

Discuss possible amendments to Chapter 185-46 of the code regarding building height regulations. Committee may vote on recommendations to Town Council.

Lyons then opened the public hearing.

Lyons provided background on the issue. 185-46 relates to height standards for structures built before flood maps were established for the town. The existing ordinance allows the property homeowner to rebuild to the original height should the building require rebuilding after a significant event (fire or flood). Prior to the town being incorporated, the height standards were 42 feet high. When the town was incorporated the building's height standard was changed to 35 feet. The current code (185-46) 'grand fathered' the height of those buildings. However, when the Flood Ordinance (Section 101) was adopted in 2014, it required all buildings to confirm the town building height standard and free board. The intent of this discussion was to clarify the standard and the wording of the code to comply with both the town height standard and address the code inconsistencies.

There were no public comments from either the room or online.

The committee then asked various questions for clarification. During the discussion, the committee did not propose removing the existing exception for height standards regarding legally non-conforming buildings constructed before the implementation of flood insurance maps. We did agree to provide clarification of the code to eliminate inconsistencies.

Lyons closed the public hearing on the topic.

The group then adopted the following recommendations.

- Insert into 185-46:
 - (B) In order to qualify for the exclusion, owner must supply proof via a site survey, original building plans, or other appropriate support documenting the height of the undamaged structure. Supporting documentation must be sealed by a registered professional land surveyor or registered professional engineer.
 - (C) All other exclusions to the height standard are included in Table 2, Bulk Zoning Standards in All Districts.
- Add additional wording into table 2 related to height exceptions; clearly stating that pre-firm height exception standards were subject to the terms established in 185-46