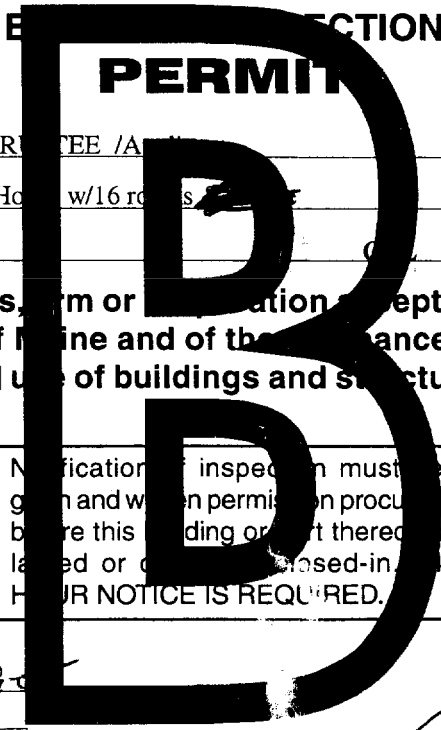


# DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

Please Read Application And Notes, If Any, Attached



Permit No: 036 G005001  
**PERMIT ISSUED**  
MAY 23 2006  
CITY OF PORTLAND

This is to certify that SIMONDS GORDON D TRUSTEE / A

has permission to Change of use to Lodging Home w/16 rooms

AT 245 HIGH ST City of Portland, Oregon 97201

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of the State 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 when permission procured before this building or part thereof is altered or 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. Greg Carr 7-190  
Health Dept. \_\_\_\_\_  
Appeal Board \_\_\_\_\_  
Other \_\_\_\_\_  
Department Name

*[Signature]*  
Director - Building & Inspection Services

**PENALTY FOR REMOVING THIS CARD**

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

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

<b>Location of Construction:</b> 245 HIGH ST		<b>Owner Name:</b> SIMONDS GORDON D TRUSTEE		<b>Owner Address:</b> 104 WEST ST		<b>Permit No:</b> 05-0719		<b>Issue Date:</b> MAY 23 2005		<b>Zone:</b> G005001	
<b>Business Name:</b>		<b>Contractor Name:</b> Applicant		<b>Contractor Address:</b> Portland		<b>Permit Type:</b> Change of Use - Commercial		<b>Phone:</b>		<b>Zone:</b> R1	
<b>Lessee/Buyer's Name</b>		<b>Phone:</b>		<b>Permit Fee:</b> \$105.00		<b>Cost of Work:</b> \$105.00		<b>CEO District:</b> 1		<b>INSPECTION:</b> Use Group: R1 Type: SB 5/22/06 Signature: [Signature]	
<b>Past Use:</b> Lodging House		<b>Proposed Use:</b> Lodging House/ Change of use to Lodging House w/16 rooms & [Redacted]		<b>FIRE DEPT:</b> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied with conditions		<b>Signature:</b> Capt. Cross		<b>Signature:</b> [Signature]		<b>PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.):</b>	
<b>Proposed Project Description:</b> Change of use to Lodging House w/16 rooms [Redacted]				<b>Action:</b> <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied		<b>Signature:</b>		<b>Date:</b>			

<b>Permit Taken By:</b> ldobson	<b>Date Applied For:</b> 06/07/2005	<b>Zoning Approval</b>		
<ol style="list-style-type: none"> <li>This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</li> <li>Building permits do not include plumbing, septic or electrical work.</li> <li>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..</li> </ol>	<b>Special Zone or Reviews</b> <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input checked="" type="checkbox"/> Site Plan <i>Site plan exempt given to PLANNING</i> <input type="checkbox"/> Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> - <i>OK with conditions</i> Date: 9/7/05	<b>Zoning Appeal</b> <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied Date:	<b>Historic Preservation</b> <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 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



CITY OF PORTLAND, MAINE  
Department of Building Inspection

# Certificate of Occupancy

LOCATION 245 HIGH ST

CBL 036 G005001

Issued to SIMONDS GORDON D TRUSTEE /Applicant

Date of Issue 05/22/2006

**certify** that the building, premises, or part thereof, at the above location, built — altered — changed as to use under Building Permit No. 05-0719, 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

entire

APPROVED OCCUPANCY

16 room lodging house  
use group: R1  
type: 5B  
IBC 2003

Limiting Conditions:

Use permit only. This certificate does not certify building code compliance. The basement can be used for accessory storage only and NOT habitable space.

This certificate supersedes certificate issued

Approved:

5/22/06  
(Date)

Inspector

Green class (PFD)

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**

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

<b>Permit No:</b> 05-0719	<b>Date Applied For:</b> 06/07/2005	<b>CBL:</b> 036 GO05001
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<b>Location of Construction:</b> 245 HIGH ST	<b>Owner Name:</b> SIMONDS GORDON D TRUSTEE	<b>Owner Address:</b> 104 WEST ST	<b>Phone:</b>
<b>Business Name:</b>	<b>Contractor Name:</b> Applicant	<b>Contractor Address:</b> Portland	<b>Phone:</b>
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Change of Use - Commercial	

Lodging House/ Change of use to Lodging House w/16 rooms	Change of use to Lodging House w/16 rooms
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<b>Dept:</b> Zoning	<b>Status:</b> Approved with Conditions	<b>Reviewer:</b> Marge Schmuckal	<b>Approval Date:</b> 07/05/2005
<b>Note:</b> 6/9/05 Called Gordon - parking spaces are not denoted on his plans - I need a site plan showing his parking spaces 6/17 I received a site plan showing parking spaces 6/28 His floor plans are not to scale - I need to figure out minimum rooming unit areas including common area (kitchen etc) - those sizes are not given on his plans and 1/2 the rooms are under 200 sq. ft in size - Gordon will get 6/30/05 received scalable floor plans with square footage of common areas - I need to field check the on site parking - shows a parking space on a tree in rear - Is that a new space? Existing parking on site for 4 cars - not permitting new parking			<b>Ok to Issue:</b> <input checked="" type="checkbox"/>
<ol style="list-style-type: none"> <li>1) Separate permits shall be required for future decks, sheds, pools, and/or garages. Any newly created parking areas require a separate review under site plan BEFORE any site work to install such parking spaces.</li> <li>2) This property shall remain a lodging house with sixteen (16) rooming units and a manager's office with the issuance of this permit and subsequent issuance of a certificate of occupancy. Any change of use shall require a separate permit application for review and approval.</li> </ol>			

<b>Dept:</b> Building	<b>Status:</b> Approved	<b>Reviewer:</b> Mike Nugent	<b>Approval Date:</b> 05/22/2006
<b>Note:</b>			<b>Ok to Issue:</b> <input checked="" type="checkbox"/>
<ol style="list-style-type: none"> <li>1) The basement can be used for accessory storage only and NOT habitable space.</li> <li>2) This is a Change of Use ONLY permit. It does NOT authorize any construction activities.</li> </ol>			

<b>Dept:</b> Fire	<b>Status:</b> Approved with Conditions	<b>Reviewer:</b> Cptn Greg Cass	<b>Approval Date:</b> 07/19/2005
<b>Note:</b>			<b>Ok to Issue:</b> <input checked="" type="checkbox"/>
<ol style="list-style-type: none"> <li>1) Third floor requires two means of egress</li> <li>2) Sprinkler system to comply with NFPA 13R</li> <li>3) Fire alarm system to comply with NFPA 72.</li> <li>4) All vertical openings to be enclosed with one hour fire protection.</li> <li>5) All construction to comply with NFPA 101</li> </ol>			

<b>Comments:</b> 7/12/2005-gg: received granted site plan exemption. /gg 7/20/2005-l Dobson: Put on hold waiting for approval and conditions to be worked out with fire per MJN Ijd
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<b>Location of Construction:</b> 245 HIGH ST	<b>Owner Name:</b> SIMONDS GORDON D TRUSTEE	<b>Owner Address:</b> 104 WEST ST	<b>Phone:</b>
<b>Business Name:</b>	<b>Contractor Name:</b> Applicant	<b>Contractor Address:</b> Portland	<b>Phone:</b>
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Change of Use - Commercial	

4/6/2006-GG: Gordan Simons, owes \$184.10 for legal ads and notices. Before issuance of certificate of occupancy. /gg

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

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

<b>Permit No:</b> 06-038 1	<b>Date Applied For:</b> 03/22/2006	<b>CBL:</b> 036 G005001
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<b>Location of Construction:</b> 245 HIGH ST	<b>Owner Name:</b> SIMONDS GORDON D TRUSTEE	<b>Owner Address:</b> 104 WEST ST	<b>Phone:</b>
<b>Business Name:</b>	<b>Contractor Name:</b> Gregg Owen	<b>Contractor Address:</b>	<b>Phone</b> (207) 749-5903
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Alterations - Commercial	

<b>Proposed Use:</b> lodging house - no change of use under this permit- Replace wooden railing on stairs of rear porch & remove fire escapes on east & west sides of building - see change of use permit on hold waiting for these repairs #05-07 19		Replace wooden railing on stairs of rear porch & remove fire escapes on east & west sides of building
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**Dept:** Building      **Status:** Approved with Conditions      **Reviewer:** Mike Nugent      **Approval Date:** 04/05/2006**Note:**      **Ok to Issue:** 

1) Guards on rear porch must be 42 inches with openings less than 4 inches w/ graspable rails on both sides between 34 and 38 inches high.

**Dept:** Fire      **Status:** Approved      **Reviewer:** Cptn Greg Cass      **Approval Date:** 03/27/2006**Note:**      **Ok to Issue:**

Applicant: Gadon Simonds

Date: 7/1/05

Address: 243-245 High St

C-B-L: 036-G-005:006

CHECK-LIST AGAINST ZONING ORDINANCE

# 05-0719

Date - Exists

Zone Location - R-6

Interior or corner lot -

Proposed Use/Work - change of use to increase the number of rooming units to 16 with

Sewage Disposal - city to remove the dwelling unit (An Assessor's office)

Lot Street Frontage - 40' min - 64.5' scaled

Front Yard -  
Rear Yard - } existing - No change  
Side Yard - }

Projections -

Width of Lot - } No change  
Height - }

Lot Area - 4,500 # min - 5273 # shown per assessors

Lot Coverage/ Impervious Surface -

Land Rooming unit: 16 x 250 = 4000 #

Off-street Parking - 1 pkg space for each 5 rooming units = 16 rooms ÷ 5 = 3.2 pkg spaces or 3 required 7 pkg spaces shown?

Loading Bays - N/A

Site Plan - site plan exempting applied for

Shoreland Zoning/ Stream Protection - N/A

Flood Plains - panel 13 zone

minimum rooming unit areas = 200 # of combined rooming unit and common area for each rooming unit

Room sizes	Common Area
150	55
202	70
200	246
145	136
202'	75
200'	
165	
220	
205	
165	
220	
205	
185	
160	
165	
175	
2164	

2964 #  
+ 582 #  
3546 # ÷ 16 = 221.6 #

d. Expansion onto land other than the lot on which **the** principal use is located of not more than fifteen (15) percent of the total contiguous land area of the existing use, or one (1) acre, whichever is less, within any five-year period.

(b) 1. **Minimum area per dwelling** unit: One thousand (1,000) square feet per dwelling unit; and in the case of building additions and new construction, one thousand two hundred (1,200) square feet for each dwelling unit after the first three (3) units. This requirement *may* be reduced by **up** to twenty (20) percent for a special needs independent living unit.

2. **Minimum rooming unit areas for lodging houses:** Two ~~hundred (200)~~ square feet of combined rooming unit and common area for each rooming unit. Each ~~individual rooming unit~~ shall be a minimum of eighty (80) square feet.

3. **Minimum land area per lodging house rooming unit:** Two   
 → hundred fifty (250) square feet.  $16 \times 250 = 4000$  \* A

4. **Minimum land area per intermediate care facility resident:** Eight thousand (8,000) square feet for the first thirty-five (35) residents, **plus** three hundred fifty (350) square feet for each additional resident. Land Area Req. 5273#

(c) **Minimum street frontage:** Forty (40) feet.   
 shown per ASSESSORS

(d) **Minimum yard dimensions:** (Yard dimensions include setbacks of structures from property lines and setbacks of structures from one another. No structure shall occupy the minimum yard of another structure.)

1. **Front yard:**

Principal or accessory structures: Ten (10) feet.

1. **Front yard:**

Principal or accessory structures: Ten (10) feet. put back

A front yard need not exceed the average depth of front yards on either side of the lot. A lot of record existing as of June 5, 1957, and less than one hundred (100) feet deep need not be deeper than twenty (20) percent of the depth of the lot.   
 → not where Deleted Before



From: Marge Schmuckal  
To: Amanda Berube  
Date: Thu, Jun 30, 2005 4:18 PM  
Subject: Re: lodging house registry

ok - I will have him do that  
Marge

>>> Amanda Berube 06/30 3:31 PM >>>  
Just needs to give me something in writing. Basically a letter will work!!

>>> Marge Schmuckal 6/30/2005 3:29:47 PM >>>  
Does he need to prove this to you in any way?  
Marge

>>> Amanda Berube 06/30 3:25 PM >>>  
Hi Marge,

If he has leases with his tenants, then he does not have to be licensed with us. The purpose of this ordinance is to give tenants without leases some type of tenant rights.

Hope this helps!!  
~Amanda

>>> Marge Schmuckal 6/30/2005 2:52:18 PM >>>  
Amanda,

I mentioned to Gordon Simonds that he is required to register with you for his lodging houses. He says that he does not have to because he has leases with his roomers. Is that correct? As I mentioned, I have a pending building permit to add more rooming units at 243-245 High Street. I want to be sure that he is complying with all ordinances before I sign off.

Thanks,  
Marge

7/1/05  
I received an ok from Amanda that Gordon Simonds property at 59 Pine St & 243-245 High St do not require a license thru city clerk because he has leases with his tenants -  
via voice mail

Proposer:

Tax Assessor's Chart, Block & Lot		Owner: R.G. SIMONDS TRUST	Telephone: (207)
Chart#	Block#	Lot#	
100	G	5+6	450-0660
		PO BOX 891	
		PORTLAND, ME 04104	

N/A

Current use: LOGGING HOUSE

If the location is currently vacant, what was prior use: N/A

Approximately how long has it been vacant: N/A

Proposed use: LOGGING HOUSE - 16 ROOMS + OFFICE

Project description:

Contractor's name, address & telephone: N/A

Who should we contact when the permit is ready: GORDON SIMONDS

Mailing address: PO BOX 891  
PORTLAND, ME 04104 (207) 450-0660

We will contact you by phone when the permit is ready. You must come in and pick up the permit and review the requirements before starting any work, with a Plan Reviewer. A stop work order will be issued and a \$100.00 fee if any work starts before the permit is picked up. PHONE: 207 450-0660

**IF THE REQUIRED INFORMATION IS NOT INCLUDED IN THE SUBMISSIONS THE PERMIT WILL BE AUTOMATICALLY DENIED AT THE DISCRETION OF THE BUILDING/PLANNING DEPARTMENT, WE MAY REQUIRE ADDITIONAL INFORMATION IN ORDER TO APPROVE THIS PERMIT.**

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 the 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 of applicant: Rod Simonds TRUSTEE Date: 6/7/05

**This is NOT a permit, you may not commence ANY work until the permit is Issued. If you are in a Historic District you may be subject to additional permitting and fees with the Planning Department on the 4th floor of City Hall**



# PORTLAND MAINE

*Strengthening a Remarkable City, Building a Community for Life* \* [www.portlandmaine.gov](http://www.portlandmaine.gov)

Corporation Counsel  
Gary C. Wood

Associate Counsel  
Elizabeth L. Boynton  
Donna M. Katsiaficas  
Penny Littell  
James R. Adolf

May 19, 2006

Barry Zimmerman, Esquire  
Kelly, Rimmel & Zimmerman  
53 Exchange Street, Suite 300  
P.O. Box 597  
Portland, ME 04101

RE: 243-245 High St.

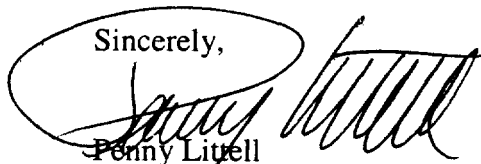
FAX: 773-4895

Dear Barry:

Following the City's electrical inspection (by Michael Collins) at the above address yesterday, the City is prepared to approve a Change of Use application for a 16 room lodging house at 243-245 High Street and to issue a Certificate of Occupancy for the building. Upon receipt of \$184.10 to cover the outstanding balance Mr. Simonds has with the City (\$150.00 legal advertising and \$34.10 noticing), the City will issue these documents.

It has been a pleasure working with you to resolve outstanding issues relating to this property

Sincerely,



Penny Littell

cc: Michael Nugent  
Arthur Rowe ✓  
Greg Cass  
Gary Wood

O:\OFFICE\PENNY\Letters2006\Zimmerman.51906.doc

