



PORTLAND MAINE

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

July 09, 2010

Fran O'Leary
109 Reed Avenue
Peaks Island, ME 04108

RE: 091-P-006 & 9 – Reed Avenue, Peaks Island – IR-1 Zone

Dear Mr. O'Leary,

This letter is a follow-up to the determination letter dated July 9, 2009 which I wrote. Subsequent to the July 9, 2009 letter, you have submit further evidence to show compliance with that determination letter.

On November 12, 2009 I received a copy of a survey performed by Owen Haskell, Inc Professional Land Surveyors. It has been signed and stamped by John C. Schwanda. The second submitted survey is revision 6 and dated 10-27-09. Your survey requirements have been met with this submittal.

On November 12, 2009 I also received several sets of photos showing that the kitchen facilities within the 1 story structure on the lot have been completely removed with all plumbing connections removed to below the floor. The sink, stove and refrigerator along with kitchen cabinets have been removed entirely. The use of this structure is now for accessory storage. This structure can not be used as a separate dwelling unit now or in the future. Any change of use shall require a change of use permit PRIOR to any alterations.

This letter recognizes that there are no encumbrances on the proposal to divide the lot into two lots as proposed at this time. Separate permits shall be required for the development of the vacant lot. The other lot is a legal single family dwelling.

If you have any questions regarding this matter, please do not hesitate to contact me at (207) 874-8695.

Sincerely,

Marge Schmuckal
Zoning Administrator

146 Cedar Lane
Westwood, MA 02090
November 4, 2009

Marge Schmuckal
Zoning Administrator
389 Congress Street
Portland, ME 04101

Dear Marge:

Thank you for all the time and consideration that you have given us in our efforts to configure an allowable lot under the existing Land Use Zoning Ordinance.

You explained to us that the lot contains a one story wood structure that must change from a single family structure into an accessory storage structure so that there will be only one single family dwelling on the property. You stated that "the entire kitchen facilities shall be removed prior to finalizing of this lot line redefinition".

We would like to share with you that we have removed the kitchen facilities and we have enclosed photos to substantiate that fact.

Again, we appreciate your assistance and guidance. It has been a very positive learning experience for us.

Sincerely,



Kathie and Fran O'Leary

Attachment: Letter of July 9,2009
Enclosure: Photos of kitchen removal

RECEIVED

NOV 12 2009

Dept. of Building Inspections
City of Portland Maine

Before



After

RECEIVED

NOV 12 2009

**Dept. of Building Inspections
City of Portland Maine**



Before

RECEIVED

NOV 12 2009

Dept. of Building Inspections
City of Portland Maine

Before

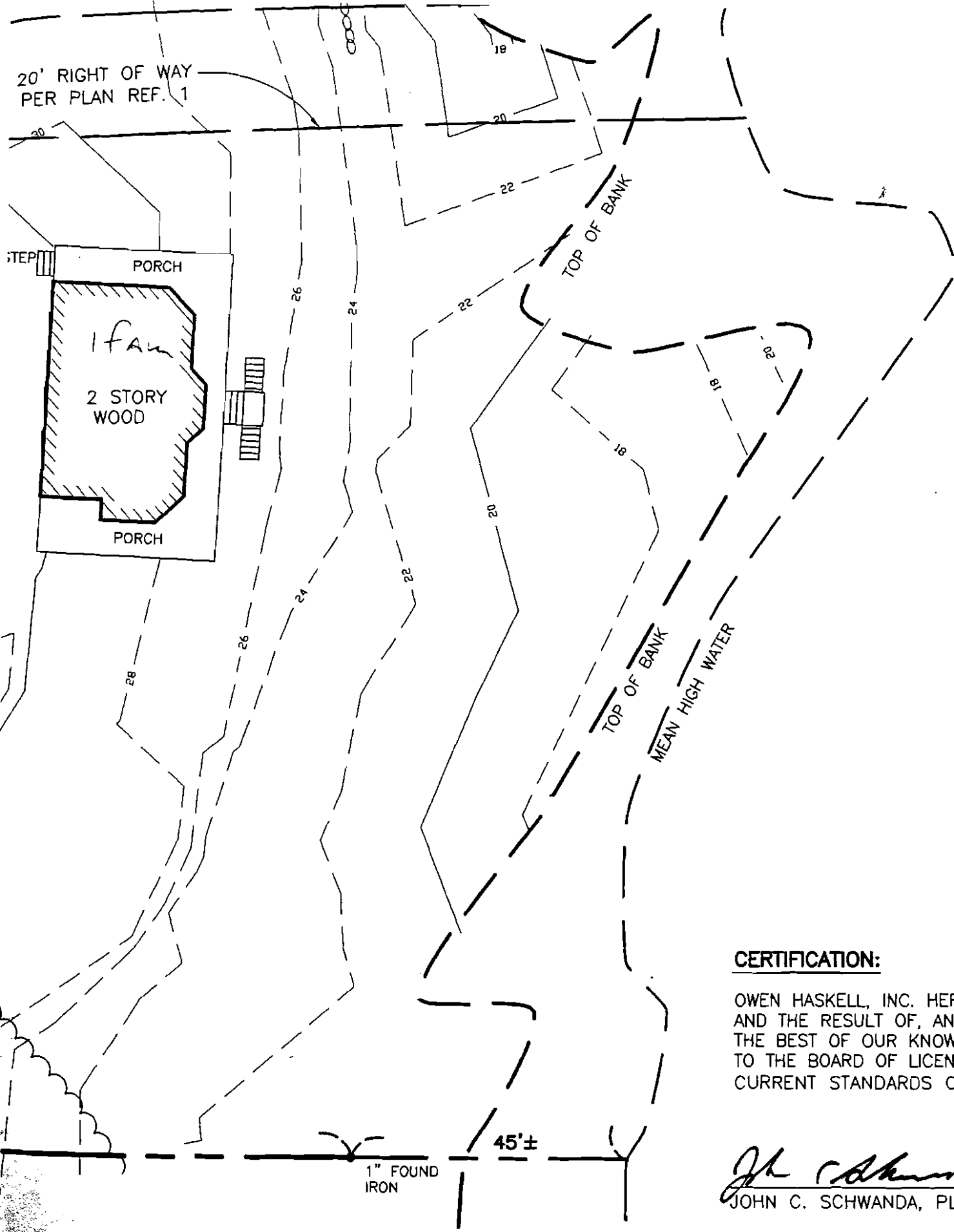


LIVED

AF

NOV 12 2009

Dept. of Building Inspections
City of Portland Maine



2. PLAN OF LAND OWNED BY SAINT PEAKES ISLAND, MAINE BY CHANDLER H. BARROU DATE JUNE 1948
3. NATIONAL DEFENSE PROPERTY TO BE ACQUIRED FROM MABEL S. DAVIS PEAKS ISLAND CITY OF PORTLAND CUMBERLAND COUNTY STATE OF MAINE RECORDED IN PLAN BOOK 30 PAGE 16
4. BOUNDARY AND TOPOGRAPHIC SURVEY OF LAND IN PEAKS ISLAND PORTLAND, MAINE MADE FOR FRANCIS O'LEARY DATED 5-92 BY LLOYD JONES
5. PLAN SHOWING A STANDARD BOUNDARY SURVEY AND TOPOGRAPHIC SURVEY ON LAND LOCATED ON THE EASTERN SIDELINE OF REED AVENUE ON PEAKS ISLAND FOR JAMES H. HAYMAN AND JEANNE O. HAYMAN DATED 12-12-95 BY NADEAU AND LODGE RECORDED IN PLAN BOOK 199 PAGE 193
6. STANDARD BOUNDARY SURVEY ON SEASHORE AVENUE, WOODLAND ROAD, ROCKAWAY ROAD AND REED AVENUE - PEAKS ISLAND, MAINE MADE FOR OCEANSIDE CONSERVATION TRUST OF CASCO BAY DATED MAY 8, 1996 REVISED THROUGH 6-8-98 BY OWEN HASKELL, INC. AND RECORDED IN PLAN BOOK 200 PAGE 437
7. CITY OF PORTLAND PUBLIC WORKS DEPARTMENT ENGINEERING SECTION REED AVENUE PEAKS ISLAND SURVEY FOR PUBLIC EASEMENT AND ROAD IMPROVEMENTS DATED 10-16-2001 REVISED THROUGH 9-27-02 CITY FILE NO. 879/2

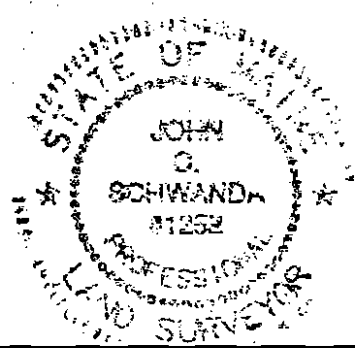
RECEIVED
 NOV 12 2009
 Dept. of Building Inspections
 City of Portland Maine

CERTIFICATION:

OWEN HASKELL, INC. HEREBY CERTIFIES THAT THIS PLAN IS BASED ON, AND THE RESULT OF, AN ON THE GROUND FIELD SURVEY AND THAT TO THE BEST OF OUR KNOWLEDGE, INFORMATION AND BELIEF, IT CONFORMS TO THE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS CURRENT STANDARDS OF PRACTICE.

John C. Schwanda
 JOHN C. SCHWANDA, PLS #1252

10-27-2009
 DATE



REV. 6	10-27-09	ADDED NOTE 7
REV. 5	10-06-09	MARKERS SET, NEW STONE WALL
REV. 4	06-09-09	REVISED PROPOSED LOT
REV. 3	04-08-09	REVISED PROPOSED LOT
REV. 2	03-09-09	REVISED PROPOSED LOT
REV. 1	12-31-08	REVISED PROPOSED LOT

BOUNDARY AND TOPOGRAPHIC SURVEY
 ON

REED AVENUE, PEAKS ISLAND, MAINE
 MADE FOR OWNER OF RECORD:
FRANCIS & KATHLEEN O'LEARY
 146 CEDAR LANE WESTWOOD, MA. 02090

OWEN HASKELL, INC.
 PROFESSIONAL LAND SURVEYORS
 390 U.S. ROUTE ONE, FALMOUTH, MAINE 04105 Phone: 207-774-04

Drwn By	RWC	Date	Job No
Trace By	RWC	DECEMBER 17, 2008	2008-
Check By	WCS	Scale	Drwg. No
Book No.	700	1" = 20'	1

SEEN A. O'LEARY

THE CITY OF

THE CITY OF
REFERENCE 6.

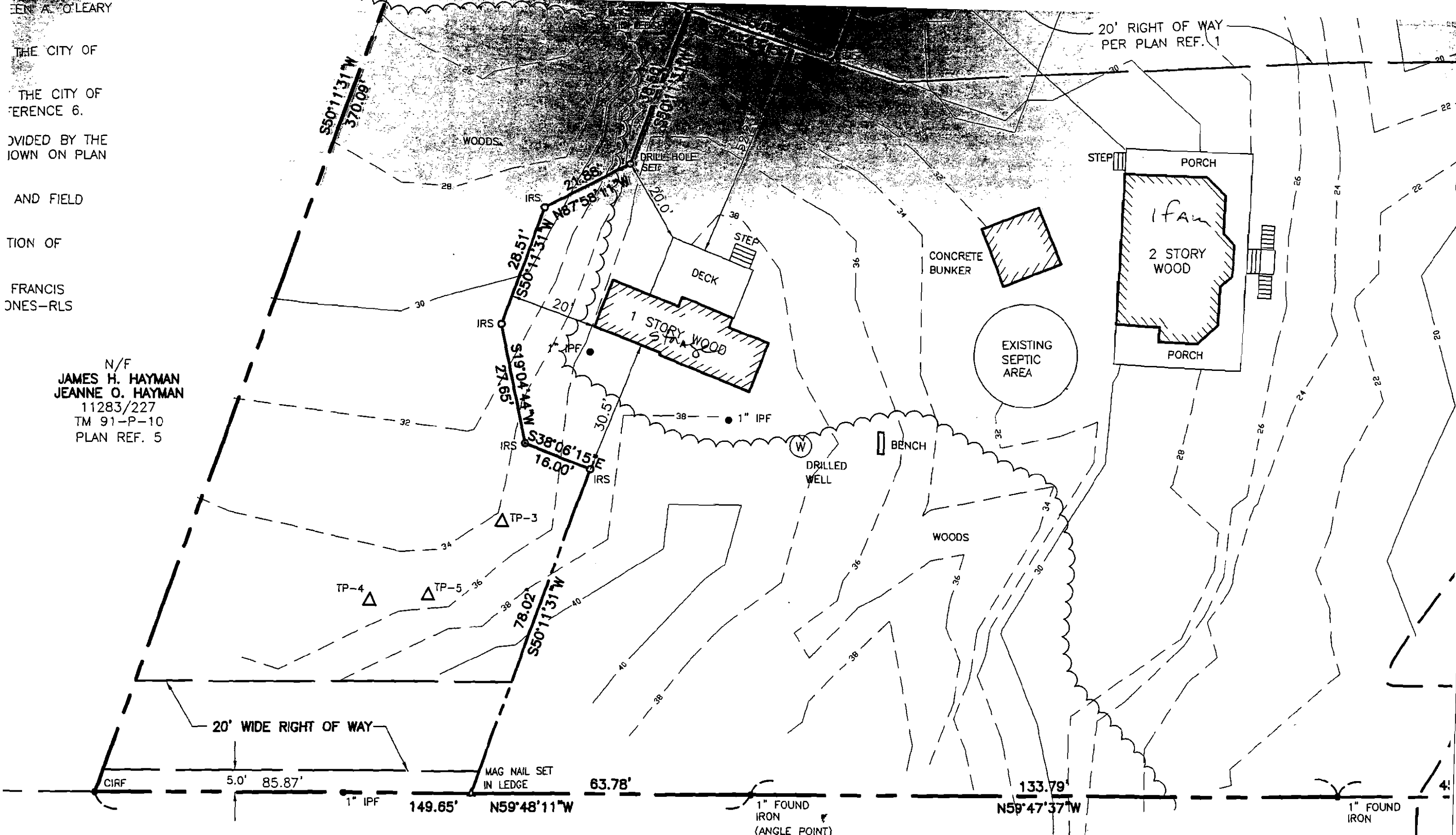
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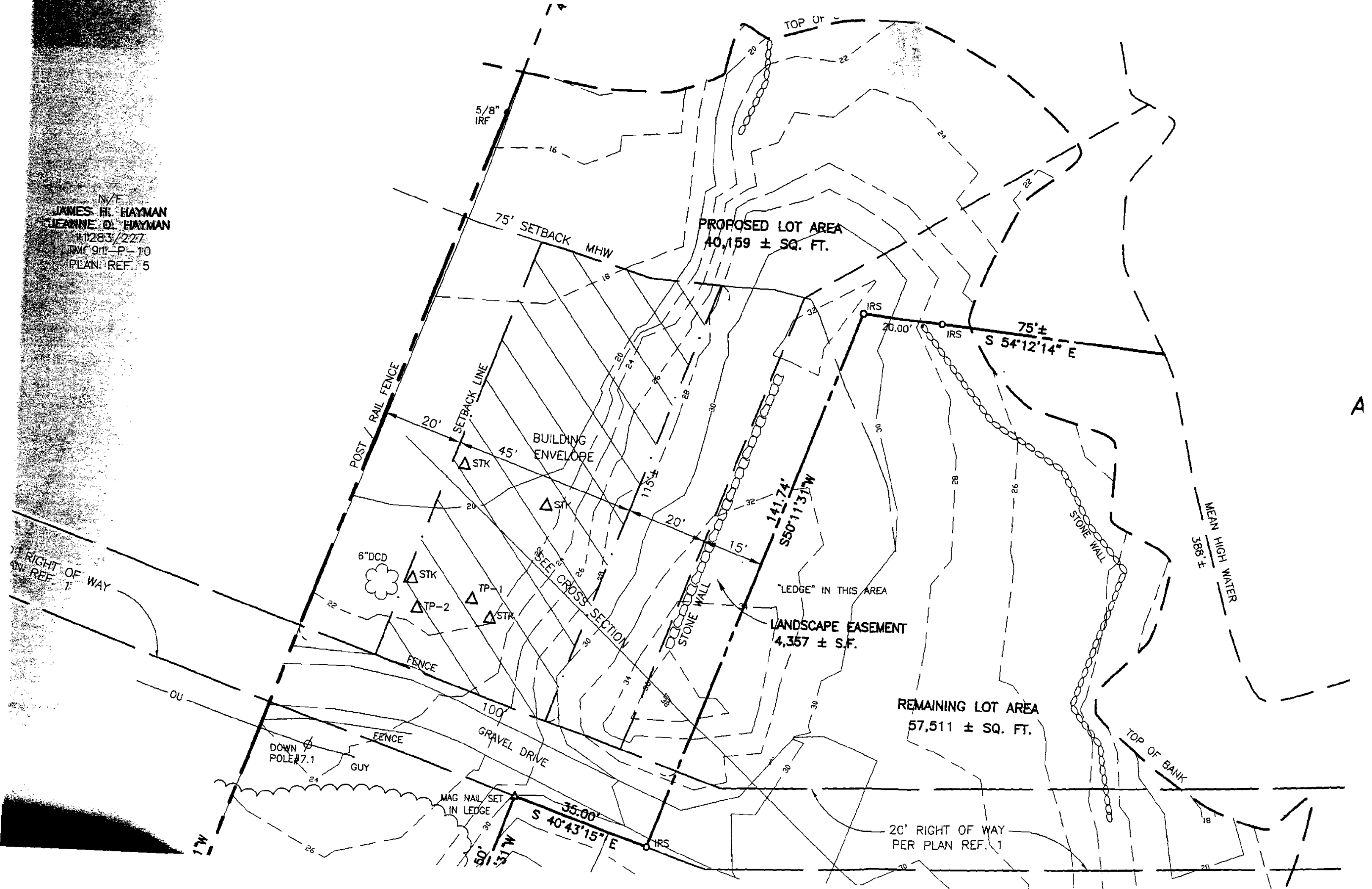
FRANCIS
ONES-RLS

N/F
JAMES H. HAYMAN
JEANNE O. HAYMAN
11283/227
TM 91-P-10
PLAN REF. 5



N/F
OCEANSIDE CONSERVATION TRUST
OF CASCO BAY
PLAN REF. 6

N/F
JAMES H. HAYMAN
JEANNE O. HAYMAN
11283/227
TMC 911-P-10
PLAN REF. 5



PROPOSED LOT AREA
40,159 ± SQ. FT.

REMAINING LOT AREA
57,511 ± SQ. FT.

LANDSCAPE EASEMENT
4,357 ± S.F.

75' SETBACK MHW

BUILDING ENVELOPE

20' SETBACK LINE

75' ±
S 54°12'14" E

141.74'
S 50°11'31" W

STEEL CROSS SECTION

MEAN HIGH WATER
388 ±

20' RIGHT OF WAY
PER PLAN REF. 1

35.00'
S 40°43'15" E

20' RIGHT OF WAY
PER PLAN REF. 1