



**City of Portland, Maine
 Planning and Development Department
 Zoning Board of Appeals
 Conditional Use Appeal Application**

Applicant Information:

Name Ray & Michele Clayton

Business Name Takes A Village Daycare

Address 1171 Washington Ave

Portland, Me 04103

Telephone 878-1115 Fax 878-3130

Applicant's Right, Title or Interest in Subject Property:

Owner
 (e.g. owner, purchaser, etc.):

Current Zoning Designation: R-2

Existing Use of Property:

Residential Single Family

Home

Subject Property Information:

Property Address 58 Deering Run Dr., Pld 04103

Assessor's Reference (Chart-Block-Lot) 353 E005

Property Owner (if different):

Name Same

Address _____

Telephone _____ Fax _____

Conditional Use Authorized by Section 14 - 78

Type of Conditional Use Proposed:

Daycare & Preschool

less than 12 children

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:

- (a) There are unique or distinctive characteristics or effects associated with the proposed conditional use;
- (b) There will be an adverse impact upon the health, safety, or welfare of the public or the surrounding area; and
- (c) Such impact differs substantially from the impact which would normally occur from such a use in that 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 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.

Ray Clay
 Signature of Applicant

6-28-07
 Date

Also address each standard your own way to zoning board

**City of Portland, Maine
Planning and Development Department
Zoning Board of Appeals
Conditional Use Appeal**

June 24, 2007

Dear Zoning Board Members,

The proposed addition we are asking to build will be compatible with the current architectural style of the existing residence. All exterior siding, roofing, windows and doors will be in line with the current structure, as well as complying with all city building codes. (Please see attached drawings of the proposed addition.)

The structure will be attached to the back southeast corner of the house. It will extend 24 feet back and be 15 feet wide. It will meet boundary setbacks and be 15 feet from the side property line and be 44 feet from the back property line.

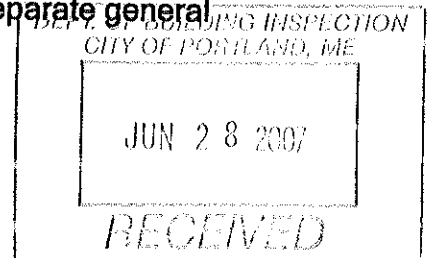
The entire back yard area is already fenced in. In addition, the back boundary line of the property has a buffer zone with full grown trees and shrubs. The west side of the lot also has an eight foot stockade fence to further buffer the yard.

Solid waste will have a fully screened container that will be outside, yet accessible from the inside building addition via a chute that is closed when not in use.

All safety precautions will be adhered to as per the city and Fire Marshall's codes dictate. Outside walkways will be flat, clear, and well lit. Parking for child drop-off and pick-up will be easily accessible via the front driveway or curb on Deering Run Drive. It is a 25 mph zone that is well off the busy traffic of Washington Avenue.

All daycare activities will be confined to the back of the property only. There will be no access for children to stray to adjacent residences.

The proposed addition will house the daycare in its entirety and the rest of the house will be closed off from it. There will be a capacity of no more than 12 children, but more than 6 children. Fire rated doors will be in place where needed, as well as extinguishers and smoke alarms. The proposed addition will have a half bathroom with a toilet and sink. It will also have a separate general purpose sink for food prep and cleaning.

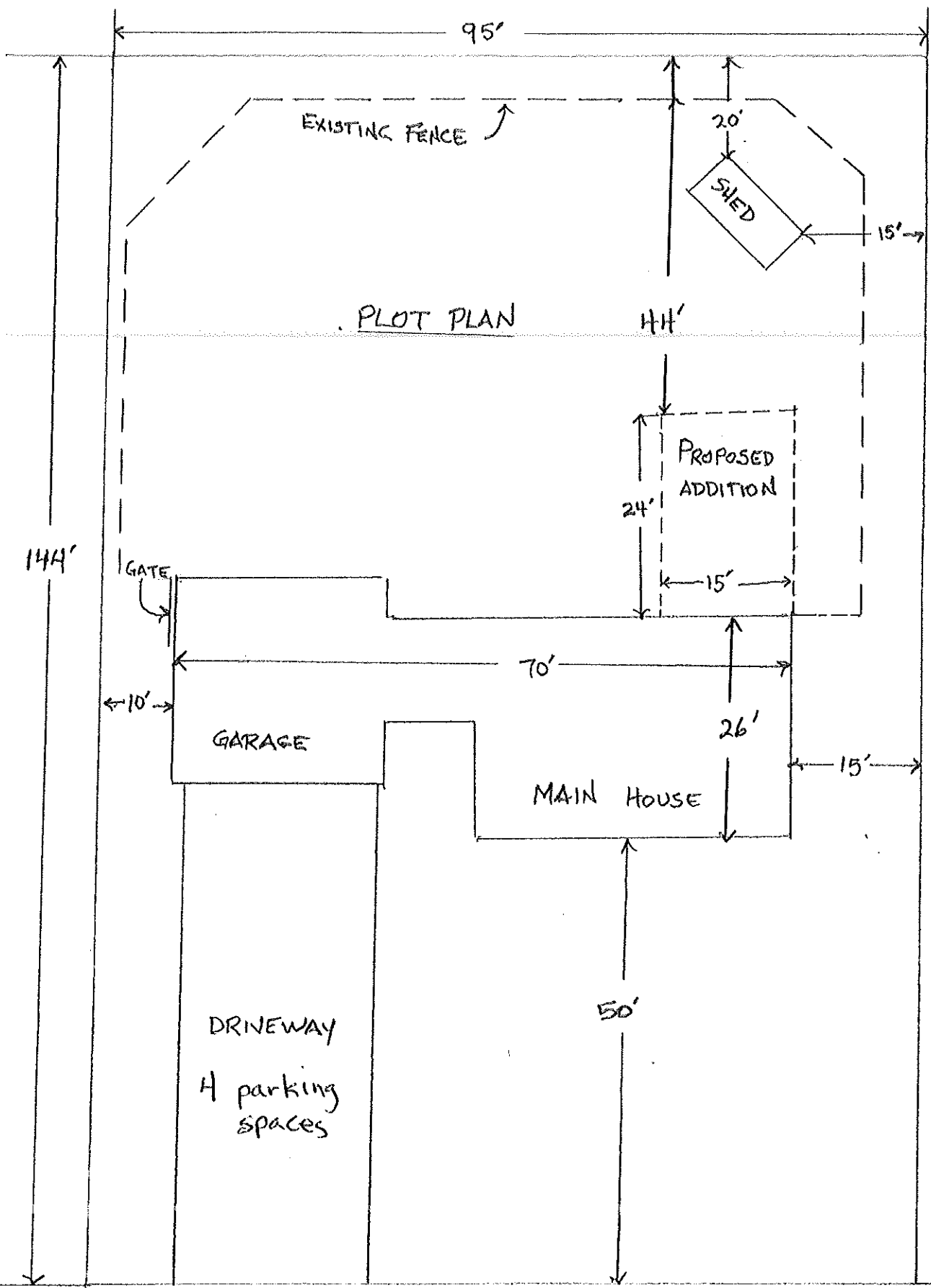


As far as an impact on the surrounding area, we see it as minimal if any at all. There will be no unusual increase in traffic and the adverse affect to the surrounding residences will have no impact as it is already an area with many children. Hours of operation will be Monday through Friday, from 7:30 am to 5:30 pm.

In closing, we feel we will offer a quality daycare facility with little or no impact to the adjacent neighbors. The facility will meet or exceed all city codes of structure and safety as well as adhering to the codes of the Fire Marshall's office. Thank you for your consideration.

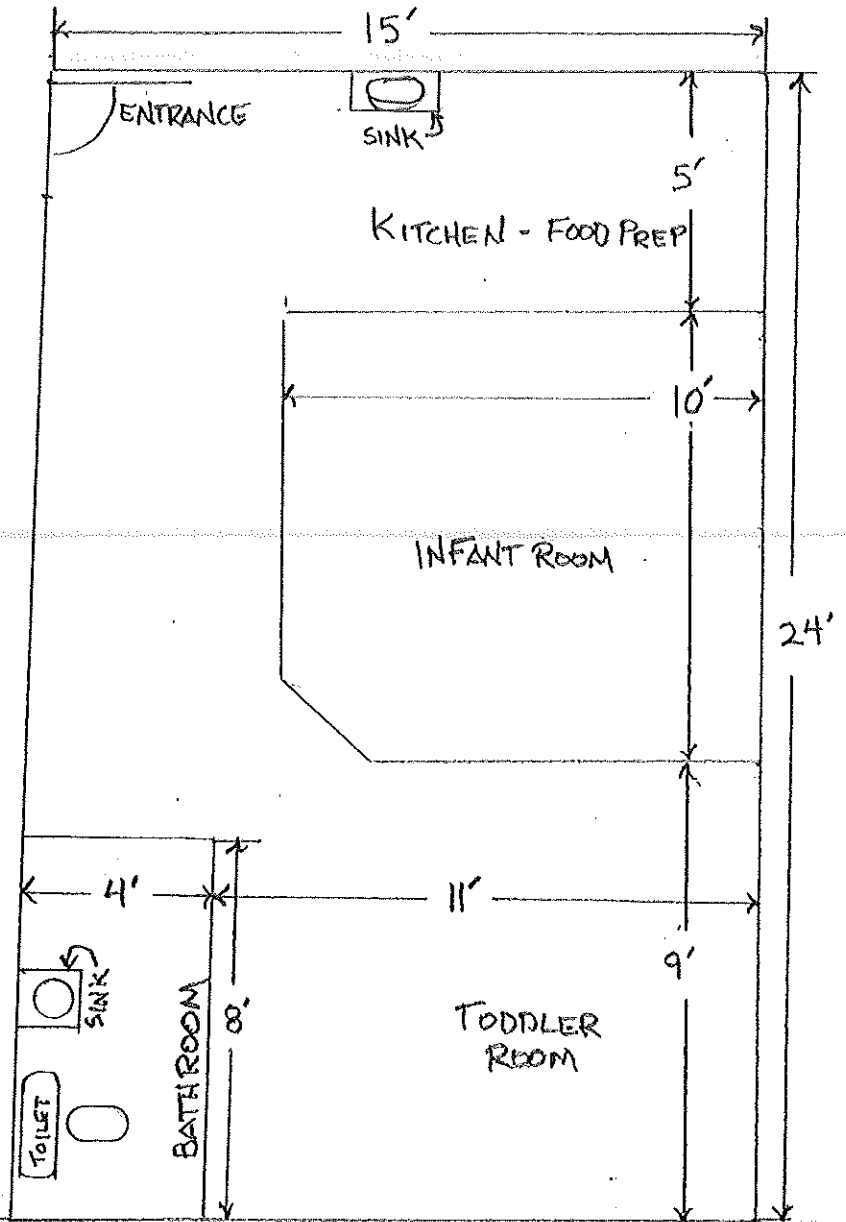
Sincerely,

Ray Clayton
Michele Clayton

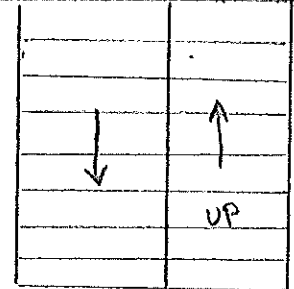


DEERING RUN DR.

FIRST FLOOR PLAN

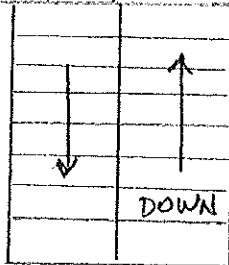
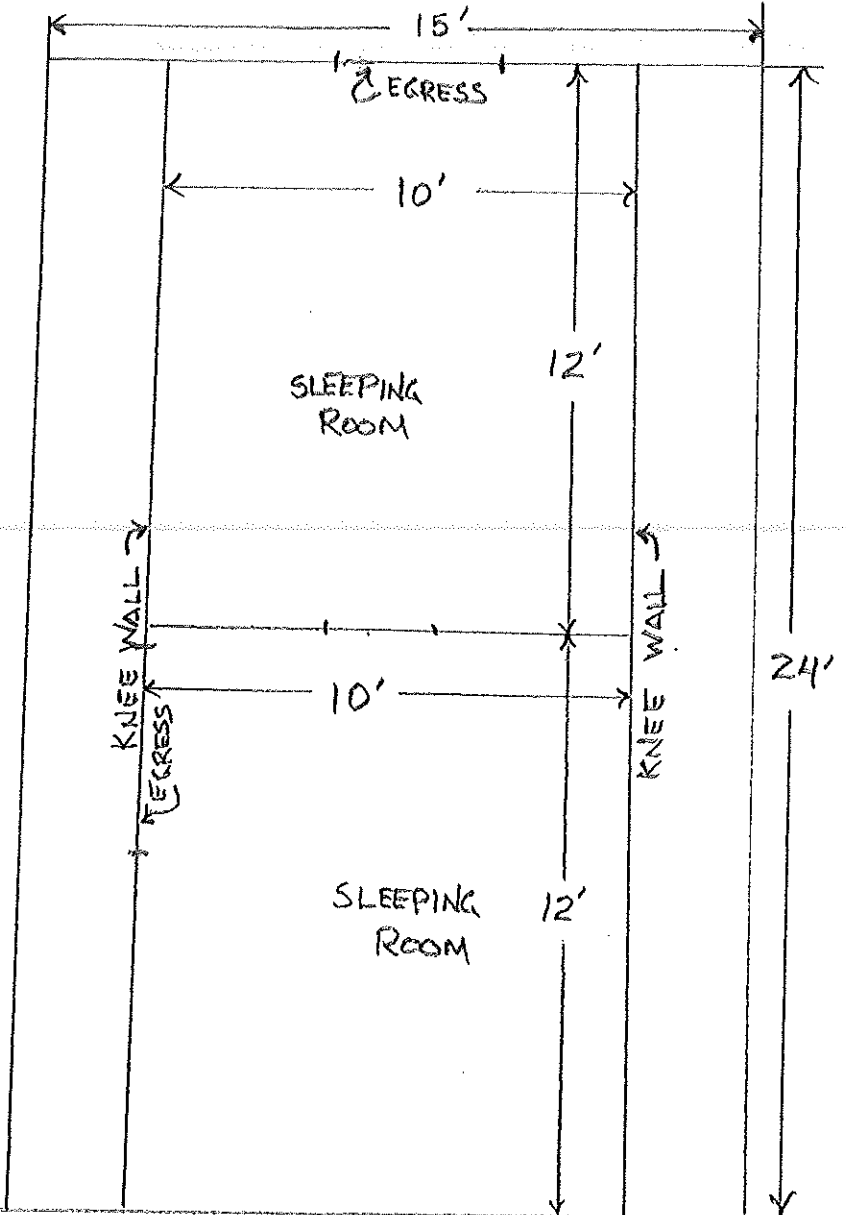


EXISTING HOUSE



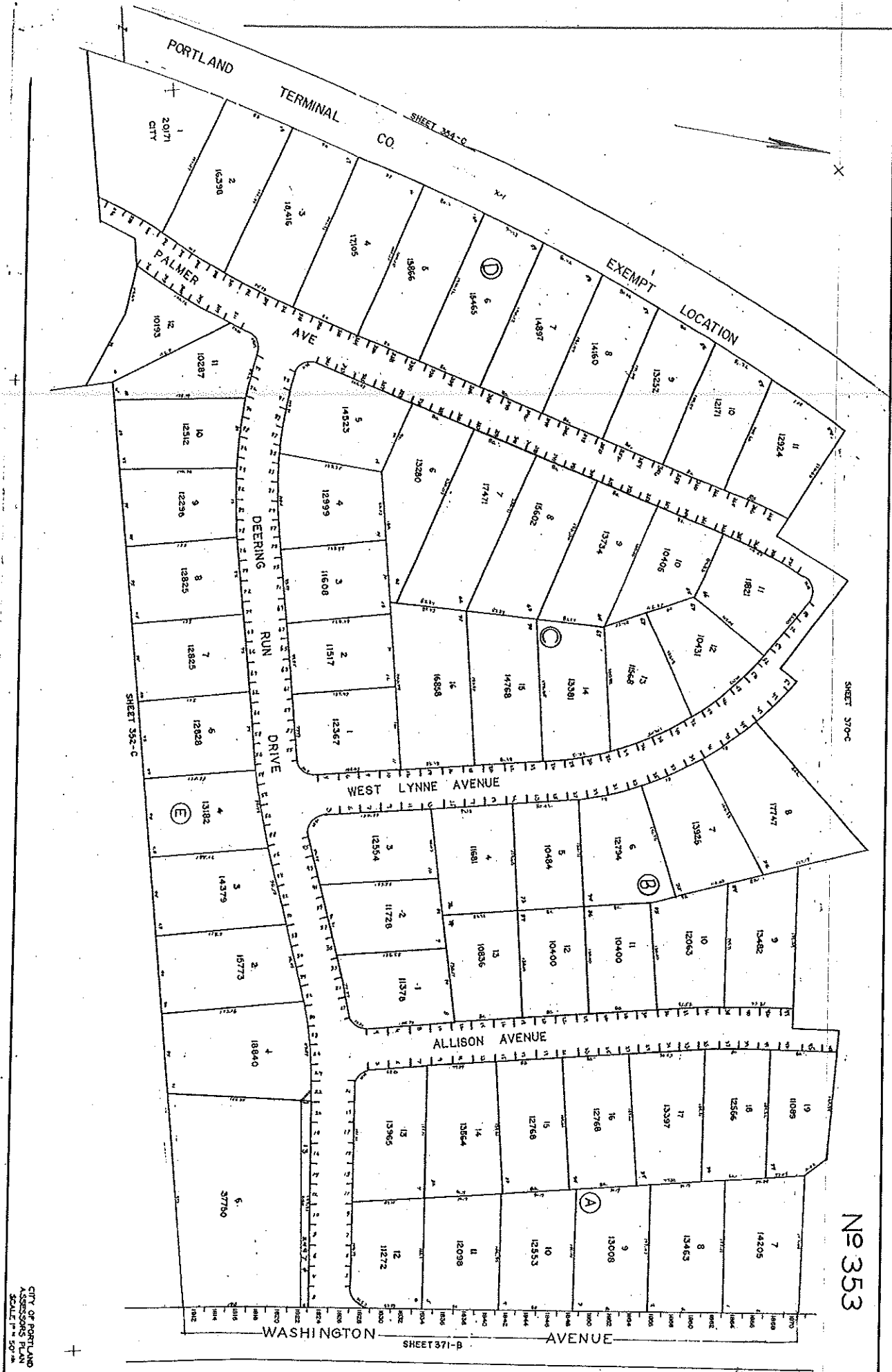
STAIRS

SECOND FLOOR PLAN



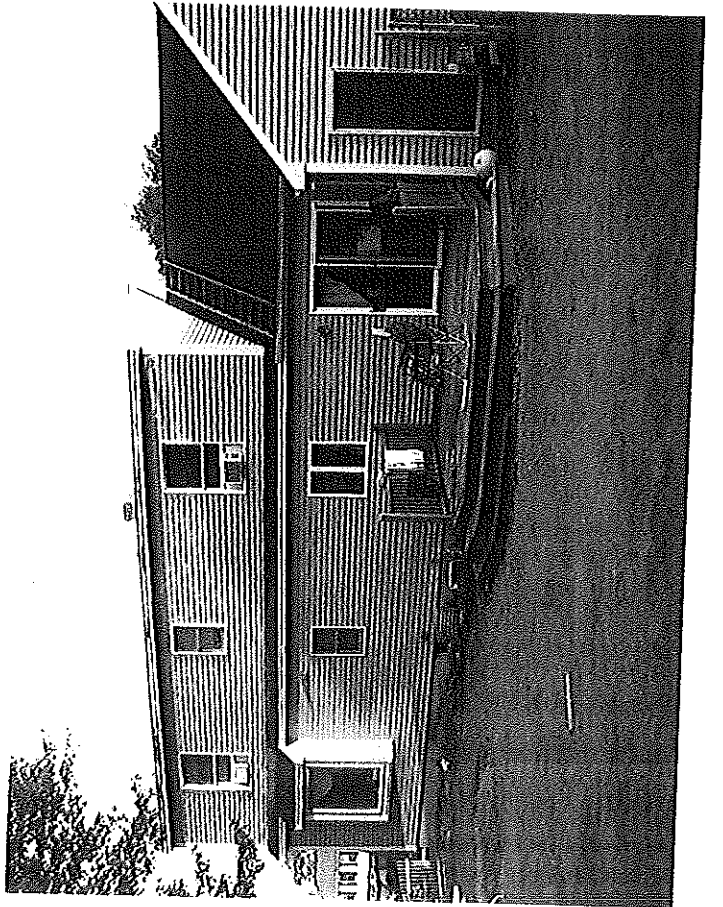
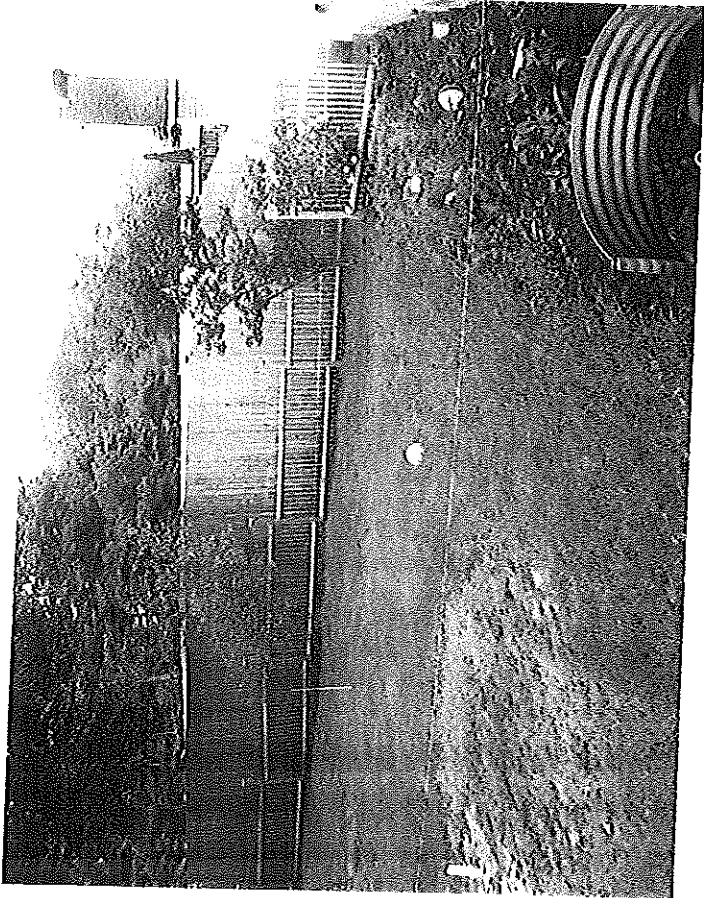
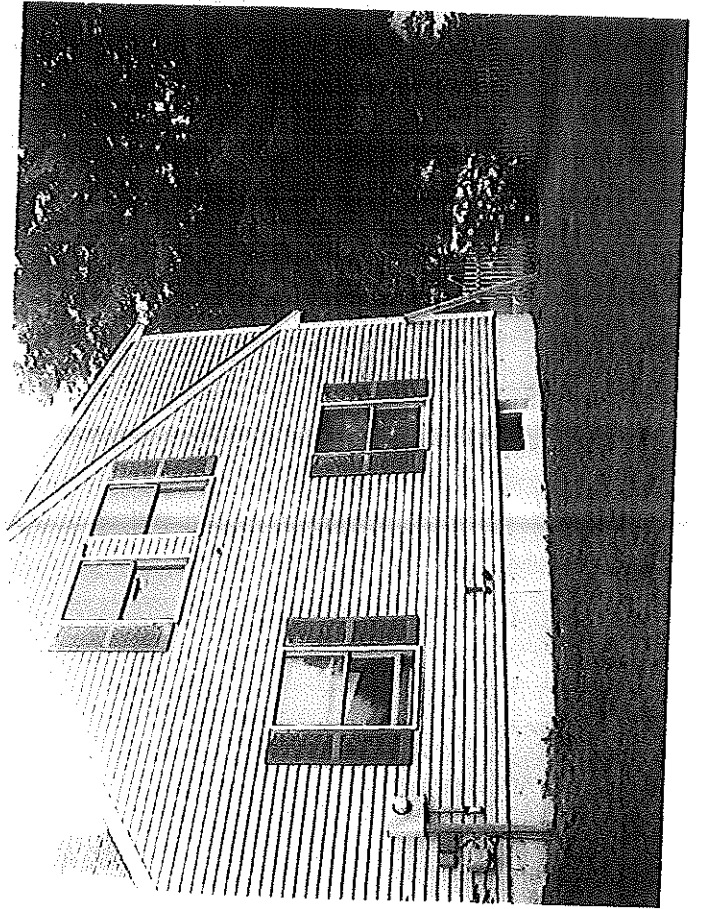
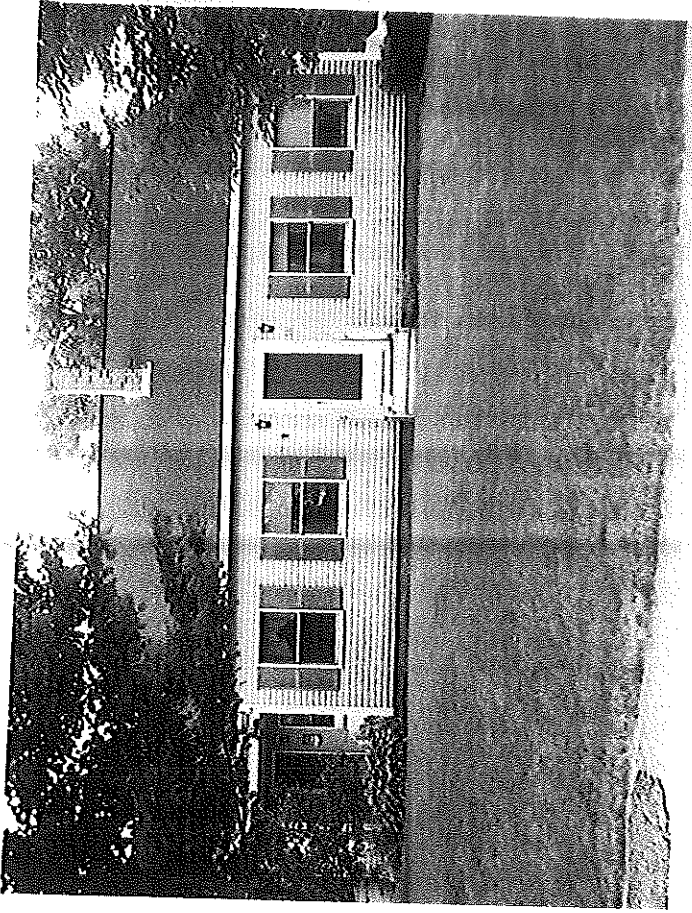
STAIRS

EXISTING HOUSE



N^o 353

CITY OF PORTLAND
ASSESSOR'S PLAN
SCALE 1" = 50'



97-1199

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS THAT, Ray J. Clayton of 58 Deering Run Drive in Portland, County of Cumberland and State of Maine, for consideration paid, grant to Ray J. Clayton and Michele K. Clayton of 58 Deering Run Drive, Portland, County of Cumberland and State of Maine, as joint tenants with QUITCLAIM COVENANTS,

A certain lot or parcel of land with any buildings thereon situated in the City of Portland, County of Cumberland and State of Maine, on the westerly side of Washington Avenue and bounded and described as follows:

Lot 27, containing approximately 12,828 square feet, as shown on the recording plat of Deering Run dated January, 1986, filed in the Cumberland County Registry of Deeds at Book 154, Page 34.

This being a portion of the premises conveyed to Grantor by Joseph Montefusco, said deed being recorded in the Cumberland County Registry of Deeds in Book 6870, Page 218.

Also conveying all rights, easements, privileges and appurtenances belonging to the granted estate.

Subject however to the restrictions set forth in Exhibit A hereto.

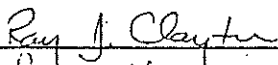
Further reference is made to a Quitclaim Deed from Deborah F. Frisco f/k/a Deborah L. Bower, dated January 17, 1995 and recorded in the Cumberland County Registry of Deeds in Book 11800, Page 75:

Meaning and intending to describe and convey all and the same premises as conveyed to by Warranty Deed of Deering Run Partnership dated September 4, 1986, recorded with the Cumberland County Registry of Deeds at Book 7371, Page 325.

IN WITNESS WHEREOF, I have hereunto set my hand this 2nd day of October, 1997.




Witness



Ray J. Clayton

STATE OF Maine
COUNTY OF Cumberland

On this 2nd day of October, 1997, personally appeared before me the above-named Ray J. Clayton, and acknowledged the foregoing to be his free act and deed.



Notary Public/Attorney at Law
My Commission Expires: 