



PORTLAND MAINE

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*Penny St. Louis Littell- Director of Planning and Urban Development
Marge Schmuckal, Zoning Administrator*

July 23, 2009

Jewell & Boutin, P.A.
Attorneys at Law
477 Congress Street
Suite 1104
Portland, ME 04101-3427
Attn: Thomas F. Jewell, Esq.

RE: 141 Spring Street - #045-A-13 (the "Property")- R-6 Residential Zone with a
Historic Overlay Zone - Determination Letter Request

Dear Tom,

I am in receipt of your request for a determination that the Property may change the use without the need of permit(s) for such.

I agree with you that the last approved use of the property is for a boarding (lodging) house with two dwelling units. I don't believe that our records document the number of lodging rooms. I will accept that there are six rooms as you stated. Lodging houses in the R-6 Zone require a minimum lot size of 4,500 square feet of land area. Therefore, the use of a boarding house with two dwelling units is a legal nonconformity.

I agree with you that section 14-483 states that a legal nonconformity may be changed to a use permitted in the underlying zone, which is the R-6 zone in this instance.

However, I do not agree that section 14-483 allows a change of use without the benefit of required permits. The Building Codes require permits for a change of use, such as the elimination of a boarding house and the addition of a dwelling unit. Inspection Services can supply those sections of the ordinances to you. Please note that Section 14-463 requires a certificate of occupancy for any increase in the number of dwelling units in a building. A certificate of occupancy is the final step in a change of use permit application. A change of use permit is required by the Inspections Division to insure that all codes, such as Land Use, Fire and Building Codes are being met prior to the occupation of that use. Our building history files depend upon such change of use permits to track legal uses of properties.

Therefore, I have determined that you are required to apply for a change of use permit with all the appropriate information submitted for the Property prior to any work or change being done.

What you have outlined about the Property indicates the likelihood for receiving a building permit for a change of use as being very good. However, until a full permit application has been received and reviewed by all required parties, a final determination or approval can not be made at this time.

You have the right to appeal my decision. If you wish to exercise your right to appeal, you have 30 days from the date of this letter in which to appeal. If you should fail to do so, my decision is binding and not subject to appeal. Please contact this office for the necessary paperwork that is required to file an appeal.

Very truly yours,



Marge Schmuckal
Zoning Administrator

Cc: file

JEWELL & BOUTIN, P. A.
Attorneys at Law
477 Congress Street
Suite 1104
Portland, ME 04101-3427

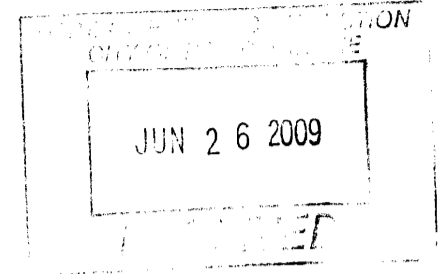
www.jewellandboutin.com

Thomas F. Jewell
Daniel W. Boutin

E-mail: tjewell@jewellandboutin.com
E-mail: dboutin@jewellandboutin.com

Telephone: 207-774-6665
Fax: 207-774-1626

June 26, 2009



Marge Schmuckal
Zoning Authority
City of Portland
389 Congress Street
Portland, Maine 04101

*R-6
J. 10-10-09*
The legal use is Abounding
house with 2 residential D.U.
according to our microfiche

Re: 141 Spring Street, Portland, Map 45-A-13

Dear Marge:

Our office represents the Estate of Stephen Lesneski, the owner of the above property. We write to you for a zoning advisory opinion regarding a change of a non-conforming use at this property. Our research of the records at your office shows that the property has been most recently used as two apartment units and six rooming units.

The property is for sale and the prospective purchasers wish to convert the six rooms into one apartment, so that the building will result in the accommodation of three apartment units. The plan is to keep the existing two apartments on the first floor and combine the six rooming units located on the first, second and third floor into one apartment unit.

Under the density provisions of the R-6 Zone, and with a square footage of the property of 3,026 square feet, the current use as two apartments and six rooms exceeds the density provisions of that zone. The proposed use as three apartment units will conform with the density provisions of the R-6 Zone. This proposal therefore would appear to comply with the provisions of the Ordinance for the change to a non-conforming use found at Section 14-384 of the Ordinance.

When this proposed action was initially considered, there was some question as to the potential application of the Portland Housing Replacement Ordinance, Section 14-483, so we therefore obtained a letter from the Planning Authority who has determined that this proposed conversion is not subject to the provisions of that Ordinance. A copy of that determination letter is enclosed.

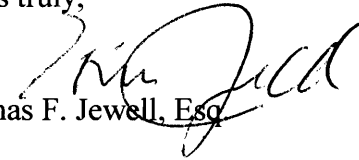
I appreciate that any structural changes to the property will require building permits, though I am not sure if any will be required to achieve the above proposal.

10-10-09
[Handwritten signature]

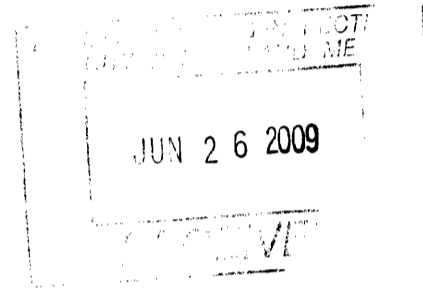
Marge Schmuckal
City of Portland
Zoning Authority
June 25, 2009
Page 2

I enclose a check in the amount of \$150.00, which I understand is the fee for the zoning determination letter. Please let me know if there is any additional information needed for your consideration of this matter.

Yours truly,


Thomas F. Jewell, Esq.

TFJ/maj
Enclosures
Cc: Patricia Lesneski





PORTLAND MAINE

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Planning & Urban Development Department
Penny St. Louis Littell, Director

June 19, 2009

JUN 20 2009

Thomas F. Jewell, Esq.
Jewell & Boutin, P.A.
477 Congress Street, Suite 1104
Portland, ME 04101

RE: 141 Spring Street, Tax Map 45, Block A lot 13
Estate of Stephen Lesneski, Personal Representative Patricia Lesneski

Dear Mr. Jewell:

Thank you for your June 11 correspondence providing documentation on 141 Spring Street, which your client is attempting to sell. As you note in your letter, the Building Inspection records list the property with two apartments and six rooming units. You supplied Portland Directory data for 1890, 1900, 1910, 1920 and 1930, which show that this was a single family home with one occupant. According to your letter, the brokers are seeking to market the property as a three or four-unit apartment property.

This property is **exempt** from the application of the Preservation and Replacement of Housing Units Ordinance pursuant to Sec. 14-483(n)(6), which reads as follows:

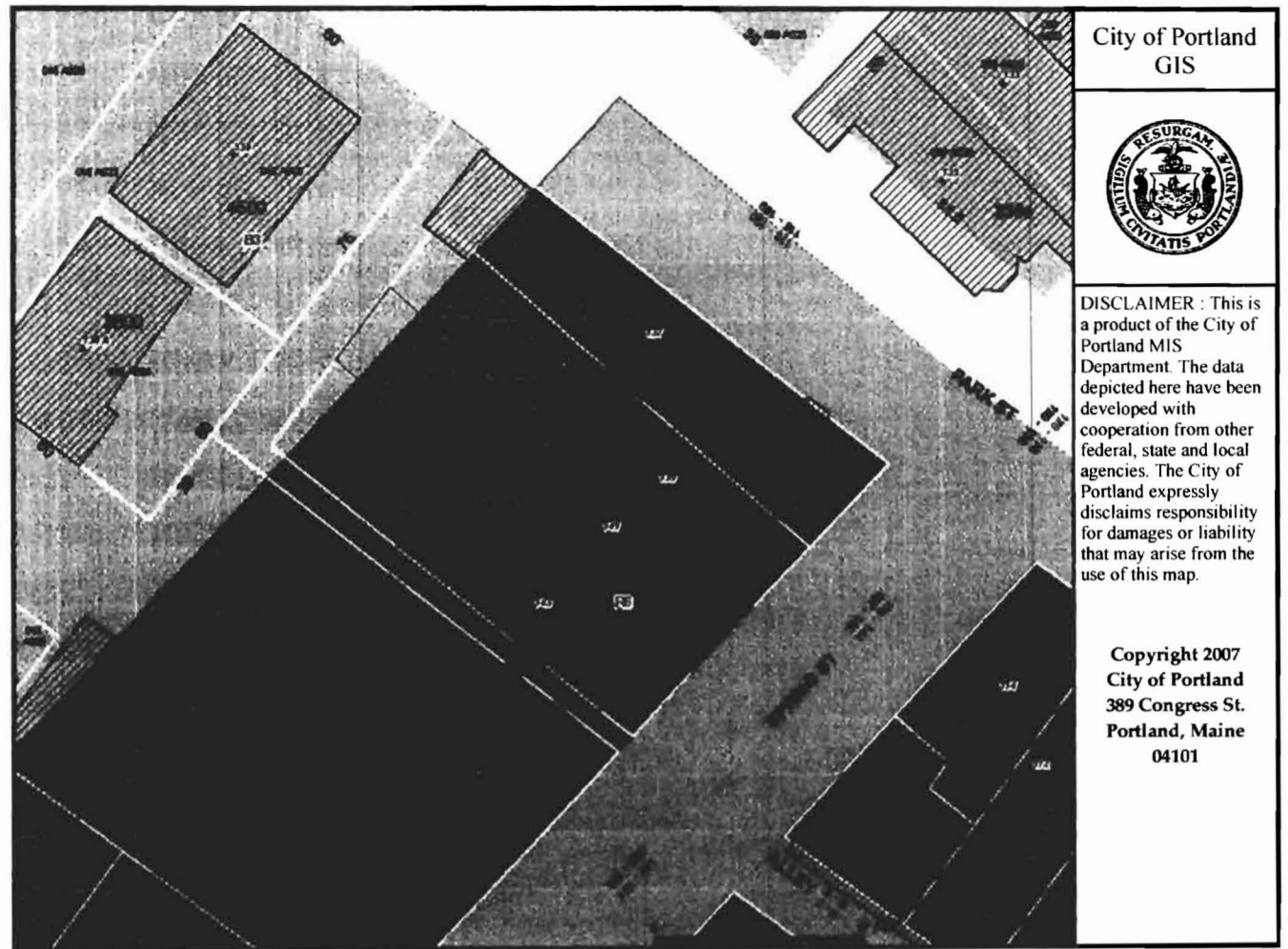
- (n) *Exemptions.* The requirements of this section shall not be applicable to:
 - ...
 - (6) Existing residential structures which, exclusive of additions thereto, contain more dwelling units than they were originally designed and built to accommodate and which are being modified to contain fewer dwelling units, subject to the condition that the number of dwelling units originally intended to be accommodated in such structures can be established by documentary evidence.

Any purchaser of the property will need to apply for a change of use from its current designation as a residential building with two units and six rooming units to a three or four unit structure. Please be advised that this opinion is in regards to Portland's Housing Replacement Ordinance only and does not address whether the proposed number of units would require subdivision and site plan review.

Thank you for your attention to this matter.

Sincerely,

Penny St. Louis Littell
Director of Planning and Urban Development



City of Portland, Maine - Building or Use Permit

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

Permit No: 03-0480	Date Applied For: 05/05/2003	CBL: 045 A013001
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Location of Construction: 141 Spring St	Owner Name: Lesneski Stephen C	Owner Address: Po Box 5065	Phone: () 775-5076
Business Name:	Contractor Name: Applicant	Contractor Address: Portland	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Additions - Multi Family	

Proposed Use: Multi Family - Please note that the Legal Zoning use of this property is a boarding house with 2 dwelling units	Proposed Project Description: Construct a 3'5" x 17' Deck on Rooftop - 5/30/03 this was revised for a deck only on top of existing bay window 4' x 8'
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Dept: Historical **Status:** Approved **Reviewer:** Deborah Andrews **Approval Date:** 06/11/2003
Note: **Ok to Issue:**

Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Marge Schmuckal **Approval Date:** 06/03/2003
Note: 5/30/03 I met with owner to go over his application. He has removed the connection to the stairway going up to the roof of the main bldg. Deck will only be on top of the existing bay window approx. 4' wide by 8' in length. This is allowed under 14-436. I will check with Mark A. concerning the continued illegal use.
 Ok to Issue:

- 1) ANY exterior work requires a separate review and approval thru Historic Preservation
- 2) This is NOT an approval for an additional dwelling unit. You SHALL NOT add any additional kitchen equipment including, but not limited to items such as stoves, microwaves, refrigerators, or kitchen sinks, etc. Without special approvals.
- 3) This property shall remain a lodging house with two (2) family dwelling units per the previously approved permits shown in our microfiche. Any change of use shall require a separate permit application for review and approval.
- 4) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work. It is understood that there will be NO connection to the existing open stairway to the roof opposite the bay window. The extent of this permit is to allow a deck on the existing bay window and its connection from a door to that bay window roof top.

Dept: Building **Status:** Pending **Reviewer:** Mike Nugent **Approval Date:**
Note: **Ok to Issue:**

Comments:
06/12/2003-mjn: Need clear plans, and possible 100 lb. Per sq. ft. Structurals etc

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

Permit No: 03-0480	Issue Date:	CBL: 045 A013001
-----------------------	-------------	---------------------

Location of Construction: 141 Spring St	Owner Name: Lesneski Stephen C	Owner Address: Po Box 5065	Phone: 775-5076
Business Name:	Contractor Name: Applicant	Contractor Address: Portland	Phone:
Lessee/Buyer's Name:	Phone:	Permit Type: Additions - Multi Family	Zone: R6

Past Use: Multi Family	Proposed Use: Multi Family	Permit Fee: \$30.00	Cost of Work: \$500.00	CEO District: 2
<i>Legal Use: A Lodging house with two (2) dwelling units</i>		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type:	
Proposed Project Description: Construct a 3'5" x 17' Deck on Rooftop		Signature: _____		
<i>Permit application has been abandoned and is expired</i>		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		
		Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied		
		Signature: _____ Date: _____		

Permit Taken By: gad	Date Applied For: 05/05/2003	1/24/08	Zoning Approval
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1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. 2. Building permits do not include plumbing, septic or electrical work. 3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..	Special Zone of 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"/>	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	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 to D.A.
	Date: <i>6/5/03</i>		Date: _____

M. Andrews 6/10/03

CERTIFICATION

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

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

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

Permit No: 06-1774	Issue Date:	CBL: 045 A013001
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Location of Construction: 141 SPRING ST	Owner Name: LESNESKI STEPHEN C	Owner Address: PO BOX 5065	Phone:
Business Name:	Contractor Name: Jims Plumbing & Heating Inc.	Contractor Address: 98 Lamb Rd Westbrook	Phone: 2078548068
Lessee/Buyer's Name	Phone:	Permit Type: HVAC	Zone: R6

Past Use: Multi-family	Proposed Use: Multi-family - install a Smith boiler in basement	Permit Fee: \$90.00	Cost of Work: \$6,200.00	CEO District: 2
- legal use boarding house w/ 2 dwelling units (03-0450)		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: R3 Type: SB IRC 2003	
Proposed Project Description: install a Smith boiler in basement		Signature: <i>Loren Capes</i>	Signature: <i>Jim 12/20/06</i>	
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)				
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied				
Signature: _____ Date: _____				

Permit Taken By: ldobson	Date Applied For: 12/12/2006	Zoning Approval		
1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. 2. Building permits do not include plumbing, septic or electrical work. 3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..	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: <i>12/11/06</i> <i>MM</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 YES <input type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Date: <i>Any exterior work requires separate review & approval thru historic preservation</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

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

Location of Construction: 141 Spring St.		Owner: Steve Lesneski		Phone: 879-5548		Permit No: 970803			
Owner Address: P.O. Box 5065, Portland 04101		Lessee/Buyer's Name:		Phone:		Business Name:			
Contractor Name: Agent Dale Ruttenberg, Bldg Mgr		Address: 141 Spring St., Apt 1		Phone: 879-5548		<div style="border: 2px solid black; padding: 5px; text-align: center;"> PERMIT ISSUED Permit Issued: JUL 29 1997 CITY OF PORTLAND </div>			
Past Use: Boarding Use and 3 unit dwelling		Proposed Use: Same w/ fire escape reno to boarding house area		COST OF WORK: \$ 2,000.00 FIRE DEPT. <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied Signature: <i>[Signature]</i>				PERMIT FEE: \$ 30.00 INSPECTION: Use Group: Type: Signature:	
Proposed Project Description: Reno to fire escape in boarding house area				PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied Signature: Date:				Zoning Approval: <input type="checkbox"/> 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	
Permit Taken By: Vicki Dover		Date Applied For: 6/27/97		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				Historic Preservation <input type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied Date:	
1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal rules. 2. Building permits do not include plumbing, septic or electrical work. 3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work.. Mail to Agent/Dale Ruttenberg								<div style="border: 2px solid black; padding: 10px; transform: rotate(-15deg);"> PERMIT ISSUED WITH REQUIREMENTS </div>	
<p style="text-align: center;">CERTIFICATION</p> 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 provisions of the code(s) applicable to such permit 141 Spring St., Apt 1, Portland 04101 879-5548 6/27/97									
SIGNATURE OF APPLICANT: Dale Ruttenberg		ADDRESS:		DATE:		PHONE:			
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE				PHONE:					



930993

Permit # _____ City of _____ BUILDING PERMIT APPLICATION Fee _____ Zone _____ Map # _____ Lot# _____

045-A-013

Please fill out any part which applies to job. Proper plans must accompany form.

Owner: _____ Phone # _____
 Address: _____
 LOCATION OF CONSTRUCTION _____ 141 Spring St
 Contractor: _____ Sub: _____
 Address: _____ Phone # _____
 Est. Construction Cost: _____ Proposed Use: _____
 Past Use: _____
 # of Existing Res. Units _____ # of New Res. Units _____
 Building Dimensions L _____ W _____ Total Sq. Ft. _____
 # Stories: _____ # Bedrooms _____ Lot Size: _____
 Is Proposed Use: Seasonal _____ Condominium _____ Conversion _____
 Explain Conversion _____

For Official Use Only
 Date: _____ Subdivision: _____
 Inside Fire Limits _____ Name: _____
 Bldg Code _____ Lot: _____
 Time Limit _____ Ownership: _____ Public _____ Private _____
 Estimated Cost _____

Zoning: Street Frontage Provided: _____
 Provided Setbacks: Front _____ Back _____ Side _____ Side _____
Review Required:
 Zoning Board Approval: Yes _____ No _____ Date: _____
 Planning Board Approval: Yes _____ No _____ Date: _____
 Conditional Use: _____ Variance _____ Site Plan _____ Subdivision _____
 Shoreland Zoning Yes _____ No _____ Floodplain Yes _____ No _____
 Special Exception _____
 Other (Explain) _____

Foundation:
 1. Type of Soil: _____
 2. Set Backs - Front _____ Rear _____ Side(s) _____
 3. Footings Size: _____
 4. Foundation Size: _____
 5. Other _____

Floor:
 1. Sills Size: _____ Sills must be anchored.
 2. Girder Size: _____
 3. Lally Column Spacing: _____ Size: _____
 4. Joists Size: _____ Spacing 16" O.C.
 5. Bridging Type: _____ Size: _____
 6. Floor Sheathing Type: _____ Size: _____
 7. Other Material: _____

Exterior Walls:
 1. Studding Size _____ Spacing _____
 2. No. windows _____
 3. No. Doors _____
 4. Header Sizes _____ Span(s) _____
 5. Bracing: Yes _____ No _____
 6. Corner Posts Size _____
 7. Insulation Type _____ Size _____
 8. Sheathing Type _____ Size _____
 9. Siding Type _____ Weather Exposure _____
 10. Masonry Materials _____
 11. Metal Materials _____

Interior Walls:
 1. Studding Size _____ Spacing _____
 2. Header Sizes _____ Span(s) _____
 3. Wall Covering Type _____
 4. Fire Wall if required _____
 5. Other Materials _____

Ceiling:
 1. Ceiling Joists Size: _____ Not in District nor Landmark.
 2. Ceiling Strapping Size _____ Spacing _____ Does not require review.
 3. Type Ceilings: _____ Requires Review
 4. Insulation Type _____ Size _____
 5. Ceiling Height: _____

Roof:
 1. Truss or Rafter Size _____ Span _____ Approved with Conditions.
 2. Sheathing Type _____ Size _____ Denied.
 3. Roof Covering Type _____ Date: _____
 Signature: _____

Chimneys:
 Type: _____ Number of Fire Places _____

Heating:
 Type of Heat: _____

Electrical:
 Service Entrance Size: _____ Smoke Detector Required Yes _____ No _____

Plumbing:
 1. Approval of soil test if required Yes _____ No _____
 2. No. of Tubs or Showers _____
 3. No. of Flushes _____
 4. No. of Lavatories _____
 5. No. of Other Fixtures _____

Swimming Pools:
 1. Type: _____
 2. Pool Size: _____ x _____ Square Footage _____
 3. Must conform to National Electrical Code and State Law.

Permit Received By _____

Signature of Applicant _____ Date _____

Signature of CEO _____ Date _____

Inspection Dates _____

HISTORIC PRESERVATION

PLOT PLAN



FEES (Breakdown From Front)

Base Fee \$ _____
Subdivision Fee \$ _____
Site Plan Review Fee \$ _____
Other Fees \$ _____
(Explain) _____
Late Fee \$ _____

Inspection Record

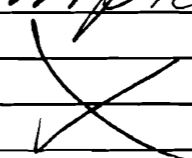
Type	Date
_____	____/____/____
_____	____/____/____
_____	____/____/____
_____	____/____/____
_____	____/____/____

COMMENTS

2-10-94 - Unable to get in

Work never completed -

void permit



Signature of Applicant _____

Date _____

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

Location of Construction: 141 Spring Street 04101		Owner: ** Stephen Lesneski	Phone: **799-0636	Permit No 991113
Owner Address: P.O. Box 5065		Lessee/Buyer's Name: N/A	Business Name: N/A	
Contractor Name: Owner		Address: P.O. Box 5065		Permit Issued: OCT 12 1999
Past Use: Multifamily	Proposed Use: Same	COST OF WORK: \$ 250.00	PERMIT FEE: \$ 30.00	Zoning Approval: <i>OK</i> 10/2/99 CBL: 045-A-013
Proposed Project Description: Install Fire rated 90 min. door on 2nd floor landing. <i>is still in force</i>		FIRE DEPT. <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied Signature: <i>NH</i>	INSPECTION: Use Group: <i>A-2</i> Type: <i>53</i> Signature: <i>Hoff</i>	
Permit Taken By: KA		Date Applied For: 10-5-99		Special Zone or Reviews: <input type="checkbox"/> Shoreland <i>Des not</i> <input type="checkbox"/> Wetland <i>authorize this</i> <input type="checkbox"/> Flood Zone <i>increase in</i> <input type="checkbox"/> Subdivision <i>units</i> <input type="checkbox"/> Site Plan maj <input type="checkbox"/> minor <input type="checkbox"/> mm <input type="checkbox"/>

1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal rules.
2. Building permits do not include plumbing, septic or electrical work.
3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..

***Call for Pick Up
Stephen Lesneski 799-0636

PERMIT ISSUED
WITH REQUIREMENTS

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 provisions of the code(s) applicable to such permit

SIGNATURE OF APPLICANT _____ ADDRESS: _____ DATE: 10-5-99 PHONE: _____

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE _____ PHONE: _____

White-Permit Desk Green-Assessor's Canary-D.P.W. Pink-Public File Ivory Card-Inspector

CEO DISTRICT
ub

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

Current Owner Information

Card Number	1 of 1
Parcel ID	045 A013001
Location	141 SPRING ST
Land Use	THREE FAMILY
Owner Address	LESNESKI STEPHEN C HEIRS 141 SPRING ST PORTLAND ME 04101
Book/Page	/
Legal	45-A-13 SPRING ST 141
	3026 SF

Legal use
" A Box dwelling with 2 residential R-6 dwelling units
According to our records

Current Assessed Valuation

Land	Building	Total
\$140,500	\$187,800	\$328,300

Property Information

Year Built	Style	Story Height	Sq. Ft.	Total Acres	
1845	Old Style	2	2917	0.069	
Bedrooms	Full Baths	Half Baths	Total Rooms	Attic	Basement
6	3	2	15	Full Finsh	Full

Outbuildings

Type	Quantity	Year Built	Size	Grade	Condition
------	----------	------------	------	-------	-----------

Sales Information

Date	Type	Price	Book/Page
------	------	-------	-----------

Picture and Sketch

Picture	Sketch	Tax Map
---------	--------	---------

Click here to view Tax Roll Information.

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

New Search!

altered, enlarged or moved, a certificate of occupancy shall be obtained for the proposed use before the same may be occupied or used. A certificate of occupancy shall be required for any of the following:

- (a) Any increase in the number of dwelling units in a building;
- (b) Establishment of any home occupation;
- (c) Change in the use of a nonconforming use, whether of land or buildings;
- (d) Occupancy and use, or change of use, of vacant land, except for the raising of crops;
- (e) Change in the use of an existing building, whether or not alterations are involved, from any use in the following list to any of the other uses on the list:
 - 1. Manufacturing or processing;
 - 2. Residential;
 - 3. Retail;
 - 4. Storage or warehouse;
 - 5. Transportation;
 - 6. Other industrial;
 - 7. Institutional;
 - 8. office;
 - 9. Other commercial;
 - 10. Water-dependent use;
 - 11. Marine use.

(Code 1968, § 602.22.C; Ord. No. 293-84, § 1, 11-19-84; Ord. No. 168-93, § 4, 1-4-93)

~~Sec. 14-461. Building authority to enforce article.~~

~~It shall be the duty of the building authority to enforce the provisions of this article. No permit or certificate of occupancy shall be issued for the construction, alteration, enlargement, moving, use or change of use of any building, structure, or part thereof, or for the use or change of use of any premises, unless the plans and intended use indicate that the building, structure or premises is to conform in all respects with the provisions of this article.~~

~~(Code 1968, § 602.22.A)~~

Sec. 14-462. Change to nonconforming use.

The use of any part of any building or structure for a one-family dwelling house, two-family dwelling house, lodging house, hotel, tenement or apartment house, dormitory, educational use, club, church, farm use, hospital, sanitarium, institution, aviation facility, office or bank, place of amusement or assembly, retail business or service other than a filling station or garage, wholesale business, manufacturing or storage facility, warehouse, filling station, stable, minor garage for not more than one (1) commercial motor vehicle, minor garage for more than one (1) commercial motor vehicle, public garage, any use prohibited in an industrial zone, or for any other distinctive use shall not be changed to any other use in this list of uses or to any other distinctive use, whether alterations in the building or structure are involved or not, until a permit and certificate authorizing such change of use has first been secured from the building authority, unless the proposed use conforms with the requirements of this article for the zone in which the building or structure or part thereof is located. Failure to secure such a permit before such a change is made shall be a violation of this article.

(Code 1968, § 602.22.B)

Sec. 14-463. Certificate of occupancy required.

No building or part thereof shall be constructed, altered, enlarged or moved unless a permit for such action has been issued by the building authority. Applications for building permits and certificates of occupancy required by the building code shall also serve as applications for permits required by this article. After the building, structure or part thereof has been completed,

shall a structure be relocated in a manner that causes the structure to be more nonconforming. In determining whether the building relocation meets the setback requirements to the greatest practical extent, the board of appeals shall consider the size of the lot, the slope of the land, the potential for soil erosion, the location of other structures on the property and on adjacent properties, the location of any subsurface wastewater disposal system and other on-site soils suitable for subsurface wastewater disposal systems where required and the type and amount of vegetation to be removed to accomplish the relocation.

- (4) Buildings in existence on June 15, 1992, and located in shoreland zones may be expanded once during the lifetime of the structure up to twenty-five (25) feet toward a freshwater wetland or tributary stream, provided that a minimum setback of forty (40) feet is maintained and that the existing floor area or volume is not increased by more than thirty (30) percent.

(Code 1968, § 602.17.B; Ord. No. 271-89, 2-22-89; Ord. No. 96-89, § 2, 9-18-89; Ord. No. 15-92, § 26, 6-15-92; Ord. No. 284-99, §1, 5-17-99, enacted as an emergency to take effect immediately pursuant to Article II, Sec. 8 of the Portland City Charter)

Sec. 14-383. Extension of nonconforming use of land prohibited.

A lawful nonconforming use existing on premises outside of a building shall not be extended to or allowed to occupy any part or parts of such premises outside of the building.

(Code 1968, § 602.17.C; Ord. No. 354-85, § 3, 1-7-85)

Sec. 14-384. Change of nonconforming use.

still need permit

A lawful nonconforming use in a structure designed for a use permitted in the zone in which it is located shall not be changed to any use other than a use permitted in the zone in which the structure is located. When a nonconforming use in such a structure has been changed to a permitted use, it shall not thereafter be changed back to any nonpermitted use. For purposes of this section, a use shall be deemed to have been so changed when an existing nonconforming use shall have been terminated and a permitted use shall have commenced and continued for a period of seven (7) days. Any change of use in violation of this division shall be deemed to be an abandonment of the lawfully existing nonconforming use. A

lawful nonconforming use in a structure not designed for a use permitted in the zone in which it is located shall not be changed to any use other than a use permitted in the zone in which the use is located or to any use other than a nonconforming use of a more restricted zone, as set forth in the following schedule, provided that in no such case shall any structural alterations be made in any building except those required by law, ordinance or other regulations:

- (a) In a business zone, from any use permitted in an industrial zone to any use permitted in a business zone.
- (b) In a B-1 zone, from any use permitted in a B-3 zone to any use permitted in a B-2 zone.
- (c) In a residence zone, from any use permitted in a B-2 zone to any use permitted in a B-1 zone.
- (d) In a residence zone, from any use permitted in any other residence zone to any use permitted in a more restricted residence zone. For the purpose of this subsection, an R-6 zone shall be deemed the least restricted and an R-2 zone shall be deemed the most restricted, with the intervening zones restricted in order of zone number.

(Code 1968, § 602.17.D; Ord. No. 499-74, § 8, 8-19-74)

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

A nonconforming building, or building of nonconforming use, 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



CITY OF PORTLAND, MAINE

Department of Building Inspections

Original Receipt

_____ 20 17

Received from _____

Location of Work _____

Cost of Construction \$ _____ Building Fee: _____

Permit Fee \$ _____ Site Fee: _____

Certificate of Occupancy Fee: _____

Total: _____

Building (IL) _____ Plumbing (I5) _____ Electrical (I2) _____ Site Plan (U2) _____

Other _____

CBL: 115-A-113

Check #: 1111 **Total Collected \$** 150.00

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

Taken by: _____

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