

**ZONING BOARD OF APPEALS
MEETING ON MONDAY, November 25, 2019 IN THE TOWN
COUNCIL CHAMBERS 6:30 PM
MEETING MINUTES**

CALL TO ORDER 6:35 PM

ROLL CALL:

PRESENT:

Ryan Howe
Stan DeFreese
Vice Chair Ron Regis

ABSENT:

Thomas Mourmouras
Chair Ray DeLeo

STAFF PRESENT:

CEO Rick Haskell
Administrative Assistant: Valdine Camire

Vice Chair Ron Regis read the Appeals Criteria:

PLEDGE TO THE FLAG

Item 1: Variance Consideration (reduction in front setback) and Public Hearing

Owner: William & Gladys Bamford

Location: 79 Park Avenue; MLB: 314-5-5

Zone: R-2

Variance consideration for front setback reduction from the required 20' to a proposed 8'. This variance would allow additional structure to the front of the home to be brought up to an 8' front setback.

Donald Bamford introduced himself. He is the brother of William Bamford and is representing his brother here tonight. They are requesting a Variance for the front setback line. They would like to bring the front of the house (right and left of the front door that now exists) to that 8' setback line. The front door is already at the 8' setback line. Basically, this is just to extend to the right and left front door out 4' to match that building line at the front of the house. This extension will go all the way up to the second floor.

Public Hearing opened at 6:40 PM

There being no one speaking for or against the appellant, the Public Hearing closed at 6:40 PM

Vice Chair Ron Regis read the Variance Appeals Criteria:

A. The land in question cannot yield a reasonable return unless the Variance is granted.

Applicant's response: The present structure is small, as it originally was a cottage. Transforming this home into a four bedroom and two baths will make it more functional. The property will have limited use due to its present size.

Ryan Howe - Disagree

Stan DeFreese – Agree

Vice Chair Ron Regis – Agree

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

Applicant's response: Due to the limited lot size, we are seeking exception for the front of the house to be extended. It will be in line with the existing front entrance. The possible deck expansion has already received a Variance but are seeking a Variance to add space to the residence.

Ryan Howe - Agree

Stan DeFreese – Agree

Vice Chair Ron Regis – Agree

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

Applicant's response: We believe this request will improve the neighborhood even more.

Ryan Howe - Agree

Stan DeFreese – Agree

Vice Chair Ron Regis – Agree

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

Applicant's response: The lot size is small and has existed since the Campground Association existed.

Ryan Howe - Agree

Stan DeFreese – Agree

Vice Chair Ron Regis – Agree

MOTION:

Ryan Howe made a motion to approve the Variance Consideration reduction in the front setback reduction from the required 20' to a proposed 8' William & Gladys Bamford at 79 Park Avenue; MLB: 314-5-5 Zone: R-2, seconded by Stan DeFreese.

Code Official Rick Haskell called for the vote:

VOTE:

Ryan Howe - No
Vice Chair Ron Regis – Yes
Stan DeFreese - Yes

PASSES:

(2-0-1)

Item 2: Miscellaneous Appeal (reduction in side setback) and Public Hearing

Owner: Bare Properties LLC, Tamera Ahearn

Location: 1 York Street; MLB: 304-3-1

Zone: BRD, Shoreland Limited Commercial

Miscellaneous Appeal request for reduction in the side setback from the required 15' to a proposed to a proposed 7.5' to allow for a 4' expansion to existing kitchen area. Kitchen expansion would add 4'x10' into the side setback.

This item will not be heard tonight as the owners decided not to proceed with this proposal.

Acceptance of October 28, 2019 Meeting Minutes.

Vice Chair Ron Regis had a correction on item #3 Variance Consideration. Ron Regis had agreed on the vote for this item.

MOTION: Ryan Howe made a motion to accept the meeting minutes for October 28, 2019 with the correction noted, seconded by Stan DeFreese.

VOTE:

Ryan Howe - Yes
Vice Chair Ron Regis – Yes
Stan DeFreese - Yes

PASSES:

(3-0)

GOOD & WELFARE

ADJOURNMENT: 6:45 PM

Chairman

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 FOUR (4) pages is a true copy of the original minutes of the Zoning Board of Appeals Meeting held on November 25, 2019.

Valdine Camire