

PROJECT NAME: INDIA FORM BASED CODE-TEXT AMENDMENT

PROPOSED DEVELOPMENT ADDRESS:

TEXT AMENDMENT - 62 INDIA - ZONEWIDE AMENDMENT

PROJECT DESCRIPTION:

AMENDMENT TO HEIGHT STANDARDS -  
SECTION 14 - 275.7' CORNER

CHART/BLOCK/LOT: INDIA STREET FORM BASED CODE ZONE  
28-P-8

CONTACT INFORMATION:

<b>Applicant - must be owner, Lessee or Buyer</b> Name: <u>JOE DASCO</u> Business Name, if applicable: <u>INDIA NEWBURY RESIDENCE / REGER DASO PROPERTIES</u> Address: <u>15 MIDDLE ST., SUITE A2</u> City/State: <u>PORTLAND, ME</u> Zip Code: <u>04101</u>	<b>Applicant Contact Information</b> Work # _____ Home# _____ Cell # _____ Fax# _____ e-mail: <u>joedasco@comcast.net</u>
<b>Owner - (if different from Applicant)</b> Name: _____ Address: _____ City/State: _____ Zip Code: _____	<b>Owner Contact Information</b> <u>SAME</u> Work # _____ Home# _____ Cell # _____ Fax# _____ e-mail: _____
<b>Agent/ Representative</b> Name: <u>ALI MALONE</u> Address: <u>15 MIDDLE ST., SUITE A2</u> City/State: <u>PORTLAND, ME</u> Zip Code: <u>04101</u>	<b>Agent/Representative Contact information</b> Work # _____ Cell # <u>207-653-7750</u> e-mail: <u>ali.malone@gmail.com</u>
<b>Billing Information</b> <u>SAME</u> Name: _____ Address: _____ City/State: _____ Zip Code: _____	<b>Billing Information</b> <u>SAME</u> Work # _____ Cell # _____ Fax# _____ e-mail: _____

<b>Engineer</b> Name: N/A Address: _____ City/State : _____ Zip Code: _____	<b>Engineer Contact Information</b> Work # N/A Cell # _____ Fax# _____ e-mail: _____
<b>Surveyor</b> Name: SEBAGO TECHNICS WILL CONWAY Address: _____ City/State : _____ Zip Code: _____	<b>Surveyor Contact Information</b> Work # _____ Cell # _____ Fax# _____ e-mail: _____
<b>Architect</b> Name: MARK MUELLER ARCHITECTS Address: 100 COMMERCIAL ST. City/State : PORTLAND, ME Zip Code: 04101	<b>Architect Contact Information</b> Work # 774-9057 Cell # _____ Fax# _____ e-mail: mark@muellearchitects.com
<b>Attorney</b> Name: N/A Address: _____ City/State : _____ Zip Code: _____	<b>Attorney Contact Information</b> Work # N/A Cell # _____ Fax# _____ e-mail: _____

**Right, Title, or Interest:** Please identify the status of the applicant's right, title, or interest in the subject property:

N/A - ZONE WIDE TEXT AMENDMENT  
OWNERS OF 62 INDIA (CURRENTLY PARKING LOT)

**Provide documentary evidence, attached to this application, of applicant's right, title, or interest in the subject property.**  
(For example, a deed, option or contract to purchase or lease the subject property.)

N/A - ZONE WIDE AMENDMENT

**Vicinity Map:** Attach a map showing the subject parcel and abutting parcels, labeled as to ownership and/or current use.  
(Applicant may utilize the City Zoning Map or Parcel Map as a source.)

**Existing Use:** Describe the existing use of the subject property: EXISTING ZONING LANGUAGE:

CURRENT ZONE STIPULATES THAT: "WHERE TWO SUBDISTRICTS INTERSECT AT A STREET CORNER, THE DIMENSIONAL REQUIREMENT [E.O.] OF THE "DOMINANT" SUBDISTRICT SHALL APPLY FROM 1ST THROUGH 3RD LOT LAWER (35' DEEP INTO LOT MEASURED FROM THE DOMINANT LOT LINE) [..]"

Updated: October 6, 2015

IN THE CASE OF A UN AND UA DISTRICT INTERSECTING AT A CORNER, THE UA HEIGHT OF 50' (EXCEPT ON CONGRESS) CAN ONLY CARRY 35' FEET DEEP BEFORE STEPPING TO 45'



Current Zoning Designation(s): INDIA STREET FORM BASED CODE ZONE

<sup>LANGUAGE</sup>  
Proposed Use of Property: Please describe the proposed use of the subject property. If construction or development is proposed, please describe any changes to the physical condition of the property.

PLEASE SEE ATTACHED EDITS TO SEC 14-275.7 -

SUBDISTRICT DIMENSIONAL REQUIREMENTS - CORNER.

CHANGE WOULD ELIMINATE 5' STEP DOWN 35' INTO PARCEL WHERE A UN AND VA LOT INTERSECT - 50' HEIGHT FOR ENTIRE PARCEL

Site Plan: On a separate sheet, please provide a site plan of the property showing existing and proposed improvements, including such features as buildings, parking, driveways, walkways, landscape and property boundaries. This may be a professionally drawn plan, or a carefully drawn plan, to scale, by the applicant. (Scale to suit, range from 1" = 10' to 1' = 50'.) Contract and conditional rezoning applications may require additional site plans and written material that address physical development and operation of the property to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations, and compatible with the surrounding neighborhood.

**APPLICATION FEES:**

Check all reviews that apply. (Payment may be made by Credit Card, Cash or Check payable to the City of Portland.)

Zoning Map Amendment ___ \$2,000.00 (from ___ zone to ___ zone)
Zoning Text Amendment <input checked="" type="checkbox"/> \$2,000.00 (to Section 14- <u>275.7</u> )
Combination Zoning Text Amendment and Zoning Map Amendment ___ \$3,000.00
Conditional or Contract Zone ___ \$3,000.00 (A conditional or contract rezoning map be requested by an applicant in cases where limitations, conditions, or special assurances related to the physical development and operation of the property are needed to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations, and compatible with the surrounding neighborhood. Please refer to Division 1.5, Sections 14-60 to 62.)

The City invoices separately for the following:

- Notices (\$.75 each)
- Legal Ad (% of total Ad)
- Planning Review (\$40.00 hour)
- Legal Review (\$75.00 hour)
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Third party review fees are assessed separately. Any outside reviews or analysis requested from the Applicant as part of the development review, are the responsibility of the Applicant and are separate from any application or invoice fees.


**APPLICATION SUBMISSION:**

1. All site plans and written application materials must be submitted electronically on a CD or thumb drive with each plan and each document submitted as separate files. Naming conventions for the individual files can be found on the **Electronic Plan and Document Submittal** page of the City's website at <http://me-portland.civicplus.com/764/Electronic-Plan-and-Document-Submittal>
  
2. **The submission shall include the following materials:**
  - a. One (1) paper set of the zoning amendment application, concept plan and written narrative.
  - b. ~~Contract and conditional rezoning applications must include site plans and written material that address physical development and operation of the property to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations and compatible with the surrounding neighborhood.~~

\* LETTER FROM MARK MUELER ARCHITECTS ATTACHED  
\* SEC. 14-275.7 EDITS ATTACHED  
\* WRITTEN NARRATIVE ATTACHED

**APPLICANT SIGNATURE:**

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Planning Authority and Code Enforcement's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of Applicant: 	Date: 1/25/2016
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