

172-F-004

Inspection Services
P. Samuel Hoffses
Chief



Planning and Urban Development
Joseph E. Gray Jr.
Director

CITY OF PORTLAND

Joseph V. Lenkowski
c/o Scaccia, Lenkowski & Aranson
P.O. Box 929
Sanford, Maine 04073

File →

RE: 1051 Washington Avenue 172-F-4-5-9

November 25, 1997

Dear Mr Lenkowski,

I am in receipt of your letter dated November 7, 1997. As you know the Portland Zoning Ordinance does not allow the creation of a nonconforming lot. I have reviewed what you have sent me. Lot #1 or 172-F-9 shows a current legal nonconforming 2 unit dwelling. Your setbacks from lot #8 or 172-F-5 appears to be more than adequate for today's required setback. Lot #8 & 9 or 172-F-4 & 5 are in an R-3 residential zone. From what is indicated for those two lots, both would need to be combined in order to have one buildable lot under today's ordinances. Please note that when you apply for a permit, the ordinances in place at that time will be used to consider compliance, not necessarily today's ordinance.

Very Truly Yours,

Marge Schmuckal
Zoning Administrator

cc: File

LAW OFFICES
SCACCIA, LENKOWSKI & ARANSON

306 MAIN STREET
POST OFFICE BOX 929
SANFORD, MAINE 04073
TELEPHONE: (207) 324-4198
FAX: (207) 324-0206

NICHOLAS C. SCACCIA
JOSEPH V. LENKOWSKI
PAUL ARANSON

SCARBOROUGH OFFICE
TELEPHONE: (207) 883-6769

Received
11/10/97

November 7, 1997

Marge Schmuckal
Portland City Hall, Room 315
389 Congress Street
Portland, Maine 04101

**Re: Property located at 1051 Washington Avenue,
Portland, Maine
Owners: John Naples, Sr. and Donna Wax**

Dear Marge:

In follow-up to our phone conversations, I am enclosing herewith a Class D Survey which was performed on my client's property as well as a copy of the current deed to the property.

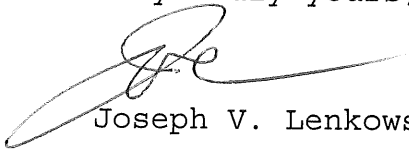
As we have discussed, our question is whether the lots designated as 8 and 9 may be separated from Lot 1 and, if so, whether the result would be one or two separate, buildable lots.

R-3 Zone

I understand that you will review the enclosures and then let me know whether a decision can be made on the information submitted or whether additional information will be required.

Thank you again for your help in this matter, and I look forward to hearing from you.

Very truly yours,



Joseph V. Lenkowski

JVL:el

Encls. (2)


6,500 \$

049690

STATUTORY SHORT FORM
WARRANTY DEED

I, JOHN JOHN F. NAPLES, of Portland, County of Cumberland and State of Maine, for consideration paid, grant to JOHN A. NAPLES, SR., of Dover, County of Strafford and State of New Hampshire and DONNA LEE BORELLI WAX of Windham, County of Cumberland and State of Maine, whose mailing address is John A. Naples, Sr., 281 Washington St., Dover, New Hampshire 03820 as tenants in common, with warranty covenants, the land in Portland, County of Cumberland and State of Maine, described as follows:

See Exhibit "A"

Witness my hand and seal this 17th day of September 1990
Herbert A. Crommett *John F. Naples* 
John F. Naples

STATE OF MAINE
CUMBERLAND, ss. September 17, 1990

Then personally appeared the above-named John F. Naples and acknowledged the foregoing instrument to be his free act and deed.

Before me, *Herbert A. Crommett*
~~Notary Public~~
Attorney-at-Law

Printed name Herbert A. Crommett

Exhibit "A"

A certain lot or parcel of land with the buildings thereon, situated on the northeasterly side of Washington Avenue in said Portland, bounded and described as follows, to wit:

Beginning at the corner formed by the intersection of the northeasterly side of Washington Avenue with the northwesterly side of Ray Street and running thence northwesterly by said Washington Avenue forty three (43) feet to a monument set at an angle in said Avenue; thence northwesterly by said Avenue fifty six and seven hundredths (56.7) feet to the southerly corner of Lot number two (2) delineated upon a plan of Washington Terrace, so-called, recorded at the Cumberland County Registry of Deeds, Plan Book 13, Page 72; thence northeasterly by the southeasterly side line of Lot number seven (7) as shown on said plan two hundred twenty three and forty six hundredths (223.46) feet, more or less, to the southwesterly side of Joseph Avenue; thence southeasterly by said Joseph Avenue one hundred (100) feet to said northwesterly side of Ray Street, thence southwesterly by said Ray Street two hundred twenty (220) feet to the point of beginning, being lots one (1) eight (8) and nine (9) as shown on said plan.

Reference is hereby made to a deed from Teresa M. Naples to John F. Naples et ux dated February 8, 1979 and recorded in said Registry in Book 4381, Page 205.

RECEIVED
RECORDED REGISTRY OF DEEDS
1990 OCT 12 AM 11:43
CUMBERLAND COUNTY



THIS IS NOT A BOUNDARY SURVEY

MORTGAGE INSPECTION OF: DEED BOOK 8351 PAGE 116 COUNTY Cumberland
PLAN BOOK 13 PAGE 72 LOT 1, 8, 9

ADDRESS: 1051 Washington Avenue, Portland, Maine

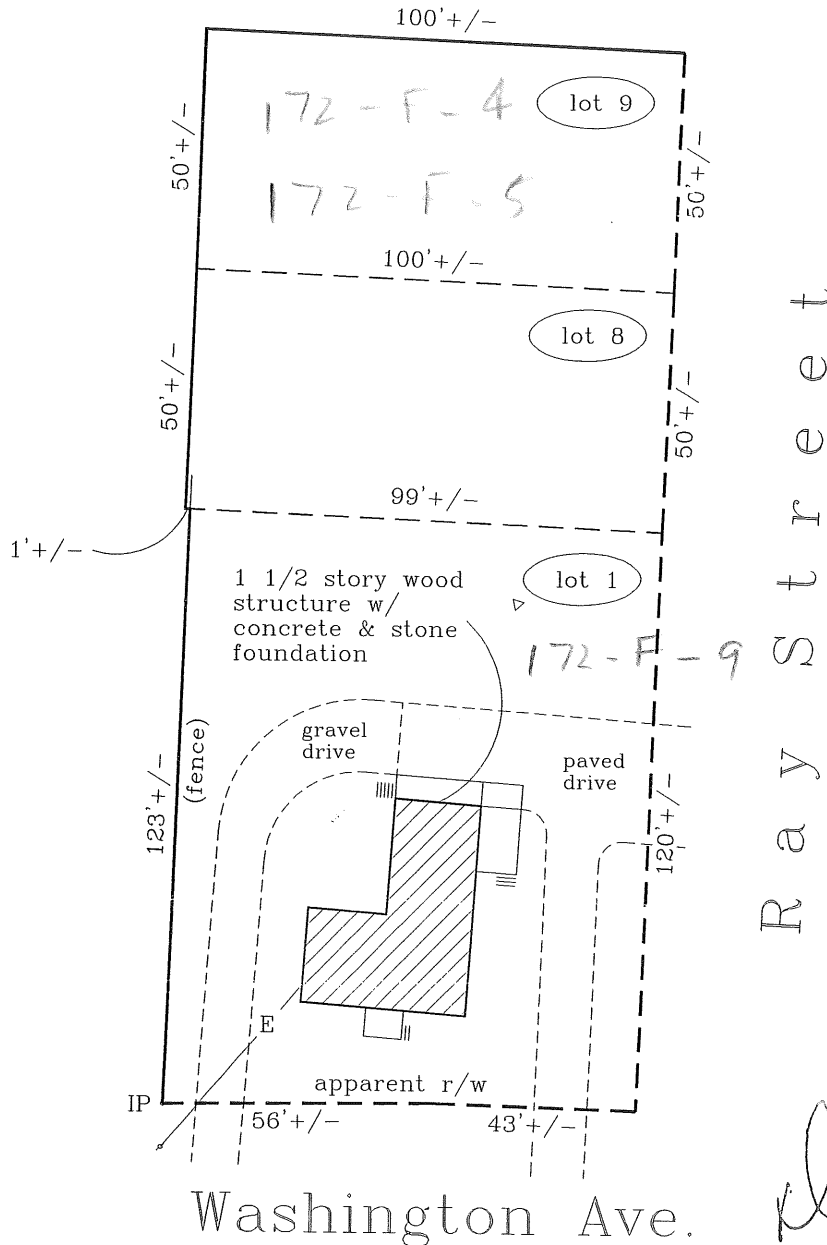
Job Number: 180-71

Owners: John A. Naples, Sr. & Donna L. Borelli

Inspection Date: 10-29-97

Scale: 1" = 40'

Joseph Ave. (paper street)



Washington Ave.

I HEREBY CERTIFY TO: Scaccia, Lenkowski & Aranson

and its title insurer.

Monuments found did not conflict with the deed description.

The dwelling setbacks do not violate town zoning requirements.

As delineated on the Federal Emergency Management Agency Community Panel: 230051-0007 B

The structure does not fall within the special flood hazard zone.

The land does not fall within the special flood hazard zone.

APPARENT EASEMENTS AND RIGHTS OF WAY ARE SHOWN. OTHER ENCUMBRANCES, RECORDED OR NOT, MAY EXIST. THIS SKETCH WILL NOT REVEAL ABUTTING DEED CONFLICTS, IF ANY.

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Livingston - Hughes

Professional Land Surveyors

88 Guinea Road

Kennebunkport - Maine 04046

207-967-9761 phone/fax

THIS SKETCH IS FOR MORTGAGE PURPOSES ONLY

RPPLST6 CAMA Real Property System - Residential Display 11/25/97

RPP092 Parcel Id: 172- - F-004-001 01/01 Acct: N0096398 10:57

Property Address 1051 WASHINGTON AVE

Owner Name1 NAPLES JOHN A SR & (1, f, i)

Name2 DONNA L BORELLI WAX

Address 28 COTTON DR

City/State/Zip WINDHAM ME 04062

Entrance Code Land Use 12 # of Units 2

*120x99 = 11,880^{sq ft}
microfiche 1954
shows 2 units*

Route 15 Zone R3 Nbhd 104 District 7 Traffic 3

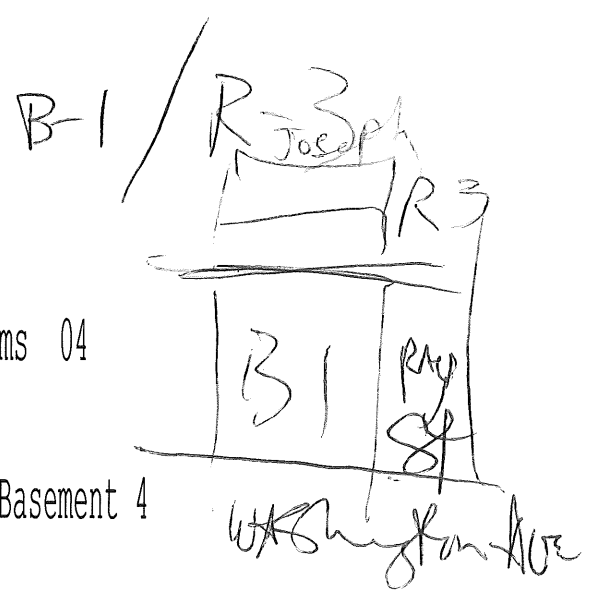
Total Sq Ft

Utilities 1 Desc 172-F-4-5-9 Living Area 1,633

WASHINGTON AVE

1049-1055 RAY ST 2-18

JOSEPH AVE 22002 SF



House Style 4 Year Built 1848 Total Rms 08 Total Bedrms 04

Baths Full 2 Half 0 Kitchen Remodeled 2 Bath Remodeled 2 Basement 4

Attic 5 Phy Cond 3 CDU AV Heating Type 2 4 5 Wood/Coal Burn 0

Next Screen [] Bldg Sketch Screen [] Return []