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Greg Mitchell - Acting Director of Planning and Urban Development

Marge Schmuckal, Zoning Administrator

May 22, 2012

Patricia Regner
Contract Change Department
TD Bank, N.A.
P.O. Box 1377
Lewiston, ME 04243

RE: Partial Release, 74 Gertrude Avenue – 402-D-6,7,8,9 - R-3 Zone

Dear Ms. Regner,

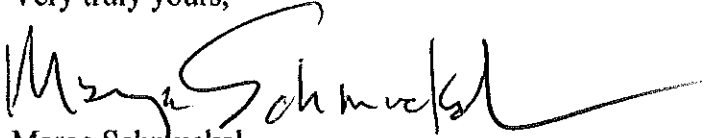
I am in receipt of a zoning determination request in regard to the property located at 74 Gertrude Avenue, Portland, Maine. My determination is based upon a signed and stamped survey prepared by John W. Swan of Owen Haskell, Inc. labeled "Existing conditions survey on Gertrude Avenue, Portland, Maine" made for Timothy Higgins, job No. 2012-033P. I have also depended upon an unsigned and unstamped "Boundary Survey" prepared by John W. Swan of Owen Haskell, Inc., Job No. 92134 P.

Based upon the survey information and City files, I have determined that the lot division that is proposed meets the following criteria:

- 1) The underlying zone used for compliance is the R-3 Residential Zone in which the entire property is located.
- 2) The newly proposed, vacant lot consisting of 6,893 square feet is meeting the R-3 zone requirements for lot size, street frontage and minimum lot width. The other R-3 dimensional requirements will be reviewed when this office receives a building permit application for the construction of a new single family dwelling. The proposed, vacant lot shows the potential of a new single family dwelling being able to meet all the R-3 zone dimensional requirements.
- 3) The remaining lot with the existing single family dwelling, consisting of 12,708 square feet, is also meeting the R-3 zone requirements for lot size, street frontage and minimum lot width.
- 4) My research shows that the original single family building was constructed prior to the basis of the City's Zoning Ordinance of June 5, 1957.
- 5) The records in Inspection Services do not show the required permits for all the improvements that have been done to this property since the principal dwelling was constructed. In addition, several structures are straddling the property line and do not meet the R-3 zone dimensional requirements.
- 6) The single division of land as proposed does not require a subdivision review. However, separate reviews and permits are required for the development of a new single family dwelling on a lot.

If you have any further questions regarding this matter, please do not hesitate to contact me at (207) 874-8695.

Very truly yours,

A handwritten signature in black ink, appearing to read "Marge Schmuckal", with a long horizontal flourish extending to the right.

Marge Schmuckal
Zoning Administrator

Cc to: Stephen & Carol Mackenzie, 74 Gertrude Ave., Portland, ME 04103