



Planning & Urban Development Department

Jeff Levine, AICP, Director
Marge Schmuckal, Zoning Administrator
August 18, 2014

James Nadeau
Nadeau Land Surveys
918 Brighton Avenue
Portland, ME 04102

RE: 56 & 60 Bradley Street – 188-A-027 & 028 – R-3 Residential Zone

Dear Jim,

I am in receipt of your request for a determination letter concerning the above property on Bradley Street. The entire property is located in a R-3 residential zone. My determination is based upon a submitted survey, both stamped and signed by James D. Nadeau on 8-11-14. The survey shows a single lot being divided into two lots.

Proposed Parcel B, with the existing single family, is meeting all the underlying R-3 zone requirements, including but not inclusive, the minimum lot size, street frontage, lot width, setbacks and parking. Proposed Parcel A is also meeting the underlying R-3 zone requirements, such as the minimum lot size, street frontage and lot width. Although the Land Use Zoning Ordinance does not require "building envelopes" to be shown on submitted surveys, they do show availability as to where a structure can be placed on a lot. The envelope on Proposed Parcel A is misleading. In the first 75' from the front property line, the given envelope implies that a structure could be placed in that area. It cannot. I also want to point out that because the lot is widened after 75' from the front property line, there are implications that the 30 foot line labeled "N27°36'48"E becomes a front setback line. A principal structure placed in front of that line is required to meet the minimum front setback. The R-3 zone normally requires a 25' front setback. However, section 14-90(d)1 allows the minimum front yard to be reduced if the properties on either side are less than 25'. Their front setbacks can be averaged and used for the newly created vacant lot. The envelope along the N27°36'48"E should be revised to show the proper front yard setback for this lot.

I have determined that both lots can meet or does meet the R-3 dimensional requirements. Please note that this determination letter does not substitute for the submission of a permit application prior to any construction. Please call if you have any questions, (207) 874-8695.

Sincerely,

A handwritten signature in black ink that reads "Marge Schmuckal".

Marge Schmuckal
Zoning Administrator
City of Portland, ME