

APPLICATION for APPEAL  
Town of Southwest Harbor  
Board of Appeals

Applicant:

NAME Kinfolk Paddle Club MAILING ADDRESS PO Box 661  
CITY Southwest Harbor STATE ME ZIP CODE 04679 TEL: N/A  
E-MAIL: N/A CEL PHONE: N/A

Agent: (if applicable)

NAME: Susan Allen MAILING ADDRESS PO Box 841  
CITY: Southwest Harbor STATE ME ZIP CODE 04679 TEL: \_\_\_\_\_  
E-MAIL: equinoxgardens@gmail.com CEL PHONE: (207) 266-4776  
RELATIONSHIP TO APPLICANT: Treasurer and stockholder

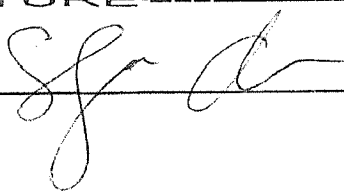
Please complete this application in its entirety. You may add other information as may be needed to adequately describe the purpose of seeking relief from the Southwest Harbor Board of Appeals (BOA). If you need assistance for any unanswered questions, please feel free to contact:

- Code Enforcement Officer     Chairman or Member, Board of Appeals     Tax Assessor

The following has been completed and attached, including section for relief (page 3.1 thru 3.5):

- |   |   |
|---|---|
| <input type="checkbox"/> Statement of <u>Problem</u> , Page 2   | <input type="checkbox"/> Administrative Appeal, Page 3.1            |
| <input type="checkbox"/> Specific Request, Page 3.1-5 .....   | <input type="checkbox"/> Variance, LUO only, Page 3.2               |
| <input type="checkbox"/> Standing, Page 4   | <input checked="" type="checkbox"/> Setback Variance, LUO, Page 3.3 |
|   | <input type="checkbox"/> Disability Variance, LUO, Page 3.4         |
|   | <input type="checkbox"/> Permit Life Extension, LUO, Page 3.5       |
| <input type="checkbox"/> List of Abutters, Page 5 (land use ordinance, road opening & special amusement)  |   |
| <input type="checkbox"/> Copy of receipt-of-payment, Administrative Fee (\$100.00) plus costs to cover notice to abutters and public notice in a local publication. |   |

APPLICANTS SIGNATURE \_\_\_\_\_ DATED \_\_\_\_\_

AGENT SIGNATURE (if applicable)  DATED 11/6/22

**SETBACK VARIANCE APPLICATION, Land Use Ordinance (3.3)**

NAME OF APPLICANT Kinfolk Paddle Club, DATE: 11/6/22

I hereby request from the Southwest Harbor Board of Appeals to consider an

**APPEAL FOR SETBACK VARIANCE**

as provided by Title 30-A, M R S A §4353, §§4-B. In requesting this variance, I understand that:

- ◆ The dwelling for which the variance being sought is my primary year-round residence Non-Resident
- ◆ The request for a setback variance does not exceed 20% of a required setback
- ◆ The variance will not allow any encroachment to the water
- ◆ The variance will not cause the area of the dwelling to exceed the maximum permissible lot coverage.

◆ The following legal test for undue hardship is explained:

A. The need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood:

Correct. (Moving shed closer to court while  
undergoing necessary upgrades due to age of structure)

B. The granting of a variance will not alter the essential character of the locality:

Correct.

C. The hardship is not the result of action taken by the applicant or a prior owner:

Correct.

D. The granting of the variance will not substantially reduce or impair the use of the abutting property:

Correct. (Same usage continued, with shed further  
from lot lines.)

E. The granting of the variance is based upon demonstrated need, not convenience, and no other feasible alternative is available.

Correct. (Building is in need of replacement or repair.)

Property Identification: Map 5, Lot 52 Book 2030, Page 35

APPLICANT/AGENT SIGNATURE [Signature] DATE 11/6/22

PRINTED NAME Susan Allen

**APPLICATION for APPEAL**

NAME OF APPLICANT Kinfolk Paddle Club , DATE: 11/6/22

I am providing this up-to-date and complete **LIST OF ABUTTERS** to the property identified as the subject of this appeal, and further, I understand that:

- ◆ Although I am technically responsible for the notification of the abutters, the Town of Southwest Harbor will execute notification to those listed below (to ensure consistency and timeliness of procedure); and
- ◆ Failure to notify the present-day owner of each and every abutting lot may invalidate the decision of the Board of Appeals in this matter; and
- ◆ Map and lot number, book and page numbers as recorded in the Registry of Deeds, names and addresses of abutters are available in the commitment book, assessors office.

NAME: <u>Ken + Ellen Brooks</u>	MAP: <u>5</u>	LOT: <u>44</u>	BOOK: <u>1475</u>	PAGE: <u>585</u>
ADDRESS <u>19 Norwood Rd.</u>	CITY <u>SWH</u>	STATE <u>ME</u>	ZIP CODE <u>04679</u>	
NAME: <u>Betsy + Luke Black</u>	MAP: <u>5</u>	LOT: <u>43A</u>	BOOK:	PAGE:
ADDRESS <u>45 High Rd</u>	CITY <u>SWH</u>	STATE <u>ME</u>	ZIP CODE <u>04679</u>	
NAME: <u>Anne + Greg Dalton (Camarro, LLC)</u>	MAP: <u>5</u>	LOT: <u>53</u>	BOOK: <u>6985</u>	PAGE: <u>146</u>
ADDRESS <u>7 Kinfolk Lane</u>	CITY <u>SWH</u>	STATE <u>ME</u>	ZIP CODE <u>04679</u>	
NAME: <u>Ann Kraftson</u>	MAP: <u>5</u>	LOT: <u>50</u>	BOOK: <u>3759</u>	PAGE: <u>279</u>
ADDRESS <u>19 Schulzer Lane</u>	CITY <u>SWH</u>	STATE <u>ME</u>	ZIP CODE <u>04679</u>	
NAME:	MAP:	LOT:	BOOK:	PAGE:
ADDRESS	CITY	STATE	ZIP CODE	
NAME:	MAP:	LOT:	BOOK:	PAGE:
ADDRESS	CITY	STATE	ZIP CODE	

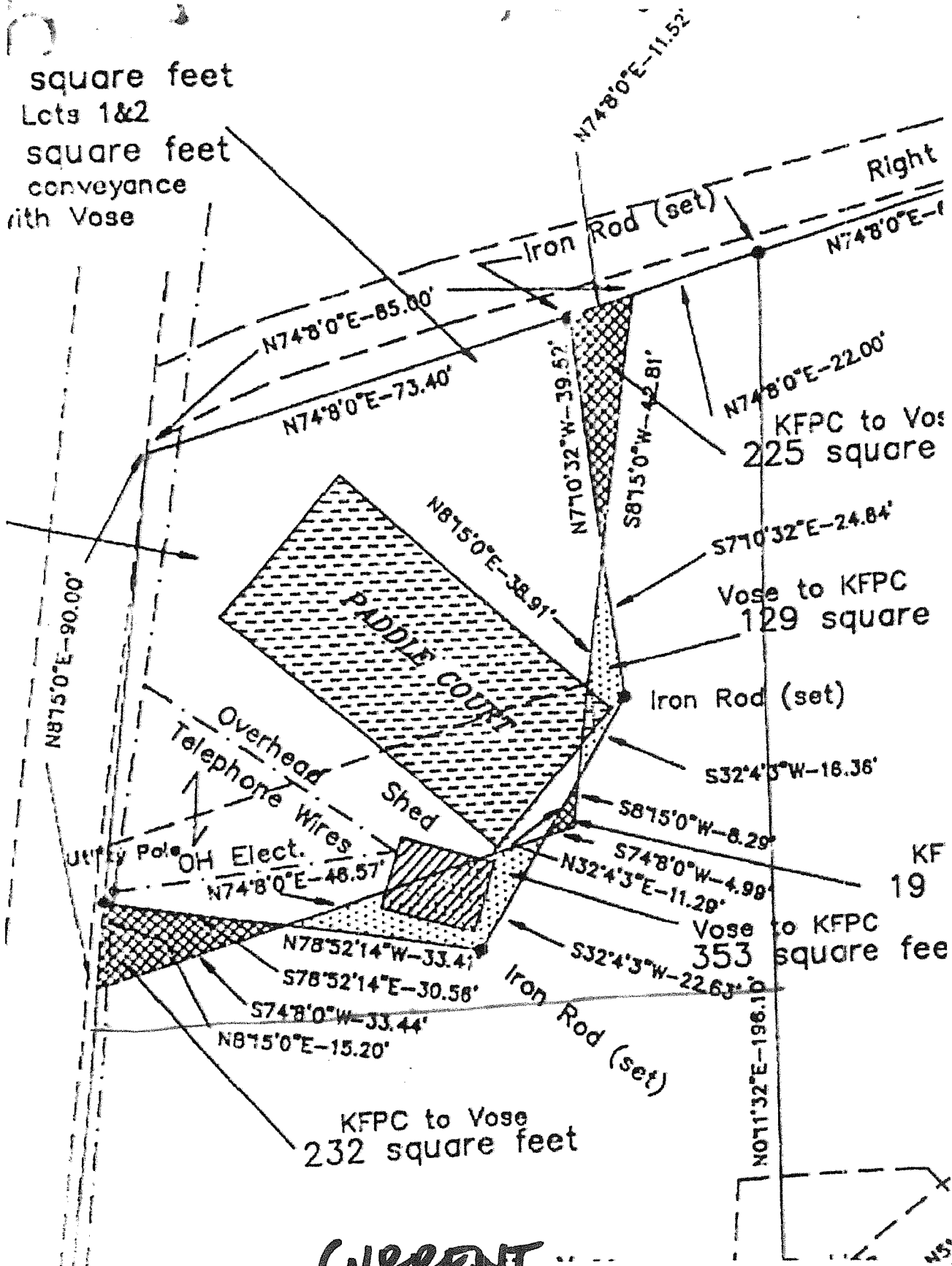
I am writing to the Board of Appeals on behalf of, and as representative of Kinfolk Paddle Club and our property located at 16 Norwood Road in Southwest Harbor.

On the 0.18 acre lot we currently have a paddle court and a shed. The shed is in disrepair and we would like to a) move it to be closer to the court at a parallel arrangement, and b) increase its size by 118 square feet. In doing so, we would make the lot's non-conformance less so, since we would move the shed from its current position three feet from the lot line, to 12' from it. (See attached plan.)

The current lot coverage is the court (1860 square feet) and the shed (176 square feet), totalling 2036 square feet. We are proposing 2154 square feet with the slightly larger shed. (Currently it's 11' x 16', and the plan we are looking at is for a 14' x 21'.)

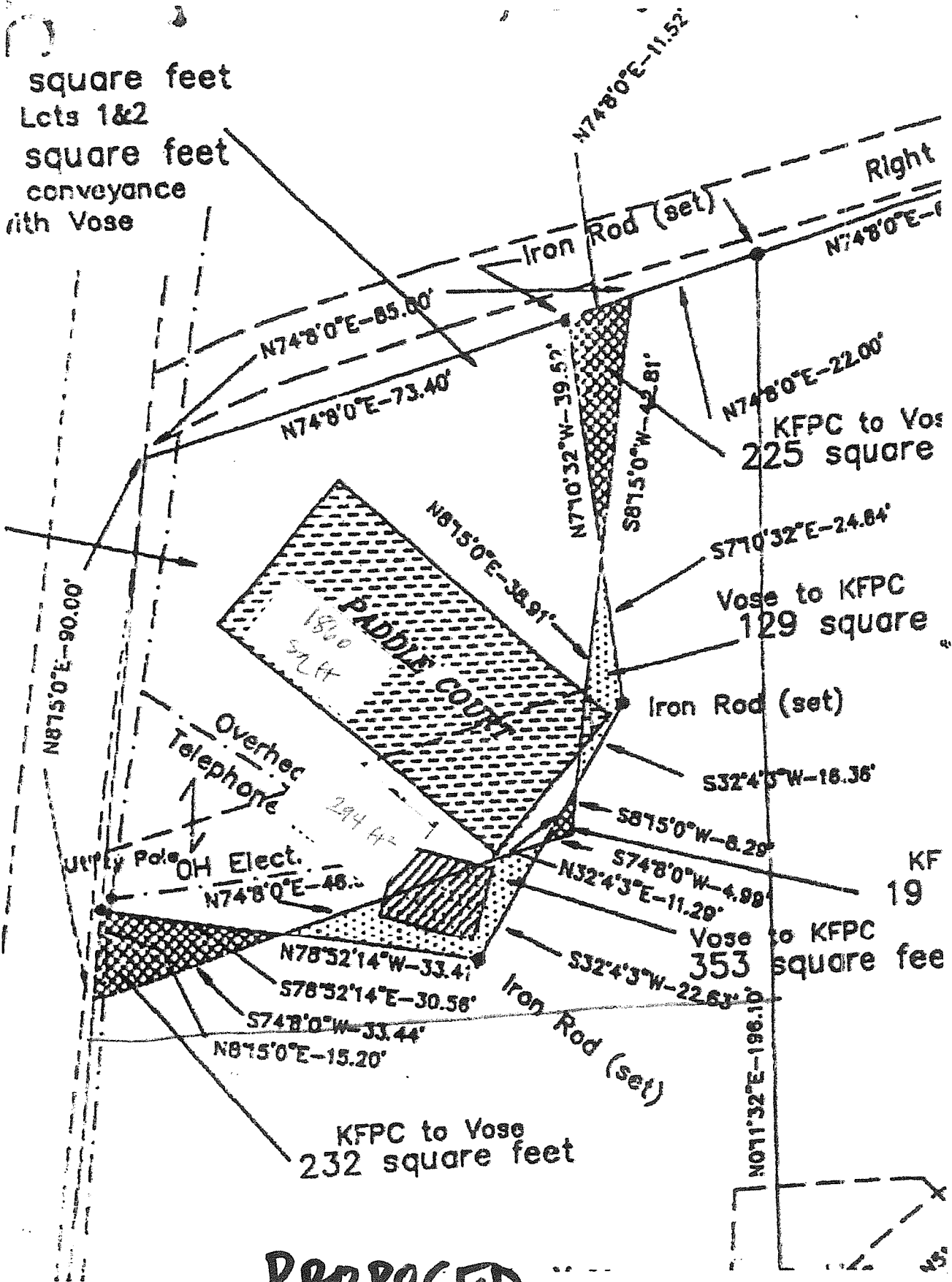
The property is not serviced by water or sewer of any origin.

square feet  
 Lots 1&2  
 square feet  
 conveyance  
 with Vose



**CURRENT**

square feet  
 Lots 1&2  
 square feet  
 conveyance  
 with Vose



**PROPOSED**