



# PORTLAND MAINE

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*Lee Urban- Director of Planning and Development  
Marge Schmuckal, Zoning Administrator*

June 2, 2008

Donald Anspach  
31 Belmeade Road  
Portland, ME 04101

RE: 746-760 (called 752) Ocean Avenue – 412-A-6-8 & 416-A-2 – R-3 Zone with a Flexible Housing Overlay Zone

Dear Mr. Anspach,

I am in receipt of your request for a determination concerning the division of this property into two separate parcels at 746-760 Ocean Avenue. You have submitted a signed, stamped survey prepared by Rex J. Croteau of Titcomb Associates dated 5/25/2004 with a third revision as of 6/12/08.

The property is located within an R-3 Residential Zone with a Flexible Housing Overlay Zone. Based upon the submitted survey both proposed parcels A and B meet the requirements of the underlying zone, including, but not limited to setbacks, lot size, lot coverage and street frontage. A search of our files indicates that in August 1994, the Zoning Board of Appeals granted a conditional use appeal to allow the change of use from one dwelling unit to two dwelling units in the existing building. Subsequently a certificate of occupancy was issued on October 18, 1994 for a two family dwelling. The legal use of the property is a two family dwelling.

Please note that if parcel B is developed into two or more dwelling units within five (5) years, there is a requirement for subdivision review at the City of Portland's Planning Board.

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

Very truly yours,

Marge Schmuckal  
Zoning Administrator

enclosures