



Planning & Urban Development Department

*Jeff Levine, AICP, Director**Ann Machado, Zoning Administrator*

September 30, 2015

Todd Alexander
3 Carrol Street
Portland, ME 04102

Re: 31Tate Street – 044-D-023 & 33 Tate Street 044-D-024 - R-6 Residential Zone

Dear Mr. Alexander,

I am in receipt of your request to determine whether 31 Tate Street and 33 Tate Street can be combined as a single property with the legal use as a two family.

The first question to look at is have 31 and 33 Tate Street been treated historically as one or two parcels? From the assessor's records, it appears that the building was built around 1870. There is no information to determine whether at that time it was a single family home or a two family home and if the two assessing lots were under common ownership. The assessor's cards from the early 1950s show that in 1952 Ray and Clara Campbell owned both parcels. Later in the 1950s the parcels were sold to different owners. Elizabeth G., Margaret A and Mary A Walsh owned 31 Tate Street as a single family home and Mary Conway owned 33 Tate Street as a single family home with the two single family homes sharing a common wall. The assessor's cards from the 1980s show the two parcels under the common ownership of Ward C. and Pricilla H. Sherwood. For assessing purposes, the two parcels were combined for fiscal year 1993. A "Notice of Housing Conditions" dated May 1976 listed 31-33 Tate Street as one property with two dwelling units. A "Verification of Legal Number of Units" Sheet dated 6/29/98 and signed by the Zoning Administrator, lists 31-33 Tate Street as one property with two units. From looking at the history of the two parcels since the late 1970s, the two parcels appear to have been treated as one property.

The second question to look at is would combining 31 and 33 Tate Street as one property create a nonconformity under zoning? The two parcels are located in the R-6 Residential zone. Currently as separate properties, they are nonconforming as to the minimum lot size of 2,000 square feet (31 Tate Street is 1065 square feet and 33 Tate Street is 1174 square feet) and to the minimum side setback of five feet (section 14-139). If the two parcels are combined as one property, the minimum lot size of 2,000 square feet would be met and the property would be more conforming.

Since 31 and 33 Tate Street have for all intent and purposes been treated as one property since the late 1970s and combined as one property would be more conforming to the R-6 requirements, it is

Portland, Maine



Yes. Life's good here.

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determined that under Zoning the two parcels could be combined as one property with the legal use as a two family dwelling.

If you have any questions regarding this matter, please do not hesitate to contact me.

Yours truly,

A handwritten signature in black ink, appearing to read "Ann B. Machado".

Ann B. Machado

Zoning Administrator

City of Portland, Maine

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