



127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 46

H.P. 40

House of Representatives, January 14, 2015

**An Act To Allow Municipal Boards of Appeal To Grant Setback
Variances for Certain Hardships Caused by Prior Owners of the
Property**

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative VEROW of Brewer.

Cosponsored by Representative: CAMPBELL of Orrington, Senator: DAVIS of Piscataquis.

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

2 **Sec. 1. 30-A MRSA §4353, sub-§4-B, ¶C**, as enacted by PL 1991, c. 659, §3, is
3 amended to read:

4 C. The hardship is not the result of action taken by the ~~applicant or a prior owner~~
5 petitioner;

6 **SUMMARY**

7 Current law allows a municipality to grant a setback variance for single-family
8 dwellings in cases of undue hardship, as long as the hardship is not the result of action
9 taken by the applicant or a prior owner of the property. This bill allows a setback
10 variance based on hardship to be granted even if the hardship is the result of action taken
11 by a prior owner.