

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: 060042  
 JAN 19 2006  
 CITY OF PORTLAND

This is to certify that Killian Marion T/n/a

has permission to Change of Use; Single family two dwelling

AT 108 Vaughan St

069 C005001

provided that the person or persons who accept 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.

Verification of inspection must be given and when permission is procured before this building or part thereof is occupied or service is provided. FOUR NOTICES 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

*Janine Bourke* 1/17/06  
 Director - Building & Inspection Services

**PENALTY FOR REMOVING THIS CARD**

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

389 Congress Street, 04101

Permit No:

**PERMIT ISSUED**  
Issue Date: JAN 10 2006

<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> 207-773-3576
<b>Business Name:</b> n/a	<b>Contractor Name:</b> n/a	<b>Contractor Address:</b> n/a Portland	<b>Phone:</b> CITY OF PORTLAND
<b>Lessee/Buyer's Name:</b> n/a	<b>Phone:</b> n/a	<b>Zone:</b> R-4	

<b>Past Use:</b> Single Family	<b>Proposed Use:</b> Change of Use; Single family to two dwelling units. Conditional Use Appeal Approved on 7/21/05. Site Plan Exemption granted on 813105.	<b>Permit Fee:</b> \$105.00	<b>Cost of Work:</b> \$1,000.00	<b>CEO District:</b> 2
<b>Proposed Project Description:</b> Change of Use; Single family to two dwelling units.		<b>FIRE DEPT:</b> <input type="checkbox"/> Approved <input type="checkbox"/> Denied	<b>INSPECTOR:</b> Use Group: R3 Type: SB	
		Signature:	Signature: SMB 1/17/06	
<b>PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)</b>				
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied				
Signature: _____ Date: _____				

<b>Permit Taken By:</b> GG	<b>Date Applied For:</b> 01/10/2006	<b>Zoning Approval</b>	
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<ol style="list-style-type: none"> <li>This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</li> <li>Building permits do not include plumbing, septic or electrical work.</li> <li>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..</li> </ol>	<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 <input type="checkbox"/> Major <input type="checkbox"/> Minor <input type="checkbox"/> MM	<b>Zoning Appeal</b> <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input checked="" type="checkbox"/> Conditional Use <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: 1/14/06 OK with conditions	Date: 7/21/05 Approved	Date: [blank] Any exterior work requires separate permit and review

**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 \_\_\_\_\_

0042



# 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>108 Vaughan St.</u>		
Total Square Footage of Proposed Structure		Square Footage of Lot
Tax Assessor's Chart, Block & Lot Chart#      Block#      Lot# <u>069            C            005</u>	Owner: <u>Marion Kilian</u>	Telephone: <u>773 3576</u>
Lessee/Buyer's Name (If Applicable)	Applicant name, address & telephone: <u>Same</u>	Cost Of Work: \$ <u>1,000.</u> Fee: \$ <u>30.00</u> C of O Fee: \$ <u>75.00</u>
Current Specific use: <u>Single Family</u>	If vacant, what was the previous use? _____	
Proposed Specific use: <u>two family</u>	_____	
<p><u>approved conditional use appeal on 7/12/05 for a change of use from a single family to a two family dwelling. Site plan exemption was granted on 8/3/05. Allegedly had plumbing &amp; electric on 1/6/06</u></p>		
Contractor's name, address & telephone: <u>Marvin Kilian</u>		

DEPT. OF BUILDING INSPECTION  
CITY OF PORTLAND, ME

JAN 10 2006  
**RECEIVED**

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

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may

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: Marvin Kilian Date: January 9, 06

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

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

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

<b>Permit No:</b> 06-0042	<b>Date Applied For:</b> 01/10/2006	<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> 207-773-3576
<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 - Dwellings	

<b>Proposed Use:</b> Change of Use; Single family to two dwelling units. Conditional Use Appeal Approved on 7/21/05. Site Plan Exemption granted on 8/3/05.	<b>Proposed Project Description:</b> Change of Use; Single family to two dwelling units.
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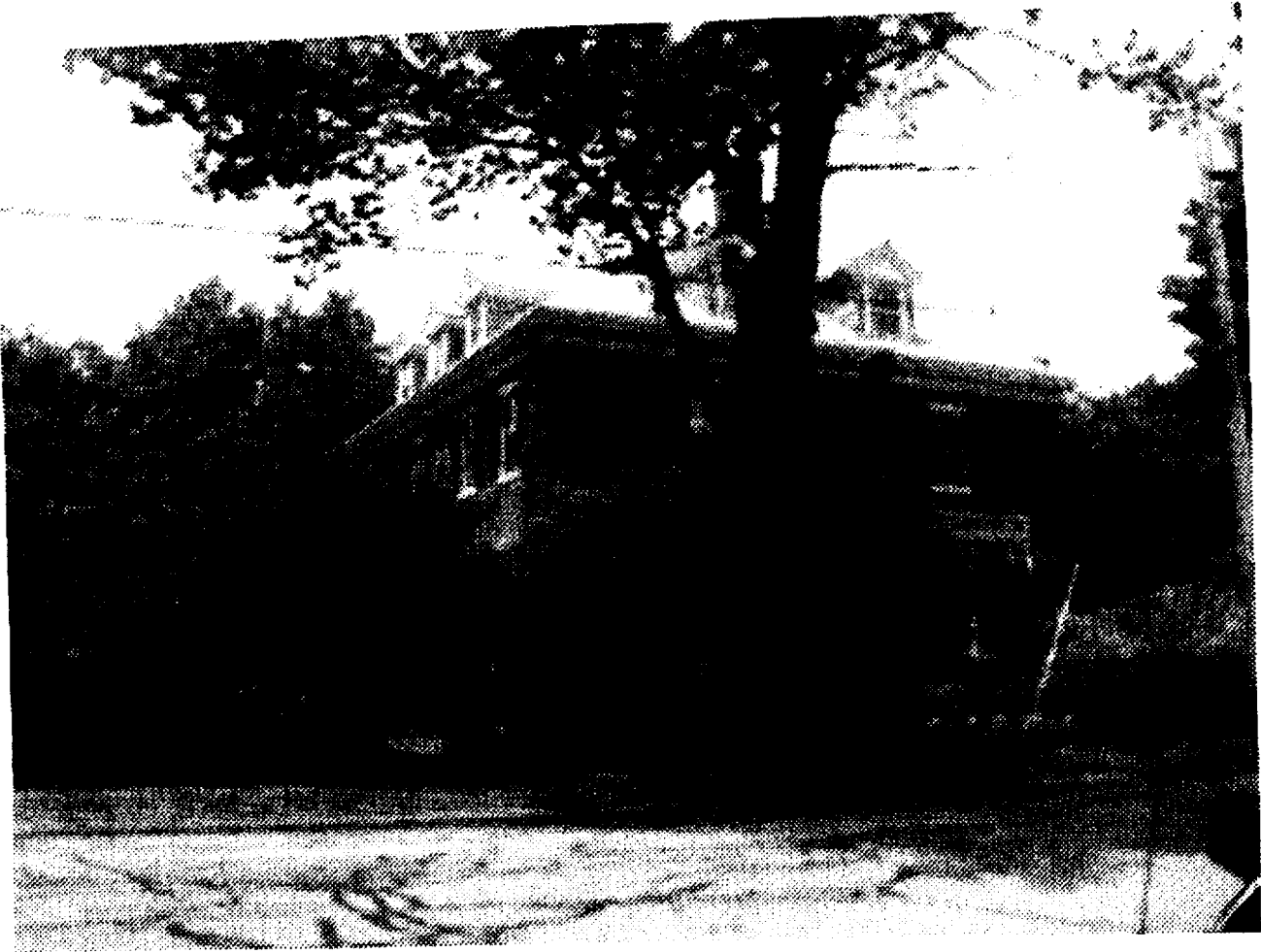
**Note:****Ok to Issue:** 

- 1) This permit approves the addition of a 2nd kitchen, but the Certificate of Occupancy shall have a condition that this property cannot be sold as a code compliant two unit due to the lack of true dwelling unit separation. A future upgrade to this status will require a permit to approve the work.
- 2) As discussed, hardwired interconnected battery backup smoke detectors shall be installed in all bedrooms, protecting the bedrooms and on every level in the proposed dwelling areas.

**Comments:**

01/17/2006-jmb: Spoke to MJN for direction on dwelling unit separation. Due to the unique circumstances of the owner and the floor layout, this permit will allow the use of the proposed area for rental income or family, without fire separations. There are adequate egresses and emergency escape from bedrooms and hardwired smoke detectors will be installed in the proposed dwelling areas. A condition shall be stated on the Certificate of Occupancy that this property cannot be sold as a two family until future permits are applied for and issued for code compliant dwelling unit separations.

01/17/2006-jmb: Spoke with Marion K. To explain the conditions. She didn't understand the complexities of the building code for dwelling unit separation and agreed to the conditions of approval.


***Dwelling Data***

Land Use: Single Family	Attic: Part Finish	Total Full Baths: 4
Style: Mansion	Basement: Full	Total Half Baths: 1
Year Built: 1911	Fireplace Openings: 5	Total Rooms: 15
Exterior Walls: Brick	Total Living Area: 5033	System Type: Steam
Story Height: 2	Total Bedrooms: 8	Rec Room Area:

108 Vaughan Street Portland Maine 40102

207 773-3576

[mediator@maine.rr.com](mailto:mediator@maine.rr.com)

January 9, 2006

Dear Gayle .

Enclosed is my permit application  
as promised. I trust that everything is in order

I would like to thank you for  
your kind attention to this matter

Sincerely,

Marin Kilian .

Enclosure: application & check for \$105.00

By Hand .

# PLUMBING APPLICATION

Department of Health and Human Services  
Division of Environmental Health

## PROPERTY ADDRESS

Town or Plantation	Portland ME
Street Subdivision Lot #	11445
Applicant Name	
Mailing Address of Owner/Applicant (If Different)	

PORTLAND PERMIT # 9898

Date Permit Issued: 11/16/08

*Thomas M. Markely*  
Local Plumbing Inspector Signature

\$ 1124

L.P.I. # 0244

6905

Double Fee Charged

## Owner/Applicant Statement

I certify that the information submitted is correct to the best of my knowledge and understand that any falsification is reason for the Local Plumbing Inspectors to deny a Permit

*Thomas M. Markely*

Signature of Owner/Applicant

Date

## Caution: Inspection Required

I have inspected the installation authorized above and found it to be in compliance with the Maine Plumbing Rules.

Local Plumbing Inspector Signature

Date Approved

## PERMIT INFORMATION

<p><b>This Application is for</b></p> <p>1. <input checked="" type="checkbox"/> NEW PLUMBING</p> <p>2. <input type="checkbox"/> RELOCATED PLUMBING</p>	<p><b>Type of Structure To Be Served:</b></p> <p>1. <input checked="" type="checkbox"/> SINGLE FAMILY DWELLING as of now</p> <p>2. <input type="checkbox"/> MODULAR OR MOBILE HOME</p> <p>3. <input type="checkbox"/> MULTIPLE FAMILY DWELLING</p> <p>4. <input checked="" type="checkbox"/> OTHER - SPECIFY <u>1st flr</u> <u>1st floor, 1st flr 2 family</u></p>	<p><b>Plumbing To Be Installed By:</b></p> <p>1. <input checked="" type="checkbox"/> MASTER PLUMBER</p> <p>2. <input type="checkbox"/> OIL BURNERMAN</p> <p>3. <input type="checkbox"/> MFG'D. HOUSING DEALER/MECHANIC</p> <p>4. <input type="checkbox"/> PUBLIC UTILITY EMPLOYEE</p> <p>5. <input type="checkbox"/> PROPERTY OWNER LICENSE # <u>1111 A 54</u></p>
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Hook-Up & Piping Relocation Maximum of 1 Hook-Up	Column 2		Column 1	
	Number	Type of Fixture	Number	Type of Fixture
<p><b>OR</b></p> <p>HOOK-UP: to public sewer in those cases where the connection is not regulated and inspected by the local Sanitary District.</p> <p>HOOK-UP: to an existing subsurface wastewater disposal system.</p> <p>PIPING RELOCATION: of sanitary lines, drains, and piping without new fixtures.</p>		Hosebibb / Sillcock		Bathtub (and Shower)
		Floor Drain		Shower (Separate)
		Urinal		Sink
		Drinking Fountain		Wash Basin
		Indirect Waste		Water Closet (Toilet)
		Water Treatment Softener, Filter, etc.		Clothes Washer
		Grease / Oil Separator		Dish Washer
		<b>Roof Drain</b>		Garbage Disposal
		Bidet		Laundry Tub
		Other: _____		Water Heater
<p><b>OR</b></p> <p>TRANSFER FEE [\$6 00]</p>		Fixtures (Subtotal) Column 2		Fixtures (Subtotal) Column 1
				Fixtures (Subtotal) Column 2
				<b>Total Fixtures</b>
				Fixture Fee
				Transfer Fee
			Hook-Up & Relocation Fee	
			<b>Permit Fee (Total)</b>	

# CITY OF PORTLAND, MAINE

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## ZONING BOARD OF APPEALS

Patric Santerre, Chair  
David Dore  
Peter Thomton  
Kate Knox  
Catherine Alexander, Secretary  
William Hall

July 22, 2005

Marion Killian  
108 Vaughan St.  
Portland, Me 04102

RE: 108 Vaughan Street  
CBL: 069 C005  
ZONE: R4

Dear Ms Killian:

As you know, at its July 21, 2005, meeting, **the Board of Appeals voted 4-0 to approve your Conditional Use Appeal with conditions to be met prior to issuance of building permit.**

Enclosed please find the billing for the Zoning Board of Appeals legal ad and abutters' notification and a copy of the Board's decision.

Should you have any questions please feel free to contact me at 207-874-8701.

Sincerely,



Gayle Guertin  
Office Assistant





**CITY OF PORTLAND, MAINE**

**Board of Appeals**

**R-4 RESIDENTIAL ZONE ADDITIONAL DWELLING UNIT-  
CONDITIONAL USE APPEAL**

**DECISION**

Name and address of applicant: Marian Killian.

Location of property under appeal: 108 Vaughan St. Portland.

For the Record

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

① <sup>PROP</sup> Douglas Penoyer  
112 Vaughan

David ~~Hiatt~~ Hiatt  
22 Chadwick

② Patrick Killian.

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

Findings of Fact and Conclusions of Law

1. The proposed conditional use is not permitted under Sections 14-103 (a) 2. and 14-474 of the Zoning Ordinance, for the following reason(s):

a. The proposed conditional use does does not meet all special standards, conditions or requirements, if any, applicable thereto, for the following reason(s):

1.) Under Portland City Code Sec. 14-103 (a) 2., the Applicant **proposes** the alteration of an existing structure to accommodate one more dwelling unit. As required by that section:

Bill - 1st  
Kare - 2nd  
A-O

Bill - 1st  
Peter David - 2nd  
A-O

- a.) 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; *This add. dwelling unit will be about 600 sq. ft. as evidenced by testimony of builder, copy of plans.*
- b.) No open outside stairways or fire escapes above the ground floor shall be *testimony of appl* or have been constructed in the immediately preceding five (5) years; *No, based on plans submitted and applic. testimony.*
- c.) The alteration will not result in a total cubic volume increase of more than ten (10) percent within the immediately preceding five (5) years; *alteration will not create any changes in cubic volume*
- d.) A lower level dwelling unit shall have a minimum of one-half of its floor- *according to testimony of applic* to-ceiling height above the average adjoining ground level; *no ↑ in la 5 yrs.*
- e.) No existing dwelling unit shall be decreased to less than one thousand (1,000) square feet of floor area; *N/A*
- f.) Three thousand (3,000) square feet of land area per dwelling unit shall be required; *Alteration will leave about 4,200 sq. ft left. Testimony provided shows 15,000 available sq.*
- g.) The project shall be subject to article V (site plan) of this chapter for site plan review and approval. *see conditions on pg. 15.*
- h.) Parking shall be provided as required in division 20 of this Article. *14-332(u) makes exception for parking requirements*

1st Bill

Bill 1st  
David 2nd  
A-0

Bill - 1st  
Pedu - 2nd  
A-0

Bill - 1st  
David - 2nd  
A-0

b. There are/are not unique or distinctive characteristics or effects associated with *in historic district* the proposed conditional use, for the following reason(s): alteration adds only one residential unit to a neighborhood already w/ mixed use neighborhood. With no structural alterations to this property.  
exterior

c. There will ~~will not~~ be an adverse impact on the health, safety or welfare of the public or the surrounding area, for the following reason(s): Alterations will not be exterior, parking requirements are exempted, and multi-use already occurs. Two family dwellings are allowed already for new construction.

d. The impact does/does not differ substantially from the impact which would normally occur from such a use in the zone, for the following reason(s): Proposed add. use is the same as the ~~use~~ any 2-family dwelling unit use permitted in District w/ no substantial difference in impact.

After public hearing on 7/21/05, and for the reasons above-stated, the accompanying application is hereby (check one):

granted

granted subject to the following condition(s):

The Applicant shall obtain site plan approval <sup>or an exemption</sup> for the alteration prior to obtaining a building permit for that alteration as required by Sec. 14-~~103~~(a) 2. g.

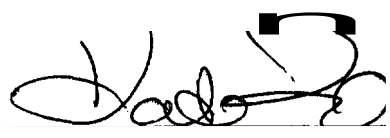
14-103(a)(2)(g)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

denied.

*Bill-1st.  
A-O*

Dated: 7/21/05

  
\_\_\_\_\_

Secretary of the Board

members present: WILLIAM HALE - DAVID DORE - KATHY KNOX - Peter Thota

**CITY OF PORTLAND, MAINE**

Acting Secretary

**ZONING BOARD OF APPEALS**

members Absent: Catherine Alexander - Patrice Sauterme

Meeting called to order at: 7:07 PM  
APPEAL AGENDA

The Board of Appeals will hold a public hearing on Thursday, July 21, 2005, at 7:00 p.m. on the second floor in Room 209 at the Portland City Hall, 389 Congress Street, Portland, Maine, to hear the following Appeals: -

1. New Business:

Granted  
4-Ø

**A. Conditional Use Appeal:**

75 Fessenden Street, John M. Murphy, owner. Tax Map #117 Block B Lot #020 in the R5 Residential Zone is seeking a Conditional Use Appeal under section 14-391 of the City of Portland Zoning Ordinance. Appellant request permission to legalize one existing non conforming unit to make a total of three units. The property has been utilized has a three unit before April 1, 1995. The owner is representing the Appeal.

**B. Conditional Use Appeal:**

108 Vaughan Street, Marion Killian, owner (Tax Map #069, Block C, Lot #005) located in the R-4 Residential Zone is seeking a Conditional Use Appeal under section 14-103(a)(2) of the Zoning Ordinance. The Appellant request permission for a change of use from a single family to a two-family dwelling in the Historic District. Representing the appeal is the owner.

**Other Business: None**

Granted with the condition that the Applicant obtain site plan or site plan exemption approval prior to issuing building permit

4-Ø

3. Adjournment: 9:05 pm