



**TOWN OF RAYMOND  
APPLICATION TO THE  
ZONING BOARD OF APPEALS**

Staff Use Only:	Received Date
Application Fee \$ 75.00	<div style="border: 2px solid blue; padding: 5px; text-align: center;"> <b>RECEIVED</b>  APR 13 2022  By <i>[Signature]</i> </div>
Notice Fee \$8.00/abutter \$	
Publishing Fee \$ 300.00	
Escrow-if required	
TOTAL	

Name of Applicant JEFF + TRACY FOLEY FAMILY TRUST, JEFF FOLEY TRUSTEE  
Mailing Address 33 WHITTEMORE COVE RD. RAYMOND ME 04071  
Primary Phone 707-266-4668 C  H  W  email JEFFA.FOLEY99@gmail.com  
Date property acquired: (month and year) JANUARY, 2021

Name of Owner (if different than applicant) \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
Town: \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Primary Phone \_\_\_\_\_ C  H  W  email \_\_\_\_\_

Property Address (street number and name): 15 RUSTY ROAD  
Town of Raymond Map 67 Lot 46A Zone LRR11  
Deed Reference Book 9067 Page 122

**The undersigned applies for the following:**

- 1. ADMINISTRATIVE APPEAL. Applicant requests relief from the decision, or lack of decision, of the Code Enforcement Officer. The undersigned believes that (check one)
  - An error was made in the denial of the permit
  - Denial of the permit was based on the misinterpretation of the ordinance
  - The permit was not approved or denied within a reasonable period of time
  - Other: \_\_\_\_\_
- 2. VARIANCE (the information listed on page 3 must be submitted)
- 3. CONDITIONAL USE PERMIT For \_\_\_\_\_ (use) in \_\_\_\_\_ Zone
- 4. VARIANCE PROVISION(S) FOR NON-CONFORMING Lot  Structure  Use
- 5. SETBACK REDUCTION (do not complete Page 3)

I have read, understand and agree to the above instructions and conditions. I also authorize any Board Member or other Town Officials to enter onto the site. I certify that the information contained in this application and its supplement is true and correct.

Date: 4-12-2022 Appellant: [Signature]  
Date: \_\_\_\_\_ Property Owner: SAME

## VARIANCE CRITERIA

### (DO NOT COMPLETE THIS PAGE FOR SETBACK REDUCTIONS)

- a. Nature of variance: Describe the nature of the variance.

My wife and I are in our 50's and plan on growing old in our new home at 15 Rusty Rd. We were able to shoehorn our forever home in an odd shaped building envelope on the 2.43-acre parcel, however, we could not include covered parking for our vehicles and equipment to maintain the property. We have another building envelope on the property but it is also an awkward shape. We are requesting a 15-foot variance to build a garage for safety, security and to maintain the beauty of the neighborhood. If the variance is allowed the building would be 30 feet from the road. The building would be in character with the neighborhood. Our vehicles and equipment would be out of view for the neighbors.

NOTE: Eight (8) copies of a sketch plan of the property **must** accompany this application showing the dimensions and shape of the lot, the size, setbacks and location of **existing** buildings, the location and dimensions of the proposed building or alterations, the location of any buildings within 100 feet of the lot, and any natural or topographic peculiarities of the lot in question.

- b. Justification of the variance: In order to be granted, the Appellant **MUST DEMONSTRATE** to the Board of Appeals that the strict applications of the zoning ordinance would cause **UNDUE HARDSHIP. MAINE STATE LAW REQUIRES FOUR CRITERIA, WHICH MUST BE MET.** Before the Board of Appeals can find that the hardship exists. Please explain how your situation meets **EACH** of these criteria listed below: (If these are not answered, the appeal will not be scheduled.,)

1. The land in question cannot yield a reasonable return unless the variance is granted.

No, it cannot. The property is large (2.43 acres); however, the building envelopes are awkward. Having covered parking for our vehicles and maintenance equipment will improve the neighborhood esthetics, improve our safety, security and quality of life in our forever home.

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

Yes. This property has very unique circumstances. Please see attached drawings and photos

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

No, it will not. In fact granting the variance will help the character of the locality. Rather than having vehicles and maintenance equipment stored outside, it will allow all to be under-cover. This will improve the esthetics, safety and security of the neighborhood.

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

No. The hardship is only the result of the road right of way, wetland setbacks and the unique shape of the lot and current building envelope. If the variance is allowed the building will be 30-feet from the road rather than 41-feet.









