



DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

CITY OF PORTLAND BUILDING PERMIT



This is to certify that SALLY B TRICE

Located At 100 DORSET ST

Job ID: 2011-04-813-ALTCOMM

CBL: 275- I-031-001

has permission to rebuild side entry & add a front porch with a roof (Single Family Residence).

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of the buildings and structures, and of the application on file in the department.

Notification of inspection and written permission procured before this building or part thereof is lathed or otherwise closed-in. 48 HOUR NOTICE IS REQUIRED.

A final inspection must be completed by owner before this building or part thereof is occupied. If a certificate of occupancy is required, it must be

Fire Prevention Officer

Code Enforcement Officer / Plan Reviewer

10/11/2012

THIS CARD MUST BE POSTED ON THE STREET SIDE OF THE PROPERTY
PENALTY FOR REMOVING THIS CARD

BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 (ONLY)

or email: buildinginspections@portlandmaine.gov

With the issuance of this permit, the owner, builder or their designee is required to provide adequate notice to the city of Portland Inspections Services for the following inspections. Appointments must be requested 48 to 72 hours in advance of the required inspection. The inspection date will need to be confirmed by this office.

- **Please read the conditions of approval that is attached to this permit!! Contact this office if you have any questions.**
 - **Permits expire in 6 months. If the project is not started or ceases for 6 months.**
 - **If the inspection requirements are not followed as stated below additional fees may be incurred due to the issuance of a "Stop Work Order" and subsequent release to continue.**
1. Footings/Setbacks prior to pouring concrete
 2. Close In: Electrical and Framing
 3. Final Inspection

The project cannot move to the next phase prior to the required inspection and approval to continue, REGARDLESS OF THE NOTICE OF CIRCUMSTANCES.

IF THE PERMIT REQUIRES A CERTIFICATE OF OCCUPANCY, IT MUST BE PAID FOR AND ISSUED TO THE OWNER OR DESIGNEE BEFORE THE SPACE MAY BE OCCUPIED.



PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life • www.portlandmaine.gov

Director of Planning and Urban Development
Jeff Levine

Job ID: 2011-04-813-ALTCOMM

Located At: 100 DORSET ST

CBL: 275- I-031-001

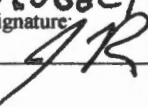
Conditions of Approval:


Building

1. Separate permits are required for any electrical: plumbing, sprinkler, fire alarm, HVAC systems, commercial hood exhaust systems and fuel tanks. Separate plans may need to be submitted for approval as a part of this process.
2. A graspable handrail (34-38 inches in height) shall be provided on at least one side of each continuous run of treads or flight with four or more risers. Fall protection (36 inches) from exterior decks may be required if floor joist are at or above thirty (30) inches from grade.
3. R502.6 Bearing. The ends of each joist, beam or girder shall have not less than 1.5 inches of bearing on wood or metal and not less than 3 inches on masonry or concrete except where supported on a 1-inch-by-4-inch ribbon strip and nailed to the adjacent stud or by the use of approved joist hangers.
4. Note: The maximum stair riser height shall be 7 3/4 inches; the minimum tread depth shall be 10 inches.

City of Portland, Maine - Building or Use Permit Application

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

Job No: 2011-04-813-ALTCOMM	Date Applied: 4/14/2011	CBL: 275 - - I - 031 - 001 - - - -	
Location of Construction: 100 DORSET ST	Owner Name: SALLY B TRICE	Owner Address: 100 DORSET ST PORTLAND, ME - MAINE 04102	Phone: 774-0723
Business Name:	Contractor Name: Nick Burnett @ 3-D Design	Contractor Address: PO Box 7693, Portland, ME 04112	Phone: 272-4956
Lessee/Buyer's Name:	Phone:	Permit Type: BLDG - Building	Zone: R-3
Past Use: Single Family Dwelling	Proposed Use: Same: Single Family Dwelling -To rebuild side entry and add a new deck with steps and roof in front	Cost of Work: \$4,000.00	CEO District:
		Fire Dept: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input checked="" type="checkbox"/> N/A Signature:	Inspection: Use Group: B3 Type: SB IRC, 2009 (MUBC) Signature: 
Proposed Project Description: 100 Dorset St: new front deck with steps and roof		Pedestrian Activities District (P.A.D.)	
Permit Taken By: Lannie		Zoning Approval	

1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. 2. Building Permits do not include plumbing, septic or electrical work. 3. Building permits are void if work is not started within six (6) months of the date of issuance. False informatin may invalidate a building permit and stop all work.	Special Zone or Reviews <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetlands <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan <input type="checkbox"/> Maj <input type="checkbox"/> Min <input type="checkbox"/> MM Date: OK - 10/10/12	Zoning Appeal <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:	Historic Preservation <input checked="" type="checkbox"/> Not in Dist 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: 
	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 appication 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	PHON



General Building Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Location/Address of Construction: <u>100 DORSET ST</u>		
Total Square Footage of Proposed Structure/Area <u>85 S.F.</u>	Square Footage of Lot <u>6,400</u>	Number of Stories <u>NA</u>
Tax Assessor's Chart, Block & Lot Chart# <u>275</u> Block# <u>103</u> Lot# <u>1001</u>	Applicant <u>*must be owner, Lessee or Buyer*</u> Name <u>SALLY B TRICE</u> Address <u>100 DORSET ST</u> City, State & Zip <u>PORTLAND, ME 04102</u>	Telephone: <u>207.774.0723</u>
Lessee/DBA (If Applicable) <u>APR 14 2011</u> Dept. of Building Inspections City of Portland Maine	Owner (if different from Applicant) Name Address City, State & Zip	Cost Of Work: \$ <u>4000.00</u> C of O Fee: \$ Total Fee: \$ <u>60.00</u>
Current legal use (i.e. single family) <u>SINGLE FAMILY</u> Number of Residential Units <u>1</u> If vacant, what was the previous use? Proposed Specific use: Is property part of a subdivision? If yes, please name Project description: <u>ENTRY DECK W/ STEPS & ROOF</u> <i>Will send email 8/6</i>		
Contractor's name: <u>NICK BURNETT D/B/A 3-D DESIGN</u> Address: <u>PO BOX 7693</u> City, State & Zip: <u>PORTLAND ME 04112</u>		Telephone: <u>207.272.4956</u> <u>207.272.4956</u>
Who should we contact when the permit is ready: <u>NICK BURNETT</u> Mailing address: <u>PO BOX 7693 PORTLAND, ME 04112</u>		

Please submit all of the information outlined on the applicable Checklist. Failure to do so will result in the automatic denial of your permit.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information or to download copies of this form and other applications visit the Inspections Division on-line at www.portlandmaine.gov, or stop by the Inspections Division office, room 315 City Hall or call 874-8703.

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: Sally B Trice

Date: 14 April 2011

This is not a permit; you may not commence ANY work until the permit is issued

CWP

CABINETS

3304 Aerial Way Drive Roanoke, VA 24018
Phone: (540) 342-0363 (800) 366-2971 Fax: (800) 803-1351

DESIGNER SKETCH SHEET

DEALER NAME

TRICE

ADDRESS

CITY

P.O. #/ORDER #

1/12

FOUNDATION + FRAMING

7-4x4 P.T. POSTS SET ON STAND POST BASES & 8" DIA SONA TUBES
@ 4'-0" DEPT

2-DBL P.T. 2X6 BEAMS ON POST CAPS (SIMPSON BCS + EPC)

JOISTS-2X6 P.T. w/HANGERS, 16" O.C., IT 2X6 LEDGERS

5/4" DECKING

2X6 JOISTS

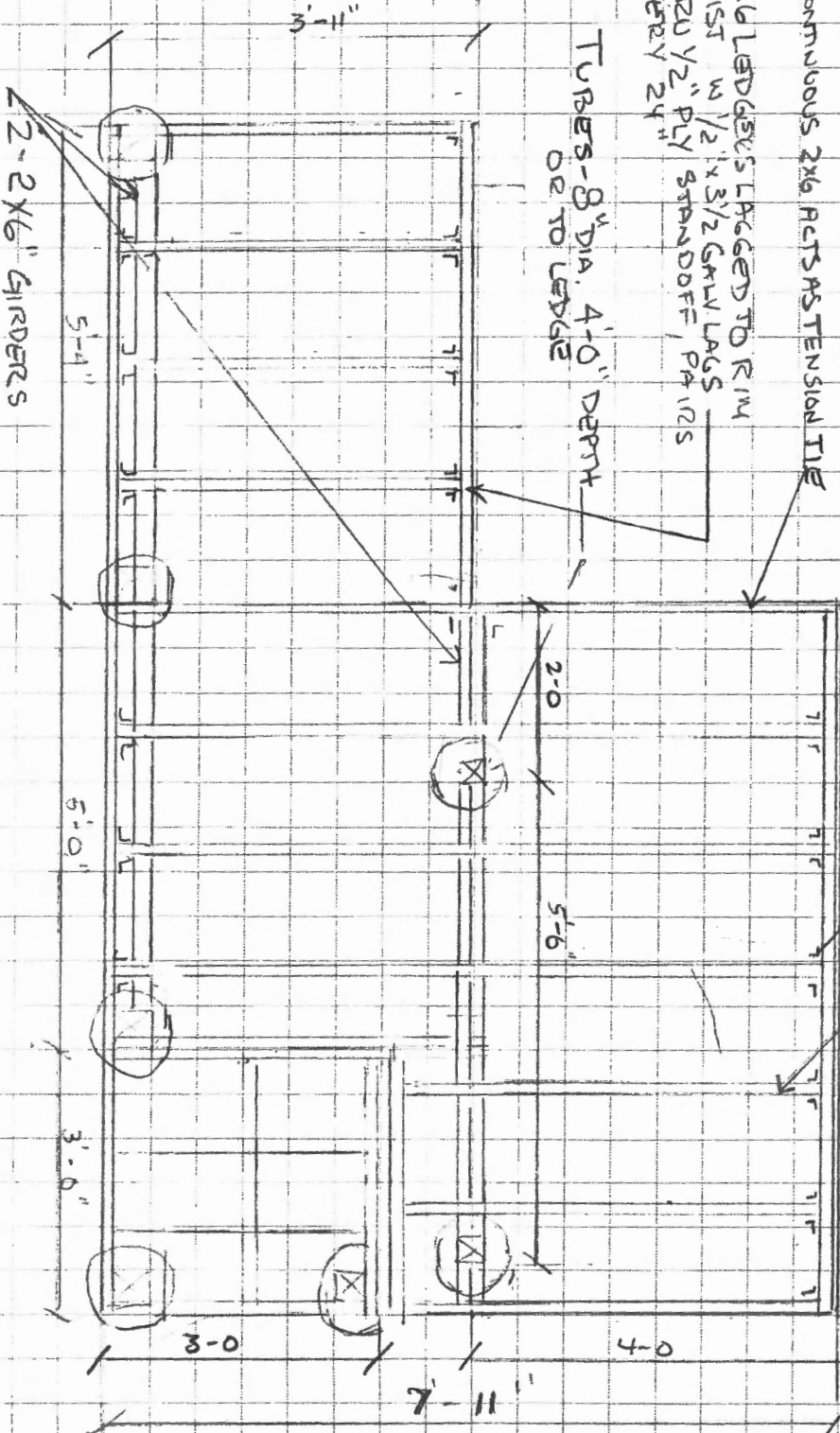
JOIST HANGERS, 7/8"

DT12Z
Deck Tension
Tie

CONTINUOUS 2X6 ACTS AS TENSION TIE

2X6 LEDGERS LAGGED TO RIM
JOIST w/ 1/2" x 3 1/2" GALV LAGS
THRU 1/2" PLY STANDOFF, PAIRS
EVERY 24"

TUBES-8" DIA. 4'-0" DEPT
OR TO LEDGE



SCALE 1/2"-1'-0"

FRAMING PLAN FOR DECK

PG. 2

BY

DESIGNER SKETCH SHEET

DEALER NAME

SALLY TRICE

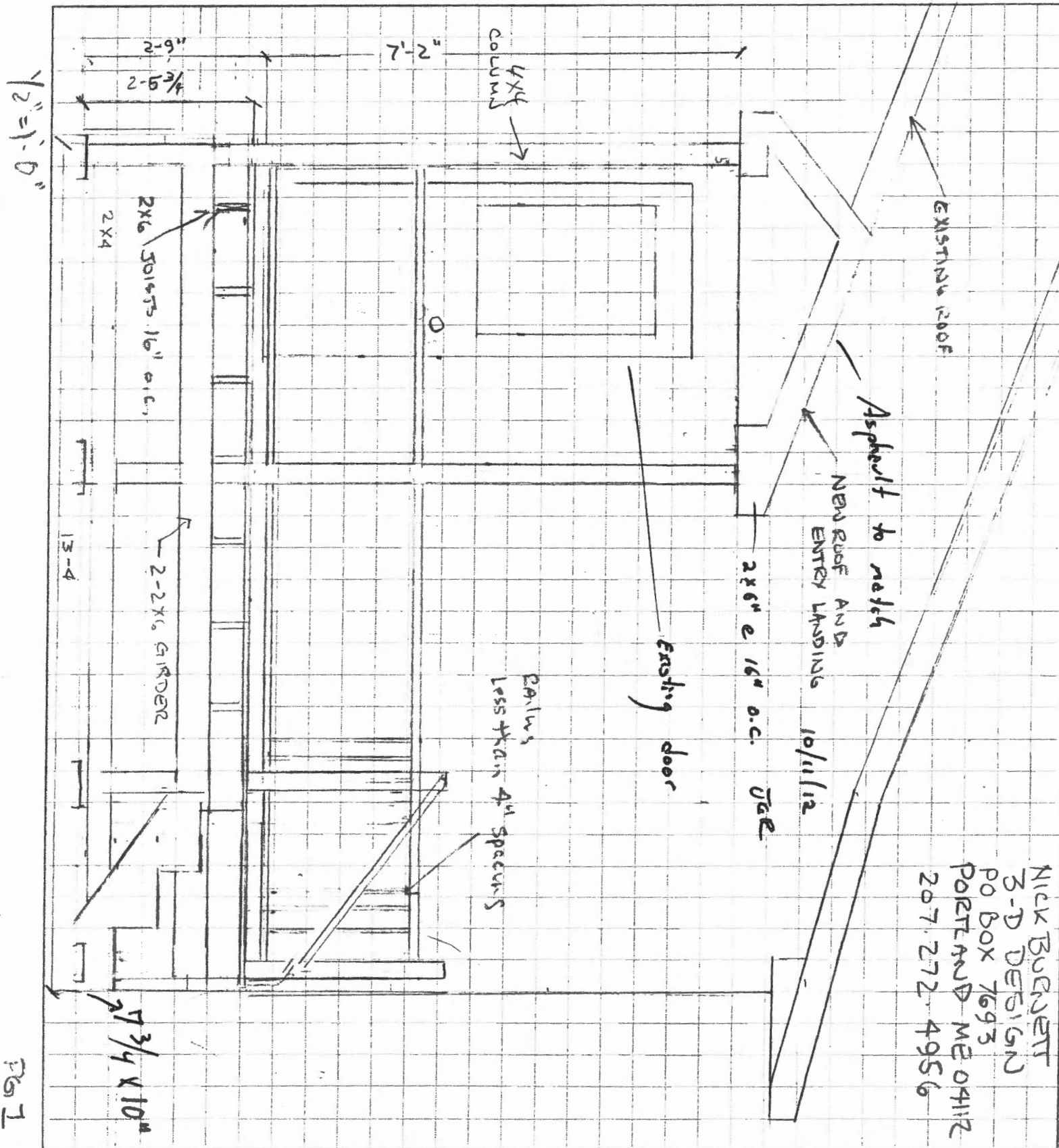
ADDRESS

100 DORSET ST

CITY

PORTLAND ME 04102

P.O. #/ORDER #

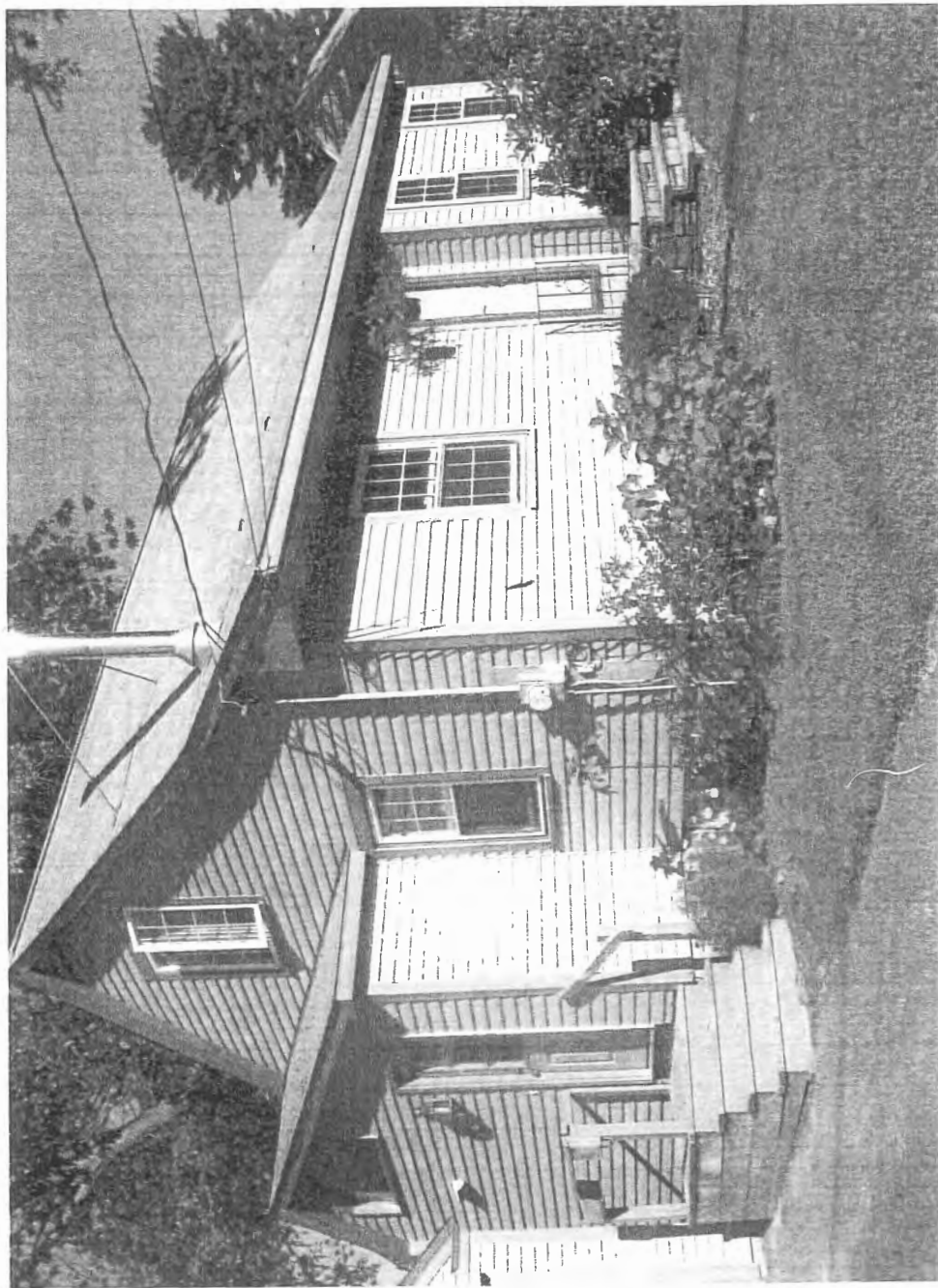


Marge Schmuckal - 100 Dorset

From: Lannie Dobson
To: Marge Schmuckal
Date: 10/9/2012 12:58 PM
Subject: 100 Dorset
CC: Ann Machado

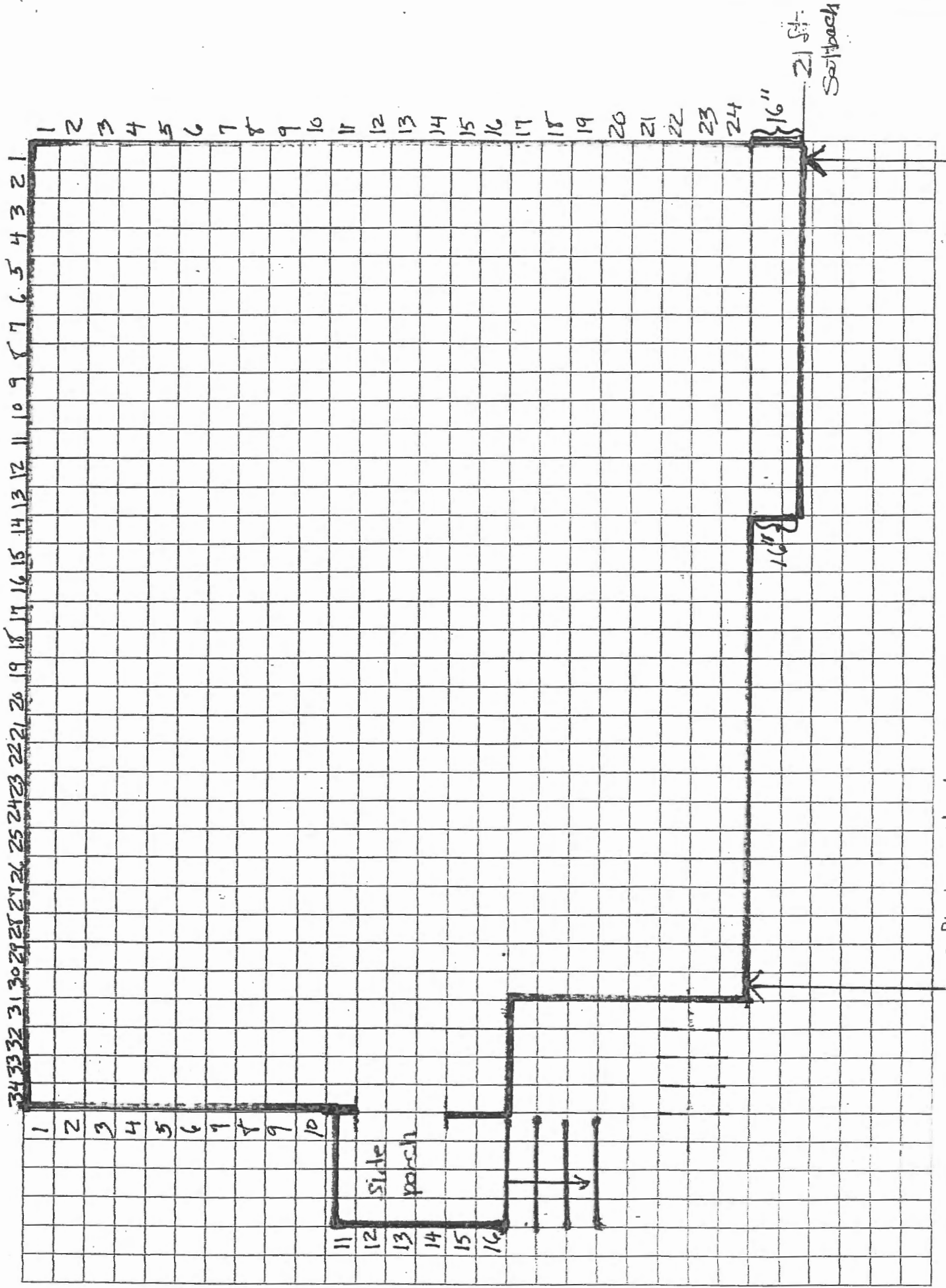
Sally called from 100 Dorset and wanted to know "now that she has passed the variance" when will she be getting her permit and does she have to do anything else? See in system that you have it on hold. If you wouldn't mind she would like a call back. 774-0723 Sally, Thank you, Lannie Dobson

10/10/12 12:35pm left voice message That
Zanny WAS signing off -



100 Dorset St.

Current Layout - 100 Dots/St

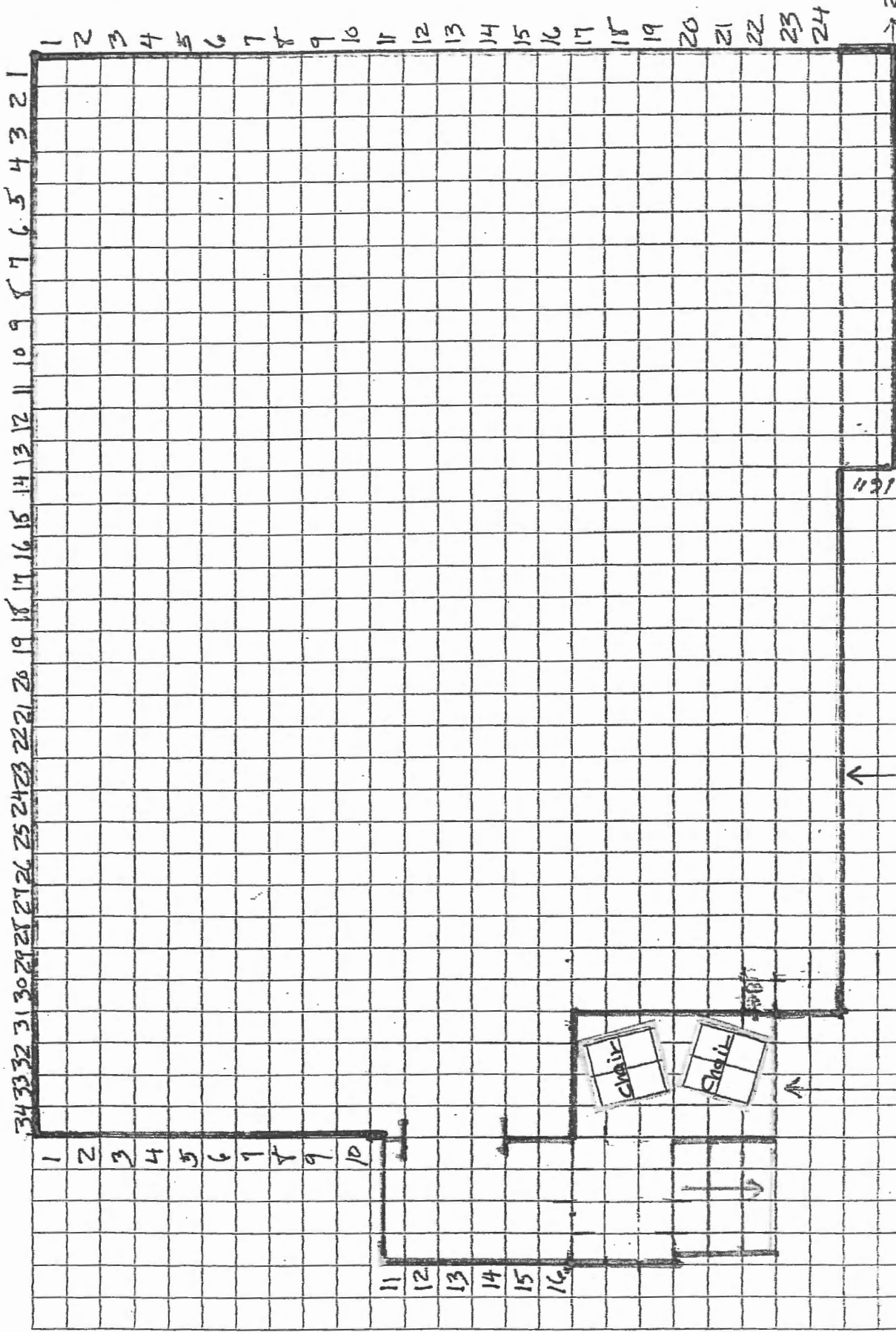


22 of 411.507 back

Each square equals one foot

Layout 1.

Proposed Addition - 100 Dowset St.



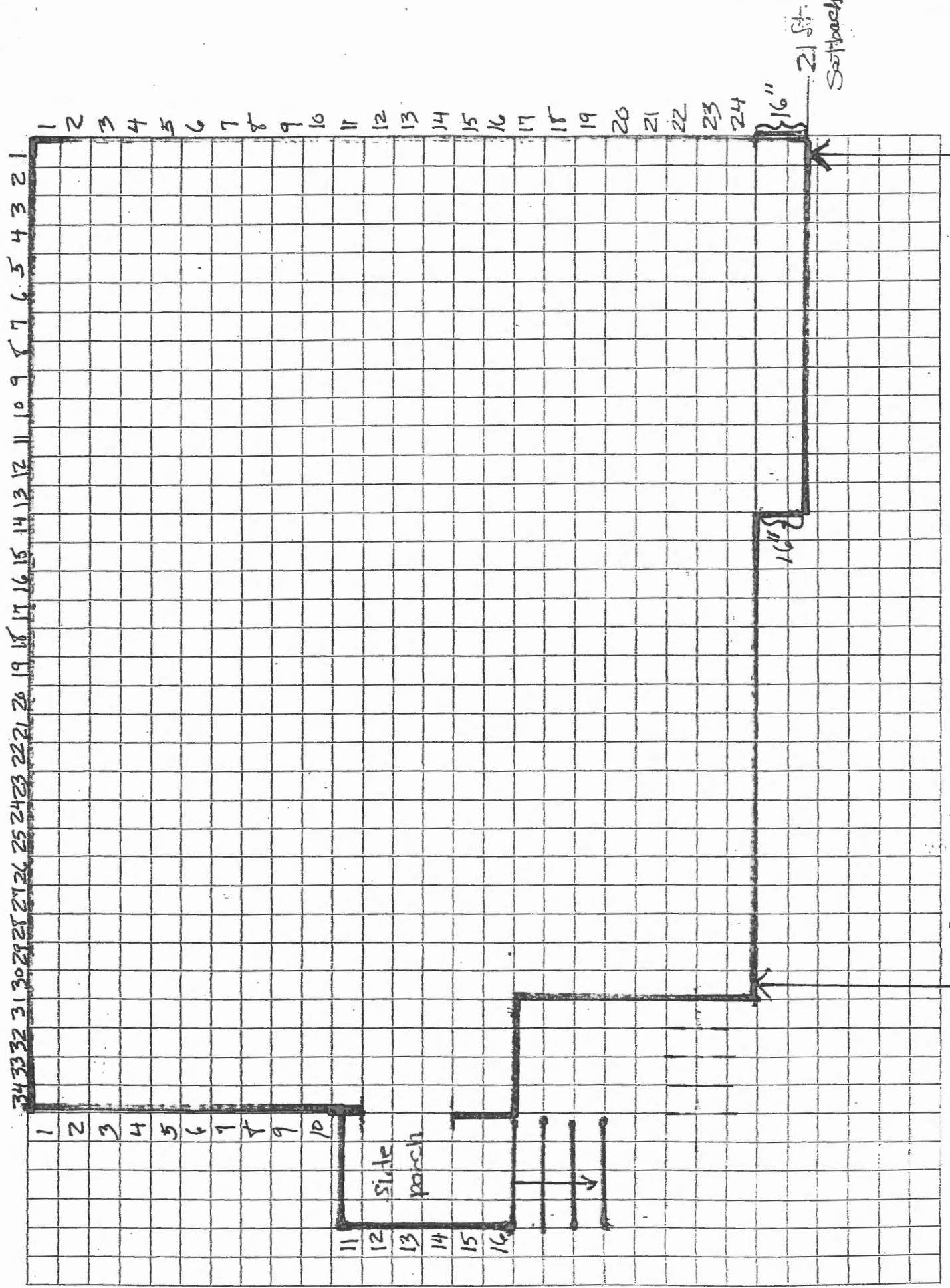
Each square equals one foot

22 ft. 4 in. setback

24 ft. 4 in. setback

Layout 2

Current Layout - 100 Dots St

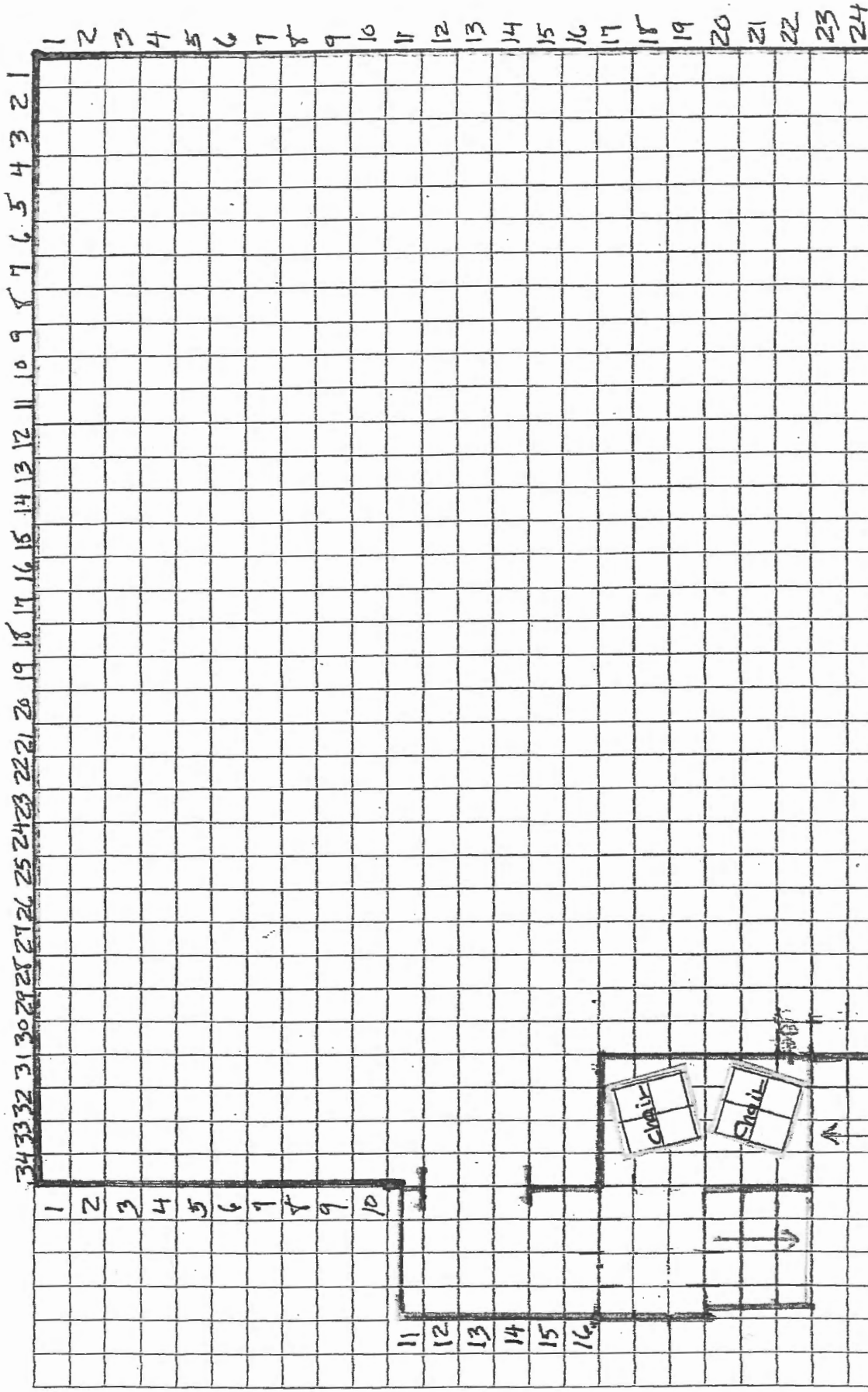


22 ft 4 in. Sotback

Each square equals one foot

Layout 1.

Proposed Addition - 100 Dorset St.

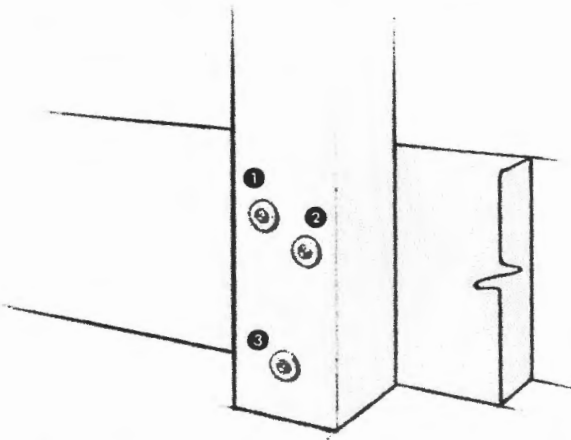


Each square equals one foot

22 ft. 4 in. Setback

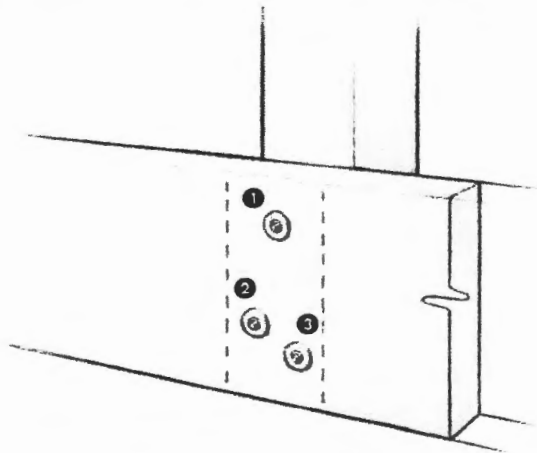
24 ft. 4 in. Setback

Layout 2

CONDITION 1 — EXTERIOR MOUNTED 4X4 POST TO 2X RIM

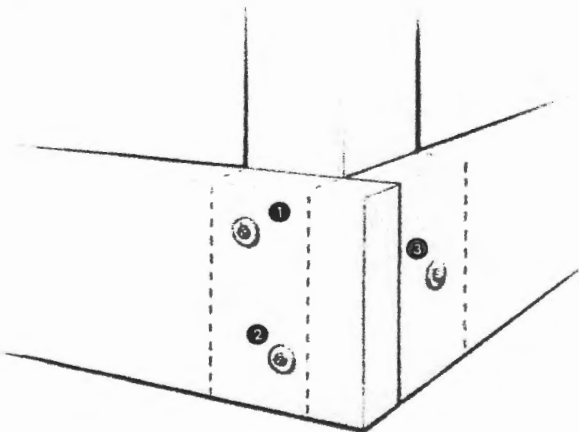
For this condition, use the 6¼" ThruLok fastener

1. Install first screw 1" in from the edge of the post and 2" (+/- ¼") from the top of the rim board
2. Install second screw 1" in from the other edge of the post and 3" (+/- ¼") from the top of the rim board
3. Install third screw in the center of the post and 2" (+/- ¼") from the bottom of the rim board

CONDITION 2 — INTERIOR MOUNTED 4X4 POST TO 2X RIM

For this condition, use the 6¼" ThruLok fastener

1. Install first screw in the center of the post and 2" (+/- ¼") from the top of the rim board
2. Install second screw 1" in from the other edge of the post and 3" (+/- ¼") from the bottom of the rim board
3. Install third screw 1" in from the edge of the post and 2" (+/- ¼") from the bottom of the rim board

CONDITION 3 — INTERIOR MOUNTED 4X4 CORNER POST TO 2X RIM

For this condition, use the 6¼" ThruLok fastener

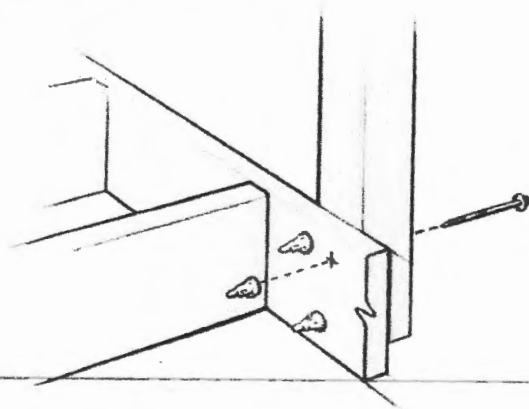
1. Install first screw 1" in from the edge of the post and 2" (+/- ¼") from the top of the rim board
2. Install second screw 1" in from the other edge of the post and 2" (+/- ¼") from the bottom of the rim board
3. Install third screw centered on both the post and the rim board

DECK RAIL POST TO RIM BOARD

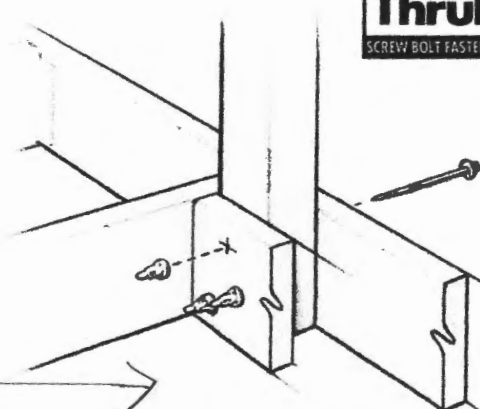
CONNECTION DETAILS

According to the 2009 *International Residential Code for One and Two-Family Dwellings*, Table R301.5 (ICC, 2009), guardrails and handrails must be designed to withstand a single concentrated load of 200 pounds in any direction. A critical part of this connection is making a strong connection between the guardrail post and the rim board of the deck. In most cases, a 1/2" through-bolt or carriage bolt is used to make this connection. When installed as instructed in this bulletin, the ThruLok System can replace 1/2" bolts, meeting the 200 pound design load for this part of the connection.

APPLICATIONS



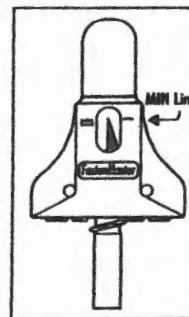
DECK POST TO SINGLE RIM JOIST



**DECK POST TO DOUBLE RIM OR
SINGLE RIM WITH BLOCKING**

INSTALLATION INSTRUCTIONS

1. Choose the correct length (6 1/4" or 8") and fastening pattern for each post to rim application based on the illustrated conditions.
2. Mark the surface of the wood with the correct pattern.
3. If a flush mounted head is required, use a 1 1/4" spade bit to create a 1/4" deep recess in the rim or post.
4. Remove the pre-assembled ThruLok nut from the screw and using a 1/2" drill on low speed/high torque setting, install the ThruLok screw and washer into the outside face of the application until the screw is 1/4" to 1/8" from being flush.
5. Thread the ThruLok nut onto the exposed threaded end of the fastener. Firmly twist on the nut by hand until snug.
6. Return to driving the screw in the remaining 1/4" to 1/8" until the washer and nut are firmly drawn together.
7. Make sure that the point of the ThruLok fastener has passed the "MIN LINE" printed on the nut.
8. Repeat until all of the fasteners are installed correctly according to the specifications contained in this bulletin.



Effective until March 31, 2011. Updated information must be obtained after this date.

153 BOWLES ROAD, AGAWAM, MA 01001

413-789-0252

800-518-3569

WWW.FASTENMASTER.COM



Marge Schmuckal - Re: Fw: 100 Dorset

From: Marge Schmuckal
To: Penny St. Louis
Date: 9/27/2011 9:43 AM
Subject: Re: Fw: 100 Dorset

Sally Trice's scenario is pretty accurate. Her builder filed an application on 4/14/2011. At that time I called the contractor and let him know that the site plan showed that the front yard setback was not meeting the required 25 foot front setback. She can replace the existing deck with no problem. It is the expansion that is the violation. I met with the contractor on 4/25/11 and explained the situation. I advised him to remeasure the setbacks (I only had a hand drawn plot plan and not a survey) and redesign the project. The project was put on hold waiting on revised plans.. I heard nothing more until 6/7/11 when Sally Trice, the owner, came in. I again explained the situation. She was not pleased. Since then she has spoken to Alex Jaegerman to vent and showed up at a ZBA meeting. She came in on 9/21/11 at which time I gave her the appeal packet information.

Penny, this is in an R-3 Zone. It is the front yard setback that is harming her. I did tell her that a new amendment was most likely going forward to help her (the proposed averaging of front yard setbacks that we are working on now). She was still angry at me because she said she knew I could allow it anyway.

So there you have it,
Marge

>>> Penny St. Louis 9/26/2011 9:50 PM >>>

Do you have the history on this? Thanks. Also, no issues arose with the waterfront as a result of FEMA.

Marge Schmuckal - 100 Dorset

From: Nicholas Mavodones
To: PL@portlandmaine.gov
Date: 9/26/2011 9:37 PM
Subject: 100 Dorset
CC: mhr@portlandmaine.gov

Penny,

Please see below message I received from Sally Trice of 100 Dorset Street. I just checked out the photo of her house on the property lookup function of the City website to get a better understanding of her request. I will call her tomorrow to follow up.

Could you kindly check out what has happened with this matter? It sounds like the process could get expensive for the property owner. Is there any flexibility in the application in this instance?

Thanks,

Nick

Hi Nick,

Can you help me with a bottleneck at city hall?
My dilemma: I need to replace my aging side porch/entrance way. I decided to expand it into a small deck to accommodate two chairs. In April I applied for a building permit and was refused because they said it violated the setback requirements, which were increased after my home was built. I went back twice to no avail.

Now, this small deck does not even extend to the present front of my house; it's back two feet from the front corner. Even so, according to the new setback requirements, it extends 11 inches too close to the street! (Without these 11 inches I wouldn't even be able to fit a second chair.) I would be happy to sit down with you and show you my drawing of how this addition would look.

Wouldn't it seem that there could be a little flexibility in determining these requirements? This addition will do no harm; it will only enhance my property and increase my property taxes. As it is, I, who am already paying pretty hefty property taxes, will have to spend \$280 to file an appeal that may or may not work.

Any suggestions?

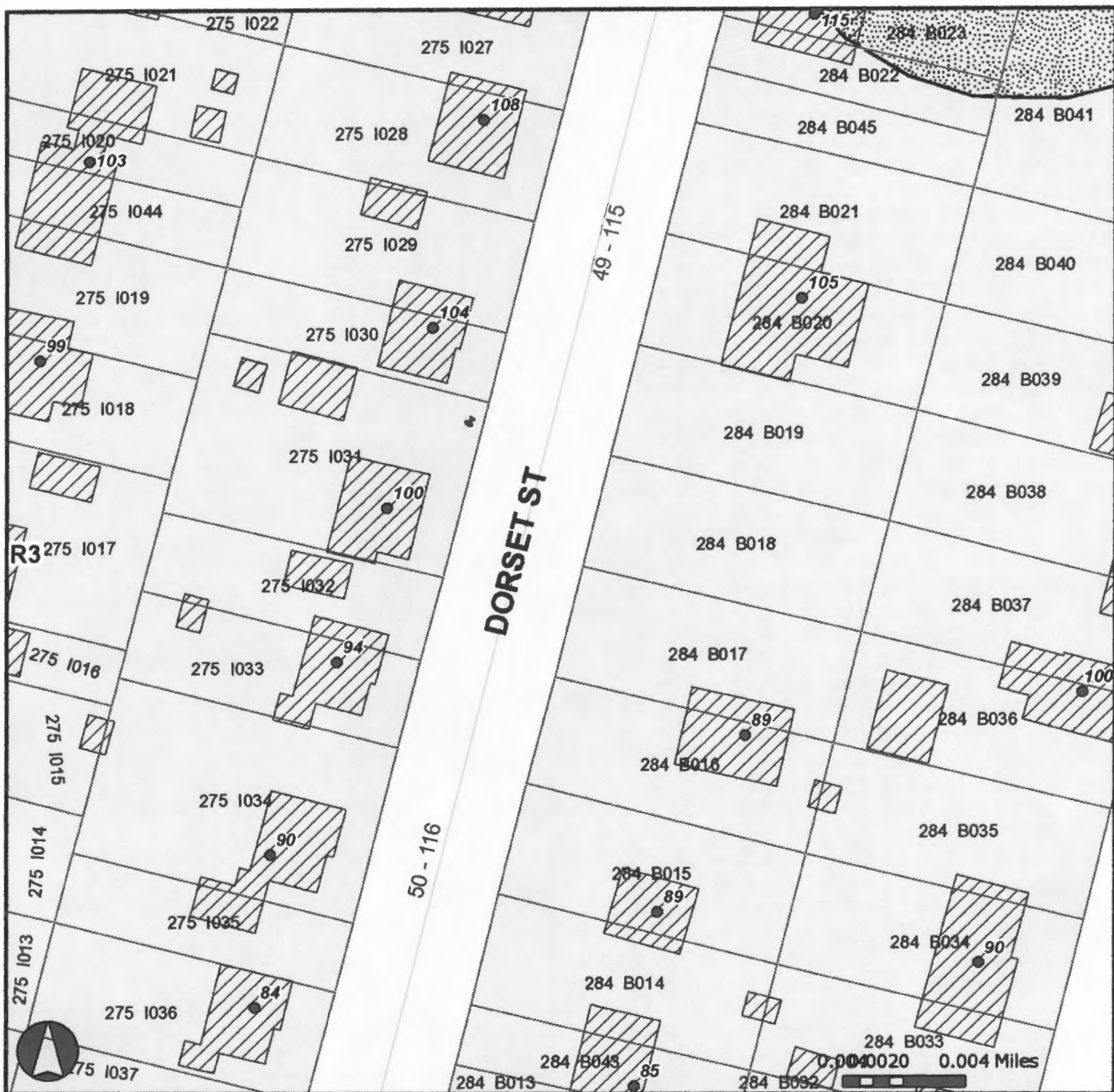
Thanks, Sally Trice
774-0723
776-8429 cell

PS I need to have this resolved before the end of this week or submit the costly variance appeal.

Nicholas M. Mavodones, Jr.
Mayor, City of Portland
389 Congress Street
Portland, Maine 04101
nmm@portlandmaine.gov
207-874-8689

built 1955
R-3

Map



Address Candidates

- Address Candidates
- Interstate
- Streets
- Buildings
- Building

Stream Overlay Zone

- Stream_protection
- Island Zoning**
 - C43
 - I-B
 - I-TS
 - I-R1
 - I-R2

Zoning (continued)

- R2 Residential
- R3 Residential
- R4 Residential
- R5 Residential
- R6 Residential
- ROS Recreation Open Space

Zoning (continued)

- C25
- C26
- C27
- C28
- C29
- C30
- C31

Marge Schmuckal - 100 Dorset Street

From: Marge Schmuckal
To: ALEX JAEGERMAN; Greg Mitchell
Date: 12/5/2011 11:29 AM
Subject: 100 Dorset Street

Greg,
I have reviewed Sally Trice's letters sent to you.

Apparently after all the discouragement concerning her appeal bid, Ms. Trice decided to go forward. Even though prior to her actual application, the variance criteria and procedures were discussed with Ms. Trice by me, Alex and Penny, she apparently still did not fully understand that it was the criteria that ruled the final decision. She had hoped that because the neighborhood backed her and her family backed her, that she would be granted the appeal. That is not how Zoning Appeals are set-up in the State of Maine.

Ms. Trice states that the ZBA had made up their minds prior to the appeal. That is absolutely not true. The ZBA looks at each appeal for its own merits and deliberates as the State has intended them to do. The criteria has been put on all the Zoning Boards of Appeals in the State. The State did so when it was clear to the legislature that many Zoning Boards were granting appeals using the "good old boy" reasoning. If the locals knew you, you got your appeal. If they didn't know you, you did not get your appeal. The Legislature recognized that there had to be better, specific criteria that had to be met. When a variance is requested, the applicant is asking for something that no one else can get. They need to show how the criteria is met concerning their specific property.

My zoning statistics show that during the last fiscal year the Zoning Board heard 13 Practical Difficulty Variances. Seven were actually approved. That indicates what I said above. The ZBA looks at each one for its own merits. Ms. Trice's appeal did not meet the criteria. She had other options. She was encouraged prior to the appeal to make her new deck a patio and not a constructed deck. She was also encouraged to place her deck on the rear of her house where there was more than sufficient room to place a deck. She preferred to try an appeal.

I am opposed to returning her required appeal fees. Section 14-472(b)(1) specifically states that there is a payment for appeals and that is "a nonrefundable filing fee, as established from time to time by the city council to cover administrative costs and costs of hearing...". It is not prudent to return the appeal fees just because the applicant lost the appeal and is angry. That would set a very bad precedence. Then by rights anyone who loses their appeal should be granted the same option. I believe that is why it was put right into the Ordinance that the fees for an appeal were nonrefundable. The City should not take on her burden to pay for her appeal.

There is still the matter of the pending permit. That permit was originally for the rebuilding of an existing deck and to add the new deck which was appealed and denied. She can still rebuild her existing deck. Her permit fee was \$60 based on a total cost of work of \$4,000. I can see a reduction of her permit fee if she is still just rebuilding the old deck. That would only be reasonable.

I would be glad to sit down and discuss this further with you if you like. I would like to get closure on the still pending permit.

Marge

grant or deny applications for variances from the terms of this article;

(c) Subject to the provisions of section 14-474, to hear and grant or deny applications for conditional uses, as specified in this article;

(d) To initiate changes and amendments to this article.

(Code 1968, § 602.24.A; Ord. No. 437-74, 7-1-74; Ord. No. 354-85, § 5, 1-7-85)

Sec. 14-472. Appeals.

(a) *Authority.* The board of appeals shall hear and decide appeals from and review orders, decisions, determinations or interpretations or the failure to act of the building authority.

(b) *Procedure:*

(1) *Notice of appeal.* An appeal may be taken to the board of appeals by any person affected by a decision of the building authority. Such appeal shall be taken within thirty (30) days of the action complained of by filing with the building authority a notice of appeal specifying the grounds thereof. A payment of a nonrefundable filing fee, as established from time to time by the city council to cover administrative costs and costs of hearing, shall accompany notice of appeal. The building authority shall forthwith transmit to the board of appeals all of the papers constituting the record upon which the action appealed from was taken.

(2) *Public hearing.* A public hearing shall be set, advertised and conducted by the board of appeals in accordance with article VI of this chapter.

(3) *Action by the board of appeals.* Within thirty (30) days following the close of the public hearing, the board of appeals shall render a decision on the appeal in the manner and form specified in article VI of this chapter. The failure of the board to act within thirty (30) days shall be deemed an approval of the appeal unless mutually extended in writing by the appellant and the board. Within five (5) days of such decision or failure to act notice thereof shall be mailed by the secretary to each

RECEIVED

NOV 09 2011

PLANNING DEPARTMENT

7 November 2011

Greg Mitchell, Acting Director
Dept. of Planning and Urban Development
389 Congress St
Portland ME 04101

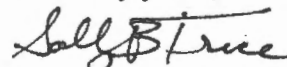
Dear Greg:

I am requesting the this bill be waived and that I receive a refund of my \$100 application fee. When my request for a building permit was denied in April and I said that I would appeal the decision, I was told then by the Zoning Administrator that my appeal would be denied.

Naively I proceeded, convinced that the appeals board would be fair and equitable. I was wrong and the Zoning Administrator was right: the board had in effect come in with a mindset of denying the appeal – which they did, in spite of my carefully prepared report showing good reason why my appeal should be granted.

I have since learned that it is widely known that this is the normal mode of operation for the appeals board. In spite of this, the City continues to accept application fees of \$100, followed by additional billing. This may be good for the city coffers, but it is an injustice to city residents - taxpayers - like me who apply in good faith that they will be respectfully heard and fairly dealt with.

Sincerely yours,



Sally B Trice

774-0723

776-8429 cell

Cc Mark Rees, City Planner

RECEIVED

NOV 03 2011

29 October 2011

PLANNING DEPARTMENT

Greg Mitchell, Acting, Director
Planning and Urban Development Dept.
389 Congress Street
Portland ME 04101

Dear Greg:

I recently had an experience with the Planning Dept. that was most disconcerting. I wanted to replace an aging side porch and expand it into a small deck to accommodate two chairs. This would have added safety and enhancement to my home and provided \$6000 of income to builders and suppliers.

In April I applied for a building permit and was refused because they said it "violated the setback requirements", which were increased after my home was built. I went back twice to no avail.

Now, this small deck would not even extend to the present front of my house; it's back two feet from the front corner. Even so, according to the new setback requirements, it extends 8 inches too close to the street! (Without these 8 inches I wouldn't even be able to fit the second chair.)

I recently went through the appeal process (cost nearly \$300). I prepared a report complete with photos, plan layouts, and enthusiastic letters of support from my abutting neighbors. The board of six volunteers who, while most did not even make eye contact with me at all, questioned me extensively, and suggested I settle for a one-chair deck or a wooden bench!.

My appeal was denied after over an hour of petty debate. It felt like a sham. It was as if they had come in with the mindset: *we dare you to convince us of your cause*. Family members and friends who had accompanied me were dumbfounded by their attitude of stonewalling, as well as by the chairman's unwillingness to stand alone on a vote even when his vocal opinion supported the appeal.

Something is terribly wrong with this system. No one should have to go through this. My deck addition would do no harm; it would only enhance my home and my enjoyment of it - *and increase my property taxes*. The system as it is has the effect of harming Maine residents and our economy.

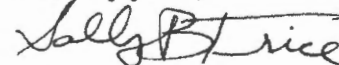
I'm not the only one who has experienced this kind of treatment. You must be aware of the fact that the Building Permits Department has a reputation for creating a logjam, and that appeals are routinely denied.

Talking with others in the days that followed, I learned that permits are often circumvented in Portland because of the extreme ineffectiveness of the zoning rules and the appeal board. Their rigid and irrational approach leads to the exact opposite of what the intention is - with builders and residents doing un-permitted building.

Some of the candidates for mayor have referred to this as one of the issues they plan to address if elected.

I understand that you are the Acting Director. I'm sure you would want to address this while you are in this position, as well as to advise your successor to make this a priority.

Sincerely yours,



Sally B Trice

774-0723

776-8429 cell

cc Mark Rees, City Manager
Mayoral Candidates

Marge Schmuckal - Re: Fwd: Ms. Trice

From: Marge Schmuckal
To: Greg Mitchell
Date: 12/2/2011 2:27 PM
Subject: Re: Fwd: Ms. Trice
CC: ALEX JAEGERMAN

Will do

>>> Greg Mitchell 12/2/2011 1:58 PM >>>
Marge and Alex:

I would like your response next Monday.

Thanks, Greg

Greg A. Mitchell, Acting Director
Planning and Urban Development Department
City of Portland
389 Congress Street
Portland, Maine 04101
Tel. 207.874.8945
Fax 207.756.8217

>>> Greg Mitchell 11/30/2011 2:39 PM >>>
Alex and Marge:

See attached communications from Ms. Trice. Let me know your thoughts about waiving any fees associated with this transaction.

Thanks, Greg

Greg A. Mitchell, Acting Director
Planning and Urban Development Department
City of Portland
389 Congress Street
Portland, Maine 04101
Tel. 207.874.8945
Fax 207.756.8217

Marge Schmuckal - Ms. Trice

From: Greg Mitchell
To: Jaegerman, Alex; Schmuckal, Marge
Date: 11/30/2011 2:39 PM
Subject: Ms. Trice
Attachments: Trice 10-29-11.pdf; Trice 11-7-11.pdf; Trice Fees.pdf

Alex and Marge:

See attached communications from Ms. Trice. Let me know your thoughts about waiving any fees associated with this transaction.

Thanks, Greg

Greg A. Mitchell, Acting Director
Planning and Urban Development Department
City of Portland
389 Congress Street
Portland, Maine 04101
Tel. 207.874.8945
Fax 207.756.8217

CITY OF PORTLAND
DEPARTMENT OF PLANNING & DEVELOPMENT

389 Congress Street
Portland, Maine 04101

INVOICE FOR FEES

Application No:	2011-353	Applicant:	Sally Trice
CBL:	275 1031	Application Type:	Practical Difficulty Appeal
Location:	100 Dorset Street	Invoice Date:	10/12/11

<u>Fee Description</u>	<u>QTY</u>	<u>Fee/Deposit Charge</u>
Legal Advertisement	1	\$87.12
Notices	77	\$57.75
Processing Fee	1	\$50.00
Application Fee	1	\$100.00

Total Current Fees:	\$294.87
Total Current Payments:	-\$100.00

Amount Due Now: **\$194.87**

Bill to:	CBL: 275 1031	Application No: 2011-353
Sally Trice	Invoice Date: 10/12/11	<u>Total Amount Due: \$194.87</u>
100 Dorset Street		(due on receipt)
Portland, ME 04102		

End of Fiscal Year

Zoning Board of Appeals

July 1, 2010 through June 30, 2011

<u>APPEALS</u>	<u>PENDING</u>	<u>APPROVED</u>	<u>WITHDRAWN</u>	<u>DENIED</u>	<u>TOTAL</u>
Conditional Use Appeal:	0	9	0	0	9
Interpretation Appeal:	0	1	0	1	2
Disability Variance Appeal:	0	3	0	0	3
Miscellaneous Appeal:	0	0	0	1	1
Practical Difficulty Appeal:	1	7	1	4	13
Variance Appeal:	0	0	2	1	3
 TOTAL	 1	 20	 3	 7	 31

(b) To serve as a transition or buffer zone between residential and more intensive nonresidential zones.

(Ord. No. 291-88, 4-4-88)

Sec. 14-147. Permitted uses.

The following uses are permitted in the R-P district:

(a) *Residential*: Any residential use is permitted in the residential zone abutting the lot. If there is no abutting residential zone, the nearest residential zone to the lot. In the case of two (2) or more abutting residential zones, the most restrictive such zone.

(b) *Business*:

1. Professional offices, including the offices and facilities of health care and related laboratory and pharmacy services and health care administration, but excluding personal services, retail establishments and veterinarians.
2. Business services, as defined in section 14-47, except copy services.
3. Adult day care services.
4. Mortuaries or funeral homes.

(c) *Other*:

1. Utility substations, as defined in section 14-47, subject to the requirements of article V (site plan), sections 14-522 and 14-523 notwithstanding.
2. Accessory uses as provided in section 14-404.

(Ord. No. 291-88, 4-4-88; Ord. No. 149-05/06, 2-18-06; Ord. No. 166-08/09, 3-3-09; Ord. No. 10 10/11, 8-2-10)

Sec. 14-147.5. Conditional uses.

The following uses are permitted as provided in section 14-474 (conditional uses) if they meet the following requirements:

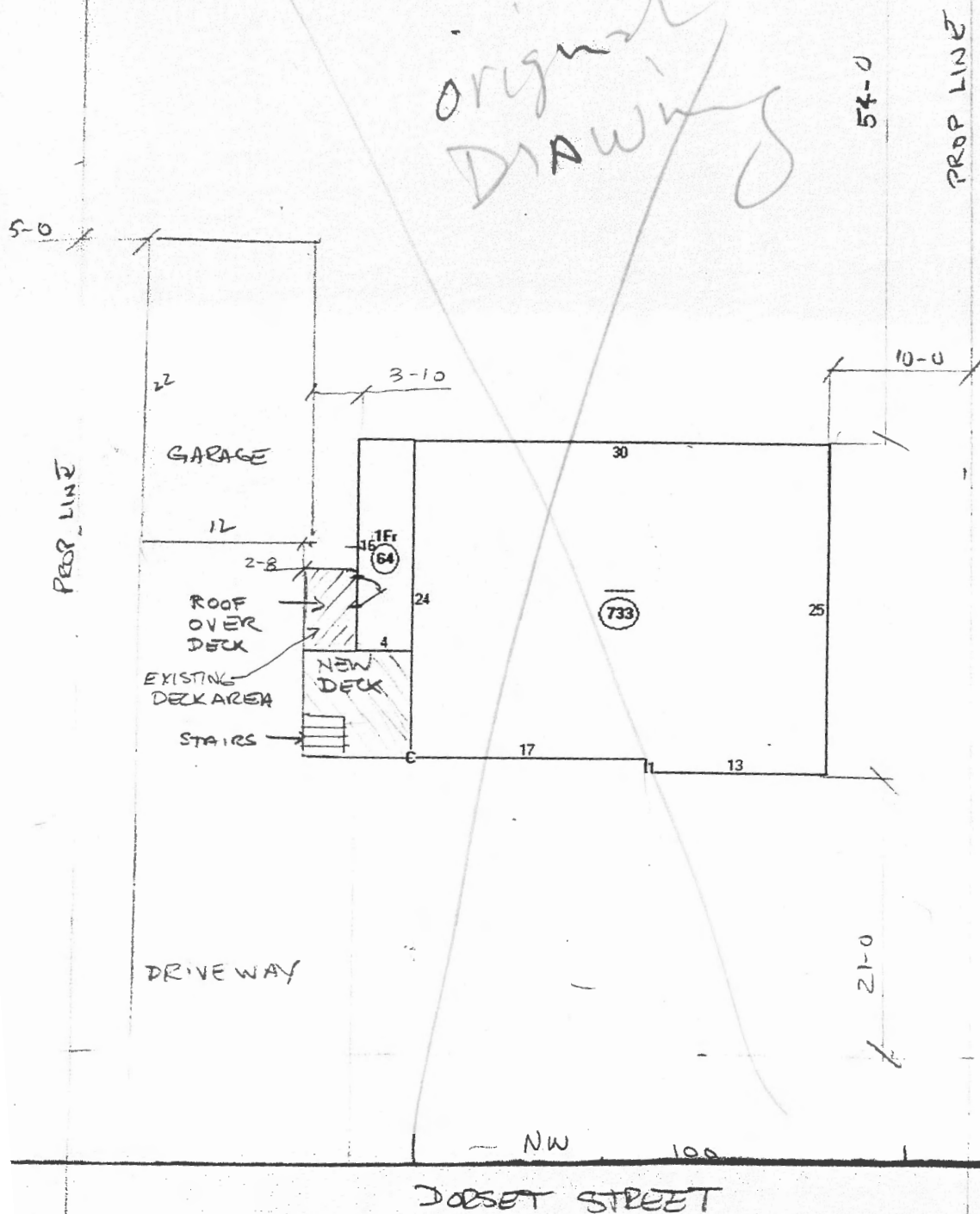
(a) Such other offices which have characteristics similar to

SALLY PRICE

CBL

275 1031001

*Original
Drawing*



275 1031001



100 Dorset St



10/10/12
 R-3 zone for
 Front yard setbacks
 have just gone into
 effect for allowing
 averaging -

4th Street
 width 12'

13.21
 12.00
 $25.21 \div 2 = 12.605$
 min front
 yd setback
 OK for averaging
 100 Dorset St = 13.13