



## Planning &amp; Urban Development Department

Jeff Levine, AICP, Director  
Marge Schmuckal, Zoning Administrator  
September 9, 2014

Beverly Bailey  
295 Capisic Street  
Portland, Maine 04102

RE: 42 Stevens Avenue – 194-C-9, 10, 11, 70 (the "Property") – R-3 Zone

Dear Ms. Bailey,

I am in receipt of your request for a determination letter concerning the Property. The Property is located entirely within the R-3 residential zone. Currently there is a legal three (3) residential dwelling located on the Property. You are requesting a determination concerning the division of this one lot (consisting of four parcels) into two lots. I have based my determination upon a submitted survey provided by R. W. Eaton Associates, sealed and stamped by Richard W. Eaton, P.L.S.

I have determined that the proposed division of land meets the underlying R-3 zone requirements. The existing developed lot with 3 legal dwelling units is meeting the minimum lot size and the listed dimensional requirements. Parking (three spaces) is being met under section 14-332(a)2. The developed lot as proposed will not be in violation of the Land Use Ordinance. In addition, the newly proposed vacant lot does meet the minimum lot size, minimum street frontage, and lot width. This same lot can meet all other dimensional requirements when a building is finally proposed. It is noted that I do not agree with how the possible "envelope" for build-out is shown on the survey. The front of the lot faces Stevens Avenue, and therefore the front setback should be facing the eastern property line abutting the existing building with the rear setback opposite the front on the westerly property line. My calculations show that a reasonable building can still be placed within that lot. Therefore, the proposed vacant lot as shown is not in violation of the Land Use Ordinance.

Please note that this determination is not a substitute for the necessity to apply for the appropriate building permits for construction. It is understood that this office will need to see cross-easements for the access and parking. It is also noted that Public Services and not Zoning who determines width of curb cuts and where they are located. This single division of land does not require a Subdivision review.

If you have any questions regarding this matter, feel free to contact me at (207) 874-8695. You also have the right to appeal my determination within thirty (30) days from the date on this letter. If you wish to exercise your right to appeal, please contact this office for the required paperwork.

Very truly yours,

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

Marge Schmuckal  
Zoning Administrator

Applicant: Beverly Bailey  
 Address: 42 Stevens Ave

Date: 9/9/14  
 C-B-L: 194-C-9, 10, 11, 70

CHECK-LIST AGAINST ZONING ORDINANCE

Date -	Existing 3 Resum + Bldg	New VAC Lot
Zone Location - R-3		
Interior or corner lot -		
Proposed Use/Work - to split 1 lot (several parcels held in common) into 2 lots		
Sewage Disposal - City		
Lot Street Frontage - 50' min	50' shown	50.20' shown
Front Yard - 25' min	16' existing to edge of porch	can be met
Rear Yard - 25' min	26' scaled to map	can be met
Side Yard - 1 story 8' 2 story 14'	of 32' for new PL	can be met
Projections -	of the front deck of 17' shown	meets
Width of Lot - 65' min	existing without	can be met
Height - 35' MAX	6,581 <sup>ft</sup> shown	24, 226 <sup>ft</sup> shown
Lot Area - 6,500 <sup>sq</sup> min	of 2303.35 <sup>sq</sup> MAX 1665 <sup>sq</sup> CALC	can meet
Lot Coverage Impervious Surface - 35% MAX	of 1 per DU allowed	can be met
Area per Family -	of 14-332(a) 2	2 for New single fam
Off-street Parking -	3 shown	
Loading Bays -		
Site Plan -		
Shoreland Zoning/ Stream Protection - N/A	Don't Agree with how the possible "envelope" is shown - The front of the lot faces Stevens	
Flood Plains - Panel 13 - Zoec		

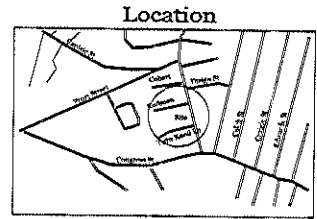
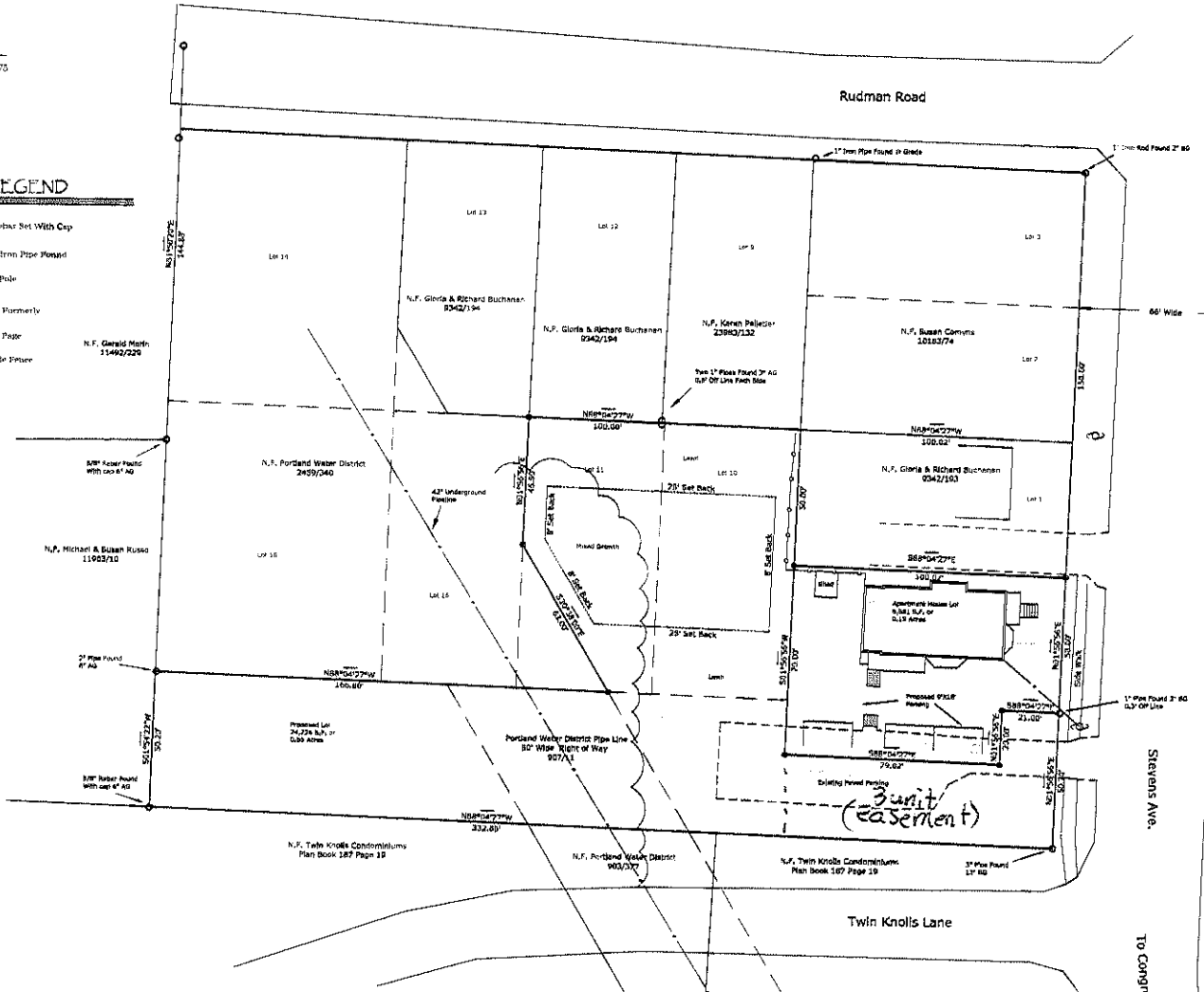
CERTIFICATION



RICHARD W. EATON P.L.L.S. # 2075

LEGEND

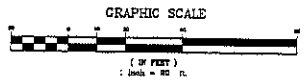
- 1/2" Rubber Set With Cap
- Rubber/Inch Pipe Flange
- ⊕ Utility Pole
- N.P. Now or Formerly
- 12/24/98 Book & Page
- Stakehole Marker



Zone Map  
 Front Set Back 25'  
 Rear Set Back 10'  
 Side Set Back 8' for 1/2 Story Building  
 Minimum Lot Area 6,000 Square Feet

PLAN REFERENCE

- 1) Front Street Rehabilitation Phase 2 for Ralph Kenano Jr by Square Bay Corp. Dated February, 1992 and Recorded in Plan Book 193 Page 176
- 2) Plan Made for Rudman Ken's Company by H.C. Jordan & Co Dated May 28, 1925 and Recorded in Plan Book 15 Page 27
- 3) Twin Knolls Condominiums Recording Plat Portland Maine by DeWorme - Henry Dated January 10, 1988 and Recorded in Plan Book 192 Page 10
- 4) Portland Water District Inaugural Pipe Line Right of Way Plan Dated July 1970 Plat # 14 Recorded in CCKD
- 5) Right of Way Beasts of Renova Ave Between Congress & Colburn Street Dated 4-4-75 on File at Portland Mastering Office



R. W. EATON ASSOCIATES  
 LAND SURVEYING & REAL ESTATE

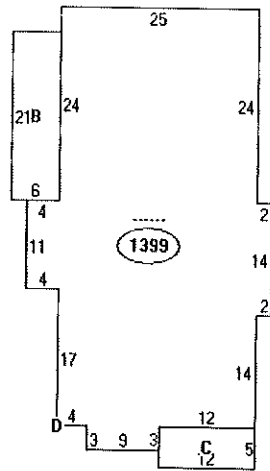
59 PLEASANT STREET, WESTBROOK, MAINE 04092  
 PHONE: 603-884-4400 FAX: 603-884-4401 E-MAIL: RWEATON@STANLEYERP.COM

April 24th, 2014

Boundary Survey and Proposed Split

Load Landed on: 44 Riverside Avenue  
 Portland, Maine 04108  
 Load Owned By: Portland Maine Properties LLC  
 Address: 901 Capitol Street  
 Portland, Maine 04102  
 Load Reference: Book 9929 Page 251

SCALE: N=30
DRAWN BY: RWE
CHECKED BY: R.W.E.
CAD FILE: 684076
PROJ #1: 484
ORIG DATE: 08-26-08
1 REV DATE: 01-08-09
2 REV DATE: 02-08-09
3 REV DATE: 03-08-09



Descriptor/Area	Area
A: ---	1399 sqft
B: 3sOP	126 sqft
C: OP/DP	60 sqft
D: RS1	80 sqft
Shed	18
	8
	26
<b>Total</b>	<b>1665</b>

$6581 \text{ sqft} \times 35\% = 2303.35 \text{ sqft}$

Assessor's Office | 389 Congress Street | Portland, Maine 04101 | Room 115 | (207) 874-8486

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Best viewed at 800x600, with Internet Explorer

**CBL** 194 C009001  
**Land Use Type** THREE FAMILY  
Verify legal use with Inspections Division  
**Property Location** 42 STEVENS AVE  
**Owner Information** PORTLAND MAINE PROPERTIES LLC  
 295 CAPISIC ST  
 PORTLAND ME 04102  
**Book and Page** 29949/254  
**Legal Description** 194-C-9  
 STEVENS AVE 40-42  
  
**Acres** 5000 SF  
 0.1148

**Current Assessed Valuation:**

<b>TAX ACCT NO.</b>	28308	<b>OWNER OF RECORD AS OF APRIL 2014</b>
<b>LAND VALUE</b>	\$53,900.00	PORTLAND MAINE PROPERTIES LLC
<b>BUILDING VALUE</b>	\$287,600.00	295 CAPISIC ST
<b>NET TAXABLE - REAL ESTATE</b>	\$341,500.00	PORTLAND ME 04102
<b>TAX AMOUNT</b>	\$6,830.00	

Any information concerning tax payments should be directed to the Treasury office at 874-8490 or [e-mailed](#).

**Building Information:**

**Building 1**

**Year Built** 1894  
**Style/Structure Type** OLD STYLE  
**# Stories** 3  
**# Units** 3  
**Bedrooms** 6  
**Full Baths** 3  
**Total Rooms** 15  
**Attic** NONE  
**Basement** FULL  
**Square-Foot** 4197

[View Sketch](#)   [View Map](#)   [View Picture](#)

**Outbuildings/Yard Improvements:**

**Building 1**

**Year Built** 1970  
**Structure** SHED-FRAME  
**Size** 8X10  
**Units** 1  
**Grade** C  
**Condition** A

**Sales Information:**




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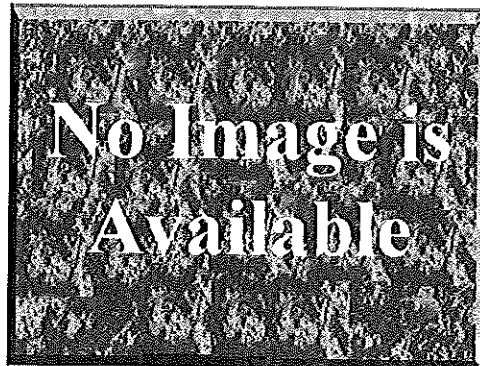
**Current Owner Information:**

<hr/> <p><b>Services</b></p> <p>Applications</p> <p>Doing Business</p> <p>Maps</p> <p>Tax Relief</p> <p>Tax Roll</p> <p>Q &amp; A</p> <hr/> <p><a href="#">browse city services a-z</a></p> <hr/> <p><a href="#">browse facts and links a-z</a></p> <hr/>  <p>Best viewed at 800x600, with Internet Explorer</p>	<p><b>CBL</b> 194 C010001</p> <p><b>Land Use Type</b> VACANT LAND</p> <p>Verify legal use with Inspections Division</p> <p><b>Property Location</b> 0 STEVENS AVE</p> <p><b>Owner Information</b> PORTLAND MAINE PROPERTIES LLC 295 CAPISIC ST PORTLAND ME 04102</p> <p><b>Book and Page</b> 29949/254</p> <p><b>Legal Description</b> 194-C-10 STEVENS AVE R 40-46 5000 SF</p> <p><b>Acres</b> 0.1148</p>
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**Current Assessed Valuation:**

<b>TAX ACCT NO.</b>	28310	<b>OWNER OF RECORD AS OF APRIL 2014</b>
<b>LAND VALUE</b>	\$3,700.00	PORTLAND MAINE PROPERTIES LLC
<b>BUILDING VALUE</b>	\$0.00	295 CAPISIC ST
<b>NET TAXABLE - REAL ESTATE</b>	\$3,700.00	PORTLAND ME 04102
<b>TAX AMOUNT</b>	\$74.00	

Any information concerning tax payments should be directed to the Treasury office at 874-8490 or [e-mailed](#).



[View Map](#)

**Sales Information:**

Sale Date	Type	Price	Book/Page
9/21/2012	LAND	\$0.00	29949/254
9/19/2005	LAND + BUILDING	\$0.00	23169/005
2/22/2004	LAND + BUILDING	\$0.00	/

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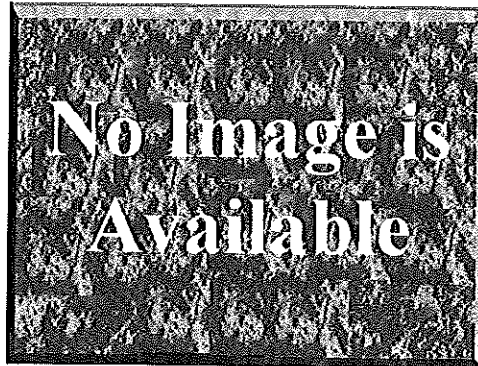
Best viewed at 800x600, with Internet Explorer

<b>CBL</b>	194 C011001
<b>Land Use Type</b>	VACANT LAND
Verify legal use with Inspections Division	
<b>Property Location</b>	0 STEVENS AVE
<b>Owner Information</b>	PORTLAND MAINE PROPERTIES LLC 295 CAPISIC ST PORTLAND ME 04102
<b>Book and Page</b>	29949/254
<b>Legal Description</b>	194-C-11 STEVENS AVE R 40-46 4079 SF
<b>Acres</b>	0.0936

**Current Assessed Valuation:**

<b>TAX ACCT NO.</b>	28312	<b>OWNER OF RECORD AS OF APRIL 2014</b>
<b>LAND VALUE</b>	\$3,000.00	PORTLAND MAINE PROPERTIES LLC
<b>BUILDING VALUE</b>	\$0.00	295 CAPISIC ST
<b>NET TAXABLE - REAL ESTATE</b>	\$3,000.00	PORTLAND ME 04102
<b>TAX AMOUNT</b>	\$60.00	

Any information concerning tax payments should be directed to the Treasury office at 874-8490 or [e-mailed](#).



[View Map](#)

**Sales Information:**

Sale Date	Type	Price	Book/Page
9/21/2012	LAND	\$0.00	29949/254
9/19/2005	LAND + BUILDING	\$0.00	23169/005
2/22/2004	LAND + BUILDING	\$0.00	/

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<hr/> <p><b>Services</b></p> <p><b>Applications</b></p> <p><b>Doing Business</b></p> <p><b>Maps</b></p> <p><b>Tax Relief</b></p> <p><b>Tax Roll</b></p> <p><b>Q &amp; A</b></p> <hr/> <p>browse city services a-z</p> <hr/> <p>browse facts and links a-z</p> <hr/>  <p>Best viewed at 800x600, with Internet Explorer</p>	<p><b>CBL</b> 194 C070001</p> <p><b>Land Use Type</b> VACANT LAND <small>Verify legal use with Inspections Division</small></p> <p><b>Property Location</b> 38 STEVENS AVE</p> <p><b>Owner Information</b> PORTLAND MAINE PROPERTIES LLC 295 CAPISIC ST PORTLAND ME 04102</p> <p><b>Book and Page</b> 29949/254</p> <p><b>Legal Description</b> 194-C-70 STEVENS AVE 36-38 16942 SF</p> <p><b>Acres</b> 0.3889</p>
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**Current Assessed Valuation:**

<b>TAX ACCT NO.</b>	51652	<b>OWNER OF RECORD AS OF APRIL 2014</b>
<b>LAND VALUE</b>	\$12,500.00	PORTLAND MAINE PROPERTIES LLC
<b>BUILDING VALUE</b>	\$0.00	295 CAPISIC ST
<b>NET TAXABLE - REAL ESTATE</b>	\$12,500.00	PORTLAND ME 04102
<b>TAX AMOUNT</b>	\$250.00	

Any information concerning tax payments should be directed to the Treasury office at 874-8490 or [e-mailed](#).



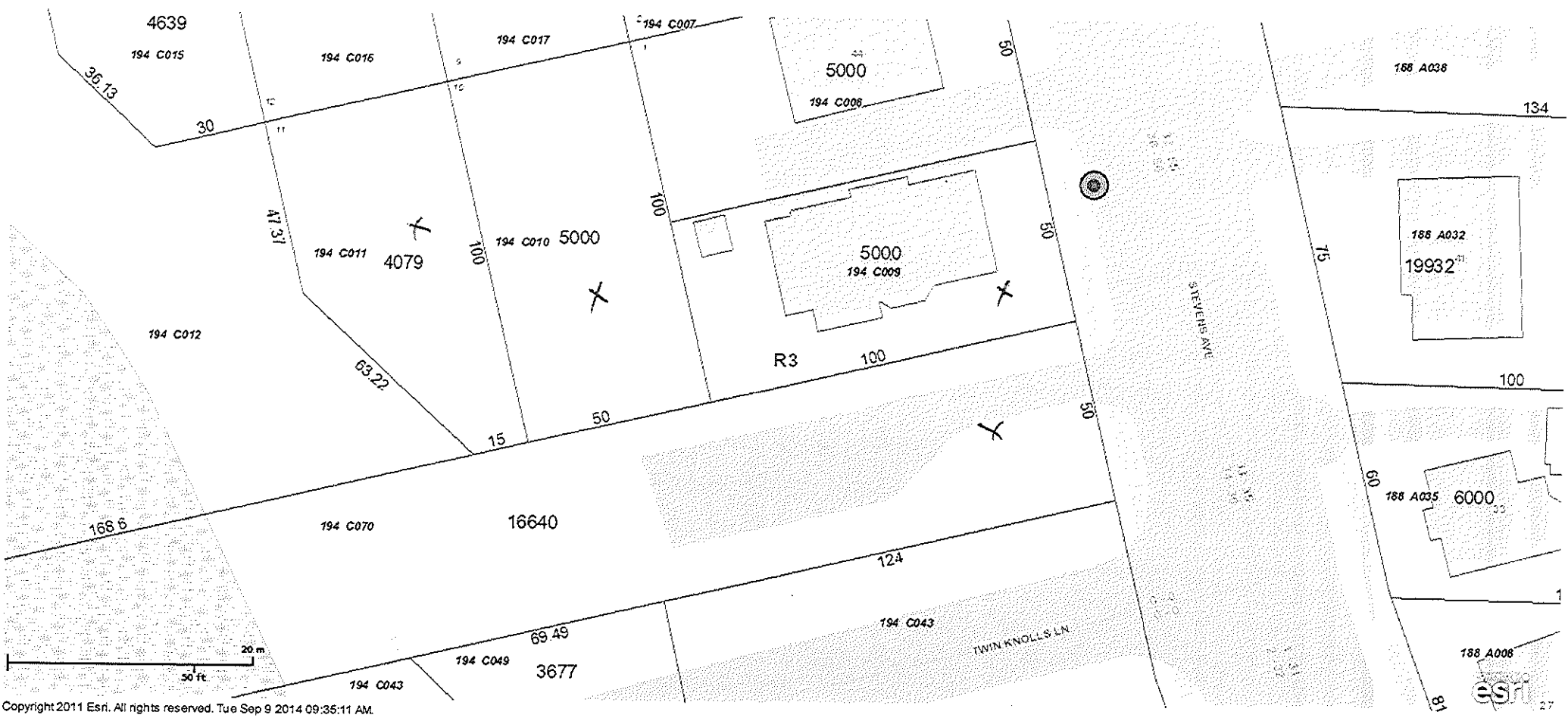
[View Map](#)

**Sales Information:**

Sale Date	Type	Price	Book/Page
9/21/2012	LAND	\$0.00	29949/254
9/19/2005	LAND	\$0.00	23169/003

**New Search!**

# 42 Stevens Ave



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**CITY OF PORTLAND**  
**DEPARTMENT OF PLANNING & URBAN DEVELOPMENT**

389 Congress Street  
 Portland, Maine 04101

**INVOICE OF FEES**

<b>Application No:</b> 0000-2022	<b>Applicant:</b> PORTLAND MAINE PROPERTIES
<b>Project Name:</b> 42 STEVENS AVE	<b>Location:</b> 42 STEVENS AVE
<b>CBL:</b> 194 C009001	<b>Application Type:</b> Determination Letter
<b>Invoice Date:</b> 08/28/2014	

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

**Previous Balance** \$0.00

<b>Fee Description</b>	<b>Qty</b>	<b>Fee/Deposit Charge</b>
Zoning Determinations	1	\$150.00
		<u>\$150.00</u>

<b>Total Current Fees:</b>	+	<b>\$150.00</b>
<b>Total Current Payments:</b>	-	<b>\$150.00</b>
<b>Amount Due Now:</b>		<b>\$0.00</b>

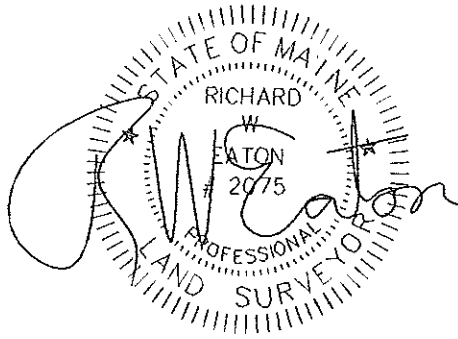
**CBL** 194 C009001  
**Bill To:** PORTLAND MAINE PROPERTIES LLC  
 295 CAPISIC ST  
 PORTLAND, ME 04102

**Application No:** 0000-2022  
**Invoice Date:** 08/28/2014  
**Invoice No:** 46325  
**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>

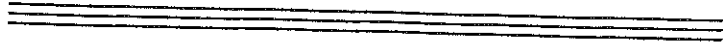
[Click Here to Pay On Line](#)

CERTIFICATION



RICHARD W. EATON P.L.S. # 2075

LEGEND



⊙ 5/8" Rebar Set With Cap

○ Rebar/Iron Pipe Found

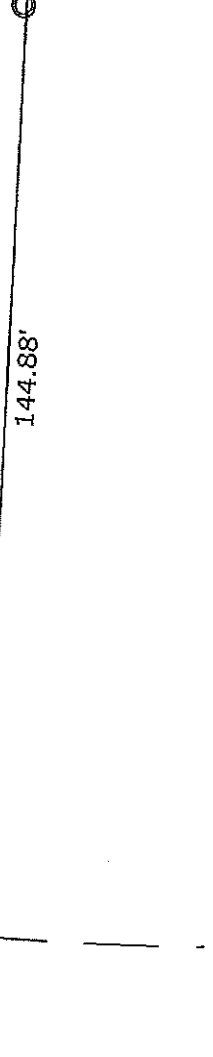
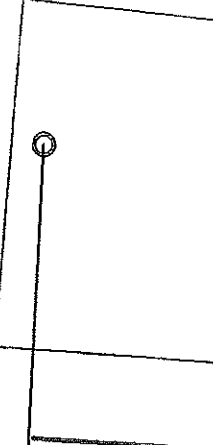
⌋ Utility Pole

N.F. Now or Formerly

1324/98 Book & Page

—○—○— Stockade Fence

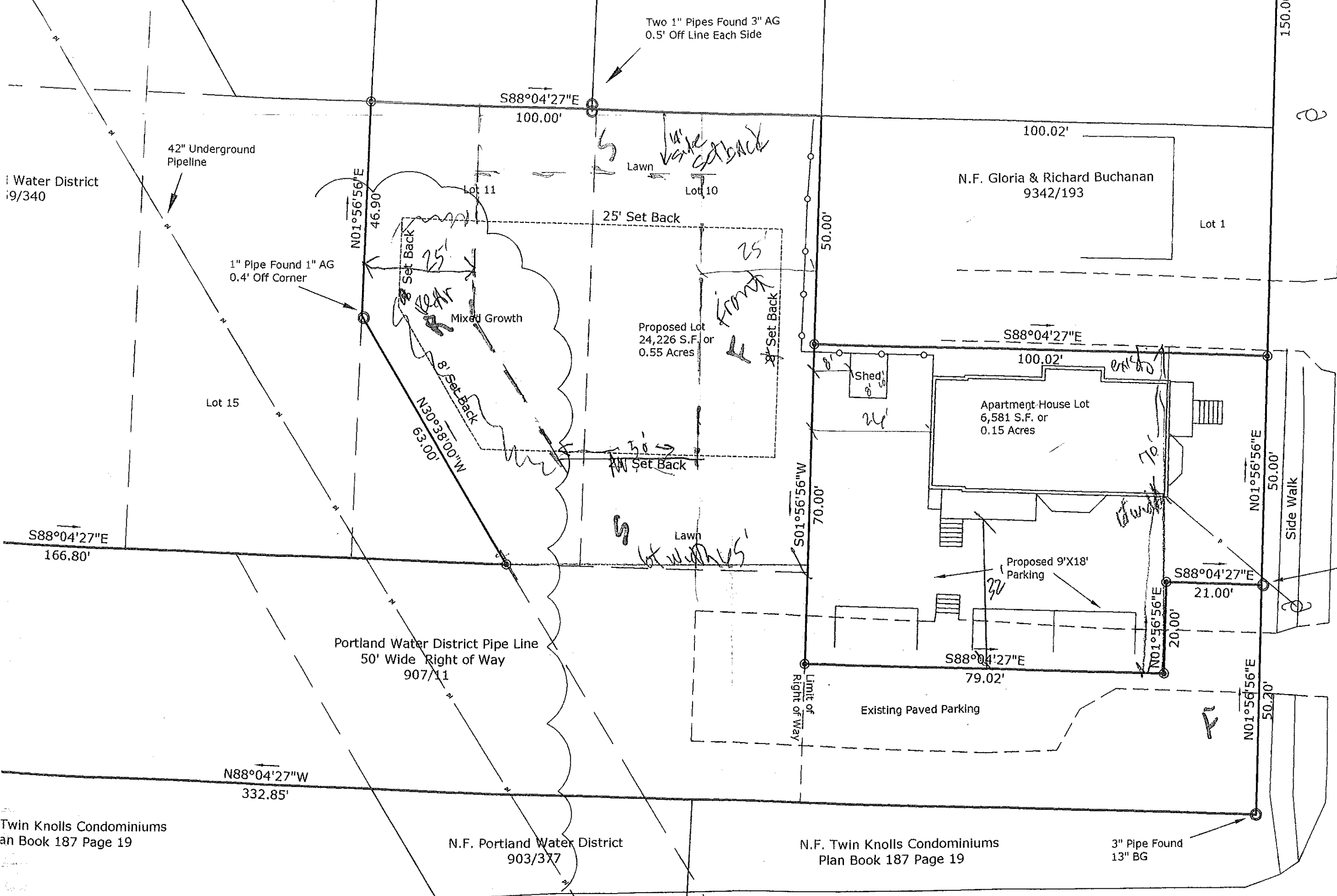
N.F. Gerald Morin  
11492/229



144.88'



5/8" Rebar Found



Water District  
9/340

42" Underground  
Pipeline

1" Pipe Found 1" AG  
0.4' Off Corner

Two 1" Pipes Found 3" AG  
0.5' Off Line Each Side

N.F. Gloria & Richard Buchanan  
9342/193

Lot 15

Proposed Lot  
24,226 S.F. or  
0.55 Acres

Apartment House Lot  
6,581 S.F. or  
0.15 Acres

S88°04'27"E  
166.80'

Portland Water District Pipe Line  
50' Wide Right of Way  
907/11

Proposed 9'x18'  
Parking

14-332(2)2  
allows 1/du  
for existing

1" Pipe Found 2" BG  
0.3' Off Line

N88°04'27"W  
332.85'

N.F. Portland Water District  
903/377

N.F. Twin Knolls Condominiums  
Plan Book 187 Page 19

3" Pipe Found  
13" BG

Stevens Ave.

Twin Knolls Lane

To