



PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life - www.portlandmaine.gov

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

March 9, 2010

Michael & Pamela Murphy
1771 Washington Ave
Portland, ME 04103

RE: 1767 - 1779 Washington Ave – 371-A-005 – R-3 Residential Zone

Dear Mr. & Mrs. Murphy,

I am in receipt of your request for a determination concerning the single division of your lot located at 1771 Washington Ave. My determination is relying upon a submitted survey that is signed and sealed by Don V. Clayton, Jr. PLS dated 10/21/05. There is an update to the survey that relocates the 15' x 17' shed due to the proximity of the proposed division line. Permit #10-0111 was issued on 2/26/2010 showing that the shed was moved and is now approximately 10 feet from the side property line where an 8 foot side setback is the minimum required.

This property is located within the R-3 residential zone. I have found that the two proposed parcels "A" and "B" meet all the dimensional requirements of the R-3 zone. However, there is an existing 26' x 35' barn on labeled parcel "A". A barn used for storage and other accessory uses is not a listed permitted use in the R-3 zone and is therefore not allowable on a separate lot without a principal use to be accessory to.

Because of the existing accessory barn structure, this lot division cannot be allowed at this time. Either lot cannot be sold off separately at this time. It is understood that the current owners may want to divide this lot in the future and use parcel "A" to construct a new single family dwelling. This office can work with the owners in the future to coordinate the division with the proposal to build a new single family. These two actions, dividing the lot as proposed and building an allowable principal structure on parcel "A" must happen at essentially the same time so as not to create any violations of the Land Use Zoning Ordinance. This office will work with the owners to achieve this goal.

You have the right to appeal my determination. If you wish to exercise your right to appeal, you have 30 days from the date of this letter in which to appeal. If you should fail to do so, my decision is binding and not subject to appeal. Please contact this office for the necessary paperwork that is required to file an appeal. Please feel free to contact me at 874-8695 if you have any questions.

Very truly yours,
Marge Schmuckal, Zoning Administrator

February 1, 2010

1771 Washington Ave
Portland, Maine 04103
Tel (207) 797-4169
372 A005001

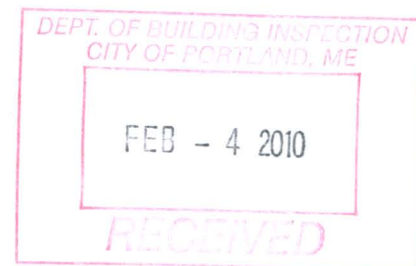
Dear Ms. Schmuckal,

As you suggested we are requesting separation of our property on Washington Avenue into two parts. The property was surveyed and stamped by Don Clayton, and descriptions of lot Exhibit A and lot Exhibit B are included.

We plan to build a retirement home on lot A at some time in the future. We would like to be assured that we will be able to build on the lot and attach a house, as a non-conforming small Post & Beam barn is located about 6 feet from the side lot line. The barn will be used as a garage. Several years ago, we had the barn lifted and a foundation poured to support it as it was sagging and sills were rotting. I received a permit and the work was completed as planned. At that time we were told we could connect a house to the barn as long as the barn was not living space.

Sincerely,


Michael & Pamela Murphy





CITY OF PORTLAND, MAINE
Department of Building Inspections

Original Receipt

Feb 4, 2010

Received from Pamela & Michael Murphy

Location of Work 1771 Washington Ave

Cost of Construction \$ _____ Building Fee: _____

Permit Fee \$ _____ Site Fee: _____

Certificate of Occupancy Fee: _____

Total: 150⁰⁰

Building (I1) _____ Plumbing (I5) _____ Electrical (I2) _____ Site Plan (U2) _____

Other Determination

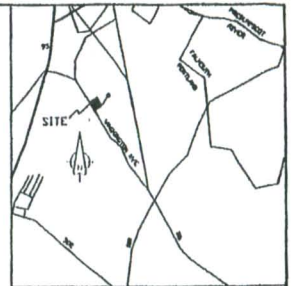
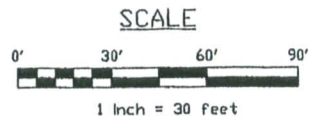
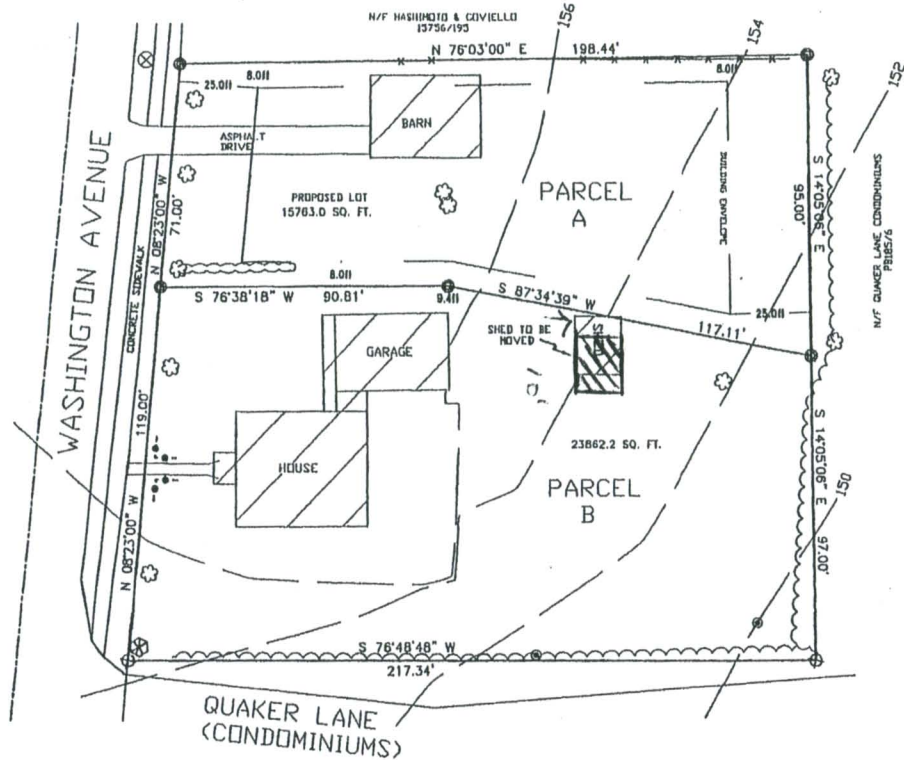
CBL: 372-A-5

Check #: 2509 Total Collected \$ 150⁰⁰

**No work is to be started until permit issued.
Please keep original receipt for your records.**

Taken by: [Signature]

WHITE - Applicant's Copy
YELLOW - Office Copy
PINK - Permit Copy



VICINITY MAP
N. T. S.

R-3 ZONE DIMENSIONAL REQUIREMENTS	
MIN. LOT SIZE	6,500 sq. ft.
MIN. ROAD FRONTAGE	50'
MIN. LOT WIDTH	65'
BUILDING SETBACKS	
FRONT	25'
REAR	25'
SIDE (1-1 1/2 STORY)	8'
SIDE (2 STORY)	14'

LEGEND

- ⊙ SET CORNER
- ⊙ FOUND REBAR & CAP
- ⊙ RECORD POINT
- ⊙ TREES
- ⊙ UTILITY POLE
- RIGHT-OF-WAY
- CENTERLINE OF ROAD
- ~ TREE LINES
- CHAIN-LINK FENCE
- EXISTING CONTOURS

NOTES

- 1) Generality of record is Michael J. Murphy and Pamela H. Murphy by deed recorded in Cumberland County Registry of Deeds in book 11390 page 110.
- 2) The parcel is shown on City of Portland Assessor's map number 272 as lot 5.
- 3) Set corners are a 1/2" diameter iron rod (rebar) with yellow plastic cap inscribed 'CLAYTON PLS #2017'.
- 4) Reference is made to 'QUAKER LANE RECORDING PLAT', recorded in plan book 103, page 6 on December 6, 1989, prepared by Owen Haskell, Inc. and DELUCA-DEFFMAN ASSOCIATES, INC.
- 5) All bearings shown are referenced to said 'QUAKER LANE' plan.
- 6) Existing contours shown are referenced to said plan.
- 7) No deed research was performed as a result of this survey.

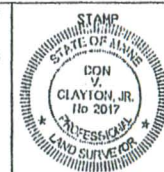
REVISIONS:

correct spelling & add parcel labels	10/20/05
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This plan conforms to standards of practice set forth by the MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS, in effect at this time.

SEAL

Don V. Clayton, Jr.
Don V. Clayton, Jr. PLS #2017



DATE: 10/21/05

PLAN OF LAND FOR MICHAEL MURPHY
PROPOSED LOT SPLIT

1771 WASHINGTON AVENUE		
CUMBERLAND COUNTY	- PORTLAND, MAINE	
JOB #05005	DATE: 9/1/05	SCALE 1" = 30'
PREPARED BY CLAYTON, INC. Land Surveying and Mapping 18 KENNETH ROAD SOUTH PORTLAND, MAINE		

permit to move The Shed
10-011
ISSUED - 2-26-2010

EXHIBIT A

A certain lot or parcel of land situated within the City of Portland, County of Cumberland, State of Maine, lying along the easterly sideline of Washington Avenue, bounded on the north by land now or formerly of Hashimoto and Coviello, as described by deed recorded in said County Registry of Deeds in book 15756 page 195, on the east by Quaker Lane Condominiums as recorded in plan book 183 page 6 in said Registry, and on the south by remaining land now or formerly of Michael J. Murphy and Pamela M. Murphy as described by deed recorded in said Registry in book 11398 page 110, and being more particularly described as follows:

Beginning at a 5/8" diameter iron rod (rebar) with a yellow plastic cap inscribed "CLAYTON PLS #2017", along said sideline at the southwesterly corner of land now or formerly of said Hashimoto and Coviello, which point is located 190.00 feet northerly along said sideline from the northerly sideline of Quaker Lane;

Thence N 76° 03' 00" E, along said Hashimoto and Coviello, a distance of one hundred ninety-eight and forty-four hundredths (198.44) feet, to a 5/8" diameter iron rod (rebar) with a yellow plastic cap inscribed "CLAYTON PLS #2017", at land now or formerly of said Quaker Lane Condominiums;

Thence S 14° 05' 06" E, along said Condominiums, a distance of ninety-five and no hundredths (95.00) feet, to a 5/8" diameter iron rod (rebar) with a yellow plastic cap inscribed "CLAYTON PLS #2017", at remaining land of said Murphy;

Thence S 87° 34' 39" W, along said Murphy, a distance of one hundred seventeen and eleven hundredths (117.11) feet, to a 5/8" diameter iron rod (rebar) with a yellow plastic cap inscribed "CLAYTON PLS #2017";

Thence S 76° 38' 18" W, continuing along said Murphy a distance of ninety and eighty-one hundredths (90.81) feet, to a 5/8" diameter iron rod (rebar) with a yellow plastic cap inscribed "CLAYTON PLS #2017", along said sideline of Washington Avenue;

Thence N 08° 23' 00" W, along said sideline, a distance of seventy-one and no hundredths (71.00) feet, to the point of beginning.

The above-described parcel contains 15,760 square feet more or less.

All bearings are referenced to "Quaker Lane Recording Plat", recorded in said Registry in plan book 183 page 6.

Meaning and intending to describe a portion of the premises conveyed to Michael J. Murphy and Pamela M. Murphy by deed recorded in book 3309 page 36, in said Registry.

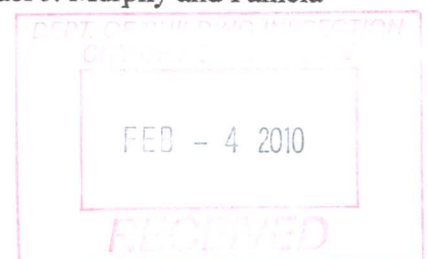


EXHIBIT B

A certain lot or parcel of land situated within the City of Portland, County of Cumberland, State of Maine, lying along the easterly sideline of Washington Avenue, bounded on the north by land now or formerly of Michael J. Murphy and Pamela M. Murphy as described by deed recorded in said County Registry of Deeds in book 11398 page 110, and on the east and south by Quaker Lane Condominiums as recorded in plan book 183 page 6, and being more particularly described as follows:

Beginning at a point along Washington Avenue at the intersection of said easterly sideline and the northerly sideline of Quaker Lane;

Thence N 08° 23' 00" W, along said sideline of Washington Avenue, a distance of one hundred nineteen and no hundredths (119.00) feet, to a 5/8" diameter iron rod (rebar) with a yellow plastic cap inscribed "CLAYTON PLS #2017", at remaining land of said Murphy;

Thence N 76° 38' 18" E, along said Murphy, a distance of ninety and eighty-one hundredths (90.81) feet, to a 5/8" diameter iron rod (rebar) with a yellow plastic cap inscribed "CLAYTON PLS #2017";

Thence N 87° 34' 39" E, continuing along said Murphy, a distance of one hundred seventeen and eleven hundredths (117.11) feet to 5/8" diameter iron rod (rebar) with a yellow plastic cap inscribed "CLAYTON PLS #2017", at land now or formerly of said Quaker Lane Condominiums;

Thence S 14° 05' 06" E, along said Condominiums, a distance of ninety-seven and no hundredths (97.00) feet, to a point near Quaker Lane;

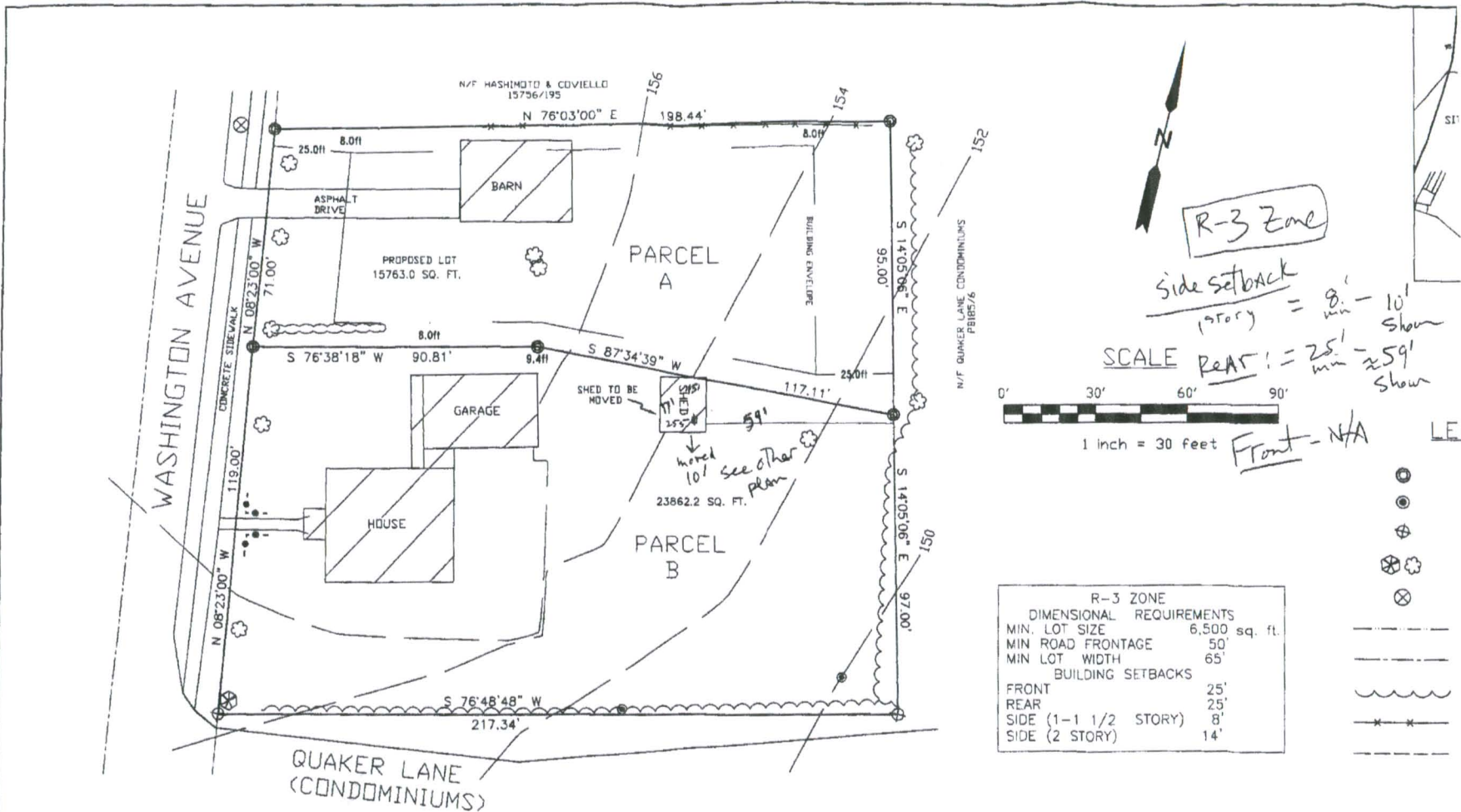
Thence S 76° 48' 48" W, continuing along said Condominiums, a distance of two-hundred seventeen and thirty-four hundredths (217.34) feet to the point of beginning.

The above-described parcel contains 23,860 square feet more or less.

All bearings are referenced to "Quaker Lane Recording Plat", recorded in said Registry in Plan book 183 page 6.

Meaning and intending to describe a portion of the premises conveyed to Michael J. Murphy and Pamela M. Murphy by deed recorded in book 3309 page 36 in said Registry.





R-3 Zone

Side setback
1st story = 8' - 10' Show

SCALE REAR = 25' min - 259' Show

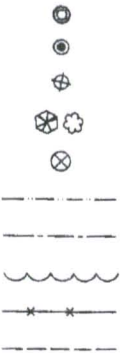


1 inch = 30 feet

Front - N/A

LEI

R-3 ZONE	
DIMENSIONAL REQUIREMENTS	
MIN. LOT SIZE	6,500 sq. ft.
MIN ROAD FRONTAGE	50'
MIN LOT WIDTH	65'
BUILDING SETBACKS	
FRONT	25'
REAR	25'
SIDE (1-1 1/2 STORY)	8'
SIDE (2 STORY)	14'



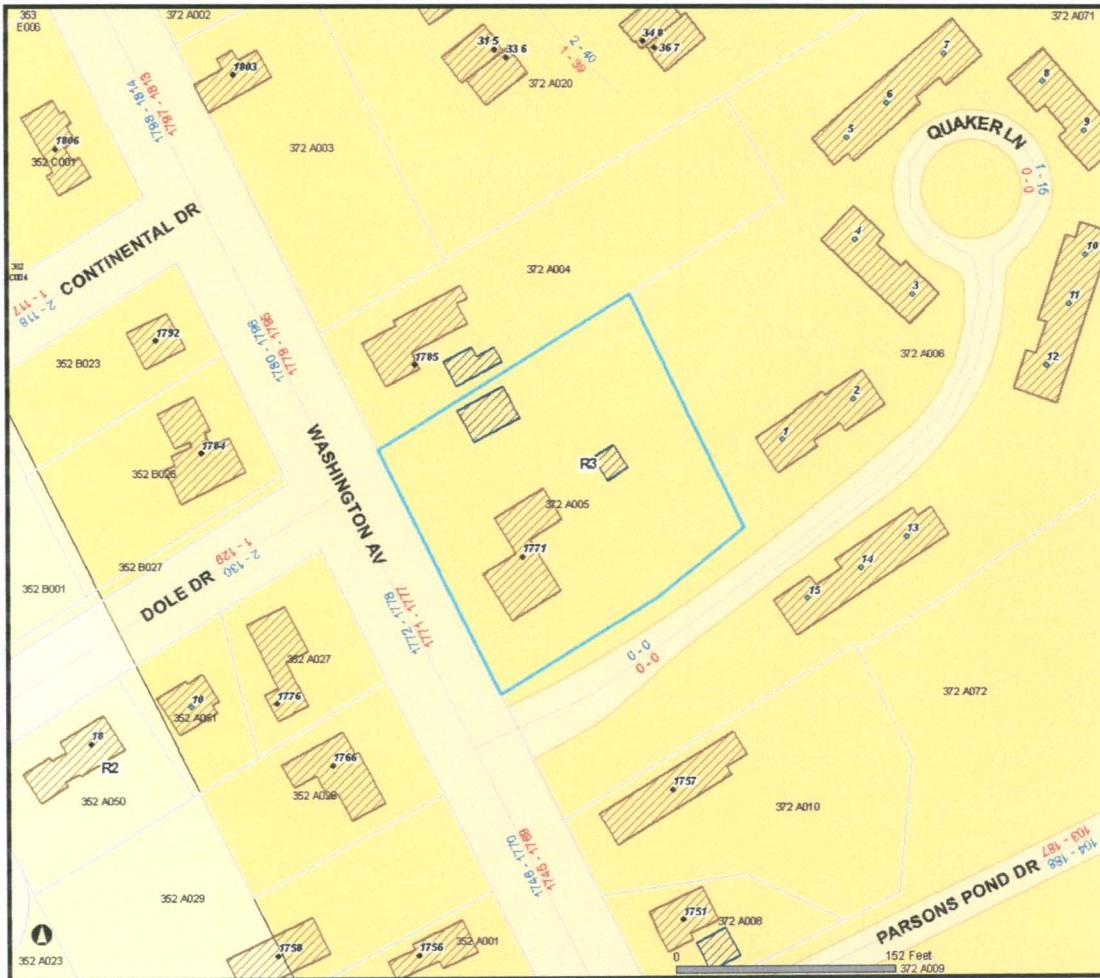
NOTES

- 1) Ownership of record is Michael J. Murphy and Pamela M. Murphy by deed recorded in Cumberland County Registry of Deeds in book 11399 page 10.
- 2) The parcel is shown on City of Portland Assessor's map number 372 as lot 5.
- 3) Set corners are a 3/4" diameter iron rod (rebar) with yellow plastic cap (top) and yellow plastic cap (bottom).

REVISIONS:

correct spelling & ad

This plan conforms to the requirements of the City of Portland Code...



City of Portland
GIS



DISCLAIMER : This is a product of the City of Portland MIS Department. The data depicted here have been developed with cooperation from other federal, state and local agencies. The City of Portland expressly disclaims responsibility for damages or liability that may arise from the use of this map.

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City of Portland
389 Congress St.
Portland, Maine
04101

Assessor's Office | 389 Congress Street | Portland, Maine 04101 | Room 115 | (207) 874-8486

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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:

Services

- [Applications](#)
- [Doing Business](#)
- [Maps](#)
- [Tax Relief](#)
- [Tax Roll](#)
- [Q & A](#)

CBL 372 A005001
Land Use Type SINGLE FAMILY
Property Location 1771 WASHINGTON AVE
Owner Information MURPHY MICHAEL J & PAMELA JTS
 1771 WASHINGTON AVE
 PORTLAND ME 04103
Book and Page
Legal Description 372-A-5
 WASHINGTON AVE 1767-
 1779 37206 SF
Acres 0.854

R-3

Current Assessed Valuation:

TAX ACCT NO.	38158	OWNER OF RECORD AS OF APRIL 2009 MURPHY MICHAEL J & PAMELA JTS 1771 WASHINGTON AVE PORTLAND ME 04103
LAND VALUE	\$94,600.00	
BUILDING VALUE	\$206,900.00	
HOMESTEAD EXEMPTION	(\$12,350.00)	
NET TAXABLE - REAL ESTATE	\$289,150.00	
TAX AMOUNT	\$5,129.52	

[browse city services a-z](#)

[browse facts and links a-z](#)

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



Best viewed at 800x600, with Internet Explorer

Building Information:

Card 1 of 1

Year Built 1770
Style/Structure Type OLD STYLE
Stories 2
Bedrooms 4
Full Baths 2
Total Rooms 8
Attic NONE
Basement FULL
Square Feet 2206

[View Sketch](#) [View Map](#) [View Picture](#)



Outbuildings/Yard Improvements:

Card 1

Year Built 1920
Structure SHED-FRAME
Size 14X18
Units 1
Grade C
Condition P

Card 1

Year Built 1900
Structure FLAT BARN
Size 26X34
Units 1
Grade C
Condition A

[New Search!](#)

Applicant: Michael & Pamela Murphy Date: 3/9/10

Address: 1771 Washington Ave C-B-L: 372-A-5

CHECK-LIST AGAINST ZONING ORDINANCE

Date - Existing Dev, Lot split (one Division)

Zone Location - R-3

Existing Single FAM

New lot

Interior or corner lot -
small shed and adjacent
to Quaker LN
Proposed Use/Work -

Single fam

Existing Barn
- NOT A listed "Principal Use"

Sewage Disposal -

City

City

Lot Street Frontage -

50' min

119'

71'

Front Yard -

25' min

Existing 21'

25' Achievable

Rear Yard -

25' min

retⁿ 59' to shed

25' Achievable

Side Yard -
1-story
2-story
2 1/2 st

8' min
14' min
16' min

9' a 42' 2 story

Existing BAN is only 4.5' from side

Projections -

Width of Lot - 65' min

117' wide

71' AT narrowest

Height - 35' MAX

exist

Achievable

Lot Area - 6,500[#] min

23,862.2[#]

15,763[#]

Lot Coverage/ Impervious Surface - 35%

over 50% now

Achievable

Area per Family - 6,500[#]

23,862[#]

15,763[#]

Off-street Parking - 2 PKG

2+ indicated

Achievable

Loading Bays - N/A

Site Plan - Needed for New const on vacant lot

existing N/A

site plan required to develop

Shoreland Zoning/ Stream Protection -

N/A

N/A

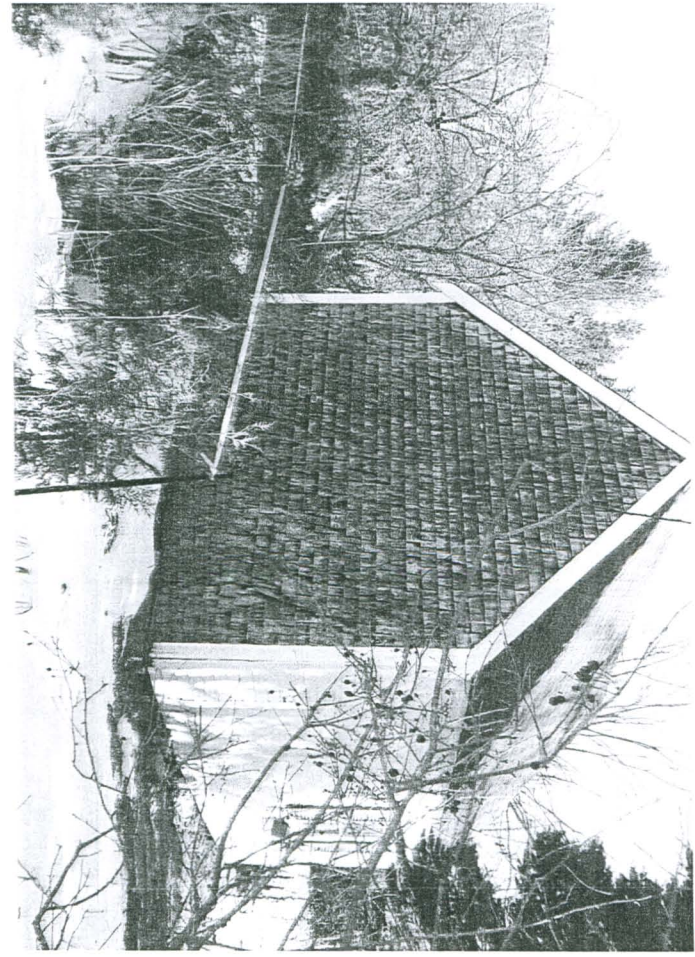
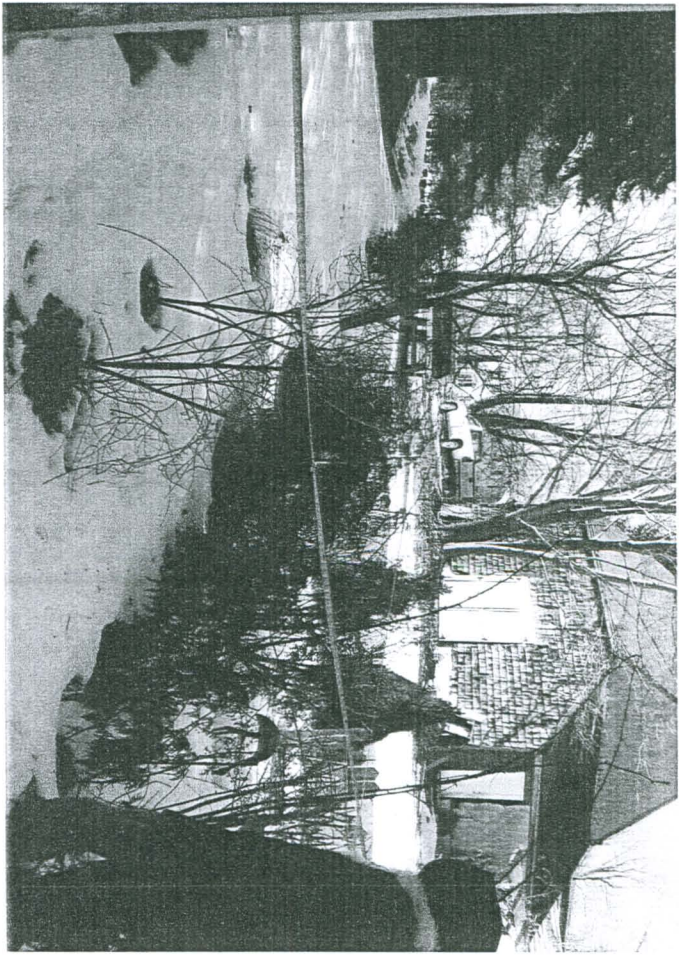
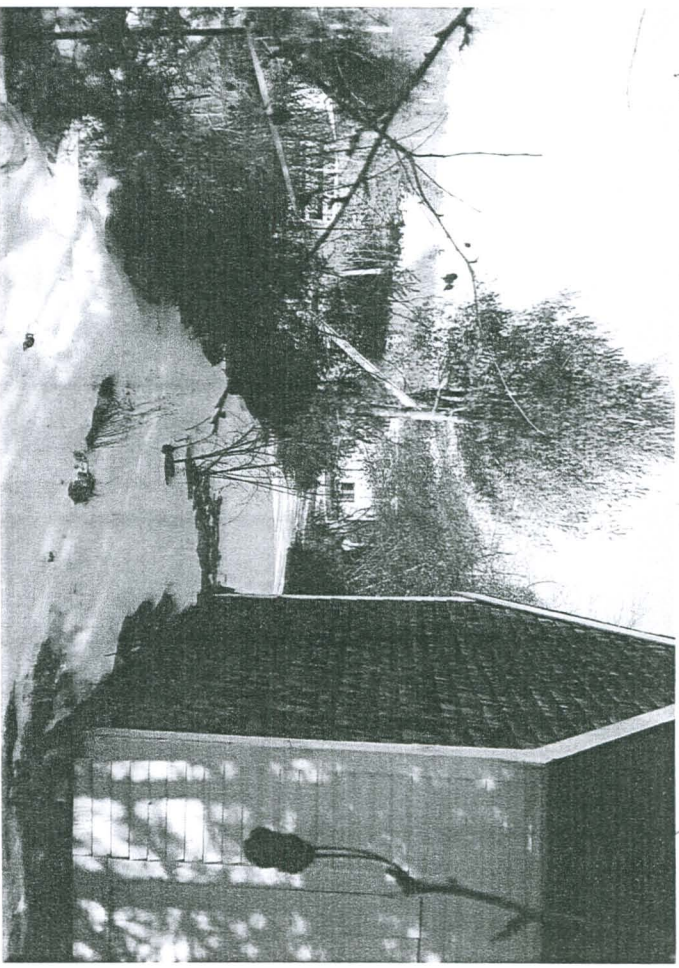
Flood Plains - Panel 2 - Zone X

same

SAME

→ existing Barn is NOT A listed permitted use

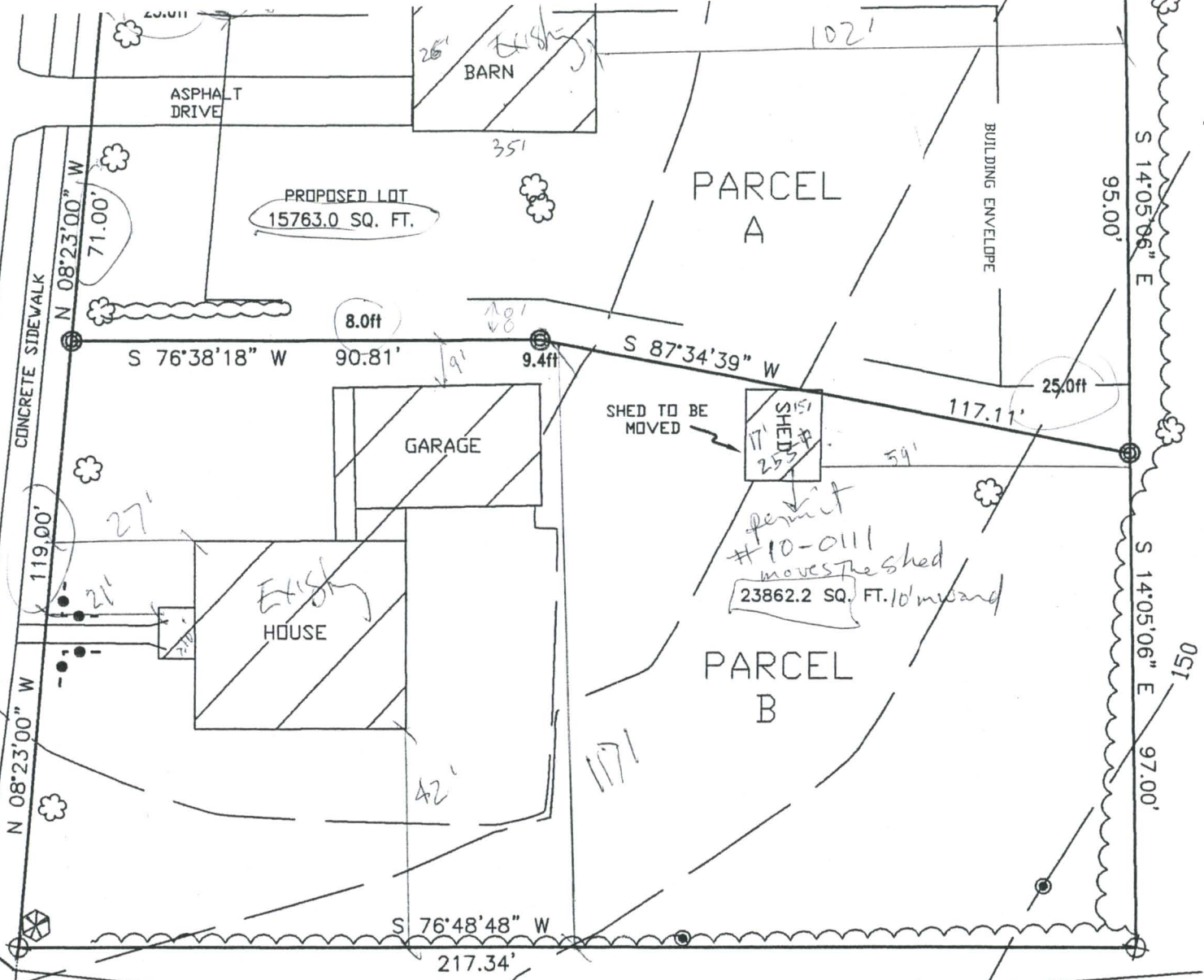
IN MEMORY
1991 WASHINGTON
372 A B





W. Woodbury
1911 Woodbury Av. 372 A E

WASHINGTON AVENUE



PROPOSED LOT
15763.0 SQ. FT.

SHED TO BE
MOVED

permit
#10-011
moves the shed
23862.2 SQ. FT. 10' inward

QUAKER LANE
(CONDOMINIUMS)

N/F QUAKER LANE CONDOMINIUMS
PB185/6

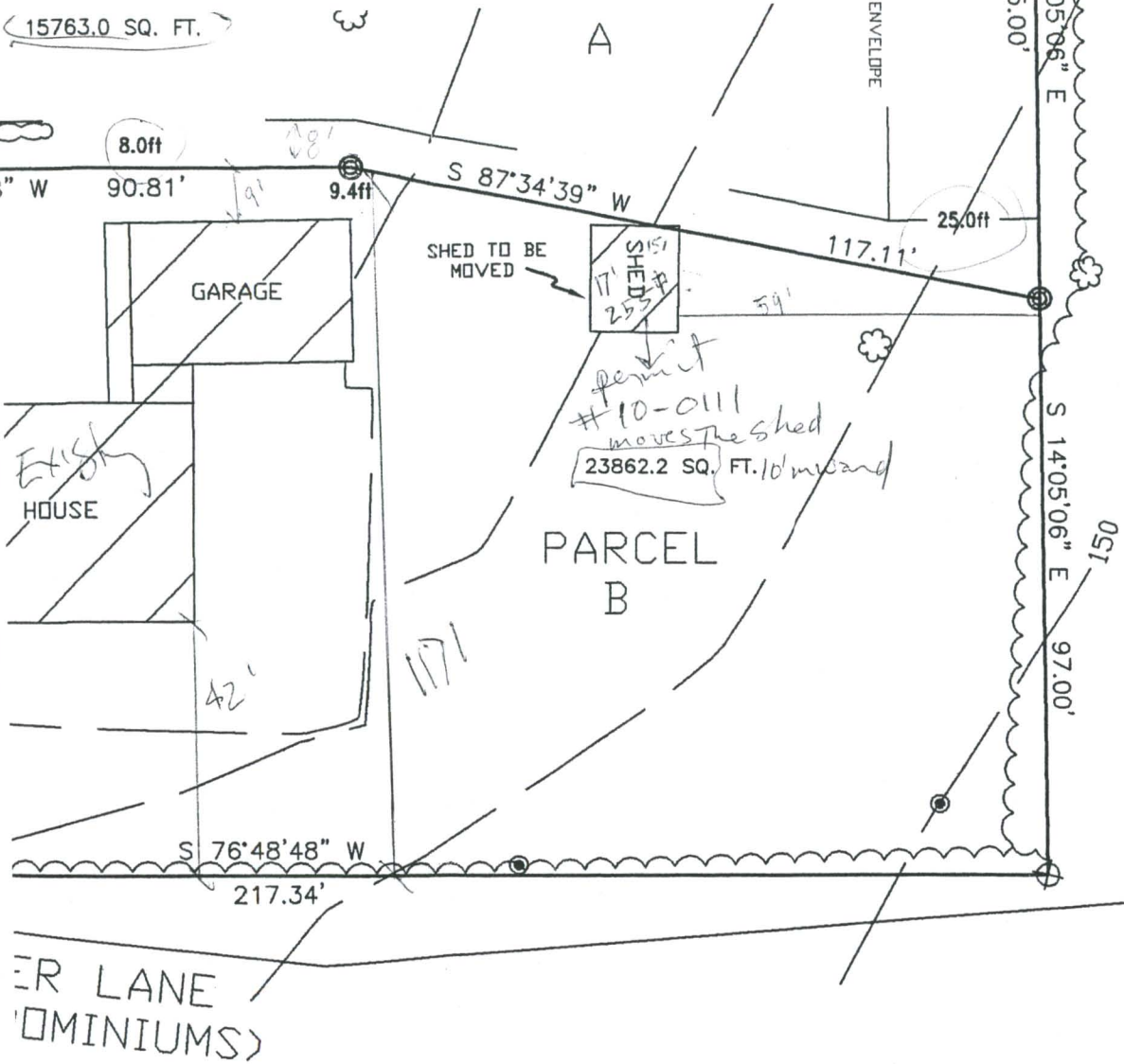


	DIME
MIN. LC	
MIN RC	
MIN LO	
FRONT	1
REAR	
SIDE (1)	
SIDE (2)	

NOTES

1) Ownership of record is Michael J. Murphy and David H. ...

15763.0 SQ. FT.



N/F QUAKER LANE CONDO
PB185/6

SCALE



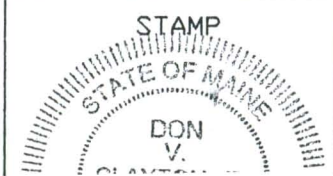
1 inch = 30 feet

R-3 ZONE	
DIMENSIONAL REQUIREMENTS	
MIN. LOT SIZE	6,500 sq. ft.
MIN ROAD FRONTAGE	50'
MIN LOT WIDTH	65'
BUILDING SETBACKS	
FRONT	25'
REAR	25'
SIDE (1-1 1/2 STORY)	8'
SIDE (2 STORY)	14'

QUAKER LANE
CONDOMINIUMS

as shown on a map of Parcel A and Parcel B prepared by
 a M. Murphy by deed recorded in Cumberland County Registry of Deeds
 with map number 372 as lot 5.
 with yellow plastic cap inscribed 'CLAYTON PLS #2017',
 recorded in plan book 183, page 6 on December 6, 1989, prepared by
 INC.
 'LANE' plan.
 lan.
 this survey.

This plan conforms to standards
 of practice set forth by the
 MAINE BOARD OF LICENSURE FOR
 PROFESSIONAL LAND SURVEYORS, in
 effect at this time.



REVISIONS
 correct s

PLAN C
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