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

December 4, 2009

Bernstein Shur  
100 Middle Street  
PO Box 9729  
Portland, ME 04104-5029  
Attn: Karen B. Lovell

RE: 10-20 Linden Street – 125-H- 6 & 7 (the "Property") – R-5 Zone

Dear Ms. Lovell,

I am in receipt of your request for a determination letter concerning the division of land for the Property.

The Property is located in an R-5 residential zone. My determination relies upon a stamped, signed survey prepared by Wayne T. Wood of Wayne Wood & Co. titled "Plan of Land at 16 Linden Street in Portland, Maine for Hesper Schleiderer-Hardy" and dated June 2009.

I have determined that the proposed division of land concerning the Property will result in the two lots meeting all the underlying R-5 zone requirements.

Please note that this letter is not intended to allow commencement of construction on the newly proposed vacant lot. There is a separate process for an applicant to build upon a vacant lot. At the time of application for new construction, the applicant shall present a copy of this letter and a copy of the new deed for the newly created lot along with all the other required information as listed on our application forms.

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

Very truly yours,

A handwritten signature in black ink, appearing to read "Marge Schmuckal", with a long horizontal flourish extending to the right.

Marge Schmuckal  
Zoning Administrator

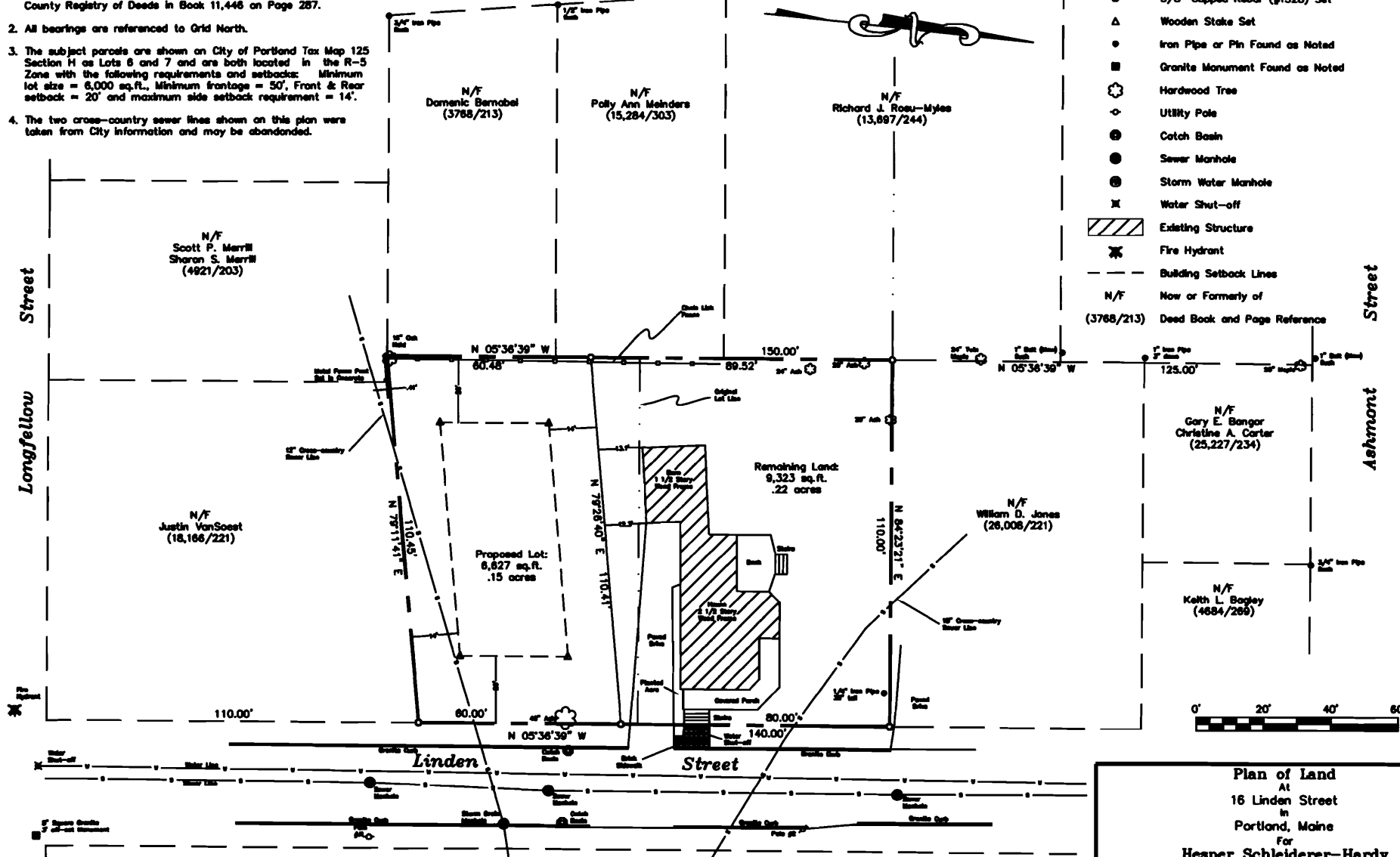
# NOTES

- Owner of record is Watson E. Lincoln, Jr. by deed of distribution of the estate of Eleanor L. Lincoln recorded in the Cumberland County Registry of Deeds in Book 11,446 on Page 287.
- All bearings are referenced to Grid North.
- The subject parcels are shown on City of Portland Tax Map 125 Section H as Lots 6 and 7 and are both located in the R-5 Zone with the following requirements and setbacks: Minimum lot size = 6,000 sq.ft., Minimum frontage = 50', Front & Rear setback = 20' and maximum side setback requirement = 14'.
- The two cross-country sewer lines shown on this plan were taken from City information and may be abandoned.

Cottage Street

# LEGEND

- 5/8" Capped Rebar (#1328) Set
- △ Wooden Stake Set
- Iron Pipe or Pin Found as Noted
- Granite Monument Found as Noted
- ⊛ Hardwood Tree
- ◇ Utility Pole
- ⊙ Catch Basin
- Sewer Manhole
- ⊙ Storm Water Manhole
- ⊞ Water Shut-off
- ▨ Existing Structure
- ⊞ Fire Hydrant
- Building Setback Lines
- N/F Now or Formerly of
- (3768/213) Deed Book and Page Reference



# PLAN REFERENCES

- "Revised Plan Chase Lots, Dearing, ME." undated by Riley & Cummings Recorded in Book 7 on Page 24.
- "City of Portland, ME Department of Public Works Coyle Gully Surface Drain" undated File #383/21.
- "Portland Water District - Portland Sewer System System Base Mapping" dated 1981 by Hunter-Buller Associates.
- "City of Portland, Maine Public Works Department Ashmont Street Reconstruction Plan & Profile" dated June 1987.
- "City of Portland, Maine Public Works Department Street Line Reinforcement Plan Ashmont Street Coyle Street Linden Street" dated May 2001.
- Assorted utilities, undated to be in place of City of Portland Engineering office for street line and sewers.



State of Maine, Cumberland Co.  
Registry of Deeds  
Received of \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_  
at \_\_\_\_\_ m. and recorded in  
Plan Book \_\_\_\_\_ Page \_\_\_\_\_  
Attest: \_\_\_\_\_ Register

# OWNER OF RECORD

Watson E. Lincoln, Jr.  
16 Linden Street  
Portland, ME 04103

Plan of Land  
At  
16 Linden Street  
in  
Portland, Maine

For  
Hesper Schleiderer-Hardy

287 Dearing Ave. - Portland, ME 04103

WAYNE

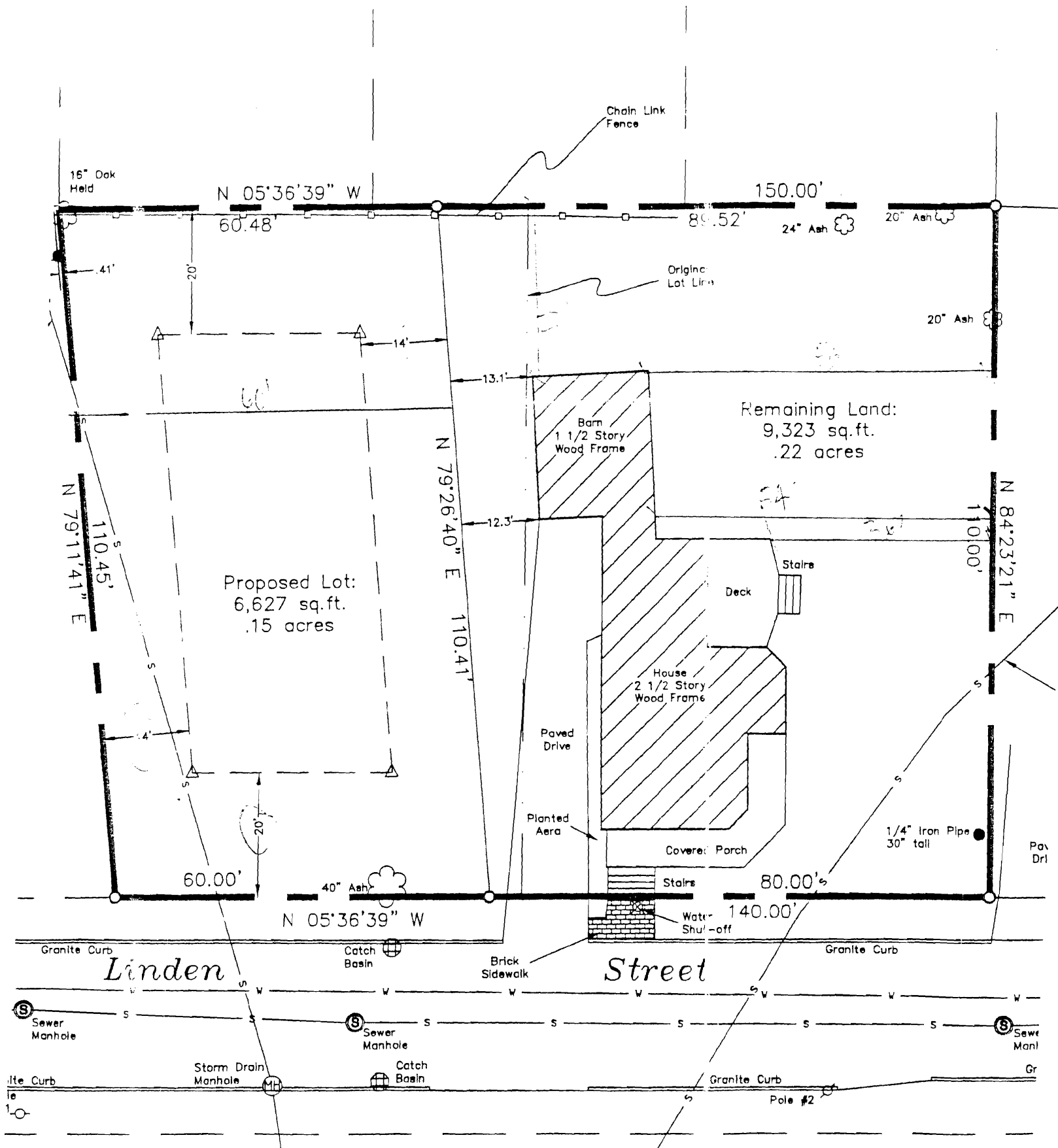
WOOD & CO.

Gray, Maine 04039

Drawn By: KLV/WTW  
Scale: 1" = 20'  
Checked By: WTW  
Bk.No. 111

(207)657-3330

Date  
June 2008  
Job No.  
29022



## REFERENCES

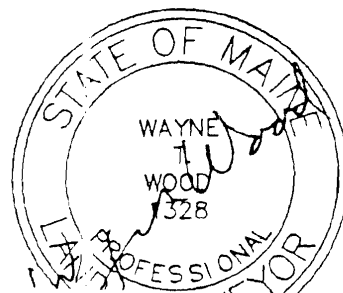
Cummings Recorded in Book 7 on Page 24.

"Surface Drain" Undated File #393/21.

"Site Mapping" dated 1981 by Hunter-Ballew Associates.

"Street Reconstruction Plan & Profile" dated June 1997.

\* Street Code Street Linden



State  
Registr  
Receiv  
at  
Plan  
Attes

N/F Now or Formerly of  
(3768/213) Deed Book and Page Reference

Stre

Ashmont

24" Twin Maple 1" Bolt (New) flush N 05°36'39" W 125.00' 1" Iron Pipe 3" down 28" Maple 1" Bolt (New) flush

N/F  
Gary E. Bangor  
Christine A. Carter  
(25,227/234)

N/F  
William D. Jones  
(26,008/221)

N/F  
Keith L. Bagley  
(4684/269)

3/4" Iron Pipe flush

18" Cross-country  
Sewer Line

Paved  
Drive



\_\_\_\_\_ V \_\_\_\_\_ V  
\_\_\_\_\_ S \_\_\_\_\_ S  
lower  
manhole  
Granite Curb

Plan of Land

At

16 Linden Street

In

Portland, Maine

For

Hesper Schleiderer-Hardy

257 Deering Ave. ~ Portland, ME 04103

WAYNE

WOOD &

Gray, Maine 04039

Drwn. By: K LW/WTW

Scale: 1" = 20'

(207)657-

Date

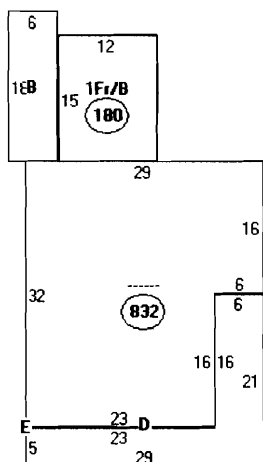
June 20

Job #

OWNER OF RECORD

William F. Lincoln, Jr.

of Maine, Cumberland ss.  
stry of Deeds  
ived \_\_\_\_\_, 20\_\_\_\_  
h \_\_\_\_ m \_\_\_\_ and recorded in  
Book \_\_\_\_\_ Page \_\_\_\_\_  
st: \_\_\_\_\_  
Register



Descriptor/Area

A:.....	832 sqft	832
B:OFFP	108 sqft	108
C:1F1/B	180 sqft	180
D:OFFP	241 sqft	241
E:AB2	414 sqft	414
		<hr/>
		1775

$$9323 \text{ sqft} \times 40\% = 3729.2 \text{ sqft max cov.}$$

$$1775 \div 9323 = 19\% \text{ lot cov. Show}$$



# CITY OF PORTLAND, MAINE

Department of Building Inspections

## Original Receipt

11-18 20 07

Received from

John F. DeLacour

Location of Work

1111 St. Louis

Cost of Construction \$ \_\_\_\_\_ Building Fee: \_\_\_\_\_

Permit Fee \$ \_\_\_\_\_ Site Fee: \_\_\_\_\_

Certificate of Occupancy Fee: \_\_\_\_\_

Total: 125

Building (IL) \_\_\_\_\_ Plumbing (IS) \_\_\_\_\_ Electrical (IE) \_\_\_\_\_ Site Plan (U2) \_\_\_\_\_

Other \_\_\_\_\_

CBL: 125-11-18

Check #: 1021 Total Collected \$ 125

**No work is to be started until permit issued.  
Please keep original receipt for your records.**

Taken by: J. F. DeLacour

WHITE--Applicant's Copy

YELLOW--Office Copy

PINK--Permit Copy

Requested by Bernstein Shur  
Applicant: Karen Lowell

Date: 12/4/09

Address: 10-20 Linden St

C-B-L: 125-N-6 & 7

CHECK-LIST AGAINST ZONING ORDINANCE

Date -

Zone Location - R-5

Interior or corner lot -

Proposed Use/Work - Division of single ownership lots into

Sevage Disposal - City 2 separate lots per survey

Lot Street Frontage - 50' min

Front Yard - 20' min

Rear Yard - 20' min

Side Yard - 8' - 1 story

Projections - 12' - 2 story

Projections - 14' - 3 story

Width of Lot - 60' min & 2 fam.

Height - 35' max

Lot Area - 6000 sq ft min

Lot Coverage/ Impervious Surface - 40% max

Area per Family - 3,000 sq ft / D.U.

Off-street Parking - 2 per D.U.

Loading Bays - N/A

Site Plan -

Shoreland Zoning/ Stream Protection - N/A

Flood Plains - panel 13 Zone C

NO change  
usually wide conf

27' scale

12.3' & 54' of

80' shown

Existed - NO  
change

9,323 sq ft

19% figured

OK 9,323 sq ft

2 exist

one with a single family  
Dwelling

20' shown

20' shown

14' & 14' shown

60' shown

6,627 sq ft shown

VACANT NOW

6,627 sq ft OK

VACANT

will need site plan  
review for a New  
D.U.

Assessor's Office | 389 Commercial Street | Portland, Maine 04101 | Room 115 | (207) 874-8430

[City](#) [Home](#) [Departments](#) [City Council](#) [E Services](#) [Calendar](#) [Jobs](#)

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

[browse city services a-z](#)

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

**CBL** 125 H006001  
**Land Use Type** VACANT LAND  
**Property Location** 16 LINDEN ST  
**Owner Information** LINCOLN WATSON E JR HEIRS  
 16 LINDEN ST  
 PORTLAND ME 04103  
**Book and Page**  
**Legal Description** 125-H-6  
 LINDEN ST 10-14  
 7700SF  
**Acres** 0.177

### Current Assessed Valuation:

<b>TAX ACCT NO.</b>	17908	<b>OWNER OF RECORD AS OF APRIL 2009</b>
		LINCOLN WATSON E JR
<b>LAND VALUE</b>	\$89,400.00	16 LINDEN ST
<b>BUILDING VALUE</b>	\$0.00	PORTLAND ME 04103
<b>NET TAXABLE - REAL ESTATE</b>	\$89,400.00	
<b>TAX AMOUNT</b>	\$1,585.96	

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



### Sales Information:

Sale Date	Type	Price	Book/Page
5/16/2008	LAND + BUILDING	\$0.00	/
5/13/1994	LAND + BUILDING	\$0.00	11446/287

[New Search!](#)



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:

**CBL** 125 H007001  
**Land Use Type** SINGLE FAMILY  
**Property Location** 16 LINDEN ST  
**Owner Information** LINCOLN WATSON E JR HEIRS  
 16 LINDEN ST  
 PORTLAND ME 04103

**Book and Page**  
**Legal Description** 125-H-7  
 LINDEN ST 16-20

**Acres** 8250 SF  
 0.189

### Current Assessed Valuation:

<b>TAX ACCT NO.</b>	17910	<b>OWNER OF RECORD AS OF APRIL 2009</b>
		LINCOLN WATSON E JR
<b>LAND VALUE</b>	\$90,100.00	16 LINDEN ST
<b>BUILDING VALUE</b>	\$153,100.00	PORTLAND ME 04103
<b>NET TAXABLE - REAL ESTATE</b>	\$243,200.00	
<b>TAX AMOUNT</b>	\$4,314.38	

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



### Building Information:

Card 1 of 1

<b>Year Built</b>	1894
<b>Style/Structure Type</b>	OLD STYLE
<b># Stories</b>	2
<b>Bedrooms</b>	3
<b>Full Baths</b>	1
<b>Half Baths</b>	1
<b>Total Rooms</b>	7
<b>Attic</b>	UNFIN
<b>Basement</b>	FULL
<b>Square Feet</b>	1844

[View Sketch](#)

[View Map](#)



### Outbuildings/Yard Improvements:

Card 1

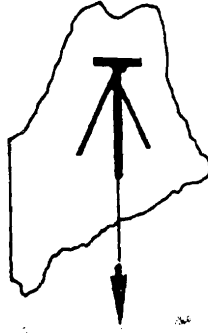
<b>Year Built</b>	1900
<b>Structure</b>	FLAT BARN
<b>Size</b>	18X23
<b>Units</b>	1
<b>Grade</b>	C
<b>Condition</b>	G

### Sales Information:

Sale Date	Type	Price	Book/Page
5/16/2008	LAND + BUILDING	\$0.00	/
5/13/1994	LAND + BUILDING	\$0.00	11446/287

[New Search!](#)

WAYNE



WOOD & co.

PROFESSIONAL LAND SURVEYING  
and LAND PLANNING  
30 Wood Drive, Gray, Maine 04039

WETLANDS DELINEATION  
Telephone (207) 657-3330  
Fax (207) 657-3344

**Property Description**  
For  
**Hesper Schleiderer-Hardy**  
*Lincoln Property*  
(6,569 sq. ft.)  
REVISED

A certain lot or parcel of land situated on the Westerly side of Linden Street in the City of Portland, County of Cumberland and State of Maine being more particularly described as follows:

Beginning at a 5/8" capped rebar (#1328) set in the ground on the Westerly side line of Linden Street at the Northeasterly corner of land now or formerly of VanSoest (18,166/221);

Thence S 79°11'41" W along land of the said VanSoest and also land now or formerly of Merrill (4921/203) a total distance of 110.45 feet to 16" Oak Tree at the Southeasterly corner of land now or formerly of Bernabei (3768/213);

Thence N 05°36'39" W along land of the said Bernabei and also land now or formerly of Meinders (15,284/303) a total distance of 60.48 feet to a 5/8" capped rebar (#1328) set in the ground;

Thence N 79°26'40" E across land of the Grantor 110.41 feet to a 5/8" capped rebar (#1328) set in the ground on the Westerly side line of the said Linden Street;

Thence S 05°36'39" E along the Westerly side line of the said Linden Street 60.00 feet to the point of beginning. Containing 6,627 square feet.

All bearings are referenced to Grid North.

Meaning and intending to convey a portion of the premises conveyed to this Grantor by a deed recorded in the Cumberland County Registry of Deeds in Book 11,446 on Page 287.

100 Middle Street  
PO Box 9729  
Portland, ME 04104-5029

**COUNSELORS AT LAW**

November 17, 2009

**Re: Letter of Zoning Determination**  
**10-14 Linden Street, 125-H-6 and 16 Linden Street, 125-H-7**

Dear Ms. Schmuckal:

I am the Successor Personal Representative of the Estate of Watson E. Lincoln, Jr. The Estate is the owner of the vacant real estate located at 10-14 Linden Street in Portland, 125-H-6. The Estate also owned the adjacent property at 16 Linden Street, 125-H-7. A closing on the sale of the 16 Linden Street property took place on Friday, November 6<sup>th</sup>. You met recently with Peter Thornton, a broker with whom I am working on marketing the 10-14 Linden Street property.

My understanding is that Peter has provided you with all of the documentation that you need in order to write a letter of zoning determination for these properties, stating that both lots are conforming lots that meet all applicable zoning requirements, and that the property can be divided and each lot sold separately. If that is correct, will you please prepare that letter and send it to my attention at the address on this letterhead? A check in the amount of \$150.00 to cover the applicable fee is enclosed.

Please contact me if you have questions or need additional information.

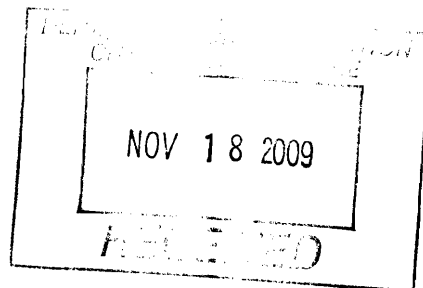
Sincerely,

Karen B. Lovell

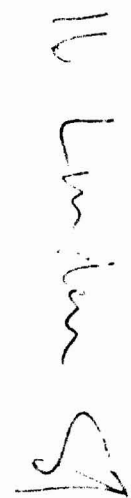
KBL/slk

Enclosure

Cc: Alan S. Nelson, Esq.  
 Peter Thornton  
*(both w/o enc.)*



1. *Journal of the American Water Works Association*, 1991, 83(12): 17-19. The Administration of Comprehensive 99141-1142-1 Grant to Massachusetts Regional Water Pollution Control



1-fang