

FILED

04 SEP 20 AM 11: 59

COUNTY COUNCIL  
OF DORCHESTER COUNTY, MARYLAND

2004 Legislative Session,  
Legislative Day No. August 17, 2004

Introduced by: County Council

Bill No. 2004 - 21

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND, TO AMEND CHAPTER 155, SECTION 155-50.Q. OF THE DORCHESTER COUNTY CODE TO PROVIDE THAT FAMILY DAY CARE IS DELETED FROM HOME OCCUPATION SPECIAL EXCEPTION LIST AND ADDED UNDER THE TABLE OF PERMITTED USES.

Introduced, read first time, order posted on official bulletin board of Dorchester County, County Office Building, 501 Court Lane, Cambridge, Maryland 21613.

Ordered publication for once a week for two (2) successive weeks, and public hearing scheduled on Tuesday, September 14, 2004, room 110, County Office Building, 501 Court Lane, Cambridge, Maryland at 6:15 p.m.

By Order: Jane Baynard  
Jane Baynard, County Manager

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04 DEC -1 AM 9: 04

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND, TO AMEND CHAPTER 155, SECTION 155-50.Q. OF THE DORCHESTER COUNTY CODE TO PROVIDE THAT FAMILY DAY CARE IS DELETED FROM HOME OCCUPATION SPECIAL EXCEPTION LIST AND ADDED UNDER THE TABLE OF PERMITTED USES.

SECTION ONE: Acting under Article 25A, Section 5(x) of the Annotated Code of Maryland (the "Act"), be it ENACTED and ORDAINED by the County Council of Dorchester County, Maryland that Chapter 155, Section 155 -50.Q.of the Dorchester County Code be repealed and reenacted to read as follows:

ARTICLE IX, SUPPLEMENTARY USE REGULATIONS, 155-50.Q.2.

**2. Special exception standards for home occupations**

Where home occupations are permitted as a special exception the following shall apply:

- a. Home occupations may include the uses listed below, as well, as other uses which comply with all requirements of this section, as determined by the Board of Appeals:
  - i. Art or hand craft studios.
  - ii. Barber.
  - iii. Beauty parlor.
  - iv. Boat building.
  - v. Business or professional offices.
  - vi. Catering, subject to health department approval.
  - vii. Direct sale product distribution (e.g., Amway, Avon, tupperware, etc.).
  - viii. Dressmaker, seamstress, tailor and similar uses.
  - ~~ix. Family day care.~~
  - x.ix. Mail-order or telephone sales.
  - xi.x. Shoe repair.
  - xii.xi. Repair services for computer hardware, clocks, jewelry, cameras, guns and similar uses.
  - xiii.xii. Tutoring.
  - xiv.xiii. Typing and computer services.

SECTION TWO: Acting under Article 25A, Section 5(x) of the Annotated Code of Maryland (the "Act"), be it ENACTED and ORDAINED by the County Council of Dorchester County, Maryland that Chapter 155, TABLE OF PERMITTED USES BY ZONING DISTRICT of the Dorchester County Code be amended to add language for family day care as shown on attachment A.

SECTION THREE: BE IT FURTHER ENACTED AND ORDAINED BY THE COUNTY COUNCIL OF DORCHESTER COUNTY that General Code Publishers is directed to codify amended Section 155-50.Q. and the TABLE OF PERMITTED USES BY ZONING DISTRICT of Chapter 155 in the Dorchester Code accordingly.

SECTION FOUR: BE IT FURTHER ENACTED AND ORDAINED BY THE COUNTY COUNCIL OF DORCHESTER COUNTY, that this bill shall be known as Bill No. 2004-21 of Dorchester County, Maryland and shall take effect sixty (60) days after its final passage.

PASSED this 14<sup>th</sup> day of September, 2004.

ATTEST:

COUNTY COUNCIL OF DORCHESTER COUNTY:

BY: Jane Baynard  
Jane Baynard, County Manager

Glenn L. Bramble  
Glenn L. Bramble, President

Bramble - aye  
Yockey - aye  
Elzey - aye  
Flowers - aye  
Nichols - aye

ATTACHMENT "A"

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Table of Permitted Uses by Zoning District

Use Category	Use	Includes/Excludes	Requirements	Zoning Districts													
				EC	RR-C	RR	RR-RCA	AC	AC-RCA	SR	SR-RCA	V	B-1	B-2	I-1	I-2	
Residential 1	Customary residential outbuildings.	Includes non-regulated dog kennels, private garages, parking areas and swimming pools. Excludes the use of manufactured homes, mobile homes, recreational vehicles, recreational trailers, and similar vehicles for storage.	1. Use must be accessory to a permitted principal use. 2. Certain uses and structures may be subject to accessory or supplementary use regulations.	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Residential 1	Customary residential outbuildings, cont.		3. In any RCA district any buildings and runways associated with a dog kennel shall be located outside of the tidewater buffer and at least two hundred feet from any property line or public way.														
Residential 1	Family day care		1. The outdoor play area must be enclosed by a fence. 2. Must meet requirements of Child Care Administration. 3. Must obtain certificate of use.	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Residential 1	Farm labor housing for occupancy during the harvest season.		1. Permitted only on a farm as defined in this chapter. 2. 200 foot setback from all property lines. 3. Must meet all requirements of the Department of Health and Mental Hygiene. See supplementary use regulations.	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Residential 1	Home occupations and home-based contractors	See list of inclusions and exclusions in supplementary use regulations.	See supplementary use regulations.	A,S	A,S	A,S	A,S	A,S	A,S	A,S	A,S	A,S	A,S	A,S	A,S	A,S	A,S
Residential 1	Home satellite dishes	See definition of home satellite dish.		A	A	A	A	A	A	A	A	A	A	A	A	A	A
Residential 1	Housing for elderly persons	See definition of elderly persons	Permitted as a special use category in Planned Unit Developments (PUDs), see supplementary use regulations for PUDs. See supplementary use regulations for manufactured homes specifying where and under what circumstances manufactured homes are permitted.	S													
Residential 1	Manufactured homes	See definitions of manufactured home and mobile home. A mobile home is a type of manufactured home.		A,P, S	A,P, S	A,P, S	A,P, S	A,P, S	A,P, S	A,P, S	A,P, S	A,P, S	A,P, S	A,P, S	A,P, S	A,P, S	A,P, S
Residential 1	Manufactured home parks		See supplementary use regulations for manufactured home parks.														

P = Permitted Principal Use, S = Special Exception, A = Accessory Use, Blank = Not Permitted