



Article #34 Height of Accessory Structures Zoning Bylaw Amendment

ARTICLE 34. Mr. Sayegh moves that the Town take affirmative action on Article 34 as printed in the Warrant

Article #34
Height of Accessory Structures
Zoning Bylaw Amendment

What will the Article amend in the Bylaw?

- Limit the height of accessory structures in the Residential Zoning Districts by adding the following language:

In the Residence AA, Residence A, Residence C and Residence B Districts, any accessory structure located within the required minimum side or rear yard shall be limited in height to not more than twenty-four (24) feet to the peak of a pitched roof or eighteen (18) feet to the highest point of the exterior in the case of a flat roof.

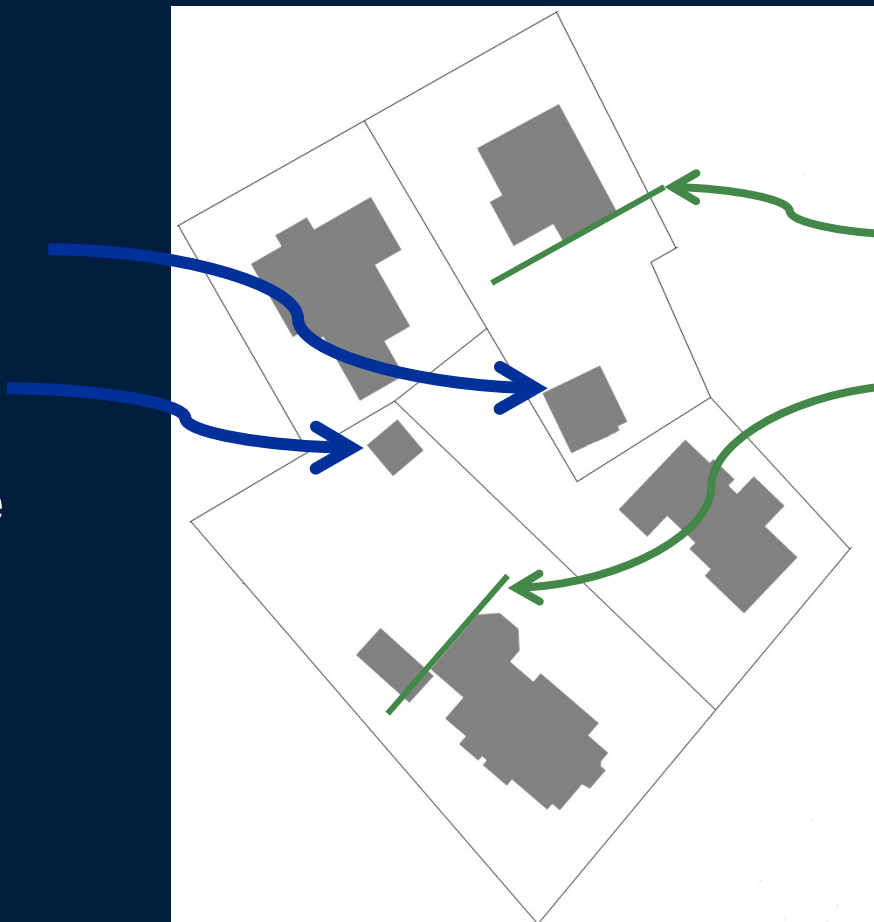
Article #34
Height of Accessory Structures
Zoning Bylaw Amendment

Why is the Planning Board proposing this Bylaw Amendment?

- The Zoning Bylaw allows accessory structures that are located behind the most rear portion of the principal structure to be located as close as 5 feet to the side and rear property line.

Article #34
Height of Accessory Structures
Zoning Bylaw Amendment

Detached
accessory
structures
located
behind the
rear of the
dwelling



Rear
most
portion
of the
dwelling

Article #34
Height of Accessory Structures
Zoning Bylaw Amendment

Why is the Planning Board proposing this Bylaw Amendment?

- Currently, property owners are allowed to build accessory structures that are 35 feet in height (e.g., barns, garage with a full story second habitable space and a pitched roof) that are as close as 5 feet to the property line.

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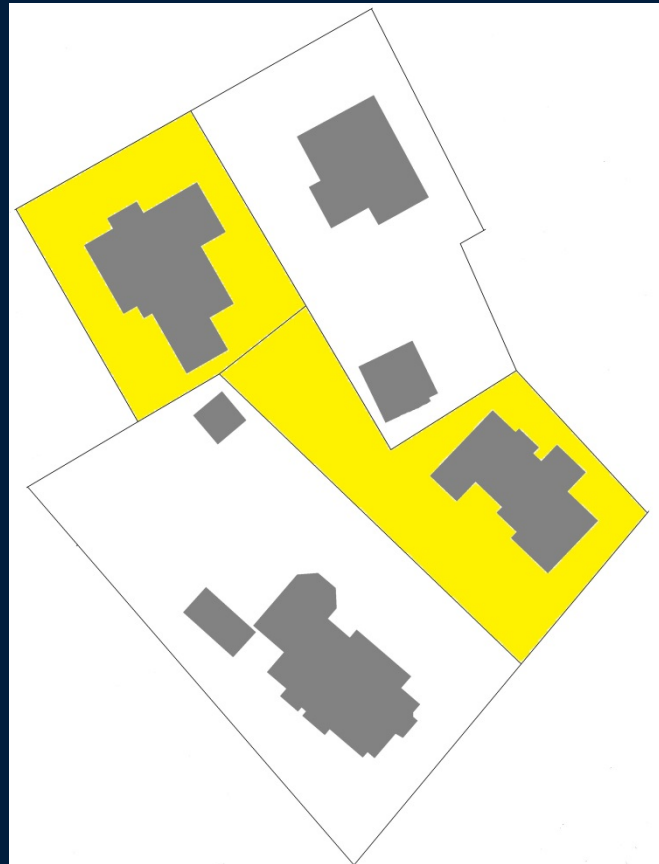
- These structures can overshadow adjacent properties and may become a source of conflict between adjacent property owners.

Article #34
Height of Accessory Structures
Zoning Bylaw Amendment



Article #34
Height of Accessory Structures
Zoning Bylaw Amendment

The abutters do
not have any say
in the location of
the accessory
structures



Article #34
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What if I want a taller accessory structure?

- The 35-foot height limit would still be allowed for accessory structures that are not in the required rear or side yard.
- If a property owner wishes to have a taller accessory structure located within the required rear or side yard, they can seek a special permit waiver from the Zoning Board of Appeals.

Article #34
Height of Accessory Structures
Zoning Bylaw Amendment

What is required for a special permit waiver?

The ZBA must find:

1. A literal application of the applicable height requirement would be unreasonable because there are no reasonable alternatives available, and;
2. The desired relief may be granted without substantial detriment to the neighborhood and without derogating from the intent and purpose of Zoning Bylaw.

Article #34
Height of Accessory Structures
Zoning Bylaw Amendment

What is required for a special permit waiver?

- As part of the special permit process, abutters within 300 feet of the property are notified of the ZBA public hearing.

Article #34
Height of Accessory Structures
Zoning Bylaw Amendment

Can I still have habitable space on the second floor of the accessory structure?

- A height limit of 24 feet for a pitched roof and 18 feet for a flat roof would still allow for an accessory structure with a first floor and partial habitable second floor.



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