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ZONING DISTRICT BOUNDARY INTERPRETATION ADMINISTRATIVE CHANGE

Summary

The proposed Ordinance changes will shift authority and responsibility for doing detailed zoning district boundary interpretations from the Board of Appeals to the Planning Board. The Zoning Map is a Town-wide designation of areas meeting certain criteria for resource protection or aquifer protection designations. The precise location of the extent of protected resources sometimes requires field verification, and such research can identify discrepancies in the visual representation on the Zoning Map that overly restricts property rights. Review of applications for relief from the zoning restrictions can be placed with the Board of Appeals or Planning Board, and the amendments will place such decisions with the Planning Board.

Current vs. Proposed Board to Handle Zoning Boundary Interpretations

Aspect	Current	Proposed
Determination of precise boundary of a zoning district when needed.	Board of Appeals.	Planning Board.

Why the Change?

The Board of Appeals meets infrequently and lacks technical support to review surveys and other field studies related to floodplains, aquifers, wetlands, and other natural resource inventories. The Planning Board meets monthly and has staff and peer review assistance to help process complicated applications. The Planning Board makes recommendations for changes to the Zoning Map to implement Comprehensive Plan recommendations, so it makes sense that it would be in a better position to interpret the boundaries of zoning districts. The Board of Appeals has expressed discomfort with the process of making zoning boundary determinations.

We want to hear from you!

Do you support this change? Do you think there are reasons to place this responsibility with one appointed board or the other? Please share your thoughts with the Planning Board during the public participation process. You can submit written comments to the Town Planner for circulation to the Board by emailing townplanner@durhammaine.gov.