



Planning & Urban Development Department

Jeff Levine, AICP, Director
Marge Schmuckal, Zoning Administrator

July 2, 2014

Mary E. Costigan
C/O Bernstein Shur
100 Middle Street
P.O. Box 9729
Portland, ME 04104-5029

RE: 80-84 Best Street – 134-D-9 & 10 – The Richardson Farm Condominium Association (the
"Property") – R-5 Zone

Dear Mary,

I am in receipt of your request for a determination letter concerning the Property. My determination is based upon a survey showing a division of the Property into two separate lots. The survey is a signed, stamped survey by David E. Titcomb dated May 22, 2014, made for Victoria Dalzell. It is further noted that all the Property is located in the R-5 residential zone.

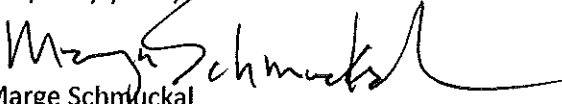
14-426 allows basement bulkheads to be sited within a setback, the side setback in this case, if the bulkhead is less than fifty (50) square feet in size and does not project from the building more than six(6) feet and is no more than twenty-four (24) inches in height. You have confirmed that the highest point of the bulkhead is approximately 23- 6/8 inches. Therefore, the shown bulkhead on the side of the Unit 1 and Unit 2 building is meeting the current Land Use Zoning Ordinance.

I have determined that the proposed division of land as shown on the submitted survey would not violate the current R-5 zone, including the dimensional requirements. Both lots are in compliance with the R-5 zone requirements as shown.

You have indicated in your letter to me that the portion of the Property owned by Victoria Dalzell would result in a "single family" lot. Please note that the last approved use of this portion of the Property was approved as a two family condominium. If the current owner wishes to convert her portion of the Property to a single family, this office would need a change of use application. Such a request would not be subject to the regulations of section 14-483, Housing Preservation and Replacement Ordinance.

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

Very truly yours,


Marge Schmuckal
Zoning Administrator