



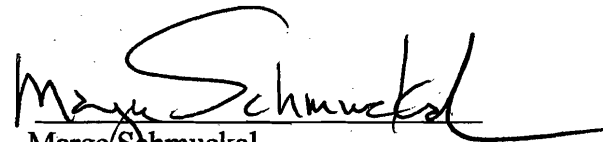
**CITY OF PORTLAND**

**CERTIFICATION OF SETBACK REDUCTION**

I, Marge Schmuckal, Zoning Administrator for the City of Portland, Cumberland County and State of Maine, hereby certify that on the 20<sup>th</sup> day of October, 2008, the following setback reduction was granted pursuant to the provisions of section 14-437 of the City of Portland's Land Use Code.

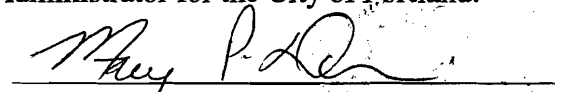
1. **Property Owner:** Safe Housing Associates, LLC  
Kathleen L. Sanborn, principal of the LLC
2. **Address and Assessor's Chart, Block and Lot of subject property:**  
105-109 Newton Street, Portland, ME 04103                      CBL: 339-A-011 & 012
3. **Property:** Cumberland County Registry Book 26077, Page 237.  
(Last recorded 05/27/2008 Deed in Chain of Title):
4. **Setback Reduction Granted:** This is to authorize an appropriate twenty (20) foot front yard setback in the R-3 Zone instead of the required twenty-five (25) foot front yard setback.

In WITNESS WHEREOF, I have hereto set my hand and seal this 20th day of October, 2008.

  
Marge Schmuckal  
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.

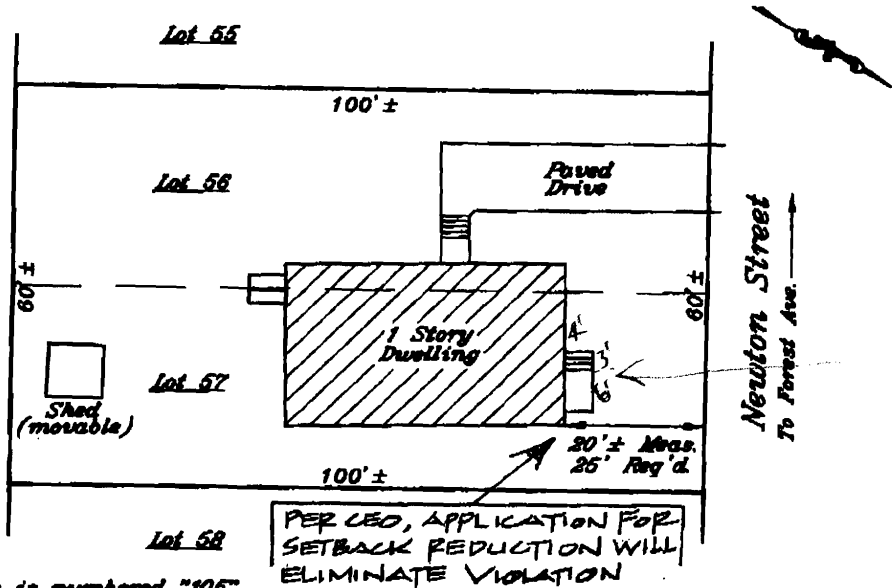
  
Mary P. Davis, Notary Public  
State of Maine  
Printed My Commission Expires 07/27/2010

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

### FOR MORTGAGE LENDER USE ONLY

**GENERAL NOTE:** (1) DISTANCES SHOWN ARE TAKEN FROM PROVIDED TITLE INSTRUMENTS, SURVEY RECORDS. (2) THE PURPOSE OF THIS SURVEY IS TO INDICATE AN APPROXIMATE LOCATION OF IMPROVEMENTS AND ACCURATELY SHOW COMPLIANCE WITH RESPECT TO DISTRICT ZONING REGULATIONS, AND (3) FLOOD HAZARD INFORMATION BY INDICATING LOCATIONS OF HAZARD ZONING FROM MAP. (4) THIS SURVEY DOES NOT OBTAIN ALL NECESSARY EASEMENTS CURRENTLY SET FORTH BY STATE OF MAINE DEPARTMENT OF LANDS AND FORESTRY. (5) THIS SURVEY IS TO BE USED ONLY BY THE BANK LENDING TO THE ATTORNEY & TITLE COMPANY AND IS NOT TO BE USED BY ANYONE ELSE FOR ANY OTHER PURPOSE OR FOR ANY OTHER TITLE OPERATION. (6) A BOUNDARY SURVEY SHOULD BE PROVIDED TO INDICATE A PERMANENT SURVEY POINT TO INDICATE LINE LOCATIONS. (7) THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION PURPOSES, IMPROVEMENTS SHOWN ARE APPROXIMATE.

ADDRESS: 107 Newton Street INSP. DATE: 10/9/2008  
Portland, Maine SCALE: 1"=20'



House is numbered "105".  
 Recommend Boundary Survey for accurate location.

SEE PROVIDED TITLE REFERENCES FOR APPURTENANCES, IF ANY.

APPLICANT: S. Violette & A. Grand FILE#: 20081647  
 OWNER: Sea Housing LLC CLIENT#: 1408888  
 LENDER: Franklin American Mortgage  
 REQ. PARTY: Atlantic Title Company  
 ATTORNEY:

**James D. Nadeau, LLC**  
 Professional Land Surveyors

*James D. Nadeau*  
 10-14-08

TITLE REFERENCES: COUNTY: Cumberland  
 DEED BOOK: 20077 PAGE: 237  
 PLAN BOOK: 14 PAGE: 19 LOT: 58+57

MUNICIPAL REFERENCE:  
 MAP: 339 BLOCK: A LOT: 11+12

THE DWELLING DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD ZONE PER FEMA COMMUNITY MAP No. 830051 PANEL: 0008C ZONE: I DATE: 12/8/1999

THE DWELLING WAS NOT IN COMPLIANCE WITH MUNICIPAL ZONING SETBACK REQUIREMENTS AT THE TIME OF CONSTRUCTION.

590 BRIGHTON AVE. PH: (207) 876-7870  
 PORTLAND, ME 04108 F: (207) 876-7871  
 THIS INSTRUMENT IS VALID ONLY WITH AN ELECTRONIC SIGNATURE AND IS VOID & USELESS WITHOUT THE SIGNATURE OF THE SURVEYOR.

**THIS IS NOT A BOUNDARY SURVEY - NOT FOR RECORDING**

10/20/08 - I spoke with J. Nadeau who gave me the sizes on the front deck  
 4x9 = 36 #  
 The deck projection into the front yard is allowable under 14-425

OCT 17

This page contains a detailed description of the Parcel ID you selected. Press the **New Search** button at the bottom of the screen to submit a new query.

**Current Owner Information**

<b>Card Number</b>	1 of 1
<b>Parcel ID</b>	339 A011001
<b>Location</b>	107 NEWTON ST
<b>Land Use</b>	SINGLE FAMILY
<b>Owner Address</b>	SAFE HOUSING LLC 15B DANIELLE DR WINDHAM ME 04062
<b>Book/Page</b>	26077/237
<b>Legal</b>	339-A-11-12 NEWTON ST 105-109  6000 SF

*Associates LLC*

**Current Assessed Valuation**

<b>Land</b>	<b>Building</b>	<b>Total</b>
\$60,100	\$89,000	\$149,100

**Property Information**

<b>Year Built</b> 1984	<b>Style</b> Ranch	<b>Story Height</b> 1	<b>Sq. Ft.</b> 960	<b>Total Acres</b> 0.138		
<b>Bedrooms</b> 3	<b>Full Baths</b> 1	<b>Half Baths</b>	<b>Total Rooms</b> 6	<b>Attic</b> None	<b>Basement</b> Full	

**Outbuildings**

<b>Type</b>	<b>Quantity</b>	<b>Year Built</b>	<b>Size</b>	<b>Grade</b>	<b>Condition</b>
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**Sales Information**

<b>Date</b>	<b>Type</b>	<b>Price</b>	<b>Book/Page</b>
05/27/2008	LAND + BLDING	\$133,000	26077-237
04/10/2008	LAND + BLDING	\$190,173	25962-074
03/09/2004	LAND + BLDING	\$166,500	20956-188

**Picture and Sketch**

<b>Picture</b>	<b>Sketch</b>	<b>Tax Map</b>
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[Click here to view Tax Roll Information.](#)

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

**New Search!**



# CITY OF PORTLAND, MAINE

## SETBACK REDUCTION APPLICATION FOR EXISTING STRUCTURES

Safe Housing Associates, LLC,

Applicant's name and address: KATHLEEN L SANBORN (Principal of  
105 Newton St Portland ME The LLC.)

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

Owner's name and address (if different): KATHLEEN L SANBORN  
Mailing - 61 Dotter Hill Concord ME 04062

Address of property and Assessor's chart, block, and lot number:  
339-A-11 & 12

Zone: R-3 Present Use: Single Family

Setback Reduction from: Section 14-437 Future Use: Single Family

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: OCT 15, 2008

K L SANBORN  
Signature of Applicant  
749-2017 cell

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 as prescribed by the zoning administrator and shall contain at least the following information and documentation:

- (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,

14-437.SETBACK.001  
10.06.93 (as passed 11/15/93) 1

Site plan

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 misplacement 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 abuttor's affidavit will also be recorded.