



Planning & Urban Development Department

*Jeff Levine, AICP, Director**Marge Schmuckal, Zoning Administrator*

March 28, 2014

Greater Portland Realty
400 Allen Avenue
Portland, Maine 04103
Attn: Kathy Apon

RE: 151-165 Marlborough RD, 1-3 Humboldt St. & Van Vechten (the "Property") – 410-D-16 – R-3 zone

Dear Ms. Apon,

I am in receipt of your determination request concerning the Property. My determination is based upon an unsigned and unstamped "Standard Boundary & Topographic Survey" prepared by Owen Haskell, Inc. I have also been provided a conceptual building layout sketch. Further requested information concerning chains of title was also provided.

Further research of my own revealed that a three lot subdivision involving the Property was approved by the Portland Planning Board and recorded at the Registry of Deeds on February 27, 1991, Plan Book 189 Page 31. Based upon this information, I have determined that the proposed single lot division into two lots does not rise to the level of a subdivision review.

The Property is entirely located within an R-3 residential zone. Both proposed lots are meeting the minimum R-3 zone dimensional standards, including but not limited to lot size, street frontage and lot width. I have been asked to comment on a submitted, conceptual building layout. It is noted that the sketch is not to scale. Both building layouts are based upon what is labeled 1-1/2 story capes. It is noted that a half story is a specifically defined term under 14-47 within our Land Use Ordinance: "A half story is a story situated under a sloping roof, the area which at a height of four (4) feet above the floor does not exceed two-thirds of the floor area of the story immediately below it and which does not contain an independent apartment or dwelling unit." I have accepted the parameter for the purpose of this determination letter that the proposed building is a 1-1/2 story building. Based upon that assumption, both building concepts can meet the R-3 zone dimensional requirements for a 1-1/2 story cape. If at time of application, it is determined that the proposed building cannot meet the definition of a 1-1/2 story building, then the side setback will need to be increased.

Finally, I have been asked to comment of the usability of section 14-428, Corner Lots, for the conceptual proposal of what is labeled lot 1. Based upon the worksheet for section 14-428, lot 1 can reduce the rear yard to a depth not less than the width required for a side yard on the lot.



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Page 2

This determination letter is not an approval to begin construction. Any new single family dwelling must be reviewed and approved prior to any construction. If you have any questions regarding this matter, please feel free to contact me at (207) 874-8695.

Very truly yours,

A handwritten signature in black ink that reads "Marge Schmuckal". The signature is written in a cursive style and extends to the right with a long horizontal stroke.

Marge Schmuckal
Zoning Administrator
City of Portland, Maine