

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK



# CITY OF PORTLAND BUILDING PERMIT

This is to certify that GREGORY B BROWN

Located At 28 REVERE ST

Job ID: 2012-04-3742-CH OF USE

CBL: 125- E-005-001

has permission to Legalize 1 non conforming dwelling unit for a total of 6 dwelling units, no construction approved 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 the buildings and structures, and of the application on file in the department.

Notification of inspection and written permission procured before this building or part thereof is lathed or otherwise closed-in. 48 HOUR NOTICE IS REQUIRED.

A final inspection must be completed by owner before this building or part thereof is occupied. If a certificate of occupancy is required, it must be

Fire Prevention Officer

Code Enforcement Officer / Plan Reviewer

THIS CARD MUST BE POSTED ON THE STREET SIDE OF THE PROPERTY  
PENALTY FOR REMOVING THIS CARD

*closed*



# Certificate of Occupancy



## CITY OF PORTLAND, MAINE

Department of Planning and Urban Development

Building Inspections Division

Location: 28 REVERE ST

CBL: 125- E-005-001

Issued to: BROWN, GREGORY B

Date Issued: 5/9/2012

**This is to certify** that the building, premises, or part thereof, at the above location, built-altered-changed as to use under Building Permit No. 2012-04-3742-CH OF USE, has had a final inspection, has been found to conform substantially to the requirements of the Building Code and the Land Use Code of the City of Portland, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORION OF BUILDING OR PREMISES

Entire

APPROVED OCCUPANCY

6 Dwelling Units

Limiting Conditions: This certificate certifies the use of the building only. It does not certify building code compliance.

Approved:

5-9-12

(Date)

Inspector

Notice: This certificate identifies the legal use of the building or premises, and ought to be transferred from owner to owner upon the sale of the property.

Inspections Division Director

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

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

Job No: 2012-04-3742-CH OF USE	Date Applied: 4/10/2012	CBL: 125- E-005-001	
Location of Construction: 28 REVERE ST	Owner Name: GREGORY B BROWN	Owner Address: P.O.BOX 2397  SOUTH PORTLAND, ME 04106	Phone:  207-838-1663
Business Name:	Contact Name: Tom Jewell	Contract Address: 477 Congress St., Portland, ME 04101	Phone:  207-774-6665
Lessee/Buyer's Name:	Phone:	Permit Type: BLDG - Building	Zone:  R-5
Past Use:  Five legal dwelling units with one nonconforming dwelling unit	Proposed Use:  Legalize one nonconforming dwelling unit for total of six legal dwelling units	Cost of Work:	CEO District:
		Fire Dept:  <input checked="" type="checkbox"/> Approved w/conditions <input type="checkbox"/> Denied <input type="checkbox"/> N/A  Signature: <i>Capthorne</i>	Inspection: Use Group: R-2 Type: SB  Signature: <i>MB</i> 5/1/12
Proposed Project Description: Nonconform Units from 5 to 6		Pedestrian Activities District (P.A.D.)	
Permit Taken By:		Zoning Approval	

1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.
2. Building Permits do not include plumbing, septic or electrical work.
3. Building permits are void if work is not started within six (6) months of the date of issuance. False informatin may invalidate a building permit and stop all work.

## Special Zone or Reviews

- ☐ Shoreland  
☐ Wetlands  
☐ Flood Zone  
☐ Subdivision  
☐ Site Plan  
  
☐ Maj ☐ Min ☐ MM

Date: *06 w/condition*  
5/1/12 ABM

## Zoning Appeal

- ☐ Variance  
☐ Miscellaneous  
☐ Conditional Use  
☐ Interpretation  
☐ Approved  
☐ Denied

Date:

## Historic Preservation

- ☒ Not in Dist or Landmark  
☐ Does not Require Review  
☐ Requires Review  
☐ Approved  
☐ Approved w/Conditions  
☐ Denied

Date: *ABM*

## 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 appication 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

5-8-12 DWM/BKL/John Martell David 772-2422

Final OK



# PORTLAND MAINE

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Acting Director of Planning and Urban Development  
Gregory Mitchell

Job ID: 2012-04-3742-CH OF USE

Located At: 28 REVERE ST

CBL: 125- E-005-001

## **Conditions of Approval:**

### **Zoning**

1. With the issuance of this permit and the certificate of occupancy, this property shall remain a six family dwelling. Any change of use shall require a separate permit application for review and approval.

### **Fire**

1. Installation shall comply with City Code Chapter 10.
2. All construction shall comply with City Code Chapter 10.
3. <http://www.portlandmaine.gov/citycode/chapter010.pdf>
4. All outstanding code violations shall be corrected prior to final inspection.
5. All smoke detectors and smoke alarms shall be photoelectric.
6. Carbon Monoxide is detection required in accordance with NFPA 720, *Standard for Installation of Carbon Monoxide (CO) Detection and Warning Equipment*, 2009 edition.
7. Notification: Two means of egress are required from every story. "MRSA Title 25 § 2453"
8. Any cutting and welding done will require a Hot Work Permit from Fire Department.

### **Building**

1. Application approval based upon information provided by applicant. Any deviation from approved plans requires separate review and approval prior to work
2. This is a Change of Use ONLY permit. It does NOT authorize any construction activities.
3. Per IBC Sec. 3401.3 for existing buildings and dwelling units, compliance with smoke and carbon monoxide detection shall be per City Ordinance Chapter 10 and NFPA 101
4. This permit recognizes a pre-existing land use and does not require or certify compliance with the City's current building code. The inspection performed will be done pursuant to the City's Minimum Standards for Housing, The Housing Code. All violations shall be corrected prior to the final inspection and the issuance of the Certificate of Occupancy.
5. Separate permits are required for any electrical, plumbing, sprinkler, fire alarm, HVAC systems, heating appliances, including pellet/wood stoves, commercial hood exhaust systems and fuel tanks. Separate plans may need to be submitted for approval as a part of this process.

## BUILDING PERMIT INSPECTION PROCEDURES

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

or email: [buildinginspections@portlandmaine.gov](mailto: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 Inspections 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.**

### Certificate of Occupancy/Final Inspection

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

RS  
Zoning Division  
Marge Schmuckal  
Zoning Administrator

Department of Planning & Development  
Lee Urban, Director



RECEIVED

APR 10 2012

Dept. of Building Inspections  
City of Portland, Maine

CITY OF PORTLAND

APPLICATION FOR  
LEGALIZATION OF NONCONFORMING DWELLING UNITS  
Section 14-391 - In effect March 24, 2004

Location/Address of Legalization: 28 Revere Street

Tax Assessor's Chart, Block & Lot  
Chart# 125 Block# E Lot# 5

Owner: Gregory Brown Telephone: 838-1663  
Address: 477 Congress St., 5th Fl.  
Portland, ME 04101

Contact name, address & telephone if different than above:  
Thomas F. Jewell 774-6665  
477 Congress Street  
Portland, ME 04101

Cost of Work: \$ N/A  
Fee: \$

\$300 per legalized unit & \$75 per C of O

Current # of legal D.U. 5

Requested # of units

To be legalized: 1 Total bldg. units: 6

Attach evidence that each requested unit to be legalized existed as of 4/1/95:

List evidence that you are submitting:

See Inspection Dept. report dated June 8, 1995, Assessor records 1990,

Fire Dept. 7/7/94 and 9/22/95

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:

6 residential units have been present since early 1990's, current owner

acquired property October 19, 2001

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:

Gregory B. Brown

Date: 3/20/12

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



# PORTLAND MAINE

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## Receipts Details:

**Tender Information:** Check , Check Number: 14191

**Tender Amount:** 300.00

## Receipt Header:

**Cashier Id:** bsaucier

**Receipt Date:** 4/10/2012

**Receipt Number:** 42752

## Receipt Details:

Reference ID:	6043	Fee Type:	BP-LNDU
Receipt Number:	0	Payment Date:	
Transaction Amount:	300.00	Charge Amount:	300.00
Job ID: Job ID: 2012-04-3742-CH OF USE - Nonconform Units from 5 to 6			
Additional Comments: 28 reverse			

**Thank You for your Payment!**





# PORTLAND MAINE

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## Receipts Details:

**Tender Information:** Check , Check Number: 14199

**Tender Amount:** 75.00

## Receipt Header:

**Cashier Id:** bsaucier

**Receipt Date:** 4/10/2012

**Receipt Number:** 42751

## Receipt Details:

Referance ID:	6042	Fee Type:	BP-C of O
Receipt Number:	0	Payment Date:	
Transaction Amount:	75.00	Charge Amount:	75.00
Job ID: Job ID: 2012-04-3742-CH OF USE - Nonconform Units from 5 to 6			
Additional Comments: 28 Revere			

Thank You for your Payment!



# PORTLAND MAINE

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Lee Urban- Director of Planning and Development  
Marge Schmuckal, Zoning Administrator

## LEGALIZATION OF NONCONFORMING DWELLING UNITS FOR OFFICE USE ONLY

Address & CBL: 28 Revere St 125-E-005

Notices to owners of properties situated within 300 feet sent on: gave notice to buyer 4/13/12, mailed 4/18/12

City Housing Ordinance compliance given on: 4/18/12 received: 4/24/12 - approved w/ condition from the Board

City NFPA compliance given on: 4/18/12 received: 4/30/12 - approved w/ condition

Received any letters within 10 days from notices sent? \_\_\_\_\_

Affidavit - owner - 2000-2001  
units

Portland Fire Dept. Inspection forms - 6 apartments 1993, 1994  
Affidavit - owner Timothy Flannery - 1993 - 2000 - 6 units

Unit(s) existed prior to April 1, 1995? assessor's card 1990 - 6 living units

affidavit from current owner  
Portland Fire Dept. inspection form 1993, 1994

Unit(s) shown to be established by different owner? deed of current owner - Oct 22, 2001

Site plan included: yes

Floor plans included? yes

Is ZBA action required? \_\_\_\_\_



CITY OF PORTLAND

CITY OF PORTLAND HOUSING CODE  
DWELLING UNIT COMPLIANCE

Section 14-391 of the Land Use Ordinance allows illegal nonconforming dwelling units to become legalized thru a given process. Part of this process is that the dwelling unit(s) that are requested to be legalized must comply or be able to comply with the City of Portland's Housing Code PRIOR to issuing the requested permit.

Please return this form to the Zoning Administrator (Marge Schmuckal) as to compliance or the ability to comply with these codes.

Location: 28 Revere St. 125-E-5

Owner: Gregory Brann

Address of Owner: 477 Congress St, 5th Fl, Portland 04101 Telephone: 838-1663

Contact Person:

Applicant information if different than above: Thomas Jewell, 477 Congress St, Portland 04101 774-6665

Current number of legal units: five (5)

Number of units to be legalized: one (1)

thru: six (6)

Comments of approval or disapproval (list any and all conditions):

OK when: ① water header flues have clearance to combustibles  
② seal holes in wall under sink in unit 5

Signature: [Signature] Date: 4-24-12



CITY OF PORTLAND

NFPA LIFE SAFETY CODE - FIRE PREVENTION CODE  
DWELLING UNIT COMPLIANCE

Section 14-391 of the Land Use Ordinance allows illegal nonconforming dwelling units to become legalized thru a given process. Part of this process is that the dwelling unit(s) that are requested to be legalized must comply or be able to comply with the NFPA Life Safety Code - Fire Prevention Code PRIOR to issuing the requested permit.

Please return this form to the Zoning Administrator (Marge Schmuckal) as to compliance or the ability to comply with these codes.

Location: 28 Revere St 125-E-5

Owner: Gregory Brown

Address of Owner: 477 Congress St, 5th Fl, Portland 04101 Telephone: 838-1663

Applicant information if different than above: Thomas Jewell, 477 Congress St, Portland 04101 <sup>774-6615</sup>

Current number of legal units: five (5)

Number of units to be legalized: one (1)

total: Six (6)

Comments of approval or disapproval (list any and all conditions):

working with management company to complete open violations with plan of action.  
To be completed by 5/31/12

Signature: FF Joel Matello

Date: 4/30/12

**Gayle Guertin - non conforming unit 28 Revere St.**

---

**From:** Gayle Guertin  
**To:** Ann Machado; Marge Schmuckal  
**Date:** 4/18/2012 1:05 PM  
**Subject:** non conforming unit 28 Revere St.  
**CC:** Gayle Guertin

---

Howdy,

Sent the legalization of non conforming unit abutters notices at 28 Reverses St. as of 4-18-12.

Gayle

### **IMPORTANT NOTICE FROM CITY OF PORTLAND**

Gregory B Brown, owner of the property located at 28 Revere Street, has submitted an application to legalize one (1) existing non-conforming dwelling unit for a total of six (6) dwelling units within this building. The legalization maybe permitted if the applicant can meet the requirements allowed under Section 14-391 of the Zoning Ordinance.

If you have any objection to the above permit application, you must submit your opposition in writing within ten (10) days of this notice to: City of Portland Zoning Administration City Hall - Room 315, 389 Congress Street Portland, Maine 04101.

For more information you may contact Marge Schmuckal, Zoning Administrator, at (207) 874-8695. The office hours are 8:00am to 4:00pm weekdays.

### **IMPORTANT NOTICE FROM CITY OF PORTLAND**

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For more information you may contact Marge Schmuckal, Zoning Administrator, at (207) 874-8695. The office hours are 8:00am to 4:00pm weekdays.

48 REVERE STREET LLC  
84 MAYER RD  
PORTLAND, ME 04102

BROWN GREGORY B  
P.O.BOX 2397  
SOUTH PORTLAND , ME 04106

BROWN ROBYN O &  
YVETTE B BROWN JTS  
32 LINCOLN ST  
PORTLAND, ME 04103

CAFUA FERNADO TRUSTEE  
OF CAFUA REALTY TRUST VIII  
44 HERITAGE HILL RD  
WINDHAM, NH 03087

CHURCH CORPORATION  
1 KAREN DR  
WESTBROOK , ME 04092

COPPERSMITH DAVID G  
84 MAYER RD  
PORTLAND, ME 04102

CORBIN JEFFREY P  
47 REVERE ST  
PORTLAND, ME 04103

COYLE DOUGLAS F &  
CARROLL ANN JTS  
3 PHILIP ST  
CUMBERLAND CENTER, ME 04021

EAST END CORP  
PO BOX 10291  
PORTLAND , ME 04104

FLETCHER WENDALL M JR  
56 REVERE ST  
PORTLAND, ME 04103

FUREY MICHAEL J TRUSTEE  
6 ARLINGTON PL  
PORTLAND, ME 04101

GOULDING MICHAEL  
1199 SHORE RD  
CAPE ELIZABETH, ME 04107

HATZENBUEHLER JOHN R &  
STEPHANIE B HATZENBUEHLER JTS  
53 REVERE ST  
PORTLAND , ME 04103

HOWELL HOLLAND R  
747 E MAIN ST  
YARMOUTH , ME 04096

HUBER FREDERICK G &  
JENNIFER L JTS  
53 LINCOLN ST  
PORTLAND, ME 04103

JOHNSON DEAN P  
156 WOODFORD ST  
PORTLAND, ME 04103

JOHNSTON JAMIE A &  
SONDRA S BOGDONOFF JTS  
74 LINCOLN ST  
PORTLAND, ME 04103

KAPLAN 536 LLC  
49 OCEAN AVE  
PORTLAND, ME 04103

KAPLAN 540 LLC  
49 OCEAN AVE  
PORTLAND, ME 04103

KRIGMAN HARRY  
8 ROCKWALL LN  
CAPE ELIZABETH, ME 04107

LEE RENTALS LLC  
17 HAMBLET AVE  
PORTLAND , ME 04103

LITTLEFIELD LISA K &  
BARRY G JTS  
67 LINCOLN ST  
PORTLAND, ME 04103

MAC MATH ROBERT J &  
MARY ANNE JTS  
73 LINCOLN ST  
PORTLAND, ME 04101

MAHONEY MICHAEL &  
KATHERINE R MAHONEY JTS  
494 DEERING AVE  
PORTLAND , ME 04103

RICE GEOFFREY I  
658 CONGRESS ST 1ST FLOOR  
PORTLAND, ME 04101

RICHTER MELISSA R &  
ANDREW T RICHTER JTS  
PO BOX 8481  
PORTLAND, ME 04104

RIVERWOOD COMMERCIAL  
PROPERTIES  
4 PARK ST  
CONCORD, NH 03301

SANCHEZ DANILO E &  
LUISA M SANCHEZ JTS  
47 LINCOLN ST  
PORTLAND , ME 04103

SM & A PROPERTIES LLC  
PO BOX 6752  
PORTLAND , ME 04101

SPILLER MARC D &  
LINDA L PINKHAM  
502 DEERING AVE  
PORTLAND, ME 04103

STEWART NATHAN D &  
CHRISTINA L GILLIES JTS  
56 LINCOLN ST  
PORTLAND, ME 04103

TRUDO MICHELLE J &  
ANNEMARIE BERTUS JTS  
6212 N COMMERCIAL AVE  
PORTLAND, OR 97217

TURNER JACQUELYN C  
PO BOX 2767  
SOUTH PORTLAND, ME 04116

WOODFORD ARMS INC  
PO BOX 10563  
PORTLAND, ME 04104



**Labels Requested For CBL:**

---

124 H014  
124 I014  
124 I015  
124 I016  
124 I017  
124 I019  
124 J009  
124 J011  
124 J013  
124 J014  
124 J015  
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125 F004  
125 F005  
125 K002  
125 L003  
125 L007  
125 L008  
125 M001  
125 M003  
125 M004  
GIS\_RR



**JEWELL & BOUTIN, P. A.**  
**Attorneys at Law**  
477 Congress Street  
Suite 1104  
Portland, ME 04101-3453

Thomas F. Jewell  
Daniel W. Boutin

E-mail: [tjewell@jewellandboutin.com](mailto:tjewell@jewellandboutin.com)

Telephone: 207-774-6665  
Fax: 207-774-1626

April 9, 2012

Marge Schmuckal, Zoning Administrator  
City of Portland  
389 Congress Street  
Portland, Maine 04101

Re: 28 Revere Street, Portland, 125-E-5

Dear Marge:

Please accept this letter together with the Application for Legalization of Nonconforming Dwelling Units for the above property. A check for \$300.00 is enclosed.

This property is currently approved for five residential units and one office unit pursuant to a variance granted on September 29, 1977 and a Certificate of Occupancy issued on August 15, 1988. However, since April 1, 1995, this property has been occupied by six residential units.

It appears that this property has been used as six units since at least the early 1990's when Wolf Associates owned the property. Even though the property had recently been approved for only five units in the late 1980's, the attached Assessor's records from February 1990, shows six in existence. An additional Assessor inspection from October, 1991 also showed six units, though I did not copy that document.

R. Joseph Parent sold the property in 1993 (11068/263) to Timothy Flannery. Mr. Flannery owned the property from 1993 until 2000 when he sold to B.M.C. Rents (15306/296). B.M.C sold the property to the current owner and Applicant, Gregory B. Brown, in 2001 (16865/19).

**There were six units as of April 1, 1995:**

Pursuant to the Portland Land Use Ordinance, Sec. 14-391(c)(1), the first question to be addressed is the use of the property as of April 1, 1995. The attached letter from Inspection Services was issued on June 8, 1995, just five weeks after the applicable date, when Mr. Flannery owned the property. The actual date of the inspection is unknown, but I expect it would have typically preceded the date of the letter by a few days. The letter indicates "6: DU" which I understand indicates six dwelling units were observed at the time of the inspection.

Fire Department records, attached, from 1993, 1994, 1995 and 1996, all show six units during

that era. In the attached affidavit of Mr. Flannery, the owner from 1993 to 2000, he states that the property was always used as six residential units. Therefore, we submit that there is clear "objective" evidence that six units existed at this premises as of April 1, 1995, which should allow the Zoning Administrator to grant the requested relief unless neighborhood objections are filed.

**The Applicant did not create the illegal unit:**

As noted above, the record shows that the sixth unit at this property has been in existence from at least the early 1990's. The attached Affidavits, submitted by all owners of the property since 1993, indicate that six units have always been present from 1993 to date. The Applicant, Mr. Brown did not acquire the property until 2001, so it is clear that he did not create the sixth unit, which is affirmed in his Affidavit.

**The sixth unit has been in continuous existence since April 1, 1995:**

We submit that in order to be entitled to relief under Sec. 14-391, the applicant need only demonstrate how many units were in existence at the building as of April 1, 1995. That Ordinance does not require the applicant to show that the property has been continuously so operated from 1995 to date. We understand that the Zoning Administrator has suggested that a showing of continuous use is required, and while we do not agree with that analysis, we are submitting evidence to meet that burden. We also are aware that a building permit was applied for on February 7, 2000, on behalf of then owner, B.M.C. Rents, which indicated that only five residential units were at the property.

The affidavit of Dan LaPlante, one of the principals of B.M.C. Rents, indicates that they were aware of the zoning density restrictions on this property limited the permitted use to five units, and therefore that is the information they provided on the building permit application. Mr LaPlante states that despite that statement on the permit application, in fact the property was always being used as six residential units.

We submit that the general abandonment provisions of Sec. 14-387 should not apply to the special grandfathering statute set forth in Sec. 14-391. The abandonment ordinance at Sec. 14-387 clearly applies to lawfully nonconforming uses, the status of which could be lost due to abandonment for more than one year. The problem is that in 2000, when the application for building permit was filed, there was no section 14-391, and only five units were lawfully nonconforming at that point in time. It does not make sense for the abandonment section to apply to uses that at the purported time of abandonment, were not then lawfully nonconforming uses.

However, if the abandonment provision is applicable, there would have to be evidence present showing that the one of the six units was not used for a period of more than one year and there is no evidence in that regard. In fact, as noted above, we are submitting affidavits from all owners from 1993 to day indicating continuous use as six units.

Marge Schmuckal, Zoning Administrator  
March 23, 2012

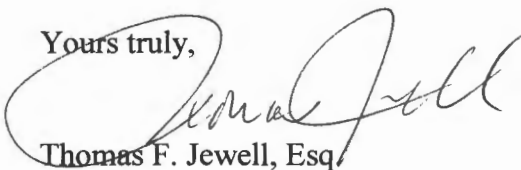
This analysis affirms the conclusion that Sec. 14-391 should stand on its own, and the Applicant should not have the burden of proving continuous use of the illegal unit from 1995 to date. Such a requirement would largely negate the ameliorative affect the City Council intended when it adopted Sec. 14-391 of the Portland Land Use Ordinance that was clearly intended to allow illegal units to become lawfully nonconforming and add to the housing stock of this City.

**Conclusion:**

The Applicant has meet all of the requirements of Sec. 14-391, and the Zoning Administrator should grant the relief requested, unless objections are timely filed under the Ordinance, thus necessitating review by the Board of Appeals.

Thank you for your consideration of this matter.

Yours truly,

A handwritten signature in black ink, appearing to read "Thomas F. Jewell", written over a horizontal line.

Thomas F. Jewell, Esq.

TFJ/t  
Enclosures



# FOR MORTGAGE LENDER USE ONLY

GENERAL NOTES: (1) DISTANCES SHOWN ARE TAKEN FROM PROVIDED TITLE REFERENCES SHOWN BELOW. (2) THE PURPOSE OF THIS INSPECTION IS TO RENDER AN OPINION AS FOLLOWS: A) DWELLING AND ACCESSORY STRUCTURE'S COMPLIANCE WITH RESPECT TO MUNICIPAL ZONING SETBACKS, AND B) FLOOD ZONE DETERMINATION BY HORIZONTAL SCALING ON BELOW REFERENCED FEMA MAP. (3) THIS INSPECTION EXCEPTS OUT ALL TECHNICAL STANDARDS CURRENTLY SET FORTH BY STATE OF MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS. (4) THIS INSPECTION IS TO BE USED ONLY BY THE BELOW LISTED LENDER AND IS NOT TO BE USED BY ANOTHER PARTY FOR BOUNDARY LINE LOCATIONS OR LAND TITLE OPINIONS. (5) TITLE OR OWNERSHIP NOT DETERMINED. (6) A BOUNDARY SURVEY SHOULD BE PERFORMED TO RENDER A PROFESSIONAL OPINION PERTAINING TO BOUNDARY LINE LOCATIONS, EASEMENTS, RIGHTS OF WAY, ENCUMBRANCES, ENCROACHMENTS, AND/OR CONFLICTS WITH ADJUTER'S DEEDS. (7) LOCATION/EXISTENCE OF WETLANDS NOT DETERMINED UNLESS SHOWN ON A RECORDED SUBDIVISION PLAN.

REV. 09/22/2009

THIS SKETCH IS NOT TO BE USED FOR CONSTRUCTION PURPOSES, IMPROVEMENTS SHOWN ARE APPROXIMATE.

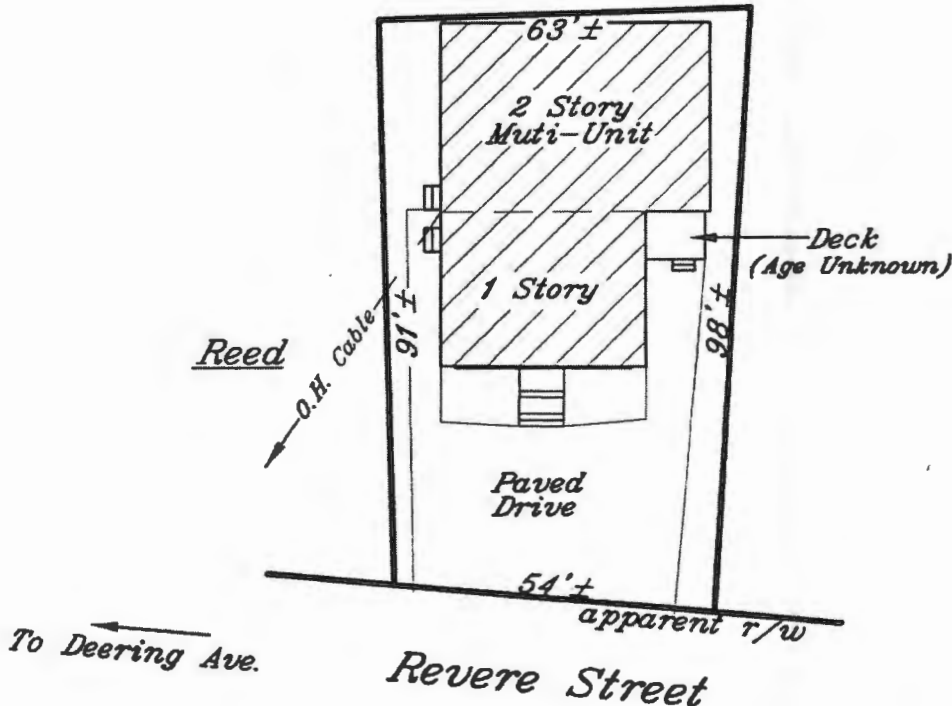
ADDRESS: 28 Revere Street  
Portland, Maine

INSP. DATE: 3/27/2012

SCALE: 1" = 30'

Recommend Boundary Survey for accurate location.

Rackleff



MLC

SEE PROVIDED TITLE REFERENCES FOR APPURTENANCES, IF ANY.

APPLICANT: \_\_\_\_\_ FILE#: 21224414

OWNER: Gregory B. Brown CLIENT#: \_\_\_\_\_

LENDER: \_\_\_\_\_

REQ. PARTY: Jewell & Boutin, P.A.

TITLE REFERENCES: COUNTY: Cumberland

DEED BOOK: 16865 PAGE: 19

PLAN BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_ LOT: \_\_\_\_\_

MUNICIPAL REFERENCE:

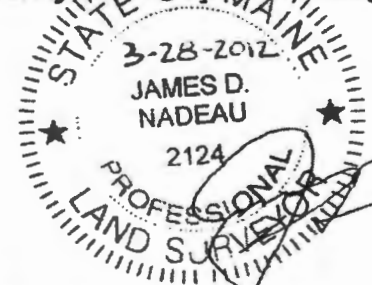
MAP: 125 BLOCK: E LOT: 5

THE DWELLING DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD AREA PER FEMA COMMUNITY MAP No. 230051 PANEL: 0013B ZONE: C DATE: 12/8/1998

THE DWELLING WAS ☒ IN COMPLIANCE WITH MUNICIPAL ZONING SETBACK REQUIREMENTS AT THE TIME OF CONSTRUCTION.

James D. Nadeau, LLC

Professional Land Surveyors  
Certified Floodplain Managers

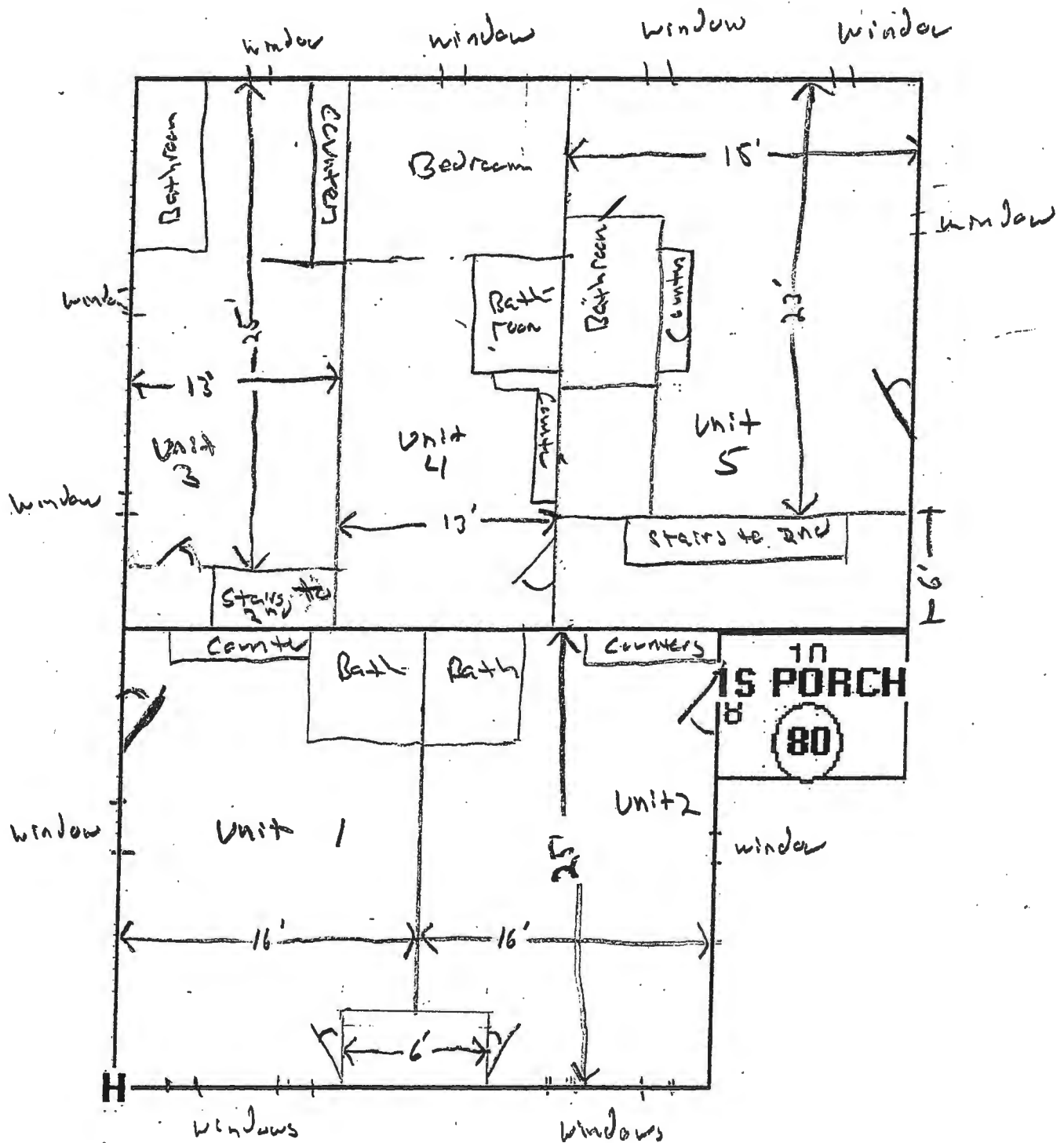


918 BRIGHTON AVE. PH.(207)878-7870  
PORTLAND, ME. 04102 F.(207)878-7871

THIS INSPECTION IS VALID ONLY WITH AN EMBOSSED SEAL AND IS NULL & VOID 90 DAYS AFTER INSPECTION DATE.

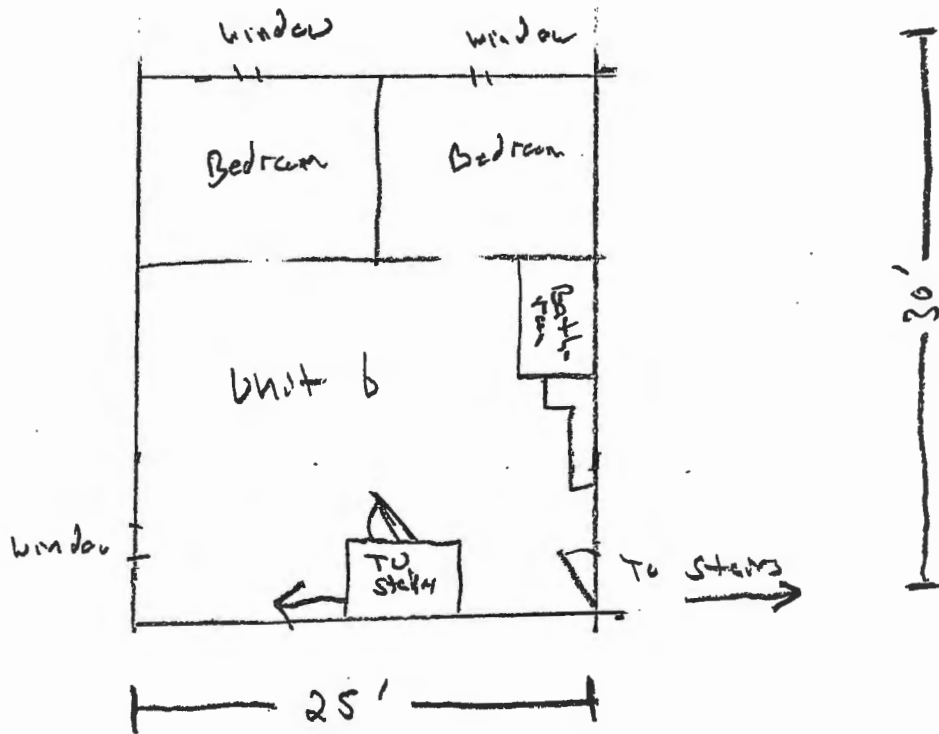
THIS IS NOT A BOUNDARY SURVEY - NOT FOR RECORDING

28 Revere St.  
1st Floor



Revere Street

28 Revere St,  
2nd floor



Revere Street



<u>01</u> BLOG	<u>920</u> YR BUILT	<u>004</u> NO. UNITS
<u>105</u> STRUCT. TYPE	<u>C</u> COST MODIFIER	<u>01</u> NO. IDENT UNITS

TOTAL OTHER FEATURES & ATTACHED IMPROVEMENTS

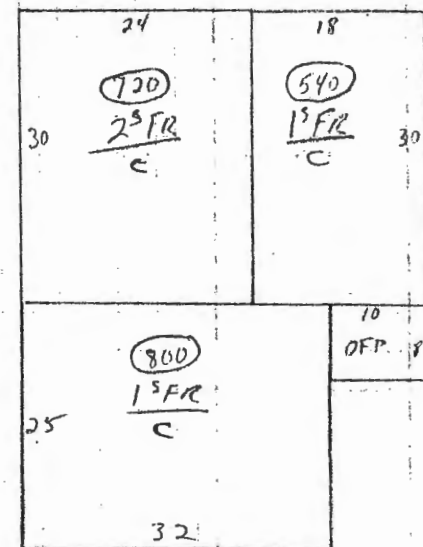
SEC. NO.	LEVELS		DIMENSIONS		USE TYPE	WL HT	EXT. WLS	CONS. TYPE	NO.	INTER. FINISH	PTNS	HTG	AC	PLBG	SPRINK.	SF RATE	PHYS COND	FUNC UTIL FACT	AGE FACT	UNADJUSTED RCN	% GOOD	UNADJUSTED R C N
	FROM	TO	SIZE	PERIM.																		
1	01	01	2040	194	08	09	02	1	521	100	2	1	10	2	0 2		3	3				
1	02	02	720	108	08	10	02	1	522	100	2	1	10	2	0 2		3	3				
-	-	-	-	-	-	-	-	-	523	-	-	-	-	-	-		-	-				
-	-	-	-	-	-	-	-	-	524	-	-	-	-	-	-		-	-				
-	-	-	-	-	-	-	-	-	525	-	-	-	-	-	-		-	-				
-	-	-	-	-	-	-	-	-	526	-	-	-	-	-	-		-	-				
-	-	-	-	-	-	-	-	-	527	-	-	-	-	-	-		-	-				
-	-	-	-	-	-	-	-	-	528	-	-	-	-	-	-		-	-				

[illegible]

ELETE 701-706								YARD IMPROVEMENTS AND/OR SECONDARY BUILDINGS		
STR. CODE	FLAT +/-	DIMENSIONS SIZE	IOEN UNIT	PHYS COND	FUNC. UTIL.	YR BLT	% GD	RCN	RCNLD	
'A'	-	1386	01	3	3	80	-			
TOTAL										

BUILDING OTHER FEATURES / ATTACHED IMPROVEMENTS - STRUCTURE CODES			
Elev. Elect. Freight	LO1 - Ldg. Dock, Stl. or Conc.	DL1 - Dock Level Floors	SF1 - Store Front, Wd. Frame
Elev. Elect. Pass.	LO2 - Ldg. Dock, Wood	OD1 - O H Doors, Wd or Mtl	SF2 - Store Front, Av. Mtl.
Elev. Hyd. Freight	LO3 - Ldg. Dock, Inter.	OD2 - O H Doors, Rolling Stl.	SF3 - Store Front, Elaborate
Elev. Hyd. Pass.	LO4 - Truck or Train Well, Interior	EE1 - Enclosed Entry	MS1 - Miscellaneous Structure

+



ms  
STOOP  
all

CHART	LETTER	BLOCK	LOT	UNIT NO.	CARD NUMBER	110	NUMBER	STREET NAME	101	CLASS	111	STREET CODE	112	STREET NO.	102	LAND USE	113	ROUTE
125	-	E	005	001	01 OF 01		28+30	REVERE ST		AS		1467		0028		LS		131

OWNER & MAILING ADDRESS										114	DEED BOOK	DEED PAGE	DEED DATE
WOLF ASSOCIATES, INC													

LEGAL DESCRIPTION													

LIVING UNITS	104	ZONE	NC	105	NEIGHBORHOOD	106	PARTIAL	109	ACCOUNT NO.	120	FRAME NUMBER	PLANNING DISTRICT
006		RE	[ ]		4111		-					

DELETE 300-330										LAND DATA & COMPUTATIONS									
0 NONE		N	ACTUAL FRONTAGE	EFFECTIVE FRONTAGE	EFFECTIVE DEPTH	ACTUAL UNIT PRICE	DEPTH FACTOR	EFFECTIVE UNIT PRICE	INFLUENCE FACTOR	LAND VALUE									
LOT		L							[ ] %										
1 Regular Lot		L							[ ] %										
2 Apartment Site		L							[ ] %										
SQUARE FEET		S	SQUARE FEET				INFLUENCE FACTORS		[ ] %										
1 Primary Site		S	SQUARE FEET				1 Unimproved		[ ] %										
2 Secondary Site		S	SQUARE FEET				2 Location		[ ] %										
3 Undeveloped		S	SQUARE FEET				3 Topography		[ ] %										
4 Residual		S	SQUARE FEET				4 Size or Shape		[ ] %										
5 Waterfront		S	SQUARE FEET				5 Economic Misimprovement		[ ] %										
ACREAGE		A	ACRES				6 Restrictions		[ ] %										
1 Primary Site		A	ACRES				7 Corner		[ ] %										
2 Secondary Site		A	ACRES				8 View		[ ] %										
3 Undeveloped		A	ACRES				9 Traffic		[ ] %										
4 Marshland		A	ACRES																
5 Waterfront		A	ACRES																
0 TOTAL		S	SQUARE FEET																
GROSS		G																	
1 Irregular Lot																			
2 Site Value																			
3 Residual																			
4 Homesite																			
5 Minus R.O.W.																			

PROPERTY FACTORS										MEMORANDUM									
TOPOGRAPHY		411	UTILITIES	421	STREET/ROAD	441	TRAFFIC	VALUE SUMMARY		PREVIOUS ASSESSMENT									
VEL	1	✓	ALL PUBLIC	1	PAVED	1	✓	LAND		LAND									
OVE STREET	2		PUBLIC WATER	2	SEMI-IMPROVED	2		BUILDING		BUILDING									
LOW STREET	3		PUBLIC SEWER	3	UNPAVED	3		TOTAL		TOTAL									
LLING	4		GAS	4	PROPOSED	4		EXEMPT		EXEMPT									
EEP	5		WELL	5	CURB & GUTTER	5	✓												
W	6		SEPTIC	6	SIDEWALK	6	✓												
AMPY	7		NONE	7	ALLEY	7													
OGE	8				NONE	8													

PROPERTY FACTORS										MEMORANDUM									
TOPOGRAPHY		411	UTILITIES	421	STREET/ROAD	441	TRAFFIC	VALUE SUMMARY		PREVIOUS ASSESSMENT									
VEL	1	✓	ALL PUBLIC	1	PAVED	1	✓	LAND		LAND									
OVE STREET	2		PUBLIC WATER	2	SEMI-IMPROVED	2		BUILDING		BUILDING									
LOW STREET	3		PUBLIC SEWER	3	UNPAVED	3		TOTAL		TOTAL									
LLING	4		GAS	4	PROPOSED	4		EXEMPT		EXEMPT									
EEP	5		WELL	5	CURB & GUTTER	5	✓												
W	6		SEPTIC	6	SIDEWALK	6	✓												
AMPY	7		NONE	7	ALLEY	7													
OGE	8				NONE	8													

PORTLAND, MAINE										PRC-360									
-----------------	--	--	--	--	--	--	--	--	--	---------	--	--	--	--	--	--	--	--	--



Portland Fire Department  
Fire Prevention Bureau Inspection Form

Address 28-30 REVERE

Owner TIM + ROGER FLANNERY

Type of Occupancy 6 - APTS

Date 9/8/92

Base- ment	1st Floor	2nd Floor	3rd Floor	4th Floor	5th Floor	6th Floor or Above
	NO	NO				
	NO	NO				
	NO	NO				
	NO	NO				
	NO	NO				
	NO	NO				
	NO	NO				
	NO	NO				
	NO	NO				
	NO	NO				
	NA	NA				
	NA	NA				
	NA	NA				
	NO	NO				
	NO	NO				

1. Rubbish & Trash Accumulation
2. Flammable Liquids Improperly Stored
3. Painting Materials, Oily Rags Unsafe
4. Combustibles Too Near Heating Devices
5. Masonry Chimneys Unsafe
6. Elec. Circuit Overloaded, Improper Fuses
7. Exits - Inadequate
8. Hallways Obstructed
9. Defective Wiring
10. Heating Devices, Disrepair
11. Alarm System Out Of Order
12. Extinguishers Outdated
13. Sprink. & Standpipe Systems Out of Order
14. Inadequate Lighting
15. Improper Locking Device
16. Others
17. Fuel Oil Storage

Is Building Especially Liable To Fire? ( ) Yes (c) No

Exposure To Other Buildings: Front 150 ft., Rear 100 ft., Left 60 ft., Right 30 ft.

Did you give a verbal order? ( ) Yes (c) No

Did you give a written order? ( ) Yes (c) No

Date of inspection: 9/8/92

Inspector: R. Amora  
(Signature)

Recommended time of compliance: \_\_\_\_\_

USE REVERSE SIDE FOR COMMENTS

# PORTLAND FIRE DEPARTMENT

OCCUPANCY

LOCATION REVEKE ST

STREET NO. 26-28-30

OCCUPANT 6 UNIT APT

OWNER TR FLANNERY

ADDRESS \_\_\_\_\_

DATE 7/7/94 INSPECTOR FF HALE

CONSTRUCTION TYPE

ROOF TYPE

wood frame ☒  
heavy timber \_\_\_\_\_  
steel \_\_\_\_\_  
concrete \_\_\_\_\_  
other \_\_\_\_\_

pitched ☒  
flat \_\_\_\_\_

assembly \_\_\_\_\_  
educational \_\_\_\_\_  
health care \_\_\_\_\_  
detention & correctional \_\_\_\_\_  
residential ☒  
mercantile \_\_\_\_\_  
business \_\_\_\_\_  
industrial \_\_\_\_\_  
storage \_\_\_\_\_  
mixed occupancy \_\_\_\_\_  
other \_\_\_\_\_

VERTICAL OPENINGS

NUMBER OF FIRE ESCAPES NO

NUMBER OF STORIES SERVED \_\_\_\_\_

GENERAL CONDITION \_\_\_\_\_

NUMBER OF SOLID FUEL APPLIANCES NONE

LOCATION OF SOLID FUEL APPLICANCES \_\_\_\_\_

TYPE OF CENTRAL HEAT OIL \_\_\_\_\_ GAS ☒ ELECTRIC \_\_\_\_\_

IS BOILER ROOM SEPARATED FROM AREAS WITH RATED  
CONSTRUCTION INCLUDING FIRE DOORS  
AND CEILING? NONE

NUMBER OF ABOVE GROUND TANKS

INSIDE 0 TYPE OF FUEL \_\_\_\_\_  
OUTSIDE 0 TYPE OF FUEL \_\_\_\_\_

NUMBER OF UNDERGROUND TANKS 0 TYPE OF FUEL \_\_\_\_\_

	B	B-1	1-2	2-3	3-4	4-5
stairways			2			
elevators						
chutes						
dumb waiters						
air ducts						
light shafts						

ARE VERTICAL OPENINGS SEPARATED FROM OCCUPIED AREAS  
WITH RATED CONSTRUCTION, INCLUDING FIRE DOORS WITH  
SELF CLOSERS? NO

Address 26, 28, 30 REVERE ST. Owner T.R. FLANNERY  
Type of Occupancy 6 FAMILY Date 9/22/95

Base- ment	1st Floor	2nd Floor	3rd Floor	4th Floor	5th Floor	6th Floor or Above
	NONE	NONE	#			
	YES	YES				
	NONE	NONE				
	N/A	N/A				
	NO	NO				
	NO	NO				
	YES	YES	HARD WIRE SMOKES, FINE DO			
	NONE	NONE				

1. Rubbish & Trash Accumulation
2. Flammable Liquids Improperly Stored
3. Painting Materials, Oily Rags Unsafe
4. Combustibles Too Near Heating Devices
5. Masonry Chimneys Unsafe
6. Elec. Circuit Overloaded, Improper Fuses
7. Exits - Inadequate
8. Hallways Obstructed
9. Defective Wiring
10. Heating Devices, Disrepair
11. Alarm System Out Of Order
12. Extinguishers Outdated
13. Sprink. & Standpipe Systems Out of Order
14. Inadequate Lighting
15. Improper Locking Device
16. Others
17. Fuel Oil Storage

Exposure To Other Buildings: Front        ft., Rear 57 ft., Left 15 ft., Right        ft.

Did you give a written order? ☒ Yes ☐ No

Date of inspection: 9/22/93

Inspector: [Signature]  
(Signature)

Recommended time of compliance:

SEE REVERSE

USE REVERSE SIDE FOR COMMENTS

**Portland Fire Department  
Fire Prevention Bureau Inspection Form**

Address 26-28-30 REUSE St Owner T.R. FLANNERY  
 Type of Occupancy 6 Apt WITH COMMERCIAL FACE Date 8/26/96

871-5000

MANAGER:

Base- ment	1st Floor	2nd Floor	3rd Floor	4th Floor	5th Floor	6th Floor or Above
CRAWL SPACE						
/	OUTSIDE ONLY					
/	OK					
/	OK					
	DEVICES IN EACH UNIT					
			CHIMNEYS OUTSIDE WORK			
	NEEDS FIRE RATED DOORS					
	OK					
	GAS IN EACH UNIT					
	N/A					
	N/A					
	N/A					

1. Rubbish & Trash Accumulation
2. Flammable Liquids Improperly Stored
3. Painting Materials, Oily Rags Unsafe
4. Combustibles Too Near Heating Devices
5. Masonry Chimneys Unsafe
6. Elec. Circuit Overloaded, Improper Fuses
7. Exits - Inadequate
8. Hallways Obstructed
9. Defective Wiring
10. Heating Devices, Disrepair
11. Alarm System Out Of Order
12. Extinguishers Outdated
13. Sprink. & Standpipe Systems Out of Order
14. Inadequate Lighting
15. Improper Locking Device
16. Others
17. Fuel Oil Storage

Is Building Especially Liable To Fire? ( ) Yes ( ) No  
 Exposure To Other Buildings: Front 180 ft., Rear 20 ft., Left 18 ft., Right 40 ft.

Did you give a verbal order? { } Yes { } No  
 Did you give a written order? { } Yes { } No  
 Date of inspection: 8/26/96

Inspector: FE [Signature] 213  
 (Signature)

Recommended time of compliance: OVER

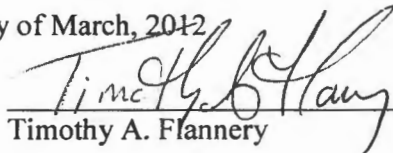
USE REVERSE SIDE FOR COMMENTS



AFFIDAVIT

NOW COMES Timothy A. Flannery, of Westbrook, Maine, and states the following:

1. My name is Timothy A. Flannery, and I reside in Westbrook, Maine.
2. I owned the property at 28 Revere Street, Portland from November 2, 1993 to January 31, 2000.
3. To the best of my knowledge, during the entire period I owned the property it was used and occupied as six (6) residential dwelling units.
4. Dated at Portland, Maine, this 27<sup>th</sup> day of March, 2012

  
Timothy A. Flannery

STATE OF MAINE  
CUMBERLAND, SS.

March 27, 2012

Personally appeared the above-named Timothy A. Flannery and made oath that the statements contained in the within Affidavit are based on his personal knowledge and belief and he believes them to be true.

Before me,

  
Notary Public/Attorney-at-Law

Thomas Jell  
Printed Name of Person Taking  
Acknowledgment



## AFFIDAVIT

NOW COMES Daniel LaPlante, of South Portland, Maine, and states the following:


1. My name is Daniel LaPlante, and I reside in South Portland, Maine.
2. I am an officer of B.M.C. Rents, a Maine corporation, that owned the property at 28 Revere Street, Portland from January 31, 2000 to October 19, 2001.
3. During the entire period my corporation owned the property, it was used and occupied as six (6) residential dwelling units. None of the units were ever used as a commercial rental.
4. When the corporation first bought the property, it had suffered a fire and a building permit was needed in order to do the repair work. We were aware that the approved use by the City of Portland was only for five (5) residential units, so when the application for the building permit was filled out on February 7, 2000, that was the information that was supplied.
5. It was common situation to have buildings with nonconforming units and most owners kept the dwelling units occupied. That was particularly true, as was the case for this property, when all units complied with health and safety codes and were non-conforming only because to zoning density limitations.
6. Dated at Portland, Maine, this 30<sup>th</sup> day of March, 2012

  
Daniel LaPlante

STATE OF MAINE  
CUMBERLAND, SS.

March 30, 2012

Personally appeared the above-named Daniel LaPlante and made oath that the statements contained in the within Affidavit are based on his personal knowledge and belief and he believes them to be true.

Before me,  
  
Notary Public/Attorney-at-Law

# AFFIDAVIT

NOW COMES Gregory B. Brown, of South Portland, Maine, and states the following:

1. My name is Gregory B. Brown, and I reside in South Portland, Maine. I have recently retired and I am currently temporarily residing in Florida.
2. I am the current owner of the property at 28 Revere Street, Portland, which I bought on October 19, 2001.
3. When I purchased the property and ever since, it has been used and occupied as six (6) residential dwelling units. I did not create any units during my ownership.
4. Dated at Jacksonville, Florida, this 21<sup>st</sup> day of March, 2012

Gregory B. Brown  
Gregory B. Brown

STATE OF FLORIDA  
COUNTY OF Duval

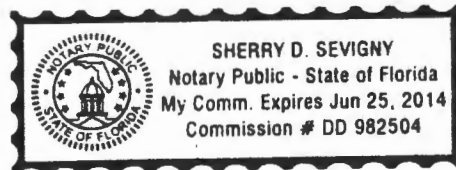
March 21, 2012

Personally appeared the above-named Gregory B. Brown and made oath that the statements contained in the within Affidavit are based on his personal knowledge and belief and he believes them to be true.

Before me,

Sherry D. Sevigny  
Notary Public

MEIX #7520044  
Ext 11/01/2015



Inspection Services  
P. Samuel Hoffses  
Chief



Planning and Urban Development  
Joseph E. Gray Jr.  
Director

## CITY OF PORTLAND

June 08, 1995

FLANNERY TIMOTHY A  
PO BOX 6  
WESTBROOK ME 04098

Re: 28 Revere St  
CBL: 125- - E-005-001-01  
DU: 6

Dear Mr. Flannery:

The Housing Inspections Division of the Department of Planning and Urban Development has recently completed an overall inspection of the above referred property.

Congratulations are extended to you for the general condition of your property which was found to meet the standards established by the City's Housing Code. We did, however, note the following items that could cause future problems:

1. INT - OVERALL - 113.50  
HARD-WIRED BATTERY-BACK/UP SMOKE DETECTORS ARE REQUIRED IN EACH UNIT

Good maintenance is the best way to protect the value of your property and neighborhood.

Please feel free to call on us if we can be of assistance to you.

Sincerely,

Arthur Rowe /lee  
Arthur Rowe  
Code Enforcement Officer

Tammy Munson  
Tammy Munson  
Code Enfc. Offr./ Field Supv.

0080785

BK16865PG019

**WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS, that B.M.C. RENTS, INC., a Maine corporation with a place of business at 5 Adelbert Street, South Portland, Maine 04106, for consideration paid, grants to GREGORY B. BROWN, of Portland, Maine with a mailing address at P.O. Box 903, Portland, Maine 04104, with WARRANTY COVENANTS, the land in Portland, County of Cumberland and State of Maine, described as follows:

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

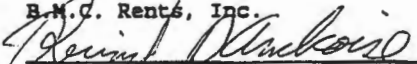
Beginning at a point on the southerly side of Revere Street at the northwesterly corner of land conveyed by Alexander R. Bailey to William R. Reed by deed recorded in Cumberland County Registry of Deeds in Book 1671, Page 315; thence, southerly along said Reed land ninety-one and twenty-seven hundredths (91.27) feet to a stake; thence westerly by land formerly of Rackleff, sixty-three and forty-five hundredths (63.45) feet, more or less, to a stake; thence northerly ninety-eight and one-half (98½) feet to the southerly side of Revere Street; thence easterly by the southerly side of Revere Street fifty-four and seventeen hundredths (54.17) feet, more or less, to the point of beginning.

Being the same premises conveyed to the Grantor herein by deed of Timothy A. Flannery dated 11/31/00 and recorded in the Cumberland County Registry of Deeds in Book 15306, Page 296.

IN WITNESS WHEREOF, B.M.C. Rents, Inc., has caused this instrument to be executed by its representatives thereunto duly authorized this 19<sup>th</sup> day of October, 2001.

  
Witness

B.M.C. Rents, Inc.

  
Kevin J. D'Amboise  
Its President

STATE OF MAINE  
COUNTY OF CUMBERLAND

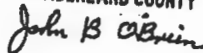
October 19, 2001

Then personally appeared before me Kevin J. D'Amboise in his capacity as president of the above-named corporation and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of the corporation.

RECEIVED  
RECORDED REGISTRY OF DEEDS:

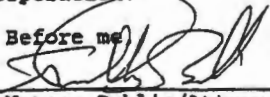
2001 OCT 22 AM 11:06

CUMBERLAND COUNTY



Timothy A. Bolles  
Notary Public, Maine  
My Commission Expires  
December 3, 2003

Before me

  
Notary Public/Attorney at Law

MAINE REAL ESTATE TAX PAID

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

Location of Construction: <b>28 Revere Street</b>		Owner: <b>***BMC Rents INC</b>		Phone:		Permit No: <b>000027</b>
Owner Address: <b>** 5 Adelbert St South Portland</b>		Lessee/Buyer's Name:		Phone:		
Contractor Name: <b>Kevin Damboise</b>		Address:		Phone: <b>883-4327</b>		Permit Issued:
Past Use:  <b>Multi family</b> <b>5 dwelling units &amp; 1 office</b> <b>last approved use 6-3-88</b>		Proposed Use:  <b>same</b> <b>5 dw. &amp; 1 office</b> <b>shall remain</b>		COST OF WORK: <b>\$ 4,000</b>		
				PERMIT FEE: <b>\$ 90.00</b>		
				FIRE DEPT. <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied		
				INSPECTION: Use Group: <b>R2</b> Type: <b>5B</b> <b>BOCA 96</b>		
				Signature: <i>[Signature]</i>		
				Signature: <i>[Signature]</i>		
Proposed Project Description:  <b>Fire damage repair no structural changes ok'd per MN</b>				PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		
				Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied		
				Signature: _____ Date: _____		
Permit Taken By: <b>K</b>		Date Applied For: <b>Feb 7 2000 K</b>				

1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal rules.
2. Building permits do not include plumbing, septic or electrical work.
3. 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..

**PERMIT ISSUED  
WITH REQUIREMENTS**

**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 provisions of the code(s) applicable to such permit

SIGNATURE OF APPLICANT \_\_\_\_\_ ADDRESS: \_\_\_\_\_ DATE: **Feb 7 2000** PHONE: \_\_\_\_\_

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

White-Permit Desk Green-Assessor's Canary-D.P.W. Pink-Public File Ivory Card-Inspector

**Zoning Appeal**

- ☐ Variance
- ☐ Miscellaneous
- ☐ Conditional Use
- ☐ Interpretation
- ☐ Approved
- ☐ Denied

**Historic Preservation**

- ☒ Not in District or Landmark
- ☐ Does Not Require Review
- ☐ Requires Review

**Action:**

- ☐ Approved
- ☐ Approved with Conditions
- ☐ Denied

Date: *[Signature]*

**PERMIT ISSUED  
WITH REQUIREMENTS**

7/Feb/2K. NO CHANGES- NO PLANS BUT WILL CHECK WITH AREA INSPECTOR  
before starting work-

COMMENTS:

03/23/02 - Final after fire inspection - windows not egress in bedrooms but not  
new only replacement of existing windows - hardwood smokes installed & working - all  
walls floors & ceilings new and look good - nice renovation after fire. Jim

Close permit

Inspection Record

Type

Date

Foundation: \_\_\_\_\_

Framing: \_\_\_\_\_

Plumbing: \_\_\_\_\_

Final: \_\_\_\_\_

Other: \_\_\_\_\_

**THIS IS NOT A PERMIT/CONSTRUCTION CANNOT COMMENCE UNTIL THE  
PERMIT IS ISSUED**

**Building or Use Permit Pre-Application  
Attached Single Family Dwellings/Two-Family Dwelling  
Multi-Family or Commercial Structures and Additions Thereto**

In the interest of processing your application in the quickest possible manner, please complete the Information below for a Building or Use Permit.

**NOTE\*\*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 (include Portion of Building): <b>28 Revere St</b>			
Total Square Footage of Proposed Structure <b>existing</b>		Square Footage of Lot <b>same</b>	
Tax Assessor's Chart, Block & Lot Number Chart# <b>125</b> Block# <b>E</b> Lot# <b>005</b>		Owner: <b>BMC Rents Inc</b>	Telephone# <b>Kevin 8834327</b>
Owner's Address: <b>* 5 Adelbert St Soport ME</b>		Lessee/Buyer's Name (If Applicable) <b>ME</b>	Cost Of Work: <b>\$ 4000.</b> Fee: <b>\$ 90.00</b>
Proposed Project Description: (Please be as specific as possible) <b>FROM FIRE FIRE DAMAGE - REPAIR</b>			
Contractor's Name, Address & Telephone <b>Kevin DAmboise</b>			Rec'd By <b>(K)</b>
Current Use: <b>Multi Family</b>		Proposed Use: <b>same</b>	

Separate permits are required for Internal & External Plumbing, HVAC and Electrical installation.

- All construction must be conducted in compliance with the 1996 B.O.C.A. Building Code as amended by Section 6-Art II.
- All plumbing must be conducted in compliance with the State of Maine Plumbing Code.
- All Electrical Installation must comply with the 1996 National Electrical Code as amended by Section 6-Art III.
- HVAC (Heating, Ventilation and Air Conditioning) installation must comply with the 1993 BOCA Mechanical Code.

You must Include the following with you application:

- 1) A Copy of Your Deed or Purchase and Sale Agreement
- 2) A Copy of your Construction Contract, if available
- 3) A Plot Plan/Site Plan

Minor or Major site plan review will be required for the above proposed projects. The attached checklist outlines the minimum standards for a site plan.

**4) Building Plans**

**Unless exempted by State Law, construction documents must be designed by a registered design professional.**

A complete set of construction drawings showing all of the following elements of construction:

- Cross Sections w/Framing details (including porches, decks w/ railings, and accessory structures)
- Floor Plans & Elevations
- Window and door schedules
- Foundation plans with required drainage and dampproofing
- Electrical and plumbing layout. Mechanical drawings for any specialized equipment such as furnaces, chimneys, gas equipment, HVAC equipment (air handling) or other types of work that may require special review must be included.

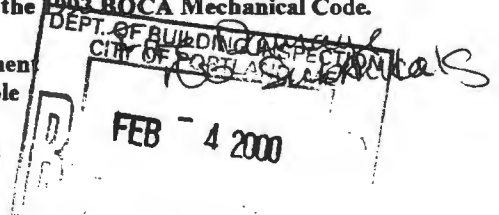
**Certification**

I hereby certify that I am the Owner or 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/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: <b>Kevin DAmboise</b>	Date: <b>2/7/00</b>
---	---------------------

Building Permit Fee: \$30.00 for the 1st \$1000. cost plus \$6.00 per \$1,000.00 construction cost thereafter.

Additional Site review and related fees are attached on a separate addendum





- \*19. All single and multiple station smoke detectors shall be of an approved type and shall be installed in accordance with the provisions of the City's Building Code Chapter 9, Section 920.3.2 (BOCA National Building Code/1996), and NFPA 101 Chapter 18 & 19. (Smoke detectors shall be installed and maintained at the following locations):
- In the immediate vicinity of bedrooms
  - In all bedrooms
  - In each story within a dwelling unit, including basements
20. A portable fire extinguisher shall be located as per NFPA #10. They shall bear the label of an approved agency and be of an approved type. (Section 921.0)
21. The Fire Alarm System shall maintained to NFPA #72 Standard.
22. The Sprinkler System shall maintained to NFPA #13 Standard.
23. All exit signs, lights and means of egress lighting shall be done in accordance with Chapter 10 Section & Subsections 1023.0 & 1024.0 of the City's Building Code. (The BOCA National Building Code/1996)
24. Section 25 - 135 of the Municipal Code for the City of Portland states, "No person or utility shall be granted a permit to excavate or open any street or sidewalk from the time of November 15 of each year to April 15 of the following year".
25. The builder of a facility to which Section 4594-C of the Maine State Human Rights Act Title 5 MRSA refers, shall obtain a certification from a design professional that the plans commencing construction of the facility, the builder shall submit the certification the Division of Inspection Services.
26. Ventilation shall meet the requirements of Chapter 12 Sections 1210.0 of the City's Building Code. (Crawl spaces & attics).
- \*27. All electrical, plumbing and HVAC permits must be obtained by a Master Licensed holders of their trade. No closing in of walls until all electrical (min. 72 hours notice) and plumbing inspections have been done.
28. All requirements must be met before a final Certificate of Occupancy is issued.
29. All building elements shall meet the fastening schedule as per Table 2305.2 of the City's Building Code (The BOCA National Building Code/1996).
30. Ventilation of spaces within a building shall be done in accordance with the City's Mechanical code (The BOCA National Mechanical Code/1993). (Chapter M-16)
- (31) Please read and implement the attached Land Use Zoning report requirements. *See Attached Zoning report*
- \*32. Boring, cutting and notching shall be done in accordance with Sections 2305.3, 2305.3.1, 2305.4.4 and 2305.5.7 of the City's Building Code.
33. Bridging shall comply with Section 2305.16.
- \*34. Glass and glazing shall meet the requirements of Chapter 24 of the building code. (Safety Glazing Section 2405.0)
35. All signage, shall be done in accordance with Section 3102.0 signs of the City's Building Code, (The BOCA National Building Code/1996).
- \*36. Before work is started you shall call the area inspector before for a site visit -

*[Signature]*  
 P. Samuel Hodges, Building Inspector  
 Cor. M. McDougall, PFD  
 Marge Schmuckal, Zoning Administrator  
*[Signature]*

PSH 11/25/99

**\*\*On the basis of plans submitted and conditions placed on these plans any deviations shall require a separate approval.**

**\*\*\*THIS PERMIT HAS BEEN ISSUED WITH THE UNDERSTANDING THAT ALL THE CONDITIONS OF THE APPROVAL SHALL BE COMPLETED. THEREFORE, BEFORE THE WORK IS COMPLETED A REVISED PLAN OR STATEMENT FROM THE PERMIT HOLDER SHALL BE SUBMITTED TO THIS OFFICE SHOWING OR EXPLAINING THAT THE CONDITIONS HAVE BEEN MET. IF THIS REQUIREMENT IS NOT RECEIVED YOUR CERTIFICATE OF OCCUPANCY SHALL BE WITHHELD.**

**\*\*\*\*CERTIFICATE OF OCCUPANCY FEE \$50.00**



125-E-005

CITY OF PORTLAND, MAINE

FIRE DEPARTMENT

Mr. Tim & Mr. Roger Flannery

415 Congress Street

Portland, Maine 04101

RE: Fire at 26 Revere Street

Sirs

On 11-11-99, a fire occurred in the building listed above, of which you are reported to be the owner(X).

If permanent repair work is required for this building, you must obtain a permit from the Building and Inspection Division in City Hall before starting such work.

Very truly yours,

Joseph E. Thomas, Jr.

Chief

Portland Fire Department

cc: Building and Inspection Division  
City Assessor's Office

# BUILDING PERMIT REPORT

DATE: 7 February 2K ADDRESS: 28 Revere St. CBL: 125-E-005

REASON FOR PERMIT: Repair Fire damage.

BUILDING OWNER: BMC Rents Inc.

PERMIT APPLICANT: \_\_\_\_\_ CONTRACTOR Kevin Damboise

USE GROUP: R-2 CONSTRUCTION TYPE: 53 CONSTRUCTION COST: 4,000.00 PERMIT FEES: 90.00

The City's Adopted Building Code (The BOCA National Building code/1996 with City Amendments)  
The City's Adopted Mechanical Code (The BOCA National Mechanical Code/1993)

## CONDITION(S) OF APPROVAL

This permit is being issued with the understanding that the following conditions are met: \*1, \*11, \*15, \*19  
\*27, \*32, \*34, \*36, 17, #31

- ✓1. This permit does not excuse the applicant from meeting applicable State and Federal rules and laws.
2. Before concrete for foundation is placed, approvals from the Development Review Coordinator and Inspection Services must be obtained. (A 24 hour notice is required prior to inspection) "ALL LOT LINES SHALL BE CLEARLY MARKED BEFORE CALLING."
3. Foundation drain shall be placed around the perimeter of a foundation that consists of gravel or crushed stone containing not more than 10 percent material that passes through a No. 4 sieve. The drain shall extend a minimum of 12 inches beyond the outside edge of the footing. The thickness shall be such that the bottom of the drain is not higher than the bottom of the base under the floor, and that the top of the drain is not less than 6 inches above the top of the footing. The top of the drain shall be covered with an approved filter membrane material. Where a drain tile or perforated pipe is used, the invert of the pipe or tile shall not be higher than the floor elevation. The top of joints or top of perforations shall be protected with an approved filter membrane material. The pipe or tile shall be placed on not less than 2" of gravel or crushed stone, and shall be covered with not less than 6" of the same material. Section 1813.5.2
4. Foundations anchors shall be a minimum of 1/2" in diameter, 7" into the foundation wall, minimum of 12" from corners of foundation and a maximum 6" O.C. between bolts. Section 2305.17
5. Waterproofing and dampproofing shall be done in accordance with Section 1813.0 of the building code.
6. Precaution must be taken to protect concrete from freezing. Section 1908.0
7. It is strongly recommended that a registered land surveyor check all foundation forms before concrete is placed. This is done to verify that the proper setbacks are maintained.
8. Private garages located beneath habitable rooms in occupancies in Use Group R-1, R-2, R-3 or I-1 shall be separated from adjacent interior spaces by fire partitions and floor/ceiling assembly which are constructed with not less than 1-hour fire resisting rating. Private garages attached side-by-side to rooms in the above occupancies shall be completely separated from the interior spaces and the attic area by means of 1/2 inch gypsum board or the equivalent applied to the garage means of 1.2 inch gypsum board or the equivalent applied to the garage side. (Chapter 4, Section 407.0 of the BOCA/1996)
9. All chimneys and vents shall be installed and maintained as per Chapter 12 of the City's Mechanical Code. (The BOCA National Mechanical Code/1993). Chapter 12 & NFPA 211
10. Sound transmission control in residential building shall be done in accordance with Chapter 12, Section 1214.0 of the City's Building Code.
- \*11. Guardrails & Handrails: A guardrail system is a system of building components located near the open sides of elevated walking surfaces for the purpose of minimizing the possibility of an accidental fall from the walking surface to the lower level. Minimum height all Use Groups 42", except Use Group R which is 36". In occupancies in Use Group A,B,H-4, I-1, I-2, M and R and public garages and open parking structures, open guards shall have balusters or be of solid material such that a sphere with a diameter of 4" cannot pass through any opening. Guards shall not have an ornamental pattern that would provide a ladder effect. (Handrails shall be a minimum of 34" but not more than 38". Use Group R-3 shall not be less than 30", but not more than 38"). Handrail grip size shall have a circular cross section with an outside diameter of at least 1 1/4" and not greater than 2". (Sections 1021 & 1022.0). Handrails shall be on both sides of stairway. (Section 1014.7)
12. Headroom in habitable space is a minimum of 7'6". (Section 1204.0)
13. Stair construction in Use Group R-3 & R-4 is a minimum of 10" tread and 7 1/4" maximum rise. All other Use Group minimum 11" tread, 7" maximum rise. (Section 1014.0)
14. The minimum headroom in all parts of a stairway shall not be less than 80 inches. (6'8") 1014.4
- X 15. Every sleeping room below the fourth story in buildings of Use Groups R and I-1 shall have at least one operable window or exterior door approved for emergency egress or rescue. The units must be operable from the inside without the use of special knowledge or separate tools. Where windows are provided as means of egress or rescue they shall have a sill height not more than 44 inches (1118mm) above the floor. All egress or rescue windows from sleeping rooms shall have a minimum net clear opening height dimension of 24 inches (610mm). The minimum net clear opening width dimension shall be 20 inches (508mm), and a minimum net clear opening of 5.7 sq. ft. (Section 1010.4)
16. Each apartment shall have access to two (2) separate, remote and approved means of egress. A single exit is acceptable when it exits directly from the apartment to the building exterior with no communications to other apartment units. (Section 1010.1)
17. All vertical openings shall be enclosed with construction having a fire rating of at least one (1) hour, including fire doors with self closer's. (Over 3 stories in height requirements for fire rating is two (2) hours. (Section 710.0)
18. The boiler shall be protected by enclosing with (1) hour fire rated construction including fire doors and ceiling, or by providing automatic extinguishment. (Table 302.1.1)

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

Location of Construction:		Owner:		Phone:		Permit No: <b>000097</b>
Owner Address:		Lessee/Buyer's Name:		Business Name:		
Contractor Name:		Address:		Phone:		Permit Issued: <b>FEB 14</b>
Past Use:		Proposed Use:		COST OF WORK: <b>\$4,000</b>		
				PERMIT FEE: <b>\$90.00</b>		Zone: <b>CBL</b> <b>125-1-003</b>
				FIRE DEPT. <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied		
				INSPECTION: Use Group: <b>A2</b> Type: <b>513</b> <b>BOCA 96</b>		Zoning Approval:  <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 maj <input type="checkbox"/> minor <input type="checkbox"/> mm <input type="checkbox"/>
				Signature: _____		
Proposed Project Description: <b>Fire damage repair no structural changes ok'd per PH</b>				PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied		Zoning Appeal: <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
				Signature: _____ Date: _____		
Permit Taken By: _____		Date Applied For: <b>FEB 7 2000</b>				Historic Preservation <input type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review

1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal rules.
2. Building permits do not include plumbing, septic or electrical work.
3. 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..

**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 provisions of the code(s) applicable to such permit

PERMIT ISSUED  
WITH REQUIREMENTS

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

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

PERMIT ISSUED  
WITH REQUIREMENTS  
**CEO DISTRICT**