

## ADMINISTRATIVE APPEAL

### Findings of Fact:

The appellant is Edward W. Little, 11 Meeting House Lane, York Maine 03909. The property in question is located at 5 Meeting House Lane, York ME, identified as Map 56, Lot 08 and is in the Res 1-B District.

Copies of application for administrative appeal, evidence of standing for administrative appeal, warranty deed dated 9/30/1994, GIS maps of Meeting House Lane, statement addressed to the Board of Appeals, Shoreland Building/Use Permit application dated 6/27/2017, Shoreland Building/Use Permit 2017-0401B issued 11/7/2017, e-mails between CEO and appellant, letter from CEO dated 3/24/2010, e-mails between CEO and Jim Daggett, undated survey of subject area, e-mails between Town Manager and appellant, letter from Suzanne Little to CEO dated 3/28/2010 are all made part of the record.

The appellant requests an Administrative Appeal in regards to a decision by the Town of York Code Enforcement Office concerning an Accessory Dwelling Unit. There were no conflicts of interest on the Board. The appellant has standing as a part owner of this small private way and is affected by any traffic over the ROW. He is a full-time resident of York ME.

The relevant sections of the Zoning Ordinance are §18-A.4.E and §18-A.4.B.

The appeal was considered on April 11, 2018. Videotapes of the meeting are available in the Town Clerk's office for review.

Relevant facts are: 1) The permit was issued by the CEO on 11/7/2017. 2) The appeal was filed on 2/22/ 2018. 3) The appellant learned of the permit and conversion to an ADU on 1/24/2018. 4) The work was started on the structure after the time period for filing an appeal had expired. 5) The original permit was issued on 6/27/2017 to convert the structure to an ADU and construct a bathroom. 6) An amendment was approved on 11/7/2017 to add a deck. 7) Another amendment was approved on 1/16/ 2018 for an addition to the bedroom. 8) Zoning Ordinance §18-A.4.E recommends voluntary notification of abutters by the applicant when a permit is issued. 9) According to the MMA Manual section on timely appeals, the Board of Appeals cannot change the appeal period. If the appellant misses the deadline, the Board must deny the appeal.

### MOTION:

Motion by Mr. Swant, seconded by Mr. Carr, to deny hearing the appeal of Edward Little in that the appeal was not filed in a timely manner.



Findings 4-11-2018 Little aprvd

**Vote:** Passed 5-0 (Mr. Manougian, Mr. Carr, Mr. Swant, Mr. Lascelles and Mr. Woods FOR)

**Judgment on Findings of Fact:**

**Approved: 4/25/2018**

**Vote 4-0-1**

**In Favor: Mr. Manougian, Mr. Swant, Mr. Carr & Mr. Woods; Opposed: NONE ; Abstained due to  
Absence: Mr. Lascelles**

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke, located on the right side of the page.