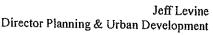
### Department of Planning & Urban Development

Marge Schmuckal Zoning Administrator

Applicant Information:





RECEIVED

AUG 1 2 2014

### CITY OF PORTLAND ZONING BOARD OF APPEALS

Conditional Use Appeal Application

Dept. of Building Inspections

Subject Property Information Portland Maine

STEVEN NILSEN/DEBORAH MCKONEN	
NAME	SAME
·	PROPERTY ADDRESS
NIGDEROON IN CO.	092.6.010.011.012.013.019.020
BUSINESS NAME	CHART/BLOCK/LOT (CBL)
19 WOODS ROAD	
PEAKS ISLAND, ME 04108	PROPERTY OWNER (if different)
207.766.2117	NAME
ELEPHONE #	ADDRESS
	ADDRESS
OWNER	<u>.                                    </u>
PPLICANT'S RIGHT, TITLE OR INTEREST eg; owner, purchaser, etc)	
	COMPUTIONAL HOR ALIGNATION
IR-1	CONDITIONAL USE AUTHORIZED BY
URRENT ZONING DESIGNATION	SECTION 14 - 145,8(C)(4)
	45.3(c)(4)
XISTING USE OF PROPERTY:	TYPE OF CONDITIONAL USE
VP series a larger a la series	PROPOSED:
RESIDENCE	KEEP HOYGES &
	GEESE ON PROPERTY
	TO THE THE

STANDARDS: Upon a showing that a proposed use is a conditional use under this article, a conditional use permit shall be granted unless the Board determines that:

- 1. The volume and type of vehicle traffic to be generated, hours of operation, expanse of pavement, and the number of parking spaces required are not substantially greater than would normally occur at surrounding uses or other allowable uses in the same zone; and
- 2. The proposed use will not create unsanitary or harmful conditions by reason of noise, glare, dust, sewage disposal, emissions to the air, odor, lighting, or litter; and
- 3. The design and operation of the proposed use, including but not limited to landscaping, screening, signs, loading deliveries, trash or waste generation, arrangement of structures, and materials storage will not have a substantially greater effect/impact on surrounding properties than those associated with surrounding uses of other allowable uses in the zone.

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

The undersigned hereby makes application for a conditional use permit as described above, and certifies that the information herein is true and correct to the best of his OR her knowledge and belief.

SIGNATURE OF APPLICANT

389 Congress St., Room 315, Portland, Maine 04101: (207) 874-8703 : FAX: 874-8936: TTY 874-8936

City of Portland Code of Ordinances Sec. 14-145

Land Use Chapter 14 Rev.8-15-13

- i. The structure was in existence as of January 4, 2010.
- ii. The structure was built for institutional or other non-residential uses;
- iii. The structure is operated by, or operated subject to the control of, a not-forprofit entity in accordance with its notfor-profit purposes; and
- iv. A parking management plan is submitted for review and approval by the planning board; and
- f. In the case of private club or fraternal organizations: any such establishment serving alcoholic beverages or in possession of a license for serving alcoholic beverages shall be located on a large lot, as specified in the minimum lot size provisions of this section.

#### (c) Other:

- 1. Utility substations including sewage and water pumping stations and standpipes, electric power substations, transformer stations, telephone electronic equipment enclosures, and other similar structures, provided that such uses are suitably screened and landscaped so as to ensure compatibility with the surrounding neighborhood;
- 2. Nursery schools and kindergarten;
- Cemeteries;
- Raising of domesticated animals, excluding pigs and reptiles, with no animals kept on any lot less than three (3) acres or closer than one hundred (100) feet to any street or lot line, except domesticated chickens as regulated in chapter 5, and provided that such use will not create any odor, noise, health or safety hazards, or other nuisance to neighboring properties;

Nilsen/McKowen Property August 16th,2014

To City of Portland/Zoning Board of Appeals:

We are coming before the board to ask for a conditional use permit to keep horses on our property at 19 Woods Road, Peaks Island, Maine, as per section 14-145.3 (C.) (4). We meet the three (3) acre minimum with a four (4) acre parcel and will not be keeping any pigs or reptiles on the land.

In answer to Standards question one, there will be no increase in traffic as we live on a dead end private right of way which is mostly travelled by residents and guests and all parking is on the property.

On question two, all manure and straw bedding is picked up daily and put into a covered manure box that is put in compost when full which is about every seven days. The horses are also only on the island from June to September and are then boarded on the mainland the rest of the year.

In response to the third question, the paddock and the barn are in the middle of the land for screening, quiet and privacy for the horses.

To clarify the photos of the property, they were taken from our deck (the curved side of the house) and you are looking at the back property line along Prince Ave. The pictures are marked left-middle-right for a view of the paddock. The trees will be thinned to the mature maple, oak, and island spruce, the ground seeded and a small 16'x24' barn constructed. The paddock which is about a half acre will be enclosed with an electric fence.

Thank you for your time and service.

Sincerely,

Steve Nilsen & Deb McKowen

# Му Мар

conditional use permit

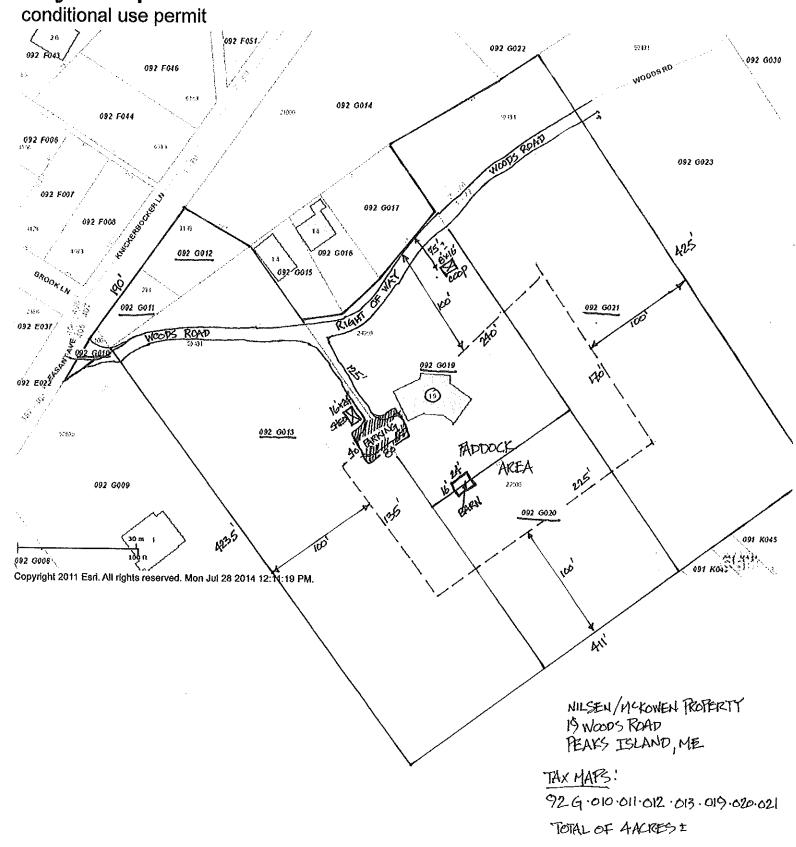


NILSEN/MCKONEN PROTECTY 19 WOODS ROAD PEAKS ISLAND, HE

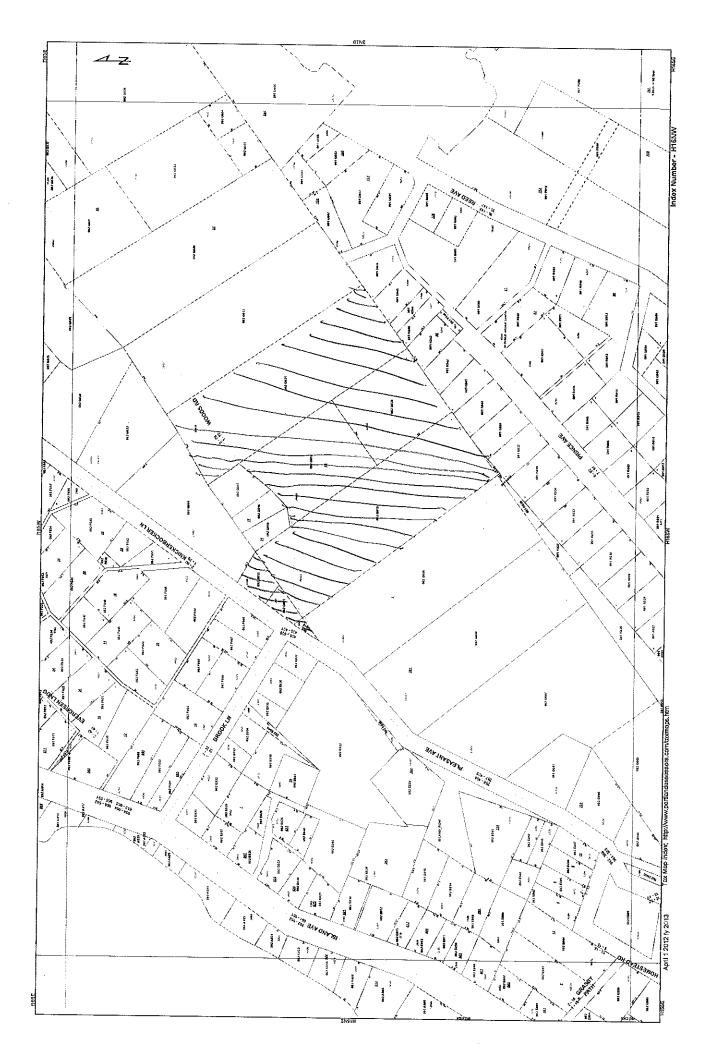
## TAX MAPS:

929.010.011.012.013.019.021.022 TOTAL 4ACRES+

# My Map



NILSEN/MCKOWEN HONESE BARN 19 WOODS RD PENSIS ME 04108 FLOOR PLAN DATE: 7/25/14 NO PLUMBING MELECTRIC 24.0" 36x 7.0 T49 DOOR Exb COLAR TIES 40.C, 4X8 RAFTERS 4:0" O.C. 16'0" SHED AREA 384 SF. COLLAR TIES FIXED
TO 4x12 CARRIER
N/ 2X6 JOIST HANGERS SCALE: 4=1:0" FRONT ELEVATION T-11. SIDING 8:0" TAG SLIDING WOOD DOORS THUM 10.00 11.0'± INTIM 10,00 -10.01-









HAPE

800x6457PME 232

(101) Quitclaim Deed (With Covenant)

## Know all Mensing these Presents,

Unit 1, Charles J. Wright, of Westbrook, County of Cumberland and State of Maine,

in consideration of One Dollar and other valuable considerations

paid by Steven E. Nilsen and Deborah J. McKowen, both of Portland, County of Cumberland and State of Maine,

and whose mailing address is Epp Street
Peaks Island, Maine 04108

the receipt whereof I do hereby acknowledge, do hereby rimise.

rificate bargain, sell and councy and forever quit-faim unto the said

Steven E. Nilsen and Deborah J. McKowen, as joint tenants and not

as tenants in common, their

heirs and assigns forever,

#### -a-cortain-lot-or-parcel-of-land

Real estate, Portland, Maine, Assessors Plans on file in Assessor's Office, City Hall, Plan 92-G-13, rear Prince Avenue, Peaks Island, Maine.

Land Rear Prince Avenue, Lot 5, Rec. Plan Luther Sterling Peaks Island, Ledge. Assessors Plan 92-G-21.

Also, another certain lot or parcel of real estate, Portland, Maine, Assessors Plans on file in Assessor's Office, City Hall. Plan 92-G-20, Rear Prince Avenue, Part Lot 4, Peaks Island.

Also, another certain lot or parcel of land Rear Brook Lane, Part Lot 4, Rec. Plan Sterling Estate Peaks Island, Assessor's Plan 92-G-19.

Also, another certain lot or parcel of real estate, Portland, Maine, Assessors Plans on file in Assessor's Office, City Hall, Plan 92-G-10-11-12, Brook Lane and Pleasant Avenue, Peaks Island.

Being the same premises conveyed to the Grantor herein by David W. Young by quitclaim deed without covenant dated October 12, 1983 and recorded in Cumberland County Registry of Deeds in Book 6295, Page 159.

On have and to hold, the same, together with all the privileges and appurtenances thereunto belonging, to the said Steven E. Nilsen and Deborah J. McKowen, as joint tenants and not as tenants in common, their

heirs and assigns/, to their own use and behoof forever.

their And I do compliant with the said grantees, as aforesaid and assigns/that I will warrant and forever defend the premises heirs and assigns forever/ their to the said grantees, against the lawful claims and demands of all persons claiming by, through, or under me.

In Milliand Mherrof, I, the said Charles J. Wright, being unmarried, -ond-

wife

of the said

-oll-rights-by-descent-and-all-other-rights\_in\_the\_ahove\_described -premises, have hereunto set my hand and seal this day of in the year of our Lord one thousand nine hundred and eighty-four.

Bigned, Beuled und Belinered in presence of

	M. Welly	And Smedlith	
••••••			
Plate of Maine, CUMBERLAND,		May 24 1984 .	
Charles J.	Wright	and acknowledged the above instru-	

ment to be chis free act and deed.

Justice of the Peace. Notary Public. Attorney at Law.

1904 HAY 24 PH 3:58

RECORDED REGISTRY OF DEEDS