

VARIANCES Concept:

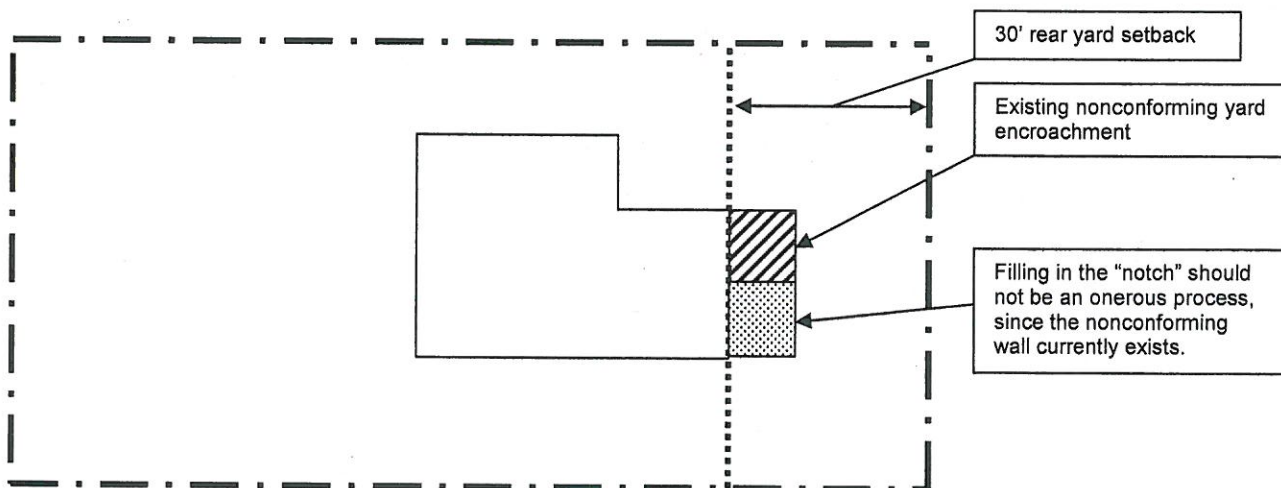
- **Allow variances for continuation of nonconforming building walls as long as the house does not grow larger than allowed in the zone.**

Issue:

It is sometimes difficult to gain approval of additions to existing buildings where the proposed expansion involves continuation of an existing nonconforming building wall.

Proposal:

New setback encroachments that follow existing nonconforming building walls should be processed as Class I variances. The rationale is that the continuation of an existing wall would not significantly increase the nonconformity or impact.



An additional issue to consider is the size of the encroachment. It is proposed that the new encroachment be no greater in area than the existing encroachment.

The Class 1 variance is proposed for continuation of nonconforming walls where the square foot area of the proposed encroachment is no greater than the area of the existing encroachment. This type of variance would apply rather than the Class 2 process, even if the normal 20% Class 1 setback standards are exceeded. The Class 1 process is not as onerous as the Class 2 process but it does include public notice and an opportunity for public involvement. The fee is approximately \$2,816 (pre-app. and application fee).

Examples of Wall Extensions of Nonconforming Walls

