

ARTICLE # ____

AMENDMENT # ____

Hampton Zoning Ordinance Amendment

Article I – General, Section 1.3 – Expansion, Alteration, and Abandonment of Non-Conforming Uses

New Subsection 1.3.1 – Elevation of a Non-Conforming Structure

Highlighting = All Proposed Changes

Section 1.3 Expansion, Alteration, and Abandonment of Non-Conforming Uses

The expansion of non-conforming uses and structures is prohibited. Non-conforming uses or structures shall not be altered or used for a purpose, or in a manner, substantially different from the use in effect prior to alteration. Non-conforming uses or structures shall not be permitted to revert to an original non-conforming use or structure once a change into a conforming use or structure has occurred. A non-conforming use or structure shall not be reestablished after abandonment for more than two years, except so as to conform to the current provisions of the Town of Hampton Zoning Ordinance. "Abandonment" shall be construed to include the visible or otherwise apparent intention by an owner to discontinue the use of a building or premises, or the substantial removal of the characteristic equipment or furnishings needed for the operation of said building or premises. (Amended March 2016)

1.3.1 Elevation of a Non-Conforming Structure

a) A non-conforming structure located in the Special Flood Hazard Area (SFHA) that does not conform due to dimensional setbacks may be elevated provided that:

1) The structure is being elevated from its foundation, pilings or footings;

2) The volume of the structure does not increase;

3) The footprint of the structure is not changing unless to become more conforming to current requirements;

4) The impervious coverage on the lot does not increase beyond what is existing excluding any additional stairs or ramp needed to access the structure;

5) The structure is located entirely within the boundaries of the subject property and does not encroach onto any abutting properties;

6) The structure height does not exceed the maximum that is permitted under Article IV, Section 4.4; and

7) The structure is being elevated in accordance with Section 2.4 – Floodplain Management Ordinance, including that this section shall not be construed as limiting the height of elevation to the minimum requirements of said Ordinance.