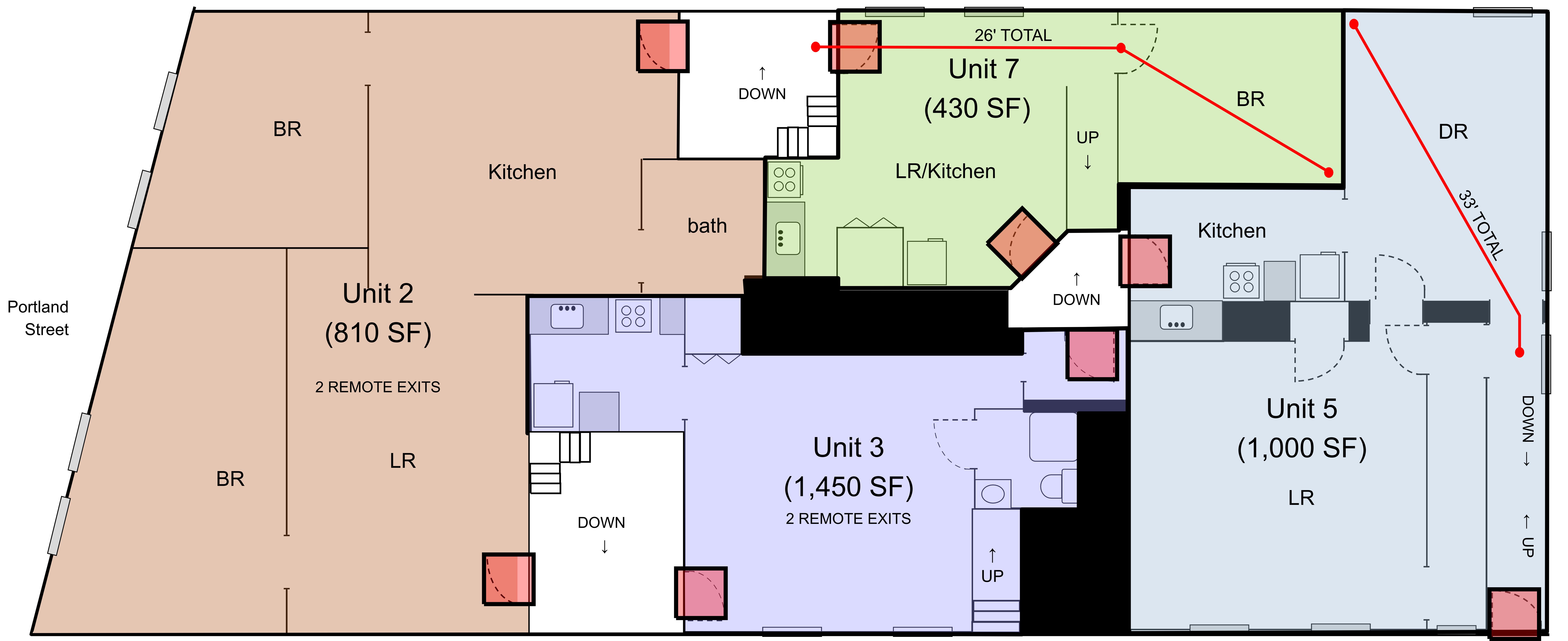


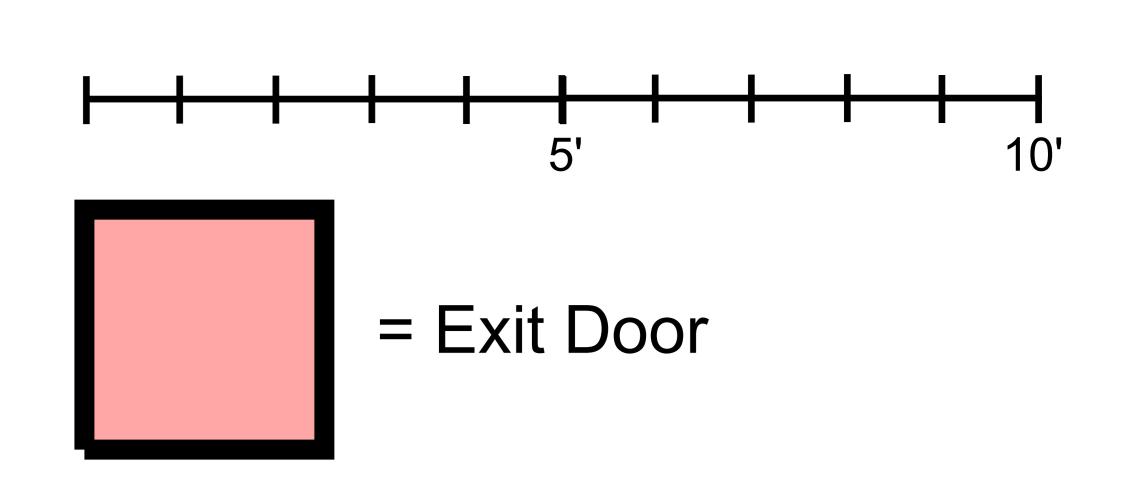
Forest Avenue



# 102 Portland Street, Second Floor (2,916 SF)

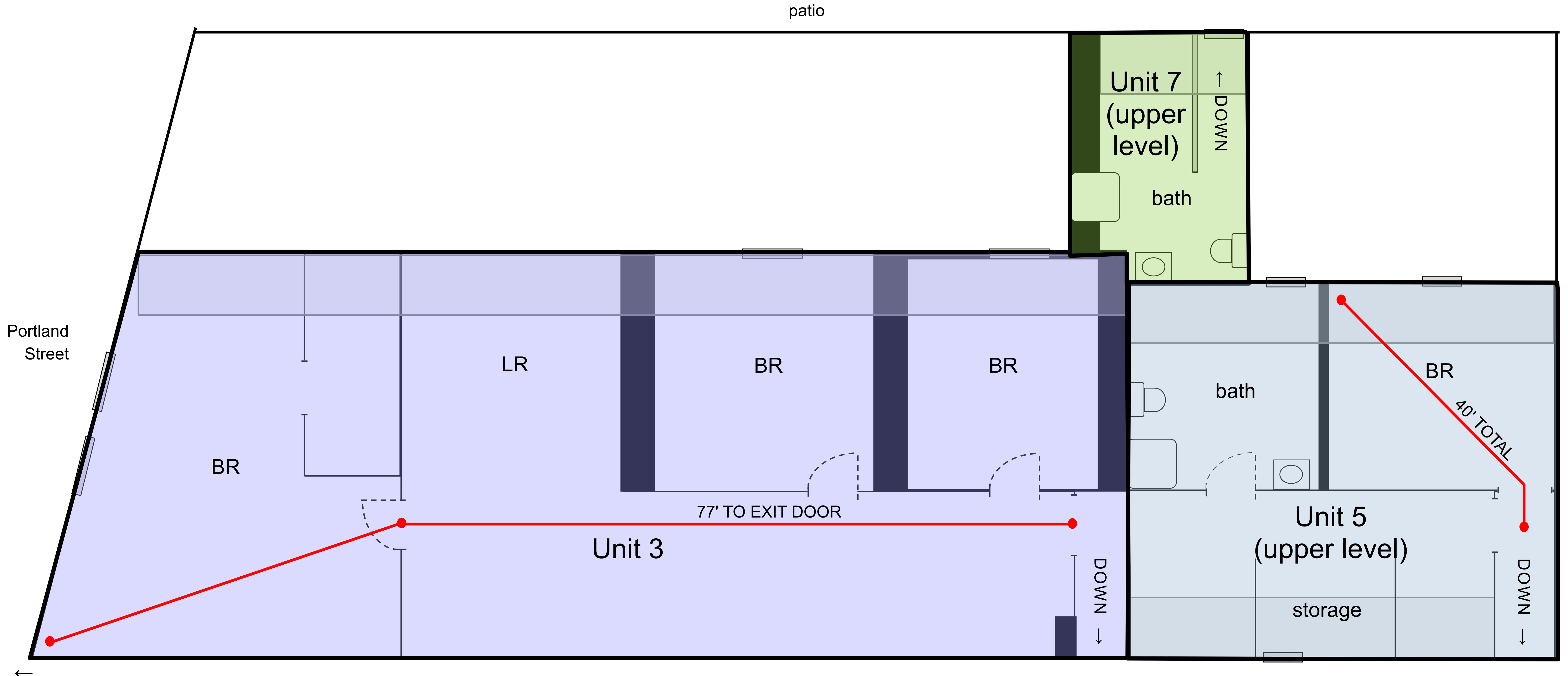
patio

Forest Avenue



parking

Reviewed for Code Compliance Inspections Division Approved with Conditions



# **102 Portland Street, Third Floor**

Forest Avenue

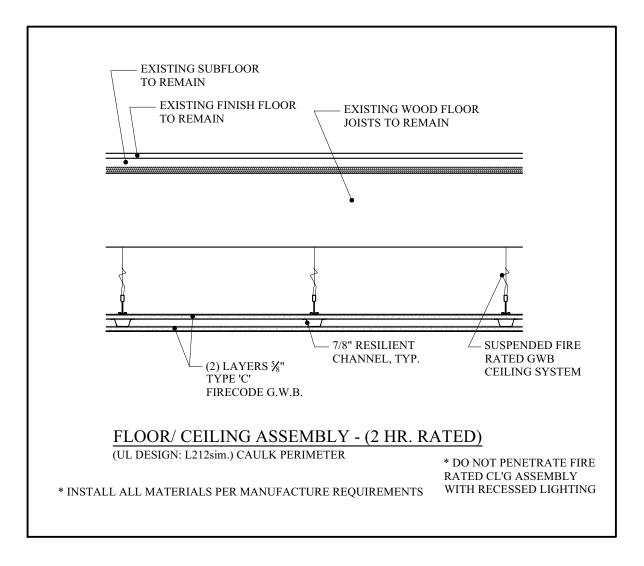
# parking

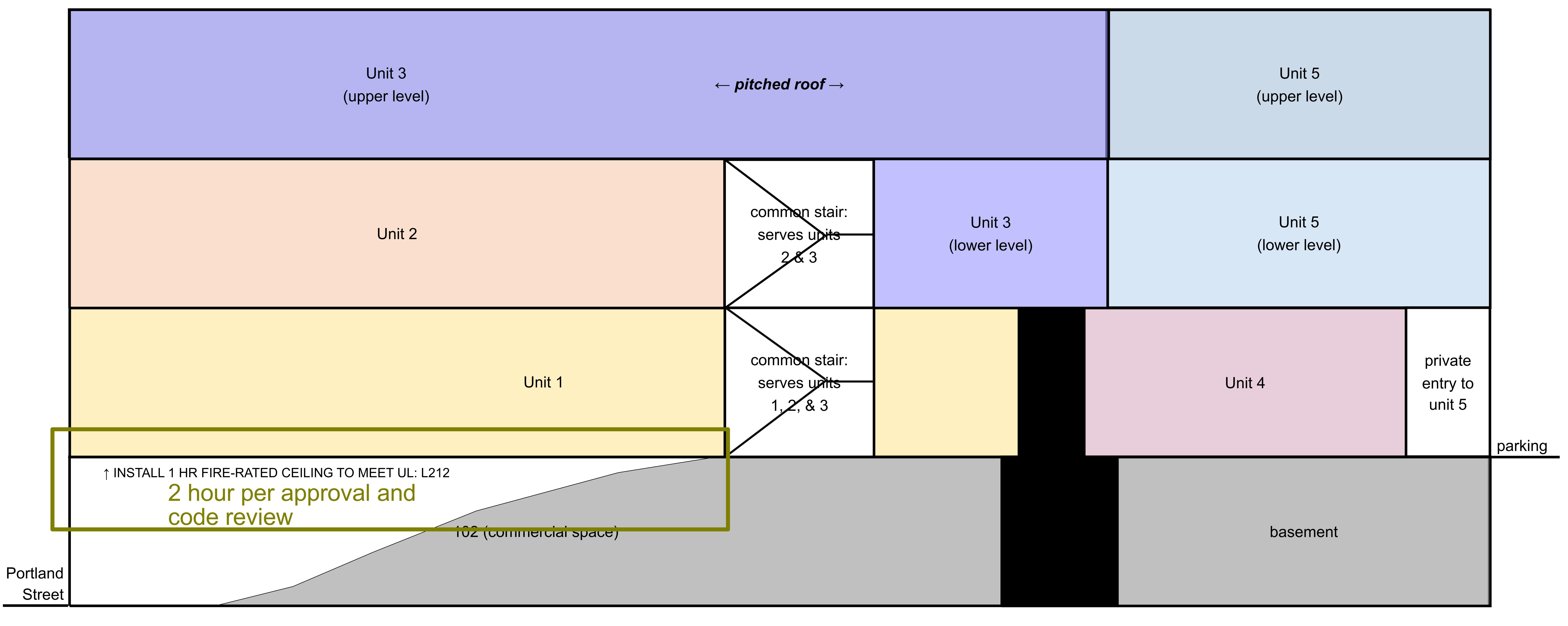
Reviewed for Code Compliance Inspections Division Approved with Conditions Date: 10/10/14



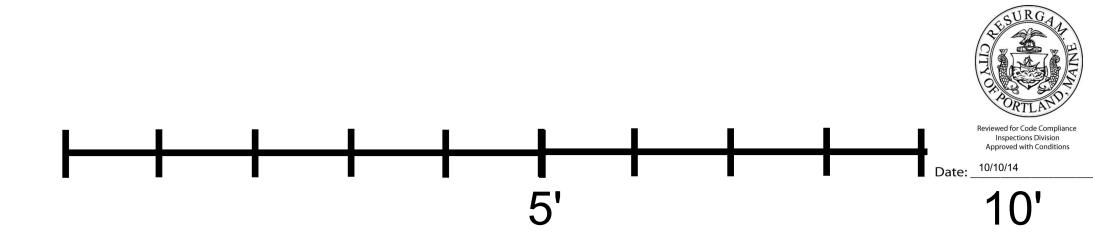
Reviewed for Code Compliance Inspections Division Approved with Conditions

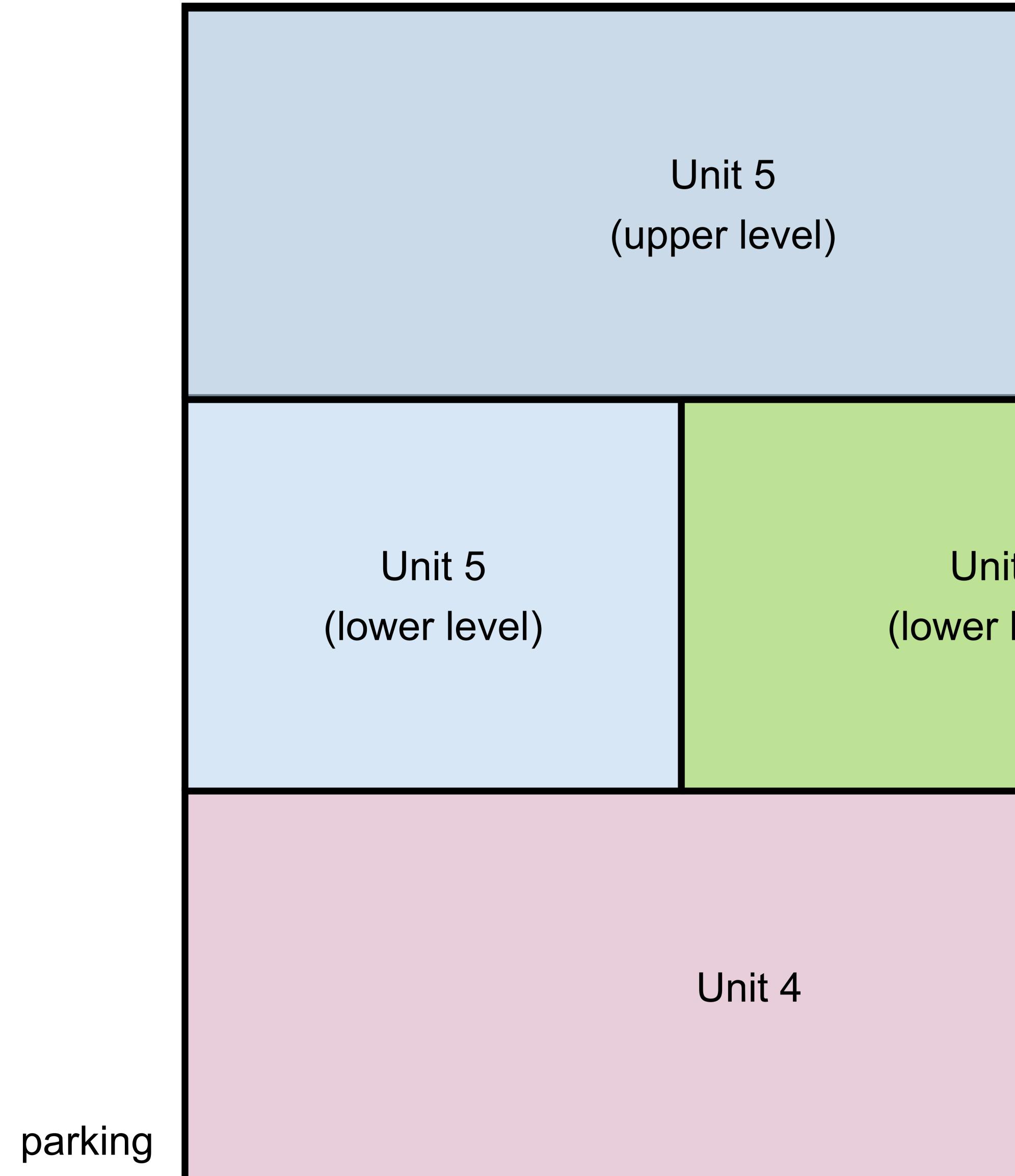
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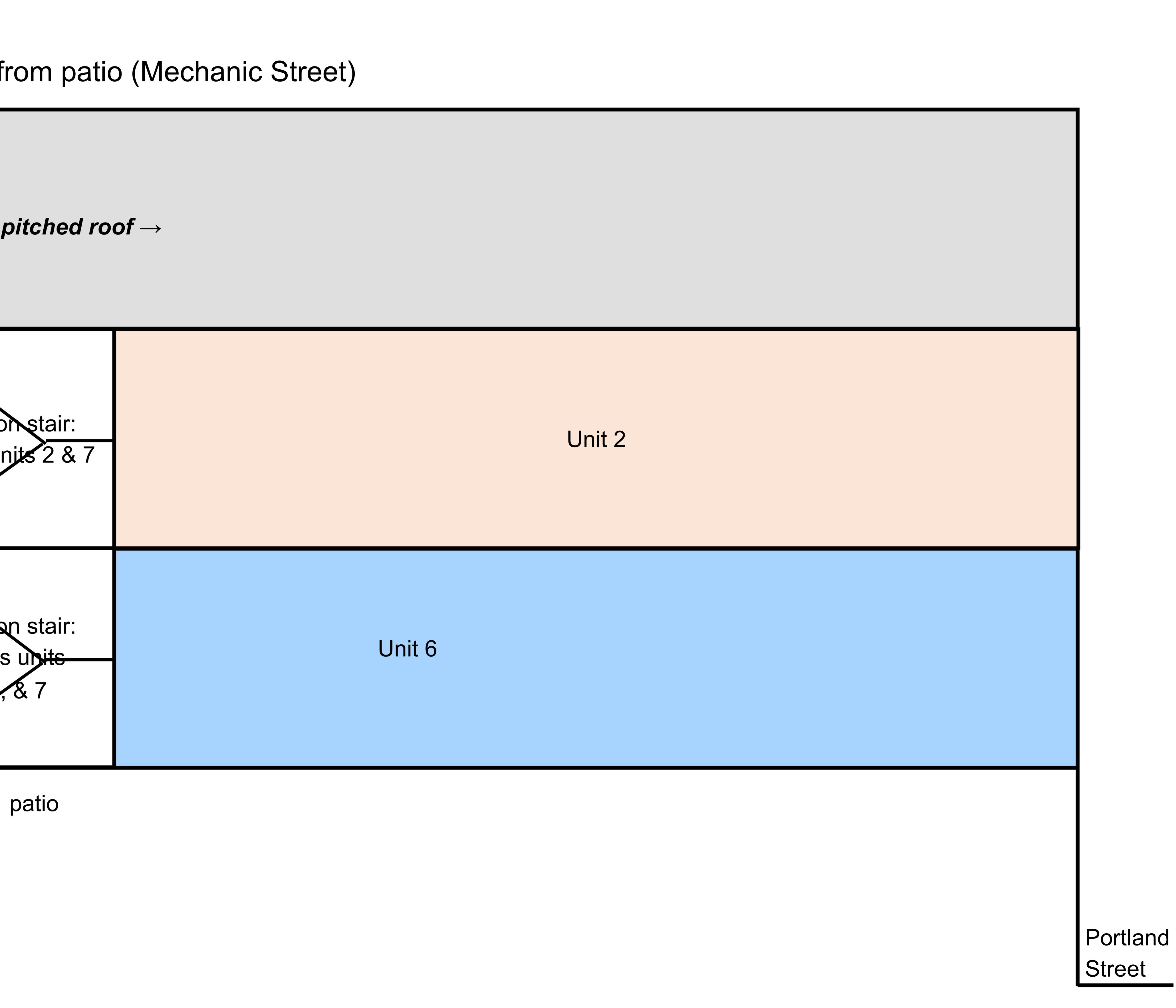


Forest Avenue





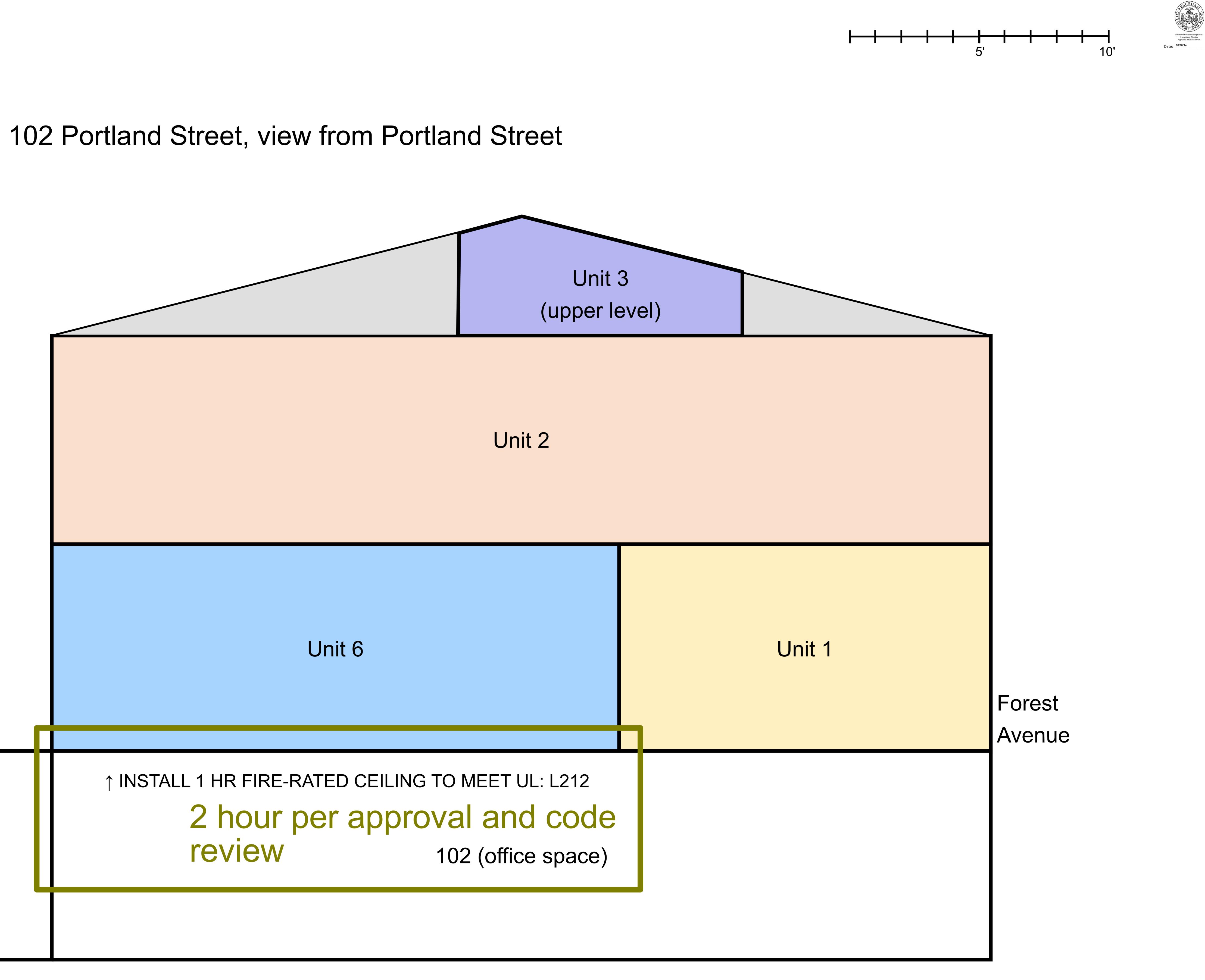
	Unit (upper le		<i>← pitc</i>
it 7 level)	common stair: serves units 7, 3, & 5		common st serves units
	common stair: serves units 7, 3, & 5		common st serves ur 6, 2, & 7



Reviewed for Code Compliance Inspections Division Approved with Conditions

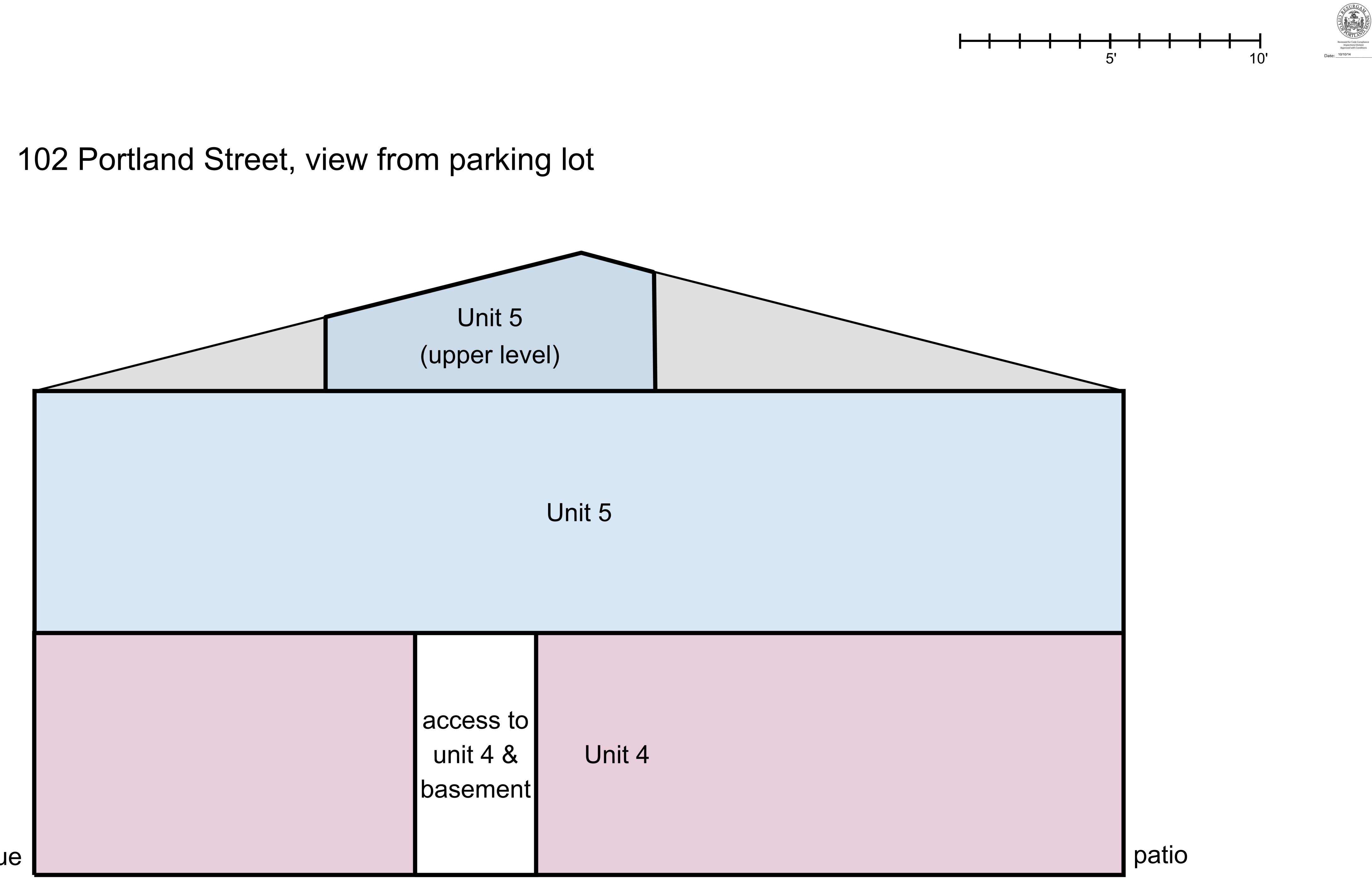
100 (office space, separate structure)





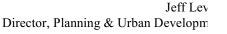
**Portland Street** 

Forest Avenue



parking

Marge Schmuckal Zoning Administrator







#### CITY OF PORTLAND Application for Legalization of Nonconforming Dwelling Units Section 14-391 – In effect March 24, 2004

<u>APPLIES TO</u>: Dwelling units (NOT rooming units) that are currently recognized by the City as illegal or nonconforming, and located within the following zones: R-3, R-4, R-5, R-6, or R-7; or the B-1, B-1(b), B-2, B-2(b), or B-3 Zones.

<u>*FEE*</u>: \$300 for each dwelling unit to be legalized by the applicant. When a permit is able to be issued, there is a requirement for a fee of \$100 for each Certificate of Occupancy (C of O) required for each unit to be legalized.

# **<u>REQUIRED SUBMISSIONS</u>**:

- A plot plan, drawn to scale, showing buildings(s), parking, easements, dumpsters, fencing, public ways and any other significant feature.
- 4 2) A dimensioned floor plan for every unit in the dwelling, whether or not it is the subject of the application.
- 4 3) The applicant shall supply competent evidence, such as assessor's records, purchase and sale agreements, affidavits, other public records and such that:
  - a) The nonconforming dwelling unit(s) existed as of 04/01/95
  - b) The structure was originally designed and built to accommodate more than the number of units presently in use.
  - c) The applicant neither constructed NOR established the nonconforming dwelling unit(s).
- 4) The nonconforming dwelling unit(s) must comply or be able to comply with the National Fire Protection Association Life Safety Code Fire Prevention Code PRIOR to the issuance of the requested permit.
- 4 5) The nonconforming dwelling unit(s) must comply or be able to comply with the City's Housing Code PRIOR to the issuance of the requested permit.

**NOTIFICATION REQUIREMENTS**: Every application is subject to notifications to owners of abutting properties, as well as owners of properties situated within 300 feet of the structure, with the request to legalize nonconforming dwelling units(s). Any objection must be submitted in writing to the Zoning Administrator (ZA) within ten (10) days of the notice sent to them.

City of Portland, 389 Congress Street, Room 315, Portland Maine 04101 (207)-874-8695, FAX: (207) 874-8716 Application for Legalization of Nonconforming Dwelling Units Marge Schmuckal Zoning Administrator



### The Zoning Administrator may only approve such an application if:

- 1. The evidence presented by the application satisfies all of the requirements, AND
- 2. Both the Office of Inspection Services and the Fire Prevention Bureau have certified that the nonconforming unit(s) conform with the applicable codes, AND
- 3. No abutter or person entitled to notice has requested that the application be referred to the Zoning Board of Appeals (ZBA) for approval as a substitute in place of the ZA.

### Action required by the Zoning Board of Appeals:

- 1. When the ZA cannot approve an application based on submitted, or lack of submitted evidence.
- 2. When a timely objection is filed by a qualified person.
- 3. When either of the above occurs, the applicant/owner of the submitted legalization request has thirty (30) days from the decision of the ZA or objection to file a Conditional Use Appeal to the ZBA. All current fees for an appeal application and ZBA notifications will apply in addition to all other fees. The ZB fees shall be paid by the applicant/owner of the submitted legalization request.

# Neither the Zoning Administrator NOR the ZBA shall apply the dimensional or parking requirements while making a final decision on such an application.

When, and IF, a permit is approved and issued for legalization of dwelling unit(s), the FINAL STEP of approval is the issuance of a Certification of Occupancy (C of O). *This is a separate fee of \$100 per requested unit to be legalized.* Before a C of O is issued, all housing and fire code, and/or ZB requirements shall be met in full.

**Department of Planning & Urban Development** 

Marge Schmuckal Zoning Administrator

Jeff Lev Director, Planning & Urban Developm 10/10/14

Date:



# **CITY OF PORTLAND**

Application for Legalization of Nonconforming Dwelling Units Section 14-391 – In effect March 24, 2004

102 Portland Stra	at
Location/Address of Legalization: 102 Portland Stre	
Tax Assessor's Chart/Block/Lot: 036 / H001 Ø	
Owner Name: Lone Palm LLC	Cost of Work: \$ 0.00
Address (if different than above): 217 Commercial Street	
Portland, Maine 04101	Fee: \$ 800.00
	(\$300 per legalized unit & \$100 per C of O)
Telephone: 207.899.0155	
E-Mail: tom@federlemahoney.com	<b>Total DUE: </b> \$800.00
<b>Requested # of Units to be legalized:</b> Two	Total bldg. units:
1,40	Seven
Current # of Legal D.U.: Three	
Current # of Legal D.U.: Timee	
Attach evidence that each requested unit to be legalized	Lovistod as of $0.4/0.1/0.5$
LIST evidence that you are submitting:	1 existed as 01 04/01/35.
LIST evidence that you are submitting.	
Please see included 1940 Building Permit Application, 195	57 Building Record, 1982 Certificate of Compliance, 1
1994 Reverse Directory & 2002 Reverse Directory. Also i	ncluded are building plans and a site plan.
Attach evidence that the current owner/applicant neith	er constructed NOR established the non-
conforming dwelling units to be legalized.	
LIST evidence that you are submitting:	
Current building of	owners deed.
I hereby certify that I am the Owner of Record of the above property, of	
that I have been authorized by the owner to make this application as h laws of this jurisdiction. In addition, if a permit for work described in authorized representative shall have the authority to enter all areas co provisions of the codes applicable to this permit.	this application is issued, I certify that the Code Official's
Signature of Applicant:	signed by Matt Provencal, Assoc. AIA Matt Provencal, Assoc. AIA. Matt Provencal, Assoc. AIA. Hut Rubers and Assoc. AIA. Hut Rubers and Assoc. AIA. Hut Rubers and Assoc. AIA. Date: August 13, 2014
This is NOT a permit; you may NOT comme	1
City of Portland, 389 Congress Street, Room 315, Portland	
Application for Legalization of No Page 3	
1 age .	·

Marge Schmuckal Zoning Administrator

Jeff Lev Director, Planning & Urban Developm





#### *City of Portland Land Use, Code of Ordinances Chapter 14* **Sec. 14-391. Nonconformity as to number of dwelling units.**

(a) Purpose. The purpose of this provision is to establish a process whereby certain dwellings which contain more dwelling units than the number permitted by the applicable provisions of the Land Use Code may be recognized as legal, nonconforming uses. This provision shall not apply to rooming units.

- (b) Approval by Zoning Administrator.
  - 1. Application. Application for validation of such non- conforming dwelling units shall be on a form provided by the Division of Housing and Neighborhood Services, Inspection Services Office. The application fee will be \$300.00 for each dwelling unit which is the subject of the application, and will be accompanied by: (i) a plan, drawn to scale, which shows the location of the building(s) on the lot, parking, easements, dumpsters, fencing, public ways and any other significant feature and (ii) a floor plan for each unit in the dwelling, whether or not it is the subject of the application.

(c) Eligibility. In order for a nonconforming dwelling unit to be validated by administrative action of the Zoning Administrator as authorized herein, the Zoning Administrator must find, based on competent evidence, supported by public records, that:

- 1. The nonconforming dwelling units were either in existence April 1, 1995, or the structure in which they are located was originally designed to accommodate more than the number of such units presently in use.
- 2. The applicant neither constructed nor established the non-conforming dwelling units.
- 3. The nonconforming dwelling units comply with or can be made to comply with current standards of the National Fire Protection Association Life Safety Code (§16-1) and the National Fire Protection Association 1: Fire Prevention Code (§10-16), as amended.
- 4. Each of the nonconforming dwelling units complies with provisions of the City's Housing Code or can be made to conform with, as amended, including, but not limited to, the requirements of §6-110, Minimum Standards for Space and Occupancy and §6-111, Minimum Plumbing Standards, and §6-112 Minimum Ventilation Standards.
- 5. The structure containing the nonconforming dwelling units is located in the R-3, R-4, R-5, R-6 or R-7 Zones; or the B-1, B-1(b), B-2, B-2(b) or B-3 Zones.

City of Portland, 389 Congress Street, Room 315, Portland Maine 04101 (207)-874-8695, FAX: (207) 874-8716 Application for Legalization of Nonconforming Dwelling Units

#### Department of Planning & Urban Development

Marge Schmuckal Zoning Administrator Jeff Lev Director, Planning & Urban Developm

10/10/14

Date



City of Portland Land Use, Code of Ordinances Chapter 14

#### Sec. 14-391. Nonconformity as to number of dwelling units. (continued)

6. In the absence of legally competent evidence, supported by records, (such as, but not limited to, Assessor's records, purchase and sale agreements, affidavits, deeds, mortgages, as well as reliable secondary sources, such as the Portland Director), that the conditions of subsections c(1), C(2), c(3), c(4), or c(5) can be met, the Zoning Administrator may not approve the application, but shall advise the applicant that the matter may be appealed to the Board of Appeals.

(d) Notice to Abutters. Upon receipt of a completed application, the Zoning Administrator will provide both the owners of abutting properties as well as the owners of property situated within 300 feet of the structure of the essential information contained in the application, along with a notice that they may object to the Zoning Administrator's acting on the application and require the applicant to appeal to the Board of Appeals. The notice shall be in conspicuous type and advise the abutters and owners of property within 300 feet that any objection must be submitted in writing to the Zoning Administrator within ten (10) days of the date of the notice

The failure of any property owner to receive the notice described above shall not invalidate any action by the Zoning Administrator. The Zoning Administrator shall promptly notify the applicant of receipt of the objection that the Zoning Administrator is without authority to proceed and advise the applicant that, within 30 days from receipt of the letter, an application may be filed to have the matter reviewed by the Board of Appeals as a conditional use.

#### (e) Approval of Application.

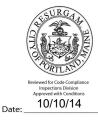
- 1. The Zoning Administrator may approve the application, provided: (i) the evidence presented satisfies all of the requirements of this section; (ii) the Office of Inspection Services and Fire Prevention Bureau have certified that the nonconforming units conform with or can be made to conform with the applicable codes; and (iii) no abutter nor person entitled to notice has requested that the application be referred to the Board of Appeals, instead of the Zoning Administrator.
- 2. Upon approval of the application and receipt of an additional fee in the amount of \$75.00 for each nonconforming dwelling unit which has been recognized as a lawful, nonconforming use, the Zoning Administrator will issue a certificate of occupancy.

(f) Disapproval of Application. In the event the application is not approved by the Zoning Administrator or in the event of a timely objection filed by a person qualified herein to file such an objection, the applicant, within (30) days from the decision of the Zoning Administrator or objection, may appeal the matter to the Board of Appeals as a conditional use.

#### Department of Planning & Urban Development

Marge Schmuckal Zoning Administrator

Jeff Lev Director, Planning & Urban Developm





City of Portland Land Use, Code of Ordinances Chapter 14

#### Sec. 14-391. Nonconformity as to number of dwelling units. (continued)

(g) Action by Board of Appeals. The Board of Appeals shall treat applications filed under this section as an application for a conditional use (§14-474) applying the standards applicable to conditional uses as well as the requirements of this section.

(h) Dimensional and Parking Requirements. In marking decisions under this section neither the Zoning Administrator nor the Board of Appeals shall apply the dimensional or parking requirements which would otherwise apply in the zones where

(i) Exclusions.

- 1. The provisions of this section shall not apply to rooming units (§14-47), but shall apply to efficiency apartments (§6-110(b)).
- 2. The Board of Appeals is without jurisdiction to grant any relief (including, but not limited to, variances) which would recognize the particular dwelling units which are the subject of this section as legal, nonconforming uses, except in strict compliance with each requirement of this section.

(j) Prior Judicial and Administrative Action. Decisions of any court or administrative body, including but not limited to, the Zoning Administrator, the Planning Board or the Board of Appeals made prior to the effective date of this section and which addressed the number of nonconforming dwelling units in a particular structure, will not bar relief under this section. (Ord. No. 153-03/04, 02/23/04)

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<sup>\*</sup>Editor's note—Section 4 of Ord. No. 354-85, adopted Jan. 7, 1985, repealed the pre-2004 version of § 14-391, relative to the Board of Appeals permitting temporary nonconforming uses, which derived from Code 1968, § 602.17.K.





August 13, 2014

City of Portland Inspections/ Zoning Division 389 Congress Street Portland, Maine 04101

RE: 102 Portland Street - Dwelling Unit Legalization

Inspections,

Our firm has been hired by the current property owner to provide them with assistance in performing a dwelling unit legalization at their 102 Portland Street property. After meeting with the zoning department and performing due diligence researching the history of the property we are prepared to submit an application for your approval.

The building is currently a multi-use building with two business uses at the ground level of Portland Street and seven dwelling units on the uphill side of Forest Ave. There are currently three legal dwelling units and two business units at this property. Our application is to legalize two dwelling units, bringing the total dwelling units to five. Upon approval of this legalization we would continue our currently submitted 'Change of Use' application (#201401629) for the final two dwelling units.

Should you have any additional questions, comments or concerns please do not hesitate to contact our office for clarification.

Sincerely,

Matt Provencal, Assoc. AIA Architectural Designer Mark Mueller Architects

100 Commercial St Suite 205 Portland, Maine 04101 Phone: 207.774,9057 Fax: 207.773.3851 E-Mail: rhi@muellerarchitects.com Member AIA





July 22, 2014 Revised: September 29, 2014

Jeanie Bourke, Plan Reviewer City of Portland Planning & Urban Development Dept./ Inspections Division 389 Congress Street Portland, ME 04101

RE: 102 Portland Street

Dear Jeanie,

Our firm has been hired by Port Property Management to provide them with a brief code description and summary of a property they're considering to purchase. We have been to the site and have been provided floor plans by their office. After review of the existing conditions and applicable codes we have found the following information below.

- The 1st floor Mercantile or Business use must be separated from the residential uses by a floor/ ceiling assembly with a one hour fire rating. The space contains a suspended acoustical tile ceiling with no fire rating currently. We propose a 2 Hour fire rated floor/ ceiling assembly by a suspended GWB ceiling meeting UL L212.
- 2. Each dwelling unit needs to be separated from one another by a fire rating of one hour. It appears that the walls meet this requirement, however partially demolishing the walls are the only way to verify 100%.
- 3. Each dwelling unit door needs to have a fire rating of 60 min. It appears the existing doors meet this requirement, UL fire rating tags should be on all doors.
- 4. Exit stairs must be fully enclosed by a fire rating of not less than one hour. The existing stairs appear to meet this requirement.
- 5. Most units have two means of egress though they are not all remote. The travel distance for the units at the first floor must meet 75' for a single exit; all of the units appear to meet this requirement. Travel distance at the second floor must meet 50' travel distance for a single exit; these units appear to meet this requirement (including the minor 3rd floor space). Unit #3 at the third floor appears to exceed the maximum travel distance requirement of 50' per IBC 2009 & 75' per NFPA 101 (77' actual), however it does meet the maximum travel distance of 175' to the building exit and includes two exits.
- 6. Photoelectric smoke detectors & carbon monoxide detectors will be required in sleeping rooms. The city of Portland Fire Department may require this system to be supervised with manual pull stations at exits.
- 7. Fire extinguishers shall be located in exit corridors.
- 8. New Handrails must meet a minimum height of 34" and guardrails must meet 42". Existing handrails and guards can meet 30"

100 Commercial St Suite 205 Portland, Maine 04101 Phone: 207.774,9057 Fax: 207.773.3851 E-Mail: rfi@muellerarchitects.com Member AIA





Should you have any additional questions, comments or concerns please do not hesitate to contact our office for clarification.

Sincerely,

Matt Provencal, Assoc. AIA Architectural Designer Mark Mueller Architects

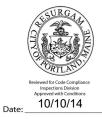
100 Commercial St Suite 205 Portland, Maine 04101 Phone: 207.774.9057 Fax 207.773.3851 E-Mail: rfi@muellenarchitects.com Member AIA

Class of Building or Type of Structure Second CI Portland, Maine, o the INSPECTOR OF BUILDINGS, PORTLAND, ME. The undersigned hereby applies for a permit to ereat alter install the following build the the Laws of the State of Maine, the Building Code of the City of Portland, plans and st d the following specifications: Deation	July 22, 1940 Ung standard equipment in accordance pecifications, if any, submitted horewith Dat Limits? Yes Dist. No. 1	Reviewed for Code Con Inspections Divis Approved with Con 10/110/7
Portland, Maine, the INSPECTOR OF BUILDINGS, PORTLAND, ME. The undersigned hereby applies for a permit to ereat alter install the following build the the Laws of the State of Maine, the Building Code of the City of Portland, plans and sy ad the following specifications: Decation 102 Portland Street Corner Forest Avenue wher's or lessee's name and address. John H. Charles, 102 Portland S contractor's name and address. J. Murphy, 105 Forest Avenue rechitect reposed use of building Storm and incoments	July 22, 1940 Ung standard equipment in accordance pecifications, if any, submitted horewith Dat Limits? Yes Dist. No. 1	Inspections Divis Approved with Con
o the INSPECTOR OF BUILDINGS, PORTLAND, ME. The undersigned hereby applies for a permit to eract alter install the following build ith the Laws of the State of Maine, the Building Code of the City of Portland, plans and so ith following specifications: Decation	ling standard equipment in accordance pecifications, if any, submitted horewith Dat Limits? <b>VOB</b> Dist. No. 1	Inspections Divis Approved with Con
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is understood that this permit does not include installation of heating apparatus which is to be to	aken out separately by and in the name of	
e heating contractor. Details of New Work		
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any electrical work involved in this work? yas Height average grade	to top of plate	
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On centers : 1st floor, 2nd, 3rd	roof	
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lo, cars now accommodated on same lot, to be accommod	iodated	
otal number commercial cars to be accommodated		
Will automobile repairing be done other than minor repairs to cars habiteally stored i		
Miscellaneous Will above work require removal or disturbing of any shade tree on a public street?		

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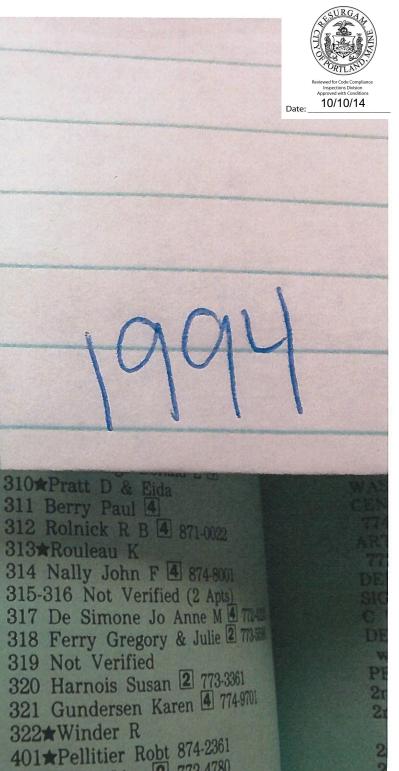
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	CERTIFICATE OF	-31
	COMPLIANCE	
		DATE: November 23, 1982
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CITY OF PORTLAND		
Department of Planning & Housing Inspections Divi Telephone: 775-5451 - E	sion	
Mr. Raymond Moulton 133 Eastman Road Cape Elizabeth, Maine (	04107	
Re: Premises located at	103-105 Forest Avenue 36-H-1	NCP-PTLD C. C.M.
Dear Mr. Moulton:		
by Code Enforcement Off:	premises noted above was made on icer <u>Gayton Bartlett</u>	*
the Municipal Codes rela Conditions" dated		
Thank you for your coop sanitary housing for all	eration and your efforts to help u l Portland residents.	is maintain decent, safe and
inventory, it residential b property is s five-year per	id in the preservation of Portland shall be the policy of this depar uilding at least once every five y ubject to re-inspection at any tim iod, the next regular inspection of November 1987	years. Although a ne during the said
	Sincer	rely yours,
	Joseph Planni	h E. Gray, Jr., Director of ing and Urban Development
	By Lyla Inst	by hoyes pection Services Division
Code Enforcement Office	r - Gayton Bartlett (6)	

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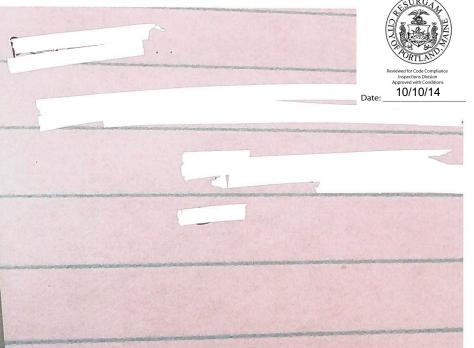
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Wot Verified (3 Hses) 207-772-0895 73 PORTLAND APPLIANCE SVC CTR appliances-74 Martin Joanne 6 1 - Not Verified (6 Apts) 78 ALCOHOLICS ANONYMOUS alcoholism info/ + BRATTLE ST INTERSECTS 79 NEW WORLD KITCHENS kitchen cabinets & 80 E-CLIPS HAIR SALON beauty salons 92 WET WILLY'S nonclassified establishments + MECHANIC ST ENDS **98 BINTLIFF'S AMERICAN CAFE restaurants 102 WILD OLIVE MULTIMEDIA graphic designers** 190 TRIUMPH AUTO GLASS glass .. 207-780-1213 + FOREST AVE INTERSECTS + PARK AVE INTERSECTS **HOUSEHOLDS 29 BUSINESSES 27** PORTLAND FISH PIER (PORTLAND)-FROM 377

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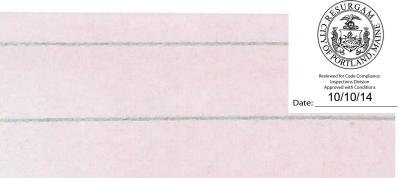
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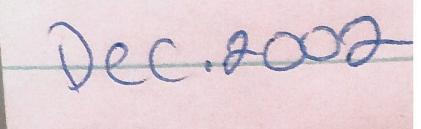
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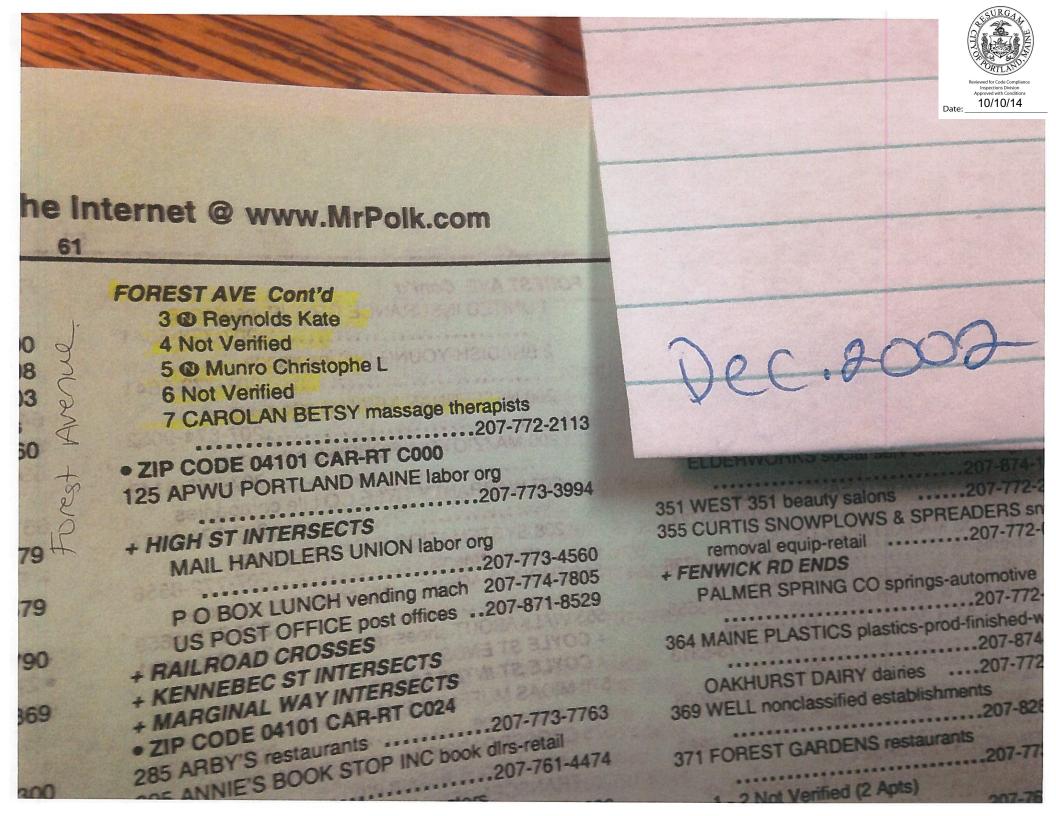






iling Lists, Sales Leads, and Business Credit Reports on-line and other Polk Directories

CLOSER CHIEF TO PARTY STATISTICS TO STORE





#### QUITCLAIM DEED WITH COVENANT KNOW ALL MEN BY THESE PRESENTS

THAT, SLC ENTERPRISES, INC., a Maine corporation with a place of business in Portland, Maine, in consideration of one dollar and other valuable consideration paid, grants to LONE PALM LLC whose mailing address is 134 Main Street, Suite 2A, Winthrop, Maine 04364, with quitclaim covenants the land in the City of Portland, County of Cumberland and State of Maine and more specifically described as:

#### SEE EXHIBIT A ATTACHED HERETO

To have and to hold the same, together with all the privileges and appurtenances thereunto belonging, to the said Loan Palm, LLC, its heirs and assigns forever.

IN WITNESS WHEREOF, the said Sheryll L. Cummings, President of SLC Enterprises, Inc. has hereunto set my hand this 287 day of July, 2006.

nell Witness

SLC ENTERPRISES, INC.

Sheryll L. Cummings Its: President

STATE OF MAINE COUNTY OF CUMBERLAND

July 28th, 2006

Then personally appeared the above-named Sheryll L. Cummings in her capacity as President of SLC Enterprises, Inc. and acknowledged the foregoing instrument to be her free act and deed and the free act and deed of said corporation.

Before me,

Notary\_Public/Attorney-at-Law

Typed or printed name of person taking acknowledgment

#### MARY A. DENISON

NOTARY PUBLIC AS ATTORNEY AT LAW 4 M.R.S.A. § 1056 MY COMMISSION DOES NOT EXPIRE

SEAL



#### EXHIBIT A

#### 89 Spruce\_Street, Portland, Maine

A certain lot or parcel of land, with any buildings thereon, situated on the easterly side of Emery Street, in the City of Portland, County of Cumberland and State of Maine, and on the northerly side of Spruce Street in said City, bounded and described as follows, to wit: STARTING at the intersection of said northerly side of Spruce Street with the easterly side of Emery Street, thence northerly by Emery Street, seventy-five and fifty-eight hundredths (75.58) feet more or less, to the land of Adam P. Leighton, Jr., thence easterly along the line of said Leighton land seventy-nine and one-tenth (79.1) feet, more or less, to the land now or formerly of John H. True; thence southerly seventy-five and thirty-three hundredths (75.33) feet, more or less, along the line of said True's land to the northerly line of said Spruce Street; thence westerly along the said northerly line of Spruce Street seventy-three and sixty-one hundredths (73.61) feet, more or less, to the point of beginning.

Being the same premises conveyed to the Grantor herein by deed from Peoples Heritage Savings Bank dated December 21, 1993 and recorded in the Cumberland County Registry of Deeds in Book 11185, Page 208.

#### 19 Parris Street, Portland, Maine

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

Beginning at a point on the easterly side of Parris Street, which point is thirty-four (34) feet nine (9) inches distance northwesterly from the most northwesterly corner of the stone division wall between a lot of land now or formerly owned by John B. Reed and a lot of land formerly conveyed by Charles B. Dalton to Ethel B. Josephs; thence running at right angles to said Parris Street in a northeasterly direction, fifty-eight (58) feet to a stake set in the ground; thence running in a southeasterly direction at right angles to the last named course four (4) feet eight (8) inches to a stake set in the ground; thence running in a northeasterly direction at right angles to the last named course to land formerly owned by Emma Ford; thence in a northwesterly direction along the line of land formerly owned by Emma Ford to land formerly owned by J.P. Willey; thence in a southwesterly direction along the division line between the lot



hereby conveyed and the lot of Anna C. Willey, eighty-four (84) feet, more or less, to said Parris Street; thence in a southeasterly direction on said Parris Street fifty (50) feet, more or less, to the point of beginning.

Excepting and reserving the right to the said Josephs, her heirs and assigns, to continue to maintain the eaves as now located on the northerly side of the "L" of the house numbered 15 on said Parris Street.

Being the same premises conveyed to the Grantor herein by deed from Jeffrey A. Gray and Linda A. Gray, dated June 16, 1993 and recorded in said Registry of Deeds in Book 10770, Page 53.

#### 102 Portland Street, Portland, Maine

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

Beginning at a stone monument at the easterly intersection of Forest Avenue and Portland Street; thence running southeasterly on the easterly side of Forest Avenue, one hundred twenty (120) feet, more or less, to a stake at the westerly corner of land now or formerly owned by Robert Hull, deceased; thence northeasterly by said land now or formerly of said Hull and at right angles with said Forest Avenue, fifty (50) feet to a stake; thence northwesterly on a line parallel with said Forest Avenue, one hundred four (104) feet, more or less, to said Portland Street; thence southwesterly by said Portland Street, fifty-two (52) feet and nine (9) inches to the bound first mentioned.

Being the same premises conveyed to the Grantor herein by deed dated July 31, 1997 from Richard W. Banfield, Jr. and Jesse C. Deupree and recorded in said Registry of Deeds in Book 14761, Page 252.

#### 97 Forest Avenue, Portland, Maine

A certain lot or parcel of land in Portland, in said County and State, described as follows:

Beginning at a point on Forest Avenue at the most northwesterly corner of lot containing apartment house No. 97 and 99 Forest Avenue, which point is one hundred sixty (160) feet northerly of the northwesterly corner of lot of land sold by James Deering and Mary Preble to William Hamlen by deed dated August 26, 1827, recorded in Cumberland County Registry of Deeds in Book 110, Page 20; thence Easterly along the most northerly



side line of said lot fifty-nine (59) feet to a point; thence southerly and parallel to easterly side line of Forest Avenue forty (40) feet to a point; thence Westerly along the most southerly sideline of said lot fifty-nine (59) feet to the easterly sideline of Forest Avenue; thence Northerly along the easterly side line of Forest Avenue forty (40) feet to a point and point of beginning.

Also conveying a right of way eight (8) feet side to be used in common with others and extending from the most southeasterly corner of the above described lot to Mechanic Street.

Being the same premises conveyed to the Grantor herein by deed dated July 31, 1997 from Richard W. Banfield, Jr. and Jesse C. Deupree and recorded in said Registry of Deeds in Book 14761, Page 253.

> Received Recorded Resister of Deeds Jul 31,2006 02:38:37P Cumberland County John B DBrien

Zoning Division Marge Schmuckal Zoning Administrator





# <del>TTY OF PORTLAND</del>

# CITY OF PORTLAND HOUSING CODE DWELLING UNIT COMPLIANCE

Section 14-391 of the Land Use Ordinance allows illegal nonconforming dwelling units to become legalized thru a given process. Part of this process is that the dwelling unit(s) that are requested to be legalized must comply or be able to comply with the City of Portland's Housing Code PRIOR to issuing the requested permit.

Please return this form to the Zoning Administrator (Marge Schmuckal) as to compliance or the ability to comply with these codes.

Location: 102 Portland St 36-4-01

-one Palm LL Owner:

Address of Owner: 217 Conversed & Portland ME 04101 Telephone: 297,899.01

Applicant information if different than above: Conful Ton Federal

Current number of legal units: Have

Number of units to be legalized:

it there are arrayly I divelling with sin bold fin (1) the building - two will be "lesalized" Comments of approval or disapproval (list any and all conditions): wher a sykenk permit. 2014-01629 ter inspection approved

Signature:

Room 315 - 389 Congress Street - Portland, Maine 04101

(207) 874-8695 - FAX: (207) 874-8716 - TTY: (207) 874-8936

Date:

#### Beek 14761 Page 252 July 31, 1997 36-H-1

A cartain lot or parcel of land with the buildings thereon situated in the City of nd, Caunty of Cumberland and State of Mains, and bounded and described as felia

Beginning at a strue manument at the earlierly intersection of Ferrest Avenue and Perched Struct; these a rearing another they as the attribut field of Ferrest Avenue, and Ferrel Struct; these are constructed at the structure attribute attribute the structure attribute attribute the structure attribute attribu

#### Book 9054 Page 88 January 11, 1990 36-H-27

A cartein lot or parcal of land in the City Portland, County of Combariand and State of Mains, described at follows:

Balancing at a pict as from the Small Anasas at the must neutrinestative groups of far controlling agarment houses his 75 cm of Small Anasas. (1460) fact northardy of the neutrinestativy conner of far of fand shill by Jamas Desering and Kany Proble to William Hamine by dead dande Juguet 26, 1827, recercide in Charbertand County Registry of Deads in Seek 100, Page 20.

Thence Southerly and parallel to easterly side line of Forest Avenue forty (40) fast

Thence 3 setting you go a new or the set of the set of

Also conveying a right of may eight (6) fact wide to be used in common with others and extending from the most southeestarty corner of the above described int to Machenic Struct.

The underlighted, being a registered surveyor of the State of Maine cartifies te: Greystrue Servicings Comparentiem, Inc., Francis Men, Hall accessors and assigns, Lense Phile, LLC on Jammers This Comparent Comparent

#### Title Insurance Company.

1. This map or piet and the survey on which it is based evers made in accordance with the "Meiner Shenderd Datail requirements" for ALTA/ASM Land Title Surveys, "Justity schedulend and adapted by the American Land Title Association and the American Compression Surveying and Mapping in 1997, REVISED and effective Javary 1, 2006 and this survey mests the requirement free or Urban Survey and Enfand themica.

The survey was made on the ground on July, 2006, and correctly shows the area of the subject property, the location and type of all buildings, structures and other improvements situated on the subject property, and any other matters situated on the subject property.

3. There are no visible essements or rights of way of which the undersioned as been advised.

4. There are no observable, above ground encreachments (a) by the improvement on the subject property upon adjoining properties, structs or aligning properties, structs or adjoining properties, structs or aligning properties, structs or aligning properties.

5. The location of each assement, right of way, searchude, and other motion of facting the subject property and listed in the this is neuronce commitment deted 3/dy 1/d, 2000, lassed by Lawyers Thile Janemaco Company with respect to the subject property (is shown on the survey, targether with approprished reacreling references, to the cartent that such netters can be located. The property them on the sarvey is the property described at the third commitment. This location of all sprovements on the subject property described at the third commitment. This location and include the sarvey of the property described at the third commitment. This provements on the subject property described at the third commitment.

The subject property has access to and from a duly dedicated and accepted public streat or highway.

7. The subject preparty dees not serve any adjoining preparty for drainage, utilities, or ingress or

The record metes and bounds description of the subject property does not offer anough information to form a methamatically closed figure.

No parties of the property shown on the survey lies within a Special Hazard Area, as described on the Fised Insurance Note Map for the community in which the subject property is located. Partimed, Mains Community-Incel number 2003(3) (0):38, Zane C.

The certificate related that certain survey numbered 06-43 and dated JULY 31, 2006, made by TKM LAND SURVEYORS, cevering ALTA/ACSM LAND TITLE SURVEY of 97 Forest Avenue and 102 Pertiand Streast Particul, Main.

The parties above are entitled to rely on the survey and this certificate as being true and accurate.

#### Timothy A. DeFilipp (Land surveyor)

Dated: JULY 31, 2006 Registration No. 2246

SEAL



Date: 10/10/14

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US IN MA LOCATION MAP (1) CITY OF PORTLAND, MAINE COUNTY OF CUMBERLAND, (2) TAX MAP 36, BLOCK H, LOTS 1 & 27 (3) CITY OF PORTLAND ZONIG ADOPTED BY PORTLAND CITY COUNCIL LAST REVISED JULY 14, 2006 (4) CITY OF PORTLAND DEPARTMENT OF PUBLICWORKS STREET LINES OF PORTLAND STREET & FOREST AVENUE PLATES # 132 - 134 - 163 & 177 (I) SOURCE DEEDS: BOOK 14761 PAGE 252 BOOK 14761 PAGE 253 (2) OWNER OF RECORD: SLC ENTERPRISES, INC. P.O. BOX 8754 PORTLAND, MAINE 04104 (3) AREA OF SURVEYED PARCEL: 7.998 S.F. (4) BEARINGS ARE MAGNETIC TO THE YEAR 2006. (5) ALL BOOK, PLAN BOOK AND PAGE REFERENCES ARE AT THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PORTLAND, MAINE. (6) THERE ARE & ON-SITE PARKING SPACES (7) THE LOCATION OF UNDERGROUND UTILITY LINES WHICH SERVE THE PROPERTIES ARE NOT SHOWN, (8) THE STATUS OF PORTLAND STREET WAS ACCEPTED BY ORDER OF CETY COUNCIL, APRIL 4, 1932, BEING 66' WIDE.

(9) THE STATUS OF FOREST AVENUE IS SHOWN ON STREET LINE PLATE #163 DATED JANUARY 1926 BEING 49.5' WIDE.

(10) THERE ARE NO ORSERVED EVIDENCE OF CEMETERIES.

(11) ZONING REQUIREMENTS FOR 8-26 ARE MORE PARTICULALY DESCRIBED IN ZONING ORDINANCE AND NEED TO BE REFERRED TO FOR MORE SPECIFICS.

(12) LOT 36-H-27 IS CONVEYED A RIGHT OF WAY EIGHT (8) PEET WIDE TO BE USED IN COMMON WITH OTHERS AND EXTERDIDUE FROM THE MOST SOUTHEASTERLY CONVER OF THE LOT TO MECHANIC STREET.

B-26 COMMUNETY BUSINESS ZONE LOT 1

RESIDENTIAL ZONE LOT 27

MINIMUM YARD DIMEN FRONT = 10' REAR = 20' SIDE: 1 to 3 stories = 10' 4 stories = 12' 5 stories = 15' LOT WIDTH = 50'

HIGH DENSITY MULTIFAMILY DWELLINGS MUNIAUM LOT SIZE = 4,500. SF MINIAUM STREET FRONTAGE = 40' MINIAUM YARD DIMENSIONS (SETBACKS)

Protection/Water Sources Construction Refraint, NUSSES ond SERVICE STATULISHIENTS ADDRIVING LOT STATE - NONE REFRAINED STATE - NONE ADDRIVING VARIANT SATURATION REAL STATES - NONE REAL STATES - NONE STATES - NONE LOT WORK - NONE LOT WIDDRIVE ADDRIVES CONSTRUCTION REAL STATES NONE NONE LOT WIDDRIVES AND SATURATION INTERNET INTERNET

SEWER

OWNHOLE 0 U O O Cano MANHOLE



FIRE HYDRANT UTILITY POLE MANHOLE COVER WATER SHUT OFF STEN TREE EXISTING STRUCTURE REGISTRY BOOK/PAGE REFERENCE APPROXIMATE SEWER LINE APPROXIMATE WATER LINE APPROXIMATE GAS LINE OVERHEAD WIRES TAX MAP NOW OR FORMERLY APPARENT RIGHT OF WAY

MARKERS TO BE SET



Zoning Division Marge Schmuckal Zoning Administrator





- GITY-OF-PORTLAND-

#### NFPA LIFE SAFETY CODE – FIRE PREVENTION CODE DWELLING UNIT COMPLIANCE

Section 14-391 of the Land Use Ordinance allows illegal nonconforming dwelling units to become legalized thru a given process. Part of this process is that the dwelling unit(s) that are requested to be legalized <u>must</u> comply or be able to comply with the NFPA Life Safety Code – Fire Prevention Code PRIOR to issuing the requested permit.

Please return this form to the Zoning Administrator (Marge Schmuckal) as to compliance or the ability to comply with these codes.

Location: 102 Portland Spard 36-41-001 Owner: Ton Federale - Contro Telephone: 207, 899, OITS Address of Owner: 217 Commercial St Rottand 04101 Applicant information if different than above: Current number of legal units: 4 Number of units to be legalized: +wo (2) b)al: five (5) \* Separate permit (2014-01629) to change use of two more units for total 07 units. <u>Comments of (approval) or disapproval (list any and all conditions):</u> tim Prevention Approves with conditions. Before a Cofo can be issued the wheel violations shall be converted. Also Building will meet Chapter 10 of Cit FSATET Code, 2009 edition, NFPA ! Fin code, 2009 edition Opdinatic, NFPH WI <u>Date</u>: C Signature: H Room 315 - 389 Congress Street - Portland, Maine 04101 (207) 874-8695 - FAX: (207) 874-8716 - TTY: (207) 874-8936



# CITY OF PORTLAND PORTLAND FIRE DEPARTMENT

390 Congress Street Portland, Maine 04101

# Inspection Violations

Owner/Man	•			Inspector John Marte		Inspection Date 9/18/2014			
Location		CBL		Status		Inspection Type			
102 PORTL	AND ST	036	1001001	Failed		Fire Prevention-Legalize Nonconf			
Code	In	t/Ext	Floor	Unit No.	Area	Compliance Date			
1) 1.156	Int	terior							
Violation:	E-LIGHTS RE	QUIRE	MAINTENA	NCE					
Notes:	ALL EMERGE	NCY L	GHTS SHAL	L BE PROP	ERLY MAIN	NTAINED IN BUILDING.			
2) 2.141	Int	terior							
Violation:	FIRE RATING	NOT	/IAINTAINED	)					
Notes:	FIRE RATED		ATION NEE	DED BETW	EEN THE F	LOORS BETWEEN BUSINESS AND			
3) 6.016	Int	terior							
Violation:	CERTIFY ELE	CTRIC	AL SYSTEM						
Notes:	ALL ELECTRIC WIRING AND COMPONENTS THROUGHOUT BUILDING NEED TO BE MAINTAINED AND BE BROUGHT TO CURRENT NFPA 70 CODE REQUIREMENTS. NUMEROUS OPEN JUNCTION BOXES AND WIRING IN BUSINESS USE AREA.								
4) 8.001	Int	terior							
Violation:	SMOKE DETE	CTOR	REQUIRED	; SMOKE DI	ETECTOR I	REQUIRED			
Notes:	IN EVERY SLE	EEPINO	<b>G ROOM AN</b>	D ALSO IN (	COMMON A	RY BACK UP SMOKE ALARMS REQUIRED AREA ON EACH LEVEL OUTISIDE OF ALARMS SHALL BE PHOTOELECTRIC.			
5) 8.029	Int	terior							
Violation:	FIRE ALARM	SYSTE	M REQUIRE	D					
Notes:	NFPA 72 CON	1PLIAN	T FIRE ALA	RM SYSTEN	A REQUIRE	D FOR 4 STORY BUILDING.			
6) 8.036									
Violation:	NFPA 1 FIRE DEPARTMENT KNOX BOX REQ; 18.2.2.1 Access Box(es). The AHJ shall have the authority to require an access box(es) to be installed in an accessible location where access to or within a structure or area is difficult because of security. The access box(es) shall be of an approved type listed in accordance with UL 1037.								
Notes:	be of an approved type listed in accordance with UL 1037. 18.2.2.1 Access Box(es). The AHJ shall have the authority to require an access box(es) to be installed in an accessible location where access to or within a structure or area is difficult because of security. The access box(es) shall be of an approved type listed in accordance with UL 1037.								

CITY OF PORTLAND PORTLAND FIRE DEPARTMENT

390 Congress Street Portland, Maine 04101

# **Inspection Violations**

Owner/Mana LONE PALM	-	an na mar an	Inspector	Inspection Date 9/18/2014						
		CBL	John Martell							
102 PORTLA		036 H001001	Status Failed	Inspection Type						
		030 1001001	Falleu	Fire Prevention-Legalize Nonconf						
7) 8.036	E>	kterior								
Violation:	NFPA 1 FIRE DEPARTMENT KNOX BOX REQ; 18.2.2.1 Access Box(es). The AHJ shall have the authority to require an access box(es) to be installed in an accessible loca where access to or within a structure or area is difficult because of security. The access box(es) sl be of an approved type listed in accordance with UL 1037.									
Notes:	18.2.2.1 Access Box(es). The AHJ shall have the authority to require an access box(es) to be installed in an accessible location where access to or within a structure or area is difficult because of security. The access box(es) shall be of an approved type listed in accordance with UL 1037.									
8) 10.002										
Violation:	THE OWNER	OR DESIGNATE	D AGENT OR OCCUPAI	IUAL SERVICE; RESPONSIBILITY. NT OF A PROPERTY IN WHICH FIRE SIBLE FOR INSPECTION, MAINTENANCE,						
Notes:	EXTINGUISHE	OR DESIGNATE	ED SHALL BE RESPON	NT OF A PROPERTY IN WHICH FIRE SIBLE FOR INSPECTION, MAINTENANCE, ED FOR THE BUSINESS USE AREA OF THE						
9) 55.144										
Violation:	SEAL OPENIN	IGS IN WALLS &	CEILING; SEAL OPENI	NGS IN WALLS & CEILING						
Notes:	SEAL OPENIN	IGS IN WALLS &	CEILING. HOLES IS WA	ALL AND CEILINGS OF BUSINESS SPACES.						
10) 55.530										
Violation:	LABEL UNIT D	OORS; LABEL U	NIT DOORS							
Notes:		DOORS								
11) 55.390	Int	erior								
Violation:	PROTECTION									
Notes:			REQUIRED OVER GAS RTMENT UNITS.	WATER HEATER/BOILER IN BASEMENT						
Comments:										

