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

May 7, 2008

Dean R. Bingham  
55 Roberts Street  
Portland, ME 04102

RE: 55 Roberts Street – 066A-B-017 – R-5 Zone – Permit #08-0443

Dear Mr. Bingham,

I am in receipt of your permit to do renovations to the attic area of your building located at 55 Roberts Street. Your permit is being denied because you are not meeting the underlying R-5 Zone requirements.

Your floor plan shows a separate apartment layout with a kitchen area, bedrooms, bathroom, separate electrical panel, and living room area which creates a third dwelling unit within your building.

Section 14-117(a)2 and 14-120(b) of the R-5 Zone state that for a multiplex building (constituting three or more dwelling units) the minimum land area is 6,000 square feet per dwelling unit. Because this project would constitute a change of use from two to three dwelling units, the minimum land area required is 18,000 square feet instead of the 5,000 square feet shown for this property. Therefore your permit is denied.

Please note that the Zoning Board of Appeals does not have the right to grant a variance for a new dwelling unit in a multiplex building unless there is a minimum lot area of 9,000 square feet. Your lot is shown to be 5,000 square feet.

You are not allowed to create a third dwelling unit in this building. Your permit is denied.

Very truly yours,

A handwritten signature in cursive script that reads "Marge Schmuckal".

Marge Schmuckal  
Zoning Administrator

Cc: file