



OFFICE OF ZONING ENFORCEMENT
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BUILDING AND ZONING DEPARTMENT

May 10, 2023

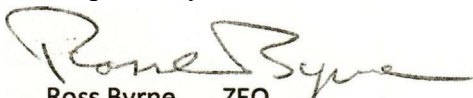
Subject: Referral of Proposed Revisions to the Lyme Zoning Regulations.

In accordance with the referral requirements of the Connecticut General Statutes, please find below a copy of the proposed revisions to the Lyme Zoning Regulations. The regulation changes are:

1. An amendment to Chapter 315, Article 17, Cutting and Removal of Forest Species. This Article will be removed in whole from Chapter 315, Zoning Regulations per Connecticut General Statutes Sec. 23-65k.
2. An amendment to Chapter 315, Article 23, Nonconformities. The amendments involve increased restriction on nonconforming structures. The changes are identified by red text and black strikethrough.

A public hearing has been scheduled for Monday, June 12, 2023, at 7:00 p.m. in the Lyme Town Hall, 480 Hamburg Rd., to discuss the proposed changes.

Respectfully,


Ross Byrne ZEO

Article 23
Nonconformities

§315-23.1 Continuance of nonconforming uses.

Any nonconforming use of land, a building, structure, or premises may be continued or changed, and any nonconforming building or structure may be reconstructed and/or repaired, subject to the following:

- A. No nonconforming use may be changed to a different use without the approval of the Zoning Board of Appeals. Approval for a change to another nonconforming use shall not be granted unless the Board finds that the new use will be less nonconforming than the existing use and that the new use will be less intensive than the prior use. "Less intensive" means that the new use will meet one or more of the following criteria: total space occupied, hours of operation, required parking, number of employees, impact on the surrounding area, and impact on public health, safety and convenience.
- B. No nonconforming use, if once changed into a conforming use, shall be changed back into a nonconforming use.
- C. No nonconforming use shall be extended or expanded.
- ~~No nonconforming use which has been abandoned for a period of one year shall be thereafter~~
- D. ~~resumed.~~

§315-23.2 Nonconforming buildings.

- A. No building or structure which does not conform to the requirements of these regulations regarding building height limit and required yards shall be extended or expanded unless such extended or expanded portion conforms to the regulations applying to the district in which it is located. This includes vertical expansion within the existing footprint when that portion of the footprint encroaches on a yard setback.
- B. No building or structure which is on a lot which does not conform to the requirements of these regulations regarding lot area, width of lot, percentage of lot coverage, or parking facilities shall be extended or expanded, either in footprint or in height, without being granted a special permit by the Commission.
- C. If any nonconforming building or structure shall be destroyed by any means, repairs or reconstruction may be made and the nonconforming use continued provided there is no expansion of the existing footprint **or previous height.** ~~and further provided that such restoration is started within a period of one year from the date of such destruction and is diligently prosecuted.~~
footprint or previous height.

§315-23.3 Existing nonconforming lots.

The applicable requirements of these regulations pertaining to minimum gross lot area, net buildable lot area, and minimum lot width shall not prevent the construction of an otherwise permitted building or structure or the establishment of an otherwise permitted use on a lot which on July 9, 1954, contained less than one acre or a frontage of less than 150 feet upon a public or private way; or any lot which on December 18, 1964, contained one or more acres but less than the minimum gross lot area at any time thereafter

prescribed by the Commission for the district in which such lot is situated; or any lot which on July 15, 1989, contained the minimum gross lot area for the district in which such a lot is situated but contains a minimum net buildable area less than 14,000 square feet; or any lot which on June 30, 1993, contained a minimum gross lot area for the district and a minimum net buildable area of 14,000 square Non-conf bldg. height 3-13-23

feet, provided that continuously after the respective dates above mentioned, such lot was owned separately from any adjoining lot, and further provided that no dwelling or other building containing human habitation shall be constructed on any lot less than 15,000 square feet in area.

§315-23.4 Change of plans.

Nothing in this article shall require any change of the plans, construction or designated use of a building, the construction of which shall have been commenced prior to the effective date of these regulations or of any pertinent amendment thereto and which shall be completed within one year thereafter.