



PORTLAND MAINE

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*Jeff Levine, AICP, Director
Marge Schmuckal, Zoning Administrator*

May 10, 2013

Perkins Thompson
One Canal Plaza
PO Box 426
Portland, ME 04112
Attn: James N. Katsiaficas

RE: 777 Stevens Avenue – Park Danforth – (the “Property”)– 146-C-5-10 – R-6 Zone

Dear James N. Katsiaficas, Esq.,

I am in receipt of your request concerning the Property. The Property is currently located within the R-6 Residential Zone. Both residential uses and assisted care uses are permitted in the R-6 Zone.

To the best of my knowledge all necessary City of Portland code, zoning, land use and planning permits and approvals have been obtained for the Property and its current uses and configuration. I have enclosed copies of all permits and occupancy permits that have been found. The original building permit was issued subject to a sustained appeal granted by the Zoning Board of Appeals for parking relief. The property was allowed 50 parking spaces instead of the required 108 parking spaces. It is evident that the permit was reviewed also under site plan review of which a copy is enclosed.

An addition to the Property was approved in December of 1997 with a Certificate of Occupancy issued December 17, 1998.

I am not aware of any outstanding City of Portland code, zoning or planning violations concerning the Property. No violations or enforcements are pending, threatened or contemplated by the City of Portland.

If you have any questions regarding this matter, please do not hesitate to contact me at (207) 874-8695.

Very truly yours,

Marge Schmuckal
Zoning Administrator
City of Portland

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS



GAIL D. ZAVAC
Chairperson

MICHAEL E. WASTORY
Secretary

JACQUELINE COHEN
TIMOTHY E. FLAHERTY
EUGENE S. MARTIN
THOMAS J. MURPHY
MERRILL S. SELTZER

October 29, 1982

Park Danforth Corporation
Att: Kermit Lipetz
One Canal Plaza
Portland, Maine 04112

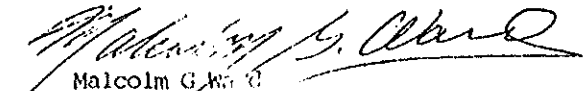
RE: Appeal at 757-777 Stevens Cor 1-43 Poland Street, cor. 1082-1092 Forest Avenue

Dear Sir:

Following is the decision of the Board of Appeals regarding your petition to construct 108 unit congregate elderly housing facility at the above named location. Please note that your appeal was granted.

Also, before your permit can be issued, you must pay the permit fee itself. Please make all checks payable to City of Portland.

Very truly yours,


Malcolm G. Wastory
Zoning Enforcement Officer

MGW/t

Applicant: PARK DANFORTH CORP.

Date: 10/31/82

Address: 754-777 STEVENS HVB. COR, 1-43 MOLAND ST.

Assessors No.: 146-C-5,10 COM, 1082-1092 FOREST AVE.

CHECK LIST AGAINST ZONING ORDINANCE

Date - NEW

Zone Location - R-6

Interior or corner lot -

40 ft. setback area (Section 21) -

Use - 108 ANT. COMPLEX

Sewage Disposal PUBLIC

Rear Yards -

Side Yards -

Front Yards -

Projections -

Height - 65' - 65' MAX.

Lot Area - 109,079 sq ft - 108,000 MIN.

Building Area - 17,468 sq ft - 43,631 MAX, 4/3631

Area per Family - 109,079 - 108,000 sq ft MIN. 16343

Width of Lot - 3 OK

Lot Frontage

622.14 ft.
 Off-street Parking - 50 SHOWING 108 REQ, 17468

Loading Bays -

Site Plan -

Shoreland Zoning -

Flood Plains -

174191
34888
109079
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APPLICATION FOR PERMIT

B.O.C.A. USE GROUP

B.O.C.A. TYPE OF CONSTRUCTION

ZONING LOCATION PORTLAND, MAINE .. April 1, 1983

To the CHIEF OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect, alter, repair, demolish, move or install the following building, structure, equipment or change use in accordance with the Laws of the State of Maine, the Portland B.O.C.A. Building Code and Zoning Ordinance of the City of Portland with plans and specifications, if any, submitted herewith and the following specifications.

LOCATION ... 757-777 Stevens Ave. & 1286 Forest Avenue Fire District #1 #2

1. Owner's name and address ... Park-Danforth - 125 Danforth St. Telephone 773-1788

2. Lessee's name and address

3. Contractor's name and address ... O. M. Cimino, Inc. - 3 Warren Ave. West ... Telephone 854-8876

..... No. of sheets

Proposed use of building ... Congregate, Early Housing No. families

Last use

Material

Other buildings on same lot ... 4,242,824.00

Estimated contractual cost \$

FIELD INSPECTOR--Mr. Appeal Fees \$ 50.00

..... @ 775-5451 Base Fee

..... Check Fee 21,224.00

To construct 108 apartments units TOTAL \$

Appeal must be made 4-25-83

This application does not settle the question of zoning appeal. In the event Stamp of Special Conditions appears on this plan, the applicant must obtain complete information, estimated cost and pay fees.

Send permit to # 3 04092

NOTE TO APPLICANT: Separate permits are required by the installers and subcontractors of heating, plumbing, electrical and mechanicals.

DETAILS OF NEW WORK

Is any plumbing involved in this work? Is any electrical work involved in this work?

Is connection to be made to public sewer? If not, what is proposed for sewage?

Has septic tank notice been sent? Form notice sent?

Height average grade to top of plate Height average grade to highest point of roof

Size, front depth No. stories silt or filled land? earth or rock?

Material of foundation Thickness, top bottom cellar

Kind of roof Rise per foot Roof covering

No. of chimneys Material of chimneys of lining Kind of heat fuel

Priming Lumber-- Kind Dressed or full size? Corner posts Sills

Size Order Columns under girders Size Max. on centers

Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet

Joists and rafters: 1st floor 2nd 3rd roof

On centers: 1st floor 2nd 3rd roof

Maximum span: 1st floor 2nd 3rd roof

Is one story building with masonry walls, thickness of walls? height?

IF A GARAGE

No. cars now accommodated on same lot to be accommodated number commercial cars to be accommodated

Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building?

| | |
|--|---|
| <p>APPROVALS BY:</p> <p>BUILDING INSPECTION--PLAN EXAMINER</p> <p>ZONING:</p> <p>BUILDING CODE:</p> <p>Fire Dept.:</p> <p>Health Dept.:</p> <p>Other:</p> | <p style="text-align: center;">DATE</p> <p style="text-align: center;">MISCELLANEOUS</p> <p>Will work require disturbing of (tree on a public street)?</p> <p>Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed?</p> |
|--|---|



APPLICATION FOR PERMIT

PERMIT ISSUED

OCT 3 1983

B.O.C.A. USE GROUP

B.O.C.A. TYPE OF CONSTRUCTION

1015
October 12, 1982

ZONING LOCATION

PORTLAND, MAINE

CITY of PORTLAND

To the CHIEF OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect, alter, repair, demolish, move or install the following building, structure, equipment or change use in accordance with the Laws of the State of Maine, the Portland B.O.C.A. Building Code and Zoning Ordinance of the City of Portland with plans and specifications, if any, submitted herewith and the following specifications.

LOCATION

1. XXXXX in ~~Puncheon~~ **City of Portland** Fire District #1 (1, #2, 3)

2. Lessee's name and address **Park-Danforth Corp., 129 Danforth St., City** 04101 Telephone **773-1786**

3. Contractor's name and address

Proposed use of building **Congregate Elderly Housing** No. of sheets

East use **vacant** No. families

Material

No. stories

Heat

Style of roof

Roofing

Other buildings on same lot **4,742,824.00** Appeal Fees **50.00**

Estimated contractual cost \$

XXXXXX Site Plan **200.00**

Base Fee

Late Fee

TOTAL **21,224.00**

Stamp or Sewal Conditions

NOTE TO APPLICANT: Separate permits are required by the installers and subcontractors of heating, plumbing, electrical and mechanicals.

DETAILS OF THE WORK

Is any plumbing involved in this work? Is any electrical work involved in this work?
Is connection to be made to public sewer? If not, what a program for sewage?
Has septic tank notice been sent? Form notice sent?
Height average grade to top of plate Height average grade to highest point of roof?
Size, front depth No. stories solid or filled land? earth or rock?
Material of foundation Thickness, top bottom cellar
Kind of roof Rise per foot Roof covering
No. of chimneys Material of chimneys of lining Kind of heat fuel
Framing Lumber Kind Dressed or full size? Corner posts Sills
Size Girder Columns under girders Size Max. on centers
Studs (inside walls and carrying partitions) 2x4-15" O. C. Bridging in every floor and flat roof span over 8 feet.
Joists and rafters: 1st floor 2nd 3rd roof
On centers: 1st floor 2nd 3rd roof
Maximum span: 1st floor 2nd 3rd roof
If one story building with masonry walls, thickness of walls? height?

IF A GARAGE

No. cars now accommodated on same lot to be accommodated number commercial cars to be accommodated
Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building?

APPROVALS BY: DATE
BUILDING INSPECTION - PLAN EXAMINER
ZONING:
BUILDING CODE:
Fire Dept.:
Health Dept.:
Others:

MISCELLANEOUS
Will work require disturbing of any tree on a public street?
Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed?

Signature of Applicant *Herbert Rippey* Phone # **775-2361**
Type Name of above **Herbert Rippey for Park Danforth**
Attorney

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**CITY OF PORTLAND, MAINE
SITE PLAN REVIEW
Processing Form**

Applicant _____ Date _____

Mailing Address _____ Address of Proposed Site _____

Proposed Use of Site _____ Site Identifier(s) from Assessors Maps _____

Acres of Site / Ground Floor Coverage _____ Zoning of Proposed Site _____

Site Location Review (DEP) Required: () Yes () No Proposed Number of Floors _____

Board of Appeals Action Required: () Yes () No Total Floor Area _____

Planning Board Action Required: () Yes () No

Other Comments: _____

Date Dept. Review Due: _____

PLANNING DEPARTMENT REVIEW

(Date Received) _____

- Major Development — Requires Planning Board Approval: Review Initiated
- Minor Development — Staff Review Below

*APPROVED BY PLANNING BOARD
AUGUST 9, 1983*

| | LOADING AREA | PARKING | CIRCULATION PATTERN | ACCESS | PEDESTRIAN WALKWAYS | SCREENING | LANDSCAPING | SPACE & BULK OF STRUCTURES | LIGHTING | CONFLICT WITH CITY PROJECTS | FINANCIAL CAPACITY | CHANGE IN SITE PLAN |
|------------------------|--------------|---------|---------------------|--------|---------------------|-----------|-------------|----------------------------|----------|-----------------------------|--------------------|---------------------|
| APPROVED | | | | | | | | | | | | |
| APPROVED CONDITIONALLY | | | | | | | | | | | | |
| DISAPPROVED | | | | | | | | | | | | |

CONDITIONS SPECIFIED BELOW

REASONS SPECIFIED BELOW

REASONS: 1. THE DETENTION BASIN SHALL NOT CONSTRUCTED SO AS TO INFRINGE UPON THE EXISTING TUBES ALONG POLAND STREET AND BERRY AVENUE

2. PROPOSED TREES ON THE CORNER OF STEVENS AVENUE - POLAND ST AND POLAND ST - BERRY AVENUE, SHALL BE SETBACK PER SECTION 14-434 OF THE ZONING ORDINANCE

3. ALL LANDSCAPING SHALL MEET THE CITY ARBORIST SPECIFICATIONS. THE CITY ARBORIST (AND GRINGS) SHALL BE CONSULTED WITH PRIOR TO ANY LANDSCAPING BEING PLANNED SO THAT THE LANDSCAPING CAN BE INSPECTED. THE CITY ARBORIST SHALL BE CONSULTED WITH PRIOR TO CONSTRUCTION SO THAT TREES PROPOSED TO BE CONSERVED CAN BE APPROPRIATELY PROTECTED.
(Attach Separate Sheet if Necessary)

4. DISTURBED AREAS SHALL BE LOANED AND SEEDS.

Richard Knowles 9-

SIGNATURE OF REVIEWING STAFF/DATE

PLANNING DEPARTMENT COPY

C.M. Cimino
Page Two
September 28, 1983

2. The automatic alarm system and sprinkler system shall require a separate permit and approval. These systems shall be connected to the City Fire Department as an approved Central Receiving System.
3. Emergency power shall be supplied to at least one elevator, and the elevators shall have auto recall upon activations of either the alarm or sprinkler system.
4. The Activity and Craft rooms shall be provided with additional remote existing, one of which shall lead directly to the building exterior.
5. An approved voice communication system and firefighter telephone system shall be provided as required.
6. Exhaust ducts or vents of air conditioning systems shall not discharge into stairways or elevator enclosures. Nor shall corridors serving as exits access be used as the return exhaust from air conditioned spaces through louvers or other devices in the doors or partitions enclosing such air conditioned spaces, unless such passageways are equipped with approved smoke detectors to automatically stop the supply and exhaust fans and close the louvers, and such use is approved by the building official.
7. In buildings more than three stories in height except those with a roof slope greater than 4 unit vertical in 12 units horizontal (4:12) access to roof shall be provided by means of a stairway or a ladder and trap door.
8. In all buildings having an occupant load of 50 or more, all required means of egress shall be indicated with approved internally illuminated signs reading EXIT, visible from the exit access and, when necessary, supplemented by directional signs in the access corridors indicating the direction and way of egress. All EXIT signs shall be located at exit doors or exit access areas, so as to be readily visible.
9. All exit signs shall be illuminated at all times, when the building is occupied from an emergency electrical system. In those buildings required by Section 824.4 to have an independent power source for means of egress lighting, Exit signs shall be connected to the independent power source or other approved auxiliary source of power to assure continued illumination in case of emergency or primary power loss.
10. All means of egress in other than buildings of Use Group R-3 shall be equipped with artificial lighting facilities to provide the intensity of illumination of at least one foot candle.

C.M. Cimino
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September 28, 1983

11. Means of egress lighting, except that lighting within a dwelling unit shall be wired on a circuit independent of circuits within any dwelling unit.

12. If a structural analysis is required, a certificate of design, signed by a licensed structural engineer, shall be filed with the building official. Your plans have a registered architect but not that of a structural engineer. I am requesting such a certificate by a structural engineer.

If you have any questions on these requirements, please call me at City Hall, 775-5451, Ext. 346.

Sincerely,

P. Samuel Hoffses
Chief of Inspection Services

PSH/ulb

cc: Rick Knowland
Marc Guimont
Lt. Collins



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 777 Stevens Ave 146-C-005

Issued to Park Danforth

Date of Issue December 17, 1998

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. 971332, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

Addition

APPROVED OCCUPANCY

Housing for Elderly
Use Group R-2-I(1)
Type 2A
1996 Boca

Limiting Conditions:

This certificate supersedes
certificate issued

Approved:

17 Dec. 98

(Date)

Inspector

Inspector of Buildings

Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.