

WARREN & CURRIER & BUCHANAN

Limited Liability Company, P.A.

Carol Godfrey Warren
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August 22, 2017

Cindy Stacey
Zoning Administration
City of Portland
389 Congress Street
Portland, Maine 04101

RE: 477 Island Avenue (90-P-9&13, 12,834 sf) and
238 Pleasant Avenue (90-P-14, 6,329 sf)

Dear Cindy:

I am writing to follow up on the discussion at a pre-application meeting on July 12 between city staff and my clients Ryan and Sara McKeown, who will be closing later this week on purchase of the two parcels on Peaks Island identified above, which have a combined area of 19,163 square feet

Prior to that meeting, I had email correspondence with Ann Machado about the applicability of Portland Code §14-433 in this situation. Both parcels are undersized lots of record as defined therein. My question was whether merging them in common ownership would cause them to lose their lot of record status.

The answer prior to the pre-application meeting, which was confirmed at the meeting itself, was that the combined lot would retain lot of record status and be buildable as a single lot so long as the McKeowns can demonstrate the lots themselves have been held in separate and distinct ownership since July 15, 1985 and that each also has been held in separate and distinct ownership with all abutting lots since that date.

I have attached three title chains with all of the deeds referenced therein, setting forth the ownership of the parcels the McKeowns will be buying (477 Island Avenue and 238 Pleasant Avenue) as well as the parcel at 224 Pleasant Avenue, which is comprised of tax parcels 90-P-8, 90-P-11 and 90-P-15. As you can see from the tax map, 238 Pleasant (90-P-14) abuts 90-P-15 and 477 Island abuts 90-P-8 and 90-P-15.

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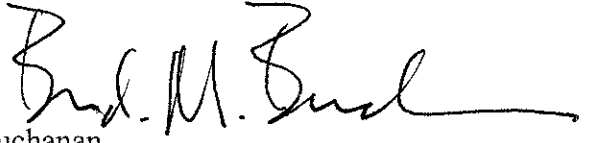
These title chains and the attached deeds demonstrate both that the two lots being purchased by the McKeowns have been held in separate and distinct ownership since July 15, 2018 and that the abutting parcels also have been held in separate and distinct ownership since that date.

Accordingly, I believe the merger by common acquisition of 477 Island Avenue (90-P-9&13) and 238 Pleasant Avenue (90-P-14) will create a lot 19,163 in size that will meet all the requirements of a lot of record set forth in 14-433.

Can you confirm whether you need anything more in this regard for the McKeowns to be able to move forward to build a single-family home on this combined parcel? (They understand they need to go through the typical permitting process, but want to be sure this particular issue is resolved.)

Thank you for your assistance, Cindy.

Best regards,


Brenda M. Buchanan

Cc: Ryan and Sara McKeown