



PORTLAND MAINE

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*Greg Mitchell - Acting Director of Planning and Urban Development
Marge Schmuckal, Zoning Administrator*

June 15, 2012

Jos Ruks and Louise Stone
131 Virginia Street
Portland, Maine 04103

RE: 131 Virginia Street 405A-A-2 & 3 – R-3 Zone

Dear Mr. Ruks and Ms. Stone,

I am in receipt of your request to determine whether the proposed transfer of property is in compliance with the Land Use Zoning Ordinance. All affected properties are located within an R-3 residential zone.

I have made my determination based upon a signed, stamped survey performed by Kevin Cullenberg of Cullenberg Land Surveying and dated October 20, 2011. I have also considered the photos submitted on June 11, 2012.

It is important to note that on the rear of the existing garage on your property (131 Virginia Street) there is a small bump out. The bump out is not the entire length of the garage and less in height than the garage. I have considered this bump out to be an architectural feature as defined under section 14-425. This architectural feature projects not more than two feet into the required setback of the garage as allowed under section 14-425. The architectural feature is six (6) feet from the newly proposed side property line. The garage wall is eight (8) feet from the newly proposed side property line. The minimum required side setback for a one story structure in the R-3 zone is eight (8) feet. The newly proposed conveyance of 160.0 square feet from Ruks/Stone to Johnson is allowable under zoning and does not create a violation of the Land Use Zoning Ordinance.

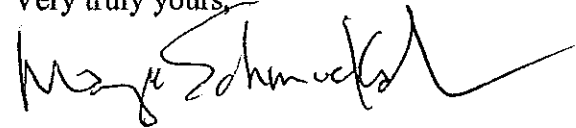
There is also a newly proposed 4104.0 square foot conveyance of property from Johnson to Ruks/Stone at the rear of Ruks/Stone property called parcel "C". The conveyance of parcel "C" is allowable under zoning and does not create a violation of the Land Use Zoning Ordinance.

Please note that if there is a desire to replace the existing garage on the Ruks/Stone property, the replacement garage cannot use the architectural feature as part of a footprint in which to rebuild. Only the footprint of the actual full garage without the architectural feature bump out may be used. You have the right to appeal this 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.

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

Very truly yours,

A handwritten signature in cursive script, appearing to read "Marge Schmuckal". The signature is written in black ink and is positioned above the printed name.

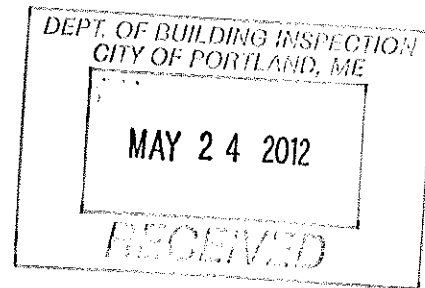
Marge Schmuckal
Zoning Administrator.

Request for a Zoning Determination

May 23, 2012

To the City of Portland
Department of Planning & Urban Development
to the attention of Marge Schmuckal, Zoning Administrator

R-3



The neighbors Stone-Ruks, owners and inhabitants of 131 Virginia Street, and Johnson, owners and inhabitants of 137 Virginia Street in Portland, Maine, are pursuing the buying and selling of a part of each of their land.

According to the drawing of the surveyor, Louise B. Stone and Johannes C. Ruks will buy Parcel C, 68.40 x 60.00 ft. (4104.00 Sq. ft.) from Diane L. and James A. Johnson and Diane L. and James A. Johnson will buy Parcel D, a strip of 1.60 x 100.00 ft (160.00 Sq. ft) from Louise B. Stone and Johannes C. Ruks.

The Land Surveyor, Kevin W. Cullenberg, has already put in the new iron pins as shown in the drawing, attached to this letter.

We need an official letter from you which declares that the City of Portland has no objection against this determination and is fully informed about this change of property lines, that enables both parties to build a garage at the back of their houses.

We wonder about the \$150.00 fee, because our request is all about a single family residence, and with changing property lines there are always two parties involved, the seller and the buyer. A check is included in case we are wrong.

Jos Ruks and Louise Stone

131 Virginia Street
04103, Portland, Maine
207 - 797 9706

DEED BOOK: 3191, PAGE 488
PLAN BOOK: 17, PAGE 6
COUNTY: CUMBERLAND



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Receipts Details:

Tender Information: Check , Check Number: 4108

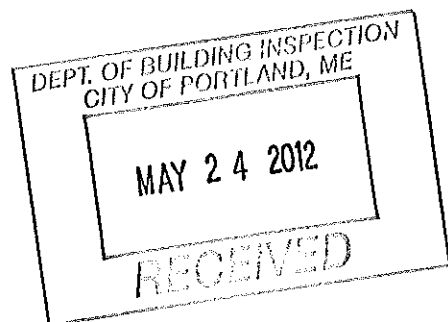
Tender Amount: 150.00

Receipt Header:

Cashier Id: bsaucier

Receipt Date: 5/24/2012

Receipt Number: 44284



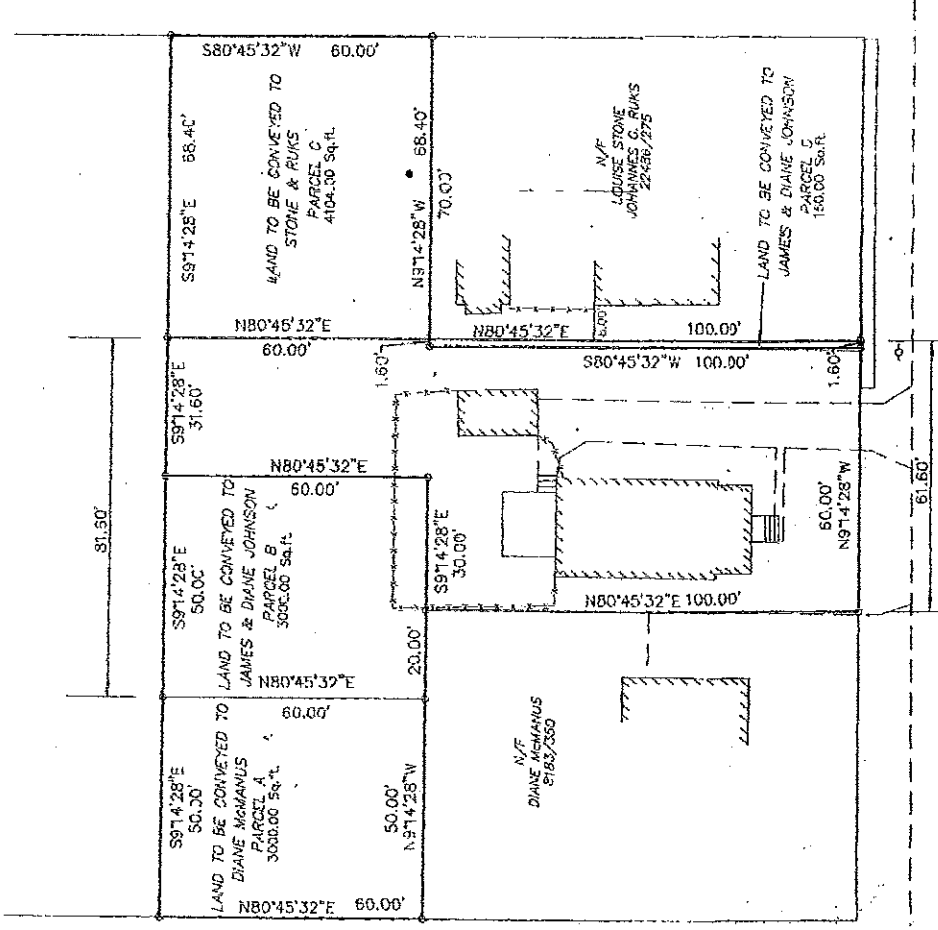
Receipt Details:

Referance ID:	407	Fee Type:	BP-DP
Receipt Number:	0	Payment Date:	
Transaction Amount:	150.00	Charge Amount:	150.00
Job ID: Miscellaneous charges			
Additional Comments: 131 Virginia			

Thank You for your Payment!

6/11/12 - called owner - It looks like the garage would be less than 8' to the new side property line however, I do not have scalable plans, Mr RukS will bring in the original sealed version. I received the Scalable plans - There will only be a 6' side Setback to the bump out at the rear of the garage

NEVADA AVENUE (PAPER)



VIRGINIA STREET

JERSEY AVENUE (PAPER)

REFERENCES

- 1.) PLAN ENTITLED "THE PINES" BY STEPHENSON DATED 1926 AS RECORDED IN THE CLERK AND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 17, PAGE 8 AND PAGE 7.
- 2.) PLAN OF PROPERTY MADE FOR DIANE JOHNSON DATED APRIL 1, 1996 BY CULLENBERG LAND SURVEYING

NOTES

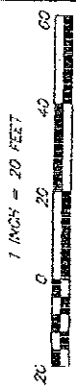
- 1.) BEARINGS ARE REFERENCED TO MAGNETIC NORTH 1996.

OWNER OF RECORD

JAMES A. & DIANE L. JOHNSON
6182/123

LEGEND

- IRON PIN FOUND (1/2" pipe unless noted)
- IRON PIN SET (5/8" rebar)
- N/F IRON OR FORMERLY
- UTILITY POLE
- FENCE LINE
- EDGE OF PAVEMENT
- /// EXISTING BUILDING

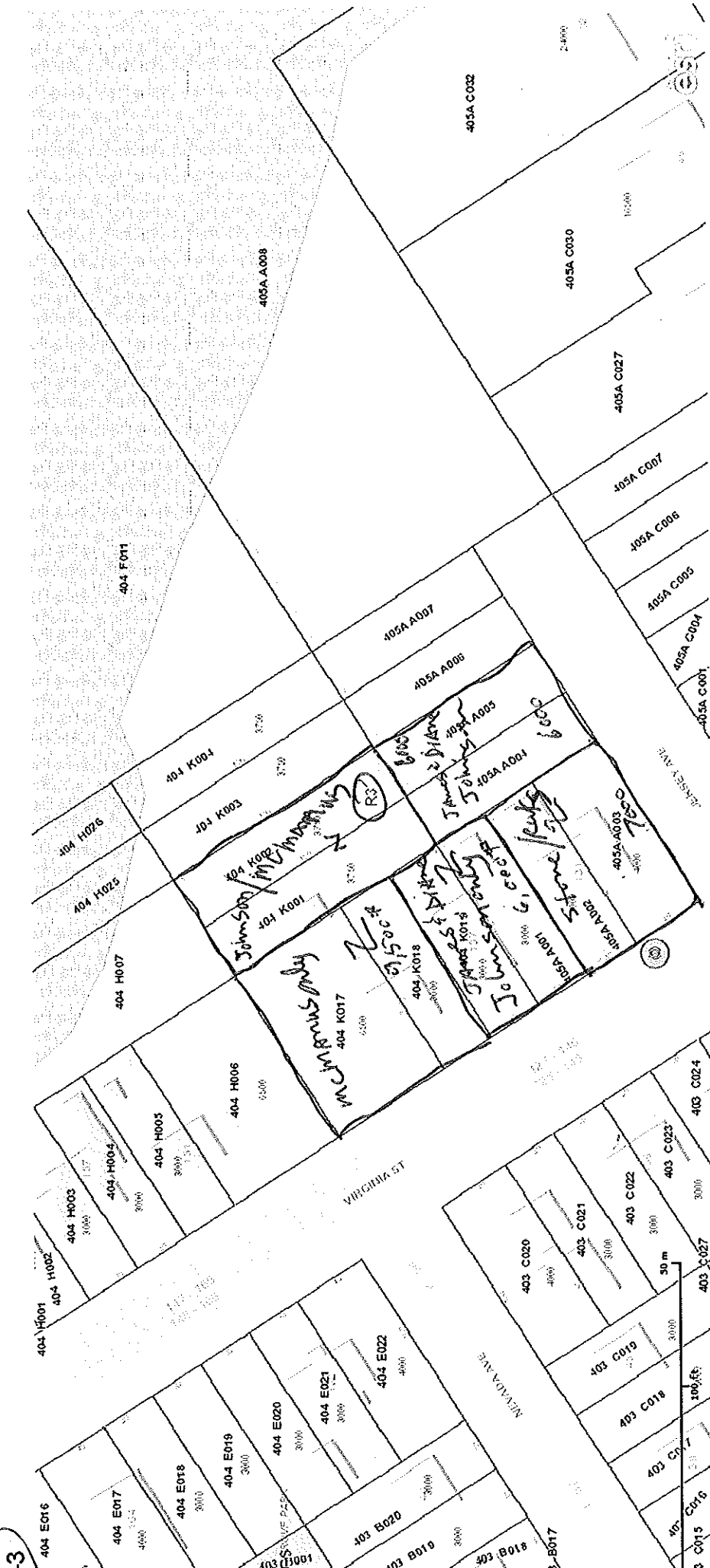


KEVIN W. CULLENBERG FLS 1278

Kevin W. Cullenberg

PLAN OF PROPERTY
MADE FOR
DIANE JOHNSON
BY
OCTOBER 20, 2011
CULLENBERG LAND SURVEYING
892 OLD DANVILLE ROAD
AUBURN, MAINE 04210
(207) 777-1150

31 Virginia St



still has
lot width,
will be 68.40'

7000 sell
- 160 - to Abutter
6840 #
4104 # - Newly gained property
10,944 # meets min lot size req.

Assessor's Office | 389 Congress Street | Portland, Maine 04101 | Room 115 | (207) 674-8466

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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

Haps

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Tax Roll

Q & A

CBL 405A A002001
Land Use Type SINGLE FAMILY
Property Location 131 VIRGINIA ST
Owner Information STONE LOUISE & JOHANNES G RUKS

Book and Page 131 VIRGINIA ST
 22486/275
Legal Description 405A-A-2-3
 VIRGINIA ST 129-133
 JERSEY AVE
 7000 SF
Acres 0.161

Current Assessed Valuation:

[browse city services a-z](#)

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

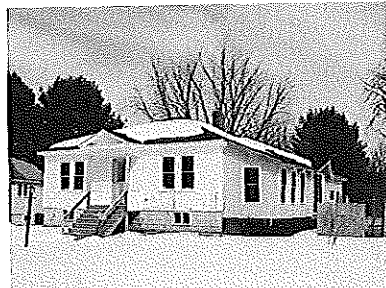
TAX ACCT NO. 41750 **OWNER OF RECORD AS OF APRIL 2011**
 STONE LOUISE &
 JOHANNES G RUKS
 131 VIRGINIA ST
 PORTLAND ME 04103
LAND VALUE \$66,300.00
BUILDING VALUE \$112,900.00
NET TAXABLE - REAL ESTATE \$179,200.00
TAX AMOUNT \$3,275.78

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



Building Information:

Building 1
Year Built 1929
Style/Structure Type OLD STYLE
Stories 1
Units 1
Bedrooms 2
Full Baths 1
Total Rooms 5
Attic NONE
Basement FULL
Square Feet 1008



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

Outbuildings/Yard Improvements:

Building 1
Year Built 1970
Structure GARAGE-WD/CB
Size 12X18
Units 1
Grade C
Condition A

Sales Information:

Sale Date	Type	Price	Book/Page
4/4/2005	LAND + BUILDING	\$84,000.00	22486/275
7/27/2004	LAND + BUILDING	\$184,000.00	21595/179
4/28/2004	LAND + BUILDING	\$101,500.00	21180/330
5/24/2003	LAND + BUILDING	\$0.00	/

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

CBL	405A A004001
Land Use Type	VACANT LAND
Property Location	0 JERSEY AVE
Owner Information	JOHNSON JAMES A & DIANE L JTS 137 VIRGINIA ST PORTLAND ME 04103
Book and Page	
Legal Description	405A-A-4-5 JERSEY AVE
	6000 SF
Acres	0.138

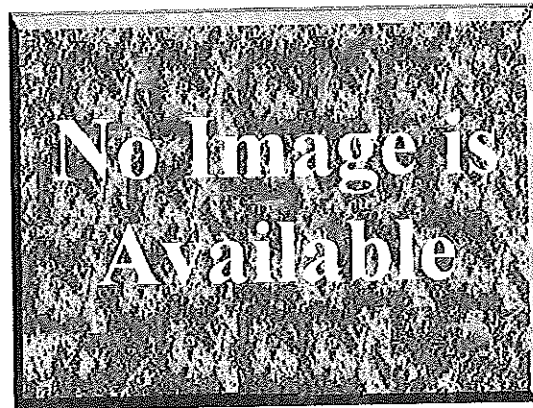
Current Assessed Valuation:

TAX ACCT NO.	41752	OWNER OF RECORD AS OF APRIL 2011
		JOHNSON JAMES A & DIANE L JTS 137 VIRGINIA ST PORTLAND ME 04103
LAND VALUE	\$5,100.00	
BUILDING VALUE	\$0.00	
NET TAXABLE - REAL ESTATE	\$5,100.00	
TAX AMOUNT	\$93.24	

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



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Assessor's Office | 359 Congress Street | Portland, Maine 04101 | Room 115 | (202) 874-8456

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Current Owner Information:

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Applications

Doing Business

Maps

Tax Relief

Tax Roll

Q & A

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browse facts and links a-z

CBL 404 K019001
Land Use Type SINGLE FAMILY
Property Location 137 VIRGINIA ST
Owner Information JOHNSON JAMES A & DIANE L JTS
137 VIRGINIA ST
PORTLAND ME 04103

Book and Page
Legal Description 404-K-19 405A-A-1
VIRGINIA ST 135-137

Acres 6000 SF
0.138

Current Assessed Valuation:

TAX ACCT NO. 41694 **OWNER OF RECORD AS OF APRIL 2011**
JOHNSON JAMES A &
DIANE L JTS
137 VIRGINIA ST
PORTLAND ME 04103
LAND VALUE \$64,500.00
BUILDING VALUE \$91,100.00
HOMESTEAD EXEMPTION (\$10,000.00)
NET TAXABLE - REAL ESTATE \$145,600.00
TAX AMOUNT \$2,661.58

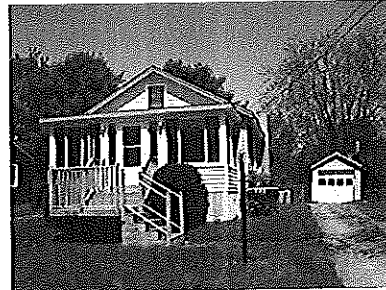
Any information concerning tax payments should be directed to the Treasury office at 874-8490 or [e-mailed](#).



Building Information:

Building 1
Year Built 1930
Style/Structure Type OLD STYLE
Stories 1
Units 1
Bedrooms 2
Full Baths 1
Total Rooms 5
Attic UNFIN
Basement FULL
Square Feet 814

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



Outbuildings/Yard Improvements:

Building 1
Year Built 1930
Structure GARAGE-WD/CB
Size 10X18
Units 1
Grade D
Condition A

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Current Owner Information:

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Q & A

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browse facts and links a-z

CBL 404 K017001
Land Use Type SINGLE FAMILY
Property Location 141 VIRGINIA ST
Owner Information MCHANUS DIANE L
 141 VIRGINIA ST
 PORTLAND ME 04103
Book and Page 8183/350
Legal Description 404-K-17-18
 VIRGINIA ST 139-143
Acres 0.218

Current Assessed Valuation:

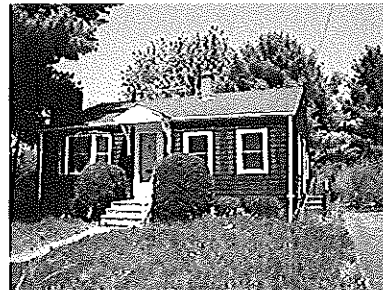
TAX ACCT NO. 41692 **OWNER OF RECORD AS OF APRIL 2011**
 MCHANUS DIANE L
LAND VALUE \$70,600.00 141 VIRGINIA ST
BUILDING VALUE \$78,700.00 PORTLAND ME 04103
NET TAXABLE - REAL ESTATE \$149,300.00
TAX AMOUNT \$2,729.20

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



Building Information:

Building 1
Year Built 1942
Style/Structure Type RANCH
Stories 1
Units 1
Bedrooms 2
Full Baths 1
Total Rooms 4
Attic NONE
Basement FULL
Square Feet 870



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

Sales Information:

Sale Date	Type	Price	Book/Page
2/19/1988	LAND + BUILDING	\$0.00	8183/350

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CBL 404 K001001
Land Use Type VACANT LAND
Property Location 0 NEVADA AVE
Owner Information JOHNSON DIANE L & DIANE MCMANUS
 137 VIRGINIA ST
 PORTLAND ME 04103
Book and Page 9962/246
Legal Description 404-K-1-2
 NEVADA AVE
 7500 SF
Acres 0.172

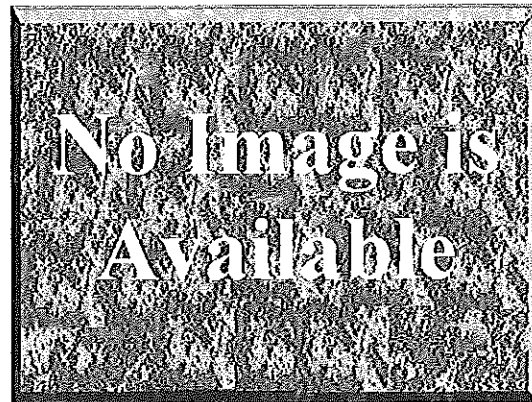
Current Assessed Valuation:

TAX ACCT NO.	41686	OWNER OF RECORD AS OF APRIL 2011
		JOHNSON DIANE L & DIANE MCMANUS
LAND VALUE	\$6,400.00	137 VIRGINIA ST
BUILDING VALUE	\$0.00	PORTLAND ME 04103
NET TAXABLE - REAL ESTATE	\$6,400.00	
TAX AMOUNT	\$117.00	

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



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[View Map](#)

Sales Information:

Sale Date	Type	Price	Book/Page
2/28/1992	LAND	\$0.00	9962/246
2/1/1992	LAND + BUILDING	\$0.00	9900/416

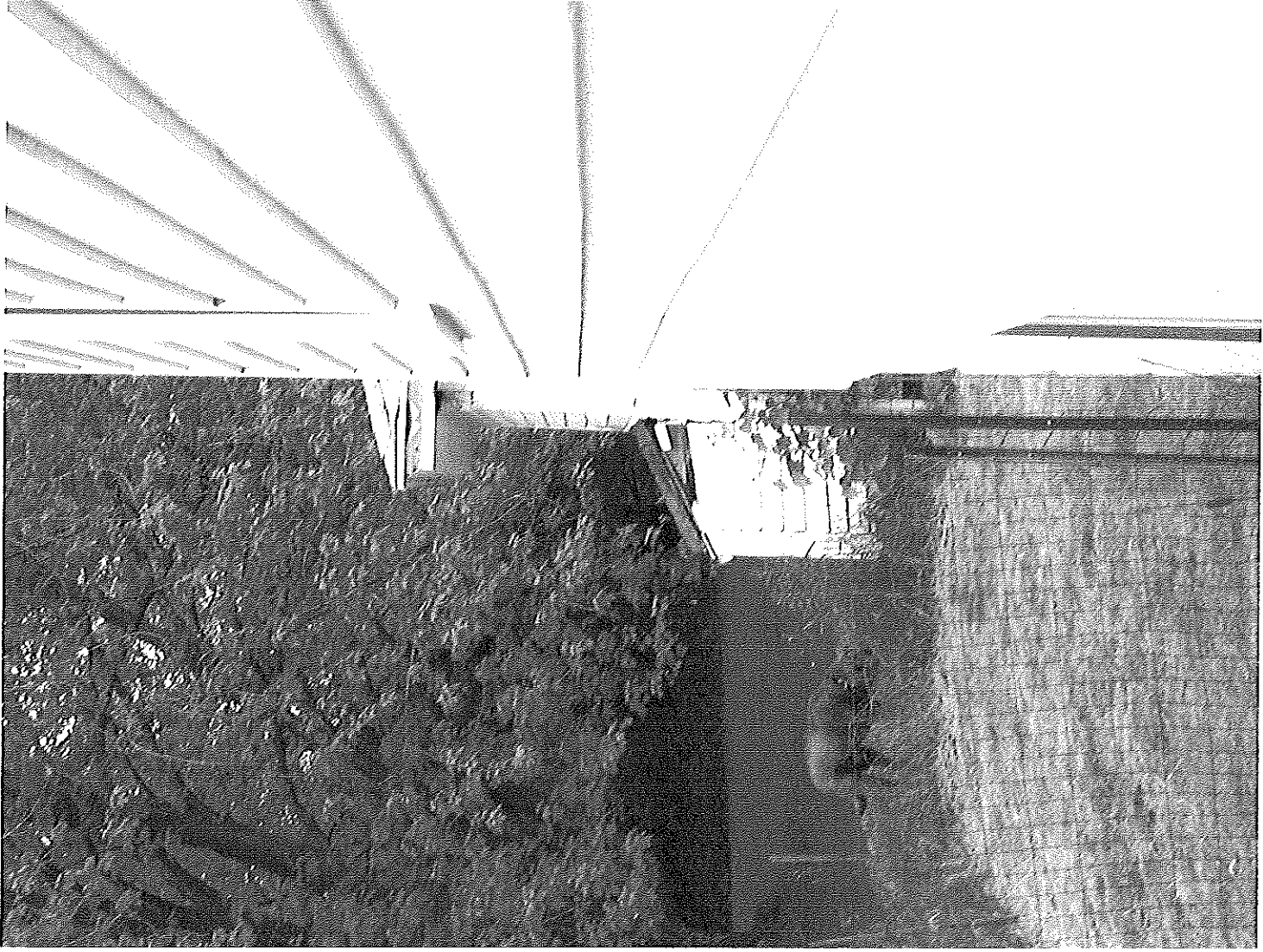
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JUN 11 2012

Dept. of Building Inspections
City of Portland Maine

View
from the
front



RECEIVED

JUN 11 2012

Dept. of Building Inspections
City of Portland Maine

*view
from the
front*



RECEIVED

JUN 11 2012

Dept. of Building Inspections
City of Portland Maine



view from the back

RECEIVED

JUN 11 2012

Dept. of Building Inspections
City of Portland Maine



View from the back

RECEIVED

JUN 11 2012

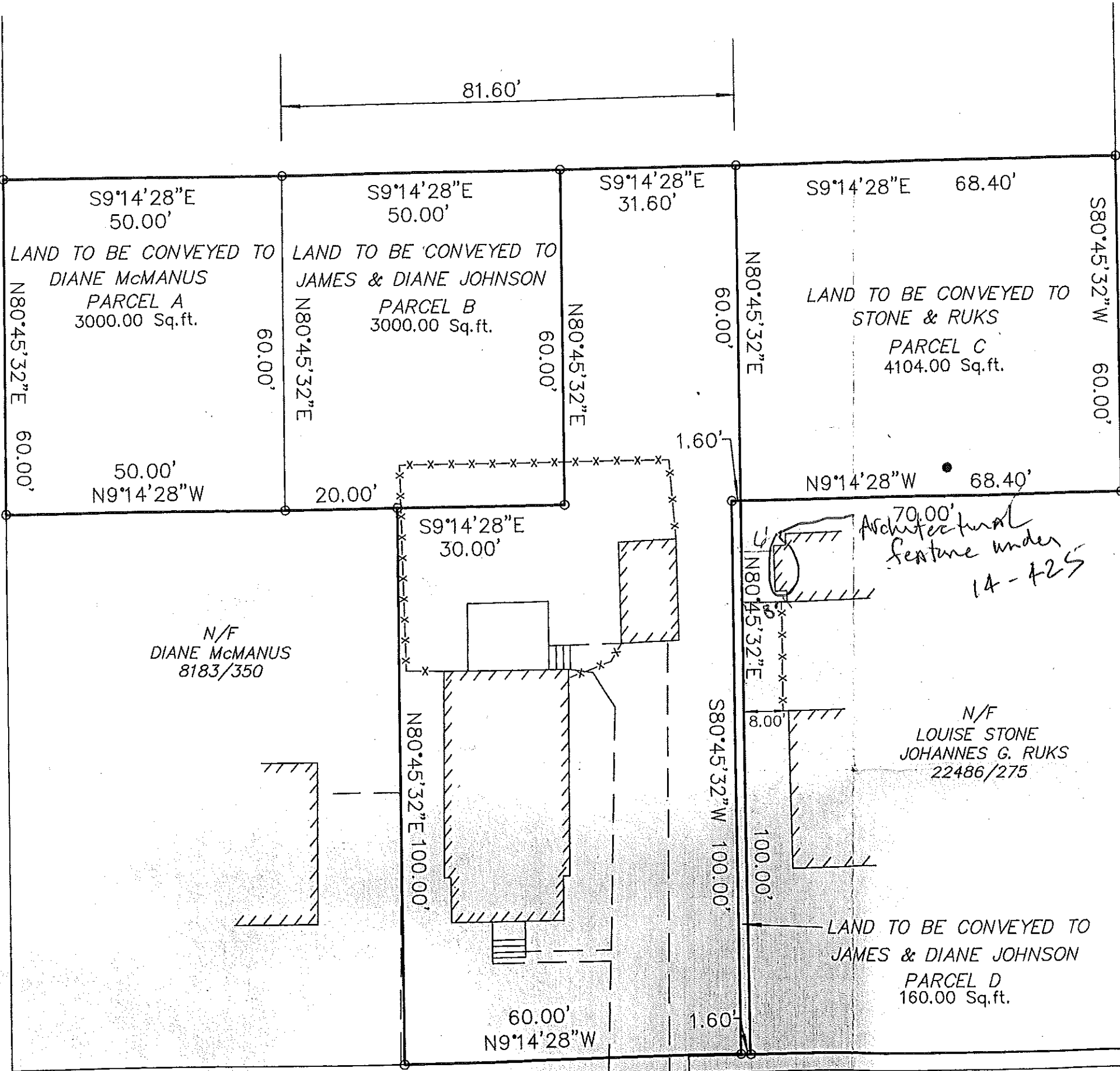
Dept. of Building Inspections
City of Portland Maine



view from the back

NEVADA AVENUE

(PAPER)



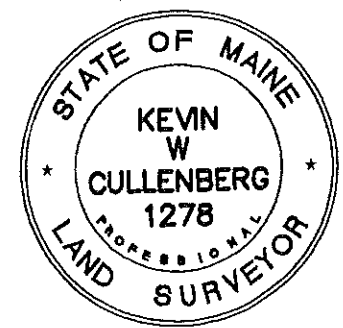
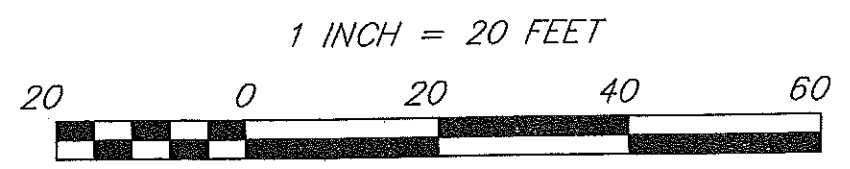
JERSEY AVENUE

(PAPER)

YED TO
HNSON

JEF

RECEIVED
JUN 11 2012
Dept. of Building Inspections
City of Portland Maine



KEVIN W. CULLENBERG PLS 1278

Kevin W. Cullenberg

PLAN OF PROPERTY

137 VIRGINIA STREET PORTLAND, MAINE

MADE FOR

DIANE JOHNSON

OCTOBER 20, 2011

BY

CULLENBERG LAND SURVEYING

892 OLD DANVILLE ROAD

AUBURN, MAINE 04210

(207) 777-1150