



PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life • www.portlandmaine.gov

*Lee Urban- Director of Planning and Development
Marge Schmuckal, Zoning Administrator*

December 13, 2007

Melissa & Scott Knoll,
83 West Street
Portland, ME 04102

RE: 83 West Street – 063 B007 – R-4 – setbacks and lot coverage – permit #07-1487

Dear Scott and Melissa,

Your application to enlarge your existing garage at 83 West Street does not meet all of the requirements of the R-4 residential zone. Section 14-105(d)(2) of the ordinance states the minimum rear setback to be twenty-five feet. Your plot plan gives the rear setback to the proposed addition as six feet, three inches. This is eighteen feet, nine inches less than the required rear setback. Section 14-105(d)(4) of the ordinance states the minimum side setback on a side street to be twenty feet. Your plot plan gives the distance from the sidewalk to the proposed addition as thirteen feet, five inches. This is six feet, seven inches less than the required side setback on a side street. This section does say that the side yard on a side street does not have to exceed the average depth of the front setback of the property directly abutting the property. We need more information to determine whether your setback of thirteen feet, five inches meets this average depth with the property next door. Section 14-105(e) of the ordinance states that the maximum allowable lot coverage is thirty percent of the lot area. Your lot is 5,320 square feet. Thirty percent of this is 1596 square feet. The footprint of your existing structure is 2,570 square feet, which is already 974 square feet over the maximum allowable lot coverage. Your proposed addition would add 331.5 square feet. This would make the footprint of your structure 2901.5 square feet, which is 1305.5 square feet over the maximum allowable lot coverage. Since your proposed addition to your garage is over the allowable maximum lot coverage, and it does not meet the required rear setback and may not meet the required side setback on a side street, I must deny your permit.

You have the right to appeal my decision. If you wish to exercise your right to appeal, you have thirty days from the date of this letter in which to appeal. If you should fail to do so, my decision is binding and not subject to appeal. I have enclosed a copy of the application for a practical difficulty appeal and the appeal process. If you choose not to file an appeal, you are entitled to get most of your money back if you bring in the original receipt you got when you applied for the permit.

Please feel free to call me at 874-8709 if you have any questions.

Yours truly,

Ann B. Machado
Zoning Specialist
(207) 874-8709