



Ann Machado <amachado@portlandmaine.gov>

Fwd: 43 Watson Street

5 messages

Mike Murray <msm@portlandmaine.gov>

Tue, Mar 15, 2016 at 8:54 AM

To: "Machado, Ann" <amachado@portlandmaine.gov>, Jeff Levine <jlevine@portlandmaine.gov>

Ann?Jeff,

Please see the following email from Councilor Hinck, sent to the CM, forwarded to me, and now forwarded to you . I am assuming we may have a file on 43 Watson Street; can someone bring me up to speed before I connect with the property owners?

Michael Murray
Assistant to the City Manager
City of Portland
389 Congress Street
Portland, ME 04101
[207.756.8288](tel:207.756.8288)

----- Forwarded message -----

From: **Jon Jennings** <jpj@portlandmaine.gov>

Date: Mon, Mar 14, 2016 at 7:33 PM

Subject: Fwd: 43 Watson Street

To: Mike Murray <msm@portlandmaine.gov>

I need you to follow up with these people as soon as possible.

----- Forwarded message -----

From: **Jon Hinck** <jhinck@portlandmaine.gov>

Date: Sat, Mar 12, 2016 at 8:16 PM

Subject: Re: 43 Watson Street

To: jpj@gapps.portlandmaine.gov

Ok. It is Kelly & Warren Rowell. Warren's cell is: 831-9446 Email: Warrenthehandyman@yahoo.com

>>> Jon Jennings 03/12/16 8:33 AM >>>
Councilor,

I would be happy to check into this do you. Do you have their contact information so we can reach out to them as well to fully understand the history?

Thanks and have a great weekend.

Jon

On Friday, March 11, 2016, Jon Hinck wrote:

> Jon-- I had a conversation with one Kelly A. Rowell. She and her husband
> report being aggrieved by a decision by the city dating back at least a

> couple of years. They were denied a permit to expand their deck. This is a
> somewhat modest home, the last on a dead end and abutting Interstate 295.
> The deck extension would run toward the South side of their house and would
> allow them to enjoy the view of Casco Bay. If what they report is all true,
> I assume that the City denied the permit under regulations governing set
> backs or expansions of non-conforming structures. The question is whether
> the city could appropriately approve the deck somehow. I am not familiar
> with the regulations in question but given that the property is the dead
> end of a short street, it does not seem that the porch impacts other
> properties, the street or city property. This is not on any kind of
> thoroughfare. Perhaps someone could explore whether there is any
> flexibility possible. Of course, a check of the file may disclose that
> there are other factors about which they or I may be unaware. Thank you for
> any review that can be done of this. Jon

>

> --

> Jon Hinck
> Councilor At-Large
> City of Portland
> 389 Congress St.
> Portland, ME 04101
> jhinck@portlandmaine.gov
> 207-450-0003

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Jeff Levine <jlevine@portlandmaine.gov>
To: Mike Murray <msm@portlandmaine.gov>
Cc: "Machado, Ann" <amachado@portlandmaine.gov>

Tue, Mar 15, 2016 at 10:05 AM

Attached are the ZBA decision and the original denial for the building permit. As I mentioned, this is no longer something in our wheelhouse but happy to help find records if I have time. Ann may need to confirm this was the last word on this issue.

Jeff Levine, AICP
Director
Planning & Urban Development Department
389 Congress Street 4th Floor
Portland, Maine 04101
Phone [\(207\)874-8720](tel:(207)874-8720)
Fax [\(207\)756-8258](tel:(207)756-8258)
<http://www.portlandmaine.gov/planning>
[@portlandplan](https://twitter.com/portlandplan)

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2 attachments



43 Watson St. - expand front porch.pdf
87K



Practical Difficulty Appeal 9-1-11 Denied.pdf
3122K

Ann Machado <amachado@portlandmaine.gov>
To: Jeff Levine <jlevine@portlandmaine.gov>
Cc: Mike Murray <msm@portlandmaine.gov>

Tue, Mar 15, 2016 at 10:49 AM

Mike -

There has been no contact with our office after the ZBA denial for the Practical Difficulty Appeal on 9/1/11 and the subsequent permit (#2011-07-17270 was issued to rebuild the existing 8' x 12' porch after the Practical Difficulty appeal was denied.

43 Watson Street is located in the R-3 residential zone. There was a change to the R-3 zone in 9/5/12 [section 14-90(d)(1)] which allowed the front yard setback to meet the average of the existing front yards of the buildings on the properties on either side if the required 25' setback could not be met and if the existing front yards of the buildings on either side are closer than 25'. Since 43 Watson Street is at the end of Watson, the front yard average would be based on how close the building at 47 Watson Street is to the street. Looking at the GIS layer, it does not appear that 47 Watson Street is closer to the front property line. If it is closer than 43 Watson, they could apply for a permit to have a porch that is in line with the closest part of 47 Watson Street.

I'm happy to talk to the home owner if they have questions.

Ann

Ann Machado
Zoning Administrator
Planning & Urban Development
Portland City Hall
(207) 874-8709

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Mike Murray <msm@portlandmaine.gov>
To: Ann Machado <amachado@portlandmaine.gov>

Tue, Mar 15, 2016 at 3:20 PM

Hi Ann,

If you can reach out to them, it may save an extra step of me calling and then having to refer them to you. Kelly & Warren Rowell. Warren's cell is: 831-9446 Email: Warrenthehandyman@yahoo.com

Thank you.

Michael Murray
Assistant to the City Manager
City of Portland
389 Congress Street
Portland, ME 04101
207.756.8288

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Ann Machado <amachado@portlandmaine.gov>
To: Mike Murray <msm@portlandmaine.gov>

Wed, Mar 16, 2016 at 8:33 AM

I just spoke to Warren Rowell. I told him about the change in the R-3 front setback, but he doesn't think that his neighbor is any closer to the street than he is. I also told him that he could appeal again but that it is hard to get an appeal. He seemed to understand that he basically has no options.

Ann

Ann Machado
Zoning Administrator
Planning & Urban Development

3/16/2016

City of Portland Mail - Fwd: 43 Watson Street

Portland City Hall
(207) 874-8709

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