

Blair Hodge  
Check # 186

PLEASE PRINT

DATE REC'D: 6-25-2020  
FEE PAID (\$160.00): Yes  No   
TAX MAP #: 7 LOT 90-A

**OGUNQUIT ZONING BOARD OF APPEALS APPLICATION**

Appellant's Name: Blair Hodge Representative: \_\_\_\_\_  
Mailing Address: P.O. Box 1811  
Ogunquit ME 03907  
Telephone #: 207 553-0001

TAX MAP: 007 LOT: 090/A ZONING DIST(S): RP  
STREET: 64 Beach Street

**TYPE OF APPEAL & BRIEF DESCRIPTION OF FACTS OF APPEAL:**

\*Administrative Appeal - Article 5.2.A \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*Variance Appeal - Under Article(s) ~~5.2 B 26~~ 5.2 B 26  
Please see supporting narrative  
\_\_\_\_\_  
\_\_\_\_\_

\*Other Variances - Under Article(s) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*Miscellaneous Appeals - Under Article(s) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

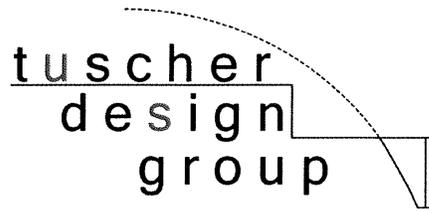
**THIS FORM, ACCOMPANIED BY A \$160.00 FEE MUST BE RETURNED TO THE  
CODE ENFORCEMENT OFFICE, DUNAWAY CENTER, SCHOOL STREET,  
OGUNQUIT TOGETHER WITH THE APPROPRIATE DOCUMENTATION AS  
OUTLINED IN THE LETTER ATTACHED.**

\*\*\*\*\*

I certify the information contained in this application and its supplement(s) is true and correct.

DATE: 6/25/20 [Signature]  
Appellant's/Representative's Signature

\*SEE ATTACHED ARTICLE 5 OF THE OGUNQUIT ZONING ORDINANCE FOR DESCRIPTION AND CRITERIA FOR ABOVE APPEALS.



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## **Supporting Statement for Dimensional Variance for 64 Beach Street, Ogunquit, Maine**

June 25, 2020

*Zoning Board of Adjustment  
23 School Street  
Ogunquit, Maine 03907*

Dear Members of the Zoning Board,

I, Brayden Tucher of Tuscher Design Group, am acting on behalf of Blair Hodge of 41 Sea Oaks Lane in Ogunquit Maine who is the *Prospective* Owner of a Single Family residence located at 64 Beach Street in Ogunquit, Maine - further known as the "Subject Lot. They have engaged my services to design a new Single Family, two story home on the Subject Lot. This will require taking down the existing wood framed structure entirely while leaving the existing concrete foundation intact. This supporting statement is referencing the site and building plans generated for the referenced project and submitted as supporting documentation with the application.

### **General Provisions**

1) The Subject Lot is located on the Westerly shore of the Ogunquit River. The property is in the Resource Protection Zone, which per Article 7.1, O is also a Shoreline Zone. There is an existing 7 bedroom, 7 bath home on the property that was constructed in 1980. Per Article 3.4, C this qualifies the Subject Lot as a legal non-conforming lot that warrants this variance request per Article 5.2, B, 2b.

## Request Details

Prior to entering into a purchase and sales agreement on the Subject Lot, Mr Hodge explored the possibility of performing a minor rehabilitation to the existing structure to fit his needs. It quickly became evident that, other than the existing foundation, there was little to salvage in the existing building - years of neglect coupled with the age and original construction methods employed made it financially nonviable as a minor rehabilitation project. Instead, a major rehabilitation strategy was deemed to be the most viable solution. As illustrated in the supporting plans and documents the main objective of Mr Hodge is to build a new, year round, three bedroom, two story house with an attached 3 season cabana. This new home will eventually be put on the market for purchase.

- 1) The proposed project will consist of the complete removal of all wood framed portions of the existing structure.
- 2) All existing patios on grade will be removed and replaced with either permeable pavers or returned to a natural vegetated state.
- 3) The existing foundation will have a new concrete bond beam secured to it in order to raise the finished first floor elevation approximately 3'-0" and to add in foundation flood venting, both strategies employed to meet the most stringent FEMA flood plain regulations.
- 4) The proposed wood framed building will be at the same height as the existing building, albeit higher from grade due to item #3.
- 5) No portion of the proposed wood framed structure, including roof overhangs, will project beyond the dimensions of the existing structure.

## Discussion

It our belief that this request meets the Standards for a Variance as follows:

### **Standard 1: Public Interest**

The intent of the ordinance, as it pertains to public interest, is preserved by continuing the use of the property as a Single Family home which matches the character of the existing neighborhood, which is comprised of a mix of seasonal and year round Single Family homes as well as Inns & Hotels. The portions of Article 1.1, section C that pertain to public interest are being satisfied as follows:

- "Contrary to the Ordinance, Character of the Neighborhood"  
The lot has been used as an existing Single Family home since 1980.
- "Health & Safety of the General Public"
  - The supporting documents and narrative show a more modern, energy efficient and flood resistant structure than what is currently there which can only be argued to make the general public and adjacent structures safer,

### **Standard 2: Spirit of the Ordinance**

The Town of Ogunquit Zoning regulations are very clear that the proposed use is well within the overall intent and spirit of the Ordinance by virtue of it being an existing, legal non conforming lot with a Single Family home. The proposed use does not expand upon the existing footprint nor does it change the use.

### **Standard 3: Substantial Justice**

The intent of this request is to bring about a fair and equitable solution to the prospective owners and their neighbors that agrees with the principles and intent of the Ordinance. It is through this process that substantial justice will be assured to have occurred.

### **Standard 4: Property Values**

The proposed building will be replacing an unsightly, run down home. By following all of the town and state regulations regarding size and height, this new proposed building will only help to increase the surrounding property values.

### **Standard 5: Unnecessary Hardship**

Per Article 5.2, B, 2b:

i) Rebuilding within the footprint of the existing building on the lot makes the most sense financially. This is due to the small size and location of the Subject Lot and not to the condition of the neighborhood.

ii) It can be argued that replacing the existing, run down building with a more attractive, modern and safer structure will only enhance the character, safety and value of adjacent properties.

iii) The practical difficulties are due to the size and location of the Subject Lot and the need for proper FEMA flood venting, which is neither the fault of the petitioner. Or any previous owners.

iv) The only financially viable option is to rebuild in the existing footprint. The Subject Lot asking price is \$1.4 million dollars. To completely remove all existing building elements and start anew would result in a drastically smaller and ultimately more expensive building, therefore making it a non viable option in terms of a return on investment. It should be noted that by preserving the existing foundation there will be substantially less impact on the local environment due to the drastic reduction in site disturbance.

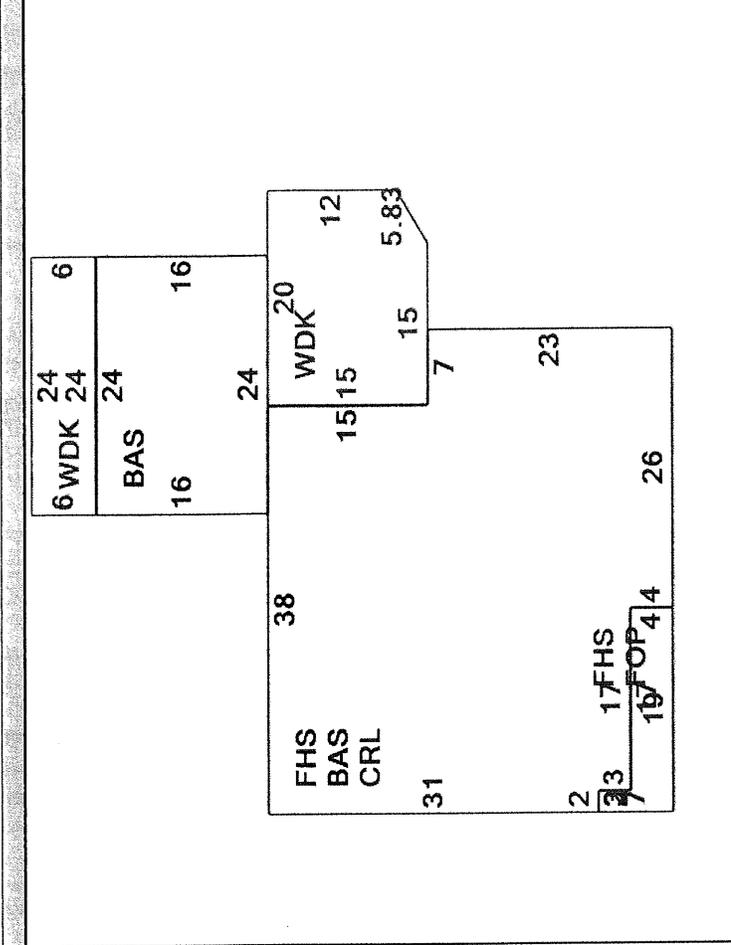
I respectfully submit this request with the hope of receiving the requested variance and to having a thoughtful and productive conversation about the the best way to proceed that is the best interest of the owners, their neighbors and the Town of Ogunquit.

Sincerely,

*Brayden Tuscher*

**Brayden Tuscher**  
Tuscher Design Group  
PO Box 74  
York Beach, Maine 03909  
[tdgdesign@hotmail.com](mailto:tdgdesign@hotmail.com)  
(603) 583-6469





CONSTRUCTION DETAIL		CONSTRUCTION DETAIL (CONTINUED)	
Element	Description	Element	Description
04	Cape Cod		
01	Residential		
05	Average +20		
1.5	stories:		
1	Occupancy		
25	Exterior Wall 1		
03	Exterior Wall 2		
03	Roof Structure:		
05	Roof Cover		
12	Interior Wall 1		
14	Interior Wall 2		
04	Interior Flr 1		
07	Interior Flr 2		
04	Heat Fuel		
07	Heat Type:		
04	AC Type:		
07	Total Bedrooms		
07	Total Bathrms:		
0	Total Half Baths		
10	Total Xtra Fixtrs		
02	Total Rooms:		
02	Bath Style:		
02	Kitchen Style:		

OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)	
Code	Description
PAT1	PATIO-AVG

BUILDING SUB-AREA SUMMARY SECTION						
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value
BAS	First Floor	1,907	1,907	1,907	154.03	293,727
CRL	Crawl Space	0	1,523	152	15.37	23,412
FHS	Half Story, Finished	803	1,605	803	77.06	123,683
FOP	Porch, Open, Finished	0	82	16	30.05	2,464
WDK	Deck, Wood	0	437	44	15.51	6,777
Ttl Gross Liv / Lease Area		2,710	5,554	2,922		450,063

