

Ordinance No. 22-10

ORDINANCE:

To grant Text Amendment
Application No. TXT2010-
00228, William A.
Pumphrey, Applicant

WHEREAS, William A. Pumphrey, 7557 Wisconsin Avenue, Bethesda, Maryland, filed Text Amendment Application TXT2010-00228 for the purpose of amending Chapter 25 of the Rockville City Code, "Zoning," to allow the expansion of parking in connection with a nonconforming use in a single dwelling unit residential zone; and

WHEREAS, the Planning Commission reviewed the proposed text amendment at its meeting of September 29, 2010, and recommended denial of the application as set forth in a memorandum to the Mayor and Council dated October 14, 2010; and

WHEREAS, pursuant to Article 66B of the Annotated Code of Maryland, the Mayor and Council of Rockville gave notice that a hearing on said application would be held by the Mayor and Council in the Council Chambers at Rockville City Hall on October 25, 2010, at 7:00 p.m., or as soon thereafter as it may be heard; and

WHEREAS, on October 25, 2010, said application came on for hearing at the time and place provided for in said advertisement; and

WHEREAS, the Mayor and Council having considered the text amendment application and the entire file pertaining thereto, said Mayor and Council having decided that the granting of this application, as amended, in the form set forth below, would promote the health, safety and welfare of the citizens of the City of Rockville.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, that Text Amendment Application No. TXT2010-00228, be, and the same is hereby, granted, as amended, by amending Article 8, "Transitional Provisions,

Nonconformities, Nonconforming Alteration Approval,” by adding a new subsection d. to Section 25.08.05 of Chapter 25, “Zoning” as follows:

25.08.05 – Nonconforming Uses

* * *

d. Additional off-street parking. Where a nonconforming use has been in continual existence in the R-90 Zone within the City since prior to August 3, 1932, off-street parking for the nonconforming use may be altered, expanded or enlarged in accordance with the requirements of Article 16 and the Landscaping, Screening and Lighting Manual.

NOTE: [Brackets] indicate material deleted
Underlining indicates material added
Asterisks * * * indicate material unchanged by this ordinance

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I hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the Mayor and Council at its meeting of December 13, 2010.

Glenda P. Evans, City Clerk