



Permitting and Inspections Department
Michael A. Russell, MS, Director

Ann Machado, Zoning Administrator

July 24, 2017

New Day Farm, LLC
c/o Richard N. Bryant
Van Meer & Belanger
215 Commercial St.
Portland, ME 04101

Re: 4 Russell Street, CBL 054-D-001, R-6 Residential Zone

Dear Mr. Bryant:

On July 13, 2017 the Zoning Board of Appeals voted 5-0 (Bartels absent) to grant a Practical Difficulty Variance for the above-referenced vacant lot, to reduce the minimum lot size to 1,899 square feet, to increase the maximum lot coverage from 60% to 63.67%, and to reduce the minimum lot area per dwelling unit to 633 square feet, for the purpose of constructing a three-family dwelling. I am enclosing a copy of the Board's decision.

Now that the variance has been granted, you will need to apply for a building permit for the project (application: <http://www.portlandmaine.gov/DocumentCenter/Home/View/2310>). Before applying for the building permit, the project will also require Site Plan approval through the Department of Planning and Urban Development. Please contact that Department directly for more details on the Site Plan approval process.

Under Section 14-474(f) of the ordinance and the board's decision, you have twenty-four months from the date of the meeting (July 13, 2017), to obtain the Site Plan and permit approvals and to start construction, or your Zoning Board approval will expire.

I am also enclosing the Certificate of Variance Approval. **The original must be recorded in the Cumberland County Registry of Deeds within 90 days of the date it was signed.** Failure to record the Certificate will result in it being voided. Our office must be provided with a copy of the recorded Certificate of Variance showing the recorded book and page before a building permit can be approved.

Appeals from decisions of the Board may be filed in Superior Court in accordance with Rule 80B of the Maine Rules of Civil Procedure.

Should you have any questions, please contact me at (207) 874-8695 or cstacey@portlandmaine.gov.

Sincerely,


Christina Stacey
Zoning Specialist




CITY OF PORTLAND

CERTIFICATE OF VARIANCE APPROVAL

I, Kent Avery, the duly appointed Chair of the Board of Appeals for the City of Portland, Cumberland County and State of Maine, hereby certify that on the 13th day of July, 2017, the following variance was granted pursuant to the provisions of 30-A M.R.S.A. Section 4353(5) and the City of Portland's Code of Ordinances.


1. **Current Property Owner: New Day Farm, LLC**
2. **Property: 4 Russell Street, Portland, ME** **CBL: 054-D-001**
 Cumberland County Registry of Deeds, **Book: 32044 Page: 36**
 Last recorded deed in chain of Title: **01/23/2015**
3. **Variance and Conditions of Variance:**
 To grant relief from section 14-139(a) of the Land Use Ordinance to reduce the required minimum lot size from two thousand (2,000) square feet to one thousand eight hundred ninety-nine (1,899) square feet, to increase the maximum required lot coverage from 60 percent to 63.67 percent and to reduce the minimum lot area per dwelling unit from seven hundred twenty-five (725) square feet to six hundred thirty-three (633) square feet.

IN WITNESS WHEREOF, I have hereto set my hand and seal this 18th day of July, 2017


, Chair of
City of Portland Zoning Board,
Kent Avery (Printed or Typed Name)

STATE OF MAINE
Cumberland, ss.

Then personally appeared the above-named Kent Avery and acknowledged the above certificate to be his free act and deed in his capacity as Chair of the Portland Board of Appeals, with his signature witnessed on July 18, 2017.


(Printed or Typed Name)
Notary Public
Tricia L. Chayer
Notary Public, State of Maine
My term expires
My Commission Expires January 25, 2022

PURSUANT TO 30-A M.R.S.A. SECTION 4353(5), THIS CERTIFICATE MUST BE RECORDED BY THE PROPERTY OWNER IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS WITHIN 90 DAYS FROM FINAL WRITTEN APPROVAL FOR THE VARIANCE TO BE VALID. FURTHERMORE, THIS VARIANCE IS SUBJECT TO THE LIMITATIONS SET FORTH IN SECTION 14-474 OF THE CITY OF PORTLAND'S CODE OF ORDINANCES.