

Zoning Division
Marge Schmuckal
Zoning Administrator

Department of Urban Development
Joseph E. Gray, Jr.
Director



CITY OF PORTLAND

Regina Chaisson

November 16, 2000

RE: 11 Wyndham Street, Aldworth Street, Brandon Street
309-F-43 & 44, and 39, 40, 45, 46 - R-3 zone

Dear Regina,

I have reviewed a copy of your mortgage loan inspection plan along with the assessors maps. There is currently a single family home on lots 43 & 44. The remaining lots 39, 40, 45, 46, but lots 43 & 44. I have been asked as to whether lots 39, 40, 45, 46 are considered a buildable lot. Under the City of Portland's Zoning Ordinance, they would **not** be considered a buildable lot

These lots are in an R-3 residential zone. The buildability of these combined lots is based upon the requirements of this R-3 zone. Although the lots have in total a land area in excess of the 6,500 sq. ft. requirement, all requirements of the R-3 zone shall be met. Section 14-90(6) of the R-3 zone requires that the lot width of where a house is placed on the lot, shall be 75 feet. Only 60 feet is shown. That renders this lot unbuildable under the R-3 zone requirements.

Let me also point out that by definition, these series of lots, are not considered "grandfathered" or more correctly termed, a lot of record. The definition of a lot of record, section 14-433 requires that the lots be separate and distinct in **ownership** from any adjoining lots. This is not the case. These lots are owned in common with the abutting two lots that have a single family structure.

The bottom line is that the lots in question are **not** considered a buildable lot under the City of Portland's Zoning Ordinance. An applicant always does have the right to appeal to the Zoning Board of Appeals. Normally variance appeals are very difficult to have granted by the Board.

Very truly yours,

Marge Schmuckal
Zoning Administrator