

Introduced by: Councilmember Seamens

**CITY OF TAKOMA PARK, MARYLAND**

**Resolution No. 2017-33**

**Resolution Requesting that the Montgomery County Council  
Modify Setback Rules in Areas with Uneven Property Frontage Lines**

WHEREAS, the City of Takoma park is located within the urban ring of Montgomery County, an intensively developed area where almost all current development activity is infill within established neighborhoods, and

WHEREAS, the building setbacks in these neighborhoods help maintain community character by providing a consistent building line for adjacent buildings to align with, and

WHEREAS, the plat record for the City shows many instances where the width of the public Right-of-Way (ROW) varies along one block of major and minor roadways throughout the city, creating uneven property frontage lines on abutting parcels, and

WHEREAS, new structures to be built on properties throughout the city must follow setback regulations prescribed in the Montgomery County Zoning Ordinance, and

WHEREAS, on properties zoned residential, the zoning ordinance currently requires that new structures must be built either a minimum of 25 feet from the property frontage line, or at a setback equal to an Established Build Line (EBL), whichever is greater, and

WHEREAS, an EBL is only defined in instances where structures are built more than 25 feet from the property frontage line and are built in an even line with surrounding structures, and

WHEREAS, in cases where a row of residential structures along one section of roadway follow the minimum 25 foot setback rule and an EBL is not set, and the property frontage line of a parcel is uneven with those adjacent, the current setback rules allow a new structure to be built out of line with the structures on adjacent parcels.

NOW, THEREFORE BE IT RESOLVED that the City Council requests that, in order to create more uniform setbacks and preserve neighborhood character, the Montgomery County Council modify setback rules through a text amendment or overlay in instances where uneven property frontage lines occur along the Rights-of-Way of roadways throughout the City.

Adopted this 3<sup>rd</sup> day of May, 2017.

Attest: \_\_\_\_\_

Jessie Carpenter, CMC

City Clerk