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

August 18, 2009

Weigel Construction Inc.
12 Madokawando Landing
Falmouth, ME 04105

Michael & Marleen Denney
8 Arlington Street
Portland, ME 04101

RE: 8 Arlington Street – 126-F-008 – R-3 Residential Zone – Permit #09-0817

Dear Weigel Construction,

I am in receipt of your application to expand the existing 6' x 17' 1 story laundry room to 12' x 17' and to add 12' x 20' deck and steps at the rear of the existing house. Your permit is denied because it can not meet the requirements of the Land Use Zoning Ordinance.

First of all, apparently Michael & Marleen Denney are new owners. Our records show that the property is owned by Phillip M. Hoose. Our office would need a copy of the deed to show that your client has right title and interest to apply for this permit.

The lot at 8 Arlington Street is approximately 5,665 square feet in size. The R-3 Zone requires a minimum lot size of 6,500 square feet. Section 14-90(b) requires a minimum area per dwelling unit of 6,500 square feet. Section 14-388 states:

“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 area per dwelling regulations of the zone in which it is located.”

Because your lot does not meet the requirements of section 14-388, you can not enlarge your current structure, and therefore your permit must be denied.

Also the R-3 Zone requires a minimum rear setback of 25 feet under section 14- 90(d)2 instead of the 21 feet shown on your plan submittal. Your permit is also denied because the proposal does not meet the R-3 Zone rear setback.

You have the right to appeal my decision. If you wish to exercise your right to appeal, you have 30 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. Please contact this office for the necessary paperwork that is required to file an appeal.

Feel free to contact me at 874-8695 if you have any questions regarding this matter.

Very truly yours,

Marge Schmuckal
Zoning Administrator

CC: File

enclosure