

APPLICATION CHECK SHEET
HAMILTON ZONING BOARD OF APPEALS

EXTENSION OR ALTERATION OF NON-CONFORMING USE

8 copies of all Materials. Refer to Instruction Sheet.

Section of the Zoning By-Law covering desired Board action(s)

Existing Non-Conformity – Check all that apply

- Lot size
- Lot coverage
- Side yard setback
- Front yard setback
- Rear yard setback
- Frontage
- Other. Specify. _____

Extension/Alteration of a single or 2-family residential structure is allowed as a matter of right if the extension or alteration meets either of the following:

- Existing structure is on a conforming lot but is non-conforming because it encroaches on a setback. The proposed alteration or extension will not change the setbacks that fail to conform. The entire structure meets all other requirements of the by-law.
- Existing structure is non-conforming solely because it is located on a lot which is non-conforming as to size and/or frontage as a result of a zoning change. Existing structure and alteration/extension meet all other current requirements of the zoning by-law (setbacks, height, lot coverage, etc).

Visual Materials Required - Scaled drawings showing at a minimum the following

1. Site Plan: Include at a minimum:
 - Plan showing total parcel of land
 - Title block with Date
 - Scale
 - North Arrow
 - All property lot lines with dimensions
 - Area of parcel of land
 - All building locations with dimensions of structures and dimensions to lot lines
 - Location and use of all adjacent structures with dimensions to lot lines if applicant is seeking relief to construct within 20 feet of another building or if applicant is seeking to meet the average front yard setback requirements in lieu of the 25 foot setback.
 - Zoning District including Watershed Protection areas and Historic District areas. If property falls within more than one district, plan shall show all district lines.
 - Location of wetlands protected areas.
2. Exterior Elevations of the Building
3. Scaled floor plan of both new and existing structure



**TOWN OF HAMILTON
ZONING BOARD OF APPEALS**

**REQUEST FOR FINDINGS OF FACT
EXTENSION OR ALTERATION OF A NON-CONFORMING USE**

Date Submitted: _____

Applicant Name: _____

Non-Conforming Property Located at: _____

Note the Existing Non-Conformity (check all that apply):

- Lot Size
- Front Yard Setback
- Side Yard Setback
- Rear Yard Setback
- Lot Coverage
- Property/Building Use
- Other: _____

Will the proposed extension or alteration meet current zoning requirements:

- Yes
- No: State non-compliance of extension/alteration

Will the proposed extension or alteration further encroach on the existing non-conformity

- Yes: State further encroachment

- No

Applicant shall state that the extension or alteration reflects the nature and purpose of the previous use (or) that the extension or alteration is no different in kind in its effect on the neighborhood as compared with the previous use, for the following reasons:

Applicant shall state that the extension or alteration will not be substantially more detrimental to the neighborhood than the existing non-conforming use or structure for the following reasons:

Signed: _____

Address: _____

Phone: _____