



Permitting and Inspections Department  
Michael A. Russell, MS, Director

*Ann Machado, Zoning Administrator*

August 12, 2016

Patrick Thornton  
Barnes, Greenfield & Thornton  
361 U.S. Route One  
Falmouth, ME 04105

RE: 155 Washington Avenue, CBL: 012-G-001, 002, 003, & 008 and 145 & R 143 Washington Avenue, CBL 012-G-009 & 020 (the "Properties")

Dear Attorney Thornton:

I am in receipt of your request for a zoning interpretation for the above referenced properties. You are asking me to address two questions in your request. I have based my interpretation on the "Boundary Survey With Existing Conditions" for "Land Located at: 155 & 143R Washington Ave. Portland, Maine 04101, Land Owned By: Akasha 155 LLC, 120 Chadwick Street, Portland, Maine 04102" prepared by Richard Eaton, Professional Land Surveyor, R.W. Eaton Associates, Land Surveying & Real Estate, 58 Pleasant Street, Westbrook, Maine, 04092 on March 31, 2014 and revised March 4, 2016 (the "Survey"). I have also based my decision on the two deeds, Book 32671, Page 104 and Book 32168, Page 262, submitted with the request.

The first part of the request is to determine if the two Properties have merged since they are now under common ownership. Both Properties are located in the B-1 Neighborhood Business Zone. My review of the Survey shows that the two Properties each conform to the dimensional requirements of the B-1 Zone. The existing single home at R143 Washington Avenue does not meet the required five foot setback for a side yard that abuts a residential zone, but the house was built around 1900 so it is legally nonconforming to current zoning requirements. The existing building at 155 Washington Avenue does not meet the required rear setback, but since there have been permits issued for the building; it is also legally nonconforming to current zoning requirements. Both Properties have been developed separately, and each property has a principal structure. Since both Properties meet the B-1 dimensional requirements and have been developed separately, it is my understanding that the two Properties have not merged.

The second part of the request is to determine if the property at 155 Washington Avenue can be split into two lots. My review of the Survey shows that both the Proposed North Lot and the Proposed South Lot meet the dimensional requirements of the B-1 Zone and could be split.

I trust that this sufficiently satisfies your needs. If, however, you have any questions or concerns please do not hesitate to contact me at (207) 974-8709. This zoning interpretation is based on the information provided and available at the time, and the current City of Portland Code of Ordinances. It is not binding on the City of Portland in any future decisions. A final determination will be made when site plans and building permits are submitted to develop either of the proposed lots.

Yours truly,

A handwritten signature in black ink, appearing to read 'Ann B. Machado', with a long, sweeping flourish extending to the right.

Ann B. Machado

Zoning Administrator

Permitting and Inspections Department

City of Portland, Maine

207. 874.8709

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