

City of Portland, Maine - Building or Use Permit Application

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

Permit No: 06-1106	Issue Date:	CBL: 152 A005001
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Location of Construction: 1156 FOREST AVE	Owner Name: GRIBIZIS DIMITRI & ANILDA G	Owner Address: 124 HARRIS AVE	Phone:
Business Name:	Contractor Name: Luke Boyle	Contractor Address: Portland	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Commercial	Zone: B2

Past Use: Multi Residential 5 units	Proposed Use: Multi Residential 5 units Change of use of 2 residential units to 2 commercial units	Permit Fee: \$105.00	Cost of Work: \$135.00	CEO District: 4
Proposed Project Description: Change of use of 2 residential units to 2 commercial units		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type:	
		Signature:	Signature:	
		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		
		Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied		
		Signature:	Date:	

WITHDRAW

Permit Taken By: dmartin	Date Applied For: 07/27/2006	Zoning Approval
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1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. 2. Building permits do not include plumbing, septic or electrical work. 3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..	Special Zone or Reviews <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> Date:	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date:	Historic Preservation <input checked="" type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied <i>ABM</i> Date:
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WITHDRAW

CERTIFICATION

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT	ADDRESS	DATE	PHONE
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE		DATE	PHONE



General Building Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

X Location/Address of Construction: <u>1158 FOREST AVE - PORTLAND, ME 04103</u>		
Total Square Footage of Proposed Structure		Square Footage of Lot
Tax Assessor's Chart, Block & Lot Chart# Block# Lot# <u>152 A 005</u>	Owner: <u>DIMITRI & ANILDA GRIBIZIS</u> X	Telephone: <u>X(207)878-5863</u>
Lessee/Buyer's Name (If Applicable)	Applicant name, address & telephone:	Cost Of Work: \$ <u>200.00</u> Fee: \$ <u>135.00</u> C of O Fee: \$ _____
Current Specific use: <u>Residential Units (5)</u> If vacant, what was the previous use? _____ Proposed Specific use: _____		
Project description: <u>Change of Use Residential Units² to 2 Commercial Units Adding a 4ft wall (2 Studios) (1) STUDIO & (1) ALTERATIONS BUS</u>		
Contractor's name, address & telephone: X <u>BOYLE LUKE - 109 HARRIS AVE, PORTLAND, ME 04103</u>		
Who should we contact when the permit is ready: X <u>DIMITRI GRIBIZIS</u>		
Mailing address: <u>124 Harris Ave PORTLAND, ME 04103</u>	Phone: X <u>(207) 831-4195</u>	DEPT. OF BUILDING INSPECTION CITY OF PORTLAND, ME JUL 25 2006 RECEIVED

Please submit all of the information outlined in the Commercial Application Checklist. Failure to do so will result in the automatic denial of your permit.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information visit us on-line at www.portlandmaine.gov, stop by the Building Inspections office, room 315 City Hall or call 874-8703.

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

X Signature of applicant: <u>Anilda Gribizis, Dimitri Gribizis</u>	Date: <u>7/23/06</u>
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This is not a permit; you may not commence ANY work until the permit is issued.

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Business Name:	Contractor Name: Luke Boyle	Contractor Address: Portland	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Commercial	

Proposed Use: Multi Residential 5 units Change of use of 2 residential units to 2 commercial units	Proposed Project Description: change of use of 2 residential units to 2 commercial units
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Dept: Zoning	Status:	Reviewer: Ann Machado	Approval Date:	Ok to Issue: <input type="checkbox"/>
Note:				
Dept: Building	Status: Pending	Reviewer:	Approval Date:	Ok to Issue: <input type="checkbox"/>
Note:				

Comments:

8/3/2006-amachado: Met with Anilda Gribizis. They purchased the building in November 2004. When they purchased it there were five dwelling units in the building. Our records do not show this as the legal use of the building. The left half of the building (1152-1154 Forest Ave. 152-A-006) was built in 1985 (# 85/813) as a one story wedding shop. The Certificate of Occupancy called it an addition to wedding shop. The previous owners applied in December of 1997 for a change of use permit which was denied claiming that the building was a dwelling on the first floor, retail on the second floor which they wanted to change to a dwelling unit and that the third floor was retail which would remain vacant. It was denied because they did not have the lot area per dwelling unit to have two dwelling units. The last use we have for the right half of the building (1156-1158 Forest Ave 152-A-005) is a permit (83/0023) from January 4, 1983 which changed the use of the building from a two family to a retail store on the first floor and one dwelling unit on the second floor. Anilda is going to revise her project description and application for the building to try to make the uses in the building legal. What complicates matters is that the property has been assessed as separate lots and the building has been assessed as two separate buildings. One of the existing illegal apartments is located in the back half of the first floor in the building on the right and goes up to the right side of the second floor of the building on the left.

8/9/2006-amachado: Dimitri Gribizis brought in revised and more complete plans along with pictures. I reviewed the information with Marge and called the Gribizis back. The lot is only 6504 s.f. total. It is in the B2 but the closest residential zone is R-5. To have three or more dwelling units, the owner needs 6,000 s.f. per dwelling unit. In the B2 zone you may have multi family dwelling units above the first floor, and you only need 1,000 square feet per dwelling unit. The issue here is that the back half of the part of the right half of the building is a dwelling unit (Apartment 'A'). The other issue is that the Gribizis are proposing to put a music store in the basement of the left half of the building. This is allowed, but we need to determine if the more than half of the basement is above grade so it counts as the first floor. I told Mrs. Gribizis this on the phone.

8/23/2006-amachado: I spoke to Anilda Gribizis today. She wanted to tell me that she was working on the necessary information that we needed. She will get the information in as soon as she can. We need to know if the bottom floor where the music store is going is more than half above grade and we need a copy of the lease for apartment 'A'.

9/1/2006-amachado: I met with Anilda Gribizis yesterday. She brought in information about the grade of the bottom floor on the left side of the building. The area in question is 192 total feet. 71' of the bottom floor is above grade, and 121' of the bottom floor is below grade so the bottom floor is a basement under section 14-47 definition of a story. Therefore section 14-185(a)(4) which allows multidwellings above the first floor would not apply because the music store would be in the basement and not the first floor. The first floor would have to be non residential for this section to work.

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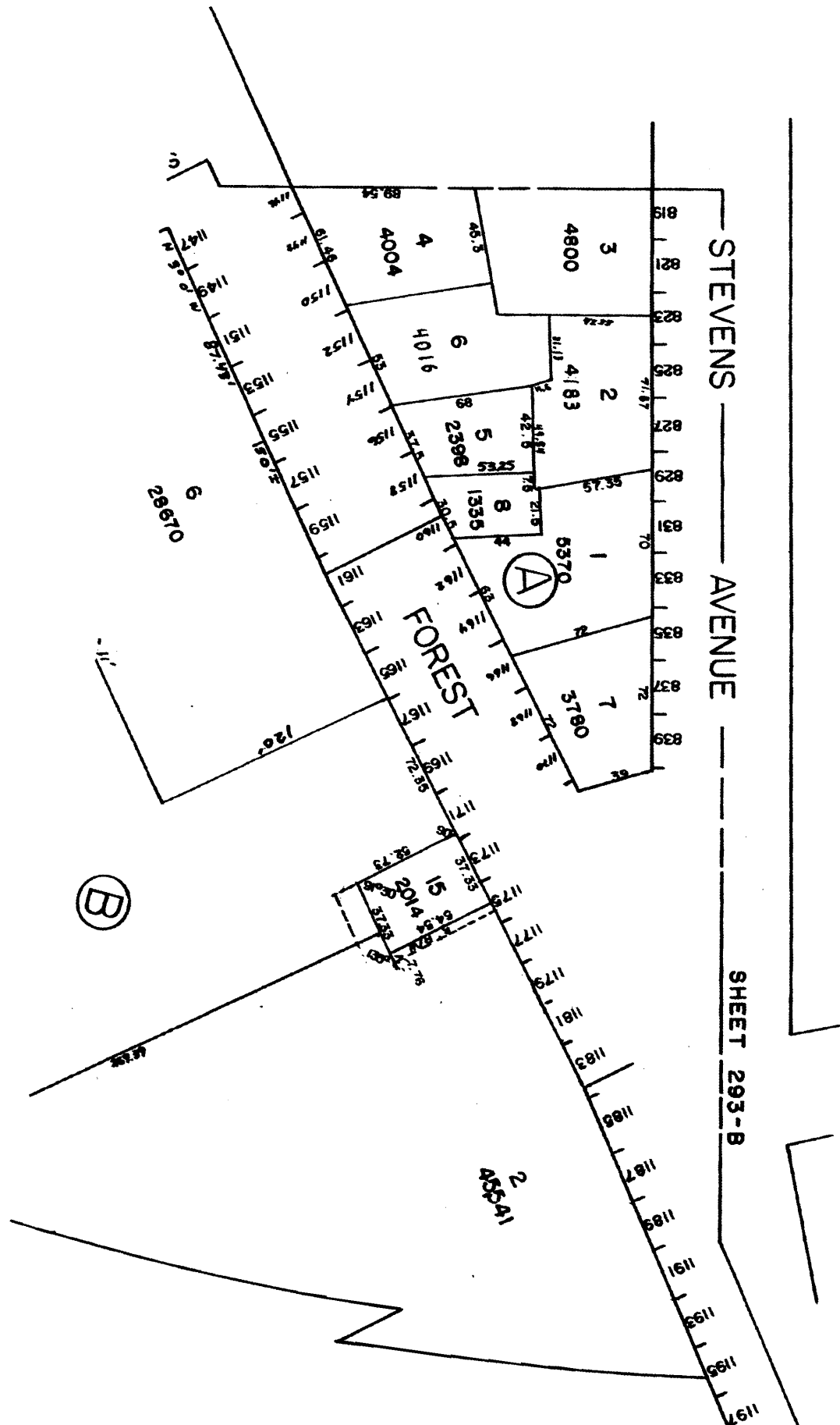
10/30/2006-amachado: Dimitri Gribizis came in and picked up a sample of how the affidavit from the previous owner has to be notarized. The affidavit we recived on 10/11/06 was not notarized correctly. We still need a legalization of illegal units application to be submitted.

4/28/2007-amachado: The Gribizis withdrew this application today, and applied for a new change of use permit (#07-0447).

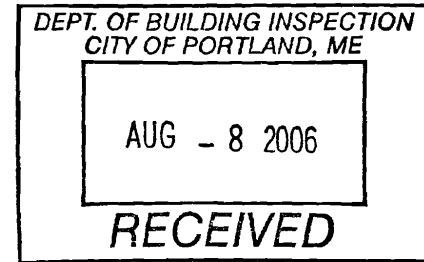


Current.

13
dwelling units above first floor business
1,000 sq ft per dw.



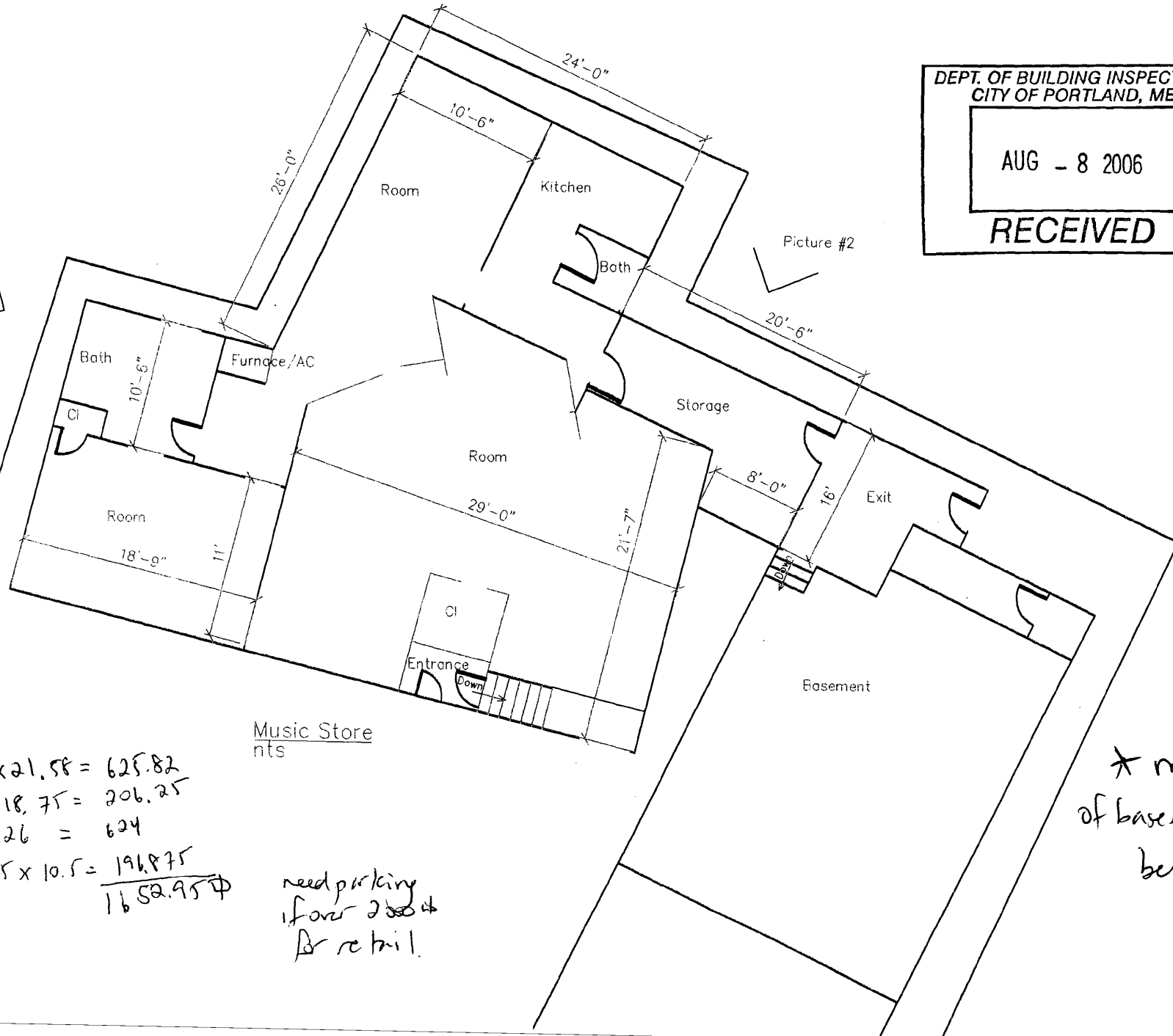
Basement #22



Picture #1

Picture #2

Picture #3



Music Store
nts

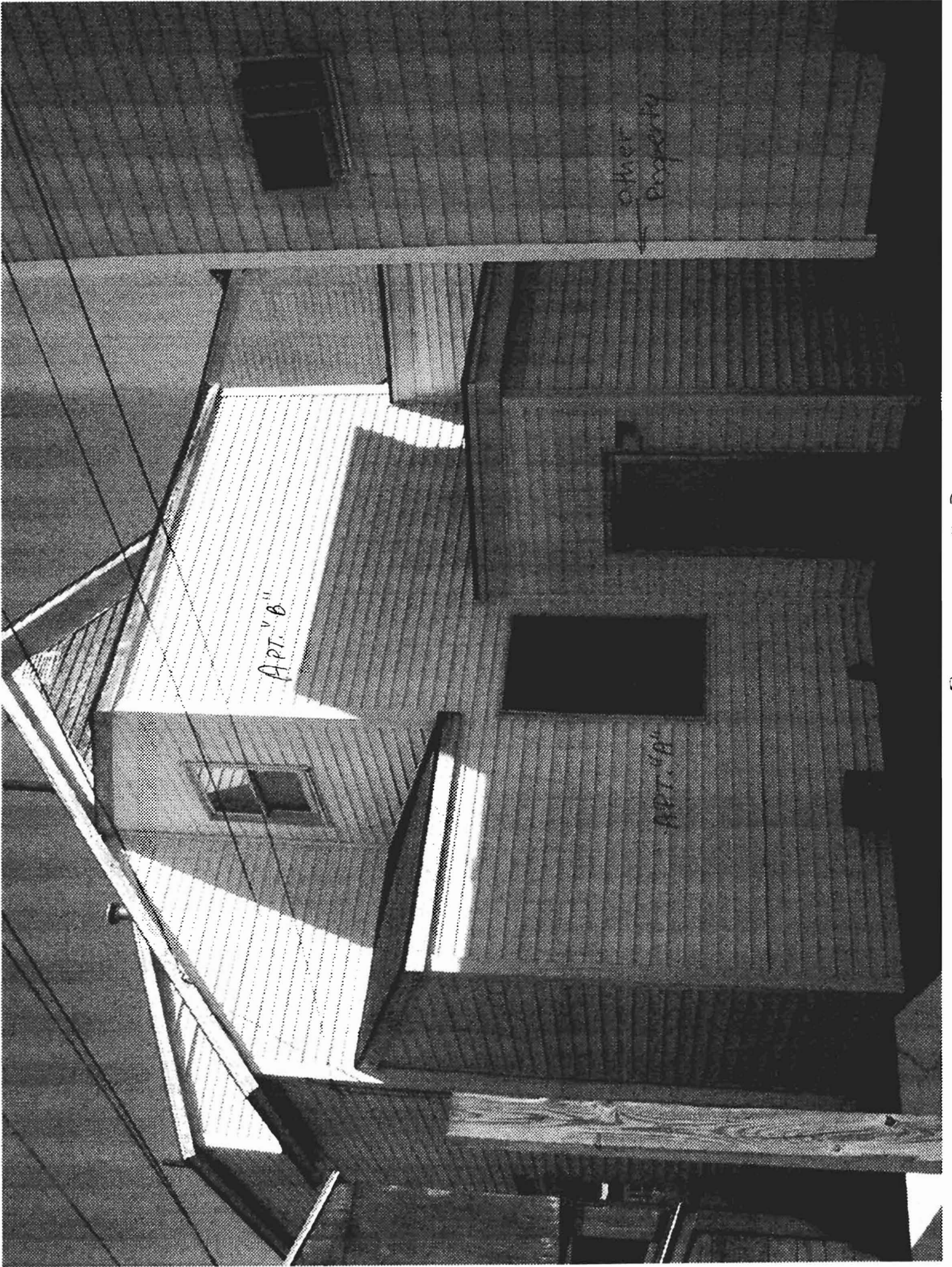
$$\begin{aligned}
 29 \times 21.58 &= 625.82 \\
 11 \times 18.75 &= 206.25 \\
 24 \times 26 &= 624 \\
 18.75 \times 10.5 &= 196.875 \\
 \hline
 1652.95 & \text{ up}
 \end{aligned}$$

need parking
if over 2000 sq ft
for retail.

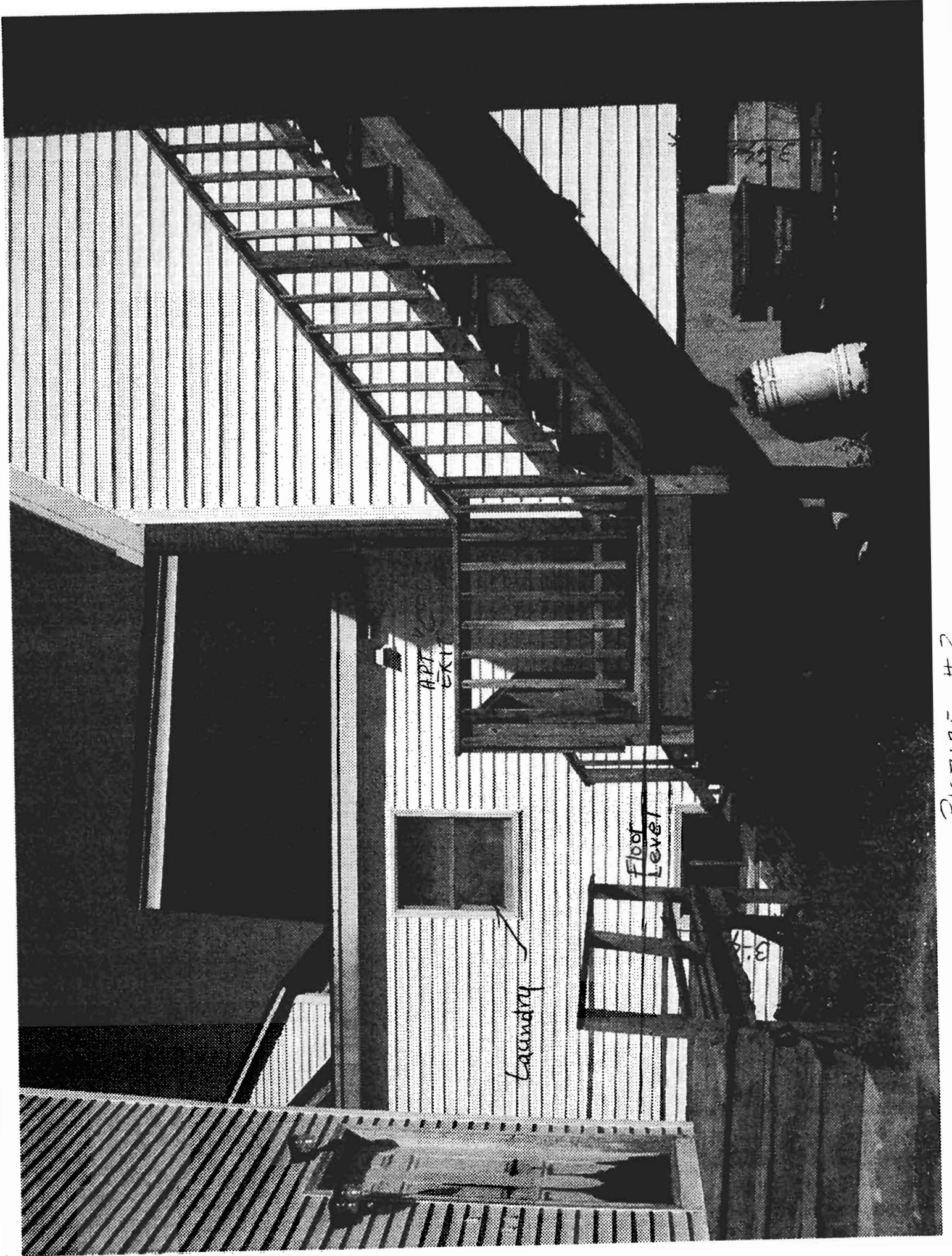
* more than half
of basement is
below grade



PICTURE # 1



PICTURE # 3



PICTURE #2

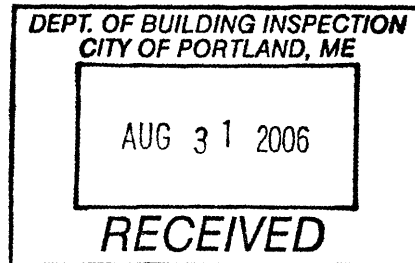
= Back of Building
Ceiling height = 3'-4" Above Grade
Height below grade to T.O. Floor = 4'-2"

= Front of Building
Ceiling height = 4'-2" Above Grade
Height below grade to T.O. Floor = 3'-4"

= Left side of Building
ceiling height = 16" - 24"

Date 8/31/06

Anilda Cribbis



From: Mike Nugent
To: Aaron Shapiro; Lee Urban
Date: 8/21/2006 9:46:51 PM
Subject: 1156 Forest Ave./Gribizis property

They have applied for a permit to convert two units to commercial. Here are Ann's notes from Urban Insight :

8/3/06 Met with Anilda Gribizis. They purchased the building in November 2004. When they purchased it there were five dwelling units in the building. Our records do not show this as the legal use of the building. The left half of the building (1152-1154 Forest Ave. 152-A-006) was built in 1985 (# 85/813) as a one story wedding shop. The Certificate of Occupancy called it an addition to wedding shop. The previous owners applied in December of 1997 for a change of use permit which was denied claiming that the building was a dwelling on the first floor, retail on the second floor which they wanted to change to a dwelling unit and that the third floor was retail which would remain vacant. It was denied because they did not have the lot area per dwelling unit to have two dwelling units. The last use we have for the right half of the building (1156-1158 Forest Ave 152-A-005) is a permit (83/0023) from January 4, 1983 which changed the use of the building from a two family to a retail store on the first floor and one dwelling unit on the second floor. Anilda is going to revise her project description and application for the building to try to make the uses in the building legal. What complicates matters is that the property has been assessed as separate lots and the building has been assessed as two separate buildings. One of the existing illegal apartments is located in the back half of the first floor in the building on the right and goes up to the right side of the second floor of the building on the left.

CC: Ann Machado; Marge Schmuckal

From: William Needelman
To: Schmuckal, Marge
Date: 8/22/2006 3:23:33 PM
Subject: Re: Fwd: 1156 Forest Ave./Gribizis property

Marge,

Thank you. I am going to forward your email to Nick Mavodones with some description of our conversation. Would you please ask Ann to put this on the Wed Dev Rev agenda if you think that will be helpful. I'll let you know if there are any more inquiries. Thanks, again.

Bill

>>> Marge Schmuckal 8/22/2006 2:23:06 PM >>>

Bill,

Apparently you were not copied on this e-mail. I hope this helps you/

Marge

CC: Ann Machado; Lee Urban

From: William Needelman
To: Nick Mavodones
Date: 8/22/2006 3:36:45 PM
Subject: Fwd: 1156 Forest Ave./Gribizis property

Nick,

It appears that Mr. and Mrs. Gribizis purchased an illegal 5-unit and they are in the process of working with the Zoning Staff to create a legal use structure for the property.

The property is a cobbled together mix of residential and commercial uses that have evolved over time between two adjacent properties.

The attached set of notes reflects a meeting between Anne Machado (Assistant Zoning Administrator) as well as Ann's research into the property history.

The process is in its early stage and the Gribizises (sp?) are working with Ann to discover legal options for their property within the limits of the Zoning Code.

One complication that may come up is if the residential units were developed without review, there may be a need under both State and local ordinance for review under subdivision ordinance with the Planning Board.

According to Marge, the Gribizises and Ann are at the early stages of a productive process and I am hesitant to inject myself without a specific role to play. Of course, if you would like me to give them a call, I would be happy to.

Please let us know if you would like updates on this project and if there are any specific actions that we should take.

Please call or reply with any questions.

Bill
874-8722

CC: Ann Machado; Lee Urban; Marge Schmuckal

Walker Georges - Cell # 603-203-5771
Mitchell Kell - Cell # 207-776-8413

Apt 'A'
is illegal -
must be
vacated when
lease expires.
6/30/07

Phone #s H: _____ C: _____ W: _____

RESIDENTIAL LEASE AGREEMENT

This document represents a Lease Agreement made on May, 31, 2006 between Dimitri & Anilele Gribizis as duly appointed Landlord of 1158 FOREST AVE hereinafter referred to as "Landlord") and: Walker Georges, Mitchell Kell (Hereinafter referred to as "Tenant"):

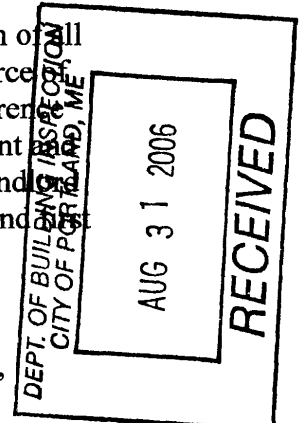
1. Confirmation: This Lease Agreement is subject to confirmation and verification of all the information provided to Landlord by Tenant, including but not limited to, source of employment, income levels, and resources. It is also subject to a satisfactory reference and credit check, payment of security deposit in full as well as the first month's rent and the prompt surrender of possession of the premises by a departing tenant. The Landlord may terminate this lease at any time prior to full payment of the security deposit and one month's rent. The Landlord will not be liable to the Tenant for any consequential damages resulting from this provision of this Lease Agreement.

2. Premises: Landlord leases to Tenant, and Tenant hereby accepts from Landlord, Apartment # A at the building located at 1158 Forest Ave - Portland, ME 04103.


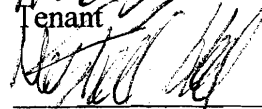
3. Term: The term of this lease shall be 1 YEAR (ONE YEAR), beginning on 6/01/06 ending on 6/30/07. In the event the tenant stays beyond the expiration of the lease, the Tenant shall be deemed to be a "tenant-at-will". The other terms and conditions of this lease will remain in full force and effect. Tenant may be evicted without notice at the end of the term if Landlord commences an eviction action within seven (7) days of the end of the term. The Landlord reserves the right to terminate this lease for any reason with a thirty day written notice. In the event of a sale of the building, Landlord may cancel this lease by giving you a 30-day if the buyer wants the building or an apartment to be vacant at closing. Any time after the expiration of this lease, if Tenant decides to move out of the apartment, Tenant is required to give Landlord written notice thirty (30) days prior to the first day of the month in which they will move, indicating Tenant's intent. Failure to do so will result in loss of security deposit.

4. Rent and Other Charges:


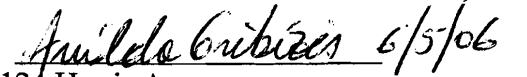
a. Rent: Tenant agrees to pay to Landlord as rent the sum of \$ 885.00 Dollars per month in advance, payable on or before the first day of each month of occupancy to Landlord and mailed or delivered to the following address: DAE Investments ~~124 Harris Avenue~~ - Portland, ME 04103.
1158 FOREST AVE -



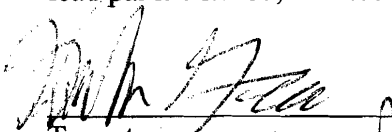
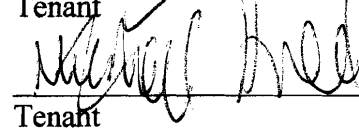
Signed And Agreed:

 6/1/06
 Tenant Date
 6/1/06
 Tenant Date

 Tenant Date

 6/1/06
 Landlord: Date
 6/5/06
 124 Harris Ave
 Portland, ME 04103
 Anilda's Cell: 207- 415-1086
 Dimitri's Cell: 831-4195

By signature below, I/we acknowledge receipt of the booklet regarding the dangers of lead paint entitled, "Protect Your Family From Lead In Your Home":

 6/11/06
 Tenant Date
 6/11/06
 Tenant Date

 Tenant Date

Check when switched into tenant's name:

* Electricity: Central Maine Power, 1-800-750-4000, Acct. #

* Gas: Northern Utilities, 1-800-552-8464, Acct. #

From: Ann Machado
To: anilda31@gmail.com
Date: 3/20/2007 9:41:51 AM
Subject: 1156-1158 Forest Ave

Anilda -

Sorry that it took me a couple of days to get back to you.

The permit that was just issued, #06-1742, states the legal use for part of the building as three dwelling units.

The legal use for the basement and first floor of the left half of the building (excluding Apartment 'C') and the first floor of the right half of the building is retail. Since the alterations business, "Perfect Fit" is considered a personal service, you need to apply for a change of use for this space. As far as the basement goes, if your husband is going to have a music store and give lessons as part of that then you do not have to do a change of use for this space, but we would like to establish that this is the use. You could change your original application form 7/27/06, permit #06-1106, to be the change of use from retail to personal service. Let me know if this is what you want to do. We would need a new general application sheet filled out. You do need to get this change of use done now for the alterations business and let us know if the basement will be a music store.

As far as apartment 'A' goes, the copy of the lease that you gave me said that the apartment is occupied through June 30, 2007. As you know, once the lease expires, you can't use the space as a dwelling unit. It will have to be vacant until you find a use that is allowed into the B-2 zone.

Call me if you have any questions, 874-8709.

Ann Machado