

**AN ORDINANCE TO AMEND
TITLE 17
OF THE CODE OF EMMITSBURG
ENTITLED
ZONING**

draft

BE IT RESOLVED, ENACTED AND ORDAINED by the Mayor and Board of Commissioners of the Town of Emmitsburg, Maryland, pursuant to the authority granted to them by the laws of Maryland and the Charter of the Town of Emmitsburg, that Title 17, Section 17.12.060 of the Emmitsburg Municipal Code, be amended as follows:

New language is indicated by being in **BOLD, CAPITAL LETTERS**, and deleted language is designated by being in ~~[brackets and strike out]~~.

Chapter 17.12 Board of Appeals

17.12.060 - Limitations, guides and standards for special exception uses.

A. *{Unchanged}*

B. In deciding such matters, the Board shall give consideration, among other things to the following:

1. Decisions of the circuit court of the county and the Court of Appeals of the state;
2. The orderly growth of the neighborhood and community;
3. The most appropriate use of land and structure;
4. Facilities for sewers, water, trash collection and disposal and the ability of the town to supply such services;
5. Availability of fire-fighting equipment;
6. The effect of such use upon the peaceful enjoyment of people in their homes;
7. The number of people residing, working or studying in the immediate areas;
8. The type and kind of structures in the vicinity where people are apt to gather in large numbers such as schools, ~~churches~~ **PLACES OF WORSHIP**, theaters, hospitals and the like;
9. Traffic conditions, including facilities for pedestrians, such as sidewalks and safety zones and parking facilities available and the access of cars on highways;
10. The preservation of cultural and historic landmarks;
11. The conservation of property values;
12. The effect of odors, dust, gas, smoke, fumes, vibrations, glare and noise upon the uses of surrounding properties;
13. The contribution, if any, such proposed use, building or addition would make toward the deterioration of areas and neighborhoods;
14. Accordance of contemplated action with an adopted town plan.

BE IT FURTHER RESOLVED, ENACTED AND ORDAINED that this Ordinance shall take effect on the date on which the Mayor approves the Ordinance after passing by the Board of Commissioners or on the date on which the Board of Commissioners passes the Ordinance over the veto of the Mayor.

PASSED this ___ day of _____, 2017
by a vote of _____ for, _____ against, _____ absent, and _____ abstain.

ATTEST:

EMMITSBURG BOARD OF COMMISSIONERS:

Madeline Shaw, Town Clerk

Timothy O'Donnell, President

MAYOR

_____APPROVED _____VETOED

this _____ day of _____, 2017.

Donald N. Briggs, Mayor

I hereby certify that the foregoing Ordinance has been posted as required by Chapter 2.04 of the Emmitsburg Municipal Code.

Madeline Shaw, Town Clerk
Date: