KAPLAN THOMPSON
ARCHITECTS

Mr. Eric Cousens
Deputy Director of Planning and Permitting
City of Auburn
60 Court Street, Suite 104
Auburn, ME 04210

October 14, 2014

Re: Melissa & Tobin White
64 Waterview Drive, Auburn

Dear Eric,

I am writing on behalf of Melissa and Tobin White, owners of 64 Waterview Drive on Taylor Pond, to request a variance to the requirements of Section 60-85 of the City of Auburn Zoning Ordinance. Specifically, the Whites would like a variance from the requirement that, "A nonconforming building or structure which is being rebuilt, remodeled, reconstructed or otherwise modified shall not have is structural members (frame, flooring, roof and exterior walls) above the existing foundation or frame supports removed by more than 50 percent."

The Whites, currently of Davis, CA, purchased this property in the spring of 2014 with the intention of either renovating the existing house on the property or rebuilding a new house in its place. Tobin White grew up in Auburn, spending summers on Taylor Pond, and wants to create a home in Maine so that his three children can grow up spending summers on the pond as he did. The parcel they purchased is 11,321 sf with roughly 111 feet of frontage on Taylor Pond. Roughly 50% of the parcel is located within the shoreland zone and is subject to shoreland standards.

Our firm was retained by the Whites this past summer to assist with the design and construction of a new energy efficient home for their family. Kaplan Thompson Architects is a design studio based in Portland, Maine and a leader in sustainable design in the Northeast. We specialize in durable, high efficiency building envelopes that minimize the need for expansive mechanical systems while taking full advantage of site conditions such as solar gain and the natural slope of the land.

Existing Cottage

The existing cottage is 1,440 sf on two floors and 61% of the footprint sits in front of the Shoreland Setback. We determined early in the design process that renovating the existing building would not be feasible for several reasons:

1. Existing structural members are drastically undersized by today's structural code standards,
2. The building smells strongly of mold. Tobin White and one of the Whites' children have been diagnosed with asthma (a second has an unofficial diagnosis), which can be triggered by mold, and
3. The existing first floor is located minimally above grade, which may continue to add to the accumulation of moisture, and consequently further mold growth in the existing house.

New Design

With this conclusion reached, Kaplan Thompson worked with the Whites to design a new house that would occupy the same footprint in front of the shoreland setback and a very similar footprint behind the shoreland setback. The design was made with the goal of being able to re-use 50% of the existing structural members as required by Section 60-85. In addition, the design is respectful of Section 60-984 of the Zoning Ordinance which allows an expansion of existing area and volume in front of the shoreland setback by up to 30%.

The new design used less area and volume in front of the setback than actually allowed by the ordinance. A calculation summary is included.

Following completion of the initial design, which met all shoreland criteria, you and I met on site with structural engineer Eric Dube of Casco Bay Engineering (CBE). Upon further examining the structural members of the building, Eric Dube confirmed that the existing structural members are dramatically undersized by current structural standards and inadequate for re-use. Eric also stressed the added cost the Whites would be taking on by going through extensive acrobatics to shore up the grossly undersized structural members while also providing adequate structural support for the new house. A more detailed letter from Eric is attached.

At this point, all parties involved agreed that retaining the existing structure, which is actually useless for the new building, would add hardship through expense to the Whites' project. We base our appeal on both the hardship caused by trying to maintain and work around 50% of the existing structure and on the client's commitment to improve environmental conditions at the site.

Therefore, the Whites are requesting a variance from the Board of Appeals to build essentially the same fully conforming house that they could otherwise build in place, 4'-0" back from the existing footprint and without re-using 50% of the existing structural members for the following reasons:

Hardship

1. The existing structural members are not feasible for use under current building codes. Re-use and the resulting necessary repair of the existing structure simply for its own sake will add burdensome costs and complexity to the project and will compromise the White's ability to yield a reasonable return on the property because of the extra investment required.

2. The need for this variance is due to the combination of this property's undersized structure and the potential presence of mold. Additionally, the variance is requested in exchange for improving the environmental conditions at the site.

3. Granting this variance will not alter the essential character of the locality. The new building will be located in the almost the exact same area as the existing building, and will meet the requirements for expanding the existing building with regards to all other aspects of the zoning requirements and relevant building codes. In fact, with the proposal to push the new house back from the pond by 4'-0", the house will be even closer to complying with the actual shoreland setback.

4. In this case, the hardship is caused by strict interpretation of the ordinance, which would add burdensome cost and complexity to the project. In addition, there is a concern about mold triggered allergens that could remain in portions of the existing framing and sheathing, and their affect on the health of the new occupants.

Environmental Improvements

1. As new property owners on Taylor Pond, the Whites would like to make efforts improve the environmental conditions of their site. They would like to move the new house footprint back approximately 4'-0" from the footprint of the existing house, making the new building more-conforming with regards to the shoreland setback and increasing the buffer area between the new house and the water. The 4'-0" distance has been determined to be the greatest amount reasonable for pushing the new house back, due to the presence of large pine trees on the road side and the desire to stay far enough away from the trees to not risk disturbing their roots or be too close to the path that a tree could fall on during severe weather. Additionally, there is the possibility of a septic tank being located between the existing house and the road. The exact location of the tank is currently under investigation.

2. The Whites propose creating a vegetated buffer in the 4'-0" area of land between the new house and the pond. The 4'-0" deep vegetated strip will be on the water side of the property, at all locations that are in front of the new house and decks.

3. The Whites will be following all recommended best practices to minimize soil disturbance and prevent construction runoff from reaching the pond.

4. The Whites have begun the process of participating in the Lake Smart Program run by the Maine Lakes Society. In consultation with Lake Smart Director Maggie Shannon, we will be looking at the Best Management Practices for capturing stormwater on the property before it reaches the pond. Strategies currently under review for inclusion in the final plan and site plan include:
    - Directing all roof runoff to underground filtration by means of a gutter with downspout leading to rain gardens or a continuous drip edge with subsurface French drain
    - Limiting and clearly defining recreational space on site
    - Selecting only native and native friendly plants for both the new buffer zone and other areas of the property
    - Creating clearly delineated walking paths with pervious and/or infiltration friendly materials

In summary, the Whites would appreciate the assistance of this Board in removing the 50% structure requirement from their new house, and will in turn look forward to making improvements to the site around their new home. Please let me know if you have questions or need additional information to aid in this appeal. Thank you for your time.

Sincerely,

Robin Tannenbaum

Robin Tannenbaum
Project Manager, LEED AP
Kaplan Thompson Architects

CASCO BAY

CIVIL & STRUCTURAL ENGINEERING

424 Fore St., Portland, ME 04101 Phone 207.842.2800 Fax 207.842.2828

October 9, 2014

Ms. Robin Tannenbaum
Kaplan Thompson Architects
424 Fore Street
Portland, ME 04101

Re: White Residence
64 Waterview Drive
Auburn, Maine

Project Number: 14-118

Dear Robin:

Casco Bay Engineering performed a site visit to observe existing building conditions on September 24, 2014. The property is located on the East shore of Taylor pond in Auburn, Maine. The existing building is a one-story structure, with a daylight crawl space on the West side of the building.

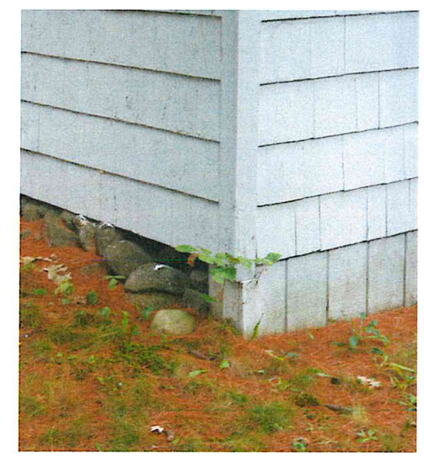
During our site visit we noticed that the buildings framing systems are grossly undersized for the spans and loads prescribed for this building. The first floor is comprised of 2x4 framing and the roof and second floor is comprised of 2x6 framing. In order for the owners to comply with the 50% existing framing requirement it will take a disproportionate amount of effort and costs as compared to a new code compliant structure. New columns will need to be added through the existing structure in order to support the required loads and new framing members will need to be added to the floor, wall and roof framing systems.

I also have a major concern with the existing mold issues in the existing framing members. There will be significant costs dealing with existing mold and air quality issues in the structure.

Please contact us if you have any additional questions or concerns.

Sincerely,

Eric Dube, P.E.
Casco Bay Engineering



KAPLAN THOMPSON
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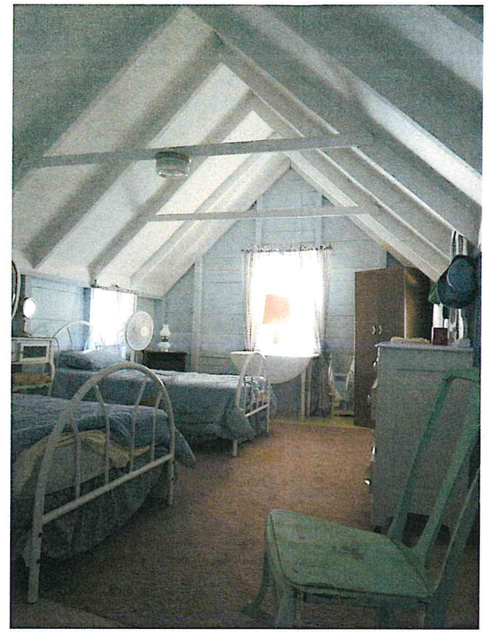
424 FORE ST., PORTLAND, ME 04101
207-842-2888 FAX:842-2828

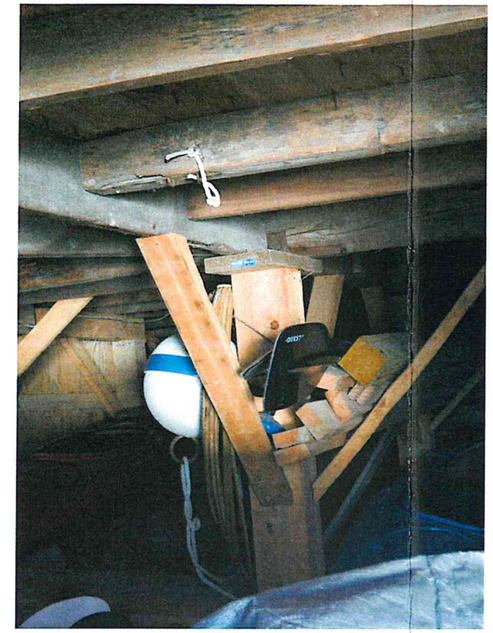
PHOTOGRAPHS - EXISTING EXTERIOR

10/30/2014

NEW HOUSE

TOBIN & MELISSA WHITE
64 WATERVIEW DRIVE
AUBURN, ME





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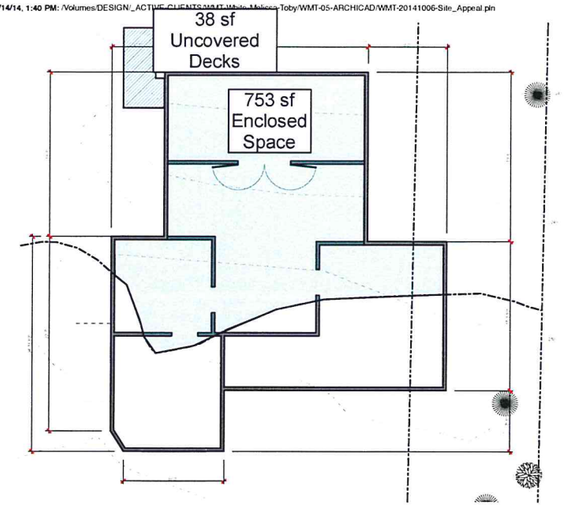
424 FORE ST., PORTLAND, ME 04101
207-842-2888 FAX:842-2828

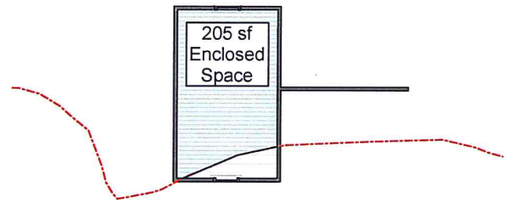
PHOTOGRAPHS - EXISTING INTERIOR, STRUCTURE

10/30/2014

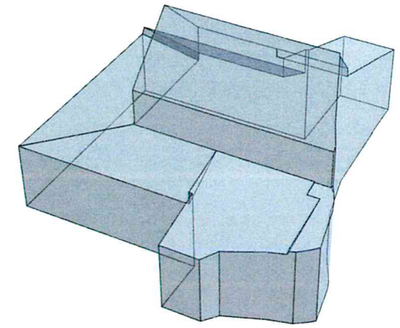
NEW HOUSE
TOBIN & MELISSA WHITE
64 WATERVIEW DRIVE
AUBURN, ME



1 1st FLOOR - EXISTING
SCALE: 1/8" = 1'-0"



2 2nd FLOOR - EXISTING
SCALE: 1/8" = 1'-0"

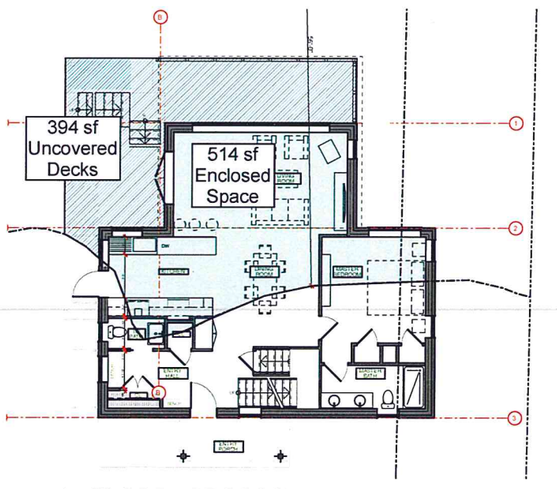


3 VOLUME - EXISTING
NOT TO SCALE

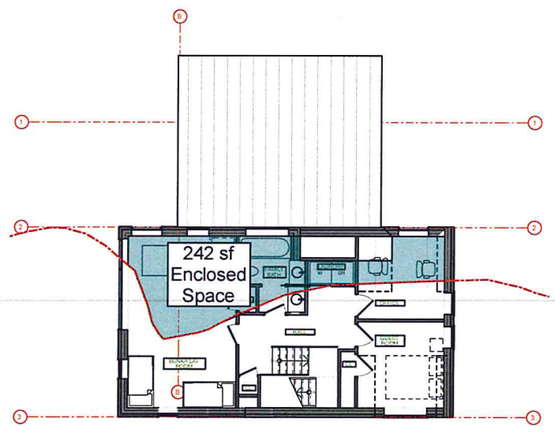
PROPOSED FLOOR AREA & VOLUME WITHIN SHORELAND SETBACK

INCLUDES AREA TO THE INTERIOR OF FRAMING OF WALLS AND CEILING AND TO TOP OF STRUCTURE OF EXISTING FLOOR.

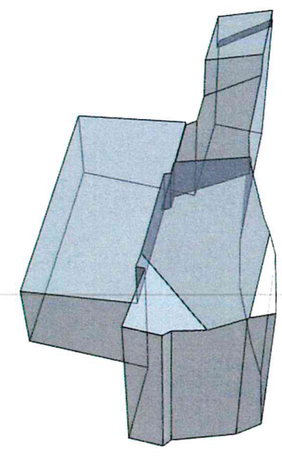
	AREA	VOLUME
Existing House & Decks in Shoreland Zone	996 sf	9,246 cu ft.
x30%	299 sf	2,774 cu ft.
Allowable Expansion in Shoreland Zone (existing + 30%)	1,295 sf	12,020 cu ft.
New House in Shoreland Zone	756 sf	9,273.8 cu ft.
New Deck in Shoreland Zone	394 sf	NA
Total New Area in Shoreland Zone	1,150 sf	NA
Difference	95 sf	2,747 cu ft.



4 1st FLOOR - PROPOSED
SCALE: 1/8" = 1'-0"



5 2nd FLOOR - PROPOSED
SCALE: 1/8" = 1'-0"



6 VOLUME - PROPOSED
NOT TO SCALE

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30% Expansion Calculations

10/30/2014

NEW HOUSE
TOBIN & MELISSA WHITE
64 WATERVIEW DRIVE
AUBURN, ME

Notes :

1. All Book and Page references as shown hereon are from the Androscoggin County Registry of Deeds.
2. Lines shown and not labeled (bearings & distances) are illustrative only, they are based on tax maps and are not verified by this surveyor.
3. Area of property is 11,300 square feet more or less.
4. Source deed –
   Claire B. Landry to Tobin F. White and Melissa E. White by deed dated June 13, 2014, and recorded in said Registry in Book 8935, Page 280.
5. Property lies within the Urban Residential Zone (UR).
6. Flood elevation as shown hereon (246) as shown on the Flood Insurance Rate Maps for Androscoggin County (Auburn), map number 23001C0307E, effective date of July 8,2013.
7. Property as shown on the City of Auburn Tax Map No. 266, Lot 16.

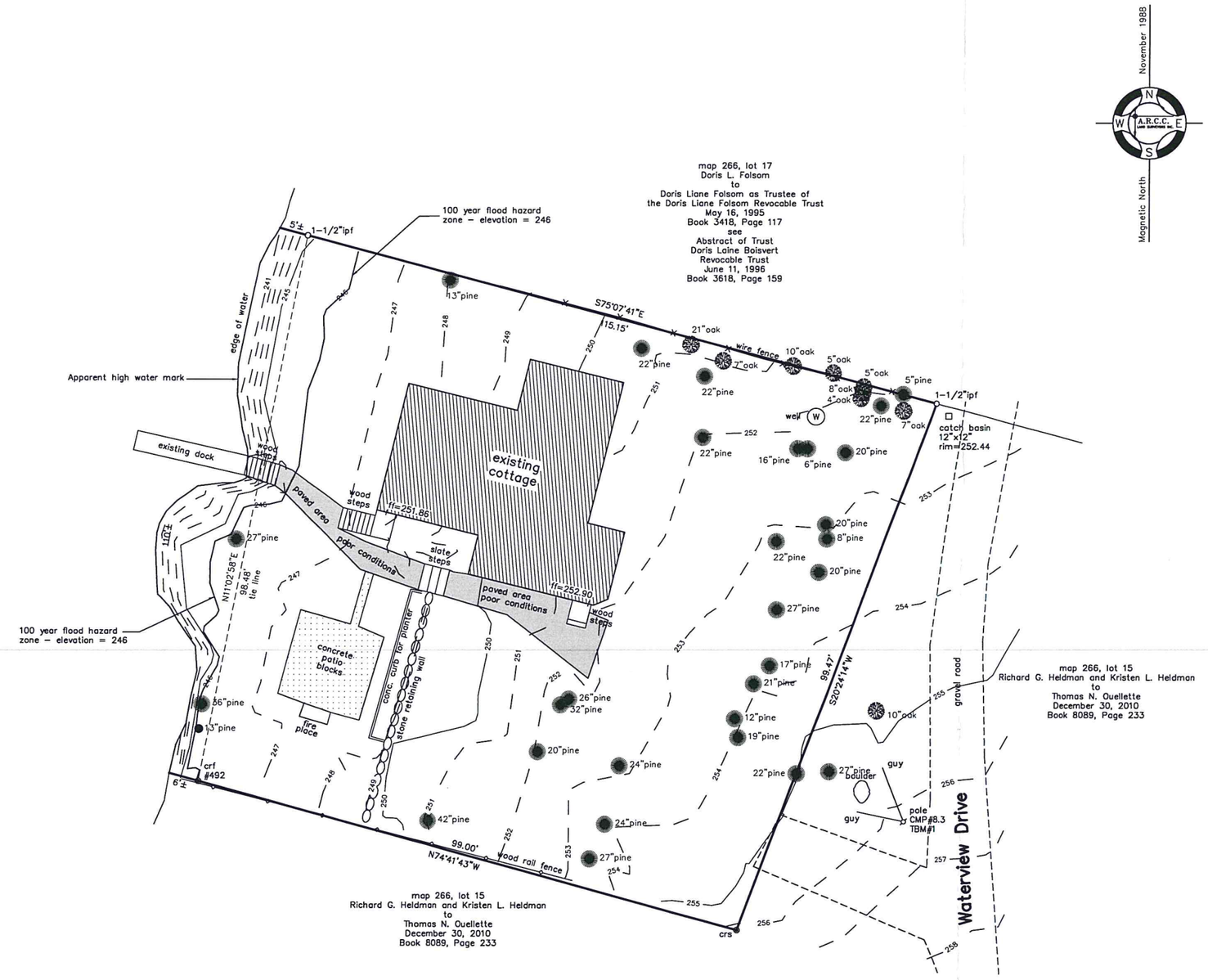
Bench Mark :

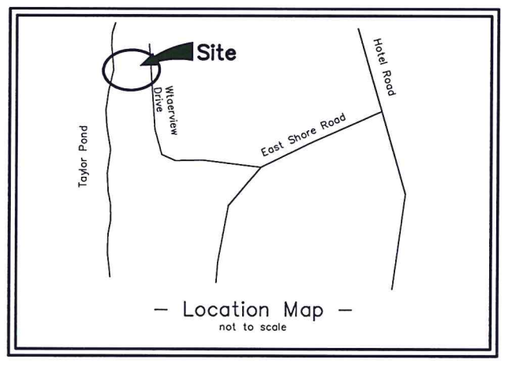
Bench Mark – Brass disk in ledge outcrop, southerly of Chicoine Avenue and westerly of Hotel road, disk stamped AU-HO-B 1979. On file at the Maine Department of Transportaion, Control Point Descriptions.
Elevation = 258.963 (NAVD88).

TBM #1 Mag Nail in Pole CMP #8.3 (as shown hereon).
Elevation = 257.70 (NAVD88).

Legend :

- ○ ipf — iron pipe found
- ● crf — capped rebar found
- ● crs — capped 3/4 inch rebar found I.D. #2177





– Location Map –
not to scale

Certification :

To the best of my knowledge and beliefs this survey conforms to the Maine Board of Registration for Land Surveyors.

Robert W. Gagnon Jr. PLS 2177 Date

NO.	REVISIONS	DATE	INIT.
1.	added high water mark	8/14/14	RWG

A.R.C.C.
LAND SURVEYORS INC.
P.O. BOX 294
AUBURN, MAINE 04212-0294
ARTHUR W. MONTANA PLS # 422
RONALD W. MOSHER JR. PLS # 2030
ROBERT W. GAGNON JR. PLS # 2177
PHONE: 782-3963 FAX: 782-3982

JOB TITLE: **Tobin F. & Melissa E. White**
64 Waterview Drive
Androscoggin County Auburn, Maine 04210

DATE: August 5, 2014 | SCALE: 1"=10' | DRAWN BY: A.W.M. | CHK BY: R.W.G. | SCT. AKG.: 00-00-00 | JOB DSK: 201 | FIELD BK: 102

DRAWING TITLE: Property Plan & Topogriphical Plan of Existing Conditions

DRAWING NO. One OF

JOB NO. 14-072