

**Town of Sanford**  
**Zoning Board of Appeals**  
917 Main Street, Suite 300  
Sanford, Maine 04073  
(207) 324-9145 Fax (207) 324-9166

**Date:** April 11, 2011

**To:** Justine Farley  
51 Oak Hill Road  
Sanford, ME 04073

Dear Justine Farley:

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 11, 2011 and made the following findings and conclusions:

**A. Findings of Fact:**

1. Name of applicant: Justine Farley
2. Mailing address: 51 Oak Hill Road, Sanford, ME 04073
3. Telephone: (207) 651-1533 or (207) 490-1147
4. Location of property for which variance was sought: 51 Oak Hill Road, Sanford, ME
5. Tax Map: Map & Lot Number – Map R21, Lot 5 & 6
6. Zoning district in which property is located: Rural Residential Zone (RR)
7. The property is located in the Shoreland/Resource protection zone.
8. Name of current property owner: Justine Farley
9. The applicant is the owner of record according to the current records of the Town of Sanford.
10. A Public Hearing was held on April 11, 2011.
11. The applicant proposes to appeal the Code Enforcement letter from the Chief Code Enforcement Officer dated February 17, 2011.
12. A brief description of reason applicant has filed an appeal. Applicant filed an appeal following the inspection of her home by Codes Enforcement and a letter addressing the various discrepancies issued from the Code Officer dated February 17, 2011. A total of (5) items are being appealed (see comments below under conclusion).
13. The relevant sections of the ordinance: See Section 280 of the Town Code.
14. Other relevant facts are: Please see below

**B. Conclusion:** Based on CEO violation notice of February 11, 2011:

**1. Apparent roof change from hip roof to gable roof on street side of house. No permit on file.**

a. Motion - the evidence does establish the apparent roof structure from hip to gable on street side of house, based on site inspection of shingles plus the 1987 tax card, the roof structure appears not to be altered. Motion seconded and Board voted.

Board voted (4) in favor, (0) against.

**2. Apparent deck addition on lake side of house. No permit on file.**

a. Motion - the apparent deck on lake side of the house has not been altered except with regards to the direction of the stairs (which are more conforming by the move). Motion seconded and Board voted.

Board voted (4) in favor, (0) against.

**3. Deck replacement on street side of house. No permit on file.**

a. Motion - the deck on street side of house does not appear to be original and the evidence does not support the deck was constructed prior to the enactment of shoreland zoning. Motion seconded and Board voted.

Board voted (4) in favor, (0) against.

**4. We are concerned with the safety of the stairs to the second floor and with the location of bedrooms on the second floor. Assessing records show the second floor to be an unfinished attic. No permit in file for finishing the second floor.**

a. Recommend safety adjustments on steps immediately.

b. Motion – the evidence does establish, based on the site inspection, we could not determine the time frame that the attic was finished. Motion seconded and the Board voted.

Board voted (4) in favor to grant the appeal, (0) against.

**5. It appears that there are four bedrooms in this home. The septic design is for up to three bedrooms and with minimal theoretical design flow.**

a. Motion - that the evidence supports that there are not four bedrooms in the home and the septic system is adequate for three bedrooms. Based on the Findings of Fact, the Board grants the appeal of number five. Motion seconded and the Board voted.

Board voted (4) in favor to grant the appeal, (0) against.

**C. Decision:** Based on the findings of fact and conclusions stated by the Board above, the Board decided no enforcement of items 1, 2, and 4. The deck in item #3 must comply (enforcement action). Item #5 evidence supports a 3 bedroom home, not a 4 bedroom home

**D. Appeals:** If you are unhappy with this decision, you may request reconsideration by the Board within 30 days of the date of this decision, April 11, 2011. You may file an appeal in the Superior Court within 45 days of the date of this decision, April 11, 2011.

**Date: April 11, 2011**

**Applicant: Justine Farley**