April 15, 2016

Ann Machado

Zoning Administrator

City of Portland

389 Congress Street

Portland, ME 04330

RE: Division of 36 Atlantic Street

Dear Ann:

I am writing to seek a zoning determination regarding a proposed division of the existing property located at 36 Atlantic Street (CBL: F002001). The lot currently contains two detached dwellings. The proposal is to divide the property so that each dwelling sits on its own lot.

I have enclosed a preliminary survey plan depicting the proposed lot split. The lot is located in Portland’s R-6 zoning district. I am requesting a determination that the proposed split will result in two lawful lots that comply with Portland’s zoning requirements.

As you will see, the lot shown as Lot “A” consists of 2,077 square feet and has approximately 28 feet of frontage on Atlantic Street. The dwelling, including its rear deck, pre-dates zoning. The new proposed lot line does not create any setback violations. Lot “A” is benefited by a parking easement on land of Lot “B” and by an access easement over a portion of Lot “B.” It is also burdened by an access easement benefitting Lot “B.”

Lot “B” consists of 3,214 square feet and has approximately 22 feet of frontage on Atlantic Street. The dwelling predates zoning but the rear deck appears not to. Although it is believed that a building permit issued for the rear deck some time prior to 1990, no evidence of that permit has been found. Assuming no permit is found, the proposed lot split includes removing all of the back deck except for a 50 square foot portion as shown and as allowable under Division 25 of the Portland Land Use Code. Lot “B” is burdened by the parking and access easements mentioned above and benefitted by an access easement over a portion of Lot “A.”

Lot “A” and Lot “B” are currently under contract for purchase subject to a zoning determination. I am requesting that you please review this letter, the enclosed survey plan, and the applicable zoning regulations and issue a determination letter that each of the two lots complies with Portland’s Land Use Code.

Thank you very much.

Sincerely,

THOMAS B. FEDERLE

Enclosure