

DECISION OF ZONING REVIEW

BY: Tracy Outten, Planning & Zoning

Asst. Preservation & Admin.

DATE: March 6, 2026

REVIEW DONE FOR: COA

COMMENTS:

DECISION: APPROVED

ZONING REVIEW CHECK LIST**Residential -1 District**

Address of Property	Bay Avenue
Property Owner's Name	Francis Payla and Deborah F. Palya
Tax Map #	83A1-2-11-9
Seeking Permit for:	New 1,407 sq. ft, 2-story single-family residence with a 250 sq. ft. front porch, and 24 sq. ft. outdoor shower

- Verify that proposed use is use allowed by right: Single Family dwelling or accessory building (shed, garage) or Home Occupations or other: **New 1,407 sq. ft, 2-story single-family residence with a 250 sq. ft. front porch, and 24 sq. ft. enclosed outdoor shower.**
- 1) Site Plan submitted? If not, have Applicant prepare and complete Site Plan in compliance with Appendix C. **MAS-LD dated 02/03/2026 (PRELIMINARY)**
- 2) Lot & Dwelling Size & LOT COVERAGE

ORDINANCE REQUIREMENT		
Lot Size	Dwelling Unit Size	LOT COVERAGE (Section 4.2 (E) (6))
Up to 5,600 sq ft	Need to comply with Lot Coverage requirement	The sum of the footprint square footage of all buildings on the lot shall be less than 50% of the total lot square footage
5,600 Sq. Ft (40' x 140')	960 sq ft (min) to 2,400 sq ft. (max)	
5,601 – 8,400 sq. ft	960 sq ft (min) to 3,000 sq ft (max)	
8,401+ sq ft	Max of 4,500 sq	
NOTES: - Ordinance adopted 12/19/2024		
(a) Patios, Porches, Decks, Attached Garages & Detached Accessory Structures are not included in the calculation of the dwelling unit square footage.		
(b) If multiple lots are used, see Town Code Chapter 32, Article IV, Section 32.91 (e) (7 & 8) for additional Lot Coverage Rules		
(c) If lot smaller than 5,600 sq ft, the total footprint area of all accessory building lot coverage shall not exceed ten percent (10%), per Town Code Chapter 32, Article IV, Section 32.91 (e) (12).		

LOT SIZE	HOUSE SQ FT	ACCESSORY STRUCTURE SQ FT	TOTAL SQ FT OF ALL BUILDINGS	LOT COVERAGE CALC	In Compliance or Not?
7,999	1,407	0	1,407	18%	YES

- 3) Setbacks – Conforming Lots (5,601 – 8,400 sq ft):
 (a) Front: 30 ft or prevailing: **PREVAILING 103.7 ft.**
 (b) Side: 5 ft: **Actual: West: 5.4 ft. East: 5.4 ft.**
 (c) Rear: 5 ft: **37.5 ft.**
If nonconforming lot, then rear setback may be 5 ft if lot less than 40 ft in width
SEE NOTES FOR ACCESSORY BUILDINGS

(d) Corner Lots – Minimum Side is 5 ft. or prevailing: **5.4 ft.**

NOTES:

- **DECKS & PATIOS NOT ALLOWED IN FRONT YARD;**
- **See Section 4.1 (F) for Projections Allowed in Required Setbacks.**

- NA** 4) Is there a fence/wall? **FENCE or WALL INDICATED.**
 If yes, then minimum distance of 2 ft from any sidewalk, alley or public right of way; must be 1 inch from adjacent property boundaries.
 If yes, max height for rear fence is 6 ft & max height for side and/or front yard fence is 4 ft.

6) Minimum Lot Width – 40 ft.

7) Height Restrictions for Main Structure/House: 40 ft' height max or 2 ½ stories: **Actual: 37.2 ft. , 2-1/2 stories per Memorandum of Understanding and Agreement dated 3/3/2026**
 (see Sec. 4.1 (C) for exceptions)

- 8) Development Standards – HISTORIC DISTRICT REVIEW BOARD (HDRB) determines compliance with Historic District Guidelines and Overlay District Requirements
- a) Proportions – 1:1 to structures in neighborhood: **YES**
 b) Scale and orientation: **YES**
 c) Roof Pitch – prevailing standard or 8:12: **Actual: 6:12**
 d) Windows & Doors: **YES**
- Double-hung windows or prevailing standard; jalousie, picture, and horizontal windows only in traditional American ranch style architecture: **Double-hung 1/1**
 - Exterior doors should be paneled or have glass panels; flush doors not allowed. **3/4-lite/1-panel with 2-panel sidelight and French on 2nd floor**
- e) Porches – min depth of six feet & cover 80% of width of front building façade.: **10 ft. & 86%**

ACCESSORY STRUCTURES ONLY – Additional Requirements: NOT APPLICABLE

- 9) ACCESSORY STRUCTURE – Additional Requirements
- a) Not located in front or side yard: _____
 b) No closer than 5 ft to any alley line: _____
 c) No closer than 2 ft to any side or rear lot line: _____
 d) If lot frontage is less than 80 ft, then the sum of all accessory buildings shall be less than the footprint of primary residence or 550 sq. ft, whichever is the lesser: _____
 e) If lot frontage is greater than or equal to 80 ft, the sum of all accessory buildings shall be less than the footprint of the primary residence or 660 sq. ft., whichever is less: _____

- 10) Height Restrictions for Accessory Structures:
- a) If house is no more than one story above grade, the height of Accessory Structure cannot be taller than house (*Town Code Chapter 32, Article IV, Section 32.91 (e) (9)*): _____
 b) If house is more than one story above grade, then Accessory Structure shall be no higher than 2/3 the height of the main structure or 24 ft, whichever is less (*Town Code Chapter 32, Article IV, Section 32.91 (e) (10)*): _____

11) Distance between Accessory Structure and Main Building – min of 15 ft.:

12) PHYSICAL CHARACTERISTICS: Will there be an accessory dwelling?

a. Accessory dwellings shall be located in an accessory building.

b. Accessory dwellings shall not have a floor area exceeding forty-five (45) percent of the floor area of the main building.

MAIN BLDG FLOOR AREA	45% ALLOWANCE for ADU FLOOR AREA	ACTUAL ADU FLOOR AREA

c. Accessory dwellings shall have one kitchen, one bathroom, and a sleeping area.

d. Accessory buildings shall not have the appearance of a single-family dwelling

13) Occupancy characteristics for Accessory Dwelling Units – Affidavit signed and submitted re: NO STRS/no TRANSIENT OCCUPANCY – _____