TOWN OF DEWEY BEACH
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ORDINANCE # _____

AN ORDINANCE TO AMEND CHAPTER 1, DEFINITIONS OF THE DEWEY BEACH CODE OF ORDINANCES REGARDING FRONT BUILDABLE AREA AND CHAPTER 185, ZONING RESTRICTING ACCESSORY STRUCTURES AND USES IN SPECIFIED BUILDABLE AREAS

WHEREAS, the Commissioners wish to clarify requirements for usage of the buildable area of a lot for accessory structures

WHEREAS, the Commissioners wish to define the usage-accessory structures and uses in-specified buldable areas

NOW THEREFORE, BE IT ENACTED AND ORDAINED, by the Commissioners of the Town of Dewey Beach, Sussex County, Delaware, in session met, as follows:

Section 1. Amend Section 16, Chapter 1 of the Code of Ordinance of the Town of Dewey Beach by adding the following term and definition reflected below:

A. **FRONT BUILDABLE AREA** shall mean the portion of a lot lying between the foremost façade of the primary structure and the required front yard setback line, excluding the required front yard itself. The front buildable area includes any part of the buildable envelope situated forward of the foremost façade of the primary structure.

Section 2. Amend Section 185-51 of the Zoning Code of the Town of Dewey Beach by adding a new subsection thereto to read as follows:

H. In residential districts no accessory structure or use that is prohibited in the required front yard of a lot may be located within the front buildable area.

Section 3. If any provision of this Ordinance shall be deemed or held to be invalid or unenforceable for any reason whatsoever, then such invalidity or unenforceability shall not affect any other provision of this Ordinance which may be given effect without such invalid or unenforceable provision, and to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 4. This Ordinance shall take effect immediately upon its adoption by a majority vote of all Commissioners of the Town of Dewey Beach.

Adopted by at least a majority of all Commissioners of the Town of Dewey Beach on _____ ___, 2025.

_____
William Stevens, Mayor

Attest: _____
Bill Zolper, Town Manager

SYNOPSIS: This Ordinance restricts structures and uses and from being located in areas within the building envelope of a lot and its required front yard.