



TOWN OF FALMOUTH
Division of Code Administration & Building Regulation
Justin Brown – Code Enforcement Officer

Memorandum

Date: March 7th
To: Town Council
From: Justin Brown – Code Enforcement Officer
Cc: Amanda Stearns – Community Development Director
Re: Zoning and Site Plan Review Section 6 proposed language change

This memorandum is intended to explain the reasoning for the proposed language change to Section 6 of the Zoning and Site Plan Review Ordinance (Nonconforming Structures, Uses, and Lots) as well as the overall impact that change will have in regards to the interpretation of that Ordinance. The current ordinance has inequities for the development of attached and detached accessory structures, either as nonconforming structures or if located on a nonconforming lots.

Section 6.2 - Governs the extension or enlargement of nonconforming dwellings.

- Would change to include residential detached accessory structures (garages, barns, etc.). It would address these types of structures under the same criteria that are normally applied to single family detached dwellings.
- The existing language does not allow for the creation or expansion of these types of detached structures if nonconformities with the lot or structure exist.

Section 6.9 - Governs the tear down/rebuild of dwellings on nonconforming lots.

- Allows reduction of setbacks beyond those allowed in 6.2.
- The proposed language would mirror the language in section 6.2 which would provide more equitable redevelopment of nonconformities.
- Proposal would add residential detached accessory structures under this section and repeal Section 6.10.

Section 6.10 – Governs the replacement of detached nonconforming residential accessory structures

- Repeal