

Harford County, Maryland

ZONING CODE



Chapter 267 of the Harford County Code, as amended

Effective December 22, 2008

Amended thru December 7, 2015

DEPARTMENT OF PLANNING AND ZONING

Harford County, Maryland

FLOODPLAIN MANAGEMENT PROGRAM, Chapter 131

and

SUBDIVISION REGULATIONS, Chapter 268

of the Harford County Code, As Amended

are included at the end of

The Development Regulations.

**ZONING CODE
AMENDMENT INFORMATION:**

<u>Bill Number</u>	<u>effective date</u>	<u>Bill Number</u>	<u>effective date</u>
09-01	4/6/09	13-51	3/18/14
09-11	6/15/09	13-52	3/18/14
09-19AA	8/17/09	14-1	4/22/14
09-31AA	1/22/10	14-9	7/11/14
09-33AA	1/22/10	14-26AA	8/25/14
10-03	4/20/10	15-17	12/7/15
10-30	12/13/10		
10-32AA	12/27/10		
11-04AA	5/23/11		
11-05AA	5/23/11		
11-03	5/31/11		
11-32	12/12/11		
11-44	12/19/11		
11-62AA	1/13/12		
12-07AA	5/14/12		
12-14	5/21/12		
12-44	1/26/13		
12-48AA	2/11/13		
13-4AA	5/6/13		
13-17	7/22/13		
13-35	1/21/14		
13-36	1/21/14		
13-50	2/18/14		

Historic Inventory Number	Property Name	Property Address
1407	Methodist Episcopal Parsonage (Demolished)	35 East Gordon Street, Bel Air
1410	Kimble-Waters House (Demolished)	50 East Gordon Street, Bel Air
2179	Darlington Elementary School	2119 Shuresville Road, Darlington
258	Proctor House	54 East Gordon Street, Bel Air
1409	Old Bel Air Academy	45 East Gordon Street, Bel Air
Harford Community College:		
152	Hays-Heighe House	401 Thomas Run Road, Bel Air

§ 267-113. Certificate of Appropriateness Required.

A Certificate of Appropriateness shall be required from the Department of Planning and Zoning, in conjunction with the Historic Preservation Commission, that authorizes the following actions affecting the exterior architectural appearance of any Landmark, consistent with §267-115 (Standards for Review):

- A. Any construction, alteration, demolition or removal of an exterior architectural feature, requiring a permit from the Department of Inspections, Licenses and Permits or as specified in the report designating the Landmark.
- B. Notwithstanding the above, if the Director of the Department of Inspections, Licenses and Permits, the Director of the Department of Public Works and the County Health Officer determine, after consultation with the Department of Planning and Zoning, that a County Historic Landmark property constitutes an immediate danger to the health, welfare and safety of the public, the Director may approve the demolition or alteration of the property.
- C. An alteration permitted under Subsection B shall be only to the extent necessary to remove the immediate danger constituted by the property.
- D. County Historic Landmarks that are the property of the state, shall be subject to the requirements of this Subsection in so far as possible.
- E. The Director of a County Department that is responsible for the maintenance of a County Historic Landmark property shall submit an annual report stating the condition of the property to the Historic Preservation Commission.
- F. Minor changes for County-owned buildings, to resolve safety or State law requirements, may be approved by the Department of Planning and Zoning, upon consultation with the Department of Inspections, Licenses and Permits.
- G. Any demolition of a County-owned Historic Landmark shall require approval by the Harford County Council by a vote of at least 5 members.

§ 267-114. Applications.

Every application for a demolition permit or other exterior building permit as required in this Subsection, including the accompanying plans and specifications, affecting the exterior architectural appearance of a designated Landmark shall be forwarded to the Historic

Preservation Commission within 7 calendar days following receipt of the application. The Department of Inspections, Licenses and Permits shall not issue the building or demolition permit until a Certificate of Appropriateness has been issued by the Department of Planning and Zoning in conjunction with the Historic Preservation Commission.

Applications for a Certificate of Appropriateness shall be made on a form prepared by the Department of Planning and Zoning in conjunction with the Historic Preservation Commission. The application can be obtained from the Department of Planning and Zoning.

Applicants may request a meeting with the Historic Preservation Commission prior to submittal of an application or during the review process.

§ 267-115. Standards for Review. [Amended by Bill 15-017]

- A. Design guidelines for applying the criteria for review of certificates of appropriateness shall adhere to the United States Secretary of the Interior's Standards for the Treatment of Historic Properties.
- B. In considering an application for a building or demolition permit or for a Certificate of Appropriateness, the Historic Preservation Commission shall be guided by the United States Secretary of the Interior's Standards for the Treatment of Historic Properties.
- C. Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building, structure or site and its environment or to use a property for its originally intended purpose.
- D. The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided when possible.
- E. All buildings, structures and sites shall be recognized as products of their own time. Alterations that have no historical basis and that seek to create an earlier appearance shall be discouraged.
- F. Changes that may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- G. Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure or site shall be treated with sensitivity.
- H. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event that replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features, substantiated by historic, physical or pictorial evidence, rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- I. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.

- J. Every reasonable effort shall be made to protect and preserve archaeological resources affected by or adjacent to any project.

§ 267-116. Determination by Commission. [Amended by Bill 15-017]

The Historic Preservation Commission shall review the application for a Certificate of Appropriateness and recommend to the Department of Planning and Zoning, approval or denial of the Certificate of Appropriateness within 45 calendar days of receipt of the application. Written notice of the approval or denial of the application for a Certificate of Appropriateness shall be provided to the applicant, the Department of Planning and Zoning and the Department of Inspections, Licenses and Permits within 14 calendar days following the determination.

§ 267-117. Denial.

A denial of a Certificate of Appropriateness shall be accompanied by a statement of the reasons for the denial. The Historic Preservation Commission shall make recommendations to the Department of Planning and Zoning concerning changes, if any, that could resolve the issues. The applicant may resubmit an amended application or reapply for a building or demolition permit that takes into consideration the recommendations of the Historic Preservation Commission.

§ 267-118. Buffer Requirements.

Except when the Landmark is County owned or operated, the following requirements must be met:

- A. If a proposed use will be on a property that is adjacent to a designated County Historic Landmark and if the proposed use is within 500 feet of the Landmark, the proposed use shall have a buffer and landscaping in accordance with this section.
- B. The Director of Planning shall determine the required width and landscaping of the buffer.
 - (1) The width shall be up to 75 feet.
 - (2) Landscaping shall be provided consistent with the criteria put forth in §267-29 (Landscaping).
- C. Before determining the required width and landscaping alternative, the Director of Planning shall obtain a recommendation from the Historic Preservation Commission. In making its recommendation, the Historic Preservation Commission shall consider the following:
 - (1) The nature and extent of the proposed use, the degree of compatibility between the proposed use and the County Historic Landmark.
 - (2) The extent to which the buffer yard will help to preserve the character of the County Historic Landmark.
 - (3) The size of the property on which the proposed use will be located.

- (4) The distance of the proposed use from the County Historic Landmark.
- (5) The size of the property on which the County Historic Landmark is located.

§ 267-119. Fees.

Fees, if any, shall be as established in Chapter 157 of the Harford County Code, as amended.

§ 267-120. Violations and Penalties.

The County may proceed with appropriate enforcement actions, pursuant to §267-14 (Violations and Penalties).