

Pop-Up Questions and Comments

9/8/2020

Comment 1: A property Owner along Rt. 1 in the proposed SD Rural Highway District take exception to the proposed setback restrictions, 200ft setback and the 200ft buffer and the 1000ft frontage. The 200ft setback is too restrictive.

Response 1: The setbacks in the SDRH district represent the intent of the Comprehensive Plan. If you wish to change seek changes to the district standards the Administration Section lays out a procedure to do so, see "Zoning Amendments". This concern will be brought forth for discussion with the BOS. The defining setback line is not clear.

Comment 2: A property owner takes exception to a zoning change. The resident owns a parcel with a portion of it currently zoned "Commercial" under the existing LUO map will be in SD Rural Highway as proposed in the new Zoning Map. The owner has deeded off a portion of the lot along Rt. 1 and would like it to be considered as Commercial.

Response 2: The current Land Use Zoning Map indicates arbitrarily defined zoning lines. The new map proposes that all zoning lines follow deeded boundary lines. It makes sense that the portion you have broken off be zoned Commercial and it will be brought forth for discussion with the BOS.

Comment 3: A property owner in the Rural District with 400' of current road frontage takes exception to the 250' road frontage requirement proposed. Additionally stated is that the new zoning forces him to build a longer driveway in order to divide his lot.

Response 3: The 250' change is an increase from the current 200' standard. The reason goes back to the idea of keeping rural, "rural", and at the same time allow people to do more with their property. The extra 50' is the compromise. This concern will be brought forth for discussion with the BOS.

Question 4: A property owner in the proposed district SD Rural Highway has an existing building with a flat roof. Will the new code require them to build a sloped roof on the building?

Answer 4: No, you are grandfathered. Actually any addition you propose in the future will also be allowed to keep the flat roof to match. If you build a new free standing structure however, that will need to conform to the sloped roof standard.

Question 5: In Rural District can I build a guest house and does it need to be built within 250' of my existing house?

Answer 5: No, unless you are seeking an expanded use permit which is the only case the 250' rule comes into play. In fact, currently you cannot build a second dwelling unless you divide your lot. Under the proposed code you can do this.

Question 6: Are all of the listed uses in the district use tables permitted?

Answer 6: No, If it's permitted it will have a dot next to it. The key table indicates the types of permits required. This should be clarified.

Question 7: I have a residence and want to do an addition. Does the SD Historic District have a design process similar to the current Ordinance?

Answer 7: No, the Design Review Committee will no longer exist. The permit will be processed by the Code Enforcement Officer. Standards that need to be met are in the "Building Standards" Section.

Question 8: I have a house and property in the Rural District and want to build a garage. What are the changes to the setbacks that I need to consider?

Answer 8: The side and rear setbacks are less restrictive under the proposed code for primary and accessory units.

Question 9: Is it possible to get a waiver or variance on setback standards?

Answer 9: The short answer is Yes but to gain a variance for a setback is very rare. It's next to impossible.

Question 10: There is a discontinued public road listed on the 911 Emergency Road list that the town has on file. Does this mean that the road I believe to be discontinued is still regarded as a public road.

Answer 10: (Need to check on this was the response) Answer is No, the 911 roads list does not reflect what the town regards as legally public or discontinued. It's strictly used for emergency calls reference.

End of Summary