

Ann Machado - Re: 59 Bramhall St - permit #2015-02458

From: Brandon Cooper <brandon_cooper@me.com>
To: Ann Machado <AMACHADO@portlandmaine.gov>
Date: 10/8/2015 4:37 PM
Subject: Re: 59 Bramhall St - permit #2015-02458
CC: Vince Ciampi <vciami@Boulos.com>, "Nathaniel R. Huckel-Bauer" <NHuckel-...>

Ann - this is great. Thank you.

On Oct 8, 2015, at 1:28 PM, Ann Machado <AMACHADO@portlandmaine.gov> wrote:

Brandon -

An amendment for Permit #51/1101 was issued July 5, 1951 with a letter stating that the use of the building was four apartments on the first floor, two apartments and two lodging rooms on the second floor and three lodging rooms on the third floor. From today's floor plans it appears that one lodging room on the second floor was converted to a dwelling unit and the three lodging rooms on the third floor were converted to one apartment without permits. Rooming unit #7 is the sole lodging room left. Since the definition of a rooming unit must be without a "full kitchen" and the rooming unit was permitted before the current ordinance went into effect in 1957, it can remain a rooming unit as long as no stove is added and the refrigerator remains a "dorm size" one. The sink can stay as well.

I hope this answers your question.

Ann

Ann Machado
 Zoning Administrator
 Planning & Urban Development
 Portland, Maine
 (207) 874-8709

>>> Brandon Cooper <brandon_cooper@me.com> 10/8/2015 2:32 PM >>>

Hi Ann,

Sorry - unit 7 does not have a stove. It has a small 'dorm' size fridge and a sink. It has a permit for a lodging unit and we would like to just keep it as a lodging unit.

Thank you for your time.
 Brandon

> On Oct 8, 2015, at 10:15 AM, Brandon Cooper <brandon_cooper@me.com> wrote:

>

> Hi Ann,
>
> Unit 7 has a refrigerator, stove and a sink. Please confirm that this is a lodging unit.
>
> Thanks,
> Brandon
>
>
>> On Oct 8, 2015, at 8:54 AM, Ciampi, Vince <vciami@Boulos.com> wrote:
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>> Vince Ciampi | Associate
>> CBRE | The Boulos Company | Brokerage Services
>> One Canal Plaza | Portland, ME 04101
>> T +1 207 553 1794 | F +1 207 871 1288 | C +1 207 756 4563
>> vciami@boulos.com<<mailto:vciami@boulos.com>> |
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>> Connect with me on LinkedIn<<http://www.linkedin.com/pub/vincent-ciampi/21/a81/8b4>>.
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>>
>> From: Ann Machado [<mailto:AMACHADO@portlandmaine.gov>]
>> Sent: Thursday, October 08, 2015 11:53 AM
>> To: Nathaniel R. Huckel-Bauer <NHuckel-Bauer@DDLAW.COM>;
>> brandon_copper@me.co
>> Cc: Ciampi, Vince <vciami@Boulos.com>
>> Subject: RE: 59 Bramhall St - permit #2015-02458
>>
>> Please send a revised application.
>>
>> I will ask the front staff to schedule the inspection with a building code inspector and the fire department. Should the front staff call Brandon Cooper to schedule the inspection? The inspectors will need to inspect all the units. I will also have our Administrative Assistant do the noticing to legalize two units for a total of 8 units in the building.
>>
>> Unit 7 cannot be a rooming unit. Under section 14-47 a rooming unit may not have a full kitchen or bathroom. Under the definition of a lodging house in section 14-47, either meals have to be provided by the person operating the lodging house or by having a kitchen in the common area. There appears to be no common area with a kitchen and the owner does not

seem to be providing meals. What does the kitchen consist of in unit 7? In other words what kitchen equipment is there?

>>

>> Ann

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>> Ann Machado

>> Zoning Administrator

>> Planning & Urban Development

>> Portland, Maine

>> (207) 874-8709

>>>> "Huckel-Bauer, Nathaniel R." <NHuckel-Bauer@DDLAW.COM<<mailto:NHuckel-Bauer@DDLAW.COM>>> 10/8/2015 11:36 AM >>>

>> Ann, unit 3 has a bathroom, it just isn't labeled on the floor plans.

>> The unit 7 bath is in the hall, so that one won't qualify for legalization at this time. Does that remain as a lodging unit or rooming unit?

>> In any event, based on these facts, the application is to legalize two units. Please let us know whether we should submit an amended application or if you can make that change with what you have and then start the notices and schedule inspections. (and we'll still get the corrected floor plans submitted).

>> thanks

>>

>> From: Ann Machado [<mailto:AMACHADO@portlandmaine.gov>]

>> Sent: Thursday, October 08, 2015 10:58 AM

>> To: Huckel-Bauer, Nathaniel R.;

brandon_copper@me.co<mailto:brandon_copper@me.co>

>> Cc: vciami@Boulos.com<<mailto:vciami@Boulos.com>>

>> Subject: RE: 59 Bramhall St - permit #2015-02458

>>

>> Thanks Nate.

>>

>> I will wait for the new floor plans and confirmation that units 3 & 7 have a bathroom within the "self-contained" unit.

>>

>> Ann

>>

>> Ann Machado

>> Zoning Administrator

>> Planning & Urban Development

>> Portland, Maine

>> (207) 874-8709

>>>> "Huckel-Bauer, Nathaniel R." <NHuckel-Bauer@DDLAW.COM<<mailto:NHuckel-Bauer@DDLAW.COM>>> 10/8/2015 10:51 AM >>>

>> Ann, attached is the deed confirming the current owner took title in 1998. We'll get a corrected set of floor plans to you asap and will confirm that there are three units to be legalized.

>> Nate

>> From: Ann Machado [<mailto:AMACHADO@portlandmaine.gov>]

>> Sent: Thursday, October 08, 2015 10:32 AM

>> To: brandon_copper@me.co<mailto:brandon_copper@me.co>

>> Cc: vciami@Boulos.com<<mailto:vciami@Boulos.com>>; Huckel-Bauer, Nathaniel R.
>> Subject: 59 Bramhall St - permit #2015-02458
>>
>> Brandon -
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>> I have done my initial zoning review of the permit. At this point I cannot sign off on the zoning.
>>
>> First, I need a copy of the deed as evidence that the current owner did not put the unit in.
>>
>> Second, I have concerns about two of the units. Section 14-47 of the ordinance defines a dwelling unit as:
>> Dwelling unit: One (1) or more rooms with private bath and kitchen facilities comprising an independent self-contained dwelling unit.
>> Unit 3 on the first floor does not have a bathroom. Without a bathroom, it does not meet the definition of a dwelling unit. Unit 7 on the second floor has a bathroom in the hall, but under the definition a dwelling unit has to have a "private bath" that is part of the "independent self-contained dwelling unit". The bathroom needs to be within the dwelling unit not in the common access hall. Until this gets resolved, it does not seem to make sense to schedule the inspections because you may be only able to legalize one unit not three.
>>
>> Third, for the building code plan reviewer and the life safety plan reviewer from the fire department to review the floor plans, you need to show where the doors to the units are located.
>>
>> Four, part of the process to legalize nonconforming dwelling units is that we are required to notice all property owners within 300 feet to let them know that this legalization is proposed. The owner has ten business days from the date of the notice to send a written objection to our office. If we receive a written objection within the ten days, you will have to file a Conditional Use Appeal and go before the Zoning Board of Appeals to be approved. We cannot send the notices until we know how many units are being legalized.
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>> Let me know if you have any questions.
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>> Ann Machado
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>> Ann Machado
>> Zoning Administrator
>> Planning & Urban Development
>> Portland, Maine
>> (207) 874-8709
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