

Simpson Real Estate Services, LLC

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Michael A. Russell, MS, Director
Permitting and Inspections Department
City Hall
389 Congress Street
Portland, ME 04101

Ann Machado
Zoning Administrator
City Hall
389 Congress Street
Portland, ME 04101

RE: 183-185 Whitney Ave., Portland, ME
Legalization of 3rd Unit

Dear Zoning Board of Appeals,

We have applied to legalize a third unit in a two-family apartment building located at the above address. The 3rd unit has been rented by the owner for many years and the current tenant would like to remain in the unit. The owner is being proactive and following the City's process to legalize the 3rd unit. The last step before reinspection of the 3rd unit was to upgrade the fire escape attached to the rear of the building. The owner has paid for full set of engineering plans, submitted and received a permit to build a new wooden fire escape located behind the building within the old fire escape's footprint.

We were recently notified that there were two objections to legalizing the 3rd unit. Both complaints are based on lowering property values, increased traffic and the appearance of the property.

The reason for this appeal is that the objections to this project do not apply here. First, having a legally operating three-family building is more valuable than a two-family or an illegally operating three-family. Therefore, neighboring property values will not be impacted negatively. Second, there are already three tenants living in the building. Traffic, noise, parking, and living conditions on and around the property will not change from granting legalization. Third, the property's appearance is not being altered. The fire escape is located behind the building. The existing fire escape is being torn down and a new one will be built that is within the existing footprint of the current fire escape and it will meet current code.

We believe this appeal meets the goals of the City of Portland to provide more quality housing to residents. Portland does not have enough housing to meet current housing demand. Whitney Avenue currently has numerous multi-family dwellings, so this would not be the only one. If the board does not grant the appeal, the tenant, a resident of Portland will lose their home. Also, the owner, who was a longtime Portland resident, is elderly and relying on this property for her retirement. She will be negatively impacted for following the rules and being proactive with her property. Therefore, we respectfully appeal the objections to the Zoning Board of Appeals and request a vote in favor of the applicant to legalize the existing third unit.

Thank you for your time and consideration. If you have any questions, or need further information, please don't hesitate to contact us.

Sincerely yours,



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CC: Dana French via email (danajfrench@yahoo.com)
Encl: \$100.00 Appeal Fee Check