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*Greg Mitchell - Acting Director of Planning and Urban Development
Marge Schmuckal, Zoning Administrator*

January 24, 2012

Shafaat Qazi
74 Phipps Road
Portland, ME 04102

RE: 74 Phipps Road – 183A-B-007 – R-3 Zone – permit application #2012-02-3378

Dear Mr. Qazi,

I am in receipt of a permit application to make repairs after smoke damage in your basement at 74 Phipps Road. The submission clearly shows a full kitchen, bath, bedroom and living area. This is considered a second dwelling unit in your home. I cannot sign off for zoning on this permit application because of the additional dwelling unit. Your permit is on hold at this time.

The legal use of the property is a single family dwelling. The R-3 zone is basically a single family zone. However, section 14-88(a)2 under conditional uses allows you to appeal to the Zoning Board of Appeals to allow an accessory dwelling unit. You must meet all of the conditions listed under 14-88(a)2 in order to be granted an appeal. I have included a copy of section 14-88(a)2 and a conditional use appeal application along with a listing of appeal dates.

You must submit your application for appeal within 30 days of the date of this letter. If you should fail to do so, your building permit application will be denied and all kitchen facilities shall be removed in total. If your appeal is granted, I can approve for zoning and the permit will be forwarded for further review. If you have any questions regarding this matter, please do not hesitate to call me at 874-8695.

Very truly yours,

Marge Schmuckal
Zoning Administrator

Cc: Jim Messer, PO Box 10504, Portland, ME 04104

enclosures