

# Town of Sanford Zoning Board of Appeals

917 Main Street, Suite 300  
Sanford, Maine 04073  
(207) 324-9145 Fax (207) 324-9166

Date: February 28, 2011

To: Tom and Barbara White  
144 Stanley Rd  
Springvale, ME 04083

Stan White  
1428 Sokokis Trail  
North Waterboro ME 04061

Dear Applicant:

This is to inform you that the Board of Appeals has voted to act on your application for a Disability Variance as presented in our meeting of February 28, 2011.

## A. Findings of Fact

1. Name of applicant: Stan White representing Tom & Barbara White
2. Mailing address: 1428 Sokokis Trail, North Waterboro, ME 04061
3. Telephone: (207)281-3857
4. Location of property for which variance was sought: 144 Stanley Road, Springvale, ME
5. Tax Map: Map & Lot Number: Map R3, Lot 3
6. Zoning district in which property is located: Rural Residential
7. Name of current property owner: Thomas and Barbara White
8. The applicant is representing the owner of record shown on the current records of the Town of Sanford.
9. The applicant has requested a disability variance for a shed
10. A hearing on the variance request was conducted on February 28, 2011 before the Board of Appeals, with (5) of the (7) members present.

## B. Conclusions of Law

1. A person with a disability resides/does not reside in the dwelling: but the board needs a letter from the doctor of Mr. White stating that Mr. White is permanently physically disabled; but there are two disabled residents of the dwelling.  
Board voted 5 in favor, 0 against.
2. A person with a disability regularly uses/does not use the dwelling:  
Based on the owners are presently residing at the property and have filed the request.  
Board voted 5 in favor, 0 against.
3. The installation of equipment or the construction of structures proposed under this application is/is not necessary for access to or egress from the dwelling by the person with the disability:  
A 10x10 temporary structure proposed under this application is necessary for the maintenance for access/egress to the dwelling.  
Board voted 5 in favor, 0 against.
4. The disability does/does not have a know duration: \_\_\_\_\_ . That duration is: \_\_\_\_\_  
as the result of letters received by the doctor of Mrs. White.  
Board voted 5 in favor, 0 against.

### **C. Decision**

On the basis of the foregoing Findings of Fact and Conclusion of Law, the Board of Appeals voted 5 to 0 to ~~approve/deny~~ the disability variance. The application ~~does/does not~~ meet the undue hardship criteria for a disability variance because A person with a disability resides and uses the property and it would be an undue hardship to move the shed to a different location.

### **D. Conditions**

Based on receipt of a letter from Mr. White's doctor, limited to time for as long as Tom and Barbara White reside in the property. The shed is to be removed within 30 days after Tom and Barbara White no longer live in the home for a year.

### **E. Recording of Variance**

As required by 30-A M.R.S.A. § 4353(5), the applicant must record a certificate of variance in the appropriate Registry of Deeds within 90 days of this notice or else this variance shall be void.

### **F. Appeals**

Parties aggrieved by this decision may appeal it to Superior Court within 45 days of the date of decision February 28, 2011 pursuant to 30-A M.R.S.A. 2691 and 4353 and Maine Rule of Procedure, Rule 80B.