



# PORTLAND MAINE

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

October 30, 2007

David Bennett  
Bennett Homes  
931 Cape Road  
Limington, ME 04094

RE: 95 Canco Road – 141 F019 – R-3 – addition to garage – permit #07-1275

Dear Mr. Bennett,

You have an application to add on to the existing one car garage at 95 Canco Road. 95 Canco Road is located in the R-3 residential zone. The ordinance under Section 14-90(b), states that the minimum land area required per dwelling unit is 6,500 square feet. The square footage of the lot for 95 Canco Road is 5251.6 square feet according to the site plan submitted with the application which means that the lot is legally nonconforming. The ordinance, under section 14-388, states that a building that is nonconforming as to area per dwelling unit cannot be enlarged unless the building can be made to conform to the land area per dwelling unit requirement. Since the lot is legally nonconforming as to land area per dwelling unit, you cannot enlarge the existing building, so your permit is denied.

The ordinance, under sections 14-90(d)(1) and 14-90(d)(2), states that the required front yard setback is twenty-five feet and the required rear yard setback is also twenty-five feet. The site plan shows that the front yard setback to the proposed addition is 23.63 square feet and the rear yard setback to the proposed addition is 7.31 square feet. Since the proposed addition is not meeting either the front or rear yard setbacks, your permit must be denied for this reason also.

You have the right to 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 necessary paper work that is required to file an appeal. If you choose not to file an appeal, 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.

Sincerely,

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