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*Penny St. Louis Littell - Director of Planning and Urban Development
Marge Schmuckal, Zoning Administrator*

November 12, 2009

William Koutalidis
34 Glen Haven Circle
Saco, ME 04072

Re: 546 Seashore Avenue, Peaks Island – 086 A015 – IR-1 – build addition – permit #09-1220

Dear Mr. Koutalidis,

I'm writing this letter as a follow up to the conversations that we have had about your application to put an addition on your house at 546 Seashore Avenue, Peaks Island. As you know, your property is in the IR-1, island residential zone. Section 14-145.5(a)(1) of the ordinance states that the minimum lot size for lots with public water is forty thousand (40,000) square feet. Your lot is 28,380 square feet, so it is legally nonconforming. Section 14-388 of the ordinance states that "a building nonconforming as to the regulations governing area per dwelling unit shall not be enlarged unless such building, including such addition or enlargement, is made to conform to all the land area per dwelling regulations of the zone in which it is located". In other words, since your lot does not meet the area per dwelling unit requirement, you cannot build an addition, and I must deny your permit application.

As I have told you, the Planning Board is in the process of reviewing section 14-388 and may amend it or remove it all together. If you would like, you can keep your permit on hold while we await the outcome of this review, or you can 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 the application for a variance appeal and information about the application process for the Zoning Board of Appeals. If you choose not to file an appeal or not to keep your permit on hold, 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 contact me at (207) 874-8709 if you have any questions.

Yours truly,

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