

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS



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Secretary

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DAVID L. SILVERNAIL
MICHAEL E. WESTORT
CHRISTOPHER DINAH

May 1, 1989

RE: #65 and #79 Hobb Street

James H. Haskell
286 Fowler Road
Capitola, Maine 04107

Dear Mr. Haskell:

Receipt of your application for a space and bulk variance appeal is acknowledged. This is a request for approval of the setback for the decks constructed 3 feet 6 inches too close to the rear lot line.

This request for a variance will be scheduled for review at the meeting of the Board of Appeals on Thursday evening, April 6, 1989, at 7 P.M. in Room 209, City Hall, Portland, Maine. You or your authorized representative should attend this meeting.

A copy of the agenda for this meeting will be sent to you as soon as copies become available for distribution.

Sincerely,


William D. Giroux
Zoning Codes Enforcement Inspector

/el

cc: Merrill S. Seltzer, Chairman of the Board of Appeals
Joseph E. Gray, Jr., Director of Planning and Urban Development
Alexander Jaegerman, Chief Planner
P. Samuel Hoffens, Chief of Inspection Services
Warren J. Turner, Administrative Assistant
Charles Lane, Associate Corporation Counsel
Kathy Taylor, Code Enforcement Officer

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65 & 79 Webb Street

All persons interested either for or against this Space & Bulk Variance will be heard at a public hearing in Room 209, City Hall, Portland, Maine on Thursday evening, April 6, 1989 at 7:00 p.m. This notice of required public hearing has been sent to the owners of property directly abutting and directly across a street or alley from the property as required by the Ordinance.

Mr. James H. Haskell, owner of the property at 65 & 79 Webb Street, under the provisions of Section 14-473(c)1 of the Zoning Ordinance of the City of Portland, Maine is requesting the Board of Appeals to permit the two decks constructed at the rear of the properties at the above addresses to remain. The decks are 3 feet 6 inches too close to the rear lot line, Section 14-90.4.b.1 of the City Zoning Ordinance.

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals finds that the conditions imposed by Section 14-473(c)1 of the Zoning Ordinance have been met.

John C. Knox
Secretary

/e1
3/22/89

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65 and 79 Webb Street

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April 7, 1989


Mr. James M. Haskell
291 Fowler Road
Cape Elizabeth, Maine 04107

Dear Mr. Haskell:

At the meeting of the Board of Appeals on Thursday evening, April 6, 1989, the Board voted by a unanimous vote of seven members present to consider your property as "grandfathered" under the old ordinance, and that variances were not required for 65 and 79 Webb Street, in the R-3 Residence Zone.

A copy of the Board's decision is enclosed for your records.

Sincerely,


William D. Giroux
Zoning Enforcement Officer

Enclosure: Copy of Board's Decision

cc: Merrill S. Seltzer, Chairman, Board of Appeals
Joseph E. Gray, Jr., Director, Planning & Urban Development
P. Samuel Hoffsee, Chief, Inspection Services
Kathy Taylor, Code Enforcement Officer
Charles Lane Associate Corporation Counsel
Warren J. Turner, Administrative Assistant

FINDINGS OF FACT
ALL APPEALS

TYPE OF APPEAL Space + Bldg

1. Name of Applicant James M. Haskell

2. Address of Applicant 284 Fowle Road Cape Elizabeth

3. Right of applicant to appeal.
Owner

Option to Purchase

4. Location of property under appeal 65 + 79 Webb St.

5. Zone in which the property is located R-3

6. Present use of property 2 bldgs - both 3-4m

7. Proposed use if the appeal is granted.
Same

8. Names and addresses of those appearing in support of the application:

James M. Haskell

9. Names and addresses of those appearing in opposition to the application:

10. Listing of the documentary evidence presented to the Board (e.g., plans, photos, maps, etc.)

If the appeal is granted, does the Board wish to impose conditions which will further the intent and purpose of this Ordinance?

Yes _____

No _____

Specific Conditions _____

Reasons _____

Date of Public Hearing April 6, 1989

Motion Huswell property "grandfathered" under the

(including conditions and findings of fact) old ordinance, ~~1980~~

~~1980~~ _____

Votes in Favor - 7

Votes Opposed - 0

John C. Fox

City of Lowell

Thomas Jewell

Mark P. Weston

Maureen A. Felt

David L. Howard

Christopher Davis
