

Proposed Text Amendment for the Residential Districts

Underlining = New Language

~~Strikeout~~ = Deleted Language

*** = Existing Text

CHAPTER 158: ZONING REGULATIONS

GENERAL PROVISIONS

158.002 DEFINITIONS

ANIMAL UNIT. A unit of measurement for equivalent number of livestock, that are not fowl. One Animal Unit equals the following:

- (1) One horse, cow, mule, or similar sized livestock.
- (2) Two ponies, donkeys, pigs, or similar sized livestock.
- (3) Four llamas, alpacas, ostriches, or similar sized livestock.
- (4) Ten sheep, goats, emus, or similar sized livestock.

APARTMENT. An area within a ~~two family~~ or multi-family dwelling arranged or designed as one dwelling unit.

~~**APARTMENT BUILDING.** Any building having or designed to have three or more apartments.~~

COTTAGE INDUSTRY. Manufacturing or assembly conducted by a member or members of the family residing on the property with no more than two nonresident employees. ~~The use is not a cottage industry if it generates traffic, parking, sewerage, or water use to a greater extent than would normally result from residential occupancy; includes inventory or merchandise kept for sale on the premises; changes the external appearance of the dwelling, and is visible from the street; includes any outside storage or display, other than a sign not exceeding one foot by two feet; and creates a hazard to any person or property; results in electrical interference; or becomes a nuisance. A **COTTAGE INDUSTRY** is not a **HOME OCCUPATION.**~~

~~**CURTILAGE.** Buildings and areas in close proximity to a dwelling which are habitually used for residential purposes.~~

~~**DWELLING, MULTI-FAMILY.** A detached building or a group of attached buildings, designed for or used exclusively for residential purposes by more than two families or more than two housekeeping units. More than two separate housing units for residential inhabitants contained within one building or several buildings within one complex. **MULTI-FAMILY DWELLING** does not include **TOWNHOUSE**.~~

~~**FOWL.** Any domesticated land or waterfowl raised for meat and/or eggs, including but not limited to chickens, turkeys, ducks and geese.~~

~~**HOME OCCUPATION.** Any A use of a dwelling, conducted solely by a resident, or use of any accessory building which is incidental or subordinate to the main use of the principal building for dwelling purposes, provided that the use:~~

- ~~(1) Utilizes space equal to not more than 500 square feet;~~
- ~~(2) Does not generate vehicular parking or nonresidential traffic to a greater extent than would normally result from residential occupancy;~~
- ~~(3) Does not involve retail sales from the premises;~~
- ~~(4) Involves no evidence from the outside of the dwelling to indicate it is being used for anything other than residential purposes, other than a sign not exceeding three square feet; and~~
- ~~(5) May involve mail order or internet based sales, provided no customers come to the dwelling.~~

~~**KENNEL, COMMERCIAL.** Any premises on which any person engages in the business of boarding (daily or overnight), breeding more than two litters per year, buying, letting for hire, training for a fee, or selling ~~dogs~~ domestic household pets of any age.~~

~~**KENNEL, PRIVATE.** In conjunction with a residence, the keeping as personal pets of more than three dogs which have permanent canine teeth.~~

~~**LIVESTOCK.** Animals typically kept for farming purposes, such as, but not limited to, cows, goats, sheep, alpacas, other ruminants, horses or other equus, poultry and fowl, or pigs.~~

~~**MOBILE HOME/OFFICE.** A structure, transportable in one or more sections, and which is built on a permanent chassis with or without a permanent foundation and which is designed to be used or is used as a dwelling, or is used for the conduct of any business or for storage. A RECREATIONAL VEHICLE is not considered a **MOBILE HOME**.~~

~~**PETS, DOMESTIC HOUSEHOLD.** Any companion animals that have been bred and raised to live in or about the habitation of humans and may be permitted in the house, such as dogs, cats, pot-bellied pigs, rabbits, ferrets, domestic rodents, birds, fish, non-venomous reptiles, and amphibians.~~

~~**RESIDENTIAL USES.** Any single-family, two-family, semi-detached, townhouse, multi-family, boarding houses, assisted living, retirement communities, retirement village, continuum care, and nursing homes.~~

~~**RIDING ACADEMY.** An establishment where horses and ponies are boarded and cared for; where instruction in riding, jumping, and showing may be offered; or where the general public, for a fee, may hire horses for riding.~~

~~**RETIREMENT HOME.** A development consisting of one or more buildings designed to meet the needs of, and exclusively for, the residences of senior citizens or couples where either occupant is a senior citizen, or age-restricted adult housing as referenced in Chapter 155.~~

RETIREMENT VILLAGE. A development consisting of single-family, two-family and/or townhouses designed to meet the needs of, and exclusively for, the residences of senior citizens or couples where either occupant is a senior citizen.

STABLE, BOARDING. A structure in which more than 2 horses or ponies are housed, boarded, or kept for consideration.

STABLE, COMMERCIAL. . Any building or land used for the shelter or care of horses or other livestock AND that are kept for the purpose of hiring, boarding (daily or overnight), breeding, buying, selling, riding, training for a fee equines, teaching equestrian skills, or day camps related to those activities. A boarding stable or riding academy.

STABLE, PRIVATE. Any building, structure, or land used for the shelter, feeding, or care of horses or other livestock for the exclusive use of the property owner or leasee. An accessory structure designed for the shelter, feeding, and care of no more than five horses, ponies, cattle, sheep, goats, or other ruminants, maintained on the property as pets or for domestic use, as distinguished from agricultural or commercial stables.

STORAGE OF UNLICENSED MOTOR VEHICLES. ~~Any property occupied by an unlicensed vehicle. For the purpose of this section, a “vehicle” shall mean a~~ An unlicensed vehicle of a type which would be subject to the licensing requirements of the Motor Vehicle Administration if operated on a public road. “License” and “licensing” as used in this definition shall also be interpreted to mean “registration” as defined in the Md. Code, Transportation Article.

TOWNHOUSE. One of a group of ~~multi-family~~ more than two attached dwelling units in the same structure, each of which units is separated by a ~~party~~ continuous, common wall from any adjacent unit and each of which dwelling units has its own entrance directly from the outside.

YARD. An open area on the same lot with a principal building(s) which lies between such building(s) and the lot line and is open and unoccupied from the ground up.

- (1) **FRONT YARD.** A yard extending across the full width of the lot and lying between the front lot line toward which the principal structure faces and the nearest line of the

principal building. ~~For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as required herein, except that not more than one rear yard shall be required.~~

- (2) **FRONT YARD, CORNER.** On corner lots, a yard fronting on a street but where the principal structure fronts on another street. The front yard setback distance only applies to the area lying between the front line of the principal structure and the rear line of the principal structure.

~~(2)~~ (3) **REAR YARD.** A yard extending across the full width of the lot and lying between the rear lot line and the nearest line of the principal building. On corner lots, the width of the rear yard extends to the property line abutting the street.

- (3) (4) **SIDE YARD.** A yard between the side line of the lot and the nearest line of the principal building and extending from the front yard to the rear yard.

GENERAL REGULATIONS

158.033 NONCONFORMING USES

Any building, structure, premises, or use lawfully existing at the time of the adoption of this chapter, or lawfully existing at the time this chapter is amended, may continue to be used even though such building, structure or premises does not conform to use or dimensional regulations of the zoning district in which it is located; subject, however, to the following provisions:

(A) Extension, expansion, or alteration of nonconforming use. The Zoning Administrator may, subject to §§ 155.059 and 158.130, authorize the extension or expansion of a nonconforming use or the alteration of a nonconforming structure, with or without conditions, provided that:

(1) Any changes or additions to the activities taking place in connection with the nonconforming use will not change the use in any substantial way.

(2) Extension or expansion limits:

(a) A structure or use that was rendered nonconforming for failure to comply with bulk requirements may not exceed 50% of the gross floor area of structures or 50% of the gross acreage of the use above that which legally existed at the time the use first became nonconforming or above that which was approved by the Zoning Administrator or Board of Zoning Appeals as of October 30, 2015.

(b) All other nonconforming use extension or expansions shall be limited to 10% of the gross floor area of structures or 10% of the gross acreage of the use above that which legally

existed at the time the use first became nonconforming or above that which was approved by the Zoning Administrator or Board of Zoning Appeals as of October 30, 2015.

(c) This section shall not apply to residential structures or uses in the Conservation District which were constructed when the property was in the Agricultural District, in which cases the bulk requirements in place for the Agricultural District at the time of construction shall apply.

~~158.036. PRIVATE KENNELS.~~

~~A private kennel as defined in § 158.002 may be permitted as an accessory use to a residential dwelling unit in any zoning district upon approval of the Zoning Administrator after a public hearing in accordance with § 158.130(G).~~

158.040 DISTANCE REQUIREMENTS.

(A) Any uses or buildings subject to compliance with this section, as referenced in §158.070, §158.075.1, §158.075.2, §158076, or §158.082(A), shall be located at least 200 feet from:

- (1) Any lot in a Residence District.
- (2) Any residential lot of less than three acres in the A District ~~which is:~~
 - ~~(a) Occupied by a dwelling not located on the same lot as the said use or buildings, or~~
 - ~~(b) For which a residential lot has been recorded, or~~
 - ~~(c) For which a construction permit for a dwelling has been issued.~~
- ~~(3) Any lot occupied by a school, religious establishment, or institution for human care; and~~
- ~~(4) On adjoining lots of three acres or more, minimum separation distance of 300 feet from dwellings shall be required.~~

158.048 TEMPORARY/SEASONAL USES.

(A) Temporary and other uses, subject to approval by the Zoning Administrator, shall be as follows:

(8) A single d~~Dumpsters and or~~ other self-contained portable storage containers may be used in conjunction with a residential property for 60 days ~~with up to two 60-day extensions for good cause, for no more than six months~~ in any calendar year;

DISTRICTS

§ 158.070 A AGRICULTURAL DISTRICT.

(D) Principal permitted uses. Principal permitted uses shall be as follows:

~~(7) Riding academies, boarding~~ Commercial stables, subject to the distance requirements specified in § 158.040;

(F) Accessory uses. Accessory uses shall be as follows:

~~(5) One p~~Private stable ; as regulated in § 158.071(E)(2);

~~(5) Saddlery and tack shop on the premises of any riding academy, boarding stable or horse farm~~ a commercial stable;

§ 158.071 C CONSERVATION DISTRICT.

(E) Accessory uses. Accessory uses shall be as follows:

~~(2) One p~~Private stable as defined in § 158.002 in a rear yard on a lot or tract of three acres or more. A private stable shall be located a minimum of 75 feet from all property lines;

~~(3) Saddlery and tack shop on the premises of any riding academy, boarding stable, or horse farm~~ commercial stable;

158.072 R-40,000 RESIDENCE DISTRICT.

(A) Purpose. The purpose of the R-40,000 Residence District is primarily to provide a location for single-family residential development, the individual lots of which contain a minimum of 40,000 square feet. This district is generally not intended to be served with public water or sewerage facilities although in special situations, it may be. The district would generally coincide with areas designated for low-density residential development on the Master Plan.

(B) Applicability. The following regulations including the applicable regulations of other articles shall apply in the R-40,000 Residence District.

(C) Principal permitted uses. The regulation of pPrincipal permitted uses shall be as follows is set forth in Section 158.075.1.

~~(1) Agriculture, as defined in § 158.002, provided that any building or feeding pens in which farm animals are kept shall comply with distance requirements specified in § 158.040;~~

~~— (2) Religious establishments, schools, and colleges;~~

~~— (3) Single family dwellings;~~

~~— (4) Buildings and properties of a cultural, civic, educational, social, or community service type such as libraries, ponds, playgrounds, community centers, but not warehouses, service garages, and storage yards; and~~

~~— (5) Conversion of a building existing prior to August 17, 1965, to accommodate two families; provided that all applicable building construction and Maryland Department of Health and Mental Hygiene and MDE Codes are complied with.~~

~~(2004 Code, § 223-62)~~

~~(D) Conditional uses requiring BZA authorization. Conditional uses requiring BZA authorization are as follows:~~

~~— (1) Nursery schools or day care centers;~~

~~— (2) Golf courses, country clubs, and similar recreational uses privately owned and/or operated;~~

~~— (3) Nursing homes, retirement homes, continuing care retirement communities and assisted living facilities, hospitals (Class A), medical and dental clinics, subject to prior concept site development plan and traffic study review and determination of density, exterior design, and site layout by the Planning Commission;~~

~~— (4) Bed and breakfast (subject to § 158.071 (D)(6));~~

~~— (5) Country inn (subject to § 158.071 (D)(7)); and~~

~~— (6) Landscaping service (and the storage of vehicles in connection therewith) in conjunction with a nursery operation on the same premises, provided that:~~

~~— (a) The minimum tract size shall be 50 contiguous acres;~~

~~— (b) The storage of vehicles and other equipment shall be subject to two times the distance requirements of § 158.040, and the maximum size of such storage yard shall not exceed three acres;~~

~~— (c) A site plan shall be required and subject to § 155.059, showing the limits of the area to be utilized and any distance requirements applicable; and~~

~~— (d) Any division of the property described in the required site plan is prohibited.~~

~~(2004 Code, § 223-63)~~

~~(E) Accessory uses. Accessory uses shall be as follows:~~

- ~~— (1) Accessory buildings and uses customarily incidental to any principal permitted use or authorized conditional use, including a mobile home used in connection with an interim agricultural use, subject to the provisions of § 158.150(B);~~
- ~~— (2) Home occupation, subject to Zoning Administrator approval after a public hearing in accordance with § 158.130(G);~~
- ~~— (3) Existing cemeteries, when accessory to a religious establishment;~~
- ~~— (4) Swimming pools, tennis, and other similar courts when accessory to a residence;~~
- ~~— (5) The keeping of not more than four roomers or boarders by a resident owner;~~
- ~~— (6) One private stable as regulated in § 158.071(E)(2);~~
- ~~— (7) Outdoor parking of commercial vehicles and outdoor storage of unlicensed vehicles as accessory use to residential use as defined and provided in §§ 158.056 and 158.057;~~
- ~~— (8) Attached accessory dwelling units which are subject to the following;~~
 - ~~— (a) An attached accessory dwelling must have direct access from the outside;~~
 - ~~— (b) Only one attached accessory dwelling is permitted on any principal dwelling unit;~~
 - ~~— (c) The property owner must occupy either the principal dwelling unit or the attached accessory dwelling unit on the property;~~
 - ~~— (d) The maximum size of an attached accessory dwelling shall be 800 square feet of the livable floor area or one-third of the total livable floor area of the principal dwelling unit, whichever is greater;~~
 - ~~— (e) The attached accessory dwelling unit shall have no more than two bedrooms;~~
 - ~~— (f) The attached accessory dwelling unit must meet all applicable building construction and Maryland Department of Health and Mental Hygiene and MDE Codes;~~
 - ~~— (g) Two additional off street parking spaces must be provided for the attached accessory dwelling unit; and~~
 - ~~— (h) Only one accessory dwelling unit (attached or detached) shall be permitted on a lot.~~
- ~~— (9) Detached accessory dwelling units, provided that the lot or parcel is eligible to be subdivided to separate the detached accessory dwelling and which are subject to the following;~~
 - ~~— (a) Only one attached or detached accessory dwelling unit is permitted on any lot or parcel. Buildings converted in accordance with § 158.072(C)(5) shall be considered detached accessory dwelling units;~~
 - ~~— (b) The property owner must occupy either the principal dwelling unit or the detached dwelling unit on the lot or parcel;~~
 - ~~— (c) The detached accessory dwelling unit must meet all applicable building construction and Maryland Department of Health and Mental Hygiene and MDE Codes;~~
 - ~~— (d) Two off street parking spaces must be provided for the detached accessory dwelling unit; and~~
 - ~~— (e) Detached accessory dwelling units shall not be subject to any size limits.~~

- ~~— (10) Antique shops and arts and craft shops where operated by the resident, subject to Zoning Administrator approval after a public hearing in accordance with § 158.130(G);~~
- ~~— (11) Beauty shops or barbershops, subject to Zoning Administrator approval after a public hearing in accordance with § 158.130(G);~~
- ~~— (12) Cottage industry, provided it is conducted solely within the dwelling, subject to Zoning Administrator approval after a public hearing in accordance with § 158.130(G);~~
- ~~— (13) Family day care, subject to Zoning Administrator approval after a public hearing in accordance with § 158.130(G);~~
- ~~— (14) Within a dwelling, the professional office of a physician, insurance agent, realtor, or other profession determined by the Zoning Administrator to be similar in use and characteristics, subject to Zoning Administrator approval after a public hearing in accordance with § 158.130(G); and~~
- ~~— (15) Lawn care and maintenance service, subject to Zoning Administrator approval after a public hearing in accordance with § 158.130(G).~~
- ~~— (16) The above or below ground storage of not greater than 2,000 gallons, in aggregate capacity of petroleum products which is not sold at retail or wholesale, and subject to Chapter 170 of the Carroll County Code and all applicable MDE and NFPA regulations.~~

~~(F) Height regulations. No principal structure shall exceed two and one-half stories or 35 feet in height, and no accessory structure shall exceed two stories or 20 feet in height, except as provided in § 158.130(E).~~

~~(G) Bulk requirements.~~

- ~~(1) Dwellings, religious establishments, schools, hospitals, and the like. The following minimum requirements shall be observed subject to the modified requirements of § 158.130:~~

(2) Use	Lot Area	Lot Width (feet)	Front Yard Depth (feet)	Side Yard Width (each side yard) (feet)	Rear Yard Depth (feet)
Dwellings	40,000 sq. ft.	150	40	20	50
Hospitals	5 acres	400	150	100	50
Religious establishments	2 acres	200	100	50	50
Schools:					
—Elementary; middle	5 acres	400	150	100	50
—High	10 acres	500	150	100	50
—Colleges	15 acres	500	150	100	50
Other permitted or conditional uses	40,000 sq. ft.	150	60	25	75

(2) ~~Nursing homes, assisted living facilities, and retirement homes.~~

<i>Use</i>	<i>Lot Area</i>	<i>Lot Width (feet)</i>	<i>Density</i>	<i>Front Yard Depth (feet)</i>	<i>Side—Yard Width (each side—yard) (feet)</i>	<i>Rear Yard Depth (feet)</i>
Nursing homes, assisted living facilities	45,000 sq. ft.	150	1 bed/3,000 sq. ft. ¹	50 ²	40 ²	50 ²
Retirement homes, multi-family units	45,000 sq. ft.	150	As determined by the Planning Commission but not exceeding 1 DU/3,000 sq. ft.	50 ²	40 ²	50 ²
Retirement homes, single family and town homes	45,000 sq. ft.	150	As determined by the Planning Commission but not exceeding 1 DU/7,500 sq. ft.	50 ²	40 ²	50 ²
¹ —For those areas in excess of 180,000 square feet, the determination of the density factor will be made by the Planning Commission and the Carroll County Health Department upon the review and approval of the site development plan.						
² —As lot area increases above minimum of 45,000 square feet, increased provision for front, side, and rear yards shall be determined by the Planning Commission and the Carroll County Health Department based on the site development plan.						

158.073 R-20,000 RESIDENCE DISTRICT.

(A) Purpose. The purpose of the R-20,000 District is primarily to provide a location within the Designated Growth Areas for single-family residential development, the individual lots of which contain a minimum of 20,000 square feet (~~or approximately two families per acre~~). The area ~~may or may not~~ should be served with public water and ~~or~~ public sewerage facilities. The district would generally coincide with areas designated for medium-density residential development on the Master Plan.

(B) Applicability. The following regulations and the applicable regulations contained in other articles shall apply in the R-20,000 District.

(C) ~~Principal permitted uses.~~ The regulation of P principal permitted uses shall be as follows: is set forth in Section 158.075.1.

~~—(1) Agriculture, as defined in § 158.002, provided that any building or feeding pens in which farm animals are kept shall comply with distance requirements specified in § 158.040;~~

~~—(2) Religious establishments, schools, and colleges;~~

~~—(3) Single family dwellings;~~

~~—(4) Buildings and properties of an educational, or community service type such as libraries, ponds, playgrounds, community centers, but not warehouses, service garages, and storage yards; and~~

~~—(5) Conversion of a building existing prior to August 17, 1965, to accommodate two families; provided that all applicable building construction and Maryland Department of Health and Mental Hygiene and MDE Codes are complied with.~~

~~—(D) Conditional uses requiring BZA authorization. Conditional uses requiring BZA authorization shall be as follows:~~

~~—(1) Nursing homes, retirement homes, continuing care retirement communities and assisted living facilities, hospitals (Class A), medical and dental clinics, subject to prior concept site development plan and traffic study review and determination of density, exterior design, and site layout by the Planning Commission;~~

~~—(2) Funeral establishments;~~

~~—(3) Golf courses, country clubs, private clubs and similar recreational uses privately owned and/or operated;~~

~~—(4) Nursery schools or day care centers;~~

~~—(5) Bed and breakfast (subject to § 158.071(D)(6));~~

~~—(6) Country inn (subject to § 158.071(D)(7)); and~~

~~—(7) Clubs, fraternal organizations, lodges, and similar organizations, provided that they are not conducted for profit and obtain and maintain appropriate designation as nonprofit entities exempt from federal income tax requirements pursuant to federal tax law regulating the conduct of such businesses; subject to site plan approval under § 155.059.~~

~~—(E) Accessory uses. Accessory uses shall be as follows:~~

~~—(1) Accessory buildings and uses customarily incidental to any principal permitted use or authorized conditional use, including a mobile home used in connection with an interim agricultural use, subject to the provisions of § 158.150(B);~~

- ~~—(2) Home occupations, subject to Zoning Administrator approval after a public hearing in accordance with § 158.130(G);~~
- ~~—(3) Existing cemeteries, when accessory to a religious establishment;~~
- ~~—(4) Swimming pools, and tennis and other similar courts when accessory to a residence;~~
- ~~—(5) The keeping of not more than four roomers or boarders by a resident owner;~~
- ~~—(6) One private stable as regulated in § 158.071(E)(2);~~
- ~~—(7) Outdoor parking of commercial vehicles and outdoor storage of unlicensed vehicles as accessory use to residential use as defined and provided in §§ 158.056 and 158.057;~~
- ~~—(8) Family day care, subject to Zoning Administrator approval after a public hearing in accordance with § 158.130(G);~~
- ~~—(9) Attached accessory dwelling units which are subject to the following:
 - ~~—(a) An attached accessory dwelling must have direct access from the outside;~~
 - ~~—(b) Only one attached accessory dwelling is permitted on any principal dwelling unit;~~
 - ~~—(c) The property owner must occupy either the principal dwelling unit or the attached accessory dwelling unit on the property;~~
 - ~~—(d) The maximum size of an attached accessory dwelling shall be 800 square feet of the livable floor area or one third of the total livable floor area of the principal dwelling unit, whichever is greater;~~
 - ~~—(e) The attached accessory dwelling unit shall have no more than two bedrooms;~~
 - ~~—(f) The attached accessory dwelling unit must meet all applicable building construction and Maryland Department of Health and Mental Hygiene and MDE Codes;~~
 - ~~—(g) Two additional off street parking spaces must be provided for the attached accessory dwelling unit; and~~
 - ~~—(h) Only one accessory dwelling unit (attached or detached) shall be permitted on a lot.~~~~
- ~~—(10) Detached accessory dwelling units, provided that the lot or parcel is eligible to be subdivided to separate the detached accessory dwelling and which are subject to the following:~~

~~—(a) Only one attached or detached accessory dwelling unit is permitted on any lot or parcel. Buildings converted in accordance with § 158.073(C)(5) shall be considered detached accessory dwelling units;~~

~~—(b) The property owner must occupy either the principal dwelling unit or the detached accessory dwelling unit on the lot or parcel;~~

~~—(c) The detached accessory dwelling unit must meet all applicable building construction and Maryland Department of Health and Mental Hygiene and MDE Codes;~~

~~—(d) Two off street parking spaces must be provided for the detached accessory dwelling unit; and~~

~~—(e) Detached accessory dwelling units shall not be subject to any size limits.~~

~~—(11) Antique shops and arts and crafts shops where operated by the resident, subject to Zoning Administrator approval after a public hearing in accordance with § 158.130(G);~~

~~—(12) Beauty parlors or barbershops, in conjunction with a residence, subject to Zoning Administrator approval after a public hearing in accordance with § 158.130(G);~~

~~—(13) Within a dwelling, the professional office of a physician, insurance agent, realtor, or other profession determined by the Zoning Administrator to be similar in use and characteristics, subject to Zoning Administrator approval after a public hearing in accordance with § 158.130(G);~~

~~—(14) Cottage industry, provided that it is conducted solely within the dwelling, subject to Zoning Administrator approval after a public hearing in accordance with § 158.130(G); and~~

~~—(15) Lawn care and maintenance service, subject to Zoning Administrator approval after a public hearing in accordance with § 158.130(G).~~

~~—(16) The above or below ground storage of not greater than 2,000 gallons, in aggregate capacity of petroleum products which is not sold at retail or wholesale, and subject to Chapter 170 of the Carroll County Code and all applicable MDE and NFPA regulations.~~

~~(F) Height regulations. No principal structure shall exceed two and one half stories or 35 feet in height, and no accessory structure shall exceed two stories or 20 feet in height, except as provided in § 158.130(E).~~

~~—(G) Bulk requirements. The following minimum requirements shall be observed, subject to the modified requirements in § 158.130:~~

(1) Dwellings, schools, etc.

<i>Use</i>	<i>Lot Area</i>	<i>Lot Width (feet)</i>	<i>Lot Area per Family (sq. ft.)</i>	<i>Front Yard Depth (feet)</i>	<i>Side Yard (Width Each Side Yard) (feet)</i>	<i>Rear Yard Depth (feet)</i>
Dwellings	20,000 sq. ft.	100	20,000	40	12	50
Funeral establishment	2 acres	150	-	100	30	50
Hospitals	5 acres	400	-	150	100	50
Religious establishments	2 acres	200	-	100	50	50
School:						
—Elementary	5 acres	400	-	150	100	50
—High	10 acres	500	-	150	100	50
—Colleges	15 acres	500	-	150	100	50
Other principal or permitted conditional uses	20,000 sq. ft.	100	-	40	25	50

(2) Nursing homes and assisted living facilities.

<i>Use</i>	<i>Lot Area</i>	<i>Lot Width (feet)</i>	<i>Density</i>	<i>Front Yard Depth (feet)</i>	<i>Side Yard (Width Each Side Yard) (feet)</i>	<i>Rear Yard Depth (feet)</i>
Nursing homes, assisted living facilities	45,000 sq. ft.	150	1 bed/3,000 sq. ft. ¹	50 ²	40 ²	50 ²
Retirement homes, multi-family units	45,000 sq. ft.	150	As determined by the Planning Commission but not exceeding 1 DU/3,000 sq. ft.	50 ²	40 ²	50 ²
Retirement homes, single-family and town homes	45,000 sq. ft.	150	As determined by the Planning Commission but not exceeding 1 DU/7,500 sq. ft.	50 ²	40 ²	50 ²
¹ —For those areas in excess of 180,000 square feet, the determination of the density factor will be made by the Planning Commission and the Carroll County Health Department upon the review and approval of the site development plan.						
² —As lot area increases above the minimum of 45,000 square feet, increased provision for front, side, and rear yards shall be determined by the Planning Commission and the Carroll County Health Department						

<i>Use</i>	<i>Lot Area</i>	<i>Lot Width (feet)</i>	<i>Density</i>	<i>Front Yard Depth (feet)</i>	<i>Side—Yard (Width—Each Side—Yard) (feet)</i>	<i>Rear Yard Depth (feet)</i>
based on the site development plan.						

158.074 R-10,000 RESIDENCE DISTRICT.

(A) Purpose. The purpose of the R-10,000 District is primarily to provide a location within the Designated Growth Areas for smaller lot sizes, a minimum of 10,000 square feet (10,000 square feet minimum) for single- and two-family dwellings, and multi-family dwellings when included in a planned unit development. based on the use of public water and sewerage facilities. This would essentially mean more dwellings per acre (approximately three to four families) and less open area than in the R-20,000 District. The area should be served with public water and public sewerage facilities. The district would generally coincide with areas designated for high-density residential development on the Master Plan.

(B) Applicability. The following regulations and applicable regulations contained in other articles shall apply in the R-10,000 District.

(C) Principal ~~permitted~~ uses. The regulation of pPrincipal permitted uses shall be as follows: is set forth in Section 158.075.1.

— (1) ~~Any use or structure permitted and as regulated as a principal permitted use in the R-20,000 District, except as hereinafter modified;~~

— (2) ~~Conversion of a building existing prior to August 17, 1965, to accommodate two families; provided that all applicable building construction and Maryland Department of Health and Mental Hygiene and MDE Codes are complied with; and~~

— (3) ~~Planned unit development, subject to the provisions of § 155.093.~~

(D) ~~Conditional uses requiring BZA authorization. Conditional uses requiring BZA authorization shall be as follows:~~

— (1) ~~Any conditional use permitted and as regulated in the R-20,000 District, except as hereinafter modified;~~

— (2) ~~Boarding or rooming houses or tourist homes;~~

— (3) ~~Clubs, fraternal organizations, lodges and similar organizations, provided that they are not conducted for profit and obtain and maintain appropriate designation as nonprofit entities~~

~~exempt from federal income tax requirements pursuant to federal tax law regulating the conduct of such businesses; subject to site plan approval under § 155.059;~~

~~—(4) Community centers and swimming pools associated therewith; and~~

~~—(5) Two family dwellings.~~

~~(E) Accessory uses. Accessory uses shall be as follows:~~

~~—(1) Accessory buildings and uses customarily incidental to any principal permitted use or authorized conditional use, including a mobile home used in connection with an interim agricultural use, subject to the provisions of § 158.150(B);~~

~~—(2) Keeping of no more than four roomers or boarders by a resident owner;~~

~~—(3) Outdoor parking of commercial vehicles and outdoor storage of unlicensed vehicles as accessory use to residential use as defined and provided in §§ 158.056 and 158.057;~~

~~—(4) Family day care, subject to Zoning Administrator approval after a public hearing in accordance with § 158.130(G);~~

~~—(5) Attached accessory dwelling units which are subject to the following:~~

~~—(a) An attached accessory dwelling must have direct access from the outside;~~

~~—(b) Only one attached accessory dwelling is permitted on any principal dwelling unit;~~

~~—(c) The property owner must occupy either the principal dwelling unit or the attached accessory dwelling unit on the property;~~

~~—(d) The maximum size of an attached accessory dwelling shall be 800 square feet of the livable floor area or one third of the total livable floor area of the principal dwelling unit, whichever is greater;~~

~~—(e) The attached accessory dwelling unit shall have no more than two bedrooms;~~

~~—(f) The attached accessory dwelling unit must meet all applicable building construction and Maryland Department of Health and Mental Hygiene and MDE Codes;~~

~~—(g) Two additional off street parking spaces must be provided for the attached accessory dwelling unit; and~~

~~—(h) Only one accessory dwelling unit (attached or detached) shall be permitted on a lot.~~

~~—(6) Detached accessory dwelling units, provided that the lot or parcel is eligible to be subdivided to separate the detached accessory dwelling and which are subject to the following:~~

~~—(a) Only one attached or detached accessory dwelling unit is permitted on any lot or parcel. Buildings converted in accordance with division (C)(2) above shall be considered detached accessory dwelling units;~~

~~—(b) The property owner must occupy either the principal dwelling unit or the detached dwelling unit on the lot or parcel;~~

~~—(c) The detached accessory dwelling unit must meet all applicable building construction and Maryland Department of Health and Mental Hygiene and MDE Codes;~~

~~—(d) Two off street parking spaces must be provided for the detached accessory dwelling unit; and~~

~~—(e) Detached accessory dwelling units shall not be subject to any size limits.~~

~~—(7) Within a dwelling, the professional office of a physician, insurance agent, realtor, or other profession determined by the Zoning Administrator to be similar in use and characteristics, subject to Zoning Administrator approval after a public hearing in accordance with § 158.130(G);~~

~~—(8) Home occupation, subject to Zoning Administrator approval after a public hearing in accordance with § 158.130(G); and~~

~~—(9) Lawn care and maintenance service, subject to Zoning Administrator approval after a public hearing in accordance with § 158.130(G).~~

~~—(10) The above or below ground storage of not greater than 2,000 gallons, in aggregate capacity of petroleum products which is not sold at retail or wholesale, and subject to Chapter 170 of the Carroll County Code and all applicable MDE and NFPA regulations.~~

~~(F) Height regulations. Height regulations shall be the same as specified in the R-20,000 District.~~

~~(G) Bulk requirements. The following minimum requirements shall be observed, subject to the modified requirements in § 158.130:~~

<i>Use</i>	<i>Lot Area</i>	<i>Lot Width (feet)</i>	<i>Lot Area per Family (sq. ft.)</i>	<i>Front Yard Depth (feet)</i>	<i>Side Yard (Width Each Side Yard) (feet)</i>	<i>Rear Yard Depth (feet)</i>
Boarding or tourist homes	20,000 sq. ft.	100	-	35	20	40
Clubs, fraternal organizations	20,000 sq. ft.	100	-	35	20	40
Planned unit development	Subject to the provisions of § 155.093					
Semi-detached	7,500 sq. ft.	37.5	7,500	35	12 (one side only)	40
Single family dwellings	10,000 sq. ft.	70	10,000	35	12	40
Two family dwellings	15,000 sq. ft.	75	7,500	35	12	40
Other principal permitted or conditional uses	Same as specified in R-20,000 District					

158.075 R-7,500 RESIDENCE DISTRICT.

(A) Purpose. The purpose of the R-7,500 Residence District is primarily to enable in the urban areas of the county, where both public water and sewerage facilities are available, provide a location within the Designated Growth Areas for smaller lot sizes, a minimum of 7,500 square feet, and a greater number of dwellings per acre than the other residential districts. The minimum lot size for single family dwellings is 7,500 square feet. This district also enables the use of multi-family structures. It is intended for single- and two-family dwellings, and multi-family dwellings when included in a planned unit development. The area should be served with public water and public sewerage facilities. The district would coincide with areas designated for high-density residential development on the Master Plan.

(B) Applicability. The following regulations and the applicable regulations contained in other sections shall apply in the R-7,500 Residence District.

(C) Principal permitted uses. The regulation of pPrincipal permitted uses shall be as follows: is set forth in Section 158.075.1.

- ~~— (1) Single family and two family dwelling;~~
- ~~— (2) Multi family dwellings, but only in a planned unit development (“PUD”);~~
- ~~— (3) Boarding or lodging houses;~~
- ~~— (4) PUD, subject to § 155.093; and~~

~~—(5) Any use or structure permitted and as regulated as a principal permitted use in the R-10,000 District.~~

~~(D) Conditional uses requiring BZA authorization. Conditional uses requiring BZA authorization shall be as follows:~~

~~—(1) Any conditional use permitted and as regulated in the R-10,000 District; and~~

~~—(2) Nursing homes, retirement homes, continuing care retirement communities and assisted living facilities, subject to prior approval of the site development plan and exterior design of the structure by the Commission.~~

~~(E) Accessory uses. Accessory uses shall be as follows:~~

~~—(1) Accessory buildings and uses customarily incidental to any principal use or authorized conditional use;~~

~~—(2) Outdoor parking of commercial vehicles and outdoor storage of unlicensed vehicles as accessory use to residential use as defined and provided in §§ 158.056 and 158.057;~~

~~—(3) Family day care, subject to Zoning Administrator approval after a public hearing in accordance with § 158.130(G);~~

~~—(4) Attached accessory dwelling units which are subject to the following:~~

~~—(a) An attached accessory dwelling must have direct access from the outside;~~

~~—(b) Only one attached accessory dwelling is permitted on any principal dwelling unit;~~

~~—(c) The property owner must occupy either the principal dwelling unit or the attached accessory dwelling unit on the property;~~

~~—(d) The maximum size of an attached accessory dwelling shall be 800 square feet of the livable floor area or one third of the total livable floor area of the principal dwelling unit, whichever is greater;~~

~~—(e) The attached accessory dwelling unit shall have no more than two bedrooms;~~

~~—(f) The attached accessory dwelling unit must meet all applicable building construction and Maryland Department of Health and Mental Hygiene and MDE Codes;~~

~~—(g) Two additional off street parking spaces must be provided for the attached accessory dwelling unit; and~~

~~—(h) Only one accessory dwelling unit (attached or detached) shall be permitted on a lot.~~

~~—(5) Detached accessory dwelling units, provided that the lot or parcel is eligible to be subdivided to separate the detached accessory dwelling and which are subject to the following:~~

~~—(a) Only one attached or detached accessory dwelling unit is permitted on any lot or parcel. Buildings converted in accordance with § 158.074(C)(2) shall be considered detached accessory dwelling units;~~

~~—(b) The property owner must occupy either the principal dwelling unit or the detached dwelling unit on the lot or parcel;~~

~~—(c) The detached accessory dwelling unit must meet all applicable building construction and Maryland Department of Health and Mental Hygiene and MDE Codes;~~

~~—(d) Two off street parking spaces must be provided for the detached accessory dwelling unit; and~~

~~—(e) Detached accessory dwelling units shall not be subject to any size limits.~~

~~—(6) Within a dwelling, the professional office of a physician, insurance agent, realtor or other profession determined by the Zoning Administrator to be similar in use and characteristics, subject to Zoning Administrator approval after a public hearing in accordance with § 158.130(G);~~

~~—(7) Home occupation, subject to Zoning Administrator approval after a public hearing in accordance with § 158.130(G); and~~

~~—(8) Lawn care and maintenance service, subject to Zoning Administrator approval after a public hearing in accordance with § 158.130(G).~~

~~—(9) The above or below ground storage of not greater than 2,000 gallons, in aggregate capacity of petroleum products which is not sold at retail or wholesale, and subject to Chapter 170 of the Carroll County Code and all applicable MDE and NFPA regulations.~~

~~(F) Height regulations. No principal structure shall exceed three stories or 40 feet in height and no accessory structure shall exceed one and one-half stories or 25 feet, except as provided in § 155.093 and § 158.130(E).~~

~~(G) Bulk requirements. The following minimum requirements shall be observed, subject to the modified requirements in § 158.130:~~

~~—(1) Dwellings, PUDs, and the like.~~

<i>Use</i>	<i>Lot Area</i>	<i>Lot Width (feet)</i>	<i>Lot Area per Family (sq. ft.)</i>	<i>Front Yard Depth (feet)</i>	<i>Side Yard (Width Each Side Yard) (feet)</i>	<i>Rear Yard Depth (feet)</i>
One family—1 and 1-1/2 stories	7,500 sq. ft.	60	7,500	25	8	35
One family—2 and 2-1/2 stories	7,500 sq. ft.	60	7,500	25	10	40
PUD	10 acres	— Subject to provisions of § 155.093				
Semi-detached dwelling	5,000 sq. ft.	37.5	5,000	25	12 (one side only)	40
Two family—1 and 1-1/2 stories	10,000 sq. ft.	75	5,000	25	10	40
Two family—2 and 2-1/2 stories	10,000 sq. ft.	75	5,000	25	12	40
Other principal permitted or conditional uses	20,000 sq. ft.	100	-	25	20	40

(2) ~~Nursing homes and retirement homes.~~

<i>Use</i>	<i>Lot Area</i>	<i>Lot Width (feet)</i>	<i>Density</i>	<i>Front Yard Depth (feet)</i>	<i>Side Yard (width each side yard) (feet)</i>	<i>Rear Yard Depth (feet)</i>
Nursing homes	45,000 sq. ft.	150	1 bed/3,000 sq. ft. ¹	50 ²	40 ²	50 ²
Retirement homes, multi-family units	45,000 sq. ft.	150	As determined by the Planning Commission but not exceeding 1 DU/3,000 sq. ft. ¹	50 ²	40 ²	50 ²
Retirement homes, single family and town homes	45,000 sq. ft.	150	As determined by the Planning Commission but not exceeding 1 DU/7,500 sq. ft. ¹	50 ²	40 ²	50 ²
¹ — For those areas in excess of 180,000 square feet, the determination of the density factor will be made by the Planning Commission and the Carroll County Health Department upon the review and approval of the site development plan.						
² — As lot area increases above the minimum of 45,000 square feet, increased provision for front, side and rear yards shall be determined by the Planning Commission and the Carroll County Health Department based on the site development plan.						

158.075.1 RESIDENTIAL DISTRICTS: REGULATION OF PRINCIPAL USES.

(A) Table of Principal Land Uses. In the Table below, the following applies:

- (1) The letter "P" indicates that the use is permitted in the district indicated.
- (2) The letter "C" indicates that the use requires the authorization of the BZA in accordance with Section 158.133 of this Chapter.
- (3) The letter "X" indicates that the use is prohibited.
- (4) The letters "NA" indicate that the use is not applicable.
- (5) Any use not listed is prohibited unless the BZA determines that the use is similar in impact, nature, function, and duration to an allowed use listed in the Table of Land Uses, and which would not be detrimental to the public health, safety, or general welfare of the community, unless otherwise specifically prohibited.
- (6) The particular and specific control the general.
- (7) In case of any difference of meaning or implication between the text and any caption, the text controls.
- (8) In case of any difference of meaning or implication between the text and any language in the definition of the use or the Purpose and Intent of the zoning district, the text controls.
- (9) Words used in the singular include the plural (and vice versa).
- (10) Words or phrases not specifically defined in this Chapter shall be construed according to the common and generally recognized usage of the language. Technical words and phrases, and others that have acquired a specific meaning in the law, shall be construed according to that meaning.
- (11) A variance may not be granted to permit a use in a district where the use is prohibited or to eliminate the requirement that a conditional use approval be granted for a use.

(The following table, although not underlined, is new language)

LAND USE CATEGORY	R-40,000	R-20,000	R-10,000	R-7,500	ADDITIONAL REGULATIONS
SUBCATEGORY					
DESCRIPTION					
AGRICULTURAL					
Agriculture	P	P	P	P	158.002,158.035, buildings or feeding pens in

LAND USE CATEGORY	R-40,000	R-20,000	R-10,000	R-7,500	ADDITIONAL REGULATIONS
SUBCATEGORY					
DESCRIPTION					
					which farm animals are kept shall comply with 158.040
Agricultural research laboratories, feed or grain sales, flour or grain milling, shop for the service, repair sale of farm equipment	X	X	X	X	
COMMUNICATIONS					
Communications tower/complex	X	X	X	X	158.002,158.039, 158.054
COMMERCIAL					
Vehicle Sales/ Service (all uses)	X	X	X	X	
Eating and Drinking Establishments (all uses)	X	X	X	X	
Funeral and Interment (all uses)	X	X	X	X	158.002
Lodging					
Bed and breakfast	C	C	C	C	158.002, 158.071
Country inn	X	X	X	X	158.002,158.071
Hotel/motel	X	X	X	X	158.002
Office/Health Care					
Facility for dispensing of medical cannabis	X	X	X	X	158.002
Hospital	X	P	X	X	158.002
Medical or dental center	X	X	X	X	158.002
Professional or business office	X	X	X	X	
Veterinary facility	X	X	X	X	158.002
Recreational/Entertainment					
Adult entertainment business, massage establishment, striptease business	X	X	X	X	158.002
Amusement park	X	X	X	X	
Commercial stable	X	X	X	X	158.002
Conference center	X	X	X	X	158.002
Golf course	C	C	C	C	158.002
Indoor recreational facility	C	C	C	C	158.002
Indoor theater	X	X	X	X	
Outdoor drive-in theater	X	X	X	X	
Outdoor recreational area	C	C	C	C	158.002

LAND USE CATEGORY	R-40,000	R-20,000	R-10,000	R-7,500	ADDITIONAL REGULATIONS
SUBCATEGORY					
DESCRIPTION					
Outdoor trap, skeet, rifle, or archery ranges, including gun clubs	X	X	X	X	
Retreat facility	X	X	X	X	158.002
Retail/Service (all uses)	X	X	X	X	
RESIDENTIAL					
Household Living					
Multifamily dwelling, not in a Planned Unit Development	X	X	X	X	158.002
Multi-family dwelling in a Planned Unit Development	NA	NA	P	P	158.002, 155.093
Retirement home/age-restricted multi-family housing constructed on or after January 1, 2021	X	X	C	C	158.002
Retirement home/age-restricted multi-family housing constructed prior to January 1, 2021	C	C	C	C	158.002
Single-family dwelling	P	P	P	P	158.002
Townhouse, not in a Planned Unit Development or Retirement Village	X	X	X	X	158.002
Townhouse in a Planned Unit Development	NA	NA	P	P	158.002, 155.093
Townhouse in a Retirement Village	NA	P	P	P	158.002
Two-family dwelling, not in a Planned Unit Development or Retirement Village	X	X	C	C	158.002
Two-family dwelling in a Planned Unit Development	NA	NA	P	P	158.002, 155.093
Two-family dwelling in a Retirement Village	NA	P	P	P	158.002
Group Living					
Assisted-living facility, 8 or fewer residents	P	P	P	P	158.002
Assisted-living facility, more than 8 residents	C	C	C	C	158.002
Continuing care retirement community	C	C	C	C	158.002
Nursing home	C	C	C	C	158.002
INSTITUTIONAL/COMMUNITY SERVICE					
Art, trade, business, dance, music or similar school	X	X	X	X	
Community center/meeting hall, recreational facility	C	C	C	C	

LAND USE CATEGORY	R-40,000	R-20,000	R-10,000	R-7,500	ADDITIONAL REGULATIONS
SUBCATEGORY					
DESCRIPTION					
Day care center/nursery school	C	C	C	C	158.002
Museum	C	C	C	C	
Private school	C	C	C	C	
Religious establishment	P	P	P	P	158.002
Social club, fraternal organization	C	C	C	C	
INDUSTRIAL					
Manufacturing/Production (all uses)	X	X	X	X	
Trades (all uses)	X	X	X	X	
Warehouse/Storage/Distribution (all uses)	X	X	X	X	
Waste-Related (all uses)	X	X	X	X	
Transportation/Utilities					
Airfield/Airport	X	X	X	X	158.002
Heliport	X	X	X	X	158.002
Solar energy conversion facility	X	X	X	X	158.002, 158.153
Utility equipment building, yard, above-ground station or substation, or telephone exchange	C	C	C	C	158.039
Utility equipment, all others	P	P	P	P	158.039
Miscellaneous					
Commercial kennel	X	X	X	X	158.002
Conveyor system	X	X	X	X	158.002
Extractive operation, with a MRO designation	X	X	X	X	158.002
Indoor growing of medical cannabis	X	X	X	X	158.002
Planned Unit Development (PUD)	X	X	P	P	155.093
Use-off-the premises signs	X	X	X	X	158.115
PUBLIC					
Public facility	P	P	P	P	158.049

158.075.2 RESIDENTIAL DISTRICTS: REGULATION OF ACCESSORY USES.

(A) Accessory Uses in the Residential Districts. Accessory uses in the residential districts shall be as follows:

(1) Antique shop, arts and craft shop, when operated by a resident and subject to 158.130(G).

(2) Attached accessory dwelling units, which are subject to the following;

- (a) an attached accessory dwelling must have direct access from the outside.
 - (b) only one attached accessory dwelling is permitted on any principal dwelling unit.
 - (c) the property owner must occupy either the principal dwelling unit or the attached accessory dwelling unit on the property.
 - (d) the maximum size of an attached accessory dwelling shall be 800 square feet of the livable floor area or one-third of the total livable floor area of the principal dwelling unit, whichever is greater.
 - (e) the attached accessory dwelling unit shall have no more than two bedrooms.
 - (f) the attached accessory dwelling unit must meet all applicable building construction and Maryland Department of Health and Mental Hygiene and MDE Codes.
 - (g) two additional off street parking spaces must be provided for the attached accessory dwelling unit.
 - (h) only one accessory dwelling unit (attached or detached) shall be permitted on a lot.
- (3) Beauty/barber shop, when operated by a resident and subject to 158.130(G).
- (4) Cemetery, when accessory to a religious establishment.
- (5) Cottage industry, when operated by a resident, conducted solely within the dwelling, and subject to 158.130(G). In addition the use may not:
- (a) include inventory or merchandise that is sold directly to the public on the premises.
 - (b) change the external appearance of the dwelling or be visible from the street.
 - (c) include any outside storage or display, other than a sign not exceeding three square feet.
 - (d) create a hazard to any person or property.

- (e) result in electrical interference.
- (f) become a nuisance .
- (6) Detached accessory dwelling units, provided that the lot or parcel is eligible to be subdivided to separate the detached accessory dwelling and which are subject to the following;

 - (a) Only one attached or detached accessory dwelling unit is permitted on any lot or parcel.
 - (b) The property owner must occupy either the principal dwelling unit or the detached dwelling unit on the lot or parce;
 - (c) The detached accessory dwelling unit must meet all applicable building construction and Maryland Department of Health and Mental Hygiene and MDE Codes;
 - (d) Two off street parking spaces must be provided for the detached accessory dwelling unit;
 - (e) Detached accessory dwelling units shall not be subject to any size limits.
- (7) Family day care, subject to Zoning Administrator approval following submittal of a signed affidavit stating that the use meets all applicable Maryland State requirements.
- (8) Fowl as an accessory use to any dwelling in any District in accordance with the following:

 - (a) Parcels less than 1 acre are permitted up to 6 fowl and no roosters.
 - (b) Parcels 1 to 2 acres are permitted up to 12 fowl and no roosters.
 - (c) Parcels 2 to 3 acres are permitted up to 18 fowl and no roosters.
 - (d) Any structure housing fowl must be at least 75 feet from any property line.
- (9) Home occupation, subject to Zoning Administrator approval following submittal of a signed affidavit stating that the use:

 - (a) does not utilize more than 500 square feet.
 - (b) does not involve retail sales from the premises.
 - (c) involves no evidence from the outside of the dwelling to indicate that it is being used for anything other than residential purposes, other than a sign not exceeding three square feet.

(d) involves no customers coming to the dwelling.

(10) Keeping of not more than four roomers or boarders by a resident owner

(11) Lawn care and maintenance service by a resident.

(12) Private stable, as defined in Section 158.002 in a rear yard on a lot or parcel of 2 acres or more, the minimum acreage not applicable to the keeping of fowl. Livestock are permitted as an accessory use to any dwelling in all R Districts in accordance with the following numbers of Animal Units:

(a) Parcels 2 to 4 acres are permitted up to 2 animal units;

(b) Parcels 4 to 6 acres are permitted up to 5 animal units;

(c) Parcels greater than 6 acres are not subject to a limit on the number of animal units permitted.

(d) A private stable shall be located a minimum of 75 feet from all property lines for up to five Animal Units. If more than 5 Animal Units are kept on the property, the setback shall subject to the requirements of § 158.040(A)(4).

(13) Professional office of a single physician, insurance agent, realtor, or other profession similar in use and characteristics, subject to 158.130(G).

(14) The above or below ground storage of not greater than 2,000 gallons, in aggregate capacity of petroleum products which is not sold at retail or wholesale, and subject to Chapter 170 of the Carroll County Code and all applicable MDE and NFPA regulations.

(15) All other uses and structures customarily accessory and incidental to any principal permitted use or authorized conditional use.

158.075.3 RESIDENTIAL DISTRICTS: BULK REQUIREMENTS.

(A) Residential District Lot Area Requirements

	<u>R-40,000</u>	<u>R-20,000</u>	<u>R-10,000</u>	<u>R-7,500</u>
<u>Single-family dwellings</u>	<u>40,000 SF</u>	<u>20,000 SF</u>	<u>10,000 SF</u>	<u>7,500 SF</u>
<u>Two-family dwellings</u>	<u>NA</u>	<u>NA</u>	<u>7,500 SF</u>	<u>5,000 SF</u>
<u>Religious Establishments</u>	<u>2 acres</u>	<u>2 acres</u>	<u>2 acres</u>	<u>2 acres</u>
<u>Elementary/Middle School</u>	<u>5 acres</u>	<u>5 acres</u>	<u>5 acres</u>	<u>5 acres</u>
<u>High School</u>	<u>10 acres</u>	<u>10 acres</u>	<u>10 acres</u>	<u>10 acres</u>
<u>College</u>	<u>15 acres</u>	<u>15 acres</u>	<u>15 acres</u>	<u>15 acres</u>
<u>Hospital</u>	<u>NA</u>	<u>5 acres</u>	<u>NA</u>	<u>NA</u>

<u>Nursing homes, Assisted Living facilities</u>	<u>45 acres</u>	<u>45 acres</u>	<u>45 acres</u>	<u>45 acres</u>
<u>Multifamily age-restricted housing</u>	<u>NA</u>	<u>NA</u>	<u>45 acres</u>	<u>45 acres</u>
<u>Other permitted or conditional uses</u>	<u>40,000 SF</u>	<u>20,000 SF</u>	<u>20,000 SF</u>	<u>20,000 Sf</u>

(B) Residential District Yard and Lot Width Requirements

(1) Dwellings (all types)

	<u>R-40,000</u>	<u>R-20,000</u>	<u>R-10,000</u>	<u>R-7,500</u>
<u>Front Yard</u>	<u>40</u>	<u>40</u>	<u>35</u>	<u>25</u>
<u>Side Yard</u>	<u>20</u>	<u>12</u>	<u>12</u>	<u>8</u>
<u>Rear Yard</u>	<u>50</u>	<u>50</u>	<u>40</u>	<u>35</u>
<u>Lot Width</u>	<u>150</u>	<u>100</u>	<u>70</u>	<u>60</u>

(2) Schools/Hospitals

	<u>All Districts (where permitted)</u>
<u>Front Yard</u>	<u>150</u>
<u>Side Yard</u>	<u>100</u>
<u>Rear Yard</u>	<u>50</u>
<u>Lot Width</u>	<u>400</u>

(3) Religious Establishments

	<u>All Districts</u>
<u>Front Yard</u>	<u>100</u>
<u>Side Yard</u>	<u>50</u>
<u>Rear Yard</u>	<u>50</u>
<u>Lot Width</u>	<u>200</u>

(4) Nursing Homes/Assisted Living Facilities/Retirement Homes

	<u>All Districts (where permitted)</u>
<u>Front Yard</u>	<u>50</u>
<u>Side Yard</u>	<u>40</u>
<u>Rear Yard</u>	<u>50</u>
<u>Lot Width</u>	<u>150</u>

(5) Recreational, Institutional and Community Facilities

	<u>All Districts</u>
<u>Front Yard</u>	<u>25</u>

<u>Side Yard</u>	<u>20</u>
<u>Rear Yard</u>	<u>40</u>
<u>Lot Width</u>	<u>100</u>

(C) Exceptions

- (1) Notwithstanding the above, bulk regulations in a Planned Unit Development (PUD) shall be subject to the provisions of 155.093.
- (2) Notwithstanding the above, the bulk regulations in a Retirement Village shall be established by the Planning Commission at the time of site plan approval. The maximum allowable density in the R-20,000 district for a Retirement Village shall not exceed 3.5 dwelling units per acre.
- (3) The density for nursing homes and assisted living facilities in all residential districts shall not exceed 1 bed per 3,000 square feet.
- (4) The maximum allowable density in the R-10,000 and R-7,500 districts for retirement homes shall be as determined by the Planning Commission but not exceeding 1 dwelling unit per 3,000 square feet.

(D) Building Height

- (1) No principal structure shall exceed 35 feet in height in the R-40,000, R-20,000 and R-10,000 Districts, and 40 feet in the R-7,500 District.

(E) Accessory structures

- (1) Accessory buildings shall adhere to minimum front and side yard requirements unless they are located totally in the rear yard, in which case the side and rear setbacks shall be a minimum of 3 feet. Variances shall not be granted from this requirement.
- (2) No accessory structure shall exceed 20 feet in height in the R-40,000, R-20,000 and R-10,000 Districts, and 25 feet in the R-7,500 District.

ADMINISTRATION AND ENFORCEMENT

§ 158.130 EXCEPTIONS AND MODIFICATIONS.

(C) Setback modification.

~~(2) Accessory buildings shall adhere to minimum front and side yard requirements unless they are located totally in the rear yard, in which case the side and rear setbacks shall be a minimum of five feet.~~

SPECIFIC USES

158.150 MOBILE HOMES.

No person shall park, store, or occupy a mobile home (nor allow or permit parking, storage, or occupancy of a mobile home), for living or other purposes, except:

(E) Camping or recreational ~~mobile homes~~ vehicles in any district, as an accessory use, and not used for living or business purposes unless in a *bona fide* recreational camping area or as specified under division (H) below;
