

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

Philip Saucier
Sara Moppin-secretary
Matthew Morgan
Gordon Smith-chair
Mark Bower
William Getz
Elyse Segovias

SCANNED

June 29, 2012

Robert Lightfoot
547 Head Tide Road
Whitefield, ME 04353

RE: 1 South Grafton Street & East Kidder Street
CBL: 169 E028, 029, 032, & 033
ZONE: R-5

Dear Mr. Lightfoot,

At the June 21, 2012 meeting, the Zoning Board of Appeals voted 4-0 to grant the Variance Appeal to build a 16' wide driveway to access the rear of the lot that fronts on East Kidder Street. The appeal was granted with five conditions. The driveway must be built to at least 16 feet in width. Granite curbing does not need to be installed. The driveway must be built to the dimensional layout provided in the Variance Appeal application on page 7. All the other provisions in 14-403 must be complied with. The variance is good for two years from the date of the hearing before it expires. 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 June 21, 2012, 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.

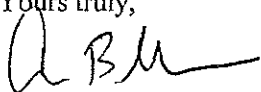
You will also find a receipt for the payment received on June 19, 2012. The fees for you appeal are now paid in full.

Now that the Variance Appeal has been approved, you need to apply for a Level I Minor Residential Development Review Application to split the existing lot and develop the new rear lot. The permit to develop the lot 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 two years of the date of the hearing, June 21, 2012, referenced under section 14-473(e), or the Zoning Board approval will expire. I have enclosed the Level I Minor Residential Development Review Application (building permit).

Appeals from decisions of the Board may be filed in Superior Court in accordance with Rule 80B of the Maine Rules of Civil Procedure.

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

Yours truly,

A handwritten signature in black ink, appearing to read 'A B M' with a long horizontal stroke extending to the right.

Ann B. Machado
Zoning Specialist

Cc. file

RECEIVED

SEP 13 2012

Dept. of Building Inspections
City of Portland Maine



Doc#: 44138 Bk:29832 Pg: 345

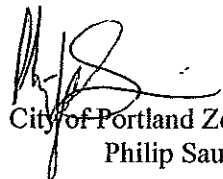
CITY OF PORTLAND

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 21 day of June, 2012, 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.

1. **Current Property Owner: Robert B. Lightfoot**
2. **Property: 1 South Grafton Street – 0 East Kidder Street, Portland, ME CBL: 169-E-28, 29, 32, 33**
Cumberland County Registry of Deeds, Book: 4500 Page: 168
Last recorded deed in chain of Title: 9/25/1979
3. **Variance and Conditions of Variance:**
To grant relief from section 14-403(b) of the Land Use Zoning Ordinance to allow a 16 foot wide driveway road on East Kidder Street to access a proposed rear lot instead of constructing East Kidder Street up to City standards with the following conditions:
 1. Applicant must build driveway to at least 16' in width
 2. Applicant need not install granite curbing
 3. Applicant must build driveway to the dimensional layout provided in his variance appeal application (pg 7)
 4. Applicant must comply with all other provisions in 14-403
 5. Applicant has an extended two (2) year period before the variance expires

IN WITNESS WHEREOF, I have hereto set my hand and seal this 21st day of June, 2012

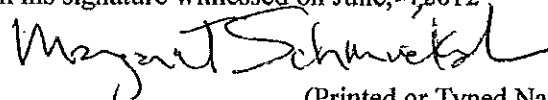
 , Acting Chair of
City of Portland Zoning Board,
Philip Saucier
(Printed or Typed Name)

Received
Recorded Register of Deeds
Aug 13, 2012 01:46:36P
Cumberland County
Pamela E. Lovley

STATE OF MAINE
Cumberland, ss.

SEAL

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 June, 29, 2012


(Printed or Typed Name)
Notary Public

Margaret Schmuckal My term expires June 28, 2019

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.

12
P. 7 of Variance
Appeal.

