

Allowances in Rural District:
Would modify 1920.2.B.2

2. In the Rural District, a structure that is nonconforming by virtue of the structure extending into the required front setback, may be expanded or extended if such expansion or extension does not extend any closer to the lot frontage than the existing structure, except as limited below.

a) that One and Two family Dwellings, Licensed Day Care, Registered Family Day Care and related accessory structures. In no case shall the building footprint of the expansion exceed one hundred (100) percent of the existing building footprint, or 1,500 square feet, whichever is greater.

b) Other allowed uses and related accessory structures not included in sub paragraph a above.

In no case shall the building footprint of the expansion exceed twenty-five (25) percent of the existing building footprint or 750 square feet, whichever is greater.

c) All allowed uses and related accessory structures. Such expansion or extension may occur within a required side yard setback so long as the expansion or extension does not extend any closer to the side boundaries than the existing structure.

Procedures:
Would modify 1920.2.C

- C. Structures that are nonconforming by virtue of encroachment in any required yard setback may be modified subject to the requirements above, pursuant to the following procedure:
1. One or two family residential structure or structure containing a licensed day care or registered family day care, or related accessory structure. Such requests may be approved upon review by the Administrative Officer. To approve any such proposal, the Administrative Officer must first determine that the proposal will not result in any of the following:
 - a) encroachment on any public highway right of way or municipal easement;
 - b) modification of established drainage pattern, such that it will adversely affect adjacent property; or
 - c) undue, adverse impact on the character of the neighborhood.
 2. A ~~nonconforming s~~Structure containing other uses, or accessory structure related thereto. Such structure may not undergo ~~modification significant revision to major architectural elements (e.g., building massing, roof shape, entry arrangement, or fenestration pattern)~~ without prior conditional use approval of the Development Review Board under Section 1910 of these Regulations. In evaluating any such proposal, the DRB must determine before any approval is granted that the proposal will not result in any of the following:
- a) encroachment on any public highway right of way or municipal easement;
 - b) modification of established drainage pattern, such that it will adversely affect adjacent property; or
 - c) undue, adverse impact on the character of the neighborhood.

Setback Definition

Would modify 2110.146

The distance from any property line or street right-of-way line to the nearest point of a building on the lot bounded by that property line or street line, ~~including decks~~ but **excluding:**
(A) eaves, sills, pilasters, gutters, leaders, cornices, bay windows, chimneys, and roof overhangs provided such features do not extend more than ~~three (3)~~four (4) feet from the remainder of the structure;

(B) ~~uncovered~~ steps to first floor entries and awnings provided such features do not extend more than ~~five (5)~~six (6) feet from the remainder of the structure;

(C) porches and decks provided such features do not extend more than eight (8) feet from the remainder of the structure and are at least 5 feet from the vertical plane of any lot line or Right of Way line;

(D) retrofit modifications to a structure made for energy efficiency purposes, provided that such features do not extend more than ~~eight (8) inches~~one (1) foot from the remainder of the structure; ~~and~~

(E) handicapped access ramps to the extent necessary to perform their proper function; ~~and~~

(F) Unenclosed patios or terraces, provided that such extension is at least 5 feet from the vertical plane of any lot line or Right of Way line.