



Planning & Urban Development Department

Jeff Levine, AICP, Director

Marge Schmuckal, Zoning Administrator

7/22/2014

Attention: Shaun Donovan
U.S. Department of Housing & Urban Development
451 7th Street S.W.
Washington, D.C. 20410

Applicant: Rockport Mortgage Corporation
17 Rogers Street
Gloucester, MA 01930-5014

RE: Cumberland Park Place – 447 Cumberland Ave – 036-F-020 (the "Property")

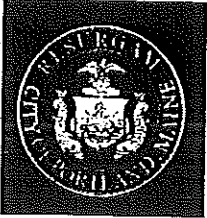
To Whom It May Concern:

1. This Property is zoned R-6 with a Historic Overlay zone.
2. The Property is in compliance with local zoning codes and is considered legally non-conforming as to land area per dwelling unit and for required number of parking spaces and for setbacks.
3. The Property is not pending a change of zoning.
4. Under section 14-385 the building(s) can be rebuilt in the same footprint and volume based on the requirements of the ordinance.
5. To the best of my knowledge, the Property is free of any applicable code violations.
6. The last inspection date was 11/13/09. A copy of that inspection is attached. Inspections are based upon complaint or request.
7. The local Building Code that is enforced is the Maine Uniform Building and Energy Code (MUBEC). Please see enclosed information on what is covered under those codes. The Building Code that was enforced at the time of construction was the BOCA Building Code.
8. The records do not show any data concerning former or current underground storage tanks.
9. A final Certificate of Occupancy is available and enclosed.
10. Granted appeals, site plan approvals and building permits are available and enclosed.

Very truly yours,

A handwritten signature in black ink that reads "Marge Schmuckal".

Marge Schmuckal
Zoning Administrator
City of Portland, Maine
(207) 874-8695



PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life • www.portlandmaine.gov

Jeff Levine, AICP, Director

Marge Schmuckal, Zoning Administrator

To Whom It May Concern:

Under the City's Land Use Ordinance 14-385 (see attached), there is an allowance to rebuild a legal, nonconforming building after it is destroyed by sudden or accidental acts. This section of the Ordinance applies to all areas and zones within the City of Portland, Maine.

Very truly yours,

A handwritten signature in cursive script that reads "Marge Schmuckal".

Marge Schmuckal
Zoning Administrator

Sec. 14-385. Restoration or reconstruction within an existing footprint of damaged nonconforming structure.

A nonconforming structure damaged by fire, explosion, flood, riot, act of the public enemy, accident of any kind, decay or otherwise may be restored or rebuilt only where:

- (a) The restoration or reconstruction is of a building which is nonconforming only as to land area, setbacks or any other dimensional requirements; and
- (b) Where the restoration or reconstruction will occur entirely within the existing footprint and previous shell of the building and will not create a new nonconformity; and
- (c) Restoration or reconstruction occurs within one (1) year for a nonconforming non-residential structure, or two (2) years for a nonconforming residential structure, of the initial damage where such damage is sudden and accidental. Note that for buildings in Shoreland zones, state regulations may also govern and provide for a shorter period for restoration or reconstruction of nonconforming structures; and
- (d) Restoration or reconstruction necessitated by decay must be completed within one (1) year of the demolition of the building or the commencement of the restoration or reconstruction, whichever occurs first; and
- (e) Any reconstruction, under this provision, in the residential R-6 zone on a lot with 10,000 square feet or less, other than the exact restoration of a previously existing building on the site, shall comply with the applicable standards contained within the Planning and Development Design Manual; and
- (f) A nonconforming building located in the R-6 which is destroyed by fire, explosion, flood, riot, act of the enemy, or accident may be rebuilt under the small residential lot development provisions of the R-6 zone as if the lot were vacant as of January 1, 2005 and such reconstruction shall meet the setback requirements contained therein to the extent practicable; otherwise the building shall be reconstructed within the footprint of the previously existing building such that any nonconformity will not be enlarged.

For the purpose of this section, the footprint of a building is the perimeter of the foundation supporting a structure.

(Code 1968, § 602.17.E; Ord. No. 89-88, 7-19-88; Ord. No. 284-99, §2, 5-17-99, enacted as an emergency; Ord. No. 254-05/06, 6-5-06; Ord. No. 61-07/08, 10-1-07; Ord. No. 240-09/10, 6-21-10; Ord. No. 139-12/13, 2-4-13)

*Editor's note-Ord. No. 89-88, adopted July 19, 1988, amended this section to read as herein set out. See also the editor's note to Art. III of this chapter for additional provisions relative to Ord. No. 89-88.

Switch To

Print

Violations

Close

Complaint ID: 14718 Status: Closed Date: ##### Time: 10:18 AM District: 2

CBL: 036 F020001 Street Address: 447 CUMBERLAND AVE One Sol ID: []

Description of Location: [] Inspector: Rioux Jonathan

Category: General Assistance Pre-qualification

Complaint: Please inspect 448 Cumberland Ave Apt 13. The LL is HH Sawyer Realty who can be reached at 772-6579. The GA client is Hannah Fader. The LL states that the unit will be ready on 11-4-09. CONFIRMED INSPECTION FOR 11/13/09 @ 1pm. CONTACT: CHRIS 772-6579

Name: []

Phone 1: []

Phone 2: []

Fax #: []

Best Time To Reach: []

Address: []

City, State, Zip: Portland ME []

Comments: PASS

Response To Complainant: []

Complainant's Mood: []

Owner: OLD CUMBERLAND ASSOCIATES

Mail Addr: 170 NEWBURY ST BOSTON MA 02116

CreatedBy: dlh

CreateDate: 11/05/2009

ModBy: mme

ModDate: 11/13/2009



CITY OF PORTLAND



BUILDING CODES



Adopted by the State as the Maine Uniform Building and Energy Code (MUBEC):

View State amendments at <http://www.maine.gov/dps/bbcs/>

Effective December 1, 2010, the State of Maine adopted the statewide Maine Uniform Building and Energy Code (MUBEC) which consists of four International Code Council (ICC) codes and four standards.

A. Maine Uniform Building and Energy Code "MUBEC" consists of the following codes:

2009 International Residential Code (IRC)

2009 International Building Code (IBC)

2009 International Existing Building Code (IEBC)

2009 International Energy Conservation Code (IECC)

The following standards are also adopted as part of the MUBEC:

B. The American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Standards:

62.1 - 2007 (Ventilation for Acceptable Indoor Air Quality)

62.2 - 2007 (Ventilation and Acceptable Indoor Air Quality in Low-Rise Residential Buildings)

90.1 - 2007 (Energy Standard for Buildings except Low-Rise Residential Buildings) editions without addenda.

C. E-1465-2006, Standard Practice for Radon Control Options for the Design and Construction of New Low-Rise Residential Buildings.

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

SPACE AND BULK VARIANCE APPEAL

I. Findings of Fact

A. Applicant Weston Associates, Inc.

B. Property Location 447-457 Cumberland Ave.

C. Applicant's Interest in Property:

- Owner
- Tenant
- Other _____

D. Property Owner same

E. Owner's Address 11 Beacon St.

F. Zone (Circle One):

- R-1 R-2 R-3 R-5 R-6 R-4
- R-P B-1 B-2 B-3 A-B
- I-P I-1 I-2 I-2b I-3 I-3b I-4
- RPZ W-1

G. Site Plan Approval required yes

H. Present Use of Property _____

I. Section(s) to Which Variance Related 602.24.C

J. Reasons Why Permit Cannot be Issued bldg. area will be 7,744 sq. ft. instead of 6,080 max. allowed. Area of lot is 15,200 sq. ft. rather than 31,000 sq. ft. min. required. 6 off street parking spaces will be provided rather than 31 required.

K. Requested Variance Would Permit 4 story 6,644 sq. ft. addition for 9 family units & 22 elderly units

L. Notice Sent to _____ Adjacent Property Owners

Joe Gray, City Hall

II. Appearances

A. Those Advocating Variance

B. Those Opposing Variance

George Leon Winton, Isaac
Winton, Winton, Winton
John Winton, Herman

(Attachments, As Necessary)

III. Exhibits (Any documents, photos, plans, further findings of fact, etc. presented to the Board as part of its records)

Sanborn Map, Plans by owner

IV. Reasons for Decisions - Undue Hardship (The following checklist relates with the Board of Appeals hardship definitions for Space and Bulk variances as contained in Section 602.24C 3.b.(1) (a) through (e)

A. The parcel is exceptional due to physical characteristics or topographic features which amount to more than a mere inconvenience

- Yes/Agreement with statement
- No/Disagreement with statement

Reasons Slopes away from Curbside

B. If yes, the unique physical conditions: (Check One)
Sec. 602.24C 3.b.(1) (b)

- Existed at the time of the enactment of the provision from which a variance is sought; or
- Were caused by natural forces; or
- Were the result of governmental action

C. Pertinent ordinance provision deprives owner of substantial use or enjoyment of property in the manner commonly enjoyed by owners of property subject to the same provisions (Sec. 602.24C 3.b. (1) (c))

- (✓) Yes/Agreement with statement
() No/Disagreement with statement

Reasons _____

D. As evidenced by affirmative answers to either IV. A. or IV. C. above, the variance will not create a special privilege for the applicant. Sec. 602.24C 3.b. (1) (d)

- (✓) Yes/Agreement with statement
() No/Disagreement with statement

Reasons _____

E. The variance will not adversely affect neighborhood property in the same zone and will not be detrimental to the general public health and safety Sec.602.24C 3.b. (1) (e)

- (✓) Yes/Agreement with statement
() No/Disagreement with statement

Reasons will enhance the neighborhood

V. Specific Relief Granted

After a public hearing held on June 11, 1988, the Board of Appeals finds that: (Check One)

- (✓) Approval - All of the conditions required by Sec. 602.24C 3.b.(1) exist with respect to this property, as evidenced by affirmative responses to all statements set forth in IV. A. through IV. E above, and that a space and bulk variance be granted in this case.

Conditions of Approval (If any) _____

() Disapproval - All conditions required by Sec.602.24C 3.b. (1) do not exist with respect to this property, as evidenced by one or more negative responses to statements set forth in IV. A. through IV. E. above, and that a space and bulk variance should not be granted in this case.

VI. Signatures of Board

Thomas J. Murphy Chairman
John A. Zogac
Accounting
Ernest J. Thomas
Frank E. Stobbe
Marshall A. Stobbe

Condition:

That 3 additional parking spaces be
created (other than the 6 on-site)
for use by painters.

Approved unanimously

11/81

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

SPACE AND BULK VARIANCE APPEAL

I. Findings of Fact

A. Applicant Weston Associates Inc.

B. Property Location 447-457 Cumberland Avenue

C. Applicant's Interest in Property:

- (*) Owner
- () Tenant
- (X) Other DEVELOPER

D. Property Owner Weston Associates Inc.

E. Owner's Address 11 Beacon Street, Boston, MA 02108

F. Zone (Circle One):

- R-1 R-2 R-3 R-5 R-6 R-4
- R-P B-1 B-2 B-3 A-B
- I-P I-1 I-2 I-2b I-3 I-3b I-4
- RPZ W-1

G. Site Plan Approval required yes

H. Present Use of Property _____

I. Section(s) to Which Variance Related Section 602.7.B.2., 602.7.B.6. 602.7.B.8 & 602.14.B.1

J. Reasons Why Permit Cannot be Issued Rt. side lot line 1' rather than 12' min Bldg. area 7,380 sq. ft. rather than 6,080 sq. ft., lot area 15,200 sq. ft. rather than 43,000 sq. ft. min., seven off-street parking spaces rather than 43 in the R-6 Residential Zone. (Lot area 1,000 sq. ft. per dwell Unit).

K. Requested Variance Would Permit Construction of a 4-story 43 unit apartment building, at the above named location.

L. Notice Sent to _____ Adjacent Property Owners

II. Appearances

A. Those Advocating Variance

B. Those Opposing Variance

George Reese
John Connor
Walter Scott

(Attachments, As Necessary)

III. Exhibits (Any documents, photos, plans, further findings of fact, etc. presented to the Board as part of its record.)

plans, drawings

IV. Reasons for Decisions - Undue Hardship (The following checklist relates with the Board of Appeals hardship definitions for Space and Bulk variances as contained in Section 602.24C 3.b.(1) (a) through (e)

A. The parcel is exceptional due to physical characteristics or topographic features which amount to more than a mere inconvenience

Yes/Agreement with statement

No/Disagreement with statement

Reasons existing building now conforming should be

B. If yes, the unique physical conditions: (Check One)
Sec. 602.24C 3.b.(1) (b)

Existed at the time of the enactment of the provision from which a variance is sought; or

Were caused by natural forces; or

Were the result of governmental action

C. Pertinent ordinance provision deprives owner of substantial use or enjoyment of property in the manner commonly enjoyed by owners of property subject to the same provisions (Sec. 602.24C 3.b. (1) (c))

Yes/Agreement with statement

No/Disagreement with statement

Reasons cannot economically build on that lot
with constraints upon them

D. As evidenced by affirmative answers to either IV. A. or IV. C. above, the variance will not create a special privilege for the applicant. Sec. 602.24C 3.b. (1) (d)

Yes/Agreement with statement

No/Disagreement with statement

Reasons _____

E. The variance will not adversely affect neighborhood property in the same zone and will not be detrimental to the general public health and safety Sec.602.24C 3.b. (1) (e)

Yes/Agreement with statement

No/Disagreement with statement

Reasons _____

V. Specific Relief Granted

After a public hearing held on 11/12/81, the Board of Appeals finds that: (Check One)

Approval - All of the conditions required by Sec. 602.24C 3.b.(1) exist with respect to this property, as evidenced by affirmative responses to all statements set forth in IV. A. through IV. E above, and that a space and bulk variance be granted in this case.

Conditions of Approval (If any) That 1 ^{on street} ~~off street~~ parking
space be allocated for passenger pick ups.

a total of 10 car spaces to be provided (7 on street 3 located) M.P.T.

() Disapproval - All conditions required by Sec.602.24C 3.b. (1) do not exist with respect to this property, as evidenced by one or more negative responses to statements set forth in IV. A. through IV. E. above, and that a space and bulk variance should not be granted in this case.

approved.

VI. Signatures of Board

Paul D. Zayac Chairman
Michael E. Winkler
Jacqueline G. Long
Erin M. [unclear]
Marshall E. Kitter
Erin B. [unclear]
Karen [unclear]

**CITY OF PORTLAND, MAINE
SITE PLAN REVIEW
Processing Form**

270

Applicant Weston Assoc. Inc.
 Mailing Address 11 Beacon St., Boston
 Proposed Use of Site 43 unit apt. bldg.
 Acreage of Site 15,200 sq. ft. / Ground Floor Coverage 7380 sq. ft.

Date 11-20-81
 Address of Proposed Site 447-457 Cumberland Ave.
 Site Identifier(s) from Assessors Maps 36-F-20, 21, 23
 Zoning of Proposed Site R-6

Site Location Review (DEP) Required: () Yes () No
 Board of Appeals Action Required: (x) Yes () No
 Planning Board Action Required: (x) Yes () No

Proposed Number of Floors 4
 Total Floor Area 34,416 sq. ft.

Other Comments: Appeal granted conditionally 11-12-81

Date Dept. Review Due: _____

BUILDING DEPARTMENT SITE PLAN REVIEW
 (Does not include review of construction plans)

- Use does NOT comply with Zoning Ordinance
 - Requires Board of Appeals Action
 - Requires Planning Board/City Council Action

Explanation _____

- Use complies with Zoning Ordinance — Staff Review Below

Zoning: SPACE & BULK, as applicable

	DATE	ZONE LOCATION <i>R-6</i>	INTERIOR OR CORNER LOT	40 FT. SETBACK AREA (SEC. 23)	USE	SEWAGE DISPOSAL	REAR YARDS	SIDE YARDS	FRONT YARDS	PROJECTIONS	HEIGHT	LOT AREA	BUILDING AREA	AREA PER FAMILY	WIDTH OF LOT	LOT FRONTAGE	OFF-STREET PARKING	LOADING BAYS
COMPLIES		✓	✓	NA	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
COMPLIES CONDITIONALLY																	✓	
DOES NOT COMPLY																		

CONDITIONS SPECIFIED BELOW

REASONS SPECIFIED BELOW

REASONS:

Board of appeals requested one off-street parking space be used as a drop-off/pick-up space nearest entrance way (7 spaces to be provided on-site and three additional to be arranged by lease) Murphy J. Turner

SIGNATURE OF REVIEWING STAFF/DATE

BUILDING DEPARTMENT - ORIGINAL

CITY OF PORTLAND, MAINE
SITE PLAN REVIEW
 Processing Form

Applicant _____ Date _____

Mailing Address _____ Address of Proposed Site _____

Proposed Use of Site _____ Site Identifier(s) from Assessors Maps _____

Acreage of Site / Ground Floor Coverage _____ Zoning of Proposed Site _____

Site Location Review (DEP) Required: () Yes () No Proposed Number of Floors _____

Board of Appeals Action Required: () Yes () No Total Floor Area _____

Planning Board Action Required: () Yes () No

Other Comments: _____

Date Dept. Review Due: _____

PLANNING DEPARTMENT REVIEW

(Date Received) _____

- Major Development — Requires Planning Board Approval: Review Initiated
- Minor Development — Staff Review Below

	LOADING AREA	PARKING	CIRCULATION PATTERN	ACCESS	PEDESTRIAN WALKWAYS	SCREENING	LANDSCAPING	SPACE & BULK OF STRUCTURES	LIGHTING	CONFLICT WITH CITY PROJECTS	FINANCIAL CAPACITY	CHANGE IN SITE PLAN
APPROVED												
APPROVED CONDITIONALLY												
DISAPPROVED												

CONDITIONS SPECIFIED BELOW

REASONS SPECIFIED BELOW

REASONS: APPROVED BY PLANNING BOARD 12/8/81

(Attach Separate Sheet if Necessary)

Richard Krawinkel 12/10/81
 SIGNATURE OF REVIEWING STAFF/DATE

PLANNING DEPARTMENT COPY

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS



MICHAEL E. WESTORT
Chairman

EUGENE S. MARTIN
Secretary

JACQUELINE COHEN
TIMOTHY E. FLAHERTY
THOMAS J. MURPHY
MERRILL S. SELTZER
GAIL D. ZAYAC

November 19, 1982

447-457 Cumberland Avenue

Weston Associates Inc.
11 Beacon Street
Boston, MA 02108

cc: Winton Scott, Architect
165 Commercial Street
Portland, Maine 04111

Dear Sir:

Building permit and Certificate of Occupancy to construct a 4-story, 43 unit apartment building, at the above named location, are not issuable under the Zoning Ordinance for the following reasons:

- (1) The distance between the proposed building and the right side lot line will be about 1 ft. rather than the 12 ft. minimum required by Section 602.7.B.2.
- (2) The building area is 7,380 sq. ft. rather than the 6,080 sq. ft. maximum allowed. Section 602.7.B.6.
- (3) The area of this lot is about 15,200 sq. ft. rather than the 43,000 sq. ft. minimum required by Section 602.7.B.8 (1,000 sq. ft. per dwelling unit).
- (4) Seven off-street parking spaces will be provided rather than the forty-three required by Section 602.14.B.1 of the ordinance applying to the R-6 Residential Zone in which this property is located.

We understand that you would like to exercise your appeal rights in this matter. Accordingly, you or your authorized representative should come to this office, Room 317, City Hall, to file the appeal on forms which are available here. A fee of \$50.00 for a Space & Bulk appeal shall be paid at this office at the time the appeal is filed. If fee has been paid, and appeal filed prior to this letter, then consider this letter as a matter of formality. Section 602.24.C.3.b.1.

Very truly yours,

Malcolm G. Ward
Zoning Enforcement Officer

MGR/jmr

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS



MICHAEL E. WESTORT
Chairman

EUGENE S. MARTIN
Secretary

JACQUELINE COHEN
TIMOTHY E. FLAHERTY
THOMAS J. MURPHY
MERRILL S. SELTZER
GAIL D. ZAYAC

December 20, 1982

Mr. Louis A. Wood, Attorney
Two Canal Plaza
Portland, Maine 04112

Re: Weston Associates
447-457 Cumberland Avenue

Dear Mr. Wood:

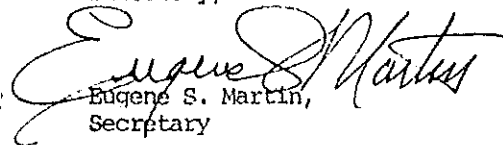
This is in response to a request by Mr. Kolb for clarification of the conditions of the Board of Appeals approval regarding the 5-story Cumberland Park Apartments for the elderly at 447-457 Cumberland Avenue. The Board approved variances and a site for 43 units of elderly housing on December 2, 1982, subject to the following condition:

That seven (7) off street parking spaces will be provided on-site.

In addition, all requirements outlined by the Chief of Inspection Services in his letter to Weston Associates (see copy attached) will be met.

Such approval by the Board was based on the information presented at a previous public hearing on October 26, 1981, when the site plan was originally approved by the Board of Appeals for this same location and satisfactory testimony offered at the December 2nd hearing to support the variances.

Sincerely,


Eugene S. Martin,
Secretary

ESM/jmr

Enclosure

cc: P. Samuel Hoffses, Chief of Inspection Services
File



APPLICATION FOR PERMIT

PERMIT ISSUED

B.O.C.A. USE GROUP

B.O.C.A. TYPE OF CONSTRUCTION 01139

DEC 22 1981

ZONING LOCATION R-6 PORTLAND, MAINE, Oct. 22, 1981

CITY OF PORTLAND

To the DIRECTOR OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect, alter, repair, demolish, move or install the following building, structure, equipment or change use in accordance with the Laws of the State of Maine, the Portland B.O.C.A. Building Code and Zoning Ordinance of the City of Portland with plans and specifications, if any, submitted herewith and the following specifications:

- LOCATION 447-457 Cumberland Avenue Weston Assoc. Inc. - 11 Brown, Boston Mass. Telephone 617-227-7870
1. Owner's name and address
2. Lessee's name and address Donbury Inc. - 33 Baxter Blvd. P. O. Box 792 Telephone 774-6254
3. Contractor's name and address
4. Architect
Proposed use of building
Last use
Material
Other buildings on same lot
Estimated contractual cost \$ 1,200,000

FIELD INSPECTOR - Mr. GENERAL DESCRIPTION 25.00 appeal fee \$50.-pd site plan review

This application is for: Dwelling Ext. 234 To construct 34,216 square ft., 5 story building on subject site. 43 units.
Masonry Bldg.
Alterations
Demolitions
Change of Use
Other

Appeal sustained 11-12-81 conditionally

Stamp of Special Conditions 50 APPEAL FOR NO. 1119182

NOTE TO APPLICANT: Separate permits are required by the installers and subcontractors of heating, plumbing, electrical and mechanicals.

PERMIT IS TO BE ISSUED TO 1 2 3 4 Other:

DETAILS OF NEW WORK

- Is any plumbing involved in this work? Is any electrical work involved in this work?
Is connection to be made to public sewer? If not, what is proposed for sewage?
Has septic tank notice been sent? Form notice sent?
Height average grade to top of plate Height average grade to highest point of roof
Size, front depth No. stories solid or filled land? earth or rock?
Material of foundation Thickness, top bottom cellar
Kind of roof Rise per foot Roof covering
No. of chimneys Material of chimneys of lining Kind of heat fuel
Framing Lumber - Kind Dressed or full size? Corner posts Sills
Size Girder Columns under girders Size Max. on centers
Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.
Joists and rafters: 1st floor 2nd 3rd roof
On centers: 1st floor 2nd 3rd roof
Maximum span: 1st floor 2nd 3rd roof
If one story building with masonry walls, thickness of walls? height?

IF A GARAGE

No. cars now accommodated on same lot, to be accommodated number commercial cars to be accommodated
Will automobile repainting be done other than minor repairs to cars habitually stored in the proposed building?

APPROVALS BY: DATE MISCELLANEOUS
BUILDING INSPECTION - PLAN EXAMINER Will work require disturbing of any tree on a public street?
ZONING: A.K. 12/2/81
BUILDING CODE:
Fire Dept. James P. Callahan
Health Dept.
Others:



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 447-457 Cumberland Avenue

Issued to **Weston Assoc. Inc.**

Date of Issue **Nov. 3, 1983**

This is to certify that the building, premises, or part thereof, at the above location, built—altered—changed as to use under Building Permit No. **82/01139**, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

APPROVED OCCUPANCY

Entire

43 Units

Limiting Conditions:

*LANDSCAPING SHOULD BE INSPECTED WITHIN
CITY ARBORIST APPROVAL. FINAL SURFACES FOR
DRIVEWAY AND SIDEWALK SHALL ALSO BE INSPECTED.*

This certificate supersedes
certificate issued

Approved:

11-4-83

(Date)

Inspector

*Robert J. Ray Public Works
Richard [unclear]*

Inspector of Buildings

Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.

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

Permit No: 08-1045	Issue Date: 9/15/08	CBL: 036 F020001
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Location of Construction: 447 CUMBERLAND AVE	Owner Name: OLD CUMBERLAND ASSOCIAT	Owner Address: 170 NEWBURY ST	Phone:
Business Name:	Contractor Name: Northeast Helical, LLC /Rich Porter	Contractor Address: 68 Burgundy Drive Nashua	Phone: 6088980089
Lessee/Buyer's Name	Phone:	Permit Type: Additions - Multi Family	Zone: R-6

Past Use: Multi-Family	Proposed Use: Multi-Family - repair settling foundation	Permit Fee: \$600.00	Cost of Work: \$57,500.00	CEO District: 2
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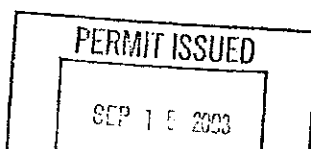
Proposed Project Description: repair settling foundation	FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: R-2 Type: SB3 IBC-2003 IEBC-2003
	Signature: <i>[Signature]</i>	Signature: 9/15/08 <i>[Signature]</i>

PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)

Action: Approved Approved w/Conditions Denied

Signature: _____ Date: _____

Permit Taken By: Idobson	Date Applied For: 08/21/2008	Zoning Approval	
-----------------------------	---------------------------------	------------------------	--

<ol style="list-style-type: none"> This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. Building permits do not include plumbing, septic or electrical work. 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.. 	Special Zone or Reviews <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: 9/15/08 <i>[Signature]</i>	Zoning Appeal <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: _____	Historic Preservation <input type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Date: 9/15/08 <i>[Signature]</i>
		<i>Change reviewed OK</i>	

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



July 17, 2014

Portland City Hall - room 315
389 Congress Street
Portland, Maine 04104
Attn: Marge

RECEIVED

JUL 21 2014

Dept. of Building Inspections
City of Portland Maine

Attention: Shaun Donovan
U.S. Department of Housing & Urban Development
451 7th Street S.W.
Washington, DC 20410

Applicant: Rockport Mortgage Corporation
17 Rogers Street
Gloucester, MA 01930-5014

R-6 with Historic Overlay
36-F-20

Re: **Cumberland Park Place - 447 Cumberland Avenue**

Please find the enclosed check #40539, in the amount of \$150.00 for zoning information regarding the property noted above. Please do not hesitate to contact me if there are any questions and thank you for your help.

Sincerely,

Nicole Douglas
Research Analyst
Dominion Due Diligence Group (D3G)
804-665-2913 (p)
804-588-5758 (f)
n.douglas@d3g.biz

**COMPLIANCE REQUEST:
Zoning and Code Enforcement Verifications**

Date: July 3, 2014

Completed by: Name & Title: _____
Department: _____
Direct Contact Info: _____

Re: Property: Cumberland Park Place
Address: 457 Cumberland Avenue
City, State & Zip: Portland, ME 04101

Attention: Sec. Shaun Donovan
U.S. Department of Housing & Urban Development
451 7th Street S.W.
Washington, DC 20410

Applicant: Rockport Mortgage Corporation
17 Rogers Street
Gloucester, MA 01930-5014

To meet the financing requirements of the loan program, Dominion Due Diligence Group is requesting your assistance on behalf of the above referenced applicant. Please confirm whether the above noted subject property conforms with the current zoning designation and whether or not the property has any known zoning violations

1. **This property is zoned:** _____

2. Is the property in compliance with local zoning codes?

- (a) Yes – It is legally conforming
- (b) Yes – It is a legal non-conforming use
- (c) No – If no, please attach the most recent zoning inspection report or list detailed information below.

If no, please note the violations and any required corrective actions (if required):

3. This property is pending a change of zoning.

- Yes Reason _____
- No

4. Can the building(s) be completely rebuilt as is if destroyed?

- Yes
- No Reason _____

Zoning Official Signature



Date



Building
Contact: Building Official **From:** Nicole Douglas

Municipality: City of Portland **Department:** Inspections Division

Phone: 207-874-8703 **Fax:** 207-874-8716

Pages: 2 **Date:** July 3, 2014

Urgent For Review Please Comment Please Reply Please Recycle

To meet the financing requirements of the loan program, Dominion Due Diligence Group is requesting your assistance on behalf of:

Rockport Mortgage Corporation
17 Rogers Street
Gloucester, MA 01930-5014

This information is **required** for the HUD re-financing report for the following property:

Cumberland Park Place
457 Cumberland Avenue
Portland, ME 04101

Please email completed letter to my attention at n.douglas@d3g.biz

If unable to send via email, please fax to me at 804-588-5758 before mailing a hard copy to my attention.

Thank you for your time,

Nicole Douglas
Research Analyst
804-358-2020 (p) 804-665-2913 (direct line)



Zoning
Contact: Zoning Official **From:** Nicole Douglas

Municipality: City of Portland **Department:** Inspections Division

Phone: 207-874-8703 **Fax:** 207-874-8716

Pages: 2 **Date:** July 3, 2014

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Building and Code Enforcement Verifications**

Date: July 3, 2014

Completed by: Name & Title: _____
Department: _____
Direct Contact Info: _____

Re: Property: Cumberland Park Place
Address: 457 Cumberland Avenue
City, State & Zip: Portland, ME 04101

Attention: Sec. Shaun Donovan Applicant: Rockport Mortgage Corporation
U.S. Department of Housing & Urban Development 17 Rogers Street
451 7th Street S.W. Gloucester, MA 01930-5014
Washington, DC 20410

To meet the financing requirements of the loan program, Dominion Due Diligence Group is requesting your assistance on behalf of the above referenced applicant. Please confirm whether the above noted subject property has any known outstanding building code violations, open building permits, or any other known building code/maintenance code compliance issues.

1. To the best of our knowledge, the property is free of any applicable code violations.

Yes

No Reason: _____

2. Last Inspection Date: _____

If available, attach the inspection report. If no inspections are required, please list municipality's policy:

3. Local Building Code Enforced _____

Building Code Enforced at the time of Construction _____

4. Are any permits available for former or current underground storage tanks?

Yes If yes, please attach a copy of all available information.

No

5. Are any Certificates of Occupancy available or issued:

Yes If so please include.

No Reason: _____

6. Please attach any available building permits, open or closed.

Building Official Signature

Date





Building Contact: Building Official **From:** Nicole Douglas
Municipality: City of Portland **Department:** Inspections Division
Phone: 207-874-8703 **Fax:** 207-874-8716
Pages: 2 **Date:** July 3, 2014

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Zoning

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Portland, ME 04101

447 Cumberland
036 - F-20

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 Research Analyst
 804-358-2020 (p) 804-665-2913 (direct line)

[2014-000984] Initials: ND'

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451 7th Street S.W.
Washington, DC 20410

Applicant: Rockport Mortgage Corporation
17 Rogers Street
Gloucester, MA 01930-5014

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- 1. **This property is zoned:** _____
- 2. Is the property in compliance with local zoning codes?
 - (a) Yes – It is legally conforming
 - (b) Yes – It is a legal non-conforming use
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If no, please note the violations and any required corrective actions (if required):

- 3. This property is pending a change of zoning.
 - Yes Reason _____
 - No

- 4. Can the building(s) be completely rebuilt as is if destroyed?
 - Yes
 - No Reason _____

Zoning Official Signature

Date

Assessor's Office | 389 Congress Street | Portland, Maine 04101 | Room 115 | (207) 874-8486

City Home Departments City Council E-Services Calendar Jobs

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:

Services

- Applications
- Doing Business
- Maps
- Tax Relief
- Tax Roll
- Q & A

[browse city services a-z](#)
[browse facts and links a-z](#)



Best viewed at 800x600, with Internet Explorer

CBL 036 F020001
Land Use Type TWENTY-ONE PLUS FAMILY
 Verify legal use with Inspections Division
Property Location 447 CUMBERLAND AVE
Owner Information OLD CUMBERLAND ASSOCIATES
 170 NEWBURY ST
 BOSTON MA 02116
Book and Page
Legal Description 36-F-20
 CUMBERLAND AVE 447-457
 15200 SF
Acres 0.3489

Current Assessed Valuation:

TAX ACCT NO.	5342	OWNER OF RECORD AS OF APRIL 2013
LAND VALUE	\$76,600.00	OLD CUMBERLAND ASSOCIATES
BUILDING VALUE	\$2,749,700.00	170 NEWBURY ST
NET TAXABLE - REAL ESTATE	\$2,826,300.00	BOSTON MA 02116
TAX AMOUNT	\$54,858.48	

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

Building Information:

Building 1
Year Built 1988
Style/Structure Type APARTMENT - HIGH RISE
Units 43
Building Num/Name 1 - CUMBERLAND PARK PLACE
Square Feet 39862

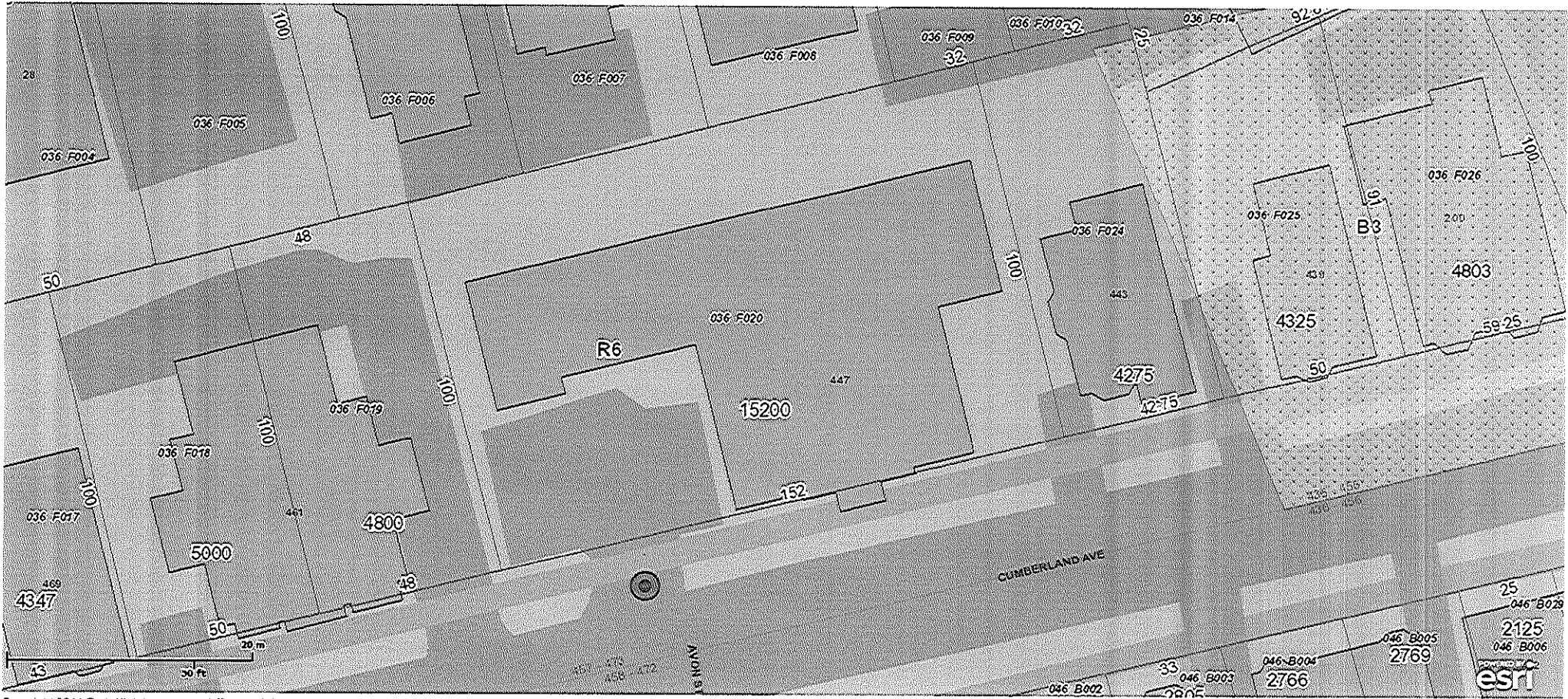
[View Sketch](#) [View Map](#) [View Picture](#)

Exterior/Interior Information:

Building 1
Levels B1/B1
Size 2866
Use SUPPORT AREA
Height 8
Heating NONE
A/C NONE

Building 1
Levels B1/B1
Size 5500
Use APARTMENT
Height 8
Heating HW/STEAM





CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

389 Congress Street
 Portland, Maine 04101

INVOICE OF FEES

Application No: 0000-1987	Applicant: OLD CUMBERLAND ASSOCIATE
Project Name: 447 CUMBERLAND AVE	Location: 447 CUMBERLAND AVE
CBL: 036 F020001	Application Type: Determination Letter
Invoice Date: 07/22/2014	

Previous Balance	-	Payment Received	+	Current Fees	-	Current Payment	=	Total Due	Payment Due Date
\$0.00		\$0.00		\$150.00		\$150.00		\$0.00	On Receipt

Previous Balance	\$0.00
-------------------------	---------------

<u>Fee Description</u>	<u>Qty</u>	<u>Fee/Deposit Charge</u>		
Zoning Determinations	1	\$150.00		
		\$150.00		
		Total Current Fees:	+	\$150.00
		Total Current Payments:	-	\$150.00
		Amount Due Now:		\$0.00

CBL 036 F020001
Bill To: OLD CUMBERLAND ASSOCIATES
 170 NEWBURY ST
 BOSTON, MA 02116

Application No: 0000-1987
Invoice Date: 07/22/2014
Invoice No: 45867
Total Amt Due: \$0.00
Payment Amount:

Make checks payable to the *City of Portland*, ATTN: Inspections, 3rd Floor, 389 Congress Street, Portland, ME 04101.
 Check the status of your permit or schedule an inspection on-line at <http://www.portlandmaine.gov/792/Permit-Status>

[Click Here to Pay On Line](#)