

**TOWN OF OLD ORCHARD BEACH
ZONING BOARD OF APPEALS MEETING MINUTES
December 18, 2017**

<p>Call to Order at <u>6:33 pm</u></p>	<p>Call to Order</p>
<p>Roll Call: Present: Chairman Ray DeLeo, Mikaela Nadeau, and Tom Mourmouras. Absent: Paul Weinstein, Ron Regis, Mark Lindquist, and Owen Stoddard.</p> <p>Staff: Valdine Camire; Administrative Assistant.</p>	<p>PUBLIC HEARING</p>
<p>Pledge to the Flag</p>	
<p><i>Chair DeLeo read the criteria for the Public Hearing.</i></p>	
<p><u>ITEM 1: VARIANCE</u></p> <p>Owner: Jason and Amber Blanchette 34 Forest Avenue Map 207-2-1 Zone: R2</p> <p>Rear Setback Variance: Proposal is for the construction of a 12' x 22' master suite and a 27' x 24' carport with rebuilt mudroom that will add square footage within an existing nonconforming setback. The proposal setbacks (6' and 8'9") will not encroach further into the setback than what exists (5'). R2 District rear yard setback is 20'.</p> <p>Applicant Jason Blanchette introduced himself to the Board Members. He stated that this is his permanent residence. The home is angled and set back 5-7' from the back property line. The back left corner is approximately 5' and that is the side that he wishes to add a master bedroom addition. He wants to inset the addition 2' from the back. They also want to rebuild the mudroom in the right side of the building, then continue off that angle going away from the back property line to a 21' open carport. The house is set on an angle to the property. They will be actually coming in from where the house currently sits. The addition will also be further away from the abutting condos.</p> <p>The public hearing closed at 6:45 pm.</p> <p><i>Chair DeLeo read the Justification of Variance:</i></p> <p>A. The land in question cannot yield a reasonable return unless the variance is granted.</p> <p>Response: The current location in which the home sits does not allow for additions to be made in order for additional sf. to be added. The home is currently located within the rear set back line.</p> <p>Tom Mourmouras - Yes Chair DeLeo – Yes</p>	<p><u>ITEM 1 VARIANCE</u></p>

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Mikaela Nadeau - Yes

B. The need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood.

Response: R2 zoning starts that a home needs to be 20 sf. from the back property line. The home was built over 50 years ago at r5ft from the rear property line in order to build a 12' x 20' addition to the right side of the home. We would need a variance since the addition would sit 6' from the rear property line.

Tom Mourmouras - Yes

Chair DeLeo – Yes

Mikaela Nadeau - Yes

C. The granting of a variance will not alter the essential character of the locality.

Response: The granting of a variance would allow the addition to look like it belongs vs. pushing the addition forward past the current front of the home.

Tom Mourmouras - Yes

Chair DeLeo – Yes

Mikaela Nadeau - Yes

D. The hardship is not the result of action taken by the appellant or a prior owner.

Response: The home in question was built prior to the home/land being converted from a camp to a town lot. 207-2-1 was once camp lots 41,43,45,47 and the home was placed at the then owner's discretion and not to the town's setbacks.

Tom Mourmouras - Yes

Chair DeLeo – Yes

Mikaela Nadeau - Yes

Tom Mourmouras made a motion to approve the variance for the construction of a 12' x 22' master suite and a 27' x 24' carport with rebuilt mudroom that will add square footage within an existing nonconforming setback. The proposal setbacks (6' and 8'9") will not encroach further into the setback than what exists (5'). R2 District rear yard setback is 20', seconded by Mikaela Nadeau.

Administrative Assistant Valdine Camire called for the vote:

Tom Mourmouras - Approve

Chair DeLeo – Approve

Mikaela Nadeau - Approve

MOTION

VOTE

(3-0)

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<p><u>ITEM 2: ACCEPTANCE OF NOVEMBER 27, 2017 MEETING MINUTES</u></p> <p>Tom Mourmouras made a motion to approve the November 27, 2017 ZBA meeting minutes, seconded by Mikaela Nadeau.</p> <p><u>Administrative Assistant Valdine Camire called for the vote:</u></p> <p>Tom Mourmouras - Approve Chair DeLeo – Approve Mikaela Nadeau - Approve</p>	<p><u>ITEM 2</u> <u>MINUTES</u> <u>MOTION</u></p> <p><u>VOTE</u></p> <p><u>(5-0)</u></p>
<p><u>OTHER BUSINESS:</u></p>	
<p><u>ADJOURN</u></p> <p>There being no further business to conduct, the meeting adjourned at 7:59 pm</p>	
<p><u>GOOD AND WELFARE</u></p>	

I, Valdine Camire, Secretary to the Zoning Board of Appeals of the Town of Old Orchard Beach, do hereby certify that the foregoing document consisting of Three (3) pages is a true copy of the original minutes of the Zoning Board of Appeals Meeting held on December 18, 2017.

Valdine Camire