

# Liber 14 Folio 0591

Acts, Ordinances, Resolutions- Town  
Clerk of the Circuit Clerk  
Washington County

## ORDINANCE 2025-03

### AN ORDINANCE AMENDING AND REVISING ARTICLE II OF *THE ZONING ORDINANCE OF THE TOWN OF SMITHSBURG*, Definitions, Section 405-7, Convenience Store

#### Recital

Pursuant to the *Zoning Ordinance for the Town of Smithsburg*, the Planning Commission initiated an Amendment to *The Zoning Ordinance to amend the Zoning Ordinance to revise, modify and amend the Zoning Ordinance, Article II, §405-7, Definitions, Convenience Store* as more specifically set forth in **Exhibit A** which is attached hereto and incorporated herein by reference. The various agencies, including the Planning Commission and the Mayor and Council, being the duly constituted legislative body of the Town of Smithsburg, have complied with all of the provisions of the aforementioned *Zoning Ordinance*. The Mayor and Council, as it's duly constituted legislative body, for the Town of Smithsburg, Maryland, held a Public Hearing in compliance with the *Zoning Ordinance* on February 18, 2025.

The Mayor and Council do find, based on the testimony and evidence presented at the Public Hearing, and having considered all of the criteria set forth by the Laws of the State of Maryland and the *Zoning Ordinance*, that the proposed text amendment to the *Zoning Ordinance* would be appropriate and logical.

The Mayor and Council further find as a matter of fact, and a matter of law, that the Amendments to the text of the *Zoning Ordinance* as requested would be consistent with the *Comprehensive Plan of the Town of Smithsburg* and not contrary to proper planning and/or the purpose and intent of the *Zoning Ordinance* for the Town of Smithsburg, Maryland.

#### Resolution

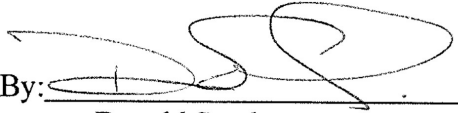
**NOW, THEREFORE**, be it **RESOLVED, ENACTED, and ORDAINED** that in accordance with the Findings set forth herein, **THE ZONING ORDINANCE OF THE TOWN OF SMITHSBURG, ARTICLE II, Section 405-7, Definitions, Convenience Store** is hereby amended and modified as specifically set for in **Exhibit "A"** which is attached hereto and incorporated herein by reference; and be it further

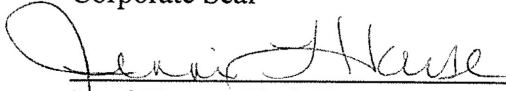
**RESOLVED, ENACTED and ORDAINED** that all other provisions of said *Zoning Ordinance* shall remain in full force and effect.

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**MAYOR AND COUNCIL OF THE TOWN  
OF SMITHSBURG, MARYLAND**

Witness and Attest as to  
Corporate Seal

By:   
Donald Souders, Mayor

  
Jenni House, Clerk/Treasurer

Date of Introduction: February 18, 2025

Date of Passage: March 4, 2025

Effective Date: March 24, 2025

Record and Return to:

Jenni House  
Clerk/Treasurer  
Town of Smithsburg  
21 West Water Street  
Smithsburg, MD 21783

**EXHIBIT "A"**

***Town of Smithsburg Zoning Ordinance, Article II, Section 405-7, Definitions***  
**Convenience Store**

**Convenience Store (aka C-Store):** Any retail establishment offering for sale food products, household items, and other goods commonly associated with the same. Convenience stores may also include self-service auto-fuel (including gasoline, auto diesel, flex fuel, and other automotive energy products), electric vehicle charging stations, car washes, and restaurants that provide indoor and/or outdoor seating. Convenience stores are characterized by a rapid turnover of customers and unlimited hours of operation. C-stores shall be limited to a maximum of 7,000 gross square feet in size, not including the outdoor canopy/fuel area. A separate carwash operation shall be included in the gross square footage. Parking is for customers and employees only. No overnight or transient parking shall be allowed, and monitoring is the responsibility of the store operator.

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Please send Original Documents to:

Jenni House  
Clerk -Treasurer  
**Town of Smithsburg**  
21 W. Water Street  
P. O. Box 237  
Smithsburg, MD 21783

APR -8 2025

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LR - Government  
Instrument 0.00  
Agency Name: Town of  
Smithsburg  
Instrument List: Other  
Describe Other:  
Ref:  
=====  
Total: 0.00  
04/07/2025 08:53  
CC21-RD  
#18818310 CC0403 -  
Washington  
County/CC04.03.01 -  
Register 01

This page not to be counted in calculating Recording Fee

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**Clerk of Circuit Court  
Washington County, Maryland**

Kevin R. Tucker, Clerk  
24 Summit Avenue  
Hagerstown, MD 21740  
301-790-7991

**For Clerks Use Only**

Improvement Fee \_\_\_\_\_  
Recording Fee \_\_\_\_\_  
County Transfer Tax \_\_\_\_\_  
Recordation Tax \_\_\_\_\_  
State Transfer Tax \_\_\_\_\_  
Non-Resident Tax \_\_\_\_\_  
**TOTAL** \_\_\_\_\_