

REPORT TO CITY COUNCIL - BOARD OF APPEALS – FEBRUARY 26, 2014

To: South Portland City Council
From: Cathy Counts, Secretary to the Board
Re: Board of Appeals Meeting of February 26, 2014
Location: Council Chambers, City Hall

At approximately 7:04 p.m., Chairman Greg Perry called for the Pledge of Allegiance, reviewed Board policies and procedures, and introduced Board members and staff in attendance.

MEMBERS PRESENT

Greg Perry (Chairman)
Alex Anastasoff
Cara Biddings
Daniel Fortin
Aaron Hackett

STAFF PRESENT

Patricia Doucette, Code Enforcement Officer
Cathy Counts, Secretary to the Board

MEMBERS ABSENT – Claude Morgan & Sara Orbeton

1. Accepted Minutes of the January 8, 2014 meeting.

Ms. Biddings moved and Mr. Hackett seconded to accept the minutes of the previous meeting. Accepted 5-0.

2. Approved request of Cheryl A. Plourde – 21 Edwards Street – 15' front property line setback variance– A Residential Zone – 012*0000*016* (2014-02)

Cheryl A. Plourde, owner of property at 21 Edwards Street, had requested a fifteen foot (15') front property line setback variance in order to construct a fourteen foot by twenty-nine and a half foot (14' x 29.5') single story addition to her home for additional living space. The existing home is zero feet (0') from the front property line. The proposed addition will be five feet (5') from the front property line. Following the applicant's address of the criteria of practical difficulty, public hearing and discussion, the Board voted separately on each of the criteria, with all items receiving majority vote, thus the variance was granted 5-0. Mrs. Doucette read the Findings of Fact, followed by a motion for acceptance of the findings by Mr. Fortin, seconded by Ms. Biddings, unanimous 5-0. (2014-02)

3. Discussed Old and New Business.

Mrs. Doucette said that the administrative appeal of Stephen Treat relative to a functional subdivision proposed for his 549 Preble Street property, tabled at the January 8, 2014 meeting, would likely be coming forward again for the March meeting.

4. **Adjourned 8:42 P.M.** Mr. Hackett moved to adjourn at 8:42 p.m., seconded by Mr. Fortin. Unanimous 5-0.

The next meeting will be Wednesday, March 26, 2014. Deadline for applications is Thursday, March 6, 2014.

Respectfully submitted,

Cathy Counts
Secretary to the Board

REPORT TO CITY COUNCIL - BOARD OF APPEALS – MARCH 26, 2014

To: South Portland City Council
From: Cathy Counts, Secretary to the Board
Re: Board of Appeals Meeting of March 26, 2014
Location: Council Chambers, City Hall

At approximately 7:05 p.m., Chairman Greg Perry called for the Pledge of Allegiance, reviewed Board policies and procedures, and introduced Board members and staff in attendance.

MEMBERS PRESENT

Greg Perry (Chairman)
Alex Anastasoff
Cara Biddings
Aaron Hackett
Claude Morgan
Sara Orbeton

STAFF PRESENT

Patricia Doucette, Code Enforcement Officer
Cathy Counts, Secretary to the Board

MEMBERS ABSENT – Daniel Fortin

1. Accepted Minutes of the February 26, 2014 meeting.

Mr. Morgan moved and Ms. Biddings seconded to accept the minutes of the previous meeting. Accepted 6-0.

2. C. Stephen Treat of 547 Preble Street – Administrative Appeal (2014-01)

Administrative appeal contesting the Code Enforcement Officer's decision to deny his request to divide his lot into two separate parcels as a "functional division" under the Keith v. Saco River Corridor Commission (1983) court case. This item was tabled for additional information at the January 8, 2014 Board of Appeals meeting. Following the applicant's address of six criteria the proposed functional division, through responses by him and his representative, attorney Tom Jewell, public hearing was held. Kimberly Powers Candelmo of 533 Preble said she had lived there 40 years and the subject property has always had dwelling units in both buildings. Following discussion with Corporation Counsel Sally Daggett, the Board voted separately on each of the six criteria, with all items receiving majority vote. Mr. Morgan then moved to accept and create the functional division subject to four conditions of approval and the caveat that the applicant is responsible for recording these conditions as part of the new

deeds. Mr. Perry seconded. Unanimous 6-0. Ms. Daggett read her proposed draft of the Findings of Fact. Mr. Morgan moved for acceptance of the draft Findings of Fact and permission for Mr. Perry as Chairman of the Board to sign the findings for the Board once they are typed and available for signature. Mrs. Orbeton seconded. Unanimous 6-0. **(2014-01)**

3. Discussed Old and New Business.

No one had any old or new business to discuss.

4. **Adjourned 8:43 P.M.** Mr. Morgan moved to adjourn at 8:43 p.m., seconded by Mr. Orbeton seconded. Unanimous 6-0.

The next regularly scheduled meeting will be Wednesday, April 23, 2014. Deadline for applications is Thursday, April 3, 2014.

Respectfully submitted,

Cathy Counts
Secretary to the Board