

COMMISSIONERS OF OXFORD

Ordinance No. 2201

INTRODUCED BY:

DATE OF INTRODUCTION:

AN ORDINANCE OF THE TOWN OF OXFORD TO AMEND SECTIONS 19 AND 32 OF THE OXFORD ZONING ORDINANCE TO PROVIDE A PROCESS FOR CONSTRUCTION OF AN ACCESSORY BUILDING ON A LOT WITHOUT A PRINCIPAL USE WHEN NONCONTIGUOUS LOTS ARE IN COMMON OWNERSHIP AND ARE DIVIDED BY A PAPER STREET OR PUBLIC RIGHT OF WAY

Introduced, read first time, ordered posted, and public hearing scheduled on _____ at 6:00 p.m. at the Oxford Town Meeting Room, Market Street, Oxford, Maryland 21654.

By Order _____
Town Clerk

I hereby certify that the foregoing Ordinance Number 2201 of the Town of Oxford was duly read, advertised, and enacted in accordance with the applicable provisions of the Charter of the Town of Oxford on this _____ day of _____, 2022.

Attest: _____
Cheryl Lewis, Clerk/Treasurer
Town of Oxford

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WHEREAS, the Town of Oxford is authorized by the Maryland Code Ann. Land Use Article § 4-202 to adopt such zoning regulations as it determines are in the public health, safety and welfare; and

WHEREAS, the Commissioners of Oxford recognize that there are properties in town that contain two lots that would be contiguous but for a paper street or public right of way that divide the lots; and

WHEREAS, the Commissioners wish to provide those properties with the same abilities to construct an accessory building as properties that are not divided by a paper street or public right of way; and

WHEREAS, the Commissioners have determined that it is desirable and in the public interest to amend Sections 19 and 32 of the Oxford Zoning Ordinance to provide a process for construction of an accessory building on a lot without a principal use, under certain conditions.

NOW, THEREFORE, the Commissioners of Oxford hereby ordain as follows:

Section 1. Section 19 of the Oxford Zoning Ordinance is hereby amended as follows:

Accessory use or structure. A use or structure which is;

1. clearly incidental to and customarily found in connection with, the principal use or structure;
2. is subordinate to and serves the principal use or structure;
3. is located on the same lot as the principal use or structure;

4. facilitates access by the handicapped; and
5. contributes to the comfort, convenience, or necessity of occupants of the principal building or principal use, such as decks, tool sheds, garages, etc. No accessory building or structure shall be permitted on a lot without a dwelling *except as provided in Section 32.01(2)*.

...

Paper Street. *A road or alley which exists only on paper. The road or alley has been drawn on paper, such as a map or subdivision plan, but has not been built.*

Section 2. Section 32 of the Oxford Zoning Ordinance is hereby amended by amending Section 32.01 titled “Accessory Buildings” as follows:

§32.01 - Accessory Buildings.

- 1) ~~No accessory building will be~~ *Accessory buildings or structures are not* permitted on a lot without a principal permitted building *except as provided in Section 32.01(2) herein.*
- 2) *An accessory building or structure may be approved on a lot without a principal use or structure provided that the following conditions are met:*
 - a) *Two noncontiguous lots in common ownership as of March 8, 2022 are divided by a paper road or public right of way that would be contiguous but for the paper road or public right of way dividing the lots; and*
 - b) *A primary structure exists on one of the noncontiguous lots; and*
 - c) *The property owner enters into a recordable agreement that the noncontiguous parcels must remain under common ownership and that the accessory structure may only serve one additional lot which must contain a principal structure; and*
 - d) *The paper street or public right of way is not utilized for public vehicles; and*
 - e) *The property owner agrees to maintain the paper street or public right of way for the benefit of public access; and*
 - f) *The property owner otherwise meets the requirements for an accessory building structure per the Zoning Ordinance.*

Section 3. This Ordinance shall take effect on the _____ day of _____, 2022.

Section 4. This Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect twenty (20) days from and after the date of its final passage and adoption.

ENACTED this _____ day of _____, 2022.

COMMISSIONERS OF OXFORD:

Gordon Fronk, President

Jimmy Jaramillo, Commissioner

Brian Wells, Commissioner

I hereby certify that the foregoing Ordinance Number 2201 of the Town of Oxford was duly read, advertised, and enacted with the applicable provisions of the Charter of the Town of Oxford on this _____ day of _____, 2022.

ATTEST:

Cheryl Lewis
Town Manager

Language in ***bold and italicized*** reflects language added
Language ~~stricken~~ reflects language to be deleted