



# Application for Exemption from Site Plan Review

Portland, Maine  
Department of Planning and Urban Development, Planning Division and Planning Board

received Oct 2  
Site visit - Oct 13<sup>th</sup>  
Staff - Oct 7<sup>th</sup>

PROJECT NAME: 63 Kellogg St / 3-family - Shed + driveway extension  
PROJECT ADDRESS: 63 Kellogg St

PROJECT DESCRIPTION: (Please Attach Sketch/Plan of Proposal/Development)  
Extending driveway. Adding a wooden fence - Landscaping at rear

CHART/BLOCK/LOT: 017 - A - 003

**CONTACT INFORMATION:**

<b>OWNER/APPLICANT</b>	<b>CONSULTANT/AGENT</b>
Name: <u>Dominic White</u>	Name: _____
Address: <u>123 Congress St #1 Portland ME</u>	Address: _____
Zip Code: <u>04101</u>	Zip Code: _____
Work #: <u>207-272-2157</u>	Work #: _____
Home #: _____	Home #: _____
Fax #: _____	Fax #: _____
E-mail: _____	E-mail: _____

**Criteria for Exemptions:**

(See Section 14-523 (4) on page 2 of this application)

- a) Is the proposal within existing structures? Shed, deck, driveway
- b) Are there any new buildings, additions, or demolitions? \$ yes
- c) Is the footprint increase less than 500 sq. ft.?
- d) Are there any new curb cuts, driveways or parking areas? yes
- e) Are the curbs and sidewalks in sound condition? existing
- f) Do the curbs and sidewalks comply with ADA? no
- g) Is there any additional parking? no
- h) Is there an increase in traffic? no
- i) Are there any known stormwater problems? no
- j) Does sufficient property screening exist? yes ~~and screening~~
- k) Are there adequate utilities? yes

Applicant's Assessment Y(yes), N(no), N/A	Planning Division Use Only
<u>NO</u>	<u>NO</u>
<u>Shed, deck, driveway</u>	<u>yes</u>
<u>\$ yes</u>	<u>- driveway extended y/s</u>
<u>yes</u>	<u>yes</u>
<u>existing</u>	<u>yes</u>
<u>no</u>	<u>no</u>
<u>no</u>	<u>no</u>
<u>no</u>	<u>no</u>
<u>yes <del>and screening</del></u>	<u>no yes</u>
<u>yes</u>	<u>yes</u>

**Planning Division Use Only**

Exemption Granted (with conditions) Partial Exemption \_\_\_\_\_ Exemption Denied \_\_\_\_\_

1. All buildings permits shall be obtained and any other city permits required by either the Inspection Division or the Dept. of Public Services

2. The buffer at the rear of the property shall be retained or replaced if damaged during construction

Planner's Signature: Barbara Gerhardt Date: Oct 19, 2009

**PROVISION OF PORTLAND CITY CODE  
14-523 (SITE PLAN ORDINANCE)  
RE: EXEMPTIONS FROM SITE PLAN REVIEW**

**Sec. 14-523. Approval required.**

No person shall undertake any development without obtaining approval therefore under this article.

- (4) The Planning authority shall exempt from review under all standards in this article developments that meet all of the following requirements:
- a. The proposed development will be located within existing structures, and there will be no new buildings, demolitions, or building additions other than those permitted by subsection b of this section;
  - b. Any building addition shall have a new building footprint expansion of less than five hundred (500) square feet;
  - c. The proposed site plan does not add any new curb cuts, driveways, or parking areas; the existing site has no more than one (1) curb cut and will not disrupt the circulation flows and parking on-site; and there will be no drive-through services provided;
  - d. The curbs and sidewalks adjacent to the lot are complete and in sound condition, as determined by the public works authority, with granite curb with at least four (4) inch reveal, and sidewalks are in good repair with uniform material and level surface and meet accessibility requirements of the Americans with Disabilities Act;
  - e. The use does not require additional or reduce existing parking, either on or off the site, and the project does not significantly increase traffic generation;
  - f. There are no known stormwater impacts from the proposed use or any existing deficient conditions of stormwater management on the site;
  - g. There are no evident deficiencies in existing screening from adjoining properties; and
  - h. Existing utility connections are adequate to serve the proposed development and there will be no disturbance to or improvements within the public right-of-way.

A developer claiming exemption under this subsection shall submit a written request for exemption stating that the proposed meets all of the provisions in standards a-h of this subsection, including an itemized statement by a qualified professional. Upon receipt of such a request, the planning authority will visit the site to verify that the exemption is applicable due to compliance with the standards. The planning authority, after consultation with the public works authority, shall render a written decision within twenty (20) working days after receipt of a written request for exemption that contains all the information required by this subsection. If a full exemption is granted, the application shall be approved without further review under this article, and no performance guarantee shall be required. The planning authority may require full site plan review of a project that meets the criteria of this subsection if it determined that there is a substantial public interest in the project.

In the event that the planning authority determines that standards a and b of this subsection and at least four (4) of the remaining standards have been met, the planning authority shall review the site plan under the review standards in section 14-526 that are affected by the standards in this subsection that have not been met. An application that receives review by the planning board shall receive a complete review under the standards of section 14-526. The planning authority shall notify an applicant in writing that full or partial site plan review is required, the reasons for the decision, and the information that will be required for site plan review.

**IMPORTANT NOTICE TO APPLICANT**

**An Exemption from site plan review does not exempt this proposal from other approvals or permits, nor is it an authorization for construction. You should first check with the Building Inspections Office, Room 315, City Hall (874-8703), to determine what other City permits, such as a building permit, will be required.**

**Planning Barbara Barhydt**  
October 19, 2008

The proposed project is exempt from site plan review with the following conditions:

1. All building permits shall be obtained and any other city permits required by either the Inspections Division or the Department of Public Services.
2. The buffer at the rear of the property shall be retained or replaced if damaged during construction.



# General Building Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

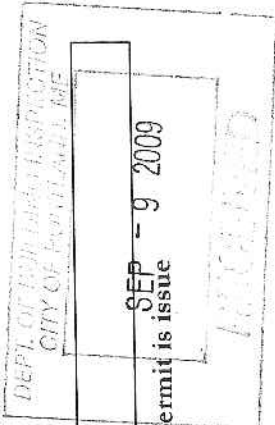
Location/Address of Construction: <u>63 Kellogg St. <del>2</del> Portland, ME</u>		Square Footage of Lot <u>4158 sq ft</u>	
Total Square Footage of Proposed Structure/Area <u>80 sq ft</u>			
Tax Assessor's Chart, Block & Lot Chart# <u>17 A</u> Block# <u>3</u> Lot# <u>3</u>	Applicant *must be owner, Lessee or Buyer* Name <u>Dominic White</u> Telephone: <u>207 272-2157</u> Address <u>123 Congress St #1</u> City, State & Zip <u>Portland, ME 04101</u>		
Lessee/DBA (If Applicable)	Owner (if different from Applicant) Name <u>63 Kellogg St, LLC</u> Cost Of Work: \$ <u>10,000</u> Address <u>63 Kellogg St #1</u> C of O Fee: \$ _____ City, State & Zip <u>Portland, ME 04101</u> Total Fee: \$ _____		
Current legal use (i.e. single family) <u>3-Family Multi-Unit</u>			
If vacant, what was the previous use? <u>3-Family Multi-Unit</u>			
Proposed Specific use: <u>3-Family Multi Unit</u>			
Is property part of a subdivision? <u>NO</u> If yes, please name _____			
Project description: <ul style="list-style-type: none"> <li>• 8x10 shed in yard</li> <li>• Rebuild Front stairs</li> <li>• Add 3 Parking spaces</li> </ul> <u>Add Deck to first floor rear.</u>			
Contractor's name: <u>Albert Nielson Construction</u>			
Address: <u>1 Tenford Rd P.O. Box 100</u> Telephone: _____			
City, State & Zip <u>Evantis, ME 04936</u> Telephone: <u>272-2157</u>			
Who should we contact when the permit is ready: <u>Dominic White</u>			
Mailing address: <u>123 Congress St #1 Portland, ME 04101</u>			

Please submit all of the information outlined on the applicable Checklist. Failure to do so will result in the automatic denial of your permit.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information or to download copies of this form and other applications visit the Inspections Division on-line at [www.portlandmaine.gov](http://www.portlandmaine.gov), or stop by the Inspections Division office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature: Dominic White Date: 9/8/09



This is not a permit; you may not commence ANY work until the permit is issued

63 Kellogg St  
 Site Plan  
 Lot 17-A-3  
 Contact:  
 Dominic White  
 207-272-2157

Description:  
 1- Add 6'x12' shed to the back yard with 5' minimum set backs.

2- Add three 8x15 parking spaces to the back yard.

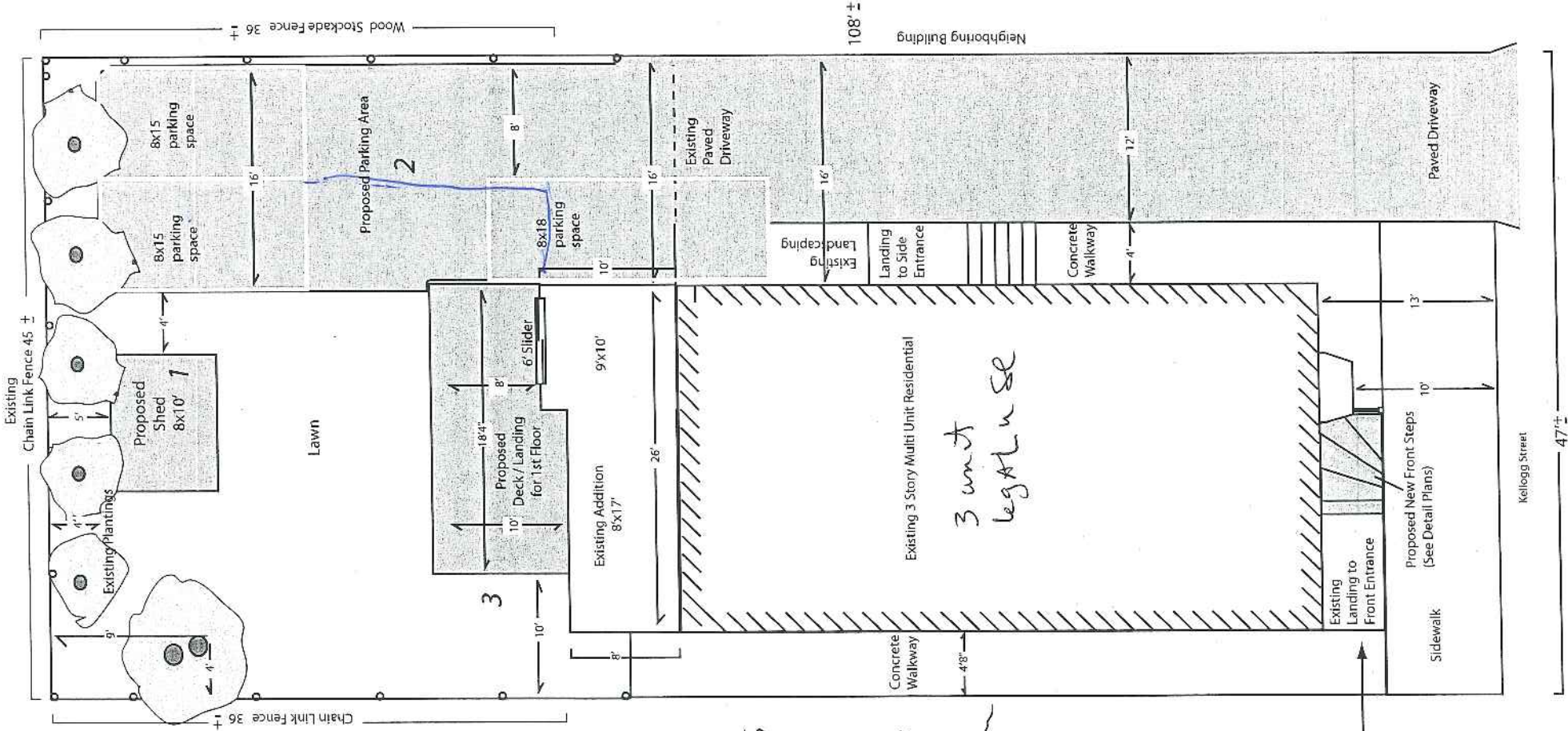
3- Add a Deck / Landing to the back of the 1st Floor Unit

4- Redo the Front Steps to follow contour of bay window and.



50% lot cov. ok - see city

REAR - 20' min Req - 20'±  
 Side: 10' min Req 6'0" & 10'±  
 Front: N/A



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Project Description for 63 Kellogg Street, Portland, ME  
9/8/09

- 1: Add an 8' x 18' 4" deck off the back of an existing addition.
- 2: Add a single story 8'x10' shed to back yard. Shed dimensions may alter but will remain under 100 square feet and meet all required set backs.
- 3: Re-build front steps.
- 4: Add approximately 700 sqft of pavement to back yard for parking.



**City of Portland, Maine - Building or Use Permit Application**

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No:	09-0991	Issue Date:		CBL:	017 A003001
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Location of Construction:	Owner Name:	Owner Address:	Phone:
63 KELLOGG ST	63 KELLOGG STREET LLC	63 KELLOGG ST # 1	
Business Name:	Contractor Name:	Contractor Address:	Phone:
	Albert Nelson Construction	1 Teapond Road P.O. Box 100 Eustis	
Lessee/Buyer's Name	Phone:	Permit Type:	Zone:
		Additions - Multi Family	R-6

Past Use:	Proposed Use:	Permit Fee:	Cost of Work:	CEO District:
Residential 3 unit	Residential 3 unit - 8'x 10' shed, rebuild front stairs, add 3 parking spaces	\$120.00	\$10,000.00	I
<i>Legal Use: Three (3) D.U.</i>		FIRE DEPT:	INSPECTION:	Type:
		<input type="checkbox"/> Approved <input type="checkbox"/> Denied	Use Group:	

Proposed Project Description:	Signature:
8'x 10' shed, rebuild front stairs, add 3 parking spaces	Signature:
	PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)
	Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied
	Signature: _____ Date: _____

Permit Taken By:	Date Applied For:	<b>Zoning Approval</b>	
Ldobson	09/09/2009		
1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.	Special Zone or Reviews	Zoning Appeal	Historic Preservation
2. Building permits do not include plumbing, septic or electrical work.	<input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/>	<input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied	<input checked="" type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied
3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..	Date: _____	Date: _____	Date: _____

**CERTIFICATION**

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT	ADDRESS	DATE	PHONE
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE		DATE	PHONE

















