

<p>Ms. Doyle confirmed entire house will be demolished.</p> <p>Ms. Higgins asked if the 5’1” setback will be removed or will structure be built out to that area.</p> <p>Ms. Doyle said they did not ask for a reduction of the side yard setback; the area will be grand-fathered since it will remain as is.</p> <p>Mr. Weyenberg asked if open space in rear belonged to the Ocean Park Association.</p> <p>Ms. Doyle confirmed that the Ocean Park Association abutted this property on both sides.</p> <p>Ms. Higgins said that front yard setback conformed to the 20ft setback but summary showed “minimum 8’0” and asked if the right side yard setback included the steps.</p> <p>Ms. Doyle said this was a possibility but not sure yet; Without side steps the setback from property line would be 15ft to the house.</p> <p>PUBLIC HEARING opened at 7:38 p.m. and closed at 7:38 p.m. with no comments.</p> <p>Mr. Deleo read justifications.</p> <p>A. Ms. Manchester agreed, Ms. Higgins agreed, Mr. Weyenberg agreed, Mr. Deleo agreed</p> <p>B. Ms. Manchester disagreed, Ms. Higgins disagreed; Mr. Weyenberg agreed, Mr. Deleo agreed</p> <p>C. Ms. Manchester agreed, Ms. Higgins agreed, Mr. Weyenberg agreed because this helps make it more conforming, Mr. Deleo agreed because it would be an improvement.</p> <p>D. Ms. Manchester agreed, Ms. Higgins agreed, Mr. Weyenberg agreed, Mr. Deleo agreed</p> <p>Ms. Higgins motioned to approve this item provided that the applicant, builder and Code Enforcement officer all agree that the lot coverage remain the same.</p> <p>Mr. Weyenberg seconded the motion and added that this project is a good example of people coming together to make a structure more viable all around, useful and beautiful.</p> <p>Motion carries unanimously 4-0</p>	<p style="text-align: center;">MOTION</p> <p style="text-align: center;">VOTE</p>
<p>ITEM 3: Miscellaneous Appeal: A. Movius-Withers & D. Withers, 77 Randall Avenue, Map#322, Block#7, Lot#3, in the R-3 Zone, request a reduction of front yard setback from the required 20’0” to 15’0” and the rear yard setback from the required 20’0” to 14’0” in order to demolish the existing house and garage for construction of a 1190sf modular home.</p>	<p style="text-align: center;">ITEM #3</p>
<p>Ray Keene, of Keene Homes representing applicant, gave overview of proposal.</p> <p>Mr. Weyenberg asked about lot 88.</p> <p>Mr. Keene confirmed that the Withers own it.</p> <p>Mr. Weyenberg asked if that lot has already been combined with this lot and whether or not it is possible to build on that one.</p> <p>Mr. Shupe confirmed the lots automatically merged by state law and could only have been split if they had adhered to the required setbacks in that zone.</p> <p>Mr. Deleo asked for confirmation of the footprint.</p> <p>Mr. Keene replied the setback on the left hand side will be 25ft due to old growth trees.</p> <p>Ms. Higgins asked if this was the only reason the applicant was not going rectangular.</p> <p>Mr. Keene confirmed and also due to the modular design.</p> <p>Mr Deleo asked if structure will be two-story.</p> <p>Mr. Keene replied yes.</p> <p>Mr. Weyenberg asked if applicant can build on the second lot.</p> <p>Mr. Shupe said applicant can slide it left but doesn’t want to due to Cathedral Pines.</p> <p>Mr. Withers asked if the lots have been merged.</p> <p>Mr. Shupe explained lot mergers according to state law and confirmed applicant cannot subdivide and sell them separately.</p>	

<p>Mr. Deleo read justifications A. Ms. Manchester agreed, Ms. Higgins agreed, Mr. Weyenberg agreed, Mr. Deleo agreed B. Ms. Manchester agreed, Ms. Higgins disagreed, Mr. Weyenberg agreed, Mr. Deleo agreed C. Ms. Manchester agreed, Ms. Higgins agreed, Mr. Weyenberg agreed, Mr. Deleo agreed D. Ms. Manchester agreed, Ms. Higgins agreed, Mr. Weyenberg agreed, Mr. Deleo agreed Ms. Higgins motioned to approve the item. Ms. Manchester seconded the motion. Motion carries unanimously 4-0</p>	<p>MOTION</p> <p>VOTE</p>
<p><u>ITEM 4: Approval of January 29, 2007 Minutes</u> Acceptance of January minutes was tabled due to the absence of members present at the meeting.</p>	<p>TABLED</p>
<p>GOOD & WELFARE</p>	
<p>Mr. Shupe gave overview of previous applicant by the name of Thorburn, property address 22 Winona Ave., who was granted a misc. appeal in 08/28/06 and now wants a two month extension of their certificate of approval until May 25, 2007. Ms. Higgins motioned to extend the expiration date of the certificate of approval to May 25. Mr. Weyenberg seconded the motion. Motion carries unanimously 4-0 Ms. Manchester resigned as a Board Member of the Zoning Board of Appeals. Mr. Shupe advised her to see the Town Clerk.</p>	
<p>Ms. Higgins adjourned the February 26, 2007 Zoning Board of Appeals meeting at 8:15 p.m. Mr. Weyenberg seconded the motion. Motion carries unanimously 4-0</p>	<p>ADJOURNMENT</p> <p>8:15 p.m.</p>

I, Caroline Roldan, 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 of February 26, 2007.
