

Humphries/Parsons Minor Site Permit Application – Applicability of Planning Director and/or CEO
 Finding Questions (per Application Checklist)

<p>a. Exterior design of the accessory unit is compatible with the existing residence on the lot through architectural use of building forms, height, construction materials, colors, landscaping, and other methods that conform to acceptable construction practices.</p>	<p>Applicable</p>
<p>b. Exterior design of the accessory unit is compatible with the existing residence on the lot through architectural use of building forms, height, construction materials, colors, landscaping, and other methods that conform to acceptable construction practices.</p>	<p>Applicable</p>
<p>c. The exterior design is in harmony with, and maintains the scale of the neighborhood.</p>	<p>Applicable</p>
<p>d. The accessory unit does not result in excessive noise, traffic or parking congestion.</p>	<p>Applicable</p>
<p>e. The primary residence and the ADU shall connect to public water and public sewer in compliance with all applicable Town of Yarmouth and Yarmouth Water District requirements as well as the Maine Subsurface Wastewater Disposal rules. If the primary residence and the ADU cannot connect to public water and/or public sewer, the applicant shall demonstrate by competent third-party evidence that the supply of potable water and/or septic capacity is sufficient for the primary residence and ADU. Approval of an ADU shall be conditional on any required improvements.</p>	<p>Applicable. The primary residence is connected and the ADU will connect to public water and public sewer.</p>
<p>f. Major access stairs, deck entry doors, and major windows will generally be limited to the walls facing the primary residence. Windows that impact the privacy of the neighboring side or rear yard have been minimized. The design of the accessory unit shall relate to the design of the primary residence and shall not visually dominate it or the surrounding properties.</p>	<p>Applicable. However, given the rural nature of the property and distance from neighboring properties the privacy concern is generally not applicable.</p>
<p>g. The orientation and location of the buildings, structures, open spaces and other features of the site plan are such that they maintain natural resources including heritage or significant trees and shrubs to the extent feasible and minimize alteration of natural landforms.</p>	<p>Applicable. Note that the large Red Maple currently located where the proposed garage/ADU will be is dead and will be removed regardless of this proposed project.</p>
<p>h. Building profiles, location and orientation relate to natural landforms.</p>	<p>Applicable.</p>

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<p>i. One parking space shall be provided on-site for each a studio and or one bedroom accessory unit. Two parking spaces shall be provided on site for each a two bedroom accessory unit. Parking of the accessory unit is in addition to the required parking for the primary residence. Required parking spaces for the primary residence and the accessory dwelling unit may be provided in tandem on a driveway. A tandem arrangement consists of one car behind the other. No more than two cars in tandem may be counted towards meeting the parking requirement.</p>	<p>Applicable. The existing driveway will not be altered and currently provides for at least 4 parking spaces.</p>
<p>j. A single-family dwelling exists on the lot or will be constructed in conjunction with the accessory unit. Only one ADU is permitted per lot.</p>	<p>Applicable. Only one ADU is proposed.</p>
<p>k. Accessory dwelling units are not eligible for variances to setbacks.</p>	<p>Not applicable to this project. No variance needed.</p>
<p>l. Before obtaining a building permit for an ADU the property owner shall file with the registry of deeds a declaration of restrictions containing a reference to the deed under which the property was acquired by the present owner and stating that:</p> <ol style="list-style-type: none"> a. The accessory unit shall not be sold separately. b. The unit is restricted to the approved size. c. The use permit for the accessory unit shall be in effect only so long as either the main residence, or the accessory unit, is occupied by the owner of record as the principal residence. d. The above declarations are binding upon any successor in ownership of the property; e. The deed restrictions shall lapse upon removal of the accessory unit. 	<p>Applicable. Filing is in process.</p>
<p>m. Units within an Accessory Structure shall not exceed 900 square feet. If an ADU occupies an entire single floor, the Planning Department may allow for an increase in the allowed size of the ADU in order to efficiently use all of the floor area, so long as all other standards of this section are met.</p>	<p>Applicable. The proposed unit is 832 square feet.</p>
<p>n. An ADU may have no more than two (2) bedrooms.</p>	<p>Applicable. One bedroom proposed.</p>
<p>o. The water and sewage facilities shall meet all existing laws and codes.</p>	<p>Applicable. The proposed unit will utilize existing municipal water and sewer services.</p>
<p>p. Approval of an accessory apartment shall be conditional on</p>	<p>Applicable.</p>

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obtaining applicable building, plumbing, electrical and any other necessary municipal permits.	
q. The Fire Chief must review and sign off on the application.	Applicable
r. Unless part of the design of an existing single family dwelling the dwelling(s) shall have only one (1) front entrance and all other entrances shall be on the side or in the rear of the dwelling. A front entrance leading to a foyer with entrances leading from the foyer to the two (2) dwelling units is permitted. Outside stairways (either open or enclosed), that service an Accessory Dwelling Units on upper stories are not permitted.	Applicable. No outside stairway is proposed.
s. For an ADU located within an existing garage or other outbuilding, the structure is not required to approximate the exterior features of the existing single family dwelling, but any exterior modifications should be consistent with the architectural style of that structure unless the building is upgraded per the requirement of new structures or unless the new structure is designed in a traditional New England form such as a barn.	Not Applicable. New structure proposed, not conversion of existing structure.
t. An existing single family dwelling that is nonconforming solely due to lot size, lot width, lot frontage, lot coverage, height or setback requirements may be expanded to incorporate an Accessory Apartment subject to the requirements of Chapter 701 of the Yarmouth Code Article III for the expansion of other non-conforming single family dwellings.	Not applicable.
u. ADU's may be permitted on back lots.	Not applicable/not proposed
v. ADU's are not permitted on a lot with a non-conforming use.	Not applicable
w. ADU's are not permitted on a lot with mixed uses.	Not applicable