

COMPARISON OF MINOR ZONING EXCEPTIONS (MZE) AND THE NEW ZONING ORDINANCE (NZO)

<p>Minor Zoning Exception (MZE)</p> <ul style="list-style-type: none"> • <i>Must involve a material discrepancy or error in the preparation of a Zoning Information Report.</i> • <i>Substantial evidence must be provided that indicates the improvement existed on the site prior to January 1, 1980 or, in the case of accessory structures, August 1, 1975.</i> • <i>Plus 9 other findings.</i> • <i>Approved by SHO, may be appealed to the CDD</i> 	<p>New Zoning Ordinance (NZO)</p> <ul style="list-style-type: none"> • <i>Allowed by right, or by “Minor” Modification, as indicated below.</i> • <i>No ZIR discrepancy required or time limit applies.</i> • <i>If allowed by right, no appeal necessary, and no findings required.</i> • <i>If “Minor” Modification required, decision may be appealed, findings required, and minor fee required.</i> <p>References below are to <u>NZO Module 2</u></p>
<p>1. Conversion of an Encroaching Garage or Carport to Other Parking.</p>	<p>1. Allowed by right. (NZO 28.25.070)</p>
<p>2. Conversion of an Encroaching Garage to Another Use if replacement parking is provided.</p>	<p>2. Allowed by right in front setback and allowed in interior setback if at least 5-feet from lot line. MZE process if between 0-feet and 5-feet from interior lot line. (NZO 28.25.050)</p>
<p>3. Encroaching First Story Windows in the interior setbacks.</p>	<p>3. Allowed by right in front setback and allowed in interior setback if at least 5-feet from lot line. MZE process if between 0-feet and 5-feet from interior lot line. (NZO 28.25.050)</p>
<p>4. Exterior Alterations in the Front Setback.</p>	<p>4. Allowed by right. (NZO 28.25.050)</p>
<p>5. Encroaching Ground Floor Additions (maximum 250 sq. ft.)</p>	<p>5. Allowed by right, up to 20-feet in length, up to 5-feet from interior lot line. (NZO 28.25.060.B)</p>
<p>6. Alterations to Roof Height (maximum 1-foot)</p>	<p>6. Allowed by right, up to 3-foot increase in height and 4:12 pitch. (NZO 28.25.050.A)</p>
<p>7. Cantilevered Architectural Features and Chimneys (maximum 2-feet)</p>	<p>7. Allowed by right, up to 3-feet (NZO 28.25.050 and NZO 28.23.080.E.1)</p>
<p>8. Uncovered Balcony in Front Setback (maximum 2-feet)</p>	<p>8. Allowed by right, up to 3-feet (NZO 28.25.050 and NZO 28.23.080.E.1)</p>
<p>9. Bay Window in the Front Setback (maximum 3-feet)</p>	<p>9. Allowed by right, up to 3-feet (NZO 28.25.050 and NZO 28.23.080.E.1)</p>
<p>10. Addition of an Encroaching Landing or Front Porch (porch max 6-feet x 4-feet, landing maximum 3-feet)</p>	<p>10. Allowed by right (NZO 28.25.050 and NZO 28.23.080.E.1)</p>
<p>11. “As-built” ground floor decks, 200 sq. ft., attached to a main building, 2-feet from lot line</p>	<p>11. <u>MZE Process</u></p>

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<p>12. Fountains, ponds, and similar water features</p>	<p>12. Allowed by right in front yard (50 sq. ft. or 1%) and open yard (20%) (NZO 28.25.050 and NZO 28.23.080.E.3)</p>
<p>13. Trash enclosures, no closer than 10’ from a front lot line and 2’ from an interior lot line</p>	<p>13. Allowed by right, requires design review (NZO 28.23.180)</p>
<p>14. Decorative features, mailboxes, flagpoles, sculptures, in the front yard (50 sq. ft.) and open yard (20%)</p>	<p>14. Allowed by right in front yard (50 sq. ft. or 1% of front setback area) and open yard (20%) (NZO 28.25.050 and NZO 28.23.080)</p>
<p>15. “As-built” Detached Accessory Buildings, max 120 sq. ft., not in front yard or open yard, constructed before 1975</p>	<p>15. MZE process. <i>Allowed by right.</i></p>
<p>16. Oversized Accessory Buildings that exceed the max size by 100 sq. ft.</p>	<p>16. Accessory building maximum size limitations for larger lots proposed by right, or by design review approval, as well as allowing the 500 sq. ft. garage and accessory max to be combined (max 1,000 sq. ft.) will address most (NZO 28.23.020 – still under development).</p>
<p>17. Additions Exceeding the Maximum FAR.</p>	<p>17. <u>MZE Process</u></p>