



Planning & Urban Development Department

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

February 20, 2014

David Banks
Re/Max by the Bay
281 Veranda Street
Portland, Maine 04103

RE: 950 Baxter Boulevard – 429-J-008 – R-5 Residential Zone with Shoreland Overlay

Dear Mr. Banks,

I am in receipt of your request for a determination letter concerning the property located at 950 Baxter Boulevard. The property is located in an R-5 Residential Zone with a Shoreland Overlay Zone. Currently the legal use of the property is a single family dwelling.

The R-5 zone does allow multiplex development with three (3) or more horizontally or vertically attached dwelling units under section 14-117(a)2. However, the land area requirement for a multiplex is six thousand (6,000) square feet of land area per dwelling unit. According to the Assessor's records the current lot is 9,015 square feet in size. Your request concerned building a three unit (possibly condominiums) on this lot. Because the lot has 9,015 square feet instead of the 18,000 square feet required by Ordinance, you would not be able to build a three unit residential building on this lot.

Please note that the R-5 zone has different land area requirements for a two unit building. Section 14-120(a)2 requires 3,000 square feet of land area per dwelling unit for a duplex. The minimum lot size for a duplex would be 6,000 square feet. As stated previously, this lot is 9,015 square feet. Therefore a residential two unit building would be allowed on this lot.

All changes of use and construction of building additions require a separate building permit for reviews and approvals. This determination is not an approval to build. All R-5 zone requirements are reviewed at the time of application submission. If you have any questions regarding this matter, please do not hesitate to contact me at (207) 874-8695.

Very truly yours,

A handwritten signature in black ink that reads "Marge Schmuckal".

Marge Schmuckal
Zoning Administrator
City of Portland, Maine

single ownership at any time within the two-year period immediately prior to development of the first such lot. No building reviewed as a two-family dwelling in accordance with article V (site plan) of this chapter or not reviewed under article V shall be altered or enlarged to include any additional dwelling unit within five (5) years from the date of issuance of the building permit. Any building reviewed as a two-family dwelling in accordance with article V (site plan) which is altered or enlarged to include any additional dwelling unit after this five-year period shall be reviewed as a level I site plan pursuant to article V of this chapter.

14-117(2) 2.

2. Multiplex development with three (3) or more horizontally or vertically attached dwelling units or a series of such attached dwelling units and the construction of at least one (1) building on a parcel of less than two (2) acres, provided that:

- a. The land area requirement for a multiplex shall be six thousand (6,000) square feet of land area per dwelling unit; except that a multiplex with two hundred fifty (250) feet or more of street frontage needs only forty-five hundred (4,500) square feet of land area per dwelling unit;
- b. No dwelling unit shall have less than six hundred (600) square feet of floor area, exclusive of common hallways and storage in basement and attic;
- c. No open outside stairways or fire escapes above the ground floor shall be constructed;
- d. No habitable space in a dwelling unit shall be below grade, except basements that are a part of and below aboveground units;
- e. Such development shall be subject to article V (site plan) of this chapter for site plan review approval and shall conform to the R-5 Design Standards.

- i. Uses existing as of June 1, 1983;
- ii. Expansion of uses onto land abutting the lot on which the principal use is located;
- iii. Expansion onto land other than the lot on which the principal use is located to the extent that such expansion consists of the reuse of surface parking area or nonresidential structures existing and in nonresidential use as of June 1, 1983, provided that such reuse is contained within the lot of record of such structure or parking area as of June 1, 1983;
- iv. Expansion onto land other than the lot on which the principal use is located of no more than fifteen (15) percent of the total contiguous land area of the existing use, or one (1) acre, whichever is less, within any five-year period.

14-1206-2

Minimum lot area per dwelling unit:

PRUD: Three thousand (3,000) square feet of net land area as defined in section 14-47 (definitions) of this article. As part of a site plan and subdivision application, the applicant shall provide a calculation of those factors deducted to determine net land area. In addition, such net area factors shall be delineated on a site plan.

Special needs independent living units: Four thousand eight hundred (4,800) square feet; except that special needs independent living units with two hundred fifty (250) feet or more of frontage shall require three thousand six hundred (3,600) square feet.

→ *Other uses:* Three thousand (3,000) square feet, except as provided for a multiplex:

3. *Minimum street frontage:* Fifty (50) feet.

4. *Minimum yard dimension:*

(Yard dimensions include setbacks of structures from property lines and setbacks of structures from one another. No structure shall occupy the minimum yard of another structure.)

a. *Front yard:*

Principal or accessory structures: Twenty (20) feet.

A front yard need not exceed the average depth of front yards on either side of the lot. A lot of record existing as of June 1, 1983...

RE/MAX BY THE BAY

THE DAVID BANKS TEAM

O: 207.773.2345 D: 207.553.7302

February 5, 2014

Marge Schmuckal
City of Portland
Planning & Urban Development Department
389 Congress St. Room 308
Portland, ME 04101

R-5 ; Shoreland

Re: Proposed Condominiums at 950 Baxter Boulevard

*429-J-008
9015 #1*

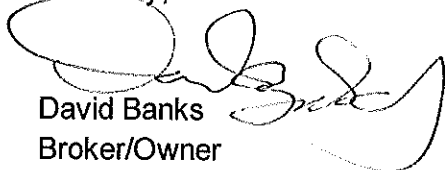
Dear Marge,

I am inquiring about the above-noted parcel at 950 Baxter Boulevard. I am working with Peter Anania, the personal representative to the owner, to determine the highest and best use for their property.

I am seeking a determination as to whether or not it is possible to build up to three condominiums on the this lot. If possible, would these units have to be adjoining or detached, or would both styles be allowable?

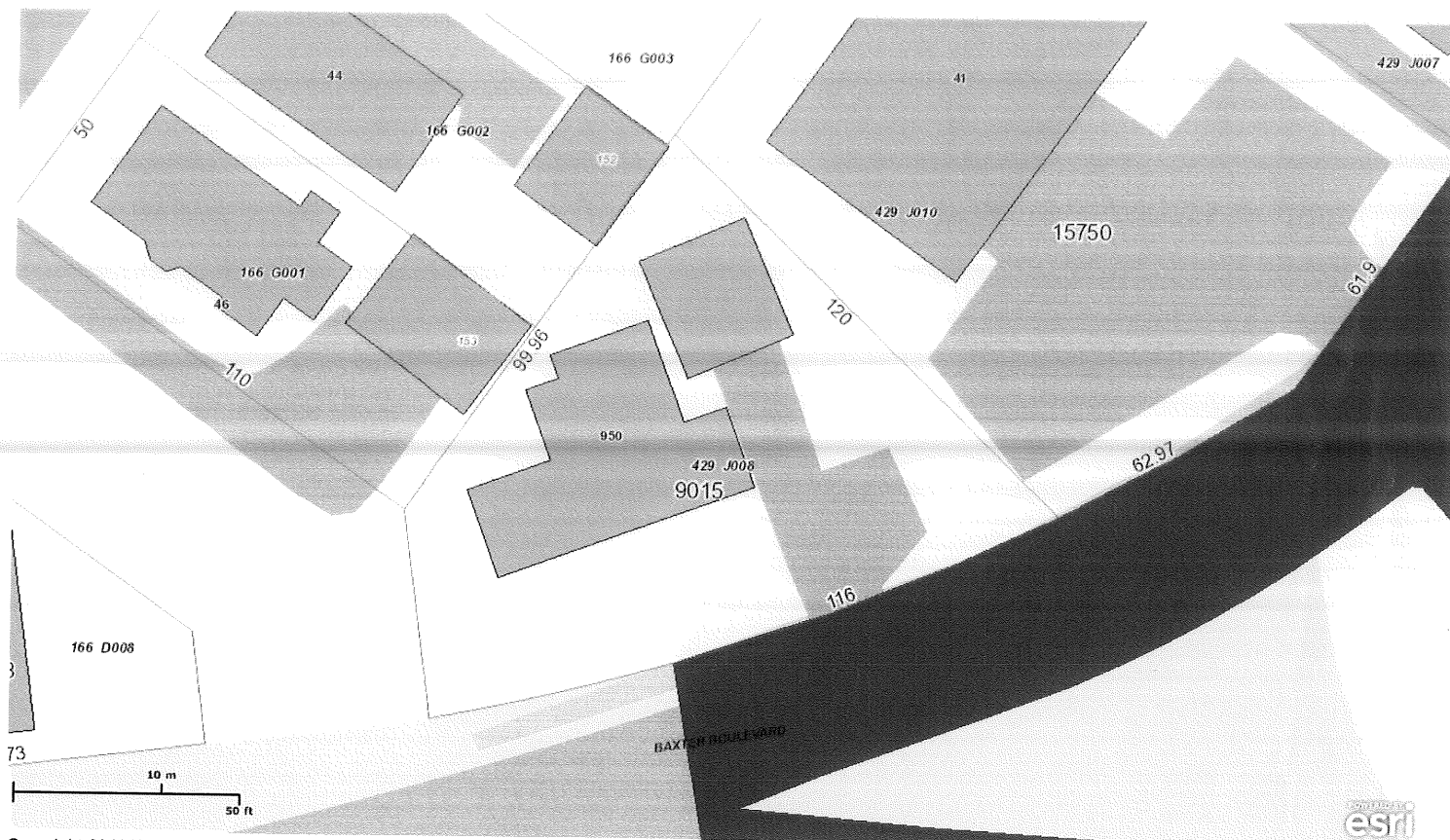
Please find the attached map of the property to help in your determination. Please do not hesitate to call or email me with any questions.

Sincerely,



David Banks
Broker/Owner
RE/MAX By The Bay

950 Baxter Boulevard



Nothing in "G" Drive

Assessor's Office | 389 Congress Street | Portland, Maine 04101 | Room 115 | (207) 874-8486

City Home Departments City Council E-Services Calendar Jobs

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:

<p>Services</p> <p>Applications</p> <p>Doing Business</p> <p>Maps</p> <p>Tax Relief</p> <p>Tax Roll</p> <p>Q & A</p> <p>browse city services a-z</p> <p>browse facts and links a-z</p>	CBL	429 J008001
	Land Use Type	SINGLE FAMILY
	Verify legal use with Inspections Division	
	Property Location	950 BAXTER BLVD
	Owner Information	ANANIA PETER EMERY WWII VET TRUSTEE
		950 BAXTER BLVD
		PORTLAND ME 04103
	Book and Page	15816/151
	Legal Description	429-J-8
		BAXTER BLVD 950
	9015 SF	
Acres	0.207	

R-5 & Shared Pond

Current Assessed Valuation:

TAX ACCT NO.	43742	OWNER OF RECORD AS OF APRIL 2013
LAND VALUE	\$135,800.00	ANANIA PETER EMERY WWII VET TRUSTEE
BUILDING VALUE	\$160,000.00	950 BAXTER BLVD
HOMESTEAD EXEMPTION	(\$10,000.00)	PORTLAND ME 04103
POST WORLD WAR I VETERAN	(\$6,000.00)	
NET TAXABLE - REAL ESTATE	\$279,800.00	
TAX AMOUNT	\$5,430.92	



Best viewed at 800x600, with Internet Explorer

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

Building Information:

Building 1	
Year Built	1958
Style/Structure Type	CAPE
# Stories	1.5
# Units	1
Bedrooms	3
Full Baths	2
Total Rooms	7
Attic	NONE
Basement	FULL
Square Feet	2090

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

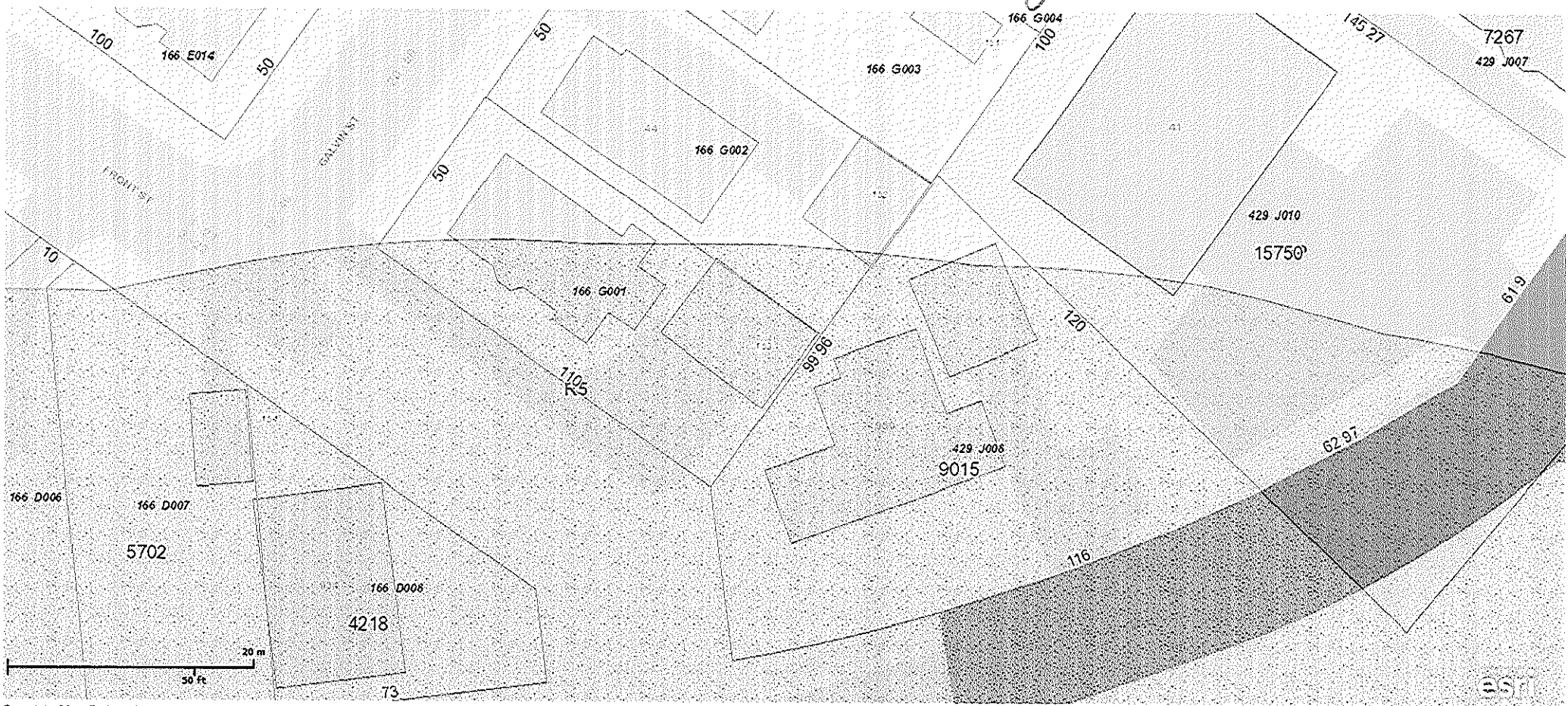
Sales Information:

Sale Date	Type	Price	Book/Page
10/31/2000	LAND + BUILDING	\$0.00	15816/151
10/31/2000	LAND + BUILDING	\$0.00	15816/153
10/5/1999	LAND + BUILDING	\$0.00	15091/277

[New Search!](#)

950 Baxter Blvd

429-5-000





RESIDENCE ZONE - C
APPLICATION FOR PERMIT

PERMIT ISSUED
OCT 19 1954
CITY OF PORTLAND

Class of Building or Type of Structure Third Class

Portland, Maine, September 8, 1954

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE Plans filed 9/29/54

The undersigned hereby applies for a permit to erect, alter, repair, demolish, install, or remove any building structure, equipment in accordance with the Laws of the State of Maine, the Building Code and Zoning Ordinance of the City of Portland, plans and specifications, if any, submitted herewith and the following specifications:

Location 944-950 Baxter Boulevard Within Fire Limits? Yes Dist. No. 2-6240

Owner's name and address W. P. Vincent, 950 Baxter Blvd. Telephone 3-6240

Lessee's name and address _____ Telephone _____

Contractor's name and address owner Telephone _____

Architect _____ Specifications _____ Plans yes No. of sheets 2

Proposed use of building Dwelling No. families 1

Last use _____ No. families _____

Material _____ No. stories _____ Heat _____ Style of roof _____ Roofing _____

Other building on same lot _____

Estimated cost \$ 8,500 Fee \$ 2.00

General Description of New Work

To construct $1\frac{1}{2}$ story frame dwelling 28'x28' with 6'x12' all

Permit Issued with Letter

It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and in the name of the heating contractor. PERMIT TO BE ISSUED TO owner

Details of New Work

Is any plumbing involved in this work? yes Is any electrical work involved in this work? yes

Is connection to be made to public sewer? yes If not, what is proposed for sewage? _____

Height average grade to top of plate 10' Height average grade to highest point of roof 28.19'

Size, front _____ depth _____ No. stories 1 1/2 solid or filled land? solid earth or rock? earth

Material of foundation concrete at least 4' below grade Thickness, top 10" bottom 12" cellar yes

Material of underpinning concrete blocks Height _____ Thickness 8"

Kind of roof pitch-gable Rise per foot 8" Roof covering asphalt roofing Class G Und. Lat

No. of chimneys 1 Material of chimneys brick of lining tile Kind of heat water fuel oil

Framing lumber—Kind hemlock Dressed or full size? dressed

Corner posts 4x6 Sills 2x8 box Girt or ledger board? _____ Size _____

Girders yes Size 6x8 full size - 6x10 all over Columns under girders 1x11 Size 2x4 Max. on center 7'

Studs (outside walls and carrying partitions) 2x4-10" O. C. blocking in every floor and flat roof span over 8 feet dormer

Joists and rafters: 1st floor 2x8 2x10 2nd 2x8 3rd 2x8 roof 2x8 2x8

On centers: 1st floor 16" 2nd 16" 3rd 16" roof 16" 11.6" See Letter

Maximum span: 1st floor 20' 11" 2nd 14' 3rd _____ roof _____

If one story building with masonry walls, thickness of walls? _____ height? _____

If a Garage

No. cars now accommodated on same lot _____, to be accommodated _____ number commercial cars to be accommodated _____

Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? _____

APPROVED:

[Handwritten signature]

Miscellaneous

Will work require disturbing of any tree on a public street? no



R5 RESIDENCE ZONE

APPLICATION FOR PERMIT

PERMIT ISSUED 00199 MAR 15 1963 CITY OF PORTLAND

Class of Building or Type of Structure Third Class Portland, Maine

March 11, 1963

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect alter repair demolish install the following building structure equipment in accordance with the Laws of the State of Maine, the Building Code and Zoning Ordinance of the City of Portland, plans and specifications, if any, submitted herewith and the following specifications:

Location 950 Baxter Boulevard Within Fire Limits? Dist. No. Owner's name and address David Greco, 950 Baxter Blvd. Telephone Lessee's name and address Contractor's name and address Raymond J Legore, 130 Dartmouth St. Telephone Architect Specifications Plans No. No. of sheets Proposed use of building Dwelling No. families 1 Last use No. families 1 Material frame No. stories 1 1/2 Heat Style of roof Roofing Other buildings on same lot Estimated cost \$ 2,000.00 Fee \$ 6.00

General Description of New Work

To Repair after Fire to former condition, without alterations and without change of use.

To change front window opening from 5'3" to 7'6" (picture window). 4x6 header to be provided beneath existing header (4x6)

Cause of fire - unknown. Date - Feb. 22, 1963 Structural damage - floor timbers.

Permit Issued with Letter

It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and in the name of the heating contractor. PERMIT TO BE ISSUED TO contractor

Details of New Work

Is any plumbing involved in this work? Is any electrical work involved in this work? Is connection to be made to public sewer? If not, what is proposed for sewage? Has septic tank notice been sent? Form notice sent? Height average grade to top of plate Height average grade to highest point of roof Size, front depth No. stories solid or filled land? earth or rock? Material of foundation Thickness, top bottom cellar Kind of roof Rise per foot Roof covering No. of chimneys Material of chimneys of lining Kind of heat fuel Framing Lumber - Kind Dressed or full size? Corner posts Sills Size Girder Columns under girders Size Max. on centers Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet. Joists and rafters: 1st floor 2nd 3rd roof On centers: 1st floor 2nd 3rd roof Maximum span: 1st floor 2nd 3rd roof If one story building with masonry walls, thickness of walls? height?

If a Garage

No. cars now accommodated on same lot to be accommodated number commercial cars to be accommodated Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building?

APPROVED:

M. E. M. w/ letter

Miscellaneous

Will work require disturbing of any tree on a public street? no Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are met? yes



APPLICATION FOR PERMIT

PERMIT ISSUED

B.O.C.A. USE GROUP 0910

SEP 28 1974

B.O.C.A. TYPE OF CONSTRUCTION

ZONING LOCATION PORTLAND, MAINE, Sept. 23, 1974

CITY of PORTLAND

To the DIRECTOR OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect, alter, repair, demolish, move or install the following building, structure, equipment or change use in accordance with the Laws of the State of Maine, the Portland B.O.C.A. Building Code and Zoning Ordinance of the City of Portland with plans and specifications; if any, submitted herewith and the following specifications:

LOCATION 950 Baxter Blvd. Fire District #1 #2

1. Owner's name and address David Cremonese Telephone 772-6167

2. Lessee's name and address Telephone

3. Contractor's name and address OWNER Telephone

4. Architect Specifications Plans Yes No of sheets 1

Proposed use of building one room addition No. families 1

Last use No. families

Material No. stories 1 Heat Style of roof Roofing

Other buildings on same lot

Estimated contractual cost \$2,000 Fee \$ 8.00

FIELD INSPECTOR—Mr. Sam Hoffers

GENERAL DESCRIPTION

This application is for: @ 775-5451 to construct a 10'x14' addition as per plans (more plans to be coming in)

Dwelling Ext. 234

Garage

Masonry Bldg.

Metal Bldg.

Alterations

Demolitions

Change of Use

Other

NOTE TO APPLICANT: Separate permits are required by the installers and subcontractors of heating, plumbing, electrical and mechanicals.

PERMIT IS TO BE ISSUED TO 1 2 3 4

Other:

DETAILS OF NEW WORK

Is any plumbing involved in this work? No Is any electrical work involved in this work? Yes

Is connection to be made to public sewer? If not, what is proposed for sewage?

If a septic tank notice been sent? Form notice sent?

Height average grade to top of plate Height average grade to highest point of roof

Size, front depth No. stories solid or filled land? earth or rock?

Material of foundation Thickness, top bottom cellar

Kind of roof Rise per foot Roof covering

No. of chimneys Material of chimneys of lining Kind of heat fuel

Framing Lumber—Kind Dressed or full size? Corner posts Sills

Size Girder Columns under girders Size Max. on centers

Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet

Joists and rafters: 1st floor 2nd 3rd roof

On centers: 1st floor 2nd 3rd roof

Maximum span: 1st floor 2nd 3rd roof

If one story building with masonry walls, thickness of walls? height?

IF A GARAGE

No. cars now accommodated on same lot to be accommodated number commercial cars to be accommodated

Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building?

APPROVALS BY:

DATE

MISCELLANEOUS

BUILDING INSPECTION—ILAN EXAMINER Will work require disturbing of any tree on a public street? No

ZONING: 304-9124/74 Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? Yes

BUILDING CODE: 304-9124/74

Fire Dept.:

Health Dept.:

Others:

Signature of Applicant David Cremonese Phone #

Type Name of above David Cremonese



APPLICATION FOR PERMIT

PERMIT ISSUED

B.O.C.A. USE GROUP

1169 DEC 4 1974

B.O.C.A. TYPE OF CONSTRUCTION

ZONING LOCATION

PORTLAND, MAINE, Nov 25, 1974

CITY of PORTLAND

To the DIRECTOR OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect, alter, repair, demolish, move or install the following building, structure, equipment or change use in accordance with the Laws of the State of Maine, the Portland B.O.C.A. Building Code and Zoning Ordinance of the City of Portland with plans and specifications, if any, submitted herewith and the following specifications:

LOCATION 950 Baxter Blvd Fire District #1 #2

1. Owner's name and address David Cronese Telephone 772-6167

2. Lessee's name and address Telephone

3. Contractor's name and address OMA Telephone

4. Architect Specifications Plans 399 No. of sheets 2

Proposed use of building one room addition No. families 1

Last use No. families

Material No. stories 1 Heat Style of roof Roofing

Other buildings on same lot

Estimated contractual cost \$18.00 Fee \$ 25 \$18.00

FIELD INSPECTOR—Mr. sam hoffes

GENERAL DESCRIPTION

This application is for: @ 775-5451

Dwelling Ext. 234

Garage

Masonry Bldg.

Metal Bldg.

Alterations

Demolitions

Change of Use

Other

to construct a 20'x14' addition per plan and to construct a porch per plan ~~and to construct a foundation for the porch~~ remove a 7'x6' front porch per plan of Special Conditions

\$2,000.00 (addition)
600.00 (porch & foundation)

\$8.00 belated (\$10.00)

NOTE TO APPLICANT: Separate permits are required for the installers and subcontractors of heating, plumbing, electrical and mechanicals.

PERMIT IS TO BE ISSUED TO 1 2 3 4

Other:

DETAILS OF NEW WORK

Is any plumbing involved in this work? Is any electrical work involved in this work? Yes

Is connection to be made to public sewer? If not, what is proposed for sewage?

Has septic tank notice been sent? Form notice sent?

Height average grade to top of plate 11 Height average grade to highest point of roof 4.17

Size, front 20 depth 14 No. stories 1 solid or filled land? solid earth or rock? earth

Material of foundation 8" block Thickness, top 8" bottom 8" cellar no

Kind of roof pitch Rise per foot 5/12 Roof covering asphalt shingle

Number of chimneys 0 Material of chimneys of lining Kind of heat fuel

Lumber—Kind spr Dressed or full size? dx Corner posts 2x2x4 Sills 4x10

Columns under girders Size Max. on centers

Side walls and carrying partitions 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet

Joists and rafters: 1st floor 2x8 2nd 3rd roof 2x6 w/ties

On centers: 1st floor 16 2nd 3rd roof 2, 16

Maximum span: 1st floor 2nd 3rd roof

If one story building with masonry walls, thickness of walls? height?

IF A GARAGE

No. cars now accommodated on same lot to be accommodated number commercial cars to be accommodated

Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building?

APPROVALS BY:

DATE

MISCELLANEOUS

BUILDING INSPECTION—PLAN EXAMINER

Will work require disturbing of any tree on a public street?

ZONING: O.R. 11/25/74

Will there be in charge of the above work a person competent

BUILDING CODE: O.R. 12/14/74

to see that the State and City requirements pertaining thereto

Fire Dept.:

are observed? yes

Health Dept.:

Others:

Signature of Applicant

David Cronese

Phone #

Type Name of above

David Cronese

1 2 3 4

CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT
 389 Congress Street
 Portland, Maine 04101

RECEIPT OF FEES

Application No: 0000-1859	Applicant: ANANIA PETER EMERY WWII V
Project Name: 950 BAXTER BLVD	Location: 950 BAXTER BLVD
CBL: 429 J008001	Application Type: Determination Letter
Invoice Date: 02/10/2014	

Previous Balance	-	Payment Received	+	Current Fees	-	Current Payment	=	Total Due	Payment Due Date
\$0.00		\$0.00		\$150.00		\$150.00		\$0.00	On Receipt

Previous Balance	\$0.00
-------------------------	---------------

Fee Description	Qty	Fee/Deposit Charge
Zoning Determinations	1	\$150.00
		\$150.00
Total Current Fees:	+	\$150.00
Total Current Payments:	-	\$150.00
Amount Due Now:		\$0.00

CBL 429 J008001
Bill to: ANANIA PETER EMERY WWII VET TRUSTEE
 950 BAXTER BLVD
 PORTLAND, ME 04103

Application No: 0000-1859
Invoice Date: 02/10/2014
Invoice No: 44129
Total Amt Due: \$0.00
Payment Amount: \$150.00

Make checks payable to the *City of Portland*, ATTN: Inspections, 3rd Floor, 389 Congress Street, Portland, ME 04101.
 Check the status of your permit or schedule an inspection on-line at <http://www.portlandmaine.gov/planning/permitstatus.asp>