

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

Gordon Smith-chair
Sara Moppin-secretary
William Getz
Mark Bower
Eric Larsson

May 21, 2013

Mark McCain
49 Summer Street
Portland, ME 04102

RE: 45 Summer Street
CBL: 058 A032
ZONE: R-6

Dear Mr. McCain,

At the May 16, 2013 meeting, the Zoning Board of Appeals voted 4-0 to grant your Interpretation Appeal to overturn the Zoning Specialist's determination that the average depth of front yards on either side of the lot is 6.1 feet based on the vacant lot having a ten foot setback. The Board determined that a vacant lot does not have a front yard, so the resulting calculation of the setback was incorrect. I am enclosing a copy of the Board's decision.

Now that the Interpretation Appeal has been granted, stating that a vacant lot does not have a front yard, zoning has re-evaluated its determination based on section 14-139(a)(4)(a). Since there is only one front yard on either side of the proposed building lot, the average depth is based on the one front yard of 2.2 feet and therefore the average depth is 2.2'. The front yard for the proposed single family home need not exceed 2.2 feet. With this determination, all the zoning requirements to build a new single family home at 45 Summer Street have been met and Zoning has approved their review for building permit #2013-00720. The building permit still needs to be reviewed by a plan reviewer from building, the fire department and the Development Review Coordinator, Phil DiPierro before it can be issued but it is moving forward.

Appeals from decisions of the Board may be filed in Superior Court in accordance with Rule 80B of the Maine Rules of Civil Procedure.

Should you have any questions please feel free to contact me at 207-874-8709.

Yours truly,


Ann B. Machado
Zoning Specialist

Cc. file

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

ZONING BOARD APPEAL DECISION

To: City Clerk
From: Marge Schmuckal, Zoning Administrator
Date: May 17, 2013
RE: Action taken by the Zoning Board of Appeals on May 16, 2013.

Members Present: Sara Moppin (acting chair), Mark Bower, William Getz (acting secretary) and Eric Larsson

Members Absent: Gordon Smith

1. New Business

A. Interpretation Appeal:

43-45 Summer Street, Mark McCain, owner, Tax Map 058, Block A, Lot 032, R-6 Residential Zone: Section 14-139(a)(4)(a) allows the front yard setback to “not exceed the average depth of front yards on either side of the lot”. The appellant is challenging the Zoning Specialist’s determination dated April 29, 2013, that the average depth of the front yards on either side of the property at 45 Summer Street is 6.1 feet using the minimum front setback of ten feet for the vacant lot to the right of the property to determine the average depth. Representing the appeal is the owner. **The Zoning Board of Appeals voted 4-0 to grant the appeal to overturn the Zoning Specialist’s determination that the average depth of the front yards on either side of the lot is 6.1 feet based on the vacant lot having a ten foot setback. The Board determined that a vacant lot does not have a front yard, so the resulting calculation of the setback was incorrect.**

Enclosure:

Decision for Agenda from May 16, 2013
One DVD

CC: Mark Rees, City Manager
Jeff Levine, AICP, Director Planning & Urban Development
Alex Jaegerman, Planning Division
Mary Davis, Housing and Neighborhood Services Division

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS

Members present:

*Eric Larson
Mark Bower
Sara Moppin
Bill Getz*

Application of Dimensional Requirements in R-6 Zone

Interpretation Appeal

DECISION

Date of public hearing: May 16, 2013

Name and address of applicant: Mark McCain
49 Summer Street
Portland, ME 04102

Location of property under appeal: 45 Summer Street

For the Record:

Names and addresses of witnesses (proponents, opponents and others):

*Mark McCain - appellant
Joy Coyne - 36 Salem St.
argument of street scape - in favor of
Elise Bail - Summer St. lot - in support
Kaitlyn Bushfield 36 Clark - in support*

Exhibits admitted (e.g. renderings, reports, etc.):

*Letters From Ann Machado - Zoning Specialist
Lot Maps
Demo Permit
Letter from Mark McCain
Applicable ordinance*

Applicant is proposing to build a home on his lot at 45 Summer Street. As proposed, the front yard setback would be 2.7 feet. The Applicant applied for a building permit but that application was denied based on the Zoning Administrator's interpretation of Section 14-139(a)(4)(a) of the Portland City Code, which governs minimum front yard setbacks.

Section 14-139(a)(4)(a) of the Portland City Code provides as follows:

Minimum yard dimensions: (Yard dimensions include setbacks of structures from property lines and setbacks of structures from one another. No structure shall occupy the minimum yard of another structure.)

a. Front yard: Principal or accessory structures: Ten (10) feet.

A front yard need not exceed the average depth of front yards on either side of the lot. A lot of record existing as of June 5, 1957, and less than one hundred (100) feet deep need not be deeper than twenty (20) percent of the depth of the lot.

The structure the Applicant proposes to build will not meet the required 10 foot front yard setback. Therefore, the question in this case is whether the proposed front yard setback of 2.7 feet exceeds the average depth of the front yards on either side of 45 Summer Street.

Findings of Fact and Conclusions of Law:

The Board's authority to review an interpretation of the building authority is pursuant to Sections 14-471 & 14-472 of the land use code.

The lot to the right of 45 Summer Street is vacant. The front yard to the left of 45 Summer Street is 2.2 feet. In making a determination about the average depth of front yards on either side of the lot, the Zoning Specialist determined that the minimum 10 foot front yard setback should be used for the vacant property to the right of 45 Summer Street. The Zoning Administrator therefore took the average of 10 feet and 2.2 feet to come up with a minimum front yard setback of 6.1 feet for 45 Summer Street.

Finding:

Appellant has demonstrated that the Zoning Specialist's interpretation of Section 14-139(a)(4)(a) was incorrect or improper for the following reason:

- ~~1. The average depth of front yards on either side of 45 Summer Street is greater than 2.7 feet such that the Applicant's proposed setback complies with Section 14-139(a)(4)(a).~~ SNM

Satisfied Not Satisfied

Reason and supporting facts:

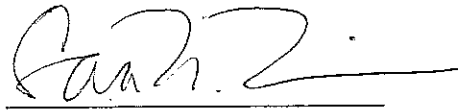
Because the vacant lot to the right of 45 Summer St. is vacant, it does not have a "front yard" as defined in the ordinance. Therefore, the resulting calculation of the setback was incorrect.

Decision: (check one)

Option 1: The Board finds that the Appellant has satisfactorily demonstrated that the Interpretation of the City's Zoning Administrator was incorrect or improper, and therefore GRANTS the application. *Motion Bower, second Moppin 4-0*

Option 2: The Board finds that the Appellant has NOT satisfactorily demonstrated that the Interpretation of the City's Zoning Administrator was incorrect or improper, and therefore DENIES the application.

Dated:



Board Chair

members present: SARA Moppin (Acting Chair), Bill Getz (Acting Sec)
MARK Bower, Eric Larssen,

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

member Absent: Gordon Smith -

APPEAL AGENDA

began AT 6:30pm -

The Board of Appeals will hold a public hearing on Thursday, May 16, 2013 at 6:30 p.m. on the second floor in room 209 at Portland City Hall, 389 Congress Street, Portland, Maine, to hear the following appeal:

1. New Business

A. Interpretation Appeal:

4-Ø
Granted

43-45 Summer Street, Mark McCain, owner, Tax Map 058, Block A, Lot 032, R-6 Residential Zone: Section 14-139(a)(4)(a) allows the front yard setback to "not exceed the average depth of front yards on either side of the lot". The appellant is challenging the Zoning Specialist's determination dated April 29, 2013, that the average depth of the front yards on either side of the property at 45 Summer Street is 6.1 feet using the minimum front setback of ten feet for the vacant lot to the right of the property to determine the average depth. Representing the appeal is the owner.

2. Adjournment

7:45

front yard vs. front setback



PORTLAND MAINE

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Jeff Levine, AICP, Director

Marge Schmuckal, Zoning Administrator

RE: DECISION FOR INTERPRETATION APPEAL 5/16/13

FROM: ANN MACHADO, ZONING SPECIALIST *AM*

SUBJECT: 45 SUMMER STREET – 058-A-032 – R-6

DATE: MAY 23, 2013

On May 16, 2013 the Board determined that “because the vacant lot to the right of 45 Summer St. is vacant, it does not have a ‘front yard’ as defined in the ordinance. Therefore the resulting calculation of the setback was incorrect”.

As a result of this decision, Zoning has re-evaluated how the average depth of the front yards on either side of the lot is determined when one of the lots is vacant. Section 14-139(a)(4)(a) states “a front yard need not exceed the average depth of front yards on either side of the lot”. *Webster's II New College Dictionary* (Third Edition) defines average as “1. Math. b. the arithmetic mean”. It defines arithmetic mean as “the number obtained by dividing the sum of a given set of quantities by the number of the quantities in the set”. *Webster's II New College Dictionary* (Third Edition) defines either as “1. One or the other. 2. One and the other: *EACH*.” Since one lot is vacant, there is only one front yard of 2.2 feet to average, so the average depth is 2.2' feet ($2.2 / 1 = 2.2$). Therefore, the front yard for the new single family home at 45 Summer Street need not exceed 2.2'. The proposed front yard of 2.7 feet meets the front yard setback.

Webster's II

New College Dictionary

THIRD EDITION



Houghton Mifflin
Boston • New York

food by synthesis of inorganic materials, as in photosynthesis.
 autophagy (ô-tôf'ô-jî) *n.* [Fr. *autophagie* < *auto-* + *phagein* (to eat)] *n.* One who works in the automobile industry.
 autoworker (ô-tôw'ôrk'ô) *n.* One who works in the automobile industry.
 autumn (ô-tûm) *n.* [ME *autumpne* < OFr. < Lat. *autumnus*.] 1. The season of the year between summer and winter. 2. A period of maturity, decline, or decline. —*autumnal* (ô-tûm'nâl) *adj.* —*autumnally* (*ô-tûm'nâl-lî*) *adv.*
 autumn crocus *n.* A plant, indigenous to Europe and northern Africa, *Colchicum autumnale*; with pink or purplish flowers that bloom in the autumn.
 autunite (ô-tûn'î-tî) *n.* [After *Autun*, France.] A yellowish fluorescent mineral ore of uranium, $Ca(UO_2)_2(PO_4)_2 \cdot 10H_2O$.
 auxesis (ô-gz'e-sîs) (ôk'se-'sî) *n.* [Gk. *auxesis*, growth < *auxein*, to grow.] An increase in the size of a cell without cell division. —*auxetic* (ô-gz'e-'tîk) *adj.* —*auxetically* (*ô-gz'e-'tîk-lî*) *adv.*
 auxiliary (ô-gil'î-ôrî) (*ô-gil'î-ôrî*, -zîl'î-ôrî) *adj.* [Lat. *auxiliarius* < *auxilium*, help.] 1. Acting or capable of giving assistance or support. 2. Acting as a subsidiary. —*auxiliary* (*ô-gil'î-ôrî*) *n.* 1. A reserve force or unit of a military organization. 2. *Naut.* Equipped with a motor as well as sails. —*auxiliary* (*ô-gil'î-ôrî*) *n.* 1. An individual or group that assists or functions in an auxiliary capacity. 2. A member of a foreign body of troops serving a country in war. 3. An auxiliary verb. 4. *Naut.* A sailing vessel equipped with a motor. 5. A vessel, as a tug or supply ship, designed for and used in other than combat services.
 auxiliary verb *n.* A verb, as *have*, *can*, or *will*, that accompanies particular forms of another verb of a clause to form a phrasal unit expressing person, number, tense, mood, voice, or aspect.
 auxin (ôk'sîn) *n.* [Gk. *auxein*, to grow.] Any of several plant hormones for similar substances produced synthetically that affect growth by causing the development of larger, elongated cells. —*auxinically* (*ôk'sîn-lî*) *adv.*
 Av (ôv'ôb) also Ab (ôb, ôv, ôv) *n.* [Mishnaic Heb. 'ôb < Akkadian 'ôbî] The 17th month of the year in the Jewish calendar. —See table at CALENDAR.
 avail (ô-vâil) *v.* *availed*, *availing*, *avails* [ME *availen*: *a-* (intensive) + OFr. *valoir*, *vail*, to be worth < Lat. *valere*, to be strong.] —*vt.* To be of use or advantage to: HELP <Can anything avail us now?> —*vi.* To be of use, value, or advantage: SERVE. —*n.* Use, benefit, or advantage <Struggled to no avail> —*avail* (oneself) *of*. To make use of <Please avail yourself of our services.> —*availingly* (*ô-vâil'î-lî*) *adv.*
 available (ô-vâ-'ô-bl) *adj.* 1. Accessible for use: at hand. 2. Capable of being gotten: obtainable. 3. Having the qualities and the willingness to serve or assist <a list of available baby-sitters> 4a. *Chem.* Capable of being used in a chemical reaction. b. *Bot.* Capable of being used by plants as a nutrient. —*availability* (*ô-vâ-'ô-bil'î-tî*) *n.* —*availably* (*ô-vâ-'ô-bl-lî*) *adv.*
 avalanche (ôv'ô-lânc'h) *n.* [Fr. < dial. Fr. *avalantse*.] 1. A fall or slide of a large mass of material, as snow, rock, or earth, down a mountainside. 2. Something resembling an avalanche <an avalanche of protests> —*v.* *lanched*, *lanching*, *lanches* —*vi.* To fall, as an avalanche. —*vt.* To overwhelm.
 avalanche lily *n.* [So called because it grows near the snow line and blooms when the snow begins to melt.] A plant, *Erythronium montanum* of western North America, with white flowers.
 Avalon (ôv'ô-lôn) *n.* A legendary island paradise to which King Arthur went at his death.
 avant-garde (ôv'ônt-gârd) *n.* [Fr. *vanguard*.] A group active in the invention and application of new techniques in a given field, esp. in the arts. —*avant-garde* (*ôv'ônt-gârd*) *adj.*
 Avar (ôv'ôr) *n.*, pl. *Avars* or *Avars* 1. A member of a people whose empire, centered in southern Hungary, reached its peak in the late sixth and early seventh centuries. 2a. A member of a modern-day people of southern Dagestan and neighboring areas of Azerbaijan. b. Their Caucasian language.
 avarice (ôv'ô-rîs) *n.* [ME < OFr. < Lat. *avaritia* < *avarus*, greedy < *avere*, to desire.] Excessive desire for wealth: CUPIDITY.
 avaricious (ôv'ô-rîsh'ô-s) *adj.* Excessively greedy, esp. for wealth. —*avariciously* (*ôv'ô-rîsh'ô-s-lî*) *adv.* —*avariciousness* (*ôv'ô-rîsh'ô-s-nîs*) *n.*
 avast (ô-vâst) *interj.* *Naut.* —Used as a command to stop or desist.
 avatâr (ôv'ô-târ) *n.* [Skt. *avatârah*: *ava*, down + *tarati*, he crosses.] 1a. An incarnation or embodiment, as of a quality or concept. b. A varying manifestation or aspect of a particular entity. 2. The incarnation of: esp. a Hindu deity in human form.
 avant (ô-vônt) *interj.* [ME < OFr. *avant*. —see VANGUARD.] *Archaic.* —Used as a command to be gone.
 ave (ô-vâ) *n.* [Lat. *hail!*] 1. An expression of greeting or farewell. 2. Ave. The Ave Maria.
 Ave Maria (ôv'ô mârî-ô) *n.* [ME < Med. Lat., hail, Mary.] HAIL MARY.
 avenge (ô-vênj) *v.* *avenged*, *avenging*, *avenges* [ME *avengen* < OFr. *avengier*: *av-*, to < Lat. *ad-* + *vingere*, to vindicate < Lat. *vindicare*.] 1. To exact revenge or satisfaction for. 2. To take vengeance on behalf of. —*avenger* (*ô-vênj'ô*) *n.* —*avengingly* (*ô-vênj'ô-lî*) *adv.*

♦ *synonyms*: AVENGE, REDRESS, REPAY, REQUITE, VINDICATE *u. core meaning*: to exact revenge for <avenged their child's murder>
 avens (ôv'ônz) *n.*, pl. *avens* [ME *avence* < OFr.] 1. A plant of the genus *Gemm*, with irregularly shaped leaves, white, yellow, or reddish flowers, and plumed seed clusters. 2. A plant of the genus *Dryas* of mountainous and arctic regions, related to the avens.
 avenge (ô-vênj) *v.* *avenged*, *avenging*, *avenges* [ME *avengen* < OFr. *avengier*: *av-*, to < Lat. *ad-* + *vingere*, to vindicate < Lat. *vindicare*.] 1. To exact revenge or satisfaction for. 2. To take vengeance on behalf of. —*avenger* (*ô-vênj'ô*) *n.* —*avengingly* (*ô-vênj'ô-lî*) *adv.*
 aventure (ô-vên'tûr) (*ô-vên'tûr*, -rîn) also *aven-tu-rin* (-rîn) *n.* [Fr. < *aventure*, accident (so called because of its accidental discovery). —see ADVENTURE.] 1. An opaque or semitranslucent brown glass flecked with small metallic particles, often of copper or chromic oxide. 2. A variety of quartz or feldspar flecked with particles of mica, hematite, or other materials. —*aventurine* (*ô-vên'tûr'î-n*) *adj.*
 avenue (ô-vû) (*ô-vû*, -nyô) *n.* [Fr. < OFr., p. part. of *venir*, to approach < Lat. *advenire*, to come to. —see ADVENT.] 1. A wide street or thoroughfare. 2a. A broad roadway lined with trees. b. *Chiefly Brit.* The drive leading from the main road up to a country house. 3. A means of approach or access <new avenues of negotiation>
 aver (ô-vûr) *v.* *averred*, *averring*, *avers* [ME *averren* < OFr. *averer* < VLat. *averare*: Lat. *ad-*, to + Lat. *verus*, true.] 1. To declare positively: AFFIRM. 2. *Law*. a. To assert formally as a fact. b. To prove or justify. —*averment* (*ô-vûr'ment*) *n.* —*avertable* (*ô-vûr'tô-bl*) *adj.*
 average (ôv'ôr-ij, ôv'ôr'îj) *n.* [Obs. *averie*, shipping charges < OFr. *avarie*, damage to shipping < OItal. *avarìa* < Ar. *awâriyah*, damaged goods < *avar*, blemish.] 1. *Math.* a. A number that typifies a set of numbers of which it is a function. b. The arithmetic mean. 2. A typical or usual level, degree, or kind. 3. *Law*. a. The incurrence of and loss due to damage at sea to a ship or cargo. b. The equitable distribution of such a loss among concerned parties. c. Charges incurred through such a loss. 4. Small expenses or charges that are usu. paid by the master of a ship. —*adj.* 1. Of, relating to, or being a mathematical average. 2. Typical: usual <of average height> 3. Assessed in compliance with the laws of average. —*v.* *aged*, *aging*, *ages* —*vt.* 1. To calculate the average of. 2. To accomplish or obtain an average of <average \$20 a night in tips> 3. To distribute proportionately. —*vi.* 1. To be or amount to an average. 2. To buy or sell more goods or shares to obtain more than an average price.
 ■ *word history*: Average appears in English around 1500 as a maritime term referring in general to any expense, as a tax or loss from damage, over and above the cost of shipping freight. Such expenses were usually distributed proportionally among the interested parties in the venture. It is from the notion of the distribution of a sum to a number of persons that the idea of a mathematical average—the arithmetic mean—developed, and from this sense of a “mean” or “medium” figure the meanings “typical” and “usual” are derived.
 averse (ô-vûrs) *adj.* [Lat. *aversus*, backward, p. part. of *avertere*, to avert.] 1. Having a feeling of great distaste or aversion <was averse to being in crowds> 2. *Bot.* Turned away from the central stem or axis. —*aversely* (*ô-vûrs-lî*) *adv.* —*averseness* (*ô-vûrs-nîs*) *n.*
 aversion (ô-vûr'zhôn, -shôn) *n.* 1. Intense dislike. 2. A feeling of extreme repugnance. 3. *Archaic.* One that is an object of aversion. 4. *Obs.* The act of averting or turning away.
 aversion therapy *n.* A therapy designed to modify antisocial habits or harmful addictions by creating a strong association with a disagreeable stimulus.
 aversive (ô-vûr'sîv, -zîv) *adj.* Causing avoidance of a thing, situation, or behavior by using an unpleasant or punishing stimulus, as in techniques of behavior modification. —*aversively* (*ô-vûr'sîv-lî*) *adv.*
 avert (ô-vûrt) *v.* *averted*, *averting*, *averts* [ME *averten* < OFr. *avertir* < Lat. *avertere*: *ab-*, away-from + *vertere*, to turn.] 1. To turn away <avert one's face> 2. To ward off or prevent <avert catastrophe> —*avertible* (*ô-vûrt'î-bl*) *adj.*
 Avesta (ô-vêst'ô) *n.* [SHORT for ZEND-AVESTA.] The body of sacred writings of the Zoroastrian religion.
 Avestan (ô-vêst'ôn) *n.* The eastern dialect of Old Iranian and the language of the Avesta. —*adj.* Of or relating to the Avesta or Avestan.
 avgas (ôv'gâs) *n.* [*aviation gasoline*.] Gasoline formulated for use in piston-driven airplanes.
 avian (ôv'ô-ên) *adj.* [Lat. *avis*, bird.] Of, relating to, or typical of birds.
 aviary (ôv'ô-êr'î) *n.*, pl. *-ies* [Lat. *aviarium* < *avis*, bird.] A large enclosure or cage for birds. —*avian* (*ô-v'ô-ên*) *adj.*
 aviation (ôv'ô-ô-shôn, ôv'ô-ê-) *n.* [Fr. < Lat. *avis*, bird.] 1. The operation of aircraft. 2. The production of aircraft. 3. Military aircraft.
 aviation medicine *n.* The branch of medicine including aeromedicine and space medicine.
 aviator (ôv'ô-ô-tôz, ôv'ô-ê-) *n.* [Fr. *aviateur* < *aviation*, *aviation*.] One who operates an aircraft: PILOT.
 aviator glasses *pl. n.* Tinted eyeglasses with a lightweight metal frame.
 aviatrix (ôv'ô-ô-trîks, ôv'ô-ê-) *n.* A woman who operates an aircraft.
 aviculture (ôv'ô-kûl'chôr, ôv'ô-ê-) *n.* [Lat. *avis*, bird + *culture*.] The raising or keeping of birds. —*aviculturist* (*ôv'ô-kûl'chôr-îst*) *n.*
 avid (ôv'îd) *adj.* [Fr. *avide* < Lat. *avidus* < *avere*, to desire.] 1. Ardently eager or greedy <avid for excitement> 2. Marked by great enthusiasm <an avid bicyclist> —*avidly* (*ôv'îd-lî*) *adv.*

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 oi buy ou out oo rook oor lure oo boor th thin th this ù cut ùr urge zh vision ò about, item

a. The independent variable of a function. b. The amplitude of a complex number. 6. *Computer Sci.* A value used to evaluate a procedure or subroutine. 7. *Ling.* In generative grammar, any of various positions occupied by a noun phrase in a sentence.

ar-gu-men-ta-tion (är'gyə-mén-tā'shan) *n.* 1. Presentation and elaboration of an argument. 2. Deductive reasoning in debate. 3. A debate.

ar-gu-men-ta-tive (är'gyə-mén'tā-tiv) *adj.* 1. Given to arguing. 2. Of or marked by argument. —*ar'gu-men'ta-tive-ly adv.*

ar-gu-men-tum (är'gyə-mén'təm) *n., pl. -ta (-tə)* [Lat. —see ARGUMENT.] *Logic.* An argument, demonstration, or appeal to reason.

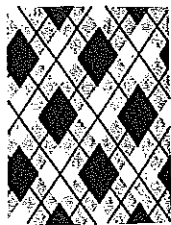
Ar-gus (är'gʌs) *n.* [Lat. < Gk. Argos.] 1. *Gk. Myth.* A hundred-eyed giant who was made guardian of Io and was later slain by Hermes. 2. A watchful person; GUARDIAN.

Ar-gus-eyed (är'gʌs-id') *adj.* Highly observant and alert.

argus pheasant *n.* [After Argus, whose hundred eyes were given to a peacock's tail.] A large bird, *Argusianus argus* of southern Asia and the East Indies, bearing long tail feathers marked with brilliantly colored eye-like spots.

ar-gy-bar-gy (är'gē-bär'gē) *n.* [Sc., prob. var. of E. *argle-bargle*, redup. of *argle*, to argue obstinately, prob. < ARGUE. —see ARGUE.] *Chiefly Brit.* A lively or disputatious discussion; WRANGLE.

ar-gyle also **ar-gyll** (är'gyl') *n.* [After Campbell of Argyle, orig. from the pattern of their tartan.] 1. A knitting pattern of varicolored, diamond-shaped areas on a solid color background. 2. A stocking knit in an argyle pattern.



argyle

Ar-gy-rol (är'jə-röl', -röl') A trademark for a dark-brown silver-protein compound used as a local antiseptic.

ar-hat (är'hat) *n.* [Skt. < pr.p. of *arhati*, he deserves.] A Buddhist who has achieved enlightenment. —*ar'hat-ship' n.*

a-ri-a (ä'rē-ə) *n.* [Ital., melody < Lat. *aria*, air.] 1. A melody. 2. A solo, often elaborate vocal piece with instrumental accompaniment, as in an opera.

Ar-i-ad-ne (är'ē-äd'nē) *n.* [Gk. *Ariadne*,] *Gk. Myth.* The daughter of Minos and Pasiphae who gave Theseus the thread with which to find his way out of the Minotaur's labyrinth.

Ar-i-an (är'ē-ən, är'-) *adj.* Relating to Arianism. —*n.* A believer in Arianism.

-arian *suff.* [Lat. *-arius, -ary* + *-AN*.] Advocate or promoter of <utilitarian>

Ar-i-an-ism (är'ē-ə-niz'm, är'-) *n.* The doctrines of Arius, holding that Jesus was not of the same substance as God but was only the highest of created beings, viewed as heretical by most Christian churches.

ar-id (är'id) *adj.* [Lat. *aridus* < *arere*, to be dry.] 1. Lacking moisture, esp. because of insufficient rainfall: DRY. 2. Lacking interest or spirit: DULL. —*ar'id-ly* (ə-rid'li-tē), *ar'id-ness n.*

Ar-ies (är'ēz', är'ē-ēz') *n.* [Lat. *aries*, ram.] 1. A constellation in the Northern Hemisphere. 2a. The first sign of the zodiac. b. One born under this sign.

a-ri-el-ta (ä'rē-ēt'a) also **a-ri-ette** (-ēt') *n.* [Ital., dim. of *aria*, aria.] A short aria.

a-right (ə-rīt') *adv.* [ME < OE *aribt*: *a-*, on + *riht*, right.] Rightly.

ar-il (är'əl) *n.* [Med. Lat. *arillus*, grape stone.] An outer covering or appendage of some seeds, arising at or near the hilum. —*ar'iled adj.*

ar-i-o-so (ä'rē-ō'sō, -zō) [Ital. < *aria*, aria.] *Mus.* —*adv.* In the style of an aria. —Used as a direction. —*adj.* Resembling an aria. —*n., pl. -sos* An *arioso* passage or composition.

a-rise (ə-rīz') *vi.* **a-rose** (ə-rōz'), **a-ris-en** (ə-rīz'ən), **a-ris-ing**, **a-ris-es** [ME *arisen* < OE *ārisan*: *a-*, intensive pref. + *risan*, to rise. —see RISE.] 1. To get up, as from a sitting or reclining position. 2. To awaken and get up <arose at dawn> 3. To move upward: ASCEND <smoke arising from chimneys> 4. To come into being: ORIGINATE <customs that arise in antiquity> 5. To result, issue, or proceed <discontent arising from poverty>

a-ris-ta (ə-ris'tə) *n., pl. -tae (-tē) or -tas* [Lat., beard of grain.] A bristlelike part or process. —*a-ris'tate' (-tāt') adj.*

ar-is-toc-ra-cy (är'i-stōk'ra-sē) *n., pl. -des* [Ofr. *aristocratie*, government by the best <LLat. *aristocratia* < Gk. *aristokratia*: *aristos*, best + *kratos*, power.] 1. A hereditary privileged ruling class or nobility. 2a. Government by the nobility or by a privileged upper class. b. A state or country having this form of government. 3a. Government by the best citizens. b. A state having this form of government. 4. A

group or class viewed as superior.

a-ris-to-crat (ə-ris'tə-krāt', är'is-) *n.* [Fr. *aristocrate* < *aristocratie*, aristocracy < Ofr.] 1. A member of the aristocracy. 2. One having characteristics, as tastes, opinions, and manners, of the aristocracy. 3. One advocating government by the aristocracy. —*a-ris'to-crat'ic, a-ris'to-crat'i-cal adj.* —*a-ris'to-crat'i-cal-ly adv.*

Ar-is-to-te-li-an also **Ar-is-to-te-le-an** (är'i-stā-tē'lē-ən, -tēl'yən) *adj.* Of or relating to Aristotle or his philosophy. —*n.* 1. A follower of Aristotle or his teachings. 2. One who is empirical or scientific in thought or methods. —*Ar'is-to-te-le-an-ism n.*

Aristofelian logic *n.* 1. Aristotle's deductive method of logic, esp. the theory of the syllogism. 2. The formal logic based on Aristotle's and dealing with the relations between propositions in terms of their form instead of their content.

a-rith-me-tic (ə-rith'mē-tik) *n.* [ME *arismetike*, Ofr. *arismetique* < Med. Lat. *arismetica*, alteration of Lat. *arithmetica* < Gk. *arithmētikē* (tekhnē), (art) of counting < fem. of *arithmētikos* < *arithmeîn*, to count < *arithmos*, number.] 1. The mathematics of integers, rational numbers, real numbers, or complex numbers under addition, subtraction, multiplication, and division. 2. A book on arithmetic. —*a-rith-mē-tic (är'ith-mēt'ik), a-rith-met-i-cal (-i-kəl) adj.* —*a-rith-met'i-cal-ly adv.* —*a-rith'met'i-dan (-tish'on) n.*

a-rith-met-ic mean (är'ith-mēt'ik) *n.* The number obtained by dividing the sum of a given set of quantities by the number of quantities in the set.

a-rith-met-ic progression (är'ith-mēt'ik) *n.* A sequence, such as the positive odd integers 1, 3, 5, 7, . . . , in which each term after the first is formed by adding a constant to the preceding term.

-arium *suff.* [Lat., neuter of *-arius, -ary*.] A place or device containing or associated with <planetarium>

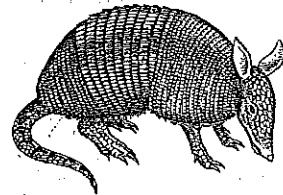
ark (ärk) *n.* [ME < OE *arc* < Lat. *arca*, chest.] 1. The chest containing the Ten Commandments written on stone tablets, carried by the Hebrews during their desert wanderings. 2. The Holy Ark. 3. The boat God commanded Noah to build for shelter during the Flood. 4. A large, commodious boat. 5. A shelter or refuge.

arm (ärm) *n.* [ME < OE *earn*.] 1. An upper limb of the human body, connecting the hand and wrist to the shoulder. 2. An armlike part, as the forelimb of an animal or a long part projecting from a central support in a machine. 3. Something meant to cover or support the human arm, as a sleeve on clothing or a projection on a piece of furniture. 4. Something branching out from a large mass <an arm of the ocean> 5. An administrative or functional branch, as of an organization. 6. Power or authority. —Used esp. in the phrase *the long arm of the law*. 7. *Sports.* The skill of throwing or pitching a ball well. —*an arm and a leg.* An extravagant amount <a vacation that cost an arm and a leg> —*with open arms.* With great cordiality and hospitality —*armed (ärmd) adj.* —*arm'like adj.*

arm (ärm) *n.* [ME *arnes* < Ofr. < Lat. *arma*.] 1. A weapon, esp. a firearm. 2. A branch of a military force, as the infantry. 3. *Arms.* Warfare. 4. *arms. a.* Heraldic bearings. b. Insignia, as of a state, official, family, or organization. —*vi.* 1. To supply or equip oneself with arms. 2. To prepare oneself for or as if for warfare or conflict. —*vt.* 1. To equip with weapons. 2. To prepare for war. 3. To provide with something that strengthens or promotes efficiency: FORTIFY <armed with righteous indignation> 4. To prepare (e.g., a bomb) for detonation. —(up) in arms. Provoked and ready to fight: INDIGNANT <up in arms over higher taxes> —*armed (ärmd) adj.* —*arm'er n.*

ar-ma-da (är-mä'də, -mä'-) *n.* [Sp. < Med. Lat. *armata* < Lat. *armatus*, armed, p.part. of *armare*, to arm < *arma*, arms.] 1. A fleet of warships. 2. A large group of moving things.

ar-ma-dil-lo (är'mə-dil'ō) *n., pl. -los* [Sp., dim. of *armado*, armored] p.part. of *armar*, to arm < Lat. *armare* < *arma*, arms.] Any of several omnivorous, burrowing mammals of the family Dasypodidae of southern North America and South America, with an armorlike covering of jointed, bony plates.



armadillo
Nine-banded armadillo

Ar-ma-ged-don (är'mə-géd'n) *n.* [LLat. *Armagedon* < Gk. < Heb. *megiddōn*, mountain district of Megiddo, the site of several battles mentioned in the Bible.] 1. The scene of a final battle between the forces of good and evil, prophesied in the Bible to take place at the end of the world. 2. A decisive conflict.

Ar-ma-gnac (är'mə-näk') *n.* [Fr., after *Armagnac*, a region in southwest France.] A dry brandy.

ar-ma-ment (är'mə-mənt) *n.* [Lat. *armamenta*, tools < *arma*, arms.] 1. Weapons and equipment of war. 2. *often armaments.* All the

- e.gis** (ē'jis) *n.* var. of AEGIS.
- eg-lan-tine** (ēg'lan-tin', -tēn') *n.* [ME *eglintin* < OFr. *aiglent*, prob. ult. < Lat. *acus*, needle.] The sweetbrier.
- e-go** (ē'gō, ēg'ō) *n.* [NLat. < Lat., I.] 1. The self, esp. as distinct from the world and other selves. 2. *Psychoanal.* In Freudian theory, the part of the psyche that is conscious, most directly controls thought and behavior, and is most aware of external reality. 3a. An exaggerated sense of self-importance. b. Appropriate pride in oneself: SELF-ESTEEM.
- e-go-cen-tric** (ē'gō-sen'trik, ēg'ō-) *adj.* 1. Having the view that the ego is the center, the object, and norm of all experience. 2. Self-centered: selfish. 3. *Philos.* Seen or perceived from one's own mind as a center. —**e-go-cen'tric** *n.* —**e-go-cen'tric** /i-ty (-tris'i-tē) *n.*
- ego ideal** *n.* In psychoanalysis, the entirety of an individual's positive identifications with loving, reassuring parents or parental substitutes, regarded as a differentiated component of the mature ego.
- e-go-ism** (ē'gō-iz'm, ēg'ō-) *n.* 1a. The ethical doctrine that morality is based on self-interest. b. The ethical belief that self-interest is the proper motive for all human conduct. 2. Egotism: conceit.
- e-go-ist** (ē'gō-ist, ēg'ō-) *n.* [Fr. *égoïste* < *égo*, ego < Lat. *ego*, I.] 1. One devoted to one's own interests and advancement. 2. An adherent of egoism. 3. EGOTIST 2. —**e-go-ist** /ic, **e-go-ist** /i-cal *adj.* —**e-go-ist** /i-cal-ly *adv.*
- e-go-ma-ni-a** (ē'gō-mā'nē-ə, -mān'yə, ēg'ō-) *n.* Obsession with the self. —**e-go-ma-ni-ac** (-nē-āk') *n.* —**e-go-ma-ni-a-cal** (-mā-ni'ə-kəl) *adj.* —**e-go-ma-ni-a-cal-ly** *adv.*
- e-go-tism** (ē'gō-tiz'm, ēg'ō-) *n.* [EGO + *-tism*, as in *nepotism*.] 1. The tendency to refer to oneself in a boastful and excessive way. 2. An extreme sense of self-importance: CONCEIT.
- e-go-tist** (ē'gō-tist, ēg'ō-) *n.* 1. A conceited, boastful, self-absorbed person. 2. One who acts selfishly: EGOIST. —**e-go-tist** /ic, **e-go-tist** /i-cal *adj.* —**e-go-tist** /i-cal-ly *adv.*
- ♦ **synonyms:** EGOTIST, EGOCENTRIC, EGOIST, EGOMANIAC, NARCISSIST *n.* **core meaning:** a conceited, self-absorbed person < Powerful people are often egotists. >
- ego trip** *n.* *Slang.* Something that gratifies the ego.
- e-go-trip** (ē'gō-trip', ēg'ō-) *vi.* -tripped, -trip-ping, -trips *Slang.* To behave in an egotistic or self-seeking way. —**e-go-trip** /per *n.*
- e-gre-gious** (i-grē'jəs, -jē-əs) *adj.* [Lat. *egregius*, distinguished; *ex-*, out from + *grex*, herd.] Outstandingly bad: BLATANT. —**e-gre-gious-ly** *adv.* —**e-gre-gious-ness** *n.*
- e-gress** (ē'grēs') *n.* [Lat. *egressus* < *egredi*, to go out; *ex-*, out + *gradi*, to go.] 1. The act of going out: EMERGENCE. 2. The right of going out. 3. An opening or means of going out: EXIT. 4. *Astron.* Emergence of a celestial body from eclipse or occultation.
- e-gres-sion** (i-grēsh'ən) *n.* Egress.
- e-gret** (ē'grit, ēg'rit) *n.* [ME < OFr. *aigrette* < Prov. *aigreta* < *agrion*, heron, of Germanic orig.] Any of several usu. white wading birds of the genera *Bubulcus*, *Casmerodius*, *Leucophoyx*, and related genera, with long, drooping plumes during the breeding season.
- E-gyp-tian** (i-jip'shan) *n.* 1. A native or resident of Egypt. 2. The Afro-Asiatic language of the ancient Egyptians. —**E-gyp'tian** *adj.*
- Egyptian clover** *n.* Berseem.
- Egyptian cotton** *n.* A fine, long-staple cotton grown chiefly in northern Africa.
- E-gyp-tol-o-gy** (ē'jip-tō'l'ə-jē) *n.* The study of the culture and artifacts of the ancient Egyptian civilization. —**E-gyp-tol'o-gist** *n.*
- eh** (ā, ē) *interj.* 1. —Used interrogatively <Eh? What is this? > 2. —Used in asking for confirmation <Quite a big job, eh? >
- ei-co-sa-pen-ta-e-no-lic acid** (i'kō-sā-pen'tə-ī-nō'lik) *n.* [Gk.: *eikosa-*, twenty, from its twenty carbon atoms + *-pentaen(e)*, having five double bonds (PENTA- + *-ENE*) + *-OIC*.] An omega-3 fatty acid found in fish oils.
- Eid al-Fitr** (īd əl-fit'ər) *n.* var. of 'ID AL-FITR.
- el-der** (ī'dər) *n.* [Ult. < Icel. *æðhur* < ON *æðhr*.] A sea duck of the genus *Somateria* or related genera of northern regions, with soft, commercially valuable down and mostly black and white plumage in the males.
- el-der-down** also **elder down** (ī'dər-doun') *n.* 1. The down of the elder duck, used to stuff quilts and pillows. 2. A quilt stuffed with elder-down. 3. A warm, napped fabric.
- ei-det-ic** (ī-dēt'ik) *adj.* [G. *eidētisch* < Gk. *eidētikos*, relating to images < *eidēsis*, knowledge < *eidos*, form.] Of, relating to, or characterized by extremely detailed and vivid recall of visual images. —**ei-det-i-cal-ly** *adv.*
- ei-dō-lon** (ī-dō'lon) *n.*, *pl.* -lons or -la (-lə) [Gk. *eidōlon* < *eidos*, form.] 1. A phantom: apparition. 2. An image of an ideal.
- eight** (āt) *n.* [ME *eighte* < OE *eahta*: akin to G. *acht*, Lat. *octo*, Gk. *oktō*, Skt. *aṣṭā*.] 1. The cardinal number equal to 7 + 1. 2. The eighth in a set or sequence. 3. Something having eight parts, units, or members, esp.: a. An eight-oared racing shell. b. An eight-cylinder automobile or engine. —**eight** *adj.* & *pron.*
- eight ball** *n.* A black pool ball bearing the number eight that may place a player at a disadvantage. —**behind the eight ball** *Slang.* In a disadvantageous or uncomfortable position.
- eight-teen** (ā-tēn') *n.* [ME *eighttene* < OE *eahtatiene*.] 1. The cardinal number equal to 17 + 1. 2. The 18th in a set or sequence. —**eight-teen** *adj.* & *pron.*

- eight-teen-mo** (ā-tēn'mō) *n.*, *pl.* -mos An octodecimo.
- eight-eenth** (ā-tēnth') *n.* 1. The ordinal number matching the number 18 in a series. 2. One of 18 equal parts. —**eight-eenth** *adj.* & *adv.*
- eighth** (āth, āth) *n.* [ME < OE < *eahta*, eight.] 1. The ordinal number matching the number eight in a series. 2. One of eight equal parts. —**eighth** *adj.* & *adv.*
- eighth note** *n.* *Mus.* A note with one-eighth the time value of a whole note.
- eight-i-eth** (ā'tē-itch) *n.* 1. The ordinal number matching the number 80 in a series. 2. One of 80 equal parts. —**eight-i-eth** *adj.* & *adv.*
- eight-vo** (āt'vō') *n.*, *pl.* -vos [EIGHT + (OCTA)VO.] An octavo.
- eight-y** (ā'tē) *n.*, *pl.* -les [ME *eighti* < OE *hundeahtatig*: *hund*, hundred + *eahta*, eight + *-tig*, -ty.] 1. The cardinal number equal to 8 x 10. 2. *Eighties*, a. A decade or the numbers from 80 to 89. b. *often Eighties*. The decade from 80 to 89 in a century. —**eight-y** *adj.* & *pron.*
- eight-y-eight** (ā'tē-āt') *n.* [Sense 3 < the number of its keys.] 1. A high-velocity currency with a caliber of 88 millimeters, used by German troops during World War II. 2. An artillery shell, esp. one fired by this gun. 3. *Slang.* A piano.
- eln suff.** [Alteration of *-in*.] A chemical compound related to a compound with a similar name ending in *-in* < *phthalein*.
- ein-korn** (in'kōrn') *n.* [G. *Einkorn*: *ein*, one < (OHG) + *Korn*, grain < (OHG).] A one-seeded wheat, *Triticum monococcum*, grown in arid regions.
- ein-stein-i-um** (in-stīn'ē-əm) *n.* [After Albert Einstein (1879-1955)] Symbol **Es** A synthetic element first produced by neutron irradiation of uranium in a thermonuclear explosion; atomic number 99, longest-lived isotope **Es** 254.
- eis-tedd-fod** (ā-stēth'vōd, ēs-tēth'-) *n.* [Welsh: *eistedd*, to sit < *sedd*, seat + *bod*, to be.] An annual assembly of Welsh musicians and poets.
- ei-ther** (ē'thər, ī'thər) *pron.* [ME < OE *æther*, *æghwæther*.] One of the other. —**conj.** —Used before the first of two or more coordinated clauses linked by *or* <Either we go now, or stay here all day. > 1. One or the other <Use either tool. > 2. One and the other <repairs on either side of the highway. > —**adv.** Also: *likewise*. —Used as an intensifier following negative statements <If you don't diet, I won't either. > **usage:** In a sentence whose subject is one of the elements of an *either* . . . or construction, the verb is singular when both elements of the construction are singular (<Either the doctor or the nurse knows the answer >) and plural when both elements are plural (<Either the lords or the hunters are liars >). A problem arises when one of the linked elements is singular and the other plural; traditionalists insist that rephrasing is the only solution. It has also been suggested that the verb should agree with the closest element of the construction, as in *Either she or the boys are going*.
- either-or** (ē'thər-ər, ī'thər-) *adj.* Characterized by a choice between only two possibilities <We found ourselves caught in an either-or situation. >
- e-jac-u-late** (ī-jäk'yə-lāt') *v.* -lat-ed, -lat-ing, -lates [Lat. *ejaculat*: *ex-*, out + *jaculari*, to throw < *jaculum*, dart.] To discharge abruptly, esp. to discharge (semen) in orgasm. —**vi.** To ejaculate suddenly and passionately: EXCLAIM. —**vi.** To ejaculate (semen) suddenly and passionately: EXCLAIM. —**vi.** To ejaculate (semen) suddenly and passionately: EXCLAIM. —**vi.** To ejaculate (semen) suddenly and passionately: EXCLAIM.
- e-jac-u-lation** (ī-jäk'yə-lā'shən) *n.* 1. The act of ejaculating. 2. An abrupt discharge of fluid, esp. of seminal fluid. 3a. A sudden utterance: EXCLAMATION. b. A brief, pious utterance of prayer.
- e-jac-u-la-to-ry** (ī-jäk'yə-lə-tōr'ē) *adj.* 1. Of or relating to ejaculation. 2. Relating to or constituting a sudden, brief utterance.
- e-ject** (ī-jēkt') *v.* **e-ject-ed, e-ject-ing, e-jects** [ME *eject*: *ex-*, out + *jacere*, to throw.] —**vt.** 1. To drive out forcibly. 2a. To force to leave. b. To evict. —**vi.** To make an ejection from a fighter aircraft by ejection seat or capsule.
- ♦ **synonyms:** EJECT, BOOT (out), BOUNCE, CHUCK, DISMISSE, EXPEL, KICK OUT, OUST, THROW OUT *v.* **core meaning:** to drive out force <ject a tenant from an apartment. >
- e-ject-ile** (ī-jēkt'īl) *pl.n.* [NLat. < Lat. *ejectus*, p. part. of *ejicere*, to eject. — see **EJECT**.] Ejected matter, such as that from an ejection seat.
- e-jection** (ī-jēk'shən) *n.* 1. The act of ejecting or state of being ejected. 2. Ejected matter.
- ejection seat** *n.* A seat made to eject the occupant from an aircraft during an in-flight emergency.
- e-ject-ment** (ī-jēkt'mənt) *n.* 1. The act of ejecting. 2. An action to regain possession of real estate held by a tenant.
- e-jector** (ī-jēkt'ər) *n.* 1. One that ejects. 2. A device that ejects the empty shell after each firing.
- eke** (ēk) *vt.* **eked, ek-ing, ekes** [ME *eken*, to increase.] To supplement with great effort <eked out my income. > 2. To earn with great effort or strain: *eke out* (work). 3. To make (a supply) last by economy.
- eked** (ēk) *adv.* [ME < OE *ēc*.] *Archais.* Also: *eke*.
- e-kis-tics** (ī-kis'tiks) *n.* [Gk. *oikistikos*, of settlement, settle < *oikos*, house.] (*sing.* in number) The study of settlements, including city planning and design.
- el** (ēl) *cal adj.* —**ek** /is'ti'cian (ēk'ī-stish'ən) *n.*
- el'** also **ell** (ēl) *n.* The letter l.

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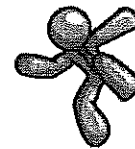
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Answer:

If you mean duplicates of the same number, then that number is the average. If it is one number, it is the number's value itself. For example the average of four fours (4, 4, 4, 4) is four itself. Alone, the average of 4 is just 4. Is that what your question is?

Did we answer your question?

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- Partially

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Best Answer - Chosen by Voters

Average? You cannot take the average of one sole number. If you were saying a temperature of 72 degrees every hour, then you could do it (the answer would obviously be 72). You will need to be more specific, for you question cannot be done. Otherwise, it is 72. That is the only number given. Other wie use the formula: sum/number of integers. That would be $72/1$, which still gives 72.

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TO: CHAIR AND MEMBERS OF THE ZONING BOARD OF APPEALS

FROM: ANN MACHADO, ZONING SPECIALIST *AM*

SUBJECT: 45 SUMMER STREET – 058-A-032 – R-6

DATE: MAY 9, 2013

This appeal is in regard to the applicant's building permit application (#2013-00720) received on April 12, 2013 to build a new single family home at 45 Summer Street. The proposed house does not meet the minimum front yard setback requirement outlined in section 14-139(a)(4)(a).

In October of 2009, Mark McCain applied for a demolition permit to demolish an existing single family home at 45 Summer Street. An inspection by Code Enforcement Officer Suzanne Hunt confirmed that the demolition was completed by January 11, 2010. The house that was demolished was legally nonconforming to the required setbacks for the R-6 Zone. When the demolition permit was issued, under the Zoning Conditions of Approval the condition stated: "Your present structure is legally nonconforming as to setbacks. If you are to demolish this structure on your own volition, you will only have one (1) year to replace it in the same footprint (no expansions), with the same height and same use. Any change to any of the above shall require that this structure meet the current zoning standards. The one (1) year starts at the time of the removal." (See Exhibit 1) Since Mr. McCain did not rebuild the single family home within a year, he must follow the current zoning standards for the R-6 zone for his new single family home.

As I wrote in my letter dated April 29, 2013 (Exhibit 2), "section 14-139(a)(4)(a) (Exhibit 3) states that the minimum setback for the front yard is ten feet but 'a front yard need not exceed the average depth of front yards on either side of the lot' ". As stated in the ordinance, the average is based on the depth of front yards on either side of the subject lot. It does not state that the average depth is based on the neighbors' setbacks up and down the street.

The lot to the right of 45 Summer Street is vacant. Mr. McCain has stated that "a vacant lot does not have a front yard, side yard or backyard". The ordinance is specific in setting out minimum front, rear and side setbacks for a lot in the R-6 zone. These minimum setbacks exist whether a lot is developed or not. As stated in the ordinance, "the minimum setback for the front yard is ten feet", so if a lot is vacant then the minimum setback of ten feet must be averaged with the existing setback of the building on the left of 45 Summer Street to find the average depth.

Exhibit 1

City of Portland, Maine - Building or Use Permit

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 0911-35	Date Applied For: 10/09/2009	CBL: 058 A032001
-----------------------	---------------------------------	---------------------

Location of Construction: 45 SUMMER ST	Owner Name: MaCain Mark	Owner Address: 31 Mill Street	Phone: 207-846-0697
Business Name:	Contractor Name: YSS Inc Ed Stowell	Contractor Address: 165 Mountfort Road North Yarmouth	Phone (207) 846-4299
Lessee/Buyer's Name	Phone:	Permit Type: Demolitions - Building	

Proposed Use: Vacant Lot - Demolish house, grade and seed lot New house to be built in +/- 2 years	Proposed Project Description: Demolish house, grade and seed lot New house to be built in +/- 2 years
---	--

Dept: Zoning **Status:** Approved w/Conditions **Reviewer:** Ann Machado **Approval Date:** 10/14/2009
Note: Applicant has submitted documentation that the lot is a lot of record. (See public immages under the CBL). **Ok to Issue:**
 A house can be built on the lot following the conditions under section 14-433 for the R-6 zone.

1) Your present structure is legally nonconforming as to setbacks. If you are to demolish this structure on your own volition, you will only have one (1) year to replace it in the same footprint (no expansions), with the same height, and same use. Any changes to any of the above shall require that this structure meet the current zoning standards. The one (1) year starts at the time of removal. It shall be the owner's responsibility to contact the Code Enforcement Officer and notify them of that specific date.

Dept: Building **Status:** Approved w/Conditions **Reviewer:** Tom Markley **Approval Date:** 11/02/2009
Note: **Ok to Issue:**

1) Demolition permits are valid for a period of 30 days from the date of issuance. A written request must be submitted and granted for an extension to this time period. Dust prevention shall be controlled per Chapter 6 of the Municipal Ordinance

2) Demo permit only! Construction requires seperate permits.

3) Demolition permit only. No other construction activities allowed.

4) Application approval based upon information provided by applicant. Any deviation from approved plans requires separate review and approrval prior to work.



PORTLAND MAINE

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Jeff Levine, AICP, Director
Marge Schmuckal, Zoning Administrator

April 29, 2013

Mark McCain
49 Summer Street
Portland, ME 04102

Re: 45 Summer Street – 058-A-032 – R-6 Residential Zone – Permit #2013- 00720 New Single Family Home

Dear Mr. McCain,

I have finished my zoning review of your application to build a new single family home at 45 Summer Street. There was a previous building on this lot that you demolished in 2009 (#09-1135). When the building was demolished you provided a chain of title to show that the lot was a lot of record. On the application you also stated a "new house to be built in +/- two years". When the demolition permit was issued the note under the Zoning approval stated "Applicant has submitted documentation that the lot is a lot of record. A house can be built on the lot following the conditions under section 14-433 for the R-6 zone".

Section 14-433 defines a lot of record as a lot that existed as of "June 5, 1957, and held under separate and distinct ownership from adjacent lots and having a street frontage of forty (40) feet...may be considered a buildable lot in any residential zone...with a minimum lot size of five thousand (5,000) square feet except that a lot in the R-6 zone may have a minimum lot size of three thousand (3,000) square feet provided that the applicable yard dimensions can be met".

The lot at 45 Summer Street meets the minimum lot size and street frontage requirements for a lot of record. The R-6 yard dimensions are outlined in section 14-139a)(4). The proposed house meets the required rear and side yard setbacks, but it does not meet the required front yard setback. Section 14-139(a)(4)(a) states that the minimum setback for the front yard is ten feet, but "a front yard need not exceed the average depth of front yards on either side of the lot". The front yard for the lot to the left of 45 Summer is setback 2.2 feet from the property line. The lot to the right of 45 Summer is vacant so the minimum front yard setback of ten feet must be used to obtain the average depth of the front yards on either side. The average of 2.2 feet and 10 feet is 6.1 feet. Therefore the front yard for 45 Summer Street needs to be a minimum of 6.1 feet from the property line. The proposed house scales at 2.7 feet. Since the minimum front yard setback is not being met, I must deny the building permit at this time.

You have the right to appeal my decision. If you wish to exercise your right to appeal, you have thirty (30) days from the date of this letter in which to appeal. If you should fail to do so, my decision is binding and not subject to appeal.

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

Yours truly,

A handwritten signature in black ink, appearing to read 'A B Machado', with a long horizontal flourish extending to the right.

Ann B. Machado
Zoning Specialist
(207) 874-8709

Cc: file

Exhibit 3

City of Portland
Code of Ordinances
Sec. 14-139

Land Use
Chapter 14
Rev. 3-4-13

- b. *Minimum rooming unit areas for lodging houses:* Two hundred (200) square feet of combined rooming unit and common area for each rooming unit. Each individual rooming unit shall be a minimum of eighty (80) square feet.
 - c. *Minimum land area per lodging house rooming unit:* Two hundred fifty (250) square feet.
 - d. *Minimum land area per intermediate care facility resident:* Eight thousand (8,000) square feet for the first thirty-five (35) residents, plus three hundred fifty (350) square feet for each additional resident.
3. *Minimum street frontage:* Forty (40) feet.

4. *Minimum yard dimensions:* (Yard dimensions include setbacks of structures from property lines and setbacks of structures from one another. No structure shall occupy the minimum yard of another structure.)

a. *Front yard:*

Principal or accessory structures: Ten (10) feet.

A front yard need not exceed the average depth of front yards on either side of the lot. A lot of record existing as of June 5, 1957, and less than one hundred (100) feet deep need not be deeper than twenty (20) percent of the depth of the lot.

b. *Rear yard:*

i. Principal and attached accessory structures with ground coverage greater than one hundred (100) square feet: Twenty (20) feet.

ii. Detached accessory structures with a ground coverage of one hundred and forty-four (144) square feet or less: Five (5) feet.

iii. Setbacks for swimming pools shall be as provided for in section 14-432 (swimming pools) of this article.



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Jeff Levine, AICP, Director
Marge Schmuckal, Zoning Administrator

May 15, 2013

I have attached setback wordage from other zones (business) that described a different method of how to determine front averaging for required setbacks. The method described is different than that provided for the R-6 front averaging setback requirements. I cannot assume that zoning should apply a different zone methodology for determining setbacks than what is written within the actual zone in which the property is located..

1. Maximum front yard: B-1

Principal or accessory structure: The maximum front yard setback shall either be: (i) ten feet; or (ii) in cases where the average depth of the front yards of the nearest developed lots on either side of the lot in question is less than ten feet, the front yard setback of the lot in question shall not exceed such average depth. A "developed lot" means a lot on which a principal structure has been erected.

Building additions are not required to meet this maximum setback.

- a. Front yard:

i. Minimum front yard in B-2, B-2b and B-2c zones: None.

ii. Maximum front yard in the B-2 and B-2c zones: The maximum front yard setback shall not exceed the average depth of the front yard of the closet developed lots on either side of the lot in question unless the planning board or planning authority approves a modified setback pursuant to section 14-526(a)(27)(j). For purposes of this section a developed lot means a lot on which a principal structure has been erected.



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Jeff Levine, AICP, Director

Marge Schmuckal, Zoning Administrator

April 29, 2013

Mark McCain
49 Summer Street
Portland, ME 04102

Re: 45 Summer Street – 058-A-032 – R-6 Residential Zone – Permit #2013- 00720 New Single Family Home

Dear Mr. McCain,

I have finished my zoning review of your application to build a new single family home at 45 Summer Street. There was a previous building on this lot that you demolished in 2009 (#09-1135). When the building was demolished you provided a chain of title to show that the lot was a lot of record. On the application you also stated a “new house to be built in +/- two years”. When the demolition permit was issued the note under the Zoning approval stated “Applicant has submitted documentation that the lot is a lot of record. A house can be built on the lot following the conditions under section 14-433 for the R-6 zone”.

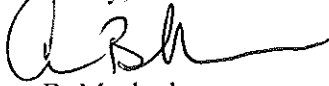
Section 14-433 defines a lot of record as a lot that existed as of “June 5, 1957, and held under separate and distinct ownership from adjacent lots and having a street frontage of forty (40) feet...may be considered a buildable lot in any residential zone...with a minimum lot size of five thousand (5,000) square feet except that a lot in the R-6 zone may have a minimum lot size of three thousand (3,000) square feet provided that the applicable yard dimensions can be met”.

The lot at 45 Summer Street meets the minimum lot size and street frontage requirements for a lot of record. The R-6 yard dimensions are outlined in section 14-139a(4). The proposed house meets the required rear and side yard setbacks, but it does not meet the required front yard setback. Section 14-139(a)(4)(a) states that the minimum setback for the front yard is ten feet, but “a front yard need not exceed the average depth of front yards on either side of the lot”. The front yard for the lot to the left of 45 Summer is setback 2.2 feet from the property line. The lot to the right of 45 Summer is vacant so the minimum front yard setback of ten feet must be used to obtain the average depth of the front yards on either side. The average of 2.2 feet and 10 feet is 6.1 feet. Therefore the front yard for 45 Summer Street needs to be a minimum of 6.1 feet from the property line. The proposed house scales at 2.7 feet. Since the minimum front yard setback is not being met, I must deny the building permit at this time.

You have the right to appeal my decision. If you wish to exercise your right to appeal, you have thirty (30) days from the date of this letter in which to appeal. If you should fail to do so, my decision is binding and not subject to appeal.

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

Yours truly,

A handwritten signature in black ink, appearing to read 'A B Machado', with a long horizontal flourish extending to the right.

Ann B. Machado
Zoning Specialist
(207) 874-8709

Cc: file



City of Portland Zoning Board of Appeals

May 8, 2013

Mark McCain
49 Summer Street
Portland, ME 04102

Dear Mr. McCain,

Your Interpretation Appeal has been scheduled to be heard before the Zoning Board of Appeals on **Thursday, May 16, 2013 at 6:30 p.m.** in room 209 located on the second floor of City Hall.

Please remember to bring a copy of your application packet with you to the meeting to answer any questions the Board may have.

I have included an agenda with your appeal highlighted, as well as a handout outlining the meeting process for the Zoning Board of Appeals.

I have also included the bill for the processing fee, legal ad and the notices for the appeal. The check should be written as follows:

MAKE CHECK OUT TO: City of Portland
MAILING ADDRESS: Room 315, attn. Ann Machado
389 Congress Street
Portland, ME 04101

Please feel free to contact me at 207-874-8709 if you have any questions.

Sincerely,

Ann B. Machado
Zoning Specialist

Cc: File

Marge Schmuckal
Zoning Administrator

Jeff Levine
Director Planning & Urban Development

RECEIVED

APR 29 2013



Dept. of Building Inspection
City of Portland Maine

CITY OF PORTLAND
ZONING BOARD OF APPEALS

Interpretation Appeal Application

APPLICANT INFORMATION:

MARK MCCAIN
NAME

BUSINESS NAME

49 SUMMER STREET
ADDRESS
PORTLAND 04102

699-4066
TELEPHONE #

OWNER
APPLICANT'S RIGHT, TITLE OR INTEREST
(eg: owner, purchaser, etc)

R-6
CURRENT ZONING DESIGNATION

EXISTING USE OF PROPERTY:

Vacant

TYPE OF RELIEF REQUESTED:

The front yard of nearly every house on Summer Street is approximately 2'6". One lot abutting 45 Summer Street is vacant. It has no "front yard" and should not be included in the "average depth" of front yards.

NOTE: If site plan approval is required, attach preliminary or final site plan.

The undersigned hereby makes application for an appeal as described above, and certifies that the information herein is true and correct to the best of his OR her knowledge and belief.

[Signature]
SIGNATURE OF APPLICANT

4/29/13
DATE

SUBJECT PROPERTY INFO:

45 SUMMER STREET
PROPERTY ADDRESS

58-A-32
CHART/BLOCK/LOT (CBL)

PROPERTY OWNER INFO (if Different):

NAME

ADDRESS

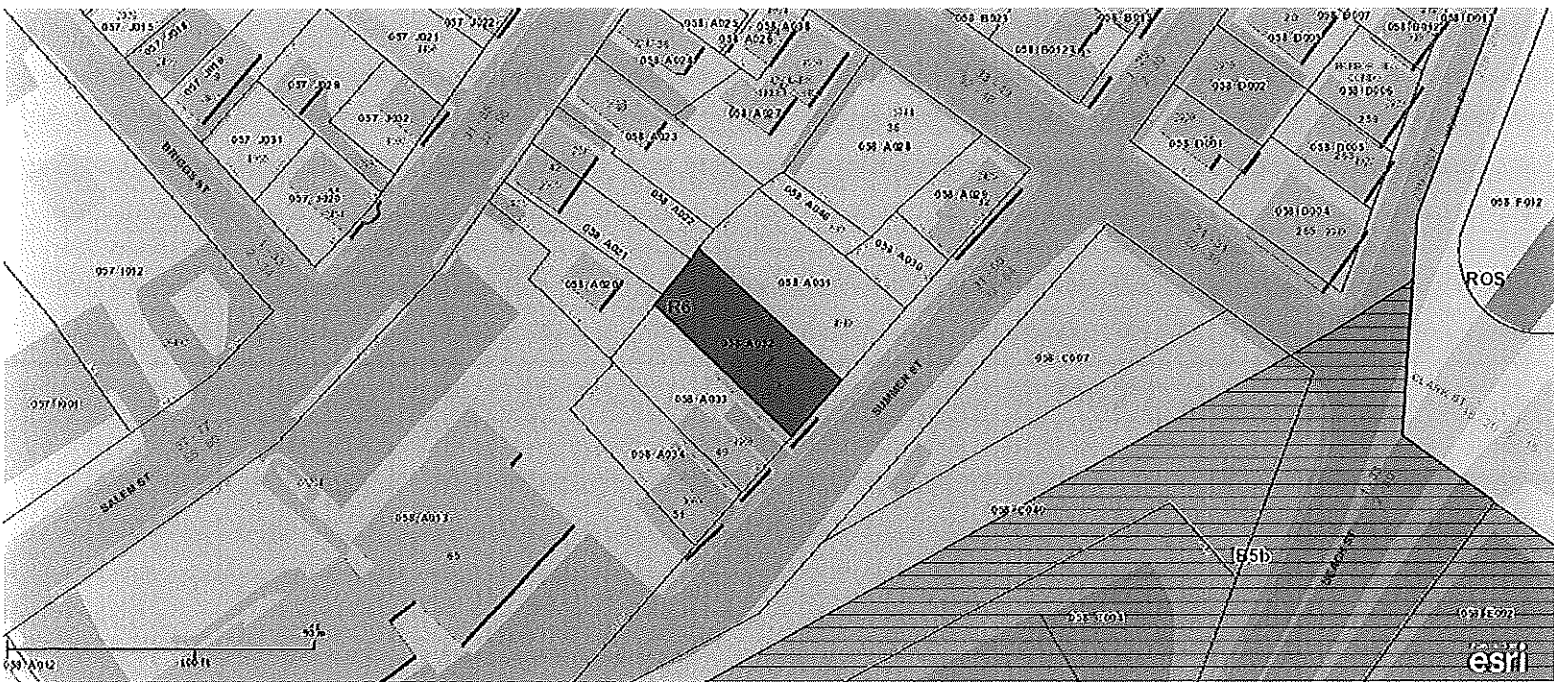
Disputed Provisions from Section 14:

14-139 4a Dimensional requirements

Order, decision, determination or interpretation under dispute:

"A front yard need not exceed the average depth of front yards on either side of the lot."

45 Summer Street



Copyright 2011 Esri. All rights reserved. Mon Apr 29 2013 12:02:04 PM.

CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

389 Congress Street
 Portland, Maine 04101

RECEIPT OF FEES

Application No: 0000-1696	Applicant: MCCAIN S MARK
Project Name: 45 SUMMER ST	Location: 45 SUMMER ST
CBL: 058 A032001	Application Type: Interpretation
Invoice Date: 05/08/2013	

Previous Balance	-	Payment Received	+	Current Fees	-	Current Payment	=	Total Due		Payment Due Date
\$100.00		\$100.00		\$248.00		\$248.00		\$0.00		On Receipt

Previous Balance	\$100.00
Payment Received 4/29/2013 - Thank you	\$100.00

Fee Description	Qty	Fee/Deposit Charge
Processing Fee	1	\$50.00
Notices - ZBA	100	\$75.00
Legal Advertisements - ZBA	1	\$123.00
		\$248.00
Total Current Fees:	+	\$248.00
Total Current Payments:	-	\$248.00
Amount Due Now:		\$0.00

CBL 058 A032001
Bill to: MCCAIN S MARK
 49 SUMMER ST
 PORTLAND, ME 04102

Application No: 0000-1696
Invoice Date: 05/08/2013
Invoice No: 41014
Total Amt Due: \$0.00
Payment Amount: \$248.00

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

CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT
 389 Congress Street
 Portland, Maine 04101

RECEIPT OF FEES

Application No: 0000-1696	Applicant: MCCAIN S MARK
Project Name: 45 SUMMER ST	Location: 45 SUMMER ST
CBL: 058 A032001	Application Type: Interpretation
Invoice Date: 04/29/2013	

Previous Balance		Payment Received		Current Fees		Current Payment		Total Due		Payment Due Date
\$0.00	-	\$0.00	+	\$100.00	-	\$100.00	=	\$0.00		On Receipt

Previous Balance	\$0.00
-------------------------	---------------

Fee Description	Qty	Fee/Deposit Charge
Appeal Application Fee	1	\$100.00
		\$100.00
Total Current Fees:		+ \$100.00
Total Current Payments:		- \$100.00
Amount Due Now:		\$0.00

CBL 058 A032001
Bill to: MCCAIN S MARK
 49 SUMMER ST
 PORTLAND, ME 04102

Application No: 0000-1696
Invoice Date: 04/29/2013
Invoice No: 40923
Total Amt Due: \$0.00
Payment Amount: \$100.00

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



CITY OF PORTLAND, MAINE

Department of Building Inspections

Original Receipt

April 29 2013

Received from Mark McCann

Location of Work 45 Summer St.

Cost of Construction \$ _____ Building Fee: _____

Permit Fee \$ _____ Site Fee: _____

Certificate of Occupancy Fee: _____

Total: 100.00

Building (1L) _____ Plumbing (1S) _____ Electrical (12) _____ Site Plan (U2) _____

Other ZBA Interpretive Appeal

CBL: 58-A-32

Check #: Cash Total Collected \$ 100.00

**No work is to be started until permit issued.
Please keep original receipt for your records.**

Taken by: ASU

WHITE - Applicant's Copy
YELLOW - Office Copy
PINK - Permit Copy

Ann Machado - RE: Zoning Board of Appeals Legal Ad

From: Joan Jensen <jjensen@mainetoday.com>
To: Ann Machado <AMACHADO@portlandmaine.gov>
Date: 5/6/2013 11:20 AM
Subject: RE: Zoning Board of Appeals Legal Ad
Attachments: Agenda may 10.pdf

Hi Ann,

All set to publish your ad on Friday, May 10.
The cost is \$123.00 includes \$2.00 online charge. I included a proof.
Thank you,
Joan

Joan Jensen
Legal Advertising
Portland Press Herald/Maine Sunday Telegram
295 Gannett Drive
South Portland, ME 04106
Tel. 207-791-6157
Fax: 207-791-6910
Email: jjensen@mainetoday.com

Portland Press Herald
Maine Sunday Telegram
www.pressherald.com

From: Ann Machado [mailto:AMACHADO@portlandmaine.gov]
Sent: Monday, May 06, 2013 8:55 AM
To: classified@mainetoday.com
Subject: Zoning Board of Appeals Legal Ad

Joan _

Attached is the Zoning Board of Appeals legal ad for Friday, May 10, 2013.

Thanks.

CBL	OWNER	OWNER MAILING ADDRESS	PROPERTY LOCATION	UNITS
057 H004001	PLOURDE JENNIFER L	12 SCHOOL ST PORTLAND, ME 04102	12 SCHOOL ST	2
057 H009001	PORTLAND HOUSING AUTHORITY	14 BAXTER BLVD PORTLAND, ME 04101	81 SALEM ST	3
057 I001001	CODMAN-PORTLAND ASSOC	175 FEDERAL ST SUITE 700 BOSTON, MA 02110	240 DANFORTH ST	67
057 I012001	CODMAN-PORTLAND LTD	175 FEDERAL ST SUITE 700 BOSTON, MA 02110	12 BRIGGS ST	1
057 J001001	RUSSO JOSEPH A & DONNA F JTS	21 DEEPWOOD DR PORTLAND, ME 04103	226 DANFORTH ST	3
057 J002001	RUSSO JOSEPH A	21 DEEPWOOD DR PORTLAND, ME 04103	25 BRIGGS ST	1
057 J003001	REDMAN MATTHEW P & JANEL I REDMAN JTS	222 DANFORTH ST PORTLAND, ME 04102	222 DANFORTH ST	2
057 J004001	BALDWIN ALLEN R III & JENNIFER M WILES JTS	218 DANFORTH ST PORTLAND, ME 04102	218 DANFORTH ST	2
057 J005001	PORTLAND WEST PLANNING COUNCIL INC	181 BRACKETT ST PORTLAND, ME 04102	214 DANFORTH ST	6
057 J006001	HORTON KRISTIN	21 BRIGGS ST PORTLAND, ME 04102	21 BRIGGS ST	3
057 J007001	KELLY CAROL	15 BRIGGS ST PORTLAND, ME 04102	17 BRIGGS ST	1
057 J008001	KELLY CAROL L	15 BRIGGS ST PORTLAND, ME 04102	15 BRIGGS ST	1
057 J009001	KELLY CAROL & KAREN GERAGHTY JTS	15 BRIGGS ST PORTLAND, ME 04102	2 DANFORTH PL	1
057 J010001	JADE JEFFREY L & LISA D JADE JTS	3 DANFORTH PL PORTLAND, ME 04102	3 DANFORTH PL	2
057 J011001	DAZET CHRISTOPHER & KATHLEEN CONWAY-DAZET JTS	66 CLARK ST PORTLAND, ME 04102	68 CLARK ST	1
057 J015001	KELLY CAROL & KAREN GERAGHTY JTS	15 BRIGGS ST PORTLAND, ME 04102	13 BRIGGS ST	1
057 J016001	KELLY CAROL & KAREN GERAGHTY JTS	15 BRIGGS ST PORTLAND, ME 04102	6 DANFORTH PL	1
057 J017001	ROBINSON CAITRIONA	64 CLARK ST PORTLAND, ME 04102	64 CLARK ST	3
057 J018001	TRUDEAU LUCILLE O & STEPHEN C TRUDEAU	9 BRIGGS ST PORTLAND, ME 04102	11 BRIGGS ST	1
057 J019001	TRUDEAU LUCILLE O & STEPHEN C TRUDEAU	9 BRIGGS ST PORTLAND, ME 04102	9 BRIGGS ST	2
057 J020001	BURNETT NICHOLAS S	PO BOX 7693 PORTLAND, ME 04112	55 SALEM ST	2
057 J022001	PERAZIO CAROLYN I	60 CLARK ST PORTLAND, ME 04102	37 SALEM ST	1
057 J023001	PERAZIO CAROLYN I	60 CLARK ST #3 PORTLAND, ME 04102	60 CLARK ST	3
057 J024001	OUELLETTE ROBERT & KIMBERLY OUELLETTE JTS	58 CLARK ST PORTLAND, ME 04102	58 CLARK ST	2
057 J025001	LATHAM DONNA L	35 SALEM ST PORTLAND, ME 04102	35 SALEM ST	3
057 J026001	LATHAM DONNA L	35 SALEM ST PORTLAND, ME 04102	31 SALEM ST	1
057 J029001	BRIGGS STREET PROPERTY LLC	PO BOX 7693 PORTLAND, ME 04112	47 SALEM ST	1
057 J031001	BRIGGS STREET PROPERTY LLC	PO BOX 7693 PORTLAND, ME 04112	5 BRIGGS ST	1

CBL	OWNER	OWNER MAILING ADDRESS	PROPERTY LOCATION	UNITS
057 J032001	BURNETT NICHOLAS S	PO BOX 7693 PORTLAND, ME 04112	45 SALEM ST	1
057 J034001	195 CONGRESS STREET LLC	220 NORTH END BLVD SALISBURY, MA 01952	212 DANFORTH ST	1
057 J035001	JADE JEFFREY L & LISA D JADE JTS	3 DANFORTH PL PORTLAND, ME 04102	DANFORTH PL	1
057 K001001	DANA LORIE G	208 DANFORTH ST PORTLAND, ME 04102	208 DANFORTH ST	3
057 K002001	HARPER ELAINE M	61 JEFFERSON ST SOUTH PORTLAND, ME 04106	206 DANFORTH ST	7
057 K003001	HAFFENREFFER RUDOLF IV	200 DANFORTH ST PORTLAND, ME 04102	200 DANFORTH ST	2
057 K004001	REDFORD KENT H & PAMELA SHAW JTS	198 DANFORTH ST PORTLAND, ME 04102	198 DANFORTH ST	1
057 K005001	DAY THADDEUS V TRUSTEE	PO BOX 11 CUMBERLAND CENTER, ME 04021	196 DANFORTH ST	3
057 K006001	ZEMANS GRETE LYNN	194 DANFORTH ST PORTLAND, ME 04102	194 DANFORTH ST	4
057 K011001	MCPHEETERS ANNE M & MEREDITH L JOHNSON JTS	62 BRACKETT ST PORTLAND, ME 04102	14 HAMLIN CT	2
057 K012001	WILEY PHYLLIS M	62 BRACKETT ST PORTLAND, ME 04102	64 BRACKETT ST	3
057 K013001	NELSON SARA W	57 CLARK ST # 1 PORTLAND, ME 04102	57 CLARK ST UNIT 1	3
057 K014001	HARKNESS RICHARD L JR	27 SALEM ST PORTLAND, ME 04102	27 SALEM ST	1
057 K015001	MULQUEENEY DAVID	31 NEW RD SCARBOROUGH, ME 04074	19 SALEM ST	3
057 K016001	BEAULIEU ZOE	17 SALEM ST PORTLAND, ME 04102	17 SALEM ST	1
057 K017001	MICHALAKES CHRIS J & LAUREN A MICHALAKES JTS	11 SALEM ST PORTLAND, ME 04102	11 SALEM ST	2
057 K018001	MARPLE KEITH B & YIN T TUNG AU JTS	146 NORTH BEACON ST # A4 BRIGHTON, MA 02135	7 SALEM ST	3
057 K019001	CLOWES ELIZABETH DABROSKY	5 SALEM ST PORTLAND, ME 04102	5 SALEM ST	1
057 K020001	FOX STEPHEN H	20 SCHOOL ST PORTLAND, ME 04102	60 BRACKETT ST	3
057 K021001	KIDDER HOLLY M	56A BRACKETT ST PORTLAND, ME 04102	3 SALEM ST	3
057 K023001	FOLEY MICHAEL B	15 SALEM ST PORTLAND, ME 04102	15 SALEM ST	1
057 K024001	PAREKH RAHUL	9 BEACON ST PORTLAND, ME 04103	21 SALEM ST	3
057 K025001	MILOSE STEPHEN C	10 HAMLIN CT PORTLAND, ME 04102	10 HAMLIN CT	2
058 A010001	BROSNAN MICHAEL G & ASA BROSNAN JTS	95 VILLAGE RD SHELburne, NH 03581	84 SALEM ST	2
058 A011001	SHAW MARJORIE	400 DANFORTH ST PORTLAND, ME 04102	82 SALEM ST	1
058 A012001	CODY SARA ANNE	78 SALEM ST PORTLAND, ME 04102	78 SALEM ST	2
058 A013001	CODMAN-PORTLAND ASSOC	175 FEDERAL ST SUITE 700 BOSTON, MA 02110	48 SALEM ST	69
058 A020001	SARFATY KAREN	46 SALEM ST PORTLAND, ME 04102	46 SALEM ST	1

CBL	OWNER	OWNER MAILING ADDRESS	PROPERTY LOCATION	UNITS
058 A021001	GAUDET CLAUDE J & SHIRLEY M JTS	206 MOUNTAIN RD FALMOUTH, ME 04105	42 SALEM ST	4
058 A023001	DALE WILLIAM M JR VN VET & ELIZABETH GIESE JTS	40 SALEM ST PORTLAND, ME 04102	40 SALEM ST	1
058 A024001	COYNE JO ELLEN	36 SALEM ST PORTLAND, ME 04102	36 SALEM ST	2
058 A026001	AMIELLICA LLC	PO BOX 8032 PORTLAND, ME 04104	44 CLARK ST	1
058 A027001	RICHARD BRENDA D & DAVID M RICHARD JTS	42 CLARK ST # 1 PORTLAND, ME 04102	42 CLARK ST UNIT 1	1
058 A027002	NOWAK PETER W & KATHRYN L SPIRER JTS	42 CLARK ST # 2 PORTLAND, ME 04102	42 CLARK ST UNIT 2	1
058 A027003	ALLEN DONALD D JR	42 CLARK ST # 3 PORTLAND, ME 04102	42 CLARK ST UNIT 3	1
058 A027004	MURPHY JEAN M & RICHARD W MURPHY JTS	PO BOX 10045 PORTLAND, ME 04104	42 CLARK ST UNIT 4	1
058 A028001	MUSHIAL ERIK & CAITLIN J MUSHIAL JTS	36 CLARK ST PORTLAND, ME 04102	36 CLARK ST	1
058 A029001	GRAHAM LANI TRUSTEE	PO BOX 10368 PORTLAND, ME 04104	32 CLARK ST	3
058 A031001	DALE ELIZABETH GIESE C/O W NORRIS DALE JR	40 SALEM ST PORTLAND, ME 04102	39 SUMMER ST	1
058 A032001	MCCAIN S MARK	49 SUMMER ST PORTLAND, ME 04102	45 SUMMER ST	1
058 A033001	WALWORTH CORNELIA J	49 SUMMER ST PORTLAND, ME 04102	49 SUMMER ST	1
058 A034001	TALBOT DENISE A	51 SUMMER ST PORTLAND, ME 04102	51 SUMMER ST	2
058 A039001	SHAW MARJORIE	400 DANFORTH ST PORTLAND, ME 04102	84 SALEM ST R	1
058 A042001	BROWN J B & SONS	PO BOX 207 PORTLAND, ME 04112	24 CLARK ST	1
058 A048001	SHAW MARJORIE	400 DANFORTH ST PORTLAND, ME 04102	SALEM ST	1
058 B001001	GRAEF ROSANNE H	30 SALEM ST PORTLAND, ME 04102	30 SALEM ST	2
058 B002001	WOLTERSTORFF ROBERT P & MARI M JONES JTS	24 SALEM ST PORTLAND, ME 04102	24 SALEM ST	1
058 B003001	FISCHER GABRIEL B & ANNYA D FISCHER JTS	20 SALEM ST PORTLAND, ME 04102	20 SALEM ST	1
058 B004001	MORAN CATHERINE E	18 SALEM ST PORTLAND, ME 04102	16 SALEM ST	1
058 B005001	MARTELLE MATTHEW & ANDREA B MARTELLE JTS	12 SALEM ST PORTLAND, ME 04102	12 SALEM ST	3
058 B006001	PORTER JOSEPH F II & PETER RODWAY TRUSTEES	PO BOX 1833 PORTLAND, ME 04104	8 SALEM ST	9
058 B007001	PEOPLES REGIONAL OPPORTUNITY PROGRAM	510 CUMBERLAND AVE PORTLAND, ME 04101	48 BRACKETT ST	5
058 B008001	SHALOM HOUSE	1 PLEASANT ST PORTLAND, ME 04101	42 BRACKETT ST	16
058 B010001	VILLANI ALLISON M	43 CLARK ST PORTLAND, ME 04102	43 CLARK ST	1
058 B011001	RAMSAY JANE W	3219 AMHURST ST SE OLYMPIA, WA 98501	39 CLARK ST	2
058 B012001	GRANT JUSTIN M	3801 E PACIFIC COAST HWY # 246 LONG BEACH, CA 90804	33 CLARK ST	3

CBL	OWNER	OWNER MAILING ADDRESS	PROPERTY LOCATION	UNITS
058 B013001	WEYAND RACHAEL E & SETH S HARKNESS JTS	25 SUMMER ST PORTLAND, ME 04102	25 SUMMER ST	1
058 B014001	EVANS PETER W	21 SUMMER ST PORTLAND, ME 04102	21 SUMMER ST	2
058 B015001	HARRIS BRIAN & ALISON HAWKES JTS	39 CLARK ST PORTLAND, ME 04102	39 CLARK ST	1
058 B016001	SMALL STEPHEN R & KATHLEEN M KEANE JTS	15 SUMMER ST PORTLAND, ME 04102	15 SUMMER ST	1
058 B018001	PRICE CHRISTOPHER B & WENDY POOLE JTS	146 NEAL ST PORTLAND, ME 04102	40 BRACKETT ST	3
058 B019001	PRICE CHRISTOPHER B & WENDY POOLE JTS	146 NEAL ST PORTLAND, ME 04102	36 BRACKETT ST	1
058 B020001	JENKINS SARAH BULLEY	32 BRACKETT ST # 1 PORTLAND, ME 04102	32 BRACKETT ST UNIT 1	1
058 B020002	DAWSON WILLIAM H & DONNA M NAPPI JTS	34 BRACKETT ST PORTLAND, ME 04102	32 BRACKETT ST UNIT 2	1
058 B022001	GREEN PETER	11 SUMMER ST PORTLAND, ME 04102	11 SUMMER ST	1
058 C001001	BROWN J B & SONS	PO BOX 207 PORTLAND, ME 04112	65 WEST COMMERCIAL ST	1
058 C004001	BROWN J B & SONS	PO BOX 207 PORTLAND, ME 04112	21 WEST COMMERCIAL ST	1
058 D001001	GOODE MARK E & JENNIFER L GOODE JTS	230 HIGH ST SOUTH PORTLAND, ME 04106	28 SUMMER ST	2
058 D002001	CEKUTIS STEVEN L & LAURENCE D CEKUTIS JTS	20 SUMMER ST # 1 PORTLAND, ME 04102	24 SUMMER ST	1
058 D003001	CEKUTIS STEVEN L & LAURENCE D CEKUTIS JTS	20 SUMMER ST # 1 PORTLAND, ME 04102	20 SUMMER ST	4
058 D004001	MOORE JONETHAN P & SUSAN L RIVARD JTS	265 YORK ST PORTLAND, ME 04102	265 YORK ST	4
058 D005001	FISKE ROBERT R & LESLIE POHL	263 YORK ST PORTLAND, ME 04102	263 YORK ST	2
058 D006001	SNELL MICHAEL D	259 YORK ST # 1 PORTLAND, ME 04102	259 YORK ST UNIT 1	1
058 D006002	SCLOVE CHAD W	259 YORK ST # 2 PORTLAND, ME 04102	259 YORK ST UNIT 2	1
058 D007001	RENWICK ROBERT R & IVAN P JENNY JTS	18 SUMMER ST PORTLAND, ME 04102	18 SUMMER ST	1
058 D009001	255 YORK STREET LLC	PO BOX 25A CUMBERLAND, ME 04021	251 YORK ST	2
058 D011001	26 BRACKETT STREET LLC	26 BRACKETT ST PORTLAND, ME 04101	26 BRACKETT ST	1
058 E002001	BRIDGEPORT ASSOCIATES	PO BOX 350 PORTLAND, ME 04112	555 COMMERCIAL ST	1
058 F003001	BRIDGEPORT ASSOCIATES	PO BOX 350 PORTLAND, ME 04112	531 COMMERCIAL ST	1
058 F006001	PORTLAND TERMINAL CO	IRON HORSE PARK NORTH BILLERICA, MA 01862	533 COMMERCIAL ST	1
058 F012001	PORTLAND TERMINAL CO	IRON HORSE PARK NORTH BILLERICA, MA 01862	16 BRACKETT ST	1
058 F013001	HIGGINS WILLIS E & SUSAN L HIGGINS JTS	24 BRACKETT ST # 1 PORTLAND, ME 04102	24 BRACKETT ST UNIT 1	1
058 F013002	TURGEON STEPHEN	11 SOUTH ORLEANS ST MEMPHIS, TN 38103	24 BRACKETT ST UNIT 2	1
058 F013003	SOLA CHRISTOPHER L & ELIZABETH A SOLA JTS	615 7TH AVE SW ROCHESTER, MN 55902	24 BRACKETT ST UNIT 3	1

CBL	OWNER	OWNER MAILING ADDRESS	PROPERTY LOCATION	UNITS
058 F013004	PHILLIPS MEGHAN & JAMES PHILLIPS JTS	24 BRACKETT ST # 4 PORTLAND, ME 04102	24 BRACKETT ST UNIT 4	1
059 A001001	MAINE CENTRAL RAILROAD CO	IRON HORSE PARK NORTH BILLERICA, MA 01862	232 COMMERCIAL ST	1
059 A011001	PORTLAND TERMINAL CO	IRON HORSE PARK NORTH BILLERICA, MA 01862	2 WEST COMMERCIAL ST REAR	1

CBL	OWNER	OWNER MAILING ADDRESS	PROPERTY LOCATION	UNITS
Total Listed	115 UNITS	358		

