



# PORTLAND MAINE

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Greg Mitchell - Acting Director of Planning and Urban Development  
Marge Schmuckal, Zoning Administrator

November 7, 2011

Ethan Boxer-Macomber  
Avesta Housing  
307 Cumberland Avenue  
Portland, ME 04101

RE: 218 State Street – 049-C-039 – R-6 Zone With a Historic Overlay Zone

Dear Ethan,

I am in receipt of your request for determination letter concerning 218 State Street. The property is located within a R-6 residential zone with a Historic Overlay zone. I am also in receipt of a survey by John Swan of Owen Haskell, Inc. on which part of my determination is based.

The property located at 218 State Street was granted an appeal by the Zoning Board of Appeals on November 10, 1976 concerning the required lot area per dwelling unit and off-street parking requirements. The Board granted the use of 17 dwelling units along with 4 off-street parking spaces instead of the 17 parking spaces required at that time. The provided survey confirms that 4 off-street parking spaces are still provided on site for the approved 17 dwelling units.

The provided survey shows the property to be currently legally nonconforming as to setbacks and lot coverage in the R-6 zone. This property was developed prior to the basis (June 5, 1957) of the current Land Use Zoning Ordinance and therefore the setbacks and lot coverage requirements are considered to be legally nonconforming and not in violation of the Ordinance. I am unaware of any other violations concerning the property.

I have enclosed copies of Zoning Board approval, permit application and certificate of occupancy for your records.

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