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

September 23, 2010

Migs Eaton
Keller Williams Realty

RE: 1756 Washington Avenue – 352-A-1 – R-3 Zone

Dear Ms. Eaton,

I am in receipt of your request to determine whether the proposed division of the lot located at 1756 Washington Avenue from one lot into two lots would constitute two legal lots under City of Portland, Maine Zoning. I have made my determination based upon a signed and stamped survey prepared by Richard W. Eaton and dated May 22, 2010.

I have determined that both lots in the proposed division of land are meeting the underlying R-3 Land Use Zoning requirements. The “north lot”, which is the currently developed lot, is meeting all the R-3 Zone requirements, including, but not limited to lot size, setbacks, lot width, necessary access and parking. It is noted that the front setback is legally nonconforming for the front setback and is not made more nonconforming by the proposed division of land. The “south lot”, which is currently vacant, is also meeting the R-3 Zone requirements for a lot. It is noted that the dimensional requirements of the R-3 Zone can be met as indicated by a proposed building envelope on the plans. It is further noted that if a proposed dwelling is two stories in height, the side setback adjoining the “north lot” will need to be increased from 8’ to 14’.

This determination shall not be misconstrued as an availability to begin construction on the “south lot”. Separate applications for building and site plan review with the appropriate information shall be required prior to final approvals.

If you have any questions regarding this determination, please feel free to contact me at 874-8695.

Very truly yours,

Marge Schmuckal
Zoning Administrator