



# PORTLAND MAINE

*Strengthening a Remarkable City, Building a Community for Life • www.portlandmaine.gov*

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

November 12, 2010

Victoria Tripaldi  
[BELLA1SKIN@aol.com](mailto:BELLA1SKIN@aol.com)  
(619)203-6005

RE: 12-14 Irving Street – 129-B-008 – R-5 primary zone with B-2b at portion of rear

Dear Ms. Tripaldi,

I am in receipt of your request to determine whether the existing property can be divided into two separate properties. This is the second request with a revised site plan. Conversations with you further explained that the current three family unit portion of the lot will undergo significant changes in order to develop the one lot into two lots. It is understood that an existing free standing building that contains storage and a single family will be demolished as part of this overall proposal. Therefore, only a two family unit will remain on the existing developed lot. Your full proposal is to create two separate, described lots with one lot containing a two residential unit within an existing building and to build a new two family structure on the created vacant lot.

You have submitted a revised surveyed site plan that is dated November 04, 2010 and that is stamped and signed by Robert T. Greenlaw.

Based upon all the above information, the proposed division of land would meet the current Land Use Zoning Ordinance requirements. This division of land cannot officially occur until a demolition permit has been granted and performed as proposed. Any division of land prior to the purposed demolition will create a nonconformity under the Land Use Zoning Ordinance.

Please note that this determination does not grant permission to begin construction. It will be necessary for the applicant to undergo a site plan and building permit reviews PRIOR to any work being done on site. It is not anticipated that a subdivision review will be required at that time. However, this determination letter does not make a final determination concerning required subdivision reviews. At the time of a site plan review this office will need to see all written easements to allow access to the required parking.

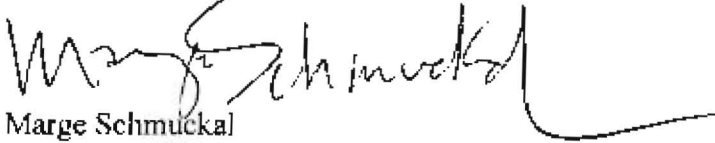
It is also required for the applicant to apply for the demolition of a large storage shed that has been removed without the required permits. Belated fees will be charged.

You have the right to appeal my determination concerning this matter. If you wish to exercise your right to appeal, you have 30 days from the date of this letter in which to

appeal. If you should fail to do so, my decision is binding and not subject to appeal.  
Please contact this office for the necessary paperwork that is required to file an appeal.

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

Very truly yours,

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

Marge Schmueckal  
Zoning Administrator

Cc: file



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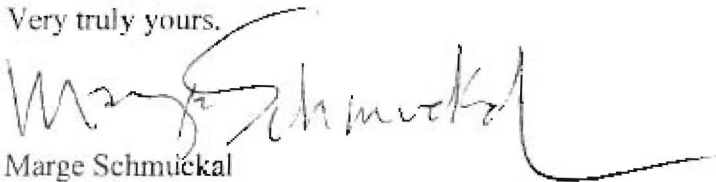
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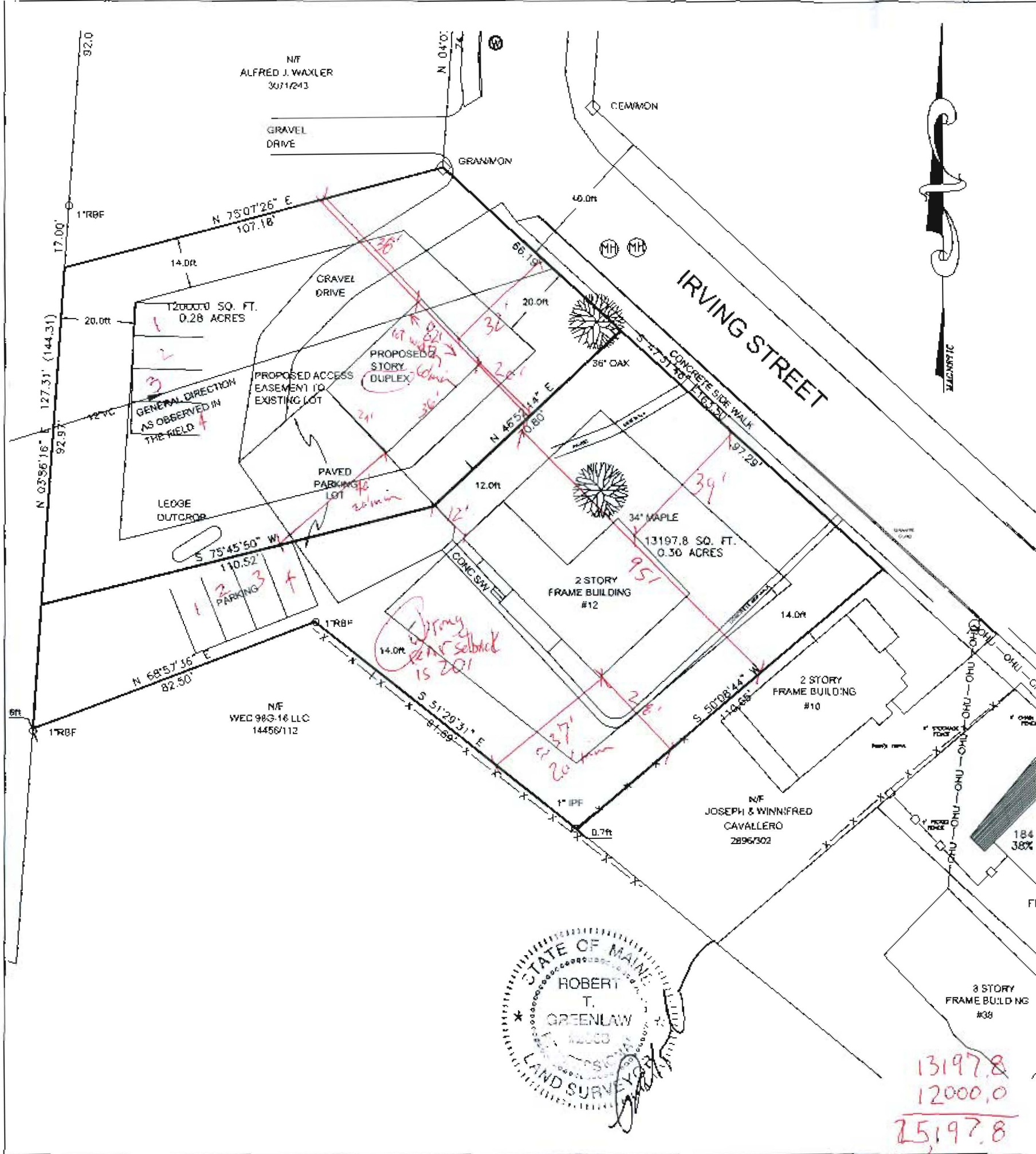
Cc: file

Applicant: <sup>2nd request</sup> Victoria Trapaldy  
 Address: 12-14 Irving St

Date: 11/9/10  
 C-B-L: 129-B 8

CHECK-LIST AGAINST ZONING ORDINANCE

Date - Existing Dev.	Remaining Existing Dev. lot	Newly proposed <del>VACANT</del> Lot
Zone Location - R-5 Prime B-2b AT REAR of #12		
Interior or corner lot -	Existing multiplex	proposing A
Proposed Use/Work - to divide existing lot	3 DU existing will be changed to Duplex (2 fam)	2 Story Duplex
Sewage Disposal - City	per Jay	
Lot Street Frontage - 50' min	m 11/11/10 97.29' shown	66.19' shown
Front Yard - 20' min -	39' scaled	32' scaled
Rear Yard - 20' min -	37' scaled	40' scaled
Side Yard - 1 story 8' - 2 story 12' -	12' & 28' scaled	20' & 38' scaled
Projections -	will be a 2 unit	
Width of Lot - multiplex - 90' min 1 or 2 units - 60' min	85' 95' scaled (90' min) 60' min *	82' scaled (60' min)
Height - 35' MAX for Principal Bldg min lot size = 6,000 sq ft	3197.0	12,000 sq ft
Lot Area -	3 units req 18,000 → NO information provided	(6,000 sq ft min req) New to prop
Lot Coverage/ Impervious Surface - 40% MAX	18,000 sq ft min req 6,000 sq ft for 2 unit	6,000 sq ft min req
Area per Family - multiplex - 6,000 sq ft/DU 1 or 2 DU = 3,000 sq ft/DU	* 3 req - 4 shown needs easements	2 per each DU, 4 shown OK
Off-street Parking - 2 each per New DU 1 each per old DU		
Loading Bays - N/A		
Site Plan - Reg in future		
Shoreland Zoning/ Stream Protection - N/A		
Flood Plains - panel 7 - Zone X		



**GENERAL NOTES:**

- RECORD OWNER OF PARCEL: VICTORIA A. TRIPALDI AS RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 13096, PAGE 19.
- BEARINGS ARE BASED UPON AN OBSERVATION TAKEN AT THE TIME OF SURVEY.
- AREA OF ORIGINAL SUBJECT PARCEL: 25197.8 SQUARE FEET OR 0.58 ACRES.
- REFERENCE IS MADE TO THE FOLLOWING PLANS:  
 a. STANDARD BOUNDARY SURVEY & EXISTING CONDITIONS SURVEY 701 FOREST AVENUE PORTLAND, MAINE MADE FOR THERMO CONSULTING ENGINEERS & COFFE STREET HADLEY, MA. BY TITCOOMB ASSOCIATES PORTLAND NORTH BUSINESS PARK FALMOUTH, MAINE 04105. DATED 05-19-95  
 b. STREETLINE PLANS OF IRVING STREET RECONSTRUCTION DATED 1997 PROVIDED BY THE CITY OF PORTLAND MAINE.  
 c. CITY OF PORTLAND ASSESSORS PLAN 129-8-8
- NO CHANGE TO THE EXISTING TOPOGRAPHY IS PLANNED.

ZONING:  
 THE SUBJECT PARCEL FALLS PRIMARILY IN THE CITY OF PORTLAND'S R-S ZONE.

SETBACKS:  
 FRONT YARD: 20'  
 REAR YARD: 20'  
 SIDE YARD: 8' ONE STORY BUILDING  
 12' TWO STORY BUILDING  
 MINIMUM FRONTAGE: 50'

*Used for the 2nd determination letter*

FLOOD NOTE: BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE "X" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY-PANEL NO. 230051-7C, WHICH BEARS AN EFFECTIVE DATE OF 12/08/01 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

- LEGEND**
- 6" x 6" Granite monument found
  - 5/8" Solid pin, no cap found
  - △ Survey Instrument Point
  - Abutter Line
  - Property Line
  - Street Line
  - (50.00') Distance from reference plan or deed.
  - N/F Now Or Formerly
  - A.G. Above Grade
  - B.G. Below Grade
  - Overhead Utility
  - Utility Pole
  - Edge of traveled way
  - Utility Pole

**RECEIVED**

NOV - 5 2010

Dept. of Building Inspections  
 City of Portland Maine

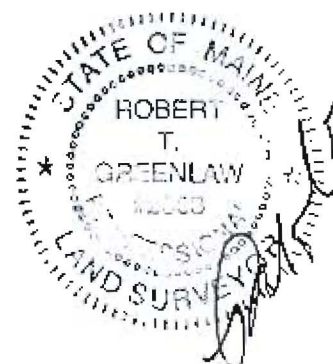
**SURVEYORS STATEMENT:**

I HEREBY CERTIFY THAT THIS SURVEY CONFORMS TO THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS' STANDARDS OF PRACTICE AS ADOPTED APRIL 01, 2001 WITH THE FOLLOWING EXCEPTIONS:

- NO WRITTEN REPORT
- NO NEW DESCRIPTION

ROBERT T. GREENLAW P.L.S.

DATE: 11/03/2010



13197.8  
 12000.0  
 25197.8

REVISION 11-04-2010  
**STANDARD BOUNDARY/SITE PLAN**  
**PROPOSED LOT SPLIT**  
 14 IRVING STREET PORTLAND, MAINE  
 FOR: VICTORIA TRIPALDI

DRAWN BY: RTG	CHECKED BY: SBB
SCALE: 1"=30'	DATE: 08/12/2003
JOB NUMBER: 2003103	SHEET: 1 of 1.

PREPARED BY:  
**BACK BAY BOUNDARY, INC.**  
 LAND SURVEYING  
 65 NEWBURY STREET  
 PORTLAND, MAINE  
 207-774-2855 FAX 207-761-2010

DATE: 11/03/2010  
 DRAWER: 2001 NO: 103