

Town of Sanford Zoning Board of Appeals

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

April 26, 2010

To: Grondin Enterprises
275 Jagger Mill Road
Sanford, ME 04073

Dear Mr. Grondin:

This is to inform you that the Board of Appeals has voted to act on your application for an administrative appeal at its meeting on April 26, 2010 and made the following findings and conclusions:

Findings of Fact

1. The owner of the property is: Rowell LLC, P.O. Box 157, Springvale, ME 04083
2. The property is located at 275 Jagger Mill Road, Sanford, ME 04073
It is in the Industrial Business Zoning District and is identified as Assessor's Map R15, Lot 203.
The property is located in the Shoreland/Resource protection zone.
3. The applicant is Grondin Enterprises, P.O. Box 1488, Sanford, ME 04073.
4. The applicant proposes to operate a Mobile Battery Service Facility.
5. A Certificate of Occupancy Application was denied pursuant to Section 280-5 of the Town Code.
6. A Public Hearing was held on: April 26, 2010.
7. The relevant sections of the ordinance: Section 280 of the Town Code, 302.8 of the 2003 International Property Maintenance Code and Statute, 30-A M.R.S.A.
8. Other relevant facts are: As listed in the letter dated February 26, 2010 and sent as certified mail to the applicant from the Chief Codes Enforcement Officer.

Conclusion: The evidence does establish an error in the determination of the Code Enforcement Officer because the proposed use, though not specifically listed, is an allowed use within the category of uses in the IB Zone and further affirms the Code Officers denial for a Certificate of Occupancy as appropriate since Site Plan Review had not been requested. Board voted 6-0

Decision: Based on the findings of fact and conclusions stated by the Board above, the Board grants the relief that the appellant seeks if the proposed use is allowed in the Industrial Business Zone. Board voted 6-0.

Conditions: The Board finds that the appeal can only be granted with conditions as listed:

1. The appellant must seek Site Plan Review and approval,
2. All conditions of the Site Plan Review must be met before,
3. A Certificate of Occupancy is granted.

Board voted 6-0

Appeals: If you disagree with this decision, you may request reconsideration by the Board within 30 days of the date of this decision. You may file an appeal in the Superior Court within 45 days of the date of this decision.

Administrative Appeal of Grondin Enterprises
April 26, 2010

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