

# DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

## BUILDING INSPECTION PERMIT

Permit Number: 090720

Please Read  
Application And  
Notes, If Any,  
Attached

This is to certify that Cabana Jason R. &  
has permission to Change of Use from 2 units to 3 units - third unit on the third floor, connected to permit # 080177.  
AT 66 Smith St CBL 022-1026001

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of buildings and structures, and of the application on file in this department.

Apply to Public Works for street line and grade if nature of work requires such information.

Notification of inspection must be given and written permission procured before this building or part thereof is lathed or otherwise closed-in. 24 HOUR NOTICE IS REQUIRED.

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

### OTHER REQUIRED APPROVALS

Fire Dept. CAPT. K. Sautreau  
Health Dept. \_\_\_\_\_  
Appeal Board \_\_\_\_\_  
Other \_\_\_\_\_

Department Name

James [Signature] 12/10/10  
Director - Building & Inspection Services

**PENALTY FOR REMOVING THIS CARD**

City of Portland

DEC 10 2010

**PERMIT ISSUED**

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

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

Permit No: 09-0720	Issue Date:	CBL: 022 1026001, 22:24
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Location of Construction: 66 Smith St	Owner Name: Cabana Jason R &	Owner Address: 69 Washburn Ave	Phone: 329-4390
Business Name:	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Dwellings	Zone: R-6

Past Use: Residential two family	Proposed Use: Change of Use from 2 units to 3 units, connected to permit # 080177.	Permit Fee: \$105.00	Cost of Work: \$1,000.00	CEO District: 1
		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied *See Conditions	INSPECTION: Use Group: R2 Type: SB IBC-2003	

Proposed Project Description: Change of Use from 2 units to 3 units - third unit on the third floor, connected to permit # 080177.	Signature: <i>(KG)</i>	Signature: <i>AMB 12/10/10</i>
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: gg	Date Applied For: 07/13/2009	<b>Zoning Approval</b>		
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<p>1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</p> <p>2. Building permits do not include plumbing, septic or electrical work.</p> <p>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..</p>	<p>Special Zone or Reviews</p> <p><input type="checkbox"/> Shoreland</p> <p><input type="checkbox"/> Wetland</p> <p><input type="checkbox"/> Flood Zone</p> <p><input type="checkbox"/> Subdivision</p> <p><input type="checkbox"/> Site Plan</p> <p>Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/></p> <p><i>OK w/ cond. hair</i> Date: <i>7/17/09</i> <i>ARM</i></p>	<p>Zoning Appeal</p> <p><input type="checkbox"/> Variance</p> <p><input type="checkbox"/> Miscellaneous</p> <p><input type="checkbox"/> Conditional Use</p> <p><input type="checkbox"/> Interpretation</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Denied</p> <p>Date:</p>	<p>Historic Preservation</p> <p><input checked="" type="checkbox"/> Not in District or Landmark</p> <p><input type="checkbox"/> Does Not Require Review</p> <p><input type="checkbox"/> Requires Review</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Approved w/Conditions</p> <p><input type="checkbox"/> Denied</p> <p><i>ARM</i> Date:</p>
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**PERMIT ISSUED**

DEC 10 2010

City of Portland

**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

# City of Portland, Maine - Building or Use Permit

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

Permit No: 09-0720	Date Applied For: 07/08/2009	CBL: 022 1026001
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Location of Construction: 66 Smith St	Owner Name: Cabana Jason R &	Owner Address: 69 Washburn Ave	Phone: ( ) 329-4390
Business Name:	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Dwellings	

Proposed Use: Change of Use from 2 units to 3 units, connected to permit # 080177.	Proposed Project Description: Change of Use from 2 units to 3 units - third unit on the third floor, connected to permit # 080177.
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Dept: Zoning      Status: Approved with Conditions      Reviewer: Ann Machado      Approval Date: 07/17/2009  
 Note: Ok to Issue:

- 1) With the issuance of this permit and the certificate of occupancy, this property shall be a three family dwelling. Any change of use shall require a separate permit application for review and approval.
- 2) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.

Dept: Building      Status: Approved with Conditions      Reviewer: Jeanine Bourke      Approval Date: 12/10/2010  
 Note: Ok to Issue:

- 1) All penetrations through rated assemblies must be protected by an approved firestop system installed in accordance with ASTM 814 or UL 1479, per IBC 2003 Section 712.
- 2) Hardwired interconnected battery backup smoke detectors shall be installed in all bedrooms, protecting the bedrooms, and on every level, or per Sec. R313.1.1 for alterations, repairs or additions.
- 3) Permit approved based on the plans submitted and reviewed w/owner/contractor, with additional information as agreed on and as noted on plans.
- 4) Separate permits are required for any electrical, plumbing, sprinkler, fire alarm HVAC systems, heating appliances, including pellet/wood stoves, commercial kitchen exhaust hood systems and fuel tanks. Separate plans may need to be submitted for approval as a part of this process.
- 5) Application approval based upon information provided by applicant. Any deviation from approved plans requires separate review and approval prior to work.
- 6) Those renovating dwellings shall install a CO detector in each area within or giving access to bedrooms. That detection must be powered by the electrical service in the building and battery.

Dept: Fire      Status: Approved with Conditions      Reviewer: Capt Keith Gautreau      Approval Date: 07/20/2009  
 Note: Ok to Issue:

- 1) The entire structure shall comply with NFPA 101 "Existing Apartments"  
Compliance shall be insured prior to the issuance of a Certificate of Occupancy.
- 2) All construction shall comply with NFPA 101

PERMIT ISSUED

DEC 10 2010

City of Portland

**Comments:**

2/9/2010-jmb: Jason C. Came in with the legal documents and photos, made copy of the documents and told him to bring the info to Planning. Also gave a copy of the outstanding building code details, he will provide the info at a later date after the SP approval

7/17/2009-amachado: Gave site plan application to planning.



<b>Location of Construction:</b> 66 Smith St	<b>Owner Name:</b> Cabana Jason R &	<b>Owner Address:</b> 69 Washburn Ave	<b>Phone:</b> ( ) 329-4390
<b>Business Name:</b>	<b>Contractor Name:</b>	<b>Contractor Address:</b>	<b>Phone:</b>
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Change of Use - Dwellings	

7/30/2009-jmb: Spoke to Jason C. for details on stair guard at top of stairs in 3rd fl, handrails, ceiling finish on 2nd floor was 5/8" on permit in '04, R-value flat ceiling, replacement window by rear door needs to be tempered, ceiling detail over bedrooms. He will submit. Also has Planning requirements

8/26/2009-jmb: Attorney Pat Thornton called (774-3906) inquiring on the status. Still waiting for details from Jason and I checked with SP exemption, not approved yet and Barbara on vacation.

12/1/2010-jmb: Jason C. submitted plans and details, SPE is still pending, emailed Barbara and Jason submitted more info to her.

12/9/2010-jmb: Received SPE from planning, ok to issue

12/2/2009-jmb: Revisiting pending permit applicaitons...emailed Barbara for her status on SPE prior to contacting owner. She replied has not heard back since August.

8/31/2009-jmb: Barbara emailed waiting to speak with the lawyer about issues

12/4/2009-jmb: Spoke to Jason C., he did get the documents from his lawyer for the SPE. He has been busy with work since the weather has been so good. Plans on coming in when work slows down.

**PERMIT ISSUED**

DEC 10 2010

City of Portland



## BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 (ONLY )

or email: [buildinginspections@portlandmaine.gov](mailto:buildinginspections@portlandmaine.gov)

With the issuance of this permit, the owner, builder or their designee is required to provide adequate notice to the City of Portland Inspection Services for the following inspections. Appointments must be requested 48 to 72 hours in advance of the required inspection. The inspection date will need to be confirmed by this office.

- Please read the conditions of approval that is attached to this permit!! Contact this office if you have any questions.
- Permits expire in 6 months, if the project is not started or ceases for 6 months.
- If the inspection requirements are not followed as stated below additional fees may be incurred due to the issuance of a "Stop Work Order" and subsequent release to continue with construction.

  X   Framing/Rough Plumbing/Electrical: Prior to Any Insulating, drywalling or covering.

  X   Final/Certificate of Occupancy: Prior to any occupancy of the structure or use.  
NOTE: There is a \$75.00 fee per inspection at this point.

The project cannot move to the next phase prior to the required inspection and approval to continue, REGARDLESS OF THE NOTICE OR CIRCUMSTANCES.

IF THE PERMIT REQUIRES A CERTIFICATE OF OCCUPANCY, IT MUST BE PAID FOR AND ISSUED TO THE OWNER OR DESIGNEE BEFORE THE SPACE MAY BE OCCUPIED.

PERMIT ISSUED

DEC 10 2010

City of Portland



# CITY OF PORTLAND, MAINE

Department of Building Inspections

## Original Receipt

Dec. 20 2010

Received from Calvin Construction LLC

Location of Work 66 Smith St.

Cost of Construction \$ \_\_\_\_\_ Building Fee: \_\_\_\_\_

Permit Fee \$ \_\_\_\_\_ Site Fee: \_\_\_\_\_

Certificate of Occupancy Fee: \_\_\_\_\_

Total: \_\_\_\_\_

Building (IL)  Plumbing (I5) \_\_\_\_\_ Electrical (I2) \_\_\_\_\_ Site Plan (U2) \_\_\_\_\_

Other additional cost

CBL: 172-1026

Check #: 5112 Total Collected \$ 50.00

**No work is to be started until permit issued.  
Please keep original receipt for your records.**

Taken by: [Signature]

WHITE - Applicant's Copy  
YELLOW - Office Copy  
PINK - Permit Copy



#090720

# 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>66 Smith St Portland Me</u>		
Total Square Footage of Proposed Structure/Area <u>1068</u>	Square Footage of Lot <u>5,396 Sq Ft</u>	Number of Stories <u>3</u>
Tax Assessor's Chart, Block & Lot Chart#      Block#      Lot#  <u>022      I      026</u>	Applicant * <u>must be owner, Lessee or Buyer</u> * Name <u>JASON CABANA</u> Address <u>69 Washburn Ave</u> City, State & Zip <u>Portland Me. 04102</u>	Telephone: <u>207-329-4390</u>
Lessee/DBA (If Applicable)  <u>JUL 8 2009</u>	Owner (if different from Applicant) Name Address City, State & Zip	Cost Of Work: \$ <u>1,000</u> C of O Fee: \$ <u>75.00</u> Total Fee: \$ <u>105.00</u>
Current legal use (i.e. single family) <u>2 Family</u> Number of Residential Units <u>2</u> If vacant, what was the previous use? <u>#</u> Proposed Specific use: <u>3 family</u> Is property part of a subdivision? <u>NO</u> If yes, please name _____ Project description: <u>Add Third Dwelling in 3rd Floor</u> <u>Change of use 2 units to 3 units</u> <u>amendments #</u>		
Contractor's name: <u><del>Jason Cabana</del></u>		<u>08 0177</u>
Address: _____		Telephone: _____
City, State & Zip _____		Telephone: <u>207-329-4390</u>
Who should we contact when the permit is ready: <u>JASON CABANA</u>		Telephone: <u>207-329-4390</u>
Mailing address: <u>69 Washburn Ave Portland Maine</u>		<u>XX Call</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: [Signature]      Date: 7-8-09

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





# CITY OF PORTLAND, MAINE

Department of Building Inspections

## Original Receipt

July 9 2009

Received from Jean Lavigne

Location of Work 46 Smith St.

Cost of Construction \$ \_\_\_\_\_ Building Fee: 30.00

Permit Fee \$ \_\_\_\_\_ Site Fee: \_\_\_\_\_

Certificate of Occupancy Fee: 75.00

**Total:** ~~105.00~~ 105.00

Building (IL) \_\_\_\_\_ Plumbing (I5) \_\_\_\_\_ Electrical (I2) \_\_\_\_\_ Site Plan (U2) \_\_\_\_\_

Other \_\_\_\_\_

CBL: 022 I 021

Check #: Cash **Total Collected \$** 105.00

**No work is to be started until permit issued.  
Please keep original receipt for your records.**

Taken by: [Signature]

WHITE - Applicant's Copy  
YELLOW - Office Copy  
PINK - Permit Copy

Applicant: Jason Cabana

Date: 7/17/09

Address: 66 Smith St

C-B-L: 22-I-026, 022 & 024  
permit # 09-0720

CHECK-LIST AGAINST ZONING ORDINANCE

Date - house built 1880

Zone Location - R-6

Interior or corner lot -

Proposed Use/Work - change the use from 2 unit to a 3 unit w/in existing footprint

Sevage Disposal -

Lot Street Frontage -

Front Yard -

Section 14-136 (a)(2)

Rear Yard -

- new dv - min. 600 ft - 1068 ft § in non application

Side Yard -

Projections -

- existing dv - not reduced < 1,000 ft - space had been used as  
attic separate from 2nd  
floor per conversation w/  
Jason Cabana 7/17/09.

Width of Lot -

Height -

Lot Area -  $1600 + 3641 = 5241$  ft<sup>2</sup>

Lot Coverage/ Impervious Surface -

Area per Family - 1,000 ft<sup>2</sup> - need 3,000 ft<sup>2</sup> (ok)

Off-street Parking - need 3 parking spaces - 4 shown

Loading Bays -

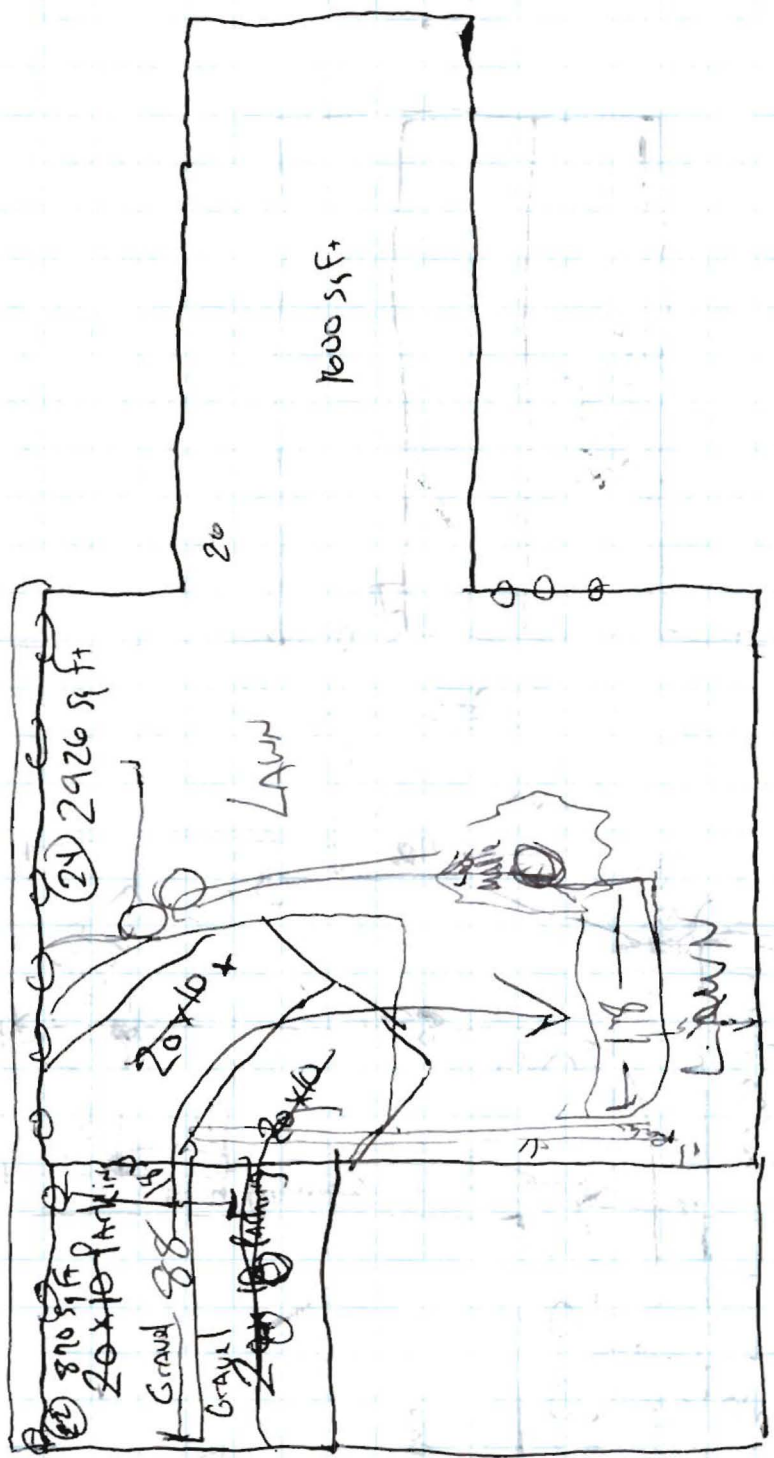
Site Plan - exemption

Shoreland Zoning/ Stream Protection - N/A

Flood Plains -

SMITH ST

66 Smith St + 57 Oxford  
Lot Description

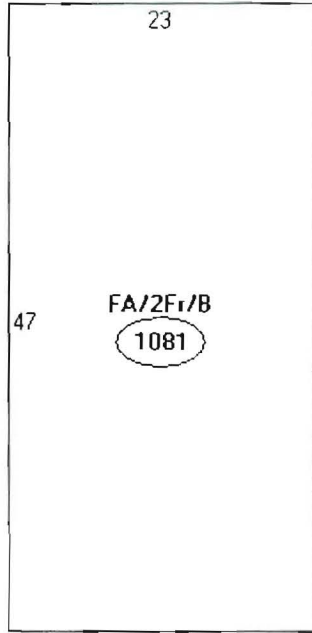


PASSAGE

OX FORD ST







Descriptor/Area

A. FA/2Fr/B  
1081 sqft

This page contains a detailed description of the Parcel ID you selected. Press the **New Search** button at the bottom of the screen to submit a new query.

### Current Owner Information

Card Number 1 of 1  
 Parcel ID 022 I026001  
 Location 66 SMITH ST  
 Land Use TWO FAMILY

Owner Address CABANA JASON R & ROBERT H CABANA JTS  
 69 WASHBURN AVE  
 PORTLAND ME 04102

Book/Page 20530/246  
 Legal 22-I-26  
 SMITH ST 64-66  
 1600 SF

### Current Assessed Valuation

<b>Land</b>	<b>Building</b>	<b>Total</b>
\$58,200	\$173,300	\$231,500

### Property Information

<b>Year Built</b> 1880	<b>Style</b> Old Style	<b>Story Height</b> 2	<b>Sq. Ft.</b> 2594	<b>Total Acres</b> 0.037		
<b>Bedrooms</b> 6	<b>Full Baths</b> 2	<b>Half Baths</b>	<b>Total Rooms</b> 10	<b>Attic</b> Full Finsh	<b>Basement</b> Full	

### Outbuildings

<b>Type</b>	<b>Quantity</b>	<b>Year Built</b>	<b>Size</b>	<b>Grade</b>	<b>Condition</b>
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### Sales Information

<b>Date</b>	<b>Type</b>	<b>Price</b>	<b>Book/Page</b>
11/07/2003	LAND + BLDING	\$85,000	20530-246
10/22/2003	LAND + BLDING	\$70,000	20436-251

### Picture and Sketch

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

[Click here](#) to view Tax Roll Information.

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

**New Search!**



This page contains a detailed description of the Parcel ID you selected. Press the **New Search** button at the bottom of the screen to submit a new query.

### Current Owner Information

**Card Number** 1 of 1  
**Parcel ID** 022 I022001  
**Location** 57 OXFORD ST  
**Land Use** GARAGES, SHEDS, AUX, ETC.

**Owner Address** CABANA JASON R & ROBERT H CABANA JTS  
 69 WASHBURN AVE  
 PORTLAND ME 04102

**Book/Page** 20530/246  
**Legal** 22-I-22-24  
 OXFORD ST 57-59  
 3641 SF

### Current Assessed Valuation

<b>Land</b>	<b>Building</b>	<b>Total</b>
\$14,600	\$ 0.00	\$14,600

### Property Information

<b>Year Built</b>	<b>Style</b>	<b>Story Height</b>	<b>Sq. Ft.</b>	<b>Total Acres</b>	
				0.084	
<b>Bedrooms</b>	<b>Full Baths</b>	<b>Half Baths</b>	<b>Total Rooms</b>	<b>Attic</b>	<b>Basement</b>

### Outbuildings

<b>Type</b>	<b>Quantity</b>	<b>Year Built</b>	<b>Size</b>	<b>Grade</b>	<b>Condition</b>
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### Sales Information

<b>Date</b>	<b>Type</b>	<b>Price</b>	<b>Book/Page</b>
11/07/2003	LAND + BLDING	\$85,000	20530-246
10/22/2003	LAND + BLDING	\$70,000	20436-251

### Picture and Sketch

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

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**New Search!**

**City of Portland, Maine - Building or Use Permit Application**  
 389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 08-0177	Issue Date:	CBL: 022 1026001
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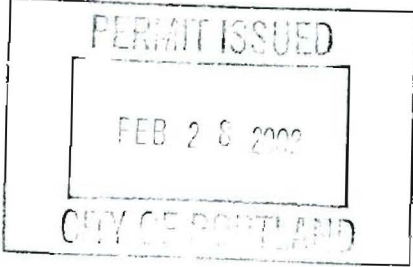
Location of Construction: 66 SMITH ST	Owner Name: CABANA JASON R & ROBERT H	Owner Address: 69 WASHBURN AVE	Phone:
Business Name:	Contractor Name: property owner	Contractor Address: Portland	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Alterations - Duplex	Zone:

Past Use: 2 Unit Residential	Proposed Use: 2 Unit Residential - add to attic 1 non bearing wall and a skylight-	Permit Fee: \$60.00	Cost of Work: \$4,000.00	CEO District: 1
Proposed Project Description: add to attic 1 non bearing wall and a skylight -		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: R3 Type SB IRC 2003	
		Signature:	Signature: <i>Jm 2/28/08</i>	
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: Idobson	Date Applied For: 02/28/2008	<b>Zoning Approval</b>		
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1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.
2. Building permits do not include plumbing, septic or electrical work.
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..

<b>Special Zone or Reviews</b> <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"/> Date: <i>Jm</i>	<b>Zoning Appeal</b> <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 Date:	<b>Historic Preservation</b> <input 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 Date:
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**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

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

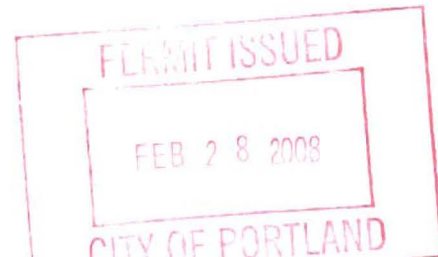
389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 08-0177	Date Applied For: 02/28/2008	CBL: 022 1026001
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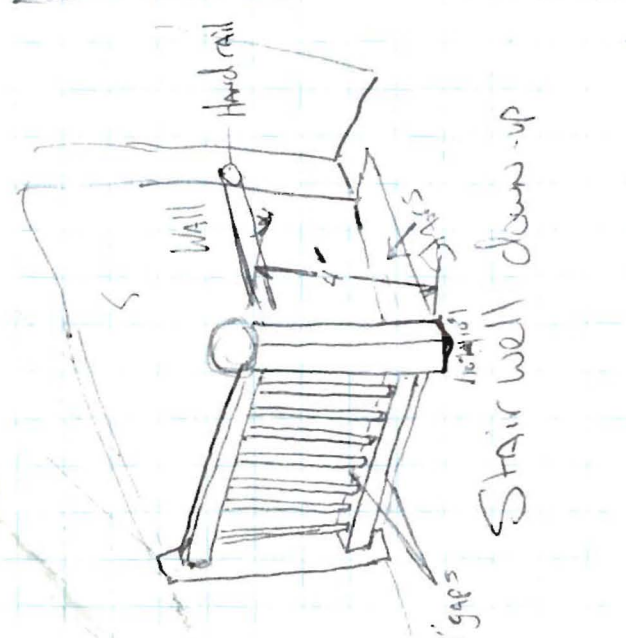
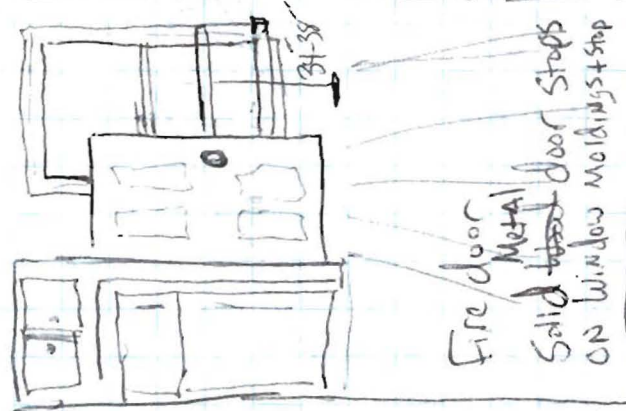
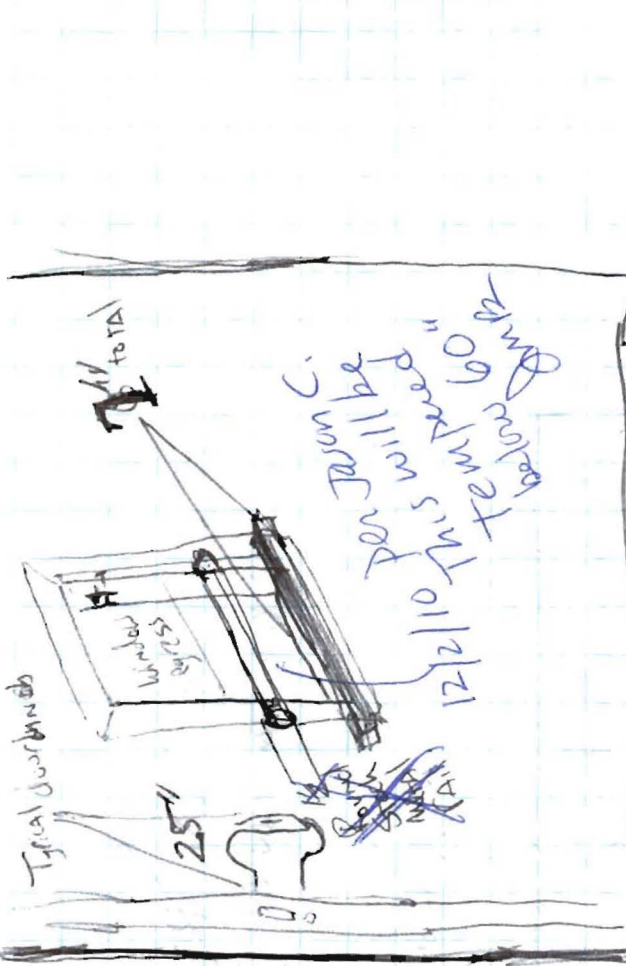
Location of Construction: 66 SMITH ST	Owner Name: CABANA JASON R & ROBERT H	Owner Address: 69 WASHIBURN AVE	Phone:
Business Name:	Contractor Name: property owner	Contractor Address: Portland	Phone
Lessee/Buyer's Name	Phone:	Permit Type: Alterations - Duplex	

Proposed Use: 2 Unit Residential - add to attic 1 non bearing wall and a skylight -	Proposed Project Description: add to attic 1 non bearing wall and a skylight -
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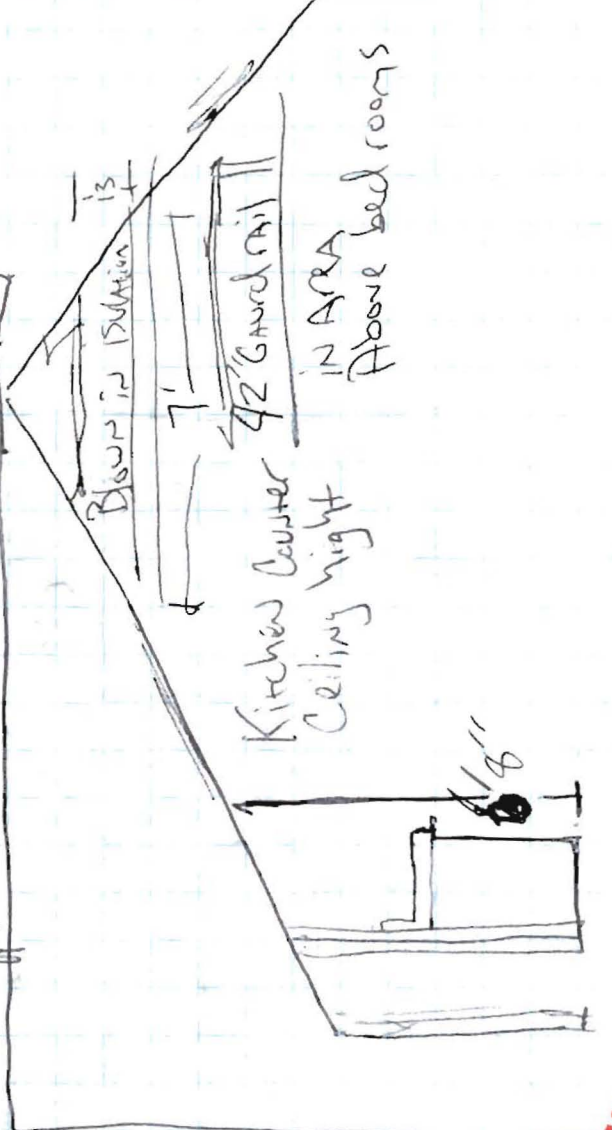
Dept: Zoning	Status: Approved	Reviewer: Tom Markley	Approval Date: 02/28/2008
Note:	Ok to Issue: <input checked="" type="checkbox"/>		
<p>1) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.</p> <p>2) This is NOT an approval for an additional dwelling unit. You SHALL NOT add any additional kitchen equipment including, but not limited to items such as stoves, microwaves, refrigerators, or kitchen sinks, etc. Without special approvals.</p>			
Dept: Building	Status: Approved with Conditions	Reviewer: Tom Markley	Approval Date: 02/28/2008
Note:	Ok to Issue: <input checked="" type="checkbox"/>		
<p>1) Separate permits are required for any electrical, plumbing, or HVAC systems. Separate plans may need to be submitted for approval as a part of this process.</p>			







12/2/10  
 This will be  
 per Jason C.  
 6\"/>

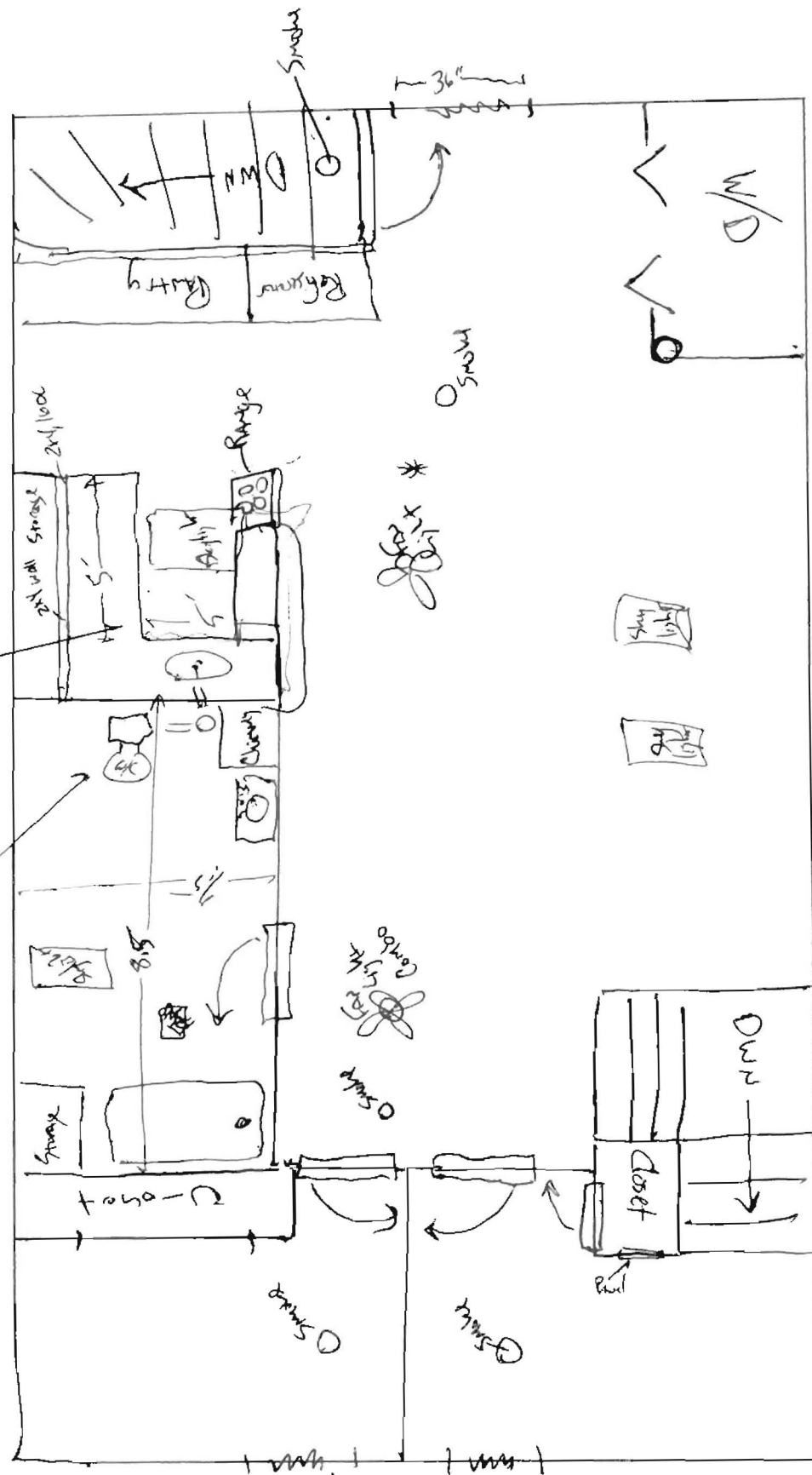
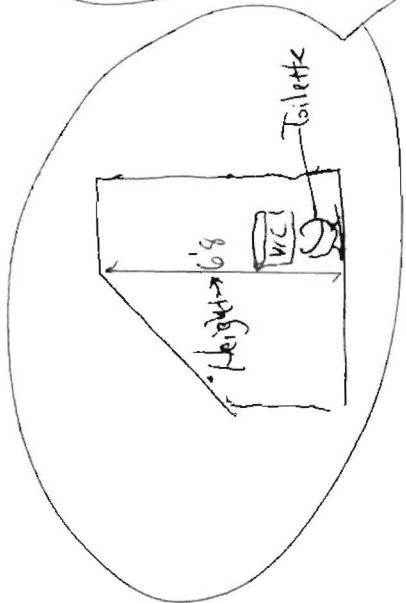
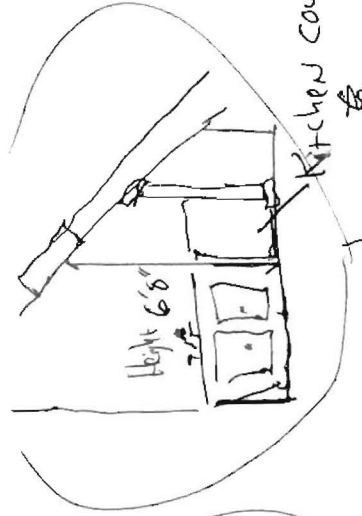


**RECEIVED**  
 DEC - 1 2010  
 Dept. of Building Inspections  
 City of Portland Maine

Existing to Small.

Drawing for 60 Smith St  
 64 Smith St  
 Portland

\* 11' Ft Ceilings w Collar Ties  
 R-38-45 in Flat  
 R-25 (walls/rafters)  
 per Joist  
 All Ceilings 5/8 type X



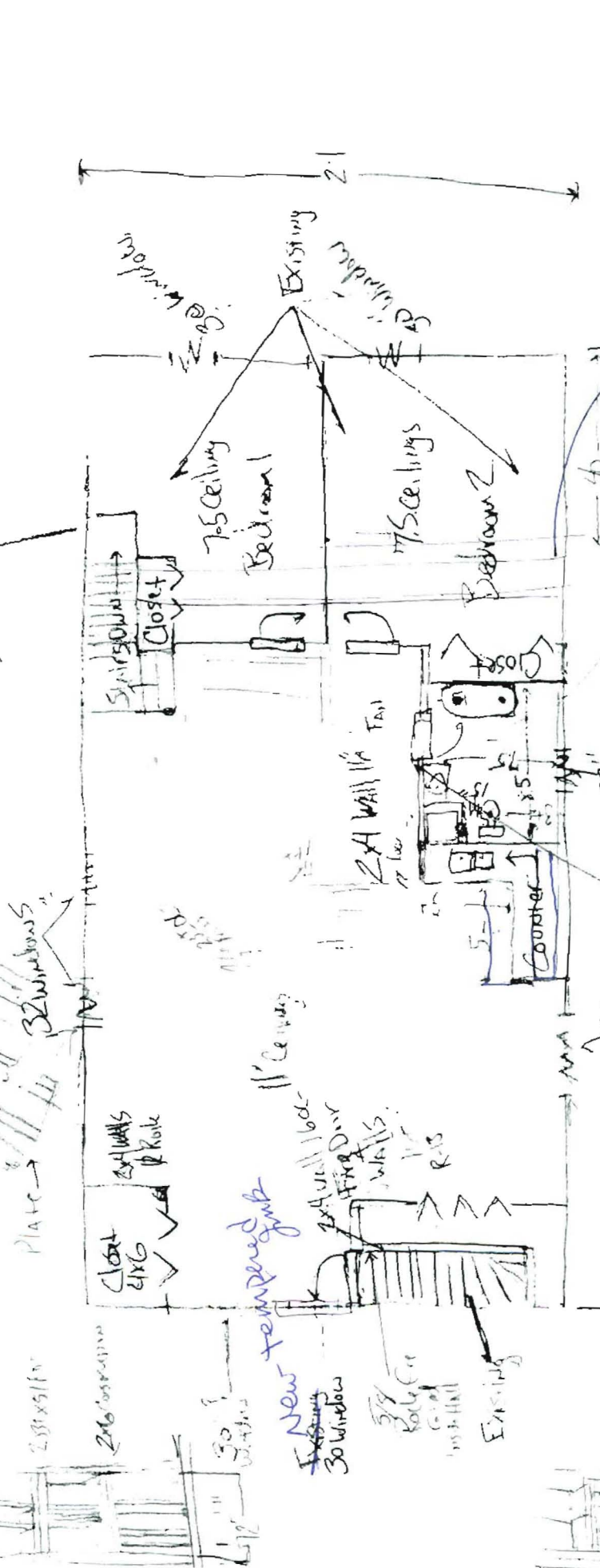
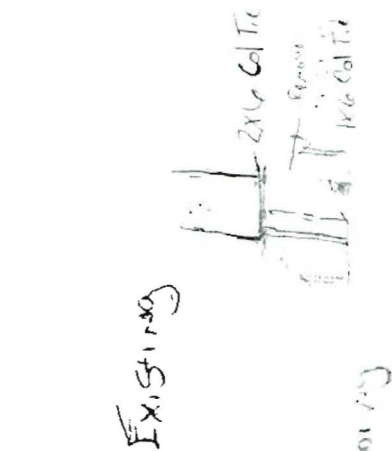
\* 6' x 6' joists

Egress Windows

60 Smith St 3rd Floor

R-25 Ceilings  
R-19 exterior walls Hall  
R-19 exterior walls

32" Ridge Skylight  
2x6  
Existing Floor Curbs  
Existing Windows  
36" Fire Door  
Autoball Sealing



2x10 @ 16" O.C. Ceiling

3rd Floor

New tempered glass

4th Bedding Drs









# Application for Exemption from Site Plan Review

Portland, Maine

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

PROJECT NAME: Change of use from

PROJECT ADDRESS: 66 Smith St Portland Me

PROJECT DESCRIPTION: (Please Attach Sketch/Plan of Proposal/Development)  
Add 3rd unit to 3rd floor in existing 2 Family

CHART/BLOCK/LOT: 22-I-026

**RECEIVED**

CONTACT INFORMATION:

JUL 17 2009

OWNER/APPLICANT

CONSULTANT/AGENT

City of Portland  
Planning Division

Name: JASON CABANA  
Address: 69 WASHBURN AVE  
PORTLAND ME  
Zip Code: 04102  
Work #: 207-329-4390  
Cell #: 207 329-4390  
Fax #: \_\_\_\_\_  
Home #: \_\_\_\_\_  
E-mail: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Zip Code: \_\_\_\_\_  
Work #: \_\_\_\_\_  
Cell #: \_\_\_\_\_  
Fax #: \_\_\_\_\_  
Home #: \_\_\_\_\_  
E-mail: \_\_\_\_\_

Criteria for Exemptions:

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

	Applicant's Assessment Y(yes), N(no), N/A	Planning Division Use Only
a) Is the proposal within existing structures?	Y	Y
b) Are there any new buildings, additions, or demolitions?	N	N
c) Is the footprint increase less than 500 sq. ft.?	N	N
d) Are there any new curb cuts, driveways or parking areas?	N	N
e) Are the curbs and sidewalks in sound condition?	Y	Y
f) Do the curbs and sidewalks comply with ADA?	Y	Y
g) Is there any additional parking?	Y	N
h) Is there an increase in traffic?	N	N
i) Are there any known stormwater problems?	N	Y
j) Does sufficient property screening exist?	Y	Y
k) Are there adequate utilities?	Y	Y

Planning Division Use Only Exemption Granted X Partial Exemption \_\_\_\_\_ Exemption Denied \_\_\_\_\_  
with 2 conditions of approval. See attached

Planner's Signature Barbara Barbydt Date Dec 6, 2010

**Planning Barbara Barhydt**

December 6, 2010

After the initial review in July 2009, I had several phone conversations with Jason Cabana. I requested evidence of the right title and interest to use the shared driveway and evidence that the existing gravel area is a parking area.

Mr. Cabana provide photographs and deeds in 2010. He met with me today and we reviewed the material he submitted.

The request for an exemption is granted subject to two conditions of approval:

- 1) That the existing gravel area may be used to meet the parking requirement for 3 spaces; however if the applicant seeks to pave this gravel area the plans must be submitted for site plan review; and
- 2) The applicant shall obtain all required building permits from the Inspection Division.

EET 23-B



EA. LANCA

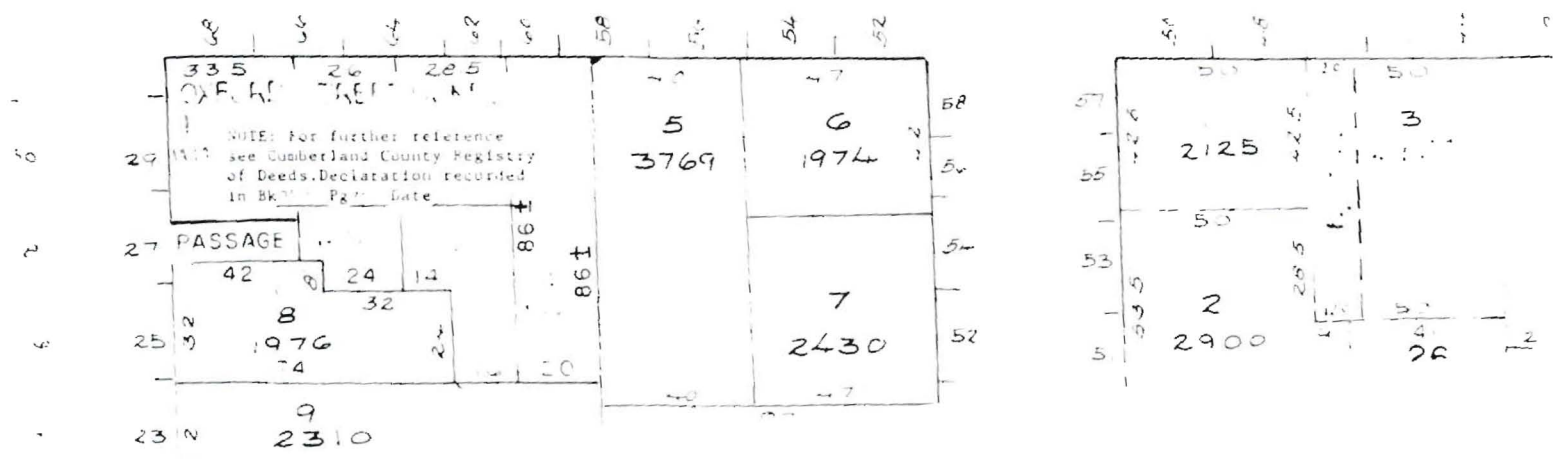


STREET

STREET

OXFORD

STREET

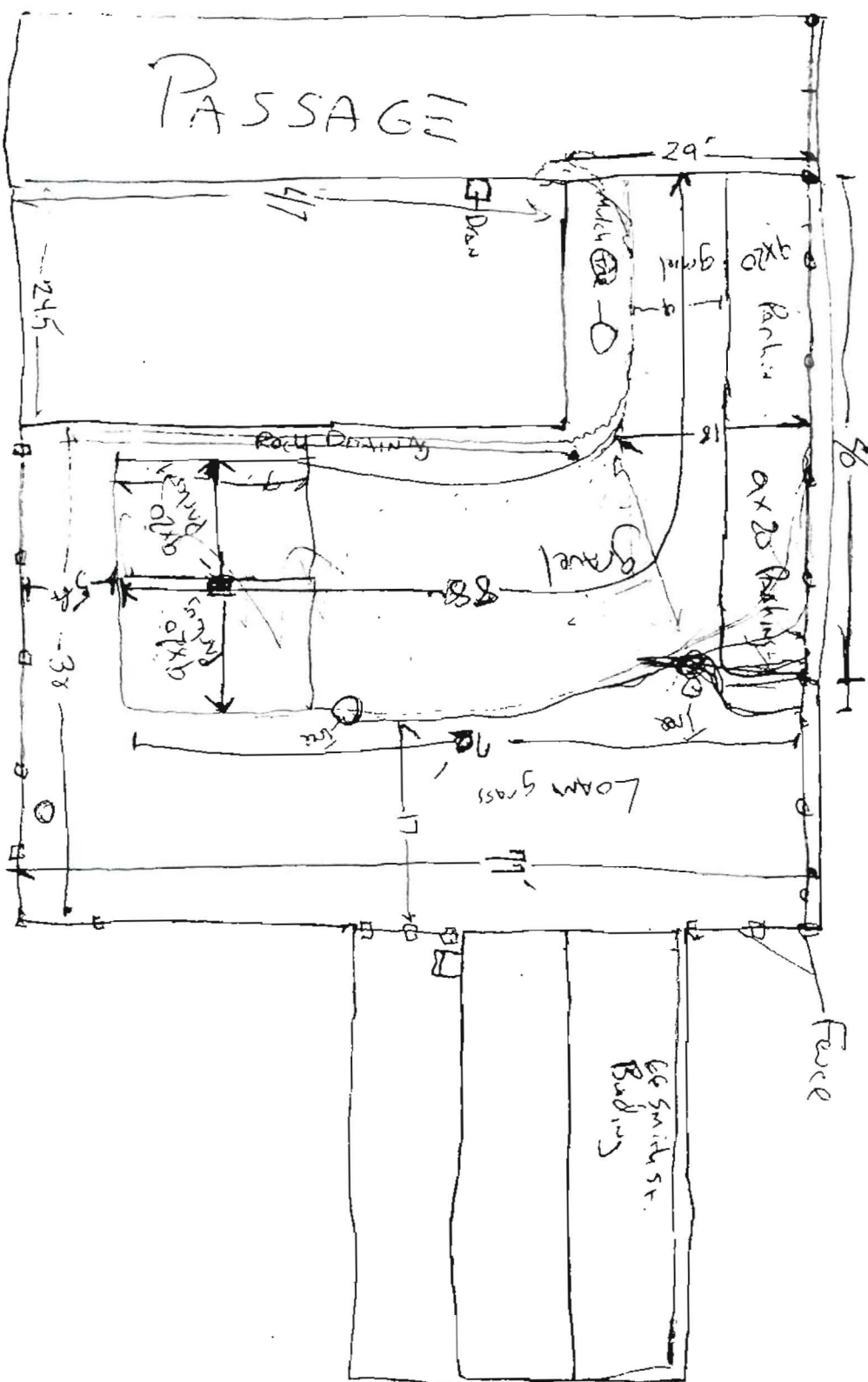


NOTE: For further reference  
 see Cumberland County Registry  
 of Deeds, Declaration recorded  
 in Bk. Pg. Date



66 Smith St  
Plot (Plan)

5,390 sq ft



Oxford St

Smith St





# MONAGHAN LEAHY, LLP

ATTORNEYS AT LAW

THOMAS G. LEAHY  
KEVIN G. LIBBY  
CHRISTOPHER C. DINAN  
JOHN J. WALL, III  
KENNETH D. PIERCE  
CORNELIA FUCHS FISHER  
ZACHARY I. GREENFIELD  
ERICA M. JOHANSON  
PATRICK D. THORNTON

THOMAS F. MONAGHAN  
OF COUNSEL

95 EXCHANGE STREET  
P.O. BOX 7046  
PORTLAND, MAINE  
04112-7046

TEL 207-774-3906  
FAX 207-774-3833

pthornton@monaghanleahy.com

August 26, 2009

Jason Cabana  
Cabana Construction, LLC  
69 Washburn Avenue  
Portland, ME 04104

**RE: Deed Preparation/Estate**

Dear Jason:


Enclosed please find the Deed we recently did from your father to you, the Deed before that from Pensco Trust Company and, a copy of the City of Portland Tax Map showing the properties you have on Oxford Street and Smith Street. Each of these pretty shows that clearly you have the right to use the passageway from Oxford Street to access the property. I will be in touch with the City of Portland again to see if they need anything beyond this, but I wanted you to have a copy of it.

If you have any questions let me know.

Very truly yours,

MONAGHAN LEAHY, LLP

By

  
Patrick D. Thornton, Esq.

PDT/jh  
Enclosures



### Quitclaim Deed

I, **Robert H. Cabana**, of 5 Sheltra Avenue, City of Biddeford, County of York and State of Maine, for consideration paid, grant to **Jason R. Cabana**, with a mailing address of 69 Washburn Avenue, Portland, Maine, with **QUITCLAIM COVENANTS**

A certain lot or parcel of land, situated in the City of Portland, County of Cumberland and State of Maine, being more particularly bounded and described as follows:

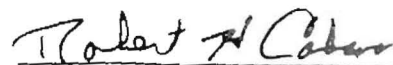
See Exhibit A attached hereto.

For source of title, reference is made to a deed dated November 6, 2003 and recorded in the Cumberland County Registry of Deeds in Book 20530, Page 246.

Executed as a sealed instrument this 9th day of April, 2009.

MAINE REAL ESTATE TAX PAID


  
\_\_\_\_\_  
Witness

  
\_\_\_\_\_  
Robert H. Cabana

STATE OF MAINE  
COUNTY OF CUMBERLAND, ss.

April 9, 2009

Then personally appeared before me the above named Robert H. Cabana and acknowledged the foregoing instrument to be her free act and deed.

  
\_\_\_\_\_  
Notary Public/Attorney-at-Law  
Patrick D. Thornton, Esq

66 Smith Street, Portland

A certain lot or parcel of land, with the buildings thereon, situated in the City of Portland, County of Cumberland and State of Maine, known as No. 66 Smith Street, and bounded and described as follows:

BEGINNING at the intersection of the westerly side of Smith Street, and the southeast corner of land now or formerly belonging to one Abner L. Foot; thence westerly on the line of said Foot's land about 50 feet to the lot now or formerly in possession of one Mrs. Cook; thence southerly on a line of the last mentioned lot, to an iron stake, situated midway between the rear ends of the two buildings known as No. 64 and No. 66 Smith Street; thence easterly on a line parallel with the Foot's southerly line, to Smith Street; thence northerly on the westerly side of Smith Street, to the point of beginning or first named bounds.

Intending to convey land depicted on City of Portland Tax Map 22, Block I, Lot 26.

57 Oxford Street, Portland:

A certain lot or parcel of land on the northwesterly side of Oxford Street in the City of Portland, Cumberland County, Maine, bounded and described as follows:

BEGINNING at a point on the northwesterly sideline of Oxford Street distant 50 feet westerly from the intersection of the northwesterly sideline of Oxford Street and the westerly sideline of Smith Street, said point being the southwesterly corner of land now or formerly of Albert E. Goodwin, Jr.; thence westerly by the northwesterly sideline of Oxford Street 38 feet to a point and land now or formerly of George Beasley; thence northwesterly by the easterly sideline of land of said Beasley 46 feet, more or less, to the northeasterly corner thereof; thence westerly by the northwesterly sideline of land of said Beasley 25 feet, more or less, to the northwesterly corner thereof and a point on the easterly sideline of a passageway extending northwesterly from Oxford Street; thence northwesterly by the easterly sideline of said passageway 29 feet to a point, and land now or formerly of Ellan M. Felt; thence in a northeasterly direction by the southerly sideline of land of said Felt 25 feet, more or less, to the southeasterly corner thereof; thence continuing in a northeasterly direction 38 feet, more or less, to a point; thence southeasterly by land of said Schoenland; by land of (Thomas McBrady, and by land of Albert E. Goodwin, Jr. 77 feet to the northwesterly sideline of Oxford Street and the point of beginning.

Together with the right to pass and repass over the passageway leading northwesterly from Oxford Street in common with others.

"This conveyance is subject to all of the restrictions, covenants and agreements contained in the Indenture by which said premises were Conveyed to Thomas D. McBrady by Portland Renewal Authority dated August 21, 1968, recorded in Book 3054, Page 51. The foregoing, as all the Other covenants contained in the aforesaid Indenture to Thomas D. McBrady from Portland Renewal Authority, shall be a covenant running with the land and shall be enforceable in the same manner as prescribed in said Indenture for the enforcement of the covenants therein contained."

Intending to convey land depicted on City of Portland Tax Map 22, Block I, lot 22 (which now includes Map 22, Block I, Lot 24, conveyed herewith).

Received  
Recorded Register of Deeds  
Jun 03 2009 08:41:47A  
Cumberland County  
Pamela E. Lovley

**Warranty Deed**  
(Maine Statutory Short Form)

**PENSCO Trust Company, a New Hampshire corporation, Custodian FBO William J. Dowd SEP IRA #DO 122**, with a place of business at 250 Montgomery Street, 3rd Floor, San Francisco, CA 94104, for valuable consideration, grants to **Jason R. Cabana and Robert H. Cabana** as Joint Tenants, with a mailing address of 69 Washburn Avenue, Portland, Maine 04102 with WARRANTY COVENANTS, the following described real property situated at **66 Smith Street and 57 Oxford Street, Portland, Cumberland County, Maine**

A certain lot or parcel of land with the buildings thereon, situated in said Portland, and being more particularly described on Exhibit A attached hereto and made a part hereof.

Meaning and intending to convey a portion of the premises described in a deed from the Estate of Dellma McBrady, dated October 22, 2003, and recorded in the Cumberland County Registry of Deeds in Book 20436, Page 251.

IN WITNESS WHEREOF PENSCO Trust Company, has caused this instrument to be signed in its corporate name by its duly authorized officer this 6<sup>th</sup> day of November 2003.

PENSCO Trust Company

Ignacio de Souza  
Witness

Denise M. Broussard  
By: Denise M. Broussard  
Its: Vice President, Operations

State of California  
County of San Francisco, ss

Thursday  
November 6<sup>th</sup>, 2003

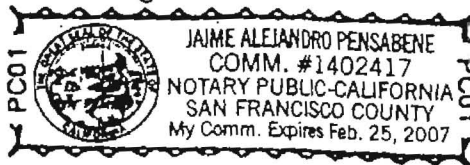
Personally appeared the above named Denise M. Broussard, the Vice President, of PENSCO Trust Company, and acknowledged the foregoing instrument to be his/her free act and deed in said capacity, and the free act and deed of said trust company, acting as custodian as aforesaid.

Before me,

[Signature]  
Notary Public

Printed Name:

Comm. Exp:



MAINE REAL ESTATE TAX PAID

## EXHIBIT A - PROPERTY DESCRIPTION

66 Smith Street, Portland

A certain lot or parcel of land, with the buildings thereon, situated in the City of Portland, County of Cumberland and State of Maine, known as No. 66 Smith Street, and bounded and described as follows:

BEGINNING at the intersection of the westerly side of Smith Street, and the southeast corner of land now or formerly belonging to one Abner L. Foot; thence westerly on the line of said Foot's land about 50 feet to the lot now or formerly in possession of one Mrs. Cook; thence southerly on a line of the last mentioned lot, to an iron stake, situated midway between the rear ends of the two buildings known as No. 64 and No. 66 Smith Street; thence easterly on a line parallel with the Foot's southerly line, to Smith Street; thence northerly on the westerly side of Smith Street, to the point of beginning or first named bounds.

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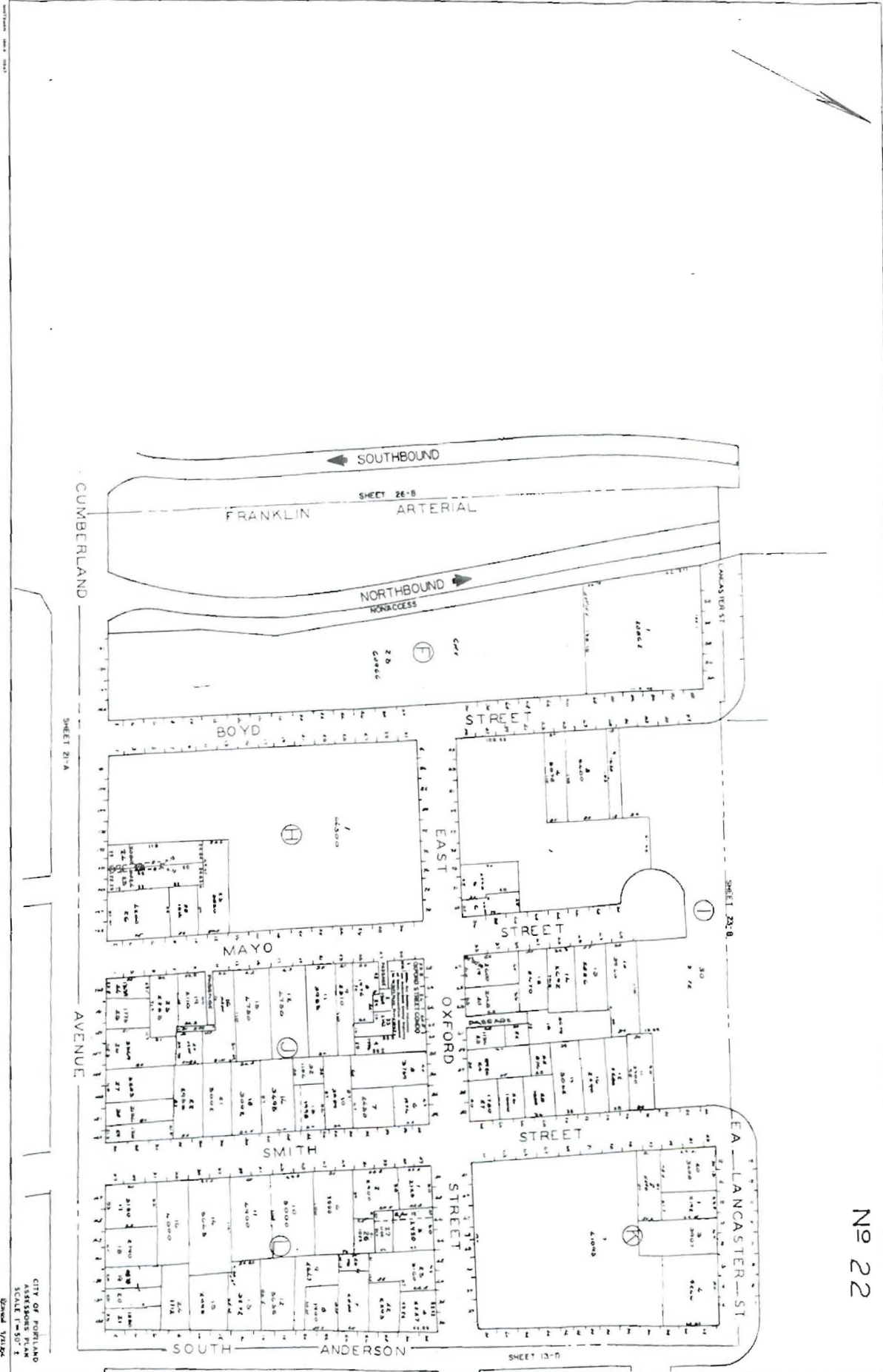
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"This conveyance is subject to all of the restrictions, covenants and agreements contained in the Indenture by which said premises were conveyed to Thomas D. McBrady by Portland Renewal Authority dated August 21, 1968, recorded in Book 3054, Page 51. The foregoing, as all the other covenants contained in the aforesaid Indenture to Thomas D. McBrady from Portland Renewal Authority, shall be a covenant running with the land and shall be enforceable in the same manner as prescribed in said Indenture for the enforcement of the covenants therein contained."

Intending to convey land depicted on City of Portland Tax Map 22, Block I, Lot 22 (which now includes Map 22, Block I, Lot 24, conveyed herewith).

Received  
Recorded Register of Deeds  
Nov 07, 2003 03:40:06P  
Cumberland County  
John P. D. Brien





No 22

CITY OF PORTLAND  
ASSESSORS PLAN  
SCALE 1"=50' ±  
David Vialdo

MONAGHAN LEAHY, LLP

ATTORNEYS AT LAW

THOMAS G. LEAHY  
KEVIN G. LIBBY  
CHRISTOPHER C. DINAN  
JOHN J. WALL, III  
KENNETH D. PIERCE  
CORNELIA FUCHS FISHER  
ZACHARY I. GREENFIELD  
ERICA M. JOHANSON  
PATRICK D. THORNTON

THOMAS F. MONAGHAN  
OF COUNSEL

95 EXCHANGE STREET  
P.O. BOX 7046  
PORTLAND, MAINE  
04112-7046

TEL 207-774-3906  
FAX 207-774-3833

pthornton@monaghanleahy.com

**SUMMARY OF REQUIREMENTS FOR A 3RD UNIT ADDITION**  
**AT 66 SMITH STREET**

- New unit must have at least 600 square feet of "living space"
- The other two units can't be altered so as to be reduced under 1000 square feet
- New unit must have ingress and egress but no new outdoor staircases or fire escapes are allowed
- One new parking spot must be added unless there are already at least 3 spots on site
- Any new parking can't be closer to the street than the "front yard" requirement for R-6 zone
- Either a Site Plan or an Exemption from Site Plan is required
- If a Site Plan is required, it would need to show compliance with the above square footage, parking, and setback requirements

Note: there may be more requirements as we investigate further. This is a preliminary summary based on conversations with City of Portland Zoning and Planning Division employees and a review of City Ordinances.



# Application for Exemption from Site Plan Review Portland, Maine

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

## 1. Applicant Information

Applicant/Owner \_\_\_\_\_

Mailing Address \_\_\_\_\_

Consultant/Agent \_\_\_\_\_

Phone \_\_\_\_\_

Fax \_\_\_\_\_

Cell \_\_\_\_\_

## 2. Project Information

Application Date \_\_\_\_\_

Project Name/Description \_\_\_\_\_

Address of Proposed Site \_\_\_\_\_

Assessor's Reference (Chart-Block-Lot) \_\_\_\_\_

## Description of Proposed Development:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Please Attach Sketch/Plan of Proposal/Development)

Criteria for Exemptions: (See Section 14-523 (4) on page 2 of this application)

	Applicant's Assessment (Yes, No, N/A)	Planning Division Use Only
a) Within Existing Structures: No New Buildings, Demolitions or Additions	_____	_____
b) Footprint Increase Less Than 500 sq. ft.	_____	_____
c) No New Curb Cuts, Driveways, Parking Areas	_____	_____
d) Curbs and Sidewalks in Sound Condition/Comply with ADA	_____	_____
e) No Additional Parking/No Traffic Increase	_____	_____
f) No Known Stormwater Problems	_____	_____
g) Sufficient Property Screening Exists	_____	_____
h) Adequate Utilities	_____	_____

### Planning Division Use Only

Exemption Granted \_\_\_\_\_ Partial Exemption \_\_\_\_\_ Exemption Denied \_\_\_\_\_

Planner's Signature \_\_\_\_\_ Date \_\_\_\_\_

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.

---









Right  
OFF  
WAY





Parking

784 946

CHEVROLET





Parking







Parking



CHEVROLET

SUN BELT



66  
Smith  
here

Parking Area







Pach... ADA









gravel

Parkinson

Handwritten text in the upper right corner, likely a date or location, but it is illegible.





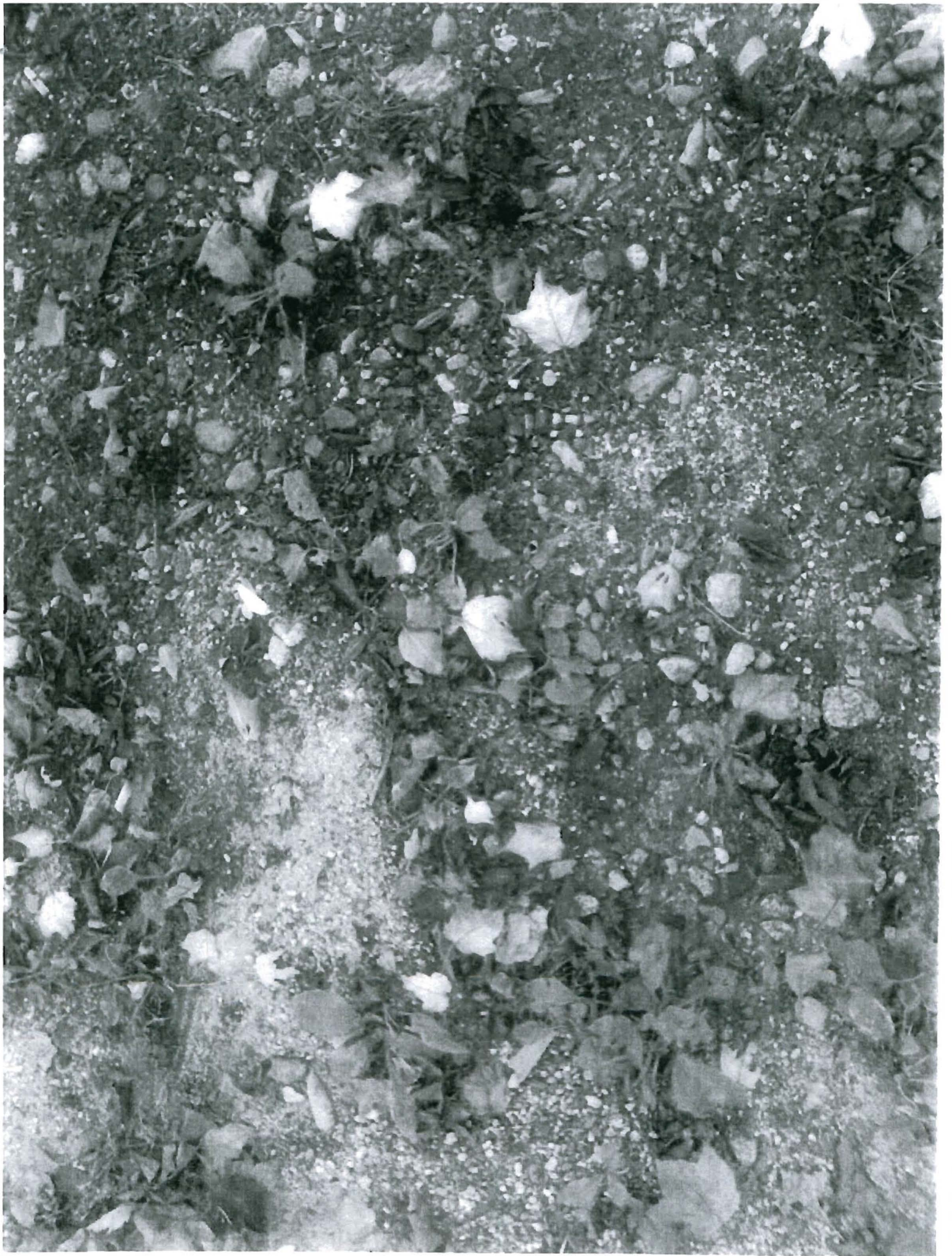
Parking

781 916













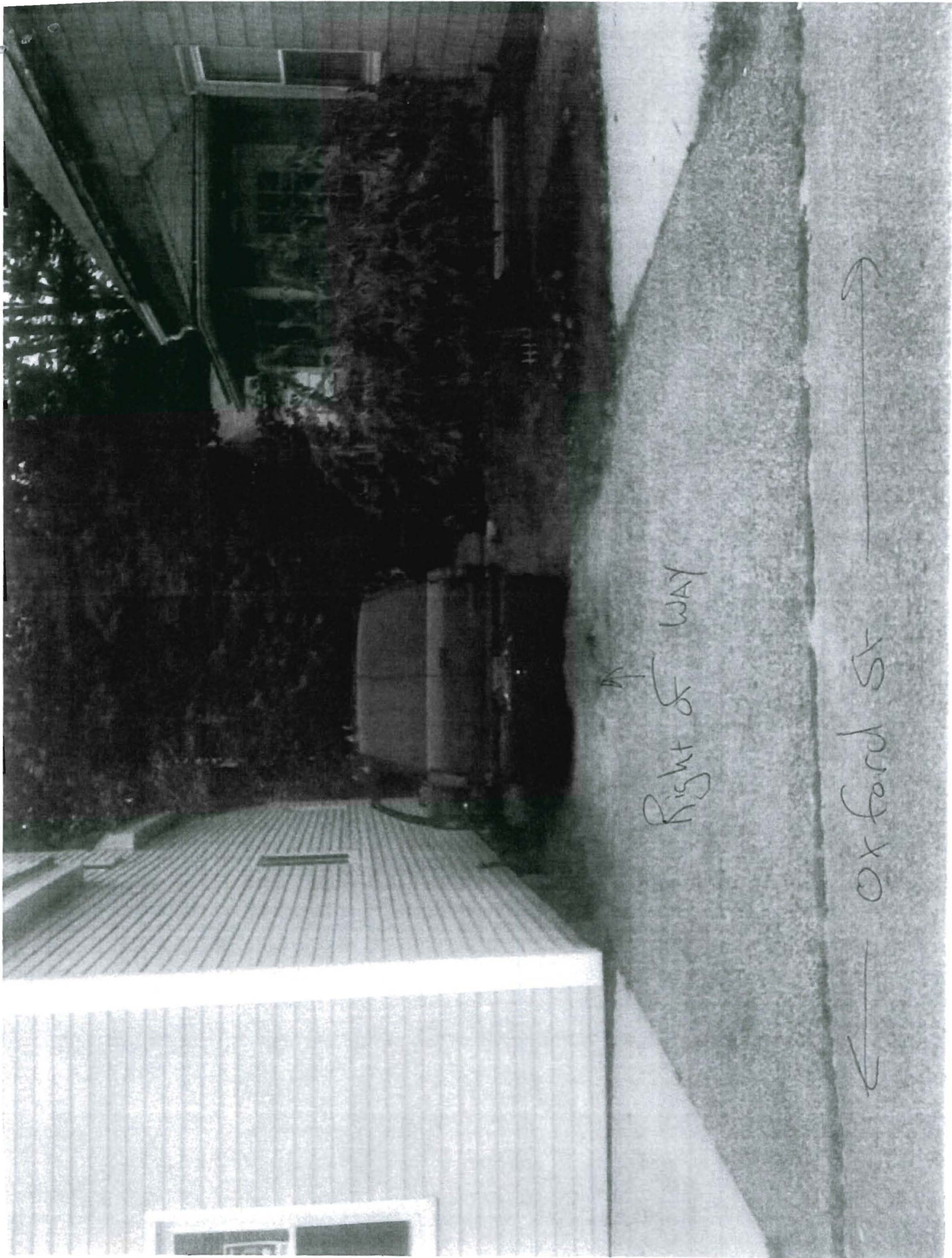












Right of way

Oxford St