



September 2, 2016

Ann Machado  
City of Portland Zoning Administrator  
389 Congress Street, Room 315  
Portland, Maine 04101

**RE: Zoning Determination Request  
19 & 21 Dalton Street  
Portland, Maine  
Chart 427, Block L, Lots 10 & 11**

Dear Ann,

As you may remember, we met in June 2015 to discuss issues related to a previous lot division that did not meet City standards for buildable lots at the subject properties. On Behalf of Liberty Block, LLC (21 Dalton Street), Ashlee Clay and John Bogolawski (19 Dalton Street), Walsh Engineering Associates, Inc. (WEA) is pleased to submit this request for a Zoning Determination to address the lot division deficiencies and bring both lots into conformance with the current zoning ordinance requirements.

*Project History:*

In 2014 Liberty Block, LLC acquired the subject property, which consisted of two parcels identified on the City of Portland Assessor's maps as Chart 427, Block L, Lots 10 and 11 and lies within the R-5 zoning district. The property was subsequently divided based on a survey and lot division plan prepared by Robert T. Greenlaw, PLS Land Surveying. Lot 11, which contained the existing house and garage, was sold to John Bogolawski and Ashlee Clay. Lot 10 was retained by Liberty Block for future development. In 2015, WEA was retained by a potential buyer of Lot 10 to prepare a Level I Minor Residential Site Plan application for construction of a single family residential house. During WEA's due diligence research, survey work performed by Jones Associates, Inc., and discussion with City staff, the dimensional deficiencies for Lot 11 were identified, which are described below.

- Northwesterly side yard from principle structure is less than 8 feet.
- Northwesterly side yard from accessory structure (shed) is less than 5' and encroaching Lot 10.
- Lot width for Lot 11 is less than 60 feet.

Liberty Block has notified the current owners of Lot 11 of the zoning issues and is working with them to have the issues resolved. Liberty Block has retained WEA to determine the corrective actions that must be performed to bring both lots into conformance with the zoning ordinance. Letters of Agent Authorization from both Liberty Block and Ashlee Clay/John Bogolawski are included with this submission.

*Proposed Property Line Modifications:*

In June 2015, WEA met with City staff to review the dimensional deficiencies and discuss possible lot line revisions to bring the lots into conformance. It was determined that portions of the property line between Lots 10 and 11 could be revised to provide the required side yards and lot widths. WEA retained Jones Associates, Inc. to perform a boundary survey of Lot 11 and describe the property line modifications and land transfers necessary for the corrections. The attached survey plan depicts the proposed Lot 11 widening adjacent to the house and the shed. These modifications will result in greater than 8-foot side yards, greater than 5-foot accessory structure side yards, and 60-foot lot width through the principle structure. Additional zoning dimensional standards have been verified as well. Please refer to Plan Sheet C1.0 for a zoning dimensional analysis. The red lines and dimensions shown on the plan represent the proposed modifications.

With this information, the applicants are respectfully requesting a zoning determination memo stating that the proposed changes will bring both lots into conformance with the current zoning standards. Once the property line modifications are approved by the City of Portland Zoning Administrator, the property deeds will be revised accordingly.

We trust that we have provided the necessary information for approval of these property line modifications to bring the lots into conformance with the zoning ordinance. Please contact me if you require any additional information.

Respectfully,



Silas Canavan, PE  
Walsh Engineering Associates, Inc.

cc: Ryan Cyr, Liberty Block, LLC

enc: S1.0 - Boundary Survey  
C1.0 - Zoning Analysis Plan