

**Department of Permitting and Inspections**

Ann Machado, Zoning Administrator

May 9, 2016

Paul S. Bulger
Jewell & Bulger, P.A.
477 Congress Street, Suite 1104
Portland, ME 04101

Re: 132 Leland Street – 134-G-008 (the “Property”) – R-5 Residential Zone

Dear Attorney Bulger,

I am receipt of your request for a determination regarding the property at 132 Leland Street.

The Property is located in the R-5 Residential Zone. Our records show a building permit from 1 928 which lists the use of the building as storage and a three car garage. This is the only permit that we have on file. The pre 1957 assessor’s record lists the use as a stable.

§ 14-120(b) of the land use ordinance spells out the criteria for “small residential lot development “ in the R-5 zone which allows a single family home to be built on a lot that does not meet the requirements of § 14-120(a). The first condition is that the lot was either vacant as of September 3, 2008, used exclusively for parking or was not used for residential purposes. As stated above, the legal use of the building is a garage/stable with storage, so the first condition has been met.

§ 14-120(b)(1) states that the minimum required lot size is 5,000 square feet and § 14-120(b)(2) states that the maximum size for a lot with a structure that was not used for residential use is 6,000 square feet. The assessor’s page for the Property gives the lot size as 5,789 square feet, so both these conditions are being met.

§ 14-120(b)(4) states that the minimum required lot width is forty feet and section 14-120(b)(5) states that the minimum street frontage required is forty feet. The deed (Book 10834, Page 336) states that the lot has seventy feet of frontage on Leland Street and is forty-three feet across the rear, so both the lot width and street frontage can be met.

In conclusion, under section 14-120(b), a single family home can be built on the Property as long as the structure is built to meet the dimensional requirements of § 14-120(b)(3).

Please feel free to contact me with any questions.

Portland, Maine



Yes. Life's good here.

Department of Permitting and Inspections

Yours truly,

A handwritten signature in black ink, appearing to read "Ann B. Machado".

Ann B. Machado

Zoning Administrator

Permitting and Inspections Department

City of Portland Maine

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