

Zoning Board of Appeals Standards for Waterfront Setback Determinations

If the Zoning Administrator determines that there is an unusual shoreline configuration, unusual topographical problem or unusual circumstance, then the matter shall be referred to the Board of Appeals as a matter for Board of Appeals decision pursuant to Section 603 of the Zoning Act for determination of all Front, Side and Rear Yard requirements. In establishing such Setback requirements, the Board of Appeals shall consider the following standards:

1. The location of Buildings on adjoining properties;
2. The effect of construction on the Lot in question on the view from adjoining properties;
3. The potential effect of erosion and flooding from high water on the Lot in question;
4. The effect, if any, of the proposed Building and any related improvements on existing sea wall or other flood control or erosion devices located on adjoining properties;
5. The relative proximity of the proposed Building to adjoining properties specifically including proximity to occupied Dwellings; and
6. The effect of the proposed Building on adjoining properties and the surrounding neighborhood.