

**CITY OF PORTLAND, MAINE  
DEVELOPMENT REVIEW APPLICATION  
PLANNING DEPARTMENT PROCESSING FORM  
Planning Copy**

**2003-0250**

Application I. D. Number

**11/12/2003**

Application Date

**2 Unit Condominium**

Project Name/Description

**Bryan Dean D &**

Applicant

**661 Bay Pointe Cir , Palm City , FL 34990**

Applicant's Mailing Address

Consultant/Agent

**Agent Ph:**

**Agent Fax:**

Applicant or Agent Daytime Telephone, Fax

**71 - 71 Frost Street, Portland, Maine**

Address of Proposed Site

**195 B073001**

Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply):  New Building  Building Addition  Change Of Use  Residential  Office  Retail  
 Manufacturing  Warehouse/Distribution  Parking Lot  Other (specify) \_\_\_\_\_

**2,128 s.f.**

Proposed Building square Feet or # of Units

Acreeage of Site

**R3**

Zoning

**Check Review Required:**

- |  |   |  |  |
|--|---|--|--|
| <input checked="" type="checkbox"/> Site Plan<br>(major/minor) | <input type="checkbox"/> Subdivision<br># of lots _____ | <input type="checkbox"/> PAD Review            | <input type="checkbox"/> 14-403 Streets Review   |
| <input type="checkbox"/> Flood Hazard                          | <input type="checkbox"/> Shoreland                      | <input type="checkbox"/> Historic Preservation | <input type="checkbox"/> DEP Local Certification |
| <input type="checkbox"/> Zoning Conditional<br>Use (ZBA/PB)    | <input type="checkbox"/> Zoning Variance                | <input type="checkbox"/> Other _____           |  |

Fees Paid: Site Pla \$400.00 Subdivision \_\_\_\_\_ Engineer Review \_\_\_\_\_ Date 12/1/2003

**Planning Approval Status:**

Reviewer \_\_\_\_\_

- Approved  Approved w/Conditions  
See Attached  Denied

Approval Date \_\_\_\_\_ Approval Expiration \_\_\_\_\_ Extension to \_\_\_\_\_  Additional Sheets  
Attached

OK to Issue Building Permit \_\_\_\_\_  
signature date

**Performance Guarantee**  Required\*  Not Required

\* No building permit may be issued until a performance guarantee has been submitted as indicated below

- |   |                |  |                 |
|---|----------------|--|-----------------|
| <input type="checkbox"/> Performance Guarantee Accepted     | _____          | _____  | _____           |
|   | date           | amount   | expiration date |
| <input type="checkbox"/> Inspection Fee Paid                | _____          | _____  |                 |
|   | date           | amount   |                 |
| <input type="checkbox"/> Building Permit Issue              | _____          |  |                 |
|   | date           |  |                 |
| <input type="checkbox"/> Performance Guarantee Reduced      | _____          | _____  | _____           |
|   | date           | remaining balance                                  | signature       |
| <input type="checkbox"/> Temporary Certificate of Occupancy | _____          | <input type="checkbox"/> Conditions (See Attached) | _____           |
|   | date           |  | expiration date |
| <input type="checkbox"/> Final Inspection                   | _____          | _____  |                 |
|   | date           | signature  |                 |
| <input type="checkbox"/> Certificate Of Occupancy           | _____          |  |                 |
|   | date           |  |                 |
| <input type="checkbox"/> Performance Guarantee Released     | _____          | _____  |                 |
|   | date           | signature  |                 |
| <input type="checkbox"/> Defect Guarantee Submitted         | _____          | _____  | _____           |
|   | submitted date | amount   | expiration date |
| <input type="checkbox"/> Defect Guarantee Released          | _____          | _____  |                 |
|   | date           | signature  |                 |

# City of Portland Site Plan Application

If you or the property owner owe real estate taxes, personal property taxes or user charges on any property within the City of Portland, payment arrangements must be made before permit applications can be received by the Inspections Division.

Address of Proposed Development: <u>71 Frost St.</u>		Zone:
Total Square Footage of Proposed Structure:  <u>2128</u>	Square Footage of Lot:  <u>13000</u>	
Tax Assessor's Chart, Block & Lot: Chart#      Block#      Lot#  <u>195</u> <u>B</u> <u>73</u>	Property owner's mailing address:  <u>Dean Bryan</u> <u>71 Frost Street</u> <u>Portland Maine 04102</u>	Telephone #:  <u>207-939-2252</u>
Consultant/Agent, mailing address, phone # & contact person:	Applicant's name, mailing address, telephone #/Fax#/Pager#: <u>Dean Bryan</u> <u>71 Frost St.</u> <u>Portland Maine 04102</u> <u>207-939-2252</u> <u>207-775-1118 Fax</u>	Project name:

**Proposed Development (check all that apply)**

- New Building     Building Addition     Change of Use     Residential     Office     Retail
- Manufacturing     Warehouse/Distribution     Parking lot
- Subdivision (\$500.00) + amount of lots \_\_\_\_\_ (\$25.00 per lot) \$ \_\_\_\_\_
- Site Location of Development (\$3,000.00)  
(except for residential projects which shall be \$200.00 per lot \_\_\_\_\_ )
- Traffic Movement (\$1,000.00)     Stormwater Quality (\$250.00)
- Section 14-403 Review (\$400.00 + \$25.00 per lot)
- Other \_\_\_\_\_

**Major Development (more than 10,000 sq. ft.)**

- Under 50,000 sq. ft. (\$500.00)
- 50,000 - 100,000 sq. ft. (\$1,000.00)
- Parking Lots over 100 spaces (\$1,000.00)
- 100,000 - 200,000 sq. ft. (\$2,000.00)
- 200,000 - 300,000 sq. ft. (\$3,000.00)
- Over 300,000 sq. ft. (\$5,000.00)
- After-the-fact Review (\$1,000.00 + applicable application fee)

**Minor Site Plan Review**

- Less than 10,000 sq. ft. (\$400.00)
- After-the-fact Review (\$1,000.00 + applicable application fee)

**Plan Amendments**

- Planning Staff Review (\$250.00)
- Planning Board Review (\$500.00)



- Please see next page -

Who billing will be sent to: (Company, Contact Person, Address, Phone #)

Dean Bryan  
71 Frost St.  
Portland Maine 04102

Submittals shall include (9) separate folded packets of the following:

- a. copy of application
- b. cover letter stating the nature of the project
- c. site plan containing the information found in the attached sample plans check list

**Amendment to Plans:** Amendment applications should include 6 separate packets of the above (a, b, & c)  
**ALL PLANS MUST BE FOLDED NEATLY AND IN PACKET FORM**

Section 14-522 of the Zoning Ordinance outlines the process, copies are available at the counter at .50 per page (8.5 x11)  
you may also visit the web site: [ci.portland.me.us](http://ci.portland.me.us) chapter 14

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

Signature of applicant:



Date:

11/10/03

This application is for site review ONLY, a building Permit application and associated fees will be required prior to construction.

JAY  
Zoning Division  
Marge Schmuckal  
Zoning Administrator

Department of Planning & Development  
Lee Urban, Director



## CITY OF PORTLAND

December 8, 2003

Dean Bryan  
71 Frost Street  
Portland, ME 04102

RE: Permit application for a newly created lot to build a two unit – R-3 zone – 195-B-073  
Site plan # 2003-0250

Dear Bryan,

This letter is a follow up to our phone conversation. I am in receipt of a site plan application to create a new lot and build a new two unit condominium. Your application is being denied because your proposal does not meet the R-3 Zoning requirements.

Permitted uses as outlined under section 14-87 does not list two family dwellings. Section 14-90 requires a 25 foot rear setback instead of the 23 foot scaled from your plans. Please be aware that under section 14-332, the zoning ordinance requires two parking spaces to be provided for each new dwelling unit whether they are leased or sold. Your plans show only one parking space per dwelling unit. Please also note that section 14-336 of the zoning ordinance states that provided parking shall not be closer to any street line than the required depth of the front yard for the same lot. The R-3 zone requires a twenty-five foot front yard setback.

You have the right to appeal my decision concerning use. If you wish to exercise your right to appeal, you have thirty (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 that is required to file an appeal.

Attached to your minor site plan application, I found an application for a building permit. The building permit application was not processed nor were the required fees charged. This office does not have an active building permit application (only an active site plan application) in our system. If you wish to re-apply under a permit for a single family, you must apply for a minor/minor site plan application and a separate building permit application with all the required information. Our front office has all the necessary applications that explain what you need to do to apply for a new single family.

I will reiterate that your site plan application for a new two unit dwelling in an R-3 zone has been denied because it does not meet the current zoning regulations.

Very truly yours,

A handwritten signature in black ink, appearing to read "Marge Schmuckal", with a long horizontal flourish extending to the right.

Marge Schmuckal  
Zoning Administrator

CC: Jay Reynolds, planning  
Sarah Hopkins, planning  
Karen Dunfey, Inspection Services  
File