

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

-Applicant Information:	Subject Property Information:
Linda Joyce	_31 Pineloch Dr. Portland
Name	Property Address
dba 3 NI Nail Studio	396-D-17
Business Name	Assessor's Reference (Chart-Block-Lot)
31 Pinelach Dr.	
Address	Property Owner (if different):
Portland, ME 04103	
	Name
207 - 878 - 1714 N/A	
Telephone Fax	Address
Applicant's Right, Title or Interest in Subject Property:	
Owner	
(e.g. owner, purchaser, etc.):	Telephone Fax
Q_{α}	4.2
Current Zoning Designation:K	Conditional Use Authorized by Section 14 - 410
Existing Use of Property:	Type of Conditional Use Proposed:
Sinale Family	Home Occupation
	Nail Studio
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	
(b) There will be all adverse impact upon the health, sai	cty, or wellare or the public of the surrounding area, and
(c) Such impact differs substantially from the impact whi	ch 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.

Signature of Applicant

Date

The Zoning Board of Appeals City of Portland 389 Congress Street Portland, ME 04101

Dear Board Members:

I am appealing before the Board to allow me the use of my residence at 31 Pineloch Drive for a home occupation. I intend to open a Nail Studio, performing manicures, pedicures and artificial Gel nail overlays. Although, this home occupation is not listed in paragraph (b) of Section 14-410 of the Portland Zoning Ordinance, I believe it is similar to and no more objectionable than a Hairdresser, which is an approved home occupation in item (b) of Section 14-410. The following is an explanation of how my home occupation meets the criteria listed under item (a) of Section 14-410:

- 1. My home occupation will occupy approximately 160 square feet of floor area of the residence, which is less than the 500 square feet allowance.

 No goods will be stored display the stored display to the square feet allowance.
- 2. No goods will be stored, displayed, or be visible from outside the residence.
- 3. Storage of the material necessary to perform my occupation is minimal and will be stored within the square footage of floor space mentioned in item (1) above.
- 4. There will be no external signage related to my home occupation.
- 5. No exterior alterations to the residence are necessary.
- 6. There will only be one client at a time that will need to park, as I am the only employee and can only service one person at a time. Parking is available in my doublewide driveway which runs adjacent to my house and is off the street and not in the front yard.
- 7. No objectionable effects will result from my home occupation. There is no noise, except from the bubbling sound of a footbath. No vibrations of any kind. No smoke. There is minimal dust, equivalent to nail filings. The Gel overlay that will be used is odorless. I will not be producing any kind of heat, humidity, glare, or any other kind of objectionable effects.
- **8.** I will be the only employee of the home occupation.
- 9. There will be no more traffic generated by the home occupation than if I had a visitor
- 10. No vehicles even nearing a gross vehicle weight of 6000 pounds are necessary for my home occupation.

As you can see, my home occupation is a secondary use of my residence and falls within the criteria under Section 14-410 of the Portland Zoning Ordinance. The external activity level, health, safety, and welfare of the public or the surrounding area are not compromised by this kind of occupation, and is keeping within the residential character of the neighborhood.

To clarify the services I will be providing a little further: manicures and pedicures consist of soaking the hands and feet, cutting, filing and shaping the nails, applying message creams to the hands and feet and then polishing; Gel overlays are a form of artificial nails where a gel substance is painted on the nails, cured with an ultra violet light, then painted for a finished look. These are the three services that I intend to practice in my Nail Studio, hence the name, 3 N 1 Nail Studio.

Thank you for your time and consideration.

Respectfully submitted by,

Linda R. Joyce

MORTGAGE LOAN INSPECTION PLAN

S HERITAGE BANK TS TITLE INSURER

THE BUILDING SETBACKS ARE CONFORMITY WITH THE IN ZONING REQUIREMENTS THE DWELLING DOES NOT FALL THIN THE SPECIAL FLOOD HAZARD AREA AS DELINIATED BY F.E.M.A.

THE LAND DOES NOT FALL WITHIN THE SPECIAL FLOOD HAZARD AREA AS DELINIATED BY F.E.M.A. ON COMMUNITY/PANEL # 230051 0002C

LOCUS ADDRESS

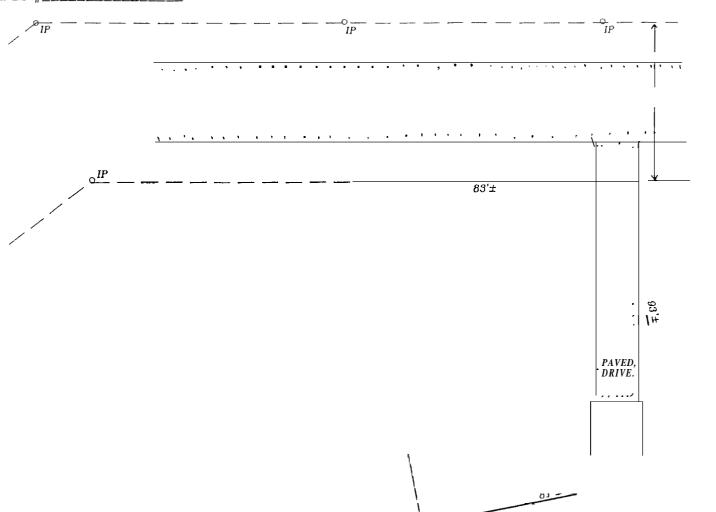
PINELOCH DRIVE PORTLAND, MAINE

BUYERS: JOHN & LINDA JOYCE

SELLER: LINDA STODDARD

NORTHEASTERN LAND SURVEYING 134 SCHOOL STREET GORHAM, MAINE 04038 PHONE (207) 839-2090 FAX (207) 839-6361

JOR NUMBER 135-52 INSPECTION DATE _____6-10-99 SCALE: 1" = 30'



THIS IS NOT A BOUNDARY SURVEY ID IS NOT FOR RECORDING PURPOSES. THIS PLAN MAY NOT

REFERENCES

PURPOSES. THIS PLAN MAY NOT PLAN BOOK 55 PAGE 60 LOT 8
REVEAL CONFLICTS WITH ABUTTING
DEEDS. THE PROPERTY IS SUBJECT TO DEED BOOK 10797 PAGE 187
ALL RIGHTS, COVENANTS. RESTRICTIONS.

AND EASEMENTS OF RECORD.

COUNTY CUMBERLAND

DRAWN BY GRRS

