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

March 4, 2010

Bay Street Realty Trust
C/O Thomas Jewell
477 Congress Street, Suite 1104
Portland, ME 04101

Re: 34 Bay Street – 156 B014 – R-3 – new single family home – permit #10-0196

Dear Mr. Jewell,

I have reviewed the permit application to build a new single family home at 34 Bay Street. At this point I must deny the permit.

34 Bay Street is located in the R-3 residential zone. The required minimum lot width is sixty-five (65) feet [section 14-90(f)]. In other words, the lot needs to be a minimum of sixty-five feet wide where the house is located on the lot (section 14-47). The siteplan shows the lot to be 58.35' wide at the building, so the required minimum lot width is not being met.

The parking requirement is also not being met. Section 14-332(a)(1) states that for construction of a new residential unit, two off street parking spaces are required. According to section 14-336(a), the parking spaces cannot be located in the required front yard setback and they cannot be located within five feet of the side setback for the first fifty feet back from the street line. Right now the two parking spaces shown on the siteplan are within the twenty-five foot front yard setback.

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. Please contact this office for the necessary paperwork that is required to file an appeal.

Please feel free to call me at 874-8709 if you have any questions.

Yours truly,

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