

First Reading Nov. 4, 2013

Second Reading EMERGENCY

ORDINANCE 2013-15

AN ORDINANCE TO AMEND CHAPTER 110, ENTITLED ZONING, OF THE CODE OF THE TOWN OF OCEAN CITY, MARYLAND

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE MAYOR AND CITY COUNCIL OF OCEAN CITY THAT CHAPTER 110, ENTITLED ZONING, OF THE CODE OF THE TOWN OF OCEAN CITY, MARYLAND BE, AND IT IS HEREBY, AMENDED BY REPEALING AND REENACTING WITH AMENDMENT SUBSECTION 110-2 DEFINITIONS AS FOLLOWS:

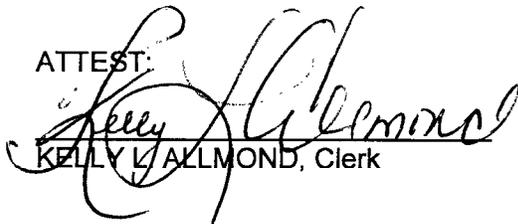
For the purpose of this chapter, the following definitions shall apply:

Building, height of. The vertical distance from base flood elevation or two feet above grade, whichever is greater, to the highest point where the exterior walls meet the roof. The area above the maximum building height (attic) shall not be used for living purposes, which include working, sleeping, eating, cooking or recreation, or a combination thereof unless otherwise specified.

INTRODUCED at a meeting of the City Council of Ocean City, Maryland held on November 4, 2013.

ADOPTED AND PASSED ^{as an emergency ordinance} by the required vote of the elected membership of the City Council and approved by the Mayor at its meeting held on November 4, 2013, 2013.

ATTEST:


KELLY L. ALLMOND, Clerk

Approved as to Form:


GUY R. AYRES, III, Solicitor


RICHARD W. MEEHAN, Mayor


LLOYD MARTIN, President


MARY P. KNIGHT, Secretary

RECOMMENDATION TO MAYOR AND CITY COUNCIL

TO AMEND ARTICLE I CODE SECTION 110-2
DEFINITION OF BUILDING HEIGHT

File PZ #13-14100001

On Tuesday, October 15, 2013, the Planning Commission continued a public hearing to consider amending Code Section 110-2, Definitions:

Building, height of. The vertical distance from **base flood elevation or two feet above grade, whichever is greater**, grade to the highest point where the exterior walls meet the roof. The area above the maximum building height (attic) shall not be used for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof **unless otherwise specified**.

The Planning Commission initiated this amendment. There were no comments from the public concerning the proposal.

The Planning Commission reviewed the current ordinance and listened to testimony from Zoning Administrator Blaine Smith as to how building height is currently calculated by grade which is measured by the crown of the road, and how this clarification would create a specific benchmark for calculation of building height.

At the conclusion of the meeting, the Commission voted unanimously (6-0) to forward the recommendation as an emergency ordinance. For your information, the transcript of the public hearing is also included.

/ks