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*Penny St. Louis Littell- Director of Planning and Urban Development
Marge Schmuckal, Zoning Administrator*

May 19, 2009

Andrew Rice
68 Newton Street
Portland, ME 04103

RE: Land Swap concerning (all properties located in the R-3 Zone):
A) Andrew E. Rice & Jamie Healy – 68 Newton Street – 337-A-003 – 004
B) Cindy & Brian Vail – 62 Newton Street – 337-A-005 -006 – 007
C) Solomon Gay- 127 Harmony Road – 336-J-019

Dear Andrew Rice,

I am in receipt of your request to determine that the proposed land swap among three neighboring properties does not violate the City of Portland Land Use Zoning Ordinance. All the properties are located within the R-3 Zone. I have used the survey / site plan prepared by Northeast Civil Solution, dated September 30, 2008, project number 30848, stamped but not signed by M. Johann Buisman to come to my final determination.

I have determined that 68 Newton Street, 337-A-3 & 4, will be lessened by lot size as a result of the proposed land swap. However, the remaining lot size of 6,500 square feet meets the minimum lot size of the R-3 Zone and is in compliance with the Land Use Zoning Ordinance. The proposed land swap lessens the existing nonconformity for street frontage, lot width and setbacks. The maximum 35% lot coverage would also be met under the proposed land swap. Therefore, under the proposed land swap, 68 Newton Street, 337-A-3 & 4, will not violate the current City of Portland Land Use Zoning Ordinance.

Under the proposed land swap, I have determined that 127 Harmony Road, 336-J-019, will not violate the current City of Portland Land Use Zoning Ordinance. This property gains land and setbacks. No dimensional requirements are reduced, only increased.

Under the proposed land swap, I have determined that 62 Newton Street, 337-A-5, 6 & 7, will not violate the current City of Portland Land Use Zoning Ordinance. Although this lot will lessen in size by 1185 square feet, the remaining lot size of 10,323 is more than the minimum required lot size of 6,500 square feet. Also, all setbacks, lot width, street frontage and lot coverage will all comply with the current City of Portland Land Use Zoning Ordinance.

Therefore, the proposed land swap among the three said properties does not violate the City of Portland Land Use Zoning Ordinance.

If you have any questions regarding this matter, please do not hesitate to contact me at 874-8695.

Very truly yours,

Marge Schmuckal
Zoning Administrator

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