

Town of Owls Head – Zoning Ordinance

Land Uses	Rural Residential	Resource Protection	Commercial
Mineral Extraction, Processing and Storage	No	No	PB
Single and Two Family Detached Dwellings	CEO	No	CEO
Multi-Family Dwellings/Apartment Houses (More than two families)	No	No	No
Conversion of Existing Structures to Not More Than Two Dwellings	CEO	No	CEO
Home Occupations as Defined in Article VII. (Antique/Gift/Specialty Shops)	CEO	No	CEO
Special Provisions for Certain Home Occupations (Refer to 3.5 E 10)	Yes	No	Yes
Day Care Center	PB	No	PB
Bakery	No (2)	No	PB
Nursing, Convalescent Home	PB	No	PB
Bed and Breakfast, Tourist Home	PB	No	PB
Filling Station	No	No	PB
Church, Quasi-Public Facility	PB	No (12)	PB
School, Public or Private	PB	No	PB
School, Commercial	No	No	PB
Commercial Outdoor Recreational Uses	No	PB (4)	PB
Campgrounds	No	No (5)	PB
Commercial Buildings	No	No	PB
Business and Professional Offices	No (2)	No	PB
Personal Services	No (2)	No	CEO
Tradesman's Shops	No (2)	No	CEO
Restaurants	No	No	PB
Neighborhood Store, including Sale of Motor Vehicle Fuel/Supplies (2000 sq. ft. or less)	No	No	PB
Motels/Hotels	No	No	PB
Mobile Home Park	PB(3)	No	PB
Light Manufacturing, Processing, Warehousing Distribution, Storage of Materials (other than those used in home occupations)	No (2)	No	PB

- (6) That the proposed use will not have an unreasonably deleterious effect on adjacent property in considering the overall design of the building and occupancy elements.
- (7) That the proposed use will not have an unreasonable deleterious effect on the peace and comfort of surrounding property owners.
- (8) Copies of all required, valid Maine State and federal license(s) must be presented to the Planning Board with the application.
- (9) Copies of all records and reports required by the State relative to the commercial storage and/or processing of septic waste must be sent to the Code Enforcement Officer in compliance with the State filing deadline. All required daily records must be made available to the Code Enforcement Officer at this request. An annual review of the facilities, and the operation thereof, is necessary as part of the Annual Review process.
- (10) There shall be a permit fee in such amount as the Board of Selectmen may from time to time establish by order.
- (11) Require Site Plan Review in addition to requirements of this Ordinance.

(12) With exception allowed as defined under the definition of Quasi-Public Facility.

In cases where there is any question regarding the acceptability of a proposed land use, the Planning Board or Code Enforcement Officer as applicable shall refer to the Land Use Guidelines in the Site Plan Review Ordinance. The Guidelines are more specific with regard to requirements to be met.

3.4 Dimensional Requirements

ZONES

Minimum Dimensions Per Lot	Rural Residential	Commercial
Lot Area Residential for Single and Two Family Dwellings	40,000 sq. ft.	40,000 sq. ft.
Non-residential	N/A	40,000 sq. ft.
Road Frontage (1)	100 ft.	100 ft.
Rear Yard Width	100 ft.	100 ft.
Lot Depth	100 ft.	100 ft.
Front Yard Setback	25 ft.	25 ft.
Side Yard Setback (2), (6)	25 ft.	25 ft.
Rear Yard Setback (2), (6)	25 ft.	25 ft.
Shoreline Setback (3)	75 ft.	75 ft.
Fence Setback	On owner's side of property line	
Maximum Dimensions		
Building Height (ft.) (4)	35 ft.	35 ft.
Municipal Town Owned Sand & Salt Building Height (ft.) (4)	42 ft.	42 ft.
Lot Coverage by Structures (5)	20%	50%

Quasi-Public Facility: A facility for a recognized public purpose, such as an auditorium, library, park, or museum **including offices, and its' supporting operational spaces**, which is operated by a not-for-profit organization or by a public agency other than the municipality.

Renovation: In-place alterations or replacements such as walls, baths, and cabinetry of a structure at a material cost exceeding \$5,000.00 exclusive of labor. Replacement of like material for siding, roofing, doors and windows are excluded unless structural.

Repair: Normal maintenance of a structure such as painting, re-siding, replacement of roof shingles, and requiring no structural alterations or renovations.

Restaurant: A place for the serving of prepared food and beverages to the public.

School, Commercial: A place or institution for teaching and learning, which place or institution is established for commercial or profit-making purposes, including, by way of example only, schools for dance, music, gymnastics, photography, driving, or business. A commercial riding facility shall not be considered a commercial school. For Commercial riding facility see definition of Agriculture Use See Section 7.2 of the Owls Head Zoning Ordinance.

School, Public and Private: A place or institution for teaching and learning" which place or institution teaches courses of study sufficient to qualify attendance there as being in compliance with state compulsory education requirements. A public school, as differentiated from a private school, is operated by a municipal corporation or school administrative district or, for the purposes of this Ordinance, by a recognized religious organization.

Septage Waste Disposal:

1. Septage Waste Facility: An establishment, the principal function of which is the storage, processing, disposal and/or handling of septage waste.
2. Processing: The change in volume, change in the chemical or physical characteristics, or any other change in the nature of the material being processed.
3. Septage Waste: The matter, refuse, effluent, sludge or any other materials from septic tanks, cesspools or other similar facilities.

Setback - Back: The distance between the rear line of the lot, extending the full width of the lot, and the nearest part of any principal or accessory structure. Back or rear setback and back or rear yard are synonymous.

Setback - Front: The distance between the street right of way or easement line extending the width of the frontage, and the nearest part of any principal or accessory structure, in the case of a land-locked lot, accessible by a right of way, this distance shall be measured from the structure to the abutting property line. Front setback and front yard are synonymous.

Setback - Side: The distance between the side property line and the nearest part of any principal or accessory structure. Any lot line not a back lot line or a front lot line shall be deemed a side lot line. Side setback and side yard are synonymous.

Shoreland Zone: The land area located within 250 feet, horizontal distance, of the normal high-water line of any river, or salt-water body; or within 250 feet of the upland edge of a coastal or freshwater wetland; or within 75 feet of the normal high-water line of a stream.