

AREA SURVEY REQUIREMENTS

Ogunquit

Zoning Ordinance

ARTICLE 12 - SURVEY REQUIREMENTS OF LAND USE APPLICATION

(Adopted 11/6/01)

12.1.

12.2.

12.3.

12.4.

12.5.

Purpose

The purpose of this Ordinance is to insure that the Municipal Officials and Boards required to decide applications for permits and approvals under the Town's Land Use Ordinance have accurate information upon which to base those decisions. To that end, this Ordinance establishes, requirements for the types of survey information required to be provide with certain types of land use applications governed by the Town's Ordinances.

Subdivisions

Every application for any approval required under the Ogunquit Subdivision Regulations shall be accompanied by a Standard Boundary Survey, Category 1, Condition 3 which reflects the current conditions of the site. Plans showing engineering details submitted as part of the application shall be prepared by a professional engineer. (Amended 4-01-06 ATM)

Site Plans

Every application of any approval required under a site plan review shall be accompanied by a Standard Boundary Survey, Category 1, Condition 3. However, the Town Planner or Planning Consultant may waive the requirement of this Section and accept a plan of a lower classification, category or condition, provided the scale remains at 1' = 40', if the Planner or Planning Consultant determines that special characteristics of the site, such as a large parcel size (50 acres or greater) or large street frontage (500 feet or greater) or changes to only a specific location on a site plan so warrant. Plans showing engineering details submitted as part of the site plan application shall be prepared by a professional engineer. (Amended 4-01-06 ATM)

Variances

a) Lots Unimproved on Effective Date - Every application to the Ogunquit Board of Appeals for a variance for a lot not containing buildings or structures

before the effective date of this Ordinance under the Ogunquit Zoning Ordinance shall be accompanied by a Standard Boundary Survey, Category 1, Condition 3. (Amended 4-01-06 ATM)

b) Lots Improved on Effective Date – Every application to the Ogunquit Board of appeals for a variance for a lot containing buildings or structures constructed on or after the effective date of this Ordinance under the Ogunquit Zoning Ordinance shall be accompanied by a Mortgage Loan Inspection type survey with existing pins located sufficient to determine the dimensions for which the variance is sought. (Amended 4-01-06 ATM)

Day Care Centers

Every application to the Ogunquit Planning Board for Site Plan Review approval of a Day Care Center under the Ogunquit Zoning Ordinance shall be accompanied by a Mortgage Loan Inspection type survey with existing pins located sufficient for the Board to determine compliance with the requirements of the Ogunquit Zoning Ordinance for the use sought. (Amended 4-01-06 ATM)

Single Family Dwellings (Amended 4-7-07 ATM)

Every application for a permit under the Ogunquit Zoning Ordinance for the construction of a new single family dwelling shall be accompanied by a Standard Boundary Survey, Category 1, Condition 3. In addition, the location of the foundation shall be set and pinned by a professional land surveyor before the Code Enforcement Officer approves the footing inspection if:

- a) Any part of the proposed structure to be located closer than five (5) feet to the minimum front, side or rear yard setbacks required by the applicable zoning district regulations; or
- b) The Code Enforcement Officer determines that special conditions exist, such as:
 - i) complex curves in the property lines, or
 - ii) the presence of wetlands, vernal pools, wildlife habitat areas, or other natural features requiring special setbacks or net residential area deductions under the Ogunquit Zoning Ordinance; or
 - iii) other unusual features of lot shape or topography.

Additions to Single Family Dwellings (Amended 4-7-07 ATM)

a) Dwellings Constructed Before Effective Date – Every application for a permit under the Ogunquit Zoning Ordinance for the construction of an addition to a single family dwelling which was constructed before the effective date of this Ordinance shall be accompanied by a Standard Boundary Survey, Category 1, Condition 3. In addition, the location of the foundation shall be set and pinned by a professional land surveyor before the Code Enforcement Officer approves the footing inspection if:

- i) ii) Any part of the addition is proposed to be located closer than five (5) feet

to the minimum front, side or rear yard setbacks required by the applicable zoning district regulations; or The Code Enforcement Officer determines that special conditions exist, such as:

1. complex curves in the property lines, or
2. the presence of wetlands, vernal pools, wildlife habitat areas, or other natural features requiring special setbacks or net residential area deductions under the Ogunquit Zoning Ordinance; or
3. other unusual features of lot shape or topography.

b) Dwellings Constructed After Effective Date - Every application for a permit under the Ogunquit Zoning Ordinance for the construction of an addition to a single family dwelling which was constructed on or after the effective date of this Ordinance shall be accompanied by a Mortgage Loan Inspection type survey with all proposed yard dimensions and setbacks shown on the plan.

Minor Accessory Structures (Amended 4-7-07 ATM)

a) Lots Improved Before Effective Date - Every application for a permit under the Ogunquit Zoning Ordinance for the construction of a minor accessory structure, as defined in Section 12.10 below of this Ordinance, on a lot where the principal structure was constructed before the effective date of this Ordinance shall be accompanied by a Standard Boundary Survey, Category 1, Condition 3.

b) Lots Improved After Effective Date - Every application for a permit under the Ogunquit Zoning Ordinance for the construction of a minor accessory structure as defined in Section 10 of this Ordinance, on a lot where the principal structure was constructed on or after the effective date of this Ordinance shall be accompanied by a Mortgage Loan Inspection type survey with all proposed yard dimensions and setbacks shown on the plan.

c) In the case of a minor accessory structure, the location of the foundation or base of the structure need not be set or pinned by a professional land surveyor.

Major Accessory Structures (Amended 4-7-07 ATM)

Every application for a permit under the Ogunquit Zoning Ordinance for the construction of a major accessory structure, as defined in Section 12.10 below of this Ordinance, shall be accompanied by a Standard Boundary Survey, Category 1, Condition 3. In addition, the location of the foundation shall be set and pinned by a professional land surveyor before the Code Enforcement Officer approves the footing inspection if:

- a) Any part of the structure is proposed to be located closer than five (5) feet to the minimum front, side or rear yard setbacks required by the applicable zoning district regulations; or
- b) The Code Enforcement Officer determines that special conditions exist, such as: complex curves in the property lines, or the presence of

wetlands, vernal pools, wildlife habitat areas, or other natural features requiring special setbacks or net residential area deductions under the Ogunquit Zoning Ordinance; or other unusual features of lot shape or topography.

12.10. Definitions (Amended 4-7-07 ATM)

The following terms used in this Ordinance have the following meanings:

Standard Boundary Survey, Category 1, Condition 3

A survey performed by a professional land surveyor which conforms to the requirements of a Standard Boundary Survey Category 1, Condition 3 in accordance with the State rules and regulations of the Maine Board of Licensure for Professional Land Surveyors.

A Mortgage Loan Inspection Type Survey shall be performed by a professional land surveyor in accordance with the State rules and regulations of the Maine Board of Licensure for Professional Land surveyors regarding Mortgage Loan Inspections.

Major Accessory Structure

Any accessory structure which is not a minor accessory structure.

Minor Accessory Structure

A Swimming pool, above ground or in-ground, with associated decks and patios and any structure with a footprint of less than two hundred and fifty (250) square feet.

Professional Engineer

An engineer licensed by the State of Maine to practice in the State of Maine.

Professional Land Surveyor

A surveyor licensed by the State of Maine to practice in the State of Maine.

Yarmouth

Zoning Ordinance

5. Application for Building Permit: All applications for Building permits shall be accompanied by plans drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations on the lot of Buildings already existing, if any, and the location and dimensions of the proposed Building or Alteration. The application shall include such other information as lawfully may be required by the Planning Director or his/her

duly authorized Code Enforcement Officer to determine conformance with and provide for the enforcement of this Ordinance.

Scarborough

Zoning Ordinance

E. APPLICATION FOR BUILDING PERMIT

All applications for building permits shall be accompanied by plans drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations on the lot of buildings and structures already existing, if any, the location and dimensions of the proposed building structure or alterations and the proposed sewage disposal system as prescribed by the Maine State Plumbing Code and the Scarborough Plumbing Ordinance. The Code Enforcement Officer may request such additional information including, but not limited to, survey and engineering data, as the Code Enforcement Officer deems necessary to determine whether the applicant's proposal complies with the requirements of this Ordinance, other applicable ordinances of the Town of Scarborough and any conditions imposed pursuant to said ordinances.

Whenever the placement of buildings or structures depends upon the accurate location of natural features, including, but not limited to, water bodies, rivers, streams, wetlands, floodplains, soils types and vegetation types, the Code Enforcement Officer may require the applicant to produce written certification of the location of such features from a person qualified by training, experience or (where applicable) licensure to render such certification. [Amended 12/01/04]

Falmouth

Zoning Ordinance

10.4 Required Application Submissions

Each application for permit to build, alter, enlarge, demolish or move a building shall be filed in duplicate and shall be accompanied by a plot plan in duplicate drawn to scale showing and stating the dimensions in feet of the lot to contain such building, and the locations and ground coverage dimensions thereon of the building proposed to be erected, altered, enlarged, moved or demolished on such lot. The applications shall state the use intended to be made of such building and of its lot, even after a demolition. Such plot plan shall also show each street, alley or right of way on or adjacent to the lot in question. One copy of each such application and plot plan shall be kept on file in the office of the Building Inspector.

Westbrook

Land Use Ordinance

603 Permit Procedures.

603.1 **Permit Procedure.** An applicant for a permit of any type must submit a written application to the Code Enforcement Officer. The Code Enforcement Officer shall review the application and shall make any necessary inspection within a responsible time. If the application is for a permit which can be issued by the Code Enforcement Officer and the requirements of this Ordinance and any other pertinent ordinance or State statute are met, the Code Enforcement Officer shall issue the permit to the applicant. If the application is for a permit which requires approval of the Zoning Board of Appeals or the Planning Board, the Code Enforcement Officer shall refuse to issue the permit and shall advise the applicant of the necessary procedures to be taken.

A. Application for Building Permit. An application for a building permit must state the intended use to be made of the land and buildings. It must be accompanied by a plot plan drawn approximately to scale showing the dimensions of the lot, the location and size of a building proposed to be constructed or relocated, and the location of any public or private way on or adjacent to the lot. All designs must be

Page 638 in accordance with appropriate building and life safety codes, adopted by reference by the City, as from time to time amended. The drawing must be of adequate quality to determine impact on setbacks and compliance with building codes.

Portland

Building Permit Application

If there are any additions to the footprint or volume of the structure, any new or rebuilt structures or, accessory detached structures a plot plan is required. A plot must include:

- The shape and dimension of the lot, footprint of the existing and proposed structure and the distance from the actual property lines. Structures include decks, porches; bow windows, cantilever sections and roof overhangs, sheds, pools, garages and any other accessory structures must be shown with dimensions if not to scale.
- Location and dimensions of parking areas and driveways A change of use may require a site plan exemption application to be filed.

South Portland

Zoning Ordinance

Sec. 27-135. Application for building permit.

All applicants for building permits shall be accompanied by plans drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations on the lot of buildings already existing, if any, and the location and dimensions of the proposed building or alteration. The application shall include such other information as lawfully may be required by the Building Inspector to determine conformance with and provide for the enforcement of this Chapter.

Building Ordinance

Our survey requirements are mainly in Ch. 5
Buildings

<http://www.southportland.org/index.asp?Type=BLIST&SEC={93286E1E-9FF8-40D2-AC30-8840DEB23A29}>--see attached.

	Mortgage Inspection Loan Survey	Boundary Line Survey (Class A)
New Home on Unimproved Lot		ü
Addition to Existing Home	ü	
New Commercial Structure on Unimproved Lot		ü
Addition <1,000 sf to Existing Commercial	ü	

Addition ≥1,000 sf to Existing Commercial		ü
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Old Orchard Beach

Zoning Ordinance

Sec. 78-36. - Applications for building permits and certificates of occupancy.

- (a) All applications for building permits and certificates of occupancy shall be made in writing on forms furnished by the code enforcement officer.
- (b) All applications for building permits for new construction or additions shall be accompanied by plans drawn to scale showing the actual dimensions and shape of the lot to be built upon; the exact size and location on the lot of buildings already existing, if any; and the location and dimensions of the proposed buildings or alterations, including parking facilities. The application shall include such other information as lawfully may be required by the code enforcement officer to determine conformance with and to provide for the enforcement of this chapter.

(Ord. of 9-18-2001, § 15.5)

Freeport

Zoning Ordinance

E.
 Building Permit: No building or other structure shall be erected, moved, added to or structurally altered, as defined in the BOCA Code adopted by the Town of Freeport, without a permit therefore, issued by the Codes Enforcement Officer. No building permit shall be issued except in conformity with the provisions of this Ordinance and all other applicable ordinances of the Town of Freeport and

any conditions imposed pursuant to said ordinances. A building permit secured under the provisions of this Ordinance shall expire if the work or change is not commenced within one (1) year of the date on which the permit is granted, and if the work or change is not completed within two (2) years of the date on which the permit is granted. All building permits heretofore issued shall be subject to the provisions of this Paragraph.

Application for Building Permit: All applications for building permits for the erection or enlargement of any new or existing building shall be accompanied by plans drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the sizes and locations on the lot of buildings already existing, if any, the location and dimensions of the proposed building or alteration, and the proposed sewage disposal system as required by the Maine State Plumbing Code. The application shall include such other information as may be required by the Codes Enforcement Officer to determine conformance with and to provide for the enforcement of this Ordinance. Applications shall be accompanied by a fee which shall be established by the Town Council. The Codes Enforcement Officer shall maintain a public record of all building permits which are issued.

If any part of the structure is proposed to be located closer than 5 feet to the minimum front, side, rear or shore setbacks required by the applicable zoning district regulations; or if the Codes Enforcement Officer determines that special conditions such as complex curves in the property lines, or other unusual features of lot shape or topography, the Codes Enforcement Officer may require that the foundation be set and pinned by a professional land surveyor.

Kennebunk

Zoning Ordinance

Section 2. Applications for Building Permits

A. The Code Enforcement Officer shall not act upon any application for a building permit until all other permits which may be required under this Ordinance, other local ordinances, or under State or Federal law or regulations have been received.

B. Each application for a building permit shall be filed in duplicate and shall include:

(1) A plot plan drawn to scale, showing and stating the dimensions in feet of the lot, the location and ground coverage of all buildings proposed to be

erected, moved or demolished on such lot, and each street, alley or right-of-way on or adjacent to the lot;

Camden

Zoning Ordinance

Section 1. Administrative Official

The Code Enforcement Officer shall enforce this Ordinance, for which purpose he shall establish reasonable procedures. He shall have all of the duties, responsibilities and powers set forth in state statute or local ordinance, including but not limited to the power to issue "stop work" orders, notices of violation of the Ordinance and orders to cease violations, or similar notices in the execution of his duties and the authority to revoke building permits as a result of violations of the Zoning Ordinance by the permittee, noncompliance with the building permit, or other sufficient cause under the Zoning Ordinance. He shall keep all activities within the jurisdiction of this Ordinance under surveillance. He shall examine all applications for permits or other actions under this Ordinance and within sixty (60) days from the receipt of such application grant building and/or use permits to those applications acceptable according to the terms of this Ordinance, or issue a denial in writing with reasons therefore to those applications which are violations of this Ordinance or do not otherwise conform to the terms of this Ordinance. The Code Enforcement Officer shall cause to be posted in the Town Office and on the Town web site a monthly report of building permits within 15 days of the end of the month. The Code Enforcement Officer shall keep records of his proceedings and such records shall be made public. He shall institute or cause to be instituted in the name of the Town any actions that might be appropriate for the enforcement of this Ordinance and for prosecutions of violations of this Ordinance. He shall report to the Town Manager any changes that might be needed in the Ordinance and prepare a file for review by the Selectmen and Planning Board for future action. He shall follow up all building and/or use permits to ascertain compliance with any conditions or restrictions imposed on the permittee by the Code Enforcement Officer, Planning Board, or the Zoning Board of Appeals. (Amended 6/15/10) The action of the Code Enforcement Officer in issuing a "stop work" order, notices of violations, or similar notices, and the action of the Code Enforcement Officer in revoking building permits, shall be appealable to the Zoning Board of Appeals by an aggrieved person or party within fifteen (15) days after the date of receipt of notice of such action by the aggrieved person or party. All other appeals to the Code Enforcement Officer shall conform with the time periods set forth in Article V, Section 5 of this Zoning Ordinance. Upon appointment by the Board of Selectmen, the Alternate Code Enforcement Officer shall have all the

duties, responsibilities and authority of the Code Enforcement Officer.

Section 2. Permits Required

None of the following actions shall be taken until the Code Enforcement Officer has issued a building and/or use permit certifying that the plans of an intended use of the land or building are in conformity with this Ordinance. No permit shall be issued for a project that includes a new driveway, until a driveway/access permit has been issued by the Road Commissioner and/or the Maine Department of Transportation. Said permit shall be posted on site in a manner that is visible from a public way within seven working days of issuance.

In

V-1V-2 addition to the actions identified below, this Ordinance applies to any other actions, which do not

require a building or use permit. (Second sentence added - 6/20/06)

(1) Construction, enlargement, alteration, demolition, or moving of any building or structure, including temporary structures, when the fair and reasonable value of such labor and materials used exceeds \$2,000.00 cumulatively within a 12-month period. Although no permit is required, if the fair and reasonable value of said labor and materials used is equal to or less than \$2,000.00 cumulatively within a 12-month period, said construction, enlargement, alteration, demolition, or moving of any building or structure must still comply with all the provisions of this Ordinance.