

LAND DEVELOPMENT

360 Attachment 3

Allegany County

Table 4
Special Setback and Height Requirements
[Amended 7-11-2019 by Bill No. 1-19, effective 8-25-2019]

Use	Requirement
Communication towers and other freestanding nonindustrial structures, excluding WECS	A distance equal to the height of the structure from buildings on adjacent lots
Residential accessory structures	8-foot setback from other structures on the same lot
Neighborhood commercial structure	25-foot setback from property line with screening buffer when adjacent to residential unit or R- 1 or R- 2 District
Major commercial structure	50-foot setback from property line with screening buffer when adjacent to residential unit or R- 1 or R- 2 District
Industrial structure	50-foot setback from property line with screening buffer when adjacent to residential unit or R- 1 or R- 2 District, also a distance equal to the height of the structure when adjacent to residential unit or R- 1 or R- 2 District
Special exceptions, nonresidential uses	50-foot setback from property line with screening buffer when adjacent to residential unit or R- 1 or R- 2 District
Special exceptions, large-scale uses ¹	50-foot setback from property line with screening buffer when adjacent to residential unit or R- 1 or R- 2 District
Drive-through facilities	50% of required building setback
Vehicles, modular homes, boats and mobile homes on sales lot	50% of required building setback
Swimming pools	25-foot setback measured horizontally from nearest overhead electric line
Fences	
Swimming pools	4-foot minimum height for inground pools
Privacy	8-foot maximum height for residential lots; 12-foot maximum height for other uses
Surface mines and quarries	300-foot setback from residential unit unless owner gives written waiver
Airport	1,000-foot setback from nearest residence or R-1 District boundary

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Use	Requirement
Landing field	1,000-foot setback beyond end of landing strip to nearest residential unit or R-1 district boundary 200-foot setback from the center line of landing strip to nearest residential unit or R-1 district boundary
Solid waste transfer stations and solid waste processing/resource recovery facilities	300-foot setback from property line with screening buffer when adjacent to an R-1 District boundary or when adjacent to a residential unit. In the GU, A or C Districts, the Board of Appeals may alter this setback to increase the distance to residential units after site review.
Canopies/gas pumps/other fixed equipment	50% of required building setback
Wind energy conversion system (WECS) - both agricultural and domestic	(1) Buffer ² : a distance equal to two times the height ³ of the structure from occupied buildings on adjacent lots (2) Setback: a distance equal to the height ³ of the structure from property lines of adjacent lots
Concentrated animal feeding operations	500-foot setback from nearest neighboring residential unit or R-1 District boundary
Truck stops, truck terminals and truck repair facilities	In the B-2 and GU Districts, 200-foot setback from the nearest residential unit or R-1 District boundary
On-site and directional signs	10-foot setback from the road right-of-way line and 5-foot setback from side and rear property lines
Billboards	15-foot setback from side and rear lot lines

NOTES:

- ¹ Includes outdoor theaters, coal preparation or handling facilities, sawmills, fairgrounds, racetracks, stadiums, sewage treatment plants and landfills.
- ² The established buffer requirement may be reduced to a horizontal distance equal to the structure's height upon presentation of written waiver by the respective property owner(s).
- ³ The height of the structure is determined by the vertical distance from grade to nacelle.