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Jeff Levine, AICP, Director

Marge Schmuckal, Zoning Administrator

TO: Zoning Board of Appeal Chair and Members

FROM: Marge Schmuckal, Zoning Administrator

SUBJECT: Lot #2 Morningstar Lane – 385A-A-032

DATE: August 1, 2013

The purpose of this memo is to focus the Board on the specific appeal issues before it. The applicant is requesting a conditional use appeal to allow an accessory dwelling unit within a single family dwelling. Such a use is allowed if the applicant can show that all the criteria are being met under Section 14-78(a)(2) of the R-2 Zone. One of the criteria is that the project is subject to a site plan review by the Planning Division. This conditional use appeal is just the first step of reviews for the applicant. There will be subsequent reviews, such as the site plan review, before the project is finalized.

It has come to the City's attention that there may be items on the submitted plans before you that would not meet other City requirements, such as two separate curb cuts for one lot and the number of proposed parking spaces. Those issues and others will be addressed with the subsequent review(s). It is my understanding that if the Board approves the conditional use appeal, it is not approving by default any other items shown on the applicant's plans that are not part of the conditional use requirements and standards.

Because the applicant is just beginning the first step of the review process, he has requested that the full two years be allowed as part of any Zoning Board of Appeals approval.