

Zoning Interpretation Record

Subject of Interpretation:

Screening of parking areas within 50' of a residential district

Zoning Ordinance Reference (Article and Section):

Article 7, Section 1.4(7)

Interpretation:

The intent of this section is to provide screening of parking areas from residential uses. There are a number of uses that are permitted in residential districts that are not traditional residential uses. When a property zoned for residential use is developed in such a way as to preclude its use for a residence (or residences), the need for a visual screen is no longer present. In order to demonstrate that a property otherwise zoned for residential use will not be developed for residential purposes, the applicant must provide copies of recorded documents or evidence of a peculiar feature on the property zoned for residential use that limit the use of that property in perpetuity to something other than a residence. If such a showing can be made, no screen shall be required in accordance with Art. 7, Sec. 1.4(7).

Examples:

A commercial development proposes a parking lot within 50' of an adjacent property zoned R-4, containing a BMP. The adjacent property abuts the commercial development on one side and a public road on the other side. The approved conceptual plan for the adjacent property indicates the property will be used only as a BMP, the owner has entered into a maintenance agreement for the facility with the County which prohibits the development of the property for residential purposes, and those agreements have been recorded in the Clerk's Office. No screen shall be required along this common property line.

Interpretation by:

Approved by:

Signature

Date

Signature

Date

Mary B. Pennock

Printed Name

Printed Name