

SEC. 19-1-3. DEFINITIONS

Sketch plan: Per Bruce

Standard Boundary Survey: A map of a quantity of real estate based on (1) adequate research to support a professional opinion of boundary location, (2) field work including an inspection of the real estate and (3) the preparation of a plan, drawn to scale and including property boundary lines, easements and rights-of-way and existing structures, suitable for recording.

SEC. 19-3-3. BUILDING PERMITS

C. Applications for Permits

All applications for Building Permits shall be submitted in writing to the Code Enforcement Officer on forms provided for the purpose. The application shall be accompanied by the following information:

1. A site plan drawn to an indicated scale and showing the location and dimensions of all buildings to be erected, the sewage disposal system, driveways and turnarounds, and abutting lot and street lines. The site plan shall accurately represent the relationship between any proposed building or structure or addition to an existing building and all property lines to demonstrate compliance with the setback requirements of this Ordinance. ~~If there is any doubt as to the location of a property line on the ground or if the Code Enforcement Officer cannot confirm that all setback requirements are met from the information provided, the Code Enforcement Officer may require~~ The applicant shall provide a sketch plan or standard boundary survey prepared by a State of Maine registered land surveyor depicting property boundary lines and existing and proposed structures if any of the following apply:
 - a. There is doubt as to the location of a property line on the ground;
 - b. The Code Enforcement Officer cannot confirm that all setback requirements are met from the information provided; or
 - c. The building permit is requested for a building or building addition valued at over \$10,000 and located less than five feet (5') from the minimum setback distance.
2. Approval by the Local Plumbing Inspector of any private sewage disposal system proposal for the building, together with the plans for the approved system.
3. Information required to determine compliance with the terms and conditions for building and development in flood hazard areas as set forth under Chapter 6, Article VI, Floodplain Management Ordinance if the building is located within a flood hazard area.

4. All applications shall be signed by an owner or individual who can show evidence of right, title, or interest in the property or by an agent of the owner with authorization from the owner to apply for a permit hereunder, certifying that the information in the application is complete and correct. **(Effective October 15, 2009)**
5. Such other information as the Code Enforcement Officer may require to determine compliance with this Ordinance or the Building Code.

SEC. 19-5-2. POWERS AND DUTIES

B. Variances (Effective August 10, 2000)

1. All Districts except the Shoreland Performance Overlay District

~~To~~ The Zoning Board of Appeals may grant variances from the terms of this Ordinance provided that (i) there is no substantial departure from the intent of the Ordinance, and (ii) a literal enforcement of the Ordinance would cause a practical difficulty as defined by 30-A.M.R.S.A. Sec. 4353, 4-C. Variance from dimensional standards, (iii) the applicant has submitted a sketch plan or standard boundary survey prepared by a State of Maine registered land surveyor depicting property boundary lines and existing and proposed structures, and when the following conditions exist:

- a. The need for a variance is due to the unique circumstances of the property and not to the general conditions of the neighborhood;
- b. The granting of a variance will not produce an undesirable change in the character of the neighborhood and will not unreasonably detrimentally affect the use or market value of abutting properties; In determining whether a variance would have an unreasonable detrimental effect on the use or market value of abutting properties, the Zoning Board shall consider if the variance would have the effect of blocking an established view, posing a fire safety hazard, casting a shadow on an adjoining lot, reducing the appraised value of an adjoining property by 10% or more or of eliminating the privacy of an adjoining property without an effort to mitigate the lost privacy;
- c. The practical difficulty is not the result of action taken by the applicant or a prior owner;
- d. No other feasible alternative to a variance is available to the petitioner;
- e. The granting of a variance will not unreasonably adversely affect the natural environment; and

f. The property is not located in whole or in part within shoreland areas as described in Title 38, Section 435.

Notwithstanding the definition of “dimensional standards” in 30 M.R.S.A. Sec. 4353, 4-C, no variance shall be granted:

- a. to permit a use or structure otherwise prohibited,
- b. to reduce the required lot area or street frontage, or
- c. to either reduce a setback to less than 10’ or the shortest nonconforming setback distance created by the existing building.