



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**MCPB**  
**Item #2**  
**6/27/02**

**DATE:** June 21, 2002  
**TO:** Montgomery County Planning Board  
**VIA:** Michael Ma, Zoning Supervisor *Ma*  
**FROM:** Greg Russ, Zoning Coordinator *GR*  
**REVIEW TYPE:** Zoning Text Amendment  
**PURPOSE:** To allow covered, but not enclosed, porch additions to a main building to extend into the minimum required yard areas.

**TEXT AMENDMENT:** No. 02-09  
**REVIEW BASIS:** Advisory to the County Council sitting as the District Council, Chapter 59 of the Zoning Ordinance  
**INTRODUCED BY:** District Council at the request of the Board of Appeals  
**INTRODUCED DATE:** May 23, 2002

**PLANNING BOARD REVIEW:** June 27, 2002  
**PUBLIC HEARING:** July 9, 2002

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**STAFF RECOMMENDATION:** APPROVAL with modifications

#### **PURPOSE OF THE TEXT AMENDMENT**

To allow covered, but not enclosed, porch additions to a main building to extend into the minimum required yard areas.

#### **BACKGROUND/ANALYSIS**

The Board of Appeals requested a Zoning Text Amendment to allow covered, but not enclosed, porch additions to a main building to extend into the minimum required yard areas. The text amendment would add zoning flexibility and eliminate the need for property owners to obtain a variance in order to add covered porch extensions. This is a similar amendment that was approved several years ago for the Town of Garrett Park. Front porches were encouraged by the Town and the Garrett Park Overlay Zone was amended to add flexibility for covered porches to extend up to eight feet into the minimum required front yard area.

The proposed language included in Section 59-B-3.1 is as follows:

- (d) *Porches may be roofed but not enclosed and may extend into: (1) the minimum required front yard not more than 6 feet, and (2) the minimum required side or rear yard not more than 3 feet, including roof. If any portion of a porch extends into the required minimum front yard, the porch and its roof may extend not more than 6 feet from the face of the building parallel to the front lot line.*

Staff has no objection with allowing covered, but not enclosed, porch additions to a main building to extend into the minimum required yard areas by 6 feet and into the minimum side or rear yard by 3 feet. Staff believes that the language that prohibits the porch and roof from extending over 6 feet from the face of the building provides additional protection from establishing oversized porches in the front yard. As such, the character of the residential area is maintained.

The text amendment also includes some plain language changes. In the proposed subsection “c” the last sentence was added to the text without underlining (“Any roof covering such as stoops, terraces...”). In any case, staff proposes to delete this sentence since it appears to be redundant.

### **RECOMMENDATION**

The staff supports the proposed text amendment to allow covered, but not enclosed, porch additions to a main building to extend into the minimum required yard areas. This amendment can be accomplished through the proposed language as modified in Attachment 1.

GR

### **Attachments**

1. Proposed Text Amendment 02-09

Zoning Text Amendment No: 02-09  
Concerning: Exemptions for projections –  
steps, terraces and porches  
Draft No. & Date: 1 – 4/20/02  
Introduced: May 23, 2002  
Public Hearing: July 9, 2002; 1:30 PM  
Adopted:  
Effective:  
Ordinance No:

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND  
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF  
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN  
MONTGOMERY COUNTY, MARYLAND**

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By: District Council at the request of the Board of Appeals

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**AN AMENDMENT** to the Montgomery County Zoning Ordinance for the purpose of:

- allowing roofed porch additions to a main building to extend certain distances into minimum required yard areas

By amending the following section of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

DIVISION 59-B-3  
Section 59-B-3.1

“EXEMPTIONS FOR PROJECTIONS”  
“Steps, terraces, and porches

*EXPLANATION: **Boldface** indicates a heading or a defined term.  
Underlining indicates text that is added to existing laws by the original text amendment.  
[Single boldface brackets] indicate text that is deleted from existing law by the original text amendment.  
Double underlining indicates text that is added to the text amendment by amendment.  
[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.  
\* \* \* indicates existing law unaffected by the text amendment.*

**ORDINANCE**

*The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:*

1           **Sec. 1. Division 59-B-3 is amended as follows:**

2           **DIVISION 59-B-3. EXEMPTIONS FOR PROJECTIONS**

3           **59-B-3.1. Steps, terraces and porches.**

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5           **(a)**   Steps and open uncovered stoops, terraces and porches may extend into any  
6           minimum front or rear yard not more than 9 feet.

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8           **(b)**   On a corner lot having a minimum side yard 25 feet or more in width, steps  
9           and open uncovered stoops, terraces and porches may extend into such  
10          minimum side yard not more than 9 feet, but there shall be no encroachment  
11          upon the minimum side yard of a corner lot when such yard is less than 25  
12          feet in width; provided, that except in the case of a corner lot, steps,  
13          uncovered stoops, terraces and porches may extend into any minimum side  
14          yard not more than 3 feet.

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16          **(c)**   Steps and stoops, terraces, and outside open stairways which extend into the  
17          minimum required yards may be roofed but not enclosed [; provided that  
18          such roofing] and may extend into the minimum required yards not more  
19          than 3 feet. [[Any roof covering such stoops, terraces and outside open  
20          stairways may extend into the minimum required yards not more than 3 feet.]]

21  
22          **(d)**   Porches may be roofed but not enclosed and may extend into: (1) the  
23          minimum required front yard not more than 6 feet, and (2) the minimum  
24          required side or rear yard not more than 3 feet, including roof. If any portion  
25          of a porch extends into the required minimum front yard, the porch and its

1        roof may extend not more than 6 feet from the face of the building parallel to  
2        the front lot line.

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4        **Sec. 2. Effective date.** This ordinance becomes effective 20 days after the  
5        date of Council adoption.

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7        This is a correct copy of Council action.

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12        Mary A. Edgar, CMC  
13        Clerk of the Council