

Public Hearing

MEMORANDUM

June 18, 2010

TO: County Council

FROM: Jeffrey L. Zyontz,  Legislative Attorney

SUBJECT: Public Hearing – Zoning Text Amendment 10-06, Sloping Lots - Applicability

Zoning Text Amendment (ZTA) 10-06, sponsored by Councilmember Elrich, was introduced on May 18, 2010. This ZTA would allow only those lots that slope down from the street to the rear of the lot to have additional stories on the rear of the lot. In the opinion of the sponsor, the current sloping lot provision adds to infill development that is out of character with its neighbors; additional stories on the street side of the lot add to the potential for a house to dwarf the dwellings on either side.

The Planning, Housing, and Economic Development Committee has tentatively scheduled a worksession on this ZTA for June 29, 2010.

This packet contains
ZTA 10-06

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Zoning Text Amendment No.: 10-06
Concerning: Sloping Lots - Conditions
Draft No. & Date: 1 – 5/11/10
Introduced: May 18, 2010
Public Hearing: June 22, 2010
Adopted:
Effective:
Ordinance No.:

**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: Councilmember Elrich

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- amend the provision concerning sloping lots

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

DIVISION 59-A-5 “COMPLIANCE REQUIRED”
Section 59-A-5.41 “Additional stories on sloping lots”

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.*

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-A-5 is amended as follows:**

2 **Division 59-A-5. Compliance Required.**

3 * * *

4 **59-A-5.41. Additional stories on sloping lot.**

5 [On any] If the average elevation of the lot along the front lot line abutting a street
6 is higher than the average elevation of the lot along the rear lot line, and the lot is a
7 sloping lot, stories in addition to the number permitted in the zone in which the lot
8 is located must be permitted on the downhill side of any building erected on the
9 lot, but the building height limit must not otherwise be increased above that
10 specified for the zone. This section must be implemented by an executive
11 regulation adopted under method 2 of Section 2A-15.

12 * * *

13 **Sec. 2. Effective date.** This ordinance takes effect 20 days after the date of
14 Council adoption.

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16 This is a correct copy of Council action.

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18 _____
19 Linda M. Lauer, Clerk of the Council