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An Act To Amend the Laws Governing the Granting of Disability Variances from the Zoning Laws

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 30-A MRSA §4353, sub-§4-A, as amended by PL 1995, c. 212, §1, is further amended to read:

4-A. Disability variance. The board may grant a variance to an owner of a dwelling for the purpose of making that dwelling accessible to a person with a disability who resides in or regularly uses the dwelling. The board shall restrict any variance granted under this subsection solely to the installation of equipment or the construction of structures necessary for access to or egress from the dwelling by the person with the disability and to the construction of a garage or similar structure that will assist the person with the disability. The board may impose conditions on the variance, including limiting the variance to the duration of the disability or to the time that the person with the disability lives in the dwelling. For the purposes of this subsection, a disability has the same meaning as a physical or mental ~~handicap~~disability under Title 5, section 4553, subsection 7-A and the term "structures necessary for access to or egress from the dwelling" is defined to include railing, wall or roof systems necessary for the safety or effectiveness of the structure.

SUMMARY

This bill amends the laws governing when a variance from the zoning laws may be granted to an owner of a dwelling for the purpose of making that dwelling accessible to a person with a disability. It provides that such a variance may be granted for the construction of a garage or similar structure that will assist the person with the disability.