

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Donna Katsiafi Corporation Counsel
FROM: Arthur Addato, Code Enforcement Officer
SUBJECT: Oaklawn Road; Peaks Island

DATE:
February 10, 1989

This is to confirm that Oaklawn Road is relocated at right angle to Island Avenue.

Travel way across 90-J-1, Jean Morris property no longer exists. To affirm, I use this road on a very frequent basis when inspections are performed in that general area. If I can be of any further assistance, please advise.

/el

Arthur Addato CEO

cc: P. Samuel Hoffses, Chief of Inspection Services
William Giroux, Zoning Code Enforcement Officer
Warren J. Turner, Administrative Assistant

For Arthur Addato

From the Desk of

Warren J. Turner

Feb 1, 1989

The Corporation Counsel
David Lourie wants to
know if Oaklawn Road
is now relocated at
right angle to Island
Ave. so that no traveled
way now exists across
Jean Morris' property
(lot 90-1-1 on Peales Island)
David Lourie wants your
report on this matter
as a bldg permit is
pending for that lot.
Warren T.

CITY OF PORTLAND, MAINE
M E M O R A N D U M

TO: Warren Turner, Administrative Assistant
FROM: Donna Katsiaficas, Associate Corporation Counsel
DATE: February 8, 1989
RE: Building Permit Application for Lot 90-J-1,
Peaks Island

This memo is to confirm that you will be sending an inspector from your Department to view the Morris lot and the location of Oaklawn Road. A written report of the inspection should then be provided to our office.

Please contact our office if you have any questions.

Donna Katsiaficas
Donna M. Katsiaficas
Associate Corporation Counsel

DMK/tb

2/10/89
Mr. Addato has
drafted a memo
re the above and
it will be forwarded
as soon as it has
been typed.
MD Turner

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Ms. Donna Katsiaticas, Associate Corporation Counsel
FROM: Warren J. Turner, Administrative Assistant, Inspection Services
SUBJECT: Building Permit Application for Lot 90-J-1, Peaks Island

Jan 25, 1989
DATE: *Warren J. Turner*

Oaklawn Road has been relocated according to information received from Port Island Realty by Howard U. Heller, a Copy of his letter is enclosed. Howard says that Oaklawn Road was relocated to coincide with the City Assessor's Chart #90 in about 1980. His letter arrived today.

The building permit was issued for the house on Lot 90-J-1 by this office on April 23, 1981.

A copy of Assessor's Chart 90 is shown in part with this correspondence.

Enclosures: Relating correspondence

cc: P. Samuel Hoffses, Chief, Inspection Services
William Giroux, Zoning Enforcement Officer
✓ Arthur Addato, Code Enforcement Officer

CITY OF PORTLAND, MAINE
M E M O R A N D U M

TO: Warren J. Turner, Zoning Enforcement Administrator
FROM: Donna M. Katsiaticas, Associate Corporation Counsel *Donna M. Katsiaticas*
DATE: January 20, 1989
RE: Proposed Addition to existing Building at Lot 90-J-1 on Peaks Island at Oaklawn Road and Island Avenue

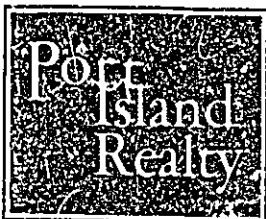
I have reviewed the information forwarded to this office, pertaining to the application for a building permit made by Jean Morris. Before I am able to answer your questions regarding relocation of the road, and whether the permit should be issued, I need the following additional information:

1. Who uses Oaklawn Road - is it used by the public? By private individuals? *See letter from Howard Heller.*
2. Has the road been privately used for 20 years or more? *Howard says this route was corrected about 1950*
3. Was a building permit issued for the original structure? If so, when? *April 23, 1981*
4. How do the abutting property owners' lots fit in with the Morris lot? *See attached Chart 90*

After I have had a chance to review the additional information, I will be in a better position to answer your questions.

Donna M. Katsiaticas
Associate Corporation Counsel

DMK:lab



HOWARD HELLER, BROKER
PHONE (207) 775-7253
(207) 766-5085

WELCH STREET
PFAKS ISLAND 04108

334 FORE STREET
P.O. BOX 7341
PORTLAND, MAINE 04112

January 23, 1989

Warren J. Turner
Zoning Enforcement Inspector
City of Portland
389 Congress St.
Portland, Maine 04101

Dear Warren:

I was suprised to hear that a building permit was being withheld from the Morris's on Lot 90-J-1 because there was some question about a Right-Of-Way. I have been familiar with the property for over 25 years. At one time, people wandered the entire breadth of the property going toward the shore. According to the muddiness of Spring or Winter, different routes were sometimes used.

In 1980, I acted as the Broker for the sale of the property from Leslie A. Dunn to Sherman L. Pelton. I used the City Assessor's map of the time which clearly showed where Oaklawn Rd. belonged. When Mr. Pelton took possession of the property, he improved the proper path of Oaklawn Rd.. He has since had the property surveyed and neither his house nor his septic system are in the Right-Of-Way as shown on the City Assessor's charts.

I have a fragment of the Assessor's map that was used at the time of the sale. It is undated but was duplicated in 1979 or 1980. I also find in my records one map #90 which has "retraced 8/40" as the only date on it. This appears to be identical with the fragment I have. I also have another map which says "redrawn 6/76" that also shows Oaklawn Rd. perpendicular to Island Ave. in its' current position.

Old-time residents tell me that years ago, people walked across the shoreline in that area going across 90-J-2,3,8,6, etc. to Trefethen Ave.. For many years now, there has been a fence

ANTIQUE, ARCHITECTURALLY DISTINGUISHED, PORT, AND ISLAND PROPERTY

Warren J. Turner

-2-

preventing such passage. I would like to further point out that in September, 1980 Mr. Pelton had a Title Search made of the property by Christopher Neagle of Verrill & Dana. No defects or Right-Of-Way were referred to in that search. It does not seem right that a permit is being withheld from Mr. Morris (or Walter Crandall) on the basis of allegations regarding a Right-Of Way that doesn't show up on City Assessor's maps of 1940 and 1976 or the current Assessor's maps.

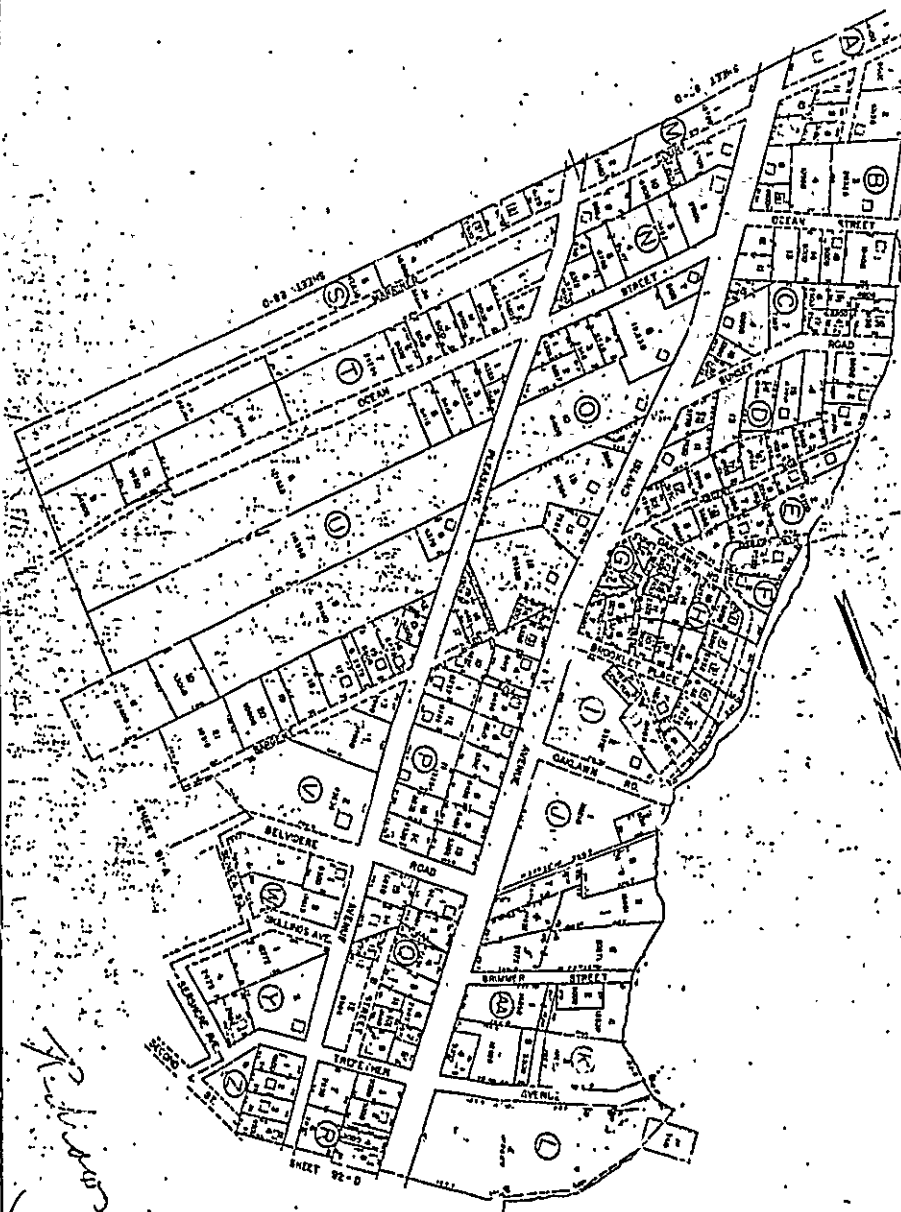
If you have further information on this subject, I would be interested in hearing about it.

Sincerely,

Howard U. Heller

Howard U. Heller

HUH/kg
encs.

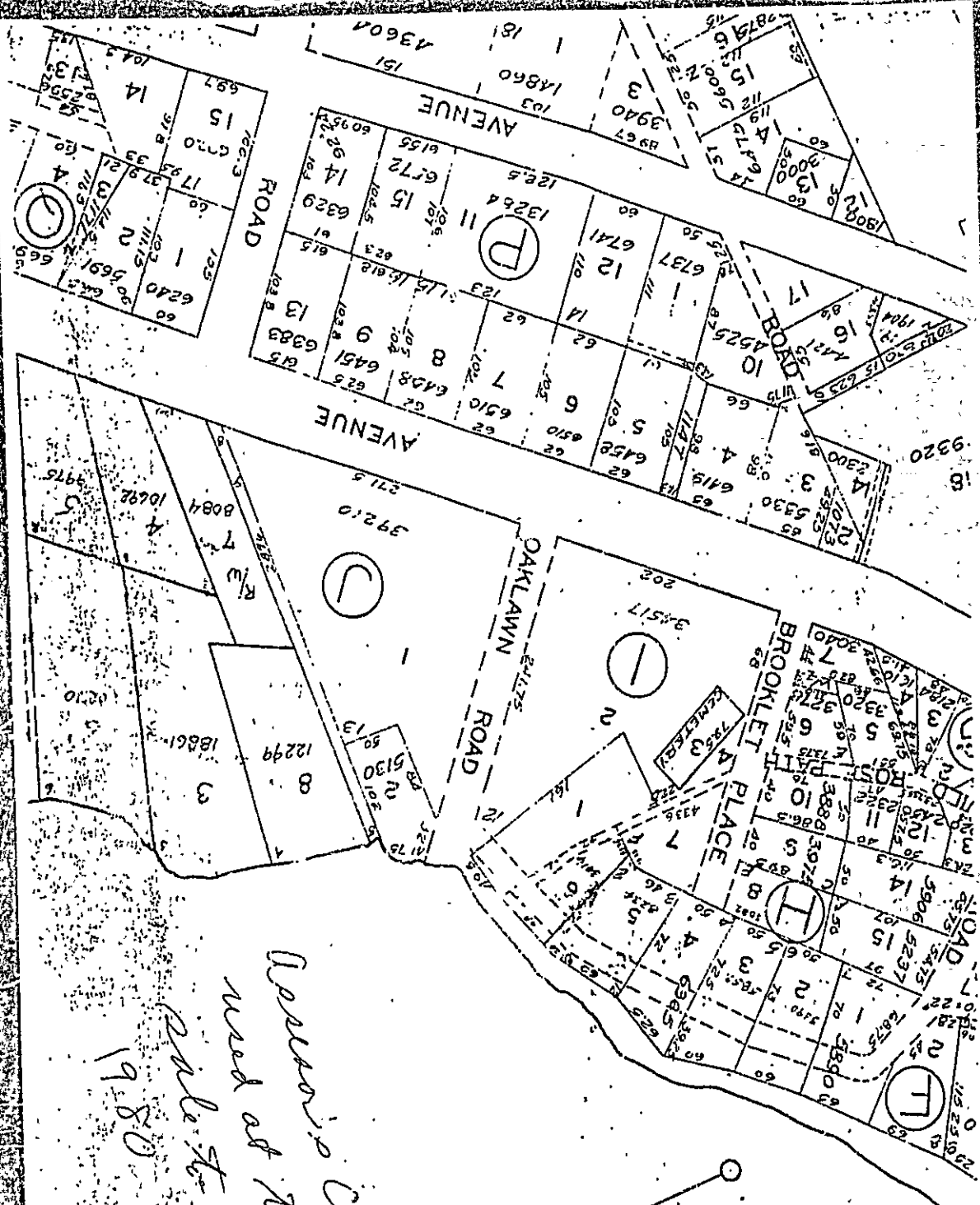


Redeveloped 90

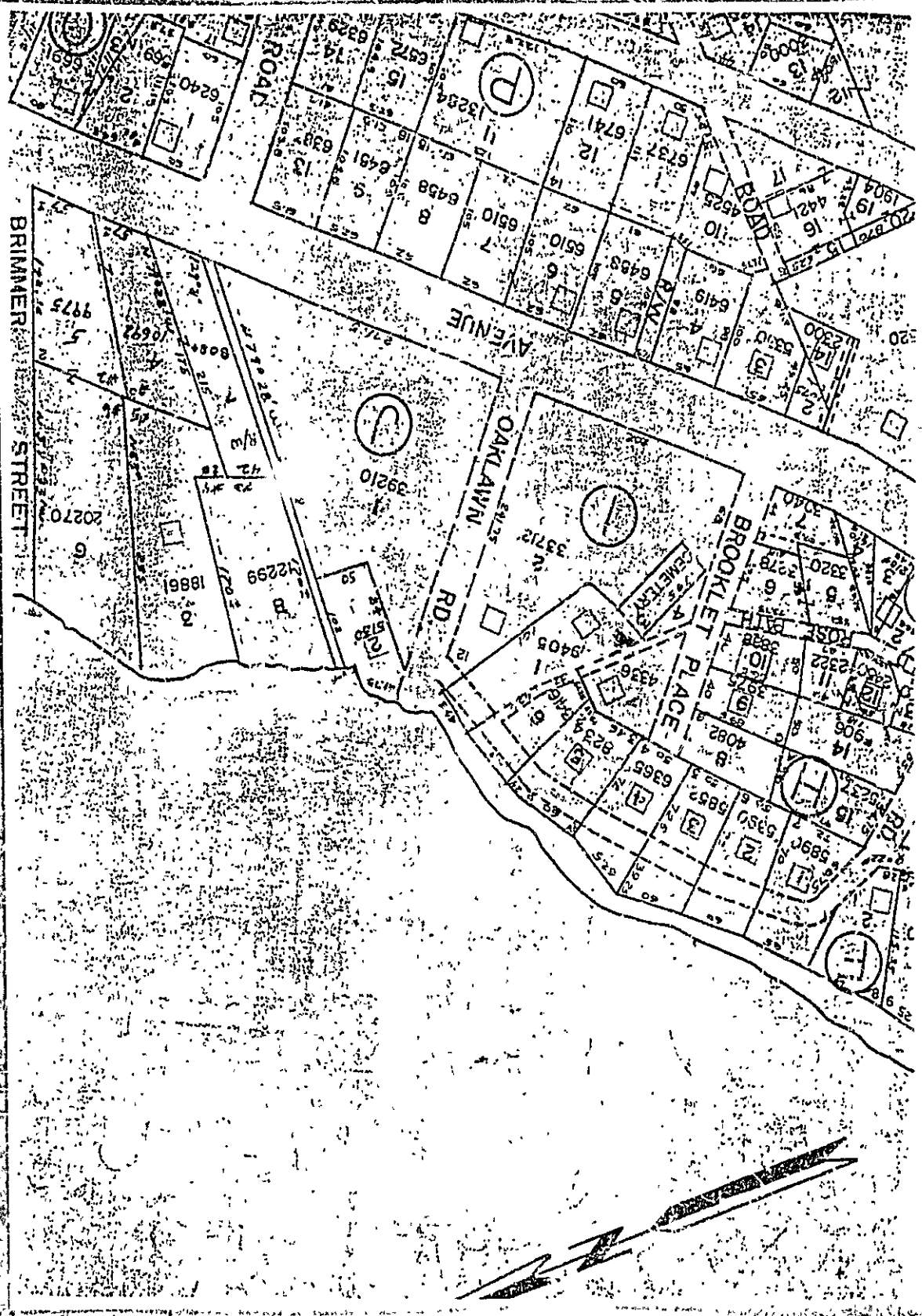
Redeveloped 6-76

CITY OF LOS ANGELES
REGISTERED MAP
STATE OF CALIF.

1. LOTS 104-11



Decario Chart
 used at time of
 sale to Jetter
 1980



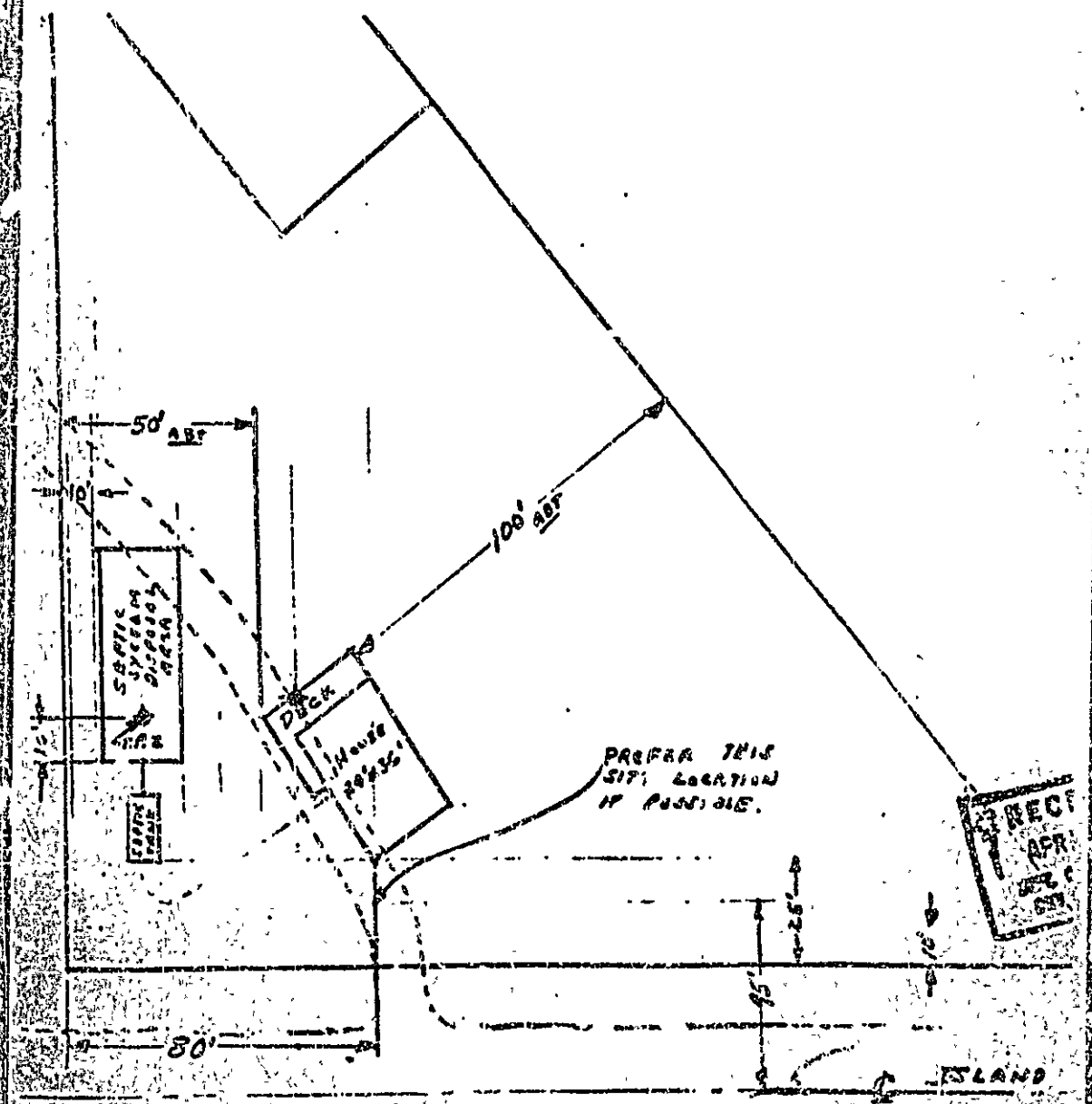
Subj: SHERMAN DELTON Date: 4/16/81
11 ISLAND AVE COR OAK - 2ND RC
Case No. 90-5-1
CHECK THIS AGAINST EXISTING ORDINANCE

Date -

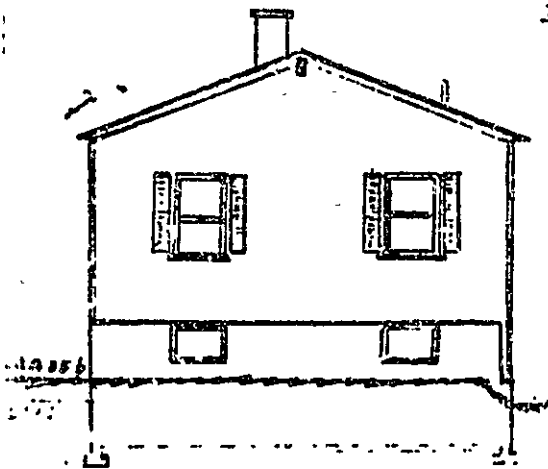
Zone Location - R-3
Interior or corner lot -
40 ft. setback area (Section 21) -

Use - 24' X 36' DWELLING
Sewage Disposal - PRIVATE 15' MIN.
Rear Yards - 100' - 100' - 14' - 14' MIN.
Side Yards - 25' - 100' - 14' - 14' MIN.
Front Yards - 50' - 20' MIN.
Projections - NONE
Height - TWO STORY
Lot Area - 39,210 sq. ft.
Building Area - OK
Area per Family - OK
Width of Lot - OK
Lot Frontage - OK
Off-street Parking - OK
Loading Bays -

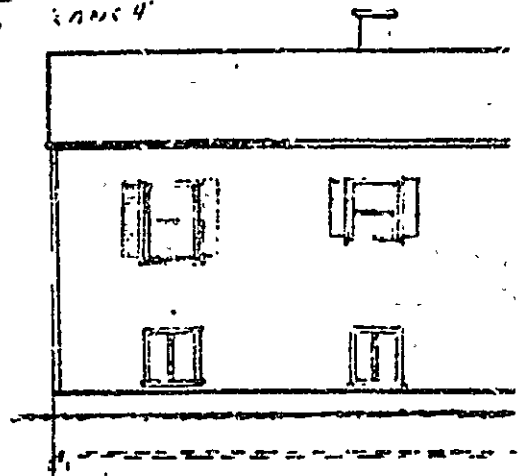
Plan -
Zoning -



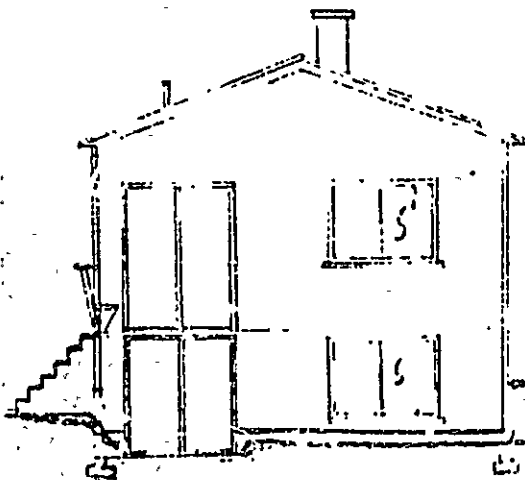
1 1/2 IN
2 1/2 IN 3 IN 4



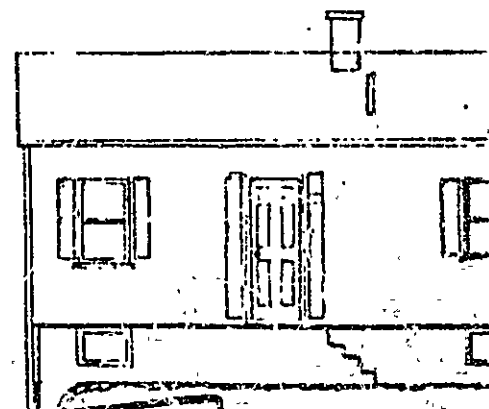
REAR ELEVATION
(FACING ROAD)



LEFT SIDE ELEV.



FRONT ELEVATION
(FACING WATER)



RIGHT SIDE ELEV.
FACING BIRCH

RECEIVED
APR 16 1981
DEPT. OF BLDG. & H. S.
CITY OF PORTLAND

24' X 36' RANCH

