CITY OF PORTLAND, MAINE ZONING BOARD OF APPEALS

Philip Saucier-chair Sara Moppin Jill E. Hunter Gordan Smith-secretary William Getz

July 20, 2010

Zac Davis
Davis Fine Woodworking, Inc.
321 Gloucester Hill Rd.
New Gloucester, ME 04260

RE:

23 Neal Street

CBL:

062 E008

ZONE:

R-4

Dear Mr. Davis:

At the July 15, 2010 meeting, the Zoning Board of Appeals voted 4-0 to grant the practical difficulty appeal to reduce the front yard setback to eighteen feet in order to build a farmer's porch. I am enclosing a copy of the Board's decision.

I am also enclosing the Certificate of Variance Approval. The original must be recorded in the Cumberland County Registry of Deeds within 90 days of July 15, 2010, when it was signed. Failure to record the Certificate will result in it being voided. Our office must be provided with a copy of the recorded Certificate of Variance showing the recorded book and page.

You will also find an invoice for \$203.85 for the fees that are still owed on the appeal for the cost of the legal ad, the cost of the noticing and the processing fee. Please submit your payment on receipt of the invoice.

Now that the practical difficulty appeal was approved, you need to apply for a building permit to build the farmer's porch. I have enclosed a building permit application. The permit will not be issued until we receive a copy of the recorded Certificate of Variance. The building permit must be issued and construction begun within six months of the date of the hearing, July 15, 2010, referenced under section 14-473(e), or the Zoning Board approval will expire.

Appeals from decisions of the Board may be filed in Superior Court, pursuant to 30-A M.R.S.A, section 2691 (2) (G).

Should you have any questions please feel free to contact me at 207-874-8709.

Yours truly,

Ann B. Machado Zoning Specialist (207) 874-8709

Cc. file

CITY OF PORTLAND, MAINE

ZONING BOARD APPEAL DECISION

To: City Clerk

From: Marge Schmuckel, Zoning Administrator

Date: July 20, 2010

RE: Action taken by the Zoning Board of Appeals on July 15, 2010.

Members Present: Phil Saucier (chair), William Getz (acting secretary), Sara Moppin, and Jill Hunter

Members Absent: Gordon Smith

1. New Business:

A. Disability Variance Appeal:

70 – 86 Oxford Street (25 Boyd Street), Portland Housing Authority, owner, Tax Map 022, Block H, Lot 001, R-6 Residential Zone: The appellant is seeking a disability variance under section 14-473(c)(2) to install a handicap ramp. The appellant is requesting a front yard setback of eight feet, ten inches instead of the minimum ten foot setback as required under section 14-139(d)(1). Representing the appeal is Stephen Thomas, architect. The Board voted 4-8 to grant the disability variance appeal allowing the applicant to reduce the front yard setback to eight feet, ten inches to install a handicap ramp.

B. Practical Difficulty Variance Appeal:

23 Neal Street, Steven & Kari Brynes, owners, Tax Map 062, Block E. Lot 008, R-4 Residential Zone: The appellants are proposing to build a twenty-five foot by five foot farmer's porch on the front of their house. The appellants are requesting a variance from the required front yard setback of twenty-five feet to eighteen feet [section 14-105(d)(1)]. Representing the appeal is Zac Davis of Davis Fine Woodworking. The Board voted 4-0 to grant the practical difficulty appeal allowing the applicants to reduce the front yard setback to eighteen feet in order to huild a farmer's porch.

C. Disability Variance Appeal:

3-11 Van Vechten Street, James & Elizabeth Quinn, owners, Tax Map 410, Block C, Lots 034, 035, 036 & 037, R-3 Residential Zone: The appellants are seeking a disability variance under section 14-473(c)(2) to install a handicap ramp. The appellants are requesting a front yard setback of three feet instead of the required twenty five foot setback [section 14-90(d)(1)]. The appellants are also requesting a side yard setback of six feet instead of the required eight foot setback [section 14-90(d)(3)]. Representing the appeal is Thomas Quinn, the owners' son. The Board voted 4-0 to grant the disability variance appeal allowing the applicants to reduce the front yard setback to three feet and the side yard setback to six feet in order to install a handicap ramp with the condition that the ramp he removed when no longer needed by the household member.

D. Variance Appeal:

887-917 Riverside Street, Dan Bonner, COO of Spurwink School, Tax Map 326, Block B, Lot 004, I-M Industrial Zone: The use of the property at 899 Riverside Street as a Community Living Arrangement for eight disabled persons plus staff is legally nonconforming in the I-M Zone. The appellant is requesting a variance under section 14-382(e) to expand the volume and footprint of the building to bring the building into compliance with safety codes. Representing the appeal is Dan Bonner, the COO of Spurwink School. The Board voted 4-0 to accept the withdrawal of the variance appeal.

E. Practical Difficulty Variance Appeal:

<u>200 Cobb Avenue, Bernice M. Profenno, owner, Tax Map 210, Block B. Lots 015 & 016, R-2 Residential Zone</u>: The appellant is pursuing a conditional use appeal to add an accessory dwelling unit to her single family dwelling. Section 14-78(a)(2)(g) requires that parking for the accessory dwelling unit shall meet the parking requirements. Section 14-332(a)(2) requires that one additional parking space is required for the additional unit. Section 14-336(a) states that the required off street parking cannot be located in the front yard setback. The appellant is requesting a variance for the front yard setback from a required twenty-five feet [section 14-80(d)(1)] to zero feet for the required off street parking. Representing the appeal is Raymond Veroneau, Jr., the owner's son in law. The Board voted 4-0 to grant the practical difficulty appeal allowing the applicant to have the required parking space for a proposed accessory dwelling unit be located within the required front yard setback.

F. Conditional Use Appeal:

<u>90 Cobb Avenue</u>, <u>Bernice M. Profenno</u>, <u>owner</u>, <u>Tax Map 210</u>, <u>Block B. Lots 015 & 016</u>, <u>R-2 Residential Zone</u>: The appellant is seeking a Conditional Use Appeal under section 14-78(a)(2) to add an accessory dwelling unit to her single family dwelling. Representing the appeal is Raymond Veroneau, Jr., the owner's son in law. The Board voted 4-0 to grant the conditional use appeal to allow the applicant to add an accessory dwelling unit.

Enclosure:

Decision for Agenda from July 15, 2010
Original Zoning Board Decision
One dvd
CC: Joseph Gray, City Manager
Penny St. Louis Littell, Director, Planning & Urban Development
Alex Jaegerman, Planning Division

nembers present; Jill Hunter-SAFA Moppin-Bell Get
Philip Sencien
CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

nember Absent-Gordon Smilly

APPEAL AGENDA

CAlled to order at 6:30 pm

The Board of Appeals will hold a public hearing on Thursday, July 15, 2010 at 6:30 p.m. on the second floor in room 209 at Portland City Hall, 389 Congress Street, Portland, Maine, to hear the following Appeals:

1. New Business:

A. Disability Variance Appeal:

70 – 86 Oxford Street (25 Boyd Street), Portland Housing Authority, owner, Tax Map 022, Block H. Lot 001, R-6 Residential Zone: The appellant is seeking a disability variance under section 14-473(c)(2) to install a handicap ramp. The appellant is requesting a front yard setback of eight feet, ten inches instead of the minimum ten foot setback as required under section 14-139(d)(1). Representing the appeal is Stephen Thomas, architect.

B. Practical Difficulty Variance Appeal:

23 Neal Street, Steven & Kari Brynes, owners, Tax Map 062, Block E, Lot 008, R-4
Residential Zone: The appellants are proposing to build a twenty-five foot by five foot farmer's porch on the front of their house. The appellants are requesting a variance from the required front yard setback of twenty-five feet to eighteen feet [section 14-105(d)(1)]. Representing the appeal is Zac Davis of Davis Fine Woodworking.

C. Disability Variance Appeal:

3-11 Van Vechten Street, James & Elizabeth Quinn, owners. Tax Map 410, Block C,
Lots 034, 035, 036 & 037, R-3 Residential Zone: The appellants are seeking a disability

(Appellants are seeking a fine section 14-473(c)(2) to install a handicap ramp. The appellants are

condition requesting a front yard setback of three feet instead of the required twenty five foot

setback [section 14-90(d)(1)]. The appellants are also requesting a side yard setback of

six feet instead of the required eight foot setback [section 14-90(d)(3)]. Representing the

appeal is Thomas Quinn, the owners' son, VAN, And a only (ASTS AS long ASTA) owner of

the property requires handicap Acress.

e ND. Variance Appeal:

887-917 Riverside Street, Dan Bonner, COO of Spurwink School, Tax Map 326, Block
B. Lot 004, I-M Industrial Zone: The use of the property at 899 Riverside Street as a
Community Living Arrangement for eight disabled persons plus staff is legally
nonconforming in the I-M Zone. The appellant is requesting a variance under section 14382(c) to expand the volume and footprint of the building to bring the building into
compliance with safety codes. Representing the appeal is Dan Bonner, the COO of
Spurwink School

4-9 Granty

E. Practical Difficulty Variance Appeal: 90 Cobb Avenue, Bernice M. Profenno, owner, Tax Map 210, Block B, Lots 015 & 016, R-2 Residential Zone: The appellant is pursuing a conditional use appeal to add an accessory dwelling unit to her single family dwelling. Section 14-78(a)(2)(g) requires that parking for the accessory dwelling unit shall meet the parking requirements. Section 14-332(a)(2) requires that one additional parking space is required for the additional unit. Section 14-336(a) states that the required off street parking cannot be located in the front yard setback. The appellant is requesting a variance for the front yard setback from a required twenty-five feet [section 14-80(d)(1)] to zero feet for the required off street parking. Representing the appeal is Raymond Veroneau, Jr., the owner's son in law.

F. Conditional Use Appeal:

90 Cobb Avenue, Bernice M. Profenno, owner, Tax Map 210, Block B. Lots 015 & 016, IR-2 Residential Zone: The appellant is seeking a Conditional Use Appeal under section 14-78(a)(2) to add an accessory dwelling unit to her single family dwelling. Representing the appeal is Raymond Veroneau, Jr., the owner's son in law.

7:45

CITY OF PORTLAND, MAINE ZONING BOARD OF APPEALS

"Practical Difficulty" Variance Appeal

DECISION

Date of public hearing: July 15, 2010

Name and address of applicant:

Zac Davis

321 Gloucester Hill Rd.

New Gloucester, ME 04260

Location of property under appeal: 23 Neal Street

For the Record:

Names and addresses of witnesses (proponents, opponents and others):

Steve + Terry Burns + Zack Davis, Contractor,

Exhibits admitted (e.g. renderings, reports, etc.):

Findings of Fact and Conclusions of Law:

The applicant is seeking a variance from section 14-105(d)(1) of the City Code, which requires a twenty-five foot (25') front yard setback in the R-4 zone. The applicants propose to build a 25' x 5' farmer's porch on the front of their house which would result in an eighteen-foot (18') setback.

"Practical Difficulty" Variance standard pursuant to Portland City Code §14-473(c)(3):

1. The application is for a variance from dimensional standards of the zoning ordinance (lot area, lot coverage, frontage, or setback requirements).

Satisfied ____ Not Satisfied ____

Reason and supporting facts: 4 egree

2. Strict application of the provisions of the ordinance would create a practical difficulty, meaning it would both preclude a use of the property which is permitted in the zone in which it is located and also would result in significant economic injury to the applicant. "Significant economic injury" means the value of the property if the variance were denied would be substantially lower than its value if the variance were granted. To satisfy this standard, the applicant need not prove that denial of the variance would mean the practical loss of all beneficial use of the land.

Satisfied ____ Not Satisfied ____

Reason and supporting facts:

Encouraged by historic preservation

character	of the neighborhoo	e variance will not produce an undesirable change in the d and will not have an unreasonably detrimental effect on value of abutting properties.
S	atisfied	Not Satisfied
R	eason and supporting	agree
	7	agree
5.	The practical diffic	ulty is not the result of action taken by the applicant or a
prior own	ner.	•
St	atisfied	Not Satisfied
R	eason and supportin	g facts:
	Per -	festimony

3. The need for a variance is due to the unique circumstances of the property and

Keeping with other houses in the neighborhood.
4 agree

Not Satisfied ____

not to the general conditions in the neighborhood.

Reason and supporting facts:

Satisfied _

	6. No other feasible	e alternative is available to the applicant, except a variance.
	Satisfied	Not Satisfied
	Reason and suppor	ting facts: maller poemsch wo
natur	al environment. Satisfied Reason and support	Not Satisfied ing facts:
define	ed in 38 M.R.S.A. § 4: Satisfied Reason and support	ot located, in whole or in part, within a shoreland area, as 35, nor within a shoreland zone or flood hazard zone. Not Satisfied ing facts:

Conclusion:	icheck or	e)
COBCIGOION.	(ANTONE OF	v

Option 1: The Board finds that the standards described above (1 through 8) have been satisfied and therefore GRANTS the application. Moppin Hunter 4 agree 2.

Option 2: The Board finds that while the standards described above (1 through 8) have been satisfied, certain additional conditions must be imposed to minimize adverse effects on other property in the neighborhood, and therefore GRANTS the application SUBJECT TO THE FOLLOWING CONDITIONS:

Option 3: The Board finds that the standards described above (1 through 8) have NOT all been satisfied and therefore DENIES the application.

Dated: 7/15/10

O;\OFFICE\MARYC\ZBA\\variance appeal practical difficulty Davis.doc



CITY OF PORTLAND

CERTIFICATE OF VARIANCE APPROVAL

I, Philip Saucier, the duly appointed Chair of the Board of Appeals for the City of Portland, Cumberland County and State of Maine, hereby certify that on the 15th day of July, 2010, the following variance was granted pursuant to the provisions of 30-A M.R.S.A. Section 4353(5) and the City of Portland's Code of Ordinances.

- Current Property Owner: Steven and Kari Byrnes
- 2. Property: 23 Neal Street, Portland, ME CBL: 062-E-008 Cumberland County Registry of Deeds, Book 27746 Page 265 Last recorded deed in chain of Title: May 3, 2010
- 3. Variance and Conditions of Variance:

To grant relief from section 14-105(d)(1) of the Land Use Zoning Ordinance to allow a front yard setback of eighteen feet instead of the required twenty-five foot front yard setback for the construction of a five foot by twenty-five foot farmer's porch on the front of the house within the R-4 Residential Zone.

IN WITNESS WHEREOF, I have hereto set my hand and seal this 15th day of July, 2010

AUG 19 2010

City of Portland Maine

Chair of

City of Portland Zorling Board.

Philip Saucier (Printed or Typed Name)

Dept. of Building Inspections STATE OF MAINE Cumberland, ss.

Then personally appeared the above-named Philip Saucier and acknowledged the above certificate to be his free act and deed in his capacity as Chairman of the Portland Board of Appeals, with his signature witnessed on July T1, 2010.

> Received Recorded Resister of Deeds Aus 19,2010 12:06:01P Cumberland Counts Pamela E. Lovley

inted or Typed Name) Notary Public

Margaret Schmuckal

My term expires June 28, 2012

PURSUANT TO 30-A M.R.S.A. SECTION 4353(5), THIS CERTIFICATE MUST BE RECORDED BY THE PROPERTY OWNER IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS WITHIN 90 DAYS FROM FINAL WRITTEN APPROVAL FOR THE VARIANCE TO BE VALID. FURTHERMORE, THIS VARIANCE IS SUBJECT TO THE LIMITATIONS SET FORTH IN SECTION 14-474 OF THE CITY OF PORTLAND'S CODE OF ORDINANCES.



Zoning Board of Appeals Practical Difficulty Variance Application

Applicant Information:	Subject Property Information:
Zac Davis	23 Neal Street
Zac Davis Fine Woodworking, Inc. Burloss Name	Property Address Neo (s 2 B) SCK E Lot 8 Assessor's Reference (Chart-Block-Lot)
321 Gloucester Hill Rd New Gloucester ME 04260	Property Owner (if different): Steven and Kari Byrnes
207-926-4710 924-4710	808 Colombus Ave Apt 11A
Telephone Fax Applicant's Right, Title or Interest in Subject Property:	New York NY 10025
(e.g. owner, purchaser, etc.):	207 - 939 - 9639 Telephone Fex
Current Zoning Designation: HISTORIC - R-4	Practical Difficulty Variance from Section 14 - 473
Single family hank.	11-1-30-10)
· · · · · · · · · · · · · · · · · · ·	

RECEIVED

JUN 18 2010

Dept. of Building Inspectiona City of Portland Maine

NOTE: If site plan approval is required, attach preliminary or final site plan.

The undersigned hereby makes application for a Practical Difficulty Variance as above described, and certified that all information herein supplied by his/her is true and correct to the best of his/her knowledge and belief.

Arm. Rina

4/17/2010

6/12/10

Notwithstanding the provisions of subsections 14-473(c)(1) and (2) of this section, the Board of Appeals may grant a variance from the dimensional standards of this article when strict application of the provisions of the ordinance would create a practical difficulty, as defined herein, and when all the following conditions are found to exist: 1. The need for the variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood; The Garrison style has an aukward ourhonge which difficult to add an entry that is aesthetically bleasing and b (See reverse) The granting of the variance will not have an unreasonably detrimental effect on either the use or fair market value of the abutting properties: The current style is an anomaly in the neighborhood. The proposed 3. The Practical Difficulty is not the result of action taken by the applicant or a prior owner: It is not 4. No other feasible alternative is available to the applicant, except a variance: a small entiry of 50 st. which is permittable, is not feaseable attenuate because it will hevalue the exterior of this home. The granting of a variance will not have an unreasonably adverse effect on the natural environment: will not 6. Strict application of the dimensional standards of the ordinance to the subject property will preclude a use which is permitted in the zone in which the property is located: Rain and snow currently fell at the names Strict application of the dimensional standards of the ordinance to the subject property will result in significant economic injury to the applicant: The current style of the home is less in Keeping with Melanbox hand pastnetic

8. The property is not located, in whole or in part, within a shoreland area, as defined in 38 M.R.S.A. Section 435, nor within a shoreland of flood hazard zone as defined in this

I SHE YEVERSE)

- 1. The house at 23 Neal Street has an unusually large front yard allowing room for a small farmer's porch.
- 7. a larger parch entry way would bring the home up to current heighborhood Standards.

The following words have the meanings set forth below:

- a.) <u>Dimensional Standards</u>: Those provisions of this article which relate to lot area, lot coverage, frontage and setback requirements.
- b.) Practical difficulty: A case where strict application of the dimensional standards of the ordinance to the property for which a variance is sought would both preclude a use of the property which is permitted in the zone in which it is located and also would result in significant economic injury to the applicant.
- c.) Significant Economic Injury: The value of the property if the variance were denied would be substantially lower than its value if the variance were granted. To satisfy this standard, the applicant need not prove that denial of the variance would mean the practical loss of all beneficial use of the land.

A Practical Difficulty Variance may not be used to grant relief from the provisions of Section 14-449 (Land Use Standards) to increase either volume or floor area, nor to permit the location of a structure, including, but not limited to, single-component manufactured homes, to be situated on a lot in a way which is contrary to the provisions of this article.



321 Gloucester Hill Road, New Gloucester, ME 04260 • Phone/Fax (207) 926-4710

June 18, 2010

Zoning Board of Appeals City of Portland 389 Congress Street, Room 315 Portland, ME 04101

Dear Board Member:

My name is Zac Davis, my company is Zac Davis Fine Woodworking, Inc. and I am representing Steve and Kari Byrnes in the appeal process for their property at 23 Neal Street.

This property is undergoing a renovation and as part of that process we wish to bring the exterior of the property more in line with the historical design of the West End area. In order to do that, we wish to add a front covered entry that is aesthetically pleasing and in keeping with the spirit of the neighborhood.

The current two entrys into this house are not covered and allow rain and snow to shed directly onto the stairways. The front steps are brick and can become quite hazardous in the late winter/early spring when the freeze/thaw process makes them very slippery. The homeowner has asked us for a solution to this problem.

Since the house is a garrison style, the Portland Historical Board and we agree that a small farmers' porch across the front of the house will have a better look than the simple 50sf entryway allowed without a variance.

We believe that completing this exterior work would only impact positively on the surrounding area. It is our intention to take this home, which is an anomaly in the neighborhood, and make it fit in better with this historical district.

We very much appreciate your time and consideration in this request.

Sincerely,

Zac Davis

Zac Davis Fine Woodworking, Inc.

THIS IS NOT A BOUNDARY SURVEY

This copyrighted document expires 07-21-10. Reproduction and/or dissemination after this date is unauthorized. MORTGAGE INSPECTION OF: DEED BOOK as proposed PAGE COUNTY __Cumberland_ PLAN BOOK --PAGE LOT _ --ADDRESS: 23 Neal Street, Portland, Maine Job Number: 896-09 Inspection Date: 4-21-10 Scale: ___1" = 20' Buyer: Kari R. Byrnes Client File #: 10-0893 Seller: 2nd Parrish of Portland 75'+/-(fence) 25' rear setback dk 2 story wood structure w/ concrete doundation front setback paved drive AND OF MAN Note: Lines of occupation apparent r/w ere shown. A boundary survey may yield different results. Neal Street to Bowdoin St. APPARENT EASEMENTS AND RIGHTS OF WAY ARE SHOWN. OTHER ENCUMERANCES, RECORDED OR NOT, MAY EXIST. THIS CERTIFY TO: C.H. McLaughlin Title Co. LLC: Bank of America and its title insurer. SKETCH WILL NOT REVEAL ABUTTING DEED CONFLICTS, IF ANY. Monuments found did not conflict with the deed description. The dwalling setbacks do not violate town zoning requirements. Livingston-Hughes As delineated on the Pederal Emergency Management Agency Community Professional Land Surveyors Panel 230051-0013 B : 88 Guines Road The structure does not fall within the special flood hazard zone. Kennebunkport, Maine 04048 The land does not fall within the special flood bazard zons. 207-987-9781 phone A wetlands study has not been performed. 207-967-4631 tax www.livingstonhughes.com

THIS SKETCH IS FOR MORTGAGE PURPOSES ONLY

WARRANTY DEED (LONG FORM)

KNOW ALL BY THESE PRESENTS.

THAT IT, <u>SECOND PARISH ORTHODOX PRESBYTERIAN CHURCH</u>, formerly known as <u>SECOND PARISH OF PORTLAND</u>, a corporation organized and existing under the laws of the State of Maine, of Westbrook, Cumberland County, Maine, in consideration of ONE DOLLAR and other valuable consideration paid by <u>STEVEN BYRNES</u> and <u>KARI BYRNES</u>, of the City of New York, Borough of Manhattan, County of New York, State of New York, and whose malling address is 808 Columbus Avenue, New York NY 10025, the receipt whereof it does hareby acknowledge, does hereby give, grant, bargain, sell and convey unto Steven Byrnes and Kari Byrnes, as joint tenants and not as tenants in common, their heirs and assigns forever, the land and buildings in Portland, Cumberland County, Maine, more fully described on Exhibit A attached to this instrument.

TO HAVE AND TO HOLD the aforegranted and bargained premises, with all the privileges and spourtenances thereof, to Steven Byrnes and Kari Byrnes, as joint tenants and not as tenants in common, their heirs and assigns, to them and their use and behoof forever.

AND IT DOES COVENANT with the Grantees, their heirs and assigns, that it is lawfully seized in fee of the premises; that they are free of all encumbrances except as above noted and further, except for current zoning and land use regulations; that it has good right to sell and convey to the said Grantees to hold as aforesaid; and that it and its successors shall and will warrant and defend the same to Steven Byrnes and Kari Byrnes, their heirs and assigns forever, against the lawful cleims and demands of all persons.

IN WITNESS WHEREOF, Second Paris hereunto caused these presents to be signed w	
Maril 7013.	,
SIGNED, SEALED AND DELIVERED IN PRESENCE OF:	
,	SECOND PARISH ORTHODOX
1/	PRESBYTERIAN CHURCH
	By: breather & item
(Witness)	Jopáthan A. Eiten
	lts: Chaiπnan of the Board of Trustees
	Δο.\

STATE OF MAINE CUMBERLAND, 88.

Then personally appeared Jonathan A. Eiten, Chairman of the Board of Trustees of Second Parish Orthodox Presbyterian Church, and acknowledged the foregoing instrument to be his free act and deed in said capacity and the free act and deed of said Second Parish Orthodox Presbyterian Church.

Before me:

Yotany-Public/Attorney at Law

NOTARY PRINT NAME:

DAVID B. MOODY, JR.
NOTARY PUBLIC, MAINE
NOTARY PUBLIC, MAINE
NY COMMISSION Expires July 13, 2012

Doc4: 20844 Bk:27746 Ps: 266

EXHIBIT A

Property Location: 23 Neal Street, Portland, Cumberland County, Maine

Municipal Assessor's Map 62 Block E Lot 8

A certain lot or parcel of land with the buildings and improvements thereon, situated on the easterly side of Neal Street in Portland, Cumberland County, Maine, and bounded and described as follows:

Beginning at a point in the easterly sideline of Neal Street distant northerly thereon Ninety-one feet (91) from the intersection of the northerly side of Bowdoin Street with the easterly side of Neal Street; thence northerly by said easterly sideline of Neal Street, Seventy-five feet (75) to an iron and land now or formerly of Munson I. Strout; thence easterly by said land now or formerly of Munson I. Strout, Ninety-five feet (95) to the westerly line of a certain parcel conveyed by Glendon C. Strout to J.B. Brown & Sons by deed dated July 30, 1959, and recorded in Cumberland County Registry of Deeds in Book 2494, Page 209; thence southerly parallel with Neal Street, Seventy-five feet (75) to other land now or formerly of Glendon C. Strout; thence westerly by said land now or formerly of Glendon C. Strout and at right angles to Neal Street, Ninety-five (95) to the point of beginning.

Meaning and intending to convey and hereby conveying the same premises described in the warranty deed of Mary J. O'Toole, Margaret H. O'Toole and Delia E. O'Toole to the Second Parish Church of Portland, dated February 11, 1969, and recorded in the Cumberland County Registry of Deeds Book 3082 Page 46.

Received
Recorded Resister of Deals
Has 03-2010 04:01:17P
Cusherland County
Panels E. Lovley

June 18, 2010

Zoning Board of Appeals City of Portland 389 Congress Street Portland, ME 04101

Dear Board Member,

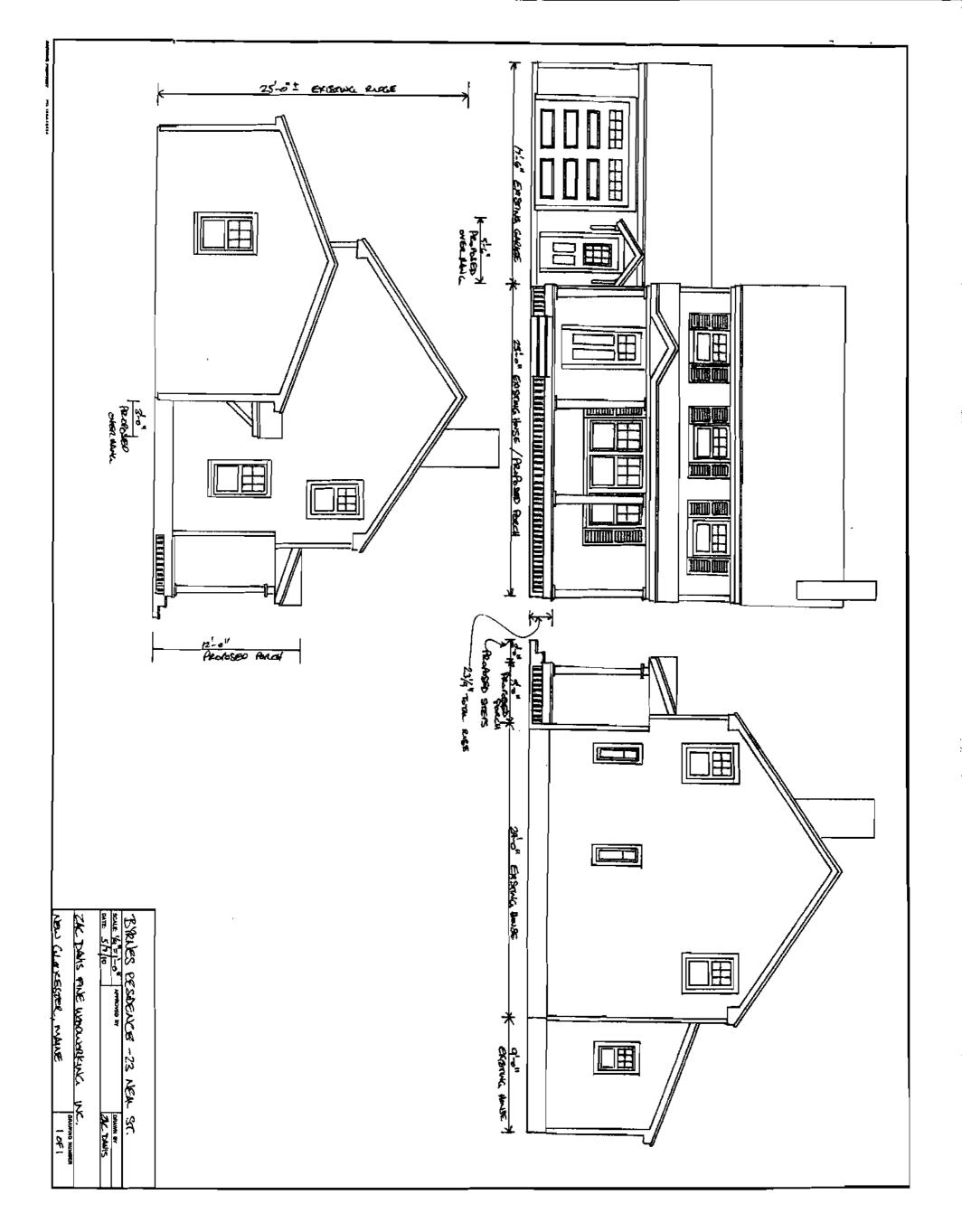
Please allow Zac Davis of Davis Fine Woodworking, Inc. to represent us at the Zoning Board of Appeals meeting regarding the variance for our property at 23 Neal Street.

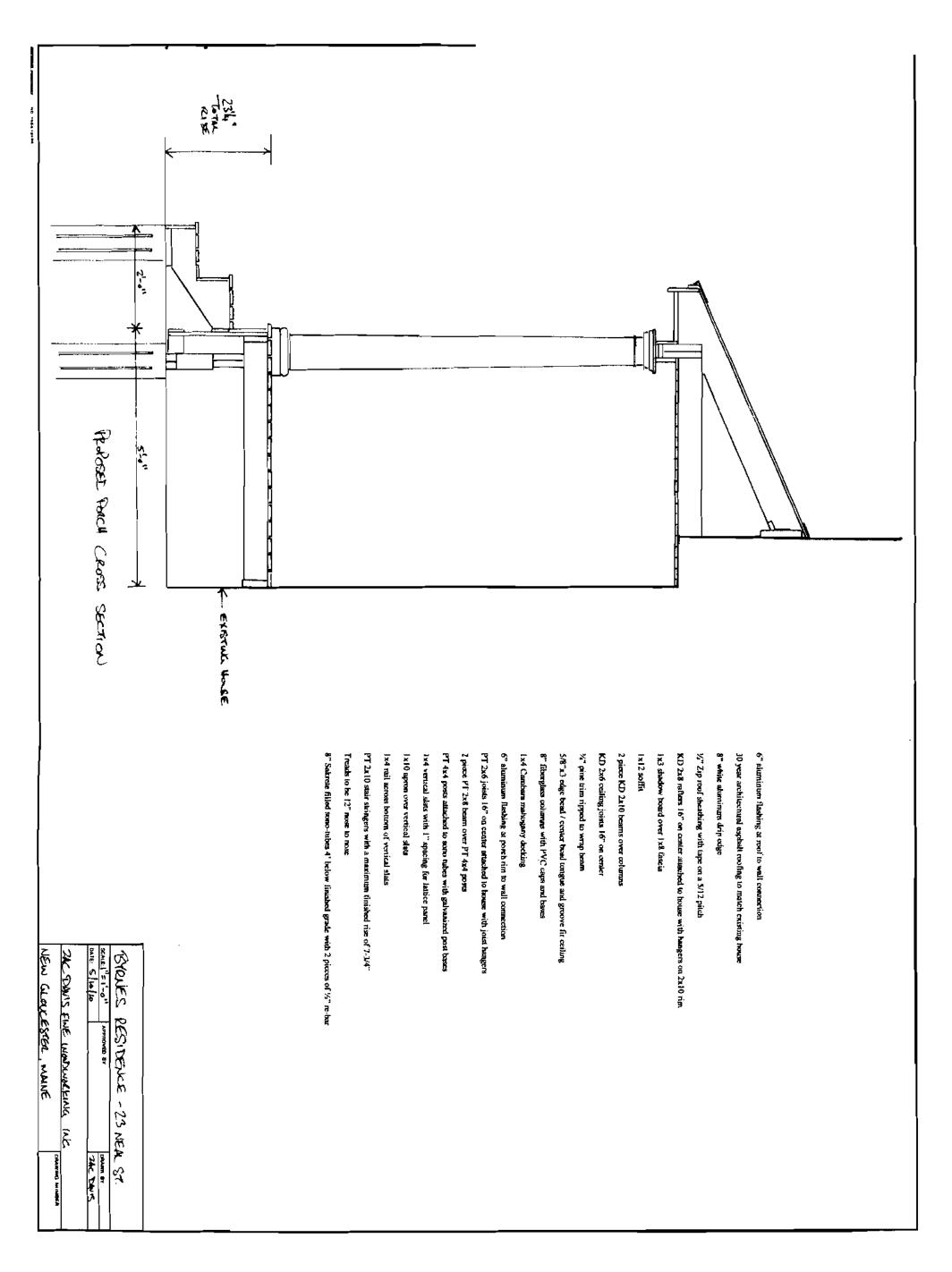
Sincerely,

Steven Byrnes

Kari Byrnes

Atom Dyn







RETRACED 3-21-67

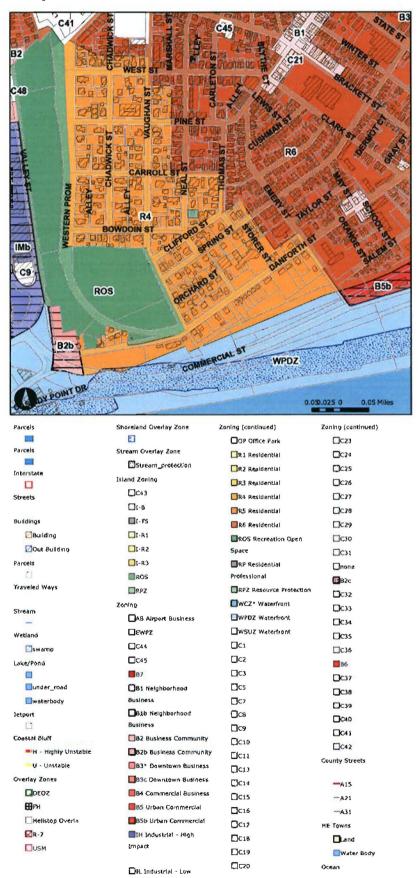






Map Page 1 of 2

Map





City of Portland Zoning Board of Appeals

August 31, 2010

Zac Davis
Davis Fine Woodworking, Inc.
321 Gloucester Hill Rd.
New Gloucester, ME 04260

Dear Mr. Davis,

Enclosed is the receipt for the payment for the processing fee, notices and legal ad for the Practical Difficulty Variance Appeal for 23 Neal Street. The fees are now paid in full for the appeal.

The permit (#10-0938) to build the farmer's porch has been reviewed by zoning and by historic preservation. It still has to be reviewed by one of the plan reviewers in inspections which is the final review before the permit gets issued.

Please feel frec to contact me at 207-874-8709 if you have any questions.

Sincerely,

Ann B. Machado Zoning Specialist

Cc: File



City of Portland Zoning Board of Appeals

July 7, 2010

Zac Davis
Davis Fine Woodworking, Inc.
321 Gloucester Hill Rd.
New Gloucester, ME 04260

Dear Mr. Davis,

Your Practical Difficulty Variance Appeal has been scheduled to be heard before the Zoning Board of Appeals on Thursday, July 15, 2010 at 6:30 p.m. in Room 209, located on the second floor of City Hall.

Please remember to bring a copy of your application packet with you to the meeting to answer any questions the Board may have.

I have included an agenda with your appeal highlighted, as well as a handout outlining the meeting process for the Zoning Board of Appeals.

I have also included the bill for the legal ad, the notices for the appeal and a processing fee. The check should be written as follows:

MAKE CHECK OUT TO:

City of Portland

MAILING ADDRESS:

Room 315

389 Congress Street Portland, ME 04101

Please feel free to contact me at 207-874-8709 if you have any questions.

Sincerely,

Ann B. Machado Zoning Specialist

Cc: File

CITY OF PORTLAND **DEPARTMENT OF PLANNING & URBAN DEVELOPMENT**

389 Congress Street Portland, Maine 04101

Application No:

10-59500005

Statement Date: 07/20/2010

Project Name:

23 Neal St.

Applicant: Zac Davis

Development Type: ZONING PRACTICAL DIFFICULTY VARIANCE

CBL:

062 - E-008-001 23 NEAL ST

SUMMARY OF OUTSTANDING FEES

	(Charge Amount	Pald	Due
LEGAL AD ZONING BOARD		\$68.35	\$0.00	\$68.35
NOTICING ZONING BOARD		\$85.50	\$0.00	\$85.50
ZONING BOARD OF APPEALS		\$100.00	\$100.00	\$0.00
ZONING PROCESSING FEE		\$50,00	\$0.00	\$50.00
	Outstanding Charges	\$303.85	\$100.00	\$203.85

Orange # 10000

Detach and remit with payment

Application No: 10-59500005 Project Name: 23 Neal St.

Total Due Now

\$203.85

Zac Davis

Davis Fine Woodworking Inc. 321 Gloucester Hill Road New Gloucester, ME 04260

Amount Remitted

City of Portland DATE: 6/22/10 TIME: 14:31:50 PZ CASH RECEIPT

PROJECT #: 10-59500005
PROJECT DESC: PRACTICAL DIFFICULTY 23 NEAL ST. REDUCE
RECEIVED FROM: Zac Davis
RECEIPT NUMBER:
FEE DESCRIPTION CREDIT PAYMENT

ZONING BOARD OF APPEALS

 $\mathbf{Z}\mathbf{1}$

TOTAL AMOUNT: 100.00

100.00

City of Portland DATE: 8/04/10 TIME: 7:58:53

PZ CASH RECEIPT

RECE	ECT DESC: IVED FROM: IPT NUMBER:	PRACTICAL Zac Davis	DIFFICULTY	23 NEAL	ST. REDUCE	
FEE	DESCRIPTI	ON		CREDIT	PAYME	NT

	IVED FROM: Zac Davis IPT NUMBER:	
FEE	DESCRIPTION	CREDIT
L2	LEGAL AD ZONING BOARD	
Ņ1	NOTICING ZONING BOARD	
ZP	ZONING PROCESSING FEE	

10-59500005

PROJECT #:

50.00 TOTAL AMOUNT: 203.85

68.35 85.50

CBL	OWNER	OWNER MAILING ADDRESS	PROPERTY LOCATION	UNITS
	ARBUCKLE JUDITH R	125 VAUGHAN ST PORTLAND , ME 04102	125 VAUGHAN ST	1
·	ARMSTRONG ALLEN EDGAR &	105 SPRUCE ST	103 SPRUCE ST	1
	ELISSA MYERS CONGER JTS	PORTLAND, ME 04102		
	AYERS HERYUN K &	83 VAUGHAN ST	81 VAUGHAN ST	1
	JONATHAN W AYERS JTS	PORTLAND, ME 04102		
	BALDWIN WARREN C WWIFVET & JANE E JTS	38 NEAL ST PORTLAND, ME 04102	38 NEAL ST	
	BATSFORD STEVEN M & JODY A BATSFORD JTS	106 SPRUCE ST PORTLAND , ME 04102	108 SPRUCE ST	1
<u> </u>	BEEAKER ALISON M	325 SPRING ST # 1 PORTLAND , ME 04102	325 SPRING ST UNIT 1	1
	BEGIN ELIZABETH W	5 ORCHARD ST PORTLAND, ME 04102	5 ORCHARD ST	1
<u>-</u>	BENNETT MARGUERITE N &	108 SPRUCE ST	108 SPRUCE ST	
	PETER JAMES ETAL JTS	PORTLAND, ME 04102	,,495 41	J
	BOURGEOIS RENEE L &	33 STORER ST	33 STORER ST	1
	BRIAN D ENG JTS	PORTLAND, ME_04102		
	BRIGGS RUSSELL C &	14 BOWDOIN ST	14 BOWDOIN ST	1
	BARBARA M BRIGGS	PORTLAND, ME 04102		
	CHENE DOUGLAS G &	45 THOMAS ST	45 THOMAS ST	3
	JENNIFER ELOWITCH JTS	PORTLAND, ME 04102		
	CICUTO KENNETH P & BARBARA S MCINNIS JTS	365 SPRING ST PORTLAND, ME 04102	385 SPRING ST	1
	CLARK DOROTHY S HEIRS	5 CLIFFORD ST	5 CLIFFORD ST	
	SEARCH STREET	PORTLAND, ME 04102	3 OER 1 OND 01	'
	COREA MICHAEL E &	1 CARROLL ST	1 CARROLL ST	2
	MATTHEW A ALONZO JTS	PORTLAND, ME 04102		
_	CRICHTON KIMBERLY	325 SPRING ST # 3	325 SPRING ST UNIT 3	1
		PORTLAND, ME 04102		
	CROCKER BENJAMIN VN VET &	13 CARROLL ST	13 CARROLL ST	3
	GLADYS GARCIA JTS	PORTLAND, ME 04102		
	D'AMICO SAMUEL J &	17 THOMAS ST	17 THOMAS ST	1
	JUDITH A JTS	PORTLAND, ME 04102		
	DEITCH DAVID K & JENNIFER M DEITCH JTS	4 TUFTS RD NEW GLOUCESTER , ME 04280	325 SPRING ST UNIT 2	1
	DELOGU ORLANDO E &	22 CARROLL ST # 8	22 CARROLL ST UNIT 2	
	INDITH D DEFORM 112	PORTLAND, ME 04102	Grange of Sall T	•
	DEPREZ RONALD D	15 CLIFFORD ST PORTLAND, ME 04102	15 CLIFFORD ST UNIT 2	1
,	DIGGS DOROTHY	327 SPRING ST # 3	327 SPRING ST UNIT 3	1
		PORTLAND, ME 04102		•
	DIGGS DOROTHY W	327 SPRING ST # 2 PORTLAND, ME 04102	327 SPRING ST UNIT 2	1
	DIGGS DOROTHY W	327 SPRING ST # 1 PORTLAND , ME 04102	327 SPRING ST UNIT 1	1
	DONOVÁN LUCY D	15 CLIFFORD ST PORTLAND, ME 04101	15 CLIFFORD ST UNIT 1	1
	DUFFY WILLIAM CORE WWII VET	104 SPRUCE ST	104 SPRUCE ST	
	MAXINE W JTS	PORTLAND, ME 04102	IN OFRICE SI	•
	DWYER JOSEPH M &	58 NEAL ST # 1	58 NEAL ST	1
	DENISE DWYER JTS	PORTLAND, ME 04102		-

CBL	OWNER	OWNER MAILING ADDRESS	PROPERTY LOCATION	UNITS
	EATON DAVID N &	52 NEAL ST	52 NEAL ST	3
	JENNIFER L JTS	PORTLAND, ME 04102		
	ERMLICH REBECCA H &	331 SPRING ST	331 SPRING ST	2
	TIMOTHY N ERMLICH JTS	PORTLAND, ME 04102		
	EVON ROBERT W &	374 SPRING ST	374 SPRING ST	1
	LESLEY J EVON JTS	PORTLAND, ME 04102		
	FICKETT AMY M &	325 SPRING ST # 9	325 SPRING ST UNIT 9	1
	DONALD E FICKETT JTS	PORTLAND, ME 04102		
	FIRST CHURCH OF CHRIST	61 NEAL ST	57 NEAL ST	2
	SCIENTISTS OF PORTLAND	PORTLAND, ME 04102		
	GARCIA GLADYS P	106 EMERY ST	106 EMERY ST	3
		PORTLAND, ME 04102		
	GITTO CHRISTINA A	384 SPRING ST	384 SPRING ST	1
		PORTLAND, ME 04102		
	GLASSMAN CAROLINE D	56 THOMAS ST	56 THOMAS ST	1
	TRUST	PORTLAND, ME 04102		
	GOLDFARB MARCIA F	9 BOWDOIN ST	13 BOWDOIN ST	1
		PORTLAND, ME 04102		-
	GRANT PRISCILLA T	40 NEAL ST	40 NEAL ST	
	5.61() (M.56.25()	PORTLAND, ME 04102	,	•
	HARVEY STEPHEN J	107 VAUGHAN ST	107 VAUGHAN ST	1
	TO WATER OF EACH	PORTLAND, ME 04102	107 77.001741 01	•
	HORN ECKART &	383 SPRING ST	383 SPRING ST	
	MARY M HORN JTS	PORTLAND, ME 04102	303 SPAIRE ST	•
			25 THOMAS OT	
	HORR MARIANNA VALLS	25 THOMAS ST PORTLAND, ME 04102	25 THOMAS ST	Į
	INCALLE BOOKER E		22 CADDOLL CT LIMIT 2	
	INGALLS ROGER E	22 CARROLL ST # 11 PORTLAND, ME 04102	22 CARROLL ST UNIT 3	1
····	IABOUL MADE DE	3 WHISPERING PINES	204 000000 07	
	JARRELL MARK R & DARLENE C JARRELL JTS	FREEPORT, ME 04032	321 SPRING ST	•
	- 	_		
	KEILSON BARBARA	330 SPRING ST	330 SPRING ST	2
		PORTLAND, ME 04102		
	KEITH RAYMOND T &	21 CLIFFORD ST	21 CLIFFORD ST	1
	JULIE D EVANS JTS	PORTLAND, ME 04102		
	KERN GEORGE MICHAEL &	22 NEAL ST	22 NEAL ST	1
	MAILI KERN JTS	PORTLAND, ME 04102		
	KILLIAN MARION T	108 VAUGHAN ST	108 VAUGHAN ST	2
		PORTLAND, ME 04102		
	KINNEY ELEANOR	22 CARROLL ST # 10	22 CARROLL ST UNIT 3	1
		PORTLAND, ME 04102		
	KNOWLES SHARYN M	129 VAUGHAN ST	131 VAUGHAN ST	1
		PORTLAND, ME 04102		
	LAWSON JENNIFER C	PO BOX 602	325 SPRING ST UNIT 5	1
		PORTLAND, ME 04104		
	LEVINE ROBERT &	395 SPRING ST	395 SPRING ST	1
	VILEAN TAGGERSELL JTS	PORTLAND, ME 04102		
	LIPPERT HEATHER M &	33 NEAL ST	33 NEAL ST	1
	WADE A LIPPERT JTS	PORTLAND, ME 04102		
	LORD RUTH ALLISON	177 PINE ST # 1G	3 CARROLL ST	1
<u> </u>		PORTLAND, ME 04102		
	MACDONALD TERRI	31 KATHY'S PATH	7 CARROLL ST	5
		SCITUATE, MA 02068		

07/06/2010		082 E008		8:59 AM
CBL	OWNER	OWNER MAILING ADDRESS	PROPERTY LOCATION	UNITS
	MANSING JUDITH	22 CARROLL ST #6 PORTLAND, ME 04102	22 CARROLL ST UNIT 2	1
	MAURICE RAYMOND V	PO BOX 479A KENNEBUNKPORT, ME 04046	22 CARROLL ST UNIT 1	1
	MCCANN B CAIRBRE & EITHNE C MCCANN TRUSTEES	28 BOWDOIN ST PORTLAND , ME 04102	28 BOWDOIN ST	1
	MCCARTHY JOHN F & MARTHA ZIMICKI JTS	15 CLIFFORD ST # 2E PORTLAND , ME 04102	15 CLIFFORD ST UNIT 2	1
	MCGEE CHARLES T & MARY C MCGEE TRUSTEES	101 VAUGHAN ST PORTLAND, ME 04102	101 VAUGHAN ST	3
	MCKEE ASSOCIATES LLC	1 DEAKE ST SOUTH PORTLAND , ME 04108	24 THOMAS ST	6
	MCLAUGHLIN CHARLES H IV & SUSAN E MCLAUGHLIN JTS	326 SPRING ST PORTLAND , ME 04102	328 SPRING ST	1
	MERRILL DAVID	325 SPRING ST # 4 PORTLAND , ME 04102	325 SPRING ST UNIT 4	1
	MERRILL PETER & CAROLE F MERRILL	335 SPRING ST PORTLAND , ME 04102	335 SPRING ST	1
	MORAN SARAH L	317 SPRING ST PORTLAND , ME 04102	317 SPRING ST	1
	MORRILL EVA	33 CARROLL ST PORTLAND , ME 04102	33 CARROLL ST	1
	MORRILL EVA	33 CARROLL ST PORTLAND, ME 04102	35 CARROLL ST	0
	MORSE MARTA N TRUSTEE	387 SPRING ST PORTLAND , ME 04102	387 SPRING ST	1
	MORTON JEREMY R VN VET & PHILIPPA J MORTON JTS	75 VAUGHAN ST PORTLAND, ME 04102	18 BOWDOIN ST	1
	MURPHY PATRICK O & VICTORIA MCHUGH JTS	6 BOWDOIN ST PORTLAND, ME 04102	8 BOWDOIN ST	1
	MURRAY WILLIAM M JR	PO BOX 10026 PORTLAND, ME 04104	22 CARROLL ST UNIT 1	1
	NIELSEN SUSAN E	15 CLIFFORD ST # 3E PORTLAND, ME 04102	15 CLIFFORD ST UNIT 3	1
	NOLAND DEWEY H & FRANCES	22 CARROLL ST # 4 PORTLAND , ME 04102	22 CARROLL ST UNIT 1	1
	NYCHAY JOHN J	325 SPRING ST#6 PORTLAND , ME 04102	325 SPRING ST UNIT 6	1
	OHANNES JAMES R & ELIZABETH MCGRADY	20 THOMAS ST PORTLAND, ME 04102	20 THOMAS ST	1
	PARKER JUDITH D	15 CLIFFORD ST UNIT 1-W PORTLAND, ME 04102	15 CLIFFORD ST UNIT 1	1
	PENNOYER DORIS S	112 VAUGHAN ST PORTLAND, ME 04102	112 VAUGHAN ST	2
	PEVERADA THERESA K LIFE WID WWII VET	37 NEAL ST PORTLAND , ME 04102	37 NEAL ST	1
	PIERCE CAROL P	58 NEAL ST #3 PORTLAND , ME 04102	58 NEAL ST	1
	PRATT CAROLINE M	48 NEAL ST PORTLAND, ME 04102	32 CARROLL ST	0
	PRATT CAROLINE MALONE	48 NEAL ST PORTLAND, ME 04102	46 NEAL ST	1

CAPE ELIZABETH, ME 04107

325 SPRING ST UNIT 8

TADEMA-WIELANDT MICHAEL

171001Zu1u		002 2000	222224	0.00
	OWNER	OWNER MAILING ADDRESS	PROPERTY LOCATION	UNITS
	TORREGROSSA LOUIS M & JANET C TORREGROSSA JTS	325 SPRING ST # 7 PORTLAND , ME 04102	325 SPRING ST UNIT 7	1
	TRIPP SIDNEY P III	39 NEAL ST PORTLAND, ME 04102	39 NEAL ST	3
	UBANS JURIS K & MARA JTS	1 THOMAS ST PORTLAND, ME 04102	1 THOMAS ST	1
	VOSS PATRICIA Z	366 SPRING ST PORTLAND, ME 04102	366 SPRING ST	1
	WARE ROLAND G	2 THOMAS ST PORTLAND, ME 04102	2 THOMAS ST	1
	WAYNFLETE SCHOOL THE	360 SPRING ST PORTLAND, ME 04102	17 FLETCHER ST	1
	WAYNFLETE SCHOOL THE	360 SPRING ST PORTLAND, ME 04102	336 SPRING ST	1
	WAYNFLETE SCHOOL THE	360 SPRING ST PORTLAND, ME 04102	342 SPRING ST	1
	WAYNFLETE SCHOOL THE	348 SPRING ST PORTLAND, ME 04102	348 SPRING ST	1
	WAYNFLETE SCHOOL THE	256 SPRING ST REAR PORTLAND, ME 04102	16 STORER ST	2
	WAYNFLETE SCHOOL THE	360 SPRING ST PORTLAND, ME 04102	20 STORER ST	1
	WAYNFLETE SCHOOL THE	380 SPRING ST PORTLAND, ME 04102	20 STORER ST	0
	WEINBERG DIANE L	145 BEAUMONT AVE NEWTON , MA 02460	375 SPRING ST	1
	WEST JERRY W & DIANE M WORTHINGTON JTS	27 THOMAS ST PORTLAND, ME 04102	27 THOMAS ST	1
	WHELAN ROBERT M JR & KATHLEEN M WHELAN JTS	416 COMMONWEALTH AVE # 305 BOSTON, MA 02215	90 VAUGHAN ST	1
	WHIPPLE FRANCES K & JOHN W JTS	47 THOMAS ST PORTLAND, ME 04102	47 THOMAS ST	2
	WIGTON DANA TOWLE ETALS	97 VAUGHAN ST PORTLAND, ME 04102	97 VAUGHAN ST	2
	WILKINS OUIDA L WID WWII VET	179 RAYMOND HILL RD RAYMOND , ME 04071	15 CARROLL ST	1
	WILLISTON CHURCH IN	32 THOMAS ST PORTLAND, ME 04102	26 THOMAS ST	1
	WROTH SUSAN C	19 THOMAS ST PORTLAND, ME 04102	19 THOMAS ST	1
	ZILKHA DANIEL A	PO BOX 134 SOUTH CASCO , ME 04077	22 CARROLL ST UNIT 2	1

