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*Penny St. Louis Littell- Director of Planning and Development
Marge Schmuckal, Zoning Administrator*

Warren Currier & Buchanan
57 Exchange Street
Portland, Maine 04101-5020
Attn: Brenda M. Buchanan

RE: 21 Wiley Street, Peaks Island, 087-D-011 (the "Property") – Current IR-2 Zone

Dear Ms. Buchanan,

I am in receipt of your request to determine whether the Property is in compliance with the current Land Use Zoning Ordinance.

An issue arose concerning a bathroom in an addition at the northeast corner of the house. A search of the City's files in regard to the Property did not reveal any permits for this addition or alteration. Further research with the previous owner of the Property revealed the approximate circumstances and year of this addition/alteration. Based upon an affidavit from the previous owner, Mr. David H. Parker, the addition/alteration occurred in the Spring or Summer of 1953. Mr. Parker could not affirm whether he had taken out a permit at that time.

A search of our past zoning ordinances and maps revealed documentation covering applicable zoning from 1946 to June 5, 1957. The Property was located in an "A" Residential Zone in 1953. According to the ordinance regulations at that time, an eight foot side yard setback and a twenty-five foot rear yard setback were required. A sketched site plan indicates that the current side yard setback of the north side of the building is nine feet. The rear yard setback is 41.6 feet. Both of the existing setbacks meet the zoning ordinance in effect in 1953 when the alterations were made.

The basis of our current Land Use Zoning Ordinance went into effect on June 5, 1957. Because this addition/alteration was initiated and completed prior to our current ordinance, I have determined that the Property is legally nonconforming and in compliance with current zoning ordinance. It does not constitute a current day zoning violation.

Very truly yours,

Marge Schmuckal
Zoning Administrator