

REZONING PETITION

We, the undersigned registered voters of the City of Auburn, do herein petition the City of Auburn to amend the Agricultural/Rural zoning portion of the zoning ordinance on (PID 347-003) to allow for a Zone change of Agriculture & Resource Protection Zone to Suburban Residential to support residential opportunities in an otherwise residential neighborhood along Andrews Drive and Oak Hill Road. The property has not been in agricultural use for the last 30 years. The lot is outside the floodplain. Of the 38.22 total acres, approximately 4.73 acres lies in the Lake Auburn Watershed District and would remain protected. Only the remaining 33.49+/- acres is recommended for a Zone change.

Print Name	City of Auburn Legal Address	Signature
Bridget Shea	126 Sunderland Dr	<i>Bridget Shea</i>
Kimberly Jalbert	1100 Stone Rd	<i>Kimberly Jalbert</i>
Greg Jalbert	1100 Stone Rd	<i>Greg Jalbert</i>
Lisa Whitman	15 Par Four Dr	<i>Lisa Whitman</i>
Heather Hill	1166 Cook St. #2	<i>Heather Hill</i>
William Arenalte	377 Beech Hill Rd	<i>William Arenalte</i>
Rorie Kano	53 Andrea Lane	<i>Rorie Kano</i>
Tom Supter	29 Viste Dr	<i>Tom Supter</i>
Charles Hill	89 Vista Dr. Auburn	<i>Charles Hill</i>
Victoria Langley	217 Third St	<i>Victoria Langley</i>
Marissa Moreau	18 Hillsdale St	<i>Marissa Moreau</i>
Cott Benise	203 Hackell Rd	<i>Cott Benise</i>
Karen Boucher	65 Jennifer DR	<i>Karen Boucher</i>
Brian Boucher	65 Jennifer DR	<i>Brian Boucher</i>
Carrie Whitman	37 Rafael St	<i>Carrie Whitman</i>
Anthony Forchion	204 Beech Hill Rd	<i>Anthony Forchion</i>
Samy Royer	250 Summer St Auburn	<i>Samy Royer</i>
Shannon Chalko	42 E Bates Auburn	<i>Shannon Chalko</i>
Sp Smith	150 Cedarwood Rd	<i>Sp Smith</i>
Tom Howaniec	134 Nottingham Rd	<i>Tom Howaniec</i>
Barbara Howaniec	134 Nottingham Rd	<i>Barbara Howaniec</i>
Karen Mathieu	9 Amberley Way	<i>Karen Mathieu</i>
Michael J. Mathieu	9 Amberley Way	<i>Michael J. Mathieu</i>
Lana Cassidy	94 Amberley Way	<i>Lana Cassidy</i>
Green Cassidy	94 Amberley Way	<i>Green Cassidy</i>
MARVIE DUBOIS	138 FAIRVIEW AVE	<i>Marvie Dubois</i>
Jessica Samsom	60 Langdon Ct Aub	<i>Jessica Samsom</i>
Amy Landry	78 Bnardiff Knoll Aub	<i>Amy Landry</i>

Note * Twenty-five (25) registered Auburn voters' signatures are required on the petition (it is suggested that you get at least 35-40 signatures in case some signatures cannot be read or they are disqualified for some other reason).

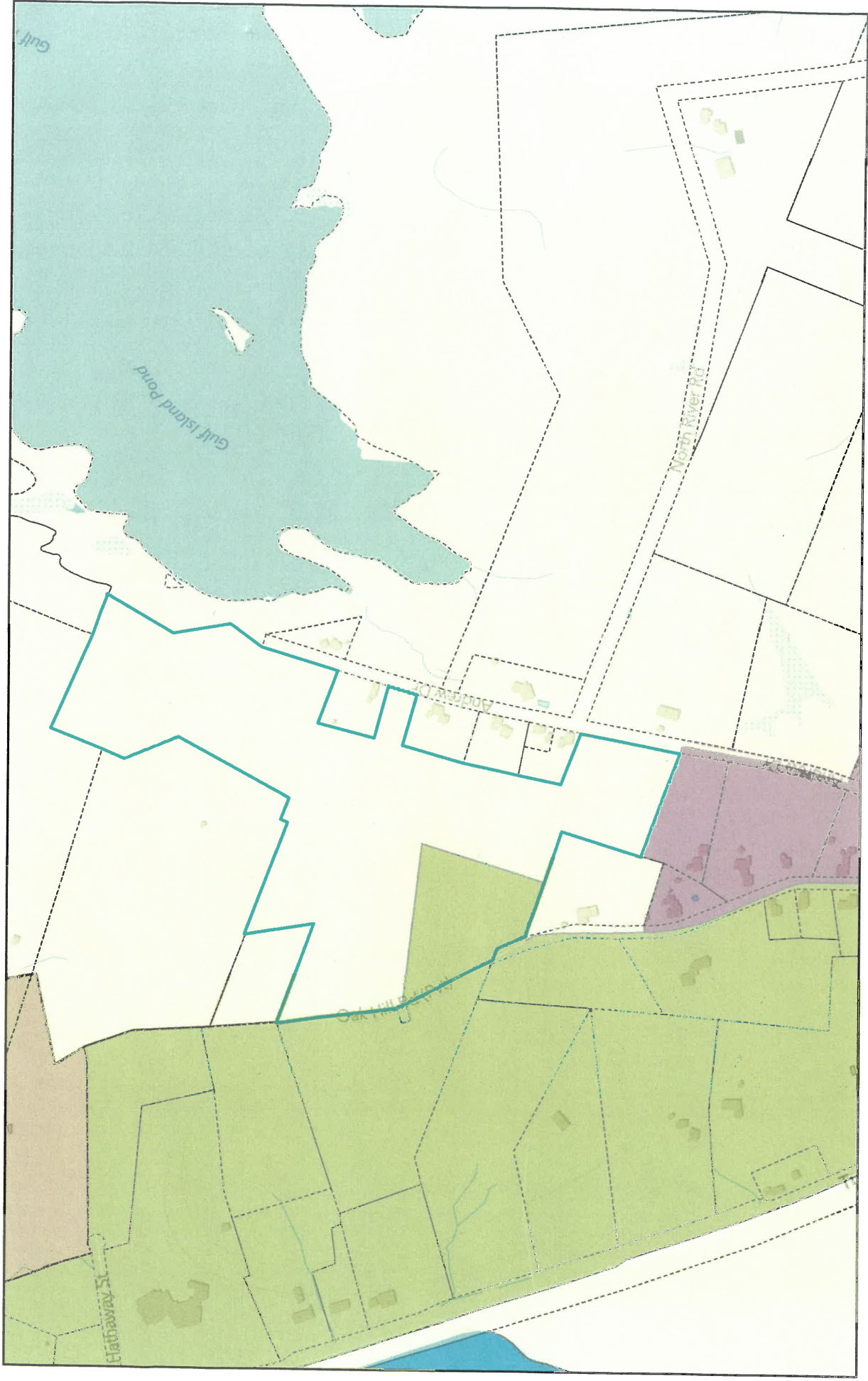
DA

Alexis F. Pepin
10/03/2022

Valid: 26



Invalid: 2




ArcGIS Web Map

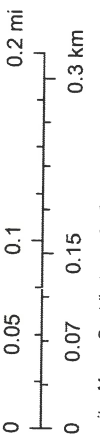


9/9/2022, 1:52:27 PM

1:9,028

-  Current Parcels _ Public
-  Auburn Zoning

-  LDCR - Low Density Country Residential
-  RR - Rural Residential
-  SR - Suburban Residential



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AG - Agriculture and Resource Protection
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60 Court Street
Auburn, Maine 04210
Tel: (207) 333-6601 ext. 1158
Fax: (207) 333-6625

RECEIPT

BILL TO:
John Reeder

Receipt Number: TRC-018898-03-10-2022

Date: 10/03/2022

Amount

PRIMARY FEES

Invoice Number: 18315

PL: Advertising - ZO/MA

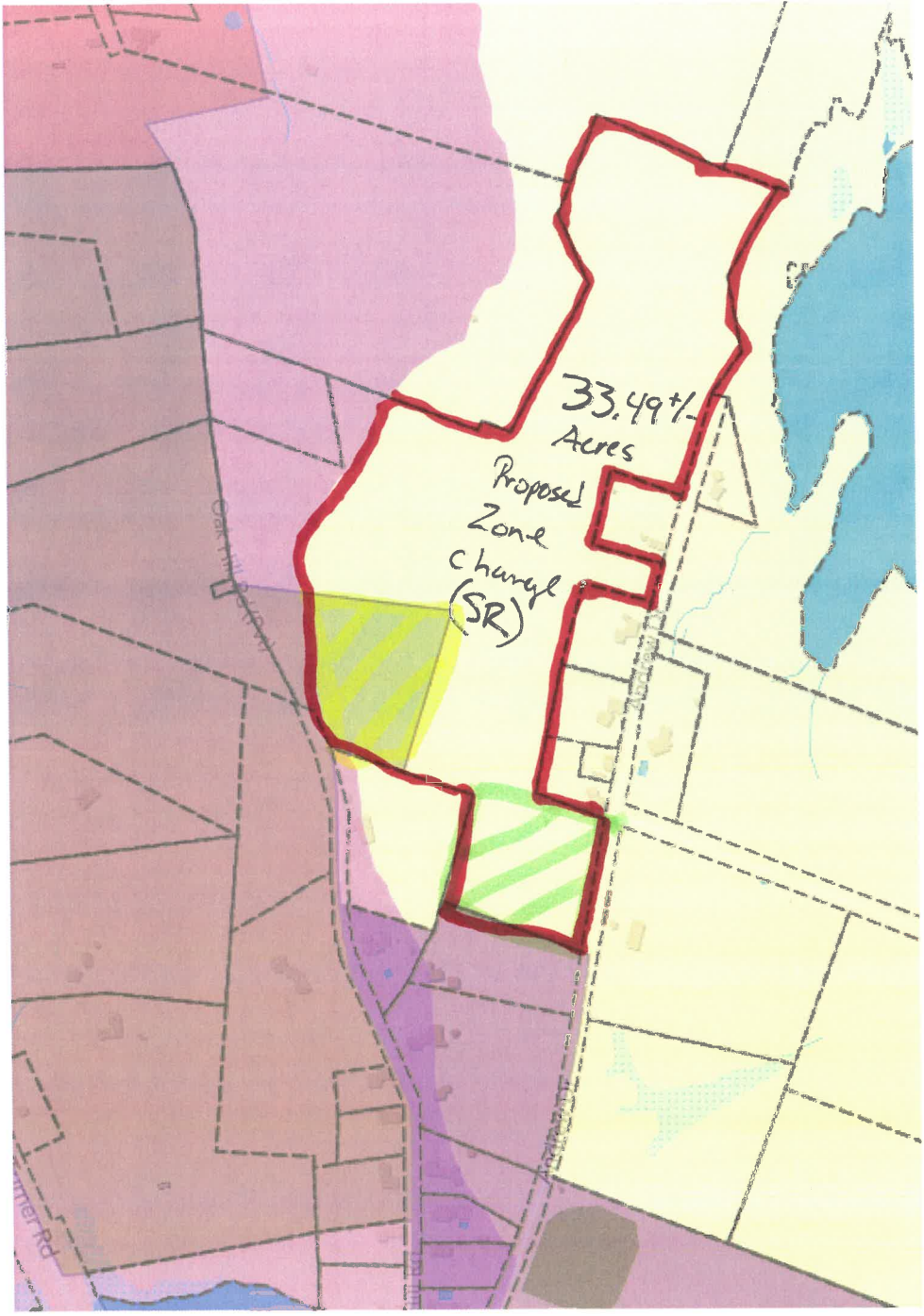
\$300.00

PL: Map Amendment

\$400.00

PAYMENTS RECEIVED

Date	Payment Method	Check Number	Amount Received
10/03/2022	Check	1175	\$700.00
	Total Payment		\$700.00
	Change Due		\$0.00



- Proposed Parcel Zone change
- Growth Area
- Limited growth Area

DIVISION 5. SUBURBAN RESIDENCE DISTRICT

Sec. 60-254. Purpose.

This district is intended to provide for, protect and stabilize low density suburban residential areas and their adjunct public and institutional uses. It is designed to ensure an open character of development through its lot size requirements and through permitting of certain uses, rural in nature, that are compatible with residential uses.

(Ord. of 9-21-2009, § 3.42A)

Sec. 60-255. Use regulations.

(a) *Permitted uses.* The following uses are permitted:

- (1) One-family detached dwellings.
- (2) Two-family dwellings.
- (3) Attached single-family dwellings, provided that they are approved by the planning board as part of a planned residential unit development and subdivision, under the provisions of division 9 of article IV and division 4 of article XVI of this chapter.
- (4) Mobile home parks, subject to the requirements and conditions of section 60-669, mobile home park standards.
- (5) Farming of field crops, row crops, orchards or truck gardens.
- (6) Greenhouses.
- (7) Licensed veterinarians, provided that the lot containing same is of at least three acres.
- (8) Farm, livestock provided that the land area required per animal unit conforms to the definition of farm, livestock contained in section 60-2 and:
 - a. A site plan be submitted to the municipal officer charged with enforcement that contains the information required by section 60-1301.
 - b. Upon request, the municipal officer charged with enforcement may waive the necessity of providing any of the foregoing information which is not relevant to the proposed development.
 - c. In judging whether or not a permit to operate an animal farm will be issued, the municipal officer charged with enforcement shall review and make a decision consistent with the finding requirements of section 60-1304.
- (9) Wayside stands.
- (10) Accessory uses, buildings or structures.
- (11) Lawn maintenance services.
- (12) Municipal uses and buildings.

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- (b) *Special exception uses.* The following uses are permitted by special exception after approval by the planning board in accordance with division 3 of article XVI of this chapter:
- (1) All uses permitted by special exception in the Rural Residence (RR) District, except those uses allowed by section 60-229(b)(3), (9), (11) and (12).
 - (2) Professional offices may be created within existing single-family residences in existence at the time of adoption of this chapter, provided the following conditions are met:
 - a. Such residences shall have frontage on a major arterial as defined in the city's comprehensive plan.
 - b. Access to parking shall be located on the arterial frontage except for corner lots, in which case access may be located on the secondary roadway frontage.
 - c. In addition to meeting the requirements of article V of this chapter, required parking shall be separated from all lot lines by a buffer of 30 feet in width. Such buffer shall be vegetated in a manner to fully screen parked vehicles from view at the lot lines. A driveway serving such a parking area must be separated from the side lot line by a sight impervious fence of six feet in height or a buffer of ten feet in width meeting the vegetation requirements of this subsection (b)(2)c.
 - d. Signage shall be limited to a single nonilluminated sign with a maximum of 16 square feet of display per side.
 - (3) Adaptive reuse of structures of community significance.

(Ord. of 9-21-2009, § 3.42B; Ord. No. 05-04032017, § 2, 4-24-2017; Ord. No. 11-03012021, §§ 15—17, 3-15-2021)

Sec. 60-256. Dimensional regulations.

All structures in this district, except as noted, shall be subject to the following dimensional regulations:

- (1) *Minimum lot area, width and depth.* No lot shall be created and/or no building shall be erected on a lot containing less than 21,780 square feet, and measuring less than 150 feet in width; and measuring less than 125 feet in depth.
- (2) *Density.* The density of dwelling units shall not exceed an average of two dwellings per acre.
- (3) *Yard requirements.*
 - a. *Rear.* There shall be behind every building a rear yard having a minimum depth of 25 feet or 25 percent of the average depth of lot, whichever is less.
 - b. *Side.* There shall be a minimum distance of five feet between any building and the side property line plus the side yard setback shall be increased one foot for every five feet or part thereof increase in street frontage over 50 feet to a maximum of 15 feet for side yard setback.
 - c. *Front.* There shall be in front of every building a front yard having a minimum depth of 25 feet or 25 percent of the average depth of the lot whichever is less.
- (4) *Height.* The height of all structures shall be limited to 2½ stories or 35 feet in height with the following exceptions: A farm accessory building or structure, church or temple, or windmill may have a maximum height of 65 feet from grade, provided that the front yard, rear yard and each of the side yards shall be increased by one foot for each foot in height in excess of 35 feet.
- (5) *Off-street parking.* Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in article V of this chapter.

(Ord. of 9-21-2009, § 3.42C; Ord. No. 11-03012021, § 18, 3-15-2021)

Secs. 60-257—60-275. Reserved.

shoreland zoning under state law. It establishes water body setback requirements and performance standards and is being updated to reflect current state requirements.

3. RURAL RESIDENTIAL ROAD STRIPS

The city has historically zoned narrow strips of land along some rural roads for low density residential development. These strips represent a compromise between the City's goal of limiting residential development in rural areas, and existing conditions along these rural roads. As part of the development of the Future Land Use Plan (see Chapter 2), the City conducted a comprehensive review of where residential strips should and should not be created based upon the following set of criteria. The considerations outlined below apply sequentially – first to identify where strips are appropriate based on current land use patterns, and then to work through where residential strips are inappropriate based on a variety of considerations.

Consideration #1 – Established Residential Pattern

A residential strip **may be provided** along a rural road where there is an established pattern of residential uses along the road. An established residential pattern means at least 6-8 homes per half mile counting both sides of the road. In general, both sides of a road should have a residential strip unless there is a significant reason not to allow residential development based on the following considerations.

Consideration #2 – Reserve Area Adjacency

A residential strip **should not be provided** along a rural road if the area adjacent to the road is a "reserve area" where the objective is to maintain the land as undeveloped to allow for its conversion to a different use in the foreseeable future. There should be some realistic expectation that something will occur that will change the desired land use for the area in the future.

Consideration #3 – Natural Resource Adjacency

A residential strip **should not be provided** along a rural road if the area adjacent to the road has significant natural resource value. Areas with significant natural value include areas that are zoned Resource Protection or are high value wetlands, 100 Year floodplains, significant wildlife habitats, and areas with steep slopes (>25%).

Consideration #4 – Conservation/Open Space Adjacency

A residential strip **should not be provided** along a rural road where the adjacent land is protected open space, or where there is a reasonable expectation that the land will be preserved as open space in the foreseeable future, and residential development is inconsistent with that open space use.

Consideration #5 -- Ability to Provide Public Services

A residential strip **should not be provided** along a rural road if residential development will tax the City's ability to provide municipal services as indicated by the following:

- The road is a gravel or dirt road
- The road is a poorly maintained paved road that will need to be improved to support residential development along it

Consideration #6 – Water Quality Protection

A residential strip **should not be provided** along rural roads with undeveloped frontage that are in the watershed of Lake Auburn unless such development will not have an adverse impact on the lake's water quality.

The Future Land Use Plan (see Chapter 2) shows the areas where low density residential development is proposed to be allowed along rural roads based on these criteria. These criteria should be used in the future to review the areas designated as residential strips as conditions change, or to review property owner-initiated requests for rezoning.

4. NEIGHBORHOOD BUSINESS DISTRICTS

The city has several neighborhood businesses that are located within residential neighborhoods. It is the City's policy to support the retention and improvement of these businesses since they offer a valuable service to the City's residents. It is also the City's policy to encourage the owners of these properties to reinvest in maintaining and improving these buildings. To accomplish these objectives, the Future Land Use Plan (see Chapter 2) designates these properties as Neighborhood Business Districts. The standards for these districts allow the existing nonresidential use to be maintained and improved if it is compatible with the surrounding neighborhood. The standards also allow for replacing an existing use with a new nonresidential use (other than service stations and auto service facilities) if it is appropriate for the neighborhood. The primary objective in creating these districts is to encourage the retention of these neighborhood businesses. If the property includes nonresidential space, whether occupied or not, the property should remain in the Neighborhood Business District to allow re-occupancy