



Barbara Barhydt <bab@portlandmaine.gov>

Re: 32 Fox St.

1 message

Ann Machado <amachado@portlandmaine.gov>

Fri, Oct 20, 2017 at 8:41 AM

To: Evan Carroll | Bild Architecture <evan@bildarchitecture.com>

Cc: Barbara Barhydt <bab@portlandmaine.gov>, Audra Wrigley <audra@bildarchitecture.com>

Evan -

I don't know if Barbara was able to look at the newest information that was submitted yesterday. I did look at the deeds that were submitted and they do show that the two lots were described on deeds recorded at the Registry of Deeds prior to 1957. 32 Fox St is a legal nonconforming lot of record and 30 Fox St meets the current requirements of the R-6 Zone.

If Barbara needs anything else I assume that she will be in touch with you.

Ann

Ann Machado
Zoning Administrator
Permitting and Inspections Department
City of Portland, Maine
(207) 874-8709

On Thu, Oct 19, 2017 at 5:06 PM, Evan Carroll | Bild Architecture <evan@bildarchitecture.com> wrote:

Barbara and Ann,

The below email chain may help Ann recall the history of the project. Let me know when the two of you have connected on this.

Thank you,
Evan

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

From: Simon Norwalk <simon072889@gmail.com>**Date:** Thu, Oct 19, 2017 at 4:56 PM**Subject:** Fwd: 32 Fox St.**To:** evan@bildarchitecture.com, audra@bildarchitecture.com

Simon Norwalk

Begin forwarded message:

From: Ann Machado <amachado@portlandmaine.gov>**Date:** February 22, 2017 at 08:14:01 EST**To:** Simon Norwalk <simon072889@gmail.com>**Subject:** Re: 32 Fox St.

Simon -

If both properties meet the definition of lot of record - described as separate lots in a deed that was recorded at the Cumberland County Registry of Deeds as of June 5, 1957, then you can sell the house lot as long as none of the existing building encroaches over the lot line.

As long as the ordinance does not change, you would be able to build on the undeveloped lot in the future.

Ann

Ann Machado
Zoning Administrator
Permitting and Inspections Department
City of Portland, Maine
(207) 874-8709

On Thu, Feb 16, 2017 at 12:50 PM, Simon Norwalk <simon072889@gmail.com> wrote:

Good Afternoon,

Thanks for your response to my question regarding 32 Fox St. My plan is to sell the house off and keep the lot to develop within the next year, so I feel like it would be premature to apply for a building permit on the lot at this point. I am currently doing some minor renovations to the existing house, and I plan on removing part of the deck and the carport to deal with the encroachment issues. The house lot is 1764 sqft and the land lot is 2331 sqft, as you said they both appear to be lots of record. My question is how can I proceed with selling just the house so that I can be left with the land lot which I plan on developing within the next year or two?

Sincerely,

Simon Norwalk

On Feb 15, 2017, at 3:21 PM, cstacey <cstacey@portlandmaine.gov> wrote:

Dear Simon,

There is no formal approval process to actually divide the two lots or sell them separately. If the lot qualifies as a "lot of record" it is considered a legally separate lot that can be sold/developed separately. Besides having been described separately in a deed prior to 1957 (which appears to be the case here), the lot must also meet the following requirements:

- 1) Meet the minimum lot size (2,000 square feet) and road frontage (20 feet) for the R-6 zone.
- 2) Not be developed with any structures or be encroached on by structures. Any existing structures or portions of structure on the "lot of record" would have to be removed.

A survey would be advisable, both to confirm the size requirements and any structural encroachments. A survey will be required for a future building permit anyway.

The city's final determination on "lot of record" would be made as part of the building permit approval process for the new lot.

Please let me know if you have further questions.

Kind regards,
Chris Stacey
Zoning Specialist

On Tuesday, February 14, 2017 at 9:30:40 AM UTC-5, Simon Norwalk wrote:

Dear Ann Machado,

I am writing to you to follow up on a conversation that we had about a month ago regarding 32 Fox St. and its adjoining lot. We had talked about the possibility of separating the two lots based on a survey, but then you told me that if I can prove that it was a lot of record before 1955 I could split them off just as it is shown on the tax map. I have looked through the registry of deeds and just as you said the two lots are described separately throughout their existence. I have a deed where they are described separately right before the time that you specified. I am interested to find

out what the next step in the process is to separate these two lots so that I may in the future have the possibility of developing the second lot into three units. Is the next step to get a survey and have new deeds written up by a lawyer and submitted for the zoning board review? I have attached what I have from the registry of deeds, a deed from 1950, another from 1924 and an old tax map. I look forward to hearing from you soon.

Sincerely,

Simon Norwalk
Simon072889@gmail.com
(207) 837-0799

Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.

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Evan A. Carroll AIA, LEED AP, Maine Licensed Architect
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