
By: Delegates Frank and Krysiak

Introduced and read first time: January 17, 1996

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Zoning and Planning - Home Offices - Residential Use**

3 FOR the purpose of providing that a home office that meets certain qualifications shall
4 be considered a residential use for planning and zoning purposes; and defining
5 certain terms.

6 BY adding to

7 Article 24 - Political Subdivisions - Miscellaneous Provisions
8 Section 17-101 to be under the new title "Title 17. Use of Home Offices"
9 Annotated Code of Maryland
10 (1994 Replacement Volume and 1995 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article 24 - Political Subdivisions - Miscellaneous Provisions**

14 TITLE 17. USE OF HOME OFFICES.

15 17-101.

16 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
17 INDICATED.

18 (2) "HOME OFFICE" MEANS AN OFFICE IN A DWELLING UNIT IF THE
19 OFFICE:

20 (I) OCCUPIES NO MORE THAN 25% OF THE TOTAL FLOOR AREA OF
21 A DWELLING UNIT;

22 (II) IS OPERATED BY ONE OR MORE RESIDENTS OF THE DWELLING
23 UNIT;

24 (III) EMPLOYS NO MORE THAN TWO INDIVIDUALS WHO ARE NOT
25 RESIDENTS OF THE DWELLING UNIT; AND

26 (IV) INVOLVES ACTIVITY THAT:

2

1 1. DOES NOT CHANGE THE CHARACTER OF THE DWELLING
2 UNIT; AND

3 2. IS CONDUCTED ENTIRELY WITHIN THE DWELLING UNIT.

4 (3) "POLITICAL SUBDIVISION" MEANS AN ENTITY OF:

5 (I) A COUNTY;

6 (II) A MUNICIPAL CORPORATION; OR

7 (III) A BI-COUNTY AGENCY.

8 (B) THIS SECTION APPLIES TO ANY POLITICAL SUBDIVISION EXERCISING
9 PLANNING AND ZONING AUTHORITY UNDER ARTICLE 23A, ARTICLE 25, ARTICLE 25A,
10 ARTICLE 25B, ARTICLE 28, OR ARTICLE 66B OF THE CODE.

11 (C) FOR PURPOSES OF A PLANNING AND ZONING ORDINANCE OR
12 REGULATION ADOPTED BY A POLITICAL SUBDIVISION, A HOME OFFICE:

13 (1) SHALL BE CONSIDERED A RESIDENTIAL USE;

14 (2) MAY NOT BE CONSTRUED AS A BUSINESS OR COMMERCIAL USE;

15 AND

16 (3) SHALL BE ALLOWED IN ANY DISTRICT THAT IS ZONED FOR
17 RESIDENTIAL USE.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 1996.