

BART AND LAUREN DONOVAN
239 Maine Avenue
Portland, Maine 04102
(207) 878-1162 home

May 11, 2010

405A-m-001

Marge Schmuckal
Zoning Administrator
City of Portland
Portland City Hall
389 Congress Street, Room 315
Portland, ME 04101

RE: 239 Maine Avenue

Dear Ms. Schmuckal:

We are enclosing our application for a building permit for an addition to our home at 239 Maine Avenue in Portland. We understand that the applicable side yard setback is 20 feet, but, as you will see from the enclosed materials (including a plot plan showing the proposed addition in relation to our property line), we are proposing to build the new structure in line with the setback of our house as it exists today, which is 16 feet from the side property line on the paper "Virginia Street" side. We are seeking your approval for this setback reduction, pursuant to Section 14-433 of the City's ordinances.

We believe we qualify for a setback reduction under Section 14-433 because our lot was a lot of record on June 5, 1957 and it has a principal structure which existed on July 19, 1988 (our house was built in 1926). Further, the 20-foot side setback from "Virginia Street" cannot be met, for the following reasons.

First, our house's roof line allows for an addition on the rear, but manipulating the roof line to accommodate an alternate location for the addition would be extremely difficult and much more expensive (and well beyond our resources). Second, we need a bathroom in our addition, and our plumbing is set up in a manner that makes an additional bathroom in the rear possible; a bathroom in another location would not be affordable or manageable for the builders. The sewer line lends for building in the rear of the home, while any other location would force moving the entire sewer system. Third, in order for our home layout to flow into the new family room, building directly in the rear is the only option.

Our family would like to continue living in our home on Maine Avenue. We like living in Portland for many reasons, and our two children are thriving in the local schools and the community. But in order to stay in our current house we need to modernize it and

make it larger; it is simply too small (960 square feet) and outdated (built in 1926) for our family. It has tiny bedrooms, only one bathroom, and no family room – only a small living room area. We need another bathroom and larger living and bedroom spaces for our two girls (and our large dog!).

If you allow us to construct our addition as proposed, we would be maintaining the current 16-foot setback to a paper street that, to our knowledge, has never been used. Building in this manner would not compromise the integrity of our neighborhood or have a negative impact on any potential future use of Virginia Street; the addition would not add a visibility obstruction to vehicles approaching Maine Avenue from that portion of Virginia Street if it ever were to be built out as a road because the addition would be further back from the corner than our current house.

Thank you for your time and consideration. Please let us know if you have any questions.

Sincerely,

Bart and Lauren Donovan

Enclosures