

June 19th, 2024

Brett Brayley & Joanna Fox
116 East Shore Beach Rd
Naples, ME 04055

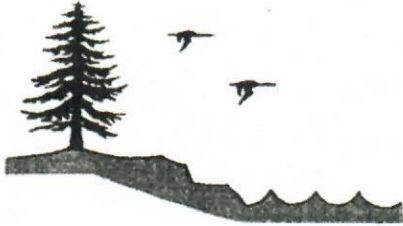
Dear Board Members,

The setback reduction request is to add stairs exiting to the right yard from the rear covered porch. The stairs would exit the porch into the right yard towards the front of the residence, away from the water.

The covered porch is only accessible from the first floor with no form of egress. Currently the only exits from the first and second floor are out the front door or through the rear exit in the basement. In the case of emergency we would like there to be a form of egress from the rear porch to exit the residence.

Thank you for your time,

Brett Brayley



TOWN OF NAPLES BOARD OF APPEALS

P.O. Box 1757, Naples, Maine 04055
Phone: (207) 693-6364 / Fax: (207) 693-3667
www.townofnaples.org

Setback Reduction Request

Owner Information	Name(s): <u>Brett Brayley</u>
	Phone Number: <u>207.653.6541</u> Email: <u>brayleyb@gmail.com</u>
	Mailing Address: <u>12 Hidden Brook Dr. Gorham, ME 04038</u>

PROPERTY INFORMATION	
Site Address: <u>116 East Shore Beach Rd</u>	Map: _____ Lot: _____ Zone: _____
Was lot in existence prior to November 1988? <u>Yes</u>	Building Use: Residential <input checked="" type="checkbox"/> Commercial _____
Is the location near a water body? (Including a runoff): <u>Yes</u>	Is the property in a floodplain/way: <u>No</u>

PROJECT INFORMATION	
<input type="checkbox"/> New Structure <input checked="" type="checkbox"/> Addition <input type="checkbox"/> Renovation <input type="checkbox"/> Demolition <input type="checkbox"/> Existing non-conforming	
What are you building that you're requesting the variance for? <u>Stairs off back/right deck.</u>	

<p>The absolute minimum setbacks are as follows: Side: 10 feet; Front: 15 feet; Rear: 15 feet</p> <p>How many feet are you requesting the variance for? <u>10ft</u></p> <p><i>*You are responsible to know of and maintain any buffer zones, ROW's etc. required by your subdivision or deed.</i></p>	<p>Which side do you need the variance for?</p> <p> <input type="checkbox"/> Front Yard <input type="checkbox"/> Back Yard <input checked="" type="checkbox"/> Right Yard <input type="checkbox"/> Left Yard </p> <p><i>*The Town cannot allow setback reduction variances from waterbodies</i></p>
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If your lot was not in existence before November 1988, you must include a written summary of your proposal to explain how your application meets the following criteria for undue hardship:

1. It is impossible for the applicant's land to yield a reasonable return without the variance,
2. the need for the variance is due to the unique circumstances of the property and not to the general conditions of the neighborhood
3. granting the variance will not alter the essential character of the locality, and
4. the hardship is not the result of action taken by the landowner or a prior owner.

I HERBY CERTIFY THAT THE INFORMATION IN THIS APPLICATION IS COMPLETE AND CORRECT AND I AGREE TO COMPLY WITH ALL TOWN ORDINANCES AND LAWS APPLICABLE TO THIS PROJECT. I UNDERSTAND THAT I MAY BE REQUIRED TO MOVE/REMOVE ANY IMPROVEMENT IF AN EXACT DETERMIANTION OF PROPERTY LINES ESTABLISHES THAT REQUIRED SETBACKS WERE NOT MET. I AM OR LEGALLY REPRESENT THE OWNER OF THE SUBJECT PROPERTY FOR THE PURPOSE OF THIS PERMIT.

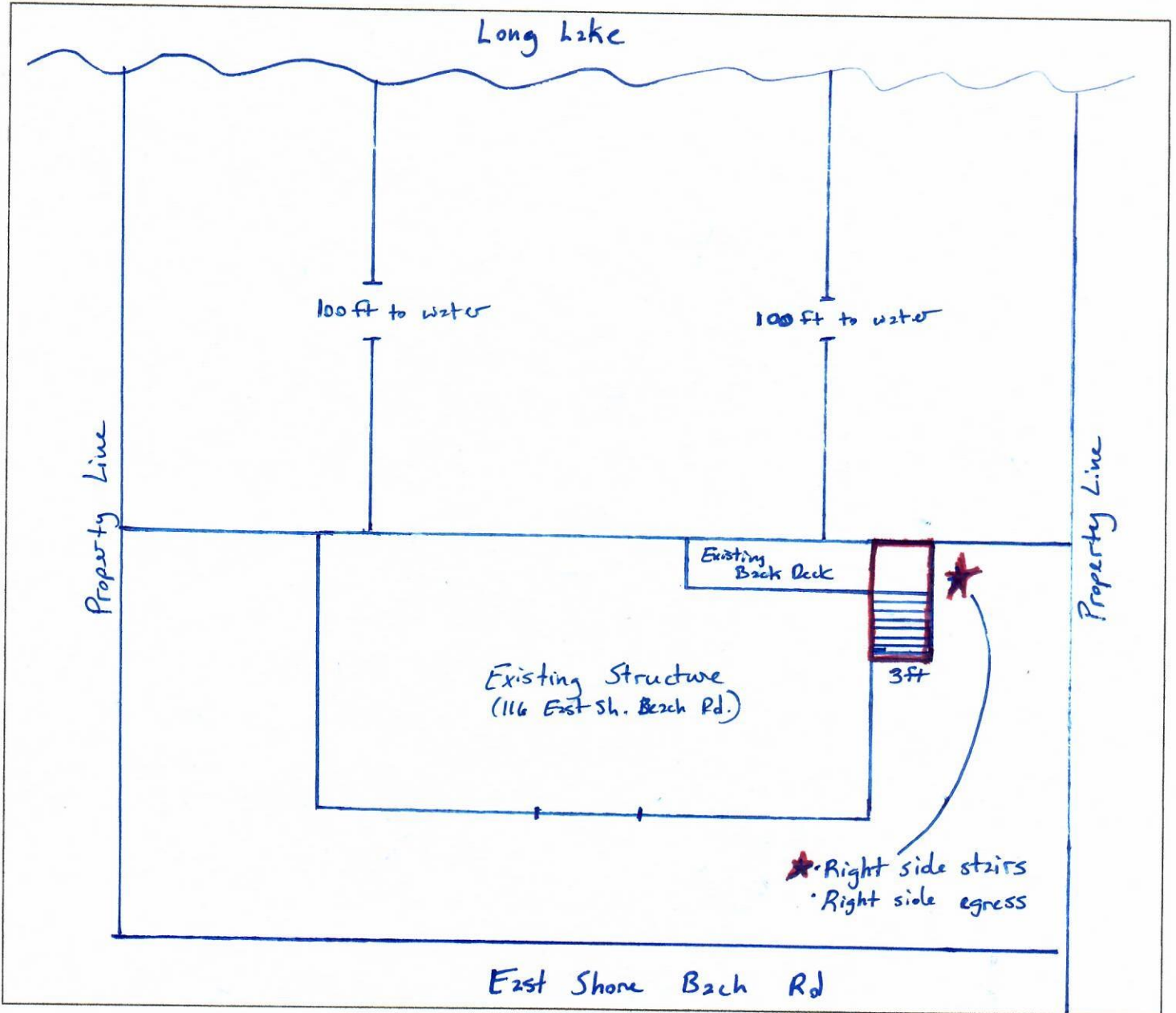
Signature of Applicant: BIS Date: 6/19/24

Application Fee: \$50.00 Advertising Fee: \$50.00 Mailing Fee: \$10.00 per abutter

If you have any other information you would like to include, please attach it to your application along with **7 copies** of all materials submitted.

PLOT PLAN

Please include a sketch plan of the property, showing the dimension and shape of the lot, the size and locations of existing buildings, the locations of proposed buildings or alterations, and any natural or topographic peculiarities of the lot in question.



THE PROPOSED STRUCTURE AND PROPERTY LINE INVOLVED MUST BE PHYSICALLY MARKED ON THE GROUNDS WITH STRING, FLAGGING TAPE, SPRAY PAINT OR THE LIKE AND A TEMPORARY SIGN MUST BE AFFIXED TO THE LOT SHOWING YOUR NAME AND LOT NUMBER UNTIL THE DATE THAT THE APPLICATION IS REVIEWED.

Signature: BB Date: 6/19/24

If you have any other information you would like to include, please attach it to your application along with 7 copies of all materials submitted.

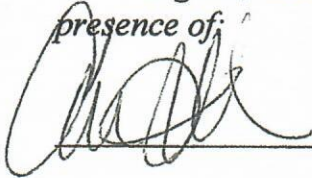
**WARRANTY DEED
Maine Statutory Short Form**

KNOW ALL PERSONS BY THESE PRESENTS That **Marc David McLeod** of PO Box 283, Naples, ME 04055, for consideration paid grant(s) to **Joanna Marie Fox and Brett Michael Brayley**, of 12 Hidden Brook Drive, Gorham, ME 04038, with warranty covenants, as joint tenants, the land in Naples, County of Cumberland and State of Maine described on the attached **EXHIBIT A**:

WITNESS our/my hand(s) and seal(s) this 9th day of September, 2022.

Signed, Sealed and Delivered in

presence of:



Marc David McLeod

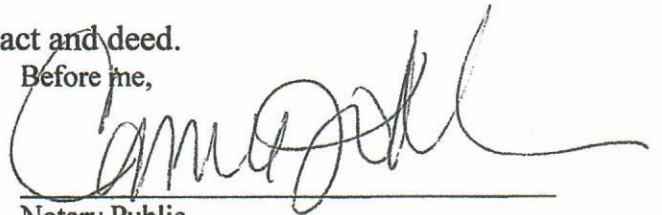
STATE OF MAINE

September 9, 2022

COUNTY OF CUMBERLAND

Then personally appeared the above named Marc David McLeod and acknowledged the foregoing instrument to be his/her/their free act and deed.

Before me,



Notary Public

Printed Name:

My Commission Expires:

CONNIE JO MINERVINO
NOTARY PUBLIC
State of Maine
My Commission Expires
December 29, 2028

Exhibit A

The land, with any buildings thereon, situated in the Town of Naples, County of Cumberland and State of Maine, described as follows:

Parcel One:

A certain lot or parcel of land situate in Naples, Cumberland County, Maine and being Lot #9 as delineated on a Plan of Naples East Shore dated July 20, 1964, revised June 21, 1965 and duly recorded in the Cumberland County Registry of Deeds at Plan Book 69, page 5.

Also granting herewith a right of way over Brooks Road and other roads at the said "Naples East Shore" for the purpose of ingress and egress to the Harrison-Naples Road, now known as Route 35, including utility access. All said rights in common with those heretofore and hereafter granted similar rights.

Parcel Two:

A certain lot or parcel of land, with all buildings thereon, situated in Naples, and in "Naples East Shore" development, bounded and described as follows:

Commence on the easterly side of East Shore Road at an iron stake set in the ground, said stake located on a course N 79° E from the northeasterly corner of Lot #9 aforesaid; thence continuing on said course, 50 feet, more or less, to land now or formerly of Houser; thence by said Houser land on a course about S 10° and 30' E, 100 feet, more or less, to an iron stake set in the ground and land now or formerly of Margaret Inokay et al; thence by said Inokay land S 77° 30' W, 50 feet, more or less, to an iron stake set in the ground on the easterly side of said East Shore Road and thence by said East Shore Road N 10° 30' W, 100 feet, more or less, to an iron stake set in the ground, being the point and bound begun at.

Also granting herewith a right of way over said East Shore Road and other roadways in said "Naples East Shore" development for ingress and egress to the premises herein conveyed, to state highway, Route 35 known as the Harrison-Naples Road and the right to set and maintain along said roadways, utility poles for telephone and electric service, all said rights in common with those heretofore and hereinafter granted similar rights.

Reference is made to deed from Marc David McLeod of even or recent date to be recorded herewith in the Cumberland County Registry of Deeds.

Map References

1. A PLAN ENTITLED "LAKESIDE DRIVE NAPLES, FL" DATED NOVEMBER 27, 1986, RECORDED IN PLAIN BOOK 45 PAGE 090.
2. A PLAN ENTITLED "PLAN OF SUBDIVISION OF CERTIFIED H. BROOKS, AT NAPLES EAST SQUARE, NAPLES, FLORIDA" DATED JULY 20, 1984, RECORDED WITH THE CLAMBERLAND COUNTY REGISTRY OF DEEDS IN PLAIN BOOK 09, PAGE 05.

ANNE STATE PLANE
 11001.200 EPOCH
 USED UNLESS OTHERWISE
 REFERENCED TO THE
 MAP U43 AS BUILT
 ON THE TOWN OF
 NAPLES AND NEPT
 HIGHLAND COUNTY
 FLORIDA FOR A LUBA

FOR 1/4" SCALE ONLY
 MARKED BASE (WOOD
 MARKS FOR NAILERS,
 IF) PANEL NUMBER
 (AKS OF THE DATE OF
 REFERENCE NO. 1
 2) REBAR A REQUEST
 3) REBAR A REQUEST
 NO PLAN HAS BEEN
 REPORT AND MAY BE



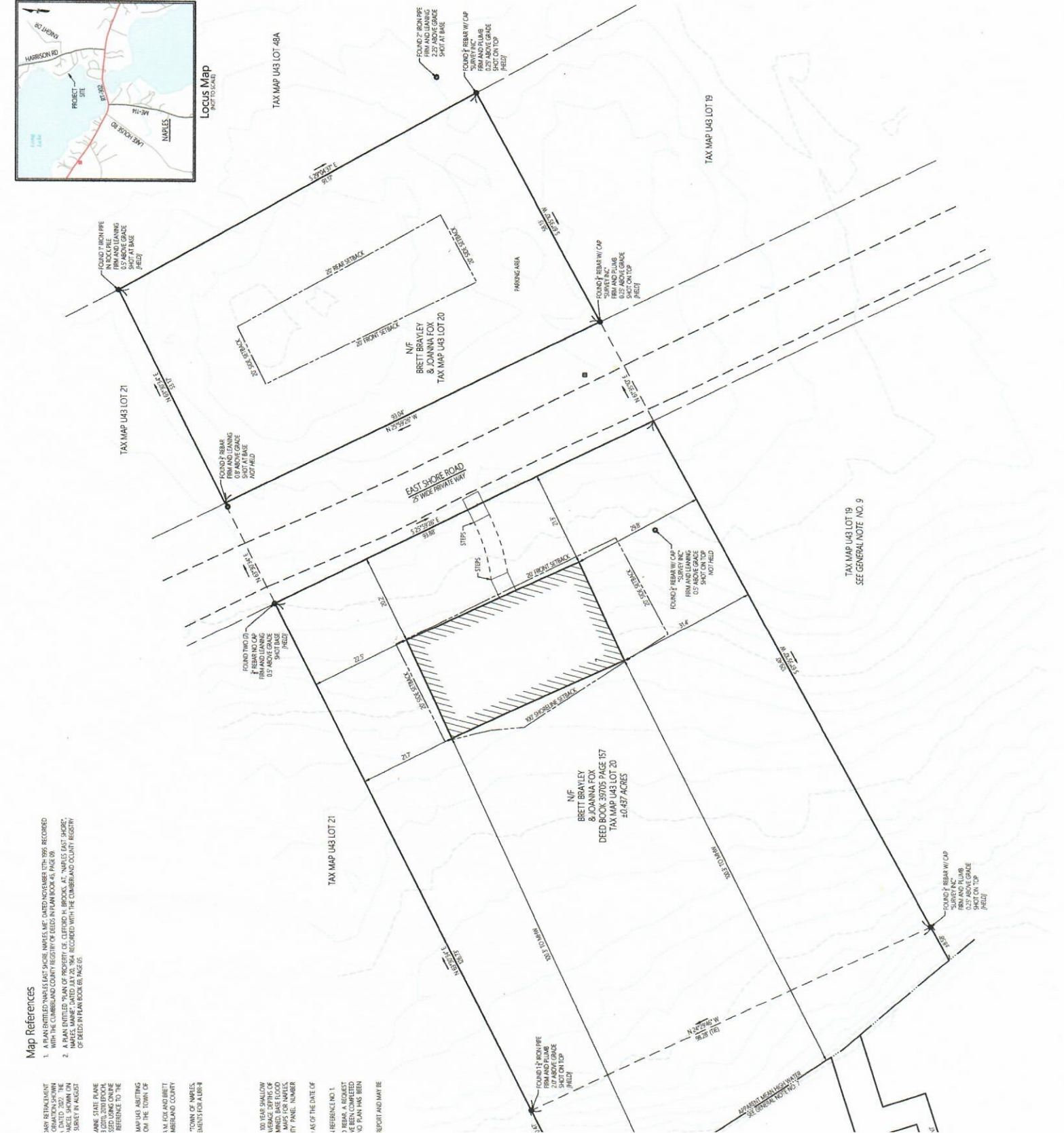
Locus Map
 (NOT TO SCALE)

TAX MAP U43 LOT 48A

Brayley - Fox
 116 East Shore Road
 Naples, Maine

Date	Author
02/13/2024	DD
05/13/2024	DD
05/13/2024	DD

Showing The
**Site Exhibit for
 Building Permit
 Lot 20 - Tax Map U43**



TAX MAP U43 LOT 19
 SEE GENERAL NOTE NO. 9

TAX MAP U43 LOT 21

NF
 BRETT BRAYLEY
 & JOANNA FOX
 DEED BOOK 33705 PAGE 157
 TAX MAP U43 LOT 20
 ±0.487 ACRES

TAX MAP U43 LOT 19



EAST SHORE ROAD
 25 WIDE PRIVATE WAY

UPPOINT FROM HIGH WATER
 SEE GENERAL NOTE NO. 1