

**TOWN OF FOXBOROUGH
2013 ANNUAL TOWN MEETING
ZONING ARTICLES**

ARTICLE 21

To see if the Town of Foxborough will vote to amend the Zoning By-Laws section 8.3.4. Dimensional and Design Requirements by striking the words “and dwelling units” following the words “to all lots” in the first sentence of section 8.3.4.1, by changing the heading “Minimum Distance Between Structures (ft.)” to “Minimum Yard” in Table 8-1, and by changing the dimensions Front from 20 to 35 feet and Rear 25 to 30 feet, or take any action in relation thereto.

ARTICLE 22

To see if the Town of Foxborough will vote to amend the Zoning By-Laws section 9.3.2.2 Requirements by changing the second “A” in subsection 2. to 9.3.2.1, or take any action in relation thereto.

ARTICLE 23

To see if the Town of Foxborough will vote to amend the Zoning By-Laws by changing the title of Table 4-1 DIMENSIONAL REGULATIONS FOR RESIDENTIAL USES to Table 4-1 DIMENSIONAL REGULATIONS FOR USES IN RESIDENTIAL AND NEIGHBORHOOD DISTRICTS, or take any action in relation thereto.

ARTICLE 24

To see if the Town of Foxborough will vote to amend the Zoning By-Laws by changing the title of Table 4-2 DIMENSIONAL REGULATIONS FOR NONRESIDENTIAL USES to Table 4-2 DIMENSIONAL REGULATIONS FOR USES IN NONRESIDENTIAL DISTRICTS, or take any action in relation thereto.

ARTICLE 25

To see if the Town of Foxborough will vote to amend the Zoning By-Laws by making the following change:

To amend Section 3.2.2 subsection 2 to read: “The area devoted to the home occupation shall not exceed forty (40) percent of the habitable floor area of the principal residence”;

AND

To amend Section 3.2.2, subsection 4 to read: “Not more than two (2) persons other than family members may be employed within the principal residence or in an accessory building;

AND

To amend Section 3.2.2, subsection 5 to read: “Storage of material or products outside of the principal residence or an accessory building is prohibited;

AND

To amend Section 3.2.2, subsection 6 to read: “The making of external structure alterations to the principal residence or accessory building which are not customary in residential buildings is prohibited.”, or take any action in relation thereto.

ARTICLE 26

To see if the Town of Foxborough will vote to amend the Zoning By-Laws by deleting the words “and that desirable relief may be granted without substantial hardship, financial or otherwise to the petitioner or appellant” before the words “and the desirable relief may be granted without substantial detriment to the public good”, or take any action in relation thereto.

ARTICLE 27

To see if the Town of Foxborough will vote to amend the Zoning By-Laws by deleting the existing language in its entirety and replacing new language to read:

5.3 NONCONFORMING STRUCTURES THAT ARE NOT SINGLE AND TWO-FAMILY RESIDENTIAL STRUCTURES

The reconstruction, alteration or extension of, or the structural change to, any nonconforming structure that is not a single or two-family residential structure may be authorized by the Board of Appeals in accordance with the following:

- 5.3.1 A Special Permit is required for the reconstruction, extension, alteration or structural change of or to a nonconforming structure that does not increase an existing nonconformity or that does not create a new nonconformity; or
- 5.3.2 A Special Permit is required for the reconstruction, extension, alteration or structural change of or to a nonconforming structure that results in the nonconforming structure being used for a substantially different purpose or use that is permitted under the By-Laws, or that results in the nonconforming structure being used for the same purpose or use in a substantially different manner or to a substantially greater extent, provided that such reconstruction, extension, alteration or structural change does not increase an existing nonconformity or does not create a new nonconformity; or
- 5.3.3 A Special Permit is required for the extension of an exterior wall of a nonconforming structure at or along the same nonconforming distance to the front, side or rear line within a required yard (any such extension not being deemed to constitute an increase in the existing nonconformity or the creation of a new nonconformity for purposes of these By-Laws).
- 5.3.4 A variance is required in the event that the reconstruction, extension alteration, or structural change of or to a nonconforming structure increases an existing nonconformity or creates a new nonconformity. Notwithstanding the foregoing, the extension of an exterior wall of a nonconforming structure at or along the same nonconforming distance to the front, side, or rear line within a required yard shall not be deemed to constitute an increase in an existing nonconformity or the

creation of a new nonconformity for the purposes of these By-Laws, and shall not require the issuance of a variance.

A Special Permit may be granted by the Board of Appeals pursuant to Section 5.3.1, Section 5.3.2, or Section 5.3.3 only if there is a finding by the Board of Appeals that the reconstruction, extension, alteration or change shall not be substantially more detrimental to the neighborhood in which the structure is located than the existing nonconforming structure. A variance may be granted by the Board of Appeals pursuant to Section 5.3.4 only in accordance with the requirements of Section 10.2.2.3.

or take any action in relation thereto.