

026-8-010
Inspection Services
Samuel P. Hoffses
Chief



Planning and Urban Development
Joseph E. Gray Jr.
Director

CITY OF PORTLAND

January 23, 1991

Allison Hildreth & Claudia Whitman
P.O. Box 8433
Portland, ME 04104

Re: 239 Cumberland Avenue

Dear Ms. Hildreth & Ms. Whitman,

Your request to change the use from 6 families to 6 families with home-occupation at 239 Cumberland Avenue has been reviewed and a permit has been denied. The home occupation as described to our zoning enforcement officer on 1/23/91 does not meet the home-occupation criteria as outlined in The Land Use Code, Section 14-185, 1.2 (see attached). The proposed use must be more accurately classified as a business use. This lot has approximately 3,448 square feet of land area.

A portion of your building permit fee is refundable upon presentation of your receipt at our office. If you have any other questions regarding this matter, please do not hesitate to contact this office.

Sincerely,

Marge Schmuckal,
Assistant Chief of
Inspection Services

cc: William Giroux, Zoning Enforcement Officer
Joseph E. Gray, Jr., Director,
of Planning & Urban Development
Warren J. Turner, Administrative Assistant
Mark Mitchell, Code Enforcement Officer
Lt. Wallace Garroway, Fire Prevention Bureau

enc.
MS/dla

(1) *Minimum lot size:*

- a. Long-term and extended care facilities: Ten thousand (10,000) square feet for the first nine (9) residents, plus seven hundred fifty (750) square feet for each additional resident; provided, however, no more than two (2) acres shall be required.
- b. Intermediate care facility: Ten thousand (10,000) square feet.
- c. All other nonresidential uses: Ten thousand (10,000) square feet.
- d. Where multiple uses are on one lot, the highest applicable minimum lot size must be met.

(2) *Minimum street frontage:* Fifty (50) feet.

(3) *Minimum yard dimensions:*

(Yard dimensions include setbacks of structures from property lines and setbacks of structures from one another. No structure shall occupy the minimum yard of another structure.)

Except as provided in subsection (5) below, the following setbacks are required:

a. *Front yard:*

- 1. Principal or accessory structures: Ten (10) feet, except that a front yard need not exceed the average depth of immediately abutting front yards, The front yard of a lot existing as of April 4, 1988, and less than one hundred (100) feet deep need not be deeper than ten (10) percent of the depth of the lot.

b. *Rear yard:*

- 1. Principal structures: Ten (10) feet. Where a rear yard abuts a residence zone or residential use, twenty (20) feet is required.
- 2. Accessory structures: Five (5) feet.

c. *Side yard:*

- 1. Principal structures:

<i>Number of Stories</i>	<i>Required side yard</i>
1 or 2 stories	10 feet
3 or more stories	12 feet
- 2. Accessory structures: Five (5) feet.
- 3. Side yards on side streets (corner lot): Ten (10) feet.

(4) *Minimum lot width:* Fifty (50) feet.

(5) *Maximum structure height:* Forty-five (45) feet, except that on lots in excess of five (5) acres, sixty-five (65) feet is permitted; provided each of the setbacks required under subsection (3) above are increased by one (1) foot in distance for each foot of height above forty-five (45) feet.

(6) *Maximum impervious surface ratio:* Eighty (80) percent. (Ord. No. 293-88, 4-4-88)

Sec. 14-186. Other requirements.

All nonresidential uses in the B-2 zone shall meet the requirements of division 25 (space and bulk regulations and exceptions) of this article in addition to the following requirements:
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