

Zoning Division
Marge Schmuckal
Zoning Administrator

Department of Planning & Development
Lee Urban, Director



CITY OF PORTLAND

August 19, 2003

Shawn Frank 8/20/03
856-2206

Jocelyne Deraspe
910-B Washington Avenue
Portland, ME 04103

RE: 158-162 Marlborough Road (lot#2) – 406-F-032 – R-3 Zone – application #03-0392

Dear Jocelyne Deraspe,

I am in receipt of your permit application to construct a single family home with an attached garage at 158-162 Marlborough Road. Your permit has been denied because you are not meeting the parking requirements as outlined within the City of Portland's Land Use Zoning Ordinance.

Section 14-332 requires two (2) parking spaces for each new dwelling unit that is newly constructed. Section 14-336 goes on to state that any required parking, "...shall not be closer to any street line than the required depth of the front yard for the same lot...". Your submittal shows a one car garage with only ten (10) feet in front of that garage behind the twenty-five (25) foot required front setback. Ten feet is not enough room for a second parking space. A parking space is considered to be 9' x 19'. Therefore, you are only showing one parking space when two parking spaces are required by ordinance.

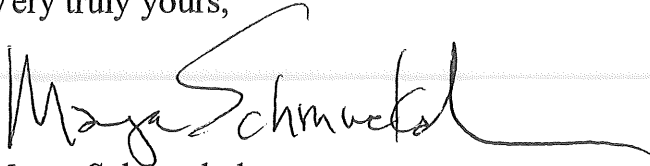
If you wish to resubmit additional plans to correct this violation of the ordinance, you will have thirty (30) days from the date of this letter in which to do so. If this office does not receive revised plans within the thirty day period, your permit application will be void. Any further applications shall require a separate permit application.

You have the right to appeal my decision. 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.

Please also note that your permit is on hold until such time that revised plans have been received

or until thirty days have expired. Your permit has not yet been reviewed for the submitted structural and compliance with the building codes.

Very truly yours,

A handwritten signature in black ink that reads "Marge Schmuckal". The signature is fluid and cursive, with a long horizontal line extending to the right from the end of the name.

Marge Schmuckal
Zoning Administrator

CC: Jay Reynolds, Development Review Coordinator
File

(Code 1968, § 602.14.E; Ord. No. 298-88, 5-31-88)

Sec. 14-336. Location in residence zones for six or fewer vehicles.

(a) Where off-street parking for six (6) or fewer vehicles is required or provided in any residence zone, it shall not be located closer than fifty (50) feet to any street line if less than five (5) feet from any lot line and shall not be closer to any street line than the required depth of the front yard for the same lot, except on a corner lot where the minimum depth from the line of the side street shall be the minimum width of the side yard on the side street. Lots in the R-6 zone shall not be required to provide the five-foot setback required by this section, but parking in the R-6 zone shall meet the front yard setbacks set forth in this section.

(b) Parking shall be prohibited in the front yard of lots containing two (2) or more dwelling units, except within one (1) driveway on the lot. "Driveway," as used in this paragraph, shall not include any turnaround area.

(Code 1968, § 602.14.F; Ord. No. 231-90, § 1, 3-5-90; Ord. No. 310-98, § 2, 5-4-98)

Sec. 14-337. Location in residence zones for more than six vehicles.

Where off-street parking for more than six (6) vehicles is required or provided for nonresidential uses in residence zones, it shall not be located closer than twenty-five (25) feet to any residential structure on an adjoining lot.

(Code 1968, § 602.14.G)

Sec. 14-338. When located within required open yard areas in residence zones.

(a) Where off-street parking for more than six (6) vehicles is required or provided on a lot in a residence zone and vehicles are to be or may be parked within the area otherwise required to be kept open and unoccupied for front, side and rear yards in the zone in which such parking is located, the following requirements shall be met:

(1) A continuous curb guard, rectangular in cross-section, at

20' PRIVATE DRAINAGE EASEMENT

N57°25'55"E

75.00'

LOT 2
7500 SF.
0.17 Ac.

57.00'

78

76

x74.5

x75.0

76

x76.0

x76.2

14

28

11.00'

x74.5

LOT 3

S32°40'05"E

100.00'

S32°54'05"E

100.00'

FFE 16.5
GARAGE

TOP OF
FOUNDATION = 76.5'

PORCH

10'

6'

35.00'

26'

29'

EASEMENT

LET

1 1/2" RED MAPLE, TYP.

N57°25'55"E

75.00'

72.15

71.25

1 ARLBOROUGH ROAD

City of Portland
INSPECTION SERVICES



Room 315
389 Congress Street
Portland, Maine 04101

Telephone: 207-874-8703 or 207-874-8693
Facsimile: 207-874-8716

FACSIMILE TRANSMISSION COVER SHEET

TO: <u>Shaun Frank</u>	FROM: <u>Marge Schmuckel</u>
FAX NUMBER: <u>856-2206</u>	NUMBER OF PAGES, WITH COVER: <u>4</u>
TELEPHONE: _____	RE: <u>158-162 Marlborough Rd</u> <u>(lot #2)</u>

Comments:

I hope this helps you

Marge