

ARTICLE #__ Backup Material
Submitted By: ZBRC

**RE: Accessory Use Regulations
Relating to One-Family Dwelling
(RO) District**

The Problem

Voiced concerns by residents and building department over lack of clarity in our bylaws regarding accessory uses (sheds in particular).

The Issue - Why is this amendment being presented?

There is confusion about which Accessory Uses and Structures in Residential Zoning Districts require a permit, and how the zoning regulations regarding setbacks are applied. These amendments are proposed to reduce this confusion and set clear definitions and regulations. In support of the Building Department and ZBA, these proposed changes will aid in both the application and enforcement of this area of the Zoning Bylaws.

Resolution to the Issue:

By specifying exact permitting regulations, amending some existing definitions, as well as adding currently undefined terms, the regulations will be clearer to residents and will allow more guidance in the enforcement of these bylaws; resulting in a reduction of the number of appeals.

If approved, what will this amendment do?

- Make it clear to applicants when a permit is required, and where accessory uses are permitted on a property.
- Address the residents' voiced concerns and reduce their confusion and frustration.
- Provide a better mechanism to enforce setback regulations and keep large structures away from property lines and assist both the Building Department and the Zoning Board of Appeals with the enforcement.

If approved: what WON'T this amendment do?

- Regardless of approval, the current setback regulations will not change. There are no structures allowed in the setbacks
- If approved, **there will be NO CHANGES TO ALLOWING ACCESSORY STRUCTURES IN RESIDENTIAL ZONES and will not stop anyone from building accessory structures.** It will simply distinguish which structures will be allowed by right (no permit) and what larger structures will require a permit.

Is there a fee for a permit?

Yes: The fee schedule applies for some Accessory Structures. The cost for a permit is \$13 per \$1000 of construction cost (with a \$50 minimum). However, there is no permit required for smaller items.

- Smaller items: For example, a small typical tool, or trash barrel enclosure bin (less than 65 SF or 10 feet in height) would not require a permit; therefore, no permit or fee.

- Larger items: For example, an 8' x10' shed (greater than 65 SF) would require a permit, and if valued at \$2000, the permit fee would be \$50. A larger 12' x 16' screenhouse (greater than 65 SF) also would require a permit, and if valued at \$12,000.00 the fee would be \$156.00.

Article contents:

The warrant article is broken into 5 sections for ease of understanding:

1. Proposing new definitions
2. Amending of some existing definitions
3. Amending Dimensional Requirements in Section V; Section 5.1
4. Amending language in the “opening” paragraph of the Use Regulations table –as well as minor amended language within the table
5. Adding a new section to ZBL Article IX Administration and Procedures which includes permitting process and procedures for Accessory Use Structures Permit