



Code Enforcement Office
829 Sawyer St, South Portland ME 04106
Phone: (207) 767-7603
codeenforcement@southportland.gov
www.southportland.gov

Office Hours
Monday 7:30 AM-5:00 PM
Tuesday 9:00 AM-5:00 PM
Wednesday 7:30 AM-5:00 PM
Thursday 7:30 AM-5:00 PM
CLOSED FRIDAY

PERMIT APPLICATION FOR ACCESSORY DWELLING UNIT (ADU ZONING)

For Office Use:

Date: Fee Paid: Year Built: Map: Lot:
Zoning District: Neighborhood:
Application #: Permit #: Date Issued:
\$200 Pre-App \$300 App Fee \$300 Drainage Fee (if required Y / N)

This is an application for the use of an ADU. A building permit is also required and may be submitted simultaneously. One ADU per lot may be constructed within, attached, or detached to an existing dwelling unit provided the following standards have been met pursuant to Zoning Ordinances, Sec. 27-1576 et seq. and Chapter 27 Articles V-XIII, as amended.

PROJECT ADDRESS:
OWNER NAME: CONTRACTOR NAME:
OWNER ADDRESS: CONTRACTOR ADDRESS:
OWNER NUMBER: CONTRACTOR NUMBER:
OWNER EMAIL: CONTRACTOR EMAIL:

Additional Required Documents Checklist:

- Sewer Impact Fee Application
Curb Cut Application - May not be required
STVR Agreement Form - Certification of Understanding that Short Term Vacation Rentals are prohibited in any dwelling on the same lot as an ADU.
Drainage Plan\* - Meeting Sec. 27-1536
Mortgage Loan Inspection Plan\* - Prepared by a Maine licensed land surveyor and drawn to scale showing: Boundaries of the lot; Any existing improvements on the lot; Any existing easements benefiting or burdening the lot.
Building Plans
Photos/Drawings of the project - Showing existing and proposed principal and accessory dwellings; Floor plan of the principal building and the ADU; Elevations for all sides of the existing and proposed buildings; Architectural treatments of the principal building and the ADU.
Design, Orientation & Placement Narrative\* - Describing how the proposal will meet standards set forth in Sec. 27-1578 (h)
Evidence of Right, Title & Interest of the property

\* - These requirements may be waived if the proposed construction and site disturbance associated with the ADU do not create any new impervious Area and/or is entirely internal to the primary dwelling structure.



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**Property & Project Information:**

Lot Area Total (sq.ft.): \_\_\_\_\_

	Existing	Proposed ADU	Proposed Total
Coverage (Building/Lot) (sq.ft.)			
Living Area (sq.ft.)			
ADU Living Area to Primary Dwelling Living Area - Percentage			

	Allowed	Proposed
Maximum Building Height:		
Minimum Front Yard Setback:		
Minimum Side Yard Setback:		
Minimum Rear Yard Setback:		
Maximum Lot Coverage:		
Minimum Landscape Area:		
Minimum Water Setback:		

**General Standards**

Please answer the following. Unanswered questions can be discussed at the pre-application meeting.

- Has the property been subject to a Planning Board approval? \_\_\_\_\_
- How many dwelling units are currently on the property? \_\_\_\_\_
- Will the owner occupy the primary dwelling unit or the ADU? **Yes / No**  
*The owner of the property must occupy either the primary dwelling unit or the ADU*
- Size of the ADU's: Basement (sq. ft.) \_\_\_\_\_ First floor \_\_\_\_\_ Second floor \_\_\_\_\_  
 Total square footage of the ADU Living space \_\_\_\_\_
- Does new ADU building coverage (footprint) exceed 800 sq. ft.? **Yes / No**  
*New building coverage that is created to construct all or part of a ground-floor ADU shall not exceed 800 sq. ft.*
- Does the ADU change the footprint of the structure in which the ADU is located? **Yes / No**  
 If so, does the addition conform to the setback and lot coverage requirements for the zoning district in which it is located, except as provided in Zoning Ordinance Section 27-1578(a)?  
**Yes / No**
- Will the creation of the ADU increase the impervious surface area of the property? **Yes / No**  
 Explain: \_\_\_\_\_  
*If so, a Drainage Plan demonstrating stormwater mitigation shall be required.*
- Is a safe path of travel provided from the ADU to the nearest public sidewalk or right-of-way?  
**Yes / No**  
*Walkways must be a minimum of 3 feet wide and distinct from vehicular areas except as a shared drive/walk space along an exterior edge of a driving surface.*
- Distance from the nearest property line to the primary entrance: \_\_\_\_\_



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**General Standards cont.**

- 10. Does the entrance that will be used to access the ADU already exist? **Yes / No**  
*The primary entrance shall not be located within 10 feet of a property boundary unless the entrance is an existing access on a structure existing as of September 1, 2022;*
- 11. Distance from the property line to transparent openings: \_\_\_\_\_  
*Other than roof openings, no transparent openings shall be within 5 feet of the property boundary, or on the second story if the wall is within a setback area.*
- 12. Will the ADU be attached to the existing Primary Structure? **Yes / No**  
*A Sprinkler system may be required if the ADU creates a third dwelling unit within a building.*

**For a detached ADU:**

- 13. Height of the detached structure: \_\_\_\_\_  
*The maximum height of the detached structure shall not exceed 28 feet.*
- 14. Distance from the property line to above-ground, exterior equipment for the ADU: \_\_\_\_\_  
*Such equipment cannot be in the setback area or within 10 feet of a property boundary.*

**For an ADU in a legal, nonconforming structure:**

- 15. Does the construction of the ADU increase the height of a non-conforming structure? **Yes / No**  
*An ADU may increase the height of nonconforming structures to establish a new, code-compliant roof.  
Dormers may be added to single-family, detached units within setbacks per Sec. 27-303(a)(4).*
- 16. Distance from the ADU to the closest inhabited structure on an adjacent property? \_\_\_\_\_  
*An ADU must be greater than 12 feet from an inhabited structure.*
- 17. Does the ADU increase the nonconformity of the structure in any way? \_\_\_\_\_
- 18. Is the building located in the Shoreland Zone? **Yes / No**  
*ADUs are prohibited in the Shoreland Zone, unless permitted under the Zoning Ordinance, Article XIII.*
- 19. Is the building located in the Floodway or Flood Zone? **Yes / No**

*By signing below, I agree that the information provided is complete and correct and that my project will adhere to applicable State and City land use laws and regulations. I agree to future inspections by the Code Enforcement Officer at reasonable hours.*

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**Applicant Signature** **Printed name** **Date**

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**Code Enforcement Officer** **Approved / Denied** **Date**



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**CERTIFICATION OF UNDERSTANDING SHORT TERM VACATION RENTAL PROHIBITION  
ON LOTS WITH ACCESSORY DWELLING UNITS (ADU) APPROVED AFTER 11/22/2022**

I, \_\_\_\_\_, owner of the property located at \_\_\_\_\_  
hereby certify that I understand that any Building Permit for an ADU will include the following  
condition and require such to be recorded at the Cumberland county registry of deeds prior to  
issuance of Occupancy Certificate:

(Check one)

- In the case of a property comprised of a single family-dwelling unit and an ADU, neither the single-family dwelling unit nor the Accessory Dwelling Unit reviewed and approved pursuant to an application to the Code Enforcement Officer on or after November 22,, 2022 shall be used, occupied or registered as a short-term rental for short-term rental guests, as those terms are defined in Chapter 14, Article XVII, Sec. 14-801 of the Code, as may be amended.
- In the case of a property comprised of a multi-unit structure with up to three dwelling units and an ADU, neither the dwelling units nor the ADU reviewed and approved pursuant to an application to the Code Enforcement Officer on or after November 22, 2022 shall be used, occupied or registered as a short-term rental for short-term rental guests, as those terms are defined in Chapter 14, Article XVII, Sec. 14-801 of the Code, as may be amended.

The Code Enforcement Officer shall have the right to inspect the ADU with reasonable advance notice to the occupant to ensure compliance with this condition. This restriction shall run with the property and be binding on and insure to the benefit of the property owner, their heirs, successors and assigns, as a condition of continued use. Any use of the ADU in violation of this restriction is in violation of the City's Zoning Ordinance absent an amended approval from the City. The failure to maintain the ADU in compliance with this restriction may result in the suspension or revocation of the certificate of occupancy for the ADU.

*By signing below, I agree that the information provided is complete and correct and that my project will adhere to applicable State and City land use laws and regulations. I agree to future inspections by the Code Enforcement Officer at reasonable hours.*

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**Property Owner Signature**

**Printed name**

**Date**