

17-AP-3
TRIO# 1109-1

TOWN OF CHEBEAGUE ISLAND
BOARD OF ADJUSTMENT AND APPEALS
VARIANCE APPLICATION FORM
PRACTICAL DIFFICULTY

DATE: 10/3/2017
FEE: \$100
BY: LAURENCE CLARKE
CHECK # 951

I. BACKGROUND INFORMATION

- A. Applicant Name: LAURENCE + CARLA CLARKE
- B. Applicant Address: 13 COTTAGE RD CHEBEAGUE ISLAND ME 04017
- C. Applicant Phone Number: 610-291-5147 / 207-321-8001
- D. Address of Property for which variance is sought: same
- E. Tax Map and Lot Number of Subject Property: 105-018
- F. Zoning District in which Subject Property is located: RESIDENTIAL
- G. Zoning restriction(s) sought to be varied: SIDE + FRONT SETBACK FOR GARAGE

II. VARIANCES IN GENERAL

Pursuant to 30-A M.R.S.A. §4353(4-C), the Board of Adjustment and Appeals may grant a variance only when strict application of the ordinance to the Applicant and the applicant's property would cause "a practical difficulty" and when the following conditions exist. "Practical difficulty" shall mean that the strict application of the ordinance to the property precludes the ability of the petitioner to pursue a use permitted in the zoning district in which the property is located and results in significant economic injury to the petitioner.

Please document how "significant economic injury" would occur:
VARIANCE SOUGHT TO ENABLE CONSTRUCTION OF SINGLE CAR (14' x 24') GARAGE IN NORTHEAST CORNER OF PROPERTY. AVOIDS BUILDING THIS STRUCTURE IN CENTER OF VIEW ANGLE OF NEIGHBORS AND PRIMARY VIEWING AREA FROM ROAD. ALLOWS MORE PRACTICAL ACCESS TO HOUSE.

"Dimensional standards" means and is limited to Ordinance provisions relating to lot coverage, frontage, and setback requirements.

The Board must make a positive finding on each of the following criteria. Please describe in the space provided how your request meets the "practical difficulty" criteria listed below.

A. The need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood;
HOUSE WAS PURPOSELY LOCATED IN NE CORNER OF PROPERTY TO MINIMIZE VIEW OBSTRUCTION. PROPOSED NE LOCATION OF GARAGE HAS LIMITED SPACE AS HOUSE WAS BUILT CLOSE TO EDGE OF PROPERTY. DRIVEWAY + GARAGE AS PROPOSED WOULD HAVE LEAST VISUAL IMPACT ON NEIGHBORS.

B. The granting of a variance will not produce an undesirable change in the character of the neighborhood and will not unreasonably detrimentally affect the use or market value of abutting properties;
PROPOSED NE LOCATION WOULD PRESERVE OPEN WATER VIEWS AND PRIVACY FOR NEIGHBORS, MINIMIZING CAR NOISE BY KEEPING VEHICLES IN NORTHEAST CORNER OF PROPERTY.

C. The practical difficulty is not the result of action taken by the applicant or a prior owner.

THE PROPOSED GARAGE LOCATION PRESERVES THE ORIGINAL INTENT OF PREVIOUS OWNERS (AND NOW OWNERS ARE NEIGHBORS) TO MINIMIZE VIEW OBSTRUCTION

D. No other feasible alternative to a variance is available to the petitioner;

WHILE A GARAGE LOCATED NORTHWEST OF HOUSE LOCATION WOULD BE DOWN A SLOPE IN OPEN FIELD FURTHER FROM HOUSE AND IN THE CENTER OF VIEW OF WATER FOR NEIGHBORS, THE PROPOSED NE LOCATION IS LEAST DISRUPTIVE.

E. The granting of a variance will not unreasonable adversely affect the natural environment; and

THE PROPOSED NE LOCATION IS FLAT, REQUIRING REMOVAL OF ONLY 1 TREE AND NEEDING ONLY MODERATE LAND SHAPING VS ALTERNATIVE NORTHWEST OF HOUSE.

F. The property is not located in whole or in part within the shoreland areas as described in Title 38, Section 435.

NOT IN A SHORELAND AREA

Donald W. Clark

APPELLANT(S)

Carlin B. Clarke

DECISION

Following a hearing and a vote of the Chebeague Island Board of Adjustment and Appeals

On _____, you are hereby notified that your variance has been

(GRANTED subject to the following restrictions:)

(DENIED due to a finding by the Board that:)

SIGNED _____

CARA + CORKY CLARKE

13 COTTAGE ROAD

CHÉBAGUC ISLAND, ME 04017

207-772-7404 / 610-291-5477 (cell)

GARAGE w/ STAIR ACCESS LOFT

14' x 24' POST + BEAM

SHINGLE EXTERIOR TO MATCH HOUSE

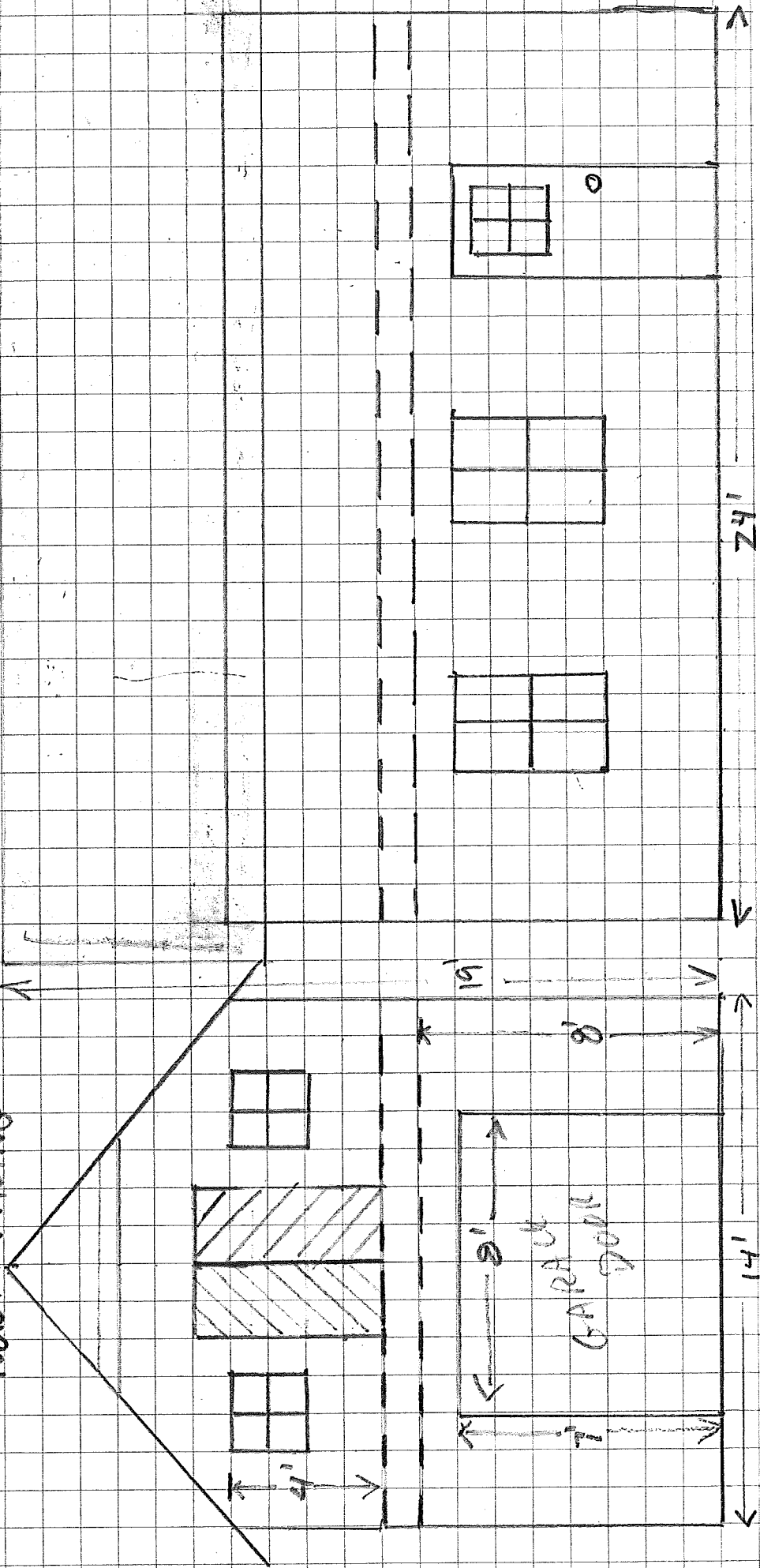
SCALE 1" = 4'

ROOF PITCH 10:12

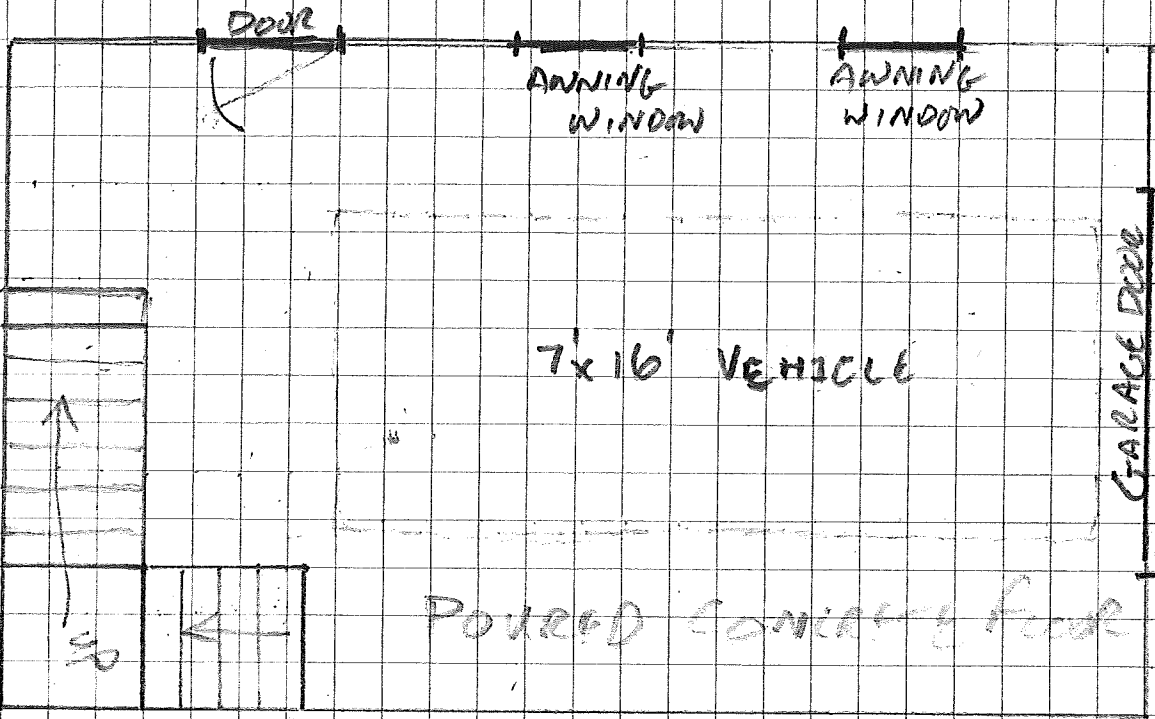
POURED CONCRETE FLOOR

NORTH FACING

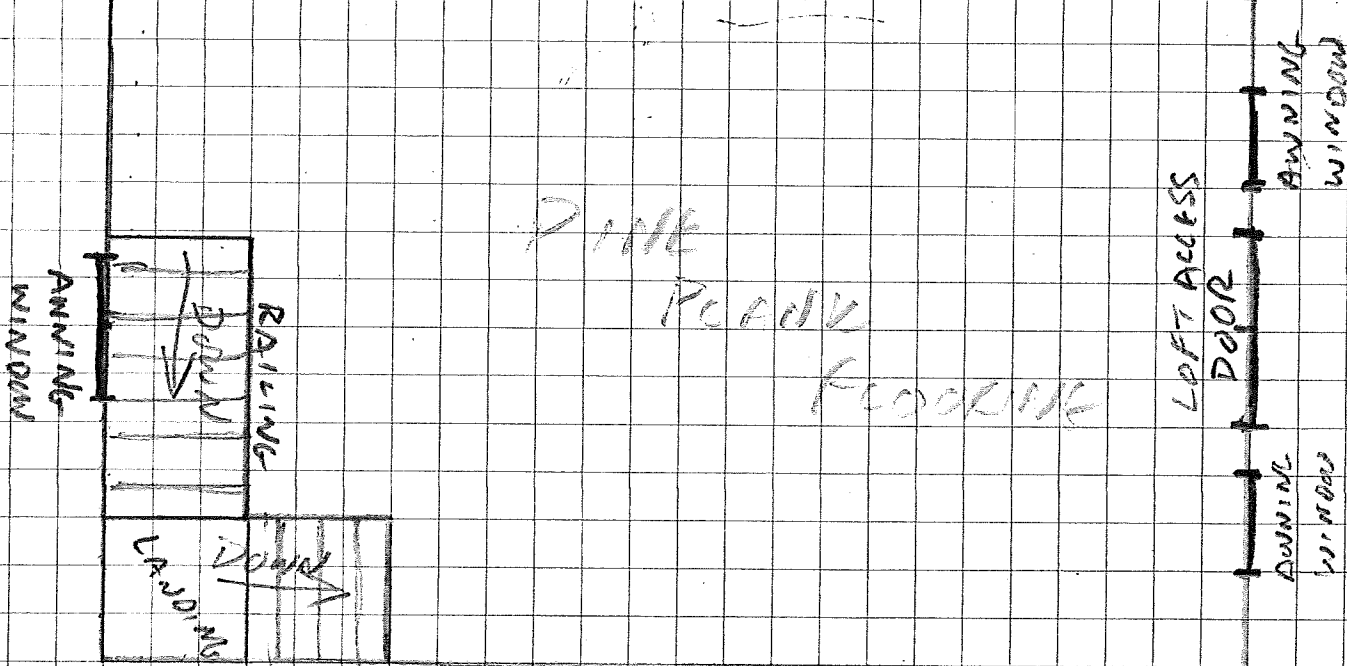
WEST FACING



GROUND FLOOR

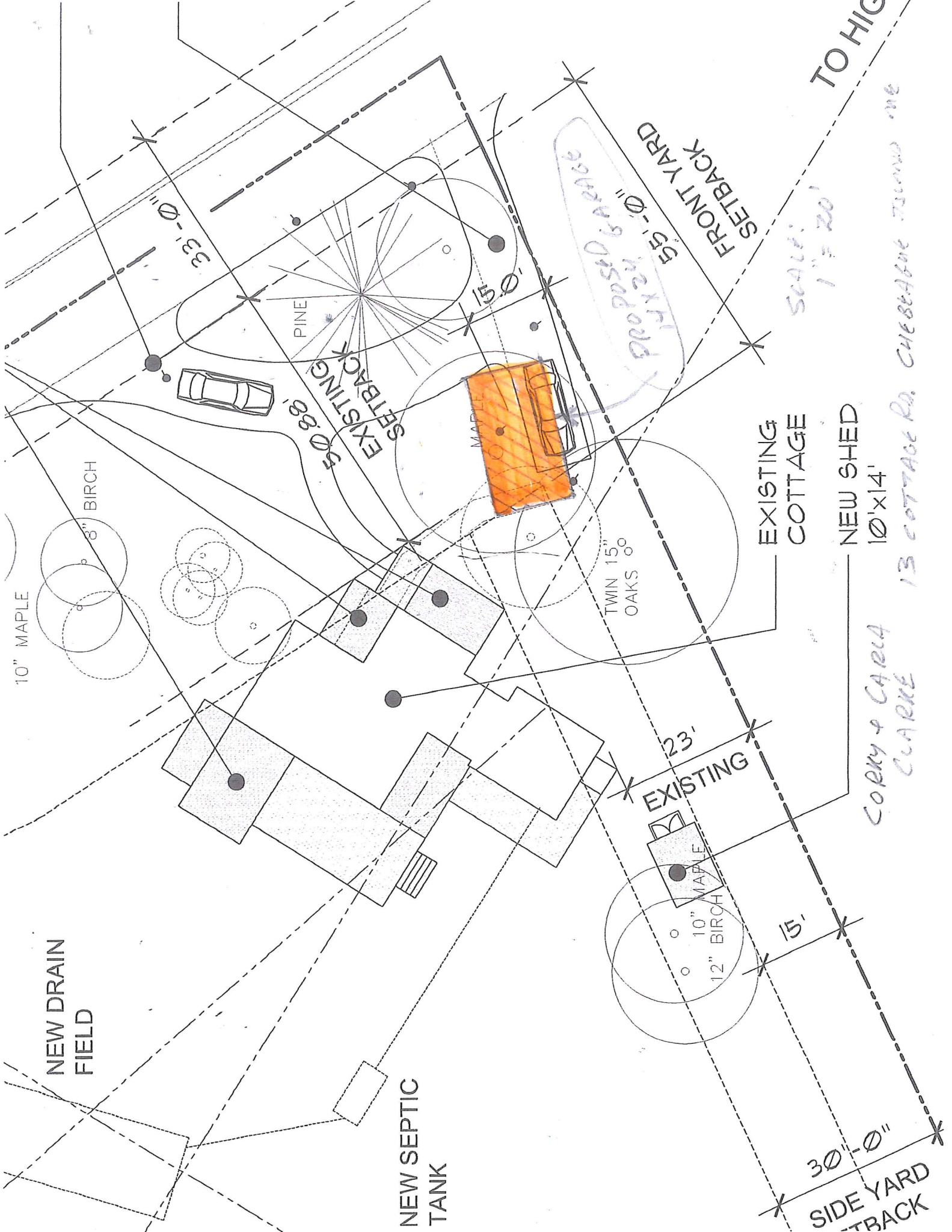


LOFT LEVEL



SCALE 1" = 4'

CLARKE GARAGE 14' x 24'



SCALE: 1" = 20'

TO HIG

FRONT YARD SETBACK 55'-0"

PROPOSED DRIVEWAY

PINE

EXISTING SETBACK 50'-8"

MAPLE

TWIN 15" OAKS

EXISTING COTTAGE

NEW SHED 10'x14'

13 COTTAGE RD. CHESTERBORO MASS 01938

CORRY + CARLA CLARKE

EXISTING 23'

10" MAPLE
12" BIRCH

15'

30'-0"

SIDE YARD SETBACK

NEW DRAIN FIELD

NEW SEPTIC TANK

10" MAPLE

8" BIRCH

