

181 Prince George Street Sidewalk Easement

For the purpose of the City Council waiving City restrictions on a trash can enclosure that encroaches on the City sidewalk in front of 181 Prince George Street; and generally relating to waiver of requirements of § 14.20.080 of the City Code.

**City Council of the
City of Annapolis**

Resolution 35-25

Introduced by: Mayor Buckley

Co-sponsored by:

A RESOLUTION concerning

181 Prince George Street Sidewalk Easement

FOR the purpose of the City Council waiving City restrictions on a trash can enclosure that encroaches on the City sidewalk in front of 181 Prince George Street; and generally relating to waiver of requirements of § 14.20.080 of the City Code.

WHEREAS, The residential building located at 181 Prince George Street in Historic Annapolis contains three dwelling units. The building backs up to East Street. Two of the units have direct access to East Street and place their trash cans there, while the third unit only has access to Prince George Street, where its residents leave their trash cans; and

WHEREAS, Section 10.16.030 of the City Code requires refuse containers to be removed from the sidewalk no later than midnight after the scheduled collection day, and "In the historic district, as defined in Title 21, approved refuse containers must be removed from public view."

WHEREAS, Section 14.20.080 of the City Code states, "No person shall erect or build, put or place any step, porch, portico, bay window, cellar door or other permanent part or portion of a building upon or over any sidewalk, so that it encroaches upon or projects over the sidewalk more than one-quarter the distance between the building line of the street or alley and the curb"; and

WHEREAS, The owner of 181 Prince George Street has requested approval from the Historic Preservation Commission for a trash can structure in the Historic District. Additionally, a fence permit may be necessary. However, before these permits can be issued, approval from the City Council for a sidewalk easement, as outlined in § 14.20.080, is required; and

1 **WHEREAS,** Section 14.20.080 allows the City Council to waive specific requirements of that
2 section of the Code, "the City Council, by resolution passed by a favorable vote of
3 the majority of the entire membership, and upon receipt of adequate consideration
4 by the City, may waive this provision and permit an encroachment upon or over a
5 sidewalk for any distance";
6

7 **NOW, THEREFORE, BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that §
8 14.20.080 restrictions on a structure that "encroaches upon or projects over the sidewalk more
9 than one-quarter the distance between the building line of the street or alley and the curb"
10 regarding a trash can enclosure in front of 181 Prince George Street be waived, pending permit
11 approval of the Historic Preservation Commission and the City of Annapolis.
12

13 **AND BE IT FINALLY RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that this
14 resolution shall take effect upon passage.