

56

Bernard
Rd

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS



56 Bernard Road

JOHN C. KNOX

MATTHEW D. MANAHAN
THOMAS F. JEWELL
RAY M. JOHNSON
WILLIAM E. NELESKI, Jr.
REBECCA SARGENT
MICHAEL E. WESTORT

All persons interested either for or against this Conditional Use Appeal will be heard at a public hearing in Room 209, City Hall, Portland, Maine on Thursday evening, March 25, 1993 at 7:00 p.m. This notice of required public hearing has been sent to the owners of the property within 500 feet of the property in question as required by the Ordinance.

Mrs. Darlene Napolitano, owner of the property located at 56 Bernard Road, under the provisions of Section 14-474 of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board of Appeals to permit a change of use of the single family dwelling with day care for eight children at the above-named location to a one family dwelling with a day care for twelve children. This Appeal was postponed from the meeting of March 11, 1993.

LEGAL BASIS OF APPEAL: Such permit may be granted if the Board of Appeals finds that the conditions imposed by Section 14-474 of the Zoning Ordinance have been met.

John C. Knox
Chairman

/e1

2/18/93
3/15/93

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April 5, 1993

RE: 56 Bernerd Road

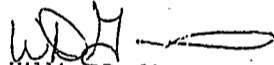
Mrs. Darlene Napolitano
56 Bernard Road
Portland, Maine 04103

Dear Mrs. Napolitano:

As you know, at its meeting of March 25, 1993, the Board of Appeals voted to permit a change of use of the above-named property from a single family dwelling with day care for eight children to single family dwelling with day care for twelve children.

A copy of the Board's decision is enclosed.

Sincerely,


William D. Giroux
Zoning Administrator

/el

Enclosure

cc: Joseph E. Gray, Jr., Director of Planning and Urban Development
P. Samuel Hoffses, Chief of Inspection Services
Arthur Rowe, Code Enforcement Officer



CITY OF PORTLAND

CONDITIONAL USE APPEAL

DECISION

For the Record

Names and addresses of witnesses (proponents, opponents and others):

Anthony Napolitano

Exhibits admitted (e.g., renderings, reports, etc.):

Findings of Fact

1. The proposed conditional use is (circle one) not (circle one) permitted under Section 14-88 of the Zoning Ordinance, for the following reason(s): 6
2. The proposed conditional use does (circle one) does not (circle one) meet all special standards, conditions or requirements, if any, applicable thereto, for the following reason(s): 6
- 3-A. There are are not (circle one) unique or distinctive characteristics or effects associated with the proposed conditional use, for the following reason(s): 6
- 3-B. There will will not (circle one) be an adverse impact on the health, safety or welfare of the public or the surrounding area, for the following reason(s): 6

3-C. The impact does/does not (circle one) differ substantially from the impact which would normally occur from such a use in that zone, for the following reason(s): NA

Conclusion*

After public hearing on 3/25, 19 93, and for the reasons above-stated, the accompanying application is hereby (check one)

6 granted.

granted subject to the following condition(s):

denied.

Dated: 3/25, 19 93 [Signature]
Secretary of the Board

* The application may be denied only if EITHER the finding for #1 or 2 above is in the negative OR the findings for #'s 3-A, 3-B and 3-C above are each in the affirmative.

PLANCBL
KCOTE

City of Portland, Maine
Department of Planning & Urban Development

04 FEB 91
09:24

INVALID CURSOR POSITION

CBL Listing for Post Cards: Format - (CCC-1-BB-LLL)
Fill with '*' for all C - Chart ? - Chart letter B - Block L - Lot

436-A

437-A

437-B

437-C

437-D

437-E

Continue

Cancel

Done

Liz

56 Bernard Rd.

~~307~~ E-1
437

Please

157

91

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS



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RAY M. JOHNSON
JOHN C. KNOX
MATTHEW D. MANAHAN
WILLIAM E. NELESKI
REBECCA SARGENT
MICHAEL E. WESTORT

February 18, 1993

RE: 56 Bernard Road

Mrs. Darlene Napolitano
56 Bernard Rd.
Portland, Maine 04103


Dear Mrs. Napolitano:

Receipt of your application for a conditional use appeal regarding a change of use from single family with day care for eight children to single family with day care for twelve children at 56 Bernard Road, is acknowledged.

This appeal will be scheduled for review before the Board of Appeals on Thursday evening, March 11, 1993, at 7:00 P.M. in Room 209, City Hall, Portland, Maine. We hope that you will plan to attend to answer any questions which the Board members may have concerning this appeal.

We will send you a copy of the March 11th agenda as soon as copies become available for distribution.

Sincerely,


William D. Giroux
Zoning Administrator

/el

cc: John C. Knox, Chairman, Board of Appeals
Joseph E. Gray, Jr., Director of Planning and Urban Development
P. Samuel Hoffses, Chief of Inspection Services
Charles A. Lane, Associate Corporation Counsel
Arthur Rowe, Code Enforcement Officer

56 Bernard Road

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Mrs. Darlene Hapolitano, owner of the property located at 56 Bernard Road, under the provisions of Section 14-474 of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board of Appeals to permit a change of use of the single family dwelling with day care for either children at the above-named location to a one family dwelling with a day care for twelve children.

LEGAL BASIS OF APPEAL: Such permit may be granted if the Board of Appeals finds that the conditions imposed by Section 14-474 of the Zoning Ordinance have been met.

John C. Knox
Chairman

10
10
SHEET 155A-A



SAMUEL

BERNARD

EDGEWOOD

BEECHWOOD

CHESLEY

OAKWOOD

BERRY

SHEET 437-C

SHEET 152-A

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CONDITIONAL USE APPEAL APPLICATION

Applicant's name and address: Davina Napolitano
56 Bernard Rd Portland ME 04103

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

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

Address of property and Assessor's chart, block and lot number:
56 Bernard Rd

Zone: R-3 Present use: Home - Daycare

Type of conditional use proposed: In Home Daycare 8-12 Children

Conditional use authorized by: Section 14- 884)C

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 certifies that all information herein supplied by him/her is true and correct to the best of his/her knowledge and belief.

Date: 2/11/93 Davina Napolitano
Signature of Applicant

February 11, 1993

Dear Board of Appeals:

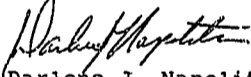
I would like to apply for a conditional use permit, to operate an in home Daycare for 8-12 children in my home. I have my Daycare operators license through the State of Maine & have already been a Daycare Provider for 4 years.

This year at renewal time the State has informed me that I now need a permit through the City to operate an in home daycare.

I am located at 56 Bernard Rd., an R-3 Zone, which I am told allows in home business, therefore I am applying for the required permit.

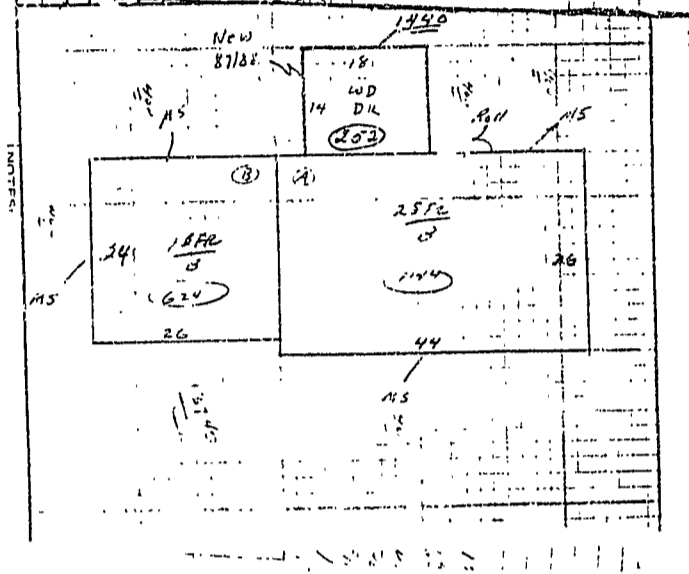
Thank you for your help with this matter.

Sincerely,



Darlene J. Napolitano

that a proposed use is a conditional use under this
ditional use permit shall be granted unless the board
or distinctive characteristics or effects
upon the health, safety, or
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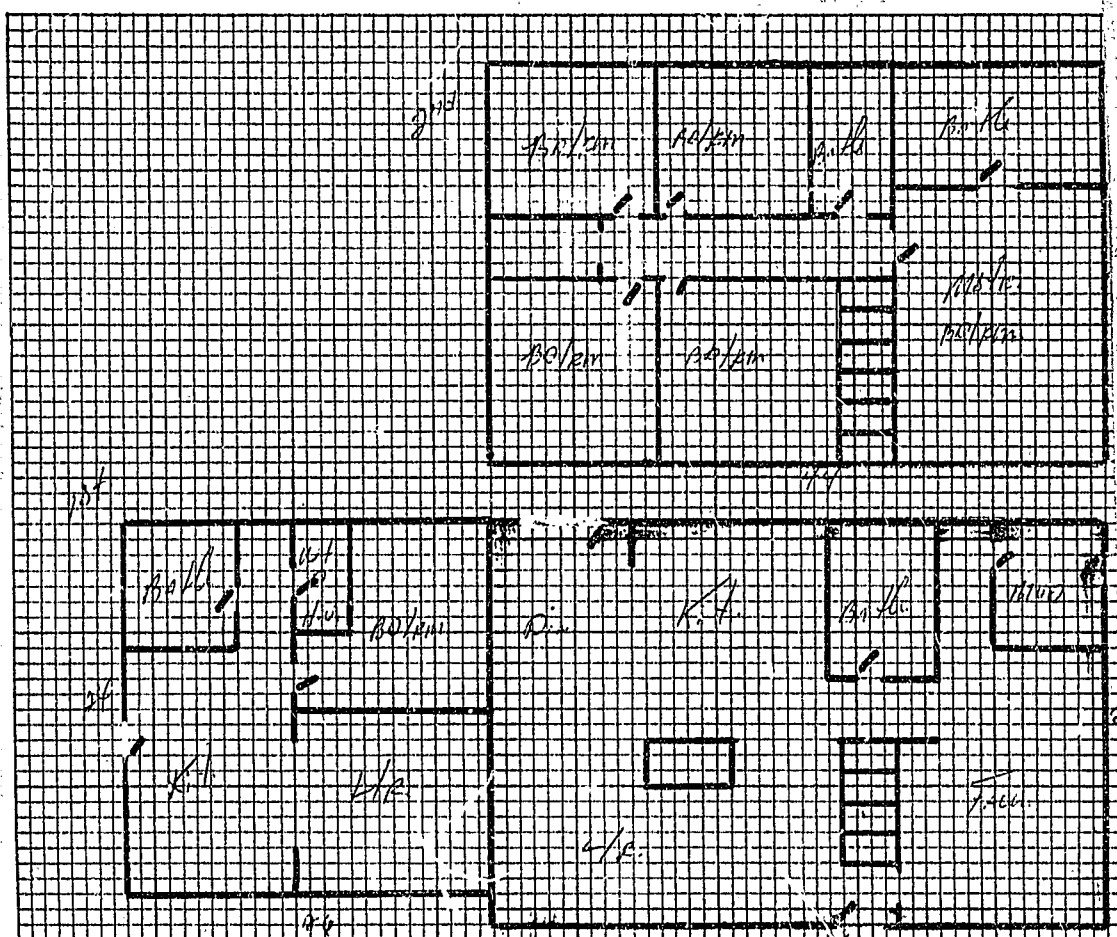
Plot PLAN

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MAP SKETCH ADDENDUM

Borrower/Client	<u>DARLENE NAPOLITANO</u>	City	<u>PORTLAND</u>	State	<u>ME.</u>
Property Address	<u>56 BERNARD ROAD</u>				

BUILDING SKETCH



Entire 1st Floor 44x26 Area to be used 1144 sq feet
LOCATION MAP (*SUBJECT PROPERTY) Highlighted

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