



Appeals Office

401 Webbs Mills Road
Raymond, Maine 04071

☎ 207.655.3066

☎ 207.655.3024

May 23, 2005

**BOARD OF APPEALS
Minutes**

7:00 P.M. at the Town Office

Members present: Chairman Matthew Schaefer, Peter Leavitt, Lawrence Murch, and Eden Lingwood. Mary Picavet and Michael Higgins were absent.

Staff present: Code Officer Jack Cooper and Karen Strout, Recording Secretary

Call to order: Chairman Schaefer called the meeting to order at 7:05 pm.

Consideration of minutes dated April 25, 2005:

Motion: moved by Peter Leavitt and seconded by Lawrence Murch to approve the minutes of April 25th 2005 with minor edits. **Vote was unanimous 4/0.**

Public Hearings:

Map 51, Lot 6, LRR1 (WITHDRAWN 5/12/05)
Charlotte and Jeffrey Jewell
17 Hartley Lane
Setback reduction of back lot line from 30' to 10'.

Chairman Schaefer stated for the record that the application of Charlotte and Jeffrey Jewell had been withdrawn at the applicants' request on May 12, 2005.

Map 46, Lot 8, VR1 & VR2
Michelle Carver
51 Main Street/ 71 Main Street
Variance for signs (increase in number and overall square feet of area)

Michelle Carver summarized her request for sign variance. She has two properties- 51 & 71 Main Street. 71 Main Street was formerly the Christ Chapel Church. It is now Center Stage Performing Arts and professional offices. 51 Main Street is also professional offices. Michelle Carver requested an increase on the number and the overall footage of signs. The 71 Main Street location has a potential of 3 or 4 separate businesses within the one property. 51 Main Street could have 2 businesses. Each occupant would like their own sign to advertise their business.

Code Enforcement Officer Jack Cooper reviewed the ordinance and stated what signage was permitted in this district; "signs and billboards related to goods and services sold on the premises shall be permitted, provided such signs shall not exceed six (6) square feet in area, and shall not exceed two (2) signs per premises. "

Comments from abutters:

There was no public comment.

Comments from the board:

Chairman Schaefer commented that he had a hard time seeing any way around the ordinance to grant a variance.

Board member Peter Leavitt stated that the ordinance was pretty clear on the number and the square footage allowed for signs.

The board instructed the applicant that they might need to be creative, possibly incorporating their logo on their door with their suite address.

Board members Leavitt and Schaefer both repeated that there was no way the hardship criteria could be met.

Chairman Schaefer repeated that the applicant did have an opportunity to be creative with the signs that are allowed by the present Land Use Ordinance.

MOTION: moved by Peter Leavitt and seconded by Matt Schaefer to deny the applicant's request for a sign variance on the basis that the 4 points of hardship could not be met by the applicant, specifically point # 1 which states: "The land in question cannot yield a reasonable return unless the variance is granted." **Vote 3/1. motion carried; request denied.**

The applicant asked for further explanation of the # 1 hardship criteria.

Code Enforcement Officer Cooper explained that this # 1 point of hardship: "The land in question cannot yield a reasonable return unless the variance is granted" was the most difficult to meet, and that in essence you would have to prove that you could not use the property at all unless the variance were granted. This is not the case in this instance. The property can still be used.

Other Business:

There was no other business.

Meeting adjourned at 8:20 pm.

Karen Strout
Recording Secretary