TOWN OF OLD ORCHARD BEACH ZONING BOARD OF APPEALS Monday, September 24, 2007

Monday, September 24, 2007	
Roll Call: Ms. Payette, Ms. Higgins, Mr. Evans, Vice-Chairman Deleo and	
Chairman Murphy. Philip Denison was in audience. Ken Shupe and Caroline	Roll Call
Segalla, Staff.	Ron Cun
ITEM 1: Miscellaneous Appeal: Christos and Jean Kapetanios, 24 Seaside	
Avenue, Map#319, Block#12, Lot#1, in the R-3 Zone, request a reduction of	
the front yard setback off Pavia Avenue from the required 20'0" to 16'3" and	Item #1
from the rear yard setback from the required 20'0" to 10'5" in order to add a	
308sf garage to the western side of the existing structure.	
Adam A. Goodwin, Goodwin Inc., representing homeowners who wish to	
construct a garage because they are relocating to Maine year-round.	
Mr. Murphy asked why they are placing it on this side and not towards the	
right side off Seaside Avenue since that would probably not require review by	
the Zoning Board of Appeals.	
Mr. Goodwin said Seaside Avenue is busy during the summer; Backing a car	
up unto Seaside Avenue would be dangerous; Area on left side is open and	
trees will not have to be removed.	
Mr. Deleo asked if garage will be one-story.	
Mr. Goodwin said it will be one-story accommodating one car and explained	
the roofline.	
Mr. Shupe explained the maximum reductions allowed on a property with two	
front yards such as this; Read the definition of "lot line" to let the Board know	
how the lot lines were determined:	
<i>Lot lines</i> means the lines bounding a lot as defined as follows:	
(1) Front lot line, on any interior lot, means the line separating the lot from the street.	
On a corner lot or through lot, the line separating the lot from either street.	
(2) <i>Rear lot line</i> means the lot line opposite the front lot line. On a lot pointed at the	
rear, the rear lot line shall be an imaginary line between the side lot lines parallel to the	
front lot line, not less than ten feet in length, lying farthest from the front line. On a	
corner lot, the rear lot line shall be opposite the front lot line of least dimension.	
Mr. Shupe added that homeowners wish to align garage with back end of	
house; Shared photos provided by homeowner of a previous garage located in	
essentially the same footprint.	
Mr. Shupe said Staff confirmed there were stakes on-site and measurements	DLP
appeared to be correct.	Public
Public Hearing at opened and closed at 7:12 p.m. with no one speaking.	Hearing
Mr. Murphy read the four justifications.	
A. Ms. Payette agreed; Mr. Evans agreed; Mr. Deleo agreed; Ms. Higgins	
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agreed; Chair Murphy agreed.	
B. Ms. Payette agreed; Mr. Evans agreed; Mr. Deleo agreed; Ms. Higgins	
agreed; Chair Murphy agreed.	
C. Ms. Payette agreed; Mr. Evans agreed; Mr. Deleo disagreed; Ms. Higgins	
disagreed because area on side of house off Seaside is available; Chair	
Murphy agreed with Ms. Higgin's points but felt that removing trees would be	
more detrimental especially since they provide privacy.	
D. Ms. Payette agreed; Mr. Evans agreed; Mr. Deleo agreed; Ms. Higgins	
	Motion
agreed; Chair Murphy agreed.	-
Ms. Higgins motioned to approve the misc. appeal to build a one-story 308sf	
garage which will require a 20'0" to 16'3" reduction in the front off Pavia and	
a 20'0" to 10'5" off the rear yard.	
a 20'0" to 10'5" off the rear yard. Mr. Deleo seconded the motion.	

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ITEM #2 Approval of August 24, 2007 Minutes	Item #2
Approval of Minutes August 27 Minutes Ms. Higgins motioned to accept the minutes. Mr. Evans seconded. <i>Motion carries 4-0</i>	Motion Vote
 Mr. Murphy informed the CEO that he had received a complaint from a neighbor of the Patry business property at 133 Saco Ave. concerning unauthorized trucks at that location. He (Mr. Murphy) indicated that the Zoning Board had placed limitations on that activity in the past and he was concerned whether there was a violation of that agreement. Mr. Shupe said the Zoning Board agreement allows one tank truck to be housed within the garage and code enforcement has periodically monitored that situation and found no violations; Mr. Patry did inform Code Enforcement last week that an additional truck would be on the lot for a day or two while having brakes replaced. Otherwise, Code Enforcement confirmed during 2005 that Patry had leased a warehouse in Biddeford and was keeping all butter production supplies and trucks at that location; CEO will follow up on the complaint to be sure everything is in compliance. 	Good & Welfare
 Ms. Higgins motioned to adjourn the September 24th meeting at 7:37 p.m. Ms. Payette seconded. Motion carries 4-0 	Adjournment

I, Caroline Segalla, Secretary to the Zoning Board of Appeals, do hereby certify that the foregoing document consisting of two (2) pages is a true copy of the original minutes of the Zoning Board of Appeals Meeting of September 24, 2007.

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