

1. 10-6-16 Agenda

Documents:

[10-6-16 AGENDA.PDF](#)

2. ZBA APPLICATION - 31 HERSEY ST

Documents:

[ZBA APPLICATION - 31 HERSEY ST..PDF](#)
[ZONING ADMINISTRATOR E-MAIL.PDF](#)

3. ZBA Application - 328 Island Ave

Documents:

[ZBA APPLICATION - 328 ISLAND AVE - REDACT.PDF](#)
[ADDITIONAL MATERIALS - 328 ISLAND AVE - REDACT.PDF](#)

4. ZBA Application - 334 Island Ave

Documents:

[ZBA APPLICATION - 334 ISLAND AVENUE - REDACT.PDF](#)
[ADDITIONAL MATERIALS - 334 ISLAND AVE - REDACT.PDF](#)

5. ZBA Application - 76 Frances St

Documents:

[ZBA APPLICATION - 76 FRANCES ST.PDF](#)

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

Kent Avery, Chair
Donna Katsiaficas, Secretary
Chip Gavin
William Getz
Eric Larsson
Joseph Zamboni

APPEAL AGENDA

The Board of Appeals will hold a Public Hearing on Thursday, October 6, 2016, 6:30 p.m., Room 209, 2nd Floor, City Hall, 389 Congress Street, Portland, Maine, to hear the following appeals:

1. Old Business:

A. Interpretation Appeal:

31 Hersey Street, Stephen E. Mardigan, owner, Tax Map 129, Block F, Lot 014, R-3 Residential Zone: The applicant is challenging the Zoning Administrator's determination in an e-mail dated July 12, 2016 that the two assessing properties at 31 Hersey Street and 34 Vannah Avenue are considered one lot for zoning purposes and that 31 Hersey Street may not be developed separately [section 14-47 and section 14-433(a)(1)]. Representing the appeal is the landowner and Archie Giobbi, the landowner's real estate agent. The appeal was tabled by the board on August 4, 2016 at the request of the applicant.

2. New Business:

A. Disability Appeal:

328 Island Avenue, Peaks Island, Sandra K. Radis, owner, Tax Map 087, Block R, Lot 002, IR-2 Island Residential Zone: The applicant is seeking a disability variance under section 14-145.11(c) for wooden boardwalks that provide access to both this property and the abutting property at 334 Island Avenue. The appellant is requesting a front setback of zero feet instead of the required twenty-five foot front yard setback [section 14-145.11(c)(1)], a rear setback of zero feet instead of the required twenty-five foot rear yard setback [section 14-145.11(c)(2)] and a side setback of two feet instead of the required twenty foot side setback [section 14-145.11(c)(3)]. Representing the appeal is Brenda M. Buchanan, Esq. and the owner.

B. Disability Appeal:

334 Island Avenue, Peaks Island, Charles D. Radis, owner, Tax Map 087, Block R, Lot 003, IR-2 Island Residential Zone: The applicant is seeking a disability variance under section 14-145.11(c) for wooden boardwalks that provide access to both this property and the abutting property at 328 Island Avenue. The appellant is requesting a front setback of zero feet instead of the required twenty-five foot front yard setback [section 14-145.11(c)(1)] and a side setback of thirteen feet, eight inches instead of the required twenty foot side setback [section 14-145.11(c)(3)]. Representing the appeal is Brenda M. Buchanan, Esq. and the owner.

C. Conditional Use Appeal:

76 Frances Street, Michael and Molly Collin, owners, Tax Map 187, Block E, Lot 018, R-3

Residential Zone: The applicants are seeking a Conditional Use Appeal under section 14-88(a)(2) to create an accessory dwelling unit as part of an addition to their existing single-family home. Representing the appeal are the owners.

3. Adjournment



Jeff Levine, AICP, Director
Planning & Urban Development Department

Ann Machado
Zoning Administrator

CITY OF PORTLAND

APPLICATION PROCESS FOR THE ZONING BOARD OF APPEALS

Eleven (11) separate packets of the following MUST be submitted to hold a place on the agenda:

1. A copy of Appeal application.
2. A cover Letter addressed to the *Zoning Board of Appeals* stating what you want to do.
3. A plot plan showing the site and location of all structures, existing and proposed, in relation to the lot lines AND, if applicable, indicating parking. Lot size and setback dimensions must be shown.
4. A floor plan, if applicable, showing dimensions of existing and proposed rooms and/or structures.
5. A copy of the tax map (obtained in the Assessor's Office) with the property highlighted.
6. Photos of the property
7. Deed, sales agreement, lease or intent to lease.
8. Owner, lessee, prospective purchase or legal representation, must sign the application.
9. A letter from the property owner, giving permission to the applicant to represent the property, if applicable.
10. All plans must also be folded neatly with each packet and banded.
11. A complete copy in PDF form

If additional information is needed to complete the packet for the ZBA, you will be notified. Please make sure you include a contact phone number on your cover letter. If we cannot contact you, the item will be tabled until the next regular meeting.

The application fee is \$100.00 to appear before the ZBA. ***This fee is nonrefundable.*** Please note that the applicant is also responsible for the \$50.00 processing fee, the cost of the legal ad in the Portland Press Herald, and the cost of sending abutters notification within 500' of the subject property. ***The City of Portland will bill you for the processing fee, legal ad, and abutter's notification.***

You may apply for an appeal/permit at City Hall, Room 315. If you choose to file on the deadline date, please note that applications are accepted ONLY until noon. ***You will be sent a letter confirming the time and date of the meeting along with an agenda.***

389

2

Portland, Maine



Yes. Life's good here.

Jeff Levine, AICP, Director
Planning & Urban Development Department

Ann Machado
Zoning Administrator

CITY OF PORTLAND
ZONING BOARD OF APPEALS
Interpretation Appeal Application

APPLICANT INFORMATION:

STEPHEN E. MARDIGAN
NAME

N/A
BUSINESS NAME

460 BAXTER BLVD
ADDRESS

207-831-8762
TELEPHONE #

OWNER
APPLICANT'S RIGHT, TITLE OR INTEREST
(eg; owner, purchaser, etc)

R-3
CURRENT ZONING DESIGNATION

EXISTING USE OF PROPERTY:

LAND W/ ILLEGAL
ACCESSORY GARAGE

TYPE OF RELIEF REQUESTED:

SEPARATION OF 31 HERSEY ST FROM 34
VANNAH AVE TO BUILD SINGLE-FAMILY HOUSE

SUBJECT PROPERTY INFO:

31 HERSEY ST
PROPERTY ADDRESS

129-F-14
CHART/BLOCK/LOT (CBL)

PROPERTY OWNER INFO (if Different):

SAME
NAME

ADDRESS

Disputed Provisions from Section 14:

14-47 & 14-433 (A)(1)

**Order, decision, determination or
interpretation under dispute:**

NOTE: If site plan approval is required, attach preliminary or final site plan.

The undersigned hereby makes application for an appeal as described above, and certifies that the information herein is true and correct to the best of his OR her knowledge and belief.

[Signature]
SIGNATURE OF APPLICANT

July 15, 2016
DATE

Zoning Board of Appeals
City of Portland, Maine
Congress Street
Portland, Maine 04101

July 15, 2016

Re: Request for Lot Separation
31 Hersey Street & 34 Vannah Ave.

Dear Sirs / Madams

I am writing to request that you grant the applicant, Stephen Mardigan, a lot separation on the properties that the City claims to be a Single Lot.

The Lots in question are 34 Vannah Ave. and 31 Hersey Street and both lots are taxed as separate lots established in 1917 as Saunders Field Subdivision.

The City claims that these properties were joined by a walkway and roof line but Zoning can not find any Building Permits issued to do the work.

The applicant claims that the roof line joining was never a permanent structure but only to keep the "Rain" off the walkway between the main structure and a garage on the 31 Hersey St. lot. No permanence was ever established.

The Hersey Street lot established by subdivision in 1917 is no different that the other lots on Hersey St. and the applicant desires to build a single family house among other homes on a very desirable street.

The Applicant claims that the Structure on the Hersey St. lot,(a 24'x24' Garage) should not be considered an Accessory to the Vannah St. lot as it should only be an Accessory to the Hersey St. lot that does not have a primary structure, and in essence should not be considered but a mistake and allowed to be torn down. Accessory Units on different lots than that of the Primary structure should not be allowed.

The Board has a grand opportunity to finally settle a long series of questionable attempts to develop the entire property as a business zone. The applicant would like 34 Vannah Ave. to be a free standing building in the Vannah Ave. business zone and 31 Hersey St. to be a residential zone as Hersey st. is now residentially developed.

Your consideration as well as your favorable decision would be appreciated as well as appropriate in lieu that there was never a permanent relationship between these Lots.

Thank You.

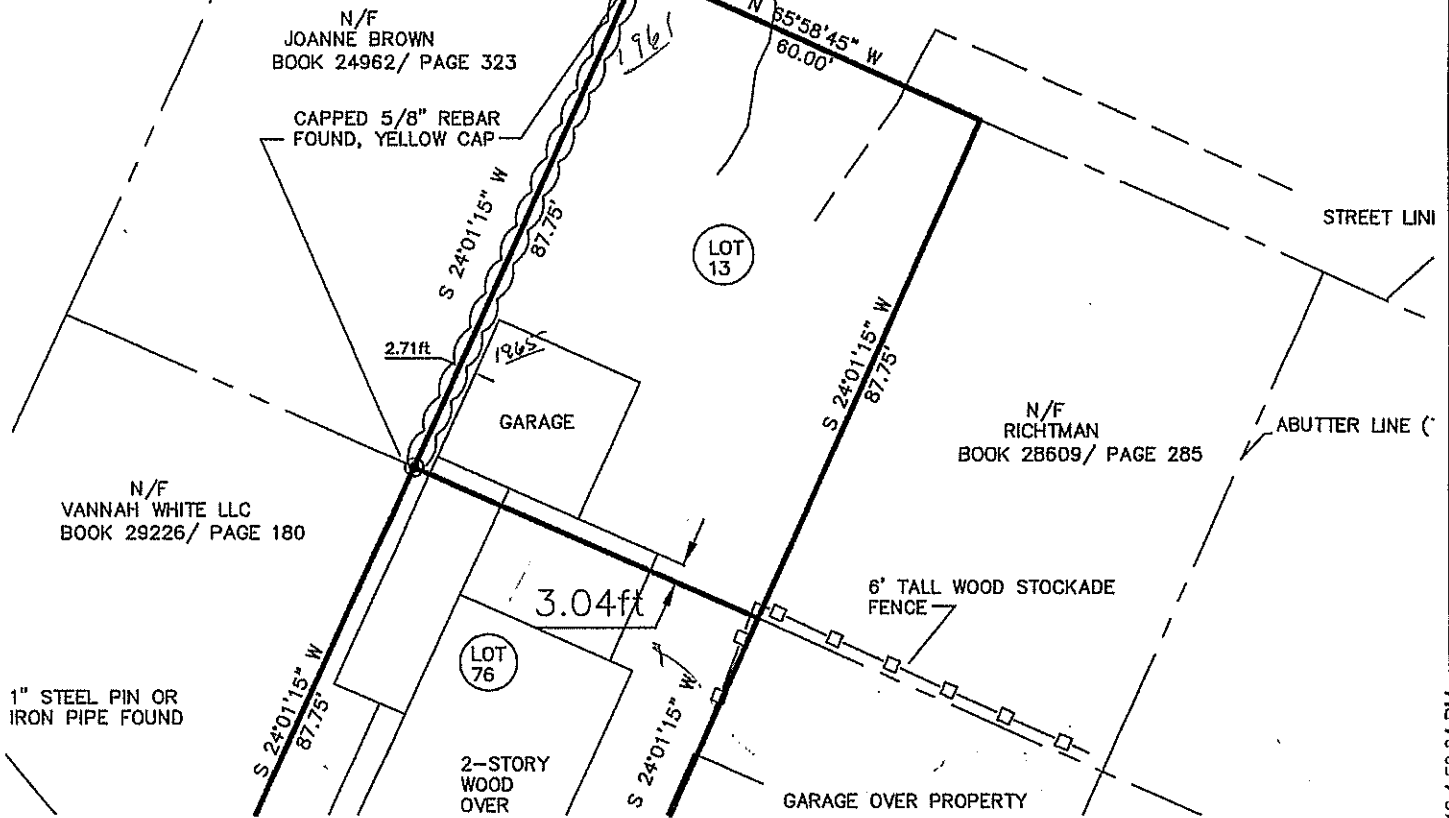
Stephen E. Mardigan
460 Baxter Blvd
Portland, Maine

Sincerely,



EXHIBIT A

HERSEY STREET
PAVED, ACCEPTED CITY STREET



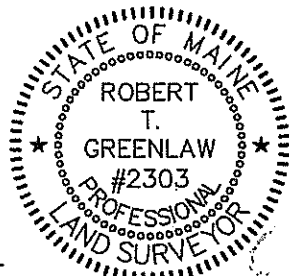
PLAN SHOWING TAX MAP 129 BLOCK F LOTS 013 AND 014.
BEARINGS SHOWN ARE BASED UPON A MAGNETIC OBSERVATION TAKEN IN 2012.
THIS PLAN DEPICTS THE RESULTS OF LAND SURVEY TO RECREATE THE LOTS
DESCRIBED IN A DEED TO THE HEREIN OWENER STEPHEN E. MARDIGAN AS
DESCRIBED IN A DEED RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF
DEEDS IN DEED BOOK 29836, PAGE 44.
AREA OF EACH LOT: 5265, (13) DENOTES LOT NUMBER AS SHOWN ON THE
PLAN OF SAUNDERS FIELD DATED AUGUST 21, 1917 IN PLAN BOOK 13, PAGE
93.

CERTIFICATE:

I HEREBY CERTIFY THAT THIS SURVEY CONFORMS TO THE MAINE BOARD OF LICENSURE
FOR PROFESSIONAL LAND SURVEYORS' STANDARDS OF PRACTICE AS ADOPTED APRIL 01,
2001 WITH THE FOLLOWING EXCEPTIONS:

- a) NO WRITTEN REPORT
- b) NO NEW DESCRIPTION

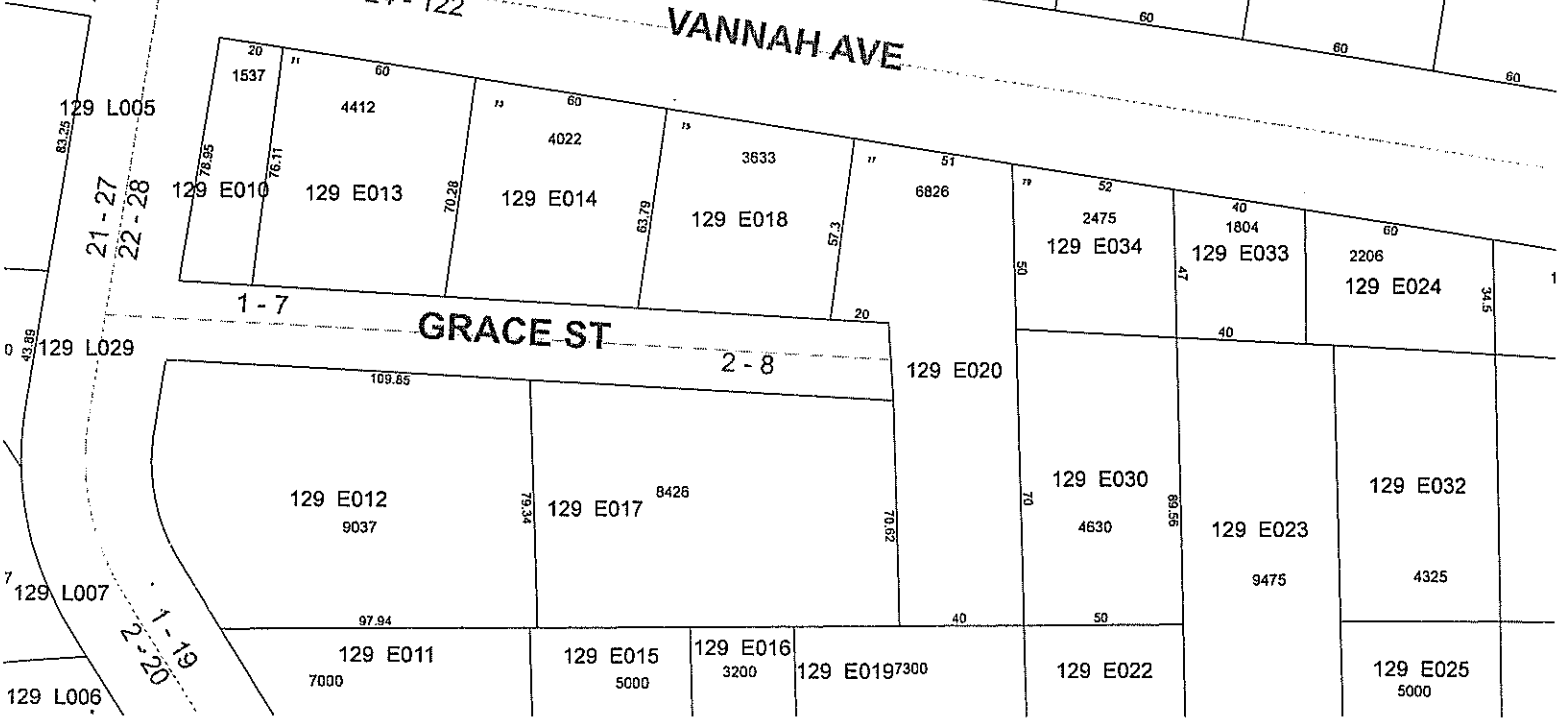
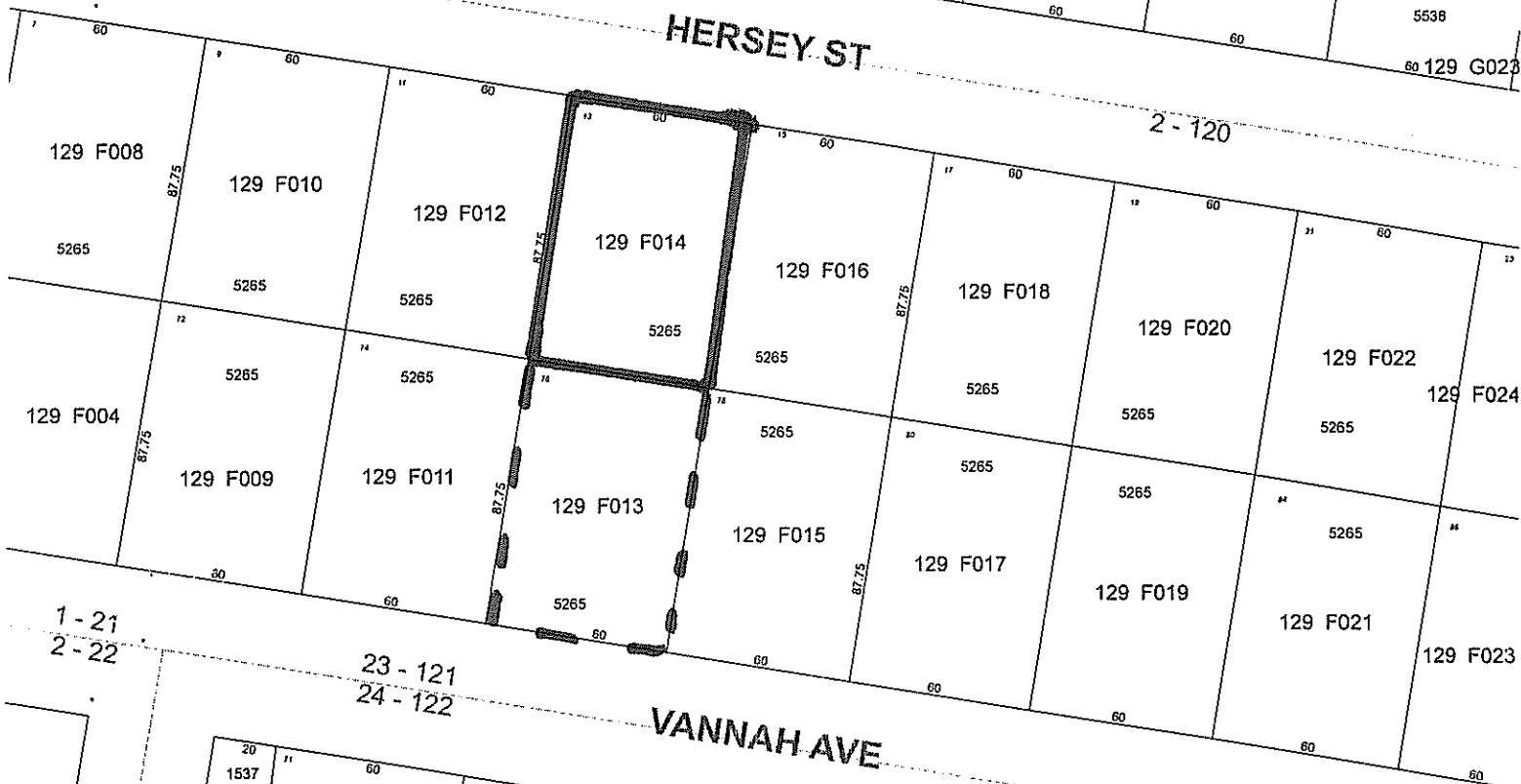
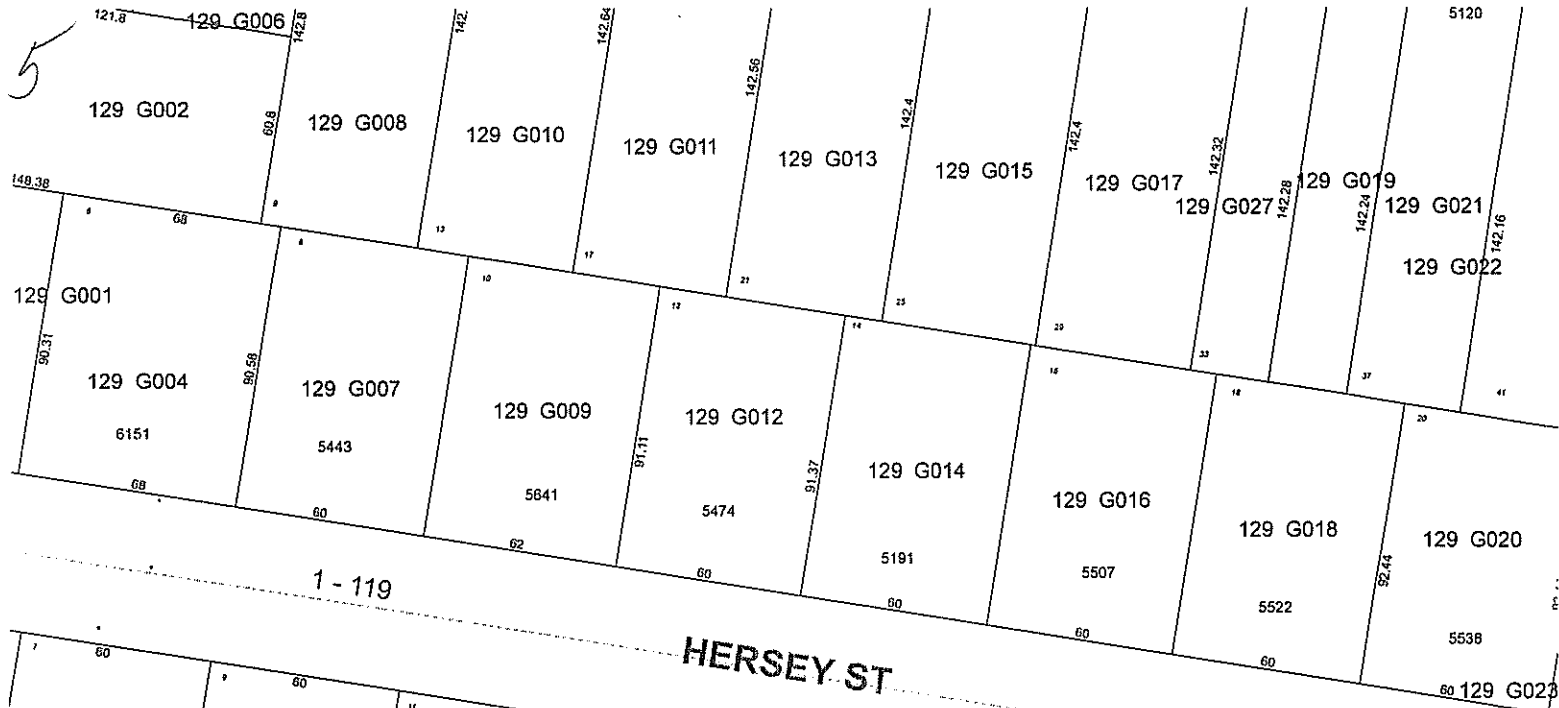
ROBERT T. GREENLAW P.L.S., #2303
DATE: OCTOBER 15, 2012



PLAN SHOWING BOUNDARY LINES

AT 34 VANNAH AVENUE
PORTLAND, MAINE
FOR: STEPHEN E. MARDIGAN
Prepared by
Robert T. Greenlaw
Professional Land Surveyor
PLS #2303
134 Portland Ave
Old Orchard Beach, ME 04064

Scale: 1"=30'	Date: 10/12/12	LT:
Drawn: RTG	Checked: KGG	Job: 2012042



QUITCLAIM DEED WITHOUT COVENANT
(Release Deed)

Bangor Savings Bank, a banking entity having place of business in the City of Portland, State of Maine, for consideration paid, RELEASES to Stephen E. Mardigan of 460 Baxter Blvd., Portland, Maine 04103, the land situated in Portland, County of Cumberland and State of Maine, and being more particularly described as follows:

A certain lot or parcel of land, with the buildings thereon, situated on the northeasterly side of Vannah Avenue in the City of Portland, County of Cumberland and State of Maine, being Lot No. 76 as shown on Plan of Saunders Field, recorded in Cumberland County Registry of Deeds in Plan Book 13, Page 93, to which plan reference is made for a more particular description.

Also a certain lot or parcel of land situated on the southwesterly side of Hersey Street in said Portland, being No. 31 on said street and described as Lot No. 13 on the Saunders Field Plan recorded in the Cumberland County Registry of Deeds in Plan Book 13, Page 93, to which plan reference is hereby made for a more particular description.

This deed is given pursuant to the Judgment of Foreclosure and Sale entered in the Cumberland County Superior Court, on March 13, 2012, in an action entitled Bangor Savings Bank v. Louis A. Geller a/k/a/ Louis A. Geller, Sr., Docket No. PORSC-RE-11-426, for the foreclosure of a mortgage recorded in the Cumberland County Registry of Deeds in Book 23957, Page 199. Pursuant to said Judgment, the period of redemption having expired, a Notice of Public Sale was published in the Maine Sunday Telegram, a newspaper of general circulation in Cumberland County, Maine, on June 17, June 24 and July 1, 2012. Pursuant to said Notice of Public Sale, the foreclosure sale was conducted on July 18, 2012, at which sale Stephen E. Mardigan was the highest bidder.

IN WITNESS WHEREOF, Bangor Savings Bank has caused this instrument to be executed by Scott Woodward, its Vice President, of thereunto duly authorized, this 13th day of August, 2012.

WITNESS:



Bangor Savings Bank

By: 

Its: V. P.

MAINE REAL ESTATE TAX PAID

State of Maine
County of Cumberland, ss.

August 13, 2012

Personally appeared the above-named Scott Woodward, Vice President of Bangor Savings Bank and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said corporation.

Nancy A. Davis
Notary Public
Typed Name:

NANCY DAVIS
Notary Public, Maine
My Commission Expires February 23, 2014

SEAL

Received
Recorded Register of Deeds
Aug 14, 2012 01:19:29P
Cumberland County
Pamela E. Lovley

7

Zoning Board of Appeals

July 15, 2016

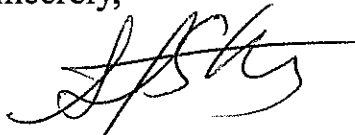
Re: 31 Hersey St.

Sirs / Madams,

I, Stephen Mardigan, give permission to Archie Giobbi, to represent me
before the Zoning Board, in my application for lot separation at 31
Hersey Street.

Thank You.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Mardigan', with a long horizontal flourish extending to the right.

Stephen E. Mardigan
460 Baxter Blvd.
Portland, Maine 04103

Know all Men by these Presents, That

157

Fernald Park Corp., a Corporation organized and existing under the laws of the State of Maine, and located at Portland, in the County of Cumberland and State of Maine, in consideration of one dollar and other valuable considerations, paid by William K. Buck, of said Portland,

See
Book 2630
Page 114

the receipt whereof it does do hereby acknowledge, does hereby, give, grant, bargain, sell and convey unto the said William K. Buck, his heirs and assigns forever, a certain lot or parcel of land situated on the southwesterly side of Hersey Street, in said City of Portland, being lot numbered 13, on a plan of Sanders Field, recorded in Cumberland County Registry of Deeds in Plan Book 13, Page 93, to which plan reference is made for a more particular description.

Being a part of the premises conveyed to Fernald Park Corp. by Ina Saunders Knight, et als, by deed dated February 25, 1946 and recorded in said Registry of Deeds, Book 1813, Page 28.

This conveyance is made subject to taxes for 1946 which the Grantee assumes and agrees to pay.

On this day and in full the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to the said William K. Buck, his heirs and assigns, to his and

U.S.I.R.
\$1.10
F.P.C. by
C.W.B.Tr.

their use and behoof forever. And the said Grantor Corporation does hereby said Grantee, his heirs and assigns, that it is except as aforesaid; lawfully seized in fee of the premises; that they are free of all incumbrances;

that it has have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that it and its successors heirs, shall and will warrant and defend the same to the said Grantee, his

except as aforesaid; heirs and assigns forever, against the lawful claims and demands of all persons.

In Witness Whereof, the said Fernald Park Corp., has caused this instrument to be sealed with its corporate seal and signed in its corporate name by Clinton W. Benson, its Treasurer, thereunto duly authorized

one thousand nine hundred and forty-six. day of April in the year of our Lord

Signed, Sealed and Delivered in presence of

D. W. Philbrick

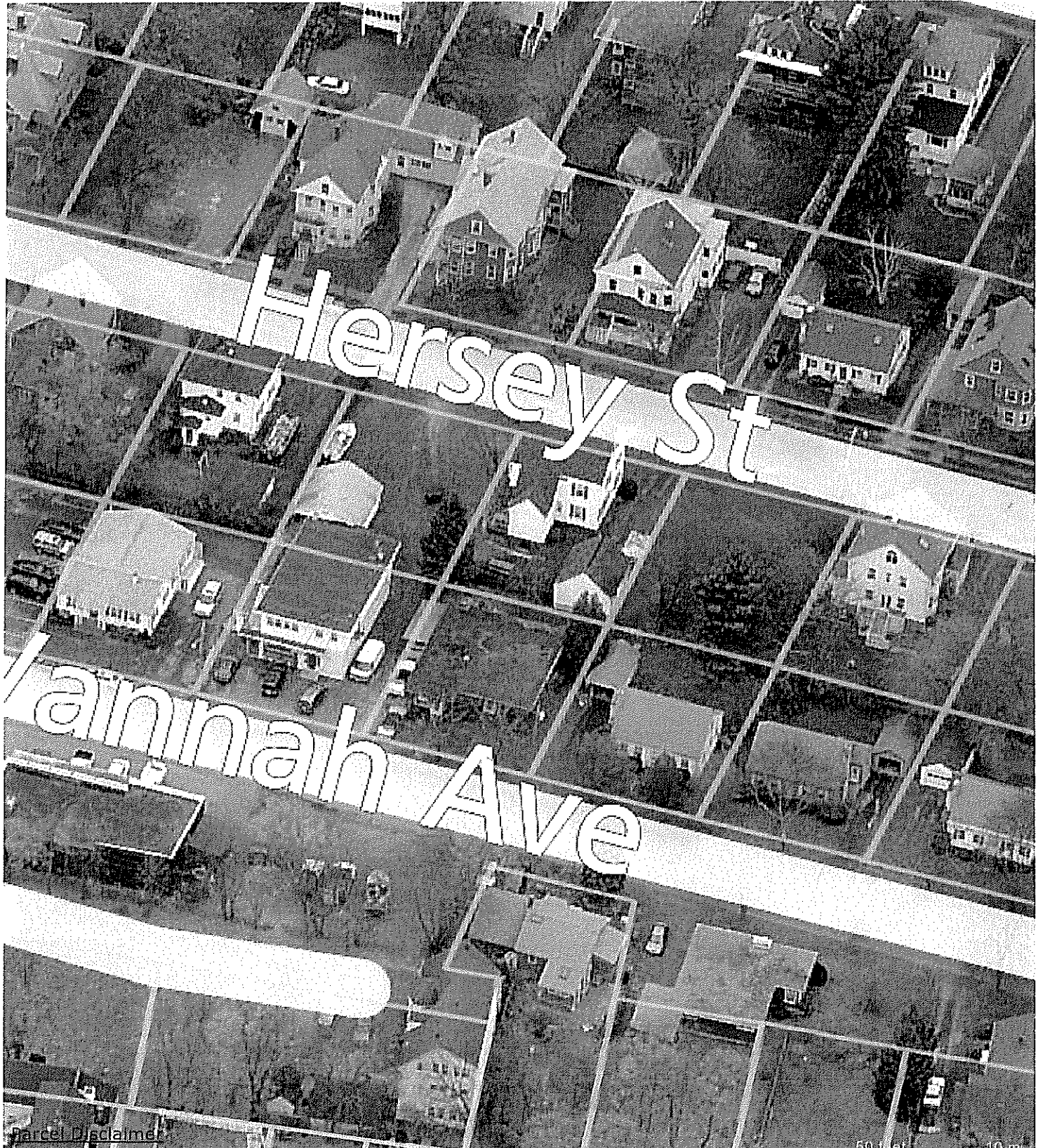
FERNALD PARK CORP. CORPORATE SEAL

By: Clinton W. Benson Treasurer

County of Cumberland, ss. April 10, 1946 Then Personally appeared the above named Clinton W. Benson, Treasurer of said Grantor Corporation as aforesaid;

and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of said corporation, Before me, Donald W. Philbrick Justice of the Peace

Received April 11, 1946, at 2 o'clock 10 m. P. M., and recorded according to the original.



[Parcel Disclaimer](#)

[Ruler](#)

[Legend](#)

[Map](#) [Google Street View](#)[Automatic](#)

Click any parcel for parcel details.

[Parcel Disclaimer](#)[Ruler](#)[Legend](#)



Ann Machado <amachado@portlandmaine.gov>

31 Hersey St & 34 Vannah Ave.

1 message

Ann Machado <amachado@portlandmaine.gov>
 To: "agiobbi@maine.rr.com" <agiobbi@maine.rr.com>

Tue, Jul 12, 2016 at 3:26 PM

Archie -

After researching the history of the two assessing properties known as 31 Hersey St (129-F-014) and 34 Vannah Ave. (129-F-013) I have determined that the two assessing lots have merged and are considered one lot for zoning purposes and may not be developed separately.

Section 14-47 of the ordinance defines lot as: 'A parcel of land that is designated as an individual unit for use, development or ownership that is either a) a lot of record, recorded in the Cumberland County Registry of Deeds; or b) a contiguous combination of such lots of record under common ownership,; or c) a newly established parcel meeting all the dimensional requirements of the zone in which it is located.

31 Hersey St is located in the R-3 Residential Zone. It is 5265 sf. The minimum lot size to develop a lot in the R-3 zone is 6500 sf [section 14-90(a)(1)]. This lot by itself cannot be developed because it does not meet the minimum lot size.

Section 14-433(a)(1) states that:

(a) *Lots of Record.*

Lots of record that meet the minimum standards provided below shall be considered buildable lots.

1. Lots of record as of June 5, 1957, may be considered a buildable lot in any residential zone provided the applicable yard dimensions can be met; provided that a minimum street frontage of forty (40) feet can be met, or to which a means of access has been previously approved by the city council as provided elsewhere in this article; and provided such lots have a minimum lot size of five thousand (5,000) square feet, or the applicable minimum lot size and frontage in that zone, whichever is less .

I have not been provided with any evidence that 31 Hersey was a lot of record recorded at the Registry of Deeds as of June 5, 1957. Even if evidence can be provided that this was recorded as a lot in 1957, it has already been developed (24' x 24' garage) and the records show that previous applications have treated the property as one lot.

- 1951 assessor's card shows 31 Hersey St as vacant
- 1956 permit 30' x 50' 1 story building at 34 Vannah
- 1956 permit letter 12' x 14' one story addition at 34 Vannah
- 1958 permit - add second floor - 34 Vannah
- 1960 permit 12' x 24' one story addition
- 1961 Variance appeal to locate off-street parking for 34 Vannah Ave on 31 Hersey St lot was denied - plan shows parking lot on both lots
- 1965 permit to "Construct aluminum shed roof between existing garage and store (unclear if permit was issued)
- 1980's assessor's card - shows 19' x 23' 1 story shed off the rear of the existing building at 34 Vannah & a 24' x 24' garage on the 31 Hersey lot with a note that it was built in 1965

It is my conclusion that the two assessing properties have been treated as one property and musty continue to be treated that way. The 1961 variance appeal for the parking lot showed the use of the property as a store with a proposed parking lot that covered both lots. 31 Hersey Street cannot be split off and developed as a separate lot since it already has a structure on it. A twenty-four foot by twenty-four foot garage appears to have been constructed on the Hersey Street lot around 1965 since it is mentioned in the 1965 permit and it shows up on the 1980's assessor's card. In the R-3 Zone, a garage is an accessory structure. It cannot be built on a lot without the lot having a principal structure that already exists. Since the garage was built, it must have been accessory to the principal building at 34 Vannah Ave. which means the two assessing lots have been developed as one lot. Also the nineteen foot by twenty-three foot addition shown on the 1980's card for 34 Vannah Ave. appears to encroach on 31 Hersey Street and possibly connect the two buildings. The current GIS aerial view of the property shows an addition with a roof that appears to connect the building at 34 Vannah Ave to 31 Hersey St.

7/12/2016

City of Portland Mail - 31 Hersey St & 34 Vannah Ave.

You have the right to appeal my decision. If you wish to exercise your right of appeal, you have thirty days from the date of this email to file the appeal with our office. If you should fail to do so my decision is binding and not subject to appeal.

Please contact me with any questions.

Ann

Ann Machado
Zoning Administrator
Permitting and Inspections Department
City of Portland, Maine
[\(207\) 874-8709](tel:(207)874-8709)

WARREN & CURRIER BUCHANAN

Limited Liability Company, P.A.

Carol Godfrey Warren
David E. Currier
Brenda M. Buchanan

July 22, 2016

RECEIVED

JUL 22 2016

Kent Avery, Chair
Portland Zoning Board of Appeals
389 Congress Street
Portland, Maine 04101

Dept. of Building Inspections
City of Portland Maine

RE: Disability Variance Application

Charles D. Radis - Property at 334 Island Avenue, Peaks Island
Tax Map 87, Block R, Lot 3

Disability Variance Application

Sandra K. Radis - Property at 328 Island Avenue, Peaks Island
Tax Map 87, Block R, Lot 2

Dear Mr. Avery:

Please find enclosed 11 hard copies and a flash drive with two disability variance applications I am filing on behalf of my clients Charles D. and Sandra K. Radis related to the boardwalk that serves the boathouse residence on Sandra's property and the main residence on Charles' property.

Sandra's [REDACTED] visits his daughter and her family several times a month. These boardwalks were built to provide him access to their home and the apartment over the boathouse where he stays when visiting. After-the-fact building permits also have been filed with the zoning office to account for the fact the boardwalks have existed for some time.

As to Sandra Radis's land, variances from the front (or rear, depending how you look at it) and side setback requirements are needed. As to Charles Radis' land, side setback variances are needed.

I have attached to each disability variance application:

- A reduced-size copy of a recent survey showing the location of the boardwalks;
- A copy of the tax map;

57 Exchange Street, Portland, Maine 04101-5020

Telephone (207) 772-1262 Telecopier (207) 772-1279 E-mail: counsel@wacubu.com

- A photo of the boardwalk;
 - A copy of the deeds demonstrating the Applicants' ownership of their property,
- and
- A letter from both Applicants, authorizing me to act on their behalf.

I realize this application is being submitted in time for your mid-August meeting, but request this matter be placed on the September 1 agenda instead because I will be on vacation when you meet in August.

Best regards,

A handwritten signature in cursive script, appearing to read "Brenda M. Buchanan". The signature is fluid and extends to the right with a long horizontal stroke.

Brenda M. Buchanan

cc: Charles and Sandra Radis



Jeff Levine, AICP, Director
Planning & Urban Development Department

Ann Machado
Zoning Administrator

CITY OF PORTLAND
ZONING BOARD OF APPEALS
Disability Variance Appeal Application

APPLICANT INFORMATION:

Sandra K. Radis
NAME

BUSINESS NAME
334 Island Avenue

ADDRESS
Peaks Island, Me 04108
766-5915

TELEPHONE #
Owner

APPLICANT'S RIGHT, TITLE OR INTEREST
(eg: owner, purchaser, etc)
IR-2

CURRENT ZONING DESIGNATION

SUBJECT PROPERTY INFO:

328 Island Avenue, Peaks Island
PROPERTY ADDRESS

87-R-2
CHART/BLOCK/LOT (CBL)

PROPERTY OWNER INFO (If Different):

NAME
ADDRESS

Variance from Section 14:

14-145(11)(C)(2) and (3)

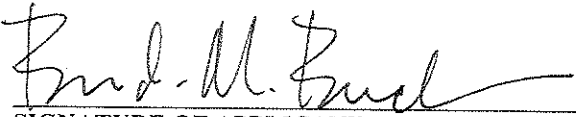
Rear and Side yard setback

EXISTING USE OF PROPERTY:

Boathouse on ground floor, Residential on first floor

NOTE: If site plan approval is required, attach preliminary or final site plan.

The undersigned hereby makes application for an appeal as described above, and certifies that the information herein is true and correct to the best of his OR her knowledge and belief.


SIGNATURE OF APPLICANT

7/22/16
DATE



Jeff Levine, AICP, Director
Planning & Urban Development Department

Ann Machado
Zoning Administrator

WARNING!!

This application contains health care information and is CONFIDENTIAL, pursuant to 22 M.R.S.A., § 402(3) (Freedom of Access Law).

THE MEDICAL INFORMATION CONTAINED HEREIN MAY NOT BE DISCLOSED TO ANY PERSON WITHOUT THE WRITTEN CONSENT OF THE PATIENT

The Board of Appeals is authorized to grant disability variances by 30-A M.R.S.A., §4-A and Portland Municipal Code § 14-473 (c)(2)

1. What is the nature of the disability which supports the request for a variance?

See attached summary

2. Does the disability constitute a physical or mental handicap as defined by 5 M.R.S.A., §4553?
☒ YES ☐ NO

3. Does the person with the disability reside in the dwelling?

☐ YES ☒ NO

4. Is the variance which is requested, restricted solely to the installation of equipment, or the construction of structures* necessary for access to or egress from the dwelling by the person with the disability?
☒ YES ☐ NO

Conditions

The Board may impose conditions on the variance, including limiting the term of the variance to the duration of the disability or the time that the person with the disability lives in the dwelling.

**The phrase "structure necessary for access to or egress from the dwelling" includes railing, wall or roof systems necessary for the safety or effectiveness of the structure.*

Disability Variance Responses

Application of Sandra K. Radis

1. Sandra Radis' [REDACTED] comes out to the island and stays in the Radis' boathouse residence approximately three times a month. [REDACTED]

The ground from the road to the boathouse is uneven. To allow access [REDACTED] boardwalks have been laid from the paved road to the boathouse. Under the zoning code, the boardwalk (which has existed for several years) is considered a structure and two setback variances are necessary as to .

- The boardwalk does not meet the 25' setback requirement from the road. (It does not matter if this is considered the front or rear setback, the 25' requirement is the same.) This 25' setback requirement is set forth in 14-145-11 (c) (1) (if considered front) or 14-145 (11) (c) (2) (if considered rear).
- In two places, the boardwalk does not meet the 20' side setback to the adjacent Charles Radis parcel. The 20' side setback requirement is set forth in 14-145-11 (c) (3).

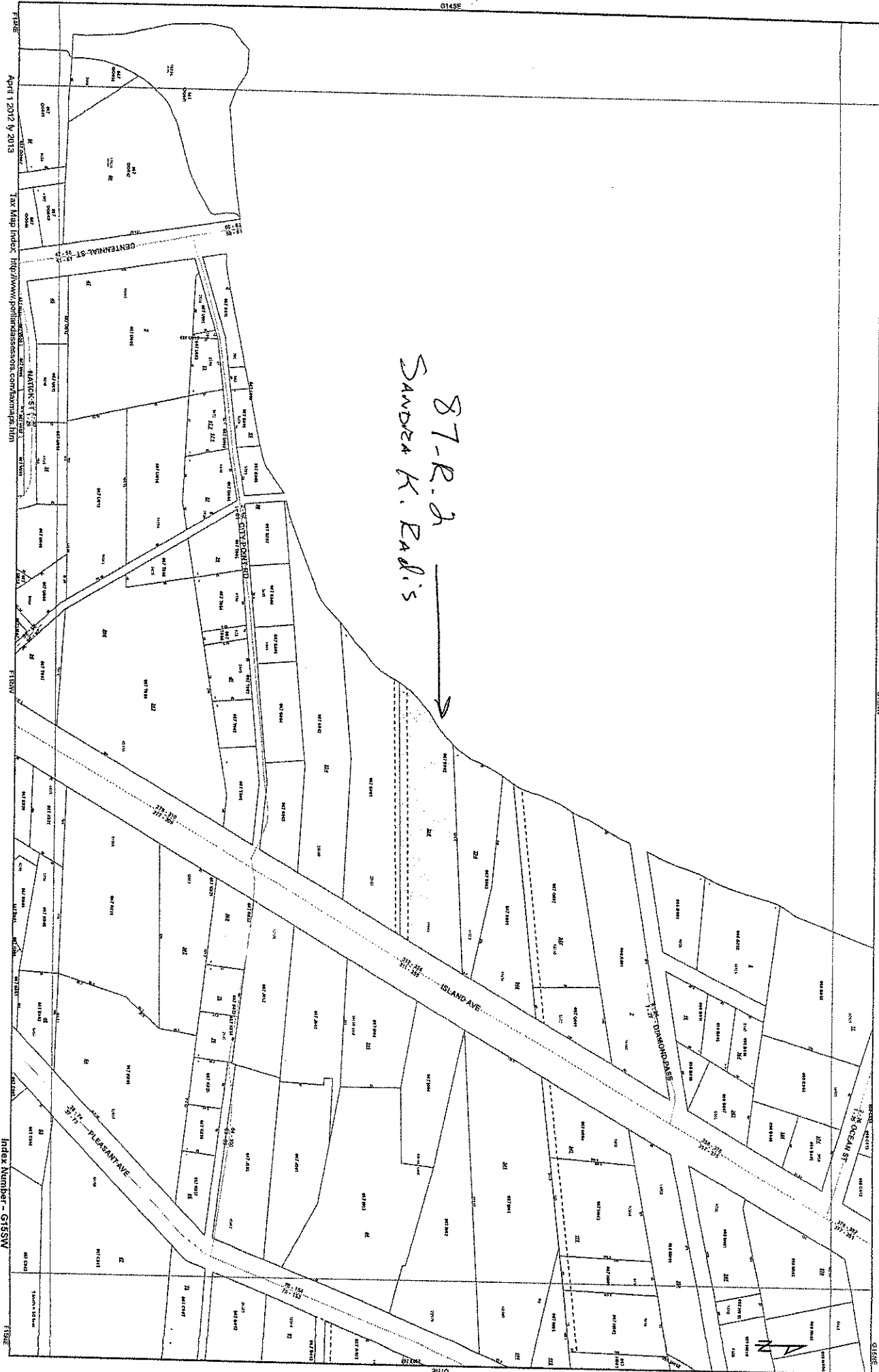
2. [REDACTED] does constitute a physical handicap as defined by 5 MRS §4553 [REDACTED]

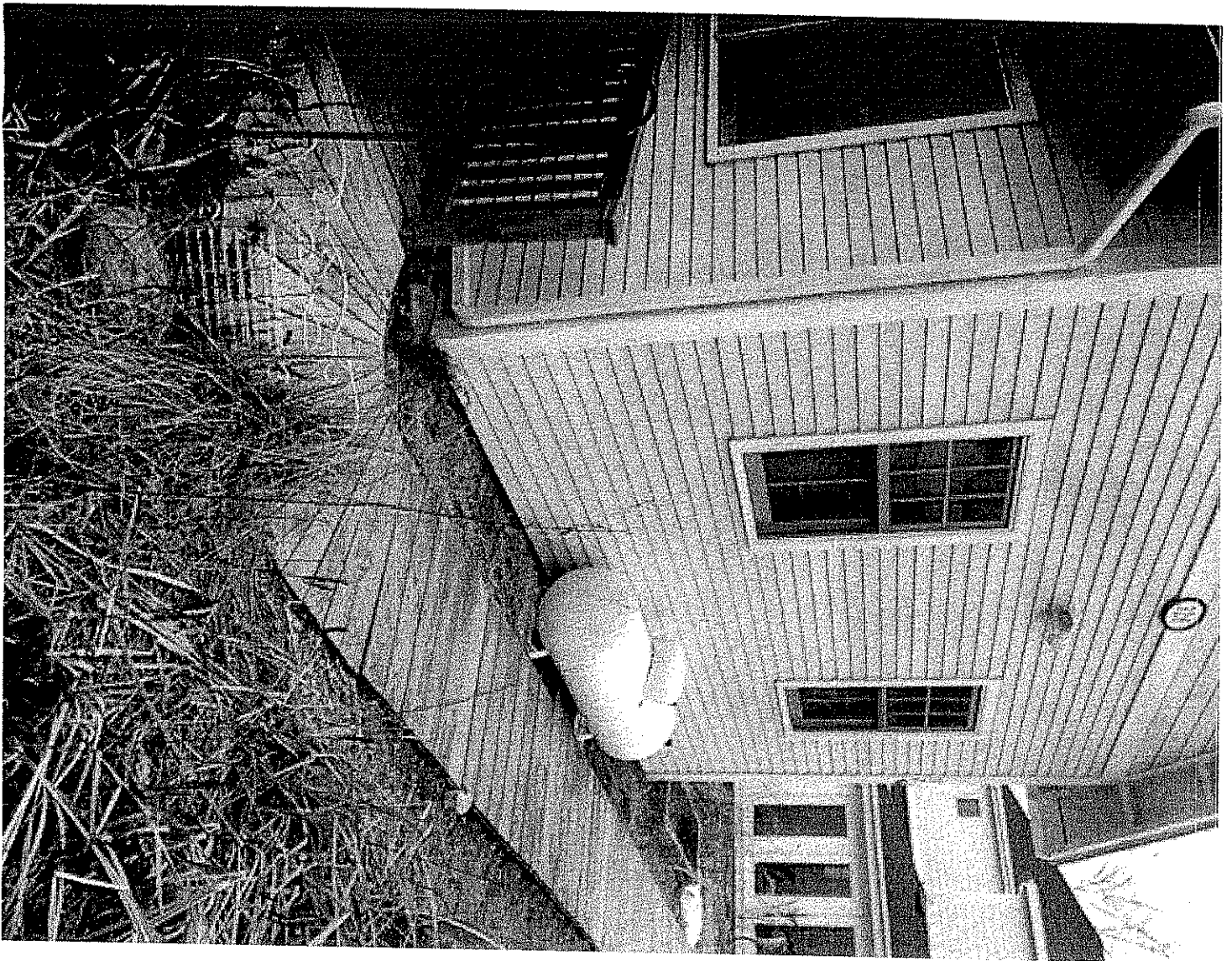
3. As noted above, [REDACTED] visits his family on Peaks Island and stays in the boathouse residence several times a month.

4. The requested variance is solely for a structure that permits [REDACTED] access to the Radis' main home [REDACTED] and the boathouse (where he stays).

[illegible]

87-R.2
Sandra K. Rad's





WARRANTY DEED

23315

Know all Men by these Presents,

That EUNICE A. LINCOLN (formerly Eunice A. Garrett) of Scarborough, Cumberland County, Maine ("Grantor")

in consideration of one dollar and other good and valuable consideration

paid by SANDRA K. RADIS

whose mailing address is Island Avenue, Peaks Island, Portland, Maine 04108 ("Grantee")

the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said Sandra K. Radis,

her heirs and assigns forever, a certain lot or parcel of land situated on Peaks Island, Portland, County of Cumberland, and State of Maine, bounded and described as follows:

Beginning at an iron pipe located on the Northwesterly sideline of Island Avenue, and said pipe being also located on the Southerly sideline of lot number 3 according to E. Thrasher plan of Peaks Island, dated April 1865 and recorded in the Cumberland County Registry of Deeds in Plan Book 2, Page 46; thence North 69° 50' West, 265 feet, more or less, by said land now or formerly of Central Maine Power Company to an iron pipe located at the high water mark of Casco Bay; thence North Easterly by said high water mark, 64 feet, more or less, to an iron pipe, and land, now or formerly, of Bruce F. Lincoln et ux; thence North 75° 43' East, 256.6 feet, more or less, by land, now or formerly, of said Lincoln to an iron pipe, and Northwesterly sideline of said Island Avenue; thence South 47° 55' West, 88 feet, more or less, by the Northwesterly sideline of said Island Avenue to the point of beginning.

Also meaning and intending to convey by this instrument all interest in and to the flats between high and low water mark opposite and adjacent to said parcel.

Reserving from said parcel all utility easements and rights of way of record.

Reference may be had to Deed of Central Maine Power Company to Eunice A. Garrett dated February 2, 1984, and recorded in said Registry of Deeds in Book 6397, Page 14.

Reference may also be had to Exhibit A attached hereto.

BK7185P00324

EXHIBIT A

EXHIBIT A

N/F BRUCE LINCOLN

SOUTH LINE OF LOT #2 PER PLAN BK 2, P. 4
S 75° 43' E - 256.6'

146.2'

FORMERLY C.M.P. CO.
18,683 S.F. ±

ASSUMED R/W
N 62° 50' W - 265'

CENTRAL MAINE POWER COMPANY

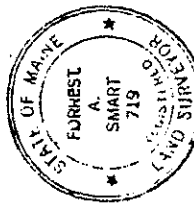
ISLAND AVENUE

KEY
1500' PER MON.

LAND NOW DE FORMERLY OF
EDUNICE A. GARRETT

PEAKS ISLAND
CITY OF CUMBERLAND
STATE OF MAINE
SCALE: 1" = 40' REC MAY 14, 1986

DEED REFERENCE:
CMP CO. TO EDUNICE A. GARRETT
VOL. 6307 P. 18



Forrest A. Smart
5/14/86

BK7195PG0325

To have and to hold the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to the said Grantee, her

heirs and assigns, to her and their use and behoof forever.

And I do covenant with the said Grantee, her heirs and assigns,

that I am lawfully seized in fee of the premises, that they are free of all encumbrances

that I have good right to sell and convey the same to the said Grantee to hold as aforesaid; and

that I and my heirs shall and will warrant and defend the same to the said Grantee, her heirs and assigns forever, against the lawful claims and demands of all persons.

In Witness Whereof,
(formerly Eunice A. Garrett)

I, the said EUNICE A. LINCOLN

and Bruce F. Lincoln

husband/wife of the said Eunice A. Lincoln

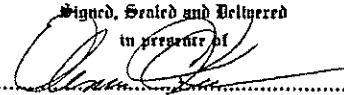
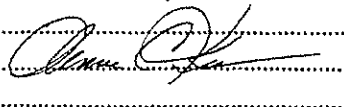
joining in this deed as Grantor, and relinquishing and conveying all rights by descent and all other rights

in the above described premises, have hereunto set our hands and seals this 30th

day of the month of May, A.D. 1986.

Signed, Sealed and Delivered

in presence of

Eunice A. Lincoln
Eunice A. Lincoln (formerly
Eunice A. Garrett)
Bruce F. Lincoln
Bruce F. Lincoln

State of Maine, County of Cumberland ss:

May 30, 1986.

Then personally appeared the above named EUNICE A. LINCOLN and BRUCE F. LINCOLN

and acknowledged the foregoing instrument to be their free act and deed.

Before me,


Dennis C. Keeler
Notary Public
Attorney at Law

RECEIVED
RECORDED REGISTRY OF DEEDS
1986 MAY 30 PM 3:03

CUMBERLAND COUNTY
Dennis C. Keeler

DENNIS C. KEELER
Typed or Printed Name

QUITCLAIM DEED WITH COVENANT

KNOW ALL PERSONS BY THESE PRESENTS THAT

CHARLES D. RADIS of Peaks Island, Maine, with a mailing address of 334 Island Avenue, Peaks Island, Maine, for consideration paid, grant to SANDRA K. RADIS of Peaks Island, Maine, with a mailing address of 334 Island Avenue, Peaks Island, Maine, with QUITCLAIM COVENANT, a certain lot or parcel of land situated on the northwest side of but not adjacent to Island Avenue, on Peaks Island, City of Portland, County of Cumberland, State of Maine, bounded and described as follows:

Commencing at an iron rod with a cap labeled "PLS 2063" on the northwest sideline of Island Avenue at the common boundary between land now or formerly of Sandra Radis as described in the deed recorded in the Cumberland County Registry of Deeds in Book 7195 Page 323 and land now or formerly of Charles Radis as described in the deed recorded in the Cumberland County Registry of Deeds in Book 7195 Page 319;

Thence North 79°51'26" West along the northerly boundary of land now or formerly of Sandra Radis and the southerly boundary of Charles Radis a distance of 252.51' to an iron rod with a cap labeled "PLS 2063" and the true point of beginning of the parcel;

Thence from the point of beginning North 31°43'02" East along land now or formerly of Charles Radis a distance of 23.69' to an iron rod with a cap labeled "PLS 2063";

Thence South 58°05'39" East along land now or formerly of Charles Radis a distance of 59.43' to a point on the northerly boundary of land now or formerly of Sandra Radis and the southerly boundary of Charles Radis;

Thence North 79°51'26" West along the northerly boundary of land now or formerly of Sandra Radis and the southerly boundary of Charles Radis a distance of 63.90' to the point of beginning.

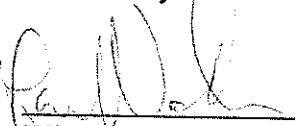
Said parcel contains 704.0 square feet.

MEANING AND INTENDING to describe and convey and hereby conveying a portion of the premises conveyed by Bruce F. Lincoln and Eunice A. Lincoln to Charles D. Radis by deed dated May 30, 1986 and recorded in the Cumberland County Registry of Deeds in Book 7195, Page 319.

The intent of the parties to this deed and to a companion deed from Sandra K. Radis to Charles D. Radis bearing even date herewith and to be recorded herewith is to swap equal-sized parcels

of land to provide the Charles D. Radis parcel, which is a legally non-conforming parcel, a greater setback on its southerly side.

Witness my hand and seal this 19th of January, 2016.



Witness



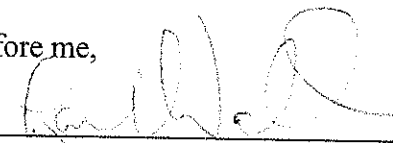
Charles D. Radis

STATE OF MAINE
CUMBERLAND, ss

Date: January 19, 2016

Then personally appeared the above-named Charles D. Radis and acknowledged the above instrument to be his free act and deed.

Before me,



Notary Public

LAWRENCE C. WALDEN

Printed Name

Box # 2818

Commission Expires:

Received
Recorded Register of Deeds
Jan 26, 2016 03:45:33P
Cumberland County
Nancy A. Lane

CHARLES D. RADIS SANDRA K. RADIS
334 Island Avenue
Peaks Island, Maine 04108

July 21, 2016

Zoning Board of Appeals
City of Portland
389 Congress Street
Portland, Maine 04101

RE: Application for Disability Variances
328 and 334 Island Avenue, Peaks Island
Map 87, Block R, Lots 2 and 3

To Whom It May Concern:

We hereby authorize our attorney, Brenda M. Buchanan, Esq. of the firm Warren, Currier & Buchanan LLC of Portland to represent us in discussions with the City of Portland zoning administration and before the Zoning Board of Appeals on all matters related to our above-referenced applications for practical difficulty variances as to our respective parcels, and to sign all applications and other necessary documentation in regard to same on our behalf.

Thank you for your assistance with this matter.

Sincerely,

Charles D. Radis



Sandra K. Radis



WARREN & CURRIER BUCHANAN

Limited Liability Company, P.A.

Carol Godfrey Warren
David E. Currier
Brenda M. Buchanan

RECEIVED

SEP 16 2016

Dept. of Building Inspections
City of Portland Maine

September 15, 2016

Christina Stacey
Zoning Specialist
City of Portland
Planning & Urban Development Department
389 Congress Street
Portland ME 04101

brenda@wacubu.com

RE: **Disability Variance Application**
Charles D. Radis - Property at 334 Island Avenue, Peaks Island
Tax Map 87, Block R, Lot 3

Disability Variance Application
Sandra K. Radis - Property at 328 Island Avenue, Peaks Island
Tax Map 87, Block R, Lot 2

Dear Chris:

I am writing in response to your email of August 5, 2016, supplementing my July 22, 2016 letter to ZBA chair Kent Avery regarding the above-referenced disability variance applications.

Please find enclosed a note from Dan Merson, D.O. of Mercy-Yarmouth Primary Care regarding the disability faced by Sandra Radis' [REDACTED], who is a frequent visitor to their home at 334 Island Avenue and a regular user of the guest apartment at 328 Island Avenue.

You also will find enclosed an enlargement of the part of the plan that shows the boardwalks and some photographs, which will provide you with the requested measurements. They are hopeful these will suffice.

- The distance from the end of the boardwalk to the edge of the road pavement is twelve feet, seven inches (12' 7"). The distance to the center of the road is twenty-two feet, eight inches (22' 8").

57 Exchange Street, Portland, Maine 04101-5020

Telephone (207) 772-1262 Telecopier (207) 772-1279 E-mail: counsel@wacubu.com

- The distance from the end of the boardwalk that is on Sandra's property to Charles' property line is two feet (2').
- The distance between the sideline of Charles' property and the walkway that crosses his property is thirteen feet, eight inches (13' 8"). The distance from the other side of that section of the walkway to the corner point of his lot is six feet, eight inches (6' 8") if that matters to you.
- As you note, a 0' setback variance is needed for the rear line of Charles' lot where the boardwalk crosses onto Sandra's, and a similar variance is needed by Sandra for that same point (unsure whether that is considered her front or rear line.)
- I also am enclosing a photo of the longest stretch of walkway that crosses (mostly) Sandra's property on its way to the road.

If possible, my client requests this be placed on the board's October 6 agenda.

Should you have any additional questions or concerns, please do not hesitate to contact me.

Best regards,



Brenda M. Buchanan

Cc: Sandra and Charles Radis



EMHS MEMBER

385 Route 1
Yarmouth, Maine 04096
207.535.1200
fax 207.535.1249
www.mercyhospital.org

Radis

RECEIVED

SEP 16 2016

Dept. of Building Inspections
City of Portland Maine

09/01/2016

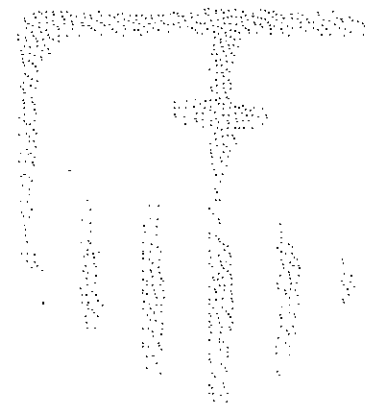
RE: disability variance for the property of Charles and Sandra Radis.

To whom it may concern,

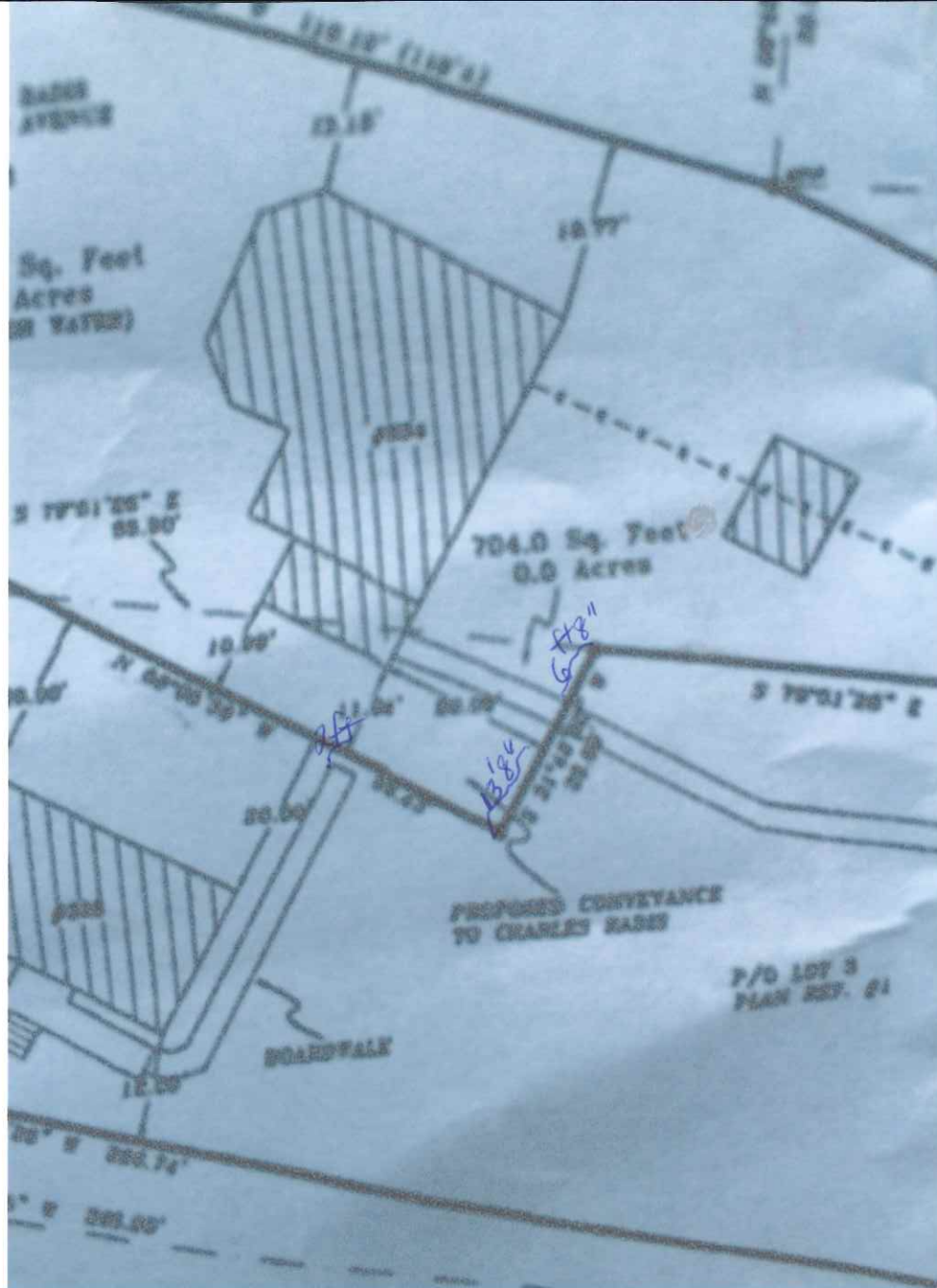
The Radis family seeks a variance to allow for a boardwalk around their Peaks Island property. This walkway is required to allow visits from Sandra's [REDACTED]
[REDACTED] Boardwalks are a reasonable accommodation for the disabilities in question.

Sincerely,

Dan Merson, D.O.



Radis



Radi's



Board walk starts 22 ft 8" from
center of road and
12 ft 7" from edge of
road.



End of walkway on Sandra's
property is 2ft from Chuck's
lot line.



6ft 10" from survey marker to edge
of walkway.
13ft 8" to far side marker



view of walkway

WARREN & CURRIER BUCHANAN

Limited Liability Company, P.A.

Carol Godfrey Warren
David E. Currier
Brenda M. Buchanan

July 22, 2016

RECEIVED

JUL 22 2016

Kent Avery, Chair
Portland Zoning Board of Appeals
389 Congress Street
Portland, Maine 04101

Dept. of Building Inspections
City of Portland Maine

RE: Disability Variance Application

Charles D. Radis - Property at 334 Island Avenue, Peaks Island
Tax Map 87, Block R, Lot 3

Disability Variance Application

Sandra K. Radis - Property at 328 Island Avenue, Peaks Island
Tax Map 87, Block R, Lot 2

Dear Mr. Avery:

Please find enclosed 11 hard copies and a flash drive with two disability variance applications I am filing on behalf of my clients Charles D. and Sandra K. Radis related to the boardwalk that serves the boathouse residence on Sandra's property and the main residence on Charles' property.

Sandra's [REDACTED] visits his daughter and her family several times a month. These boardwalks were built to provide him access to their home and the apartment over the boathouse where he stays when visiting. After-the-fact building permits also have been filed with the zoning office to account for the fact the boardwalks have existed for some time.

As to Sandra Radis's land, variances from the front (or rear, depending how you look at it) and side setback requirements are needed. As to Charles Radis' land, side setback variances are needed.

I have attached to each disability variance application:

- A reduced-size copy of a recent survey showing the location of the boardwalks;
- A copy of the tax map;

57 Exchange Street, Portland, Maine 04101-5020

Telephone (207) 772-1262 Telecopier (207) 772-1279 E-mail: counsel@wacubu.com

- A photo of the boardwalk;
 - A copy of the deeds demonstrating the Applicants' ownership of their property,
- and
- A letter from both Applicants, authorizing me to act on their behalf.

I realize this application is being submitted in time for your mid-August meeting, but request this matter be placed on the September 1 agenda instead because I will be on vacation when you meet in August.

Best regards,

A handwritten signature in cursive script, appearing to read "Brenda M. Buchanan", with a long horizontal flourish extending to the right.

Brenda M. Buchanan

cc: Charles and Sandra Radis



Jeff Levine, AICP, Director
Planning & Urban Development Department

Ann Machado
Zoning Administrator

CITY OF PORTLAND
ZONING BOARD OF APPEALS
Disability Variance Appeal Application

APPLICANT INFORMATION:

Charles D. Radis
NAME

BUSINESS NAME
334 Island Avenue

ADDRESS
Peaks Island, Maine 04108
766-5915

TELEPHONE #
Owner

APPLICANT'S RIGHT, TITLE OR INTEREST
(eg; owner, purchaser, etc)

IR-2
CURRENT ZONING DESIGNATION

NAME

SUBJECT PROPERTY INFO:

334 Island Avenue, Peaks Island
PROPERTY ADDRESS
87-R-3

CHART/BLOCK/LOT (CBL)

PROPERTY OWNER INFO (If Different):

NAME
ADDRESS

Variance from Section 14:

14-145 (11)(C) (3)

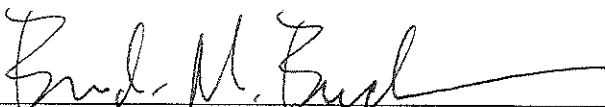
side yard setbacks

EXISTING USE OF PROPERTY:

Single-family residence

NOTE: If site plan approval is required, attach preliminary or final site plan.

The undersigned hereby makes application for an appeal as described above, and certifies that the information herein is true and correct to the best of his OR her knowledge and belief.


SIGNATURE OF APPLICANT

7/22/16
DATE



Jeff Levine, AICP, Director
Planning & Urban Development Department

Ann Machado
Zoning Administrator

WARNING!!

This application contains health care information and is CONFIDENTIAL, pursuant to 22 M.R.S.A., § 402(3) (Freedom of Access Law).

THE MEDICAL INFORMATION CONTAINED HEREIN MAY NOT BE DISCLOSED TO ANY PERSON WITHOUT THE WRITTEN CONSENT OF THE PATIENT

The Board of Appeals is authorized to grant disability variances by 30-A M.R.S.A., §4-A and Portland Municipal Code § 14-473 (c)(2)

1. What is the nature of the disability which supports the request for a variance?

See attached summary

2. Does the disability constitute a physical or mental handicap as defined by 5 M.R.S.A., §4553?

☒ YES ☐ NO

3. Does the person with the disability reside in the dwelling?

☐ YES ☒ NO

4. Is the variance which is requested, restricted solely to the installation of equipment, or the construction of structures* necessary for access to or egress from the dwelling by the person with the disability?

☒ YES ☐ NO

Conditions

The Board may impose conditions on the variance, including limiting the term of the variance to the duration of the disability or the time that the person with the disability lives in the dwelling.

**The phrase "structure necessary for access to or egress from the dwelling" includes railing, wall or roof systems necessary for the safety or effectiveness of the structure.*

Disability Variance Responses

Application of Sandra K. Radis

1. Sandra Radis' [REDACTED] comes out to the island and stays in the Radis' boathouse residence approximately three times a month. [REDACTED]

The ground from the road to the boathouse is uneven. To allow access [REDACTED] boardwalks have been laid from the paved road to the boathouse. Under the zoning code, the boardwalk (which has existed for several years) is considered a structure and two setback variances are necessary as to .

- The boardwalk does not meet the 25' setback requirement from the road. (It does not matter if this is considered the front or rear setback, the 25' requirement is the same.) This 25' setback requirement is set forth in 14-145-11 (c) (1) (if considered front) or 14-145 (11) (c) (2) (if considered rear).
- In two places, the boardwalk does not meet the 20' side setback to the adjacent Charles Radis parcel. The 20' side setback requirement is set forth in 14-145-11 (c) (3).

2. [REDACTED] does constitute a physical handicap as defined by 5 MRS §4553 [REDACTED]

3. As noted above, [REDACTED] visits his family on Peaks Island and stays in the boathouse residence several times a month.

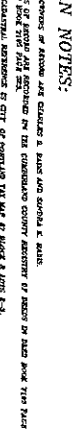
4. The requested variance is solely for a structure that permits [REDACTED] access to the Radis' main home [REDACTED] and the boathouse (where he stays).

CASE 1 = 20'

[illegible]

EXISTING BUILDINGS

ATLANTIC OCEAN
CASCO BAY
DIAMOND PASS



PLAN REFERENCES

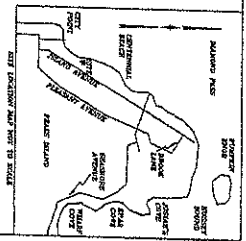
1. WILLIAM HENRY HAYES, JR., TRAVELER AND SALE MAN, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344,

MONUMENTATION FOUNDED

(CHILD EVIDENCE)

1071. BOAT AND W/UNDERWAY CAR "CRASHED" NEARLY
1072. "CRASHED" ON SHORELINE, BUT "FELL" OFF
1073. "CRASHED" ON SHORE, BUT "FELL" OFF
1074. "CRASHED" ON SHORE, BUT "FELL" OFF
1075. "CRASHED" ON SHORE, BUT "FELL" OFF
1076. "CRASHED" ON SHORE, BUT "FELL" OFF
1077. "CRASHED" ON SHORE, BUT "FELL" OFF
1078. "CRASHED" ON SHORE, BUT "FELL" OFF
1079. "CRASHED" ON SHORE, BUT "FELL" OFF
1080. "CRASHED" ON SHORE, BUT "FELL" OFF
1081. "CRASHED" ON SHORE, BUT "FELL" OFF
1082. "CRASHED" ON SHORE, BUT "FELL" OFF
1083. "CRASHED" ON SHORE, BUT "FELL" OFF
1084. "CRASHED" ON SHORE, BUT "FELL" OFF
1085. "CRASHED" ON SHORE, BUT "FELL" OFF
1086. "CRASHED" ON SHORE, BUT "FELL" OFF
1087. "CRASHED" ON SHORE, BUT "FELL" OFF
1088. "CRASHED" ON SHORE, BUT "FELL" OFF
1089. "CRASHED" ON SHORE, BUT "FELL" OFF
1090. "CRASHED" ON SHORE, BUT "FELL" OFF
1091. "CRASHED" ON SHORE, BUT "FELL" OFF
1092. "CRASHED" ON SHORE, BUT "FELL" OFF
1093. "CRASHED" ON SHORE, BUT "FELL" OFF
1094. "CRASHED" ON SHORE, BUT "FELL" OFF
1095. "CRASHED" ON SHORE, BUT "FELL" OFF
1096. "CRASHED" ON SHORE, BUT "FELL" OFF
1097. "CRASHED" ON SHORE, BUT "FELL" OFF
1098. "CRASHED" ON SHORE, BUT "FELL" OFF
1099. "CRASHED" ON SHORE, BUT "FELL" OFF
1100. "CRASHED" ON SHORE, BUT "FELL" OFF

GRAND J. AHEAD ALONG AND EXHIBITS OF ALL ITEMS
FURTHER PUT TO THE TEST OF MY KNOWLEDGE. INFORMATION &
REALLY, THIS FROM SOMEWHAT OF COURSE WITH THE LOSS
REASON OF KNOWLEDGE AND PROGRESSIVE LOSS OF KNOWLEDGE
STUDIES APRIL 1, 1901

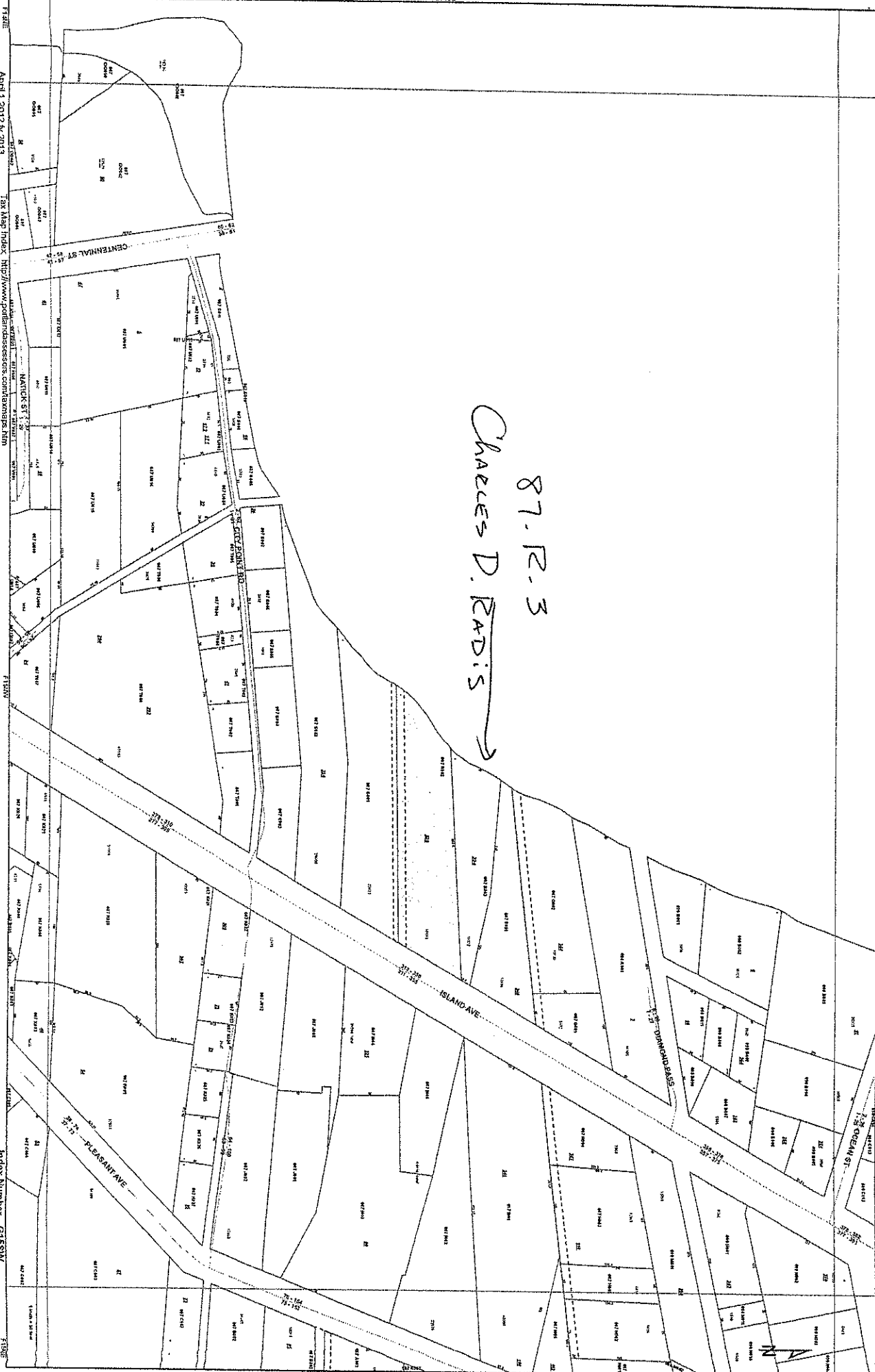


STATE

SECTION

STATE

87.12-3
Charles D. Radis →





WARRANTY DEED

23314

Know all Men by these Presents,

That Bruce F. Lincoln and Eunice A. Lincoln (formerly Eunice A. Garrett) of Scarborough, County of Cumberland, State of Maine

in consideration of one dollar and other valuable consideration

paid by Charles D. Radis

whose mailing address is Island Avenue, Peaks Island, Portland, Maine 04108

the receipt whereof we do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said Charles D. Radis

his heirs and assigns forever, a certain lot of land with buildings thereon, situated on Peaks Island, Portland, County of Cumberland, and State of Maine, bounded and described as follows:

Beginning at an iron pipe located on the Northwesternly sideline of Island Avenue, and said pipe being also located on the Southerly sideline of lot number 2 according to E. Thrasher plan of Peaks Island dated April 1865 and recorded in the Cumberland County Registry of Deeds in Plan Book 2, Page 46; thence North 75° 43' West 256.6 feet, more or less, by land, now or formerly, of Eunice A. Garrett as recorded in said Registry of Deeds in Book 6397, Page 14 to an iron pipe at the high water mark of Casco Bay; thence North-easterly by said high water mark of Casco Bay, 80 feet more or less, to an iron pipe and land being conveyed to John J. and Ruth L. Jacob; thence South 65° 30' East, 119 feet, more or less, to the Southwest corner of other land, now or formerly, of said Jacob as recorded in said Registry of Deeds in Book 6413, Page 313; thence South 55° 30' East, 120 feet, more or less, to an iron pipe located on the Northwesternly sideline of said Island Avenue; thence South 47° 55' West, 12.4 feet, more or less, by the Northwesternly sideline of said Island Avenue to the point of beginning.

Also meaning and intending to convey all interest in and to the flats between high and low water mark opposite and adjacent to said parcel.

A portion of said parcel is subject to drainage rights as set forth in Deed of Deering Loan and Building Association dated March 1, 1932 and recorded in said Registry of Deeds in Book 1392, Page 382.

Reserving from said conveyed parcel all utility easements of record.

Reference may be had to the following deeds:

Warranty Deed of Perry S. Raines to John J. Jacob, Ruth L. Jacob and Eunice A. Garrett dated November 8, 1985 and recorded in said Registry of Deeds in Book 6971, Page 240.

Warranty Deed of John J. Jacob and Ruth L. Jacob to Eunice A. Lincoln (formerly Eunice A. Garrett) and Bruce F. Lincoln recorded in said Registry of Deeds in Book 7186, Page 100.

BK7195PG0320

A-1

CASCO BAY

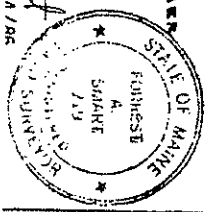
H.W.M.

N/F LEWIS EVANS

N/F EUNICE GARRETT

DEED REFERENCES:
 DEED NO. 1, JOHN J. JACOB, ET AL.
 DATED NOV. 2, 1968 WAR. VOL. 6971 P. 240
 JAMES S. STERLING TO BRUCE F. LINCOLN ET UX
 DATED APRIL 15, 1977 WAR. VOL. 7998 P. 172
 PLAN REFERENCES:
 APRIL 1965 PLAN BY E. THREASHER
 PLAN BOOK 2 PAGE 44
 MAY 1964 PLAN BY A.C. SULLIVAN FOR
 PRELIMINARY TO BUILDING ASSESS.

Franklin Smith
 C/M/AR



PORTION OF LOT NO. 2
 ACCORDING TO PLAN BY E. THREASHER
 DATED APRIL 1965 & REC. PLAN BL 2-P. 46
 PEAKS ISLAND
 CITY OF PORTLAND
 COUNTY OF CUMBERLAND
 STATE OF MAINE
 SCALE: 1"=40' ETC MAY 14, 1966

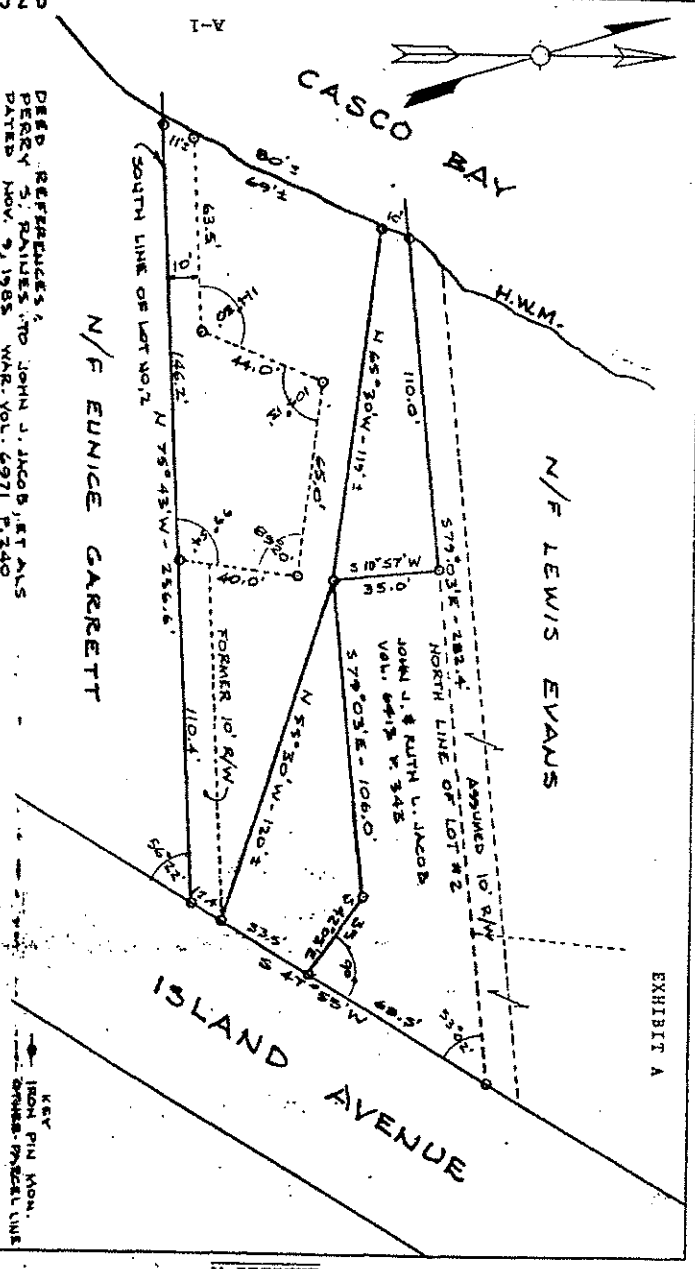


EXHIBIT A

EXHIBIT A

BK7195PG0321

Warranty Deed of James S. Sterling to Bruce P. Lincoln et ux
dated April 15, 1977 and recorded in said Registry of Deeds in
Book 3998, Page 172.

Reference may also be had to Exhibit A attached hereto.

BK 7195 PG 0322

To have and to hold the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to the said **Charles D. Radis**

his heirs and assigns, to him and their use and behoof forever.

And do ~~renounce~~ with the said Grantee, his heirs and assigns, that we lawfully seized in fee of the premises, that they are free of all encumbrances

that we have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that we and our heirs shall and will **warrant and defend** the same to the said Grantee, his heirs and assigns forever, against the lawful claims and demands of all persons.

In Witness Whereof, we, the said

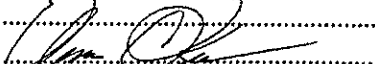
Bruce F. Lincoln and Eunice A. Lincoln

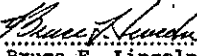
~~husband and wife~~ being husband and wife

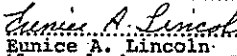
~~Having first been duly advised of the contents of the foregoing instrument and the rights and obligations thereunder, we have hereunto set our hands and seals this~~ 30th day of the month of May, A.D. 19 86.

Signed, Sealed and Delivered

in presence of


Bruce F. Lincoln


Eunice A. Lincoln
(formerly known as Eunice A. Garrett)

State of Maine, County of Cumberland ss: May 30, 19 86.

Then personally appeared the above named Bruce F. Lincoln and Eunice A. Lincoln (formerly known as Eunice A. Garrett)

and acknowledged the foregoing instrument to be their free act and deed.

Before me,



~~Notary Public~~
Attorney at Law

RECEIVED
RECORDED REGISTRY OF DEEDS

1986 MAY 30 PM 3:02

CUMBERLAND COUNTY

James S. Walsh

DENNIS C. KEELER
Typed or Printed Name

QUITCLAIM DEED WITH COVENANT

KNOW ALL PERSONS BY THESE PRESENTS THAT

SANDRA K. RADIS of Peaks Island, Maine, with a mailing address of 334 Island Avenue, Peaks Island, Maine, for consideration paid, grant to CHARLES D. RADIS of Peaks Island, Maine, with a mailing address of 334 Island Avenue, Peaks Island, Maine, with QUITCLAIM COVENANT, a certain lot or parcel of land situated on the northwest side, but not adjacent to, Island Avenue on Peaks Island, City of Portland, County of Cumberland, State of Maine, bounded and described as follows:

Commencing at an iron rod with a cap labeled "PLS 2063" on the northwest sideline of Island Avenue at the common boundary between land now or formerly of Sandra Radis as described in the deed recorded in the Cumberland County Registry of Deeds in Book 7195 Page 323 and land now or formerly of Charles Radis as described in the deed recorded in the Cumberland County Registry of Deeds in Book 7195 Page 319;

Thence North 79°51'26" West along the northerly boundary of land now or formerly of Sandra Radis and the southerly boundary of Charles Radis a distance of 124.71' to an iron rod with a cap labeled "PLS 2063" and the true point of beginning of the parcel;

Thence from the point of beginning South 31°43'02" West along land now or formerly of Sandra Radis a distance of 23.69' to an iron rod with a cap labeled "PLS 2063";

Thence North 58°05'39" West along land now or formerly of Sandra Radis a distance of 59.43' to a point on the northerly boundary of land now or formerly of Sandra Radis and the southerly boundary of Charles Radis;

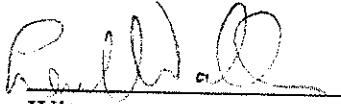
Thence South 79°51'26" East along the northerly boundary of land now or formerly of Sandra Radis and the southerly boundary of Charles Radis a distance of 63.90' to the point of beginning.

Said lot contains 704.0 square feet.

MEANING AND INTENDING to describe and convey and hereby conveying a portion of the premises conveyed by Eunice A. Lincoln to Sandra K. Radis by deed dated May 30, 1986 and recorded in the Cumberland County Registry of Deeds in Book 7195, Page 323.

The intent of the parties to this deed and to a companion deed from Charles D. Radis to Sandra K. Radis bearing even date herewith and to be recorded herewith is to swap equal-sized parcels of land in order to provide the Charles D. Radis parcel, which is a legally non-conforming parcel, a greater setback on its southerly side.

Witness my hand and seal this 19th of January, 2016.


Witness


Sandra K. Radis

STATE OF MAINE
CUMBERLAND, ss

Date: 1/19/16

Then personally appeared the above-named Sandra K. Radis and acknowledged the above instrument to be her free act and deed.

Before me,


Notary Public

LAWRENCE C WALDEN
Printed Name

Bar # 2818
Commission Expires:

Received
Recorded Register of Deeds
Jan 26, 2016 03:44:38P
Cumberland County
Nancy A. Lane

CHARLES D. RADIS SANDRA K. RADIS
334 Island Avenue
Peaks Island, Maine 04108

July 21, 2016

Zoning Board of Appeals
City of Portland
389 Congress Street
Portland, Maine 04101

RE: Application for Disability Variances
328 and 334 Island Avenue, Peaks Island
Map 87, Block R, Lots 2 and 3

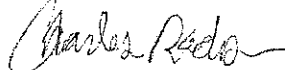
To Whom It May Concern:

We hereby authorize our attorney, Brenda M. Buchanan, Esq. of the firm Warren, Currier & Buchanan LLC of Portland to represent us in discussions with the City of Portland zoning administration and before the Zoning Board of Appeals on all matters related to our above-referenced applications for practical difficulty variances as to our respective parcels, and to sign all applications and other necessary documentation in regard to same on our behalf.

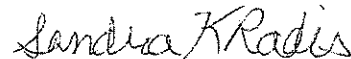
Thank you for your assistance with this matter.

Sincerely,

Charles D. Radis



Sandra K. Radis



WARREN & CURRIER BUCHANAN

Limited Liability Company, P.A.

Carol Godfrey Warren
David E. Currier
Brenda M. Buchanan

RECEIVED

SEP 16 2016

Dept. of Building Inspections
City of Portland Maine

September 15, 2016

Christina Stacey
Zoning Specialist
City of Portland
Planning & Urban Development Department
389 Congress Street
Portland ME 04101

brenda@wacubu.com

RE: **Disability Variance Application**
Charles D. Radis - Property at 334 Island Avenue, Peaks Island
Tax Map 87, Block R, Lot 3

Disability Variance Application
Sandra K. Radis - Property at 328 Island Avenue, Peaks Island
Tax Map 87, Block R, Lot 2

Dear Chris:

I am writing in response to your email of August 5, 2016, supplementing my July 22, 2016 letter to ZBA chair Kent Avery regarding the above-referenced disability variance applications.

Please find enclosed a note from Dan Merson, D.O. of Mercy-Yarmouth Primary Care regarding the disability faced by Sandra Radis' [REDACTED], who is a frequent visitor to their home at 334 Island Avenue and a regular user of the guest apartment at 328 Island Avenue.

You also will find enclosed an enlargement of the part of the plan that shows the boardwalks and some photographs, which will provide you with the requested measurements. They are hopeful these will suffice.

- The distance from the end of the boardwalk to the edge of the road pavement is twelve feet, seven inches (12' 7"). The distance to the center of the road is twenty-two feet, eight inches (22' 8").

57 Exchange Street, Portland, Maine 04101-5020

Telephone (207) 772-1262 Telecopier (207) 772-1279 E-mail: counsel@wacubu.com

- The distance from the end of the boardwalk that is on Sandra's property to Charles' property line is two feet (2').
- The distance between the sideline of Charles' property and the walkway that crosses his property is thirteen feet, eight inches (13' 8"). The distance from the other side of that section of the walkway to the corner point of his lot is six feet, eight inches (6' 8") if that matters to you.
- As you note, a 0' setback variance is needed for the rear line of Charles' lot where the boardwalk crosses onto Sandra's, and a similar variance is needed by Sandra for that same point (unsure whether that is considered her front or rear line.)
- I also am enclosing a photo of the longest stretch of walkway that crosses (mostly) Sandra's property on its way to the road.

If possible, my client requests this be placed on the board's October 6 agenda.

Should you have any additional questions or concerns, please do not hesitate to contact me.

Best regards,



Brenda M. Buchanan

Cc: Sandra and Charles Radis



EMHS MEMBER

385 Route 1
Yarmouth, Maine 04096
207.535.1200
fax 207.535.1249
www.mercyhospital.org

Radis

RECEIVED

SEP 16 2016

Dept. of Building Inspections
City of Portland Maine

09/01/2016

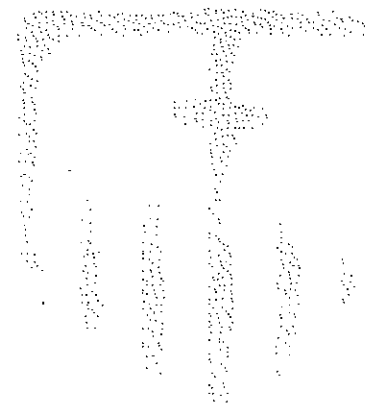
RE: disability variance for the property of Charles and Sandra Radis.

To whom it may concern,

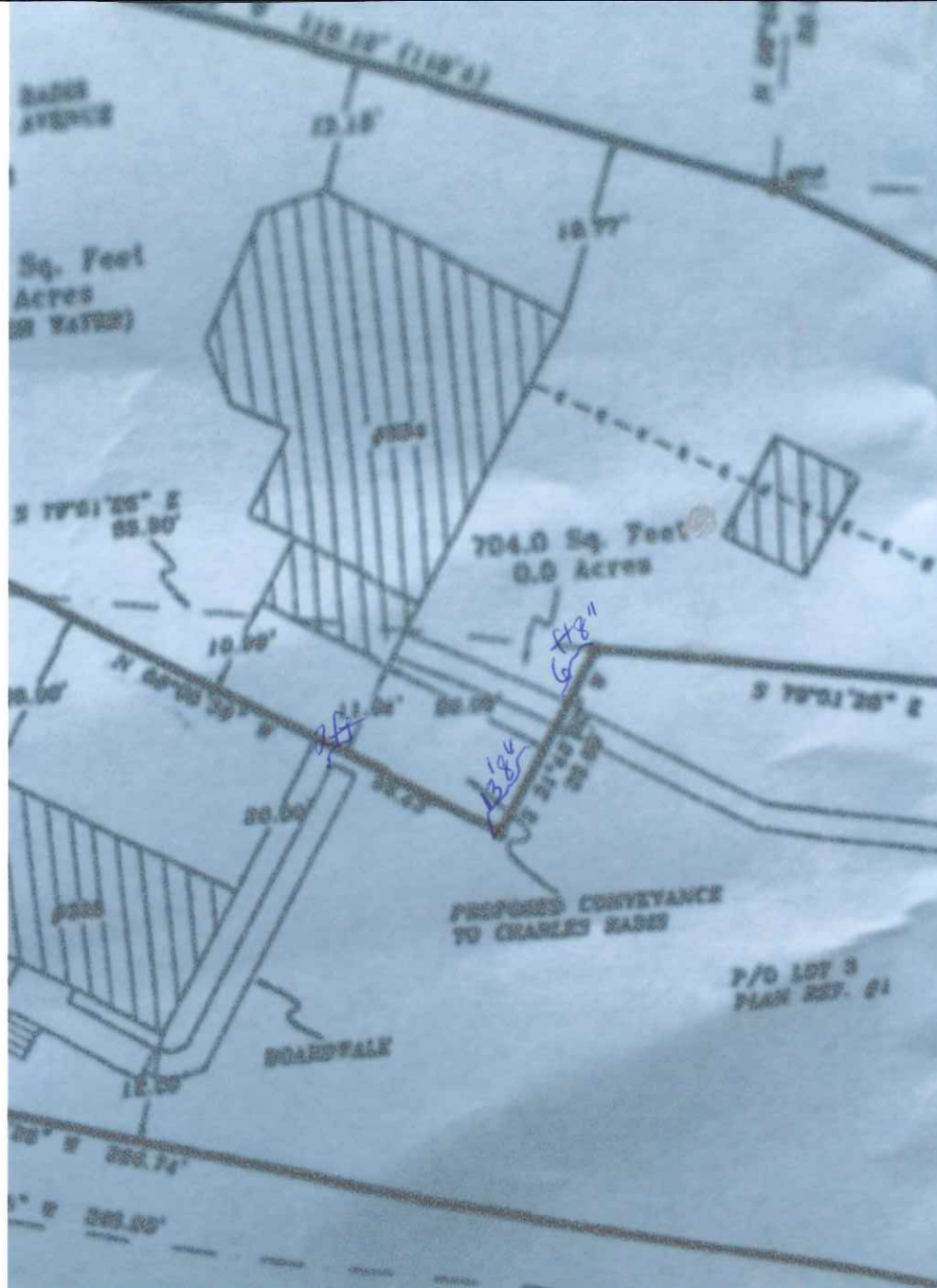
The Radis family seeks a variance to allow for a boardwalk around their Peaks Island property. This walkway is required to allow visits from Sandra's [REDACTED]
[REDACTED] Boardwalks are a reasonable accommodation for the disabilities in question.

Sincerely,

Dan Merson, D.O.



Radis



Radi's



Board walk starts 22 ft 8" from
center of road and
12 ft 7" from edge of
road.



End of walkway on Sandra's
property is 2ft from Chuck's
lot line.



6ft 10" from survey marker to edge
of walkway.
13ft 8" to far side marker



view of walkway

Michael and Molly Collin
76 Frances Street
Portland, ME 04102
207-775-9120
mcollin@maine.rr.com

To the Zoning Board of Appeals
City of Portland
389 Congress Street
Portland, ME 04101-3509

We are applying to alter our single family home at 76 Frances Street to include an additional dwelling unit. The proposed addition includes a first floor accessory unit for our in-laws and a second floor with two bedrooms and bath accessible through our existing primary dwelling. In addition to the accessory unit, we are proposing to add a workshop, enlarging our living room, and creating a new rear entrance via a mud room.

We believe the proposed plan meets all conditional use standards in R3 Zone. See [pages 3-4](#) (Conditional Use Standards) for additional explanations.

Our proposed plans fall within the City's setback regulations with the exception of the 25-foot setback from the front property line. The foundation of our existing building sits 14 feet from the property line. Using the prescribed calculation of the average setback of our adjacent neighbors we are proposing to build the addition 14.5 feet from our front property line. Our neighbor to the south (72 Frances Street) sits 4 ft. from their front property line and our north neighbor (86 Frances Street) sits beyond the required 25 ft. ($25+4=29$, $29/2=14.5$) See [pages 10-11](#) (Adjacent setbacks) for additional documentation.

We have included many of our neighbors in the process making them aware of our plans and have shared preliminary plans to ensure that they are comfortable with the exterior design and façade.

Best,


Michael and Molly Collin
76 Frances Street, Portland, ME 04102

Enclosure:

1. [Appeal Application \(p. 2\)](#)
2. [Conditional Use Standards \(p. 3-4\)](#)
3. [Plot plan \(p. 5\)](#)
4. [Floor plans \(p. 6-7\)](#)
5. [Tax map \(p. 8\)](#)
6. Property photos
 - a. [Property Photos \(p. 9\)](#)
 - b. [Adjacent setbacks \(p. 10-11\)](#)
 - c. [Parking \(p. 12\)](#)
7. [Deed \(p. 13-14\)](#)

Portland, Maine



Yes. Life's good here.

Jeff Levine, AICP, Director
Planning & Urban Development Department

Ann Machado
Zoning Administrator

CITY OF PORTLAND ZONING BOARD OF APPEALS

Conditional Use Appeal Application

Applicant Information:

Michael & Molly Collin

NAME

BUSINESS NAME

BUSINESS ADDRESS

BUSINESS TELEPHONE & E-MAIL

owner

APPLICANT'S RIGHT/TITLE/INTEREST

R-3

CURRENT ZONING DESIGNATION

Subject Property Information:

76 Frances St.

PROPERTY ADDRESS

187 E 018 & 019

CHART/BLOCK/LOT (CBL)

PROPERTY OWNER (If Different)

ADDRESS (If Different)

207.775.9120 mcollin@maine.rr.com

PHONE # AND E-MAIL

CONDITIONAL USE AUTHORIZED BY
SECTION 14- 88(a)(2)

EXISTING USE OF THE PROPERTY:

primary residence

TYPE OF CONDITIONAL USE PROPOSED:

addition to primary residence with an accessory unit

STANDARDS: Upon a showing that a proposed use is a conditional use under this article, a conditional use permit shall be granted unless the Board determines that:

1. The volume and type of vehicle traffic to be generated, hours of operation, expanse of pavement, and the number of parking spaces required are not substantially greater than would normally occur at surrounding uses or other allowable uses in the same zone; and
2. The proposed use will not create unsanitary or harmful conditions by reason of noise, glare, dust, sewage disposal, emissions to the air, odor, lighting, or litter; and
3. The design and operation of the proposed use, including but not limited to landscaping, screening, signs, loading deliveries, trash or waste generation, arrangement of structures, and materials storage will not have a substantially greater effect/impact on surrounding properties than those associated with surrounding uses of other allowable uses in the zone.

NOTE: If site plan approval is required, attach preliminary or final site plan.

The undersigned hereby makes application for a conditional use permit as described above, and certifies that the information herein is true and correct to the best of his OR her knowledge and belief.

SIGNATURE OF APPLICANT

9.14.16

DATE

Conditional Use Standards

Section 14-88 of the City of Portland Zoning Ordinance lists the alteration of a detached single-family dwelling to accommodate one (1) additional dwelling unit for the benefit of homeowners or tenants, as an acceptable conditional use in Zone R3 provided that:

- a. "The accessory unit shall be no more than thirty (30) percent of the gross floor area of principal building and shall have a minimum floor area four hundred (400) square feet; gross floor area shall exclude any floor area that has less than two-thirds of floor-to- ceiling height above the average adjoining ground level; gross floor area may include attic space if such space shall be included as habitable space within either dwelling unit."
In the proposed plans the accessory unit measures 876 sf and is 28% of the gross floor area of the principal building (2,145 sf)
- b. "There shall be no open outside stairways or fire escapes above the ground floor."
There are no outside stairways existing or as part of the proposed plans.
- c. "Any building additions or exterior alterations such as facade materials, building form, or roof pitch shall be designed to be compatible with the architectural style and to maintain the single-family appearance of the dwelling."
The proposed plans have been designed to maintain the appearance of a single-family dwelling while remaining compatible with the architectural style of a cape design.
- d. "A minimum lot size of six thousand five hundred (6,500) square feet of land area shall be required"
The property lot of 76 Frances Street (TM 187 E018-19) measures 11,584.4 sf.
- e. "No dwelling unit shall be reduced in size to less than one thousand (1, 000) square feet of floor area, exclusive of common areas and storage in basement or attic."
The proposed plans do not include any reduction in size.
- f. "Parking shall be provided as required by division 20 of this article."
76 Frances currently has 4 parking spaces with three (3) surface parking spaces and an additional space in the garage. See [page 12](#) (Parking) for additional documentation.
- g. "The project shall be subject to article v (site plan) of this chapter for site plan review and approval":
Supplemental documents included with this application are attached to comply with requirements of article V.
 - I. "Any additions or exterior alterations such as facade materials, building form and roof pitch shall be designed to be compatible with the architectural style of the building."
The proposed plans have been designed to maintain the appearance of a single-family dwelling while remaining compatible with the architectural style of a cape design.

Conditional Use Standards

- II. "The scale and surface area of parking, driveways and paved areas shall be arranged and landscaped to properly screen vehicles from adjacent properties and streets."

The proposed plan does not include any new surface area of parking, driveway or paved areas.

- h. "Either the accessory unit or principal unit shall be occupied by the lot owner, except for bona fide temporary absences."

The Collin family will continue to occupy the principal unit.

It is noted in the Conditional Use Appeal Application that the Board may be concerned with the volume and type of vehicular traffic to be generated, hours of operation, expanse of pavement, and the number of parking spaces required that the proposed alteration may not be consistent with that which would normally occur at other surrounding uses in the R3 Zone

The applicants of this plan believe that the additional unit will have little effect on neighborhood traffic. Additionally, it is not necessary to increase pavement for additional off street parking spaces as the current site has a total of 4 available parking spaces.

The applicants also believe that this proposed conditional use does not:

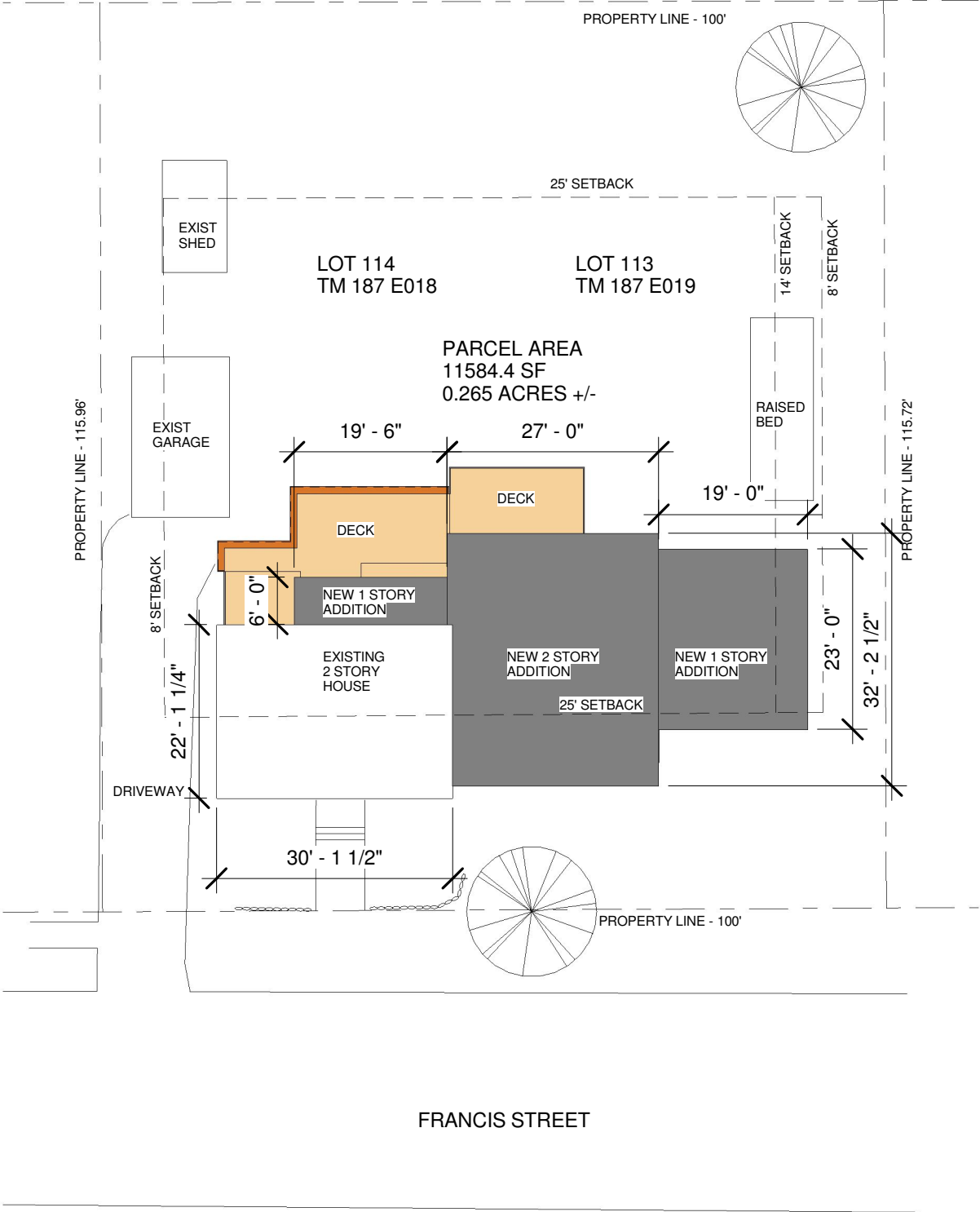
"create unsanitary or harmful conditions by reason of noise, glare, dust, sewage, disposal, emissions to the air, odor, lighting, or litter... **nor will** "the design and operation of the proposed use, including but not limited to landscaping, screening, signs, loading deliveries, trash and waste generation, arrangement of structures, and materials storage will not have a substantially greater effect/impact on surrounding properties than those associated with surrounding uses of other allowable uses in the zone."



2	NW BIRDSEYE
G101	

SQUARE FOOT CALCULATIONS:

Family 1:	Existing 1st and 2nd floor	1,055 sf	
	New 1st and 2nd floor	750 sf	
	New workshop	340 sf	
Subtotal		2145 sf	= 72% of total area
Family 2:		New 1st floor	876 sf
Subtotal		876 sf	= 28% of total area
Total SF of dwelling		3021 sf	= 100% of total area



1	SITE PLAN
G101	1" = 20'-0"

DRAWING TITLE:
SITE PLAN

PROJECT NAME:
COLLIN RESIDENCE
76 FRANCIS ST, PORTLAND MAINE

THIS DRAWING IS THE PROPERTY OF
LINDA BRALEY AND IS NOT TO BE
COPIED OR REPRODUCED IN PART OR
WHOLE. 2016 © LINDA BRALEY

DATE OF ISSUE
SEPT 13, 2016

DESCRIPTION
CONCEPTUAL

SCALE
1" = 20'-0"

PROJECT NUMBER
2015-0400

G101

DRAWING TITLE:
PROPOSED 1ST FLOOR PLAN

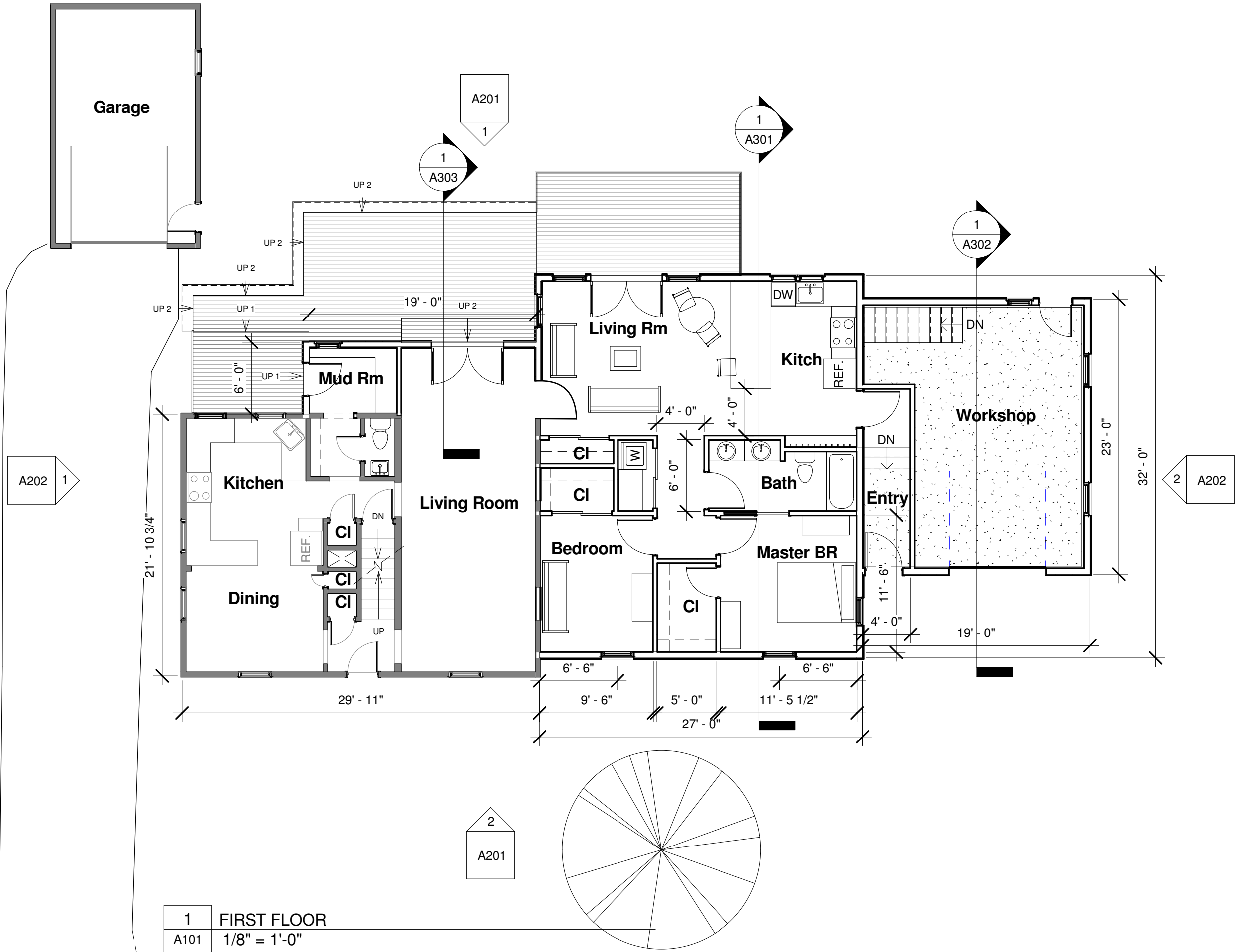
PROJECT NAME:
COLLIN RESIDENCE
76 FRANCIS ST, PORTLAND MAINE

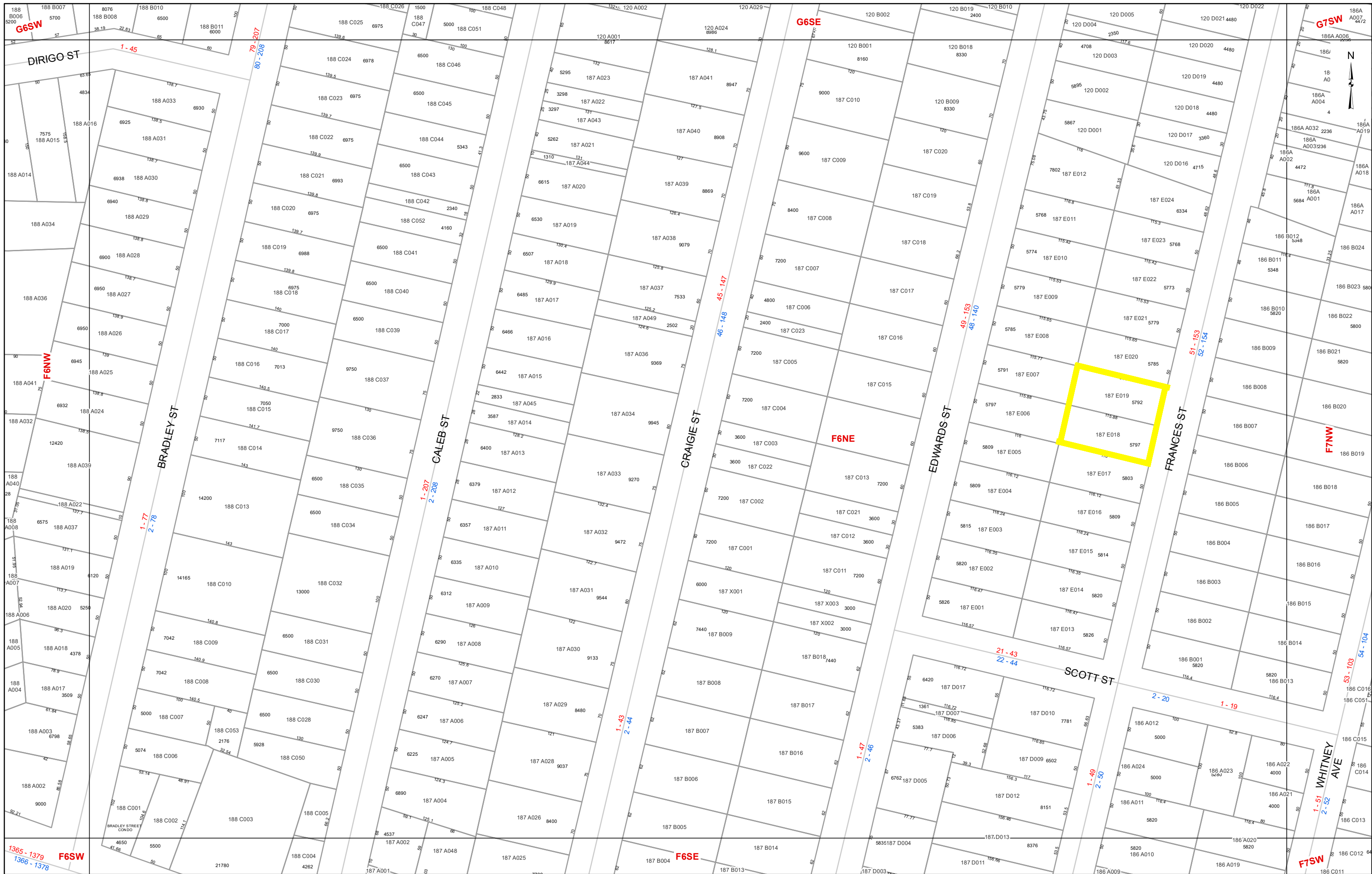
THIS DRAWING IS THE PROPERTY OF
LINDA BRALEY AND IS NOT TO BE
COPIED OR REPRODUCED IN PART OR
WHOLE. 2016 © LINDA BRALEY

DATE OF ISSUE
SEPT 13, 2016
DESCRIPTION
CONCEPTUAL
SCALE
1/8" = 1'-0"

PROJECT NUMBER
2015-0400

A101





Property Photos

Collin
76 Frances St.



Front



Rear



Side

Adjoining Setbacks

page 1

Collin
76 Frances St.



Adjoining Setbacks

page 2

Collin
76 Frances St.



Parking

Collin
76 Frances St.



WARRANTY DEED

Susan Johnston n/k/a Susan Parks and Scott Parks

of 76 Frances Street, Portland, ME 04103

for consideration paid, grant to

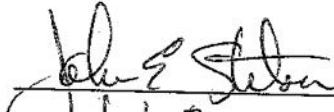
Michael H. Collin and Molly E. Collin

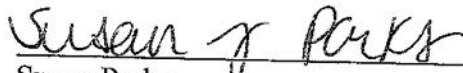
of 123 Glenwood Avenue #2, Portland, ME 04103, as joint tenants and not as tenants in common, with WARRANTY COVENANTS, the following described real property in Portland, County of Cumberland and State of Maine:

See Exhibit A attached hereto and made a part hereof

Also hereby conveying all rights, easements, privileges, and appurtenances, belonging to the premises hereinabove described.

WITNESS our hands and seals this May 30, 2003.


John E. Stetson
for both


Susan Parks

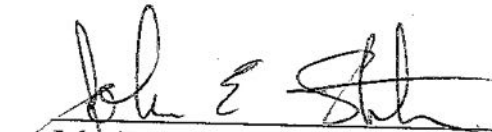

Scott Parks

State of Maine
Cumberland, ss.

May 30, 2003

Personally appeared before me the above-named Susan Parks and Scott Parks and acknowledged the foregoing instrument to be their free act and deed.

Before me,


John E. Stetson, Attorney-at-Law

COLLIN-P

MAINE REAL ESTATE TAX PAID

EXHIBIT A

A certain lot or parcel of land, situated on the westerly sideline of Frances Street, so-called, in the City of Portland, County of Cumberland and State of Maine and being lot numbered 113 on a plan of Congress Park, so-called, said plan being made by Illsley and Cummings, C.E. recorded in the Cumberland County Registry of Deeds in Plan Book 10, Page 113, to which plan reference is hereby made for a more particular description thereof.

This lot is conveyed subject to the restriction that no building shall be erected thereon within 15 feet of the street line.

Also a certain lot or parcel of land situated on the northwesterly side of Frances Street, in said City of Portland, being lot numbered 114 as shown on Plan of Congress Park recorded in said Registry of Deeds in Plan Book 10, Page (SIC) 113, to which plan referenced is hereby made for a more particular description. Said lot has a frontage of 50 feet on Frances Street and extends back northwesterly a distance of 116 feet on the southwesterly side and 115.88 feet on the northeasterly side.

For title reference see deed of Stephen W. Campbell and Robert J. Campbell to Susan Johnston and Scott Parks dated October 16, 1997 and recorded in Cumberland County Registry of Deeds in Book 13387, Page 266.

COLLIN-P

Received
Recorded Register of Deeds
Jun 02, 2003 12:06:30P
Cumberland County
John B. O'Brien

After Recordation, Return Document to:
Hopkinson, Abbondanza & Backer
511 Congress Street, Ste. 801
Portland, Maine 04101
(207) 772-5845