

Board of Appeals
Minutes of Meeting
August 27, 2012

ORIGINAL

CALL TO ORDER

Meeting was called to order at 7:00 by Chairman Mark Hyland with members Richard Carlson, and alternate Bryan McNulty present. Roger Ducharme, Holly Bubier, and Joseph Radziszewski were absent with notification. Alternate Bryan McNulty will be a voting member.

APPEALS

Administrative & Variance Appeal: Map 11 Lot 68A – Jeffrey Mitchell

- Jurisdiction and standing were established at the last meeting on August 6, 2012
- Jeffrey Mitchell – Owner states that he has had a survey from the past and found that his lot was actually a different dimension than first thought and they have 33.9 feet to the rear property line. Would like to revise variance request from 7.39 to 33.9 feet. Keith W. Morse Survey of land stamped and dated Dec 9, 1994.
- Hearing was closed at 7:15 PM.
- Motion by Member Carlson to grant a rear setback to 33 feet, seconded by Member McNulty.
Discussion: None
VOTE: 3 – YES 0 – NO

Finding of Fact:

1. The owner of the property is Jeffrey Mitchell.
2. The property is located at 284 Bailey Hill Road, Poland, ME in the Rural Residential zoning district, identified as Assessor's Map 11, Lot 68A, and containing 0.69 acres.
3. The applicant is Jeffrey Mitchell who has demonstrated a legal interest in the property by providing a copy of the deed.
4. The applicant is proposing a variance from the required 40 feet to 33 feet on the rear setback.
5. A completed application was submitted on July 16, 2012.
6. A Public Hearing was held on August 7, 2012 and August 27, 2012.
7. The relevant sections of the ordinances are Table 507.2 and Table 507.1.i.

Other relevant facts are:

This variance appeal is requested due to the need of the family to have a larger home. The structure will be a single family residence. The new structure will be placed on the property so that the side setbacks are met and the front setback will remain at 34' from the road, where it is currently.

Conclusions:

- A. The need for a variance is due to the uniqueness of the lot
- B. Will not affect abutting properties use or value
- C. Current home does not meet side setbacks
- D. Lot was created before Mr. Mitchell purchased the property
- E. No other feasible option due to mortgage holders on abutting properties
- F. Granting will not adversely affect the environment
- G. Structure or land are not within the 100 year floodplain or shoreland zone

Decision:

Based on the above-stated facts and conclusions on August 27, 2012, the Appeals Board voted to **approve your application for a Variance Appeal.**

Administrative Appeal – Member Carlson made a motion to approve the administrative appeal on Map 11 and 68 A for hardship, seconded by Member McNulty. Discussion: None

VOTE: 0 – YES 3 – NO

OTHER BUSINESS


None

ADJOURNMENT

Motion to adjourn made by Member Carlson, seconded by Member McNulty at 7:38 PM. Discussion:
None

VOTE: 3 – YES 0 – NO

BOARD OF APPEALS



Mark Hyland, Chairman

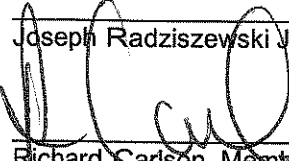
Not present at meeting

Roger Ducharme, Secretary

Not present at meeting

Holly Bubier, Member

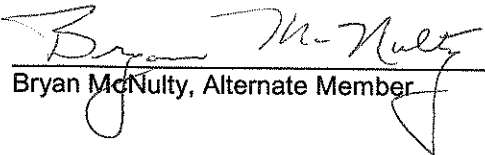
Not present at meeting



Joseph Radziszewski Jr., Vice Chairman



Richard Carlson, Member



Bryan McNulty, Alternate Member