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About Your Accessory Structure 2013

Maine Land Use Planning Commission

Maine Department of Agriculture, Conservation and Forestry

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BEFORE YOU BUILD ...

... READ THE STANDARDS AND CONDITIONS CAREFULLY....

It is important that you know exactly what activities are authorized before you begin construction. Your project must meet all of the **conditions and standards** required for accessory structures to be constructed without a permit. If you have questions, call the LUPC office that serves your area (see the back of this brochure for contact information).

MAKE SURE TO ASK IF YOU HAVE ANY QUESTIONS!

Understand the conditions and requirements before starting your project...

OTHER PERMITS MAY BE REQUIRED

Be sure to **obtain all other permits and approvals** required for your project, including possible wetland permits from the U.S. Army Corps of Engineers and driveway entrance permits from the Maine Department of Transportation, before starting any work.

If you are unsure about other possible permitting requirements for your project, call the LUPC for guidance.

SUBDISTRICTS

The following subdistricts allow accessory structures without a permit subject to standards:

Development Subdistricts:

- D-CI Commercial Industrial
- D-ES Extended Settlement
- D-GN General Development
- D-GN2 Community Center Development
- D-GN3 Rural Settlement Development
- D-RS Residential Development
- D-RS2 Community Residential Development
- D-RS3 Residential Recreation Development

Management Subdistricts:

- M-GN General Management

Protection Subdistricts:

- P-GP Great Pond Protection

You can use the LUPC's Parcel Viewer to help determine what subdistrict your property is in—see:

http://mapserver.maine.gov/conservation/lupc_master.php

NEED HELP?

Not sure if your project qualifies? Not sure what subdistrict you are located in? The Commission staff is available to discuss any questions regarding your project and also is available to meet with you on site before you begin construction. We can help you determine setbacks and explain the requirements for vegetation clearing and erosion control. To schedule a pre-construction site visit, call the LUPC office that serves your area.

AUGUSTA OFFICE

Main LUPC Office

18 Elkins Lane - Harlow Building Tel. (207) 287-2631
22 State House Station Fax (207) 287-7439
Augusta, ME 04333-0022 TTY (888) 557-6690

ASHLAND OFFICE

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LUPC IS ONLINE

Visit our website at <http://www.maine.gov/doc/lupc/> to browse our rules, find zoning maps, meeting agendas, take our customer service survey, and locate other information.

MAINE LAND USE PLANNING COMMISSION

Department of Agriculture, Conservation and Forestry

ABOUT YOUR ACCESSORY STRUCTURE



Planning a new deck or garage? Or maybe a shed or a porch? Look inside to see what you need to think about as you design—and before you build—your project...

READ BEFORE YOU POUR!



FREQUENTLY ASKED QUESTIONS...



The Maine Land Use Planning Commission (LUPC - formerly LURC) recently changed its rules to allow certain accessory structures to be constructed without a permit in certain situations. **This brochure** explains how this change might make it easier for you to build your project!

The Commission was created in 1971 to serve as the planning and zoning board for Maine's unorganized areas, plantations, coastal islands and towns without local land use control.

The Commission's mission is to preserve public health, safety and general welfare; to support and encourage Maine's natural resource-based economy and strong environmental protections; to encourage appropriate residential, recreational, commercial and industrial land uses; to honor the rights and participation of residents and property owners in the unorganized and deorganized areas while recognizing the unique value of these lands and waters to the State.

You can learn more about the Commission by visiting the agency's web site (<http://www.maine.gov/doc/lupc/>)

*The recent rule change is intended to **reduce the regulatory burden** on property owners, and reduce LUPC staff time and paperwork for simple structures with little or no impact.*

WHAT IS AN ACCESSORY STRUCTURE?

Typically, an accessory structure is a **porch, deck, shed, or garage** that is associated with a house or commercial building. Officially, Chapter 10 of the LUPC's rules defines an accessory use or structure as "A use or structure subordinate to a permitted or conditional use or structure and customarily incidental to the permitted or conditional use of the structure." Contact the LUPC regional office that serves your area if you need help figuring out if your idea for a structure meets the definition of an "accessory structure".

DO I NEED A PERMIT BEFORE I BUILD MY ACCESSORY STRUCTURE?

You do not need a permit if your property is in a subdistrict that allows accessory structures without a permit **provided you meet all the standards and conditions**. The list of subdistricts is included in this brochure, and the conditions are listed in LUPC's Chapter 10, Section 10.27,P. Chapter 10 is available on line at:

<http://www.maine.gov/doc/lupc/reference/ch10.html>

IS THERE A SIZE LIMIT?

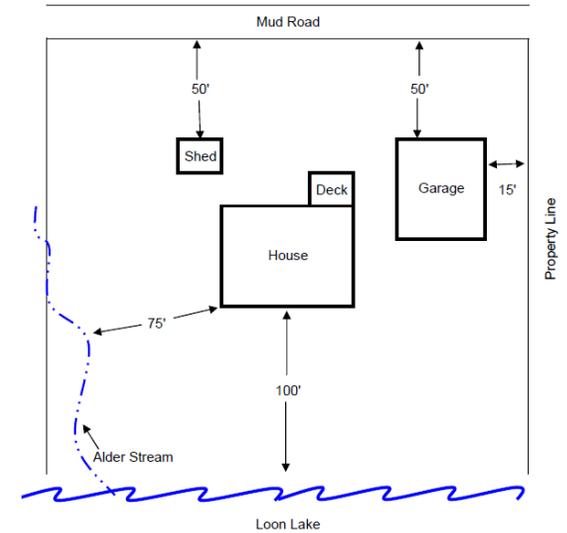
The footprint of your proposed accessory structure must be less than **750 square feet** and you can't add more than 750 square feet to your total building footprint in any **two year period**. If you are adding to a use that has an overall size limit (like a remote camp), you cannot exceed that limit. Of course, if you want to build something larger, you can apply for a LUPC building permit!

IS MY EXISTING PRINCIPAL STRUCTURE "LEGAL"?

If you received a permit for your principle structure, and built it according to your permit, you are good to go! If you do not have a permit (e.g., for pre-1971 structures) or are not sure if your principle structure was built according to your permit, you should contact the nearest LUPC office to find out if you need a permit.

CAN I ADD PLUMBING?

It's ok if you wish to install **an exterior hose bib or outside hose faucet**, but you'll need a building permit if you want to add any plumbing inside your structure.



HOW FAR SHOULD MY STRUCTURE BE FROM THE ROAD? FROM THE WATER? FROM MY NEIGHBORS?

Section 10.26 of the LUPC's Chapter 10 provides all of the **dimensional requirements** your structure must meet (*unless you have deed restrictions*). In most cases, your structure must:

- ▶ Be located at least 100 feet from lakes or rivers, 75 feet from tidal waters, streams and wetlands, 50 feet from roadways, and 15 feet from property lines
- ▶ Not increase your lot coverage to more than 30%
- ▶ Be less than the maximum height allowed in your subdistrict

PLEASE NOTE: These are **minimum standards**, and there may be other applicable standards depending on where your property is, **so be sure to read Section 10.26 carefully - and check your deed too!**

WHAT ELSE DO I NEED TO KNOW?

- If you plan to (or think you might) use your accessory structure for your **home occupation**, you will need to apply for a building permit.
- If you plan to create **finished living space** within your project, you will need to apply for a building permit.
- You can call the LUPC any time if you have a question!