Reviewed for Code Compliance
Inspections Division
Approved with Conditions
Date: 04/04/17

CITY OF PORTLAND

Application for Legalization of Nonconforming Dwelling Units

Section 14-391 – In effect March 24, 2004

Location/Address of Legalization: 202 Dartmouth Street

Tax Assessor's Chart/Block/Lot: 081 / A / 010001

Owner Name: Port Property Mgt. **Cost of Work: $** 50,000

Address (if different than above): 104 Grant St.
Portland ME 04101 **Fee: $** 375
($300 per legalized unit & $75 per C of O)

Telephone: 207-[redacted] 699-8069 or 207-210-6849

E-Mail: bianca@portpropmgt.com **Total DUE:** 375

Requested # of Units to be legalized: 12 **Total bldg. units:** 12

Current # of Legal D.U.: 12 ?

Attach evidence that each requested unit to be legalized existed as of 04/01/95.

LIST evidence that you are submitting:
1982: "DU:12"
1987 application (Ann Machado found add'l docs on microfiche, but can no longer print from microfiche)

Attach evidence that the current owner/applicant neither constructed NOR established the non-conforming dwelling units to be legalized.

LIST evidence that you are submitting:
above docs + Assesor's page listing 12 units

I hereby certify that I am the Owner of Record of the above property, or that the Owner of Record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of Applicant: _____ **Date:** _____

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

Portland, Maine | Yes. Life's good here.

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Department of Permitting and Inspections

Electronic Signature and Fee Payment Confirmation

Notice: Your electronic signature is considered a legal signature per state law.

By digitally signing the attached document(s), you are signifying your understanding that this is a legal document and your electronic signature is considered a ***legal signature*** per Maine state law. You are also signifying your intent on paying your fees by the selections below.

1. Once the complete application package has been received by us, and entered into the system
2. You will receive an e-mailed invoice from our office which signifies that your electronic permit application and corresponding paperwork have been entered, ready for payment, to begin the process.
3. You then have the following four (4) payment options:

☐ provide an on-line electronic check or credit/debit card (we accept American Express, Discover, VISA, and MasterCard) payment

☐ call the Inspections Office at (207) 874-8703 and speak to an administrative representative to provide a credit/debit card payment over the phone

☑ hand-deliver a payment method to the Inspections Office, Room 315, Portland City Hall

☐ deliver a payment method through the U.S. Postal Service, at the following address:

City of Portland
Department of Permitting and Inspections
389 Congress Street, Room 315
Portland, Maine 04101

By signing below, I understand the review process starts only once my payment has been received. After all approvals have been met and completed, I will then be issued my permit and it will be sent via e-mail. ***No work shall be started until I have received my permit.***

Applicant Signature:_____ Date: _____

I have provided digital copies and sent them on: Date:_____

NOTE: All electronic paperwork must be delivered to buildinginspections@portlandmaine.gov or by physical means ie; a thumb drive or CD to the office.

Bianca Garber

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Subject: FW: 202 Dartmouth

From: Ann Machado [mailto:amachado@portlandmaine.gov]
Sent: Tuesday, October 18, 2016 4:24 PM
To: Bianca Garber <bianca@portpropmgt.com>
Subject: Re: 202 Dartmouth

Bianca -

Sorry that it took me so long to try to look at the microfiche for this permit. I did find a microfiche sleeve for 198-208 Dartmouth Street that had all the plans and the application for the building permit applied for at the end of December in 1987 and issued in 1998 (#88-00167). Since we don't know if the work was ever completed for both units in the basement but there is proof that it existed as of 1995, submitting the Legalization of the Nonconforming Dwelling Unit Application is the best option. I would make it an application to legalize one nonconforming dwelling unit for a total of 12 units.

Let me know if you have any questions.

Ann

Ann Machado
Zoning Administrator
Permitting and Inspections Department
City of Portland, Maine
(207) 874-8709

On Fri, Oct 14, 2016 at 12:52 PM, Bianca Garber <bianca@portpropmgt.com> wrote:

Hi Ann. I can't even remember if I last spoke to your earlier this week or last week. It's been crazy busy; I'm sure you are in the same boat.

Did you come to conclusion regarding whether legalizing a 12th unit at 202 Dartmouth Street would require a change of use application or a legalization of a nonconforming unit application? Let me know. Thanks,

~ Bianca

From: Bianca Garber
Sent: Monday, October 03, 2016 11:57 AM
To: 'Ann Machado' <amachado@portlandmaine.gov>
Subject: RE: 202 Dartmouth

Hey Ann, sorry I missed you, just called and got your voicemail. There are 4 apartments on the first floor, four on the second floor, and two on the third floor. Basement has the one completed unit and another unit that was either never finished and or was in the middle of being remodeled.

I should be in my office for the next half hour or so, or try my cell, 207-699-8069. Thanks.

~ Bianca

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From: Ann Machado [mailto:amachado@portlandmaine.gov]
Sent: Monday, October 03, 2016 10:51 AM
To: Bianca Garber <bianca@portpropmgt.com>
Subject: Re: 202 Dartmouth

Bianca -

I just left you a voicemail. It sounds like submitting a permit to legalize the 12th unit in the basement would be the best avenue to pursue, but I would like to talk to you about it first.

The letter from the applicant for the permit from 1987 talked about going from four units to two units on the third floor and adding two units in the basement. How many units are there on the third floor now?

Why don't you give me a call.

Ann

Ann Machado
Zoning Administrator
Permitting and Inspections Department
City of Portland, Maine
(207) 874-8709

On Fri, Sep 30, 2016 at 1:14 PM, Bianca Garber <bianca@portpropmgt.com> wrote:

Hi Ann,

I just spoke to someone down at the inspections office, didn't catch her name, but she said to just contact zoning directly about my question. Love seeing so many new faces down there, I'm guessing everyone is happy about having more staff.

202 Dartmouth Street is currently an 11-unit building. There is a 12th unit in the basement and we'd like to legalize it. I'm not sure if someone started building it and then stopped, or if someone started renovating it and then stopped. In the microfiche, there's a notice from 1982 referring to the building as having 12 dwelling units and another in 1996 (I know that's after the 1995 cut off, but indicates some degree of continuity for the building as a 12-unit). Also on the microfiche is an application in 1987 to build two new apartments in the basement, combine 4 other units, keeping the building as a 12 unit.

I understand the building is already over (as far as number of units) for its zone, but given the evidence it was a 12 unit prior to 1995, would I be okay to use the Legalization of a Non-Conforming Unit Application?

It does have proper egresses, FYI.

Let me know what you think. All the documents I referred to above are attached.

Thanks in advance for your help.

Bianca

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This page contains a detailed description of the Parcel ID you selected.

New Search!

Current Owner Information:

CBL	081 A010001
Land Use Type Verify legal use with Inspections Division	ELEVEN TO TWENTY FAMILY
Property Location	202 DARTMOUTH ST
Owner Information	FORTY NINE LLC 104 GRANT ST PORTLAND ME 04102
Book and Page	31884/207
Legal Description	81-A-10 DARTMOUTH ST 202 17242 SF
Current Rental Registration	Yes
Acres	0.3958

Current Assessed Valuation:

TAX ACCT NO.	11690	**OWNER OF RECORD AS OF APRIL 2016**
LAND VALUE	$116,000.00	FORTY NINE LLC
BUILDING VALUE	$474,700.00	
NET TAXABLE - REAL ESTATE	$590,700.00	104 GRANT ST PORTLAND ME 04102
TAX AMOUNT	$12,469.68	

Any information concerning tax payments should be directed to the Treasury office at 874-8490 or e-mailed.

Building Information:

	Building 1
Year Built	1910
Style/Structure Type	
# Units	12
Square Feet	10126

Exterior/Interior Information:

	Building 1
Levels	B1/B1
Size	720
Use	SUPPORT AREA
Height	8
Heating	ELECTRIC
A/C	NONE

	Building 1
Levels	B1/B1
Size	1637
Use	APARTMENT