

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2012, Legislative Day No. 17

Bill No. 68-12

Mrs. Cathy Bevins, Councilwoman

By the County Council, October 1, 2012

A BILL
ENTITLED

AN ACT concerning

Zoning Regulations – Out-of-Water Storage Facility

FOR the purpose of altering the definition of an out-of-water boat storage facility, Class B, to include the storage of water craft trailers; removing the restriction of three storage levels within a facility; and generally relating to out-of-water storage facilities.

BY repealing and re-enacting, with amendments

Section 101.1, the Definition of “Out-Of-Water Storage Facility, Class B” and Section 417.7 Baltimore County Zoning Regulations, as amended

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that the Baltimore County Zoning Regulations read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

1 Section 101.1 Word usage; definitions.

2 OUT-OF-WATER STORAGE FACILITY, CLASS B – Cradles or berths for the land storage of
3 boats, OTHER WATER CRAFT, OR TRAILERS THEREFOR, that allow [boats] WATER CRAFT
4 OR TRAILERS to be stored on multi-level racks[, not exceeding a height of three levels]. A Class
5 B out-of-water storage facility shall be considered a structure whether it is fully or partially enclosed
6 or open.

7

8 Section 417.7. Out-of-water storage facilities.

9 A. An out-of-water storage facility, Class A, shall be permitted at a marina or boatyard. Such a
10 facility shall be placed so that boats do not overhang property lines.

11 B. An out-of-water storage facility, Class B, is permitted at a boatyard or marina by special
12 exception according to the following requirements:

	Minimum	Setback From Residential	
	Acreage	Zone	Maximum Height
15 2 boats high	2	30 feet	25 feet
16 3 OR MORE	5	60 feet	36 feet
17 boats high			

18 C. Notwithstanding the provisions of these regulations, a four-boat-high out-of-water storage facility
19 is permitted by special exception within a building existing before the effective date of Bill No. 129-

20 92. THEREAFTER, A CLASS B OUT-OF-WATER STORAGE FACILITY THAT EXCEEDS
21 THREE LEVELS IS PERMITTED BY SPECIAL EXCEPTION AND IF GRANTED, THE
22 ZONING COMMISSIONER SHALL INDICATE WHETHER THE FACILITY IS TO BE FULLY

1 OR PARTIALLY ENCLOSED OR OPEN AND SPECIFY THE LOCATION AND
2 ORIENTATION OF THE FACILITY ON THE PROPERTY, IN ORDER TO LESSEN THE
3 IMPACT OF THE FACILITY ON SURROUNDING AREAS.

4 D. All Class B out-of-water storage facilities [for boats,] located adjacent to a residentially zoned
5 or used property shall be screened according to the Class A screening requirements contained in the
6 Landscape Manual. The Zoning Commissioner may indicate additional planting standards in the
7 granting of a special exception.

8 E. Each berth in a Class A or Class B out-of-water storage facility shall be subject to the parking
9 space requirements and exemptions of 409.6.

10 F. The required minimum acreage shall be contiguous and shall not be divided by a public right-of-
11 way.

12 G. In addition to the provisions of Section 307, in the Business Maritime Marina (B.M.M.) Zone,
13 and in the Business Maritime Boatyard (B.M.B.) Zone, the Zoning Commissioner may not:

14 1. Reduce the minimum setback required of an out-of-water storage facility by more than
15 20%; however, the provisions of this Paragraph 1 apply only if the out-of-water storage facility is
16 adjacent to residentially zoned property.

17 2. Permit a variance of more than 20% of the minimum acreage for such facilities which
18 require at least five acres.

19 3. Permit a variance of the minimum acreage for such facilities which require at least two
20 acres.

21 4. Permit a variance of the maximum height of such facilities regardless of acreage.

22 5. Permit a variance pursuant to this subsection unless such variance will not be of

1 substantial detriment to adjacent properties and will not materially impair the purpose of this section.

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3 SECTION 2. AND BE IT FURTHER ENACTED, that this Act shall take effect forty-five

4 (45) days after its enactment.

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