

Carriage House Studio architects

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June 1, 2010

Dept. of Building Inspections
City of Portland Maine

Zoning Board of Appeals
Department of Planning and Urban Development
Portland City Hall, Room 315
389 Congress Street
Portland, Maine 04101

Re: Practical Difficulty Variance Application for 395 Spring Street

Dear Members of the Zoning Board of Appeals,

Please find enclosed an application, payment and supporting materials for a Practical Difficulty Variance for proposed work at 395 Spring Street, submitted on behalf of the owner/applicants Vilean Taggersell and Robert Levine, including;

- Completed Practical Difficulty Variance Application
- Application Fee: Applicant's check in the amount of \$100 payable to the City of Portland
- Attachment #1: Tax Map
- Attachment #2: Tax Assessor's Sketch
- Attachment #3: Proposed Plan & Vaughan Street Elevation, 11" x 17"
- Attachment #4: Proposed East & North Elevations, 8-1/2" x 11"
- Attachment #5: Photographs
- Attachment #6: Plot Plan, 18" x 24"
- Attachment #7: Register of Deeds Exhibit A Property Description

DESCRIPTION OF THE WORK

The owners wish to add a mudroom and porch to the back of their house and improve the parking, fence and landscaping in the rear yard. The proposed addition, which requires a Practical Difficulty Variance to exceed the maximum lot coverage for the property, is necessary to improve the connection between the kitchen at the back of the house and the rear yard.

Currently there are two ways to get from the house to the yard. One is to go down 13 steps to the unfinished basement, out the bulkhead doors and then up 7 covered exterior steps to the yard. The other is to go out a side door on the Vaughan Street side of the house, down 9 steps to the sidewalk level, then along the sidewalk and through a gate into the back yard.

Carrying groceries from the car to the house and letting the owners' 2 dogs out into the yard are frequent and inconvenient tasks. Outdoor dining and cookouts don't happen

because the connection to the kitchen is so poor. The spacious rear yard is underutilized because it is so difficult to get to.

The proposed addition to the rear of the house will provide direct access from the kitchen to the rear yard and parking area, and a covered space for dining adjacent to the kitchen. Changes in fencing, paving and landscaping are intended to improve the rear yard of the property to complement the excellent quality of design and maintenance of the front and side yards.

REQUIRED APPROVALS & SCHEDULE

The addition requires a Practical Difficulty Variance to allow an increase in lot coverage above the maximum 30 percent allowed by the ordinance. The addition and the changes to the rear yard require Historic Committee approval; that application has been submitted. Our anticipated schedule for both applications is:

June 2, 2010	Historic Committee Workshop
June 17, 2010	Zoning Board of Appeals Public Hearing
June 24, 2010	Historic Committee Public Hearing

CONDITIONS FOR GRANTING PRACTICAL DIFFICULTY

- The need for the variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood:*
The property is unique because it is a townhouse bounded by public streets on 3 sides, an adjoining townhouse on the 4th side and because the width of the lot is narrower at the rear yard than it is at the front yard. Also, the tax assessor's plan for the property shows that in the past, there was a structure at the rear of the house that extended across the full width of the house, where the proposed addition is to be located.
- The granting of the variance will not have an unreasonable detrimental effect on either the use or fair market value of the abutting properties:*
The building and front and side yards of this historic property have been meticulously restored, improved and maintained. The proposed addition and rear yard improvements will bring the rear of the property up to the excellent standards of the rest of the property, thereby enhancing the surrounding properties and the neighborhood in general.
- The Practical Difficulty is not the result of action taken by the applicant or a prior owner:*
The house has not, in recent memory, had a direct connection from the rear of the house to the yard.
- No other feasible alternative is available to the applicant, except a variance:*
The owner cannot buy land from a neighboring property in order to gain the necessary lot area for the addition.

5. *The granting of a variance will not have an unreasonably adverse effect on the natural environment:*
The proposed work will not add to surface runoff from the property, or otherwise have a negative impact on the environment. The addition and new landscaping plan will result in an overall decrease in the area of hardscape on the property.
6. *Strict application of the dimensional standards of the ordinance to the subject property will preclude a use which is permitted in the zone in which the property is located:*
The practical use and enjoyment of the rear yard of the property is prevented by the strict application of the minimum lot coverage requirement of the ordinance.
7. *Strict application of the dimensional standards of the ordinance to the subject property will result in significant economic injury to the applicant:*
This historic house is suitable for a large family but potential buyers will want to be able to use the rear yard as an extension of the house. Parents will want to be just steps away when their children are playing in the yard. Hosts will want to entertain in the yard without having to carry food and drink down to the basement and then up through the bulkhead to the yard. The resale value of the property is significantly diminished without a rear porch, mudroom and entry connecting to the backyard and parking area.
8. *The property is not located, in whole or in part, within a shoreland area, as defined in 38 MRSA Section 435, nor within a shoreland of flood hazard zone as defined in this article:*
The subject property complies with this statement.

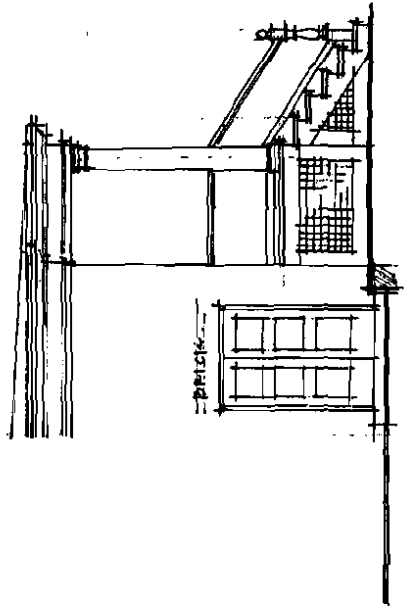
Thank you for considering this application. Please let me know if there is any other information that you would like as you proceed.

Sincerely,


Carol J. DeTine AIA

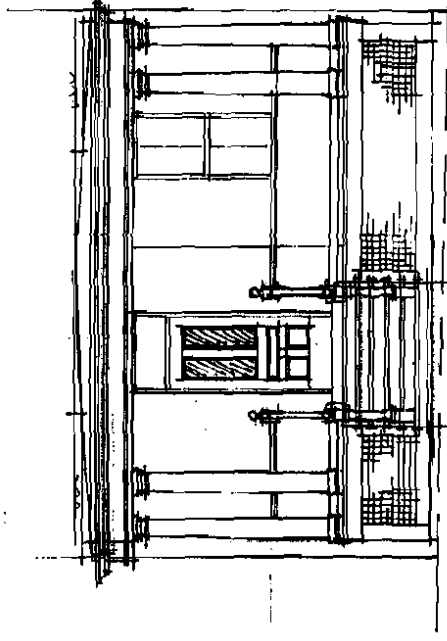
Encl.

295 SPRING STREET
ATTACHMENT # 4.



EAST ELEVATION.
FACES NEIGHBOR'S YARD

295 SPRING STREET. PROPOSED ELEVATIONS. 20 MAY '10. 1/4" = 1'-0"
CAPRIGLIO HOUSE STUDIO ARCHITECTS

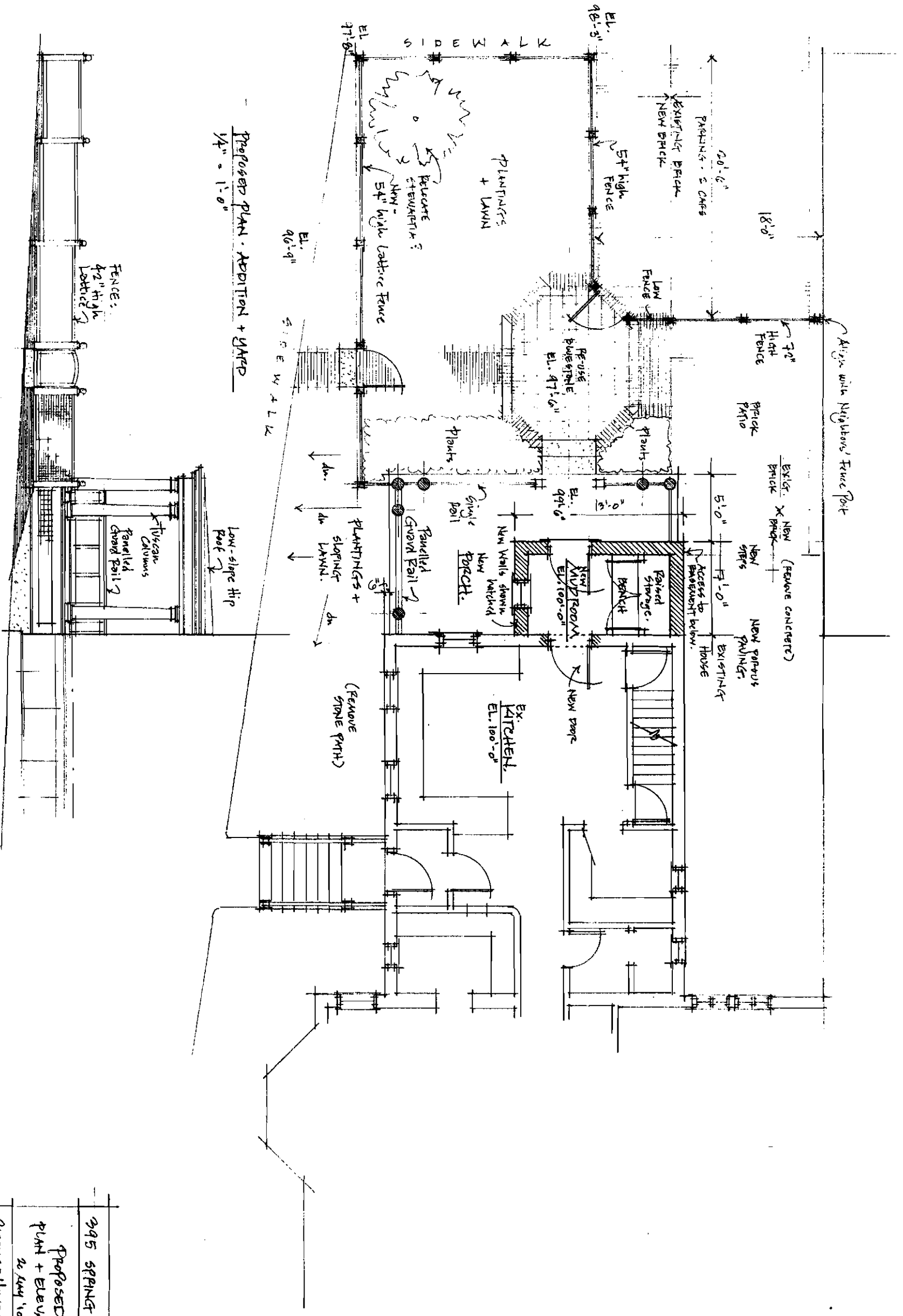


EXISTING
GRADE - dashed.

NORTH ELEVATION.
FACES CUPFORD ST.

295 SPRING STREET. PROPOSED ELEVATIONS. 20 MAY '10. 1/4" = 1'-0"
CAPRIGLIO HOUSE STUDIO ARCHITECTS

395 SPRING STREET
 ATTACHMENT # 3.



Proposed VAUGHAN ST. ELEVATION.
 1/4" = 1'-0"

395 SPRING STREET
PROPOSED PLAN + ELEVATION.
20 May '10
Carriette House Studio architects 144 Vaughan Street. Portland, ME 04102