



## Meeting Notes

7 Diamond Pass, Peaks Island

August 31, 2016

**Location:** Portland City Hall

**Attending:**

- Sam Spirn (SS) - Owner
- Bill Walsh (BW) – Walsh Engineering Associates, Inc.
- Silas Canavan (SC) – Walsh Engineering Associates, Inc.
- Russ Tyson (RT) – Whitten Architects
- Christina Staley (CS) – City of Portland, Zoning Specialist
- Ann Machado (AM) – City of Portland, Zoning Administrator

### Introduction

- SS described family history on Peaks Island
- RT described condition of existing building with photos.
- BW summarized notes from previous meeting.

### Building Setbacks

- AM verified that property setbacks are measured as offsets from the property line, not perpendicular to the house as was done previously by the Zoning department.
- Applicant could seek ZBA variance for setbacks
  - Next meeting would be early October

### Building Reconstruction

- Building can be reconstructed within existing footprint, keeping existing “shell”
- Per 14-436(b), building can be expanded vertically
  - No density requirements in IR zones.
  - Second floor area can be expanded by 80% of existing first floor footprint
    - Floor area = actual interior floor space
    - Footprint = building outline, including deck, porches, and stairs (if previously permitted)
      - Need to check zoning permit files for porch and deck to determine if they are permitted.
      - Also check 1950 assessor’s card for building sketch.
    - Roof can be raised to accommodate construction.
      - Will be reviewed on case by case basis by AM.
  - Existing unenclosed porch area can be utilized in reconstruction.
    - If enclosed, 50% of wall area shall be glass on non-conforming area.
- Existing non-conforming area can be “swapped” to an extent so long as:
  - Not a gross reconfiguration

- Existing setback cannot be decreased
  - i.e. if non-conforming area from north side is moved to south side, additional area on south side must maintain existing 15' setback
- Reviewed on case by case basis by AM
- Hip roof can be changed to gable roof depending on existing/proposed roof pitch
  - 12:12 pitch probably not allowed.
  - 10:12 or 8:12 pitch more likely to be allowed.
  - Roof pitch will be reviewed by AM.
- Ceiling heights
  - RT – 7'± existing ceiling heights.
  - AM – Can adjust, but will be reviewed by AM.
- Deck
  - AM – Can have a deck within the setback area if not exceeding existing non-conforming area.

#### Garage Reconstruction

- Existing garage can be converted into accessory “bunk house”
  - Maintain existing footprint and shell
  - Cannot be expanded vertically
  - Bunk house cannot have a kitchen
  - Bathroom OK in bunk house
  - Need to check permitting files to see if garage was previously permitted (SC found a garage permit in the files).
  - Setback between bunk house and house shall be equal to average of front setbacks of neighboring houses from Island Ave.

#### Other Items

- Existing building footprint can be shifted towards the ocean if existing side setbacks are maintained.
- There is no setback for patios constructed flush with grade (not considered structure), except they must be outside of 75' setback from high tide line.
- City of Portland ordinance does not require maximum of 20% impervious area for Shoreland zone.
  - Need to check if State requires

#### Follow Up

- RT/BW/SC will follow up with AM/CS with schematic plans and sections as design progresses.