Town of Chebeague Island

192 North Road
Chebeague Island, ME 04017
codeoffice@chebeague.net
www.townofchebeagueisland.org

Date: May 15, 2018

To: Applicant, Appeals Board Members, Code Enforcement Officer, and Abutters of Map I02-Lot 034 and 027D

From: Peter Rice, Chairman Board of Adjustment and Appeals

RE: Special Exception for a Home Occupation Application
Located at: 445 South Road, Map I-02, Lot 034 and 027D
Zoning District: Island Residential

The Board of Adjustment and Appeals will hold a public hearing for:

A request for a Special Exception for a Home Occupation Application by Caroline and Christopher Loder,p located at 445 South Road, Map I-02, Lot 034 and 027D. The Public Hearing will be conducted on Thursday, May 24 at 6:00 PM, at the Chebeague Island Recreation Center, Located at 382 North Road, Chebeague Island, Maine.

All Abutters who receive this notice are invited to attend. A copy of the Meeting materials may be viewed at townofchebeagueisland.org or at the Chebeague Island Town Office, Located at 192 North Road.

May 10, 2018

Members of the Board of Adjustment and Appeals,

I'm writing to request a special exception to the District Regulations for an Island Business for an art studio in the Island Residential Zoning District. For several years I've been painting and selling paintings from my home. I've taught classes to island children an adults; sometimes at the Island Hall, the CRC, at the Island Commons and in my home. Space in our home is limited so it was an obvious choice for me to convert our garage into a full-time painting studio, a place where visitors can also see my work and a place where I can teach. Having a dedicated space to paint and teach is a real win for me and, I hope, for all islanders who enjoy art.

My goal for the art studio is to primarily have a dedicated place to paint and sell my art. In tandem, I want to welcome visitors to the space, teach daytime classes and host special painting events in the evenings. I've always thought that enjoying art blends well with a place to sit and enjoy coffee, so my site plan includes a picnic table for islanders that want to sit outside and enjoy a morning brew.

Visitors will have dedicated parking spaces in the front and we're going to move our resident parking to the back of the house.

The site plan is comprehensive and to scale, with setbacks and parking ordinances that are governed by the town of Chebeague. Please don't hesitate to reach out to me with any questions you may have. Thank you for your time in considering this application—I know we're all so busy!

Cheers,

Caroline Loder

207.607.0822
caroline@loder.com
445 South Road

Date: 5/10/2018

Fee: 100.00

By: J. Buttv

18-AP-1

Town of Chebeague Island

Board of Adjustment and Appeals

Special Exception Form

Important: Do not complete this form unless you understand and comply with the instruction sheet. The code enforcement officer will assist you if needed.

Please Type or Print:

I/We Caroline + Christopher Loder owner(s) of property at 445 South Rd, Chebeague Island, ME 04017

Designated as parcel(s) Tax Assessor Map # 102, Lot# 034-027D, under provisions of Section 603.2C of the Zoning Ordinance of the Town of Chebeague Island, Maine, apply for a **Special Exception** to the Ordinance: I/We understand that the Board may entertain applications for Special Exceptions only in cases specifically listed as such in the regulations for various zoning districts and in other cases specified in other provisions of the Ordinance. The special exception I/We are applying for is:

DISTRICT REGULATIONS FOR ISLAND RESIDENTIAL (IR)
NO 1, HOME OCCUPATION
SECTION 204.1B; ~~NO 13, ANY USE PERMITTED IN ISLAND BUSINESS (IB) IS SUBJECT TO SITE PLAN REVIEW; NO. 3 RETAIL STORES, SECT 204.2A~~ ojc.

Caroline Loder

Appellant(s)

Appellant(s) phone number: 207 607 0822

The Board must make a positive finding on each the following standards, please describe in the area provided how your proposed application will meet the applicable criteria.

603.2.C. Special Exception

The Board shall have the power and duty to approve, deny or approve with conditions special exceptions only where such approval is specifically required. Where an advisory report from the Planning Board is required, the Code Enforcement Officer shall refer the application to the Planning Board for its review and recommendations at least 30 days prior to the meeting of the Board of Adjustment and Appeals; however, where site plan or subdivision review is required, the applicant shall apply to the Board of Adjustment and Appeals for special exception approval prior to the submission of a detailed site plan for Planning Board approval, but any conditions imposed by the Board of Adjustment and Appeals shall be binding upon the applicant and upon the Planning Board. The applicant shall have the burden of proving that his application is in compliance with the requirements of this Ordinance. After the submission of a complete application, the Board shall approve a special exception application or approve it with conditions if it makes a positive finding based on the information presented that the proposed use, with any conditions attached, meets the following standards:

1. The proposed use will not create hazards to vehicular or pedestrian traffic on the roads and sidewalks serving the proposed use as determined by the size and condition of such roads and sidewalks, lighting, drainage, intensity of use by both pedestrians and vehicles and the visibility afforded to pedestrians and the operators of motor vehicles;

SITE PLANS INCLUDE OFF-STREET PARKING FOR 4 VEHICLES AS PER SEC 419.1 ; RETAIL 1 CAR / 180 Sq ft.
4 SPACES for 600 Sq. ft.

2. The proposed use will not cause water pollution, sedimentation, erosion, contaminate any water supply nor reduce the capacity of the land to hold water so that a dangerous, aesthetically unpleasant, or unhealthy condition may result;

NO. NEW SINK INSTALLATION WILL USE EXISTING SEPTIC.

3. The proposed use will not create unhealthful conditions because of smoke, dust, or other airborne contaminants;

No.

4. The proposed use will be compatible with the uses that are adjacent to and neighboring the proposed location, as measured in terms of its physical size, intensity of use, visual impact, and proximity to other structures and the scale and bulk of any new structures for the proposed use shall be compatible with structures existing or permitted to be constructed on neighboring properties;

The business is confined to an already existing building on the property. My hope is that an art studio enhances neighboring spaces

5. The proposed use will not create nuisances to neighboring properties because of odors, fumes, glare, hours of operation, noise, vibration or fire hazard or restrict access of light and air to neighboring properties;

No. Fortunately ART is a relatively quiet practice. I suspect a neighborhood game of "KICK-THE-CAN" on the front lawn would make a bigger impact. Occasionally I'll offer a nighttime program until 9pm.

6. The proposed location for the use has no peculiar physical characteristics due to its size, shape, topography, or soils which will create or aggravate adverse environmental impacts on surrounding properties;

No.

7. The proposed use has no unusual characteristics atypical of the generic use in the neighborhood, which proposed use will depreciate the economic value of surrounding properties;

No.

603.8 **Special Exceptions in the Shoreland Zone**

A. In addition to the criteria specified in Section 602.5.4 above, the Planning Board may approve a permit for a single family residential structure in a Resource Protection District provided that the applicant demonstrates that all of the following conditions are met:

1. There is no location on the property, other than a location within the Resource Protection District, where the structure can be built.

N/A

2. The lot on which the structure is proposed is undeveloped and was established and recorded in the registry of deeds of the county in which the lot is located before the adoption of the Resource Protection Overlay District on December 10, 1991.

3. All proposed buildings, sewage disposal systems and other improvements are Located on natural ground slopes of less than 20%; and

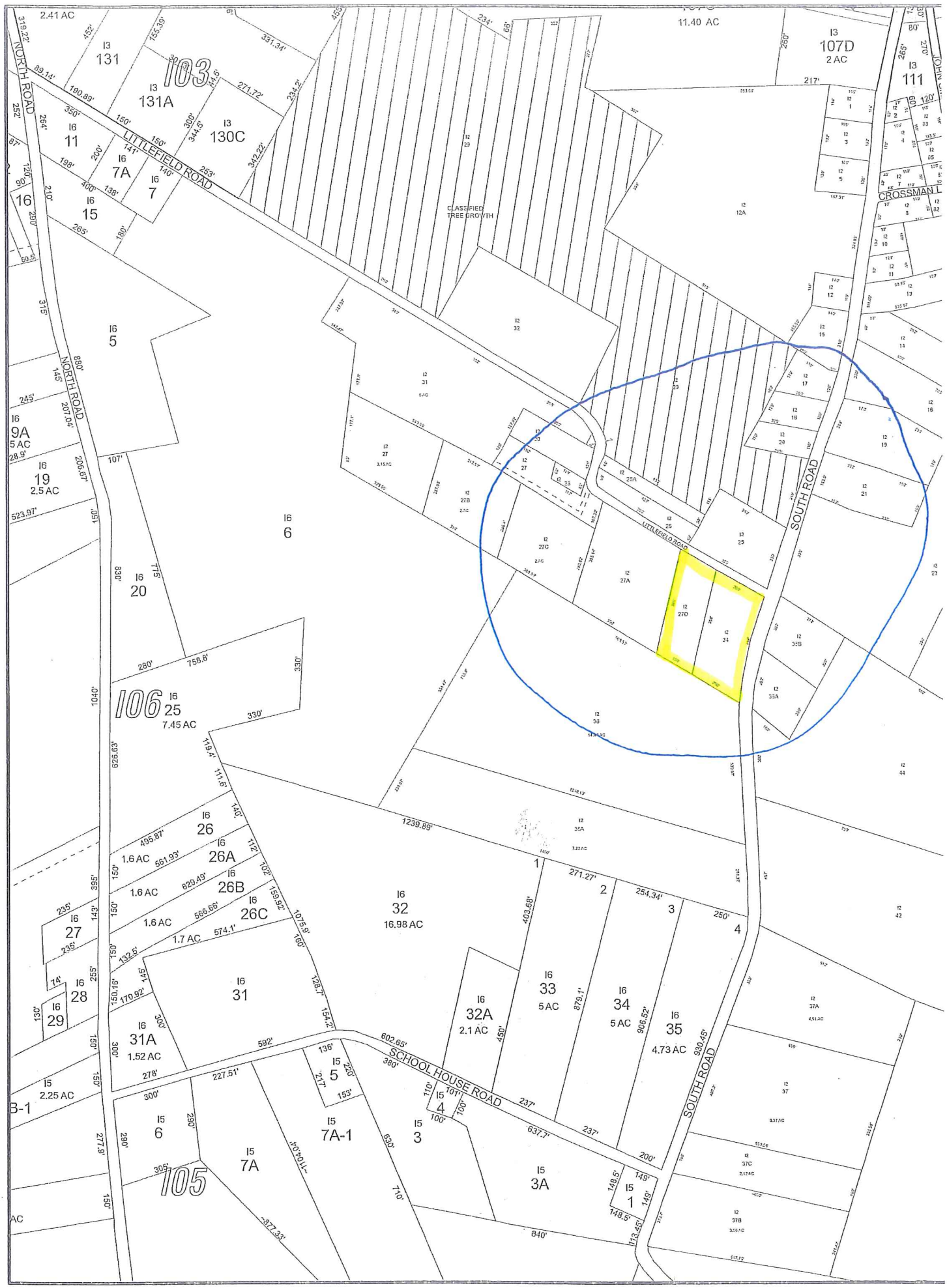
b) Located outside the velocity zone in areas subject to tides, based on detailed flood insurance studies and as delineated on the Federal Emergency Management Agency's Flood Boundary and Floodway Maps and Flood Insurance Rate Maps; all buildings, including basements, are elevated at least one foot above the 100-year flood-plain elevation; and the development is otherwise in compliance with any applicable municipal flood-plain ordinance.

If the floodway is not shown on the Federal Emergency Management Agency Maps, it is deemed to be 1/2 the width of the 100-year flood-plain.

4. The total footprint, including cantilevered or similar overhanging extensions, of all principal and accessory structures is limited to a maximum of 1,500 square feet. This limitation shall not be altered by variance.

5. All structures, except functionally water-dependent structures, are set back from the normal high-water line of a water body, tributary stream or upland edge of a wetland to the greatest practical extent, but not less than 75 feet, horizontal distance. In determining the greatest practical extent, the Planning Board shall consider the depth of the lot, the slope of the land, the potential for soil erosion, the type and amount of vegetation to be removed, the proposed building site's elevation in regard to the flood-plain, and its proximity to moderate-value and high-value wetlands.

n/a

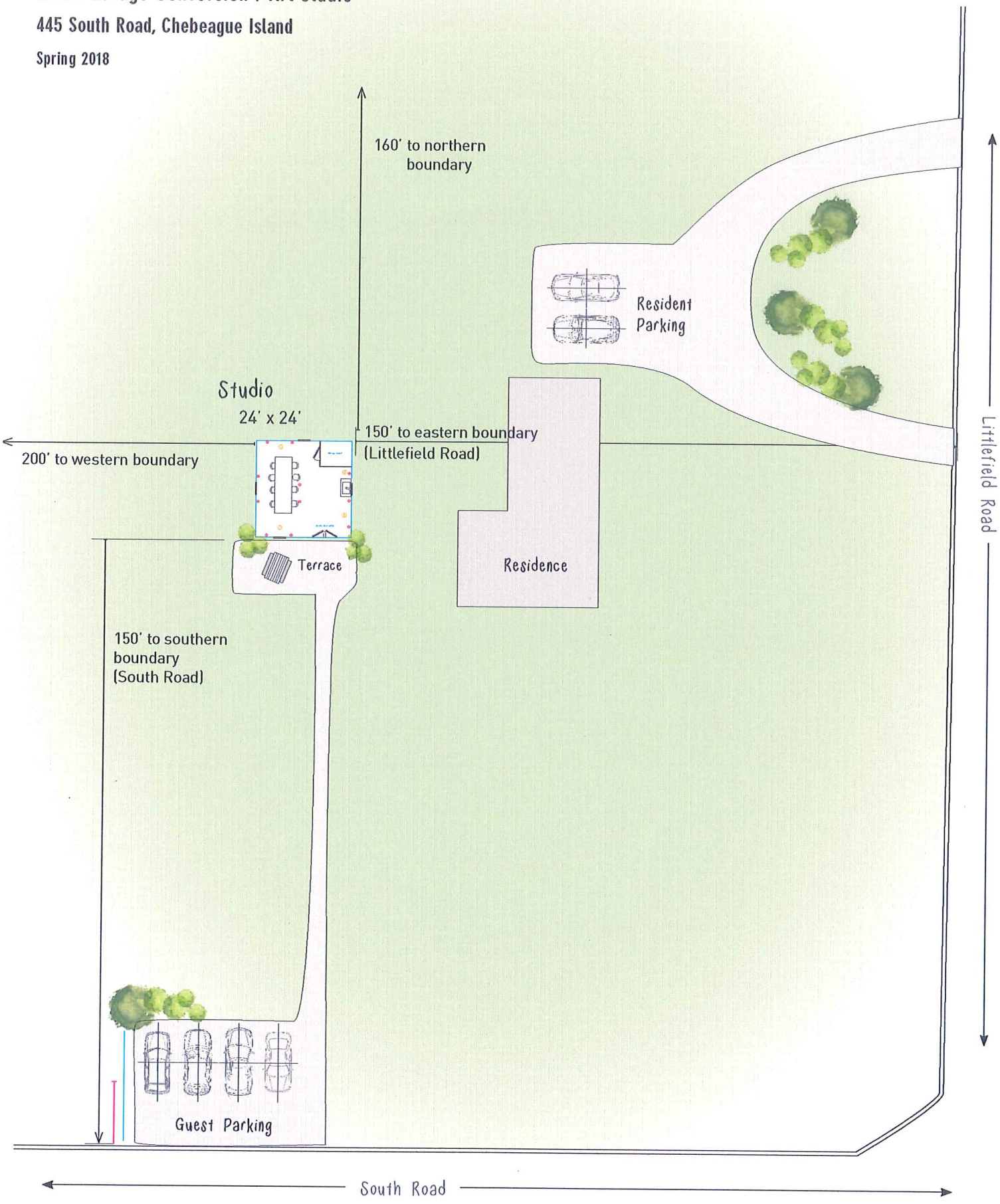


NORTH ROAD
LITTLEFIELD ROAD
SOUTH ROAD
SCHOOL HOUSE ROAD
CROSSMAN
CLASSIFIED TREE GROWTH
103
106
105
I3 131
I3 131A
I3 130C
I3 107D 2 AC
I3 111
I6 11
I6 7A
I6 7
I6 15
I6 5
I6 9A 5 AC
I6 19 2.5 AC
I6 6
I6 20
I6 25 7.45 AC
I6 26
I6 26A
I6 26B
I6 26C
I6 27
I6 28
I6 29
I6 31
I6 31A 1.52 AC
I6 32 16.98 AC
I6 32A 2.1 AC
I6 33 5 AC
I6 34 5 AC
I6 35 4.73 AC
I5 2.25 AC
I5 6
I5 7A
I5 7A-1
I5 5
I5 4
I5 3
I5 3A
I5 1
I2 27D
I2 34
I2 27A
I2 27C
I2 27B
I2 27
I2 25A
I2 25
I2 35B
I2 35A
I2 38A
I2 37A
I2 37
I2 37C
I2 37B
I2 12A
I2 32
I2 31
I2 29
I2 30
I2 28
I2 26
I2 24
I2 23
I2 44
I2 42

Loder Garage Conversion / Art Studio

445 South Road, Chebeague Island

Spring 2018



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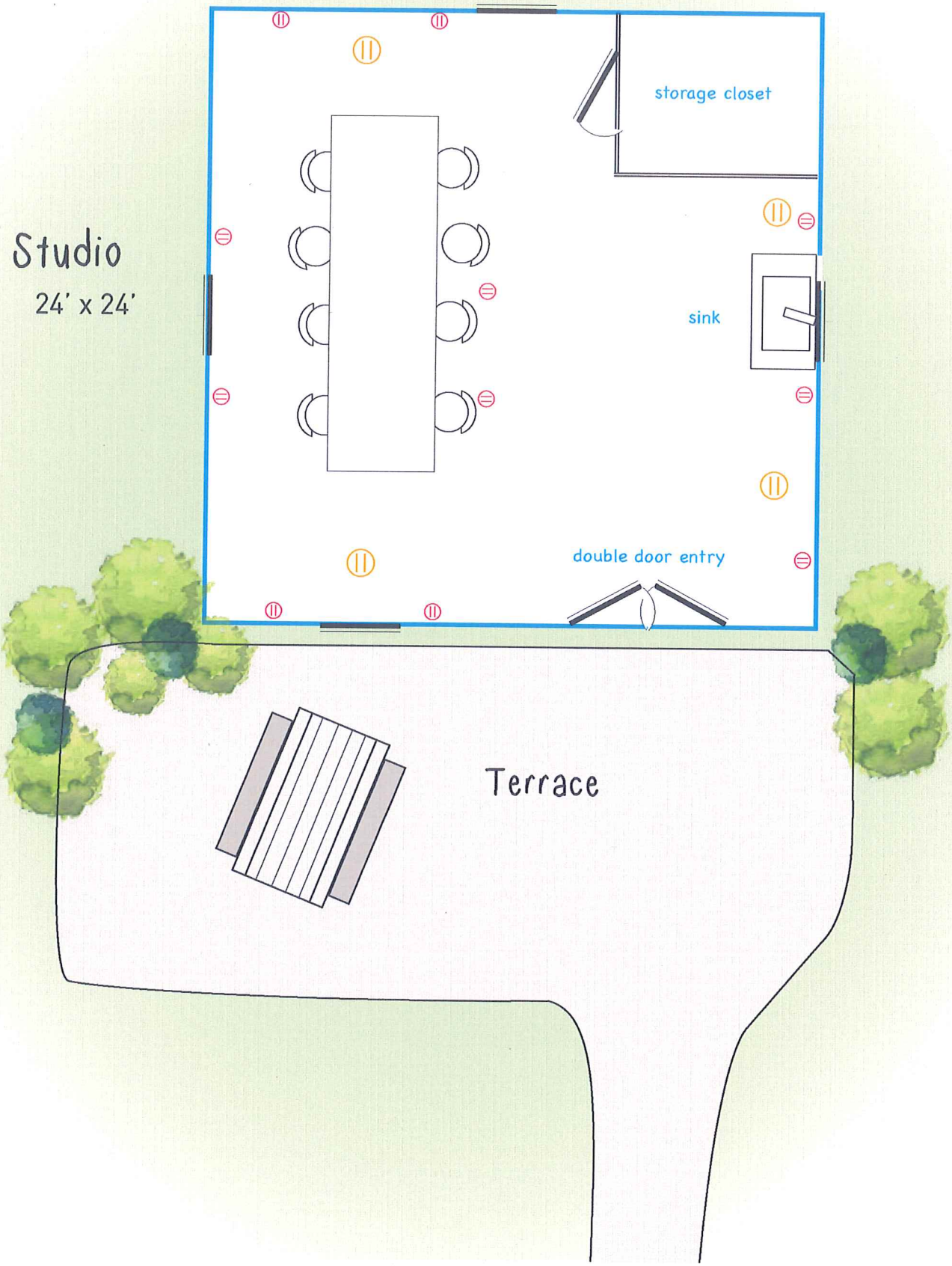
Spring 2018