

Approved First Reading - December 16, 2022
Public Hearing - January 18, 2023
Approved Second Reading - February 24, 2023
Amendment Passed - February 24, 2023

AN ORDINANCE TO AMEND CHAPTER 160, ZONING, OF THE CODE OF THE
TOWN OF FENWICK ISLAND, DELAWARE §160-2 B RELATING TO DEFINITION
OF FLOOR AREA

WHEREAS, the Town Council of the Town of Fenwick Island desires to promote the health, safety and general welfare of the inhabitants of the Town of Fenwick Island, Delaware;

BE IT ORDAINED by the Town Council of the Town of Fenwick Island, in session met, a quorum pertaining at all times thereto, in the manner following:

CODE OF THE TOWN OF FENWICK ISLAND, DELAWARE §160-2

CURRENT ORDINANCE:

FLOOR AREA

The total square footage of all horizontal floor areas of a detached single-family dwelling measured from outside walls or limits, including all enclosed areas and structures located more than 12 inches above ground, including, by way of example and not of limitation, decks, porches, balconies, and residential pools, but excluding the following:

- (1) Uninhabitable attics.
- (2) Enclosed ground level storage areas, entries, foyers, utility rooms and crawl spaces that are below FEMA defined floodplain elevations.
- (3) Uncovered ground-level decks and boardwalks.
- (4) Unenclosed ground-level spaces that may be under pilings.
- (5) Accessory buildings.
- (6) Half the area of unenclosed uncovered decks and pools and all the area of unenclosed, uncovered roof-top decks.

CODE OF THE TOWN OF FENWICK ISLAND, DELAWARE §160-2

PROPOSED ORDINANCE:

FLOOR AREA

The total square footage of all horizontal floor areas of a detached single-family dwelling or other building, including commercial, measured from outside walls or limits, including all enclosed areas and structures located more than 12 inches above ground, including, by way of example and not of limitation, decks, porches, balconies, and residential pools. For single-family dwellings, the following areas are excluded from calculation of floor area: (1) Uninhabitable attics.

- (2) Enclosed ground level storage areas, entries, foyers, utility rooms and crawl spaces that are below FEMA defined floodplain elevations.
- (3) Uncovered ground-level decks and boardwalks.
- (4) Unenclosed ground-level spaces that may be under pilings.
- (5) Accessory buildings.
- (6) Half the area of unenclosed uncovered decks and pools and all the area of unenclosed, uncovered roof-top decks.