

Portland, Maine



Yes. Life's good here.

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

Ann Machado, Zoning Administrator

**Certified Mail #7017 1820 0001 4047 0614 and by Regular Mail**

July 14, 2017

Federal Street Phoenix, LLC  
PO Box 15372  
Portland, ME 04112

Re: 1 Monument Street – CBL 016-A-003 – R-6 Residential Zone

To Whom It May Concern:

The City is in the process of reviewing a building permit application for a new single-family dwelling at 5 Monument Street, CBL 016-A-005, which abuts your above-referenced property. The plans and materials submitted with the application indicate that you intend to sell a portion of your land to the owners of 5 Monument Street, which they would use for their single-family development.

Once you transfer the land to the abutter, your land will be made even more non-conforming with regards to the City's zoning dimensional requirements. Specifically, section 14-139 of the City of Portland Code of Ordinance (available on the City's website or at the City Clerk's office) requires that a minimum of 20% of a lot in the R-6 zone be maintained as "landscaped open space." Your property currently has about 177 square feet of landscaped open space, or 8% of the lot. In selling land to the abutter, you would lose approximately 50 square feet of landscaped open space, thereby making your property even more non-conforming with regards to this requirement.

To resolve this issue and allow the permit review for 5 Monument Street to continue, you have provided a written agreement dated 7/7/17 (attached) stating that you will remove 50 square feet of paved area from your property and create new landscaped open space as a replacement.

Within 90 days of the date of this letter (by October 12, 2017), you must complete the actions set forth in the written agreement. If you do not, the City will pursue formal enforcement action to resolve the issue.

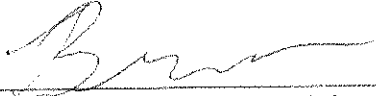
Please contact me with any questions. Thank you for your prompt attention to this matter.

Sincerely,

Christina Stacey  
Zoning Specialist  
Permitting and Inspections Department  
(207) 874-8695  
[estacey@portlandmaine.gov](mailto:estacey@portlandmaine.gov)

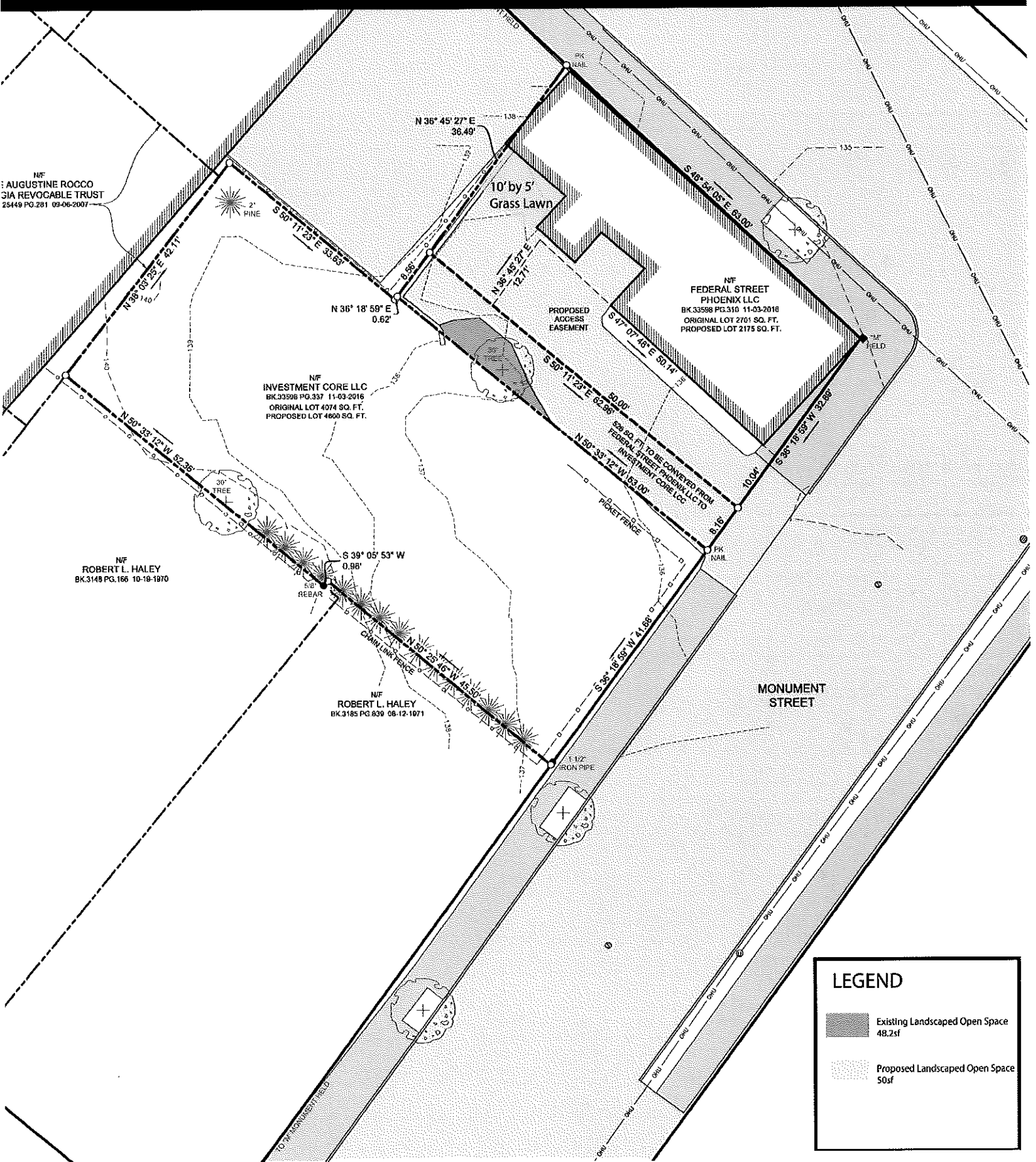
**CONTRACTURAL AGREEMENT FOR  
LANDSCAPED OPEN SPACE**

I, Federal Street Phoenix LLC, am the owner of a property located at 1 Monument Street Portland, ME. This property is described as tax map/lot: 16-A-3. The lot of record is 2,655sf. I will give, grant, convey, 480sf of said lot to my neighbor, Investment Core LLC for one dollar and other valuable consideration. This 480sf of land contains 48.2sf of Landscaped Open Space which is the existing condition. Because I am selling this 48.2sf of Landscaped Open Space, I will remove 50sf of impervious surface from the remaining parcel that I own and plant grass in this location. The existing and proposed landscape open space is shown on Exhibit A, attached hereto.

  
\_\_\_\_\_  
Federal Street Phoenix LLC

7/7/17  
\_\_\_\_\_  
Date

# EXHIBIT A



**LEGEND**

- Existing Landscaped Open Space 48.2sf
- Proposed Landscaped Open Space 50sf