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

May 7, 2007

Gretchen Grufman
473 Loop Road
Wells, ME 04090

RE: 19-21 Lawn Avenue – 122 I003 – R-5 – Legalize illegal unit

Dear Ms. Grufman,

I am writing this letter as a follow up to the telephone conversation we had last Friday, May 4, 2007. As you know, the legal use of your property at 21 Lawn Avenue is a two family. Our records show that in March of 1973 the owner of the property, Thomas Waecker, went before the Zoning Board of Appeals to change the use of the building from a two family to a three family. The Zoning Board denied the appeal, so the property remained a two family. We have not had any permit application since then to change the use of the property to a three family, so the legal use of the property remains a two family.

Section 14 – 117(a)(2)(a) of the ordinance states that the land area required for three or more dwelling units in the R5 zone is 6,000 square feet per dwelling unit. Your property only has 5880 square feet, so you are not able to apply for a change of use permit to add a third dwelling unit. Section 14-391 of the ordinance outlines a process where properties with existing illegal dwelling units may be recognized as a legal nonconforming use. If the zoning administration cannot approve the application based on the evidence submitted or if an owner of any property within 300' of the structure objects, then the applicant can file a Conditional Use Appeal to the Zoning Board of Appeals. If the application is denied, then you will be required to remove the illegal dwelling unit

It is my understanding from our telephone conversation that you intend to apply to legalize the illegal unit. You have thirty days in which to do so. If we have not received an application to legalize the unit within this thirty-day period, you will be required to remove the illegal unit. If you have any questions regarding this matter please feel free to call me at 874-8709.

Sincerely,

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

Cc file