

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

**PERMIT ISSUED**

Permit No: 03-1537 Issue Date: JAN 26 2004 CBL: 057 G006001

Location of Construction: 246 Danforth St	Owner Name: Day Gregory F &	Owner Address: 15 Stetson Ct # 3	Phone: 207-671-5551
Business Name: n/a	Contractor Name: n/a	Contractor Address: n/a Portland	Phone
Lessee/Buyer's Name n/a	Phone: n/a	Permit Type: Change of Use - Commercial	Zone: B-1

Past Use: Commercial / Prior use Retail Store	Proposed Use: Change of Use / Retail store back to single family home, change egress to meet code.	Permit Fee: \$105.00	Cost of Work: \$1,000.00	CEO District: 2
		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: R3 Type: 5B BOLA 1999	

**Proposed Project Description:**  
 Change of Use from retail store to single family, change egress to meet code. *Add 2- 30"x57" skylights*

Signature: \_\_\_\_\_ Date: 1/20/04

Signature: *JMB* Date: 1/20/04

PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)

Action:  Approved  Approved w/Conditions  Denied

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Permit Taken By: gg	Date Applied For: 12/2/2003	<b>Zoning Approval</b>	
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- This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.
- Building permits do not include plumbing, septic or electrical work.
- 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**

Shoreland  
 Wetland  
 Flood Zone  
 Subdivision  
 Site Plan

Maj  Minor  MM

Date: 1/12/04

**Zoning Appeal**

Variance *of size*  
 Miscellaneous  
 Conditional Use  
 Interpretation  
 Approved  
 Denied

Date: Sept 18, 2003

**Historic Preservation**

Not in District or Landmark  
 Does Not Require Review  
 Requires Review  
 Approved  
 Approved w/Conditions  
 Denied

Date: \_\_\_\_\_

**CERTIFICATION**

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

SIGNATURE OF APPLICANT \_\_\_\_\_ ADDRESS \_\_\_\_\_ DATE \_\_\_\_\_ PHONE \_\_\_\_\_

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE \_\_\_\_\_ DATE \_\_\_\_\_ PHONE \_\_\_\_\_

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

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

<b>Permit No:</b> 03-1537	<b>Date Applied For:</b> 12/23/2003	<b>CBL:</b> 057 G006001
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<b>Location of Construction:</b> 246 Danforth St	<b>Owner Name:</b> Day Gregory F &	<b>Owner Address:</b> 15 Stetson Ct # 3	<b>Phone:</b> 207-671-5551
<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> Change of Use - Commercial	

<b>Proposed Use:</b> Change of Use / Retail store back to single family home, change egress to meet code.	<b>Proposed Project Description:</b> Change of Use from retail store to single family, change egress to meet code. Add 2- 30"x57" skylights.
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**Dept:** Zoning      **Status:** Approved      **Reviewer:** Marge Schmuckal      **Approval Date:** 01/12/2004  
**Note:** ZBA approved 9/18/03      **Ok to Issue:**

**Dept:** Building      **Status:** Approved with Conditions      **Reviewer:** Jeanine Bourke      **Approval Date:** 01/26/2004  
**Note:** 1/14/04 left vm w/Greg D. About smokes being hardwired and doors in privacy partitions & egress windows. **Ok to Issue:**

1/15 Spoke w/Greg, he verified the smokes are hdwired/battery b-up, he will put a door in the partition closest to the street. There will be no door in the 5' pass thru to the living area. He will check the dimensions on the replacement windows for egress size and call back.

1/15 Greg called back with window size of 30'h x 30.25"w = 907 sq. in.  $907/144 = 6.3$  and the window is 20' off floor. He may add a skylight to the roof and submit detail for approval.

1/26 received skylight detail, ok to issue

- 1) It is understood (per conversation with Greg - owner) that the 5' pass thru from the bedroom to the living room will not have a door installed. The egress window access is the window off the living/dining area as verified w/MJN. There may be a door installed at the bedroom/study pass thru at the front of the building.
- 2) Application approval based upon information provided by applicant. Any deviation from approved plans requires separate review and approval prior to work.

Copy of Deed.

# All Purpose Building Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Location/Address of Construction: <u>246 DANFORTH ST.</u>		
Total Square Footage of Proposed Structure <u>1280 EXISTING</u>	Square Footage of Lot <u>458</u>	
Tax Assessor's Chart, Block & Lot Chart# <u>057</u> Block# <u>G</u> Lot# <u>006</u>	Owner: <u>NICOLA EDEN GREGORY DAY</u>	Telephone: <u>871.8283</u>
Lessee/Buyer's Name (If Applicable) <u>NICOLA EDEN GREGORY DAY</u>	Applicant name, address & telephone: <u>NICOLA EDEN GREGORY DAY</u> <u>15 STETSON CT #3</u> <u>PORTLAND ME 04101</u> <u>871.8283</u>	Cost Of Work: \$ <del>300</del> <u>1,000</u> Fee: \$ <u>30.00</u> <u>75.00</u>
Current use: <u>VACANT</u>		
If the location is currently vacant, what was prior use: <u>retail store</u>		<u>\$105.00</u>
Approximately how long has it been vacant: _____		
Proposed use: <u>change of use to SFR - floor plan</u>		
Project description: <u>egress changes to meet code - <del>no permit</del></u> <u>back to single family</u>		
Contractor's name, address & telephone:		
Who should we contact when the permit is ready: <u>Greg Day 671.5551</u>		
Mailing address: <u>246 Danforth St.</u> <u>Portland Me 04102</u>		
We will contact you by phone when the permit is ready. You must come in and pick up the permit and review the requirements before starting any work, with a Plan Reviewer. A stop work order will be issued and a \$100.00 fee if any work starts before the permit is picked up. PHONE:		

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

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of 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.

Signature of applicant: <u>[Signature]</u>	Date: <u>21 Sept 2003</u> <u>DEC 23 2003</u>
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DEPT. OF BUILDING INSPECTION  
CITY OF PORTLAND, ME

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

# WARRANTY DEED

**Know All Men By These Presents That** I, David A. Wagabaza  
of 144 Sherwood Street, Portland,  
County of Cumberland and State of Maine,  
for consideration paid, grant to ~~Gregory F. Day~~ and Nicola J. Eden  
of 15 Stetson Court #3, Portland,  
County of Cumberland and State of Maine  
as Joint Tenants  
with **WARRANTY COVENANTS:**

A certain lot or parcel of land together with any buildings thereon situated in  
Portland County of Cumberland  
and State of Maine, more particularly described in Exhibit A attached hereto and  
incorporated herein by reference.

**In Witness Whereof,** I have hereunto set my hand(s) this 2nd day of  
October, 2003.

MAINE REAL ESTATE TAX PAID

Witness

*David A. Wagabaza*  
David A. Wagabaza

State of Maine  
County of Cumberland

ss.

On this 2nd day of October, 2003, personally appeared before me the  
above named David A. Wagabaza

and acknowledged the foregoing to be his/her/their free act and deed.

*William R. Dunn*  
Notary Public, Attorney at Law

Return to: Gregory F. Day

**WILLIAM R. DUNN  
ATTORNEY AT LAW**

**Exhibit A - Deed**

A certain lot or parcel of land, with any buildings thereon, situated on the southerly side of Danforth Street, in the City or Portland, County of Cumberland, and State of Maine, being more particularly bounded and described as follows:

Beginning on the southerly side of said Danforth Street at the northeasterly corner of land now or formerly of Beverly Ann Hayden; thence easterly along the southerly side of Danforth Street twenty-four and thirty-hundredths (24.30) feet, more or less, to land now or formerly of Thomas J. and Mary E. Doherty; thence southerly by said Doherty land seventy (70) feet, more or less, to land now or formerly of June M. Martin; thence westerly by said Martin land twenty-two (22) feet, more or less, to said land now or formerly of Beverly Ann Hayden; thence northerly by said Hayden land seventy (70) feet, more or less, to the point of beginning.

~~Reference is made to the deed of Thomas J. Connor and Thomas J. Doherty et al, dated December 28, 1967 recorded in the Cumberland County Registry of Deeds in Book 3028, Page 256 and this conveyance is made subject to easement therein conveyed for the repair, maintenance and rebuilding of the buildings on said land of Thomas J. Doherty et al and there are included within this conveyance the right of pedestrian passage to and from Danforth Street and the right for repair, maintenance and rebuilding of the buildings on the within described premises reserved by said Thomas J. Connor in said deed and it is also conveyed herein the right for pedestrian and vehicle passage over the southerly portion of said Doherty premises all described and reserved in said deed of Thomas J. Connor to Thomas J. Doherty, et al.~~

Grantor reserves a five year right to restrict the use of the property at 246 Danforth Street, Portland, Maine. The non permitted use is "convenience store", meaning and providing sundry household items and food items such as pizza and sandwiches. Coffee shop, restaurant and or gourmet food store are excluded from this restriction. The expiration of this restriction is October 1, 2008.

Reference is hereby made to a deed from Apex, Inc. dated April 3, 1997 to David A. Wagabaza and recorded in the Cumberland County Registry of Deeds in Book 13023, Page 15

Received  
Recorded Register of Deeds  
Oct 14, 2003 01:45:37P  
Cumberland County  
John B. O'Brien

DAD  
GAD  
N.J.E.

BK 13815PG200

**WARRANTY DEED**  
**028398 Maine Statutory Short Form**

**KNOW ALL PERSONS BY THESE PRESENTS, That**

William T. Pearson and John W. Pearson

of Portland, County of Cumberland, State of Maine,

for consideration paid, grant to Donna G. Cummings

of Portland, County of Cumberland, State of Maine,

whose mailing address is 66 Roberts Street, Portland, Maine 04102

with warranty covenants, the land in Portland, County of Cumberland, and State of Maine,

described on the attached EXHIBIT A.

**WITNESS** our/my hand(s) and seal(s) this 12th day of May, 1998.

*Signed, Sealed and Delivered in  
presence of:*

*William T. Pearson*

*John W. Pearson*

*by the Notary Public*  
*Michael D. Brooks*

William T. Pearson

John W. Pearson

MAINE REAL ESTATE TAX PAID

**STATE OF MAINE**

May 12, 1998

**COUNTY OF Cumberland**

Then personally appeared the above named William T. Pearson and John W. Pearson and acknowledged the foregoing instrument to be his/her/their free act and deed.

Before me,

*Michael D. Brooks*

Notary Public *Attorney at Law*

Printed

Name: Michael D. Brooks

My Commission Expires:

BK 13815PG201

Exhibit A - Property Description

A certain lot or parcel of land, with the buildings thereon, situated southerly of Danforth Street in the said City of Portland, bounded and described as follows:

BEGINNING at the intersection of the southerly side of Danforth Street and the westerly side of School Street; thence westerly by Danforth Street 29.82 feet, more or less, to a point which is located at the intersection of the southerly sideline of said Danforth Street with the northerly extension of a line drawn parallel with the westerly foundation line of the dwelling house upon the herein-described premises and 3.2 feet westerly of said foundation line at all points thereon; thence southerly by the northerly extension of said line and continuing on said line parallel to and 3.2 feet westerly of said westerly foundation line of the dwelling on the within described premises and continuing on the southerly extension of said line a total distance of 70 feet, more or less, to land now or formerly of June M. Martin; thence easterly by said land of Martin a distance of 29 feet, more or less, to School Street; thence northerly by School Street a distance of 70 feet, more or less, to Danforth Street and the point of beginning.

There is also conveyed hereby an easement for pedestrian passage and for repair, maintenance and rebuilding of the dwelling house on the within conveyed premises over a part of the remaining land of Thomas J. Doherty, et al., which part of the remaining land of Thomas J. Doherty, et al. is specifically located easterly of the store building on land of Thomas J. Doherty, et al. and between the northerly and southerly foundation lines of said store building extended easterly to the within conveyed premises and there is reserved to the said Thomas J. Doherty, et al., his heirs and assigns, a right of way for pedestrian passage and for repair, maintenance and rebuilding of the store building on their remaining premises over that part of the within conveyed premises lying westerly of the dwelling house thereon, and between the northerly and southerly foundation lines of the store building on their remaining property extended easterly to said dwelling house; the granting of the above right of way and reservation of the above right of way being to establish a common right of way for said purposes for Thomas J. Doherty, et al., the Grantees and their respective heirs and assigns, over a strip of land 6.4 feet, more or less, in width and situated between the said buildings on their respective properties.

There is also reserved to Thomas J. Doherty et al., their heirs and assigns, a right of way for pedestrian and vehicle passage over the southerly portion of the within conveyed premises extending from School Street westerly to the remaining land of Thomas J. Doherty, et al., such right of way to be situated southerly of the southerly foundation line of the dwelling house on the within conveyed premises and its extension westerly to remaining land of Thomas J. Doherty, et al.

Being the same premises conveyed to William T. Pearson and John W. Pearson in a Warranty Deed from William E. Matthews and Gaye E. Matthews, dated October 31, 1988 and recorded in the Cumberland County Registry of Deeds in Book 8569, Page 34.

RECEIVED  
RECORDED REGISTRY OF DEEDS

1988 MAY 13 PM 1:07

CUMBERLAND COUNTY

John B. O'Brien

1290

**Know All Men by these Presents.**

That I, THOMAS J. CONNOR, <sup>South</sup> of Portland, County of Cumberland and State of Maine,



in consideration of One Dollar (\$1.00) and other valuable considerations,

paid by THOMAS J. DOHERTY and MARY E. DOHERTY, both of said Portland,

the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said Thomas J. Doherty and Mary E. Doherty, as joint tenants and not as tenants in common, their Heirs and Assigns forever,

the following described property:

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

Beginning at the intersection of the southerly side of Danforth Street and the westerly side of School Street; thence westerly by Danforth Street twenty-nine and eighty-two hundredths (29.82) feet, more or less, to a point which is located at the intersection of the southerly side line of said Danforth Street with the northerly extension of a line drawn parallel with the westerly foundation line of the dwelling house upon the herein described premises and three and two tenths (3.2) feet westerly of said foundation line at all points thereon; thence southerly by the northerly extension of said line and continuing on said line parallel to and three and two tenths (3.2) feet westerly of said westerly foundation line of the dwelling on the within described premises and continuing on the southerly extension of said line a total distance of seventy (70) feet, more or less, to land now or formerly of June M. Martin; thence easterly by said land of Martin a distance of twenty-nine (29) feet, more or less, to School Street; thence northerly by School Street a distance of seventy (70) feet, more or less, to Danforth Street and the point of beginning.

There is also conveyed hereby an easement for pedestrian passage and for repair, maintenance and rebuilding of the dwelling house on the within conveyed premises over a part of the remaining land of the Grantor, which part of the remaining land of the Grantor is specifically located easterly of the store building on Grantor's said land and between the northerly and southerly foundation lines of said store building extended easterly to the within conveyed premises and there is reserved to the Grantor, his heirs and assigns, a right of way for pedestrian passage and for repair, maintenance and rebuilding of the store building on the Grantor's remaining premises over that part of the within conveyed premises lying westerly of the dwelling house thereon and between the northerly and southerly foundation lines of the store building on Grantor's remaining property extended easterly to said dwelling house; the granting of the above right of way and reservation of the above right of way being to establish a common right of way for said



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purposes for the Grantor, Grantees and their respective heirs and assigns, over a strip of land six and four tenths (6.4) feet, more or less, in width and situated between the said buildings on their respective properties.

There is also reserved to the Grantor and his heirs and assigns, a right of way for pedestrian and vehicle passage over the southerly portion of the within conveyed premises extending from School Street westerly to the remaining land of the Grantor, such right of way to be situated southerly of the southerly foundation line of the dwelling house on the within conveyed premises and its extension westerly to Grantor's remaining land.

Being a portion of the premises conveyed to Thomas J. Connor by Thomas Connor by deed dated May 25, 1949, recorded in the Cumberland County Registry of Deeds, Book 2104, Page 80.

and

grant

E.

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To have and to hold the aforesaid and bargained premises, with all privileges and appurtenances thereof to the said Thomas J. Doherty and Mary E. Doherty, as joint tenants and not as tenants in common, their

Heirs and Assigns, to them and their use and behoof forever.

And I do covenant with the said Grantees, their Heirs and Assigns, that I am lawfully seized in fee of the premises; that they are free of all incumbrances; except as aforesaid;

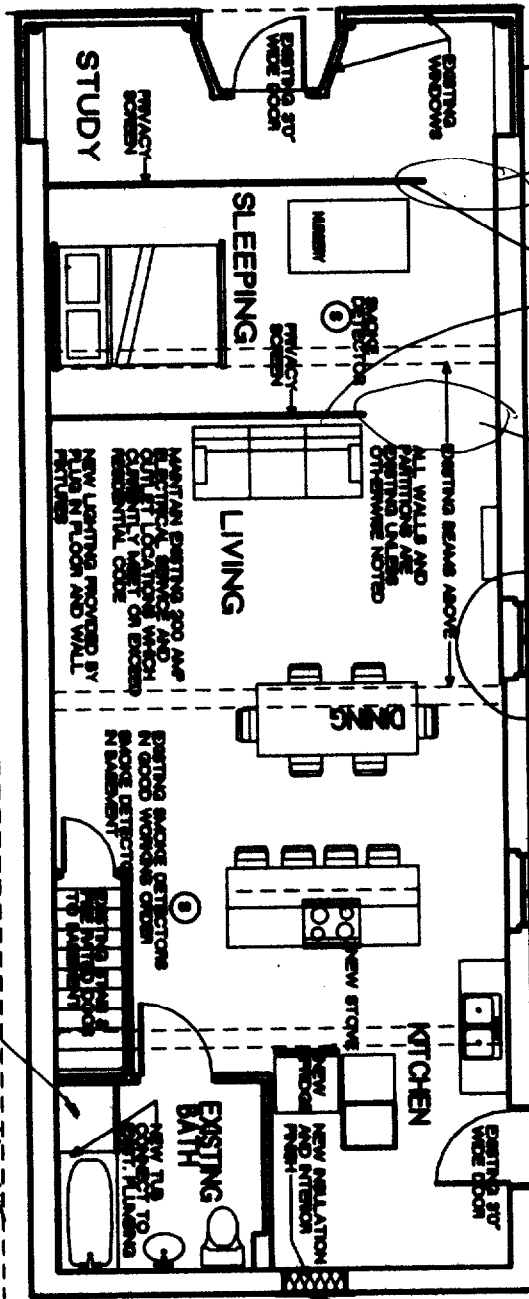
that I have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that I and my Heirs, shall and will warrant and defend the same to the said Grantee and their

Heirs and Assigns forever, against the lawful claims and demands of all persons, except as aforesaid.

**DANFORTH STREET**

24.30 FEET


70.00 FEET



*There may be a door here*  
*1/15/04 for owner could be 2x4 partition, built in shelves, or other materials - non bearing*  
*shall be no door closing off access to bedroom egress window per mjn*

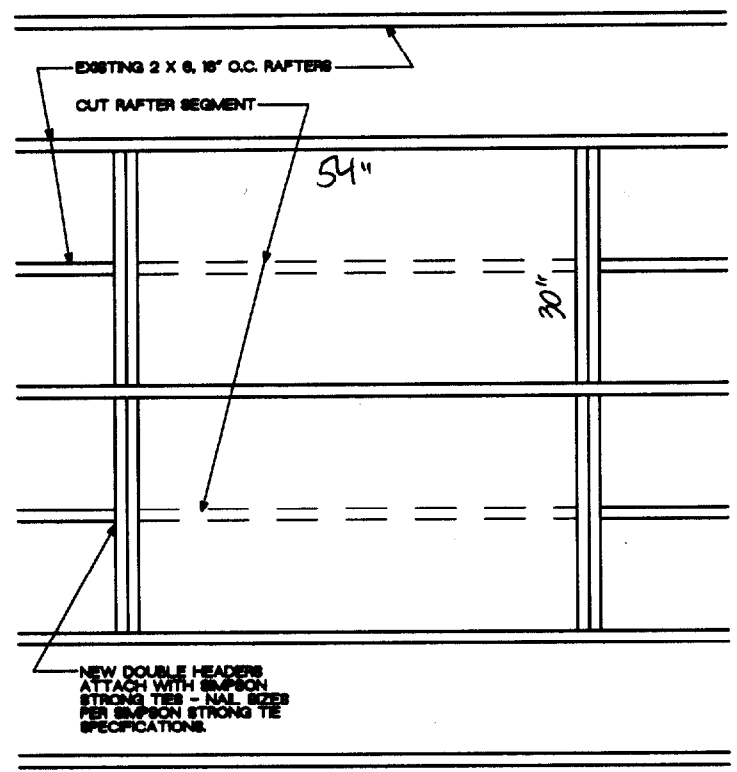
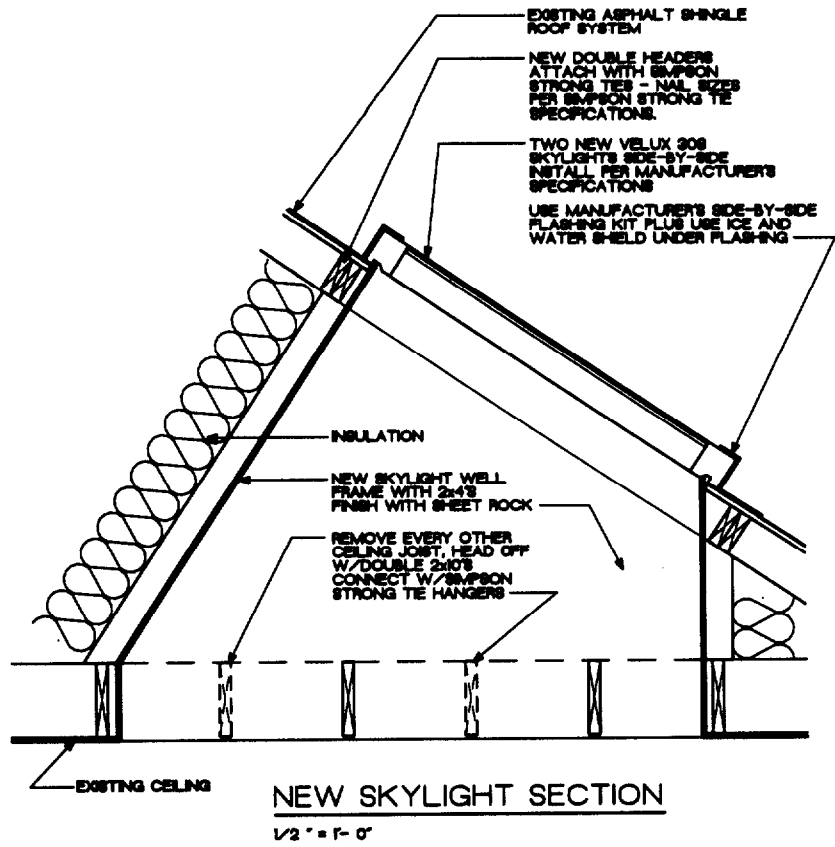
*egress*

**PROPOSED LAYOUT**  
**246 DANFORTH STREET**  
**BUILDING: 1,289 SQ.FT.**  
**LOT: 1,488 SQ.FT.**

**PLAN NORTH**  
  
**SCALE: 1/8 INCHES EQUALS 1 FOOT**  
**19 SEPTEMBER 2003**

**DEEDED PEDESTRIAN & VEHICLE RIGHT OF WAY TO SCHOOL ST.**

22.00 FEET



**NEW SKYLIGHT - RAFTER LAYOUT**  
 1/2" = 1'-0"

DEPT. OF BUILDING INSPECTION  
 CITY OF PORTLAND, ME  
**JAN 26 2004**  
 RECEIVED

PROPOSED NEW SKYLIGHT 246 DANFORTH STREET  
 PORTLAND, MAINE 04102

DANFORTH STREET

SCHOOL STREET

EXISTING CURB CUT

29.82 FEET

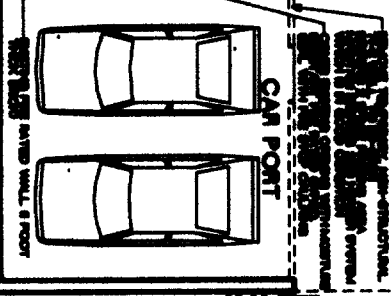
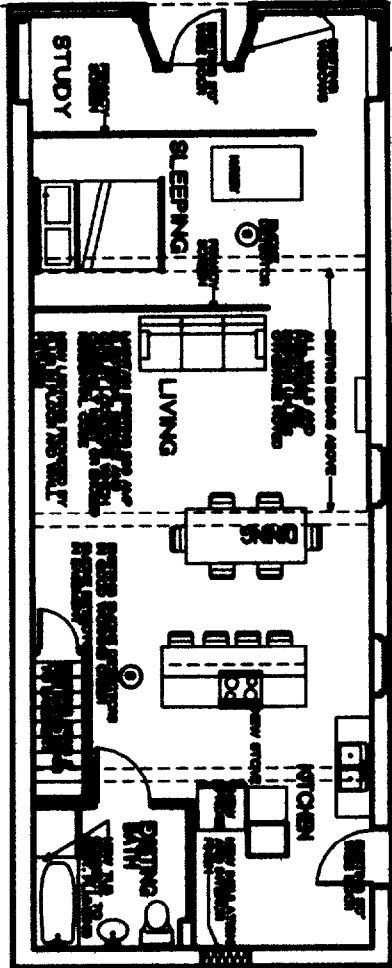
24.30 FEET

70.00 FEET

22.00 FEET

244 DANFORTH STREET

**DEEDED  
PEDESTRIAN &  
VEHICLE  
RIGHT OF WAY  
TO SCHOOL ST.**



246 DANFORTH STREET (PARKING LOT)

**SITE DRAWING**  
**246 DANFORTH STREET**  
BUILDING 1,289 SQ.FT.  
LOT 1,488 SQ.FT.



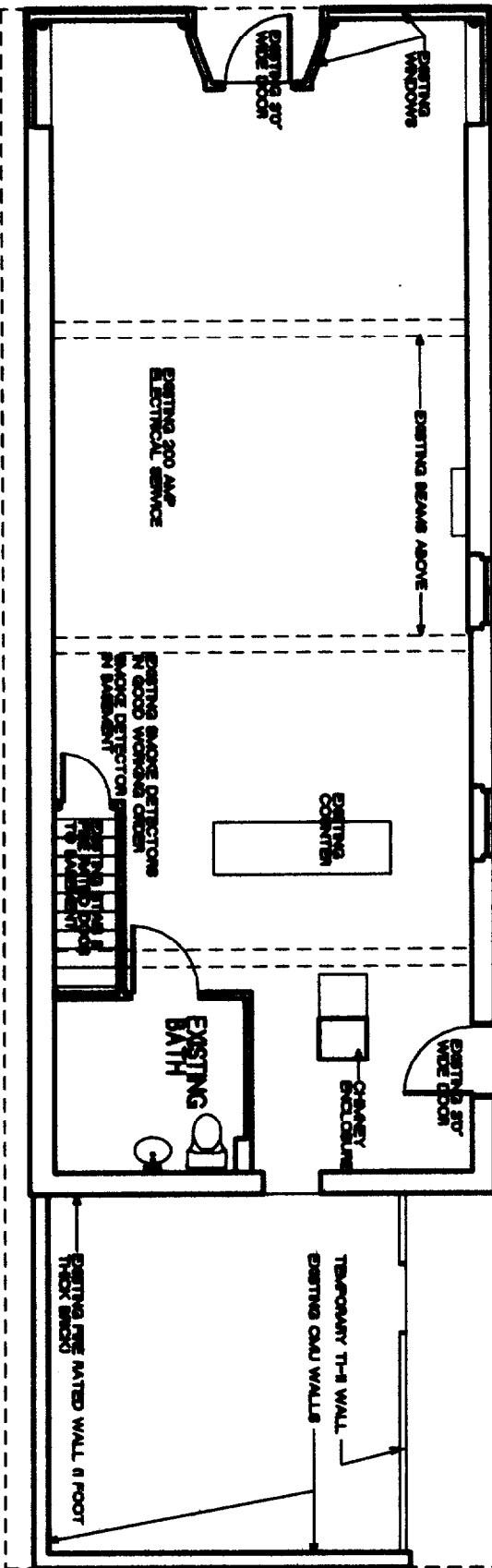
SCALE: 3/32 INCHES EQUALS 1 FOOT  
19 SEPTEMBER 2003

**DANFORTH STREET**

24.30 FEET

244 DANFORTH STREET

**DEDED  
PEDESTRIAN &  
VEHICLE  
RIGHT OF WAY  
TO SCHOOL ST.**



70.00 FEET

22.00 FEET

**EXISTING CONDITIONS**

**246 DANFORTH STREET  
BUILDING: 1,299 SQ.FT.  
LOT: 1,498 SQ.FT.**



**SCALE: 1/8 INCHES EQUALS 1 FOOT  
19 SEPTEMBER 2003**

TRD. EXISTING WINDOW HEADER AT 240 DANFORTH ST.