

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

# CITY OF PORTLAND

Please Read Application And Notes, If Any, Attached

## BUILDING INSPECTION PERMIT

PERMIT ISSUED  
 Permit Number: 041173  
 JAN 21 2005  
 CITY OF PORTLAND

This is to certify that Suzanne Parks/n/a  
 has permission to Legalization of 3 units to be total of 8  
 AT 13 Dow St L 055 D013001

provided that the person or persons firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of buildings and structures, and of the application on file in this department.

Apply to Public Works for street line and grade if nature of work requires such information.

Classification of Inspection must be given and when permission procedure before this building or part thereof is closed or otherwise closed-in. 4 OUR NO. REQUIRED.

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

### OTHER REQUIRED APPROVALS

Fire Dept. [Signature]  
 Health Dept. \_\_\_\_\_  
 Appeal Board \_\_\_\_\_  
 Other \_\_\_\_\_  
 Department Name

[Signature]  
 Director - Building & Inspection Services

### PENALTY FOR REMOVING THIS CARD

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

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

Permit No: 04-1173	<div style="border: 2px solid black; padding: 5px; text-align: center;"> <b>PERMIT ISSUED</b>                  Issue Date: <b>JAN 21 2005</b>                  City: <b>CITY OF PORTLAND</b> </div>	
Owner Address: 109 Dartmouth	Phone: 207-774-814	CEC#: 055 D013001
Contractor Address: n/a Portland		
Permit Fee: \$1,500.00	Cost of Work: \$0.00	CEO District: 2
FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group <b>R2</b> Type <b>5E</b> <b>1/11/05</b> <i>[Signature]</i>	
Signature:		Signature:
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied		
Signature:		Date:

Location of Construction: 13 Dow St	Owner Name: Suzanne Parks
Business Name: n/a	Contractor Name: n/a
Lessee/Buyer's Name n/a	Phone: n/a
Past Use: Multi Family / <b>3</b> Units	Proposed Use: Multi Family / Legalization of <b>5</b> units to be a total of 8 units.
Proposed Project Description: Legalization of <b>5</b> units to be a total of 8 units.	
<i>current legal use = 3 D.U.</i>	

Permit Taken By: gg	Date Applied For: 08/13/2004	<b>Zoning Approval</b>			
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 <b>may</b> invalidate a building permit and stop all work..	<b>Special Zone or Reviews</b> <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan Major <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/>	<b>Zoning Appeal</b> <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input checked="" type="checkbox"/> Conditional Use <i>under sec A-391</i> <input type="checkbox"/> Interpretation <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	<b>Historic Preservation</b> <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>12/16/04</i>	
	Date: <i>08/11/05</i>	Date: <i>12/16/04</i>	Date: <i>12/16/04</i>	Date: <i>12/16/04</i>	Date: <i>12/16/04</i>
	Any exterior work requires A Separate permit approval				

**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

12/04 Did full housing  
inspection on all units  
w/ owner ok mm



CITY OF PORTLAND, MAINE  
Department of Building Inspection

# Certificate of Occupancy

LOCATION 13 Dow St

CBL 055 D013001

Issued to Suzanne Parks/n/a

Date of Issue 01/14/2005

**This is to certify** that the building, premises, or part thereof, at the above location, built — altered — changed as to use under Building Permit No. 04-1173, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance ~~and [redacted]~~ of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

Entire Structure

APPROVED OCCUPANCY

8 unit Apartment Building  
R2 Use Type 5B Construction

Limiting Conditions:

This permit does not certify building code compliance, simply a change in use to legalize pre-existing dwelling units

This certificate supersedes certificate issued

Approved: *[Signature]*

(Date)

Inspector

*[Signature]*  
Inspector of Buildings

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

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

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

<b>Permit No:</b> 04-1173	<b>Date Applied For:</b> 08/13/2004	<b>CBL:</b> 055 D013001
------------------------------	--	----------------------------

<b>Location of Construction:</b> 13 Dow St	<b>Owner Name:</b> Suzanne Parks	<b>Owner Address:</b> 109 Dartmouth	<b>Phone:</b> 207-774-1814
<b>Business Name:</b> n/a	<b>Contractor Name:</b> n/a	<b>Contractor Address:</b> n/a Portland	<b>Phone:</b>
<b>Lessee/Buyer's Name:</b> n/a	<b>Phone:</b> n/a	<b>Permit Type:</b> Legalization of Non-Conforming Units	

Multi Family / Legalization of 5 units to be a total of 8 units.

Legalization of 5 units to be a total of 8 units.

**Dept:** Zoning      **Status:** Approved with Conditions      **Reviewer:.** Marge Schmuckal      **Approval Date:** 01/10/2005

**Note:** 10/4/04 notices mailed out the office received 3 separate letters from neighbors      **Ok to Issue:**   
 9/30/04 received **ok** from Lt. Mac & Fire Prevention  
 10/12/04 Jodine(ceo) inspected for Housing & found 6 violations  
 11/22/04 Marland Wing reinspected- violations corrected  
 12/16/04 the ZBA granted the conditional use appeal under 14-391  
 1/7/05 received the money owed on the permit

- 1) ANY exterior work requires a separate review and approval thru Historic Preservation. This property is located within a Historic District
- 2) This property shall remain a eight family dwelling as granted by the Zoning Board of Appeals on 12/16/04. Any change of use shall require a separate permit application for review and approval.
- 3) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.

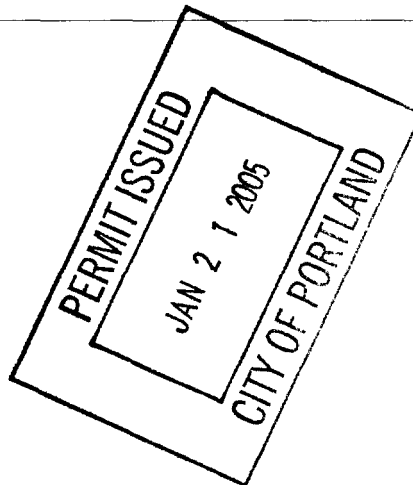
**Dept:** Building      **Status:** Approved with Conditions      **Reviewer:** Mike Nugent      **Approval Date:** 01/15/2005

**Note:**      **Ok to Issue:**

- 1) This is a Change of Use ONLY permit to legalize pre-existing dwelling units. It does NOT authorize any construction activities.

**Dept:** Fire      **Status:** Approved      **Reviewer:** Lt. MacDougal      **Approval Date:** 01/11/2005

**Note:**      **Ok to Issue:**





# PORTLAND MAINE

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

*Lee Urban-Director of Planning and Development  
Aaron Shapiro- Director of Housing and Neighborhood Services  
Michael J. Nugent- Manager of Inspection Services*

January 14, 2005

ONEX CO  
440 FOREST AVE  
PORTLAND, ME 04101

**CBL: 055 D013001**  
**Located at 13 DOW ST**

**Mail**

Dear ONEX CO,

A re-inspection at the above-referenced property was made on 12/28/2004.

This is to certify that you have complied with our request to correct the violation(s) of the Municipal Code relating to housing conditions noted on the attached report.

This notice is intended to document that you have corrected the specific violations as previously noted. It is not intended to indicate compliance with other City regulations, it also does not imply that the structure or premises is violation free.

Thank you for your cooperation. If you have any questions, feel free to contact me at this office.

Sincerely,

Marland Wing @ (207) 874-8696  
Code Enforcement Officer



# PORTLAND MAINE

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*Lee Urban-Director of Planning and Development  
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Sincerely,

Marland Wing @ (207) 874-8696  
Code Enforcement Officer







**CITY OF PORTLAND**

PAGE 2

**APPLICATION FOR  
LEGALIZATION OF NONCONFORMING DWELLING UNITS**

For Office Use Only:

Notices to owners of properties situated within 300 feet sent on: 9/30/04 <sup>to Graybe made</sup> 10/4/04 <sup>notices</sup>

City Housing Ordinance compliance received on: <sup>9/30/04</sup> 1/22/04 <sup>1st inspection on 10/12/04 → list of violations returned & signed 10/15/04 generated</sup> request for inspection to show violations corrected

City NFPA compliance received on: <sup>9/30/04</sup> 9/30/04

Is ZBA action required? Yes received 3 letters from neighbors

Has a lot of documentation that these units existed well before 1995



Return to MARGE

Jodie - Feb 2

**CITY 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 must 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:** 13 Dow Street 55-D-013

**Potential Owner:** Suzanne Parks 772-2828 X104

**Address of Owner:** 109 Dartmouth St Telephone: ↑

**Applicant information if different than above:** current owner/seller: Mike Rogers

**Current number of legal units:** Three (3)

**Number of units to be legalized:** five (5)

total of: eight (8)

**Comments of approval or disapproval (list any and all conditions):**

**Signature:** MS / . . . Ab **Date:** 9/30/04

9/30/04



Jodine -  
A-2

**CITY OF PORTLAND**

**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:** 13 Dow Street 55-D-013

**Potential Owner:** Suzanne Parks - 772-2828 x104

**Address of Owner:** 109 Dartmouth St **Telephone:** ↑

**Applicant information if different than above:** Mike Rogers - current owner

**Current number of legal units:** Three (3)

**Number of units to be legalized:** Five (5)

total of: eight (8)

**Comments of approval or disapproval (list any and all conditions):** = with list of conditions

**Signature:** Jodine Adams

**Date:** 10/15/04

9/30/04

**DEPARTMENT DIRECTOR**

Lee D. Urban



**DIVISION DIRECTORS**

Mark B. Adelson  
Housing & Neighborhood Services

Alexander Q. Jaegerman  
Planning

John N. Lufkin  
Economic Development

**DEPARTMENT OF PLANNING AND DEVELOPMENT**

October 15, 2004

ONEX CO  
440 FOREST AVE  
PORTLAND, ME 04101

**CBL: 055 D013001**  
**Located at 13 DOW ST**

**Certified Mail 70033110000260620317**

↑  
*regular mail*

Dear ONEX CO,

An evaluation of the above-referenced property on 10/12/2004 shows that the structure fails to comply with Chapter 6, Article V. of the Code of Ordinances of the City of Portland, The Housing Code. Attached is a list of the violations.

This is a notice of violation pursuant to Section 6-118 of the Code. All referenced violations shall be corrected within 30 days of the date of this notice. A re-inspection of the premises will occur on 11/15/2004 at which time compliance will be required. Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 1-15 of the Code.

This constitutes an appealable decision pursuant to Section 6-127 of the Code.

Please feel free to contact me if you wish to discuss the matter or have any questions.

Please be advised that the Portland City Council has amended the Building regulations to include a \$75.00 re-inspection fee. This violation will automatically cause a re-inspection at no charge. If there are any subsequent inspections, however, the \$75.00 fee will be assessed for each inspection.

Sincerely,

Jodine Adams @ (207) 874-8707  
Code Enforcement Officer

**CITY OF PORTLAND**  
**DEPARTMENT OF PLANNING & URBAN DEVELOPMENT**  
 389 Congress Street  
 Portland, Maine 04101

**Inspection Violations**

<b>Owner/Manager</b> ONEX CO		<b>Inspector</b> Jodine Adams	<b>Inspection Date</b> 10/12/2004
<b>Location</b> 13 DOW ST	<b>CBL</b> 055 D013001	<b>Status</b> Re-Inspect 30 Days	<b>Inspection Type</b> Building Permit-Inspection

<b>Code</b>	<b>Int/Ext</b>	<b>Floor</b>	<b>Unit No.</b>	<b>Area</b>	<b>Compliance Date</b>
1) 6-108.3	Interior	1	4	Living Room	
<b>Violation:</b>	Exterior windows, doors and skylights				
<b>Notes:</b>	livingroom storm broken				
2) 6-108.2	Interior	basemen	1	enitre	
<b>Violation:</b>	Interior floors, walls, ceilings and doors				
<b>Notes:</b>	floor tiles missing, chipped and peeling				
3) 6-109.3	Interior	2	6	Bedroom	
<b>Violation:</b>	Maintenance of supplied facilities				
<b>Notes:</b>	hot water heater need to be protected from tenant sleeping area				
4) 6-113.5	Interior	2		Hall	
<b>Violation:</b>	Maintenance of lighting fixtures				
<b>Notes:</b>	exposed wiring needs to be protected				
5) 6-114.3	Interior			boiler room	
<b>Violation:</b>	Maintenance of equipment.				
<b>Notes:</b>	pressure release down spout missing				
6) 6-114.3	Interior			boiler room	
<b>Violation:</b>	Maintenance of equipment.				
<b>Notes:</b>	oil line needs plastic casing				

**Comments:**



Mike Nugent:

The Zoning Board is requesting  
A housing sign-off letter  
prior to their next meeting on 12/2/04  
CITY OF PORTLAND HOUSING CODE  
DWELLING UNIT COMPLIANCE

CITY OF PORTLAND

CITY OF PORTLAND HOUSING CODE

DWELLING UNIT COMPLIANCE

PLEASE have inspector re-inspect - copy of the violations are attached

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:** 13 Dad Street - 55-D-013

**Owner:** <sup>current</sup> OneXComp - <sup>potential</sup> owner - Suzanne Parks

**Address of Owner:** 109 Dartmouth St <sup>Mike Rogers</sup> **Telephone:** 318-9984 <sup>Mike Rogers #</sup>

**Applicant information if different than above:**

**Current number of legal units:** Three (3)

**Number of units to be legalized:** five (5)

total of: eight (8)

**Comments of approval or disapproval (list any and all conditions):**

**Signature:** Michael Wiley **Date:** 12/28/04

11/22/04

October 26, 2004

Ms. Jodine Adams  
Code Enforcement Officer  
City of Portland  
Department of Planning & Urban Development  
389 Congress Street  
Portland, ME 04101

**RE: Completion of Outstanding Code Violations at 13 Dow Street (CBL: 055 D013001)**

Dear Ms. Adams:

You inspected the building we own at 13 Dow Street on October 12, 2004, and sent me a letter on October 15, 2004, indicating there were **six** minor housing code violations.

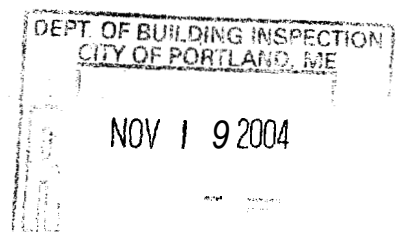
**All** of the inspection violations have been corrected. Please **call** me on my cell phone number at **318-9984** so that we can set a time for you to re-inspect the premises.

I appreciate your assistance.

Very truly yours,



Michael C. Rogers  
Managing Director





## DEPARTMENT OF PLANNING AND DEVELOPMENT

October 15, 2004

ONEX CO  
440 FOREST AVE  
PORTLAND, ME 04101

**CBL: 055 D013001**  
**Located at 13 DOW ST**

Certified Mail 70033110000260620317

Dear ONEX CO,

An evaluation of the above-referenced property on 10/12/2004 shows that the structure fails to comply with Chapter 6, Article V. of the Code of Ordinances of the City of Portland, The Housing Code. Attached is a list of the violations.

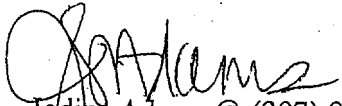
This is a notice of violation pursuant to Section 6-118 of the Code. All referenced violations shall be corrected within 30 days of the date of this notice. A re-inspection of the premises will occur on 11/15/2004 at which time compliance will be required. Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 1-15 of the Code.

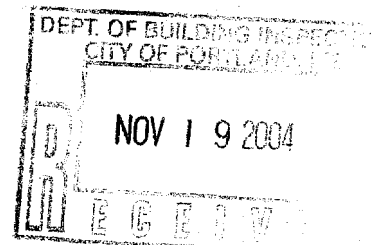
This constitutes an appealable decision pursuant to Section 6-127 of the Code.

Please feel free to contact me if you wish to discuss the matter or have any questions.

Please be advised that the Portland City Council has amended the Building regulations to include a \$75.00 re-inspection fee. This violation will automatically cause a re-inspection at no charge. If there are any subsequent inspections, however, the \$75.00 fee will be assessed for each inspection.

Sincerely,

  
Jodine Adams @ (207) 874-8707  
Code Enforcement Officer





**CITY OF PORTLAND**  
**DEPARTMENT OF PLANNING & URBAN DEVELOPMENT**

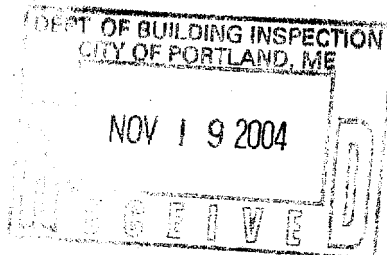
389 Congress Street  
 Portland, Maine 04101

**Inspection Violations**

<b>Owner/Manager</b> ONEX CO		<b>Inspector</b> Jodine Adams	<b>Inspection Date</b> 1011212004
<b>Location</b> 13 DOW ST	<b>CBL</b> 055 D013001	<b>Status</b> Re-Inspect 30 Days	<b>Inspection Type</b> Building Permit-Inspection

- |    |                   |   |         |   |             |
|----|-------------------|---|---------|---|-------------|
| 2) | 6-108.2           | Interior  | basemen | 1 | entire      |
|    | <b>Violation:</b> | Interior floors, walls, ceilings and doors                      |         |   |             |
|    | <b>Notes:</b>     | floor tiles missing, chipped and peeling                        |         |   |             |
| 3) | 6-109.3           | Interior  | 2       | 6 | Bedroom     |
|    | <b>Violation:</b> | Maintenance of supplied facilities                              |         |   |             |
|    | <b>Notes:</b>     | hot water heater need to be protected from tenant sleeping area |         |   |             |
| 4) | 6-113.5           | Interior  | 2       |   | Hall        |
|    | <b>Violation:</b> | Maintenance of lighting fixtures                                |         |   |             |
|    | <b>Notes:</b>     | exposed wiring needs to be protected                            |         |   |             |
| 5) | 6-114.3           | Interior  |         |   | boiler room |
|    | <b>Violation:</b> | Maintenance of equipment.                                       |         |   |             |
|    | <b>Notes:</b>     | pressure release down spout missing                             |         |   |             |
| 6) | 6-114.3           | Interior  |         |   | boiler room |
|    | <b>Violation:</b> | Maintenance of equipment.                                       |         |   |             |
|    | <b>Notes:</b>     | oil line needs plastic casing                                   |         |   |             |

Comments:



Zoning Division  
Marge Schmuckal  
Zoning Administrator



Department of Planning & Development  
Lee Urban, Director

AUG 13 2004

### CITY OF PORTLAND

### APPLICATION FOR LEGALIZATION OF NONCONFORMING DWELLING UNITS Section 14-391 - In effect March 24, 2004

Location/Address of Legalization: 13 Dow St, Portland ME	
Tax Assessor's Chart, Block & Lot Chart# 55 Block# D Lot# 13	Owner: Suzanne Parks Address: 109 Dartmouth St Portland ME 04103
Telephone: 207.772.2828 x104 (w) 207.671.8571 (crew) 207.774.1814 (home)	
Contact name, address & telephone if different than above:	Cost of Work: \$ 4 x 300 = \$ 1200.00 <i>max.</i> Fee: \$ 300 later.
\$300 per legalized unit & \$75 per C of O	
Current # of legal D.U. <u>3</u> <i>w/mg</i>	Requested # of units To be legalized: <u>4</u> <i>5</i> Total bldg. units: <u>8</u>
Attach evidence that each requested unit to be legalized existed as of 4/1/95: List evidence that you are submitting: - (9-22-80) Building Permit - 1980's Tax Card from Assessor's Office - (10-29-03) Seller's Property Disclosure	
Attach evidence that the current owner/applicant neither constructed nor established the non-conforming dwelling units to be legalized: List evidence that you are submitting: <u>- Purchase agreement</u>	
<u>Pending: Estimated closing: 9-15-04</u>	
<i>I hereby certify that I am the Owner of record of the above property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.</i>	
Signature of applicant: <u>Suzanne Parks</u>	Date: <u>8-13-04</u>
This is NOT a permit, you may not commence ANY work until the permit is issued.	

#  
354

Zoning Division  
Marge Schmuckal  
Zoning Administrator

Department of Planning & Development  
Lee Urban, Director



## CITY OF PORTLAND

### APPLICATION FOR LEGALIZATION OF NONCONFORMING DWELLING UNITS

Section 14-391 – In effect March 24, 2004

**Applies to:** 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.

**Fee:** ~~\$300.00 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 \$75.00 for each certificate of occupancy required for each unit to be legalized. *later*

#### **Requirements:**

1. A plot plan, drawn to scale, showing building(s), parking, easements, dumpsters, fencing, public ways and any other significant feature.
2. A dimensioned floor plan for every Unit in the dwelling, whether or not it is the subject of the application.
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 4/1/95.
  - N/A → b. Or that 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.
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 unit(s). Any objection must be submitted in writing to the Zoning Administrator within ten (10) days of the notice sent to them.

**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 for approval as a substitute in place of the Zoning Administrator.

**Action required by the Zoning Board of Appeals: ~ \$300 Total .**

1. When the Zoning Administrator can not 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 # 1 and/or #2 occurs, the applicant/owner of the submitted legalization request has thirty (30) days from the decision of the Zoning Administrator or objection to file a Conditional Use Appeal to the Zoning Board of Appeals. All current fees for an appeal application and ZBA notifications will apply in addition to all other fees. The Zoning Board 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 Certificate of Occupancy. This is a separate fee of \$75 per requested unit to be legalized. Before a Certificate of Occupancy is issued, all Housing and Fire Code, and/or Zoning Board requirements shall be met in full.