



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. WASTCOT
Secretary

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

October 29, 1982

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

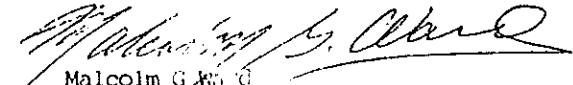
RE: Appeal at 757-777 Stevens Cor 1-43 Poland Street, cor. 1082-1092 Forest Avenue

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. Wood
Zoning Enforcement Officer

MGW/t

Applicant: PARK DANFORTH CORP.

Date: 10/13/82

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

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

74191
34888

109079
1

Height - 65' - 65' MAX.

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

Building Area - 17,468 sq ft - 43,631 MAX. 43631

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

Width of Lot - 3 OK

Lot Frontage

1125

17468

602-14-15-1
 Off-street Parking - 50 SHOWING 108 REQ. 17468

Loading Bays -

Site Plan -

Shoreland Zoning -

Flood Plains -

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. & 1986 Forest Avenue
 1. Owner's name and address ... Park-Danforth - 125 Danforth St. Fire District #1 #2 Telephone 773-1788

2. Lessor's name and address ... Telephone

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

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

Last use ... No. families

Material ... No. stories Heat Style of roof Roofing

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

Estimated contractual cost \$ Appeal Fees \$ 50.00

FIELD INSPECTOR - Mr. @ 775-5451 Base Fee

To construct 108 apartment units Misc Fee 21,224.00

TOTAL \$

Appeal number 4-28-83

This application has been entered on the question of zoning appeal. In the event Stamp of Special Conditions is required, the applicant must furnish complete information, estimated cost and pay

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 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

Trimming Lumber - Kind Dressed or full size Corner posts Sills

Size Girder 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

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 MISCELLANEOUS

BUILDING INSPECTION - PLAN EXAMINER Will work require disturbing of tree on a public street?

ZONING: Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed?

BUILDING CODE:

Fire Dept.:

Health Dept.:

33

APPLICATION FOR PERMIT

PERMIT ISSUED

B.O.C.A. USE GROUP

B.O.C.A. TYPE OF CONSTRUCTION

10.15
October 12, 1982

OCT 3 1983

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. Planing Code and Zoning Ordinance of the City of Portland with plans and specifications, if any, submitted herewith and the following specifications:

LOCATION 757 1/2 Stevens Ave. & 1086 Forest Avenue

1. XXXXX in Purchase City of Portland

2. Lessee's name and address Park Danforth Corp. 129 Danforth St., City 04103

3. Contractor's name and address

Proposed use of building Congregate Elderly Housing

Fast use vacant

Material No. stories Heat Style of roof Roofing

Other buildings on same lot

Estimated contractual cost \$4,242,824.00

FIELD INSPECTOR Mr. [Name] (at 775-5451)

To construct 103 apartment units, as per plan.

Appeal Fees	50.00
XXXXXX Site Plan Base Fee	200.00
Late Fee	
TOTAL	21,224.00

Stamp or Special Conditions

NOTE TO APPLICANT: Separate permits are required by the installer 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 propose 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 (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

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

MISCELLANEOUS

BUILDING INSPECTION - PLAN EXAMINER

Will work require disturbing of any tree on a public street?

ZONING

BUILDING CODE

Will there be in charge of the above work a person competent

Fire Dept.

to see that the State and City requirements pertaining thereto

Health Dept.

are observed?

Others:

Signature of Applicant

Kermit Lopez
Kermit Lopez for Park Danforth

Phone # 775-2761

Type Name of above Attorney

1 2 3 4

Other

9

**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 _____

Acreage 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 CITY PLAN
APPROVED												
APPROVED CONDITIONALLY												
DISAPPROVED												

CONDITIONS SPECIFIED BELOW

REASONS SPECIFIED BELOW

REASONS: 1. THE DETENTION BASIN SHALL NOT BE CONSTRUCTED SO AS TO INFRINGE UPON THE EXISTING TREE ALONG PELAND STREET AND FOREST AVENUE.

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

3. ALL LANDSCAPING SHALL MEET THE CITY ARBORIST SPECIFICATIONS. THE CITY ARBORIST (ARBORIST) 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 OF THAT TREE PROPOSED TO BE CONSERVED AND APPROPRIATELY PROTECTED. (Attach Separate Sheet if Necessary)

4. DISTURBED AREAS SHALL BE LOANED AND RESEED.

Richard Knowles 9-

SIGNATURE OF REVIEWING STAFF/DATE

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 recal 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
Page Three
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

APPROVED OCCUPANCY

Addition

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.

PERKINS|THOMPSON
ATTORNEYS & COUNSELORS AT LAW

ESTABLISHED 1871

ONE CANAL PLAZA
PO BOX 426
PORTLAND ME 04112
TEL 207.774.2635
FAX 207.871.8026

www.perkinsthompson.com

April 25, 2012

RECEIVED

APR 29 2013

Dept. of Building Inspections
City of Portland Maine

Marge Schmuckal, Zoning Administrator
City of Portland
389 Congress Street
Portland, ME 04101-3509

Re: Determination of Property Code, Zoning, Land Use and Planning Compliance,
777 Stevens Avenue

146-C-5-10 R-L

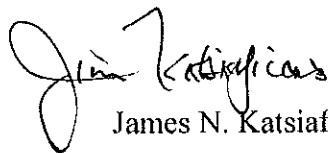
Dear Marge:

This Firm represents The Park-Danforth in connection with the Home for The Aged at 777 Stevens Avenue, Chart/Block/Lot Nos. 146 C005 and 146 C010 (the "Property"). We have been asked to provide a Code Enforcement Officer letter regarding the Property. Therefore, we ask the following questions:

- (1) In what zoning district(s) is the Property located?
- (2) Are the current uses of the Property allowed in that zoning district?
- (3) Have all the necessary City of Portland code, zoning, land use and planning permits and approvals been obtained for this Property and its current uses and configuration?
- (4) Is there a current occupancy permit for the Property and its uses?
- (5) Are there currently any outstanding City of Portland code, zoning or planning violations at the Property, and, if so, are there any pending, threatened or contemplated City of Portland enforcement actions related to the Property?

We understand that this request will be processed as a "Request for Zoning Determination" for which there is a \$150 fee; therefore, enclosed please find a check in the amount of \$150 payable to the "City of Portland, Maine." If you have any questions or concerns regarding this request, please do not hesitate to contact me. As always, thank you for your attention and assistance in this matter.

Sincerely,



James N. Katsiaficas

cc: Melissa H. Murphy, Esq., Perkins Thompson

PHILIP C. HUNT
JOHN S. UPTON
PEGGY L. McGEHEE
MELISSA HANLEY MURPHY
JOHN A. MORSON
JAMES N. KATSIAFICAS
MOTYLA FRIENDLICH
GORDON SCANNELL, JR.
FRED W. BOYER
MARK P. SNOW
WILLIAM J. SHELS
DAVID B. MCCONNELL
PAUL D. PETROPAOLI
HOPE GRETA JACOBSEN
RANDY J. GRESHAM
JULIANNE C. RAY
DAWN M. HARMON
CHRISTOPHER M. DARGO
ANTHONY J. MANHART
STEPHANEA WILLIAMS
PETER J. McDONELL
KERRY J. DUNLAP
SARA N. MORRIS
JEFFREY A. COHEN
SHAWN K. HYDEN
JOSEPH G. TALBOT
LAUREN B. WELIVER

JOHN A. ORLANDO
1956-2010

Assessor's Office | 369 Congress Street | Portland, Maine 04101 | Room 115 | (207) 874-8486

City Home Departments City Council E-Services Calendar Jobs

This page contains a detailed description of the Parcel ID you selected. Press the **New Search** button at the bottom of the screen to submit a new query.

Current Owner Information:

Services	CBL	146 C005001
	Land Use Type	BENEVOLENT & CHARITABLE
	<small>Verify legal use with Inspections Division</small>	
Applications	Property Location	777 STEVENS AVE
Doing Business	Owner Information	HOME FOR THE AGED 777 STEVENS AVE PORTLAND ME 04103
Maps	Book and Page	
Tax Relief	Legal Description	146-C-5-10 POLAND ST 25-45 STEVENS AVE 757- 777 FOREST AVE 1086 110207 SF
Tax Roll	Acres	2.53

Q & A

Current Assessed Valuation:

<small>browse city services a-z</small>	TAX ACCT NO.	21532	OWNER OF RECORD AS OF APRIL 2012
			HOME FOR THE AGED
	LAND VALUE	\$934,500.00	777 STEVENS AVE
	BUILDING VALUE	\$12,640,100.00	PORTLAND ME 04103
<small>browse facts and links a-z</small>	BENEVOLENT AND CHARITABLE	(\$13,574,600.00)	
	NET TAXABLE - REAL ESTATE	\$0.00	
	TAX AMOUNT	\$0.00	



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

Building Information:

Best viewed at 800x600, with Internet Explorer

	Building 1
Year Built	1984
Style/Structure Type	BOARDING HOUSE
# Units	160
Building Num/Name	1 - PARK/DANFORTH HOME
Square Feet	148844
View Sketch	View Map
	View Picture



Exterior/Interior Information:

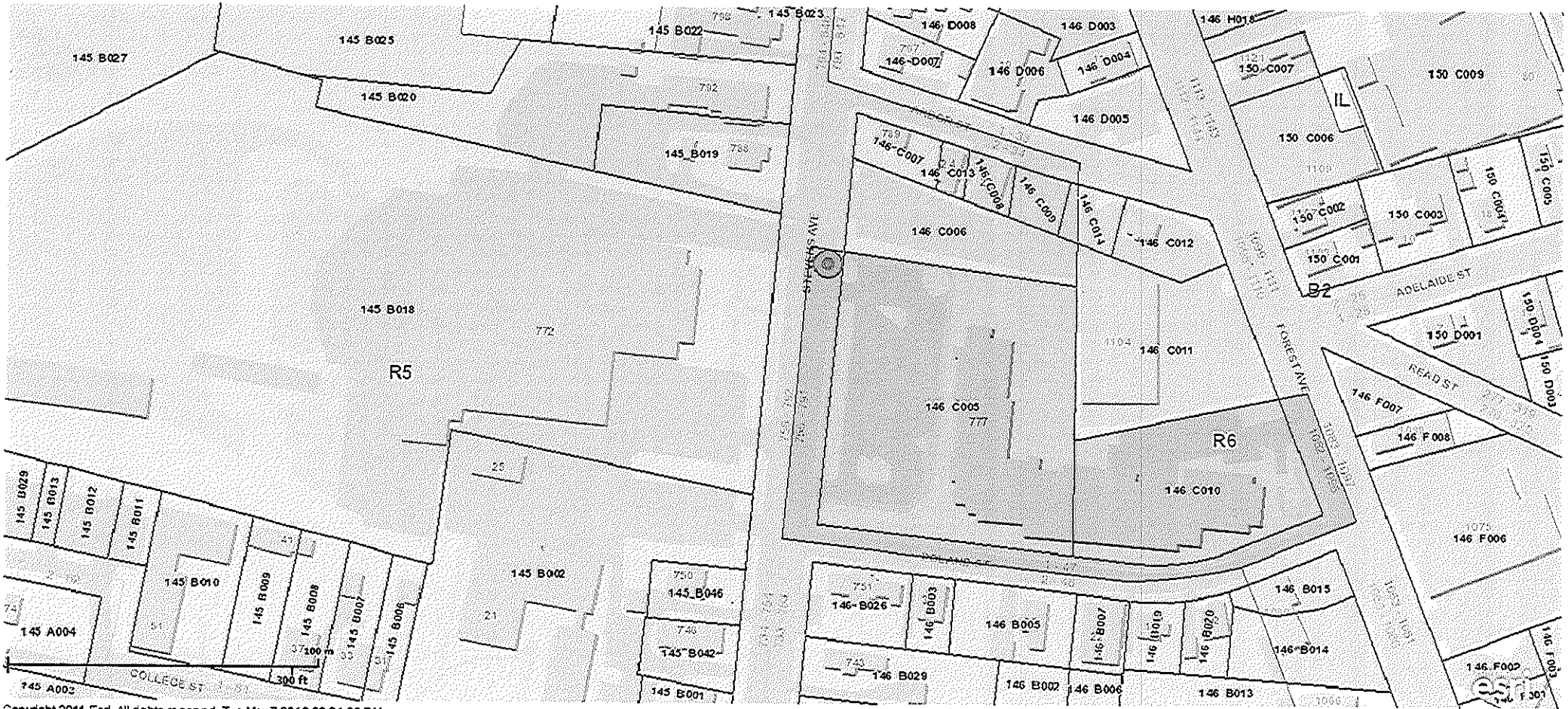
	Building 1
Levels	01/01
Size	30850
Use	NURSING HOME
Height	9
Walls	BRICK/STONE
Heating	UNIT HEAT
A/C	NONE

	Building 1
Levels	02/03
Size	29705
Use	NURSING HOME
Height	9
Walls	BRICK/STONE
Heating	UNIT HEAT
A/C	NONE

	Building 1
Levels	04/07
Size	14646
Use	NURSING HOME
Height	9
Walls	BRICK/STONE
Heating	UNIT HEAT
A/C	NONE

Other Features:

777 Stevens Ave



CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT
 389 Congress Street
 Portland, Maine 04101

RECEIPT OF FEES

Application No: 0000-1698	Applicant: HOME FOR THE AGED
Project Name: 777 STEVENS AVE	Location: 777 STEVENS AVE
CBL: 146 C005001	Application Type: Determination Letter
Invoice Date: 04/30/2013	

Previous Balance	-	Payment Received	+	Current Fees	-	Current Payment	=	Total Due	Payment Due Date
\$0.00		\$0.00		\$150.00		\$150.00		\$0.00	On Receipt

Previous Balance **\$0.00**

Fee Description	Qty	Fee/Deposit Charge
Zoning Determinations	1	\$150.00
		\$150.00
	Total Current Fees:	+ \$150.00
	Total Current Payments:	- \$150.00
	Amount Due Now:	\$0.00

CBL 146 C005001
Bill to: HOME FOR THE AGED
 777 STEVENS AVE
 PORTLAND, ME 04103

Application No: 0000-1698
Invoice Date: 04/30/2013
Invoice No: 40940
Total Amt Due: \$0.00
Payment Amount: \$150.00

Make checks payable to the *City of Portland*, ATTN: Inspections, 3rd Floor, 389 Congress Street, Portland, ME 04101.