
correction on zoning map

6 messages

Barbara Barhydt <bab@portlandmaine.gov>

Fri, Jul 14, 2017 at 2:58 PM

To: Charles Wordell <cww@portlandmaine.gov>

Cc: "O'Brien, Stuart" <sgo@portlandmaine.gov>, Ann Machado <amachado@portlandmaine.gov>

Hi Chuck:

Andrew Watson is seeking to do a building addition and connect his garage. CBL 133 B-14 is in the R-5 zone with a two family house. According to the current zoning map, the garage is shown in the ROS zone (cbl 133- B-15). Ann Machado and I have done research and believe this designation was not intended for this lot (scrivener's error) and we would like to have the zoning map corrected to put cbl 133-B-15 in the R-5 zone.

Our findings are as follows:

1. Ann researched the documents on microfiche and tax assessor's records. The two family home and rear garage were built or on the site as of 1925. There was a demolition of a structure and a rear garage built in 1938. The tax assessor records are attached and the record from 1950's lists a garage, but it is not depicted on the sketch.
2. The zoning map from 1975 shows Mabel Street to be in the R-5 zone with the land to the south and west is zoned R-3. (attached)
3. The ROS zone was adopted on October 5, 1981. The Council Order is attached. The Order does not include the map amendments. However, the purpose states the ROS zone is intended to (a) to preserve and protect open space as a limited and valuable resource; (b) to permit the reasonable use of open space, while simultaneously preserving and protecting its inherent open space characteristics to assure its continued availability for public use as scenic, recreation, and conservation or natural resource area, and for the containment and structuring of urban development; and (c) to coordinate with and carry out federal, state, regional and city recreation and open space plans. The ROS zone may include major parcels (over 2 acres) of public property, and private property legally restricted from intensive use or development through deed, covenant, or otherwise.
4. The Zoning Map that was last updated in 1990 shows the ROS along a portion of Mabel Street and it excludes an area in the vicinity of Mr. Watson's property. The outline for ROS is darker and within the property area it is called Baxter Pines. (attached) Mr. Watson's property was not part of Baxter Pines.

According to current tax assessor records, Mr. Watson's property has only 10,000 sf, so it does not meet the threshold for a 2 acre lot. It also is privately held and developed, so it is not being used as open space or conserved open space. He also provided a copy of his deed and there are no easements or covenants for public open space.

Could you please make the correction on the zoning map and please let us know when it is done?

Thank you.

Barbara

Barbara Barhydt
Development Review Services Manager
Planning Division
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3 attachments

 **ROS Council Order (1).pdf**
972K

 **Tax Assessor Records.pdf**

1102K

 **Zoning Maps.pdf**
2916K

Charles Wordell <cww@portlandmaine.gov> Tue, Jul 18, 2017 at 11:25 AM
To: Barbara Barhydt <bab@portlandmaine.gov>
Cc: "O'Brien, Stuart" <sgo@portlandmaine.gov>, Ann Machado <amachado@portlandmaine.gov>

Good Morning Barbara,

I made edits to the zoning layer for the parcel outlined above.

I believe that it is now correct.


However, if you could review and get back to me with any comments that would be great.

Enclosed, please find a PDF copy of the latest version of the mainland zoning map.

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Charles W. Wordell Jr. Surveyor
City of Portland, Maine
Department of Public Works, Engineering
[207-874-8803](tel:207-874-8803)

 **Zoning_36x50_July_17_2017.pdf**
6567K

Barbara Barhydt <bab@portlandmaine.gov> Tue, Jul 18, 2017 at 12:32 PM
To: Charles Wordell <cww@portlandmaine.gov>
Cc: "O'Brien, Stuart" <sgo@portlandmaine.gov>, Ann Machado <amachado@portlandmaine.gov>


Thank you Chuck. This looks right to me. I am going to double check with Ann and let you know for sure.

Thanks.

Barbara

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 **Zoning_36x50_July_17_2017.pdf**
6567K

Ann Machado <amachado@portlandmaine.gov> Tue, Jul 18, 2017 at 1:47 PM
To: Barbara Barhydt <bab@portlandmaine.gov>

I checked it and the two lots are Correct.

Ann Machado
Zoning Administrator
Permitting and Inspections Department

City of Portland, Maine

(207) 874-8709

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Barbara Barhydt <bab@portlandmaine.gov>
To: Ann Machado <amachado@portlandmaine.gov>

Tue, Jul 18, 2017 at 1:50 PM

Thank you!!

Barbara Barhydt
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To: Charles Wordell <cww@portlandmaine.gov>
Cc: "O'Brien, Stuart" <sgo@portlandmaine.gov>, Ann Machado <amachado@portlandmaine.gov>

Tue, Jul 18, 2017 at 1:58 PM

Thank you. We are all set. The change is correct.

Barbara
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