



Planning & Urban Development Department

*Jeff Levine, AICP, Director**Marge Schmuckal, Zoning Administrator*

April 11, 2014

Will Winkelman
Winkelman Architecture
41 Union Wharf, Suite 4
Portland, Maine 04101

RE: 478 Island Ave - 90-J-001 and 60 Oaklawn Ave – 90-J-002 & 90-J-009, Peaks Island

Dear Mr. Winkelman,

I am in receipt of your request to determine the viability of reconfiguring the existing lot lines on the above properties. It is noted that all property is owned by Timothy and Elizabeth Williams and that there are two separate single family buildings on these lots. All lots are located in the IR-2 Zone. My determination is based upon a signed and stamped survey from Gene Schleh, PLS.

The redefined property lines result in two lots, Beach House at 60 Oaklawn Road, and Top Side at 478 Island Avenue. Both of the new lots are meeting the minimum land area requirements of 20,000 square feet. The proposed division line results in both lots meeting the minimum setback requirements as affected by the new division line. I have determined that the new division line does not create any non-conformity under the Land Use Zoning Ordinance. It is further understood that the 8'x12' shed will be relocated as shown on the Beach House property and meets the dimensional requirements of the IR-2 Zone.

The survey also shows a phase II proposed future garage addition on the Beach House property. I have determined that what is depicted will not violate the IR-2 Land Use Zoning Ordinance. However, this determination is not a final approval to begin construction on this proposed garage. Separate application(s), review(s) and approval(s) will be required prior to any work commenced.

If you have any questions regarding this matter, please feel free to contact me at (207) 874-8695.

Very Truly Yours,

A handwritten signature in black ink that reads "Marge Schmuckal". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Marge Schmuckal
Zoning Administrator
City of Portland, Maine

41 UNION WHARF, SUITE 4
PORTLAND, ME 04101

PH: 207.699.2998 FAX: 207.699.2991 WWW.WINKARCH.COM

3 April 2014

Re: Determination letter for 478 Island Ave (referred to as Topside) and 60 Oaklawn Ave (referred to as the beach house), Peaks Island. Current owners of both properties are Tim and Liz Williams.

Dear Marge:

Thank you for your time to review the William's Peaks Island property one last time with me earlier this week. As requested, following is a brief outline of the issues we'd like to be addressed in your determination letter:

The property is being sold. These proposed changes are being made for the buyer, John Halbirt. The closing is scheduled for next Friday, April 11.

- We are proposing to reconfigure the property line division of these 2 adjacent parcels, each with a single dwelling, to better accommodate any future alterations to the buildings. We are seeking a determination that the proposed reconfiguration line is compliant re zoning. (See attached site plan by Northeastern Land Surveying that we reviewed together, revised (with date and stamp), date 3 April 2014).

- The square footage allocated for each parcel exceeds 20,000 square feet.
- This division line does not create any non-conformance that we are aware of.
- The septic is unchanged and easements would continue to dedicate proper access.
- There is an 8'x12' shed that will be relocated on the property as a condition of the property line reconfiguration so that it is in a posture that is compliant re setbacks (see attached site plan).

- We are proposing a future addition to 60 Oaklawn (the beach house). The addition is an attached garage. Its size and location is noted on the attached site plan as well. It is our understanding that this proposed addition (as drawn) would be compliant re current zoning regulations and are seeking confirmation of that opinion.

- The location of the addition is on the north side of the property, set by the 20' side yard setback from the north property line (attached site plan showing the addition's location as well as the front, side and rear setbacks).
- The site coverage of the addition, when added to the existing site coverage, would be less than 20% of the lot (a summary of area is included on the site plan).
- The addition would be attached to the house, therefore its height would be defined by the 35' height limit regulations (from average pre-existing grade to average eave to ridge).
- The 75' shoreland zone overlays a small portion of the water side of the house. It is not close to this proposed addition and does not affect this proposed addition.

Many thanks for your help with this. Call with any questions. My cell is: 207-232-6831. Will



Assessor's Office | 389 Congress Street | Portland, Maine 04101 | Room 115 | (207) 874-8486

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This page contains a detailed description of the Parcel ID you selected. Press the **New Search** button at the bottom of the screen to submit a new query.

Current Owner Information:

Services

Applications

Doing Business

Maps

Tax Relief

Tax Roll

Q & A

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[browse facts and links a-z](#)



Best viewed at 800x600, with Internet Explorer

CBL 090 J002001
Land Use Type SINGLE FAMILY
 Verify legal use with Inspections Division
Property Location 60 OAKLAWN RD
Owner Information WILLIAMS TIMOTHY & ELIZABETH JTS
 200 S MAYA PALM DR
 BOCA RATON FL 33432
Book and Page 10336/303
Legal Description 90-J-2
 OAKLAWN RD 60
 PEAKS ISLAND
 5130 SF
Acres 0.1178

Current Assessed Valuation:

TAX ACCT NO.	14536	OWNER OF RECORD AS OF APRIL 2013
LAND VALUE	\$323,400.00	WILLIAMS TIMOTHY & ELIZABETH JTS
BUILDING VALUE	\$183,100.00	200 S MAYA PALM DR
NET TAXABLE - REAL ESTATE	\$506,500.00	BOCA RATON FL 33432
TAX AMOUNT	\$9,831.18	

Any information concerning tax payments should be directed to the Treasury office at 874-8490 or [e-mailed](#).

Building Information:

Building 1

Year Built 1906
Style/Structure Type OLD STYLE
Stories 1.5
Units 1
Bedrooms 4
Full Baths 3
Total Rooms 8
Attic NONE
Basement PIER/SLAB
Square Feet 2577

[View Sketch](#) [View Map](#) [View Picture](#)

Outbuildings/Yard Improvements:

Building 1

Year Built 1998
Structure SHED-FRAME
Size 8X12
Units 1
Grade B
Condition G

Sales Information:

Current Owner Information:

Services

- Applications
- Doing Business
- Maps
- Tax Relief
- Tax Roll
- Q & A

CBL 090 J001001
Land Use Type SINGLE FAMILY
 Verify legal use with Inspections Division
Property Location 478 ISLAND AVE
Owner Information WILLIAMS TIMOTHY A & ELIZABETH F JTS
 200 S MAYA PALM DR
 BOCA RATON FL 33432
Book and Page 14000/177
Legal Description 90-J-1
 ISLAND AVE 478
 OAKLAWN RD
 PEAKS ISLAND 21008 SF
Acres 0.4822

[browse city services a-z](#)

Current Assessed Valuation:

[browse facts and links a-z](#)

TAX ACCT NO.	14534	OWNER OF RECORD AS OF APRIL 2013
LAND VALUE	\$375,900.00	WILLIAMS TIMOTHY A & ELIZABETH F JTS
BUILDING VALUE	\$111,100.00	200 S MAYA PALM DR
NET TAXABLE - REAL ESTATE	\$487,000.00	BOCA RATON FL 33432
TAX AMOUNT	\$9,452.68	



Any information concerning tax payments should be directed to the Treasury office at 874-8490 or [e-mailed](#).

Best viewed at 800x600, with Internet Explorer

Building Information:

Building 1

Year Built	1982
Style/Structure Type	RANCH
# Stories	1
# Units	1
Bedrooms	2
Full Baths	2
Total Rooms	5
Attic	NONE
Basement	FULL
Square Feet	1588

[View Sketch](#) [View Map](#) [View Picture](#)

Outbuildings/Yard Improvements:

Building 1

Year Built	1987
Structure	SHED-METAL
Size	8X8
Units	1
Grade	D
Condition	A


Sales Information:

Assessor's Office | 389 Congress Street | Portland, Maine 04101 | Room 115 | (207) 874-8486

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This page contains a detailed description of the Parcel ID you selected. Press the **New Search** button at the bottom of the screen to submit a new query.

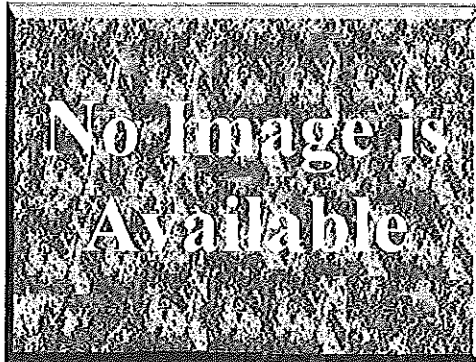
Current Owner Information:

<p>Services</p> <hr/> <p>Applications</p> <p>Doing Business</p> <p>Maps</p> <p>Tax Relief</p> <p>Tax Roll</p> <p>Q & A</p> <hr/> <p>browse city services a-z</p> <hr/> <p>browse facts and links a-z</p> <hr/>  <p>Best viewed at 800x600, with Internet Explorer</p>	<p>CBL 090 J009001</p> <p>Land Use Type VACANT LAND</p> <p>Verify legal use with Inspections Division</p> <p>Property Location 488 ISLAND AVE</p> <p>Owner Information WILLIAMS TIMOTHY & ELIZABETH 200 S MAYA PALM DR BOCA RATON FL 33432</p> <p>Book and Page 11324/336</p> <p>Legal Description 90-J-9 ISLAND AVE PEAKS ISLAND 21242 SF</p> <p>Acres 0.4876</p>
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Current Assessed Valuation:

TAX ACCT NO.	14542	OWNER OF RECORD AS OF APRIL 2013
LAND VALUE	\$192,900.00	WILLIAMS TIMOTHY & ELIZABETH
BUILDING VALUE	\$0.00	200 S MAYA PALM DR
NET TAXABLE - REAL ESTATE	\$192,900.00	BOCA RATON FL 33432
TAX AMOUNT	\$3,744.20	

Any information concerning tax payments should be directed to the Treasury office at 874-8490 or [e-mailed](#).



[View Map](#)

Sales Information:

Sale Date	Type	Price	Book/Page
3/9/1994	LAND + BUILDING	\$40,000.00	11324/336
<input type="button" value="New Search"/>			

CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

389 Congress Street
 Portland, Maine 04101

RECEIPT OF FEES

Application No: 0000-1877	Applicant: WILLIAMS TIMOTHY & ELIZABE
Project Name: 60 OAKLAWN RD	Location: 60 OAKLAWN RD
CBL: 090 J002001	Application Type: Determination Letter
Invoice Date: 03/31/2014	

Previous Balance	-	Payment Received	+	Current Fees	-	Current Payment	=	Total Due		Payment Due Date
\$0.00		\$0.00		\$150.00		\$150.00		\$0.00		On Receipt

Previous Balance **\$0.00**

Fee Description	Qty	Fee/Deposit Charge
Zoning Determinations	1	\$150.00
		\$150.00
Total Current Fees:		+ \$150.00
Total Current Payments:		- \$150.00
Amount Due Now:		\$0.00

CBL: 090 J002001
Bill to: WILLIAMS TIMOTHY & ELIZABETH JTS
 200 S MAYA PALM DR
 BOCA RATON, FL 33432

Application No: 0000-1877
Invoice Date: 03/31/2014
Invoice No: 44513
Total Amt Due: \$0.00
Payment Amount:

Make checks payable to the *City of Portland*, ATTN: Inspections, 3rd Floor, 389 Congress Street, Portland, ME 04101.
 Check the status of your permit or schedule an inspection on-line at <http://www.portlandmaine.gov/planning/permitstatus.asp>

* * * Communication Result Report (Apr. 11. 2014 1:24PM) * * *

1)
2)

Date/Time: Apr. 11. 2014 1:18PM

File No.	Mode	Destination	Pg (s)	Result	Page Not Sent
1549	Memory TX	96992991	P. 1	OK	

Reason for error

- E. 1) Hang up or line fail
- E. 3) No answer
- E. 5) Exceeded max. E-mail size

- E. 2) Busy
- E. 4) No facsimile connection



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Jeff Levine, ACP, Director
Marge Schumackel, Zoning Administrator

April 11, 2014

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If you have any questions regarding this matter, please feel free to contact me at (207) 874-8695.

Very Truly Yours,

Marge Schumackel
Zoning Administrator
City of Portland, Maine



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NOTES:

1) OWNERS OF RECORD ARE TIMOTHY A. AND ELIZABETH F. WILLIAMS, SOUTH MAYA PALM DRIVE, BOCA RATON, FLORIDA, 33432.
 2) DEED (CUMBERLAND COUNTY REGISTRY OF DEEDS BOOK/PAGE NUMBER) AND CADASTRAL (CITY OF PORTLAND TAX MAP-BLOCK-LOT NUMBER) REFERENCES ARE AS FOLLOWS:

14000/177	TM 90-J-1
10336/303	TM 90-J-2
11324/336	TM 90-J-9

3) ZONING: THE PARCELS ARE IN THE "IR-2" ZONE AND PARTIALLY IN THE SHORELAND PROTECTION ZONE. CURRENT ZONING, STATUS AND REQUIREMENTS MUST BE CHECKED AND VERIFIED WITH THE CITY OF PORTLAND AND ALL OTHER APPLICABLE REGULATORY BODIES BEFORE BUILDING IMPROVEMENTS OR CONVEYING LAND OR INTEREST.

4) THE PARCELS DESIGNATED AS TM 90-J-1, 2 & 9 PARTIALLY FALL WITHIN A "SPECIAL FLOOD HAZARD AREA" (ZONE A2 - EL 9) PER F.E.M.A. SEE COMMUNITY #230051 PANEL #0015B, EFFECTIVE DATE JULY 17, 1986.

5) ROAD RIGHT OF WAY WIDTHS AND LOCATION SHOWN ARE PER THE PLAN REFERENCES AS WELL AS PER VARIOUS ROAD SURVEY PLANS FOUND IN THE CITY OF PORTLAND PARKS AND PUBLIC WORKS DEPARTMENT (ENGINEERING).

6) UTILITY LOCATION SHOWN IS APPROXIMATE. THIS PLAN MAY NOT SHOW ALL UTILITIES USED OR IN DISUSE. ALL APPROPRIATE OFFICES AND THE "DIGSAFE" PROGRAM SHOULD BE CONTACTED BEFORE DOING ANY EXCAVATION. THERE IS PHYSICAL EVIDENCE THAT UNDERGROUND/UNDERWATER CABLE (POSSIBLY TELEPHONE AND/OR OTHER UTILITIES) EXIST ON THE PARCEL DESIGNATED AS TM 90-J-9. AN ENCUMBRANCE MAY EXIST.

7) THIS PLAN IS NOT INTENDED TO DEPICT LIMITS OR EXTENTS OF FEE TITLE OWNERSHIP. AN OPINION OF TITLE SHOULD BE RENDERED BY AN ATTORNEY.

8) NORTHEASTERN LAND SURVEYING AND THE SIGNING SURVEYOR RESERVE THE RIGHT TO BE HELD HARMLESS FROM ALL THIRD PARTY CLAIMS.

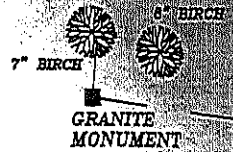
9) EASEMENTS ON PARCELS OWNED BY TIMOTHY AND ELIZABETH WILLIAMS ENCUMBERING OR BENEFITING PARCELS NOW CURRENTLY OWNED BY TIMOTHY AND ELIZABETH WILLIAMS ARE NOT SHOWN ON THIS PLAN.

10) TREE DIMENSIONS SHOWN ARE DIAMETER AT 4.5' ABOVE GROUND. CIRCUMFERENCE WAS MEASURED AND DIVIDED BY 3.14 TO DETERMINE DIAMETER. DEC = DECIDUOUS.

75' OFFSET FROM HIGH WATER MARK

W/ PINES & MAPLES

ADDITION



22286.4 Sq. Feet
 0.5 Acres
 (TO APPROXIMATE HIGH WATER)

GRAVEL DRIVE

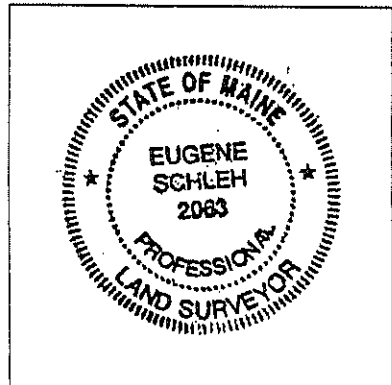
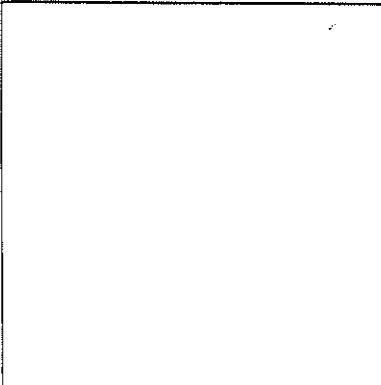
PROPOSED NE PROPERTY LI

OAKLAWN ROAD
 (GRAVEL SURFACE)

SHORELAND BOUNDARY

EMBOSSSED SEAL
 (PLAN NOT VALID WITHOUT)

INK SEAL



I HEREBY STATE TO JOHN P. HALBIRT OF ALL THIRD PARTIES, THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THIS PLAN SUBSTANTIALLY CONFORMS WITH THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS RULES EFFECTIVE APRIL 1, 2001