

Sangerville Lot Size Ordinance

SECTION 1. The effective date of this Ordinance is April 23, 1987. (Revised March 29, 2008) A Certified copy of this Ordinance to be filed with the Piscataquis County Registry of Deeds.

Should any section or provision of this Ordinance be declared by the courts to be invalid, such decision shall not invalidate any other section or provision of this Ordinance.

This Ordinance may be amended by a majority vote of the governing body; and said amendments shall be filed in the Piscataquis Registry of Deeds.

SECTION 2. The Purposes of this Ordinance are:

- To further the maintenance of safe and healthful conditions;
- To prevent and control water pollution;
- To conserve land and water resources;
- To protect wildlife habitat;
- To retain our Town's rural aspect;
- To conserve shore cover, visual as well as actual points of access to inland waters and natural beauty;
- To enhance the environmental quality of our town;
- To control building sites and placements of structures;
- To provide for sound economic development and prevent development that might cause an unreasonable tax burden on the people of the town;
- To remain consistent with the Town's Comprehensive plan.

SECTION 3. Applicability:

This Ordinance applies to all land areas within the Town of Sangerville. These regulations require that all newly created lots meet certain standards and that lot owners are responsible for notifying the Planning Board through the Code Enforcement Officer of new lots on forms provided for this purpose.

SECTION 4. Standards for Lot Size:

- All lots which are on public sewer shall have a minimum frontage of 75' and a lot area of 7,500 square feet.
- "All lots which have private sewage shall have a minimum frontage of 200 feet and a lot area of 60,000 square feet. All other lots shall have a road frontage at a rate of 30 % of the depth. The minimum front footage of any lot abutting a public or private road, or public or private right-of-way shall be 200 (two hundred) feet, with the exception of owned right of ways, or right of ways which shall be a minimum of fifty (50) feet.
- All lots which have private sewage and are located within shoreland zoning shall have a minimum lot frontage of 100' and a lot area of 30,000 square feet.

If more than one dwelling unit is to be located on a single parcel, the minimum lot size requirement shall be met for each additional unit.

All sanitary standards under the Maine State Plumbing Code shall be met on each lot.

(Recorded in the minutes of the Town Meeting, 1973.)

No live stock or poultry permitted within 8 tenths of a mile from the center of the town square.

SECTION 5. Administration:

The Code Enforcement Officer is responsible for enforcement after the effective date of this ordinance. Notification of new lot size forms shall be available at the town office and shall be reviewed by the Code Enforcement Officer. Any questions reference lot size would be referred to the Planning Board and acted upon within 60 days. All lots previously approved by the Planning Board are grandfathered. Any violations of this ordinance shall be deemed to be a nuisance.

It shall be the duty of the Code Enforcement Officer to notify any person in writing responsible for such violation, indicating the nature of the violation and order any corrective action. A copy of such notices shall be maintained as a permanent record.

Legal action, when the above action does not result in the corrective action of the violation, the Municipal Officers, upon notice from the Code Enforcement Officer are hereby authorized and directed to institute any and all action and proceedings, either legal or equitable, that may be appropriate if necessary to enforce the provisions of this Ordinance in the name of the municipality.

Fines: Any person who continues to violate any provisions of this Ordinance after notification by the Code Enforcement Officer of such violation shall be guilty of a misdemeanor subject to a fine of up to \$100.00 for each violation. Each day such violations is continued is a separate offense.

SECTION 6. Variance:

The Board of Appeals may, upon written application of the affected landowner, grant a variance from the strict application of the terms of this Ordinance, if said terms would result in undue hardship to the applicant or would be in the best interest of the town; provided that the hardship is not the result of action taken by the applicant or prior owner, that the granting of the variance will not alter the essential character of the locality; that the land in question cannot yield a reasonable return unless the variance is granted; and that the need for the variance is due to unique circumstances.

An appeal may be taken within thirty (30) days after any decision is rendered by the Board of Appeals, by any party to Superior Court in accordance with State Law.

SECTION 7. Definitions

- Accessory Structure or Use:** A use or structure which is incidental and subordinate to the principle use of structure. Accessory uses, when aggregated shall not subordinate the principle use of the lot. A structure by a roof or a common wall is considered part of the principle structure.
- Building Notice:** All parties planning to make improvements of \$500 or more must file a building notice with the town. Article 44, 1984.
- CEO:** The Code Enforcement officer is hired by the municipal officers to oversee and enforce the ordinances of the town.
- Dimensional requirements:** Numerical standards relating to spatial relationships including but not limited to setback, lot area and road frontage.
- Driveway:** A vehicular accessory less than 500 feet in length serving 2 lots or less.
- Lot Area:** The area of land enclosed within the boundary lines of a lot, and areas beneath roads serving more than 2 lots.
- Municipal Officers:** Municipal Officers are the select people.
- Non-Conforming Lot:** A single lot of record which, at the effective date of adoption, (April 23, 1987) or amendment of this ordinance does not meet area, frontage or width requirements of the district in which it is located.
- Principle Structure:** A building other than one which is used for purposes wholly incidental or accessory to the use of another building or use on the same premises.
- Principle Use:** A use other than one which is wholly incidental or accessory to another use on the same premises.
- Dwelling Unit:** A room or group of rooms designed and equipped exclusively for use as a permanent, seasonal, or temporary living quarters for only one family. The term shall include modular and mobile homes, but not recreational vehicles. Apartment buildings under a common roof do not need to meet the minimum lot size per dwelling unit rule.
- Right of Ways:** A tract of land providing access to another or inclusive tract of land (back lots), whether owned or deeded access across another land.
- Road:** A route or track, (public or private) consisting of a bed of exposed mineral soil, gravel, asphalt, or other surfacing material constructed for or created for the repeated passage of motorized vehicles.