

In reading the letter Rebecca Albright sent me, I noticed that nowhere does it state what I am in violation of. So, she states "resident failed to obtain a permit and for original porch/steps. Therefore, no grand fathering can apply. All new construction must be 75' from the center of the road. My argument is that most of this structure is well over 60 years old and that the Town of Lamoine first building/land use ordinance came out in 1975 so, my porch/steps should be grandfathered. I have added the following sections of the current ordinance that I feel has to deal with my situation here. I have also included the first Building and Land use ordinance for the Town of Lamoine but since this structure was first placed some 30 years earlier than that ordinance, I feel it really does not apply to this matter, but the Lawyer asked for it. Since I felt that my structure was grand-fathered and that I was only adding only 68 sq. ft. to square it off I did not need a permit according the Section 1. Scope of the current Building and Land use ordinance as it is less than 100 sq. ft. I also conform with the Section I. Non-confronting structure and I made sure that the new part of the structure was not closer to the road and that I did not expand it but over 30%. For these reasons I believe that I do not need a permit and that I am not in violation of any part of the Lamoine Building and Land ordinance. The following pages are emails back and forth between me and Ms. Albright, parts of the ordinance that I feel that deals with my case since I was not given any from Ms. Albright. There is also a copy of the first ordinance for the Town of Lamoine and many pictures from past and present of the house.

SECTION 1. SCOPE *W*

The provisions of this ordinance shall apply to the location of structures, including streets and driveways, on the land and to new construction, reconstruction, conversion to a different use, substantial additions, relocations, and replacement of any building or significant segment thereof, including all trailers, recreational vehicles, and/or manufactured homes when connected to any utility and/or used as a residence for a period of more than 30 days. This ordinance does not require that a permit be obtained for the construction or placement of a dog house, children's playhouse, tool shed, or similar small building having not more than 100 square feet providing such structures meet all other requirements of this ordinance. Such uses require a Shoreland permit if located in the Shoreland Zone.

May 7, 2907 – Hodgkin sold land to Royal

May 19, 1932 – Royal sold land to Rankin

December 30, 1933 – Mildred Smith (Jordan) (Mom) was born in the house next to this land that was sold to Mr. Rankin.

1943 to 1945 when Mildred was about 10 or 12 years old, she remembers the Rankin house being built. Currently there was NO building code for the town.

December 25, 1960 Mildred married Gerald Jordan (Dad) and he moved into Mildred's home to help care for Mildred's mother. That is where they started their family.

November 9, 1961 – Michael J Jordan was born

May 11, 1963 – Timothy D. Jordan was born

May 10, 1967 – Jeannine M Jordan was born

All of us grew up next to Mr. Rankin (Percy) and visit our neighbors a lot while up for raspberry picking/to cutting rhubarb and checking in on an elderly neighbor. I remember growing up with him having a structure that would lead you from the driveway to gain access to his front door. So, for my 8 years and Michael's 14 years of his life these are our memories to name just a few growing up next door.

It was not until 1975 the 1st Building Code of Lamoine was established. So, at this point anything, for anyone would have to be grandfathered. So, Mr. Rankin's house even though at today's ordinances would be too close to the road and would be in violation however his house and structure that got him from the driveway to the house would have to be considered grandfathered. It was in existence before the ordinances were established for many, many years (30 +/-)

On December 12, 1970 gave the property to his daughter Millikan. Then when Mr. Rankin died in 1979 the Millikan's sold the property to Gerald Jordan (Dad). The property always having a structure to the house from the driveway was still there.

On April 14, 2000 Gerald (Dad) sold me the house and over the next 25 years have made improvements to the property, not limited to the updating of the foundation work but always staying within the same foot print of Mr. Rankin's existing structure lines. We did things and replaced/upgraded structures as financially able.

To be clear we did not build any structure near or over 100 sq. ft. The purpose to remove part of our existing 320 sq. ft. impervious structure was to gain access to the foundation of our house. The front or roadside of the house has been slowly, over the years breaking the posts, which in turn, was causing damage to the inside of our house and outside.

The existing structure that was grandfathered prior to 1975 and the 1st ordinance have never moved closer to the road than what has been there from 1943/1945 to the structure there today. It made have changed a bit in materials because of breaking down, eroding, wear, and tear.

***Structure:** Anything constructed or erected, the use of which requires a fixed location on or in the ground or in the water, or an attachment to something having a fixed location on the ground, including buildings, billboards, signs, commercial park rides and games, carports, porches, and other building features, including stacks and antennas, but not including sidewalks, fences, driveways, parking lots, and field or garden walls or embankment retaining walls.*

To add additional structure to a grandfathering existing structure must be under 30% of the existing structure. We only added 68 sq. ft. of new structure and the new part of the structure is further away from the road because the way the road curves going towards Ellsworth and the way the house sits on the lot. We thought it would be nicer to square it off than round it of like in the picture. Even after all this Section #5 of the Building Code:

I. Non-Conforming Structure:

If any portion of a structure does not meet the dimensional requirements of the Building and Land Use Ordinance, that portion of the structure shall not be expanded by more than 30% in floor area or volume.

It states that I do not need a permit for all stated fact-finding information. Though it does stand on its own merits That Ms. Albright was out of line issuing me a notice of violation with our stating the violation. and wasting yours and my time bringin this before you. So, my apologies – a little knowledge and research on her part would have shown grandfathering would have been in place and all would have been done with.

8/29/2020

ATTN: Town of Lamoine – Board of Appeals

I, Jeannine Jordan Lawser, owner of this house, 478 Douglas Highway Lamoine, ME 04605, Map 7 Lot 16-1 and one to be found in violation by Rebecca Albright. I give permission to my brother, Michael J. Jordan, to speak on behalf and/or in conjunction with me during this appeals meeting.

Sincerely,

A handwritten signature in black ink that reads "Jeannine J. Lawser". The signature is written in a cursive style with a large initial "J" and a distinct "L".

Jeannine Jordan Lawser

----- Forwarded message -----

From: **Kathleen Rybarz** <klybarz@gmail.com>

Date: Sun, May 17, 2020, 1:59 PM

Subject: No permit?

To: beck albright <lamoineceo@gmail.com>

Hello Beck,

I just received a call from another citizen asking about the lack of a permit for a new deck in front of the home at 478 Douglas Hwy. I enclose a picture of the home taken from Google earth before the addition of a larger deck in front of the home. I think the home is on map 7 lot 16-1

2

I couldn't see a permit taken out, not sure if it meets the distance requirements to be less non-conforming addition to this property. When I drove by yesterday, it did seem like new construction that expanded the deck area from what was as smaller brick porch/deck like structure that I see on Google map. It also appears that they intend to add a roof structure.

Kathleen



Lawser existing steps

From: Jeni Lawser (jeni85c@yahoo.com)

To: lamoine.ceo@gmail.com

Date: Thursday, May 21, 2020, 07:58 AM EDT

Rebecca,

Below are several photos that should show you the existing steps, landing and raised flower gardens that was there, that were being replaced. Not in order and some in the far back ground.

Thank you,
Jeannine Lawser
Lamoine

Hi Jeni. Thanks for sending the very clear photos. I have a much better idea of what you had in the ground before you built your new deck. Rebecca

On Sat, May 23, 2020, 8:29 AM Jeni Lawser <jeni85c@yahoo.com> wrote:

Good evening Beck,

Just touching base. I haven't heard anything from you.
What is the name of the person that started this nonsense?

I look forward to hearing from you.

Thank you,
Jeannine (Jeni) Lawser
Sent from my iPhone

Re: Prior steps

From: beck albright (lamoineceo@gmail.com)

To: jeni85c@yahoo.com

Cc: town@lamoine-me.gov

Date: Friday, May 29, 2020, 09:05 AM EDT

Hi Jeni. What I need you to do is draw me two diagrams. One in which you show me, on paper the exact dimensions of what was on the ground.... distinguishing between decks,patio bricks and flower beds. I need setbacks from the center of the road for these features. Secondly, please draw me a diagram exactly what is existing now - recently built. Again, I need distance from the centerline of the road and width, length and height of the new wooden structure that you have built. When I receive these drawings I will have a much better idea of how to handle your situation. I appreciate the photos that he most recently sent me not the flower beds, but they do not suggest a grandfathered situation in which you can turn flowerbed square patio bricks into essentially a three-dimensional structure. I have no idea who has called on you and I have no interest in pursuing that matter whatsoever. Thank you for your help in this situation, Rebecca

On Thu, May 28, 2020, 7:41 PM Jeni Lawser <jeni85c@yahoo.com> wrote:

Deck

From: Jeni Lawser (jeni85c@yahoo.com)

To: town@lamoine-me.gov

Date: Friday, June 5, 2020, 01:47 PM EDT

Stu,

Please forward me the complaint about my deck and the photos that were taken that was submitted to the selectman.

Thank you,

Jeannine (Jeni) Lawser

[Jeni85c@yahoo.com](mailto:jeni85c@yahoo.com)

207-812-8573

Sent from my iPhone

FW: No permit?

From: Town of Lamoine (town@lamoine-me.gov)

To: jeni85c@yahoo.com

Date: Friday, June 5, 2020, 01:55 PM EDT

Jeni – here is the complaint that Rebecca received on May 17, 2020 –

stu

From: beck albright [mailto:lamoineceo@gmail.com]

Sent: Friday, June 5, 2020 1:50 PM

To: Lamoine Town Office <town@lamoine-me.gov>

Subject: Fwd: No permit?

----- Forwarded message -----

From: Kathleen Rybarz <klybarz@gmail.com>

Date: Sun, May 17, 2020, 1:59 PM

Subject: No permit?

To: beck albright <lamoineceo@gmail.com>

Hello Beck,

I just received a call from another citizen asking about the lack of a permit for a new deck in front of the home at 478 Douglas Hwy. I enclose a picture of the home taken from Google earth before the addition of a larger deck in front of the home. I think the home is on map 7 lot 16-1

I couldn't see a permit taken out, not sure if it meets the distance requirements to be less non-conforming addition to this property. When I drove by yesterday, it did seem like new construction that expanded the deck area from what was as smaller brick porch/deck like structure that I see on Google map. It also appears that they intend to add a roof structure.

Kathleen



Screen Shot 2020-05-11 at 2.33.24 PM.png

1.7MB



0.jpg

38.8kB

Re: Deck

From: beck albright (lamoineceo@gmail.com)

To: jeni85c@yahoo.com

Date: Saturday, June 6, 2020, 10:23 AM EDT

Thanks so much for this, Jeni. It will take me a while to go through it all. I will get back to you soon. Becca

On Sat, Jun 6, 2020, 9:15 AM Jeni Lawser <jeni85c@yahoo.com> wrote:

Good morning Becca!

Attached you will find two diagrams and a couple of pictures. I first want to apologize for my lack of architectural drawing abilities but did my best. I hope this is what you need. The one drawing of the old way that clearly shows that the impervious structure was there and took up over half of the front of the house. I included a google map satellite photo showing that too. To fix my foundation issue and gain access to the posts that hold up the front of my house, that part of the impervious structure had to be removed. So once we got the posts and foundation fixed we obviously had to put something back. So we marked out where the existing impervious structure was and since it was half way across the front of the house anyways and we had just gotten our stimulus check so to put it to good use, we decided to take the deck across the remainder of the house to be more aesthetically pleasing. You can see we are no closer to the road because of the curve in the road where the "new" section of approximately 68 sq ft would be and thought it would be more aesthetically pleasing plus it would help my disabled Mom who likes to come over and visit and able to get in and out better. So we rechecked our measurements, spoke to the contractor checked with the town office and everything was a go, since the new extension (68sq ft) was under the 100 sq ft so we didn't need a permit so we went forward with it. Since the impervious structure part was just being replaced we didn't have to worry about that square footage because it was an existing structure. We've had so many compliments on it and many of them can't wait to see it once this social distancing ban passes and we can have them over for a bbq like we've done for many summers on the patio! So in the second drawing you can see where I put in the distance from the ditch sits actually further back because of the curve. If you have any further questions or I forget something please let me know.

Thank you,

Jeni - Jeannine



Sent from my iPhone

On Jun 5, 2020, at 1:58 PM, beck albright <lamoineceo@gmail.com> wrote:

Excellent thank you so much and I look forward to seeing them as soon as you can get them to me. Rebecca

On Fri, Jun 5, 2020, 1:51 PM Jeni Lawser <jeni85c@yahoo.com> wrote:

I'm working on the drawings you requested. I'm working fulltime now and as you know parents are also a full time job. Doing my best.

Jeannine (Jeni) Lawser

Sent from my iPhone



image7.jpeg

>> On Jun 10, 2020, at 6:36 PM, Rebecca Ann Albright <dreaminadrum@gmail.com> wrote:
>
> Hi Jeni. Did you obtain a permit for the original structures? TY Rebecca

On Fri, Jun 12, 2020, 9:07 AM Jeni Lawser <jeni85c@yahoo.com> wrote:

Hi Rebecca,

No because the impervious structures were done in two separate years. In 1999 we started the Impervious structure toward the patio side for a totally of approximately 84 square ft. But in 2013 our insurance company was reappraising our house and the appraiser told my ex husband and I that the north side of the impervious structure was to high and needed to add to it to make it safer and more accessible and more in complaint with our Home Owners Insurance Policy . So we just added them in two separate projects in two different years but fourteen years apart, but both under 100 square feet. If I find anything else I will let you know.

Thank you,
Jeni

Sent from my iPhone

On Jun 12, 2020, at 1:02 PM, Rebecca Ann Albright <dreaminadrum@gmail.com> wrote:

Hi Jeni, I had a conference with attorney Richard Flewellin of Maine municipal association recently. He made it very clear to me that unless you obtained permits for the original work, none of the new work can be considered grandfathered. As you may know, the new porch is many feet to close to the centerline of the road to ever be permissable. Rebecca

On Fri, Jun 12, 2020, 2:48 PM Jeni Lawser <jeni85c@yahoo.com> wrote:

Hi Rebecca,

I would like a copy of the letter from The Maine Municipal Association- Richard Flewellin sent to me.

Was the only reason you came to my property was because of the Kathleen Rybarz e-mail?

Look forward to hearing from you.
Jeni

Sent from my iPhone

Re: Permit

From: Rebecca Ann Albright (dreaminadrum@gmail.com)

To: jeni85c@yahoo.com

Date: Friday, June 12, 2020, 02:57 PM EDT

Jeni, it was a conversation. Yes, K. Rybarz's email initiated this.

Town of Lamoine, Maine

NOTICE OF VIOLATION / ORDER FOR CORRECTIVE ACTION

NAME: Jennine S. Lawson

ADDRESS: 478 Douglas Highway
Lamoine, ME. 04605

You are hereby notified that you are in violation of building a non-conforming porch w/o a permit

DATE VIOLATION OBSERVED: May 24th, 2020

DESCRIPTION OF VIOLATION: resident failed to obtain a permit for original porch/steps. Therefore no "grand-fathering" can apply, all new construction must be 75' from the

You are hereby ordered to take the following corrective action or measures no later than: center of r

Remove porch w/in 30 days + relocate with permit to conforming location

Failure to comply with this Order may result in court action against you and you may be required to pay a fine. Title 30-A M.R.S.A. § 4452 establishes a fine of \$100.00 - \$2,500.00 for each violation of the Ordinance. (A separate fine will be assessed for each day a violation continues.) The town will seek an order for corrective action, a substantial fine, plus its attorney's fees and costs in such an action.

As permitted by Section 8 of the BWO Ordinance, an appeal of this enforcement action may be taken to the Zoning Board of Appeals within thirty (30) days of the date of this order, by submitting to the Clerk of the Zoning Board of Appeals a written statement and application of the relief requested and why it should be granted. Failure to exercise this administrative procedure will jeopardize your right of appeal.

Please contact the Code Enforcement Officer by phone at 2242 if you have any questions concerning this violation and to make arrangements to bring your property into compliance. You must notify the Code Enforcement Officer when corrective action is taken so that a compliance check may be made.

6/23/2020
Date

[Signature]
CODE ENFORCEMENT OFFICER

PROPERTY ASSESSMENT RECORD

TOWN OF LAMONE, MAINE

CARD 2 OF 2 CARDS

MAP	LOT	LOCATION #	SUB. LOT	NOTES	DATE	BK	PG	RET ST	SINGLE FAMILY	TWO FAMILY	APARTMENT	RESIDENTIAL	SEASONAL	CONDO	OTHER	SUMMARY
7	16-1	478														LAND 18000 BLDGS. 29000 TOTAL 47000

RECORD OF OWNERSHIP																
Jordan G. M.	Lousser	DATE	BK	PG	RET ST	REMARKS:	101 NEW LOT w/ THIS HOUSE.	D: VORCE DEGREE	BR 5978 P-1122163	2-01-2013	SLAB 17 NOK new shed	also noticed P/B not prev assessed	BR 6968 - P-222-2,0819	Release & Deed Sales Taxes (over)	17	LAND 43500 BLDGS. 49400 TOTAL 92900

INTERIOR INSPECTED: YES NO EST DATE 7/25/92 10:15 am 7/29/92 8:4

10/17/01 Review w/ Dad (AC)



LAND VALUATION				LAND VALUATION				LAND VALUATION				
ACRES	%	PRICE	TOTAL	DEPR	+	VALUE	MINUS	PLUS	OTHER FACTORS	MINUS	PLUS	OTHER FACTORS
1		33000	33000			33000	VACANCY	COMM. INF.	PAVED ROAD			
1	14000	14000	25			10500	SEMI-IMP	OTHER	GRAVEL ROAD			
			43500				TOPOGRAPHY		TOWN WATER			
							ACCESS		DRILLED WELL			
							R/W		DUG WELL *			
							SIZE		TOWN SEWER			
							SHAPE		SEPTIC			
							USE					
LOT COMPUTATIONS UNIT PRICE DEPTH % UNIT PRICE DEPTH % UNIT PRICE DEPTH % IMPROVING STATIC DECLINED												
LAND VALUATION AREA TRENDS IMPROVING STATIC DECLINED												

1 [] = 2 ft + 1/2

DOUGLAS HIGHWAY

[Pink Square] = BUSH 16" x 16"

[Green Square] = TREE 18" w/ DIRT MOUND

DITCH

Road is on a curve

LAWN

35' 10"

9' 6"

FLOWER

Garden

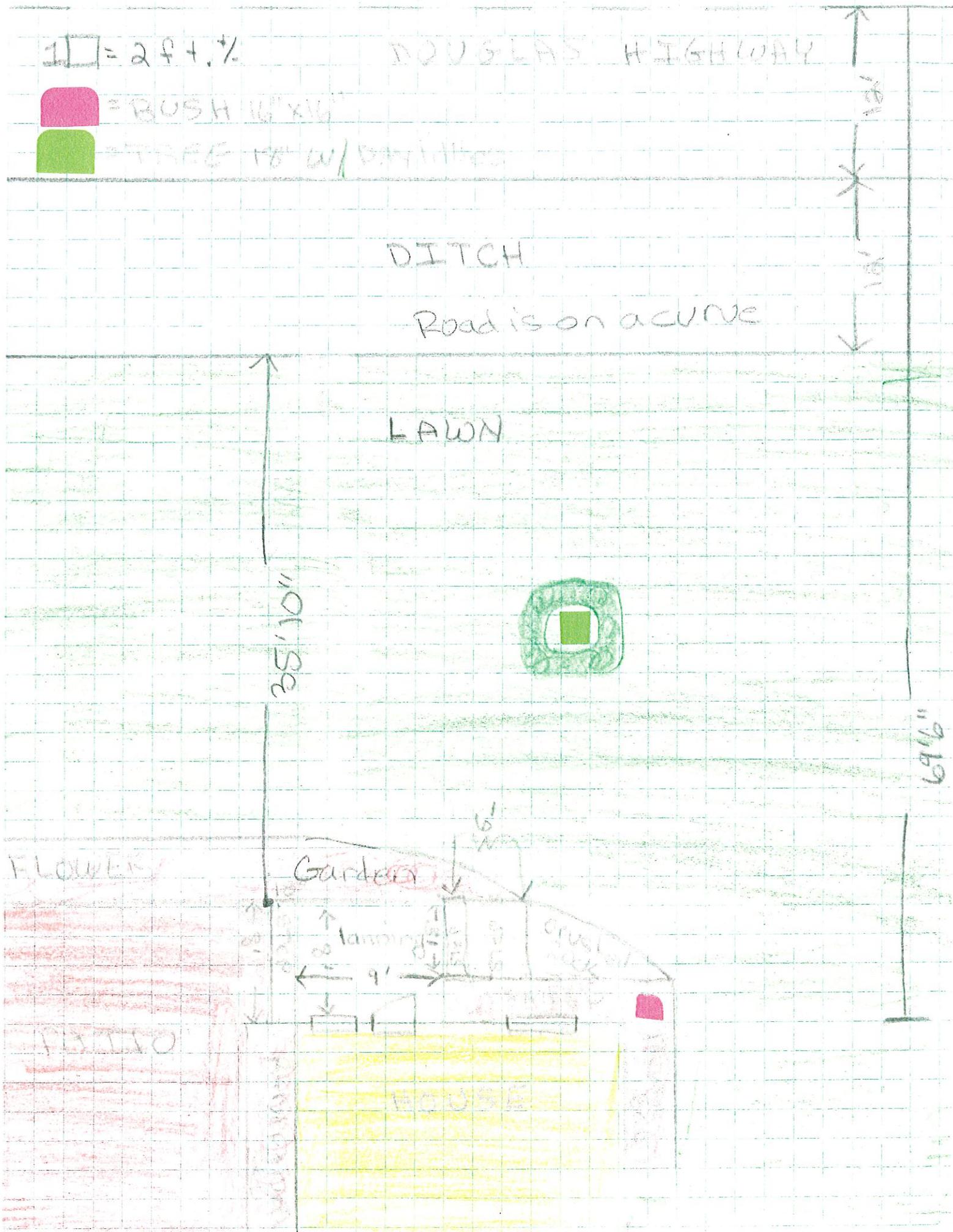
lanning

crystal neck

9'

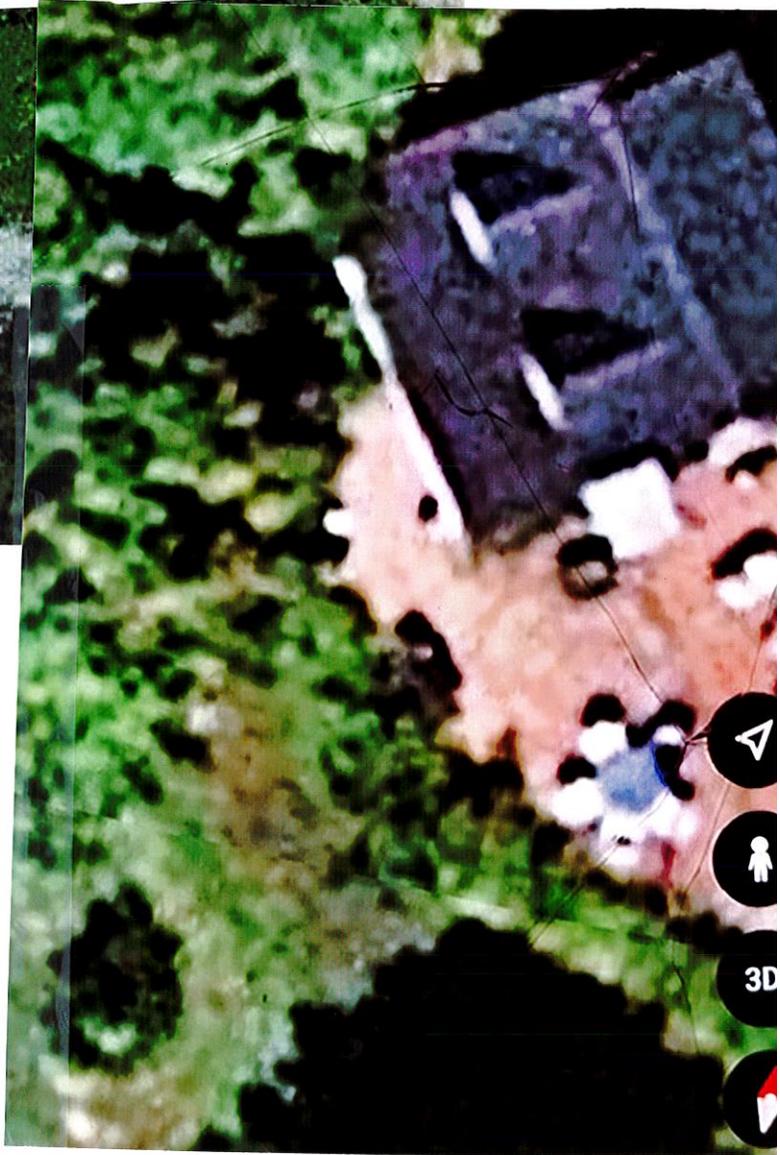
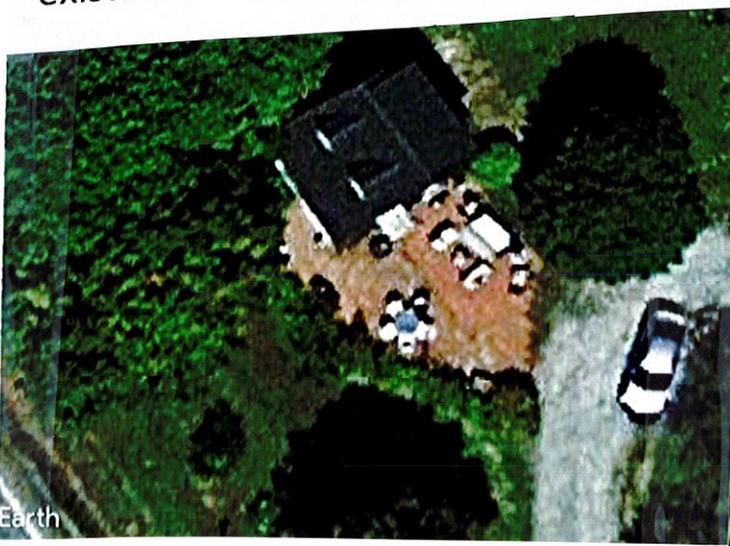
PATIO

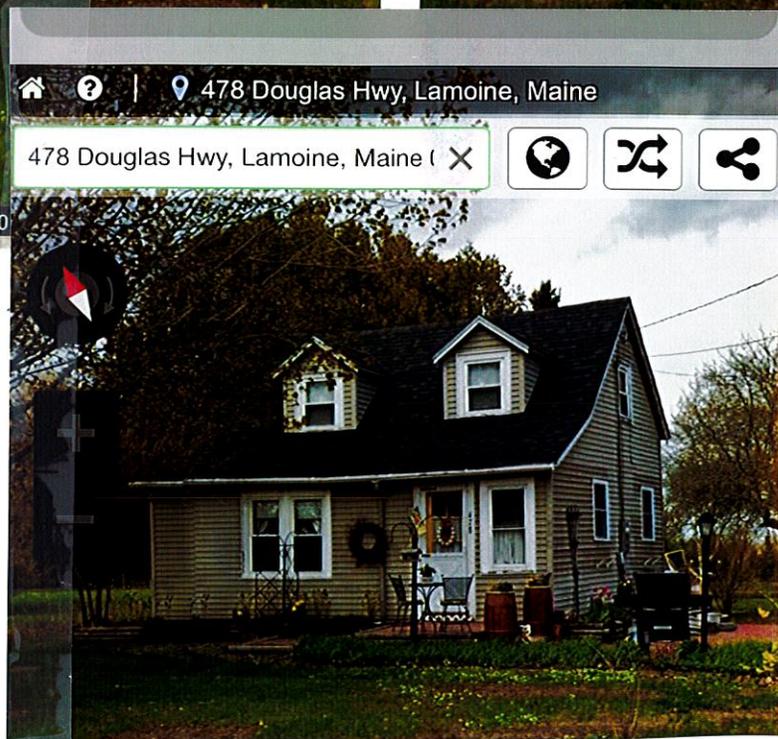
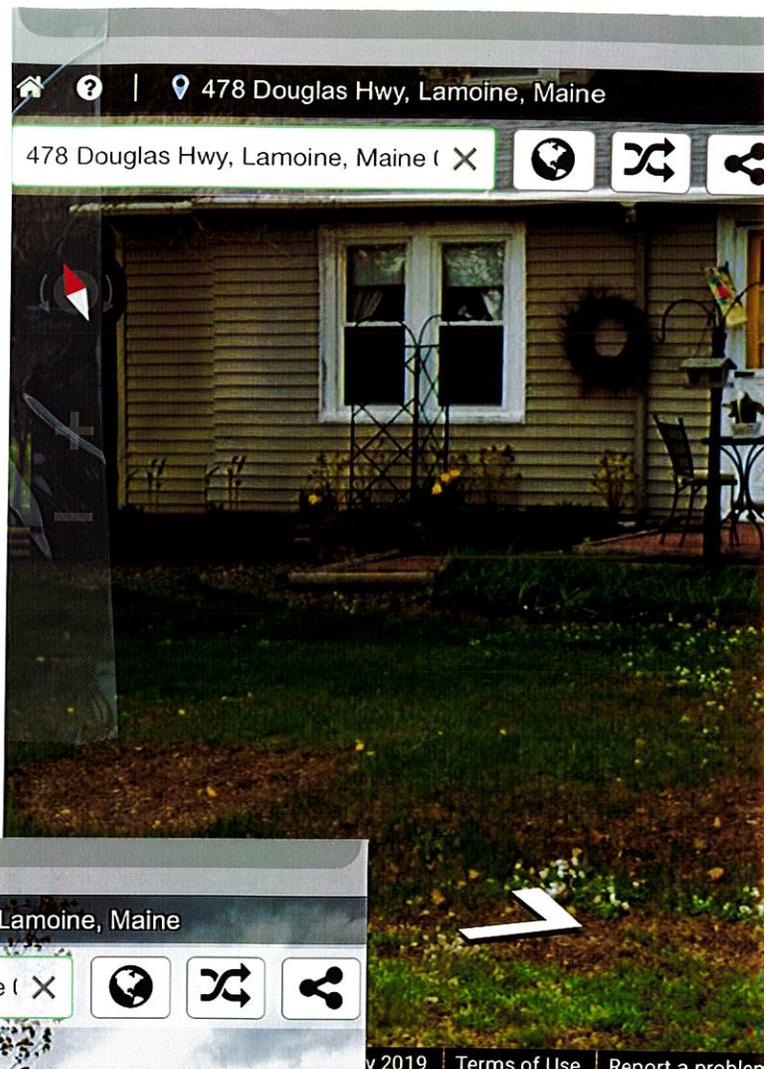
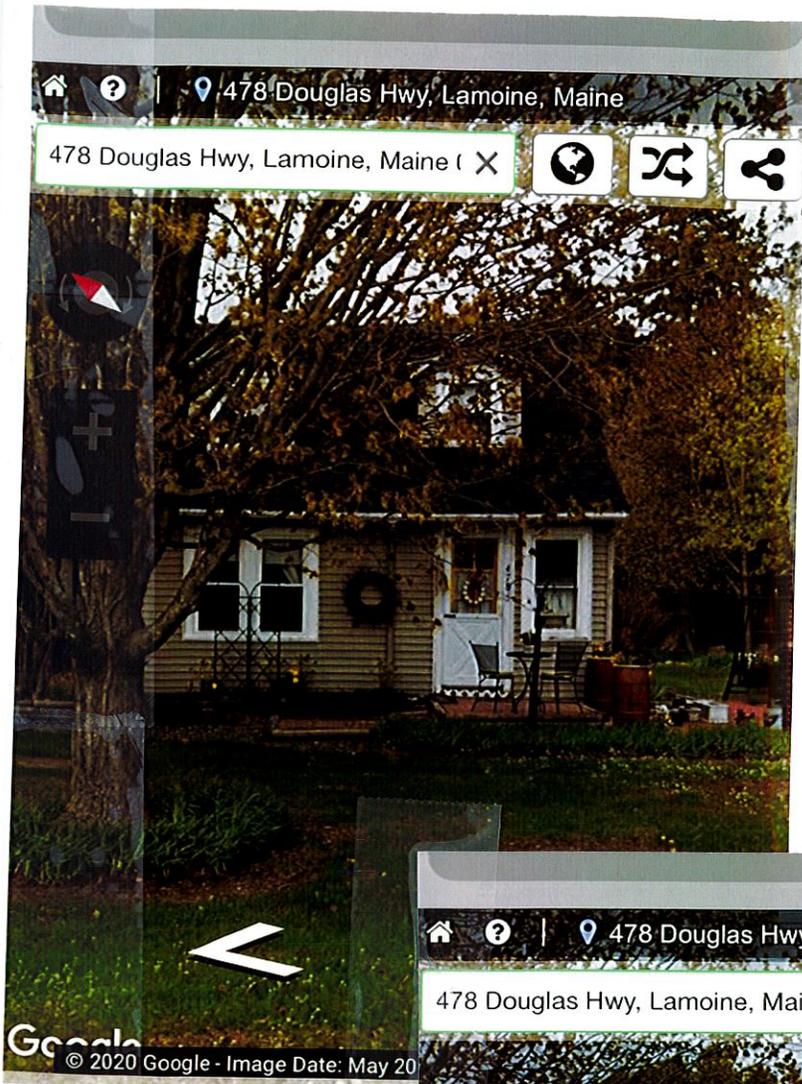
HOUSE



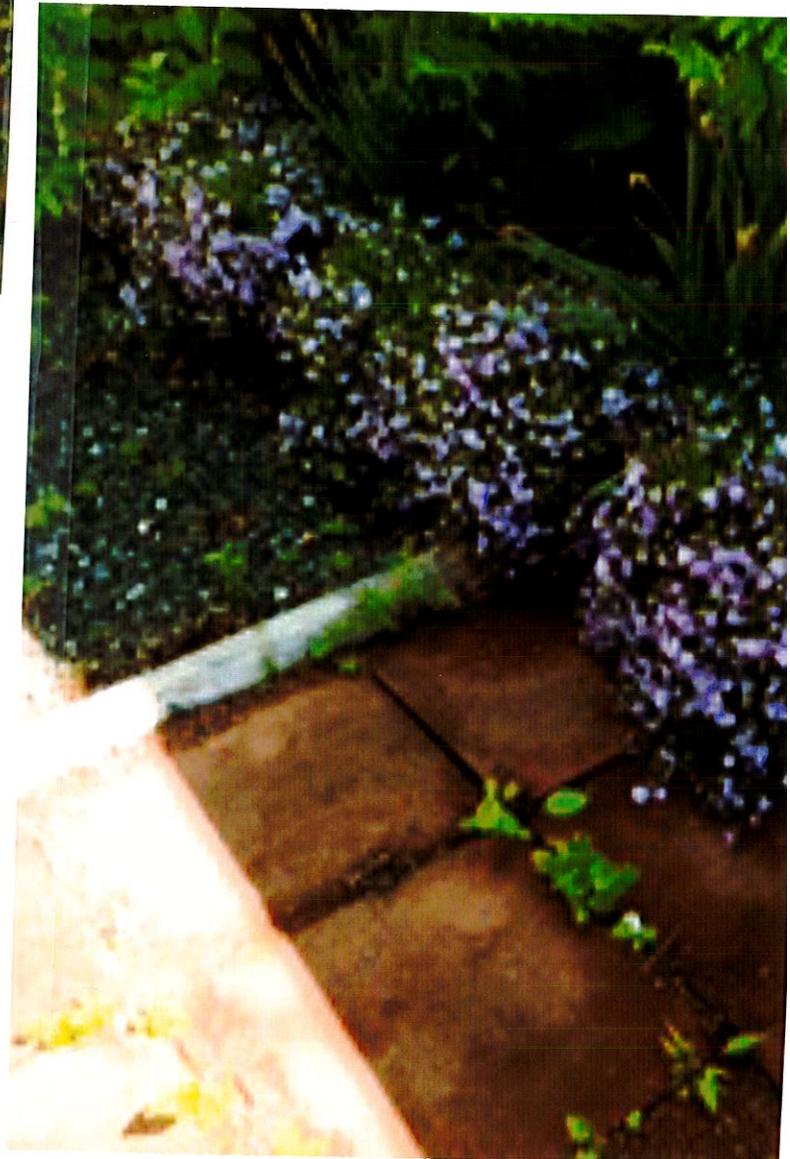


As you can see the photo clearly shows an impervious structure already existed for many years (about 21 years) without question.





Clearly shows that the impervious structure went well over half of the front of the house. In 1999 we replaced the structure that gets us into the front door for a total of 84 sq. ft. +/- made of landscaping timbers and patio pavers. In 2013 we added to the north side 2 steps which was a total of 30 sq. ft. at the request of our insurance company. At this stage you can see it is clearly over $\frac{1}{2}$ way across the front of the house. So, at approximately 114 sq. ft. that had to be removed which is grandfathered to work on the foundation. The total of the new structure, in question is 182 +/- sq. ft. so, $182 - 114 = 68$ sq. ft. of new structure being added in 2020. But of the 320 total sq. ft. +/- structure is less than 22% under 30%.





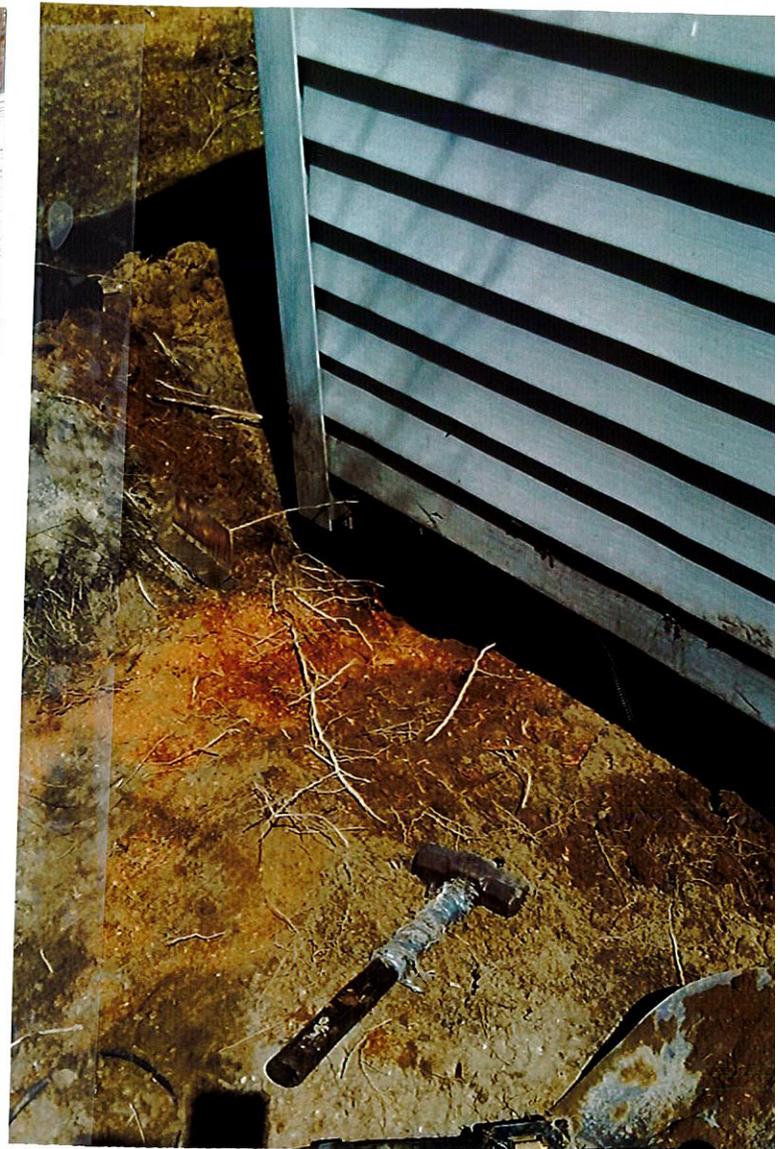
Shows steps and landing already existing structure.





Shows foundation work necessary to be done as posts were rotting away and front of the those was buckling in. Removal of the impervious structure (steps/landing) and flower beds needed to be removed to gain access to posts and sills of the house.







Clearly shows repair that needed to de done.



Clearly shows what is there now, (picture was taken by an unknown person which borders on invasion of our privacy and looking into our living room windows). The new existing structure is the same width as the old one. The only difference is the addition of 68 sq. ft. along with a handrail and a beam which is primarily and solely used to hand flowers and holiday decorations, not for as mentioned, the addition of a roof!

1 □ = 2 ft. x

DOUGLAS HIGHWAY

■ = BUSH 16" x 16"

■ = TREE 18"

DITCH

ROAD IS ON A CURVE

LAWN

35' 5"

38' 10"

9' 6"

FLOWER

GARDEN

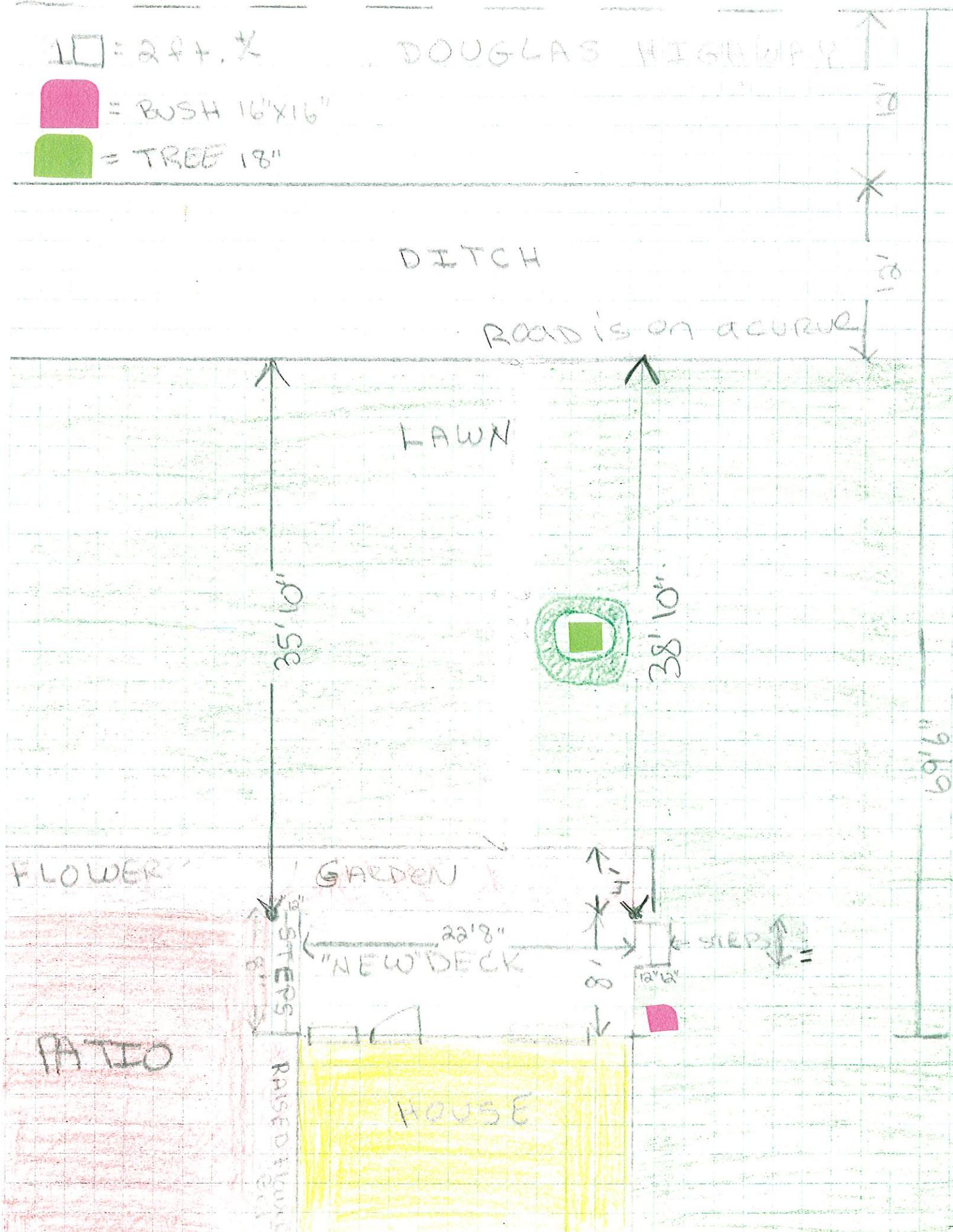
"NEW" DECK 22' 8"

STEPS

PATIO

RAISED PLANTERS

HOUSE



TOWN OF LAMOINE, MAINE

BUILDING CODE

March 8, 1975

Asbury L. Stratton

Jay A. Fowler

Allen C. Hodgkins

Selectmen of Lamoine
February 3, 1975

TOWN OF LAMOINE, MAINE

Building Code

An ordinance to provide for safety, health and public welfare through the regulation of construction, relocation, replacement, and demolition of buildings, trailers and/or mobile homes; providing for permits and prescribing penalties for violation.

Section I

Scope

The provisions of this code shall apply to new construction, conversion to a different use, additions, relocations, replacement, and demolition of any building or part thereof, including all trailers and/or mobile homes when connected to any utility and/or used as a residence for a period of more than thirty days. It is not the intent of this code to require a permit to be obtained for the construction or placement of a dog house, children's playhouse, tool shed or similar small building having not more than 100 square feet.

Section II

Building Inspector

The office of building inspection is hereby created and the Executive Official in charge shall be known as the Building Inspector.

The Building Inspector shall be appointed by the Municipal Officers.

Section III

Inspection

This code shall be administered by the Planning Board and enforced by the Building Inspector.

- A. Inspection: The Building Inspector shall inspect all building for the purpose of enforcing the provisions of this code and all other local and State laws affecting such activities.
- B. Right of Entry: The Building Inspector, in performance of his duties, may enter any building, with permission, for the purpose of making the inspection required by this code during normal business hours.

Section IV

Permit

Before the construction, conversion to a different use, relocation, replacement or demolition of any building or part thereof shall be

commenced, the owner or lessee, or the architect, contractor or builder employed by such owner or lessee shall obtain from the Building Inspector a permit covering such proposed work.

- A. Application: The application for the permit shall be in writing and shall be in such form as the Planning Board may prescribe, and shall contain a description of the proposed activity contemplated. The application shall be filed with the Board of Assessors (Selectmen).
- B. Permit Approval: The Building Inspector after proper examination of the application, shall either issue the requested permit or transmit notice of refusal within a reasonable time. Notice of refusal shall be in writing and shall state the reasons therefor. A copy of the notice of refusal will be forwarded to the Planning Board.
- C. Life of the Permit: All building permits shall be void unless work thereunder is commenced within one year from the date of issuance.
- D. Display of Permit: Every building permit shall be displayed in a conspicuous place on the premises, clearly visible from the principal traveled street, and shall not be removed until all work covered by the permit has been approved.

Section V

Fees

Applicants for Building Permits shall submit a completed application form. The fees, payable to the Town of Lamoine, for an approved application are:

1. Structures over 3500 square feet of floor space: fee shall be \$100.
2. Structures with over 500 but less than 3500 square feet of floor space: fee shall be \$25.
3. Structures with less than 500 square feet of floor space or substantial expansion of structures: fee shall be \$10.
4. Demolition of structures: fee shall be \$5.
5. Fees for commercial structures shall be twice the schedule above.

Section VI

Certificate of Occupancy

No building shall be occupied after its construction, conversion to another use, or relocation until a certificate of occupancy is issued by the Building Inspector. The Building Inspector shall issue said certificate after proper examination shows that all work was performed in compliance with the provisions of this code.

Section VII

Size of Lot

No building shall be constructed upon or moved to a lot with an area of less than 40,000 square feet, with a road frontage of not less than 200 feet. If an existing building burns it may be replaced even though the lot may measure less than 40,000 square feet. In addition lots presently in existence at the time this ordinance is accepted may be exempted from the requirement of 40,000 square feet, provided all other provisions of the ordinance are met.

- A. Set Back: No building shall be erected on a lot unless it shall be set back from the street right of way at least 50 feet.
- B. Side Yard Width: No building shall be set less than 25 feet from any adjoining lot line.
- C. Driveways: Each lot shall be provided with a driveway of not less than 10 feet in width.
- D. Off Street Parking: Off street parking shall be provided in the minimum amount of 300 square feet per dwelling unit. This may be accomplished by driveway space, garage space, parking lot space or any combination of the three.

Section VIII

Mobile Home Standards

Mobile homes that are to be used as permanent residences shall be placed on a permanent foundation. Masonry walls, cement slabs, or other suitable construction shall be used for foundations. All mobile homes shall be skirted.

Section IX

Minimum Construction Standards

All building materials used and practices followed in the construction of buildings shall conform to the generally accepted standards of good practice.

Section X

Exterior Finish

The exterior walls shall be finished with a covering of clapboards, wood siding, wood, asphalt, asbestos shingles, masonry, brick, stone or other approved material. Such covering shall be completed within ninety days after the studding is in place. Tarred paper and/or felt, or similar substances shall not be used unless completely hidden from view by the finished exterior wall covering.

Section XI

Roof Covering

The roof shall be covered with non-combustible or fire-resistant materials.

Section XII

Electrical Installation

All residences shall have a safe and adequate electrical service of at least 100 amperes. All entrance work shall be inspected to ensure that all State requirements and standards are fully met.

Section XIII

Plumbing

All plumbing and sewage disposal shall be in strict conformance with State of Maine legal requirements and the State of Maine Plumbing Code.

Section XIV

Demolition

Before any part of the outside covering of a building may be permanently removed a permit shall be obtained from the Building Inspector. The building shall be completely taken down and the site cleaned up within a period of six months from the granting of a permit.

Section XV

Extenuating Situations

The Planning Board by a special public hearing will consider and may approve exceptions to this code provided there is no substantial deviation from the intent of the code.

Section XVI

Violations

Any building constructed or work performed in violation of the provisions of this code -- or any permit issued by the Building Inspector, or any occupancy of any building constructed as a dwelling without the required certificate of occupancy shall be considered a nuisance. Any person found guilty of violating any provisions of this code shall be subject to a fine of not more than \$100. for each offence. Each day in which a violation is proved to exist shall constitute a separate offense under this section.

Section XVII

Effective Date

This building code shall become effective immediately after it has been accepted by a legally called Town Meeting and shall supercede any and all previous building codes.

Dated January 20, 1975

On Fri, Jun 26, 2020, 10:35 AM Town of Lamoine <town@lamoine-me.gov> wrote:

Dear Board of Appeals,

Attached, please find an application received today from Jeanine Lawser regarding a notice of violation from the Code Enforcement Officer. She has paid the \$50.00 application fee. You have two other matters pending, and Jon VanAmringe is currently attempting to schedule a meeting to deal with those. Jon, I presume you'll get back to me with a good date.

Stu Marckoon, Adm. Asst. to the Selectmen

Re: Appeal Received

From: beck albright (lamoineceo@gmail.com)

To: town@lamoine-me.gov

Cc: jeni85c@yahoo.com; brett@5foot2.com; dreaminadrum@gmail.com; griff44@aol.com; griff.fenton@yahoo.com; jayafowler65@gmail.com; lthomasme@gmail.com; mrmike6996@gmail.com; marckoon@roadrunner.com; vanamringe@aol.com; ceo@lamoine-me.gov

Date: Friday, June 26, 2020, 12:22 PM EDT

Received, thank you.



Lamoine Board of Appeals

606 Douglas Hwy
Lamoine, ME 04605
(207) - 667-2242
town@lamoine-me.gov

APPEAL or VARIANCE APPLICATION

Applicant's Name: Jeanine Lausek Tax Map # 7 Lot # 16-1

Property owner's name (if different) _____

Mailing Address

Physical Address (if different)

478 Douglas Highway

Telephone (H) N/A (C) 207-812-8573 (W) N/A

Email Address: Jeni85e@yahoo.com

Type of Appeal: (check one)

Applicable Ordinance (check all that apply)

Administrative*

Building & Land Use

Variance Request

Shoreland Zoning Ordinance

*If Administrative, what decision making authority is being appealed?

Gravel Ordinance

Code Enforcement Officer/LPI

Site Plan Review Ordinance

Planning Board

Other _____

Other

For Administrative Appeals:

This application is for a decision or lack of decision by the above party because the applicant believes:

An error was made in the denial of a permit

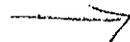
Denial of a permit was based on a misinterpretation of an ordinance

There is a failure to approve or deny a permit within a reasonable period of time

Other (please state reason)

- Rebecca Albright took improper action on an email/ complaint that was sent to her by Kathleen Rybarz because

(continued on other side)



→ Mrs. Rybarz has no standing with my property, Mrs. Albright should have disregarded the email and never come to my house because the email/complaint was not valid.

- Rebecca Albright's determination of "notice of violation" is not valid because when I put the impervious structure / Steps / Patio in place 21 years ago it was under 100 sq. ft. so no permit was needed and no one has had an issue with it. Only reason for the removal of the impervious structure we needed to get to the three (3) posts that holds up the front section of my house. We replaced that impervious structure on the exact footprint so I can get into my house. Since that was a replacement of a 21 year old structure, it is grandfathered. We continued the impervious structure again adding under 100 sq. ft. of new structure so no permit was required. But I did call the Hamois Town office, spoke with Jennifer, and just ask when do you need a building permit. She said anything over 100 sq. ft. So my "new" part of the impervious structure was under that so again no permit was required.

Lamoine Appeal or Variance Application

For Variance Requests:

Please describe the nature of the variance you are requesting:

For a variance to be granted, four criteria must be met. Please explain how your situation meets each of the following criteria: (you may attach additional pages)

- The land in question cannot yield a reasonable return unless the variance is granted.

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

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

- The hardship is not the result of action taken by the appellant or a prior owner.

I certify the information contained in this application and any supplements is true and correct.

Date 6/26/2020

Signature *[Handwritten Signature]*

(Application Fee is \$50.00, payable to the Town of Lamoine)

For town staff/Appeals Board Use Only – Paid by: <input type="checkbox"/> Cash <input type="checkbox"/> Check <input type="checkbox"/> Credit Card			
Dated Rec'd By: <u><i>SM</i></u>	<u>6/26/20</u>	Date Sent to Appeals Board By: <u><i>SM</i></u>	<u>6/26/20</u>
Initial Hearing Date		Date of abutter notification By:	
Public Hearing Notices mailed by:		Newspaper Ad Date(s) By:	
<input type="checkbox"/> Appeal Approved (Date)		<input type="checkbox"/> Appeal Denied (Date)	