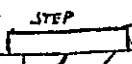


PLAN FOR LIQUEL PLAN
ISLAND AVE. PEARL
ROPER. 12'

25'

2"x6" JOIST WITH 2"x4" BOX
4"x4" POST TO HOUSE



DOOR TO
REPLACE
WINDOW

ONEWAY DOOR
EXIT ONLY
STAIRS TO GROUND
2ND + FIRE EXIT FOR TOP FLOOR

LIVING ROOM

variance
not included

25'

2"x6" JOIST WITH 2"x8" BOX
4"x4" POST TO HOUSE

STEP

Door To
REPLACE
WINDOW

4" STEEL POST APPROX. 20' HIGH

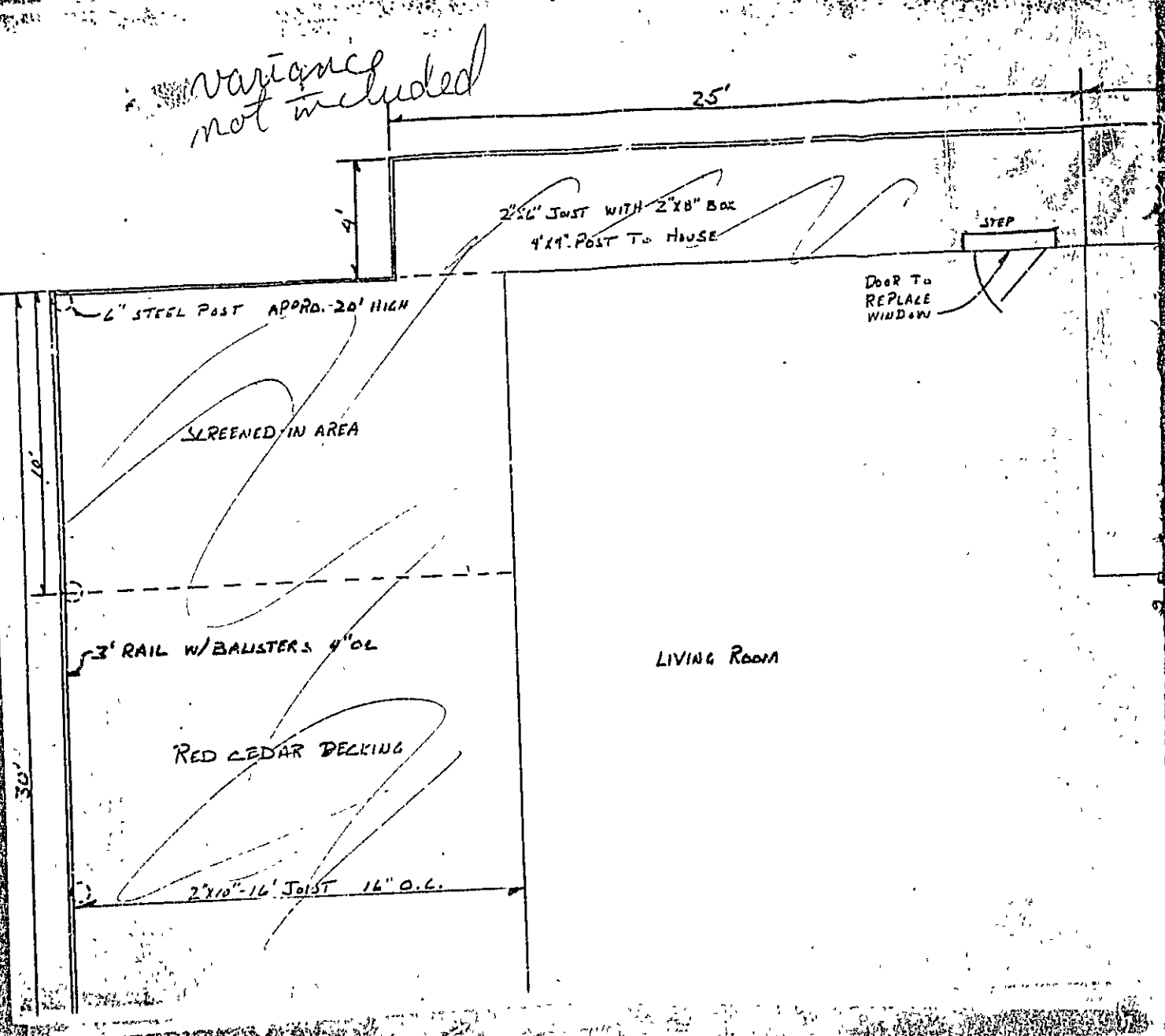
SCREENED IN AREA

3' RAIL W/ BALUSTERS 4" O.C.

LIVING ROOM

RED CEDAR DECKING

2"x10"-16' JOIST 16" O.C.



LIONEL PLANTE ASSOCIATES

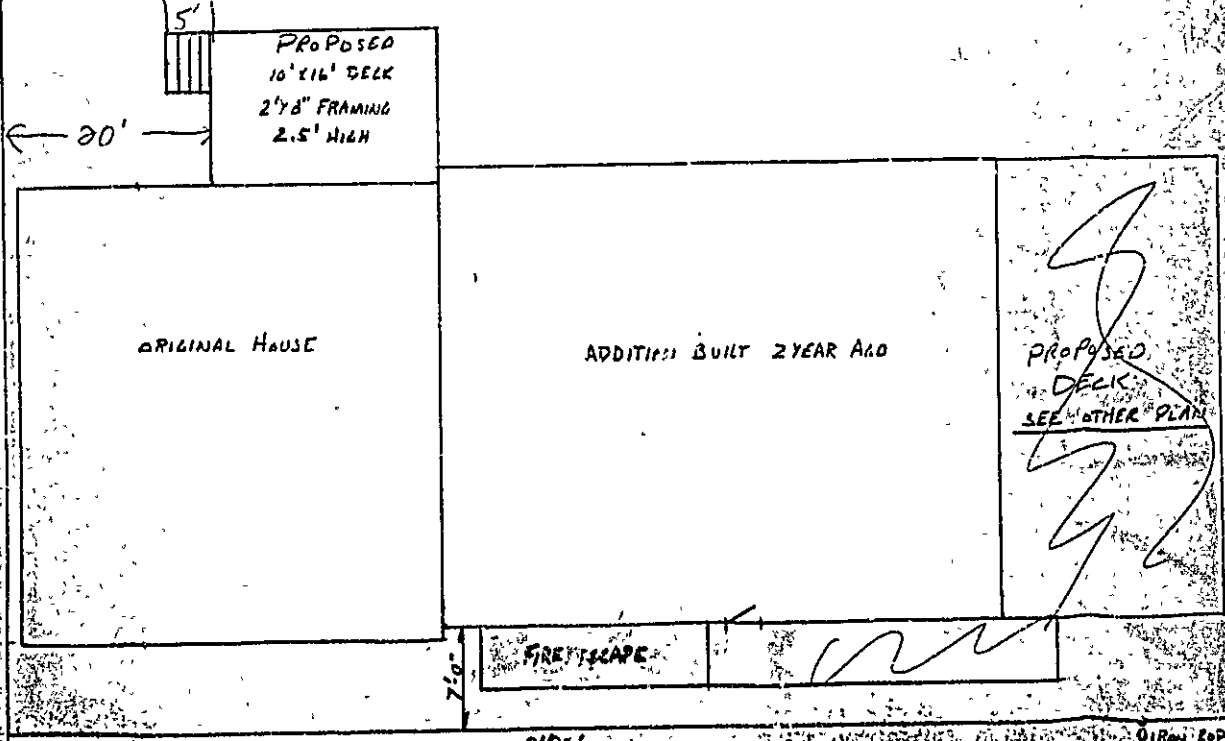
CATHERINE E PLANTE

87-00-31

98 ISLAND

LAND
AVE

113'-2"



LIONEL PLANTE ASSOCIATES

CATHERINE E PLANTE

87-00-31

98 ISLAND AVE P.I. 0408

*not included
variances*

ADDITION BUILT 2 YEAR AGO

PROPOSED
DECK
SEE OTHER PLAN

FIRE EIGHT

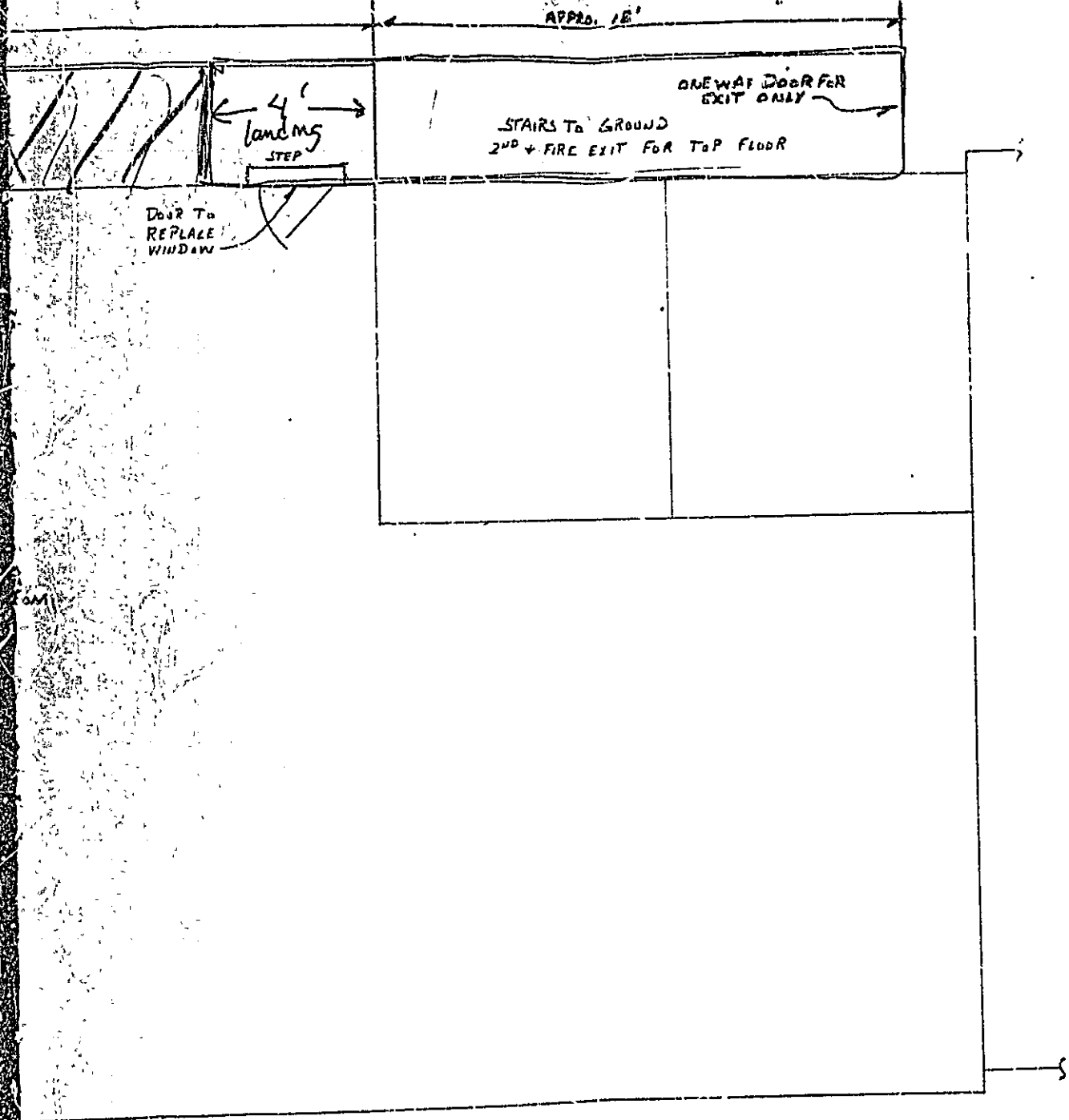
81.00'

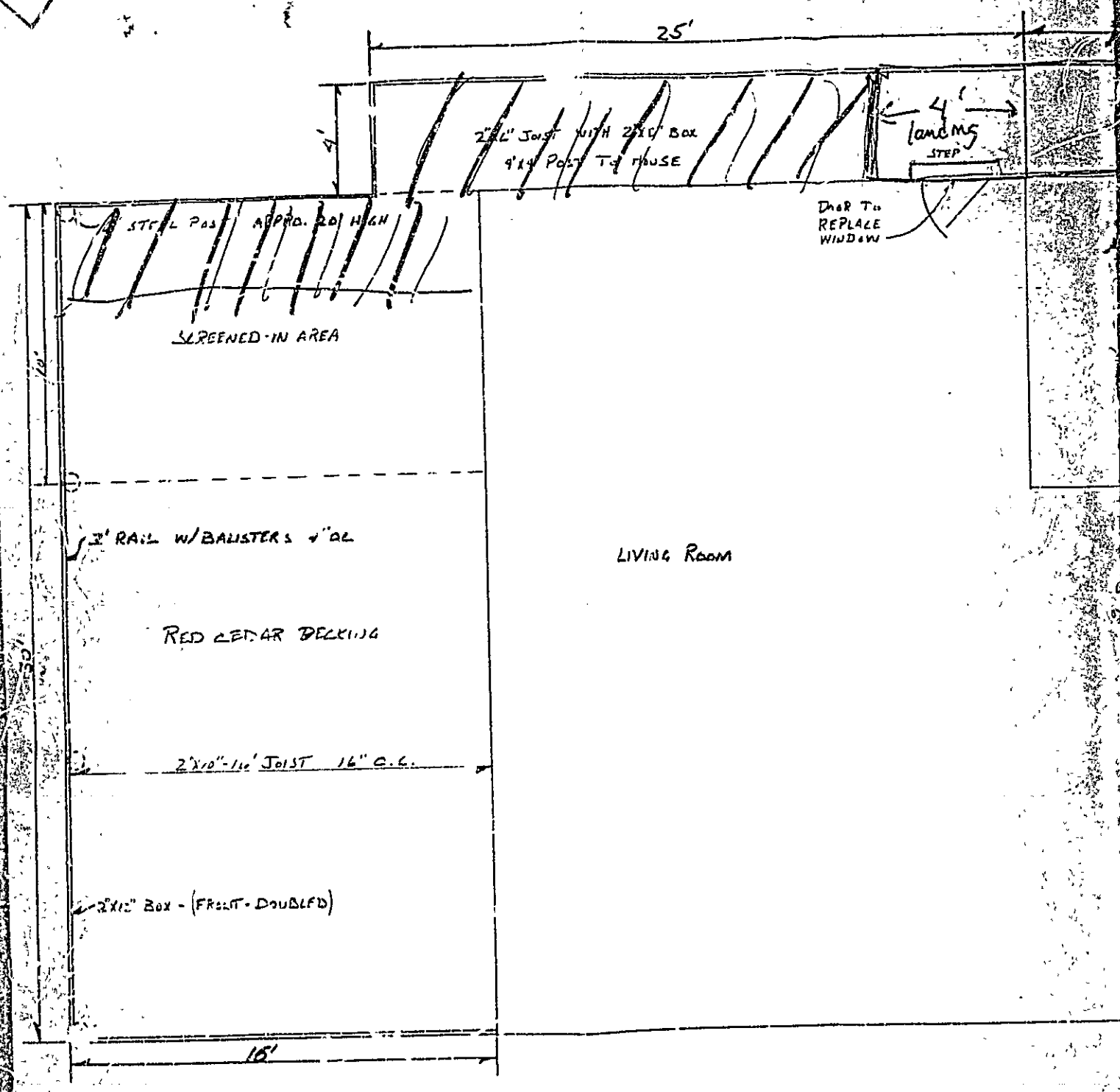
81.00' EOP

72.00'

EXHIBIT A

PLAN FOR LIONEL FLAITS ASSO.
ISLAND AVE. PEAK ISLAND
APPRO. 15'





25'

4'

2x12 Joist WITH 2x12 BOX
9x9 POST TO HOUSE

4'
LANDING
STEP

DOOR TO
REPLACE
WINDOW

STEEL POST APPROX. 20' HIGH

SCREENED-IN AREA

3' RAIL W/ BALUSTERS 4" Ø

LIVING ROOM

RED CEDAR DECKING

2x10-116' JOIST 16" C.C.

2x12 BOX - (FRONT-DOUBLE)

16'

LAND
AVE

113.2'



PROPOSED
10' x 16' DECK
1" x 8" FRAMING
2.5' HIGH

ORIGINAL HOUSE

ADDITION BUILT 2 YEAR AGO

PROPOSED
DECK
SEE OTHER PLAN

FIRE ESCAPE

7.0'

81.0'

01/10/00 SP

72

PLAN FOR LIONEL PLANTS ASSO.
ISLAND AVE. PEAK ISLAND
APPRO. 18'

25'

16" Box
HOUSE

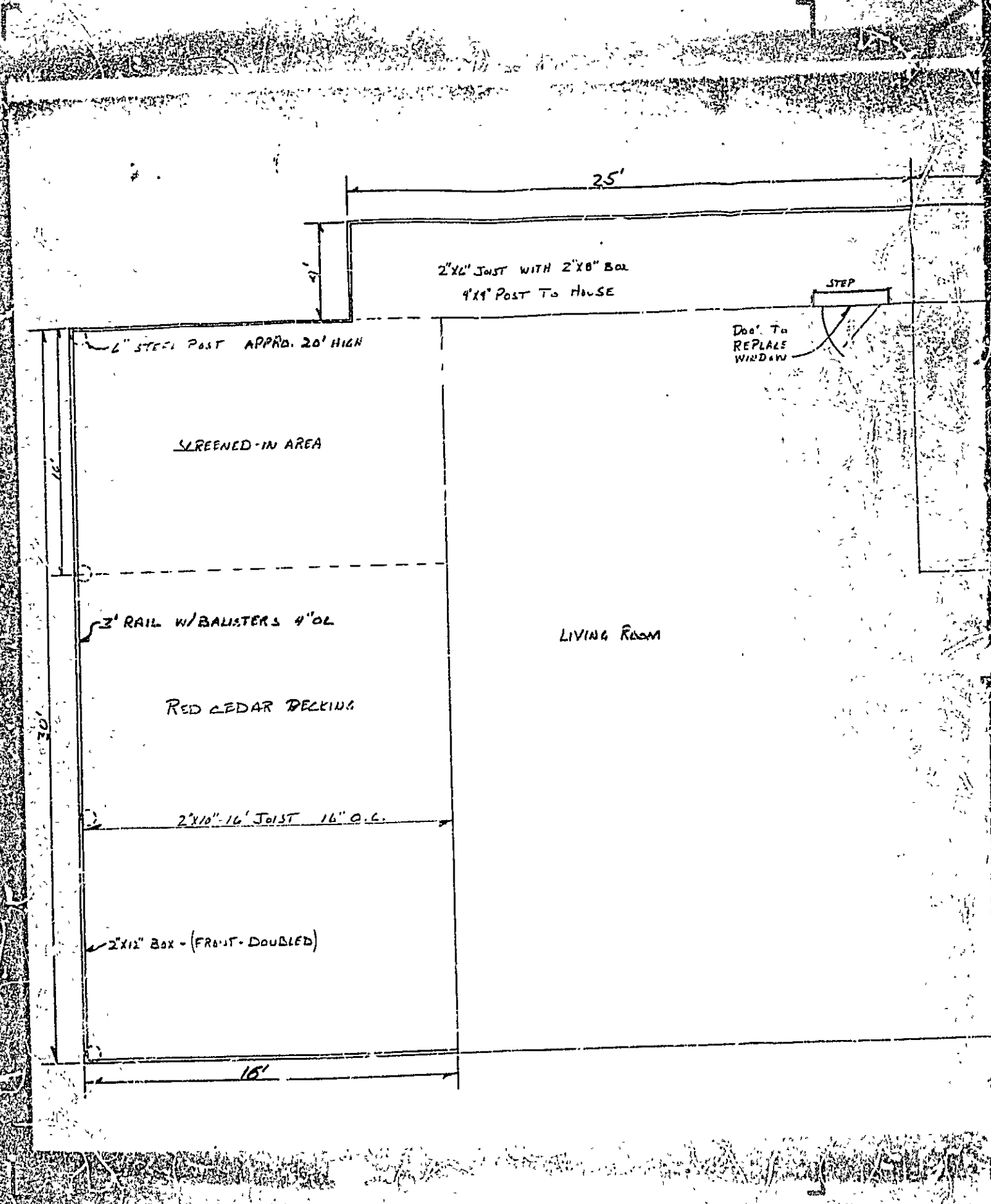
ONEWAY DOOR FOR
EXIT ONLY

STAIRS TO GROUND
2ND & FIRE EXIT FOR TOP FLOOR

STEP

DOOR TO
REPLACE
WINDOW

Room



25'

2"X12" JOIST WITH 2"X8" BOX
4"X4" POST TO HOUSE

STEP

DOOR TO
REPLACE
WINDOW

2" STEEL POST APPROX. 20' HIGH

SCREENED-IN AREA

3" RAIL W/ BALUSTERS 4" O.D.

RED CEDAR DECKING

LIVING ROOM

2"X10"-16' JOIST 16" O.C.

2"X12" BOX - (FRONT DOUBLED)

15'

20'

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS



MERRILL S. SELTZER
Chairman
JOYCE K. NICHOLS
Secretary
PETER F. MCPELLI
THOMAS E. JEWELL
DAVID L. SILVERMAN
MICHAEL J. WESTBURY
CRAIG B. PIRMAN

98 Island Avenue
Peaks Island

October 31, 1989

Mrs. Catherine Plante
98 Island Avenue
Peaks Island, Maine 04108

Dear Mrs. Plante:

Your request for a space and bulk variance for your building at 98 Island Avenue in the I-B Island Business Zone on Peaks Island is acknowledged. We understand that you wish to obtain approval of a variance to permit construction of a fire escape on the northerly side of your building.

In order to install a fire escape, a variance for side yard setback will be required. Section 14-26f (3)c of the City Zoning Ordinance requires a ten (10) foot side yard setback for principal buildings.

We shall schedule your public hearing for the review of your variance request for Thursday evening, November 16, 1989, at 3:30 P.M. in Room 209, City Hall, Portland, Maine. A copy of the agenda for that meeting will be sent to you as soon as printed copies become available for distribution.

Sincerely,

Warren J. Turner
Warren J. Turner
Administrative Assistant

cc: Merrill S. Seltzer, Chairman, Board of Appeals
Joseph E. Gray, Jr., Director, Planning & Urban Development
P. Samuel Hoffses, Chief, Inspection Services
Arthur Adjato, Code Enforcement Officer
William D. Giroux, Zoning Enforcement Officer
Charles A. Lane, Associate Corporation Counsel

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS



98 Island Avenue
Peaks Island

MERRILL S. SELTZER
Chairman
JOHN C. KNOX
Secretary
PETER F. NOPELLI
THOMAS F. JEWELL
DAVID L. SILVERMAN
MICHAEL E. TESTORY
CHRISTOPHER LINAN

November 17, 1989

Mrs. Catherine Plante
98 Island Avenue
Peaks Island, Maine 04108

Dear Mrs. Plante:

At the meeting of the Board of Appeals on Thursday evening, November 16th, the Board voted by a vote of three in favor to three opposed to result in a tie vote on your proposed space and bulk variance for a side yard setback for a four by four platform and a fire escape on the northerly side of your building in the I-R Island Business Zone on Island Avenue, Peaks Island.

As a result of this tie vote, no majority was expressed by the Board's action, which requires a four vote in order to decide an issue. Therefore, as a result, your space and bulk variance request was postponed automatically to the next regular meeting of the Board of Appeals on Thursday, December 14, 1989. As soon as copies of the agenda for that meeting become available, you will be sent an agenda giving the time for the continuation of this public hearing regarding your space and bulk variance request.

Sincerely,

Warren J. Turner
Warren J. Turner
Administrative Assistant

cc: Merrill S. Seltzer, Chairman, Board of Appeals
Joseph E. Gray, Jr., Director, Planning & Urban Development
P. Samuel Hoffes, Chief, Inspection Services
Arthur Addato, Code Enforcement Officer
William D. Giroux, Zoning Enforcement Officer
Charles A. Lane, Associate Corporation Counsel

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS



98 Island Avenue
Peaks Island

MERRILL R. SELTZER
Chairman

JOHN C. KNOX
Secretary

PETER F. MORELLI
THOMAS F. JEWELL
DAVID L. SILVERNAIL
MICHAEL E. WESTORT
CHRISTOPHER DINAN

December 15, 1989

Mrs. Catherine Plante
98 Island Avenue
Peaks Island, Maine 04108

Dear Mrs. Plante:

At the meeting of the Board of Appeals on Thursday evening, December 14, 1989, the Board voted by a vote of four in favor to three opposed to grant your space and bulk variance request for a fire escape on the northerly side of your building in the I-B Island Business Zone. The proposed use was limited by the Board to the fire escape and landing (4 ft. by 4 ft.) and stairway to the ground toward the front of the building. The plot plan was amended by the Board to show the aforementioned condition of approval.

The enclosed certificate of variance must be recorded within thirty (30) days following the approval of the variance at the Cumberland County Registry of Deeds in accordance with 30 Maine Revised Statutes Annotated Section 4963, for the variance to be valid. This is also subject to the limitations set forth in Section 14-474 of the City of Portland's Zoning Ordinance.

Please proceed to apply for a building permit as soon as possible for the fire escape subject to the condition placed on it by the Board of Appeals. This will involve a reduced cost estimate from that initially indicated in your request for variance.

Sincerely,

Warren J. Turner

Warren J. Turner
Administrative Assistant

Enclosure: Certificate of Variance and Copy of Board's Decision

cc: Merrill S. Seltzer, Chairman, Board of Appeals
Joseph E. Gray, Jr., Director, Planning & Urban Development
P. Samuel Hoffses, Chief, Inspection Services
Arthur Addato, Code Enforcement Officer
William D. Giroux, Zoning Enforcement Officer
Charles A. Lane, Associate Corporation Counsel



CITY OF PORTLAND

VARIANCE APPEAL

APPLICATION

Applicant's name and address: Catherine E Plante
78 Island Ave E.C.

Applicant's interest in property (e.g., owner, purchaser, etc.):
Owner

Owner's name and address (if different): _____

Address of property (or Assessor's chart, block and lot number):
87-00-31

Zone: EB Present use: Laundromat
+ apartment

Variance from: Section 14- 226(3)c side yard setback
to permit fire escape.

NOTE: If site plan approval is required, attach preliminary or final site plan.

The undersigned hereby makes application for a variance as above-described, and certifies that all information herein supplied by him is true and correct to the best of his knowledge and belief.

Dated: October 10, 1989 Catherine E Plante
Signature of Applicant

October 10, 1987

City of Portland
Board of Appeals
389 Congress Street
Portland, Maine 04101

Dear Board Members:

I, Catherine E. Plante, request a variance of setback requirements for the purpose of constructing a fire escape on my home at 98 Island Avenue, Peaks Island. I feel this situation meets the undue hardship requirements as follows:

A. The land involved is a seven foot wide alley not suitable for any other use but ideally suited for a fire escape route.

B. The unique construction of this combination business/home building dictates the need for a fire escape on the north side of the structure due to the commercial gas dryers on the south wall of the laundromat and the 24' drop to the garage area on the west side. The north side terrain elevation is much higher and would result in a shorter drop to safety of only 12' with an immediate egress route to the street; a major consideration if attending to a disabled person.

C. The fire escape would be in an unused alley and almost invisible to passersby and would not alter the essential character of the locality in the least.

D. The original footprint of the main building is over 100 years old. The addition constructed two years ago was built over the existing foundation. There has never been a fire escape on the building.

A recent appraisal by my insurance company and last years evaluation by the Peaks Island Public Safety firemen, both concluded that I really should have an alternate means of escape from the building. I would like to take the prudent step of constructing a fire escape but consultation with my contractor and firemen both conclude that the north wall is the only feasible place to construct an alternate escape route, hence the need for a variance.

Sincerely,

Catherine E. Plante
Catherine E. Plante

Applicant: ^{E.} Mrs. Catherine Plante et al Date: November 6, 1989
Address: 98 Deland Ave, Peaks Island
Assessor's No.: 82-00-31
84-P-1-8-9

CHECK LIST AGAINST ZONING ORDINANCE

Date -

Zone Location - IB zone

Interior or corner lot - Interior (Rearfront)

Use - 2 apts, garage & laundry

Sewage Disposal -

Rear Yards -

Side Yards - 7 foot

Front Yards -

Projections -

Height - 2 story

Lot Area - 49,59 sq ft.

Building Area - 31,125 sq ft.

Area per Family - 3 @ 440 sq ft (Frats)

Width of Lot - 73.5'

Lot Frontage - 73.5'

Off-street Parking -

Loading Bays -

Site Plan -

Shoreland Zoning -

Flood Plains -

L \$ 13,140

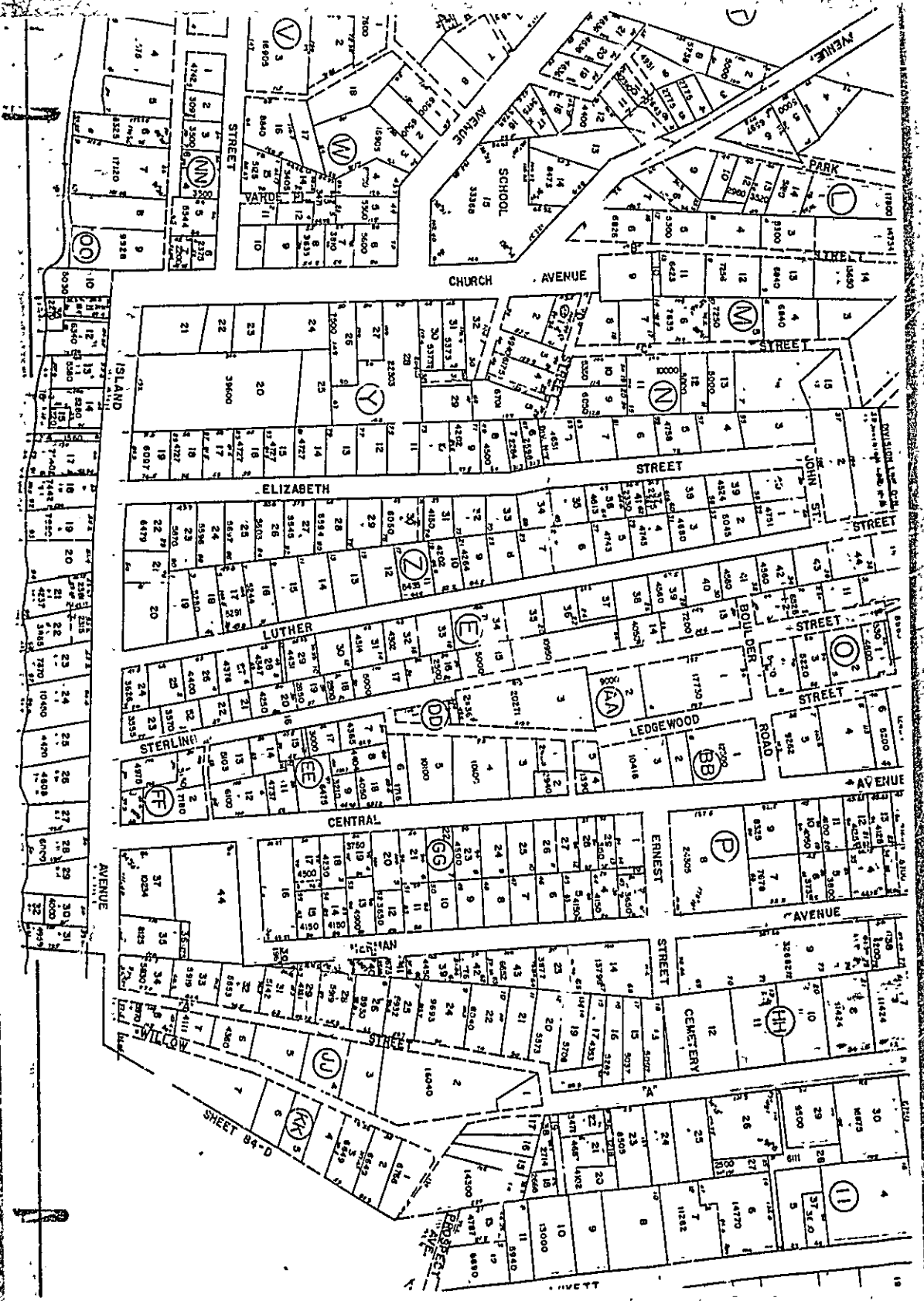
B 88,250

T 101,390

and other Properties

'89-'90
Taxes

\$ 3,523.30



CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS



MERRILL J. SELTZER
Chairman

JOHN C. KNOX
Secretary

PETER F. MOREL J.
THOMAS F. JEWEL
DAVID L. SILVEY
MICHAEL E. WESTGAT
CHRISTOPHER DIMAN

98 Island Avenue, Peaks Island

All persons interested either for or against this Space & Bulk Variance will be heard at a public hearing in Room 209, City Hall, Portland, Maine on Thursday afternoon, November 16, 1989 at 3:30 P.M. This notice of required public hearing has been sent to the owners of property directly abutting and directly across a street or alley from the property as required by the Ordinance.

Mrs. Catherine Plants, owner of the property at 98 Island Avenue, Peaks Island, under the provisions of Section 14-473(c)1 of the Zoning Ordinance of the City of Portland, Maine hereby respectfully petitions the Board of Appeals to permit construction of a fire escape on the Northerly side of the existing building. Section 14-226 (3)c of the City Zoning Ordinance requires a ten (10) foot side yard setback for principal buildings.

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals finds that the conditions imposed by Section 14-473(c)1 of the Zoning Ordinance have been met.

John C. Knox
Secretary

/s/
10/23/89

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS



MERRILL S. GELTZER
Chairman

JOHN C. KNOX
Secretary

PETER F. MORELLI
THOMAS F. JEWELL
DAVID L. JERNAIL
MICHAEL E. WYSTONT
CHRISTOPHER JINAN

98 Island Ave., Peaks Island

All persons interested either for or against this Space & Bulk Variance will be heard at a public hearing in Room 209, City Hall, Portland, Maine on Thursday evening, December 14, 1989 at 7:00 P.M. This notice of required public hearing has been sent to the owners of property directly abutting and directly across a street or alley from the property as required by the Ordinance. This appeal was postponed from the November 16th meeting because of a tie vote. A majority of four votes is required for a decision.

Mrs. Catherine Plante, owner of the property at 98 Island Avenue, Peaks Island, under the provisions of Section 14-473(c)1 of the Zoning Ordinance of the City of Portland, Maine hereby respectfully petitions the Board of Appeals to permit construction of a fire escape on the northerly side of the existing building. Section 14-226 (3)c of the City Zoning Ordinance requires a ten (10) foot side yard setback for principal buildings.

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals finds that the conditions imposed by Section 14-473(c)1 of the Zoning Ordinance have been met.

John C. Knox
Secretary

/el
11/20/89



CITY OF PORTLAND

VARIANCE APPEAL

APPLICATION

Applicant's name and address: Anthony E. Plante
97 Island Ave S.E.

Applicant's interest in property (e.g., owner, purchaser, etc.):
Owner

Owner's name and address (if different): _____

Address of property (or Assessor's chart, block and lot number):
87-00-31

Zon: E-B Present use: Laundromat + apartment

Variance from: Section 14- 226(a) c sign yard setback to permit fire escape

NOTE: If site plan approval is required, attach preliminary or final site plan.

The undersigned hereby makes application for a variance as above-described, and certifies that all information herein supplied by him is true and correct to the best of his knowledge and belief.

Dated: October 10, 1981 Anthony E. Plante
Signature of Applicant

CERTIFICATE OF VARIANCE APPROVAL

I, MERRILL S. SELTZER, the duly appointed Chairman of the Board of Zoning Appeals for the City of Portland, Cumberland County and State of Maine, hereby certify that on the 14th day of December, 1989, the following variance was granted pursuant to the provisions of 30 M.R.S.A. § 4963 and the City of Portland's Code of Ordinances.

1. Property Owner: Mrs. Catherine Plante
90 Island Avenue, Peaks Island, Maine
2. Property: Cumberland County Registry Book 3217,
Page 51. (Last recorded 3/23/72 Deed in Chain of Title).
3. Variance and Conditions of Variance: A space and bulk variance was granted by the Board of Appeals by a vote of four in favor to three opposed for the construction of a fire escape from a 4 ft. by 4 ft. landing toward the street in the I-B Island Business Zone, in a side yard setback of only seven feet on North side.

IN WITNESS WHEREOF, I have hereto set my hand and seal this 20th day of December, 1989.

Merrill S. Seltzer
MERRILL S. SELTZER, Chairman

MERRILL S. SELTZER, CHAIRMAN
(Printed or Typed Name)

STATE OF MAINE
Cumberland, ss.

Then personally appeared the above-named Merrill S. Seltzer and acknowledged the above certificate to be his/her free act and deed in his/her capacity as Chairman of the Portland Board of Zoning Appeals.

Margaret Schmeckal
MARGARET SCHMECKAL
NOTARY PUBLIC, MAINE
MY COMMISSION EXPIRES JUNE 28, 1991
(Printed or Typed Name)
Notary Public

PURSUANT TO 30 M.R.S.A. § 4963, THIS CERTIFICATE MUST BE RECORDED BY THE PROPERTY OWNER IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS WITHIN 30 DAYS OF THE GRANTING OF THE VARIANCE FOR THE VARIANCE TO BE VALID. FURTHERMORE, THIS VARIANCE IS SUBJECT TO THE LIMITATIONS SET FORTH IN SECTION 14-474 OF THE CITY OF PORTLAND'S CODE OF ORDINANCE.

12-14-89

FINDINGS OF FACT
ALL APPEALS

TYPE OF APPEAL Varies + Bulk

1. Name of Applicant Catherine Plante
2. Address of Applicant 98 Island Ave Peaks Island
3. Right of applicant to appeal.
Owner Owner
- Option to Purchase _____
4. Location of property under appeal 98 Island Ave.
5. Zone in which the property is located IB
6. Present use of property Runway + 2 apt
7. Proposed use if the appeal is granted.

addition of fire escape and landing

8. Names and addresses of those appearing in support of the application:

Catherine Plante

9. Names and addresses of those appearing in opposition to the application:

10. Listing of the documentary evidence presented to the Board (e.g., plans, photos, maps, etc.)

VARIANCES

A variance may be granted if the Board finds that it will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the Ordinance would result in "undue hardship". The following questions must all be answered, with supporting findings of fact, in order to grant the appeal.

1. Can the land yield a reasonable return (not the highest return) without the granting of a variance?

Yes 3 (deny the appeal)
No 4

Reasons (including evidence) _____

2. Are there factors which are unique to this property, and not to the general conditions of the neighborhood, which create a need for a variance?

Yes 467
No 0 (deny the appeal)

Reasons (including evidence) _____

3. Will the granting of the variance alter the essential character of the locality?

Yes 0 (deny the appeal)
No 7

Reasons (including evidence) _____

4. Is the hardship a result of action taken by the applicant or a prior owner (self-created hardship)?

Yes 3 (deny the appeal)
No 4

Reasons (including evidence) _____

If the appeal is granted, does the Board wish to impose conditions which will further the intent and purpose of this Ordinance?

Yes _____

No _____

Specific Conditions amended to be limited to the
fire escape and landing (4' x 4') and stairway to

Reasons to ground

Date of Public Hearing Dec. 14, 1989

Motion _____

(including conditions and findings of fact) _____

Votes in Favor -

John C. King
Robert J. Morelli
Thomas Jewell
Christopher C. Alina

Votes Opposed -

Michael White
Marshall [unclear]
David [unclear]

FINDINGS OF FACT
ALL APPEALS

TYPE OF APPEAL Space and Bulk Variance

1. Name of Applicant: Mrs Catherine E. Plantestals
2. Address of Applicant: 98 Island Ave Peaks Island 04108
3. Right of applicant to appeal.
Owner Owner

Option to Purchase _____

4. Location of property under appeal 98 Island Ave, Peaks Island
5. Zone in which the property is located T-B Island Business
6. Present use of property Business use and shops
7. Proposed use if the appeal is granted.

Fis except + landing

8. Names and addresses of those appearing in support of the application:

<u>Coleman Mulken</u>	<u>Catherine Plante</u>
<u>Terry Mulken</u>	

9. Names and addresses of those appearing in opposition to the application:

10. Listing of the documentary evidence presented to the Board (e.g., plans, photos, maps, etc.)

VARIANCES

A variance may be granted if the Board finds that it will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the Ordinance would result in "undue hardship". The following questions must all be answered, with supporting findings of fact, in order to grant the appeal.

1. Can the land yield a reasonable return (not the highest return) without the granting of a variance?
Yes 2 (deny the appeal)
No 3
Reasons (including evidence) _____

2. Are there factors which are unique to this _____, and not to the general conditions of the neighborhood, which create a need for a variance?
Yes 0
No 0 (deny the appeal)
Reasons (including evidence) _____

3. Will the granting of the variance alter the essential character of the locality?
Yes 0 (deny the appeal)
No 0
Reasons (including evidence) _____

4. Is the hardship a result of action taken by the applicant or a prior owner (self-created hardship)?
Yes 3 (deny the appeal)
No 3
Reasons (including evidence) _____

If the appeal is granted, does the Board wish to impose conditions which will further the intent and purpose of this Ordinance?

Yes _____
No _____

5-4-81

1 no

Specific Conditions Violations to be limited to the

fire escape and loading as outlined on

Reasons plans in the record

specifically on 4' 6" landing and stairway to the

Date of Public Hearing 11/16/89

Motion Denial

(including conditions and findings of fact)

Votes In Favor 3

Wm. C. Knott

John F. Morell

Thomas Jewell

Votes Opposed 7

David Sheynal

Mark E. Wright

Marshall D. [unclear]

SB 87-00-31

Catherine Plante
98 Island Ave Peaks &

87-00-30

E & T Assoc
45 Market St 04/10/1

87-00-32

87-HH-34

Alan E Hubert
Island Ave Peaks 04/08

HH-35 Appel

H-H-37

Roman Catholic Bishop of Portland
510 Orono Ave 04/08

84-P-1

Appel

P-2

Alice MacVage & Joseph A. Pappo
Cottage Farms
Cape Elizabeth ME 04/07

87-HH-36

Appel

H-H-37

Roman Cath. Dup

H-H-34

Roman Cath. Dup

H-H-33

Carl & Gretchen H Hall
Pine Hill Peaks 04/08