c) On application to the Zoning Commissioner, a permit may be issued for the parking of a trailer coach for use of a temporary field or sales office in connection with building construction or new development.
- (d) Any permits for the parking of trailer coaches, issued by the Zoning Commissioner, under this section, shall be for a period not exceeding one year, provided that such permit may be renewed on application to the Zoning Commissioner. Such permit shall be attached to the exterior of the trailer and shall be displayed at all times.

- 2. Where in these regulations the approval of the County Health Officer is required before the issuance of a permit, the Building Inspector shall include any conditions or limitations imposed by the Health Officer in any permit issued.

B. HEIGHT REGULATIONS.

- 1. The building height limitations shall not apply to spires, belfries, chimneys, cupolas, domes, flag poles, monuments, stacks, steeples, radio or television antennae, observation towers, windmills, barns, water tanks and silos, provided any such use which exceeds 100 feet in height shall be approved by the Federal and State Aviation authorities.
- 2. The building height limitations shall not apply to parapet walls extending not more than 4 feet above the building height limit, to bulkheads, elevators, one story penthouses, water tanks or other similar structures not covering more than 25 percent of the area of the roof upon which they are situated.

3. Garages and accessory buildings, except as provided in sub-section B-1 and B-2 of this Section, shall not exceed a height of 15 feet.

C. AREA REGULATIONS.

1. Cornices and eaves may project not more than 3 feet into any required yard.
2. A bay window, oriel, vestibule or balcony, which is not more than 10 feet in width, may project not more than 4 feet into any required yard.
3. Porches, open or enclosed, may project not more than 10 feet into the required front or rear yard.
4. Where a building has frontage on two or more streets, the required front yard shall be provided on that side which is ordinarily regarded as the front and a yard space of one-half the front yard requirement, but not less than 25 feet, shall be provided on all other streets upon which the lot abuts.
5. Hereafter no lot shall be so reduced in area as to cause any open space required by these regulations to be less than required for the district in which such lot is situated.
6. No rear yard shall be required for garages and accessory buildings.
7. Notwithstanding other requirements of these regulations, new buildings erected on Route 144 (Main Street) between the Patapsco River and Rogers Avenue in Ellicott City, shall be required to provide a front yard equal in depth to the main part of the structure of the nearest building on the same side of the street.
8. Where there are existing buildings on the same side of a street within 200 feet of the site of a proposed building and such existing buildings are provided with front yards less than required by these regulations, the depth of the front yard required for the proposed building shall be the average of the front yard depths of all existing buildings within 200 feet of the site of the proposed building, provided however, the required front yard shall be not less than 25 feet deep.

9. Where there is a remaining lot of not more than 120 feet in width existing between two lots already developed with buildings which are provided with front yards less than required by these regulations, the front yard required for such remaining lot shall be the mean of the front yard depths of the two adjacent buildings, provided however, that the required front yard shall be not less than 25 feet.
10. The requirements of these regulations with respect to lot sizes and minimum frontage shall not apply:
 - a. to any lot described in a deed or other recorded instrument,
 - b. to any lot of certain identity covered by a contract of sale,
 - c. to any lot of certain identity covered by a bona fide agreement to sell and evidenced by a survey or other adequate memoranda, where such deed, recorded instrument, contract of sale, agreement, survey or other adequate memoranda existed at the time of the adoption of these regulations,
 - d. to any lot submitted to the Planning Commission for approval prior to the adoption of these regulations, provided however, that such lots shall comply with the Planning and Zoning Regulations existing at the time of submission.

D. SIGN REGULATIONS.

Except as otherwise provided in Section 12, (Uses Limited as to location) advertising sign or signs shall be erected or displayed only as follows:

1. Customary home occupations as defined in Section 4, Paragraph B, Sub-paragraph 2. One non-illuminated sign, not exceeding two square feet in area, advertising the home occupation, may be displayed on the property whereon the home occupation is conducted and provided that the yard requirements herein contained are complied with.
2. Professional Office as defined in Section 4, Paragraph B, Sub-Paragraph 3. One sign, not exceeding two square feet in area, may be displayed from the premises.

3. Roads Side Stands are defined in Section 4, Paragraph B, Sub-paragraph 5. One non-illuminated sign, not exceeding 12 square feet in area may be displayed from such stand.
4. For Sale, Etc. Signs in any District. Non-illuminated signs advertising for sale, rent or lease the specific property upon which such sign is situated, may be displayed provided such signs shall not exceed an area of 50 square feet.
5. Ornamental signs in any district, not exceeding 50 square feet in area, containing name of farm, breed or type of animals, or particular types of crops raised thereon or the name only of a subdivision or development, may be displayed, provided such signs are placed so as not to obstruct the vision of motorists using highways. Such signs may be illuminated by indirect lighting only, including beaded reflector type, shadow box or floodlights, lighting fixtures not to exceed 10 candlepower shall be so placed so as to shine directly upon the surface of the sign, not in the line of sight of oncoming motorists or into adjacent residential property. Provided that such sign may be increased 50 square feet in area for each 100 feet of additional set back from road right-of-way line over 100 feet.
6. Directional or information signs of a public or quasi-public nature. Such signs shall contain no advertising matter, and shall not be illuminated, but may be of the beaded reflector or indirect illuminated shadow box type. They may state:
 - (a) Name or location of a community or of a public or quasi-public institution or other building, or the name or place of meeting of an official or civic body, such as a Chamber of Commerce or Rotary or Kiwanis Club. Such signs shall not exceed 15 square feet in area.
 - (b) Temporary signs noting an event of general interest such as a county fair, public or general election, horse show, etc. Such sign shall be removed within ten days after the event. Such signs shall not exceed 24 square feet in area.

7. Business Signs in B-1 Districts advertising only the business conducted or the products sold on the premises, provided such signs shall be attached to the building and shall not project more than 6 feet therefrom, and sign area shall be limited to a square foot area equal to the width of the front of the building times three, provided that a building fronting on two streets may be permitted the sign area applicable to each side of the building fronting on the street.
8. A temporary real estate sign, not exceeding 100 square feet in area, advertising the opening of a new subdivision within which such sign is located. One additional sign may be erected for each 500 feet of frontage in the same ownership, except that if V-shaped signs are used the distance between signs shall be not less than 1,000 feet. Such signs shall not be erected within 100 feet of any existing principal building on premises adjoining the subdivision on the same side of the street. The sign shall be removed not later than three years after its date of erection, unless permit for such sign is renewed within 30 days after expiration date.
9. Business signs in B-2 Districts for commercial businesses shall be the same as B-1 Districts, except that one sign not to exceed 100 square feet in area, advertising the name of the business only, may be permitted within the required front yard, provided that a building fronting on more than one street may be permitted such a sign within the required yard area along each street.
10. Business signs in S-C Districts shall be the same as B-1 Districts, except that one additional sign, not exceeding 100 sq. ft. in area containing the name of the shopping center, may be placed at any location within the boundaries of the project, provided, however, that no illuminated sign shall be erected within 100 ft. of any residential district.
11. Business signs in the T-1 and T-2 Districts, one sign not exceeding 100 sq. ft. in area, advertising only the business conducted may be permitted in the required front yard area provided that a building fronting on more than one street may be permitted such a sign within the required yard along each street.

12. Directional signs, not more than four in number and each not exceeding 24 feet in sign area, may be displayed, advertising a place of business conducted within Howard County, such signs shall be located in a B-1, B-2, M-1 or M-2 District, and shall contain only the name and address of the business, the distance and a directional arrow.
13. The reverse side of a sign structure may be used for same advertising purposes provided that both sign surfaces are erected on the same up-rights and the perimeter of both surfaces are on the same plane and every part of the advertising surfaces of both sides are not more than 24 inches apart.
14. All signs projecting more than 6 inches from a building shall be not less than 9 feet above the level of the sidewalk. All signs within any required yard area shall be erected in such a manner so as not to interfere or obstruct the vision of motorists as to other traffic and in no case shall any sign except those directional or informational signs of a public or quasi-public nature as may be permitted by these regulations, be located within the right-of-way of any public road.

SECTION 15 - GENERAL REGULATIONS

- A. Unless a permit has been issued and work is substantially under way within one year from the date an application is approved by the Board of Appeals, such approval of the Board and the permit issued pursuant thereto, shall become null and void unless on written request from the applicant, the Board grants an extension, provided, however, that not more than one such extension, for a period of one year, may be granted.
- B. The costs for posting property and other costs necessary for filing and completing an appeal to the Board of Appeals shall be borne by the applicant for the permit.

SECTION 16 - PARKING SPACE REQUIREMENTS.

- A. For the following uses of buildings hereafter erected, or increased in size by as much as 20 percent of the size existing at the time of the adoption of these regulations, or for uses

hereafter established, off-street parking facilities, consisting of a paved area with ingress and egress to an approved street, shall be required on the same lot housing the building or use as follows:

1. Hospitals, nursing homes, convalescent homes and the like, one car space for each four beds, plus one car space for each two employees.
 2. Tourist homes and rooming houses, one car space for each two guest rooms, plus one car space for each two employees, plus one car space for each family housed.
 3. Hotels, one car space for each four guest rooms, plus one car space for each two employees.
 4. Theatres, car spaces equal in number to one-fourth of the seating capacity.
 5. Restaurants and lunch rooms, one car space for each 100 sq. ft. of the total floor space devoted to such use.
 6. Retail stores, one car space for each 100 square feet of floor space used.
 7. Manufacturing plants or other factories or plants except retail outlets, one car space for each two employees.
 8. Office buildings, one car space for each two people occupying the buildings as tenants or employees.
 9. Funeral homes, three parking spaces for each parlor.
 10. Parking spaces shall be required for all commercial buildings or uses, and where not specifically listed in this section, car space requirements shall be determined by the application of the requirements for the use nearest in character to the proposed use.
 11. Where a private pool is used in conjunction with a country club and/or a private club, there shall be one car space for every four memberships thereof.
- B. A car space shall be a usable area of not less than 200 square feet, paved with a hard, dust-proof surface. Such space shall be accessible from an approved street.

SECTION 17 - PERMITS REQUIRED.

After the adoption of these regulations, no building shall be constructed, reconstructed, altered or extended; no signs shall be

erected, illuminated or increased in size; and no existing use of land or buildings shall be changed until a permit has been issued by the Buildings Inspector. Applications for permits shall be filed with the Buildings Inspector but no permit shall be issued until approved by the Zoning Commissioner or the Board of Zoning Appeals or upon order of court.

SECTION 18 - ZONING COMMISSIONER.

The County Commissioners shall appoint a Zoning Commissioner for Howard County. He shall be fitted by training, education and experience to perform such duties as may be required of him under these regulations. He shall be a resident of Howard County or shall become a resident within one year of his appointment.

SECTION 19 - ENFORCEMENT.

- A. The Zoning Commissioner shall be the enforcement officer of these regulations. He shall examine all applications for permits and shall approve or disapprove such applications in accordance with these regulations.
- B. Upon receipt of information, and upon verification by the Zoning Commissioner, that any of these regulations are being violated, the Zoning Commissioner shall notify in writing the person or persons responsible for such violation indicating the sections of these regulations which are being violated and ordering the necessary steps to abate such violation. The Zoning Commissioner shall order the discontinuance of the use of land or building; removal of any building, addition, sign or other structure; the discontinuance of any work being done in violation of these regulations.

SECTION 20 - PENALTY FOR VIOLATION.

Any person who shall erect, construct, extend, alter or add to any building, or convert or use any building or land, or change the use of any land or building, in violation of these regulations, or who shall fail to secure the permit required by these regulations, or who shall fail to remove any building, sign or other structure

or discontinue the use of land or building erected or being used in violation of these regulations, when ordered to do so by the Zoning Commissioner, and any person who shall fail to comply with any reasonable requirement of the Board of Zoning Appeals or Zoning Commissioner in the administration and enforcement of these regulations shall be guilty of a misdemeanor and, upon conviction by a court of competent jurisdiction, shall be fined not more than one hundred dollars, provided however, that every day such violation shall continue shall be deemed a separate offense.

SECTION 21 - REMEDIES OF ZONING COMMISSIONER.

In addition to other remedies, the Zoning Commissioner may institute any appropriate action or proceedings to compel compliance with any of these regulations.

SECTION 22 - BOARD OF ZONING APPEALS.

- A. The Board of Zoning Appeals is hereby established. It shall consist of three members who shall be appointed by the Commissioners of Howard County for a term of three years, provided however, that of the first appointed members one shall be appointed for a term of one year, one for a term of two years and one for a term of three years. One member shall be designated by the Commissioners as Chairman. Annually thereafter the Commissioners shall appoint one member to succeed the member whose term has expired. Vacancies shall be filled by the Commissioners for the unexpired term of any member whose place becomes vacant.
- B. The members of the Board shall serve without compensation except reasonable expenses as shall be authorized by the County Commissioners.
- C. Meetings of the Board shall be held at the call of the chairman and at such other times as the Board may determine. Such chairman or, in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes

of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record.

- D. Appeals to the Board of Appeals may be taken by any person aggrieved, or by any officer, department, board or bureau of the County affected by any decision of the Zoning Commissioner. Such appeal shall be filed not later than fifteen days from the date of the action of the Zoning Commissioner and shall state the reasons for the appeal.
- E. Except as herein provided, if an application is disapproved by the Board of Appeals, thereafter the Board shall take no further action on another application for the same or substantially the same proposal on the same premises until after twelve months from the date of the last disapproval. Provided, however, that a subsequent application for the same or substantially the same proposal on the same premises may be filed at the expiration of six months of the date of the hearing last held as to the same proposal and premises if accompanied by an affidavit setting forth new and different grounds, which the applicant believes would be sufficient for the approval of the proposal contained in the application. After having considered the said application and the facts alleged in the accompanying affidavit, the Board may, after the notice required herein, grant another hearing, provided it is satisfied that new and different grounds or conditions exist which would have a bearing on the consideration of said proposal and would justify another hearing.
- F. An appeal to the Board shall not stay proceedings by the Zoning Commissioner for a period longer than fifteen days. If, however, at the end of the fifteen day period the matter is scheduled for hearing before the Board, the Zoning Commissioner shall

take no action until the Board acts or until fifteen days after the date of the hearing, whichever comes first.

- G. The Board of Appeals shall fix a reasonable time for the hearing of the appeal, cause the property in question to be posted, and decide the issues raised within a reasonable time.
- H. The Board may adopt rules for the efficient administration of these regulations and shall make them available to the public. However, such rules shall in no wise contravene the provisions of these regulations or the Enabling Act.

SECTION 23 - POWERS OF THE BOARD OF APPEALS

Subject to the limitations, guides and standards provided in Section 24, the Board of Zoning Appeals shall have the following powers:

- A. To approve any use of land or building not permitted as a matter of right in the M-2 District where the Board finds the proposed use would not menace the public health, safety, morals, or general welfare of the community or would prevent the most appropriate use of land, provided however, that no land or building shall be used for any of the following uses within 500 feet of an R-R or R District.
 - 1. Ammonia manufacture.
 - 2. Aniline dyes manufacture.
 - 3. Animal or fish glue, gelatine or size manufacture.
 - 4. Bulk storage of more than 25,000 gallons of oil or petroleum products, including gasoline.
 - 5. Cement manufacture.
 - 6. Chlorine, or hydrochloric, nitric, picric, sulphuric or sulphurous acid manufacture.
 - 7. Fertilizer manufacture
 - 8. Fireworks or explosive manufacture.
 - 9. Junk yards or shops.
 - 10. Magnesium foundries.
 - 11. Manufacture of coal, coke and tar products, including gas manufacture.
 - 12. Manufacture of nitrates.

13. Manufacture or refining of petroleum or asphalt, or any of their products.
14. Match manufacture.
15. Paint, oil, varnish, lacquer, shellac or turpentine manufacture.
16. Refuse or garbage dump or incineration of garbage or trash.
17. Rendering plant.
18. Rubber processing or manufacture, natural or synthetic.
19. Saw or planing mills.
20. Sewage or garbage disposal plants.
21. Soap manufacture, including fat rendering.
22. Slaughter houses, except such slaughtering as is usually and customarily done on a farm.
23. Tannery.
24. Wood and bones distillation.

Before the Board of Appeals approves any use under this sub-section, it shall refer the matter to the County Health Officer for a report concerning the health hazard, if any, involved. The Board may impose such reasonable safeguards and conditions in any application approved under this sub-section as will protect the surrounding properties and encourage the most appropriate use of land in harmony with the purpose and intent of these regulations.

- B. To authorize the change of a non-conforming use to a use of the same classification provided:
 1. that where a non-conforming use is being operated or conducted in a building which is designed as a dwelling, no changes in the design of such building so as to give it the appearance of a commercial building, shall be permitted.
 2. that the Board shall find that the emission of odors, dust, gas, smoke, fumes, glare, vibration, or noise shall be no greater for the proposed use than for the existing use;
 3. that the Board shall find that the proposed use will not generate a greater volume of traffic than the existing use.
- C. To authorize variances from these regulations where, by

reason of the narrowness, shallowness, or irregular shape of the lot or by reason of exceptional topographical conditions or other exceptional situations peculiar to the lot, practical difficulty or unnecessary hardship results. Before granting such a variance, the Board shall make a written finding as a part of the record that the condition or situation, described in detail, is peculiar to the lot and that this condition or situation causes the difficulty or hardship and that the variance can be granted without impairment to the purpose and integrity of these regulations.

- D. To authorize temporary uses of land, in any district, for a period not exceeding thirty days provided the land shall be entirely cleared within five days after such temporary authority expires.
- E. To hear and decide appeals where it is alleged the Zoning Commissioner has erred in the interpretation or application of any of these regulations.
- F. Because of the shallowness and irregular shape of the lots and the exceptional topographical conditions existing along Route 144 in Ellicott City (Main Street) between the Patapsco River and Rogers Avenue, the Board of Zoning Appeals may, in cases where it is exceptionally difficult, if not impossible, to comply with the exact area, height and parking space requirements of these regulations, make such variation as will prevent unwarranted hardship or injustice and at the same time most nearly accomplish the purpose and intent of these regulations.
- G. In addition to the uses permitted in the R District, the Board of Zoning Appeals may approve applications for professional and business offices under the following conditions:
 - 1. The applicant shall submit to the Board of Zoning Appeals at their hearing before said Board for their approval and to be made part of their order if such application is granted:

- (a) With application for professional and business offices in existing buildings, building plans showing any and all changes in the exterior of such building including any additions thereto.
 - (b) With applications for a new business and professional office building, complete site plans and architectural plan showing design and layout.
2. No building shall be altered or erected with a store front or designed for any use other than the uses permitted in the R District, except as provided in this sub-section.
 3. No merchandise shall be stored on or sold from the premises and no equipment or machinery shall be stored or used in the building or on the lot, except equipment and machinery customarily used in professional and business offices.
 4. No advertising shall be permitted except that for each professional person or business office housed in a building, one non-illuminated name plate, not exceeding 200 square inches in area, may be flat against the front of the building.
- H. To approve uses limited as to location as provided in Section 12.
- I. To authorize the extension or the enlargement of a building or structure having a non-conforming use, provided:
1. That the extension involves the same use as existing at the time of the adoption of these regulations.
 2. That the extension shall not exceed 100% of the gross floor area of the non-conforming use as it existed at the time of the adoption of these regulations.
 3. That when a 100% increase in the gross floor area of the non-conforming use as it existed at the time of the adoption of these regulations has been granted, no further extension shall be permitted and the Board of Zoning Appeals shall have no power to grant such further extension.

4. That no extension to a non-conforming use shall be granted where the proposed extension would result in a violation of the area or height requirements of these regulations.
- J. To grant the extension of the non-conforming use of land provided such extension shall not exceed 20% of the area covered by the non-conforming use at the time of the adoption of these regulations.
- K. To authorize the operation of a Post Office Sub-Station in any district.

SECTION 24 - LIMITATIONS, GUIDES AND STANDARDS

- A. Where in these regulations certain powers are conferred upon the Board of Appeals, or the approval of the Board of Appeals is required before a permit may be issued, or the Board is called upon to decide certain issues, such Board shall examine the specific property involved and the neighborhood, cause the property to be posted, hold a public hearing, and consider all testimony and data submitted, and shall hear any person for or against the issuance of the permit. However, the application for permit shall not be approved where the Board finds the proposed building, addition, extension of building or use, sign, use or change of use would menace the public health, safety, security, morals or general welfare, or would result in dangerous traffic conditions, or would jeopardize the lives or property of people living in the neighborhood. In deciding such matters the Board shall give consideration, among other things, to the following:
 1. The number of people residing, working or studying in the immediate areas.
 2. Traffic conditions including facilities for pedestrians, such as sidewalks and safety zones and parking facilities available and the access of cars to highways.
 3. The orderly growth of the community.
 4. The reasonable needs of the entire community and particular neighborhoods.

5. The purpose of these regulations as provided in Sections 1 and 2.
6. The effect of odors, dust, gas, smoke, fumes, vibration, glare and noise upon the use of surrounding properties.
7. Facilities for sewers, water, trash and garbage collection and disposal and the ability of the County to supply such services.
8. Availability of fire-fighting equipment.
9. Decisions of the Circuit Court for Howard County and the Court of Appeals of Maryland.
10. The effect of such use upon the peaceful enjoyment of people in their homes.
11. The most appropriate use of land and structure.
12. The type and kind of structures in the vicinity where people are apt to gather in large numbers such as schools, churches, theatres, hospitals and the like.
13. As developed, the master plans for highways, parks, schools, sewers, water, population, recreation and the like.

SECTION 25 - COURT REVIEW

- A. Any person, persons, taxpayer, officer, department, board or bureau of the County, jointly or severally aggrieved by any decision of the Board of Appeals, may appeal to the Circuit Court for Howard County by petition, duly verified, setting forth that such decision of the Board is illegal, in whole or in part, specifying the grounds of the illegality.
- B. Appeals to the Circuit Court shall be filed within thirty days from the day upon which the Board decides the matter from which the appeal is taken.
- C. The Court shall grant the Board of Appeals and other proper parties a reasonable time to answer and shall require either the original papers or certified copies thereof, which constituted the entire record before the Board, to be filed with the Board's answer.

- D. The Court may hear the appeal on the record, or if, in the opinion of the Court, additional testimony is required for the proper disposition of the case, the Court may permit either or both sides to present additional testimony.
- E. The Court shall hear the case without the intervention of a jury.
- F. The Court may modify, reverse or affirm, wholly or partly, or may remand for further consideration, any decision of the Board of Appeals. When a case is remanded for further consideration, the testimony, if any, taken in Court, shall be made available to the Board. The costs of preparing such testimony shall be made a part of the costs of the case.
- G. An appeal may be taken from the determination of the Circuit Court to the Court of Appeals of Maryland.

SECTION 26 - AMENDMENTS

- A. These regulations, restrictions and provisions and the boundaries of the districts may from time to time be amended, supplemented, changed, modified or repealed by the County Commissioners. However, no change or amendment shall become effective until after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. At least 15 days notice of the time and place of such hearing shall be published in a newspaper or general circulation throughout the County, and if the proposed amendment involves a change in a zoning district boundary line, the property involved shall be posted, as directed by the County Commissioners, for a period of 15 successive days immediately preceding the hearing.
- B. The County Commissioners shall refer all proposed changes and amendments to these regulations or proposed changes in the zoning districts to the Planning Commission for report and recommendations.
- C. Before acting upon proposed changes and amendments to these regulations or changes in the zoning district boundary lines, the County Commissioners shall consider the following:
 - 1. The purpose of these regulations as outlined in Section 1.

2. The matters considered in establishing the zoning districts as outlined in Section 2.
 3. The report and recommendations of the Planning Commission.
 4. Whether there have been any substantial changes in or near the area covered by a proposed change in the district boundary lines.
 5. Any new phases of the Master plan for Howard County developed since the adoption of these regulations.
- D. The Planning Commission shall study zoning, its development, application and relation to public and private development and its relation to other phases of the master plan for the development and orderly growth of Howard County, and may, from time to time, submit amendments to these regulations or changes in the district zone lines to the Commissioners of Howard County. However, no such amendment or change shall become effective until approved by the County Commissioners as required by this Section.

SECTION 27 - VALIDITY

In case it be judicially determined that any word, phrase, clause item, sentence, paragraph or section of these regulations or the application thereof to any person or circumstance, is invalid, the remaining provisions and the application of such provisions to other persons or circumstances shall not be affected thereby, the County Commissioners of Howard County hereby declaring that they would have adopted the remaining regulations without the word, phrase, clause item, sentence, paragraph or section, or the application thereof, so held invalid.

SECTION 28 - INTERPRETATION

These regulations shall be considered the minimum requirements adopted for the promotion of health, safety, morals, comfort, prosperity and general welfare of the people of Howard County. While other counties and urban communities have widely different zoning requirements, the zoning regulations contained herein are designed

for Howard County, a growing but still vastly rural community. Where private building restrictions in recorded deeds are greater than those imposed by these regulations, they are not superseded by these regulations.

SECTION 29 - REPEAL

The zoning regulations and restrictions adopted the 27th day of July, 1948, all amendments thereto and any laws of Howard County inconsistent with these regulations are hereby repealed.

SECTION 30 - DEFINITIONS

- A. Certain terms and words used in these regulations are defined as follows:
1. Words used in the present tense include the future tense, words in the singular number shall include the plural number; words in the plural number shall include the singular number; the words "use" and "used" include the words "arranged, designed or intended for use"; the word "shall" is always mandatory and not directory; "now" shall mean at the time of the adoption of these regulations; "hereafter" shall mean after the adoption of these regulations.
 2. ACCESSORY BUILDING. A separate subordinate building, the use of which is incidental to that of the principal use on the same lot.
 3. ADVERTISING SIGN OR SIGN, shall include all types of advertising including billboards, advertising matter painted or pasted on walls, fences, trees and every other device designed to attract attention to a product or thing.
 4. APARTMENT. An area within a structure arranged or designed for occupancy by one family.
 5. APARTMENT HOUSE. Any building arranged, designed or used to house more than two families.
 6. APPROVED STREET. Any street approved at any time by the Planning Commission. The word "street" shall include the words, "road", "highway", "boulevard", "avenue".

7. BOARD OR BOARD OF APPEALS. The "Board" or the "Board of Appeals" refers to the Board of Zoning Appeals.
8. BUILDING. Any structure or construction of any kind, including signs, accessory buildings, additions or extensions, provided however that any fence not more than 3 feet in height and open fences, such as wire, post and rail or paddock fence not more than 5 feet in height, shall not be considered a building.
9. DOG KENNELS. Provisions for boarding dogs or provisions for breeding dogs for sale.
10. DWELLING. Any building arranged, designed or used in whole or in part, to house a family. The word "dwelling" shall include the word "residence".
11. ERECTED. Constructed, reconstructed, relocated, built or rebuilt.
12. FAMILY. A person living alone, or two or more persons living together as a housekeeping unit, with separate identity from other persons or groups in the same structure, having cooking facilities as a part of the area designated for his or their use.
13. FRONT YARD. A yard extending across the full width of the lot and lying between the front line of the lot and the nearest line of the building. The depth of a front yard shall be measured at right angles to the front line of the lot.
14. HEIGHT OF BUILDING. The vertical distance from the average grade adjoining the walls of the building, to the heighest point of the roof surface of a flat roof; to the deck line of a mansard roof; and to the mean height level between eaves and ridge for a gable, hip or gambrel roof.
15. HOTEL. Any building or portion thereof which contains guest rooms designed or intended to be used, let or hired out for occupancy by twenty or more individuals for compensation.
16. JUNK YARDS OR SHOPS. Any open space or building, or both, where scrap metals, bottles, rags, including new clippings,

- rubber, paper or any discarded material of any kind is stored, handled, baled, packed, sold or reconditioned or where motor vehicles are dismantled or wrecked or wrecked motor vehicles or parts are stored.
17. LOT. A lot is a parcel of land now or hereafter laid out and occupied or intended to be occupied by one building and permissible accessory uses and buildings, including such open spaces as are required by these regulations.
 18. MOTELS OR TOURIST CABINS. A building with more than one apartment or group of buildings which:
 - a. Contain living or sleeping accommodations for transient occupancy.
 - b. Have individual entrances.
 19. REAR YARD. A yard extending across the full width of the lot and lying between the rear line of the lot and the nearest line of the building. The depth of the rear yard shall be measured at right angles to the rear line of the lot.
 20. SHOPPING CENTER. Five or more commercial buildings with uses permitted in the B-2 area, erected under one master plan.
 21. SIDE YARD. A yard between the side line of the lot and the nearest line of the building and extending from the front line of the lot to the extent of the required rear yard. The width of a side yard shall be measured at right angles to the side line of the lot.
 22. WIDTH OF LOT. The width of a lot shall be measured at the front building line and parallel to the front lot line.
 23. YARD. An open space on the same lot with a building which lies between the building and the lot line and is open and unoccupied from the ground up.
 24. RESEARCH LABORATORY. Building or buildings used for the inquiry and investigation in the effort to find new information in any scientific field by experiment or by investigation of sources and limited to the test tube

and bench phase of the inquiry; not including, however, any type of pilot plant or manufacturing processes.

25. FARMING. Commercial agricultural uses in general, and specifically crop, dairy, stock, poultry, tree farming and horticultural nurseries; including commercial greenhouses located on five acres or more.
26. TRAILER COACH. A unit designed for human occupancy, which at any time was mobile.

ZONING ENABLING ACT FOR HOWARD COUNTY

Chapter 19 of the Acts of the General Assembly of Maryland, Extraordinary Session of 1948, as amended by Chapter 604 of the Acts of the General Assembly of 1953, known as Sections 360 to 364 of Article 14 of the Code of Public Local Laws of Maryland (1930 Edition), title "Howard County."

TITLE

An Act to add five new sections to Article 14 of the Code of Public Local Laws of Maryland (1930 Edition), title "Howard County", to be under sub-title "Zoning," said new sections to be known as Sections 360 to 364, inclusive, and to follow immediately after Section 359 of said Article, authorizing and empowering the County Commissioners of Howard County to adopt a comprehensive plan of Zoning rules, regulations and restrictions affecting the erection, extension and use of buildings and the use of land within said County; authorizing and empowering the said County Commissioners to establish Zoning Districts and regulations restricting, controlling, limiting and regulating the use, height, area and type of construction of buildings and the use of land within said Zoning Districts; to provide for amendment or change to regulations or Districts; authorizing and empowering the County Commissioners to appoint a Zoning Commissioner and to prescribe his duties and powers; to provide for appeals to the Circuit Court for Howard County and the Court of Appeals of Maryland; to provide for penalties for the violation of rules, regulations or restrictions; to provide additional means of enforcing rules, regulations and restrictions.

SECTION 1. Be it enacted by the General Assembly of Maryland, That five new sections be and they are hereby added to Article 14 of the Code of Public Local Laws of Maryland (1930 Edition), title "Howard County", to be under sub-title "Zoning", said new sections to be known as Sections 360 to 364, inclusive, to follow immediately after Section 359 of said Article, and to read as follows:

ZONING

*360. For the purpose of promoting health, safety, morals and general welfare, to alleviate traffic congestion, to facilitate the safe flow of traffic, to protect highways from the encroachment of advertising structures and buildings, to preserve the scenic beauty of Howard County and to promote the orderly growth of said County in the interest of all its inhabitants, the County Commissioners of Howard County are hereby empowered to designate, regulate and control Zoning Districts within the bounds of said County, regulate the use, height, area, bulk and type of construction of buildings and the use of land. Such regulations shall be made in accordance with a master or comprehensive plan.

The County Commissioners of Howard County may designate within the County certain Districts of such number, shape and area as may be deemed best suited to carry out the purposes of this sub-title, and within such districts they may, by appropriate regulations, restrict, control, limit and regulate the erection, alteration, repair and use of buildings and the use of land and regulate and control the number of families which may be housed on any lot and in any building. All such regulations shall be uniform for each class or kind of building or structure or use throughout each District, but the regulations in one District may differ from those in other Districts.

361. The County Commissioners shall determine the manner in which regulations and restrictions, and the boundaries of such Districts, shall be established and enforced, and from time to time amended, supplemented and changed. Before determining the boundaries of the proposed Districts and the regulations to be enforced therein, they shall hold a public hearing or hearings thereon, giving at least fifteen days notice in a newspaper of general circulation throughout the County, of the place and time of the beginning of such hearing or hearings. The County Commissioners shall have power to amend, supplement or repeal the regulations or restrictions adopted by them, provided that before doing so

* As amended by Chapter 604 of the Acts of the General Assembly of 1953.

they shall follow the same procedure with respect to notice and public hearings as is herein provided for the original regulations and restrictions.

*362. The County Commissioners shall appoint a Board of Zoning Appeals and a Zoning Commissioner of Howard County and confer such duties, powers and authority upon each as may be necessary and advisable for the proper administration and enforcement of this sub-title, including the power to summon and compel the attendance of witnesses.

The Board shall consist of three members who shall serve for a term of three years, provided, however, that of the first appointed members one shall be appointed for a term of one year, one for a term of two years and one for a term of three years. One member shall be designated by the County Commissioners as Chairman. Annually thereafter the Commissioners shall appoint one member to succeed the member whose term has expired. Vacancies shall be filled by the Commissioners for the unexpired term of any member whose place becomes vacant.

*363. Any person, persons, taxpayer, officer, department, board or bureau of the County, jointly or severally aggrieved by any decision of the Board of Zoning Appeals of Howard County, may appeal to the Circuit Court for Howard County by petition, duly verified, setting forth that such decision of the Board is illegal, in whole or in part, specifying the grounds of the illegality. Such appeals shall be filed within thirty days from the day upon which the Board decides the matter from which the appeal is taken.

The Court shall grant the Board of Appeals and other proper parties a reasonable time to answer and shall require either the original papers or certified copies thereof, which constituted the entire record before the Board, to be filed with the Board's answer. The Court may hear the appeal on the record, or if, in the opinion of the Court, additional testimony is required for the proper disposition of the case, the Court may permit either or both sides to present additional testimony. The Court shall hear the case without the intervention of a jury.

* As amended by Chapter 604 of the Acts of the General Assembly of 1953.

The Court may modify, reverse or affirm, wholly or partly, or may remand for further consideration, any decision of the Board of Appeals. When a case is remanded for further consideration, the testimony, if any, taken in Court, shall be made available to the Board. The costs of preparing such testimony shall be made a part of the costs of the case.

An appeal may be taken from the determination of the Circuit Court to the Court of Appeals of Maryland.

364. Any violation of the rules, regulations and restrictions adopted pursuant to this sub-title shall be a misdemeanor, punishable by a fine not to exceed One Hundred Dollars (\$100.00). Any person who shall violate such rules, regulations and restrictions shall be deemed guilty of a separate offense for every day that such violation shall continue. In addition to other remedies, the Zoning Commissioner may institute any appropriate action or proceedings to compel compliance with the Zoning Regulations and restrictions adopted pursuant to this sub-title.

SECTION 2. And be it further enacted, That all Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

SECTION 3. And be it further enacted, That in the event that any part of this Act shall be found to be invalid by any court of competent jurisdiction, the remaining parts of the Act shall continue in full force and effect.

SECTION 4. And be it further enacted, That this Act shall take effect June 1, 1948.

AMENDMENTS TO THE ZONING REGULATIONS

Add a new sub-paragraph to Paragraph A, Section 8 - Uses Permitted in the M-1 District, to be known as sub-paragraph 37, and to read as follows:

- 37. The manufacturing of wire products from previously manufactured wire.

Adopted December 15, 1959

.....

Amend Section 5, Paragraph D - Area Regulations in R District, so as to delete all of sub-paragraph 1-b, and in lieu thereof, substitute the following paragraph to be known as 1-b, and to read as follows:

- 1. b. Where public water alone is provided, no building shall be erected on any lot where the area of such lot is less than 20,000 sq. ft., each lot shall have a minimum width of 75 ft.

Where public sewerage alone is provided, no building shall be erected on any lot where the area of such lot is less than 15,000 sq. ft., each lot shall have a minimum width of 75 ft.

Provided that this amendment to the Zoning Regulations shall not apply to lots laid out on the preliminary subdivision plan which has been approved by the Planning Commission of Howard County prior to the date of the amendment.

Adopted January 5, 1960

Amend Section 7, Paragraph A - Uses Permitted in B-2 Districts, sub-paragraph 5, by adding the word "construction" after the word "truck" and before the word "or" so as to read as follows:

5. Automobile, truck, construction or farm equipment storage, sales, repairs and services, provided vehicles shall not be dismantled or wrecked on the premises.

Adopted March 15, 1960

.....
Amend Section 12, Paragraph A - Uses Limited as to Location - Sub-paragraph 1, to read as follows:

1. The Board may approve in any district, saw mills, provided any approval of the Board shall be limited to one year from the date of said approval and upon written request of the applicant, 30 days before the end of said one year period, the Board may extend said use for an additional one year period and may be further extended for additional one year periods, provided said Board is requested by written notice as herein provided, and provided further that there shall be a notice and public hearing upon every third application for an extension. The Board shall have continuing jurisdiction in such cases and may, from time to time, impose additional conditions or limitations in

order to carry out the purpose and intent of the Zoning Regulations as set forth in Section 1 and Section 2 hereof.

Adopted July 5, 1960

.....

Amend Section 4, Paragraph A - Uses Permitted in the R-R Districts, Sub-paragraph 9, to read as follows:

- 9. Museums and Libraries - owned and/or operated by a public agency or non-profit cultural, historical, religious or educational organization.

Adopted July 5, 1960

.....

Amend Section 8, Paragraph A - Uses Permitted in the M-1 Districts, Sub-paragraph 24, to read as follows:

- 24. Precision machine equipment and instruments manufacture, including clocks and watches.

Adopted August 23, 1960

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