

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK  
**CITY OF PORTLAND**

BUILDING INSPECTION

**PERMIT**

Please Read Application And Notes, If Any, Attached

**PERMIT ISSUED**  
Permit Number: 041627  
**DEC 16 2004**  
**CITY OF PORTLAND**

This is to certify that Killian Marion T/n/a  
has permission to Single Family Home/ with the rental of the rooms  
AT 108 Vaughan St L 069 C005001

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 altered or closed-in.  
**HEAVY 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

*Jeanie Bourke* 12/15/04  
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:	Issue Date:	CBL:
04-1627	<b>PERMIT ISSUED</b> DEC 16 2004	069 C005001

<b>Location of Construction:</b> 108 Vaughan St	<b>Owner Name:</b> Killian Marion T	<b>Owner Address:</b> 108 Vaughan St	<b>Phone:</b>
<b>Business Name:</b>	<b>Contractor Name:</b> n/a	<b>Contractor Address:</b> n/a Portland	<b>Phone:</b>
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Change of Use - Dwellings	<b>Zone:</b> RH

<b>Past Use:</b> Single Family Home	<b>Proposed Use:</b> Single Family Home/ with the rental of two rooms <i>change of use</i>	\$30.00	\$30.00	2
		<input type="checkbox"/> Denied             Use Group: <b>R3</b> Type: <b>5B</b>		

<b>Proposed Project Description:</b> Single Family Home/ with the rental of two rooms <i>..AS Allowed under Sec 14-404G</i>	<b>Signature:</b>	<b>Signature:</b> <i>JMB 12/15/04</i>
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Signature: _____ Date: _____		

<b>Permit Taken By:</b> Idobson	<b>Date Applied For:</b> 10/22/2004	<b>Zoning Approval</b>	
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Special Zone or Reviews	Zoning Appeal	Historic Preservation
<input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> Denied	<input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied	<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>12/19/04</i>	Date: _____	Date: <i>my exterior work requires a separate review and approval</i>

**CERTIFICATION**

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

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

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

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

<b>Permit No:</b> 04-1627	<b>Date Applied For:</b> 10/22/2004	<b>CBL:</b> 069 C005001
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<b>Location of Construction:</b> 108 Vaughan St	<b>Owner Name:</b> Killian Marion T	<b>Owner Address:</b> 108 Vaughan St	<b>Phone:</b>
<b>Business Name:</b>	<b>Contractor Name:</b> n/a	<b>Contractor Address:</b> n/a Portland	<b>Phone:</b>
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Change of Use - Dwellings	

<b>Proposed Use:</b> Single Family Home/ with the rental of two rooms	<b>Proposed Project Description:</b> Single Family Home/ with the rental of two rooms
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**Dept:** Zoning      **Status:** Approved with Conditions      **Reviewer:** Marge Schmuckal      **Approval Date:** 12/08/2004**Note:** 11/18/04 actually on hold - see letter - I need more information on how this use is meeting sec. 14-404      **Ok to Issue:**   
12/7/04 received a cover letter showing how she meets the requirements

- 1) There shall be absolutely no kitchen facilities within the two rooms to be let. Such items, but not limited to, new sinks, refrigerators, microwaves, or other cooking equipment. ALL the requirements of 14-404(e) shall be maintained during the letting of the rooms.
- 2) ANY exterior work requires a separate review and approval thru Historic Preservation. This property is located within a Historic District.
- 3) This is NOT an approval for an additional dwelling unit. You SHALL NOT add any additional kitchen equipment including, but not limited to items such as stoves, microwaves, refrigerators, or kitchen sinks, etc. Without special approvals.
- 4) This property shall remain a single family dwelling with the letting of two rooms with the issuance of this permit. Any change of use shall require a separate permit application for review and approval.

**Dept:** Building      **Status:** Approved      **Reviewer:** Jeanine Bourke      **Approval Date:** 12/15/2004**Note:**      **Ok to Issue:** 

- 1) This is a Change of Use ONLY permit for zoning requirements. It does NOT authorize any construction activities, and does not change the R-3 occupancy of the structure.

**Comments:**

10/29/2004-ldobson: We need floor plan in order to complete application. Made two attempts to call answer machine not working. Will mail request for plan.

December 7, 2004

Marge Schmuckal  
Zoning Administrator  
Department of Planning and Development  
Room 315  
389 Congress Street  
Portland, Maine 04101

MTK

**RE:**

**108 Vaughan Street 069-C-005 (Zone R-4)  
Historic Overlay Zone Application #04-1627**

Dear Marge:

This letter is in response to your kind letter of November 18, 2004, in regard to my application to change the use of my property from single family to a single family with the letting of two rooms. The following will explain why my property meets the three- (3) criteria listed under Sec. 14-404, of the City Code of Ordinances.

1. There shall be no more than two - (2) persons occupying such room or rooms.
2. There shall be not more than two - (2) rooms of this dwelling occupied for such use; and
3. Such letting will not require an increase in the bathroom and/or kitchen facilities and such a facility has not been constructed in the immediate preceding two - (2) years.

Very truly yours,

Marion T. Killian  
Tel. 773-3576

Tel.

MTK/mtk  
Enclosures

*Dear Marge - just had an appointment cancelled - Is the above sufficient for your requirements? If so I will mail along with it today which two rooms.*

*Sincerely,  
Marion T. Killian*

◆ 108 Vaughan Street Portland Maine 04102

Zoning Division  
Marge Schmuckal  
Zoning Administrator

Department of Planning & Development  
Lee Urban, Director



**CITY OF PORTLAND**

November 18, 2004

Marion T. Killian  
108 Vaughan Street  
Portland, ME 04102


RE: 108 Vaughan Street - 069-C-005 - R-4 Zone - Historic Overlay Zone - application #04-1627

Dear Marion,

I am in receipt of your permit application to change the use of your property from a single family to a single family with the letting of two rooms. Your permit is on hold until I receive further information to determine zoning compliance.

I will need a cover letter explaining how you are meeting the three (3) criteria listed under 14-404. I have included a copy of this section of the ordinance with this letter. Please address all criteria when you submit your cover letter. It would also be helpful to indicate which two rooms are to be used for the letting of room within your dwelling.

Very truly yours,

  
Marge Schmuckal  
Zoning Administrator

Cc: file

# 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>108 Vaughan Street</u>		<u>R-4</u>
Total Square Footage of Proposed Structure <u>5033 SF living area</u>		Square Footage of Lot <u>15471 SF</u>
Tax Assessor's Chart, Block & Lot Chart# <u>069</u> Block# <u>C005001</u> Lot#	Owner: <u>MARION T. Killian</u>	Telephone: <u>773-3576</u>
Lessee/Buyer's Name (If Applicable)	Applicant name, address & telephone: <u>MARION Killian</u> <u>108 Vaughan St.</u> <u>Port. 04102</u>	cost Of Work: \$ <u>0</u> Fee: \$ <u>30.00</u>
Current use: <u>Single Family</u>		
If the location is currently vacant, what was prior use: <u>-</u>		
Approximately how long has it been vacant: <u>-</u>		
Proposed use: <u>Room Rental of two rooms</u>		
Project description:		
Contractor's name, address & telephone:		
Who should we contact when the permit is ready: <u>Marion Killian, Tel. 773-3576</u>		
Mailing address: <u>108 Vaughan 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>Marion Killian</u>	Date: <u>October 22, 2004</u>
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**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 4<sup>th</sup> floor of City Hall**

if located on a designated school walking route, sidewalks, in accordance with the minimum technical standards promulgated by the public works authority pursuant to section 14-498(a) of article IV of this chapter. Where the nearest permanently paved street does not have granite curbing, the public works authority may waive the requirement of curbing under this section, if it determines that an acceptable alternative drainage plan will be provided. Prior to the issuance of a building permit for erection of a building on a lot abutting any portion of a street which is unimproved or improved but not permanently paved, the following shall occur: (1) A plan of the street improvements required by this section shall be submitted to the public works authority; and (2) upon determination by the public works authority that the plan meets the street improvement requirements established by this subsection, a performance guarantee and inspection fee for said improvements shall be submitted to the city as set forth in section 14-501. Also as set forth in section 14-501, a one-year defect bond shall be tendered to the city prior to release of the performance guarantee required hereby. The provisions of this subsection (b) shall not apply to the erection of any single-family dwelling on any lot where the owner of the lot establishes that he or she was the owner of that same lot on November 19, 1984, and at all times thereafter, and states his or her intention under oath to make the structure his or her personal residence.

(c) Exceptions. The requirements of this section shall not apply to the following city streets upon their construction by the public works authority to such standards as are determined by the authority to be the most feasible:

(1) Dingley Court;

(2) Morgan Court.

(Code 1968, § 602.18.B; Ord. No. 193-84, § 1, 11-19-84; Ord. No. 178-87, 11-2-87; Ord. No. 372-89, 3-20-89; Ord. No. 273-90, 3-19-90)

**Sec. 14-404. Accessory use.**

The term "accessory use" shall include only the following:

(a) A subordinate use of land or building which is customarily incidental to the main building or to the principal use of the land and which is located on the same lot with the principal building or use. No "garage

sale," "lawn sale," "attic sale," "rummage sale," or other similar casual sale of tangible personal property which is advertised by any means whatsoever whereby the public at large is or can be made aware of such sale, shall be deemed to be "customarily incidental" if such sale occurs after sales have been conducted on the same premises for six (6) or more days previously during the calendar year.

Except where the principal use consists of the sale of alcoholic beverages for consumption on premises or where the principal structure is an airline terminal, pinball machines or amusement devices shall not be considered to be accessory uses whenever there are more than a total of two (2) such machines or devices on the premises.

(b) Off-street parking when serving conforming uses located in any zone, but not more than one (1) motor vehicle may be parked or stored per dwelling unit, except that three (3) motor vehicles may be parked on any lot used for a single or two (2) family house.

(c) Home occupations as defined in section 14-47 and section 14-410.

(d) Signs as defined in division 22 of this article.

(e) The letting of rooms within an existing dwelling unit in any residential zone, provided that:

1. There shall be no more than two (2) persons occupying such room or rooms;
2. There shall be not more than two (2) rooms per dwelling unit occupied for such use; and
3. There shall be no increase in the bathroom and/or kitchen facilities in the dwelling, and no such facility shall have been constructed in the immediately preceding two (2) years.

(Code 1968, § 602.18.C; Ord. No. 574-81, 4-6-81; Ord. No. 66-87, § 1, 11-2-87)

**Sec. 14-405. Business entrances.**