

Ordinance No.: 16-52
Zoning Text Amendment No.: 10-02
Concerning: Residential Townhouse (RT)
Zones – Existing Dwellings
Draft No. & Date: 2 – 5/13/10
Introduced: February 9, 2010
Public Hearing: March 16, 2010
Adopted: May 18, 2010
Effective: June 7, 2010

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN
MONTGOMERY COUNTY, MARYLAND**

By: Council Vice President Ervin and Councilmember Elrich

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- add a provision in the RT zones to make certain existing structures conforming.

By adding the following section of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

59-C-1.724. Existing structures

EXPLANATION: ***Boldface** indicates a Heading or a defined term.*

Underlining indicates text that is added to existing law by the original text amendment.

[Single boldface brackets] indicate that text is deleted from existing law by original text amendment.

Double underlining indicates text that is added to the text amendment by amendment.

[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.

** * * indicates existing law unaffected by the text amendment.*

OPINION

Zoning Text Amendment No. 10-02, sponsored by Councilmembers Ervin and Elrich, was introduced on February 9, 2010.

The Montgomery County Planning Board, in its report to the Council, recommended that the text amendment be approved. The Planning Staff also recommended approval of the ZTA as introduced.

The County Council held a public hearing on March 16, 2010 to receive testimony concerning the proposed text amendment. The text amendment was referred to the Planning, Housing, and Economic Development Committee for review and recommendation.

The Planning, Housing, and Economic Development Committee held a worksession on May 6, 2010 to review the amendment. The Committee recommended approval of ZTA 10-02 as introduced.

The District Council reviewed Zoning Text Amendment No. 10-02 at a worksession held on May 18, 2010 and agreed with the recommendations of the Planning, Housing, and Economic Development Committee.

For these reasons, and because to approve this amendment will assist in the coordinated, comprehensive, adjusted, and systematic development of the Maryland-Washington Regional District located in Montgomery County, Zoning Text Amendment No. 10-02 will be approved as introduced.

ORDINANCE

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:

1 **Sec. 1. DIVISION 59-C-1 is amended as follows:**

2

3 **DIVISION 59-C-1. RESIDENTIAL ZONES, ONE-FAMILY.***

4 * * *

5 **59-C-1.7. R-T zones, townhouse, residential.**

6 * * *

7 **59-C-1.724. Existing structures**

8 Multiple-family dwellings existing before the application of [[a]] an RT zone[[.]]

9 are conforming structures and may be repaired, reconstructed, or structurally

10 altered under the provisions of their prior zone, if the gross floor area of those

11 dwellings is not increased above the gross floor area that existed on the date that

12 the lot was rezoned; however, if covenants were recorded under an approved

13 schematic development plan, any reconstruction or alteration must satisfy the

14 conditions of those covenants.

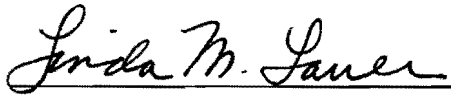
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16 **Sec. 2. Effective date.** This ordinance becomes effective 20 days after the
17 date of Council adoption.

18

19 This is a correct copy of Council action.

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21  _____

22 Linda M. Lauer, Clerk of the Council