



Jeff Levine, AICP, Director
Planning & Urban Development Department

Ann Machado
Zoning Administrator



CITY OF PORTLAND ZONING BOARD OF APPEALS

Conditional Use Appeal Application

Applicant Information:

NAME Michele Clayton

BUSINESS NAME It Takes a Village daycare

BUSINESS ADDRESS 58 Deering Run Drive

BUSINESS TELEPHONE & E-MAIL 207 797 7902 +smicheli@yahoo.com

APPLICANT'S RIGHT/TITLE/INTEREST owner

CURRENT ZONING DESIGNATION R-2

EXISTING USE OF THE PROPERTY: Residential single family home

TYPE OF CONDITIONAL USE PROPOSED: daycare - preschool (in home) up to 12 children

Subject Property Information:

PROPERTY ADDRESS 58 Deering Run Dr.

CHART/BLOCK/LOT (CBL) R-2 353 E005-001

PROPERTY OWNER (If Different) Same

ADDRESS (If Different)

PHONE # AND E-MAIL

CONDITIONAL USE AUTHORIZED BY SECTION 14- 78(c)(3)

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 Michele Clayton

DATE 1/26/16

City of Portland Zoning Board of Appeals

Dear Zoning Board Members,

I am requesting a change in the number of children I can have in my home daycare. I currently have a licensed home daycare in my residential single family home. The number of children my license allows presently is up to 8, and I would like to change the number to up to 12 children. I have been told by the DHS agent who has done inspections that I have the space for more children and should consider adding and have decided to do that.

The traffic volume would not change because I at present have sibling enrolled in the daycare. Also, the children tend to get dropped off and picked up at different times, and my driveway can hold 4 vehicles at one time. There is also plenty of space to park on my street if needed. It is a 25 mph zone that is well off the busy traffic of Washington Ave. My hours of operation are 7 am to 5:30 pm. Monday through Friday.

Having 4 extra children would add very little difference to noise or trash or waste generation. All solid waste will continue to be stored in covered containers in the garage. The entire back yard is completely fenced in and it is a large play area, with a pretty full boundary of trees and shrubs to minimize visual and noise impacts.

All safety precautions will continue to be adhered to as per city and Fire Marsha's codes dictate.

In closing, I feel that I will offer a quality daycare facility with little or no impact to adjacent neighbors and continue to provide the safe, great quality daycare that has been provided at It Takes a Village daycare since it has opened.

Thank you for your consideration.

Sincerely,

Michele Clayton

Owner- It Takes a Village Daycare

Revised list of Zoning Board of Appeals Standards

- 1. This daycare facility is located in a structured residential neighborhood in which there is more than one occupied residential unit on the street.**
- 2. The maximum capacity of this daycare facility shall be 12 children or less than 12 .**
- 3. This outdoor play area shall be screened and buffered from surrounding residences with landscaping and fencing to minimize visual and noise impacts. There is a 6' fence on the eastern side lined in the back with trees. There is also a 6' fence on the western side lines with a neighbor's 10' fence. The back part of the yard has a 4' fence lined with shrubbery.**
- 4. The solid waste is disposed of in an air tight container enclosed in the garage, that is closed in on all four sides.**
- 5. This facility shall provide approximately 7,030 square feet of play space in the backyard, which for 12 children, allows for approximately 585 square feet of outdoor play area per child for 12 children.**

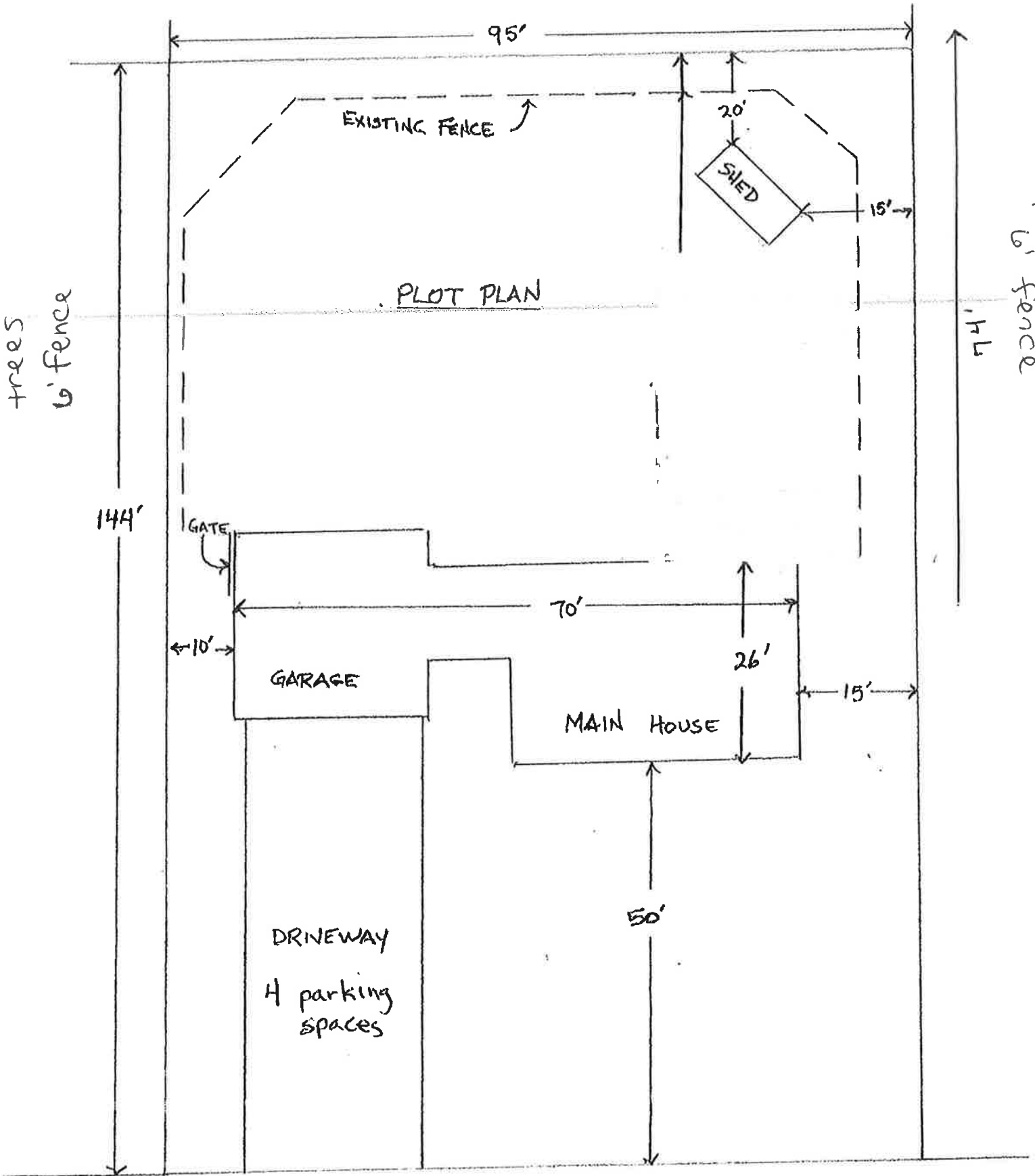
Sincerely,

Michele Clayton

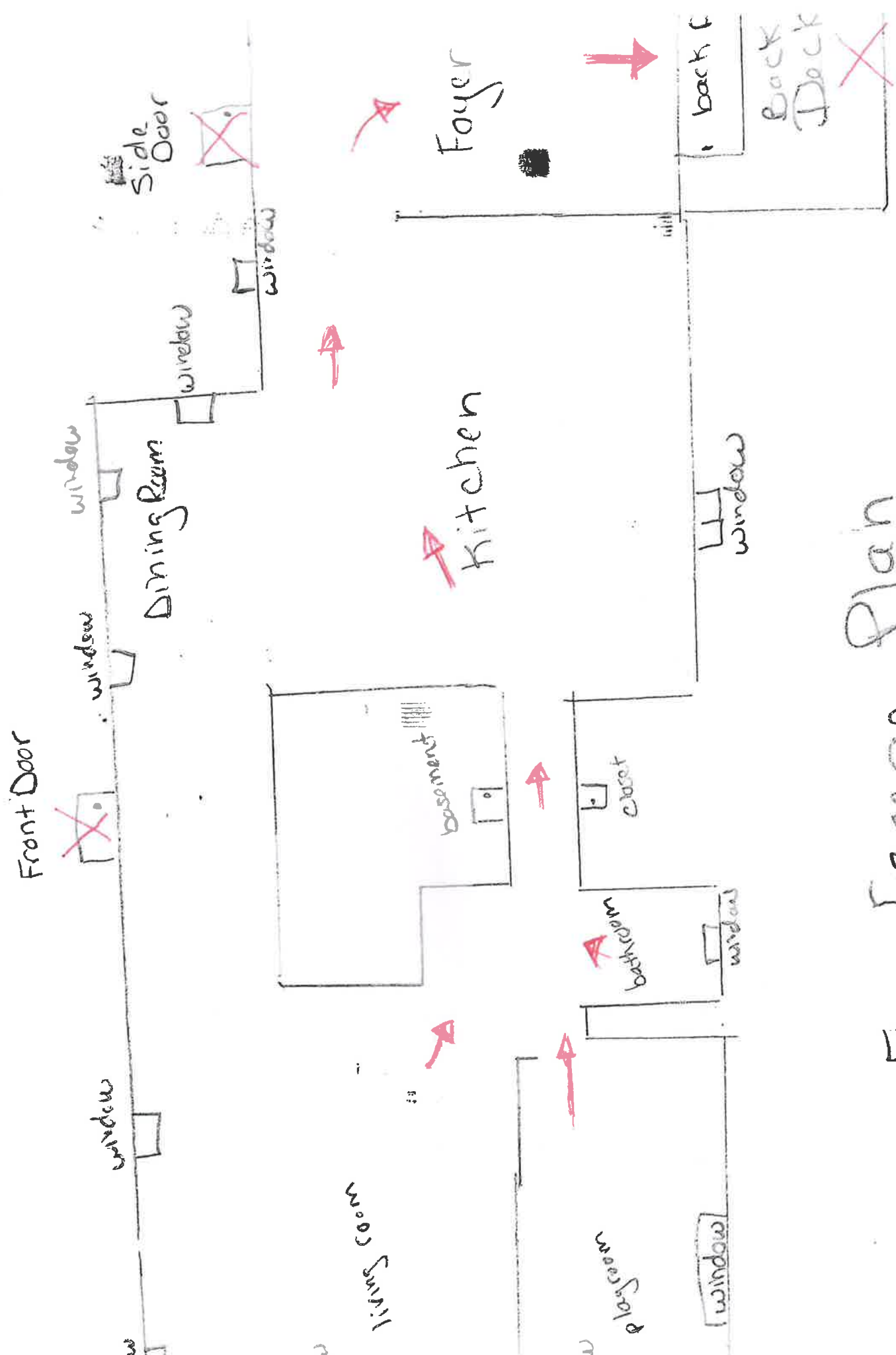
Owner- It Takes a Village Daycare

Revised 2/17/16

bushes
4' fence



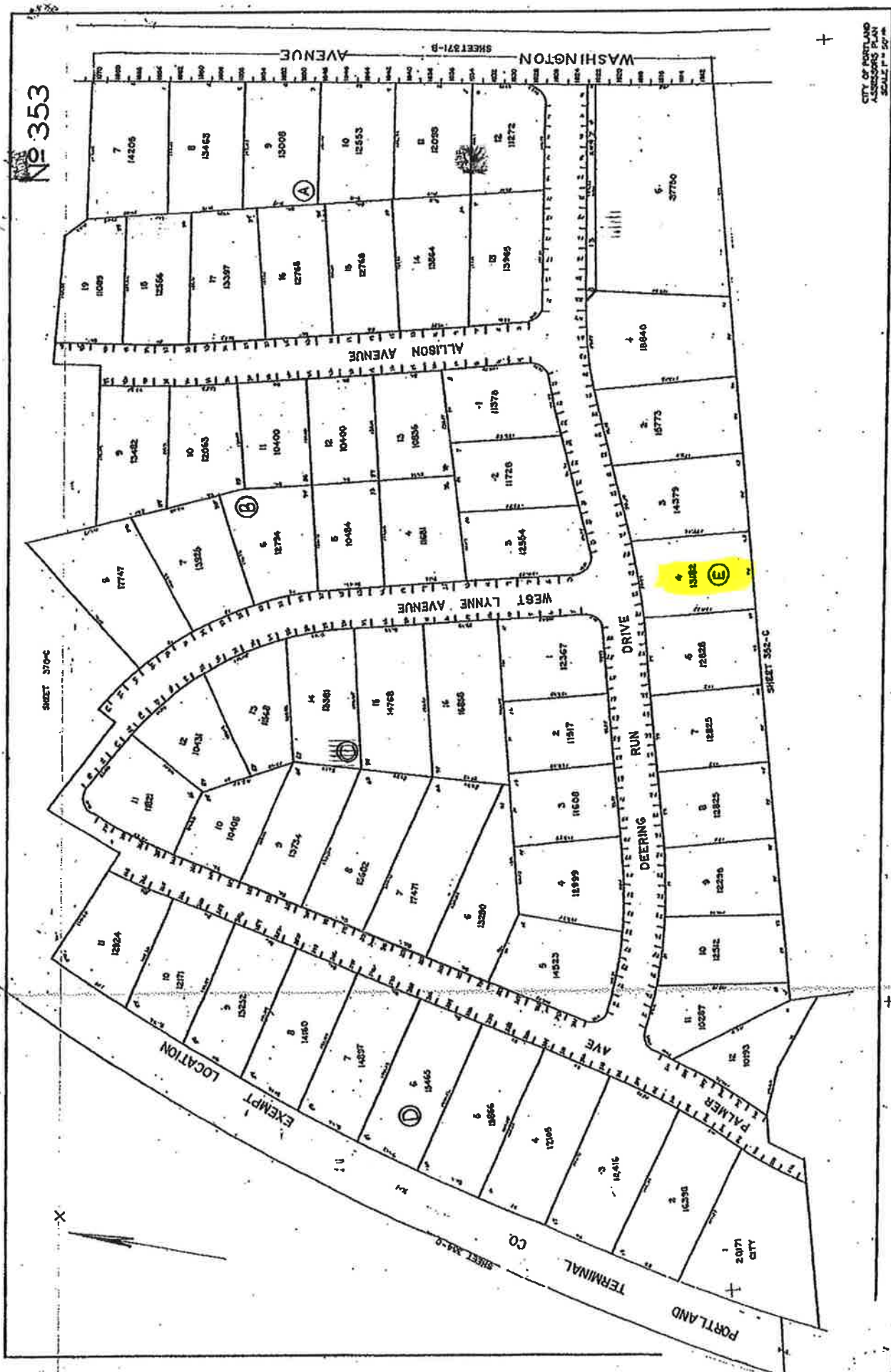
DEERING RUN DR.



Fire Escape Plan

X = escape doors
 plan route

№ 353

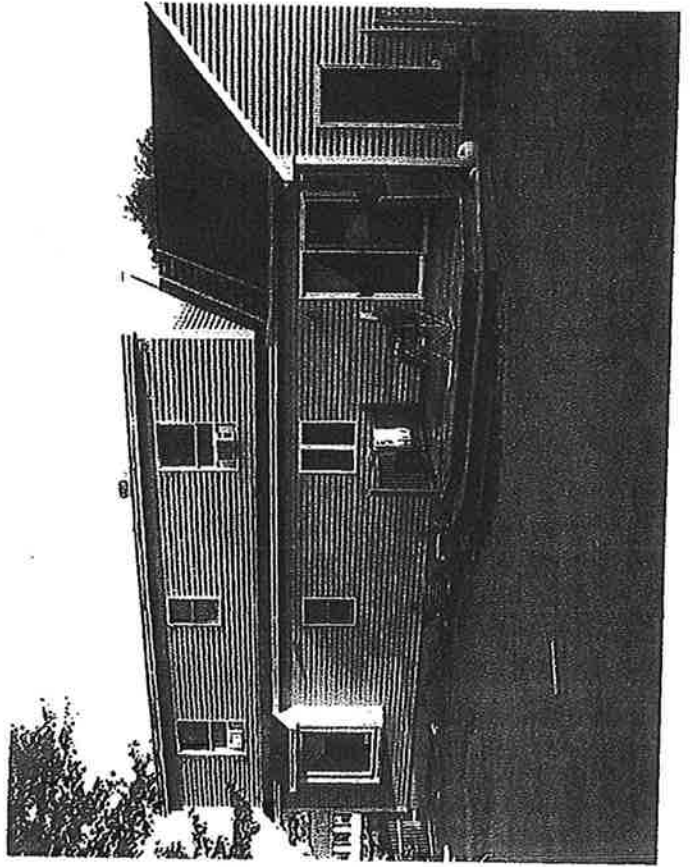
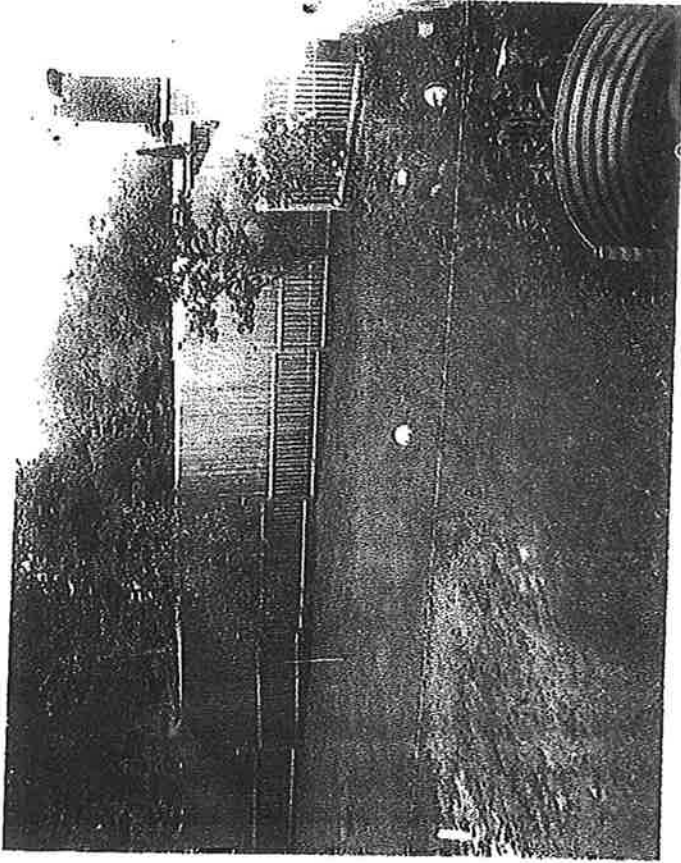
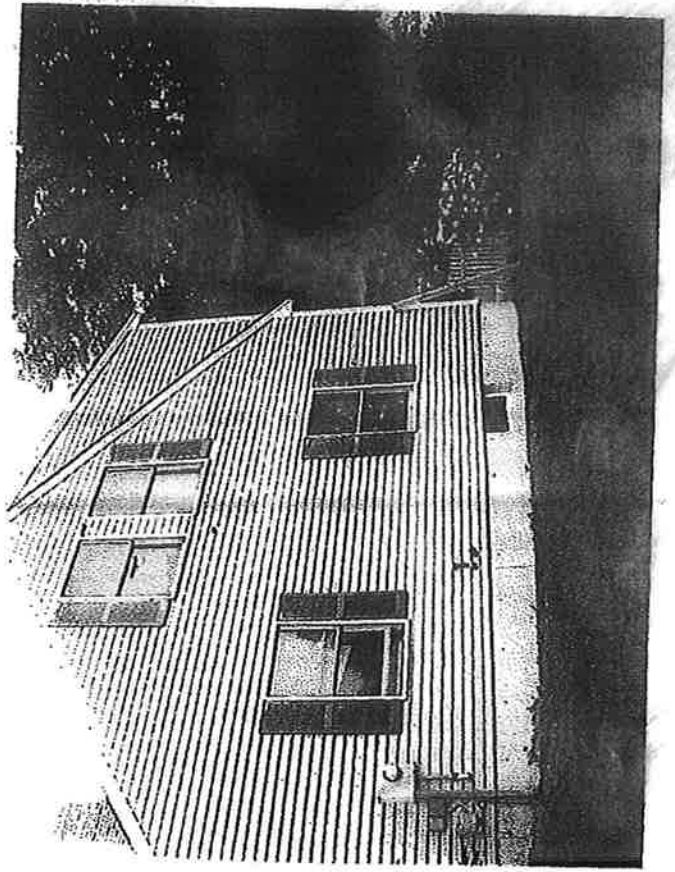
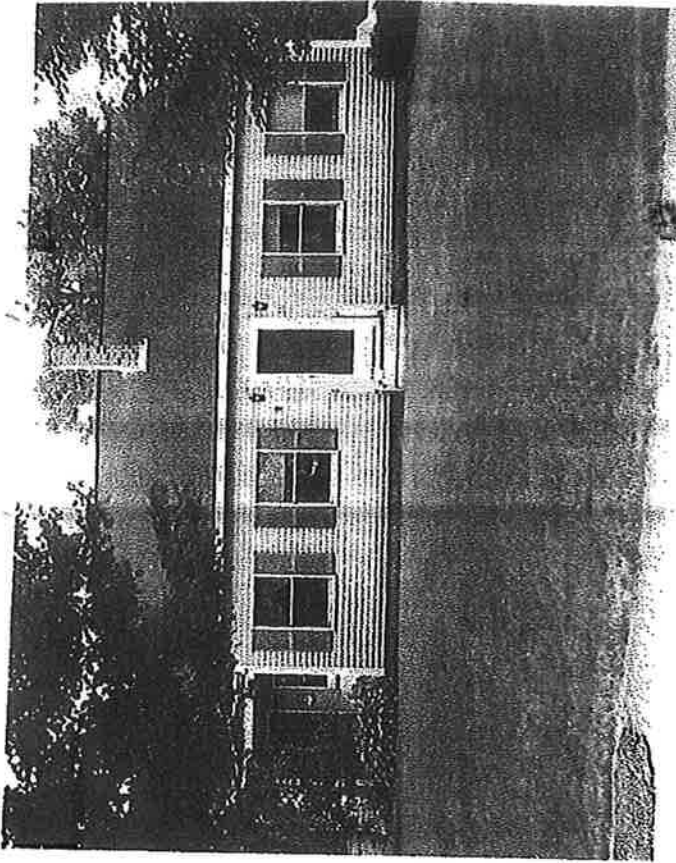


CITY OF PORTLAND
ALLOCATION PLAN
SCALE 1" = 50'

SHEET 370-C

SHEET 352-C





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.

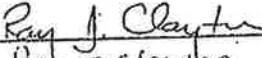
Further reference is made to a Quitclaim Deed from Deborah P. Frisco f/k/a Deborah L. Bower, dated January 17, 1996 and recorded in the Cumberland County Registry of Deeds in Book 11800, Page 75:

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: 