



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 Joyce + Vincent DiFillipo

BUSINESS NAME _____

BUSINESS ADDRESS _____

BUSINESS TELEPHONE & E-MAIL _____

APPLICANT'S RIGHT/TITLE/INTEREST _____

Owners

CURRENT ZONING DESIGNATION R2

Subject Property Information:

PROPERTY ADDRESS _____

163 Christy Rd. 04103
CHART/BLOCK/LOT (CBL) _____

Lot # 42 Plen book 115 Page 79
PROPERTY OWNER (If Different) _____
CBL 381 E003001

ADDRESS (If Different) _____

PHONE # AND E-MAIL _____

207-797-6309 joyce.difillipo24@gmail.com
CONDITIONAL USE AUTHORIZED BY _____
SECTION 14- 78(c)(2)

EXISTING USE OF THE PROPERTY: Residential home

RECEIVED

AUG 14 2015

TYPE OF CONDITIONAL USE PROPOSED:

Enlarging already existing in-law apartment and second floor bedroom suite.

Dept. of Building Inspections
City of Portland, Maine

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.

Joyce DiFillipo
SIGNATURE OF APPLICANT

7-31-15
DATE

July 12, 2015

Department of Planning & Urban Development

Zoning Board of Appeals

389 Congress St., Room 315

Portland, ME 04101

Re: Conditional Use Appeal for property located at 163 Christy Rd. (CBL:381 E003001)

Dear Members of the Zoning Board of Appeals,

Please find enclosed an application and supporting documentation for a Residential Conditional use for a 2 story addition for the existing property located at 163 Christy Rd. We are the current owners of the property and are requesting a 2 story addition to be added to the current dwelling. The first floor of the addition consisting of 420sq feet (21x20) will be added living space to the existing in-law apartment that was added in 1992. The second story of the addition also consisting of 420sq feet (21x20) will be a master bedroom with bathroom for the main house.

This request satisfies the cities requirements as follow:

Section 14-88

2 (a) The addition shall be no more than 30% of the gross floor area of the principle building and shall have a minimum floor area of 400sq feet. The proposed addition contains 840sq feet, the total above grade living area is 2223 sq feet. The proposed addition 20x21 two story equals 840sq feet. The total proposed living area with addition equals 3063 sq feet. Existing in law unit is 480sq feet the proposed addition to this in-law unit 420sq feet equaling a total of 900sq feet. ($900\text{sq feet} / 3063 \text{sq feet} = 29\%$), this does not include garage area $23.5 \times 26 = 611 \text{sq feet}$, which would reduce the unit to 24%.

(b) Lot area is over 14,000 sq feet which is over the 10,000sq feet required.

(c) The addition is at ground level.

(d) The appearance of the addition will match the existing structure as required.

(e) The apartment is at ground level which is the same as the present structure.

(f) The principle dwelling will be occupied by my son, daughter in law and two granddaughters.

(g) The in law apartment will be occupied by myself and my husband.

Standards:

1. There would be no more traffic than is currently associated with the residential use of the property. There is adequate parking that is similar to properties in the neighborhood.
2. The proposed use will not create unsanitary or harmful conditions.
3. The proposed addition to the home will not change the current living conditions that are present now.

We appreciate your time and consideration for this application. Please feel free to contact either of us should you have any questions.

Respectfully,

Joyce A. DiFillipo

Cell-207-797-6309

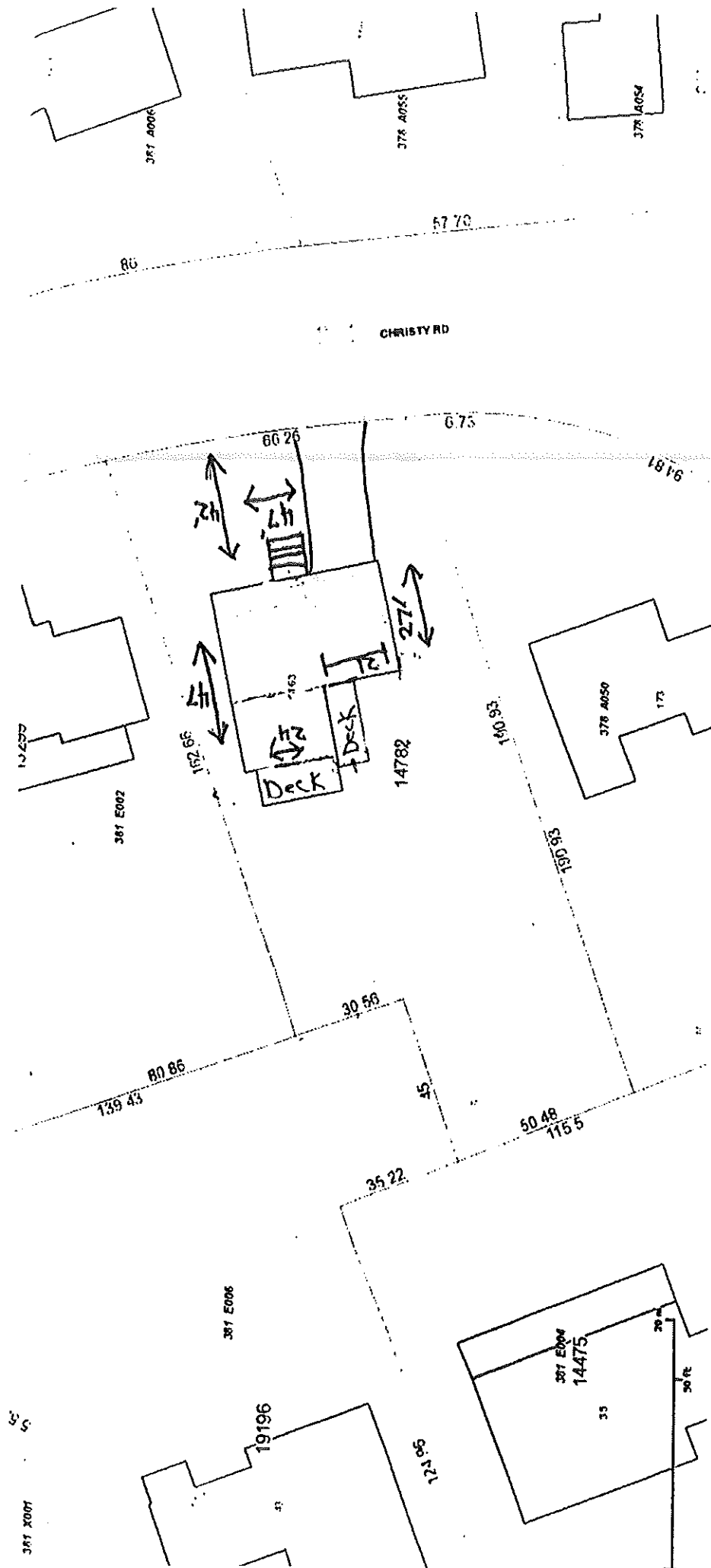
j.difillipo24@gmail.com

163 Christy Rd

Vincent & Joyce D. Hillig

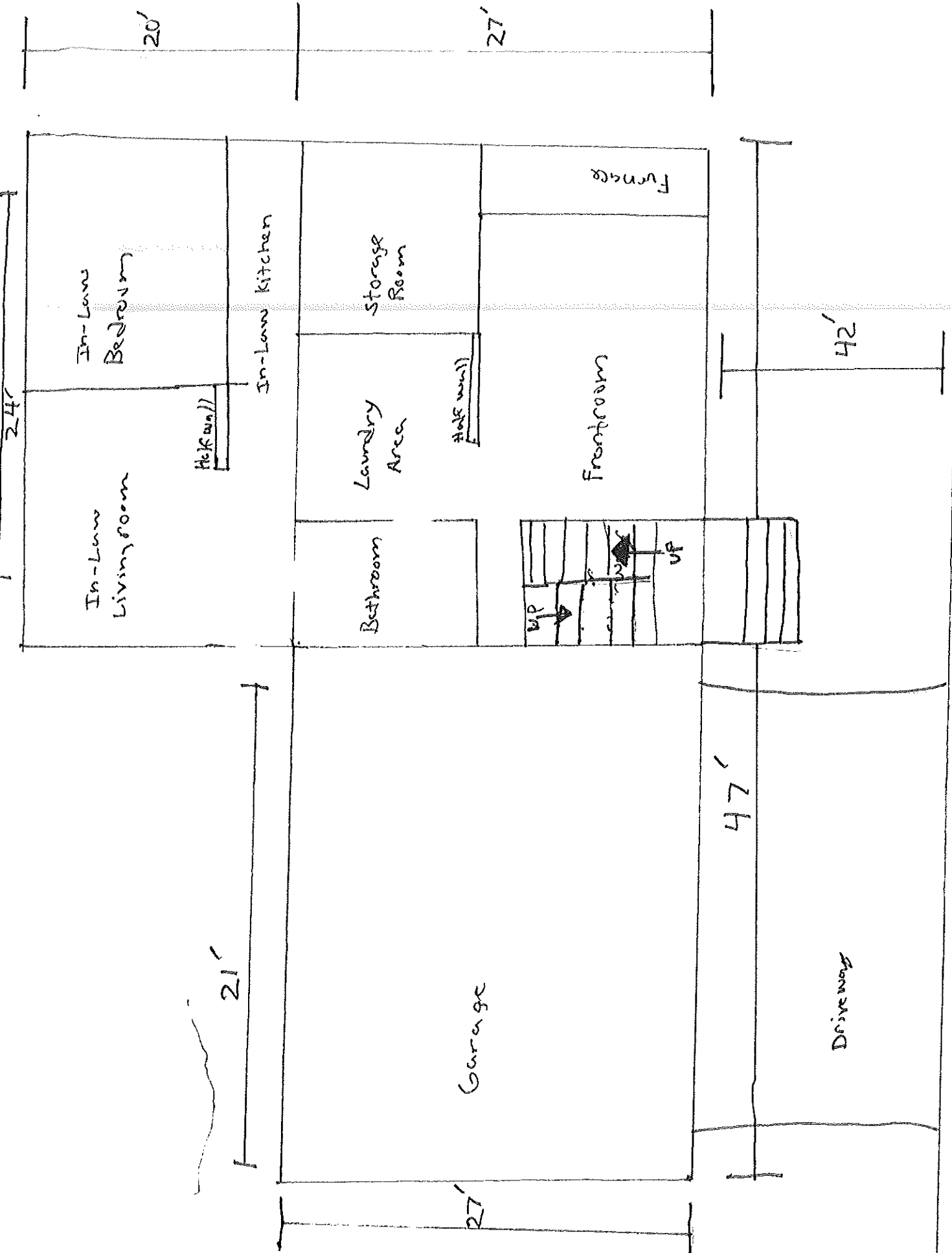
7/15/11

A-1 Existing Structure & Plot Plan

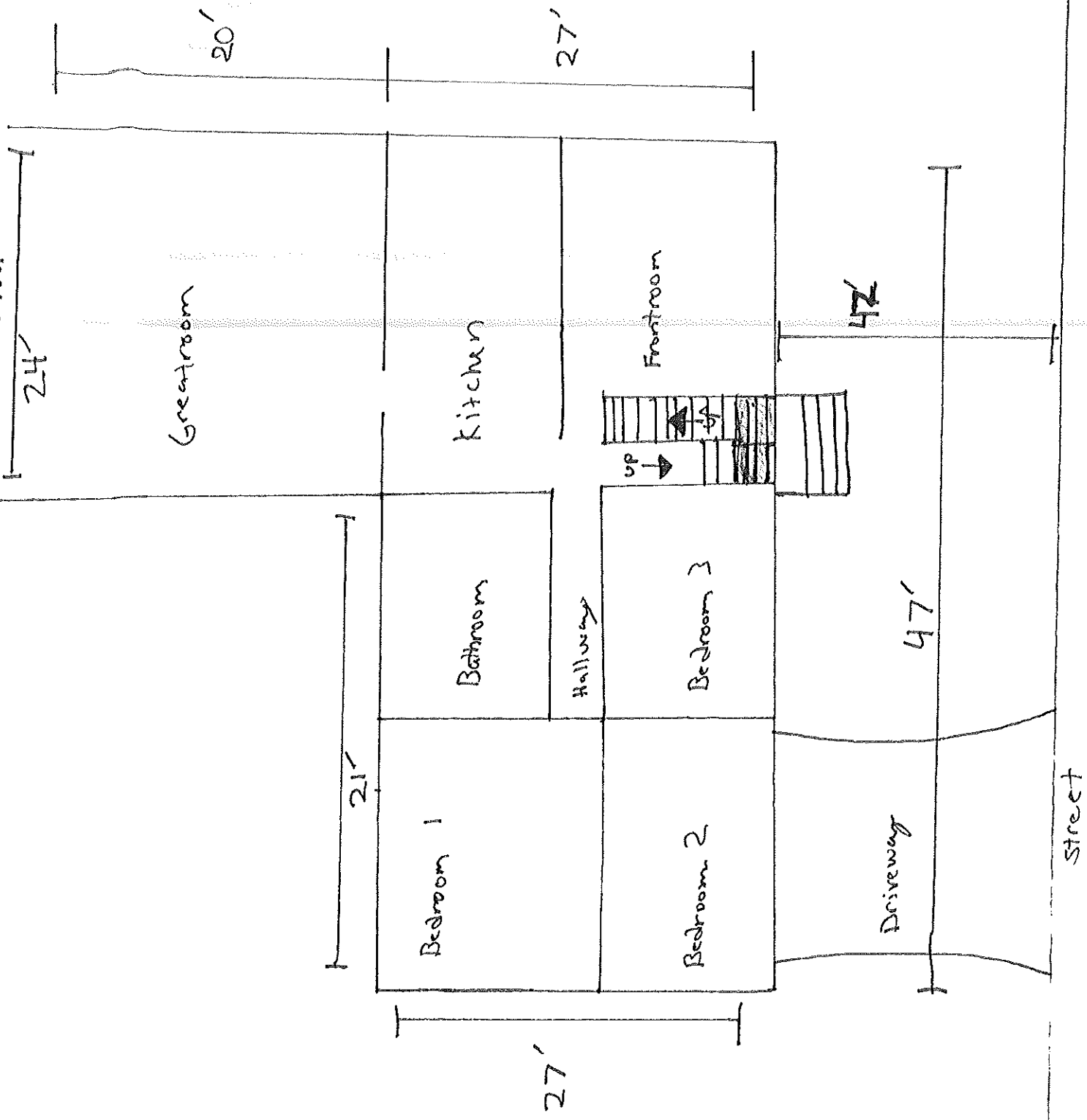


Copyright 2011 Esri. All rights reserved. Wed Jul 15 2011 08:09:45 AM.

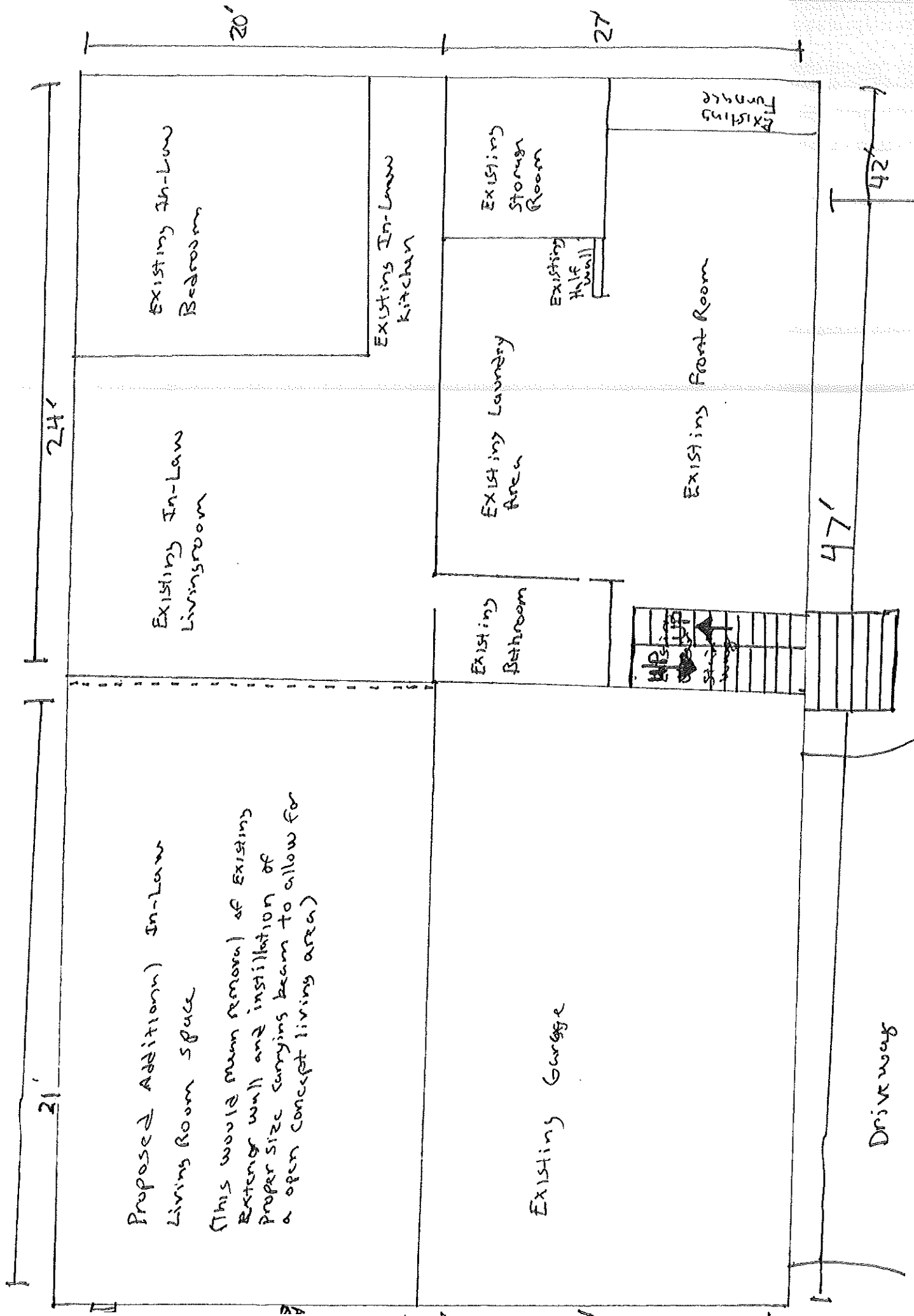
A-2a EXISTING FIRST FLOOR



A-3 Existing Second Floor



A-4 Existing First Floor with Proposed Living Space



Proposed Addition In-Law Living Room Space

(This would mean removal of existing exterior wall and installation of proper size carrying beam to allow for a open concept living area)

Existing In-Law Living Room

Existing In-Law Bedroom

Existing In-Law Kitchen

Existing Bathroom

Existing Laundry Area

Existing Storage Room

Existing Half Wall

Existing Front Room

Existing Terrace

Existing Garage

Driveway

21'

24'

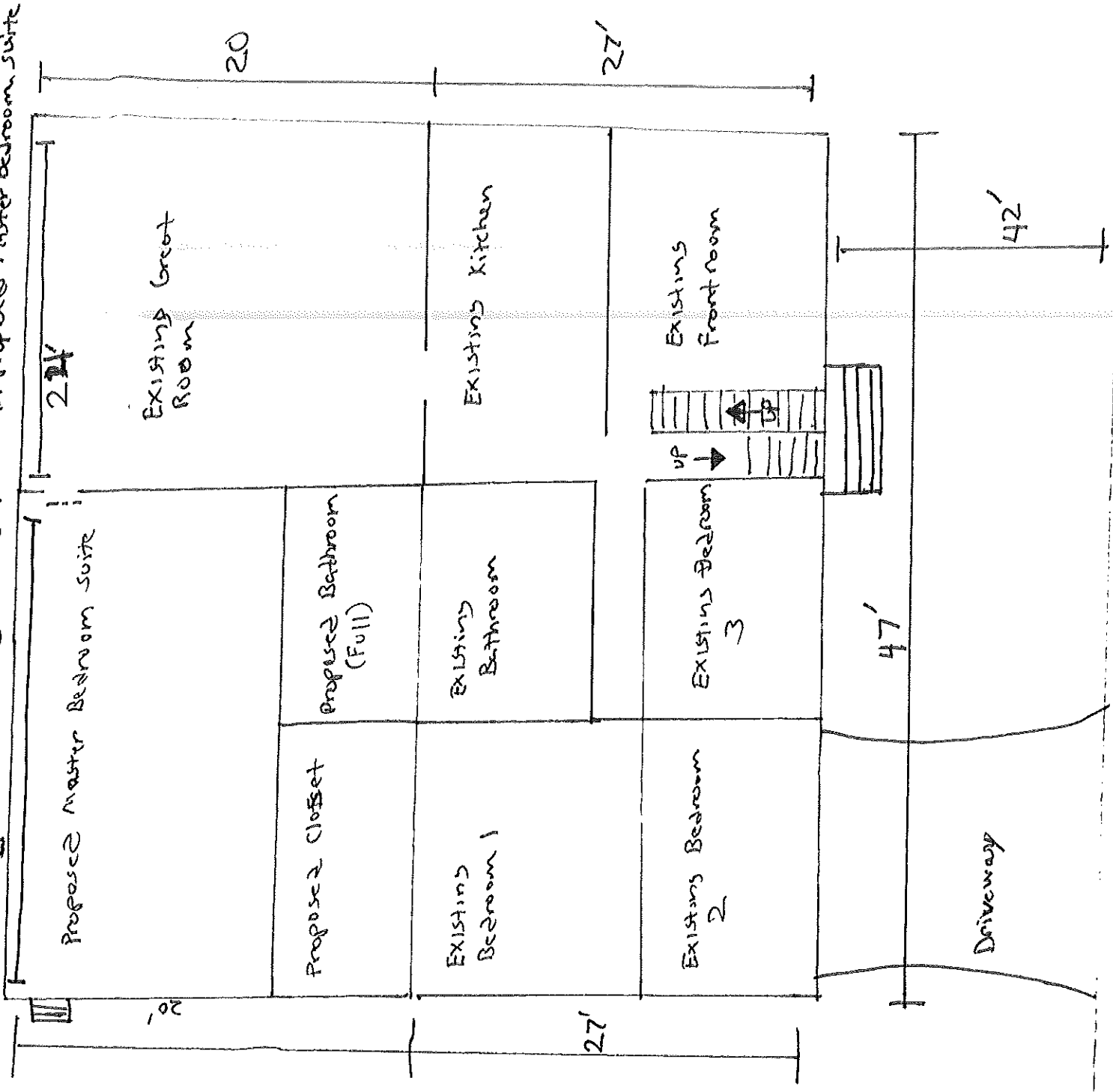
20'

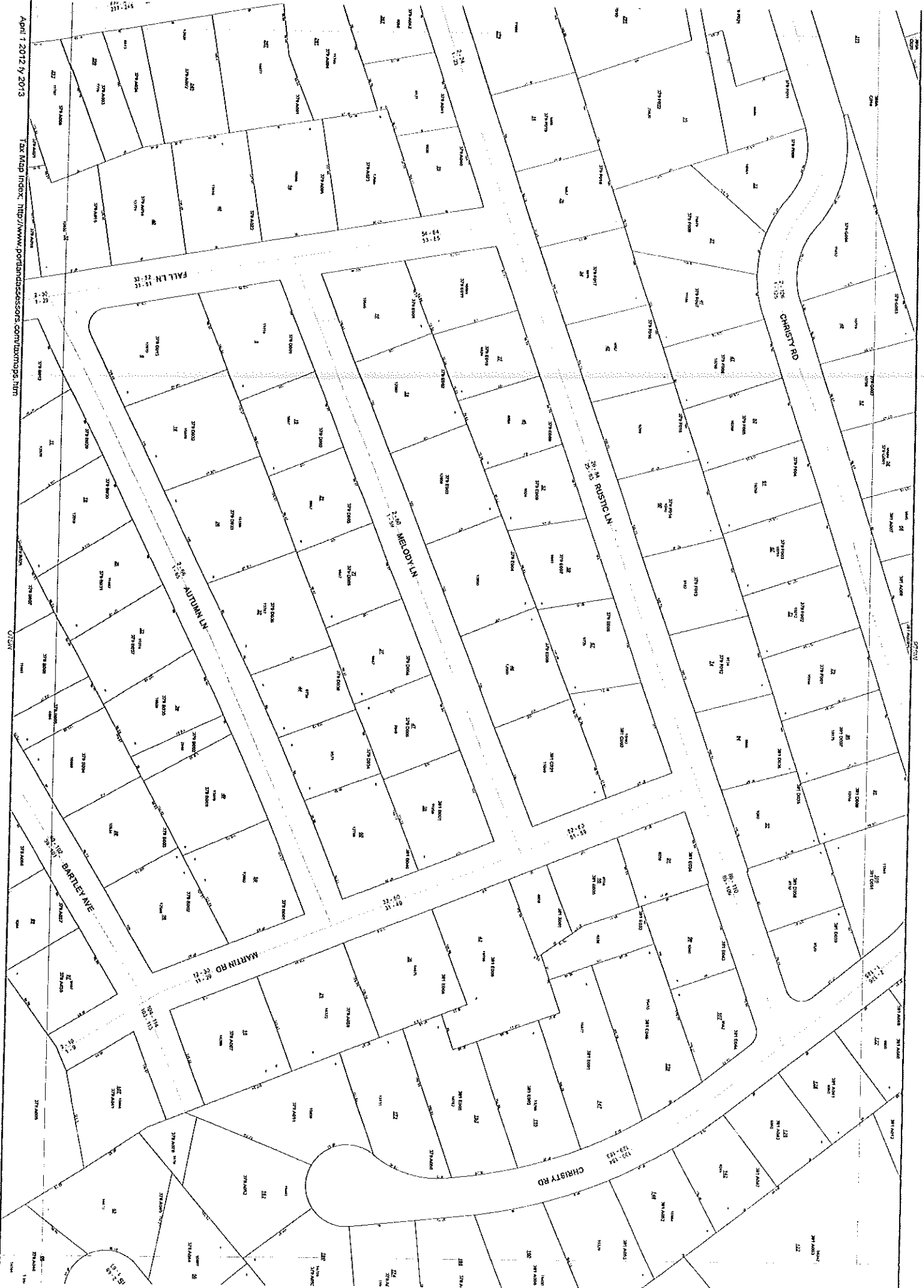
27'

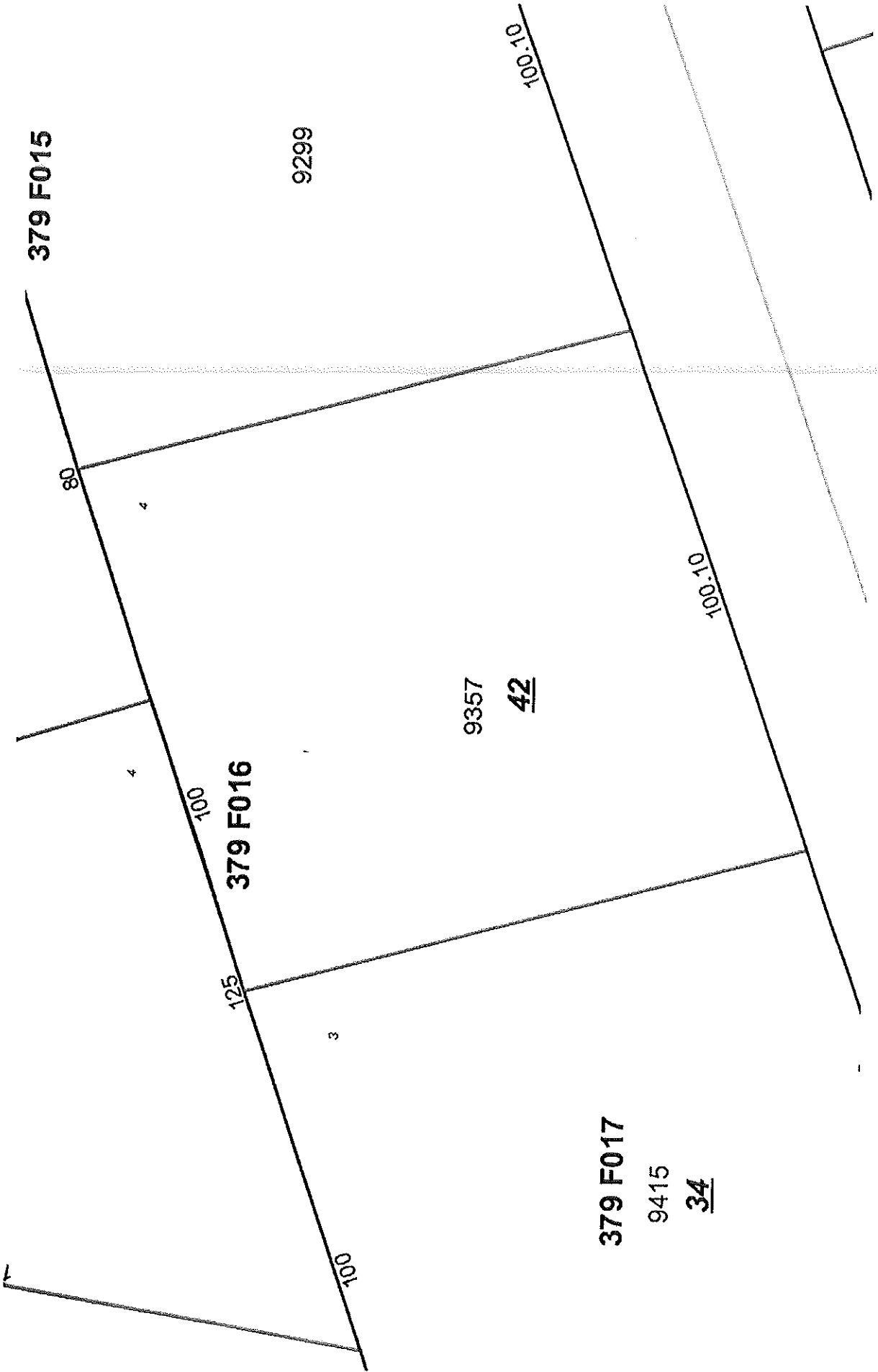
47'

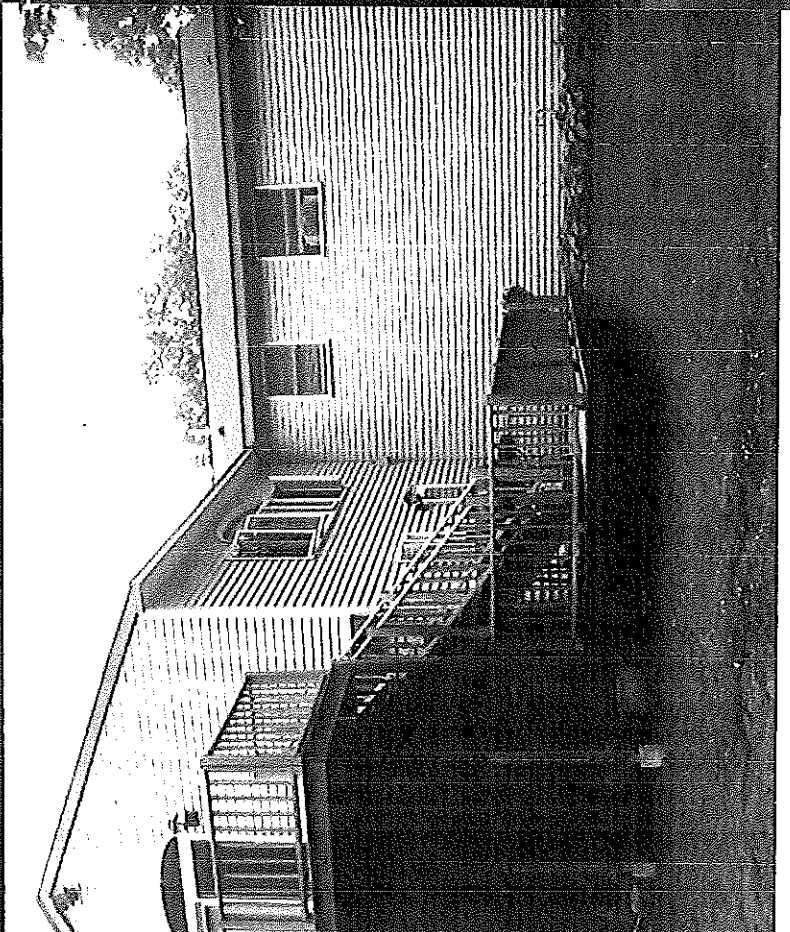
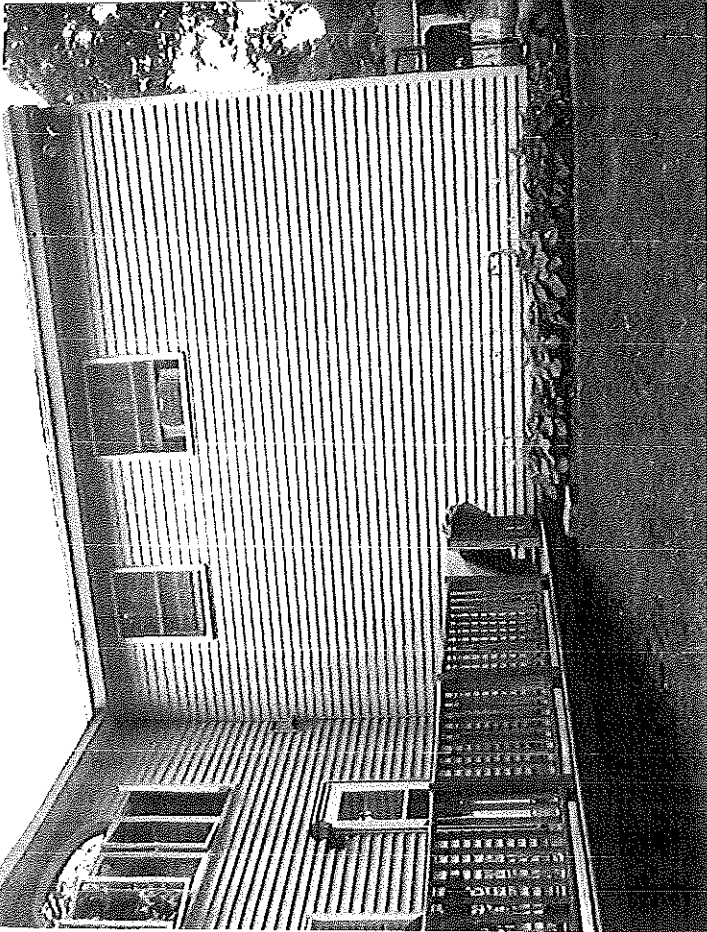
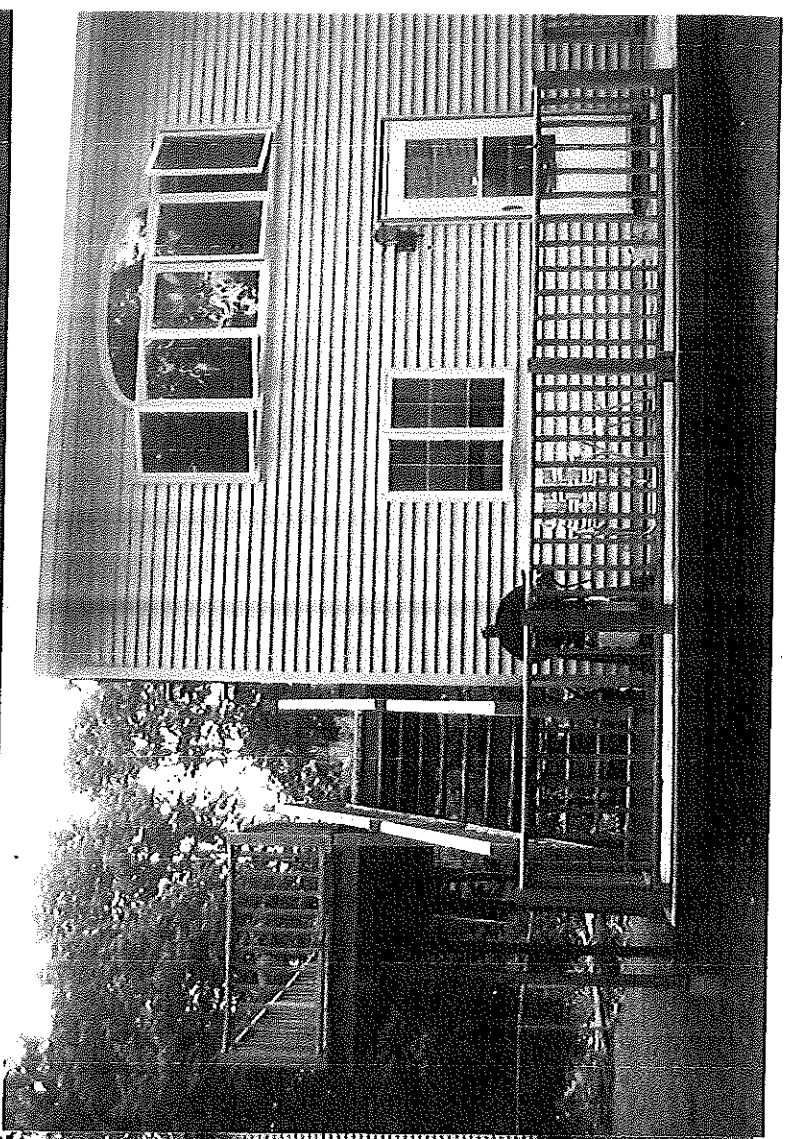
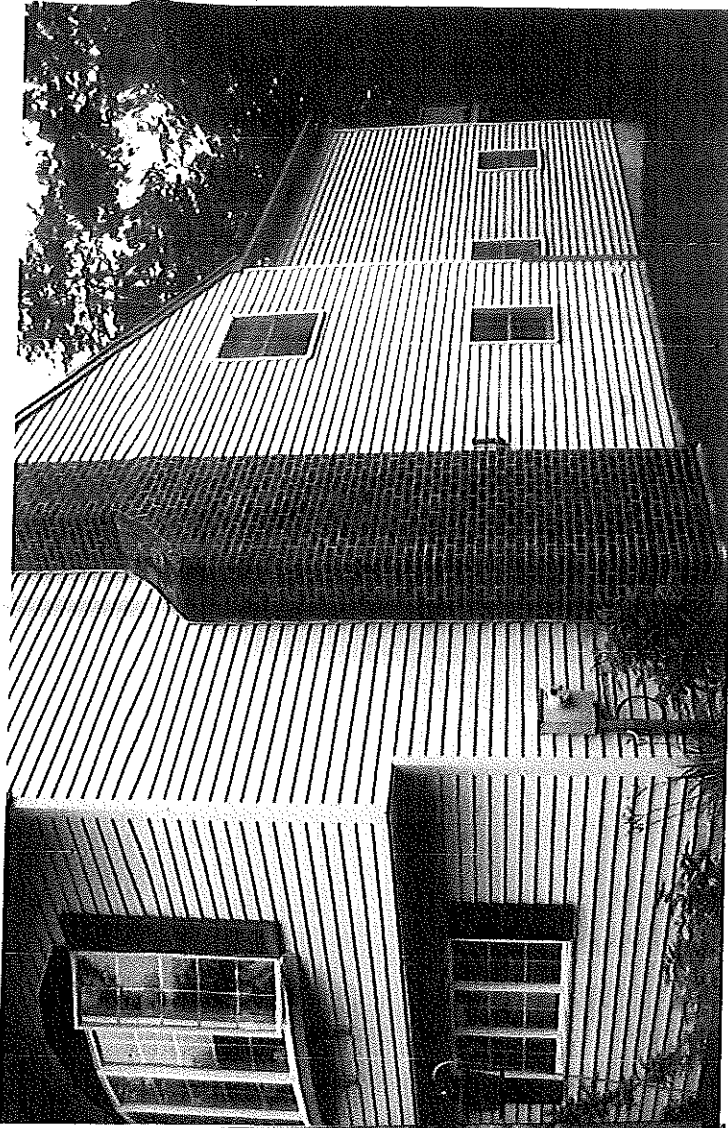
42'

21' A-5 Existing Second Floor with Proposed Master Bedroom Suite









Warranty Deed

FROM Christy & Small, Inc.
To Vincent A. DiFillipo, et al

DATED *September 1, 1977*

PROPERTY AT
Lot 42, Christy Road
Portland, Maine

FROM THE OFFICE OF
Verrill and Dana

ROBERTS OFFICE SUPPLY CO.
30 FREE STREET, PORTLAND, MAINE 04111

Form 106SS

SEP 6 1977

Know all Men by these Presents, That

CHRISTY & SMALL, INC., a Maine corporation with a place of business at Portland, County of Cumberland and State of Maine, and SUN SAVINGS AND LOAN ASSOCIATION, a Maine corporation with a place of business at said Portland, in consideration of one dollar and other valuable consideration paid by VINCENT A. DIFILLIPO and JOYCE A. DIFILLIPO, of the City of Portland, County of Cumberland and State of Maine

the receipt whereof it does hereby acknowledge, do es hereby give, grant, bargain, sell and convey unto the said

Vincent A. DiFillipo and Joyce A. DiFillipo, as joint tenants and not as tenants in common, a certain lot or parcel of land, with the buildings thereon, on the westerly side of Christy Road, situated in the City of Portland, County of Cumberland and State of Maine, and being Lot No. 42 as shown on the Revised Section D, Subdivision Registry of Deeds in Plan Book 116, Page 23.

Sun Savings & Loan Association joins in this deed, but not in the Agreements herein contained and not in the covenants or warranties against the encumbrance as to title but for the sole purpose of releasing the above described premises, but no more, from the operation of a mortgage given by Christy & Small, Inc. to Sun Savings and Loan Association dated May 12, 1977 and recorded in said Registry of Deeds in Book 4014, Page 233.

Being a portion of the same premises conveyed to the Grantor corporation herein by George E. Christy, et al, by deed dated March 28, 1977 and recorded in said Registry of Deeds in Book 3992, Page 233.

To Have and to Hold the aforementioned and bargained premises, with all the privileges and appurtenances thereof, to the said Vincent A. DiFillippo and Joyce A. DiFillippo, as joint tenants, not as tenants in common, heirs and assigns, to their use and behoof forever. And it do es covenant with the said Grantees, free of all incumbrances their heirs and assigns, that it is lawfully seized in fee of the premises; that they are Grantees to hold as aforesaid; and that it and its successors heirs and assigns shall and will warrant and defend the same to the said Grantee s, their heirs and assigns forever, against the lawful claims and demands of all persons.

In Witness Whereof, Christy & Small, Inc. and Sun Savings and Loan Association have caused this instrument to be sealed and executed by their duly authorized officers,

joining in this deed as Grantee xxx and relinquishing and copying premises; have hereto xxx xxx xxx and seal this first day of September 1977 in the year of our Lord one thousand nine hundred and seventy-seven

Signed, Sealed and Delivered in presence of

J. M. E. Th...

Christy & Small

By *G. E. Christy*
Its President
Sun Savings and Loan Association

By *G. E. Christy*
Its President

Portland, Maine
September 1, 1977
George E. Christy, President

State of Maine, Cumberland ss.
Personally appeared the above named
of said Christy & Small, Inc.

and acknowledged the foregoing instrument to be his free act and deed. in his said capacity and the free act and deed of said corporation

Before me, *Shelley E. ...*
NOTARY PUBLIC.
JUS SINE QUAERERE

STATE OF MAINE, CUMBERLAND COUNTY, SS.
Received SEP 6 1977 at 4 o'clock 09 m. P M., and recorded
in BOOK 4091 PAGE 294 Attest: *Shelley E. ...* Register.