





**CITY OF PORTLAND**

**APPLICATION FOR  
LEGALIZATION OF NONCONFORMING DWELLING UNITS**

Section 14-391 – In effect March 24, 2004

Location/Address of Legalization: <u>142 PLEASANT AVE PORTLAND 04103</u>	
Tax Assessor's Chart, Block & Lot Chart# <u>131</u> Block# <u>9</u> Lot# <u>3</u>	Owner: <u>PAPPAS/MAUJOURNES</u> Telephone: Address: <u>SAME AS ABOVE 207.775.1104</u>
Contact name, address & telephone if different than above: <u>George Maujournes 775 1104</u>	Cost of Work: \$ <u>0</u> Fee: \$ <u>\$300 per legalized unit &amp; \$75 per C of O</u>
Current # of legal D.U. <u>2</u>	Requested # of units To be legalized: <u>1</u> Total bldg. units: <u>3</u>
Attach evidence that each requested unit to be legalized existed as of 4/1/95: List evidence that you are submitting: <u>SEE ATTACHED LIST</u>	
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: <u>SEE ATTACHED LIST</u>	
<p><i>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/hers 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.</i></p> <p>Signature of applicant: <u>[Signature]</u> Date: <u>04-03-2007</u></p> <p><b>This is NOT a permit, you may not commence ANY work until the permit is issued.</b></p>	

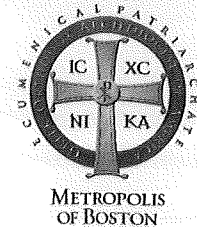
To: Ann Machado, Zoning Specialist  
From: George Manjounes  
142 Pleasant Avenue  
Portland, Maine 04103

Subject:  
Documents Submitted  
April 3<sup>rd</sup>, 2007

1. R.E. Assessment Record
2. Deed of Distribution
3. 1956 Purchase Deed
4. Three Notarized Letters
5. Two Letters from DHHS
6. Charles Pappas Diary, Select Pages from 1974 to 1994.
7. Charles Pappas Journal, Select Pages from 1969 to 1991.
8. State Farm Insurance Structural Damage Report
9. Building Draft and Land Survey.
10. Photos of Frozen Sewer Line, ect.

**HOLY TRINITY GREEK ORTHODOX CHURCH**  
**ΕΛΛΗΝΙΚΗ ΟΡΘΟΔΟΞΟΣ ΚΟΙΝΟΤΗΣ ΑΓΙΑΣ ΤΡΙΑΔΟΣ**

133 Pleasant Street, Portland ME, 04101 207-774-0281  
Father Konstantinos Sarantidis, Parish Priest *ksarant@maine.rr.com*



March 30, 2007

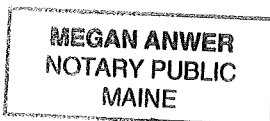
To Whom It May Concern:

Mr. Charles Pappas of 142 Pleasant Avenue, Portland ME 04103, was a parishioner of the Holy Trinity Greek Orthodox Church.

I have known Charles Pappas since 1988. I am very familiar with the property at 142 Pleasant Avenue. I visited him often at his home and many times he discussed matters pertaining to his tenants and apartments.

Therefore, I confirm that the Pappas property consisted of the main house and two apartment dwellings prior to 1988 and thereafter.

Rev. Konstantinos Sarantidis  
Holy Trinity Greek Orthodox Church  
133 Pleasant Street  
Portland, ME 04101



Megan Anwer March 30, 2007  
COUNTY OF LUMBERLAND  
MY COMMISSION EXPIRES  
NOV. 15, 2013.

March 29, 2007

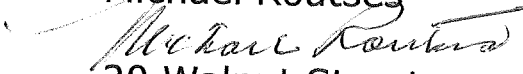
To Whom It May Concern:

I Michael Routsos # CR269 Appraiser of Real Property have known the property of Charles Pappas located at 142 Pleasant Avenue Portland, Maine 04103 since the time of its purchase in the year 1956.

Since mid 1970's the building consisted of one studio apartment, and a one bedroom, living room, kitchen, and bath apartment and the main house.

The main house three floors, two bedrooms, 2.5 bathrooms and ten (10) large rooms.

Michael Routsos

  
20 Walnut Street  
South Portland, ME.  
04106



**BETTY MCGOVERN**  
Notary Public, Maine  
My Commission Expires March 9, 2013

March 30, 2007

To Whom It May Concern:

I Marcia Halloran a Nurse by profession have known Charles Pappas and his wife Argyro Pappas for (30) thirty years.

My sister Patty and I also cared for Mr. Pappas in his later years when he became ill.

The property 142 Pleasant Avenue, Mr. Pappas house since early 1980 had two apartments and the main house. Mr. Pappas called his baby apartment - number 1. and the larger apartment upstairs number 2.

As his nurses my sister and I always told him not to be so concerned about the apartments and the tenants. We asked him to relax caused he always talked about them and constantly ask me to take him to the apartments.

Marcia Halloran  
96 Bradley Street  
Portland, Maine 04102

*Marcia Halloran*

SUZANNE CANGE  
NOTARY PUBLIC, STATE OF MAINE  
MY COMMISSION EXPIRES JULY 12, 2011

*Suzanne Cange*

075A22

BK 13497 PG 308

PERSONAL REPRESENTATIVE'S DEED  
OF DISTRIBUTION

KNOW ALL BY THESE PRESENTS THAT I, ARGYRO C. PAPPAS, of Portland, in the County of Cumberland and the State of Maine, duly appointed and acting Personal Representative of the estate of Charles P. Pappas, deceased intestate, late of said City, as shown by the records of the Probate Court for said County, Maine, under Docket No. 97-1591, by the power conferred by the Maine Probate Code and every other power, in distribution of the estate of said decedent, do hereby transfer, grant and release to ARGYRO C. PAPPAS, whose mailing address is 142 Pleasant Avenue, Portland, Maine 04103, her heirs and assigns, being the person entitled to distribution according to the laws of intestate succession in the State of Maine as described in the Maine Probate Code, Me. Rev. Stat. Ann. tit. 18-A, § 2-102, all the right, title and interest of said Charles P. Pappas in the real property located in Portland, in the County of Cumberland, and State of Maine, described as follows:

A certain lot or parcel of land with buildings and improvements thereon situated on the southerly side of Pleasant Avenue in the said City and bounded and described as follows:

Beginning on the said southerly side of Pleasant Avenue at the northwest corner of land now or formerly of Isaac Jackson; thence running westwardly by said Avenue sixty (60) feet to the easterly side line of Lawn Avenue (formerly Green Street); thence from these two points extending southerly at right angles with said Pleasant Avenue adjoining said Lawn Avenue on the west and holding the width of sixty (60) feet, a distance of one hundred thirty-three (133) feet.

Being the same premises described and conveyed in a deed dated April, 5, 1956 from John R. Gilmartin, Jr. to Charles P. Pappas recorded in the Cumberland County Registry of Deeds in Book 2282, at Page 413.

BK 13497PG309

WITNESS my hand and seal in my said capacity this 8<sup>th</sup> day of December, 1997.

SIGNED, SEALED AND DELIVERED  
in the presence of:

Argyro C. Pappas

Argyro C. Pappas (L.S.)  
Personal Representative of the Estate of  
Charles P. Pappas

STATE OF MAINE  
COUNTY OF CUMBERLAND, ss.:

On this 8<sup>th</sup> day of December, 1997, before me personally appeared the above-named Argyro C. Pappas and acknowledged the foregoing instrument to be her free act and deed in her said capacity as personal representative of the estate of Charles P. Pappas, deceased.

Dennis J. O'Donovan  
Notary Public

DENNIS J. O'DONOVAN  
NOTARY PUBLIC, MAINE  
MY COMMISSION EXPIRES MARCH 28, 2001

SEAL

Mc CANNON & ERSTEIN L.L.P. • PORTLAND, MAINE

RECEIVED  
RECORDED REGISTRY OF DEEDS

1997 DEC 16 AM 11:14

CUMBERLAND COUNTY

John B. O'Brien



**Know All Men by These Presents**

413

**That** I, John R. Gilmartin Jr. of Portland in the County of Cumberland and State of Maine

Gilmartin

Jr.

to

Pappas

War

in consideration of one dollar and other valuable considerations

paid by Charles P. Pappas of said Portland

the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said

Charles P. Pappas, his

heirs and assigns forever, a certain lot or parcel of land with buildings thereon situated on the southerly side of Pleasant Avenue in the City of Portland and bounded and described as follows:

Beginning on the said southerly side of Pleasant Avenue at the northwest corner of land now or formerly of Isaac Jackson; thence running westwardly by said Avenue sixty (60) feet to the easterly side line of Lawn Avenue (formerly Green Street); thence from these two points extending southerly at right angles with said Pleasant Avenue adjoining said Lawn Avenue on the west and holding the width of sixty (60) feet, a distance of one hundred thirty-three (133) feet.

Hereby conveying the same premises conveyed to me by Ernest B. Johnson by Warranty Deed recorded in Cumberland County Registry of Deeds in Book 2176, Page 52.

Said premises are hereby conveyed subject to a certain mortgage given by me to the Federal Loan and Building Association on which there is now due a balance of nine thousand nine hundred and fifty-four dollars and sixty-five cents (\$9954.65) which said mortgage the grantee herein hereby assumes and agrees to pay as part of the consideration for this conveyance.

Said premises are hereby conveyed subject to taxes to the City of Portland for the year 1956 which the grantee herein assumes and agrees to pay as part of the consideration for this conveyance.

Witness my hand and seal this 11th day of June 1956

John R. Gilmartin Jr.  
Notary Public for the State of Maine  
My Comm. Expires June 11, 1957

414

to have and to hold the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said

Charles P. Pappas, his

heirs and assigns, to his and their use and behoof forever.

And I do warrant with the said Grantee, his heirs and assigns, that I am lawfully seized in fee of the premises, that they are free of all incumbrances; except as aforesaid; that I have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that I and my heirs shall and will warrant and defend the same to the said Grantee, heirs and assigns forever, against the lawful claims and demands of all persons, except as aforesaid;

In Witness Whereof, I the said John R. Gilmartin Jr., being unmarried

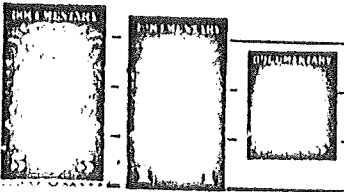
and wife of the said.

Joining in this deed as Grantee and relinquishing and conveying right by descent and all other rights in the above described premises, have hereunto set my hand and seal this fifth day of April in the year of our Lord one thousand nine hundred and fifty-six.

Signed, Sealed and Delivered in presence of

Wilford J. Chapman

John R. Gilmartin Jr.

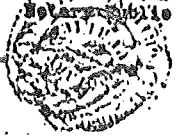


State of Maine Cumberland ss. April 5, 1956.

Personally appeared the above named John R. Gilmartin Jr. and acknowledged the foregoing instrument to be free act and deed.

Before me, Wilford J. Chapman  
Justice of the Peace

REGISTRY OF DEEDS, CUMBERLAND COUNTY, MAINE  
Received at 10 H 5 M, and recorded in APR 9 1956  
BOOK 2282 PAGE 413  
Robert D. ... Registrar



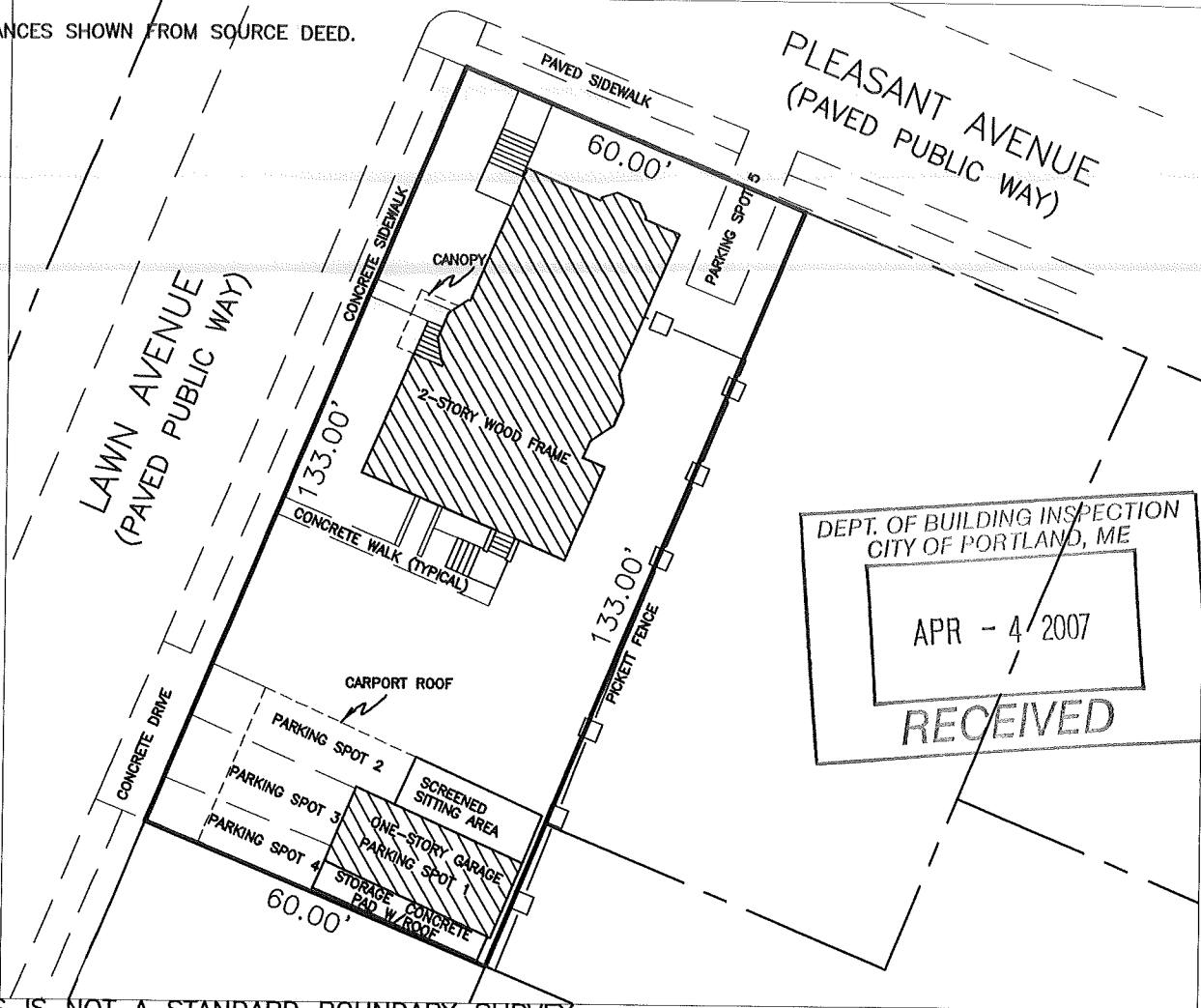
Client: GEORGE MANJOUNES  
 Location: 142 PLEASANT AVENUE  
 PORTLAND, MAINE  
 County: CUMBERLAND  
 Tax Map: MAP 131; BLOCK G LOT 3  
 Source Deed: ARGYRO C. PAPPAS,  
 BOOK 13497; PAGE 308

RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS  
 Zone: R-5 RESIDENTIAL 5

FLOOD INSURANCE NOTE: By graphics plotting only, this property is in ZONE X of the Flood Insurance Rate Map, Community Panel No. 230051 7C effective date of DECEMBER 08, 1998. Exact designations can only be determined by an Elevation Certificate. Based on the above information, this property IS NOT in a Special Flood Hazard Area.

DISTANCES SHOWN FROM SOURCE DEED.

MAGNETIC NORTH  
 2007



DEPT. OF BUILDING INSPECTION  
 CITY OF PORTLAND, ME  
 APR - 4 / 2007  
 RECEIVED

THIS IS NOT A STANDARD BOUNDARY SURVEY

**CERTIFICATION:** Back Bay Boundary, Inc. hereby certifies to: GEORGE MANJOUNIS, their successors and assign as their interests may appear that based upon the inspection made and with reasonable certainty that:  
 1. This plan was produced from an inspection of the site.  
 2. There WERE NO apparent violations of municipal ordinances regarding building setbacks at the time of construction. Buildings shown hereon were built prior to the adoption of local zoning ordinances.

STATE OF MAINE  
 ROBERT T. GREENLAW  
 #2303  
 PROFESSIONAL LAND SURVEYOR

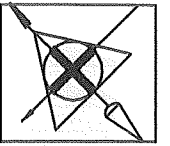
Robert T. Greenlaw, PLS  
 Registration #2303  
 State of Maine

Existing Conditions Plan

Prepared by:  
 Back Bay Boundary, Inc  
 643 Forest Avenue  
 Portland, ME. 04101  
 Site: 142 PLEASANT AVENUE  
 PORTLAND, MAINE

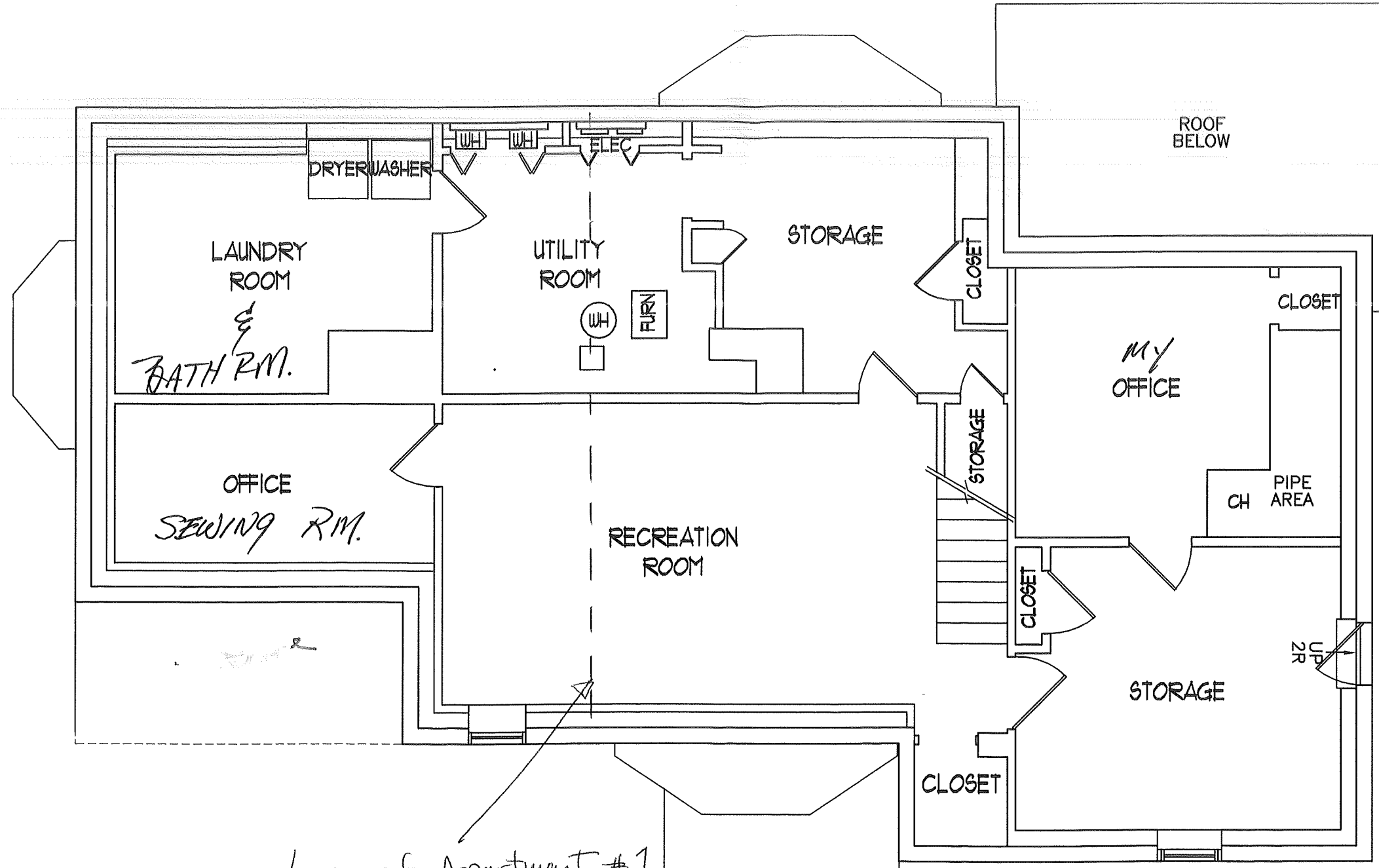
SURVEY DATE:  
 MARCH 30, 2007

Scale: 1" = 30'	Date: 04/03/07	LT # 03
Drawn: PJM	Checked: RTG	Job# 2007023



BACK BAY BOUNDARY, INC.  
 LAND SURVEYING  
 643 FOREST AVENUE  
 PORTLAND, ME 04101  
 207.774.2855  
 fax: 347.4346  
 backbayboundary@cs.com

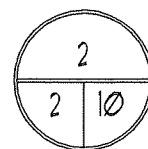
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 2007  
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 permission of BACK  
 BAY BOUNDARY, INC.



*Line of Apartment #1  
 and Foyer above  
 ceiling needs to be RATED  
 1hr & ST2.*

**LEGEND:**

- CH. = CHIMNEY
- CE = COMMON ELEMENT
- FEE = FIRST FLOOR ELEVATION
- FURN. = FURNACE
- LCE = LIMITED COMMON ELEMENT
- SQ. FT. = SQUARE FEET
- #R = NUMBER OF RISERS



**BASEMENT FLOOR PLAN**

0 5'4"

SCALE: 3/16"=1'0"

SHEET 2 OF 4

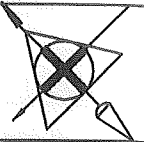
1. RECORD OWNER OF PARCEL: GEORGE MANJOUNIS, AS DESCRIBED IN BOOK xxxxx,  
 PAGE xx AS RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS.

**RESIDENCE EXISTING CONDITIONS**  
 142 PLEASANT AVENUE  
 PORTLAND, MAINE

JOB NO.  
 2007023

ISSUE DATE  
 PRINT 04/02/2007

*PRELIM.*



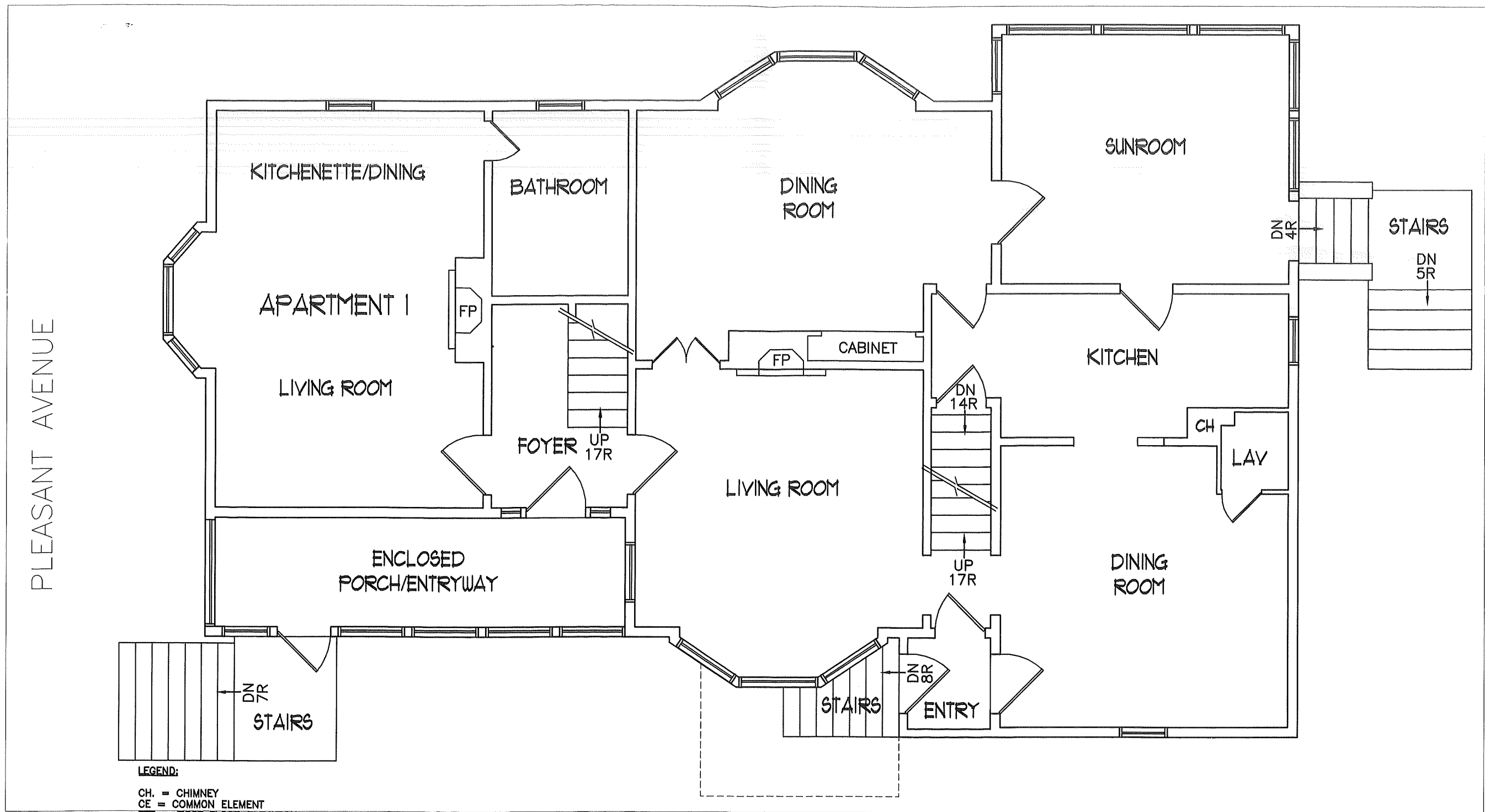
BACK BAY BOUNDARY, INC.  
 LAND SURVEYING  
 643 FOREST AVENUE  
 PORTLAND, ME 04101  
 207.774.2855  
 fax: 347.4346  
 backbayboundary@ca.com

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**RESIDENCE EXISTING CONDITIONS**  
 142 PLEASANT AVENUE  
 Portland, Maine

JOB NO.  
 2007023

ISSUE DATE  
 PRINT 04/02/2007



**LEGEND:**

- CH. = CHIMNEY
- CE = COMMON ELEMENT
- FFE = FIRST FLOOR ELEVATION
- FURN. = FURNACE
- LCE = LIMITED COMMON ELEMENT
- SQ. FT. = SQUARE FEET
- #R = NUMBER OF RISERS

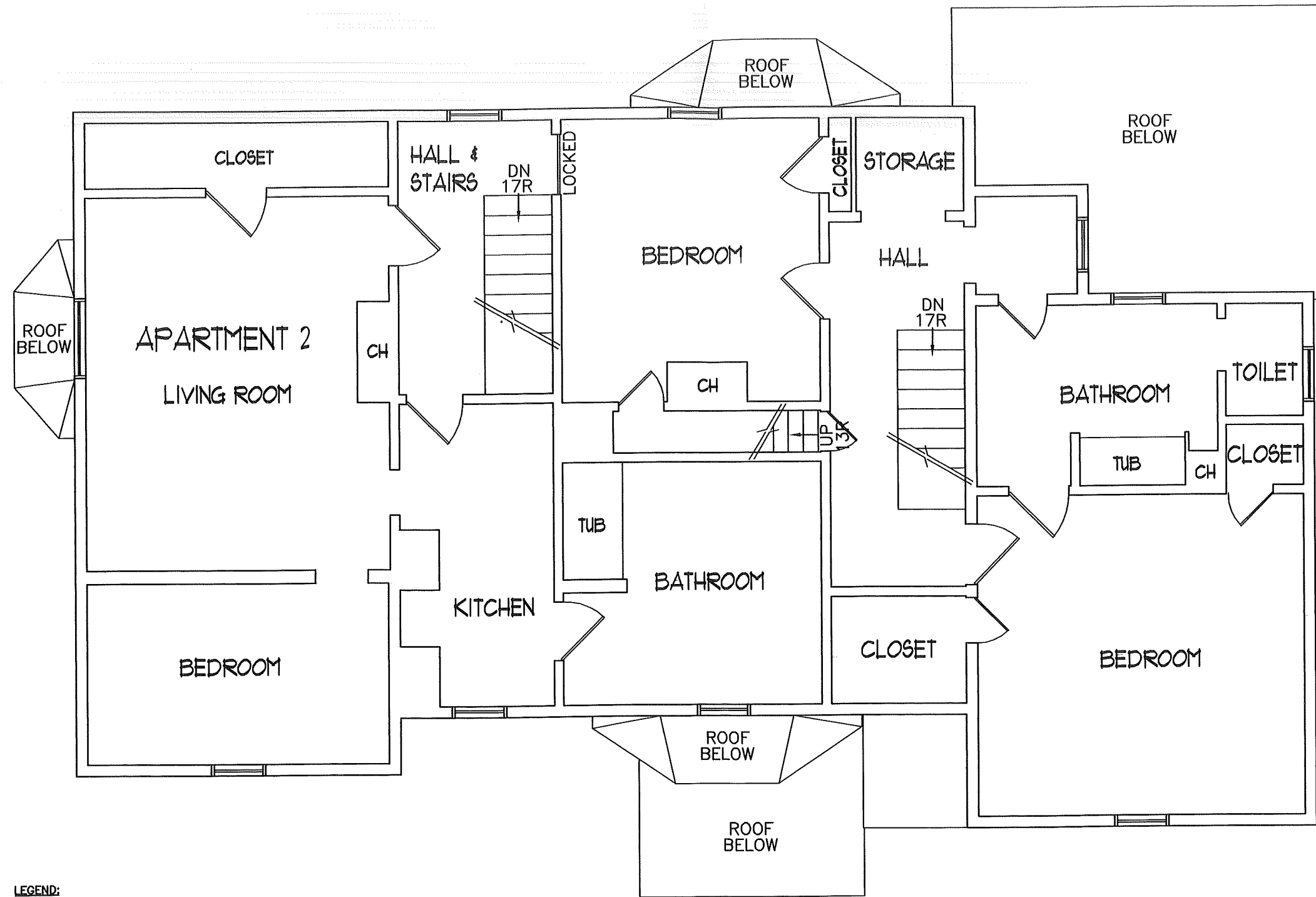


1. RECORD OWNER OF PARCEL: GEORGE MANJOUNIS, AS DESCRIBED IN BOOK XXXXX,  
 PAGE xx AS RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS.

SCALE: 3/16"=1'0"

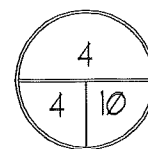
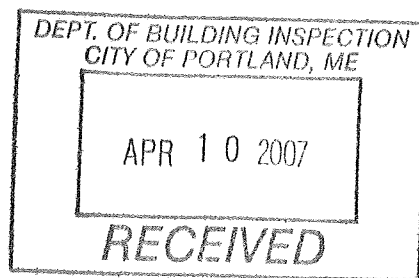
SHEET 3 OF 4

PRELIM.



**LEGEND:**

- CH. = CHIMNEY
- CE = COMMON ELEMENT
- FFE = FIRST FLOOR ELEVATION
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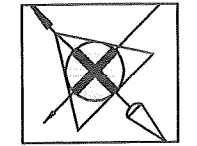
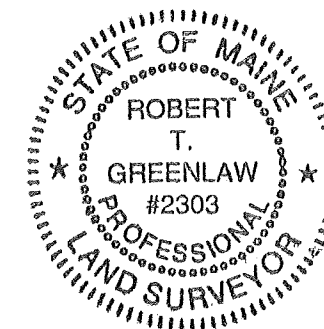


**SECOND FLOOR PLAN**

0 5'4"

SCALE: 3/16"=1'0"

SHEET 4 OF 4



BACK BAY BOUNDARY, INC.  
LAND SURVEYING  
643 FOREST AVENUE  
PORTLAND, ME 04101  
207.774.2855  
fax: 347.4348  
backbayboundary@ca.com

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**RESIDENCE EXISTING CONDITIONS**  
 142 PLEASANT AVENUE  
 PORTLAND, MAINE

1. RECORD OWNER OF PARCEL: ARGYRO C. PAPPAS, AS DESCRIBED IN BOOK 13497, PAGE 308 AS RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS.

JOB NO:  
**2007023**  
REVISED 04/10/2007  
ISSUE DATE  
PRINT 04/02/2007

March 26, 2007

Ms. Ann Machado  
Zoning Specialist  
Planning & Development Department  
Portland, Maine

Dear Ms. Machado

Argy and I wish to thank you for the time you spent with us this past week to explain your concerns of the studio apartment at 142 Pleasant Avenue.

According to Mr. Charles Pappas Diary, Expense and Income Ledgers, I can prove that the studio apartment in question existed since 1966, ledger page 6. On page 7, income listed from apartment income. Then on page 15, income from apartments. On (ledger page 23 April 1969 \$12.00 expense, AD for APT.#1.) and for November, and December 1967 totals of \$147.84 to Richard Waltz, \$182.17 Part. Lumber, \$26.80, for drapes and rods for apartment # 2.

Charles Pappas was very detail in money distribution of expense and income. The Diary and Ledger provides in detail all of the Main House expenses, Apartment #1, and Apartment 2, expenses. As an example, on ledger page 29, the apartment maintenance expense is clearly listed as apartment 1 and 2 stating total amounts of \$ 189.64 for March through July 1970.

Note that the word (apartments) is in the plural meaning two and the numeral numbers 1 and 2 are assigned to each expense of apartments 1 and 2.

The income expense ledger of Charles Pappas starts with page 1, in the year 1966 and continues for 144 pages up to the year 1992.

Now as for the Diary, it confirms the existing 1 and 2 apartments. Writings in the diary begin 1972 and end in 1994. In 1974

Mr. Pappas defines the remodeling of apartment #2. and lowered the ceiling and poured a cement driveway for apartment #1.

In October 1992 the upstairs apartment was rented to an Anderson Little employee and the tenant in apt. #1 was removed cause according to Pappas she was difficult.

In 1993 apt. #2 was rented to a Chinese fellow and apt # 1 was rented to an Italian woman. So states and is written in the diary. Throughout both the ledger and diary from 1966 up through 1992 writings will prove that the Apartments 1, and 2, existed. I have not listed all of the entries but, will copy the needed pages were writings of the apartments are entered if so needed.

Rental of these apartments eventually were rented to people that were from the Shalom House. The number 1, apartment in question was totally destroyed. I renovated and restored it. The #2 apartment was completed renovated. All the electrical wiring was redone and brought up to code.

My objective was to improve the building that existed and that was abused and my intent is to continue in this effort.

This past month the sewage line or pipe froze. Water backed up and flooded the Main house and pour down into the family room, storage area, boiler room, all work being done is not of new construction but, repairs and upgrade renovations.

With positive and affirmative attitudes, I remain

Respectfully Yours

  
George Manjounes  
Argyro Pappas





**CITY OF PORTLAND  
PUBLIC HEALTH DIVISION**

August 3, 1999

Dear Mrs. Pappas,

I am writing for Sally Bernstein, your tenant at 142 Pleasant Street, Portland. She has asked me to give a 30 day notice for her apartment. Since this is after the August 1, 1999 rent date, please consider this notice from September 1, 1999. Sally will be leaving the apartment by September 30, 1999.

Shalom House, Inc., through Steve Tarpley, has been notified.

Thank you for your consideration in renting to Sally. The apartment was very well suited to her needs and she was comfortable there.

There were extenuating circumstances which caused her to leave.

Sincerely,  
Anne Wolf Johnson  
Homeless Health Clinic  
874. 8445 ext. 8134

Homeless Health Clinic  
20 Portland Street  
Portland, Me. 04101  
March 27, 2007

To Whom it May Concern,

This is an affidavit to attest that Argy Pappas of 142 Pleasant Street, Portland, rented an upstairs apartment to one of my clients on June 1, 1999. At that time there was a young woman renting the downstairs efficiency. Six months later, the young woman downstairs moved and another of my clients moved into the efficiency. Both clients were subsidized through Shalom, Inc. Other clients lived in the units until 2006.

Sincerely,  
Anne Wolf Johnson  
Intensive Case Manager, DHHS  
(756-8344)

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

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

Permit No: 07-0349	Date Applied For: 04/03/2007	CBL: 131 G003001
-----------------------	---------------------------------	---------------------

Location of Construction: 142 PLEASANT AVE	Owner Name: PAPPAS ARGYRO C	Owner Address: 142 PLEASANT AVE	Phone:
Business Name:	Contractor Name:	Contractor Address:	Phone
Lessee/Buyer's Name	Phone:	Permit Type: Legalization of Non-Conforming Units	

Proposed Use: 3 residential dwelling units- Legalization of 1 non-conforming DU for a total of 3 legal units	Proposed Project Description: Legalization of 1 non-conforming DU for a total of 3 legal units
---	---

Dept: Zoning	Status: 7	Reviewer: Ann Machado	Approval Date:
Note:			Ok to Issue: <input type="checkbox"/>

Dept: Building	Status: Pending	Reviewer:	Approval Date:
Note:			Ok to Issue: <input type="checkbox"/>

1) This permit DOES NOT APPROVE A KITCHEN IN THE BASEMENT. The basement is not to be a dwelling unit and shall not have bedrooms for sleeping due to inadequate egress. All kitchen facilities shall be removed and the sink can only be replaced with a bar sized model that will be inspected prior to the issuance of the CO

**Comments:**

4/4/2007-amachado: Application is complete. Gave forms to housing and fire. Gave notice to neighbors to Gayle.

4/24/2007-jmb: Spoke with George M. About the bathroom permit requirements and about the possibility for another egress stair from the 2nd floor unit. I told him we were having a meeting on the codes and would get back.

5/1/2007-jmb: Spoke w/George M. To inform of the number of egresses required by State law for over 2 units. He was not pleased with this and didn't want to add a stair outside. Wanted to replace a window in the living room to meet the 5.7 sf. He will have an architect look into an alternative stair arrangement.

5/29/2009-jmb: George M. Came to the office, he is leaving the country tomorrow am to be back in Aug/Sept. He informed he had the sprinkler installed over the boiler and he has his contractor working on list of items from the most recent inspections. He will call for an inspection for CO, I will schedule a reminder.

Permit 08-0534 applied for to build exterior egress



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:** 142 Pleasant Ave (131-6-003)

**Owner:** Argyro Pappas

**Address of Owner:** 142 Pleasant Ave, Portland 04103 Telephone: 775-1104

**Applicant information if different than above:** George Manjounes

**Current number of legal units:** two (2)

**Number of units to be legalized:** one (1)  
total: three (3)

**Comments of approval or (disapproval) (list any and all conditions):**  
\* See Code Enforcement for Reasons.

**Signature:** Jay Kelley **Date:** 4/11/07



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:** 142 Pleasant Ave. (131-6-003)

**Owner:** Argyro Pappas

**Address of Owner:** 142 Pleasant Ave, Portland 04103 **Telephone:** 775-1104

**Applicant information if different than above:** George Manjanes

**Current number of legal units:** two (2)

**Number of units to be legalized:** one (1)  
total three (3)

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

- ① Does not meet Egress Requirements (A see list)
- ② Does not meet Fire code.

**Signature:** Suzanne Hunt **Date:** 4-23-2007

**CITY OF PORTLAND**  
**DEPARTMENT OF PLANNING & URBAN DEVELOPMENT**

389 Congress Street  
 Portland, Maine 04101

**Inspection Violations**

<b>Owner/Manager</b> PAPPAS ARGYRO C		<b>Inspector</b> Jeanie Bourke	<b>Inspection Date</b> 4/11/2007
<b>Location</b> 142 PLEASANT AVE	<b>CBL</b> 131 G003001	<b>Status</b>	<b>Inspection Type</b> Building Permit-Inspection

<b>Code</b>	<b>Int/Ext</b>	<b>Floor</b>	<b>Unit No.</b>	<b>Area</b>	<b>Compliance Date</b>
1) 6-116.5	Interior		3	Basement	
<b>Violation:</b> Fire Protection					
<b>Notes:</b> install one hardwired smoke detector in basement area					
2) 6-116.5	Interior		3		
<b>Violation:</b> Fire Protection					
<b>Notes:</b> individual units that are are multiple story must have approved smoke detectors on each occupied level in the vicinity of the bedrooms as well as in the sleeping rooms, all interconnected.					
3) 6-116.5	Interior				
<b>Violation:</b> Fire Protection					
<b>Notes:</b> The building does not meet egress requirements.					
4) 6-116.5	Interior	2	2		
<b>Violation:</b> Fire Protection					
<b>Notes:</b> one hard wired smoke detector in each bedroom and one in the vicinity of the bedrooms. Interconnected.					
5) 6-116.5	Interior	1	1		
<b>Violation:</b> Fire Protection					
<b>Notes:</b> one hard wired smoke detector in each bedroom, inconnected within the unit.					
6) 6-116.5	Interior	2		Hallway	
<b>Violation:</b> Fire Protection					
<b>Notes:</b> provide fire rated covering over 2nd floor hallway door into unit 2.					
7) 6-116.5	Interior			Basement	
<b>Violation:</b> Fire Protection					
<b>Notes:</b> apply fire rated material under basement stairs/closet area					
8) 6-108.6	Interior			Basement	
<b>Violation:</b> Required equipment and utilities					
<b>Notes:</b> ground electric service in basement					

**Comments:** use of basement space must be clarified



e-mail inspector(s)

View Permit

Delete

Save

Close

Print Invoice

Date 12/02/2008 Time 2:00 PM

Inspector Mike Menario

Total Outstanding \$100.00

Electrical Inspector Required? No

Appl. Type Building Permit

Inspector Chris Hanson

Census Tract 19

Fire Inspection Required? No

Type Inspection

Appl ID 80534

Parcel Id: 131 G003001

Address: 142 PLEASANT AVE

District Nbr: 4

Meet contractor at site. 12-2-08 Met with contractor at site , went over what needed to get corrected. He will call when work is completed. See notes in permit comments from 5/29/09.../jmb

CreatedBy mem CreateDate 12/02/2008 CreateTime 8:28 am

ModBy jmb ModDate 05/29/2009 ModTime 10:49 am

**IMPORTANT NOTICE FROM CITY OF PORTLAND  
ZONING DIVISION**

**TO RESIDENTS AND PROPERTY OWNERS  
IN THE VICINITY OF**

Simon 4/14/07

**Issues:** Argyro Pappas, owners of the property located at 142 Pleasant Avenue Street, ~~has~~ <sup>has</sup> submitted an application to legalize ~~one~~ existing non-conforming dwelling unit for a total of ~~three~~ 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.

**Feedback:** 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**

For more information you may contact Marge Schmuckal, Zoning Administrator, at (207) 874-695. The office hours are 8:00am to 4:00pm weekdays.



**From:** Gayle Guertin  
**To:** Jeanie Bourke  
**Date:** 4/5/2007 11:20:21 AM  
**Subject:** 142 Pleasant Ave. Leagalization of non conforming unit

142 Pleasant Ave.  
Owner: Argyro Pappas  
CBL: 131 G003

Sent out abutters notice as of 04/05/07

Thanks Gayle

**CC:** Ann Machado; Gayle Guertin; Marge Schmuckal

CBL	OWNER	OWNER MAILING ADDRESS	PROPERTY LOCATION	UNITS
131 E001001	YATTAW GERALD K & VIVIAN J YATTAW JTS	136 CLINTON ST PORTLAND, ME 04103	136 CLINTON ST	1
131 E003001	LIPPOLD MARK T & PATRICIA A JTS	137 PLEASANT AVE PORTLAND, ME 04103	137 PLEASANT AVE	1
131 E005001	DECOURCEY JOSEPH R KW VET ELIZABETH J JTS	124 CLINTON ST PORTLAND, ME 04103	124 CLINTON ST	1
131 E007001	STAUFFER ERIC P	143 PLEASANT AVE PORTLAND, ME 04103	143 PLEASANT AVE	1
131 E009001	CLARK HOUSE MANAGEMENT AVALLONE LLC	2609 TUMWATER LN BOULDER, CO 80304	147 PLEASANT AVE	6
131 E010001	ALEXANDER ELAINE M	130 CLINTON ST PORTLAND, ME 04103	130 CLINTON ST	1
131 F012001	BELANGER GLENN A & TAMATHA S JTS	71 LAWN AVE PORTLAND, ME 04103	71 LAWN AVE	3
131 F013001	RAMONAS JOSEPH W & WILLIAM GHISLAINE T JTS	75 LAWN AVE PORTLAND, ME 04103	75 LAWN AVE	2
131 F014001	MEEHAN DONALD & LYNNE L JTS	154 CONCORD ST PORTLAND, ME 04103	154 CONCORD ST	1
131 F015001	WALKER MICHAEL R & CATHERINE A JTS	182 CONCORD ST PORTLAND, ME 04103	148 CONCORD ST	3
131 F026001	GIBBONS ROBERT M & KATHLEEN T GIBBONS JTS	144 GLENWOOD AVE PORTLAND, ME 04103	144 GLENWOOD AVE	1
131 F027001	DUFFETT ELAINE L HEIRS	150 GLENWOOD AVE PORTLAND, ME 04103	150 GLENWOOD AVE	1
131 F028001	GAMAGE MARY E & JEFFREY B GRIFFITHS JTS	142 CONCORD ST PORTLAND, ME 04103	142 CONCORD ST	1
131 G001001	RUSSELL ROBIN ANNE & JEFFREY P RUSSELL JTS	153 CONCORD ST PORTLAND, ME 04103	153 CONCORD ST	1
131 G002001	O'BRIEN MURROUGH H & JOHANNAH M HART JTS	149 CONCORD ST PORTLAND, ME 04103	149 CONCORD ST	1
131 G003001	PAPPAS ARGYRO C	142 PLEASANT AVE PORTLAND, ME 04103	142 PLEASANT AVE	2
131 G005001	FORSTER WILLIAM H	170 GLENWOOD AVE PORTLAND, ME 04103	170 GLENWOOD AVE	1
131 G006001	COFFIN SUSAN H	174 GLENWOOD AVE PORTLAND, ME 04103	174 GLENWOOD AVE	3
131 G007001	GEMMER CONSTANCE H & FREDERIC JTS	180 GLENWOOD AVE PORTLAND, ME 04103	180 GLENWOOD AVE	1
131 G008001	CUDDY MICHAEL J & JULIE B	132 PLEASANT AVE PORTLAND, ME 04103	132 PLEASANT AVE	2
131 H013001	SOKOL ERIC C & JESSICA TOWNSEND JTS	153 GLENWOOD AVE PORTLAND, ME 04103	153 GLENWOOD AVE	1
131 H014001	COMPTON SARAH E	159 GLENWOOD AVE PORTLAND, ME 04103	159 GLENWOOD AVE	1
131 H022001	BURLIN PAUL T & PATRICIA K BRINKMAN JTS	74 WOODFIELD ST PORTLAND, ME 04102	112 CONCORD ST	2
131 K001001	DONALDSON HERBERT L & EVELYN L JTS	169 GLENWOOD AVE PORTLAND, ME 04103	169 GLENWOOD AVE	3
131 K002001	RASZMANN PETER G	120 PLEASANT AVE PORTLAND, ME 04103	120 PLEASANT AVE	3
131 K003001	CODY HELEN J	125 CONCORD ST PORTLAND, ME 04103	125 CONCORD ST	1
131 K004001	CAPELLUTI JOSEPH H & VANESSA WHITE JTS	112 PLEASANT AVE PORTLAND, ME 04103	112 PLEASANT AVE	1
131 K005001	CODY DAVID M	125 CONCORD ST PORTLAND, ME 04103	121 CONCORD ST	2
131 K006001	WALZ GAYLO H & ANN E JTS	108 PLEASANT AVE PORTLAND, ME 04103	108 PLEASANT AVE	1

CBL	OWNER	OWNER MAILING ADDRESS	PROPERTY LOCATION	UNITS
131 K007001	O'HALLORAN PAUL KW VET & ELAINE PICCINI JTS	113 CONCORD ST PORTLAND, ME 04103	113 CONCORD ST	1
131 K008001	SANTOS JANICE A & MARSHALL S JTS	102 PLEASANT AVE PORTLAND, ME 04103	102 PLEASANT AVE	2
131 L001001	ABBOTT LORRAINE	127 PLEASANT AVE PORTLAND, ME 04103	127 PLEASANT AVE	1
131 L003001	EHRINGHAUS MICHAEL E & CAROLYN EHRINGHAUS JTS	11 JAMES ST PORTLAND, ME 04103	11 JAMES ST	1
131 L004001	FLANAGAN THOMAS S WWII VET	121 PLEASANT AVE PORTLAND, ME 04103	121 PLEASANT AVE	1
131 L005001	PALMLUND DAVID C & CATHERINE E PALMLUND JTS	106 CLINTON ST PORTLAND, ME 04103	106 CLINTON ST	1
131 L019001	WYMAN JONATHAN G & JESSICA L ANTHONY JTS	114 CLINTON ST PORTLAND, ME 04103	114 CLINTON ST	1
131 L022001	O'BRIEN JOY J	110 CLINTON ST PORTLAND, ME 04103	110 CLINTON ST	1
131 L023001	MOULTON LYMAN L JR WWII VET CLAIRE U JTS	102 CLINTON ST PORTLAND, ME 04103	102 CLINTON ST	1
132 G009001	TALBOTT DAVID E & MARY ELLEN DESCHENES JTS	186 CONCORD ST PORTLAND, ME 04103	186 CONCORD ST	2
132 G011001	WELCH JAMES D JR KW VET & SHELAGH ANN JTS	178 CONCORD ST PORTLAND, ME 04103	178 CONCORD ST	1
132 G013001	CHAPMAN JOANNE M	13 TREMONT ST PORTLAND, ME 04103	11 TREMONT ST	2
132 G014001	COPE STEVEN E & ROBERTA S JTS	172 CONCORD ST PORTLAND, ME 04103	172 CONCORD ST	2
132 G015001	WHITNEY ERIC B	9 TREMONT ST PORTLAND, ME 04103	9 TREMONT ST	1
132 G016001	BRANNIGAN CLAIRE N & JOSEPH C JTS	168 CONCORD ST PORTLAND, ME 04103	168 CONCORD ST	1
132 G017001	BETTERS ELOISE W	74 LAWN AVE PORTLAND, ME 04103	74 LAWN AVE	1
132 G018001	LOEBENSTEIN CYNTHIA L & THOMAS BURNS JTS	164 CONCORD ST PORTLAND, ME 04103	84 LAWN AVE	2
132 G019001	RENCH ELMER & GERALDINE JTS	80 LAWN AVE PORTLAND, ME 04103	80 LAWN AVE	1
132 G020001	WALKER MICHAEL R & CATHERINE A JTS	182 CONCORD ST PORTLAND, ME 04103	182 CONCORD ST	1
132 G021001	WYMAN KEVIN P & JILL A JTS	70 LAWN AVE PORTLAND, ME 04103	70 LAWN AVE	2
132 H001001	JORDAN MARK C	199 CONCORD ST PORTLAND, ME 04103	199 CONCORD ST	1
132 H004001	LITTELL PENNY	184 PLEASANT AVE PORTLAND, ME 04103	184 PLEASANT AVE	1
132 H005001	WARREN DIANA M	178 PLEASANT AVE PORTLAND, ME 04103	178 PLEASANT AVE	1
132 H008001	BRANDMAIER WERNER & FAYE BRANDMAIER JTS	193 CONCORD ST PORTLAND, ME 04103	193 CONCORD ST	1
132 H009001	AKERS RICHARD H & MARGARET JTS	187 CONCORD ST PORTLAND, ME 04103	187 CONCORD ST	1
132 H010001	ROSEN SHARON L & JOHN W NEWTON	8 MATTHEWS ST PORTLAND, ME 04103	8 MATTHEWS ST	1
132 I001001	CLIFFORD PAUL	9 MATTHEWS ST # 1 PORTLAND, ME 04103	9 MATTHEWS ST	1
132 I001002	HAHN DANIEL J	9 MATTHEWS ST # 2 PORTLAND, ME 04103	9 MATTHEWS ST	1
132 I001003	SWETT CYNTHIA A	9 MATTHEWS ST # 3 PORTLAND, ME 04103	9 MATTHEWS ST	1

CBL	OWNER	OWNER MAILING ADDRESS	PROPERTY LOCATION	UNITS
132 I002001	VERDEUR CHARLES KW VET & CLAIRE M VERDEUR JTS	166 PLEASANT AVE # 1 PORTLAND, ME 04103	166 PLEASANT AVE	1
132 I002002	BLACKINTON AMY M	166 PLEASANT AVE # 2 PORTLAND, ME 04103	166 PLEASANT AVE	1
132 I002003	MARTIN HEATHER G	166 PLEASANT AVE # 3 PORTLAND, ME 04103	166 PLEASANT AVE	1
132 I002004	LIMERICK ELIZABETH L	166 PLEASANT AVE # 4 PORTLAND, ME 04103	166 PLEASANT AVE	1
132 I002005	SALPIETRA PAUL D	19 MIDDLE ST WESTBROOK, ME 04092	166 PLEASANT AVE	1
132 I003001	ROBERGE GUY R & LYNN U	40 GUNSTOCK RD SCARBOROUGH, ME 04074	173 CONCORD ST	2
132 I004001	CROCKER DAVID P	158 PLEASANT AVE PORTLAND, ME 04103	158 PLEASANT AVE	2
132 I005001	SULLIVAN CHRISTINE J & ROBERT W WILSON &	96 LAWN AVE PORTLAND, ME 04103	96 LAWN AVE	2
132 I006001	MARTIN MICHAEL K	232 FORESIDE RD CUMBERLAND FORESIDE, ME	152 PLEASANT AVE	3
132 I007001	RYDER ROY M WWII VET & GENEVA JTS	167 CONCORD ST PORTLAND, ME 04103	169 CONCORD ST	2
132 I008001	KNAPP ALAN D & JILL B JTS	24501 SUMMERHILL AVE LOS ALTOS, CA 94024	3 MATTHEWS ST	2
132 J010001	NELLSON RICHARD H	163 PLEASANT AVE PORTLAND, ME 04103	163 PLEASANT AVE	4
132 J012001	PROFENNO ANTHONY C JR & ELLEN E JTS	174 CLINTON ST PORTLAND, ME 04103	174 CLINTON ST	1
132 J013001	SINNETT JOANNA	155 PLEASANT AVE PORTLAND, ME 04103	155 PLEASANT AVE	1
132 J015001	TOPCHIK LIANE M	142 CLINTON ST PORTLAND, ME 04103	142 CLINTON ST	1
132 J017001	SOLOTAIRE PATRICIA & ROBERT E DOUCETTE JTS	152 CLINTON ST PORTLAND, ME 04103	152 CLINTON ST	1
132 J018001	BUTTS DAVID J & JENNIFER L SPORZYNSKI JTS	146 CLINTON ST PORTLAND, ME 04103	146 CLINTON ST	1
132 J019001	MCAFEE ROBERT E & DORIS C	158 CLINTON ST PORTLAND, ME 04103	158 CLINTON ST	1
135 C001001	GLENN SEAN K	130 HARTLEY ST PORTLAND, ME 04103	130 HARTLEY ST	1
135 C003001	HENCKEL PETER N & PAULA M	134 HARTLEY ST PORTLAND, ME 04103	134 HARTLEY ST	1
135 C004001	BARTON WINSTON L & CARMELA G JTS	141 CLINTON ST PORTLAND, ME 04103	141 CLINTON ST	1
135 C005001	SHAMBAUGH BENJAMIN A & SHARI GODDARD SHAMBAUGH	147 CLINTON ST PORTLAND, ME 04103	147 CLINTON ST	1
135 C009001	GREENLAW CHARLES R & JENNIFER T JTS	155 CLINTON ST PORTLAND, ME 04103	155 CLINTON ST	1
136 A001001	CLINTON 135 LLC	18 COTTAGE LN CAPE ELIZABETH, ME 04107	135 CLINTON ST	2
136 A002001	CLINTON133 LLC	18 COTTAGE LN CAPE ELIZABETH, ME 04107	133 CLINTON ST	2
136 A003001	RODNEY JAMES L	28 JAMES ST PORTLAND, ME 04103	28 JAMES ST	3
136 B012001	TANGUAY PATRICIA U & PHILIP J JTS	113 CLINTON ST PORTLAND, ME 04103	113 CLINTON ST	1

CBL	OWNER	OWNER MAILING ADDRESS	PROPERTY LOCATION	UNITS
Total Listed	85 UNITS	125		

131 6009

11

11111111 142 Pleasant St

PLANCH  
KCOTE

City of Portland, Maine  
Department of Planning & Urban Development  
INVALID CURSOR POSITION

04 FEB 91  
09:24

CBL Listing for Post Cards: Format - (CCC-1-BB-LLL)  
Fill with '\*' for all C - Chart 1 - Chart letter B - Block L - Lot

<u>132--G-009</u>	<u>132--G-021</u>	<u>132--H-009</u>	<u>132--I-006</u>	<u>132--J-010</u>
<u>132--G-020</u>	<u>132--G-015</u>	<u>132--H-010</u>	<u>132--I-007</u>	<u>132--J-013</u>
<u>132--G-011</u>	<u>132--G-013</u>	<u>132--H-011</u>	<u>132--I-008</u>	<u>132--J-015</u>
<u>132--G-014</u>	<u>132--G-012</u>	<u>132--I-001</u>	<u>132--J-005</u>	<u>132--J-014</u>
<u>132--G-016</u>	<u>132--H-001</u>	<u>132--I-002</u>	<u>132--J-006</u>	<u>132--J-017</u>
<u>132--G-018</u>	<u>132--H-004</u>	<u>132--I-003</u>	<u>132--J-007</u>	<u>132--J-019</u>
<u>132--G-019</u>	<u>132--H-005</u>	<u>132--I-004</u>	<u>132--J-008</u>	<u>132--J-020</u>
<u>132--G-017</u>	<u>132--H-008</u>	<u>132--I-005</u>	<u>132--J-009</u>	<u>132--J-012</u>

Continue

Cancel

Done

131 G 003

11

11/11/91 142 Rosemary Alb

PLANCH  
KCOTE

City of Portland, Maine  
Department of Planning & Urban Development  
INVALID CURSOR POSITION

04 FEB 91  
09:24

CBL Listing for Post Cards: Format - (CCC-1-BB-LLL)  
Fill with '\*' for all C - Chart 1 - Chart letter B - Block L - Lot

135--C-001	136--A-003	131--E-007	131--G-007	131--F-026
135--C-003	136--B-011	131--E-009	131--G-008	131--H-013
135--C-004	136--B-012	131--G-001	131--F-012	131--H-014
135--C-005	136--B-013	131--G-002	131--F-013	131--H-031
135--C-007	131--E-001	131--G-003	131--F-014	131--H-032
135--C-009	131--E-010	131--G-004	131--F-015	131--H-022
136--A-001	131--E-005	131--G-005	131--F-028	131--K-001
136--A-002	131--E-008	131--G-006	131--F-027	131--K-002

Continue [ ]

Cancel [ ]

Done [ ]

FRANCBL  
KCOTE

City of Portland, Maine  
Department of Planning & Urban Development  
INVALID CURSOR POSITION

04 FEB 91  
09:24

CBL Listing for Post Cards: Format - (CCC-1-BB-LLL)  
Fill with '\*' for all C - Chart 1 - Chart letter B - Block L - Lot

131--K-003	131--L-003	---	---	---
131--K-004	131--L-004	---	---	---
131--K-005	131--L-005	---	---	---
131--K-006	131--L-006	---	---	---
131--K-007	131--L-007	---	---	---
131--K-008	131--L-008	---	---	---
131--L-009	131--L-009	---	---	---
131--L-010	131--L-010	---	---	---
131--L-011	131--L-011	---	---	---
131--L-012	131--L-012	---	---	---

Continue

Cancel

Done





# PORTLAND MAINE

*Strengthening a Remarkable City, Building a Community for Life • [www.portlandmaine.gov](http://www.portlandmaine.gov)*

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

April 26, 2008

Argyro C. Pappas & George Manjounes  
142 Pleasant Avenue  
Portland, ME 04103

RE: 142 Pleasant Ave. – 131-G-003 – R-5 zone – permit #07-0349 –

Dear Argyro & George,

As you know, you have applied to legalize a nonconforming dwelling unit in your building located at 142 Pleasant Avenue. Part of the required process is to notify owners of property within 300 feet of your property. This office has received two letters of opposition to your request to legalize your unit. I have attached a copies of these letters. Because this office received letters of opposition, you will need to go the Zoning Board of Appeals for a conditional use approval of your permit. I am also enclosing the paperwork that you will need to apply for this conditional use appeal.

The Fire Prevention Bureau and the Housing Inspector have both denied your request due to the lack of required egresses and other requirements. The list is attached.

Your permit will not be issued or approved until and unless the Zoning Board of Appeals grants your conditional use request.

If you have any questions, please do not hesitate to contact this office.

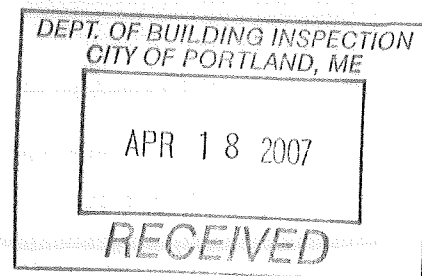
Very truly yours,

Marge Schmuckal  
Zoning Administrator

Cc: file

April 13, 2007

Ms. Marge Schmuckal  
City of Portland  
Planning Division  
389 Congress Street  
Portland, ME 04101



Re: Address 142 Pleasant Avenue  
CBL 131 G003001

Dear Ms. Schmuckal:

I am writing to register my concern regarding allowing Argyro C. Pappas the owner of 142 Pleasant Avenue to create a third or fourth apartment (the notice was unclear on the number of apartments) in her building at 142 Pleasant Avenue.

I have read the city ordinance 14-391 'Nonconformity as to the number of dwelling units' particularly the section covering Eligibility. This was originally a single-family home which appears on town of Deering maps as early as 1886 although the style is Greek Revival putting its construction earlier, perhaps as early as 1840. If there were an historic district for Deering Center, this building would certainly be included. In fact, a building three doors up Pleasant Avenue and one across the street have Greater Portland Landmarks plaques on them.

However, as much as the architectural integrity of this neighborhood concerns me without the historic protection-status from the city, what concerns me more is a trend to cut up these grand Victorian-era (and earlier) homes into non-owner occupied homes for rental income.

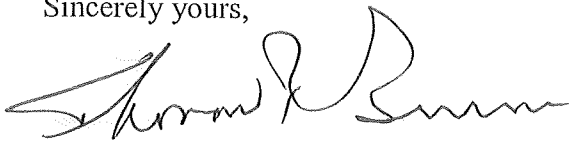
The property at 142 Pleasant Avenue had an original turret which was torn down in the late 1960's to accommodate a rental unit I was told by the present owner, who showed me a historic photo of the house in its original condition. I recently toured the home when it was briefly for sale. At that time, there was a living unit in the basement, and two apartments upstairs. The owner discussed the possibility of making yet another unit in the building. This is a two-story dwelling with 2956 square feet according to the city's assessing database. That's 739 square feet per unit.

I could complain about the usual concerns of parking, traffic etc. but I am more worried about a trend to allow these large homes to be subdivided by non-resident landlords. I myself, own a well-designed two-family closeby built in 1899. I also know there is a well-designed 3-family directly across the street from 142 Pleasant Avenue. Density is not the issue for me either, but livability is. These several square blocks have high valuations; we pay healthy taxes and I am more than happy to for the city services I receive. However, homeowners will flee who have to live next to 'apartment buildings' where the owners have squeezed in as many units as they can.

Regarding eligibility, is this building even eligible? Mr. (now deceased) and Mrs. Pappas have owned this building since the 60's. They themselves have created the non-conformity 14-391 (2).

Thank you for considering my request for the city to deny this application.

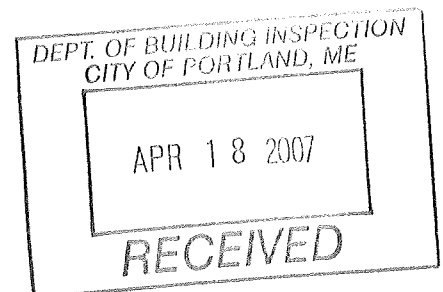
Sincerely yours,



Thomas Burns  
164 Concord Street  
Portland, ME 04103

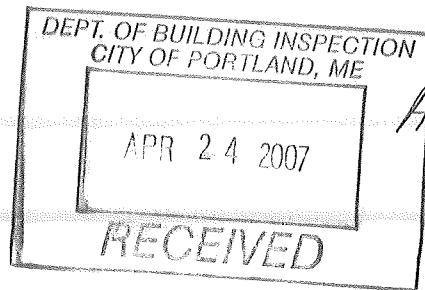
C: Alex Jaegerman  
Division Director

Hilary Bassett  
Director, Greater Portland Landmarks  
165 State Street  
Portland, ME 04101-3797



149 Concord  
04103

to Marge Schmuckal,  
Zoning Board of Appeals  
Portland, ME.



Dear Zoning Board;

I write concerning the proposed change of zoning at 142 Pleasant Ave. from a single family home to a three unit dwelling.

We (my husband & I) are abutting neighbors, kitty corner from the rear of the Pappas house and we have lived here since 1995. During this time, there have been two incidences with Angie Pappas which concerned us greatly and interrupted our "quiet enjoyment of our home."

The first concerned a most unpleasant neighbor, John Prasitelli, living at 96 Lawn Ave. who threatened neighbors, threw golf balls at our houses, swore at us as we passed on sidewalk and many other assaults to our quiet enjoyment. When a meeting

2,  
was called by the city, about 30 neighbors attended to complain of his behavior. Through all of the years it took the city to rid us of this unpleasantness (2005? he was arrears in his taxes I believe) Mr.

Piasitelli had only one friend and cohort in this neighborhood and that person was Argie Pappas. When, one evening I confronted her with the facts of the situation, she was evasive in her answers.

The second incident occurred last year. While in Greece, Argie left her home in the care of a manager who had a pit bull dog who terrorized passers-by by lunging, snarling and hurling himself in your direction from his chain. My husband and I stopped using Dawn Ave as it was clear it was only a question of time before the dog either broke his leash or otherwise escaped. The inevitable event occurred on a Friday evening, when the pit bull escaped and "went in for the kill" attacking a beagle<sup>dog</sup> on a leash with its owner attacking the throat and head end leaving him a bloody mess. Neighbors rushed to aid but the pit bull owner was insulting and

uncooperative and in the ensuing law suit (for the large vet bill [never paid], swore at the beagle owner and was generally unpleasant by (unsolicited) phone <sup>calls</sup> & <sup>in</sup> person. Argie was unavailable during all of this time, leaving no means of contacting them in Greece. When Argie did return in spring she did not offer to pay vet bill nor offer an apology though as landlords I felt they shared some responsibility.

Further, though we've lived as abutting neighbors since 1994, we've lived in this neighborhood since 1980. I've walked daily by this house which was always an owner occupied property until the death of Mr.

Pappas.

In this neighborhood where people (and their dogs) live in close proximity, generally people are courteous and kind and extend themselves to children and others in a helpful and civilized way. I cannot say that of my several dealings with Argie Pappas, I have found her to be evasive and untruthful in her dealings.

I respectfully request the zoning board of appeals deny this change of zoning.

Please keep multi-family dwellings in the hands of responsible owners.

Thank you.

J. H.

Johann Hunt

149 Concord

04103

# CITY OF PORTLAND, MAINE

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## ZONING BOARD OF APPEALS

### APPEAL AGENDA

The Board of Appeals will hold a public hearing on Thursday, June 19, 2008 at 6:30 p.m. on the second floor, Room 209, City Hall, 389 Congress Street, Portland, Maine to hear the following appeals:

To: City Clerk

From: Marge Schmuckal, Zoning Administrator

Date: June 23, 2008

RE: Action taken by the Zoning Board of Appeals on June 19, 2008.

The meeting was called to order at 6:35pm.

Roll call as follows:

**Members Present:** Jill Hunter, Philip Saucier (acting chair), Gordon Smith, and Deborah Rutter.

**Members Absent:** David Dore, Peter Thornton and Peter Coyne.

#### 1. New Business:

##### A. Hardship Variance Appeal:

52 Atlantic Street, Justin D. George and Judy D. George, owners, Tax Map #016, Block E, Lot #008, in the R6 Residential Zone. The appellant is seeking a Hardship Variance Appeal under Sections 14-139 (b) (1) and 14-332 (a) (2) of the City of Portland Zoning Ordinance. Section 14-139 (b) (1) requires 1,000 square feet of land area per dwelling unit. The appellant has 2,554 square feet of land area and needs 3,000 square feet for the proposed change of use from two (2) family dwelling units to three (3) family dwelling units. Section 14-332 (a) (2) requires one parking space for each unit. The appellant has two parking spaces and needs three (3) parking spaces for the proposed third unit. Representing the Appeal is the owner, Judy George. **The Board voted 4-0 and denied the Hardship Variance Appeal.**

##### B. Conditional Use Appeal:

16 Seventh Street, Jodi Stailing owner, Tax Map # 340, Block C, Lots #021-022, in the R-3 Residential Zone. The appellant is seeking a Conditional Use Appeal under Section 14-88 (d) (3) of the City of Portland Zoning Ordinance. The appellant is requesting a change the use from a single family dwelling unit to a single family dwelling unit with a daycare for up to 12 children. Representing the appeal is the owner and Attorney, Jim Cloutier. **The Board voted 4-0 to grant the Conditional Use Appeal.**

##### C. Conditional Use Appeal:

142 Pleasant Avenue, Argyro Papas Manjounes owner, Tax Map # 131, Block G, Lot #003, in the R-5 Residential Zone. The appellant is seeking a Conditional Use Appeal under Section 14-391 (f) of the City of Portland Zoning Ordinance. The appellant has requested a permit to legalize one (1)



nonconforming dwelling unit for a total of three (3) dwelling units within the building. During the permit process zoning received two (2) letters of objection; therefore the final approval for the legalization is given to the Zoning Board of Appeals. Representing the appeal is Attorney, Chris Neagle. **The Board voted 4-0 to grant the Conditional Use Appeal.**

**D. Practical Difficulty Variance Appeal:**

12 Coolidge Avenue, Dung Huynh owner, Tax Map # 347 Block E Lots #018, 19, 20, and 21 in the R-3 Residential Zone. The appellant is seeking a Practical Difficulty Variance Appeal under Section 14-90 (d) (1) of the City of Portland Zoning Ordinance. Appellant is requesting a set back variance, from the required 25' front yard set back, to a 18' front yard set back for the already built 12' x 16' addition, which was permitted on May 9, 2000, (permit # 000445).

Representing the appeal is the owner. **The Board voted 4-0 to grant the Practical Difficulty Variance Appeal.**

**E. Conditional Use Appeal:**

201 Prospect Street, Polly E. Smith and Mathew J. Newhall owners, Tax Map # 122, Block C, Lots #009 and 010 in the R3 Residential Zone and Tax Map #122, Block C, Lot #009, in the R-3 primary zone and R-5 Residential Zone (subordinate zone). The appellant is seeking a Conditional Use Appeal under Section 14-410 (c) of the City of Portland Zoning Ordinance. The appellant is requesting a change the use from a single family dwelling unit to a single family dwelling unit with a home occupation (Pet-taular) for pet grooming, located in the basement. Representing the appeal are the owners. **The Board voted 4-0 and granted the Conditional Use Appeal with conditions.**

- a) **Parking in driveway, in back, not on shared area.**
- b) **Pets are to be leashed in and out of the business.**
- c) **The business is two (2) days a week and four (4) dogs maximum per day.**

**2. Other Business: None**

**3. Adjournment: 9:15pm**

**Enclosure:**

Agenda of June 19, 2008  
Original Zoning Board Decision  
2 tapes of meeting

CC: Joseph Gray, City Manager  
Alex Jaegerman, Planning Department  
Penny Littell, Planning & Development Director  
T.J. Martzial, Housing & Neighborhood Services

# CITY OF PORTLAND, MAINE

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## ZONING BOARD OF APPEALS

Peter Coyne  
Philip Saucier-sec  
Peter Thornton  
Deborah Rutter  
Jill E. Hunter  
David Dore, chair  
Gordan Smith

June 24, 2008

Chris Neagle, Attorney at Law  
511 Congress Street  
PO Box 9711  
Portland, ME 04104-5011

RE: 142 Pleasant Avenue  
CBL: 131 G003  
ZONE: R5

Dear Mr Neagle:

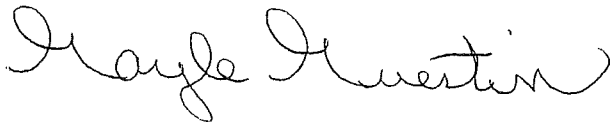
As you know, at its June 19, 2008, meeting, the Board voted 4-0 to grant your Conditional Use Appeal.

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

The inspections office will continue to process permit # 070349 (legalization of non conforming unit). It is important that you move forward immediately to construct the required exterior egress that is need by codes.

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

Sincerely,



Gayle Guertin  
Office Assistant

CC: Argyro Papas Manjounes, owner  
file

Findings of Fact and Conclusions of Law:

A. Legalization of nonconforming dwelling unit standards pursuant to Portland City Code §14-391(c), (f) and (g):

1. The nonconforming dwelling units were either in existence April 1, 1995, or the structure in which they are located was originally designed to accommodate more than the number of such units presently in use.

Satisfied 4 Not Satisfied 0

Reason: testimony + written evidence

2. The applicant neither constructed nor established the non-conforming dwelling units.

Satisfied 4 Not Satisfied 0

Reason: pre-existed before current owner(s).

3. The nonconforming dwelling units comply with or can be made to comply with current standards of the National Fire Protection Association Life Safety Code (§16-1) and the National Fire Protection Association 1: Fire Prevention Code (§10-16), as amended.

Satisfied 4 Not Satisfied 0

Reason: letter from zoning/testimony

4. Each of the nonconforming dwelling units complies with provisions of the City's Housing Code or can be made to conform with, as amended, including, but not limited to, the requirements of §6-110, Minimum Standards for Space and Occupancy and §6-111, Minimum Plumbing Standards, and §6-112 Minimum Ventilation Standards.

Satisfied 4 Not Satisfied 0

Reason: letter

5. The structure containing the nonconforming dwelling units is located in the R-3, R-4, R-5, R-6 or R-7 Zones; or the B-1, B-1(b), B-2, B-2(b) or B-3 Zones.

Satisfied 4 Not Satisfied 0

Reason: per record, maps

Note: Pursuant to §14-391(h), in making decisions under this section neither the Zoning Administrator nor the Board of Appeals shall apply the dimensional or parking requirements which would otherwise apply in the zones where the nonconforming dwelling units are situated.

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

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

Yes 0 No 4

Reason: neighbors, testimony

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

Yes 0 No 4

Reason: *Continuation of current*

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

Yes 0 No 4

Reason: *Continuation of current*

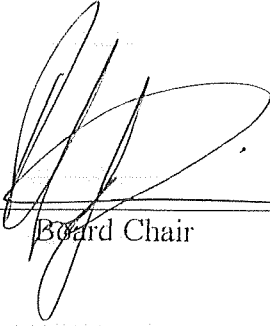
**Conclusion:** (check one)

Option 1: The Board finds that all of the standards (1 through 5) described in section A above have been satisfied and that not all of the conditions (1 through 3) described in section B above are present, and therefore GRANTS the application.

Option 2: The Board finds that all of the standards (1 through 5) described in section A above have been satisfied, and that while not all of the conditions (1 through 3) described in section B above are present, certain additional conditions must be imposed to minimize adverse effects on other property in the neighborhood, and therefore GRANTS the application SUBJECT TO THE FOLLOWING CONDITIONS:

Option 3: The Board finds that not all of the standards (1 through 5) described in section A above have been satisfied and/or that all of the conditions (1 through 3) described in section B above are present, and therefore DENIES the application.

Dated: 6/19/08



Board Chair

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