

**City of Portland, Maine - Building or Use Permit Application**

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 03-0849	Issue Date:	CBL: 188 A008001
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Location of Construction: 27 Stevens Ave	Owner Name: Tejinder Jit	Owner Address: 68 Crestview Drive	Phone: 207-767-5793
Business Name: n/a	Contractor Name: n/a	Contractor Address: n/a Portland	Phone:
Lessee/Buyer's Name n/a	Phone: n/a	Permit Type: Change of Use - Dwellings	Zone:

Past Use: Single Family	Proposed Use: Duplex / Change of Use from single family to duplex	Permit Fee: \$180.00	Cost of Work: \$0.00	CEO District: 3
Proposed Project Description: Change of Use from single family to duplex		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type:	
		Signature:	Signature:	
		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		
		Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied		
		Signature:	Date:	

Permit Taken By: gg	Date Applied For: 07/16/2003	<b>Zoning Approval</b>		
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<ol style="list-style-type: none"> <li>This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</li> <li>Building permits do not include plumbing, septic or electrical work.</li> <li>Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..</li> </ol>	<b>Special Zone or Reviews</b> <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> Date:	<b>Zoning Appeal</b> <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date:	<b>Historic Preservation</b> <input type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Date:
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**CERTIFICATION**

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

\_\_\_\_\_  
SIGNATURE OF APPLICANT ADDRESS DATE PHONE

\_\_\_\_\_  
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE DATE PHONE

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<b>Business Name:</b> n/a	<b>Contractor Name:</b> n/a	<b>Contractor Address:</b> n/a Portland	<b>Phone:</b>
<b>Lessee/Buyer's Name</b> n/a	<b>Phone:</b> n/a	<b>Permit Type:</b> Change of Use - Dwellings	

<b>Proposed Use:</b> Duplex / Change of Use from single family to duplex	<b>Proposed Project Description:</b> Change of Use from single family to duplex
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<b>Dept:</b> Zoning	<b>Status:</b> Pending	<b>Reviewer:</b> Marge Schmuckal	<b>Approval Date:</b>	<b>Ok to Issue:</b> <input type="checkbox"/>
<b>Note:</b>				
<b>Dept:</b> Building	<b>Status:</b> Pending	<b>Reviewer:</b>	<b>Approval Date:</b>	<b>Ok to Issue:</b> <input type="checkbox"/>
<b>Note:</b>				

<b>Comments:</b> 4/11/2008-amachado: See Marge's letter denying the application.
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Zoning Division  
Marge Schmuckal

Zoning Administrator



Department of Planning & Development  
Lee Urban, Director

## CITY OF PORTLAND

August 7, 2003

Tejinder Jit  
68 Crestview Drive  
South Portland, ME 04105

RE: 27 Stevens Avenue – 188-A-008 - R-3 Residential Zone – permit application #03-0849

Dear Tejinder,

I am in receipt of your application to change the use of this building from a single family with two rooming units to a two family dwelling. Your permit has been denied because you are not meeting the requirements of the R-3 residential zone in which this property is located.

First of all, your application submittal is lacking a site plan showing the lot with the existing structures delineated and off-street parking availability. According to the Assessor's maps, this lot is only 7,500 square feet in size.

Section 14-88.2, under the R-3 zone conditional uses, states that the Zoning Board of Appeals may grant a conditional use appeal if all the listed conditions are met. Based on the deficient submittal, I am seeing that many of the basic criteria are not being met. The first paragraph of this section states that the existing single family must have a minimum floor area exceeding fifteen hundred (1,500) square feet. Your proposal appears to be less than that initial requirement.

This same section requires that there shall be a minimum lot size of ten thousand (10,000) square feet. Your property is 7,500 square feet in size.

This section also requires that 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. Your plans, at best, show the larger main floor to be less than 768 square feet in size. Your second floor plans of this cape are not properly dimensioned and it is therefore difficult to determine its actual size of the second floor unit for purposes of ordinance compliance.

Because you are not meeting the listed conditions on the conditional use appeal, you would first

be required to apply for a variance appeal to allow exceptions to the listed conditions. If all the variance exceptions were granted by the Zoning Board of Appeals, you would then need to have the Zoning Board grant the conditional use appeal. Please be aware that variance appeals are extremely difficult to obtain from the Zoning Board. The criteria for granting a variance are meant to be difficult.

You have the right to appeal my decision and to go before the Zoning Board of Appeals. If you wish to exercise your right to appeal, you have 30 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 and fees that are required to file an appeal.

Please note that your conversion to a two family would also need to be reviewed by the planning division under site plan review, if and when you were fully approved by the Zoning Board.

Very truly yours,

Marge Schmuckal  
Zoning Administrator

Attachments enclosed

Cc: file