Michael and Molly Collin 76 Frances Street Portland, ME 04102 207-775-9120 michaelcollin@mac.com

To the Zoning Board of Appeals City of Portland 389 Congress Street Portland, ME 04101-3509

We are re-applying to alter our single family home at 76 Frances Street to include an additional dwelling unit. We were unable to break ground within the six-month period granted to us following our last application. As a result, this time we would like a 2-year approval period to cover any additional unforeseen delays.

The proposed addition includes a first floor accessory unit for our in-laws and a second floor with two bedrooms and bath accessible through our existing primary dwelling. In addition to the accessory unit, we are proposing to add a workshop, enlarging our living room, and creating a new rear entrance via a mud room.

We believe the proposed plan meets all conditional use standards in R3 Zone. See <u>pages 3-4</u> (Conditional Use Standards) for additional explanations.

Our proposed plans fall within the City's setback regulations with the exception of the 25-foot setback from the front property line. The foundation of our existing building sits 14 feet from the property line. Using the prescribed calculation of the average setback of our adjacent neighbors we are proposing to build the addition 14.5 feet from our front property line. Our neighbor to the south (72 Frances Street) sits 4 ft. from their front property line and our north neighbor (86 Frances Street) sits beyond the required 25 ft. (25+4=29, 29/2=14.5) See pages 10-11 (Adjacent setbacks) for additional documentation.

We have included many of our neighbors in the process making them aware of our plans and have shared preliminary plans to ensure that they are comfortable with the exterior design and façade.

Best,

Michael and Molly Collin

76 Frances Street, Portland, ME 04102

Enclosure:

- 1. Appeal Application (p. 2)
- 2. Conditional Use Standards (p. 3-4)
- 3. Plot plan (p. 5)
- 4. Floor plans (p. 6-7)
- 5. Tax map (p. 8)

- 6. Property photos
 - a. Property Photos (p. 9)
 - b. Adjacent setbacks (p. 10-11)
 - c. Parking (p. 12)
- 7. Deed (p. 13-14)



Yes. Life's good here.

Michael A. Russell, MS, Director Permitting and Inspections Department

SIGNATURE OF APPLICANT

Ann Machado Zoning Administrator

CITY OF PORTLAND ZONING BOARD OF APPEALS

Conditional Use Appeal Application

NAME PROPERTY ADDRESS - 187 E 018 & 019 BUSINESS NAME CHART/BLOCK/LOT (CBL)	Applicant Information:	Subject Property Information:			
BUSINESS NAME BUSINESS ADDRESS PROPERTY OWNER (If Different) ADDRESS (If Different) Owner APPLICANT'S RIGHT/TITLE/INTEREST PHONE # AND E-MAIL R.3 CURRENT ZONING DESIGNATION CONDITIONAL USE AUTHORIZED BY SECTION 14- 88 (a) (2) EXISTING USE OF THE PROPERTY: Primary residence TYPE OF CONDITIONAL USE PROPOSED: Addition to primary residence with an accessory unit. STANDARDS: Upon a showing that a proposed use is a conditional use under this article, a conditional use permit shall be granted unless the Board determines that: 1. The volume and type of vehicle traffic to be generated, hours of operation, expanse of pavement, and the number of parking spaces required are not substantially greater than would normally occur at surrounding uses or other allowable uses in the same zone; and 2. The proposed use will not create unsanitary or harmful conditions by reason of noise, glare, dust, sewage disposal, emissions to the air, odor, lighting, or litter; and 3. The design and operation of the proposed use, including but not limited to landscaping, screening, signs, loading deliveries, trash or waste generation, arrangement of structures, and materials storage will not have a substantially greater effect/impact on surrounding properties than those associated with surrounding uses of other allowable uses in the zone. NOTE: It site plan approval is required, attach preliminary or final site plan. The undersigned hereby makes application for a conditional use permit as described above, and certifies that the information herein is true and correct to the best of his OR her knowledge and belief.		76 France Street			
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Section 14-88 of the City of Portland Zoning Ordinance lists the alteration of a detached single-family dwelling to accommodate one (1) additional dwelling unit for the benefit of homeowners or tenants, as an acceptable conditional use in Zone R3 provided that:

- a. "The accessory unit shall be no more than thirty (30) percent of the gross floor area of principal building and shall have a minimum floor area four hundred (400) square feet; gross floor area shall exclude any floor area that has less than two-thirds of floor-to- ceiling height above the average adjoining ground level; gross floor area may include attic space if such space shall be included as habitable space within either dwelling unit."
 - In the proposed plans the accessory unit measures 876 sf and is 28% of the gross floor area of the principal building (3,121 sf)
- b. "There shall be no open outside stairways or fire escapes above the ground floor."

 There are no outside stairways existing or as part of the proposed plans.
- c. "Any building additions or exterior alterations such as facade materials, building form, or roof pitch shall be designed to be compatible with the architectural style and to maintain the single-family appearance of the dwelling."
 - The proposed plans have been designed to maintain the appearance of a single-family dwelling while remaining compatible with the architectural style of a cape design.
- d. "A minimum lot size of six thousand five hundred (6,500) square feet of land area shall be required"
 - The property lot of 76 Frances Street (TM 187 E018-19) measures 11,584.4 sf.
- e. "No dwelling unit shall be reduced in size to less than one thousand (1, 000) square feet of floor area, exclusive of common areas and storage in basement or attic."
 - The proposed plans do not include any reduction in size.
- f. "Parking shall be provided as required by division 20 of this article."
 76 Frances currently has 4 parking spaces with three (3) surface parking spaces and an additional space in the garage. See page 12 (Parking) for additional documentation.
- g. "The project shall be subject to article v (site plan) of this chapter for site plan review and approval":
 - Supplemental documents included with this application are attached to comply with requirements of article V.
 - I. "Any additions or exterior alterations such as facade materials, building form and roof pitch shall be designed to be compatible with the architectural style of the building."

The proposed plans have been designed to maintain the appearance of a single-family dwelling while remaining compatible with the architectural style of a cape design.

Conditional Use Standards

II. "The scale and surface area of parking, driveways and paved areas shall be arranged and landscaped to properly screen vehicles from adjacent properties and streets."

The proposed plan does not include any new surface area of parking, driveway or paved areas.

h. "Either the accessory unit or principal unit shall be occupied by the lot owner, except for bona fide temporary absences."

The Collin family will continue to occupy the principal unit.

It is noted in the Conditional Use Appeal Application that the Board may be concerned with the volume and type of vehicular traffic to be generated, hours of operation, expanse of pavement, and the number of parking spaces required that the proposed alteration my not be consistent with that which would normally occur at other surrounding uses in the R3 Zone

The applicants of this plan believe that the additional unit will have little affect on neighborhood traffic. Additionally, it is not necessary to increase pavement for additional off street parking spaces as the current site has a total of 4 available parking spaces.

The applicants also believe that this proposed conditional use does not:

"create unsanitary or harmful conditions by reason of noise, glare, dust, sewage, disposal, emissions to the air, odor, lighting, or litter... **nor will** "the design and operation of the proposed use, including but not limited to landscaping, screening, signs, loading deliveries, trash and waste generation, arrangement of structures, and materials storage will not have a substantially greater effect/impact on surrounding properties than those associated with surrounding uses of other allowable uses in the zone."

SQUARE FOOT CALCULATIONS:

Existing 1st and 2nd floor 1,055 sf Family 1:

New 1st and 2nd floor 850 sf New workshop 340 sf

2245 sf = 72% of total area **Subtotal**

Family 2: New 1st floor

Subtotal 876 sf = 28% of total area

Total SF of dwelling 3121 sf = 100% of total area



876 sf

NW BIRDSEYE



NORTH EAST

3 G101

DRAWING LIST

G101 SITE PLAN

AD100 EXISTING/DEMO PLAN

A100 **FOUNDATION PLAN**

PROPOSED 1ST FLOOR PLAN A101

A102 PROPOSED 2ND FLOOR PLAN

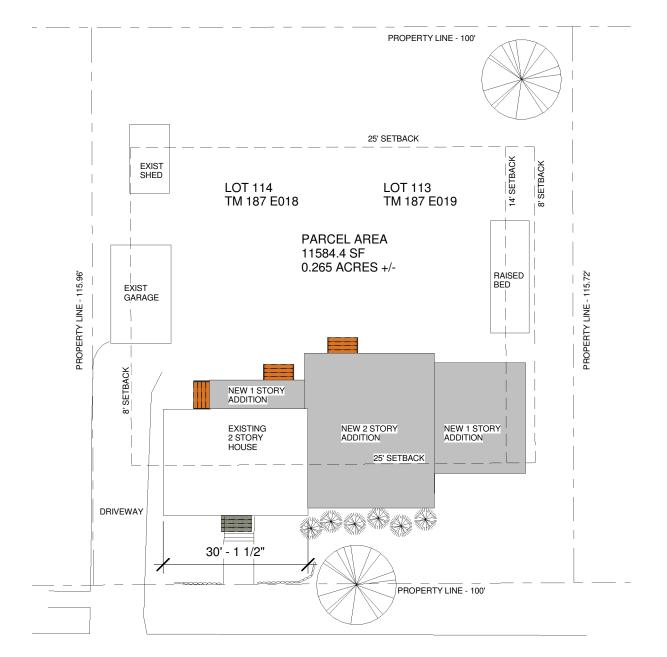
A201 EAST AND WEST ELEVATIONS

A202 NORTH AND SOUTH ELEVATIONS

ADDITION BUILDING SECTIONS A301

A302 WORKSHOP BUILDING SECTION

REAR ENTRY ADDITION SECTION A303



FRANCIS STREET

SITE PLAN

1" = 20'-0"

Linda Braley Isbraley@yahoo.com 207.321.5060

COLLIN RESIDENCE 76 FRANCIS ST, PORTLAND MAINE AN \Box

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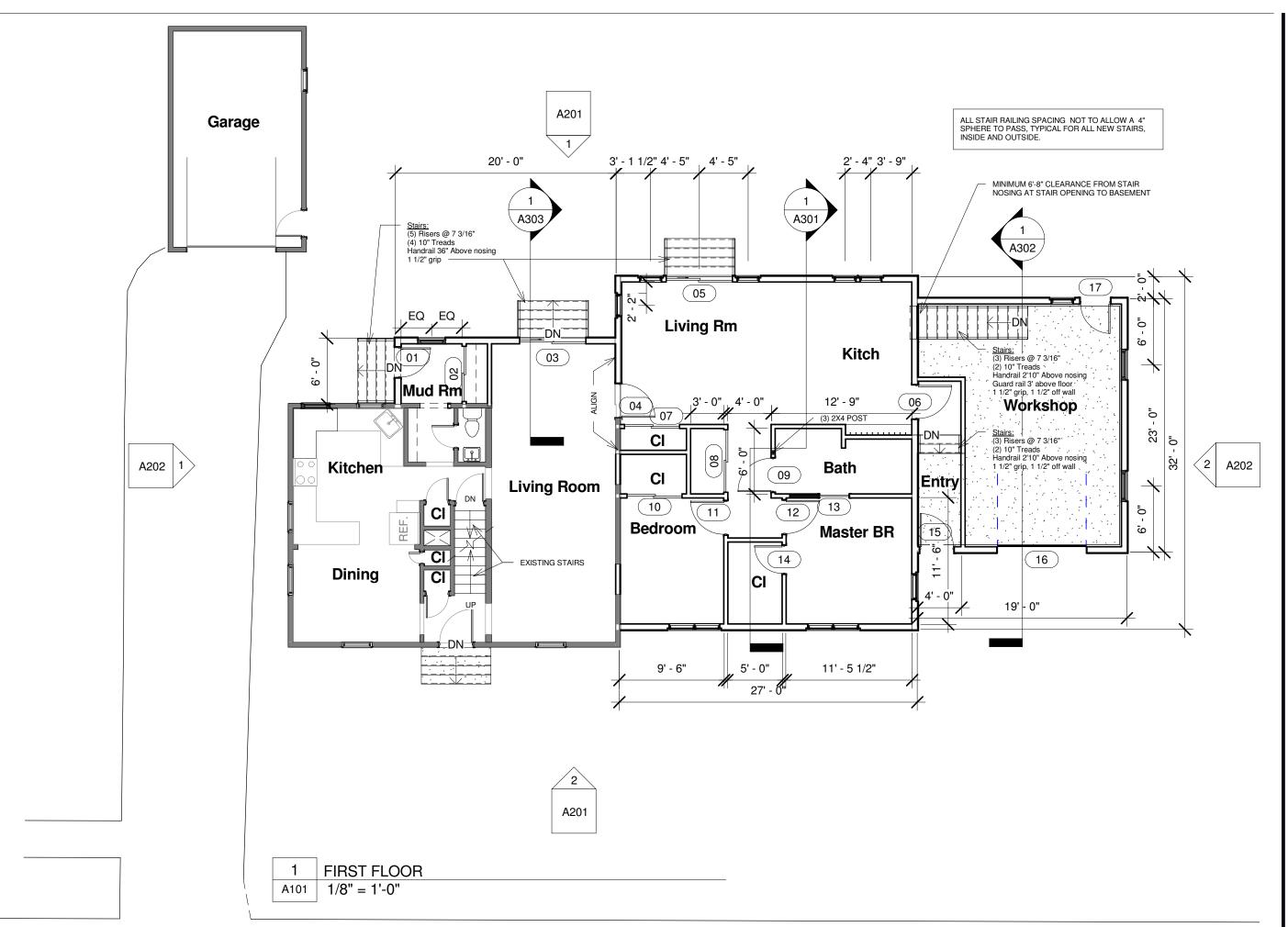
DATE OF ISSUE MAY 10, 2017 DESCRIPTION

CONCEPTUAL SCALE

1" = 20'-0"

PROJECT NUMBER 2015-0400

G101



Linda Braley Isbraley@yahoo.com 207.321.5060

ROPOSED 1ST FLOOR PLAN

PROJECT NAME:
COLLIN RESIDENCE
76 FRANCIS ST, PORTLAND MAINE

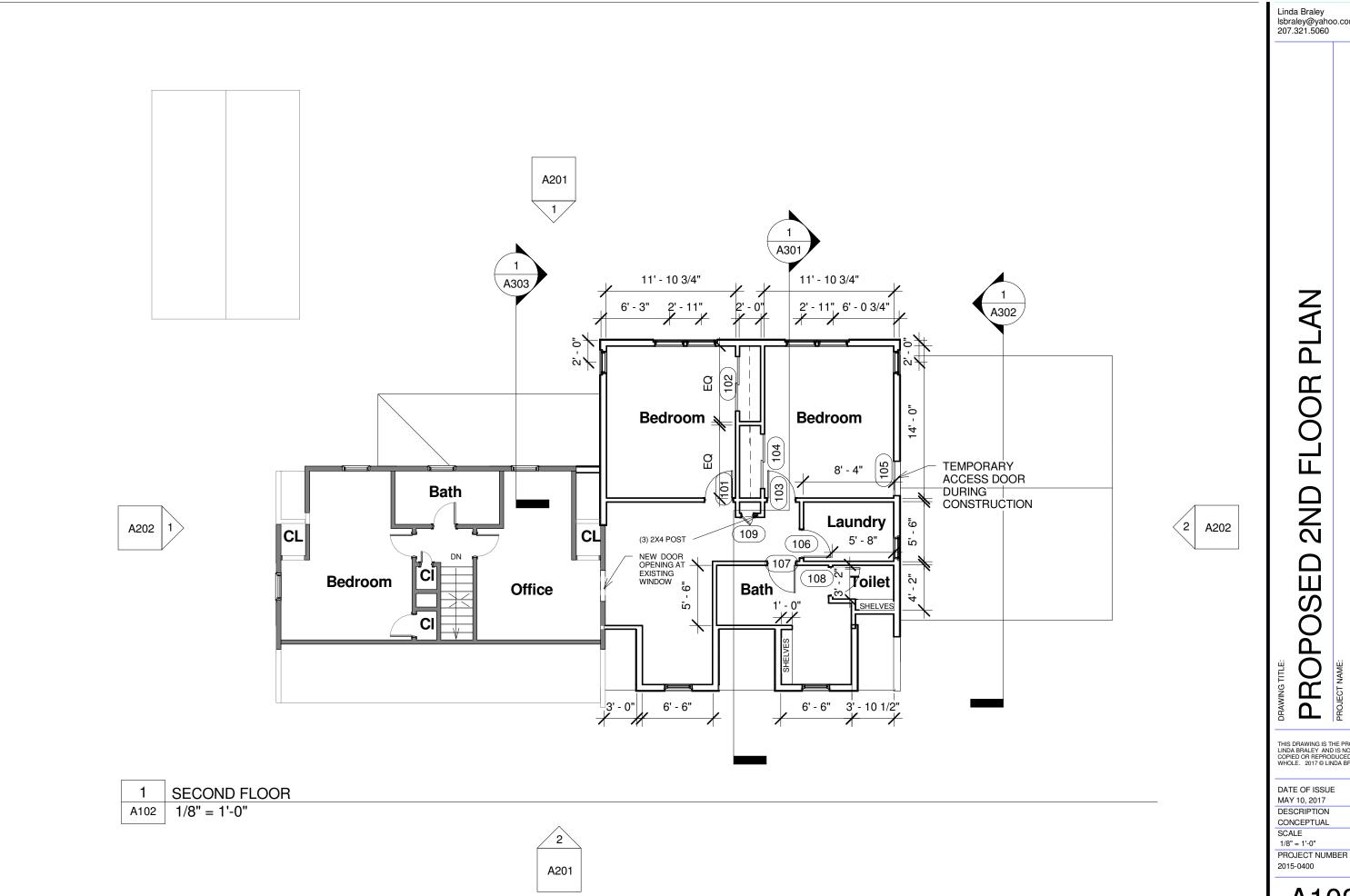
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DATE OF ISSUE MAY 10, 2017 DESCRIPTION CONCEPTUAL SCALE 1/8" = 1'-0"

1

PROJECT NUMBER 2015-0400

A101



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FLOOR PLAN 2ND ROPOSED

COLLIN RESIDENCE 76 FRANCIS ST, PORTLAND MAINE

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DATE OF ISSUE MAY 10, 2017 DESCRIPTION CONCEPTUAL

SCALE 1/8" = 1'-0"

A102

188 188 B007 8076 188 B010 806 6500 38.19 22.83	188 C026 188 B011	1500 700 188 C048 188 C047 5000 188 C051	132+/- 120 A002 120 A025	120 B002	120 B019 120 B010 2400	120 D005 8 120 D004	120 D022 120 D021 4480 186A A0077 44/2
G65V 52 38.19 22.80 S5 DIRIGO ST 1-45	188 B D 11	130 100	120 A001 120 A001 8617 128 1	120 B001 8160	120 B018 8330	2350 4708 120 D003	186A A006 120 D020 4480 186/ N
50 63.65 63.65 63.67	8 139.5	188 C046	187 A023 187 A041 8947	20		58 ⁹⁵ 120 D002	120 D019 4480 A0
188 A033	188 C023 6975	3297	187 A022 131 187 A043	9000 187 C010	120 B009 8330	_	0 D018 4480 R 4
7575 188 A015 G	188 C022 6975		187 A040 8908 8	9600	17 C020	P	2017 3360 R 186A A032 2236 A019 186A A0032236 186A A0032236
188 A014 6938 188 A030	188 C021 6993	188 C043 8 6615 187 AG		187 C009		120 D0	16 4715 A002 4472 186A A018
6940 138.8 188 A029	188 C020 6975	88 C042 2340 S	128.4	187 C	88	187 E011 187 E024	186A 5684 A001 186A A017
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6932 188 A024	7050 188 C015	2833 187 A045	187 A034 / 	187 C004	5797 187 E006	187 E019 5792	186 B008 186 B020
188 A032 12420 12420	7117 9750 188 C036 188 C036	187 A014	9945 & <u>HB</u> 8 3600 187	7 C003 F6NE	SON 187 E005	187 E018 5797	186 B007
188 A039 & A040	143		187 A033 9270 8 3600 187 C	187 C013 7200 S	<u> </u>	187 E017 5803	
28 8 188 A022	188 C035 188 C013 6500	80 6379 187 A012	7200 187 C002	2 187 C021	8 5809 187 E004	187 E016 5809	186 B018
188 6575 A008 188 A037	188 C034	6357 187 A011	187 A032 9472 g 7200 187 C001	3600 S 187 C012 3600 S	5815 187 E003	11624	186 B004
188 A019 188 A019 14165	188 C010 188 C032	6335 187 A010	122.7	187 C011 7200	5820 187 E002	187 E015 5814	186 B016
188 A006	188 C010 188 C032 13000	6312 187 187 A009	A031 6000 187 X001	187 X003 3000	5826 187 E001	187 E014 5820 8	186 B015
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188 A002 8 9000 188 C001 7	8 6890	187 A004	107 5000	187 B015	187 D012	186 A011 116.4	186 A021 4000 & CO
BRADLEY STREET 188 CO02	188 C003 188 C005 8 8 4537 187 A00.	187 A026 8400	187 B005	5835187 D004	156.46 187.D013	5820	186 C013
1365 - 1379 F6SW April 2016, fy 201	21780 / 188 C004 / 187 A001	187 A048 187 A025 w.portlandassessors.com/taxmaps.htm	187 B004 F6SE	7 8014	8376 187 D011 ⁷⁵⁶⁻⁰⁶	5820 186 A010 186 A009	186 A019 F75W 8 186 C012 64

Property Photos





Front



Rear



Side

Adjoining Setbacks

page 1

Collin 76 Frances St.





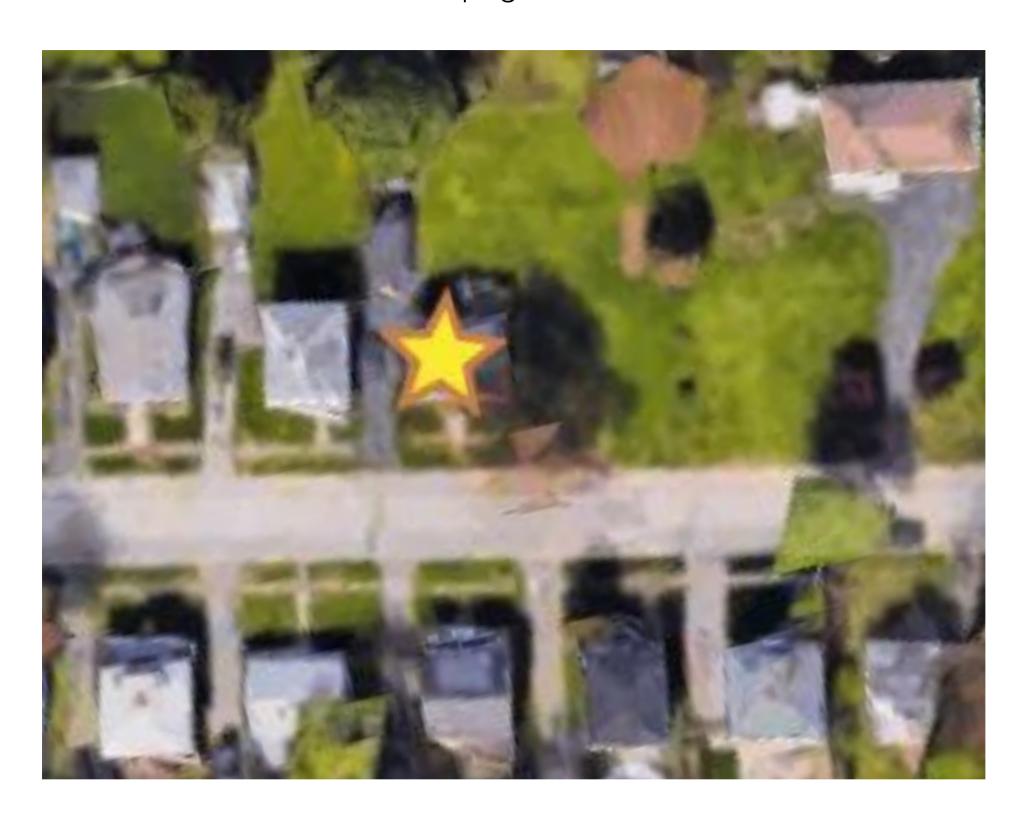




Adjoining Setbacks

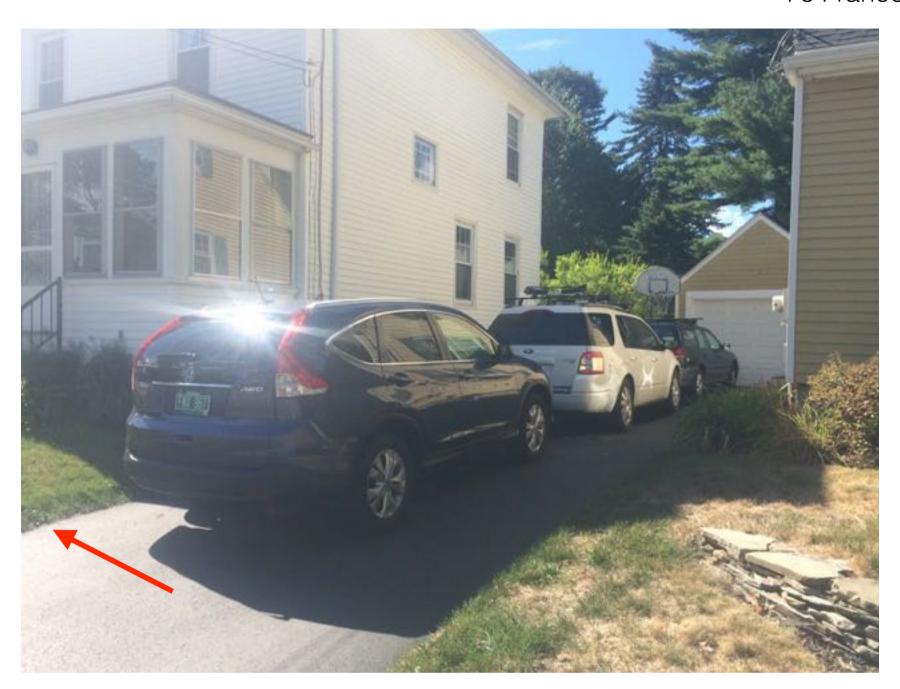
page 2

Collin 76 Frances St.











WARRANTY DEED

Susan Johnston n/k/a Susan Parks and Scott Parks

of 76 Frances Street, Portland, ME 04103

for consideration paid, grant to

Michael H. Collin and Molly E. Collin

of 123 Glenwood Avenue #2, Portland, ME 04103, as joint tenants and not as tenants in common, with WARRANTY COVENANTS, the following described real property in Portland, County of Cumberland and State of Maine:

See Exhibit A attached hereto and made a part hereof

Also hereby conveying all rights, easements, privileges, and appurtenances, belonging to the premises hereinabove described.

WITNESS our hands and seals this May 30, 2003.

State of Maine Cumberland, ss.

May 30, 2003

Personally appeared before me the above-named Susan Parks and Scott Parks and acknowledged the foregoing instrument to be their free act and deed.

Before me,

John E. Stetson, Attorney-at-Law

COLLIN-P

EXHIBIT A

A certain lot or parcel of land, situated on the westerly sideline of Frances Street, so-called, in the City of Portland, County of Cumberland and State of Maine and being lot numbered 113 on a plan of Congress Park, so-called, said plan being made by Illsley and Cummings, C.E. recorded in the Cumberland County Registry of Deeds in Plan Book 10, P)age 113, to which plan reference is hereby made for a more particular description thereof.

This lot is conveyed subject to the restriction that no building shall be erected thereon within 15 feet of the street line.

Also a certain lot or parcel of land situated on the northwesterly side of Frances Street, in said City of Portland, being lot numbered 114 as shown on Plan of Congress Park recorded in said Registry of Deeds in Plan Book 10, Page (SIC) 113, to which plan referenced is hereby made for a more particular description. Said lot has a frontage of 50 feet on Frances Street and extends back northwesterly a distance of 116 feet on the southwesterly side and 115.88 feet on the northeasterly side.

For title reference see deed of Stephen W. Campbell and Robert J. Campbell to Susan Johnston and Scott Parks dated October 16, 1997 and recorded in Cumberland County Registry of Deeds in Book 13387, Page 266.

COLLIN-P

Received
Recorded Resister of Deeds
Jun 02:2003 12:06:30P
Cumberland County
John B. O Brien