



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,

Marge Schmuckal
Zoning Administrator
City of Portland, ME

Applicant: James Nadeau

Date: 8/18/14

Address: 56-60 Bradley St

C.B.L.: 188-A-027 (JAC)
188-A-028 (single fam)

CHECK-LIST AGAINST ZONING ORDINANCE

1" = 10'

Date -

Zone Location - R-3

188-A-027

188-A-028

Interior or corner lot -

Proposed Use/Work - To divide A lot with a single fam D.U. into 2 lots

Sewage Disposal - City Lot A - New VACAN Lot B - with existing single fam

Lot Street Frontage - 50' min 50' shown 50' shown

→ Front Yard - 25' min (20' average) less shown exists 20' ok

Rear Yard - 25' min 25' shown 25' + shown

Side Yard - 1 story 8' min ok 8' shown on New ok 33' x 9' for A 2 story

Projections -

Width of Lot - 65' min 65' 65' under

Height - 45' MAX can meet is 17.5 stories

Lot Area - 6,500^{sq} min 6940^{sq} 6940^{sq}

Lot Coverage Impervious Surface - 35% MAX ability to meet ok showing 17.6%

Area per Family - 6,500^{sq} min

Off-street Parking - 2 required for each ability to meet showing at least 2

Loading Bays - N/A

Site Plan -

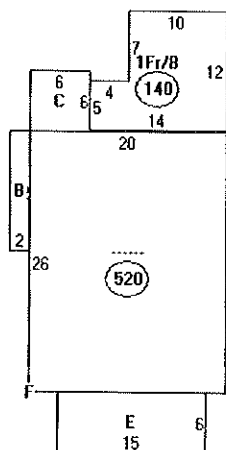
will be req existing

Shoreland Zoning/ Stream Protection -

N/A N/A

Flood Plains - panel 13 - Zone C

→ Questioning "envelope"



Descriptor/Area	Area
A: -----	500
B: FBAY	24
C: FUB	36
D: 1Fr/B	140
E: EP	90
F: FG1	432
	1222^{sq ft}

17.6%

Lot coverage New lot "B" - $6940 \times 35\% = 2429^{\text{sq ft}}$ MAX Coverage
 ↓
 with existing Bldg

*Plan Depicting The Results Of A Boundary Survey
 & Proposed Lot Division Made For
Scott A. Harding
 Northwesterly Sideline Of Bradley Street
 Portland, Maine*

RECEIVED
 AUG 13 2014

Dept. of Building Inspections
 City of Portland Maine

PREPARED BY:



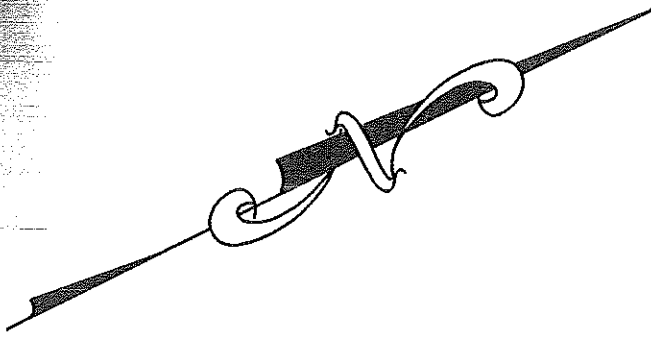
Nadeau Land Surveys

918 BRIGHTON AVENUE
 PORTLAND, ME 04102

Professional Land Surveyors
 Certified Floodplain Managers

PH. (207) 878-7870
 FAX (207) 878-7871

<u>RECORD OWNER:</u> Scott A. Harding 60 Bradley Street Portland, Maine 04102	<u>DRAWN BY:</u> TPB	<u>PLAN DATE:</u> 8/11/2014
	<u>CHECKED BY:</u> JDN/MLC	<u>SURVEY DATE:</u> July 2014
	<u>INSTR.</u> Topcon GPT-3003W	<u>SCALE:</u> 1" = 10'
<u>FIELD BOOK:</u> FB 403 & Topcon Ranger	<u>JOB No:</u> 2141505B	<u>SHEET No:</u> 1 of 1

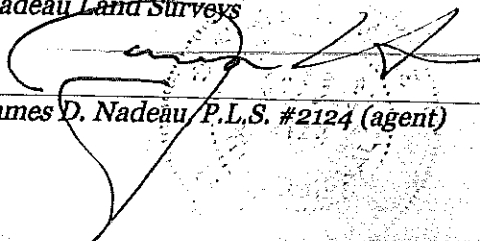


Surveyor's Statement:

Nadeau Land Surveys hereby states exclusively to the client listed hereon, that this plan is based on, and the result of, an on the ground field survey and that to the best of our knowledge, information, and belief, it conforms to the Maine Board of Licensure For Professional Land Surveyors Standards of Practice.

This plan is not valid without the signature and embossed seal of the below listed Professional Land Surveyor who prepared this plan as it may contain unauthorized alterations unknown to this office.

Nadeau Land Surveys



James D. Nadeau P.L.S. #2124 (agent)

8-11-14

Date:

Graphi



General Notes:

1. *This plan is not intended to depict limits or extent of fee title ownership. An opinion of title should be rendered by a title attorney.*
2. *This office reserves the right to be held harmless by all 3rd party claims.*
3. *This survey does not purport to reflect any of the following:*
 - a. *easements other than those that are visible or specifically stated in the referenced documents.*
 - b. *building setback compliance or restrictive covenants.*
 - c. *zoning or other land use regulations.*
 - d. *the location of any underground utilities or structures.*
4. *This office reserves the right to be held harmless for unknown or unobtainable private records which could affect the results of this survey.*
5. *Reference is made to "Letter Of Agreement" dated April 21, 2014 between Nadeau Land Surveys and the below listed client(s), which shall be considered an integral part of this survey.*
6. *N/F is an abbreviation for Now or Formerly.*
7. *All deeds referenced on this plan are recorded at the Cumberland County Registry of Deeds (CCRD).*
8. *This office does not accept any liability for errors in the Plan References listed hereon.*
9. *Locus Parcel is shown on the City of Portland Assessor's Map 188, Block A, as Lots 27 & 28, and is listed as 56 & 60 Bradley Street.*
10. *Total Area of Locus Parcel is 13,880 square feet (0.32 acre).*
11. *The apparent right of way lines depicted on this plan are based on the Plan References listed hereon and monumentation found in the field, and City of Portland Engineering Street Notes.*
12. *The Locus Parcel does not scale in a Special Flood Hazard Area per FEMA Flood Insurance Rate Map Community-Panel Number 230051 0013B, index dated December 8, 1998. The parcel scales in Zone C.*
13. *All building corner offsets to boundary lines are from cornerboards and not building foundation, unless noted.*
14. *Call 1-888-DIGSAFE at least three business days before performing ANY excavation.*
15. *Per City of Portland Records Vol. 28, Page 559, Bradley Street was accepted November 6, 1899 as sixty-six (66') feet wide.*
16. *Overhead utility lines serving land N/F Spear appear to encroach on Locus Parcel. No record easement found.*
17. *Locus Parcel is located in Residential R-3 Zone. The proposed division and setbacks depicted hereon shall be reviewed and approved by the City of Portland Zoning Administrator prior to conveying either parcel. Required side yard setbacks are based on number of dwelling stories. Construction plans should be submitted along with this plan to aid the municipality in*

Nadeau Land Surveys

Professional Land Surveyors
Certified Floodplain Managers

August 11, 2014

R-3

Marge Schmuckal, Zoning Administrator
City of Portland
389 Congress Street
Portland, Maine 04101

56-188-A-027 - VAC - 6950^{sq}
60-188-A-028 - DEV - 6900^{sq}
Single Fam.

RE: Proposed Lot Division, 56 & 60 Bradley Street, Portland, Maine (2141505BL1)

Dear Marge,

For your review, please accept this letter and attached plan as a follow-up to your informal meeting on May 30, 2014 with Thomas P. Blake, PLS, of this office. As you know, our client desires to divide his current parcel he acquired July 13, 2012 per Cumberland County Registry of Deeds Book 29750, Page 214 which is identified as Lots 27 and 28 on City of Portland Assessor's Map 188, Block A. See our attached plan entitled "*Plan Depicting The Results Of A Boundary Survey & Proposed Lot Division Made For Scott A. Harding, Northwesternly Sideline Of Bradley Street, Portland, Maine*", dated August 11, 2014 by Nadeau Land Surveys, Portland, Maine which depicts the proposed land division.

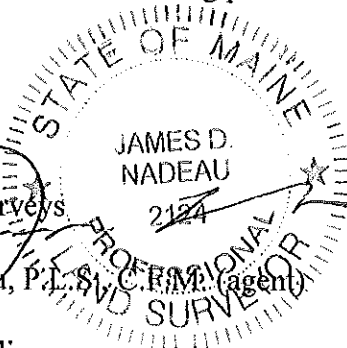
The Locus Parcel is located in the R-3 Residential Zoning District. Each of the Proposed Parcels depicted on the plan have the required frontage of 50 feet, will exceed the required minimum lot size of 6,500 sq.ft., and will have the required minimum lot width of 65 feet for a corresponding dwelling. The side setbacks depicted on the plan are based on a 1-story dwelling, with Note 17 explaining that the side setbacks are based on the number of stories for the dwelling.

Please find enclosed a check in the amount of \$150 to review the proposed land division at 56 & 60 Bradley Street, Portland, Maine. It is our desire that your formal determination be in writing confirming the Locus Parcel is located in the R-3 Zone and that our boundary survey plan represents a proposed lot division and setback window that would be in compliance to the City of Portland Zoning Ordinance. Our client understands that this request does not secure a building permit. Thank you for your time and please do not hesitate to call if you have any questions.

Sincerely,
Nadeau Land Surveys

James D. Nadeau, P.L.S., C.F.M. (agent)

cc: Scott A. Harding



RECEIVED
AUG 13 2014
Dept. of Building Inspections
City of Portland Maine



56 & 60 Bradley



CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

389 Congress Street
 Portland, Maine 04101

INVOICE OF FEES

Application No: 0000-2006	Applicant: HARDING SCOTT A
Project Name: 56 BRADLEY ST	Location: 56 BRADLEY ST
CBL: 188 A027001	Application Type: Determination Letter
Invoice Date: 08/13/2014	

Previous Balance	-	Payment Received	+	Current Fees	-	Current Payment	=	Total Due	Payment Due Date
\$0.00		\$0.00		\$150.00		\$150.00		\$0.00	On Receipt

Previous Balance \$0.00

Fee Description	Qty	Fee/Deposit Charge
Zoning Determinations	1	\$150.00
		<u>\$150.00</u>
Total Current Fees:	+	\$150.00
Total Current Payments:	-	\$150.00
Amount Due Now:		<u>\$0.00</u>

CBL 188 A027001
Bill To: HARDING SCOTT A
 60 BRADLEY ST
 PORTLAND , ME 04102

Application No: 0000-2006
Invoice Date: 08/13/2014
Invoice No: 46136
Total Amt Due: \$0.00
Payment Amount:

Make checks payable to the *City of Portland*, ATTN: Inspections, 3rd Floor, 389 Congress Street, Portland, ME 04101.

Check the status of your permit or schedule an inspection on-line at <http://www.portlandmaine.gov/792/Permit-Status>

[Click Here to Pay On Line](#)