

Date: September 9, 2005
To: Planning Board
From: Department of Planning & Development, Planner, Mitchell Rasor
Subject: Consideration of Zoning Map Changes/Correction of Clerical Errors to Zoning Map

Exhibits Attached: Tax Maps 28, 30 & 33; Listing of Zone Changes & Zoning Map as amended July 29, 2004; Existing Zoning District Map 10/18/89 1995 Comprehensive Plan; Documentation of 2002 Zoning Map Changes; City Council Sponsor

The Code Enforcement Office has been aware for sometime that a number of properties were zoned incorrectly, due to clerical mapping errors, on the Zoning District Map Adopted June 28, 2003. The Ordinance Review Committee has been attempting to identify these properties and make corrections.

Several of these properties have come to the attention of the Code Enforcement Office recently because the errors are preventing property owners from making needed changes to their properties. These properties are described below.

The subject properties, 32 Winter Street, Tax Map 33, Lot 64 (Winter Street Free Baptist Church) & 1 Harden Street, Lot 60 (Maine Tourism Warehouse) were in the Central Business Zone on the previous Zoning Map and were not on the list to change. Due to a clerical mapping error, these lots were inadvertently rezoned High Density Residential. It appears from the maps that they should have been designated Central Business.

The Winter Street Free Baptist Church is attempting to create handicap parking with a ramp that will allow attendees to safely enter the upper level of the church and provide a place for them to park. Currently they are parking on the street and attempting to unload individuals up over the sidewalk on a steep incline to reach the ramp. During the permitting process, the mapping error was discovered. Under the current zone, the setback/buffer requirement would prevent them from creating this small 3 – 5 vehicle handicap parking lot.

The subject properties, 295, 299 & 303 Harrison Avenue, Tax Map 28, Lots 1, 2 & 3 and 34 Andrews Street, 291, 285, 283, 279, 265, 261 & 259 Harrison Avenue, Tax Map 30, Lots 3, 4, 5, 6, 7, 8, 10 & 11 were in the High Density Residential Zoning District on the previous Zoning Map and were not on the list to change. Due to a clerical mapping error, these lots were inadvertently rezoned as Resource Protection. It appears from the maps that they should have been designated as High Density Residential.

Michael & Michelle Rock are attempting to construct a storage shed on their property. During the permitting process, the mapping error was discovered. Under the current zone, the Planning Board cannot review the application that they have submitted for approval.

We are asking the Planning Board to recommend these zone changes, as noted above, to the City Council.