

## 15 Center St

The current building at 15 center street has been condemned by the board of selectman for excessive mold contamination and Structural deficiencies. The building was a former fire house and continues to be used to store vehicles for senior transportation. The town is seeking to demolish the structure and replace it with a newer parking garage with a smaller footprint than the existing structure. This structure is currently non-conforming on front yard, side yard setbacks as well as a Non-conforming Use of the land. However this property/structure has been owned by the town since the 1930's predating all zoning regulations effective August 9, 1950 in Andover.

### Nonconformity

#### Relevant sections of the zoning regulations

Section 4.1.3 Non-conforming uses of the land The proposed use of this property (vehicle storage) is identical to the current use which predates the zoning regulations, therefore the town complies with section 4.1.3. However, since the town is demolishing and replacing the building a variance is required.

#### Section 4.1.4 Non-Conforming Structures

The replacement structure will occupy a smaller footprint than the existing building. All setbacks will be increased relative to the current building decreasing the nonconformity and satisfying section 4.1.4

Specifically, we are seeking a variance of Zoning Section 11.2 District Andover Rural Design

Side yard Setback Minimum 25 ft Proposed Setback is

Front Yard Setback Minimum 50 ft Proposed Setback is

Although the town does not meet the minimum setbacks, this is a Historic district, and the majority of the buildings in the area do not meet the front yard setbacks. Additionally, the building currently on site is non-conforming and the replacement building will decrease the nonconformity for both the front and side yard setback.

Due to the topography of the land meeting the Zoning setbacks is not possible.

The town is also seeking a use variance to construct a parking Garage in the Andover Rural design District which is not a permitted use in the district under zoning regulation 5.0. This is a residential neighborhood, and the structure will not be a residence. This structure is currently used as a parking area for vehicles and this use will not change with the new structure. This building has not been in use as a residence since the 1930's and has been used for Vehicle storage. There is no overall change of use, but it will be in a new building

The size and scale of the building will be no greater than the current building

Section 22.0.5 D

Additionally, The Zoning Board of Appeals is required to act on any requests for locating motor vehicle storage facilities under section 22.0.5D of the zoning regulations. Since the town currently uses this location for vehicles storage already, the ZBA may chose to waive any jurisdiction for this section.

The town of Andover would like approval to continue the use of this property for motor vehicle storage.