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August 18, 2014

Zoning Board of Appeals
City of Portland
389 Congress Street, 4th Floor
Portland, Maine 04101

Re: Conditional Use Application/140 William Street/CBL 081/B011/001

Dear Board members:

I am enclosing with this letter my Conditional Use Application to convert the existing carriage house at 140 William Street in Portland, to an in-law apartment, pursuant to Section 14-433 of the Portland Zoning Ordinance. To support that application I am also enclosing the following materials:

1. Completed and signed Conditional Use Appeal Application.
2. Plot Plan ("Existing Conditions Plan").
3. Floor plans and elevations of the carriage house.
4. Copy of the tax map, with the property highlighted.
5. Photographs of the property.
6. Deed copy.
7. Vicinity Map.
8. Current and 1924 tax records regarding this property.
9. Our application fee check, made payable to the City of Portland, in the amount of \$100.00.

With respect to the requirements of Section 14-433 for this change, please be advised as follows:

1. The property is located in the R-3 Zone.
2. The ground coverage (footprint) of the carriage house is 495 square feet, which exceeds the minimum requirement of 250 square feet.
3. The carriage house was built around 1905, per the City of Portland Tax records. The 1924 tax records show it as being in existence at that time. (See attached tax sheet and 1924 information) The carriage house was therefore in existence on January 1, 1940, as required by the ordinance.
4. No enlargement of the building footprint is proposed, so there is likewise no enlargement of any nonconforming portion of the building footprint.

5. The conversion will conform to the minimum land area requirement as set forth in Section 14-88(a)(2)(d) of 6,500 square feet, as shown on the attached Existing Conditions Plan.
6. The lot includes existing parking for at least 10 vehicles, all situated outside of the front yard setback area. The setback area and parking areas are shown on the Existing Conditions Plan. This parking satisfies the requirement of 1 parking spot for the existing home, and 2 parking spots for the carriage house.

Regarding the Conditional Use standards contained in the Zoning Ordinance at Section 14-88(a)(2), please be advised as follows:

- a. The overall square footage of the main house is 3,937 square feet. Thirty Percent of the square footage of the main house is 1,181.10 square feet. The total square footage of the carriage house (not counting floor area with less than 4' of head room) is 714 square feet. Including floor area with less than 4' of head room, the total square footage of the carriage house is 849 square feet. In either case the floor area of the carriage house is greater than 400 square feet, and less than 30% of the floor area of the main house. See enclosed floor plans for details.
- b. There are no open outside stairways or fire escapes above the ground floor, and none are proposed.
- c. Any exterior alterations are designed to be compatible with the architectural style and to maintain the single family appearance of the dwelling. No additions or roof changes are proposed. After significant research we have proposed to create a new front for the carriage house that we believe is architecturally and visually appropriate for the age and original function of the building.
- d. The lot size of this property is approximately 15,100 square feet, which is greater than the required minimum lot size of 6,500 square feet. See attached Existing Conditions Plan.
- e. No dwelling unit is being reduced in size in connection with this change, since the new unit is not located in the existing house.
- f. Existing off street parking outside of the front yard setback includes space for up to 10 cars. This provides more than enough parking to meet the requirements of Division 20 of the Zoning Ordinance.

- g. An application for Administrative Site Plan Review is being filed simultaneously with this application. In particular:
 - i. All exterior alterations are designed to be compatible with the architectural style of the building; and
 - ii. There are no new parking areas or driveways proposed, and the existing driveway/parking area is appropriately screened from adjacent properties and streets.
- h. The main house on the property will remain occupied by the lot owner.

Please note that, pursuant to Section 14-474 of the Zoning Ordinance:

1. The proposed use, at the size and intensity contemplated at the proposed location, will not have a substantially greater negative impact than would normally occur from surrounding uses or other allowable uses in the same zoning district.
2. The only potential increase in the volume of traffic from this use will be one or two cars for residential purposes, and there will be no increase in the existing pavement at the property. The use will be residential and entirely consistent with all surrounding uses, which are also residential. The volume and type of vehicle traffic to be generated, hours of operation, expanse of pavement, and the number of parking spaces required are therefore not substantially greater than would normally occur at surrounding uses or other allowable uses in the same zone.
3. No changes are proposed that would create any unsanitary or harmful conditions, or that would create noise, glare, dust, emissions to the air, odor, lighting or litter, in excess of the level already present in the neighborhood generally. The Building is already connected to the public sanitary sewer and will remain so, such that sewage disposal will not create any issue. The proposed use therefore will not create unsanitary or harmful conditions by reason of noise, glare, dust, sewage disposal, emissions to the air, odor, lighting, or litter.
4. The only exterior changes to the building will be the renovation of the front of the building to improve its appearance and energy efficiency, and the change of a second floor (rear) window for a slightly larger or different style (awning) window to meet fire exit requirements. No exterior changes are proposed to the existing building or to the site that will affect existing screening, landscaping, or signs in any way that will create any negative impact on any surrounding properties. The use will be residential, so there will be mail deliveries and other residential deliveries on occasion, as well as household trash and recycling from the additional unit, all of which will be in keeping with the residential nature of the neighborhood. No loading or outside storage of materials, or any change in the arrangement of the buildings on this site, is contemplated in connection with this use. The design and operation of the proposed use, including but not limited to landscaping, screening, signs, loading, deliveries, trash or waste generation, arrangement of structures, and materials storage will therefore not have a

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substantially greater effect/impact on surrounding properties than those associated with surrounding uses or other allowable uses in the zone.

If you should need any further information or materials in connection with this application, please don't hesitate to contact me. Many thanks for your help with this application.

Sincerely,


Tim Keiter

cc: Jean Fraser, Planner