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*Penny St. Louis Littell- Director of Planning and Development
Marge Schmuckal, Zoning Administrator*

October 31, 2008

Michael P. Webster
154 High Street
South Portland, ME 04106

RE: 149-159 Sherwood Street – 428-A-005, 006, 007 (the “Property”)- R-5 Zone –
Determination Letter

Dear Mr. Webster,

I am in receipt of your request to determine whether the proposed lot split would meet current zoning requirements. The Property is located within a R-5 residential zone.

First of all, the site plan submitted to me was characterized as “an accurate class D survey”. I do not agree with that supposition. What was submitted has no surveyor information or stamp on it to indicate what professional company or person created the document. I have used the submitted sketch to make a determination with reservations. Those reservations are that if any of the undocumented information presented within the sketch are inaccurate, my determination is not binding.

Currently there are three described lots, that for zoning purposes make up one defined single family lot, considered the Property. I have determined that proposed single division of the Property would be allowable under the R-5 zone requirements based upon the undocumented sketch provided. As previously described, this determination is conditional based upon undocumented information.

Further basic informational research leads me to believe at this time that the proposed single division of the Property would not constitute a subdivision under State or City regulations. A further determination of subdivision would be conducted at the time a building permit application is received for the new lot.

Please note that at the time of permit application for the new vacant lot, this office and the planning office will require stamped, signed survey site plans that place structures on the properties involved. We will also require deed descriptions for both of the proposed new lots.

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

A copy of this determination should also be included with a future submittal of a building permit application.

Very truly yours,

Marge Schmuckal
Zoning Administrator

Cc: File