



PORTLAND MAINE

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*Jeff Levine, AICP, Director
Marge Schmuckal, Zoning Administrator*

July 9, 2013

Lawrence R. Clough Esq.
c/o Jensen Baird Gardner & Henry
Ten Free Street
PO Box 4510
Portland, ME 04112

RE: 128 Sheridan Street – 013-J-7 & 29 - R-6 Residential Zone

Dear Attorney Clough,

I am in receipt of your request for a determination letter concerning property located at 128 Sheridan Street consisting of the Assessor's Chart Block and Lot numbers 013-J-7 & 29.

My determination is based upon a survey by Judith N. Soule, PLS #2320 an agent of Titcomb Associates.

I have reviewed the survey to evaluate both Parcel A and Parcel B for compliance with the Land Use Zoning Ordinance. Both parcels are located in the R-6 residential zone. Both parcels A & B meet the Land Use Zoning Ordinance and the R-6 dimensional standards. I find no violations of the Ordinance. Parcel A with the newly constructed single family dwelling may be conveyed off separately as shown on the submitted survey.

If you have any questions regarding this matter, please do not hesitate to contact me at (207) 874-8695.

Very truly yours,

Marge Schmuckal
Zoning Administrator

Marge Schmuckal - Zoning Determination Letter 128 Sheridan St (Map 13 Lot J-7-29)

From: "Lawrence R. Clough" <lclough@JBGH.com>
To: "Marge Schmuckal (mes@portlandmaine.gov)" <mes@portlandmaine.gov>
Date: 6/18/2013 8:11 AM
Subject: Zoning Determination Letter 128 Sheridan St (Map 13 Lot J-7-29)
CC: "Andre'a Girard, AMG Holdings LLC" <andreaamg@maine.rr.com>
Attachments: Tax Card 128 Sheridan St.pdf; Tax Map 128 Sheridan St.pdf; Warranty Deed to Sheridan St Trust.doc; Zoning Map Excerpt 128 Sheridan St.pdf; Survey A&M Partners LLC Wash Ave PB 209-190.pdf

Marg:

R-6 Zone

GARON@JBGH.COM

I am writing to request a zoning determination letter for the proposed transfer of a 0.17 acre (7,497 sq. ft.) parcel with 117.29' of frontage located at 128 Sheridan St. from a larger 0.69 acre (29,907 sq. ft.) parcel owned by A & M Partners LLC bounded by Sheridan Street, various abutters and Romasco Lane, per the enclosed deed with attached survey excerpt.

The enclosed excerpt from the City's GIS map shows the location of the house.

A copy of the original recorded survey if attached, on which I have drawn an arrow to locate the parcel to be split off.

The parcel to be conveyed is currently improved with a single family residence. The deed has a plan exhibit locating the house.

The larger parcel is depicted as Map 13 Lot J-7-29 and is in the R-6 zone, which permits single family residences. The proposed parcel exceeds the 4,500 sq. ft. minimum lot size, the 1,000 sq. ft. minimum area per dwelling, and the 40' minimum frontage.

Please advise as to how best to assist you with this, presumably with the assistance of a face to face meeting, and as to the amount of the fee that I understand the City charges for these letters.

Thanks. I will give you a call.

Lawrence R. Clough, Esq.
 JENSEN BAIRD GARDNER & HENRY
 Ten Free Street
 PO Box 4510
 Portland, ME 04112

(207) 775-7271 - telephone
 (207) 775-7935 - fax

Marge Schmuckal - Determination Letter

From: Marge Schmuckal
To: lclough@JBGH.com
Date: 7/8/2013 2:46 PM
Subject: Determination Letter

Hi Larry,

I have researched our records and I am close to preparing my letter to you. However, prior to doing so, can I get a scaled version of your Exhibit A that shows both parcels? I would need a scaleable version. I am assuming that what you copied is part of a stamped signed survey. I would like a copy of that original survey. The lot sizes appear ok. But I am uncertain as to the rear, side and front setbacks on parcel B. I need to see all of what I am assuming to be parcel A at 23,378 square feet in size. I want to check that all the R-6 zone requirements are being met.

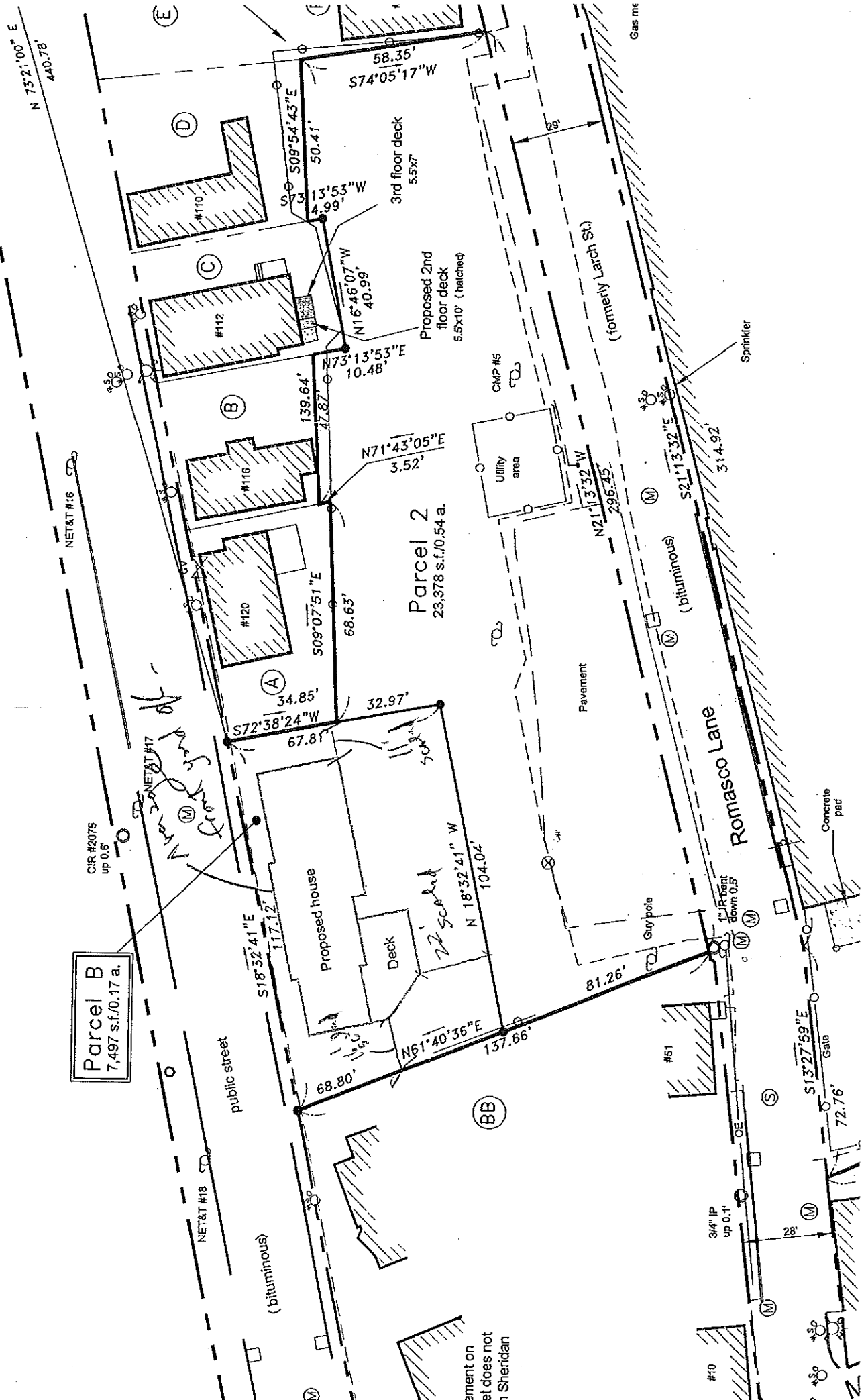
thank you for your patience,
Marge Schmuckal
Zoning Administrator

*received 7/9/13 - full scaled
Survey*

5) Fee in Murray Lane (a.k.a. Amity Lane) may reside in the Heirs of Michael Murray.

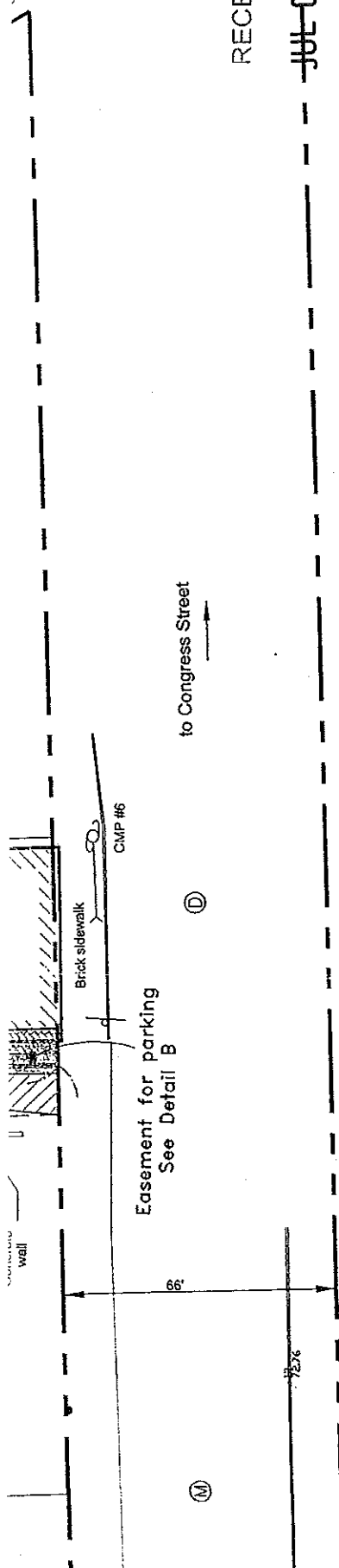
LLC
: 99

: 328



Notes:
 Never 300' off
 Create yard off

ament on
 et does not
 in Sheridan



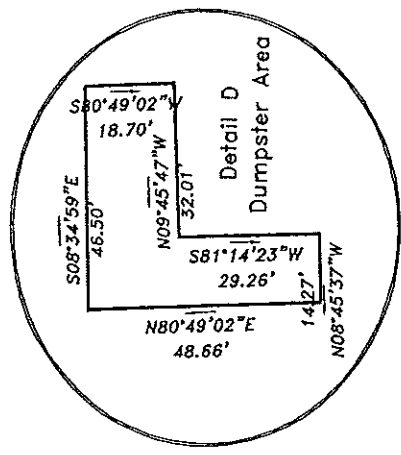
RECEIVED
 JUL-09 2013

Dept. of Building Inspections
 City of Portland Maine

SCALE IN FEET



1" = 40'



Rev. 6	09/07/11	Add decks & concrete to #112 Sheridan St.	JNS
Rev. 5	06/29/11	Add Parcels A & B, remove CMP easements	JNS
Rev. 4	02/28/11	Add proposed improvements	JNS
Rev. 3	06/25/09	Remove Note 5	JNS
Rev. 2	07/07/04	Revise abutters A-E	JNS
Rev. 1	08/29/03	Add property to be conveyed, easement details	JNS

Plan of Property

(Former J.J. Nissen Bakery)

Washington Avenue, Romasco Lane,
 Sheridan Street & Marion Street


Portland, Maine

MADE FOR

A & M Partners, LLC

380 Warren Avenue

Portland, Maine

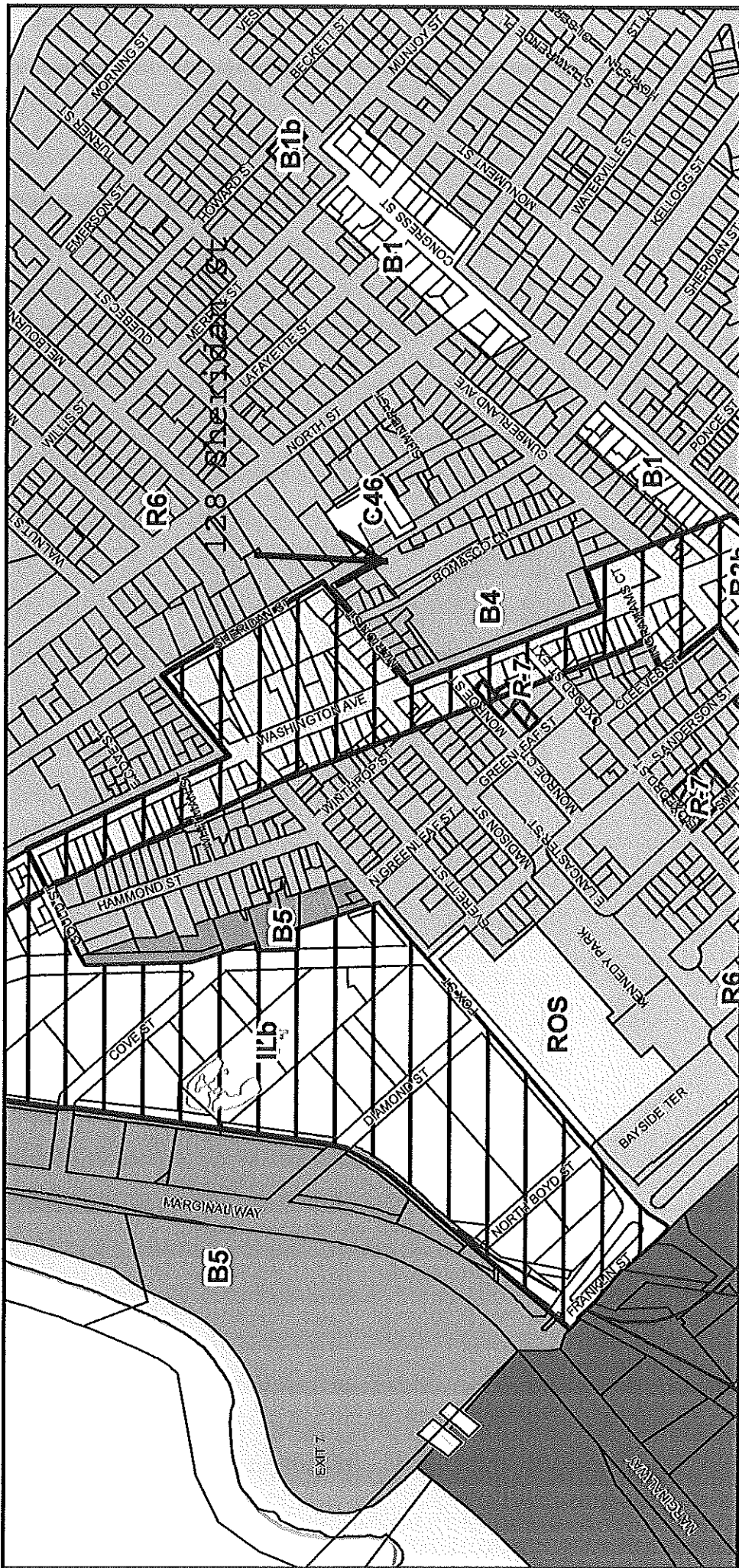
JOB#	202048	DATE:	June 19, 2002	SCALE:	1" = 40'
BOOK#	677	 Titcomb Associates 133 Gray Road Falmouth, Maine 04105			
202048-R2.dwg					
FILE#	8500				

CERTIFICATION

This survey conforms to the current standards of the Maine State Board of Licensure for Land Surveyors except as noted:

- Exceptions:
 (1) No pins set as of plan date
 (2) No descriptions written

Judith N. Soule PLS #2320
 Dated: June 19, 2002





Titcomb Associates

Land Surveying Land Planning

133 Gray Road
Falmouth, Maine 04105-2029
(207) 797-9199
Fax: (207) 878-3142
www.titcombsurvey.com

39 Court Street
Bath, Maine 04530-2017
(207) 443-9199
Fax: (207) 386-5077
www.titcombsurvey.com

April 19, 2011

Diane Doyle
A & M Partners
Warren Avenue
Portland, Maine

RE: Building on Sheridan Street, Portland

Diane:

Our firm staked the proposed building on Sheridan Street in accordance with the site plan submitted to the City of Portland. It is in compliance with the setback requirements of the City for that zoning district.

Please feel free to contact me if you have any questions.

Regards,

Judith N. Soule, P.L.S.
Project Manager

Marge Schmuckal - Re: Zoning Determination Letter 128 Sheridan St (Map 13 Lot J-7-29)

From: Marge Schmuckal
To: Lawrence R. Clough
Date: 6/18/2013 9:03 AM
Subject: Re: Zoning Determination Letter 128 Sheridan St (Map 13 Lot J-7-29)
CC: AMG Holdings LLC 'Andre'a Girard

Hi Larry,
Before I can begin work there is a \$150 fee made out to the City of Portland that must be received. Please contact our front staff for that payment.
Thank you,
Marge

>>> "Lawrence R. Clough" <lclough@JBGH.com> 6/18/2013 8:09 AM >>>
Marg:

I am writing to request a zoning determination letter for the proposed transfer of a 0.17 acre (7,497 sq. ft.) parcel with 117.29' of frontage located at 128 Sheridan St. from a larger 0.69 acre (29,907 sq. ft.) parcel owned by A & M Partners LLC bounded by Sheridan Street, various abutters and Romasco Lane, per the enclosed deed with attached survey excerpt.

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Thanks. I will give you a call.

Certificate of Occupancy

CITY OF PORTLAND, MAINE

Department of Planning and Urban Development
Building Inspections Division

Location: 122 SHERIDAN ST

CBL: 013 J007001

Issued To: A & M Partners Llc

Issued Date: 12/07/2012

This is to certify that the building, premises, or part thereof, at the above location, built-altered-changed as to use under Building Permit No. 20111119 has had a final inspection, has been found to conform substantially to the requirements of the Building Code and the Land Use Code of the City of Portland, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES
ENTIRE

APPROVED OCCUPANCY

SINGLE FAMILY
USE GROUP - R-3
TYPE - 5-B
IRC 2009

LIMITING CONDITIONS: NONE

Approved:

12-7-12

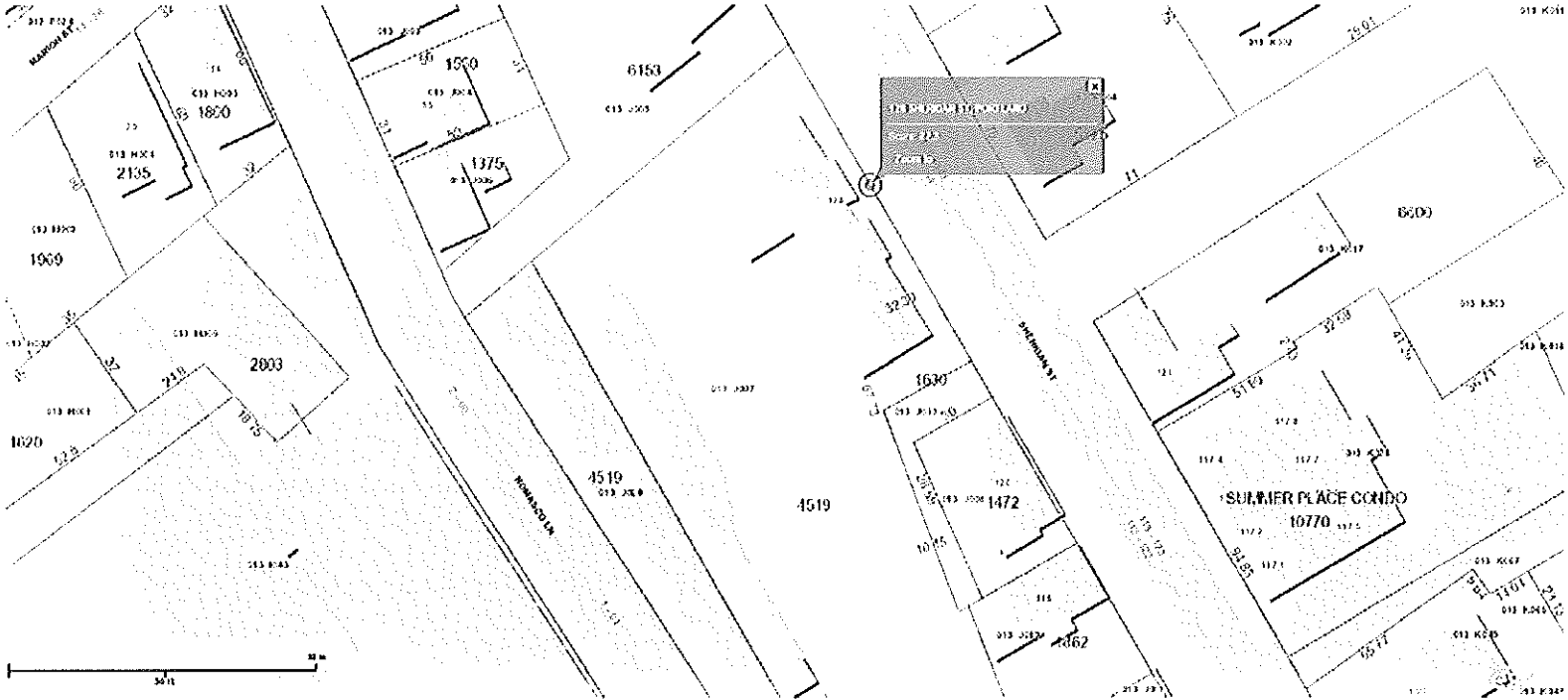
Inspector

Notice: This certificate identifies the legal use of the building or premises, and ought to be transferred from owner to owner upon the sale of the property.

Inspector Division Director

My Map

128 Sheridan



Assessor's Office | 389 Congress Street | Portland, Maine 04101 | Room 115 | (207) 874-8486

[City Home](#) [Departments](#) [City Council](#) [E-Services](#) [Calendar](#) [Jobs](#)

This page contains a detailed description of the Parcel ID you selected. Press the **New Search** button at the bottom of the screen to submit a new query.

Current Owner Information:

Services

[Applications](#)

[Doing Business](#)

[Maps](#)

[Tax Relief](#)

[Tax Roll](#)

[Q & A](#)

[browse city services a-z](#)

[browse facts and links a-z](#)



CBL	013 J007001
Land Use Type	SINGLE FAMILY
Verify legal use with Inspections Division	
Property Location	128 SHERIDAN ST
Owner Information	A & M PARTNERS LLC 380 WARREN AVE PORTLAND ME 04103
Book and Page	14581/99
Legal Description	13-J-7-29 ROMASCO LN 27-47 SHERIDAN ST 124-132 31018 SF
Acres	0.7121

Current Assessed Valuation:

TAX ACCT NO.	1490	OWNER OF RECORD AS OF APRIL 2012
LAND VALUE	\$156,700.00	A & M PARTNERS LLC
BUILDING VALUE	\$291,000.00	380 WARREN AVE
NET TAXABLE - REAL ESTATE	\$447,700.00	PORTLAND ME 04103
TAX AMOUNT	\$8,425.72	

Any information concerning tax payments should be directed to the Treasury office at 874-8490 or [e-mailed](#).

Building Information:

Building 1	
Year Built	2012
Style/Structure Type	CONTEMP
# Stories	2
# Units	1
Bedrooms	3
Full Baths	3
Half Baths	0
Total Rooms	7
Attic	NONE
Basement	FULL
Square Feet	2834

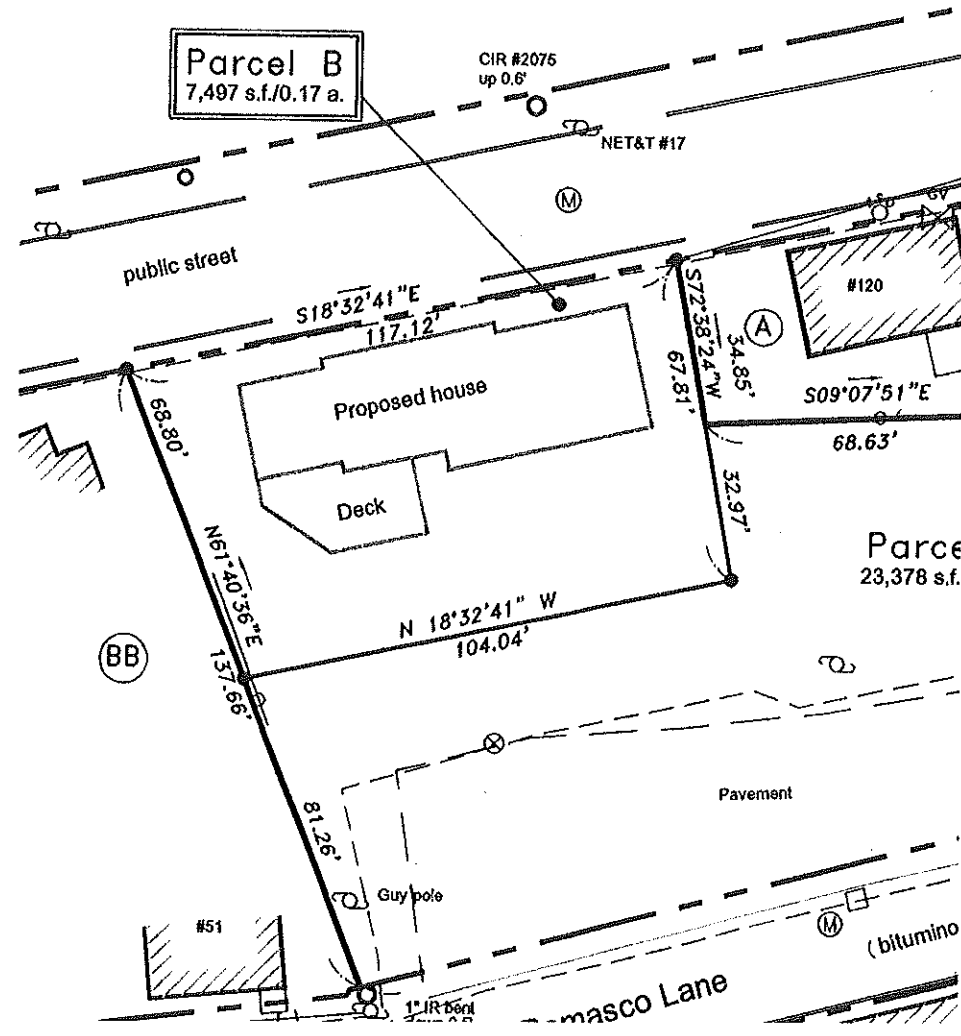
[View Sketch](#) [View Map](#) [View Picture](#)

Outbuildings/Yard Improvements:

Building 1	
Year Built	1992
Structure	ASPHALT PARKING
Size	1X6300
Units	1

Best viewed at 800x600, with Internet Explorer

Exhibit A



Warranty Deed to Sheridan St Trust
6/18/2013 9:05 AM

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS, that **A & M Partners, LLC**, a Maine limited liability company with a place of business in Portland, Maine (the "**Grantor**"), in consideration of One Dollar (\$1.00) and other valuable consideration paid by **ARTHUR P. GIRARD, TRUSTEE** of the **128 SHERIDAN STREET RESIDENTIAL TRUST** created pursuant to a Declaration of Trust dated as of _____, 2013, whose mailing address is 380 Warren Avenue, Portland, Maine 04103, with **WARRANTY COVENANTS**, the premises situated in the City of Portland, County of Cumberland and State of Maine, described as follows:

A certain parcel of land located westerly of Sheridan Street, easterly of Romasco Lane (formerly Larch Street) and southerly of Marion Street in the City of Portland, County of Cumberland, State of Maine, being parcel B as shown on a plan entitled "Plan of Property (Former J.J. Nissen Bakery)" made for A & M Partners, LLC by Titcomb Associates dated June 19, 2002, revised through September 7, 2011, an excerpt of which is attached hereto as Exhibit A and more particularly bounded and described as follows:

Beginning at a point on the westerly sideline of Sheridan Street at the northeasterly corner of land now or formerly of Timothy P. Carolan as described in a deed recorded in the Cumberland County Registry of Deeds in Book 13036, Page 199:

Thence running South 72° 38' 24" West by said Carolan land a total distance of 34.85 feet to a point and other land of the Grantor;

Thence running South 72° 38' 24" West by said other land of the Grantor distance of 32.97 feet to a point;

Thence running North 18° 32' 41" West by said other land of the Grantor a distance of 104.04 feet to a point and land now or formerly of Jon F. DiMauro as described in a deed recorded in the Cumberland County Registry of Deeds in Book 10569, Page 16.

Thence running North 61° 40' 36" East a distance of 68.80 feet to a point and the westerly sideline of Sheridan Street.

Thence running South 18° 32' 41" East by Sheridan Street a distance of 117.12 feet to the point of beginning.

The above described parcel contains 7,497 square feet. Bearings are based on Magnetic North 2002. Being a portion of the same premises conveyed to the Grantor by warranty deed dated January 2, 1999, and recorded in the Cumberland County Registry of Deeds in Book 14581, Page 99, reference being made to a prior Plan recorded in Plan Book 209, Page 190.

The Grantee by his execution and acceptance of this deed, HEREBY RELEASES to the Grantor, its successors and assigns, any interest of the remaining land not expressly described above and located westerly and/or southerly of the above described parcel, easterly of Washington Avenue, northerly of Cumberland Avenue and southerly of Marion Street.

TO HAVE AND TO HOLD the same, together with all the privileges and appurtenances thereunto belonging, to the said Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the said Grantor has caused this instrument to be signed and sealed on _____, 2013.

Signed, Sealed and Delivered
in the Presence of:

A & M Partners, LLC

Witness

By: _____
Name:

Its: _____

Accepted and agreed:

Witness

ARTHUR P. GIRARD, TRUSTEE of
the **128 SHERIDAN STREET**
RESIDENTIAL TRUST

STATE OF MAINE
Cumberland, ss.

_____, 2013

Then personally appeared the above named _____, in his said capacity and acknowledged the foregoing instrument to be his free act and the free act and deed of said limited liability company.

Before me,

Maine Attorney at Law/Notary Public
Name: _____

STATE OF MAINE

Cumberland, ss.

_____, 2013

Then personally appeared the above named _____, as Trustee and acknowledged the foregoing instrument to be his free act and deed in his said capacity.

Before me,

Maine Attorney at Law/Notary Public

Name: _____

Warranty Deed to Sheridan St Trust
6/18/2013 9:05 AM

CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

389 Congress Street
 Portland, Maine 04101

RECEIPT OF FEES

Application No: 0000-1732	Applicant: A & M PARTNERS LLC
Project Name: 128 SHERIDAN ST	Location: 128 SHERIDAN ST
CBL: 013 J007001	Application Type: Determination Letter
Invoice Date: 06/18/2013	

Previous Balance	-	Payment Received	+	Current Fees	-	Current Payment	=	Total Due	Payment Due Date
\$0.00		\$0.00		\$150.00		\$150.00		\$0.00	On Receipt

Previous Balance **\$0.00**

Fee Description	Qty	Fee/Deposit Charge
Zoning Determinations	1	\$150.00
		<u>\$150.00</u>
	Total Current Fees:	+ \$150.00
	Total Current Payments:	- \$150.00
	Amount Due Now:	\$0.00

CBL 013 J007001
Bill to: A & M PARTNERS LLC
 380 WARREN AVE
 PORTLAND, ME 04103

Application No: 0000-1732
Invoice Date: 06/18/2013
Invoice No: 41552
Total Amt Due: \$0.00
Payment Amount: \$150.00

Make checks payable to the *City of Portland*, ATTN: Inspections, 3rd Floor, 389 Congress Street, Portland, ME 04101.