

Town of Scarborough

Zoning Board of Appeals

February 14, 2007

AGENDA

1. Call to Order (7:00 P. M.)
2. Roll Call
3. Approval of Minutes (January 10, 2007)
4. Appeals
  - a. Appeal No. 2350 – A Limited Reduction of Yard Size Appeal by Harold and Mary Smith, 99 Spurwink Road, Assessor's Map R99 Parcel 18A, to construct an addition 45 feet from the front property line in the R-F Zone
  - b. Appeal No. 2351 – A Practical Difficulty Variance Appeal by Derek and Alison Davis, 7 Third Avenue, Assessor's Map U47 Parcel 40, to construct a rear dormer 21 feet from the front property line in the R-2 Zone
  - c. Appeal No. 2352 – A Special Exception Appeal by Candyce Macomber, 19 Millbrook Road, Assessor's Map U40 Parcel 18, to operate a custom embroidery business as a Home Occupation in the R-2 Zone
5. Zoning Board Comments
6. Adjournment

NO NEW APPEALS SHALL BE TAKEN UP AFTER 10:30 P. M.

Town of Scarborough

Zoning Board of Appeals

February 15, 2007  
(Postponed from February 14, 2007)

MINUTES

Members Present

Staff

Mr. Blaise  
Mr. Craft  
Mr. Dryzga  
Mr. Maroon

Mr. Grysk, Code Enforcement Officer  
Mrs. Logan, Recording Secretary

1. Call to Order

Mr. Dryzga called the meeting to order at 7:00 P. M. The Pledge of Allegiance was recited.

2. Roll Call

The Recording Secretary called the roll; Messrs. Loisel, Massengill and Temm were absent.

3. Approval of Minutes (January 10, 2007)

Mr. Blaise moved to approve the minutes of January 10, 2007, 2007; Mr. Maroon seconded.

Voted 4-0

4. Appeals

a. Appeal No. 2350 – A Limited Reduction of Yard Size Appeal by Harold and Mary Smith, 99 Spurwink Road, Assessor’s Map R99 Parcel 18A, to construct an addition 45 feet from the front property line in the R-F Zone

Ms. Charlotte Maloney, of Gawron-Turgeon Architects, showed the location of the site and stated that the Smiths wanted to retire to this home and to increase the size in order to accommodate their visitors and to have most of the living space on the first floor. She stated that because of the nearby marsh and the flood zone overlay districts they could build only toward the road. Ms. Maloney stated that they needed the five foot reduction to accommodate a garage long enough for their cars. Mr. Grysk stated that he and the appellants had addressed the floodplain, the Shoreland Zoning and the lot coverage.

Mr. Dryzga and Ms. Maloney addressed the criteria as presented in writing. Mr. Craft confirmed that only a corner of the garage needed a setback reduction.

Mr. Dryzga opened the public hearing; no one spoke for or against the appeal; Mr. Dryzga closed the public hearing.

Mr. Blaise moved to approve the appeal as presented; Mr. Maroon seconded.

Voted 4-0

b. Appeal No. 2351 – A Practical Difficulty Variance Appeal by Derek and Alison Davis, 7 Third Avenue, Assessor’s Map U47 Parcel 40, to construct a rear dormer 21 feet from the front property line in the R-2 Zone

Mr. Davis stated that they wanted to build dormers in the front and the rear; he stated that they would build in one foot from the front and stack the rear dormer. Mr. Davis stated that there were now one and a half bedrooms on the second floor and they would like to create three bedrooms and a bathroom.

Mr. Grysk noted that this was complicated because the appellant could build the dormer in the front by setting it in one foot on the sides and the front but to make the upstairs work, they needed the back dormer and the back wall did meet the setback but this request was to build a front and rear dormer. He noted that the house was close to the road. Mr. Grysk stated that with the front dormer only, they could not get the full space upstairs. Mr. Dryzga noted that this kind of request was why the Practical Difficulty Appeal was created.

Mr. Dryzga and Mr. Davis addressed the criteria as presented in writing.

Mr. Dryzga opened the public hearing; no one spoke for or against the appeal; Mr. Dryzga closed the public hearing.

Mr. Craft moved to approve the appeal as presented; Mr. Blaise seconded.

Voted 4-0

c. Appeal No. 2352 – A Special Exception Appeal by Candyce Macomber, 19 Millbrook Road, Assessor’s Map U40 Parcel 18, to operate a custom embroidery business as a Home Occupation in the R-2 Zone

Ms. Macomber stated that she now had a retail store and wanted to downsize to a mobile business by going to shows and doing her production at home. She stated that she had two embroidery machines that were similar to home sewing machines.

Mr. Grysk noted that this site was odd in that it straddled the B-2 and R-2 Zones; he stated that there was a business at this location years ago, but it was now a two family house. He stated that the portion of the house to be used for the business was very close to the B-2 Zone. Mr. Grysk stated that there were no parking issues because of the earlier business use and Ms. Macomber did not anticipate customers because most of her work would come from shows.

Mr. Dryzga and Ms. Macomber addressed the Special Exception criteria. Ms. Macomber stated that she would have deliveries from UPS and there was adequate turning space in the driveway. Mr. Dryzga read the conditions for home occupations. To a question from Mr. Dryzga, Mr. Grysk replied that there was currently a sign on the building and a six square foot sign was allowed. Mr. Grysk stated that there was no issue with the amount of space to be used for the business. To a question from Mr. Dryzga, Mr. Grysk replied that, as presented, there could be no employee other than the appellant.

Mr. Dryzga opened the public hearing; no one spoke for or against the appeal; Mr. Dryzga closed the public hearing.

Mr. Blaise moved to approve the appeal as presented, with one six square foot sign allowed; Mr. Maroon seconded.

Voted 4-0

5. Zoning Board Comments

There were no comments.

6. Adjournment

The meeting was adjourned at 7:30 P. M.