



PORTLAND MAINE

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

Jeff Levine, AICP, Director

Marge Schmuckal, Zoning Administrator

October 23, 2012

Keiter & Associates, P.A.
One William Street
Portland, ME 4103
Attn: Timothy S. Keiter, Esq.

Attn: 680 Auburn Street – 386-B-6 & 10 & 386-B-11 – R-2 Zone

Dear Attorney Keiter,

I am in receipt of your request for a determination to convey a portion of the property owned in total by Marcia A. Viles. I have made my determination based upon a signed, stamped survey performed by Rex J. Croteau a professional licensed surveyor with Titcomb Associates and dated June 11, 2012. The property to be conveyed is located partially in Portland and partially in Falmouth as shown on the submitted survey. The property that is located in Portland is located entirely within the R-2 residential zone.

The R-2 zoning analysis for the existing developed lot shows the property meeting all the dimensional requirements of that zone. A zoning analysis of the proposed lot to be conveyed indicates that it is meeting the minimum lot size, street frontage and lot width of the R-2 zone. All other R-2 dimensional requirements have the ability to be met at the time of development.

The property to be conveyed is unique in that a good portion of it lies in Falmouth. At time of development, the applicant shall meet the requirements of both Portland and Falmouth. Portland and Falmouth will work together to help make the review and approval process less onerous on the applicant.

Therefore, I have made a final determination that the conveyance of a 10,000 square foot lot as indicated on the submitted survey is considered to be "buildable" under the City of Portland Land Use Zoning Ordinance. It is also noted that the remaining, existing developed property would not be in violation of the Portland Land Use Zoning Ordinance. If you have any questions regarding this matter, please feel free to contact me at (207) 874-8695.

Very truly yours,

Marge Schmuckal
Zoning Administrator

LAW OFFICE OF
KEITER & ASSOCIATES, P.A.
ONE WILLIAM STREET
PORTLAND, MAINE 04103
(207)774-5100 FAX (207)774-5199
sender's email: lkeiter@keiterassociates.com

October 11, 2012

Ms. Marge Schmuckal, Zoning Administrator
Portland City Hall
389 Congress Street, Room 315
Portland, Maine 04101

Re: 680 Auburn Street, Portland and Falmouth, Maine/Marcia Viles

R-2-

Dear Marge:

Thanks for taking the time to talk with me on the telephone today, regarding the above property. Following up on that call, please accept this letter as my request on behalf of Marcia Viles, the owner of the property at 680 Auburn Street, for an evaluation of the 100 by 100 foot lot that she intends to create, as a buildable lot. Ms. Viles proposes to divide her existing lot, which consists of three parcels, located partially in Portland and partially in Falmouth, into two separate lots, of which she proposes to sell the most northerly 100' by 100' foot lot as a separate buildable lot.

Per your request, I am enclosing with this letter our firm check in the amount of \$150.00, to cover the City of Portland's fee for reviewing this inquiry, as well as an original signed and stamped survey of the property in question, dated June 11, 2012. As I mentioned, we have also addressed this question with the Code Enforcement Officer of the Town of Falmouth, who has indicated that from Falmouth's point of view, the lot is buildable.

Regarding the history of the lot, it is a 100' by 100' lot with a little more than half located in Portland, and the rest located in Falmouth. The lot has been owned by Marcia Viles in her sole name since she acquired it in July of 1984.

My client tells me that the lot was previously owned by her uncle Harold O'Brien, as part of a farm, previous to her acquisition of the lot in 1984, and that she has personal knowledge that it has never been improved since before 1965. The 100' by 100' lot in question has 100 feet of frontage on Auburn Street.

Ms. Viles and her husband, Kenneth Viles, also purchased the adjacent 100' by 100' lot in 1960. That is an improved lot with an existing house. There is also a third lot, on the other side of and to the rear of the house lot, that Marcia and Kenneth Viles also owned jointly, as shown on the enclosed survey. This lot appears to abut the subject 100' by 100' lot along a 13 foot strip in the rear of the subject lot.

Kenneth Viles passed away on October 12, 2004, leaving Marcia Viles as the surviving joint tenant, with title to all three lots.

RECEIVED

OCT 17 2012

Dept. of Building Inspections
City of Portland Maine

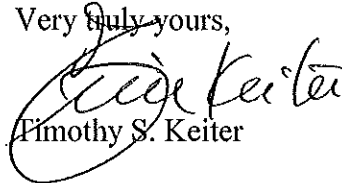
Ms. Marge Schmuckal
October 11, 2012
Page 2

We are requesting a response in writing regarding the buildability of the lot, addressed to me as Ms. Viles' counsel, so that a buyer of the lot can have confidence that the appropriate determination has been made.

If you should need any additional information, or if you have any questions, please do not hesitate to call or email me and I will get you whatever other information you may need.

Many thanks for your assistance with this request.

Very truly yours,

A handwritten signature in cursive script that reads "Timothy S. Keiter". The signature is written in black ink and is positioned above the printed name.

Timothy S. Keiter

TSK:dmp

cc: Ms. Marcia Viles (via email)

Applicant: MARCIA Viles

Date: 10/23/15

Address: 680 Auburn St

C-B-L: 386-B-6 & 386-B-7
to 386-B-11
vac conveyed lot

CHECK-LIST AGAINST ZONING ORDINANCE

386-B-6 & 10
Existing Dev. lot

Date -

Zone Location - R-2 entirely

Interior or corner lot -

Proposed Use/Work - Single fam DW

Sewage Disposal - City, 7 utilities shown on GIS

Lot Street Frontage - 50' min

Front Yard - 25' min

Rear Yard - 25' min

Side Yard - 1st story 12' min
2nd story 4' min

Projections -

Width of Lot - 80'

Height - 35' max

Lot Area - 10,000 sq ft min

Lot Coverage/ Impervious Surface - 20% max

Area per Family - 10,000 sq ft

Off-street Parking - 2 req for New

Loading Bays - N/A

Site Plan -

Shoreland Zoning/ Stream Protection -

Flood Plains - panel 2 Zone X

existing single fam

120' shown

26.5' scaled

37.5' + shown

20' & 28' shown

120'

? existing

21,511 sq ft shown for both lots

21,511 sq ft

2 existing shown

exists

N/A

same

VACANT

100' per Survey

Ability to meet

100' per Survey

Ability to meet

10,000 sq ft per Survey
(3,150 sq ft in Portland
rest in Falmouth)

10,000 sq ft

HAS Ability to meet

site plan review required

N/A

same

Assessor's Office | 389 Congress Street | Portland, Maine 04101 | Room 115 | (207) 874-8466

City Home Departments City Council E-Services Calendar Jobs

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

browse city services a-z

browse facts and links a-z



CBL 386 B006001
Land Use Type SINGLE FAMILY
Property Location 680 AUBURN ST
Owner Information VILES HARCIA A WID KW VET
 680 AUBURN ST
 PORTLAND ME 04103
Book and Page
Legal Description 386-B-6-10
 AUBURN ST 678-686
Acres 20836 SF
 0.4784

Current Assessed Valuation:

TAX ACCT NO.	39784	OWNER OF RECORD AS OF APRIL 2012
		VILES HARCIA A WID KW VET
LAND VALUE	\$95,200.00	680 AUBURN ST
BUILDING VALUE	\$95,900.00	PORTLAND ME 04103
WORLD WAR II WIDOWS	(\$6,000.00)	
HOMESTEAD EXEMPTION	(\$10,000.00)	
NET TAXABLE - REAL ESTATE	\$175,100.00	
TAX AMOUNT	\$3,295.38	

*Survey 10,000
 11,511

 21,511*

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

Building Information:

Best viewed at 800x600, with Internet Explorer

Building 1
Year Built 1952
Style/Structure Type CAPE
Stories 1
Units 1
Bedrooms 2
Full Baths 1
Total Rooms 6
Attic FULL FINSH
Basement PIER/SLAB
Square Feet 1061

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



Outbuildings/Yard Improvements:

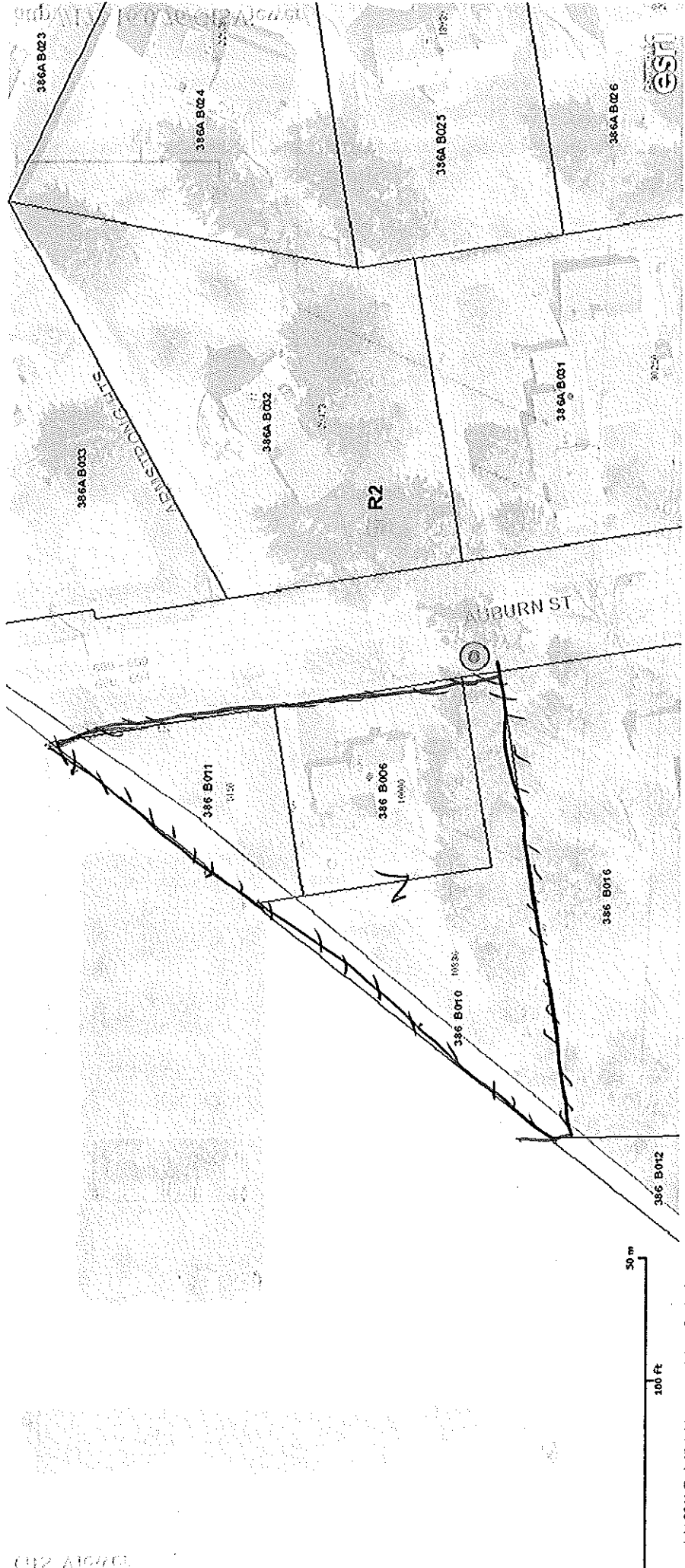
Building 1
Year Built 1975
Structure SHED-FRAME
Size 8X12
Units 1
Grade C
Condition A

Sales Information:

Sale Date	Type	Price	Book/Page
10/12/2004	LAND + BUILDING	\$0.00	/

[New Search!](#)

Outer Auburn Street



Copyright 2011 Esri. All rights reserved. Mon Oct 22 2012 04:44:47 PM.

10/22/2012



PORTLAND MAINE

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

Receipts Details:

Tender Information: Check , BusinessName: KEITER & ASSOCIATES PA, Check Number: 8115

Tender Amount: 150.00

Receipt Header:

Cashier Id: bsaucier

Receipt Date: 10/17/2012

Receipt Number: 49345

Receipt Details:

Referance ID:	527	Fee Type:	BP-DP
Receipt Number:	0	Payment Date:	
Transaction Amount:	150.00	Charge Amount:	150.00
Job ID: Miscellaneous charges			
Additional Comments: 680 AUBURN ST.			

Thank You for your Payment!