

CITY OF PORTLAND
BOARD OF APPEALS

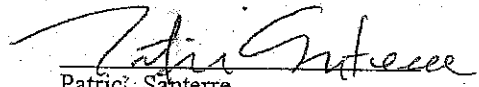
Received
Recorded Register of Deeds
Dec 10, 2002 11:54:39A
Cumberland County
John B. O'Brien

CERTIFICATE OF VARIANCE APPROVAL

I, Patrick Santerre, the duly appointed, qualified and acting Chair of the Board of Appeals of the City of Portland in County of Cumberland and State of Maine, hereby certify that on the 19th day of September, 2002, the following variance was granted, pursuant to the provisions of 30-A M.R.S.A., § 348 and Portland's Land Use Ordinances.

1. Property Owners. John F. McGonagle and Kathleen Hayes.
2. Location. 10 Marlborough Road, Portland, ME.
3. Registry of Deeds. Cumberland County Registry of Deeds: Book 5032, Page 214, and Book 9907, Page 22.
4. Portland's Assessor's Maps. Chart 409, Block F, Lots 7,8,9,12 and 13.
5. Variance Approved.
 - (a.) The board granted relief from Port. Mun. Code, section 14-453 (Stream Protection Zone) to permit a setback of 48 feet from the high water mark, instead of the 75 foot setback required by the ordinance.
 - (b.) The two-level deck depicted on the plans filed with the application may be erected, but that structure shall conform to the side setback requirement of eight feet.
6. Conditions of the Variance. The variance was granted subject to the following conditions:
 - (a) The deck which is authorized by the variance may not increase the floor area nor the volume of the existing structure by more than 30 per cent (30%).
 - (b) The deck authorized by this section will be deemed to be the "one-time expansion" authorized by Port. Mun. Code, section 14-453.
 - (c) The future enclosure of the said deck is deemed to be permitted by this variance.
7. Recording of Variances. Pursuant to 30-A M.R.S.A., § 4353 (5), this Certificate must be recorded in the Cumberland County Registry of Deeds within 90 days from the date of the final written approval of the variance or the variance will be void.
8. Proof of Recording. The owners shall provide the Zoning Administrator with a copy of the Certificate which bears evidence of its being recorded.

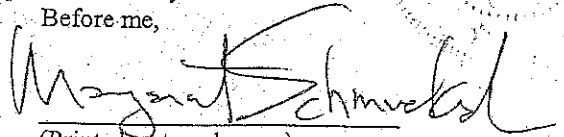
In Witness Whereof, I have hereto set my hands and seals this 19th day of ~~October~~ ^{SEPTEMBER}, 2002.


Patrick Santerre
Chair, Portland Board of Appeals

STATE OF MAINE
Cumberland, SS

Then personally appeared the above-named Patrick Santerre and acknowledged the above Certificate to be his free act and deed in his said capacity as Chair of the Board of Appeals of the City of Portland.

Before me,



(Printed or typed name)
Attorney at Law Notary Public

term expires June 28, 2005

