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Jeff Levine, AICP, Director
Marge Schmuckal, Zoning Administrator

February 20, 2013

Warren Currier & Buchanan
7 Exchange Street
Portland, ME 04101-5020
Attn: Attorney Brenda M. Buchanan

RE: 87-K-2, 87-K-8, & 87-K-29 Island Avenue & Pleasant Avenue, Peaks Island –
IR-2 Zone

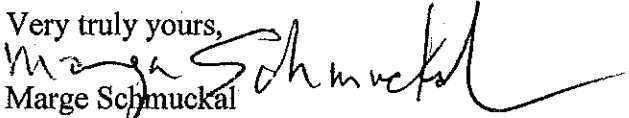
Dear Attorney Buchanan,

I am in receipt of your request for a determination letter concerning the lots owned by Jean K, Gulliver on Peaks Island represented by Assessor's numbers 87-K-2, 87-K-8, & 87-K-29. The entire property is located in the Island Residence Two (IR-2) Zone. My determination is based upon a signed stamped survey dated November 27, 2012 by Eugene Schleh, a professional land surveyor,

I have been given two reduced copies of the survey each suggesting a different division of land into two parcels. Based upon the IR-2 zoning requirements, option "A" would not meet the underlying zone requirements requiring 70 foot of street frontage [section 14-145.11(b)]. Please note that section 14-422 does not permit the division of land if any lot shall be so reduced that yards, lot width, *lot frontage*, lot area, area per dwelling unit, and space for off-street parking and/or off-street loading shall be less than the minimum required under the Land Use Zoning Ordinance. Currently the one lot is meeting the minimum street frontage requirements using both Pleasant Avenue and Island Avenue as combined street frontage. It is agreed that either division of land options will not affect the current legal nonconformity of the existing single family dwelling for the northern side setback, for the minimum lot width, or for the minimum front setback.

Therefore, at this time before a formal division of land is completed with a survey, the concept of option "B" appears to better meet the Land Use Zoning Ordinance and based upon the information given in your letter, would meet the requirements of the IR-2 zone.

If you have any questions regarding this determination, please do not hesitate to contact me at 874-8695.

Very truly yours,

Marge Schmuckal
Zoning Administrator