

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

CITY OF PORTLAND

BUILDING INSPECTION

PERMIT

Permit Number: J00185

PERMIT ISSUED

Please Read Application And Notes, If Any, Attached

This is to certify that James Ohannes & Elizabeth McGrady/Maine Construction Consulta

has permission to Change of Use: From religious residence to two family dwelling units. **MAR 18 2010**

AT 18 Thomas St CBL 062 E013001

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.

Notification of inspection must be given and written permission procured before this building or part thereof is lathed or otherwise closed-in. 24 HOUR NOTICE IS REQUIRED.

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

OTHER REQUIRED APPROVALS

Fire Dept. _____

Health Dept. _____

Appeal Board _____

Other _____

Department Name

James Lambke 3/18/10
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: 10-0185	Issue Date:	CBL: 062 E013001
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Location of Construction: 18 Thomas St	Owner Name: James Ohannes & Elizabeth McGrad	Owner Address: 197 Pine Street #15	Phone: 207-671-4981
Business Name:	Contractor Name: Maine Construction Consultants / To	Contractor Address: 14 Hanover St Portland	Phone: 2072328134
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Dwellings	Zone: R-4

Past Use: Religious Residence / Sister of Our Lady of the Holy Rosary	Proposed Use: Change of Use; From religious residence to two family dwelling units.	Permit Fee: \$1,595.00	Cost of Work: \$150,000.00	CEO District: 2
		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group R3 Type 5B IRC-2003 Signature: JMB 3/18/10	

Proposed Project Description: Change of Use; From religious residence to two family dwelling units.	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:	

Permit Taken By: gg	Date Applied For: 03/01/2010	Zoning Approval
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<ol style="list-style-type: none"> 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 <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input checked="" type="checkbox"/> Site Plan Exemption <i>10-6990005</i> Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> Date: <i>3/3/10</i>	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input checked="" type="checkbox"/> Approved <i>5-0</i> <input type="checkbox"/> Denied Date: <i>2/18/10</i>	Historic Preservation <input checked="" 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>work requires</i>
	Date: <i>3/3/10</i>		

PERMIT ISSUED

MAR 18 2010

City of Portland

separate review: approval thru Historic Preservation

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

BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 (ONLY)

or email: buildinginspections@portlandmaine.gov

With the issuance of this permit, the owner, builder or their designee is required to provide adequate notice to the City of Portland Inspection Services for the following inspections. Appointments must be requested 48 to 72 hours in advance of the required inspection. The inspection date will need to be confirmed by this office.

- Please read the conditions of approval that is attached to this permit!! Contact this office if you have any questions.
- Permits expire in 6 months, if the project is not started or ceases for 6 months.
- If the inspection requirements are not followed as stated below additional fees may be incurred due to the issuance of a "Stop Work Order" and subsequent release to continue with construction.

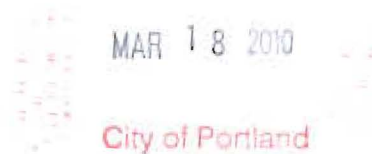
 X Framing/Rough Plumbing/Electrical: Prior to Any Insulating or drywalling

 X Final/Certificate of Occupancy: Prior to any occupancy of the structure or use.
NOTE: There is a \$75.00 fee per inspection at this point.

The project cannot move to the next phase prior to the required inspection and approval to continue, REGARDLESS OF THE NOTICE OR CIRCUMSTANCES.

IF THE PERMIT REQUIRES A CERTIFICATE OF OCCUPANCY, IT MUST BE PAID FOR AND ISSUED TO THE OWNER OR DESIGNEE BEFORE THE SPACE MAY BE OCCUPIED.

PERMIT ISSUED



City of Portland, Maine - Building or Use Permit

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

Permit No: 10-0185	Date Applied For: 03/01/2010	CBL: 062 E013001
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Location of Construction: 18 Thomas St	Owner Name: James Ohannes & Elizabeth McGrad	Owner Address: 197 Pine Street #15	Phone: 207-671-4981
Business Name:	Contractor Name: Maine Construction Consultants / To	Contractor Address: 14 Hanover St Portland	Phone: (207) 232-8134
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Dwellings	

Proposed Use: Change of Use; From religious residence to two family dwelling units.	Proposed Project Description: Change of Use; From religious residence to two family dwelling units.
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Dept: Zoning	Status: Approved with Conditions	Reviewer: Ann Machado	Approval Date: 03/02/2010
Note:	Ok to Issue: <input checked="" type="checkbox"/>		
<p>1) ANY exterior work requires a separate review and approval thru Historic Preservation. This property is located within an Historic District.</p> <p>2) With the issuance of the permit and the certificate of occupancy, this property shall remain a two family dwelling. Any change of use shall require a separate permit application for review and approval.</p> <p>3) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.</p>			
Dept: Building	Status: Approved	Reviewer: Jeanine Bourke	Approval Date: 03/18/2010
Note:	Ok to Issue: <input checked="" type="checkbox"/>		
<p>1) Structural plans shall be submitted prior to comencing this work.</p> <p>2) All penetrations between dwelling units and dwelling units and common areas shall be protected with approved firestop materials, and recessed lighting/vent fixtures shall not reduce the (1 hour) required rating per Sec. 712 of IBC and R317.3.1.2 of the IRC</p> <p>3) Hardwired interconnected battery backup smoke detectors shall be installed in all bedrooms, protecting the bedrooms, and on every level.</p> <p>4) Permit approved based on the plans submitted and reviewed w/owner/contractor, with additional information as agreed on and as noted on plans.</p> <p>5) Separate permits are required for any electrical, plumbing, sprinkler, fire alarm or HVAC or exhaust systems. Separate plans may need to be submitted for approval as a part of this process.</p> <p>6) Application approval based upon information provided by applicant. Any deviation from approved plans requires separate review and approval prior to work.</p>			

PERMIT ISSUED

<p>Comments:</p> <p>3/2/2010-gg: received proposed plans for the 2 units as of 03/01/10. /gg</p> <p>3/2/2010-gg: entered pdf file in the system. /gg</p> <p>3/17/2010-jmb: Spoke to Tom B. For details on scope of work, the plan is not to remove any wall or ceiling surfaces that separate dwellings or common areas. There is some fill in of common walls and those will be insulated and covered with type x GWB. The new basement door will be 1 hr. Rated, and an egress window will replace the existing in the 3rd floor BdRm., wiring to include smokes to code and CO. The structural plans will be submitted as soon as available. Ok to issue</p> <p>3/12/2010-gg: received granted site plan exemption as of 03/12/10. /gg</p>
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MAR 18 2010
City of Portland



CITY OF PORTLAND, MAINE
Department of Building Inspections

Original Receipt

Feb 05 2010

Received from Mine Construction Services

Location of Work 15-30 Thomas St.

Cost of Construction \$ _____ Building Fee: 1,500.00

Permit Fee \$ _____ Site Fee: _____

Certificate of Occupancy Fee: 1.00

Total: 1,595.00

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

Other _____

CBL: 062 R 013

Check #: 6109 **Total Collected s** 1,595.00

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

Taken by: Hayle

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

100185



General 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>18-20 THOMAS STREET, PORTLAND, ME</u>		
Total Square Footage of Proposed Structure/Area <u>5967 SF</u>	Square Footage of Lot <u>8546 SF</u>	Number of Stories <u>3</u>
Tax Assessor's Chart, Block & Lot Chart# <u>062</u> Block# <u>E</u> Lot# <u>013</u>	Applicant *must be owner, Lessee or Buyer* Name <u>JIM DHANNES</u> Name <u>ELIZABETH MC GRAUY</u> Address <u>197 PINE ST</u> City, State & Zip <u>PORTLAND, ME 04102</u>	Telephone: <u>671-4981</u> <u>650-2894</u>
Lessee/DBA (if Applicable) RECEIVED <u>FEB 25 2010</u> Dept. of Building Inspections City of Portland Maine	Owner (if different from Applicant) RECEIVED Name _____ Address <u>MAR - 1 2010</u> City, State & Zip <u>additional</u> Dept. of Building Inspections City of Portland Maine	Cost Of Work \$ <u>150,000</u> C of O Fee \$ <u>75.00</u> Total Fee \$ _____
Current legal use (i.e. single family) _____ Number of Residential Units <u>2</u> If vacant, what was the previous use? _____ Proposed Specific use: <u>2 FAMILY</u> Is property part of a subdivision? <u>NO</u> If yes, please name _____ Project description: <u>SEE ATTACHED</u>		
Contractor's name: <u>MAINE CONSTRUCTION SERVICES, THOMAS BLACKBURN</u> Address: <u>14 HANOVER ST</u> City, State & Zip <u>PORTLAND, ME 04101</u> Telephone: <u>232-8134</u> Who should we contact when the permit is ready: _____ Telephone: _____ Mailing address: <u>SAME</u>		

Please submit all of the information outlined on the applicable Checklist. Failure to do so will result in the automatic denial of your permit.

1520.00
 150.00
 Total 1,595.00

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information or to download copies of this form and other applications visit the Inspections Division on-line at www.portlandmaine.gov, or stop by the Inspections Division office, room 315 City Hall or call 874-8703.

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: _____

AGENT

Date: _____

2/25/10

This is not a permit; you may not commence ANY work until the permit is issued

Transmittal Letter

Project: McGrady Ohannes Residence
 Thomas Street
 Portland, Maine

Project No.: 1005

Date: 03/01/10

To: Lannie Dobson
 Inspections
 City of Portland

Phone No.:
Fax No.:

If enclosures are not as noted, please inform us immediately.

We transmit:

- Herewith Under separate cover via _____
 In accordance with your request _____

For your:

- Approval Distribution to Parties Information
 Record Review and Comment
 Use _____

The following:

- Drawings Shop Drawing Prints Samples
 Specifications Shop Drawing Reproduces Product Literature
 Change Order Other: _____

Copies	Date	Rev. No.	Description	Action
1	3/1/10		18x24 drawings	
1	3/1/10		11x17 reduced drawings	
1	3/1/10		CD with PDFs of drawings	

Action Code:

- A. Action indicated on item transmitted D. For signature and forwarding as noted below under Remarks
 B. No action required E. See Remarks below
 C. For signature and return to this office

Remarks:

Lannie,
See the attached Drawing Submission to compliment Tom Blackburns application.

Thanks

Copies to: TFH Architects, P. A.
 80 Middle Street
 Portland Maine 04101
 File Telephone 207-775-6141
 Fax No.: 207-773-0194
 By: Ryan Senatore

RECEIVED

MAR - 1 2010

Dept. of Building Inspections
 City of Portland Maine



To: City of Portland Planning Staff

Re: 18- 20 Thomas Street, CBL062 E 013

Date: February 25, 2010

Project description

The proposed project is the restoration of a John Calvin Stevens designed home on the western promenade area of Portland. The home was originally constructed in 1899 for Staples family.

In later years, it was converted into a nursing home and then into a religious residence for an order of nuns. Jim Ohannes and Elizabeth McGrady recently purchased the structure and intend to convert it into a 2 family residence with the owners occupying the first and second floors. The third floor already exists as a self contained 2 bedroom apartment with a kitchen, bath , study and living room. The third floor apartment has a separate entrance that will be easily isolated from the rest of the home, and segregated by code compliant fire rated doors. The basement will be locked and not used as a common area.

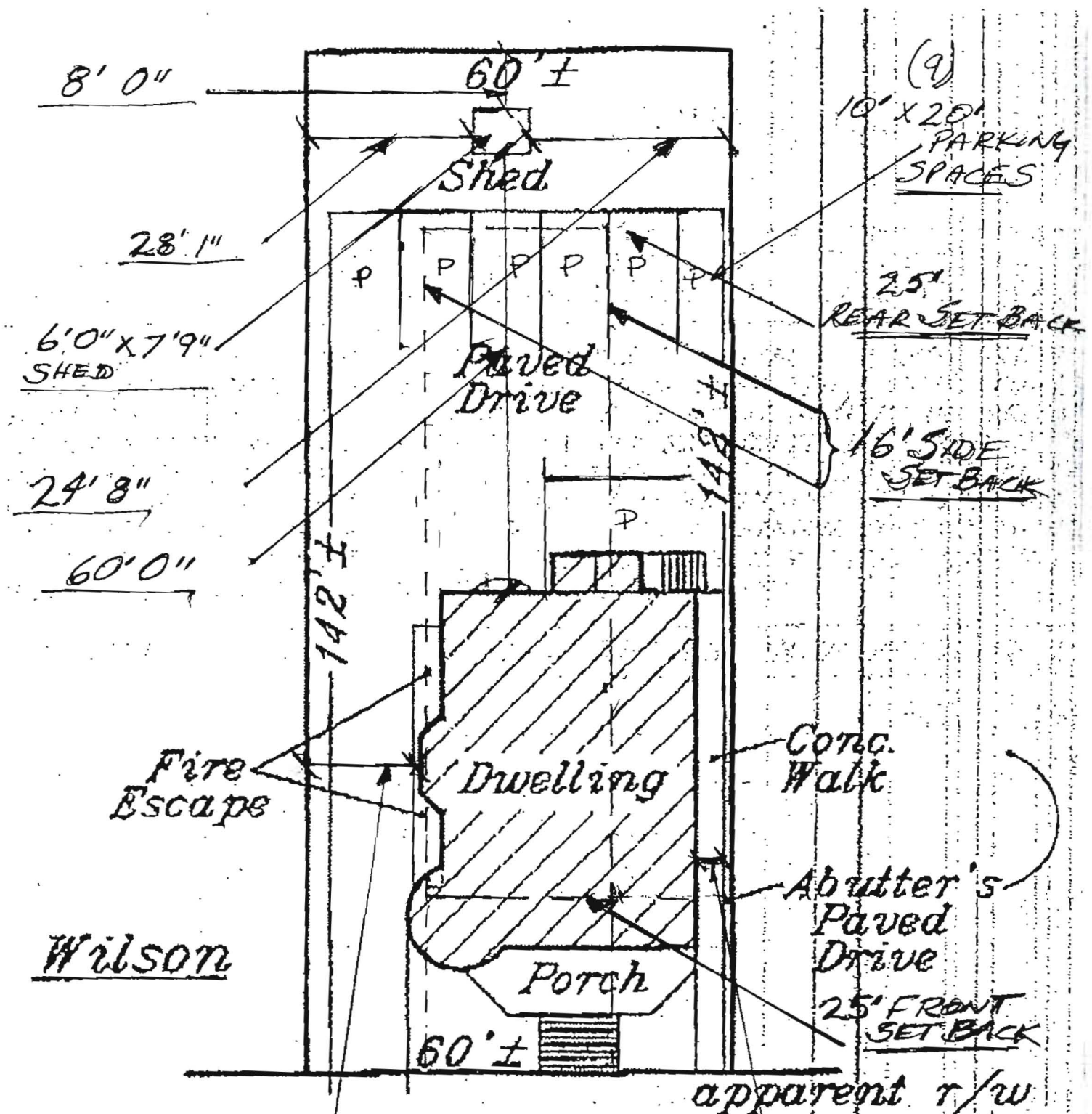
The scope of work with the exception of the fire rated doors in the rear stairway is primarily confined to the restoration of the home back to it's original features with some upgrades to reflect modern times.

These upgrades include a master bedroom suite constructed out of 2 front bedrooms and will involve the construction of a master bath and expanded closet space, a dressing area and a reconfiguration of the master bedroom access.

Another upgrade is the relocation of the currently undersized and poorly designed kitchen into the existing dining room. The living room access is being returned to the original plan with the original living rooms combined and then utilizing the second living room as a dining room. An arched opening will be constructed from the dining room into the new kitchen for an open concept design.

The laundry room will be relocated from the basement to the second floor in an existing utility room.

The existing third floor apartment will remain the same with the possible exception relocation of one bedroom partition.



20 Thomas Street
 (062 E013001)

16' 8" EDGE OF BUILDING TO ABUTTING PROPERTY.



4' 2" EDGE OF CONCRETE WALK TO BUILDING

1" = 20 FEET

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS,

THAT the Sisters of Our Lady of the Holy Rosary in the Diocese of Portland, a not-for profit corporation organized under the laws of the State of Maine, with an office located in the City of Portland, County of Cumberland and State of Maine, in consideration of One Dollar (\$1.00) and other valuable considerations, paid by James Ohannes and Elizabeth McGrady, and whose mailing address is 197 Pine Street, #15, Portland, Maine 04102, the receipt whereof it does hereby acknowledge, does hereby give, grant, bargain, sell and convey, with Warranty Covenants, unto the said, James R. Ohannes and Elizabeth McGrady, as tenants-in-common, the following described premises in the City of Portland and County of Cumberland and State of Maine: See Exhibit A.

IN WITNESS WHEREOF I, Maureen Bellerose, duly authorized officer of the Sisters of Our Lady of the Holy Rosary in the Diocese of Portland, have hereunto set hand and seal this

5th day of FEBRUARY, 2010.

SIGNED, SEALED AND DELIVERED
IN PRESENCE OF

SISTERS OF OUR LADY OF THE HOLY
ROSARY IN THE DIOCESE OF PORTLAND

Robert S. Morrill
Name of Witness: ROBERT S. MORRILL

Maureen Bellerose
Maureen Bellerose
Its President, duly authorized

STATE OF MAINE
CUMBERLAND (County), ss.

DATE: FEBRUARY 5, 2010

Then personally appeared before me the above named Maureen Bellerose, duly authorized Officer of the Grantor, and acknowledged the above instrument to be her free act and deed and the free act and deed of said Grantor.

Robert S. Morrill
Notary Public/Attorney at Law
Printed Name: _____

ROBERT S. MORRILL
NOTARY PUBLIC - MAINE
MY COMMISSION EXPIRES 01-23-2011

RECEIVED

FEB 25 2010

Dept. of Building Inspections
City of Portland Maine

MAINE REAL ESTATE TAX PAID

EXHIBIT A

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

Beginning at a point on the Westerly side line of Thomas Street distant Southerly three hundred and three (303) feet from the Southerly side line of Carroll Street measured on said Westerly side line of Thomas Street, at the Northerly corner of a lot of land conveyed by Joseph W. Symonds, John Marshall Brown, and Philip G. Brown, Trustees of the Estate of John B. Brown, to Jennie M. Wilson by deed dated the 18th day of September, AD, 1897, and recorded in the Cumberland County Registry of Deeds, Book 651, Page 212; thence Westerly parallel with said Southerly side line of Carroll Street and by the land of said Wilson one hundred (100) feet to a point; thence Northerly parallel with said Westerly side line of Thomas Street sixty (60) feet to a point; thence Easterly parallel with said Southerly side line of Carroll Street one hundred (100) feet to said Westerly side line of Thomas Street; thence Southerly by said Westerly side line of Thomas Street sixty (60) feet to the point of beginning, said lot containing six thousand (6,000) square feet.

Also another certain lot of land in the rear of and adjoining certain other land situated on the Westerly side of Thomas Street in said Portland and numbered 18 and 20 on said street as appears by City Valuation Plan No. 62 (which land last referred to was conveyed to Mary E. Staples by the Trustees of the Estate of J.B. Brown by deed dated October 10, 1898, and recorded in Cumberland County Registry of Deeds, Book 661, Page 409), bounded and described as follows:

Beginning at the Northwesterly corner of said Staples' lot above referred to; thence Westerly in continuation of the Northerly line of said Staples' lot forty-two and forty-four hundredths (42.44) feet to a stake; thence Southerly parallel with the rear line of said Staples' lot sixty (60) feet to a stake; thence Easterly parallel with the first described line forty-two and forty-four hundredths (42.44) feet to the Southwest corner of said Staples' lot; thence Northerly by said Staples' lot sixty (60) feet to the point of beginning, containing about two thousand five hundred and forty-six and four tenths (2,546.4) square feet.

Also being the same property conveyed to Beatrice P. Curtis by Edgar A. Curtis by deed dated August 17, 1942, and recorded in the Cumberland County Registry of Deeds, in Book 1685, Page 476.

Also being the same premises conveyed by said Beatrice P. Curtis to Henry Warren Paine, by Warranty Deed dated February 24, 1947, recorded in the Cumberland County Registry of Deeds in Book 1858, Page 232.

Also being the same premises conveyed to W. Noble by said Henry Warren Paine, by Warranty Deed dated March 17, 1951, recorded in the Cumberland County Registry of Deeds in Book 2037, Page 252.

Also being the same premises conveyed to Sisters of Our Lady of the Holy Rosary, a charitable corporation duly organized and existing under the laws of Canada, and having a motherhouse located at Rimouski, Province of Quebec, Canada, by The Roman Catholic Bishop of Portland, by Warranty Deed dated September 12, 1969, of record in the Cumberland County Registry of Deeds in Vol. 3292, Page 333 as of September 5, 1972 at 2:29 P.M.

FOR SOURCE OF TITLE, further reference may be had to Warranty Deed from Sisters of Our Lady of the Holy Rosary, said charitable corporation duly organized and existing under the laws of the Canada, to Sisters of Our Lady of the Holy Rosary in the Diocese of Portland, dated August 29, 1985 and recorded in the Cumberland County Registry of Deeds at Book 6930, Page 30.

Received
Recorded Register of Deeds
Feb 08, 2010 09:36:27A
Cumberland County
Pamela E. Lovley

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

Peter Coyne
Philip Saucier-chair
Sara Moppin
Jill E. Hunter
Gordan Smith-secretary
Trish McAllister
William Getz

February 19, 2010

Thomas Blackburn
Maine Construction Services
14 Hanover Street
Portland, ME 04101

RE: 18-20 Thomas Street
CBL: 062 E013
ZONE: R-4

Dear Mr.Blackburn:

At the February 18, 2010 meeting, the Zoning Board of Appeals voted 5-0 to grant the conditional use appeal to allow two dwelling units. I have enclosed a copy of the Board's decision and the billing for the legal advertisement, notices and processing fee for the appeal.

Now that the conditional use has been approved, you need to submit a Change of Use application to the Building Inspections Division to change the use of the property to two dwelling units. Enclosed is an application for your change of use. You have six months from the date of the hearing, February 18, 2010, referenced under section 14-474 (f), to apply for the change of use, or your Zoning Board approval will expire.

Appeals from decisions of the Board may be filed in Superior Court, pursuant to 30-A M.R.S.A. section 2691 (2) (G).

Should you have any questions please feel free to contact me at 207-874-8709.

Yours truly,



Ann B. Machado
Zoning Specialist

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

ZONING BOARD APPEAL DECISION

To: City Clerk
From: Marge Schmuckal, Zoning Administrator
Date: February 19, 2010
RE: Action taken by the Zoning Board of Appeals on February 18, 2010.

Members Present: Phil Saucier (chair), Gordon Smith (secretary), Sara Moppin, Jill Hunter and William Getz

Members Absent: Peter Coyne and Trish McAllister

1. New Business:

A. Variance Appeal:

231 York Street, Dana Fisher, LLC, owner, Tax Map 044, Block E, Lot 003, B-1 Zone:

On August 7, 2008, the Zoning Board of Appeals granted a Variance Appeal to Dana Fishman, LLC to waive the required off street parking requirements for their restaurant [section 14-332(i)]. On May 21, 2009, the Board granted a six month extension (from August 21, 2009 to February 7, 2010) for the Variance Appeal to waive the required off street parking requirement. The appellant is requesting a six month extension of the Variance Appeal Approval that was granted on May 21, 2009 to finalize the construction plans and secure a building permit. Representing the appeal is Cheryl Lewis.

The Board voted 4-0 (Gordon Smith recused himself) to grant a six month extension for the variance appeal that was granted on May 21, 2009.

B. Conditional Use Appeal:

18-20 Thomas Street, James Ohannes and Elizabeth McGrady, buyers, Tax Map 062, Block E, Lot 013, R-4 Residential Zone: The appellants are seeking a Conditional Use Appeal under section 14-103(a)(2) to alter an existing structure to accommodate two dwelling units. Representing the appeal are the applicants James Ohannes and Elizabeth McGrady and their agent Thomas Blackburn. **The Board voted 5-0 to grant the conditional use appeal.**

C. Conditional Use Appeal:

250 Brackett Avenue (Trott Littlejohn Park), Peaks Island, Samuel S. Saltonstall, Peaks Environmental Action Team, lessee, Tax Map 088, Block K, Lot 001 & Tax Map 089, Block E, Lot 004, ROS Zone:

On September 3, 2009, the Zoning Board of Appeals granted a Conditional Use Appeal to Sam S. Saltonstall and Peaks Environmental Action Team to install a temporary wind anemometer tower at Trott Littlejohn Park, Peaks Island [section 14-155(d)]. The appellant is requesting a year extension of the Conditional Use Appeal approval that was granted on September 3, 2009 in order to have time to get the tower installed. Representing the appeal is Samuel S. Saltonstall from Peaks Environmental Action Team. **The Board voted 5-0 to grant a one year extension of the original conditional use appeal.**

Enclosure:

Decision for Agenda from February 18, 2010

Original Zoning Board Decision

One dvd

CC: Joseph Gray, City Manager

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

Alex Jaegerman, Planning Division

T.J. Martzial, Housing & Neighborhood Services Division

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS

R-4 Residential Zone Additional Dwelling Unit:

Conditional Use Appeal

DECISION

Date of public hearing: February 18, 2010

Name and address of applicant: James Ohannes & Elizabeth McGrady
197 Pine St., #15
Portland, ME 04102

Location of property under appeal: 20 Thomas St.

For the Record:

Names and addresses of witnesses (proponents, opponents and others):

Tom Black Burn, contractor for Applicants
Judith Domingo, 17 Thomas St., ABUTTER

Exhibits admitted (e.g. renderings, reports, etc.):

Findings of Fact and Conclusions of Law:

Applicants seek to convert 20 Thomas St. to a 2-family residence by adding an additional dwelling unit.

A. Conditional Use Standards pursuant to Portland City Code §14-103(a)(2):

1. No additional dwelling unit shall have less than six hundred (600) square feet of floor area, exclusive of common hallways and storage in basement and attic.

Satisfied Not Satisfied

Reason and supporting facts:

floor area requirement
Both units satisfy, per plans

2. No open outside stairways or fire escapes above the ground floor shall be or have been constructed in the immediately preceding five (5) years.

Satisfied Not Satisfied

Reason and supporting facts:

Per testimony of contractor + neighbors,
external fire escape has been present
for more than 5 years

3. The alteration will not result in a total cubic volume increase of more than ten (10) percent within the immediately preceding five (5) years.

Satisfied Not Satisfied

Reason and supporting facts:

no alteration of volume has occurred,
per testimony

4. A lower level dwelling unit shall have a minimum of one-half of its floor-to-ceiling height above the average adjoining ground level.

Satisfied Not Satisfied

Reason and supporting facts:

All of lower level is above ground,
Per testimony

5. No existing dwelling unit shall be decreased to less than one thousand (1,000) square feet of floor area.

Satisfied Not Satisfied

Reason and supporting facts:

No decrease to my unit, per plans

6. Three thousand (3,000) square feet of land area per dwelling unit shall be required.

Satisfied Not Satisfied

Reason and supporting facts:

8,546 sq. ft. total in lot, per
Plans

7. Parking shall be provided as follows: 1 additional off-street parking space per new dwelling unit (14-332(a)(2)).

Satisfied Not Satisfied

Reason and supporting facts:

Property currently has 7 parking spaces, per plans

B. Conditional Use Standards pursuant to Portland City Code §14-474(c)(2):

1. There are unique or distinctive characteristics or effects associated with the proposed conditional use.

Yes No

Reason: nothing distinctive from other Residential Dwellings in area

2. There will be an adverse impact upon the health, safety, or welfare of the public or the surrounding area.

Yes No

Reason: no adverse impact present, per application

3. Such impact differs substantially from the impact which would normally occur from such a use in that zone.

Yes No

Reason: Impact of two unit have no different from other uses in zone

Conclusion: (check one)

Option 1: The Board finds that all of the standards (1 through 7) described in section A above have been satisfied and that not all of the conditions (1 through 3) described in section B above are present, and therefore GRANTS the application.


Option 2: The Board finds that all of the standards (1 through 7) described in section A above have been satisfied, and that while not all of the conditions (1 through 3) described in section B above are present, certain additional conditions must be imposed to minimize adverse effects on other property in the neighborhood, and therefore GRANTS the application SUBJECT TO THE FOLLOWING CONDITIONS:

Option 3: The Board finds that not all of the standards (1 through 7) described in section A above have been satisfied and/or that all of the conditions (1 through 3) described in section B above are present, and therefore DENIES the application.

Please note that, pursuant to Portland City Code 14-103(a)(2)(g), if approved the project shall be subject to article V (site plan) of chapter 14 for site plan review and approval.

Dated:

2.18.10



Board Chair



Application for Exemption from Site Plan Review

Portland, Maine

Department of Planning and Urban Development, Planning Division and Planning Board

PROJECT NAME: MCCGRADY / JOHANNES RESIDENCE

PROJECT ADDRESS: 18-20 THOMAS STREET

PROJECT DESCRIPTION: (Please Attach Sketch/Plan of Proposal/Development)

RECEIVED

FEB 25 2010

CHART/BLOCK/LOT: 062 E 013

City of Portland
Planning Division

CONTACT INFORMATION:

OWNER/APPLICANT

Name: JIM JOHANNES & ELIZ MCCGRADY
Address: 197 PINE STREET
PORTLAND, ME
Zip Code: 04102

CONSULTANT/AGENT

Name: THOMAS BLACKBURN
MAINE CONSTRUCTION SERVICES
Address: 14 HANOVER ST
PORTLAND, ME 04101
Zip Code: _____

Work #: _____
Cell #: (J) 671-4981
(F) 650-2894
Fax #: _____

Work #: _____
Cell #: 207-232-8134
Fax #: 207-774-2588

Home #: _____
E-mail: (J) JIM.JOHANNES@XISC.COM
(F) EMCCGRADY@MAINE.PP.COM

Home #: _____
E-mail: TEBLKBURN@MAINE.PP.COM

RECEIVED

MAR 12 2010

Dept. of Building Inspections
City of Portland Maine

Criteria for Exemptions:

(See Section 14-523 (4) on page 2 of this application)

- a) Is the proposal within existing structures?
- b) Are there any new buildings, additions, or demolitions?
- c) Is the footprint increase less than 500 sq. ft.?
- d) Are there any new curb cuts, driveways or parking areas?
- e) Are the curbs and sidewalks in sound condition?
- f) Do the curbs and sidewalks comply with ADA?
- g) Is there any additional parking?
- h) Is there an increase in traffic?
- i) Are there any known stormwater problems?
- j) Does sufficient property screening exist?
- k) Are there adequate utilities?

Applicant's Assessment
Y(yes), N(no), N/A

Planning Division
Use Only

Applicant's Assessment Y(yes), N(no), N/A	Planning Division Use Only
Y	yes
N	no
N	n/a
N	no
Y	yes
Y	n/a
N	no
N	no
N	n/a
Y	n/a
Y	yes

Planning Division Use Only

Exemption Granted Partial Exemption _____ Exemption Denied _____

with conditions of approval
The applicant must obtain all applicable building permits

Planner's Signature: [Signature]

Date: 3.10.10

Planning Shukria Wiar

March 11, 2010

Exemption Approved with Conditions:

1. The applicant must obtain all applicable building permits.

MAINE CONSTRUCTION SERVICES

14 HANOVER ST. ♦ PORTLAND, ME 04101

To: City of Portland Planning Staff

Re: 18- 20 Thomas Street, CBL062 E 013

Date: February 25, 2010

Project description

The proposed project is the restoration of a John Calvin Stevens designed home on the western promenade area of Portland. The home was originally constructed in 1899 for Staples family.

In later years, it was converted into a nursing home and then into a religious residence for an order of nuns. Jim Ohannes and Elizabeth McGrady recently purchased the structure and intend to convert it into a 2 family residence with the owners occupying the first and second floors. The third floor already exists as a self contained 2 bedroom apartment with a kitchen, bath , study and living room. The third floor apartment has a separate entrance that will be easily isolated from the rest of the home, and segregated by code compliant fire rated doors. The basement will be locked and not used as a common area.

The scope of work with the exception of the fire rated doors in the rear stairway is primarily confined to the restoration of the home back to it's original features with some upgrades to reflect modern times.

These upgrades include a master bedroom suite constructed out of 2 front bedrooms and will involve the construction of a master bath and expanded closet space, a dressing area and a reconfiguration of the master bedroom access.

Another upgrade is the relocation of the currently undersized and poorly designed kitchen into the existing dining room. The living room access is being returned to the original plan with the original living rooms combined and then utilizing the second living room as a dining room. An arched opening will be constructed from the dining room into the new kitchen for an open concept design.

The laundry room will be relocated from the basement to the second floor in an existing utility room.

The existing third floor apartment will remain the same with the possible exception relocation of one bedroom partition.

MAINE CONSTRUCTION SERVICES

14 HANOVER ST. ♦ PORTLAND, ME 04101
p 207-232-8134 ♦ teblkbrn@maine.rr.com ♦ f 207-774-2588

To: Planning Department

Re: Application for Exemption for Site Plan Review

Property: 20 Thomas Street (062E013001)

Date: February 1, 2010

Please accept this as an Application for Exemption of Site Plan Review under Section 14-523.

James Ohannes and Elizabeth McGrady are purchasing 20 Thomas Street located in the R4 zone. They are filing a Conditional Use Appeal Application seeking approval to convert the present religious residence into a 2 family residence. As part of this Conditional Use Appeal Application criteria is a requirement that the project is subject to Article V Site Plan Review and Approval. Review of the standards under Section 14-523. provides for an exemption, if requirements 1 through 8 are met, which they are. Accordingly, please accept this letter as an Application for Exemption. Further the provisions in standards 1 through 8 addressed as follows:

1. The proposed development will be located within the existing structure and there will not be any buildings, demolitions or building additions
2. There are no building additions
3. The proposed project does not add any new curb cuts, driveways, or parking areas. And the existing site has no more than 1 curb cut and will not disrupt the circulation flows. Parking on the site will remain the same configuration has been in existence for many years. Further there will not be any drive through services provided.
4. The curbs and sidewalks adjacent to the lot are complete and in sound condition with granite curb with at least a 4 inch reveal. And the sidewalks are in good repair with uniform material and a level surface and meet accessibility requirements of the Americans with Disabilities Act.

5. The use does not require additional parking or reduce existing parking and the project does not significantly increase traffic generation
6. There are no known storm water impacts from the proposed use or any existing deficient conditions of storm water management on the site.
7. There are no evident deficiencies in existing screening from adjoining properties.
8. The existing utility connections are adequate to serve the proposed development and there will be no disturbance to or improvements within the proposed right of way.

Attached is the plot plan submitted as part of the Conditional Use Appeal Application.

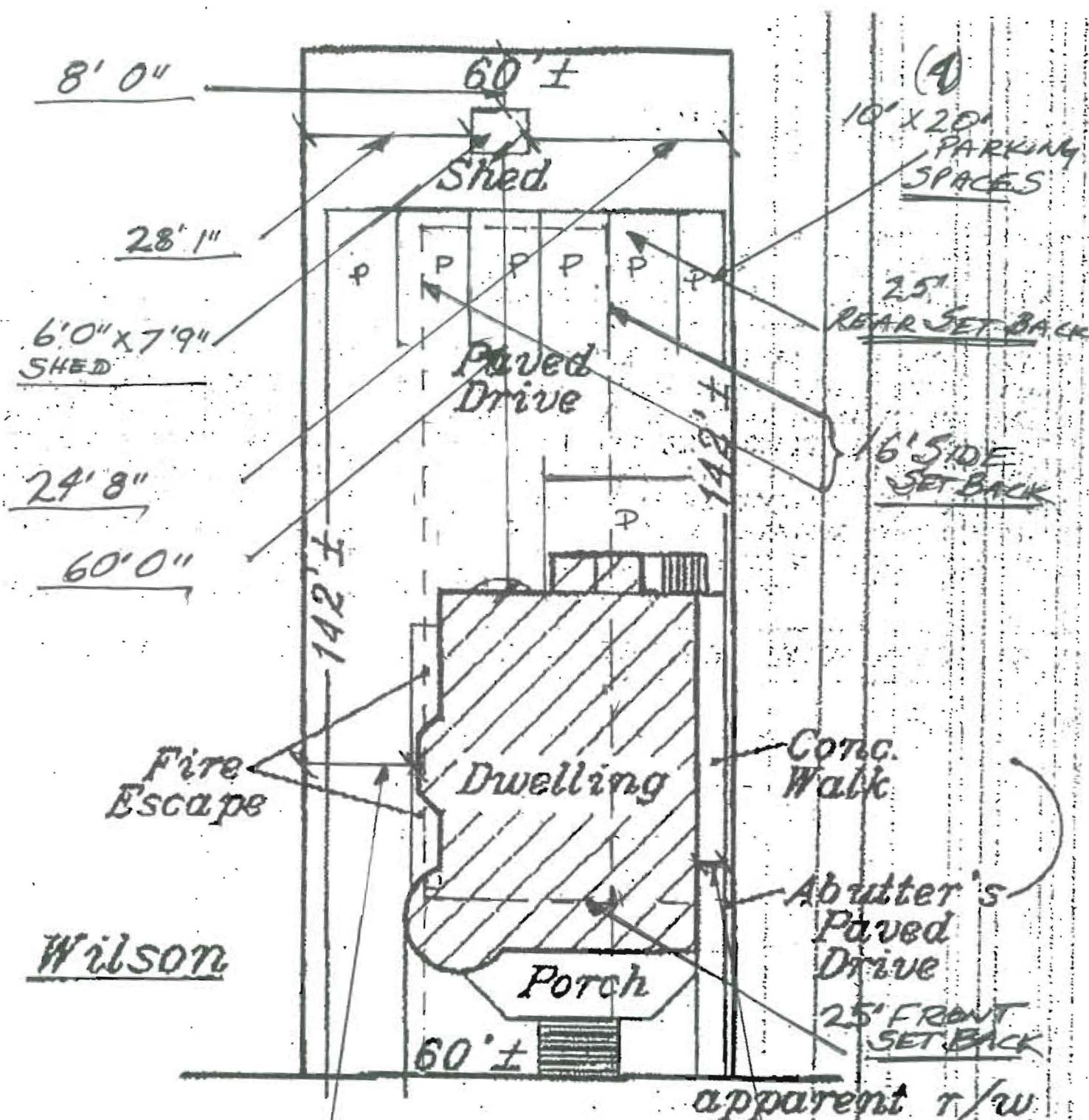
Please feel free to contact with any questions.

Thank you.

Respectfully Yours



Thomas E. Blackburn



20 Thomas Street
 (062 E013001)

16' 8" EDGE OF BUILDING TO A BUTTING PROPERTY

4' 2" EDGE OF CONCRETE WALK TO BUILDING

1" = 20 FEET

















CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

Peter Coyne
Philip Saucier-chair
Sara Moppin
Jill E. Hunter
Gordan Smith-secretary
Trish McAllister
William Getz

February 19, 2010

Thomas Blackburn
Maine Construction Services
14 Hanover Street
Portland, ME 04101

RE: 18-20 Thomas Street
CBL: 062 E013
ZONE: R-4

Dear Mr. Blackburn:

At the February 18, 2010 meeting, the Zoning Board of Appeals voted 5-0 to grant the conditional use appeal to allow two dwelling units. I have enclosed a copy of the Board's decision and the billing for the legal advertisement, notices and processing fee for the appeal.

Now that the conditional use has been approved, you need to submit a Change of Use application to the Building Inspections Division to change the use of the property to two dwelling units. Enclosed is an application for your change of use. You have six months from the date of the hearing, February 18, 2010, referenced under section 14-474 (f), to apply for the change of use, or your Zoning Board approval will expire.

Appeals from decisions of the Board may be filed in Superior Court, pursuant to 30-A M.R.S.A. section 2691 (2) (G).

Should you have any questions please feel free to contact me at 207-874-8709.

Yours truly,



Ann B. Machado
Zoning Specialist

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

ZONING BOARD APPEAL DECISION

To: City Clerk
From: Marge Schmuckal, Zoning Administrator
Date: February 19, 2010
RE: Action taken by the Zoning Board of Appeals on February 18, 2010.

Members Present: Phil Saucier (chair), Gordon Smith (secretary), Sara Moppin, Jill Hunter and William Getz

Members Absent: Peter Coyne and Trish McAllister

1. New Business:

A. Variance Appeal:

231 York Street, Dana Fisher, LLC, owner, Tax Map 044, Block E, Lot 003, B-1 Zone:

On August 7, 2008, the Zoning Board of Appeals granted a Variance Appeal to Dana Fishman, LLC to waive the required off street parking requirements for their restaurant [section 14-332(i)]. On May 21, 2009, the Board granted a six month extension (from August 21, 2009 to February 7, 2010) for the Variance Appeal to waive the required off street parking requirement. The appellant is requesting a six month extension of the Variance Appeal Approval that was granted on May 21, 2009 to finalize the construction plans and secure a building permit. Representing the appeal is Cheryl Lewis.

The Board voted 4-0 (Gordon Smith recused himself) to grant a six month extension for the variance appeal that was granted on May 21, 2009.

B. Conditional Use Appeal:

18-20 Thomas Street, James Ohannes and Elizabeth McGrady, buyers, Tax Map 062, Block E, Lot 013, R-4 Residential Zone: The appellants are seeking a Conditional Use Appeal under section 14-103(a)(2) to alter an existing structure to accommodate two dwelling units. Representing the appeal are the applicants James Ohannes and Elizabeth McGrady and their agent Thomas Blackburn. **The Board voted 5-0 to grant the conditional use appeal.**

C. Conditional Use Appeal:

250 Brackett Avenue (Trott Littlejohn Park), Peaks Island, Samuel S. Saltonstall, Peaks Environmental Action Team, lessee, Tax Map 088, Block K, Lot 001 & Tax Map 089, Block E, Lot 004, ROS Zone:

On September 3, 2009, the Zoning Board of Appeals granted a Conditional Use Appeal to Sam S. Saltonstall and Peaks Environmental Action Team to install a temporary wind anemometer tower at Trott Littlejohn Park, Peaks Island [section 14-155(d)]. The appellant is requesting a year extension of the Conditional Use Appeal approval that was granted on September 3, 2009 in order to have time to get the tower installed. Representing the appeal is Samuel S. Saltonstall from Peaks Environmental Action Team. **The Board voted 5-0 to grant a one year extension of the original conditional use appeal.**

Enclosure:

Decision for Agenda from February 18, 2010

Original Zoning Board Decision

One dvd

CC: Joseph Gray, City Manager

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

Alex Jaegerman, Planning Division

T.J. Martzial, Housing & Neighborhood Services Division

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

R-4 Residential Zone Additional Dwelling Unit:

Conditional Use Appeal

DECISION

Date of public hearing: February 18, 2010

Name and address of applicant: James Ohannes & Elizabeth McGrady
197 Pine St., #15
Portland, ME 04102

Location of property under appeal: 20 Thomas St.

For the Record:

Names and addresses of witnesses (proponents, opponents and others):

Tom Black Burn, contractor for Applicants
Justin Domingo, 17 Thomas St., ABUTHER

Exhibits admitted (e.g. renderings, reports, etc.):

Findings of Fact and Conclusions of Law:

Applicants seek to convert 20 Thomas St. to a 2-family residence by adding an additional dwelling unit.

A. Conditional Use Standards pursuant to Portland City Code §14-103(a)(2):

1. No additional dwelling unit shall have less than six hundred (600) square feet of floor area, exclusive of common hallways and storage in basement and attic.

Satisfied Not Satisfied

Reason and supporting facts:

floor area requirement
Both units satisfy, per plans

2. No open outside stairways or fire escapes above the ground floor shall be or have been constructed in the immediately preceding five (5) years.

Satisfied Not Satisfied

Reason and supporting facts:

per testimony of contractor & neighbors,
external fire escape has been present
for more than 5 years

3. The alteration will not result in a total cubic volume increase of more than ten (10) percent within the immediately preceding five (5) years.

Satisfied Not Satisfied

Reason and supporting facts:

no alteration of volume has occurred,
per testimony

4. A lower level dwelling unit shall have a minimum of one-half of its floor-to-ceiling height above the average adjoining ground level.

Satisfied Not Satisfied

Reason and supporting facts:

All of lower level is above ground,
Per testimony

5. No existing dwelling unit shall be decreased to less than one thousand (1,000) square feet of floor area.

Satisfied Not Satisfied

Reason and supporting facts:

No decrease to my unit, per plans

6. Three thousand (3,000) square feet of land area per dwelling unit shall be required.

Satisfied Not Satisfied

Reason and supporting facts:

8,546 sq. ft. total in lot, per
plans

7. Parking shall be provided as follows: 1 additional off-street parking space per new dwelling unit (14-332(a)(2)).

Satisfied Not Satisfied

Reason and supporting facts:

Property currently has 7 parking spaces,
per plans

B. Conditional Use Standards pursuant to Portland City Code §14-474(c)(2):

1. There are unique or distinctive characteristics or effects associated with the proposed conditional use.

Yes No

Reason: nothing distinctive from other Residential
Dwellings in area

2. There will be an adverse impact upon the health, safety, or welfare of the public or the surrounding area.

Yes No

Reason: no adverse impact present, per application

3. Such impact differs substantially from the impact which would normally occur from such a use in that zone.

Yes No

Reason: Impact of two unit home no
different from other uses in zone.

Conclusion: (check one)

Option 1: The Board finds that all of the standards (1 through 7) described in section A above have been satisfied and that not all of the conditions (1 through 3) described in section B above are present, and therefore GRANTS the application.

Option 2: The Board finds that all of the standards (1 through 7) described in section A above have been satisfied, and that while not all of the conditions (1 through 3) described in section B above are present, certain additional conditions must be imposed to minimize adverse effects on other property in the neighborhood, and therefore GRANTS the application SUBJECT TO THE FOLLOWING CONDITIONS:

Option 3: The Board finds that not all of the standards (1 through 7) described in section A above have been satisfied and/or that all of the conditions (1 through 3) described in section B above are present, and therefore DENIES the application.

Please note that, pursuant to Portland City Code 14-103(a)(2)(g), if approved the project shall be subject to article V (site plan) of chapter 14 for site plan review and approval.

Dated:

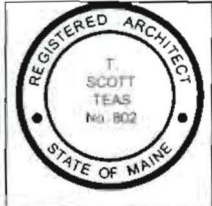
2.18.10



Board Chair

ABBREVIATIONS LEGEND	
RM	REMOVE
RS	RESTORE
CLR	CLEAR

WALL LEGEND	
	EXISTING WALL
	WALL TO BE REMOVED
	NEW WALL
	1 HOUR FIRE RATING



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McGRADY / OHANNES
RESIDENCE
THOMAS STREET
PORTLAND, MAINE

TFH ARCHITECTS
100 COMMERCIAL STREET
PORTLAND MAINE 04101
TELEPHONE 207 775 8141
ARCHITECTURE PLANNING

CONSULTANTS:

REVISIONS:

DATE: 03/01/10

PROJECT No: 1005

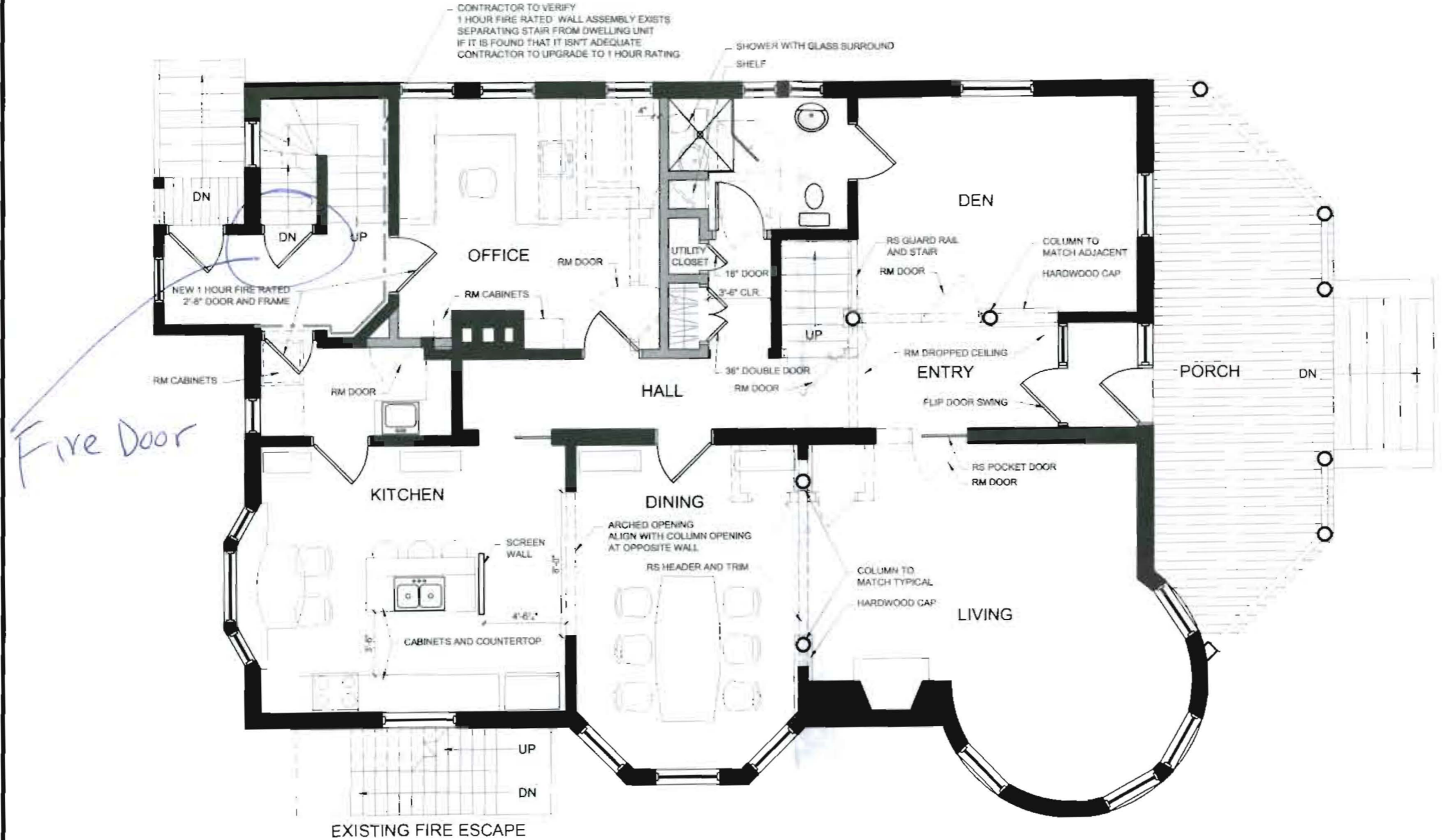
DRAWN BY: RLJ

CHECKED BY: TST

SCALE: AS NOTED

SHEET TITLE:
FLOOR PLAN

A1.1



Fire Door

FIRST FLOOR PLAN - PROPOSED
SCALE 1/4"=1'-0"



ABBREVIATIONS LEGEND	
RM	REMOVE
RS	RESTORE
CLR	CLEAR

WALL LEGEND	
	EXISTING WALL
	WALL TO BE REMOVED
	NEW WALL
	1 HOUR FIRE RATING



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McGRADY / OHANNES
RESIDENCE
THOMAS STREET
PORTLAND, MAINE

TFH ARCHITECTS
100 COMMERCIAL STREET
PORTLAND MAINE 04101
TELEPHONE 207 776 8141
ARCHITECTURE PLANNING

CONSULTANTS:

REVISIONS:

DATE 03/01/10

PROJECT No. 1005

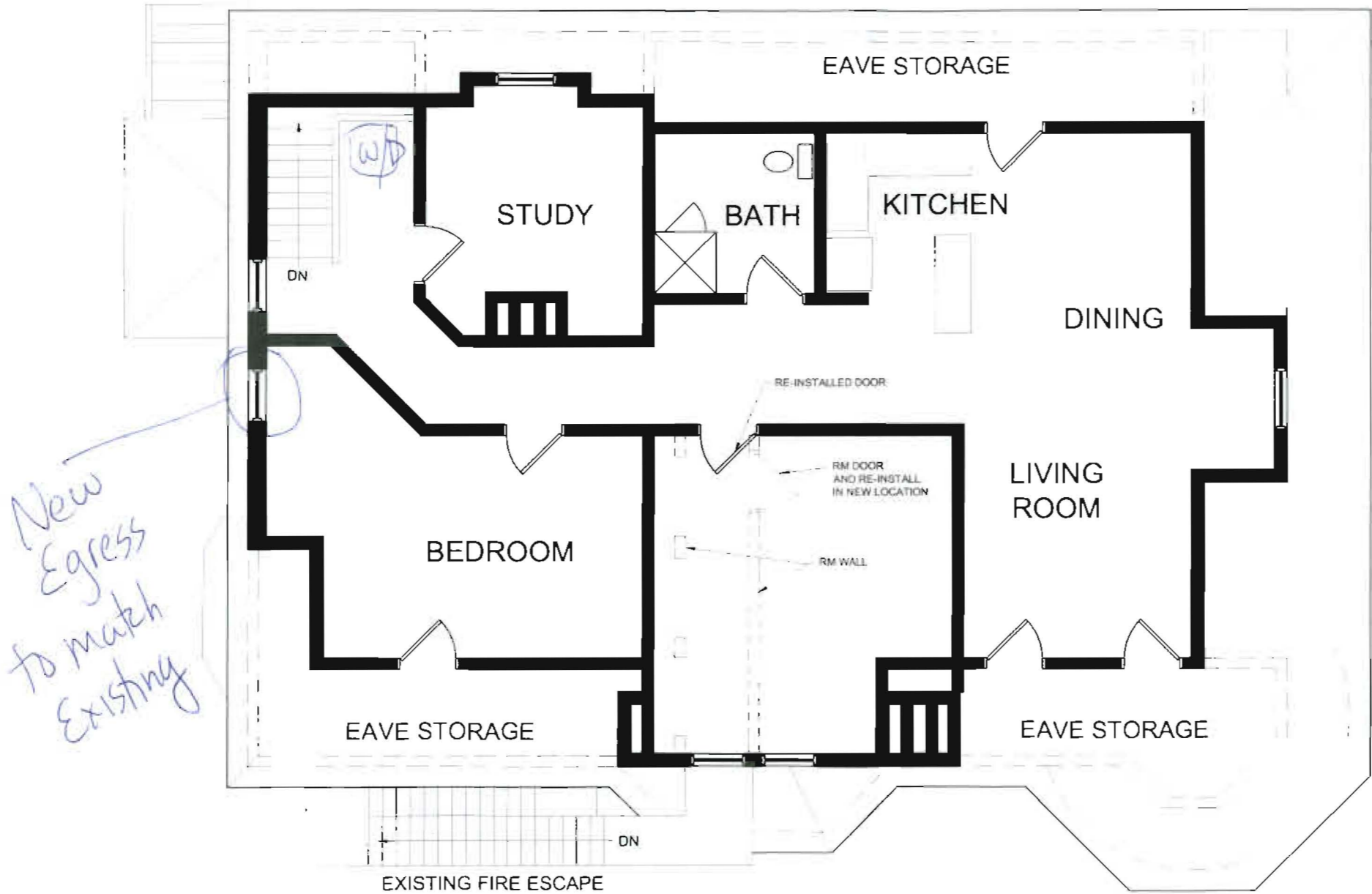
DRAWN BY: RJS

CHECKED BY: TST

SCALE: AS NOTED

SHEET TITLE
FLOOR PLAN

A1.3



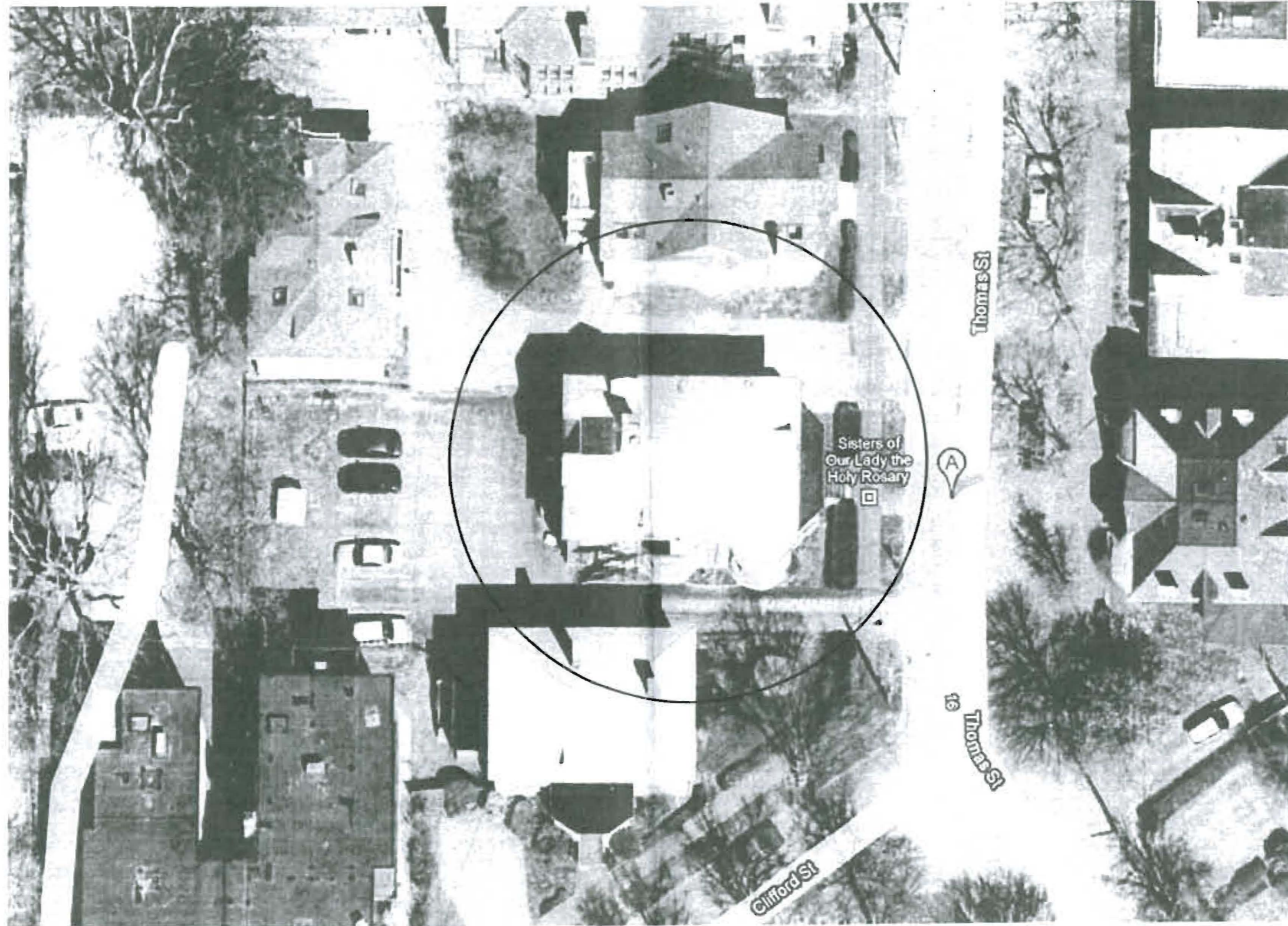
CONTRACTOR TO CONFIRM 1 HOUR FIRE RATING EXISTS AT SECOND FLOOR CEILING AND THIRD FLOOR SEPARATING DWELLING UNITS. ALL PENETRATIONS TO BE FIRE STOPPED, IF RATING IS NOT ADEQUATE CONTRACTOR TO BRING UP TO 1 HOUR SEPARATION

THIRD FLOOR PLAN - PROPOSED
SCALE 1/4"=1'-0"

McGRADY / OHANNES RESIDENCE

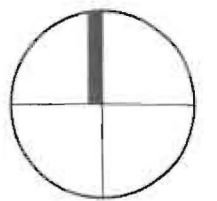
PORTLAND, MAINE

JANUARY 29, 2010



PHOTOGRAPHIC SITE PLAN

NTS

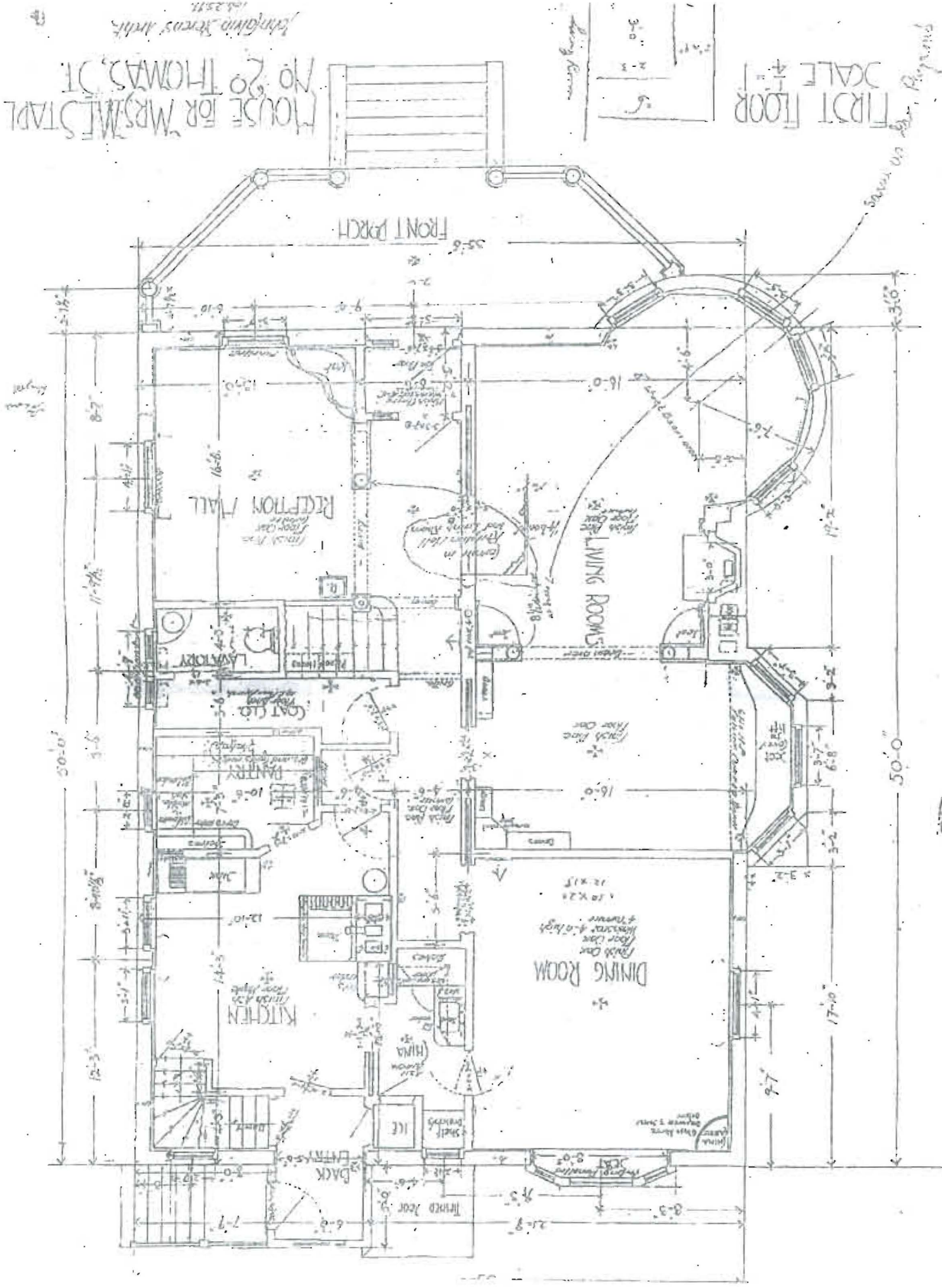


TFH ARCHITECTS

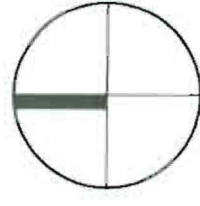
McGRADY / OHANNES RESIDENCE

PORTLAND, MAINE

JANUARY 29, 2010



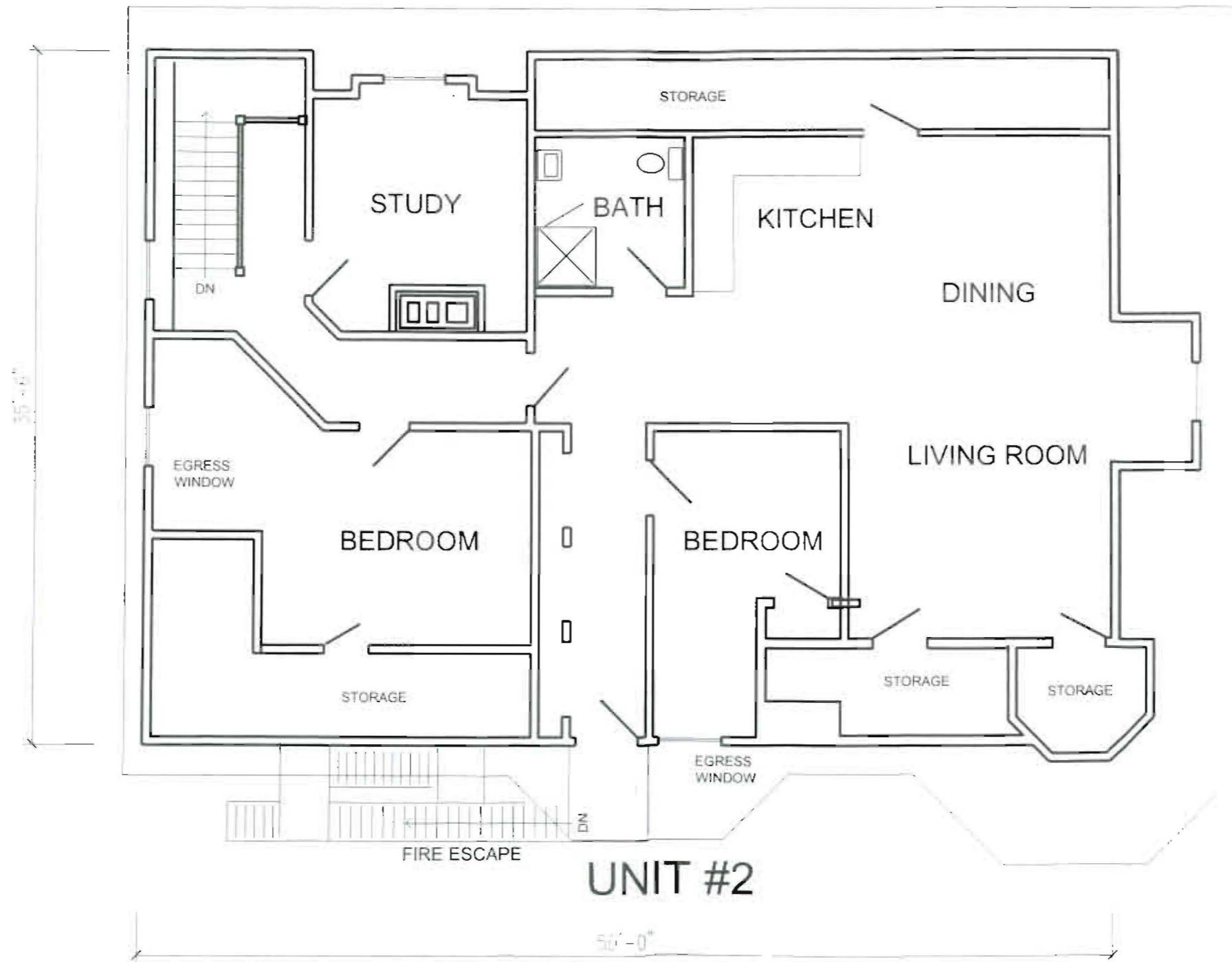
FIRST FLOOR PLAN AS DESIGNED
SCALE 1/8"=1'-0"



McGRADY / OHANNES RESIDENCE

PORTLAND, MAINE

JANUARY 29, 2010



THIRD FLOOR UNIT PLAN
SCALE 1/8"=1'-0"

