South Portland City Council

Position Paper of the City Manager

Subject:

ORDINANCE #15-16/17 - Amending Chapter 27, “Zoning,” regarding a Zone Map change from Residential A to Residential District G – 1337, 1343, 1351, 1350 and 1354 Broadway (Tax Map 32, Lots 168 and 169 and Tax Map 41, Lots 1, 27 and 27B). First reading. Passage requires majority vote.

Position:

This item is brought forward in response to a request from Linda and Joel Kelley (1337 Broadway); Vinal and Jacqueline Thompson (1351 Broadway); David and Deborah Graham (1343 Broadway); Sadie Cowley (1355 Broadway); and William and Lisa Miro (1350 and 1354 Broadway). These parcels are residential and consist of approximately 149,864 sq feet in total land area. They are shown as Tax Map 32, Lots 168 and 169 and Tax Map 41, Lots 1, 27, and 27B.

The purpose of the Residential District G zone is “…To provide residential areas within the City of South Portland of high density in a manner which will promote a wholesome living environment. To this end residential development shall not exceed the net residential acreage provided in this Article.”

The property owners have large lot areas along Broadway and have expressed an interest in building multi-family developments. The proposed area of the rezoning is in compliance with the Comprehensive Plan.

The Planning Board held a public hearing on February 28, 2017. By a vote of 7-0, they recommended approval of the zoning map change for Assessor’s Tax Map 32, Lots 168 and 169 and Tax Map 41, Lots 1, 27 and 27B from Residential District A to Residential District G. This amendment is consistent with the City’s Comprehensive Plan. Attached is a copy of the Planning Board report.

Planning & Development Director Tex Haeuser will be at Monday’s meeting to answer any questions.
Requested Action:

Council passage of first reading and set April 3, 2017 for second reading and action.

City Manager
MEMORANDUM

To:       City Council

From:     Planning Board

Date:     March 6, 2017

Subject:  Zoning Map Change – Request to Rezone from Residential District A to Residential District G – Linda Kelley and Co-applicants - Meeting of February 28, 2017

INTRODUCTION
Ms. Linda Kelley and co-applicants had requested a land use recommendation from the Planning Board for a proposed Zoning Map Change of their properties located at 1337, 1343, 1351, 1350, and 1354 Broadway from Residential District A to Residential District G. Some of the applicants' properties abut the Conditional G-2 District, which is where Ridgeland Gardens and Estates are located. These facilities provide affordable multi-family housing in a campus setting. Some of the applicants have large lot areas on a public transit corridor and have expressed an interest in building multi-family developments. The applicants believe their request is consistent with the City’s Comprehensive Plan, Chapter: 6 Land Use Goals and Policies; Broadway – Lincoln to Cash Corner Limited Growth area. The parcels are further identified as Assessor’s Tax Map 32 Lots 168 & 169, and Tax Map 41 Lots 1, 27, & 27B, located within Residential District A.

Legal advertisements regarding this request appeared in the Portland Press Herald on February 14 and 20, 2017. Public notices regarding the proposed zoning map change were mailed on February 15, 2017, to 116 property owners within 500’ of the lots under consideration, and emailed to the Conservation Commission, Planning Board, and City Council.

The submission is being reviewed under Chapter 27 Article II. Zoning, Article V Residential District A, Residential district G, and the Comprehensive Plan.

ZONING RECOMMENDATION FROM THE PLANNING BOARD
By a vote of 7-0, the Planning Board recommends to the City Council to approve the zoning map change for Assessor’s Tax Map 32 Lots 168 & 169 and Assessor’s Tax Map 41 Lots 1, 27, & 27B from Residential District A to Residential District G.

PARCEL SUMMARIES
Owner:       Property Owners of 1337, 1343, 1351, 1350, and 1354 Broadway
Assessor's Tax Map and Lot: Maps 32 & 41, Lots 168 & 169, & 1, 27, & 27B
Total Land Area: 3.44 Acres (149,846 SF)

ANALYSIS OF ZONING MAP CHANGE REQUEST
1.  Existing and Proposed Land Uses
   The existing parcels are 149,864 SF in total land area. Currently, four of the parcels are improved with single-family dwellings, one of the parcels is improved with a two-family dwelling, and one is vacant. All of the parcels are currently located in Residential District A.
To the west of the applicants’ properties, along Broadway, is Single-Family Home Residential District A until the Cash Corner area, where commercial properties are located in the Limited Business District (LB).

To the east of the applicants’ properties, along Broadway, is Single-Family Home Residential District A until the Lincoln Street intersection, where commercial properties are located in the Limited Business District (LB).

To the north of the applicants’ properties is the Conditional Residential District G-2, where Richland Gardens and Estates are located. The South Portland Housing Authority operates the facilities’ elderly population.

To the south of the applicants’ properties is a neighborhood comprising mostly of single-family homes located within Residential District A as well as the Greater Portland Christian School.

This change would allow the following permitted uses in Residential District G, per Section 27-552: dwellings, exclusive of mobile homes; public and private educational facilities including child, adult or combined day care centers; nursing homes, exclusive of mental care; medical and professional offices; funeral homes; churches; accessory uses including home occupations and telecommunication antennas with exceptions; and, any use permitted in Residential District A. The number of units allowed on parcel determined by net residential acreage as described in space and bulk section of the G district, per Section 27-554.

As well the special exception in Residential District G, per Section 27-553: Business and retail uses intended to the convenience of the immediate area; Municipal buildings and uses; Public utility facilities; beauty parlors and beauty shops; recreational or community activity buildings; charitable and philanthropic organizations; community homes; and accessory dwelling units.

Since the zoning runs with the property, a future owner of the property may choose to install any of the permitted uses or apply for a special exception use.

2. Existing and Proposed Zoning
The properties under consideration are entirely located in Residential District A. The purpose of the A zone is “...To provide residential areas within the City of South Portland of medium density in a manner which will promote a wholesome living environment. To this end residential development shall not exceed four dwelling units per net residential acre.”

The purpose of the Residential District G zone is “...To provide residential areas within the City of South Portland of high density in a manner which will promote a wholesome living environment. To this end residential development shall not exceed the net residential acreage provided in this Article.”

3. Compliance with the Comprehensive Plan
The proposed area of the rezoning falls within the Broadway – Lincoln to Cash Corner area (see Figure 6.4). The area is a Residential Land Use Designation Limited Growth Area (see Figure 6.10) and is shown in compliance of the rezoning request in the Comprehensive Plan (see Attachment #2 Application for more detail).
Chapter Five set forth the objectives and policies as a guide in directing growth, development, and changes facing South Portland in the upcoming decades. Chapter Six address the City’s land use objectives and policies.

CHAPTER 5: COMMUNITY GOALS AND POLICIES

A. Population and Demographics (p 5-1)

State Goal: to encourage orderly growth and development in appropriate areas of each community, while protecting the State’s rural character, making efficient use of public services and preventing development sprawl. (Growth Management Act)

Local Objectives (p 5-1):
- To accommodate growth in a manner that maintains the character of the City and its established residential neighborhoods.
- To assure the diversity of people is able to continue to live in South Portland.

Pursuant to these two objectives for South Portland, the applicants believe the zoning map change approval would support the following polices in the Comprehensive Plan (see p 5-2):

4. The City should support efforts by South Portland Housing Authority and private developers to create additional affordable housing when there is a clear, demonstrated need for those units.

CHAPTER 6: LAND USE GOALS AND POLICIES

A. Land Use Objectives:

Land use policies and recommendations for the City’s land use regulations and related programs are based on a set of interrelated objectives. These objectives represent the core of the City’s land use planning program. The following objectives support the applicants’ request for zoning designation of their properties (pages 6-1 to 6-3).

1. Encourage development and redevelopment that expands the City’s property tax base in a manner that’s consistent with the City’s other objectives - The applicants believe this request is a fundamental objective path to change the zone to allow higher density in this area, benefiting City in the long run by expanding property tax base.

9. Encourage development and redevelopment to occur in a way that makes the use of alternative transportation more feasible by focusing growth along the major transportation corridors - The applicants’ properties are located in the Broadway corridor. The Broadway corridor is the major transportation corridor connecting the east and west sides of the City. The City’s bus service provides public transportation along the corridor, providing travel alternatives.

A. Broad Vision (page 6-10)

The City’s vision for the Broadway corridor (and Cottage Road) might be thought of as a string of beads with the street representing the string and the commercial hubs representing the beads. The neighborhood centers are separated by the residential and mixed-use areas. While these corridors carry large amounts of traffic, these are City streets and must be maintained as such and not evolve into highways. Both commercial hubs and neighborhood centers will continue to function as community and neighborhood service centers but improved appearances and more efficient land
use will provide a wider range of uses and encourage an improved pedestrian character. The segments between centers can evolve into higher density, pedestrian-focused, mix-used corridors in which public transportation can provide travel alternatives (see Figure 6-4 Land Use Designation).

B. Land Use

Broadway – Lincoln to Cash Corner – The width and alignment of Broadway in this segment creates a significant obstacle for development/redevelopment in this area. While the homes facing Broadway are not desirable residential properties, this area continues to be designated as a single-family residential district with very limited non-residential use allowed. This is considered to be a “holding zone” recognizing that this area should evolve into a higher intensity, mixed-use area similar to those other sections of the Broadway corridor if transportation improvements are made future could include proposals for larger-scale redevelopment of parts of the area (see page 6-3).

D. Future Land Use Plan

The Future Land Use Plan shows graphically how the City’s land use policies applied to land areas in the City of South Portland and where and how growth should be accommodated over the next decade. The Future Land Use Plan is not a zoning map, but is intended to show the general sense of the desired pattern of future land use and development. (see Figure 10; page 6-53)

Limited Growth Areas:

These are areas that either essentially fully developed and, therefore, have limited development potential or that have vacant or underutilized land where the City’s desires a limited amount of growth and development over the next 10 years. Limited Growth Areas should include established neighborhoods where the City’s objective is to maintain current development patterns allowing limited infill or redevelopment that is in character with a neighborhood (see page 6-50).
Chapter 8 Implementation Strategy

C. Implementation Strategy
The Comprehensive Plan lays out a strategy to carry out various policies by assigning periods. The following are the City’s Activities periods:

- Ongoing Activities – Actions the City take routinely or annual basis;
- Immediate Activities – Actions completed within one year of the adoption of the Plan;
- Short-Term Activities – Actions that should be completed within two to three years of the adoption of the Plan; and,
- Longer-Term Activities – Actions that will take more than two to three years to complete and, in some cases, put aside for number of years.

4. Zone Change Issues
Intensification of Land Use
Residential District A is more restrictive relative to the permitted and special exception uses that the Residential District G allows. Residential District A is a single-family zoning district.

Residential District G allows, both as part of the permitted and special exception uses, a wider variety and, in many cases, a more intense type of use(s) that currently are not allowed in Residential District A. Relative to any proposed future land use activities, the Planning and Code Offices will need to determine the required review and permitting requirements.
### Parcel under Consideration

<table>
<thead>
<tr>
<th>Map and Lot</th>
<th>Square Footage</th>
<th>Use Found on Parcel</th>
</tr>
</thead>
<tbody>
<tr>
<td>32-169</td>
<td>34,412</td>
<td>Single-family residence</td>
</tr>
<tr>
<td>32-168</td>
<td>15,246</td>
<td>Single-family residence</td>
</tr>
<tr>
<td>41-1</td>
<td>60,984</td>
<td>Single-family residence with ADU</td>
</tr>
<tr>
<td>41-2</td>
<td>3,049</td>
<td>Single-family residence</td>
</tr>
<tr>
<td>41-27B</td>
<td>16,900</td>
<td>Vacant</td>
</tr>
<tr>
<td>41-27</td>
<td>19,166</td>
<td>Two-family residence</td>
</tr>
<tr>
<td>Total</td>
<td>149,864 SF (3.44 Acres)</td>
<td></td>
</tr>
</tbody>
</table>

#### Proximity to the Residential District G

The Conditional Residential District G-2 is found north of the applicants’ properties. The South Portland Housing Authority operates two multi-family dwellings facilities.

#### Traffic

The change in zone will not adversely affect the road network. The City of South Portland’s bus system provides transportation along the Broadway corridor. A public bus stop is found directly abutting the property located at 1337 Broadway, allowing for a transit-oriented residential development.

#### Building Suitability

All multi-family building development will require a Planning Board review and approval. The subdivision and site plan review will determine the suitability of the proposed project that involves 1,000 SF or more of total floor area of a new structure. The impacts to be considered include, but are not limited to increases in: traffic generation; parking area; utilization of City services; stormwater runoff; or noise, odors, or other annoying or dangerous emissions detectable at lot boundaries.

### MINUTES FOR THE FEBRUARY 28, PLANNING BOARD

Item #4. PUBLIC HEARING – Zoning Map Change – Request to Rezone from Residential District A to Residential District G – Property Owners of 1337, 1343, 1351, 1350, and 1354 Broadway

Ms. Linda Kelley and co-applicants are requesting a land use recommendation from the Planning Board for a proposed Zoning Map Change of their properties located at 1337, 1343, 1351, 1350, 1354 Broadway from Residential District A to Residential District G. Some of the applicants’ properties abut the Conditional G-2 District, which is where Ridgeland Gardens and Estates are located. These facilities provide affordable multi-family housing in a campus setting. Some of the applicants have large lot areas on a public transit corridor and have expressed an interest in building multi-family developments. The applicants believe their request is consistent with the City’s Comprehensive Plan, Chapter: 6 Land Use Goals and Policies; Broadway – Lincoln to Cash Corner Limited Growth area. The parcels are further identified as Assessor’s Tax Map 32 Lots 168 & 169, and Tax Map 41 Lots 1, 2, 27, & 27B, located within Residential District A.

Legal advertisements regarding this request appeared in the Portland Press Herald on February 14 and 20, 2017. Public notices regarding the proposed zoning map change were mailed on February 15, 2017, to 116 property owners within 500’ of the lots under consideration, and emailed to the Conservation Commission, Planning Board, and City Council.

T. Haeuser showed the location on the map, stating that this includes several properties on the north side of Broadway, between Cash Corner and Lincoln Street, and a couple properties on the south side near Greater
Portland Christian School. He noted that there are multi-family facilities, Ridgeland Gardens and Ridgeland Estates, in this area.

He showed the drawing on the City’s GIS site, outlining the area that could potentially be rezoned. He did a calculation and if the owners each rebuilt their lots under the maximum buildout allowed by the G zone, assuming no deductions for wetlands or similar, there would potentially be 32 units total: three potential lots on 168, seven on 169, 14 on 41-1, one on 41-2A, four on 41-27, and three on 41-27B.

He stated that Ms. Kelley came to the Planning staff with this request before. They told her it’s unlikely that the City will rezone only her property, so she should look at the Comprehensive Plan and find additional neighbors to get a more logical area for rezoning. She did this. He noted he is missing a signoff from the property owner of 1350 and 1354 Broadway.

Linda Kelley stated that she has them and gave them to Mr. Haeuser.

T. Haeuser said they frown upon individual property owners coming forward with rezoning of someone else’s property without their agreement.

He stated that a main consideration is how this fits with the City’s Comprehensive Plan. He explained it is like “chicken and egg.” The principal language is in the Broadway - Lincoln to Cash Corner paragraph under Land Use:

“The width and alignment of Broadway in this segment creates a significant obstacle for development/renovation in this area. While the homes facing Broadway are not desirable residential properties, this area continues to be designated as a single-family residential district with very limited non-residential use allowed. This is considered to be a “holding zone” recognizing that this area should evolve into a higher intensity, mixed-use area similar to those other sections of the Broadway corridor if transportation improvements are made. The future could include proposals for larger-scale redevelopment of parts of the area.”

On page 6-3, you have the goal of making the alternative transportation mode more feasible and talks about “encouraging more compact development…along the Broadway, Cottage Road, and Main Street corridors.” Bus service is more feasible when you have more potential transit riders in compact nodes along a corridor. This is how it is “chicken and egg”—how do you get bus service without people and people without the bus service. The proposal is consistent in that they’re not proposing non-residential uses. They fit with the idea of this becoming higher intensity and that it will better support transit.

In terms of waiting for those to happen, the Comprehensive Plan is vague. It probably considers improved bus service. They have tangential improvements: there is Sunday bus service now and they’ve improved the Broadway/Waterman Drive end with a new traffic signal controller.

He explained that at the Cash Corner end, they are funded for improvements to improve pedestrian crossings and to continue the multiuse path to link up with the Thornton Heights bike lanes and pedestrian improvements. They have a Water Resource Protection project in Pleasantdale, which includes geometric improvements to the Broadway/Elm Street intersection.

He can’t say there have been dramatic transportation improvements but there have been some.

He felt that in terms of the proposal, it’s not a huge buildout. He thinks you can reasonably say it satisfies the Comprehensive Plan. Given that and the fact that the applicant took their suggestion in terms of pulling lots together, that it’s next to Ridgeland Gardens and Estates, that there are several bus stops in the area, and it’s next to an institutional use, he believes it’s fairly reasonable. It is up to the Board and City Council.

Linda Kelley, 1337 Broadway, introduced herself.
Jacqueline Thompson, 1351 Broadway, holds the largest piece of property and came to support Ms. Kelley. This helps them, although they are not currently planning anything. She appreciates any consideration from the Board.

PUBLIC HEARING OPEN

L. Boudreau said that it doesn’t necessarily have to be residentially developed if it is changed to the G zone and asked for an outline of other uses.

S. Puleo noted that it is stated in the memo on page 2.

“Permitted uses in Residential District G, per Section 27-552: dwellings, exclusive of mobile homes; public and private educational facilities including child, adult or combined day care centers; nursing homes, exclusive of mental care; medical and professional offices; funeral homes; churches; accessory uses including home occupations and telecommunication antennas with exceptions; and, any use permitted in Residential District A. The number of units allowed on parcel determined by net residential acreage as described in space and bulk section of the G district, per Section 27-554.

Special exception in Residential District G, per Section 27-553 Business and retail uses intended to the convenience of the immediate area; Municipal buildings and uses; Public utility facilities; beauty parlors and beauty shops; recreational or community activity buildings; charitable and philanthropic organizations; community homes; and accessory dwelling units.”

T. Haeuser read the special exceptions and noted that beauty parlors and shops happen the most.

S. Puleo read the permitted uses. Any permitted use that creates something other than a single-family house, over 1000 SF of structure, would have to come to the Board. This could be a change of use if it incurs a greater impact to the area. He gave an example of a professional office which would trip an increase of impact. It wouldn’t be as simple as pulling a permit and changing the use. Anything different than a single-family home would most likely bring them to the Board. A multi-family dwelling would bring them to the Board no matter what size. T. Haeuser said that is a good point. A non-residential use, if proposed, particularly if it’s higher traffic, would raise a Comprehensive Plan issue and potentially disqualify it.

L. Boudreau said she’s not opposed to the zone change but they have to remember to not get stuck in what’s currently there. It could change to residential but also to another use. She thinks they are suffering the same situation that Main Street did, where those that front on Main Street eventually look towards something that would turn into professional buildings. She’s not opposed to any of this; these are great lots to be available. It’s quite an area for a transition.

W. Laidley asked Mr. Haeuser to review his calculations again.

T. Haeuser stated three potential lots on 168, seven on 169, 14 on 41-1, one on 41-2A, four on 41-27, and three on 41-27B. K. Carr noted a total of 32.

I. Misiuk said if someone bought all of the lots, based off of square footage of the entire area, he calculated 34 units maximum if combined. He’s not sure how combining the lots would work with the bottom portion. He asked the applicant what her goal is with the property.

L. Kelley said she had an in-home business before. She wants to keep it residential. This is to add one unit on her property that she couldn’t in the A zone because she doesn’t have the frontage.

I. Misiuk is confused that the goal is to keep it residential but to change it to the G zone, she is able to put in businesses.
L. Kelley said her goal is not to put in a business. She’s been there for ten years.

I. Misiuk said he is for redevelopment. The thought of having 34 units is wonderful in his eyes. He was just curious of her goals.

L. Kelley said no one she has spoken with has talked about business; they have all wanted to put in an additional unit. They are aware there are traffic implications with a business.

T. Haeuser said if someone aggregated the lots under the same ownership, he doesn’t think you can count the two sides of Broadway together. Mr. Misiuk’s 34 total units would be seven less, or about 27 potential units on the top portion.

I. Misiuk said he’s not sure how it would look by adding additional dwelling units on two of the lots. It would almost be directly behind the principal.

S. Puleo said there’s a fence and a walkway that would have to be obstructed. They have developments that go around buildings and develop the back part of the lot. 330 Sawyer is an example, where there are condos behind with a driveway to access the development. From the development end, he doesn’t think this is an impediment. Anything brought forward to bring more residents in would bring it to the Planning Board process.

T. Haeuser showed the properties from above. S. Puleo said you can get around Ms. Kelley’s property.

T. Haeuser asked if a certain property is a community home. L. Kelley said it’s Broadway Crossings.

L. Boudreau said there is a bus shelter right there, which makes it very usable for public transit.

T. Haeuser said it is used a lot by Ridgeland Estates. L. Boudreau said there’s another across the street in front of the school. S. Puleo said there may be a bus shelter there in the future; they’ve spoken about adding one during a bus shelter study.

K. Phillips asked if there are any comments from the abutting property owners.

S. Puleo said he tells people who call he can’t provide it as part of the record, but he had discussions with three or four people during the ad period. Each said they support it but wanted to understand the difference between the A and G districts, and basically that is the multi-family component. T. Haeuser said he had a couple calls wanting to know what it meant and that is when he started calculating. Once they understood what it meant, they said thank you and that was it.

K. Phillips wondered because there are a lot of abutters.

W. Laidley said that nothing has been said about the the Affordable Housing issue as mentioned in the Comprehensive Plan. He asked if it’s not important.

S. Puleo said he didn’t think it was relevant for this zone change request. There was no indication from the applicant or co-applicants that this was an issue they were thinking about. He doesn’t think there’s any real framework in the ordinance that would direct people in that way, but they are working on it and can talk about it in the future if someone wants to put 10 or 20 units in by combining lots. He looked more at the transportation corridor, with Broadway and the bus service and stops. Adding more density satisfies the transit aspect but not necessarily affordability, although that could be an option if they wanted to go that route.

T. Haeuser said they had a workshop about inclusionary zoning with the Council to mirror Portland’s requirements and incentives to create workforce units. In terms of affordability, they are higher-end. Any project with 20 or more units would be required to provide 10% as workforce housing. In addition to that, the City will, through the Affordable Housing Committee, look at potential strategies.
L. Boudreau asked if they’re working on the Highland Avenue connector road. This is a critical piece of Broadway for transportation. Without another way to get across the City they are in trouble. If it stays residential it’s probably okay, but a higher intensity use could start backing up traffic on Broadway.

T. Haeuser said that is a good point and another transportation improvement that could be made. The answer is no, there was a plan developed by Sebago Technics but it requires environmental permitting and the will to spend the money and take the five years to get those permits.

L. Boudreau said if anyone in the neighborhood was going to be concerned, it would have been those first five on Huntress Avenue that abut. The other surrounding properties don’t have the personal individual investment. It sounds like they haven’t had big challenges to that. She thinks these are big lots that are underutilized in a City like South Portland. She would recommend in favor and let the Council struggle with the political infrastructure development versus affordable housing sprawl prevention and economic development in the City. She would make a favorable recommendation.

K. Carr said he looks at the notion of “pockets of G” appearing like dandelions throughout the map. The fact that there is a conditional G zone that abuts creates continuity. He agrees with Ms. Boudreau and can’t think of an overwhelming reason one way or another. The argument is compelling.

I. Misiuk echoes what was said. He is for eliminating density requirements across the City.

L. Boudreau added that it does look like they have “pockets of G” but what is the difference between an ADU and a multi-unit? They are increasing density through the use of ADUs. Within the last three months on Broadway within a short distance, they’ve approved two. She thinks it will look this way until they have something better. In all practicality, they are making the line fuzzy anyway.

PUBLIC HEARING CLOSED

A. Dowling motioned to recommend to the City Council to approve the zoning map change for Assessor’s Tax Map 32 Lots 168 & 169 and Assessor’s Tax Map 41 Lots 1, 27, & 27B from Residential District A to Residential District G. This recommendation is based on the determination that the rezoning is pursuant to and consistent with the Comprehensive Plan. K. Phillips seconded; (7-0).
RECOMMENDATION
The Planning Board voted 7-0 recommends to the City Council to approve the zoning map change for Assessor’s Tax Map 32 Lots 168 & 169 and Assessor’s Tax Map 41 Lots 1, 27, & 27B from Residential District A to Residential District G. This recommendation is based on the determination that the rezoning is pursuant to and consistent with the Comprehensive Plan.

Attachments:
1. Draft General Zoning Map
2. Fragmentary Zoning Map
3. Staff Comments Letter
4. Application
Rezone Parcels from Residential A to Residential G
ZONING MAP CHANGE
(Ord. Sec. 27-115)

**Please read the entire packet for instructions prior to completing the application form**
*Submit pages 1 thru 7 only, keep pages 8 thru 14 for your records*

For Office Use:

Date & Time Received 1/12/2017 Project# 1071
$500.00 Application Fee Paid ✓ Check # 521865/500
$500.00 Minimum Engineering Escrow Paid: N/A
$500.00 Minimum Legal Escrow Paid: $500.00
Public Notice Fee Paid ($1.00 each notice) $10

Name of Applicant Linda Kelley
(must own or have control of the property proposed for the zoning change)

Applicant's Mailing Address 1337 Broadway

Phone # 653-0303 Fax#

(If more than one applicant and/or property owner, please submit additional copies of this page to provide the required information for all parties.)

The City will correspond with only one contact person/agent for this project.
Please provide the requested information regarding the contact person/agent.

Contact Person/Agent Linda Kelley

Contact's Mailing Address 1337 Broadway

Contact's Phone # 899-2764 Cell# 653-0303 Fax#

Contact's Email Address missmyfyes@ymail.com

I certify that all of the information provided in this application form and accompanying materials is true and accurate.

Linda Kelley Date: 11-1-16

Signature of applicant (Use of blue ink for signature is required)
(If signed by applicant's agent, provide written documentation of authority to act on behalf of the applicant)

Print name, title, and company of signer
PLANNING BOARD APPLICATION

Application for Zoning Map Change with or without Proposed Accompanying Construction

(Items 1-5 to be completed by all applicants)

1. PROPOSAL DESCRIPTION

   A. Explain the reason for the zoning map change request

      (See attached)


   B. Attach as EXHIBIT #1 the appropriate section of the City of South Portland Tax Assessor's Map(s) with the following information:

      a. abutting property within one thousand feet of all boundaries of the total property proposed to be zoned
      b. outline of total property proposed to be zoned ✓
      c. zoning district(s) of abutting properties ✓

      (This location map may be included as part of the site plan drawing.)

   C. Proposal Details - for all properties located within the area proposed for rezoning

      1. Name and approval date of subdivision property is in (if applicable) N/A

         Subdivision lot numbers (if applicable) N/A

      2. Street address(es) of property to be zoned

         1337 - 1343 - 1351 - 1356 - 1354 Broadway

         ________________________________

      3. Existing zone of property A

         Shoreland Protection District   yes   no
         Areas of Special Flood Hazard yes no

      4. Proposed zone of property __________

      5. Book and page number(s) of recorded deed(s)

         (See attached)

      6. Assessor's Map number(s) ________ Lot number(s) (See attached)
7. Total land area for each lot proposed to be rezoned

See attached

Total land area of each lot proposed to be rezoned that is within Areas of Special Flood Hazard and/or Shoreland Protection District(s)

N/A

8. Street frontage dimension for each lot proposed to be rezoned

See attached

9. Assessed value for each lot proposed to be rezoned (from records in Assessor's office)

See attached

D. Existing conditions - for all properties located within the area proposed for rezoning

1. Existing use of property (please be specific)

See attached

2. Total floor area of each existing building in square feet:

See attached

3. Footprint of each existing building in square feet:

See attached

E. Proposed use

1. Proposed use(s) of land - for all properties located within the area proposed for rezoning (please be specific)

1337 Broadway  Single family unit(s) as allowed, other address's undetermined use at this time.

2. Does the proposal include new construction?  ___ yes  ___ no
2. RIGHT, TITLE, OR INTEREST

A. Attach as EXHIBIT #2 evidence of corporate or partnership status, if applicant is not an individual. For corporations, the evidence shall be a certificate from the Maine Secretary of State that the applicant is registered to do business in the State of Maine and is in good standing. For limited partnerships, the evidence shall be a certificate from the Maine Secretary of State that the applicant is registered in the State of Maine. For other partnerships, the evidence shall be a certificate from the municipal clerk that the applicant is a registered mercantile partnership in that municipality or a copy of the partnership agreement.

B. Attach as EXHIBIT #3 evidence of applicant's right, title, or interest in the site. A complete copy of the document must be provided; financial information may be deleted.

C. Attach as EXHIBIT #4 a copy of the current owner's existing deed for the site.

3. CONSISTENCY WITH COMPREHENSIVE PLAN

A. A zoning map change must be pursuant to and consistent with the City's existing Comprehensive Plan. What section(s) of the Comprehensive Plan support the requested zoning map change?

If your proposal is not supported by the Comprehensive Plan, please consult with the Department of Planning and Development.

4. SURVEY—

A. If your proposal does not include new construction, please submit a Mortgage Loan Inspection Survey of the property proposed to be rezoned.

5. LIST OF ADJACENT PROPERTIES

A. Attach as EXHIBIT #5 an accurate, current list of the Assessor's map(s) and lot numbers of all properties located within 500 feet of the boundaries of the area proposed for rezoning.
If new construction is proposed in conjunction with the zoning map change, please provide the following information:

6. NEW CONSTRUCTION PROPOSAL

   A. Proposed conditions
      1. Total floor area of each proposed building in square feet:
         _______________________________________________________

      2. Footprint of each proposed building in square feet:
         _______________________________________________________

      3. Height of proposed building(s) _______ feet _______ stories

      4. Total number of proposed parking spaces ______________________

      5. Number of proposed handicap parking spaces ____________________

   B. Construction sequence
      1. Estimated time of start of construction _________________________

         Estimated time of completion of construction _______________________

      2. Is this to be a phased construction? _____ yes _____ no

7. FINANCIAL CAPACITY

   A. Estimated cost of the project (including land purchase and development costs)

   B. If you are proposing new construction in conjunction with the zoning map change request, you must submit a performance bond in an amount equal to at least 25% of the estimated cost of the development, provided that this amount shall not exceed fifty thousand dollars, $50,000.00. (Ord. Sec. 27-115(f)).

8. SITE PLAN DRAWINGS, MAPS

   A. Site plan drawings (Initial submission - 11 copies)
      a. paper should be no larger than 24" x 36"
      b. **bound into sets, stapled, and folded to a size no larger than 14" x 10"**, with project name shown on front face of folded plan
      c. number and date drawings, with space for revision dates
      d. scale of the drawings shall be between 1"=20' and 1"=40'
      e. show the entire extent of contiguous property owned by the applicant(s), plus off-site easements that benefit the property, even if the total property is not part of the rezoning request
B. Title block shall include:
   a. identification of plan as "Site Plan for Zone Change Request"
   b. name and address (including city) of project
   c. name(s) and address(es) of site owner and of applicant
   d. name and address of plan designer(s)
   e. area to record submittal date(s) and purpose (revision block)

C. Location map (scale not over 1"=400') shall include the appropriate section of the
   City of South Portland Tax Assessor's Map(s) with the following information:  (if not
   already provided on separate sheet)
   a. abutting property within one thousand feet of all boundaries of the total property
      proposed to be rezoned
   b. outline of property proposed to be rezoned
   c. zoning district(s) of abutting properties

D. North arrow and scale

E. General plan notes shall include:
   a. proposed zoning district and list of applicable space and bulk regulations,
      comparing the required and proposed
   b. proposed number of units
   c. required and proposed number of regular and handicap parking spaces
   d. total square footage of existing and proposed buildings
   e. square footage of proposed building footprint
   f. total square footage for each proposed use, if applicable

F. Name, location, width, of existing and proposed streets.

G. A Boundary Survey, Category 1, Condition 2, showing boundaries of all property
   proposed to be rezoned

H. Setbacks as required by proposed zoning ordinance; zone line if site is transected
   by a zone line or if zone line is within 50 feet of the boundaries of the site

I. Buildings, structures, and signs
   a. locations, dimensions, entrances of existing and proposed buildings and
      structures
   b. locations, dimensions, and materials of existing and proposed signs

J. Names of abutting property owners (see Introduction)

K. Locations of existing and proposed parking areas, loading and unloading facilities,
   driveways, access points.

L. Locations of existing and proposed pedestrian access ways.
M. Location and size of existing and proposed utilities, both on-site and in adjoining public ways.

N. Locations and type of exterior and building-mounted lighting.

O. Location and description of existing natural features, such as wetlands, water courses, marshes, rock outcroppings, stands of trees. Natural features to be preserved must be identified on plan.

P. Existing and proposed landscaping, fencing, screening. Include locations, types, and sizes of plantings.

Q. If project is within Areas of Special Flood Hazard, extent of floodway, floodway fringe, and/or Floodplain, please refer to Section 27-1322C.

R. If project is within Shoreland Area, show required setbacks, please refer to Section 27-1322A.
November 1, 2016

Planning and Development
Proposal Description:

Explain the reason for the zoning map change request:

My name is Linda Kelley, I reside at 1337 Broadway. On behalf of myself and several of my neighbors, we would like to request that the zoning in our area be changed/modified from a zone “A” to a zone “G”.

I have lived in South Portland for 20+ years, while at this address I have tried on multiple occasions to build on my property. Due to the constraints of an “A” zone our proposed plans have been unsuccessful. Some of my neighbors have also encountered similar obstacles. It has been suggested by (Tex Haeuser) that we may be able to proceed if we can have the zoning changed.

If we are able to make this zoning change, property values/tax base would increase, and we would be able to provide additional affordable housing. This zone change would also allow for some small business’s to be included in the “G” zone.

Other properties in close proximity to us, namely Ridgeland Estates and Ridgeland Gardens, have had the zoning changed to allow additional housing and we feel that we should be given the same consideration and approval.

Please feel free to contact me with any questions.

Thank you for your time and consideration in this matter.

Sincerely,

Linda Kelley
1337 Broadway
South Portland, Me. 04106

207-653-0303
(email: missmytyson@yahoo.com)
8-6-16

We the undersigned are in agreement to request a change in zoning from "A" zone to "G" zone. (This would allow multi units on our property.)

1. Linda & Joel Kelley 1337 Broadway
2. Vinal Thompson III & Jacqueline S Thompson 1351 Broadway
3. David Graham & Deborah Field Graham 1348 Broadway
4. Sade Cockey 1355 Broadway

The owner of 1350 & 1354 Broadway has not returned the signature form. He will sign, he doesn't live at the property and wants to be included. Thank you.
<table>
<thead>
<tr>
<th>Address</th>
<th>Book and Page:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1337 Broadway</td>
<td>23286/0223</td>
</tr>
<tr>
<td>1343 Broadway</td>
<td>07442/0220</td>
</tr>
<tr>
<td>1351 Broadway</td>
<td>17754/0160</td>
</tr>
<tr>
<td>1350 Broadway</td>
<td>29986/0311</td>
</tr>
<tr>
<td>1354 Broadway</td>
<td>20446/0079</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Address</th>
<th>Map and lot number:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1337 Broadway</td>
<td>32-169</td>
</tr>
<tr>
<td>1343 Broadway</td>
<td>32-168</td>
</tr>
<tr>
<td>1351 Broadway</td>
<td>41-1</td>
</tr>
<tr>
<td>1350 Broadway</td>
<td>41-27B</td>
</tr>
<tr>
<td>1354 Broadway</td>
<td>41-27</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Address</th>
<th>Land area:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1337 Broadway</td>
<td>0.79 Acres</td>
</tr>
<tr>
<td>1343 Broadway</td>
<td>0.35 Acres</td>
</tr>
<tr>
<td>1351 Broadway</td>
<td>1.4 Acres</td>
</tr>
<tr>
<td>1350 Broadway</td>
<td>0.39 Acres</td>
</tr>
<tr>
<td>1354 Broadway</td>
<td>0.44 Acres</td>
</tr>
</tbody>
</table>
Street Frontage for each lot proposed to be rezoned:

<table>
<thead>
<tr>
<th>Address</th>
<th>Street Frontage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1337 Broadway</td>
<td>90'</td>
</tr>
<tr>
<td>1343 Broadway</td>
<td>81'</td>
</tr>
<tr>
<td>1351 Broadway</td>
<td>134'</td>
</tr>
<tr>
<td>1350 Broadway</td>
<td>99'</td>
</tr>
<tr>
<td>1354 Broadway</td>
<td>79'</td>
</tr>
</tbody>
</table>

Assessed value for each lot:

<table>
<thead>
<tr>
<th>Address</th>
<th>Assessed Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>1337 Broadway</td>
<td>$182,100.00</td>
</tr>
<tr>
<td>1343 Broadway</td>
<td>$157,700.00</td>
</tr>
<tr>
<td>1351 Broadway</td>
<td>$275,300.00</td>
</tr>
<tr>
<td>1350 Broadway</td>
<td>$60,500.00</td>
</tr>
<tr>
<td>1354 Broadway</td>
<td>$346,900.00</td>
</tr>
</tbody>
</table>

Existing Conditions:

1. Existing use of Property:

<table>
<thead>
<tr>
<th>Address</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1337 Broadway</td>
<td>This is a single family, conventional, residential, 1 and 1/2 stories, with garage owner occupied home.</td>
</tr>
<tr>
<td>1343 Broadway</td>
<td>This is a single family, conventional, residential, 1 and 1/2 stories, with garage owner occupied home.</td>
</tr>
<tr>
<td>1351 Broadway</td>
<td>This is a Cape Cod, residential, 1 and 1/2 stories, with garage and ADU owner occupied.</td>
</tr>
<tr>
<td>1350 Broadway</td>
<td>This property is a vacant lot, owned by owners of adjacent property of 1354 Broadway.</td>
</tr>
<tr>
<td>1354 Broadway</td>
<td>This property is a 2 Family, 2 story residential home which is not owner occupied. Owners also own adjacent property at 1350 Broadway.</td>
</tr>
</tbody>
</table>
D 2

Total floor area in square feet.

<table>
<thead>
<tr>
<th>Address</th>
<th>Floor area:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1337 Broadway</td>
<td>(house) 2412 Sq. Ft. (garage) 720 Sq. Ft. = 3132 Sq. Ft.</td>
</tr>
<tr>
<td>1343 Broadway</td>
<td>(house) 2044 Sq Ft (garage) 384 Sq Ft = 2428 Sq Ft.</td>
</tr>
<tr>
<td>1351 Broadway</td>
<td>(house) 5401 Sq Ft. (garage) 1200 Sq Ft. = 6601 Sq Ft.</td>
</tr>
<tr>
<td>1350 Broadway</td>
<td>Vacant Lot</td>
</tr>
<tr>
<td>1354 Broadway</td>
<td>(house) 5483 Sq Ft. (shed/workshop 1488 Sq Ft. = 6971 Sq Ft. Pool/patio)</td>
</tr>
</tbody>
</table>

D 3

Footprint of each existing building in square. Ft.

Address:

1337 Broadway

<table>
<thead>
<tr>
<th>Building Attributes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Field</td>
</tr>
<tr>
<td>Description</td>
</tr>
<tr>
<td>Style</td>
</tr>
<tr>
<td>Model</td>
</tr>
<tr>
<td>Stories:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Building Sub-Areas (sq ft)</th>
<th>Legend</th>
</tr>
</thead>
<tbody>
<tr>
<td>Description</td>
<td>Gross Area</td>
</tr>
<tr>
<td>BAS First Floor</td>
<td>852</td>
</tr>
<tr>
<td>FHS Half Story, Finished</td>
<td>600</td>
</tr>
<tr>
<td>EAF Attic, Expansion, Finished</td>
<td>252</td>
</tr>
<tr>
<td>UBM Basement, Unfinished</td>
<td>600</td>
</tr>
<tr>
<td>UEP Porch, Enclosed, Unfinished</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>2,412</td>
</tr>
</tbody>
</table>
### 1343 Broadway

**Building Attributes**

<table>
<thead>
<tr>
<th>Field</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Style</td>
<td>Conventional</td>
</tr>
<tr>
<td>Model</td>
<td>Residential</td>
</tr>
<tr>
<td>Stories:</td>
<td>1 1/2 Stories</td>
</tr>
<tr>
<td>Occupancy</td>
<td>1</td>
</tr>
<tr>
<td>Exterior Wall 1</td>
<td>Vinyl Siding</td>
</tr>
<tr>
<td>Exterior Wall 2</td>
<td></td>
</tr>
<tr>
<td>Roof Structure</td>
<td>Gable/Hip</td>
</tr>
</tbody>
</table>

**Building Sub-Areas (sq ft)**

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Gross Area</th>
<th>Living Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>BAS</td>
<td>First Floor</td>
<td>748</td>
<td>748</td>
</tr>
<tr>
<td>FHS</td>
<td>Half Story, Finished</td>
<td>468</td>
<td>281</td>
</tr>
<tr>
<td>EAF</td>
<td>Attic, Expansion, Finished</td>
<td>280</td>
<td>112</td>
</tr>
<tr>
<td>FOP</td>
<td>Porch, Open, Finished</td>
<td>80</td>
<td>0</td>
</tr>
<tr>
<td>UBM</td>
<td>Basement, Unfinished</td>
<td>468</td>
<td>0</td>
</tr>
</tbody>
</table>

Total: 2,044 sq ft

### 1351 Broadway

**Building Attributes**

<table>
<thead>
<tr>
<th>Field</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Style</td>
<td>Cape Cod</td>
</tr>
<tr>
<td>Model</td>
<td>Residential</td>
</tr>
<tr>
<td>Stories:</td>
<td>1 1/2 Stories</td>
</tr>
<tr>
<td>Occupancy</td>
<td>1</td>
</tr>
</tbody>
</table>

**Building Sub-Areas (sq ft)**

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Gross Area</th>
<th>Living Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>TQS</td>
<td>Three Quarter Story</td>
<td>1,710</td>
<td>1,368</td>
</tr>
<tr>
<td>BAS</td>
<td>First Floor</td>
<td>930</td>
<td>930</td>
</tr>
<tr>
<td>CTH</td>
<td>Cathedral Ceiling</td>
<td>780</td>
<td>0</td>
</tr>
<tr>
<td>FGR</td>
<td>Garage, Framed</td>
<td>780</td>
<td>0</td>
</tr>
<tr>
<td>FSP</td>
<td>Porch, Screen, Finished</td>
<td>104</td>
<td>0</td>
</tr>
<tr>
<td>UBM</td>
<td>Basement, Unfinished</td>
<td>930</td>
<td>0</td>
</tr>
<tr>
<td>WDK</td>
<td>Deck, Wood</td>
<td>167</td>
<td>0</td>
</tr>
</tbody>
</table>

Total: 5,401 sq ft
### 1350 Broadway

**VACANT LOT**

<table>
<thead>
<tr>
<th>Field</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Style</td>
<td>Vacant Land</td>
</tr>
<tr>
<td>Model</td>
<td></td>
</tr>
<tr>
<td>Stories:</td>
<td></td>
</tr>
<tr>
<td>Occupancy</td>
<td></td>
</tr>
<tr>
<td>Exterior Wall 1</td>
<td></td>
</tr>
<tr>
<td>Exterior Wall 2</td>
<td></td>
</tr>
<tr>
<td>Roof Structure</td>
<td></td>
</tr>
</tbody>
</table>

### Building Sub-Areas (sq ft)

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Gross Area</th>
<th>Living Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>BAS</td>
<td>First Floor</td>
<td>1,016</td>
<td>1,016</td>
</tr>
<tr>
<td>FUS</td>
<td>Upper Story, Finished</td>
<td>1,004</td>
<td>1,004</td>
</tr>
<tr>
<td>AOF</td>
<td>Office, (Average)</td>
<td>861</td>
<td>861</td>
</tr>
<tr>
<td>EAF</td>
<td>Attic, Expansion, Finished</td>
<td>704</td>
<td>282</td>
</tr>
<tr>
<td>FHS</td>
<td>Half Story, Finished</td>
<td>240</td>
<td>144</td>
</tr>
<tr>
<td>CTH</td>
<td>Cathedral Ceiling</td>
<td>240</td>
<td>0</td>
</tr>
<tr>
<td>FEP</td>
<td>Porch, Enclosed, Finished</td>
<td>78</td>
<td>0</td>
</tr>
<tr>
<td>UBM</td>
<td>Basement, Unfinished</td>
<td>1,004</td>
<td>0</td>
</tr>
<tr>
<td>WDK</td>
<td>Deck, Wood</td>
<td>336</td>
<td>0</td>
</tr>
</tbody>
</table>

### 1354 Broadway

<table>
<thead>
<tr>
<th>Field</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Style</td>
<td>Family Conver.</td>
</tr>
<tr>
<td>Model</td>
<td>Residential</td>
</tr>
<tr>
<td>Stories:</td>
<td>2 Stores</td>
</tr>
</tbody>
</table>

### Building Sub-Areas (sq ft)

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Gross Area</th>
<th>Living Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>BAS</td>
<td>First Floor</td>
<td>1,016</td>
<td>1,016</td>
</tr>
<tr>
<td>FUS</td>
<td>Upper Story, Finished</td>
<td>1,004</td>
<td>1,004</td>
</tr>
<tr>
<td>AOF</td>
<td>Office, (Average)</td>
<td>861</td>
<td>861</td>
</tr>
<tr>
<td>EAF</td>
<td>Attic, Expansion, Finished</td>
<td>704</td>
<td>282</td>
</tr>
<tr>
<td>FHS</td>
<td>Half Story, Finished</td>
<td>240</td>
<td>144</td>
</tr>
<tr>
<td>CTH</td>
<td>Cathedral Ceiling</td>
<td>240</td>
<td>0</td>
</tr>
<tr>
<td>FEP</td>
<td>Porch, Enclosed, Finished</td>
<td>78</td>
<td>0</td>
</tr>
<tr>
<td>UBM</td>
<td>Basement, Unfinished</td>
<td>1,004</td>
<td>0</td>
</tr>
<tr>
<td>WDK</td>
<td>Deck, Wood</td>
<td>336</td>
<td>0</td>
</tr>
</tbody>
</table>

**Legend**

No Data for Building Sub-Areas
Proposed uses:

At this time I can only speak to a possible use for 1337 Broadway and 1351 Broadway, both properties may build an additional unit for housing for family members, which under the current A zone isn’t possible. The other properties haven’t indicated their plans and are waiting for the zone change if possible.

RIGHT, TITLE OR INTEREST

A. N/A

B. See Attached Exhibits # 3/4

CONSISTENCY WITH COMPREHENSIVE PLAN

A. See attached
WARRANTY DEED

Know All Men By These Presents, That,

Kenneth MacLean of 39 Lawn Avenue, South Portland, ME 04106

For consideration paid, grant to

Joel N. Kelley and Linda Kelley of 1698 Long Plains Road, Buxton, ME 04093

With WARRANTY COVENANTS, joint tenants not as tenants in common:

A certain lot or parcel of land together with any buildings thereon situated in the City of South Portland, County of Cumberland and State of Maine, more particularly described in Exhibit A attached hereto and incorporated herein by reference.

In Witness Whereof, I/we have hereunto set my/our hand(s) this 17th day of October, 2005.

[Signatures]

Witness CLOD B. MRRIS
Kenneth MacLean

State of Maine
County of Cumberland

On this 17th day of October, 2005, personally appeared before me the above-named Kenneth MacLean and acknowledged the foregoing to be his free act and deed.

[Notary's Signature]
Notary Public/Attorney at Law

[Notary's Signature]

CLOD B. MRRIS
Exhibit A - Deed

A certain lot or parcel of land with the buildings thereon, situated on the northeasterly side of Broadway, formerly Brown Street, in South Portland, in said County and State, and bounded and described as follows: Beginning at the land formerly owned by James Boucher; thence running in a westerly direction by said Broadway to land formerly of Albert Pratt; thence in a northerly direction by said land formerly of Pratt to land formerly of Alvin and John Brown; thence easterly by land formerly of Brown to said Boucher land or to the northerly line of that land continued; thence by said northerly line said Boucher land southwesterly to the point of beginning. Excepting and reserving the premises as described in a deed from Stella Mary Maher to GET Associates, dated September 6, 1989 recorded in the Cumberland County Registry of Deeds in Book 8898, Page 293 and corrected in a deed from William M. Maher et al. to Fleet Bank of Maine dated June 5, 1992 recorded in the Cumberland County Registry of Deeds in Book 10103 and Page 158. Being the same premises conveyed to Raymond D. Maher and Stella M. Maher dated May 29, 1940 in said Registry in Book 1603, Page 496. Raymond D. Maher died October 2, 1986 and Stella M. Maher died September 23, 1989 leaving William M. Maher and Raymond J. Maher as their only heirs at law. Raymond D. Maher died January 15, 1996 leaving William M. Maher his only heir at law, recorded in the Cumberland County Probate Court Docket #96-705.

Reviewed/Initialed

Received
Recorded Register of Deeds
Oct 19-2005 02:53:48P
Cumberland County
John D O'Brien
SCHEDULE A

A certain lot or parcel of land located on the northerly side of Broadway but not adjacent thereto, in the City of South Portland, County of Cumberland, State of Maine, being more particularly bounded and described as follows:

STARTING at a #5 rebar on the northerly right-of-way line of Broadway at the southeasterly corner of land N/F of Jacqueline S. & Vinal L. Thompson as recorded in Deed Book 17754, Page 160, Cumberland County Registry of Deeds (CCRD). Also being the southwesterly corner of land N/F of David W. Graham & Deborah Fields-Graham as recorded in Deed Book 7442, Page 220 CCRD;

THENCE northerly along the easterly line of said Thompson and the westerly line of said Graham 211.7' to the TRUE POINT OF BEGINNING;

THENCE continuing northerly along said easterly and westerly line above described 145'± to a point. Said point being the northwesterly corner of said Graham. Said point also being on the southerly line of land N/F of South Portland Housing Development as recorded in Deed Book 29129, Page 331 CCRD;

THENCE easterly along the southerly line of said South Portland Housing Development 59'± to a point. Said point being the northeasterly corner of said Graham and being a northwesterly corner of land N/F of Joel N. & Linda Kelly as recorded in deed Book 23286, Page 223 CCRD;

THENCE southerly along the westerly line of said Kelly 138'± to a point. Said point being 210.2' northerly as measured along the westerly line of said Kelly from the northerly right-of-way line of Broadway. Said point also being the northeasterly corner of the remaining land of said Graham;

THENCE westerly along the northerly line of said remaining land of Graham 65'± to the TRUE POINT OF BEGINNING.

The above described parcel contains 8,630 s.f. or 0.2 acres more or less.

Meaning and intending to describe a portion of the property as conveyed from David B. Dionne and Andrea B. Dionne to David W. Graham and Deborah Fields-Graham dated October 17, 1986 and recorded in Deed Book 7442, Page 220 CCRD.
WARRANTY DEED  
Maine Statutory Short Form

NOW ALL BY THESE PRESENTS, that we, DAVID W. GRAHAM and DEBORAH FIELDS GRAHAM of South Portland, County of Cumberland and State of Maine, for consideration paid, GRANT to JACQUELINE S. THOMPSON and VINAL L. THOMPSON, III, whose mailing address is 1351 Broadway, South Portland, Maine 04106, with WARRANTY COVENANTS, all of the Grantor's interest in real property located in the City of South Portland, County of Cumberland and State of Maine, described as follows:

SEE SCHEDULE A ATTACHED HERETO AND MADE A PART HEREOF.

WITNESS my hand and seal this 15 day of August, 2014.

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF

WITNESS  

WITNESS  

D. W. Graham  

Deborah Fields Graham

STATE OF MAINE  
COUNTY OF CUMBERLAND, ss.

Aug 15, 2014

Then personally appeared the above named David W. Graham and Deborah Fields Graham and acknowledged the foregoing instrument to be their free act and deed, before me

Notary Public/Attorney at Law

JEROME J. GAMACHE  
Notary Public, Maine  
My Commission Expires June 23, 2020
SCHEDULE A

A certain lot or parcel of land located on the northerly side of Broadway but not adjacent thereto, in the City of South Portland, County of Cumberland, State of Maine, being more particularly bounded and described as follows:

STARTING at a #5 rebar on the northerly right-of-way line of Broadway at the southeasterly corner of land N/F of Jacqueline S. & Vinal L. Thompson as recorded in Deed Book 17754, Page 160, Cumberland County Registry of Deeds (CCRD). Also being the southwesterly corner of land N/F of David W. Graham & Deborah Fields-Graham as recorded in Deed Book 7442, Page 220 CCRD;

THENCE northerly along the easterly line of said Thompson and the westerly line of said Graham 211.7' to the TRUE POINT OF BEGINNING;

THENCE continuing northerly along said easterly and westerly line above described 145' to a point. Said point being the northwesterly corner of said Graham. Said point also being on the southerly line of land N/F of South Portland Housing Development as recorded in Deed Book 29129, Page 331 CCRD;

THENCE easterly along the southerly line of said South Portland Housing Development 59' to a point. Said point being the northeasterly corner of said Graham and being a northwesterly corner of land N/F of Joel N. & Linda Kelly as recorded in deed Book 23286, Page 223 CCRD;

THENCE southerly along the westerly line of said Kelly 138' to a point. Said point being 210.2' northerly as measured along the westerly line of said Kelly from the northerly right-of-way line of Broadway. Said point also being the northeasterly corner of the remaining land of said Graham;

THENCE westerly along the northerly line of said remaining land of Graham 65' to the TRUE POINT OF BEGINNING.

The above described parcel contains 8,630 s.f. or 0.2 acres more or less.

Meaning and intending to describe a portion of the property as conveyed from David B. Dionne and Andrea B. Dionne to David W. Graham and Deborah Fields-Graham dated October 17, 1986 and recorded in Deed Book 7442, Page 220 CCRD.
EXHIBIT A

A certain lot or parcel of land with the buildings thereon situated on the southwesterly side of Broadway in the City of South Portland, County of Cumberland and State of Maine, bounded and described as follows:

Commencing at the northeasterly corner of land conveyed by Ansel C. Hunnewell to the City of South Portland by deed dated April 28, 1925 and recorded in the Cumberland County Registry of Deeds in Book 1197, Page 430; thence in a southwesterly direction along the lines of said City of South Portland land, Two Hundred Fifty Five (255) feet to a stake; thence in a northwesterly direction one hundred sixteen (116) feet to a stone monument set in the ground; thence in a general northerly direction, sixty five (65) feet more or less to an iron pin; thence in a northeasterly direction one hundred seventy-six (76) feet more or less to an iron pin set in the southwesterly sideline of said Broadway; thence in a southeasterly direction along the southwesterly sideline of Broadway one hundred seventy four and 92/100 (174.92) feet to the point of beginning.

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

Being the same premises as conveyed by Warranty Deed from Lauriel J. Bezanson to Gloria E. Miro and Theresa E. Meade, dated August 3, 1993 and recorded at the Cumberland County Registry of Deeds in Book 10875, Page 81.

Reference is made to a Warranty Deed from Theresa E. Meade to Gloria E. Miro, dated June 27, 2000 and recorded at the Cumberland County Registry of Deeds in Book 15662, Page 16.
QUITCLAIM DEED WITH COVENANT

We, WILLIAM V. MIRO and LISA A. MIRO, both now of 31 Old Blue Point Road, Scarborough, Maine, for consideration paid, grant to WILLIAM V. MIRO, now of 31 Old Blue Point Road, Scarborough, Maine, with QUITCLAIM COVENANT, the following described land:

A certain lot or parcel of land located on the southerly side of Broadway, in the City of South Portland, County of Cumberland, State of Maine, being more particularly bounded and described as follows:

BEGINNING at a rebar with cap stamped “NCS INC, PLS 1314”. Said rebar being on the southerly side of said Broadway and the northeasterly corner of land N/F of Kenneth L. Cianchette as recorded in Deed Book 15864, Page 34, Cumberland County Registry of Deed (CCRD);

THENCE S 78°19'41" E along the southerly side of said Broadway 98.92' to a rebar with cap stamped “NCS INC, PLS 1314”. Said rebar being at the northeasterly corner of land N/F of Greater Portland Christian School as recorded in Deed Book 18024, Page 153 CCRD;

THENCE S 27°34'16" W along said Greater Portland Christian School 255.00' to a 1” iron pipe found. Said iron pipe being a point on the northerly line of land N/F City of South Portland as recorded in Deed Book 2343, Page 127 CCRD;

THENCE N 52°22'44" W along the northerly line of said City of South Portland 47.79' to a rebar with cap stamped “NCS INC, PLS 1314”. Said rebar being the southeasterly corner of remaining lands of Gloria E. and William V. Miro as recorded in Deed Book 20446, Page 79 CCRD;

THENCE N 15°13’10” E along the easterly line of the remaining land of said Miro 224.76' to the POINT OF BEGINNING.

The above-described parcel contains 17,096 s.f. or 0.39 acres more or less.

Meaning and intending to describe a portion of land conveyed to William V. Miro and Lisa A. Miro by Warranty Deed of Gloria E. Miro dated October 17, 2003 and recorded in the Cumberland County Registry of Deeds in Book 20446, Page 79; as shown on a plan entitled “Boundary Survey/ Lot Split of 1354 Broadway, South Portland for William Miro” to be recorded herewith.

Witness our hands and seals this _______12____ day of September, 2012.
STATE OF MAINE
Cumberland, ss:

Date: Sept 12, 2012

Personally appeared the above named WILLIAM V. MIRO and LISA A. MIRO and acknowledged the foregoing instrument to be their free act and deed.

Before me,

Notary Public
Attorney at Law
GREGORY S. ABBOTT
Notary Public
State of Maine
My Commission Expires January 29, 2018

Seal

Received
Recorded Register of Deeds
Oct 02, 2012 11:55:56A
Cumberland County
Pamela E. Lovley
WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That I, GLORIA E. MIRO (A/K/A GLORIE E. MIRO) of Waterboro, County of York, State of Maine, in consideration of One Dollar ($1.00) and other valuable consideration paid by WILLIAM V. MIRO AND LISA A. MIRO of Scarborough, County of Cumberland, State of Maine, the receipt whereof I do hereby acknowledge, do hereby give grant, bargain, sell and convey unto the said WILLIAM V. MIRO AND LISA A. MIRO; whose mailing address is 31 Old Blue Point Road, Scarborough, Maine 04074; their heirs and assigns forever, as joint tenants and not as tenants in common, a certain lot or parcel of land situated in South Portland, County of Cumberland, State of Maine, described in the attached Exhibit A.

TO HAVE AND TO HOLD the aforesaid and bargained premises with all the privileges and appurtenances thereof to the said William V. Miro and Lisa A. Miro, their heirs and assigns, to them and their use and behoof forever.

And I do COVENANT with the said Grantees, their heirs and assigns, that I am lawfully seized in fee of the premises and that they are free of all encumbrances; that I have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that I and my heirs shall and will WARRANT and DEFEND the same to the said Grantees, their heirs and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, I, Gloria E. Miro have hereunto set my hand and seal this 1st day of October, 2003.

Witness

Gloria E. Miro (a/k/a Glorie E. Miro)

STATE OF MAINE
CUMBERLAND, ss.

October 17, 2003

Personally appeared the above-named Gloria E. Miro and acknowledged the above instrument to be her free act and deed.

Before me,

Notary Public

KATHERINE B. ALLEN
Notary Public, Maine
My Commission Expires June 13, 2010

Printed Name:

My Commission Expires:
3. CONSISTENCY WITH COMPREHENSIVE PLAN (C.P.)

A zoning map change must be pursuant to and consistent with the City’s existing Comprehensive Plan. What sections of the Comprehensive Plan support the requested zoning map change?

I will explain the proposed zoning change for the indicated area/addresses and how it is consistent with the C.P. indicating specific chapter and/or sections and statements used throughout the C.P. Addresses requesting the zoning change are: 1337 Broadway, 1351 Broadway, 1343 Broadway, 1350 and 1354 Broadway.

As indicated in Chapter 5 section A-4. The city should support efforts to create additional affordable housing and a diverse business base. South Portland is a desirable community with residential neighborhoods, offering quality education including adult education, recreational programs and facilities as well as a strong job market. With so much to offer, the residents need to be able to use all areas, where we may provide some additional affordable housing units to include family, elderly and unmet housing needs. We need to expand in this area which also offers open spaces and make use of alternative transportation.

Chapter 6 states:

A. This kind of development will expand the tax base, while a growing tax base will maintain property values. Many residents that this would benefit are long term residents in South Portland.

B. Development along the Main Street/Broadway corridor should accommodate a mixed use and desirable living spaces.

Also stated in chapter 6-2 that there is a broad vision for different areas of the city. The residential environment with varied housing styles. i.e residential “G” zone as in Millcreek allows multifamily, duplex, adu, and low intensity office uses. This does not create an undesirable impact on the neighboring properties. The building designs are compatible with existing neighborhoods. The city policies and programs need to continue with maintaining infrastructure including streets, sidewalks and green spaces. Perhaps this a chance to promote “green building techniques”, the use of alternative energy and transportation. South Portland could be a leader with the use of “green spaces” and backyard gardening.
The Broadway-Lincoln Street to Cash Corner Section (This is the area that I am suggesting the proposed zone change for)

This area currently continues to be a designated single family residential district with very limited non-residential use allowed. As stated, it is considered to be a “holding zone” and should evolve into a higher intensity, mixed use area, which a “G” zone would allow, similar to other sections of the Broadway Corridor. The future should include proposals for larger scale development. Two examples, which are in my immediate area are: Ridgeland Estates and Ridgeland Gardens this zoning was changed to allow for additional housing. (We are not proposing anything as large as this development.) This location allows for convenient, efficient public transportation and is also pedestrian friendly.

The Cash Corner planned mixed use area includes a portion on both sides of Cash Corner. The city has a study of possible traffic improvements and is developing and implementing mini-plans for each neighborhood with property and business owners. The city continues to provide financial assistance to low and moderate income property owners to maintain and improve their homes.

The development requirements should continue to encourage more intense, compact developments that are easily accessed by the current bus system. New residential/business construction should be designed to be compatible with existing homes in the neighborhood. The appeal for community facilities and green spaces as well as alternative transportation should be factored into the plan as well. Although, adequate parking is a concern for the city, the area to be addressed should not be problematic and would follow the zoning in this area.

Many of the land use concepts set forth in prior neighborhood plans have been incorporated into the C.P., future land use will guide revisions. (see future land growth map)

The proposed properties are in the area designated for Residential Land use ic; Broadway, Lincoln Street and Cash Corner. (see figure 6.4 and related discussion) #24 on map 6-10.

The city needs to expand the supply of adequate, affordable housing, maintain a socio-economic and diverse population and thus increase the tax base for the city.

As stated in Chapter 8-1 South Portland’s land use is consistent with adjacent communities. Strategy to implement recommendations by the City Council and Department of Planning and Development or other committees recommended to oversee the process.

As stated in Chapter 8-5 Immediate activities states to revise zoning in established neighborhoods. Chapter 9-2 implements mini-improvement plans to neighborhoods. The above explains how this proposed zone change is supported by the policies of the Comprehensive Plan of South Portland.
as part of a mixed-use building. Buildings are generally limited to three stories. Taller buildings (4 stories) are allowed on lots that are not adjacent to a residential neighborhood and the ground floor is used for a nonresidential use or parking. The standards for this area require more of a pedestrian character with buildings located close to the street and parking located to the side or rear of the building.

- **Pleasantdale-Elm/Hill Neighborhood Center** – This neighborhood center is treated similarly to the other neighborhood centers – see the Sawyer Street Neighborhood Center for the description.

- **Broadway-Pleasantdale-Elm/Hill Neighborhood Center to Evans Neighborhood Center** – This segment of Broadway evolves into a higher density mixed-use residential-office corridor similar to the Pleasantdale-Buttonwood to Pleasantdale-Elm/Hill Neighborhood Center segment (see description above).

- **Evans Street Neighborhood Center** – This neighborhood center is treated similarly to the other neighborhood centers – see the Sawyer Street Neighborhood Center for the description.

- **Broadway-Evans Neighborhood Center to Lincoln Street** – This portion of the Broadway corridor is a special situation that requires different treatment. This segment of Broadway is the only street connection between the east and west sides of the City – all east-west traffic must go through this one block segment of Broadway unless/until an alternative is developed. Therefore it is essential that the City keep open options for possible future traffic improvements including the widening of this section of the street. For this reason, this area is designated as a general purpose commercial district allowing a wide range of non-residential uses. New or redeveloped buildings should be required to be set back from the street with access limitations to minimize impacts on traffic movement and safety.

- **Broadway-Lincoln to Cash Corner** – The width and alignment of Broadway in this segment creates a significant obstacle for development/redevelopment in this area. While the homes facing Broadway are not desirable residential properties, this area continues to be designated as a single-family residential district.
Figure 6.10 Future Land Use Plan

GROWTH AREAS
A. RESIDENTIAL LAND USE DESIGNATIONS
- INTENSIFY USE RESIDENTIAL (E-10)
- RESIDENTIAL (E-15)
- RESIDENTIAL (E-20)
- RESIDENTIAL (E-25)
- RESIDENTIAL (E-30)

B. MEDIUM-USE LAND USE DESIGNATIONS
- EDUCATION (M-10)
- MEDICAL/RETAIL (M-15)
- PROFESSIONAL SERVICES (M-20)
- OFFICE/LIGHT INDUSTRIAL (M-25)
- BUSINESS (M-30)

C. NONRESIDENTIAL LAND USE DESIGNATIONS
- PUBLIC SERVICE (N-10)
- COMMERCIAL (N-15)
- MANUFACTURING (N-20)
- HEAVY INDUSTRIAL (N-25)
- COMMUNITY (N-30)

LIMITED GROWTH AREAS
A. RESIDENTIAL LAND USE DESIGNATIONS
- SETTLEMENT (R-10)
- SETTLEMENT (R-15)
- SETTLEMENT (R-20)
- SETTLEMENT (R-25)
- SETTLEMENT (R-30)

B. MEDIUM-USE LAND USE DESIGNATIONS
- MEDIUM-USE (M-U)
- MEDIUM-USE (M-L)
- MEDIUM-USE (M-H)
- MEDIUM-USE (M-S)
- MEDIUM-USE (M-C)

C. NONRESIDENTIAL LAND USE DESIGNATIONS
- NONRESIDENTIAL (N-U)
- NONRESIDENTIAL (N-L)
- NONRESIDENTIAL (N-H)
- NONRESIDENTIAL (N-S)
- NONRESIDENTIAL (N-C)

RESTRICTED OR NON-GROWTH AREAS
A. RESOURCE PROTECTION LAND USE DESIGNATIONS
- RESOURCE PROTECTION (P-10)
- RESOURCE PROTECTION (P-15)
- RESOURCE PROTECTION (P-20)
- RESOURCE PROTECTION (P-25)
- RESOURCE PROTECTION (P-30)
Chapter 6 | Land Use Goals and Policies

Figure 6.4
Land Use Designations
Broadway from Mill Creek to Cash Corner
South Portland, Maine

Prepared by FDO
August 20, 2012
CACOULIDIS, PHYLLIS
25 SO. SERVICE RD SUITE 300
JERICHO, NY 11753

CELLA, JOAN E.
70 HUNTRESS AV
SOUTH PORTLAND, ME 04106

JENSEN, JEANINE L.
80 HUNTRESS AV
SOUTH PORTLAND, ME 04106

NIEN, THI NAGUYEN
1389 BROADWAY
SOUTH PORTLAND, ME 04106-4101

LITTLE, KIMBERLY R.
68 HUNTRESS AV
SOUTH PORTLAND, ME 04106

REID, MARY MARGARET
36 HASKELL AVE
SOUTH PORTLAND, ME 04106-4112

GLENDENNING, ERIN E.
PO BOX 6243
CAPE ELIZABETH, ME 04107

MAHONEY, MICHAEL J.
33 ORLANDO ST
SOUTH PORTLAND, ME 04106

ALGENI, THERESA A.
5 WHITFALL AV
SOUTH PORTLAND, ME 04106

FRAZIER, CHARLES S.
111 FRANCES ST
PORTLAND, ME 04102

MAINE MILITARY MUSEUM & LEARNING CENTER
44 WAREN AVE
CAPE ELIZABETH, ME 04107

MCCAFFREY, JESSICA L.
110 HUNTRESS AV
SOUTH PORTLAND, ME 04106

WAMCO LLC
170 WAREN AVE
WESTBROOK, ME 04092

STODDARD, GAYLE R.
104 HUNTRESS AV
SOUTH PORTLAND, ME 04106-4117

SEEKAMP, HENRY C SEEKAMP, THERESA
1297 BROADWAY
SOUTH PORTLAND, ME 04106

WING, DARIN R.
114 HUNTRESS AV
SOUTH PORTLAND, ME 04106

COTA, ANNA BRADBURY, ROBERT
1380 BROADWAY
SOUTH PORTLAND, ME 04106

LONDON, TYLER J. MANGOING, MCKENZIE
8 ORLANDO ST
SOUTH PORTLAND, ME 04106

MCCOLLUM, JOHN
1655 RAVENS PL
CHARLOTTESVILLE, VA 22911

PIPER, CATHERINE M
14 HASKELL AVE
SOUTH PORTLAND, ME 04106-4112

ATHEARN, TIMOTHY D.
1383 BROADWAY
SOUTH PORTLAND, ME 04106

STAVIS, SUZANNE M.B. STAVIS, JONATHAN E.
55 COUSINS RD
BUXTON, ME 04093

HANLON, MAE A., ET AL
33 HASKELL AVE
SOUTH PORTLAND, ME 04106-4113

GLYNN, KEVIN J.
975 EAST THIRD ST #380
CHATTANOOGA, TN 37403

PALMER, MARK E. PALMER, JERRI L.
4 DAYTONA ST
SOUTH PORTLAND, ME 04106

EMERY, DAVID L. EMERY, ANGELA T.
57 HUNTRESS AV
SOUTH PORTLAND, ME 04106

GILBERT, GERALD L. JR. GILBERT, KATHLEEN D.
1370 BROADWAY
SOUTH PORTLAND, ME 04106

LEMON, LAURA L. LEMONT, DONALD M. JR.
125 RIDGELAND AV
SOUTH PORTLAND, ME 04106

SEEWALD, LOIS HEMES, JOSEPH P.
135 RIDGELAND AV
SOUTH PORTLAND, ME 04106-4131

BOUCHARD, JOHN L. BOUCHARD, JANET E.
27 HASKELL AV
SOUTH PORTLAND, ME 04106-4113
WALBRIDGE, JEREMY J.
11 WHITEHALL AV
SOUTH PORTLAND, ME 04106

GONYER, STEPHEN S. PERS REP GONYER,
DAVID R. DEVISEES
117 RIDGELAND AV
SOUTH PORTLAND, ME 04106

SOUTH PORTLAND HOUSING DEVELOPMENT CORP
100 WATERMAN DR STE 101
SOUTH PORTLAND, ME 04106

GILCHREST, AARON W. GILCHREST, MALLORY B.
109 HUNTRESS AV
SOUTH PORTLAND, ME 04106

KABONGO MUBALAMATE, GEORGES
KABONGO, ANTOINETTE
15 ORLANDO ST
SOUTH PORTLAND, ME 04106

LAINOFF, AMY
22 DAYTONA ST
SOUTH PORTLAND, ME 04106

WEST, JENNIFER L.
16 ORLANDO ST
SOUTH PORTLAND, ME 04106

FROST, LILLIAN
1G MENDON RD
N ATTLEBORO, MA 02760-4353

LEBRECK, JANE E.
27 ORLANDO ST
SOUTH PORTLAND, ME 04106

RILEY, JAMES T RILEY, HELGA M
25 ORLANDO ST
SOUTH PORTLAND, ME 04106-4121

GIARUSSO, VIRGINIA R. C/ O Verna Disispo
PO BOX 308
COTUIT, MA 02635

SOUTH PORTLAND HOUSING DEVELOPMENT CORP
100 WATERMAN DR STE 101
SOUTH PORTLAND, ME 04106

DUDLEY, ANNE J. DUDLEY, CARLETON
32 ORLANDO ST
SOUTH PORTLAND, ME 04106-4120

MACARTHUR, EILEEN L.
22 ORLANDO ST
SOUTH PORTLAND, ME 04106

MIRO, WILLIAM V.
31 OLD BLUE POINT RD
SCARBOROUGH, ME 04074

WANG, CHIN MEI PHUNG, QUOC BINH
14 DAYTONA ST
SOUTH PORTLAND, ME 04106

BOYNTON, ARTEMIS M.
790 WILLARD ST #5509
QUINCY, MA 02169

DAHM, RUSSELL W. DAHM, KATHY G.
54 HUNTRESS AVE
SOUTH PORTLAND, ME 04106-4114

TRUONG, PHUONG NGUYEN, QUYEN
7 DAYTONA ST
SOUTH PORTLAND, ME 04106

TINKHAM, GUY W.
15 DAYTONA ST
SOUTH PORTLAND, ME 04106

BAKKER, JOAN D
17 PEARY TR
SOUTH PORTLAND, ME 04106

SCHAFFIE, ATIQ SCHAFFIE, BUTOL KERMANY
98 HUNTRESS AVE
SOUTH PORTLAND, ME 04106-4117

CHARETTE, AMY JEAN
21 BISHOP AV
SOUTH PORTLAND, ME 04106

JEFFERS, MICHAEL J. JEFFERS, DARLENE R.
34 HASKELL AV
SOUTH PORTLAND, ME 04106

HOUSE, VIRGINIA M.
1379 BROADWAY
SOUTH PORTLAND, ME 04106

WINSLOW, CARLETON
51- A BURNHAM ST
PORTLAND, ME 04102

GREATER PORTLAND CHRISTIAN SCHOOL ASSOC
1338 BROADWAY
SOUTH PORTLAND, ME 04106

NGUYEN, PHUONG
20 HASKELL AV
SOUTH PORTLAND, ME 04106

TOMAN, RONALD A.
1319 BROADWAY
SOUTH PORTLAND, ME 04106

IP, MAN LU, RUI
31 BISHOP AV
SOUTH PORTLAND, ME 04106
<table>
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<th>Name</th>
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<td>253 ALFRED ST</td>
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<td>SOUTH PORTLAND, ME 04106</td>
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<td>7 WHITEHALL AV</td>
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<td>PIERCE, JOYCE A.</td>
<td>41 PEARY TER</td>
<td>SOUTH PORTLAND, ME 04106-4124</td>
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<td>MIRO, WILLIAM V. MIRO, LISA A.</td>
<td>31 OLD BLUE POINT RD</td>
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<td>HICKS, SUSAN G.</td>
<td>121 RIDGEFIELD AV</td>
<td>SOUTH PORTLAND, ME 04106</td>
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<td>PARDUE, CYNTHIA M.</td>
<td>1303 BROADWAY</td>
<td>SOUTH PORTLAND, ME 04106</td>
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<td>CAMPBELL, ROGER E. ABDOL, ZAHROH Y.</td>
<td>1 WHITEHALL AV</td>
<td>SOUTH PORTLAND, ME 04106</td>
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<td>NGUYEN, BRIDGETT</td>
<td>84 HUNTRESS AVE</td>
<td>SOUTH PORTLAND, ME 04106-4117</td>
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<td>GERRISH, DANIEL E., JR</td>
<td>1367 BROADWAY</td>
<td>SOUTH PORTLAND, ME 04106</td>
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<td>GINGRICH, ALEX H. GINGRICH, LAURIE K.</td>
<td>91 RIDGELEY AV</td>
<td>SOUTH PORTLAND, ME 04106-4126</td>
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<td>DEMELLE, LINDA L.</td>
<td>92 HUNTRESS AV</td>
<td>SOUTH PORTLAND, ME 04106</td>
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<td>TEIXIERA, RAE ANN</td>
<td>60 HUNTRESS AV</td>
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<td>SMITH, GEORGIA H.</td>
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<td>LEEMAN, SHIRLEY LEEMAN, RICHARD</td>
<td>15 WHITEHALL AV</td>
<td>SOUTH PORTLAND, ME 04106</td>
</tr>
<tr>
<td>Name</td>
<td>Address</td>
<td>City, State, Zip</td>
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<tr>
<td>DARLING REAL ESTATE, LLC</td>
<td>24 BISHOP AV</td>
<td>SOUTH PORTLAND, ME 04106</td>
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<td>Parker, Jeanette E.</td>
<td>63 HUNTRESS AVE</td>
<td>SOUTH PORTLAND, ME 04106-4116</td>
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<td>Drake, Fredrick B.</td>
<td>74 HUNTRESS AV</td>
<td>SOUTH PORTLAND, ME 04105</td>
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<tr>
<td>Blk Limited Liability Co.</td>
<td>357 RIVERSIDE ST</td>
<td>PORTLAND, ME 04103</td>
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<tr>
<td>Wedgewood, Roger W.</td>
<td>30 BISHOP AVE</td>
<td>SOUTH PORTLAND, ME 04106-4107</td>
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<td>Gogola, Monika D.</td>
<td>1302 BROADWAY</td>
<td>SOUTH PORTLAND, ME 04105</td>
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<td>Flaherty, David E.</td>
<td>253 ALFRED ST</td>
<td>SOUTH PORTLAND, ME 04106</td>
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<td>Crosby, Evelyn M.</td>
<td>14 ORLANDO ST</td>
<td>SOUTH PORTLAND, ME 04106-4120</td>
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<td>Beecher, Maxine R.</td>
<td>85 RIDGFLAND AV</td>
<td>SOUTH PORTLAND, ME 04105</td>
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<tr>
<td>Ingraham Housing Cor., Inc.</td>
<td>PO BOX 1868</td>
<td>PORTLAND, ME 04104</td>
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<tr>
<td>Yerxa, Martha A.</td>
<td>8 DAYTONA ST</td>
<td>SOUTH PORTLAND, ME 04106</td>
</tr>
<tr>
<td>Smith, Georgia H.</td>
<td>37 HASKELL AV</td>
<td>SOUTH PORTLAND, ME 04106</td>
</tr>
</tbody>
</table>

Lee, Lamarck
26 ORLANDO ST
SOUTH PORTLAND, ME 04106
IN CITY COUNCIL

ORDINANCE #15-16/17

THE COUNCIL of the City of South Portland hereby ordains that Chapter 27, “ZONING,” of the "Code of Ordinances of the City of South Portland, Maine" be and hereby is amended as follows (additions are underlined; deletions are struck out); and

THE COUNCIL of the City of South Portland hereby ordains that the Official Zoning Map of the City of South Portland dated September 8, 2010, which map is a part of Chapter 27, “Zoning,” of the “Code of Ordinances of the City of South Portland, Maine,” be and hereby is amended to rezone a portion of Assessor's Tax Map 32 Lots 168 and 169 and Tax Map 41 Lots 1, 27 and 27B from Residential A to Residential District G all as more particularly shown on the attached sketch map.  (The attached sketch map is for general reference purposes only.  The Official Zoning Map of the City of South Portland as amended is available for review and inspection at the Planning and Development Office and the City Clerk’s Office.)

Fiscal Note: Less than $1,000

Dated: March 20, 2017