

300

Side

S

A

76-50

NEW YORK

8

Sec. 14-428. Corner lots.

In case a dwelling house has its front yard upon the long side of a corner lot, the rear yard may be reduced to a depth not less than the width required for a side yard on the lot, provided the aggregate of the widths of both sides and depths of front and rear yards is not less than the similar aggregate of required dimensions of all yards required if the front yard were faced on the short side of the lot.

(Code 1968, § 602.19.G)

Existing facing long side- aggregate of yards		Required setbacks if facing on short side	
Front yard	15 feet	Front yard	25 feet
Rear yard	25 feet	Rear yard	25 feet
Side yard -rt	21 feet	Side yard -rt	8 feet <i>ranch</i>
Side yard -lft	14.5 feet	Side yard -lft	20 feet <i>1 story</i>

TOTALS 75.5 feet is greater than 78 feet

NO

Doesn't Work

DAVE Hughes

967-4831 fax

Zoning Administrator  
Marge Schmuckal



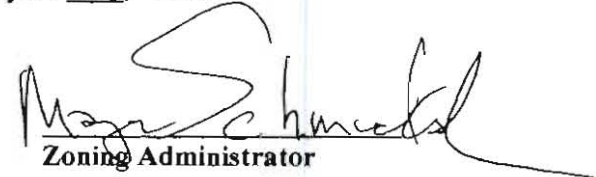
Department of Urban Development

**CITY OF PORTLAND**  
**CERTIFICATE OF SETBACK REDUCTION**

I, *Marge Schmuckal*, Zoning Administrator for the City of Portland, Cumberland County, State of Maine, Hereby certify that on the *9th* day of *May*, 2002, the following setback reduction was granted pursuant to the provisions of section 14-437 of the City of Portland's Land Use Code.

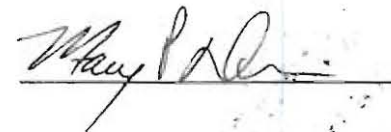
1. Property Owner: *James and Janet Holden*
2. Chart-Block-Lot: *332-K-015 & 016 -2* Eastman Avenue, Portland, ME
3. Property: *Cumberland County Registry Book 15220, Page 122. Last recorded in a Chain of Title*
4. Setback reduction granted: *This is to allow an approximate fourteen (14) foot rear yard setback instead of the twenty-five (25) foot rear yard setback required under section 14-90 of the R-3 residential zone.*

In Witness Whereof, I have hereto set my hand and seal this 9 day of May, 2002.

  
Zoning Administrator

STATE OF MAINE  
Cumberland, ss

Then personally appeared the above-named *Marge Schmuckal* and acknowledged the above certificate to be his/her free act and deed in his/her capacity as Zoning Administrator for the City of Portland.

  
Mary P. Davis, Notary Public  
State of Maine  
Printed or Typed Name of Notary Public  
My Commission Expires 7/27/2003

**THIS CERTIFICATE MUST BE RECORDED BY THE PROPERTY OWNER IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS FOR THE SETBACK REDUCTION TO BE VALID.**



# CITY OF PORTLAND, MAINE

## SETBACK REDUCTION APPLICATION FOR EXISTING STRUCTURES

Applicant's name and address:

James and Janet Holden  
37 Anson Road Portland, Me 04102

Applicant's interest in property (e.g. owner, purchaser, etc.):

Owners

Owner's name and address (if different):

\_\_\_\_\_

Address of property and Assessor's chart, block, and lot number:

2 EASTMAN Avenue Map 332 Block K Lot 15-16

Zone: R-3

Present Use: 2 car garage

Setback Reduction from: Section 14-90

Future Use: 2 car garage

Please attach Plot Plan as outlined in Section 14-437. The required fee is \$50.00.

The undersigned hereby makes application for a setback reduction as above described, and certifies that all information herein supplied by him/her is true and correct to the best of his/her knowledge and belief.

Dated: 4.29.02

Janet Holden  
Signature of Applicant



**City of Portland, Maine**  
IN THE CITY COUNCIL

SEE  
MARGE  
SCHMUCKAL

AMENDMENT TO PORTLAND CITY CODE  
§14-437 (ZONING ORDINANCE)  
RE: SETBACK REDUCTIONS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND, MAINE  
IN CITY COUNCIL ASSEMBLED AS FOLLOWS:

That Section 14-437 of the Portland City Code is hereby enacted,  
said section to read as follows:

**Sec. 14-437. Setback reductions.**

(a) Authority. The zoning administrator may grant setback  
reductions to the extent provided by this section.

(b) Procedure. Application for a setback reduction shall be  
submitted to the building inspections division. A payment of a  
nonrefundable application fee, as established from time to time by  
order of the City Council to cover administrative costs, shall  
accompany each application. The application shall be in such form  
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*required*

- (1) The name and address of the applicant and his or her interest in the subject property;
- (2) The name and address of the owner, if different from the applicant;
- (3) The address or location and the city assessor's chart, block and lot number of the subject property;
- (4) The present use and zoning classification of the subject property;
- (5) Plot plan showing sufficient monumentation to indicate the location of all structures existing and proposed in relation to the lot lines. Such a plan must be prepared by a State of Maine Registered Land Surveyor. If, in the opinion of the surveyor, sufficient monumentation is not available, then a standard boundary survey will be necessary to meet the requirements of this section.

(c) Purpose. The purpose of setback reductions is to  
validate the situs of mislocated single-family, owner-occupied  
residential structures and those structures accessory thereto,

THIS IS NOT A BOUNDARY SURVEY

MORTGAGE INSPECTION OF: DEED BOOK 15220 PAGE 122 COUNTY Cumberland  
PLAN BOOK 12 PAGE 5 LOT p/a 41&42

ADDRESS: 2 Eastman Avenue, Portland, Maine

Job Number: 382-02

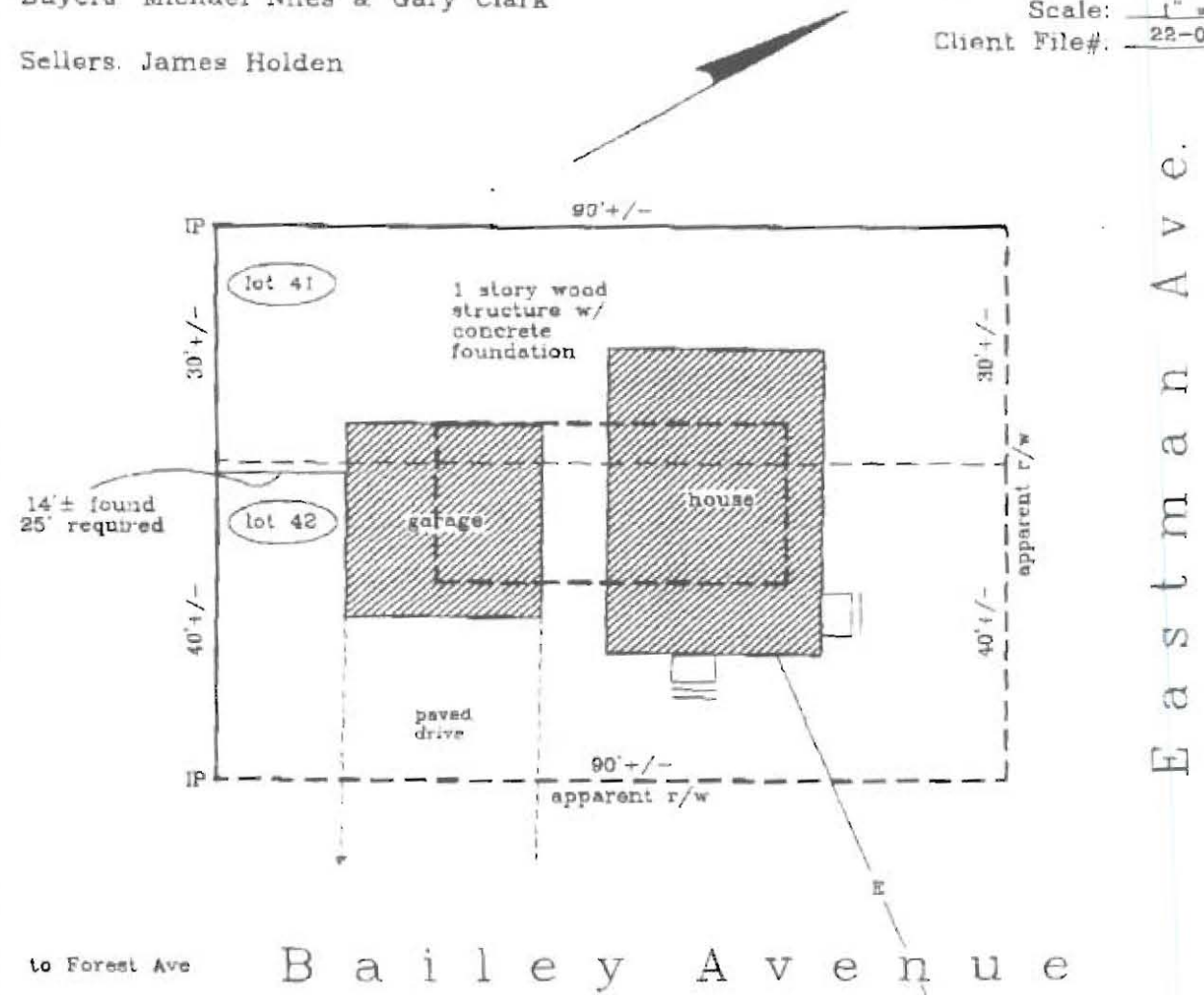
Buyers Michael Niles & Gary Clark

Inspection Date: 4-23-02

Sellers: James Holden

Scale: 1" = 20'

Client File#: 22-0584 pc



to Forest Ave

B a i l e y A v e n u e

I HEREBY CERTIFY TO: Guaranty Title Co.; Banknorth Mortgage,

N.A. 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. 230061-0006 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.

REGISTERED 1994

Livingston - Hughes  
Professional Land Surveyors  
88 Guinea Road  
Kennebunkport - Maine 04048  
207-967-9761 phone/fax

THIS SKETCH IS FOR MORTGAGE PURPOSES ONLY

JANET HOLDEN  
JAMES HOLDEN, JR.  
37 ANSON RD.  
PORTLAND, ME 04102

52-7445/2112  
020357522

1032

DATE 4/29/02

PAY TO THE  
ORDER OF

City of Portland  
fifty and 00/100

\$ 50.00

DOLLARS 

**Peoples**

MEMO

setback reduction permit Janet Holden

⑆ 211274450⑆ 0203 57522⑆ 1032

Send to



# Guaranty Title Corp.

22 Free Street, First Floor

P.O. Box 523

Portland, Maine 04101

Phone (207) 879-7607

Fax (207) 879-1007

Attention =  
DAVID PROVOST

Date: 4/26/02 Time: \_\_\_\_\_

Attention: TINA LOCAS Fax: 874-9011

From: David Provost

Number of pages sent (including cover sheet): 5

Regarding: Eastman Avenue

Special Message:



Have a Wonderful Day!



which are not otherwise legally sited and which were in existence on (date of passage) - November 15, 1993

(d) Conditions for setback reductions. Setback reductions which may be granted by the zoning administrator are subject to the following conditions:

- (1) The sole use of the property is (and, if the application should be granted, will remain) as a single-family detached dwelling.
- (2) The property is located in R-1, R-2, R-3, R-4, R-5, R-6, IR-1, IR-2, IR-3 or RP zones.
- (3) The reduction sought can not be reduced by more than the following:

IR-1, IR-2, IR-3, R-3, RP, R-1 R-2, R-4 and R-5 zones:

Front yard: Ten (10) feet  
Rear yard: Ten (10) feet  
Side yard: Five (5) feet

R-6 zone:

Front yard: Five (5) feet  
Rear yard: Ten (10) feet  
Side yard: Five (5) feet

- (4) No relief may be granted under this section in cases where the building authority determines that the setback violation was the result of a willful act by either the applicant or a prior owner.
- (5) This section shall only apply to the inadvertent displacement of a structure.
- (6) Recording of setback reduction. The zoning administrator shall provide a signed instrument in recordable form, indicating any setback reduction granted under the terms of this section. The applicant for such reduction shall be responsible for recording this instrument in the Cumberland County Registry of Deeds. The abutter's affidavit will also be recorded.

B74-8716

THIS IS NOT A BOUNDARY SURVEY

MORTGAGE INSPECTION OF: DEED BOOK 15220 PAGE 122 COUNTY Cumberland  
PLAN BOOK 12 PAGE 5 LOT p/o 41&42

ADDRESS: 2 Eastman Avenue, Portland, Maine

Job Number: 382-02

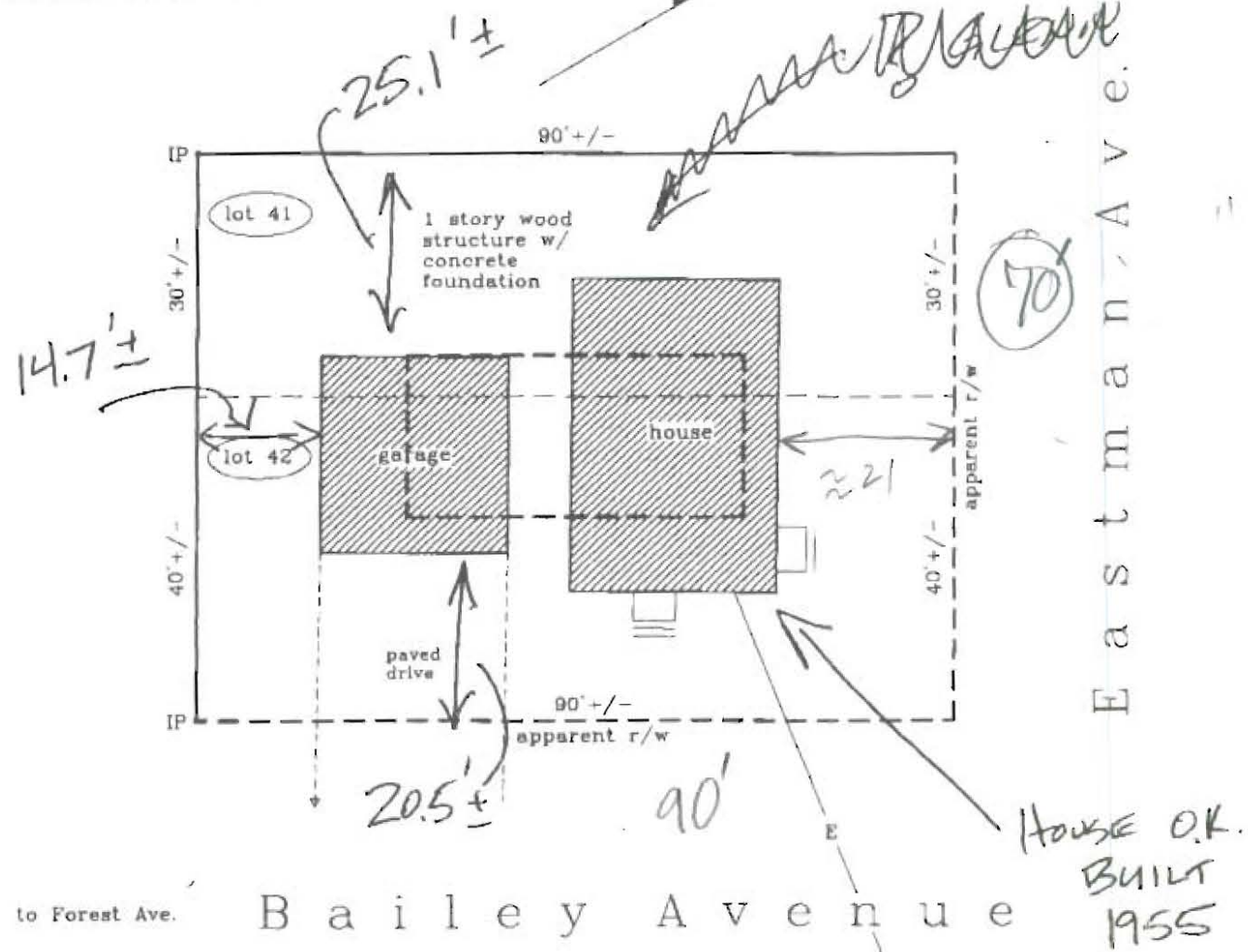
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Inspection Date: 4-23-02

Scale: 1" = 20'

Sellers: James Holden

Client File#: 22-0584 pc



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N.A. and its title insurer.  
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The land does not fall within the special flood hazard zone.

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Livingston - Hughes  
Professional Land Surveyors  
88 Guinea Road  
Kennebunkport - Maine 04046  
207-967-9781 phone/fax

THIS SKETCH IS FOR MORTGAGE PURPOSES ONLY

# Livingston-Hughes Surveyors

88 Guinea Road  
Kennebunkport, Maine 04046  
207-967-9761



Date: 4/26

To: MARGE Fax # \_\_\_\_\_

From: DAVE HUGHES

## Fax Cover Sheet

Message:

WHAT DO YOU THINK?

THANKS!

Pages including cover 2

Phone: 207-967-9761

Fax: 207-967-4831

dhughes@biddeford.com



332-K-15 1/2

R-3

980521

Permit # \_\_\_\_\_ City of Portland BUILDING PERMIT APPLICATION Fee \$55. Zone \_\_\_\_\_ Map # \_\_\_\_\_ Lot # \_\_\_\_\_  
 Please fill out any part which applies to job. Proper plans must accompany form.

Owner: Eleanor Doyle Phone # 797-6089  
 Address: RM 2 Eastman Ave- Ptd, ME 04103  
 LOCATION OF CONSTRUCTION Two Eastman Ave.  
 Contractor: S P Rankin Sub: 761-9881  
 Address: Box 291 - Westbrook, ME Phone # 04098  
 Est. Construction Cost: 7000 Proposed Use: 1-fam w garage  
 Past Use: 1-fam  
 # of Existing Res. Units \_\_\_\_\_ # of New Res. Units \_\_\_\_\_  
 Building Dimensions L \_\_\_\_\_ W \_\_\_\_\_ Total Sq. Ft. \_\_\_\_\_  
 # Stories: \_\_\_\_\_ # Bedrooms \_\_\_\_\_ Lot Size: \_\_\_\_\_  
 Is Proposed Use: Seasonal \_\_\_\_\_ C/o Luncheon \_\_\_\_\_ Conversion \_\_\_\_\_  
 Explain Conversion: construct garage - 22' x 24'

For Official Use Only	
Date	<u>6/16/93</u>
Inside Fire Limits	_____
Blkg Code	_____
Time Limit	_____
Estimated Cost	<u>7000</u>
<b>PERMIT ISSUED</b> <b>CITY OF PORTLAND</b> <b>JUN 17 1993</b>	

Zoning: Street Frontage Provided: \_\_\_\_\_  
 Provided Setback: Front \_\_\_\_\_ Back \_\_\_\_\_ Side \_\_\_\_\_ Side \_\_\_\_\_  
 Review Required:  
 Zoning Board Approval: Yes \_\_\_\_\_ No \_\_\_\_\_ Date: \_\_\_\_\_  
 Planning Board Approval: Yes \_\_\_\_\_ No \_\_\_\_\_ Date: \_\_\_\_\_  
 Conditional Use: \_\_\_\_\_ Variance \_\_\_\_\_ Site Plan \_\_\_\_\_ Subdivision \_\_\_\_\_  
 Shoreland Zoning Yes \_\_\_\_\_ No \_\_\_\_\_ Floodplain Yes \_\_\_\_\_ No \_\_\_\_\_  
 Special Exception \_\_\_\_\_  
 Other: W.D. (Explain)

Foundation:  
 1. Type of Soil: \_\_\_\_\_  
 2. Set Backs - Front \_\_\_\_\_ Rear \_\_\_\_\_ Side(s) \_\_\_\_\_  
 3. Footings Size: \_\_\_\_\_  
 4. Foundation Size: \_\_\_\_\_  
 5. Other: \_\_\_\_\_

Floor:  
 1. Sills Size: \_\_\_\_\_ Sills must be anchored.  
 2. Girder Size: \_\_\_\_\_  
 3. Lally Column Spacing: \_\_\_\_\_ Size: \_\_\_\_\_  
 4. Joists Size: \_\_\_\_\_ Spacing 16" O.C.  
 5. Bridging Type: \_\_\_\_\_ Size: \_\_\_\_\_  
 6. Floor Sheathing Type: \_\_\_\_\_ Size: \_\_\_\_\_  
 7. Other Material: \_\_\_\_\_

Exterior Walls:  
 1. Studding Size \_\_\_\_\_ Spacing \_\_\_\_\_  
 2. No. windows \_\_\_\_\_  
 3. No. Doors \_\_\_\_\_  
 4. Header Sizes \_\_\_\_\_ Span(s) \_\_\_\_\_  
 5. Bracing: Yes \_\_\_\_\_ No \_\_\_\_\_  
 6. Corner Posts Size \_\_\_\_\_  
 7. Insulation Type \_\_\_\_\_ Size \_\_\_\_\_  
 8. Sheathing Type \_\_\_\_\_ Size \_\_\_\_\_  
 9. Siding Type \_\_\_\_\_ Weather Exposure \_\_\_\_\_  
 10. Masonry Materials \_\_\_\_\_  
 11. Metal Materials \_\_\_\_\_

Interior Walls:  
 1. Studding Size \_\_\_\_\_ Spacing \_\_\_\_\_  
 2. Header Sizes \_\_\_\_\_ Span(s) \_\_\_\_\_  
 3. Wall Covering Type \_\_\_\_\_  
 4. Fire Wall if required \_\_\_\_\_  
 5. Other Materials \_\_\_\_\_

Ceiling:  
 1. Ceiling Joists Size: \_\_\_\_\_  
 2. Ceiling Strapping Size \_\_\_\_\_ Spacing \_\_\_\_\_  
 3. Type Ceiling: \_\_\_\_\_  
 4. Insulation Type \_\_\_\_\_ Size \_\_\_\_\_  
 5. Ceiling Height: \_\_\_\_\_

Roof:  
 1. Truss or Rafter Size \_\_\_\_\_ Span \_\_\_\_\_  
 2. Sheathing Type \_\_\_\_\_ Size \_\_\_\_\_  
 3. Roof Covering Type \_\_\_\_\_

Chimneys:  
 Type: \_\_\_\_\_ Number of Fire Places \_\_\_\_\_  
 Date: \_\_\_\_\_

Heating:  
 Type of Heat: \_\_\_\_\_

Electrical:  
 Service Entrance Size: \_\_\_\_\_ Smoke Detector Required Yes \_\_\_\_\_ No \_\_\_\_\_

Plumbing:  
 1. Approval of soil test if required Yes \_\_\_\_\_ No \_\_\_\_\_  
 2. No. of Tubs or Showers \_\_\_\_\_  
 3. No. of Flushes \_\_\_\_\_  
 4. No. of Lavatories \_\_\_\_\_  
 5. No. of Other Fixtures \_\_\_\_\_

Swimming Pools:  
 1. Type: \_\_\_\_\_  
 2. Pool Size: \_\_\_\_\_ x \_\_\_\_\_ Square Footage \_\_\_\_\_  
 Must conform to National Electrical Code and State Law.

Received By Louise E. Chase  
 Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

Signature of CEO Stephen Rankin Date \_\_\_\_\_

Inspection Dates \_\_\_\_\_

White-Tax Assesor Yellow-GPCOG

White Tag -CEO

Copyright GPCOG 1988

PERMIT ISSUED  
 WITH REQUIREMENTS

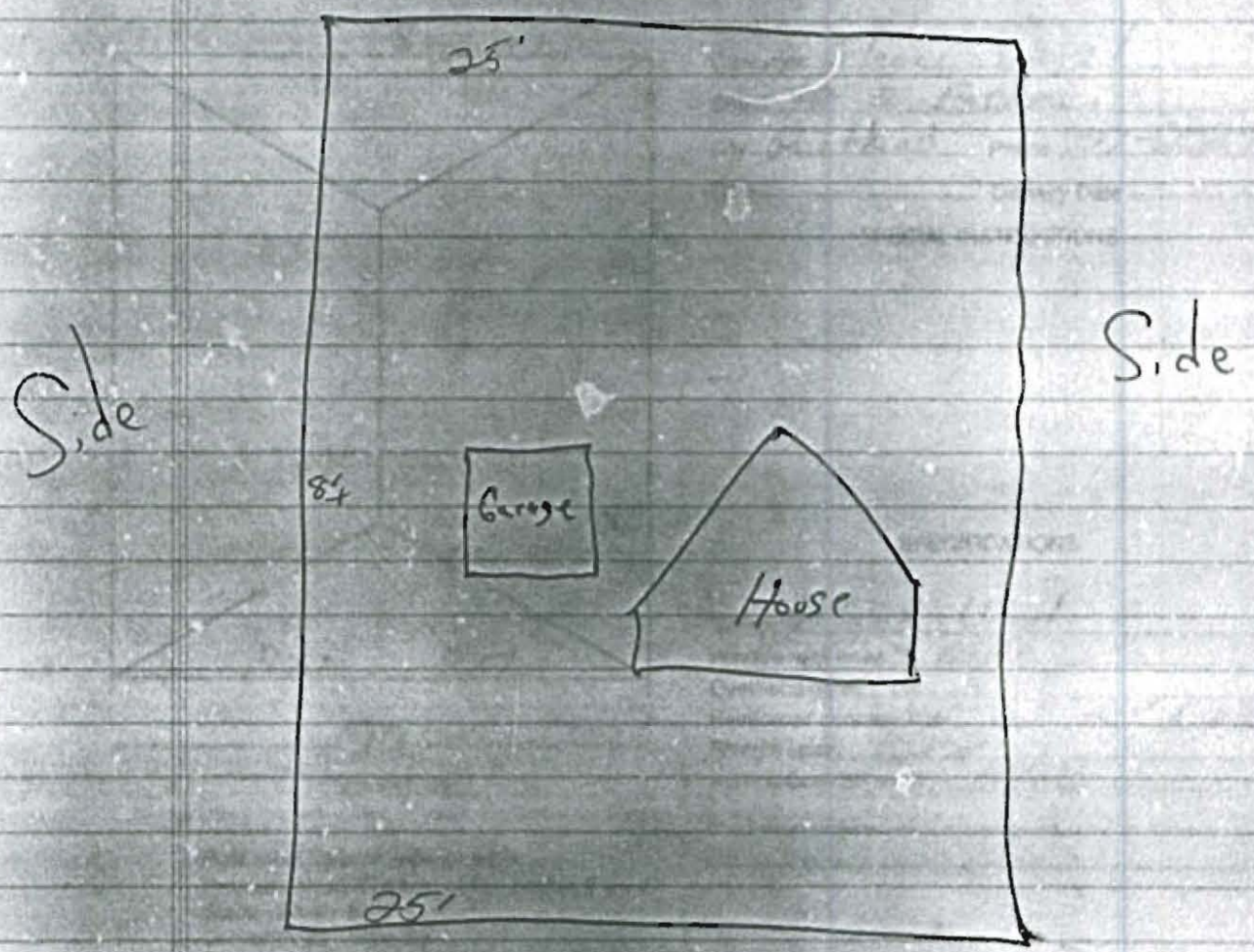
HISTORIC PRESERVATION  
 Not in District or Landmark  
 Does not require review  
 Required Review

Approved  
 Approved with Conditions  
 Not Approved

[Signature] M.A. Carroll



Rear 6300



Eastman

Front

Subscribed  
Date  
Clear fees  
Total \$  
Noted & C

Approved by



Sec. 14-428. Corner lots.

In case a dwelling house has its front yard upon the long side of a corner lot, the rear yard may be reduced to a depth not less than the width required for a side yard on the lot, provided the aggregate of the widths of both sides and depths of front and rear yards is not less than the similar aggregate of required dimensions of all yards required if the front yard were faced on the short side of the lot.

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TOTALS 75.5 feet is greater than 78 feet

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Doesn't Work

DAVE Hughes

967-4831 fax

CBL: 332-K-015 + 016

Zoning Administrator  
Marge Schmuckal



Department of Urban Development

**CITY OF PORTLAND**

**CERTIFICATE OF SETBACK REDUCTION**

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2. Chart-Block-Lot: *332-K-015 & 016 - 2 Eastman Avenue, Portland, ME*
3. Property: *Cumberland County Registry Book 15220, Page 122. Last recorded in a Chain of Title*
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Zoning Administrator

STATE OF MAINE  
Cumberland, ss

Then personally appeared the above-named *Marge Schmuckal* and acknowledged the above certificate to be his/her free act and deed in his/her capacity as Zoning Administrator for the City of Portland.

*Mary P. Davis*  
Mary P. Davis, Notary Public  
State of Maine  
Printed or Typed Name of Notary Public  
My Commission Expires 7/27/2003

**THIS CERTIFICATE MUST BE RECORDED BY THE PROPERTY OWNER IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS FOR THE SETBACK REDUCTION TO BE VALID.**



# CITY OF PORTLAND, MAINE

## SETBACK REDUCTION APPLICATION FOR EXISTING STRUCTURES

Applicant's name and address: James and Janet Holden  
37 Anson Road Portland, Me 04102

Applicant's interest in property (e.g. owner, purchaser, etc.):  
Owners

Owner's name and address (if different):  
\_\_\_\_\_

Address of property and Assessor's chart, block, and lot number:  
2 EASTMAN Avenue MAP 332 Block K Lot 15-16

Zone: R-3 Present Use: 2 car garage

Setback Reduction from: Section 14-90 Future Use: 2 car garage

Please attach Plot Plan as outlined in Section 14-437. The required fee is \$50.00.

The undersigned hereby makes application for a setback reduction as above described, and certifies that all information herein supplied by him/her is true and correct to the best of his/her knowledge and belief.

Dated: 4.29.02

Janet Holden  
Signature of Applicant



0. 157 4-17

**City of Portland, Maine**  
IN THE CITY COUNCIL

SEE  
MARGE  
SCHMUCKAL

AMENDMENT TO PORTLAND CITY CODE  
§14-437 (ZONING ORDINANCE)  
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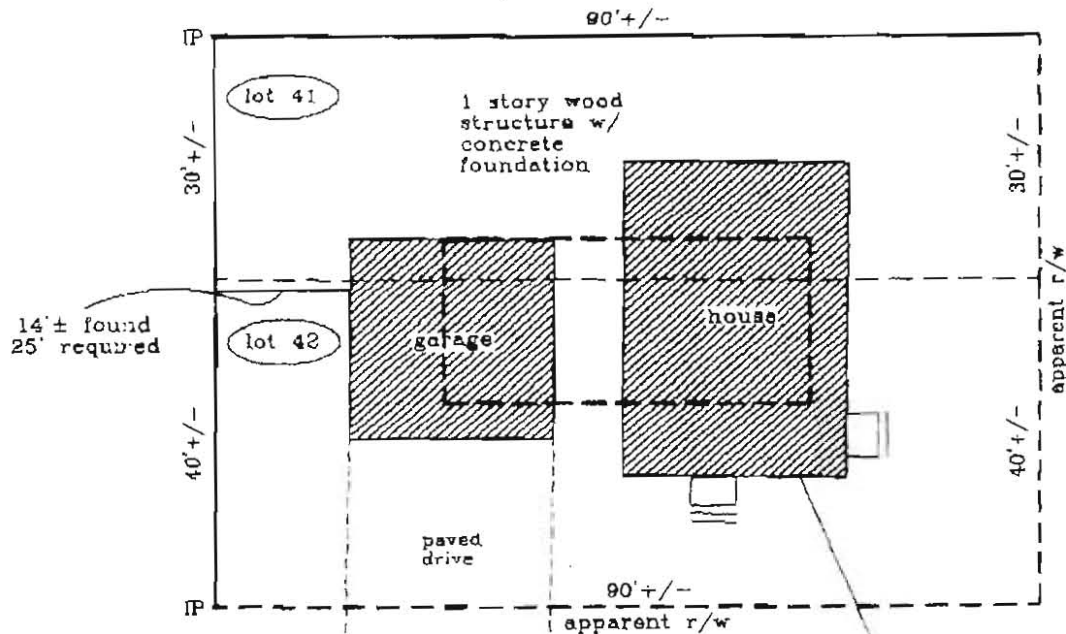
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Scale: 1" = 20'

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Client File#: 22-0584 pc



E a s t m a n A v e .

to Forest Ave. B a i l e y A v e n u e

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Livingston - Hughes  
Professional Land Surveyors  
88 Guinea Road  
Kennebunkport - Maine 04048  
207-967-9761 phone/fax

THIS SKETCH IS FOR MORTGAGE PURPOSES ONLY





## CITY OF PORTLAND, MAINE

Department of Building Inspections

April 29 2007

Received from James Haeden

Location of Work 2 Eastman Ave

Cost of Construction \$ \_\_\_\_\_

Permit Fee \$ 50.00

Building (IL) \_\_\_ Plumbing (IS) \_\_\_ Electrical (I2) \_\_\_ Site Plan (U2) \_\_\_

Other ZBA

CBL: \_\_\_\_\_

Check #: 1032

Total Collected \$ 50.00

### THIS IS NOT A PERMIT

No work is to be started until PERMIT CARD is actually posted upon the premises. Acceptance of fee is no guarantee that permit will be granted. PRESERVE THIS RECEIPT. In case permit cannot be granted the amount of the fee will be refunded upon return of the receipt less \$10.00 or 10% whichever is greater.

WHITE - Applicant's Copy

YELLOW - Office Copy

PINK - Permit Copy

*[Handwritten signature]*