

PETITION

TO Town of Vienna, Maine. Selectmen.

WE the undersigned petition the Town of Vienna, Maine Selectmen.

To amend the following sections of the Building Ordinance for the Town of Vienna

Section III

b. Building means a permanent dwelling; any other building or structure used for shelter or support of persons, animals, goods, or property of any kind, including a building to be used for commercial, industrial or institutional purposes, and a so-called canopy shed, shed-in-a-box, or prefabricated structure of any type; and, any recreational vehicle or camper occupied for more than 30 days within any twelve (12) month period

Be amended to

b. Building means a permanent dwelling; any other **permanent** building or structure, **excluding any Non permanent/Seasonal building or structure**, to include so-called canopy shed, shed-in-a-box larger than one hundred (100) square feet used for shelter or support of persons, animals, goods, or property of any kind, including a building to be used for commercial, industrial or institutional purposes, , of any type; and, any recreational vehicle or camper occupied for more than **six (6) months (180 days)** within any twelve (12) month period

e. Recreational Vehicles and Campers: The use of recreational vehicles and campers, so called, shall be permitted without a permit if occupancy is for less than **thirty days (30)** within a twelve (12) month period. In all cases there must be adequate provision for proper disposal of wastewater⁴ and other wastes associated with the parked recreational vehicle or camper.

be amended to

e. Recreational Vehicles and Campers: The use of recreational vehicles and campers, so called, shall be permitted without a permit if occupancy is for less than **six (6) months (180 days)** within a twelve (12) month period. In all cases there must be adequate provision for proper disposal of wastewater⁴ and other wastes associated with the parked recreational vehicle or camper.

g. Permanent means any building that is in place or in use for a period greater than thirty days (30) days within any twelve (12) month period.

be amended to

g. Permanent means any building that is in place or in use for a period greater than **six (6) month (180 days)** within any twelve (12) month period.

The following definition be added to section III

o. Non permanent/Seasonal means any building that does not have a permanent foundation, that is in place or in use for a period less than six (6) months (180 days) within any twelve (12) month period and any building to include the so-called canopy shed, shed-in-a-box, or prefabricated structure, tent, screen/mosquito tent, sun/rain canopy, Greenhouse, coldframe, wildlife blind, hunting/photography stand.

Section IV

b. Road Setback:

No building shall be erected, placed or relocated unless it is set back as follows:

1. Public Road or right-of-way: Forty-five (45) feet from the road right-of way limits or sixty (60) feet from the centerline of existing traveled ways outside of the Shoreland Zone.²
2. Private Road or right-of-way: Fifteen (15) feet from the road right-of-way limits or forty (40) feet from the centerline of existing traveled ways.

be amended to

No **Permanent** building shall be erected, placed or relocated unless it is set back **to the greater** distance as follows:

1. Public Road or right-of-way: Fifteen (15) feet from the road right-of-way limits or forty (40) feet from the centerline of existing traveled way outside of the Shoreland Zone.²
2. Private Road or right-of-way **ten (10) feet** from the road right-of-way limits or **twenty (20)** feet from the centerline of existing traveled ways.

3. Route 41 State highway; Thirty (30) feet from the road right-of way limits or sixty (60) feet from the centerline of existing traveled ways outside of the Shoreland Zone.²

c. Property Line Setback:

No building shall be erected, placed or relocated less than fifteen (15) feet from any adjoining property line outside the Shoreland Zone³. The setback may be satisfied by including areas outside the property boundaries if secured by a deeded, recorded easement on the abutting property

be amended to

c. Property Line Setback: No **Permanent** building shall be erected, placed or relocated less than **ten (10) feet** from any adjoining property line outside the Shoreland Zone³. The setback may be satisfied by including areas outside the property boundaries if secured by a deeded, recorded easement on the abutting property

Section V

a. Inspections: The CEO shall inspect all buildings being constructed, placed, relocated, replaced or reconstructed for conformance with the provisions of this Ordinance

Be amended to

a. Inspections: The CEO shall inspect all **permanent** buildings being constructed, placed, relocated, replaced or reconstructed for conformance with the provisions of this Ordinance

Section VI

VI. Permit Required Before beginning the construction, placement, relocation, replacement or reconstruction, if that replacement or reconstruction involves a change in use or size of any building, the applicant shall obtain a permit covering such proposed work. Evidence of wastewater and plumbing permits are required if applicable. An applicant for a building permit in the Shoreland Zone must obtain Planning Board approval under the provisions of the Vienna Shoreland Zoning Ordinance prior to the CEO issuing a building permit. Buildings smaller than forty (40) square feet do not require a permit but must meet the lot size and setback requirements of this Ordinance.

Be amended to

VI. Permit Required Before beginning the construction, placement, relocation, replacement or reconstruction, if that replacement or reconstruction involves a change in use or size of any **permanent** building, the applicant shall obtain a permit covering such proposed work. Evidence of wastewater and plumbing permits are required if applicable. An applicant for a building permit in the Shoreland Zone must obtain Planning Board approval under the provisions of the Vienna Shoreland Zoning Ordinance prior to the CEO issuing a building permit. **Non premanent/ Seasonal buildings do not require a permit and are not required to meet the lot size and setback requirements of this Ordinance** Buildings smaller than **fifty (50)** square feet do not require a permit **and are not required to meet the lot size and setback requirements of this Ordinance**

Section VII

VII. Fees The application fee for residential, commercial and industrial buildings or additions over one hundred (100) square feet shall be \$50.00. The application fee for additions and non-residential structures less than one hundred (100) square feet shall be \$25.00. The fee shall accompany the application and shall be used to defray the expenses of administering the Ordinance

Be amended to

VII. Fees

a. The application fee for residential to be \$10, (note this is a 333.333% increase from the permit fee prior to the March 12th 2016 increase of of 1666.67%)

b. Commercial and industrial buildings shall be \$25.00 The fee shall accompany the application and shall be used to defray the expenses of administering the Ordinance (note this is a 833.32% increase from the permit fee prior to the March 12th 2016 increase of of 1666.67%)