

Picture and Sketch

Picture

Sketch

[Click here to view Tax Roll Information.](#)

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



<http://www.portlandassessors.com/searchdetail.asp?Acct=172%20%20E001001&Card=1> 07/11/2002

Inspection Services
Samuel P. Hoffes
Chief



Planning and Urban Development
Joseph E. Gray Jr.
Director

CITY OF PORTLAND

March 24, 1992

Mr. Brian Williams
14 Anthony Ave.
Portland, ME 04103

re: 14 Anthony St./Great Outdoor Lawn Care, Inc.

Dear Mr. Williams:

City of Portland zoning rules require a Change of Use permit for a home-based occupation.

You may make application for such permit in Room 315, Portland City Hall, 389 Congress St.

You are requested to make such application within five working days of receipt of this letter; or immediately discontinue conducting business at 14 Anthony St.

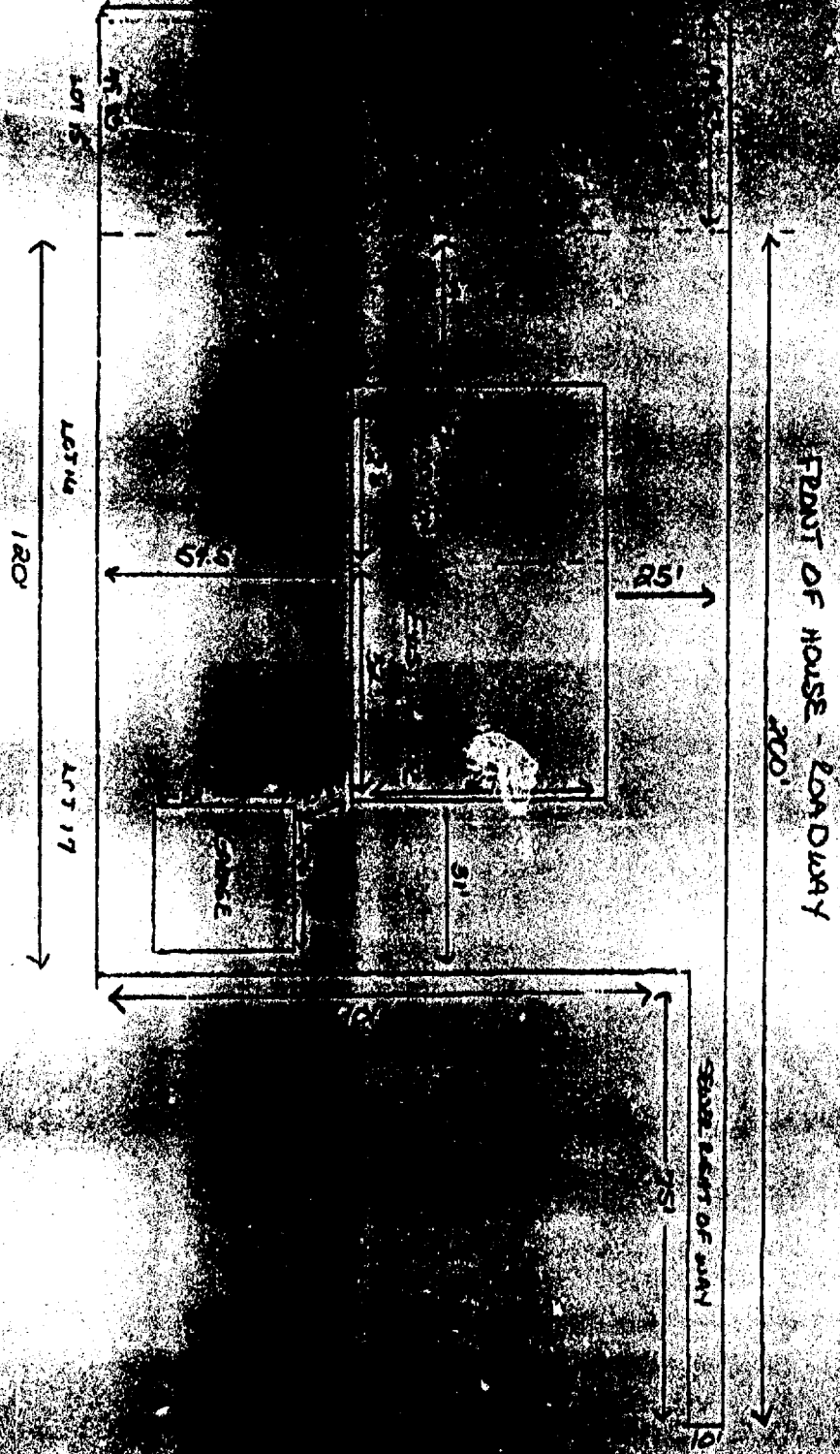
Sincerely,

Burton MacIsaac
Burton MacIsaac
Code Enforcement Officer.

[Signature]
P. Samuel Hoffes, Chief
Inspection Services

lec

BEAN & CHRY WILLIAMS
14 ANTHONY AVENUE
PORTLAND, ME 04103



Inspection Services
Michael J. Nugent
Manager

Dept. of Planning & Development
Lee Urban
Director



CITY OF PORTLAND

June 6, 2002

Brian & Catherine Williams
14 Anthony Avenue
Portland, ME 04103

Certified Mail # 7001 1940 0004 2777 4809 & Regular Mail

RE: 14 Anthony Ave CBL: 172-E-002 R-3 Zone

Dear Mr. & Mrs. Williams:

An evaluation of the above property on May 15, 2002 revealed that a landscaping business and accounting service are being conducted on the property without benefit of approvals. The property is located in the R-3 Zone and a building permit application for change of use is required to be submitted. Per our conversation, Mrs. Williams, it was discussed whether the landscaping business was an allowable use in this zone. Section 14-410 of the Zoning Ordinance of the City of Portland refers to the requirements of Home Occupations and lists those that are allowed. Enclosed is the section of the Ordinance on Home Occupations.

The above, described, condition is in violation of Section 14-52 of the Municipal Zoning Ordinance and Section 6-107.1 of the Building Code. This is a notice of violation pursuant to Section 14-56 of the Zoning Ordinance and Section 6-116.2 of the Building Code. The property must be returned to the original permitted residential use within 30 days. A re-inspection of the premises will occur by July 9, 2002, at which time compliance is required.

Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 1-15 of the Code and in Title 30-A M.R.S.A. Ss 4452. This constitutes an appealable decision pursuant to Section 14-472 of the Municipal Zoning Ordinance and Section 121.5 of the Building Code. You have 30 days from the date of this letter in which to appeal. Please feel free to contact our office, if you wish to discuss the matter or have any questions.

Sincerely,

Jeanie Bourke
Code Enforcement Officer @874-8715

Marge Schmuckal
Zoning Administrator @874-8695

June 24, 2002

Ms. Marge Schmuckal
Zoning Administrator
City of Portland
389 Congress Street
Portland, ME 04101

RE: 14 Anthony Ave CBL: 172-E-002 R-3 Zone
172-E-001 R-3 Zone (empty lot)

Dear Ms. Schmuckal

We are requesting a permit to allow us to continue using our residence at 14 Anthony Avenue for our business. I guess you call this a "Change of Use" permit. We do not fall under the current list of home occupations but then again the work we do is not at home; only the little office(185sq.ft.) is. We need you to make an exception to the rules and feel we are grandfathered because we have been operating our little business for 16 years with the city's verbal approval (explained later).

All we do is park 2 one ton dump trucks (12000 gross vehicle weight) with trailers attached and mowing equipment on them overnight. (Technically, we are allowed to bring home one commercial vehicle per registered owner and we have two separately registered properties on Anthony Ave.) Brian has his personal pickup but it is (6000 GVW) and not commercially registered. The 7yd dump truck (38,000 GVW) and front end loader are parked somewhere else but are brought back during the winter season to plow and maintain 14 Anthony Avenue (see explanation below). We are a very small business with 2-3 employees during the busy season. There is minimal traffic flow-2 cars in the morning (parking off road) and 2-3 trucks out. All work is done off property and it is quiet all day long here. Unlike the day care center next door to us with 12 cars in and out daily and kids we have to listen to all day long. Or the 2-family right on the corner of Anthony and Ray Street; they have more traffic than we do.

We have been quietly going about our business for 16 years now without bothering anybody. We have lived at 14 Anthony Avenue for 23 years now and have formed long term friendships with all the neighbors. If my neighbors do not have a problem with what we are doing why does the city all of a sudden? We are surrounded by woods and empty lots and are located on an unauthorized, dirt city street. We are the only house on Anthony Ave. and always will be. The 3 vacant lots across from us that the city took for back taxes has a water right-of-way right through the property so it would be difficult to built on. We plan to purchase this property when Fallbrook reconstruction is done.

We own separately 2 properties on Anthony Ave. The empty lot #15 is registered in the name of Catherine Williams and lots 16 & 17 are jointly owned. We use lot #15 for storage of our equipment in the portable shed and wooden shed. The only one that can see the equipment are the birds in the trees. Nothing is visible from Ray Street. St. Joseph's Manor owns the woods abutting our property(business zone); but due to the river running through it no one will every be able to build close to us. **You have to come out and see for yourself to understand what we are trying to tell you. Please call me at work 774-2689 from 9am-2:30pm or cell 233-9317. Jeanie Bourke has been here, please talk to her also.**

HISTORY OF OUR BUSINESS

Before we purchased the house on 14 Anthony Avenue in September of 1979 we called the city of Portland and inquired whether they plow unauthorized city streets. We were told by Public Works that they were legally obligated to provide emergency access to everyone. Hence, we purchased the property. The city did plow but we were at the bottom of the list and had trouble getting out many times. Then the big storm in April 1985 that dumped 2 feet of snow in Portland. We were snowed in for 3 days and could not get to work. After nearly loosing our jobs we decided we had to take charge. We purchased a snowplow truck. One thing led to another and the next thing we knew Brian was self-employed snowplowing and lawn mowing. The business was established out of necessity and the City's neglect for timely snowplowing our road. When we started to plow the road ourselves 16 years ago the city completely stopped! Proper winter maintenance of a road this size requires a front end loader, 7yd sand truck and sander. This equipment we have purchased over the years and need to bring back and park here during the winter. For 15 years we have incurred the expense of plowing , sanding and putting gravel down and grading the road annually. All these we pay for with our tax dollars but have received none of the benefits. If it wasn't for us plowing and sanding the road in the winter time, the tenants in the 2 family at the corner of Anthony and Ray street, plus ourselves would have been in some serious accidents. Anthony Avenue has a sharp slope down to Ray Street and without sanding frequently, someone would be dead.

In 1987 we applied for a permit to build a 24'x32' garage with 16' door to get the sand truck out of the weather and work on our lawn mowers. Code officers were here and never said we could not operate our business out of this location. In 1991 we applied for a permit for a foundation to add on to our house; again code officers said nothing. In 1992 we get a certified letter saying we need to get a change of use permit. I call and speak to Bill Giroux at the time and he said that what we were doing was OK and we did not need to come in, he would take care of it. **THIS WAS VERBAL APPROVAL FROM A CODE OFFICER FROM PORTLAND.** The time to have done something by the City of Portland would have been 30 days from this first certified letter. The fact that the City of Portland never followed up further proves my case. Again in 1994 we apply for a building permit for the wooden part of the addition on top of the capped over foundation. We have may code officers here over the next year during construction and not one of them says anything about our business. And just last year we apply for a pool permit and code officers again are at our property and never say anything. Because of this verbal approval we proceeded to put over \$110,000 in home improvements over the next 10 years and become

heavily indebt. We established our then young children in the Portland school system and they have made lasting friends. If the city had told use back then in 1992 that we absolutely could not run our little business out of this location we would have moved somewhere else. **WHY NOW AFTER 16 YEARS IN BUSINESS IS THE CITY GOING BACK ON THEIR WORD?**

Just a couple months ago **Mayor Karen Geraghty** said that the City of Portland is going to have to ease up on home businesses because it is the way of the future. This newest certified letter is in direct contradiction to what the mayor said.

I welcome you and everyone else I have sent this letter to, to come visit us at 14 Anthony Avenue so we can show you how we have beautified the property and what little impact on the neighborhood we are. It has taken us 23 years to get our home the way we would like it; I cannot believe that the city wants to take it all away from us. Without my business right here where I need it we have no money to pay the mortgages, no way to make a living.

Please call me so we can discuss this further. Home: 797-5484

Work: 774-2689

Cell: 233-9317

Sincerely,



Catherine Williams

Brian Williams

cc: Jeanie Bourke
Karen Geraghty
Cheryl Leeman
Philip J. Dawson
James F. Cloutier

THIS IS NOT A BOUNDARY SURVEY

INSPECTION OF PREMISES

I HEREBY CERTIFY TO Douglas Title Co.,

14 Anthony Ave.
Portland Maine

Job Number: 273-25

Inspection Date: 2-18-98

Scale: 1" = 40'

Bath Savings Institution and its Title Insurers

The monumentation is in harmony with current deed description.

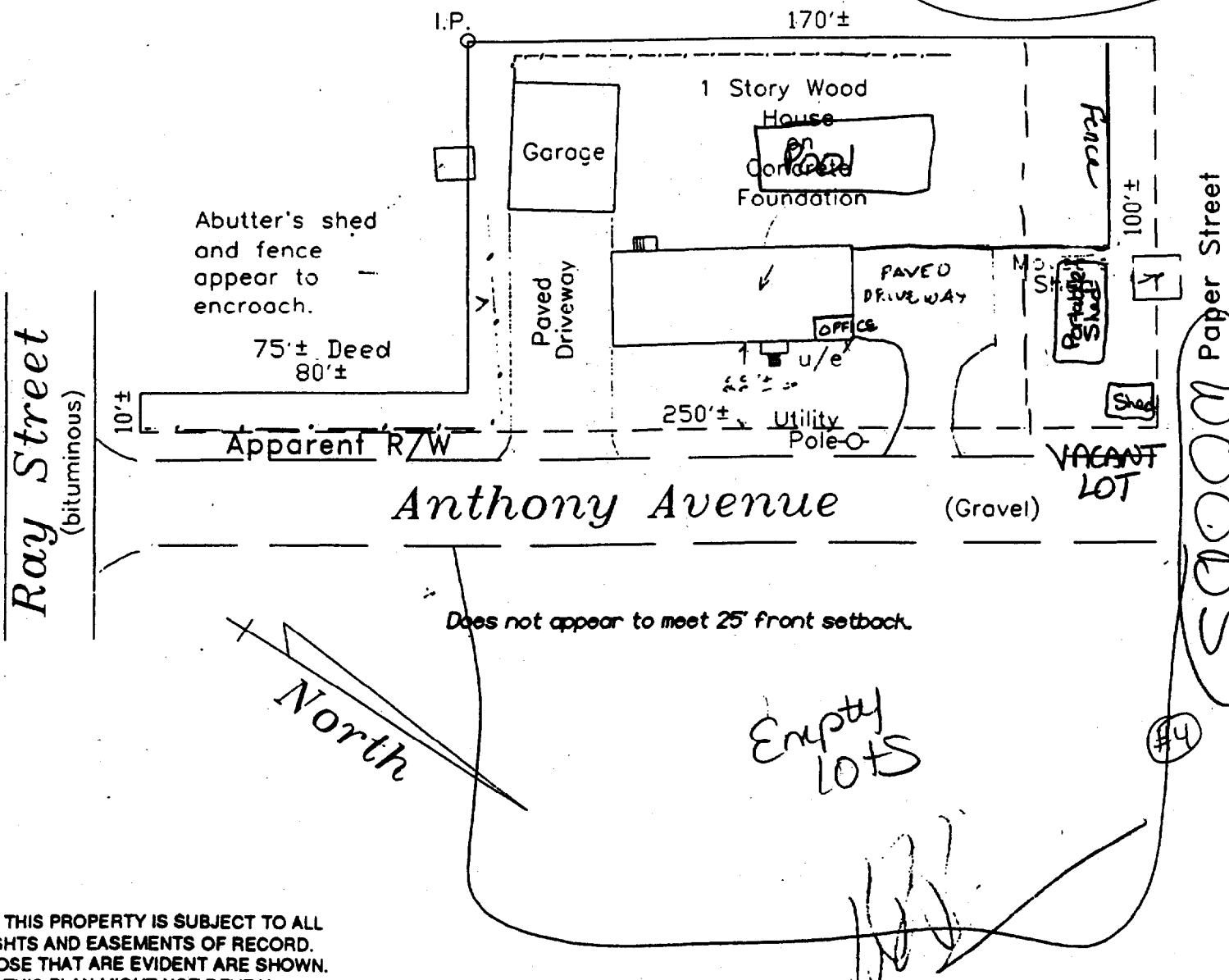
The building setbacks are not in conformity with town zoning requirements.

The dwelling does not fall within the special flood hazard zone as delineated by the Federal Emergency Management Agency.

The land does not fall within the special flood hazard zone as indicated on community-panel # 230051 0007 B.

Owner: Brian K. Williams &
Catherine A. Williams

The monumentation is vague.



THIS PROPERTY IS SUBJECT TO ALL RIGHTS AND EASEMENTS OF RECORD. THOSE THAT ARE EVIDENT ARE SHOWN. THIS PLAN MIGHT NOT REVEAL CONFLICTS WITH ABUTTING DEEDS.

BRUCE R. BOWMAN, INC.
P.O. Box 12 A
Cumberland, Maine 04021
Phone: (207) 829-3959
Fax: (207) 829-3522

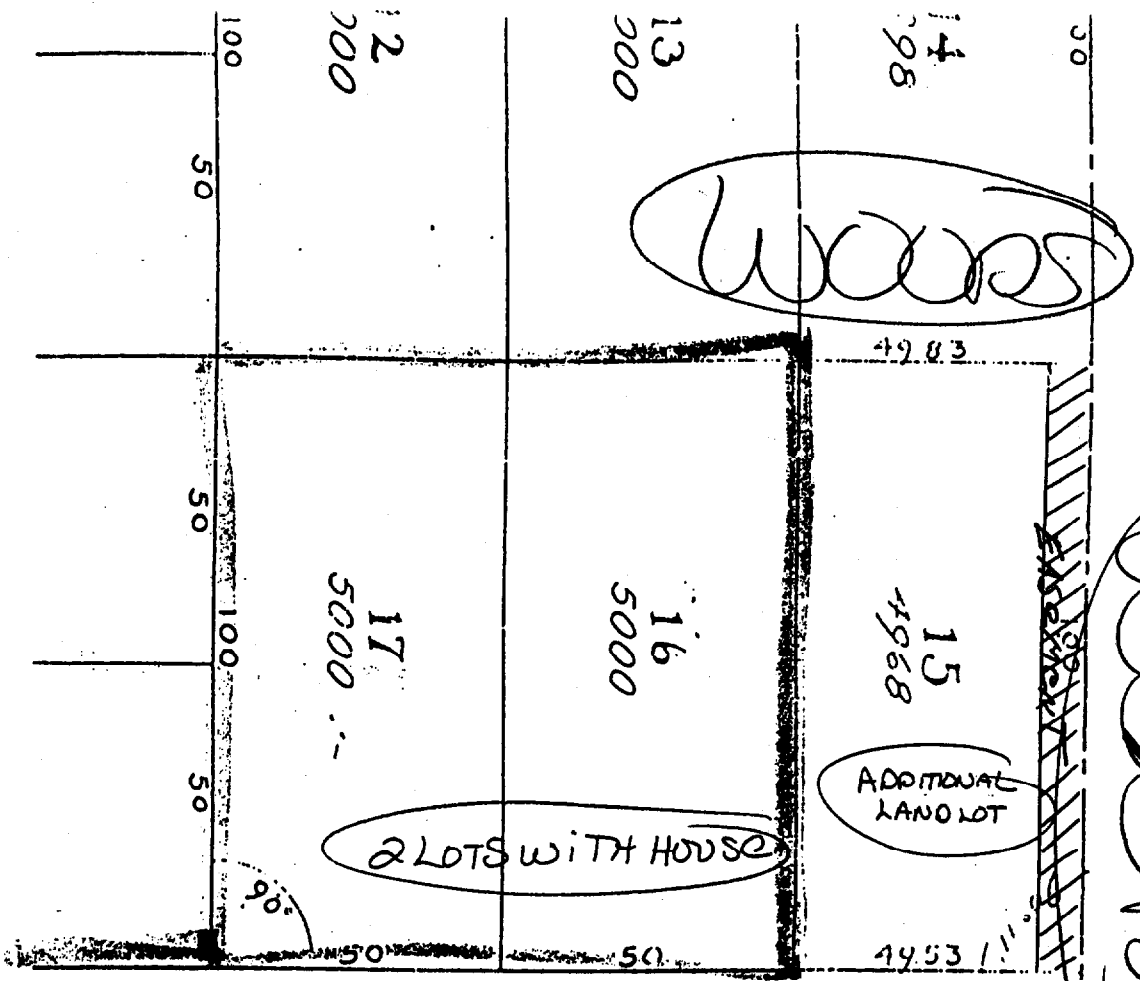


PLAN BOOK 13 PAGE 72 LOT 15-18, po 18, 19
DEED BOOK PAGE COUNTY Cumberland

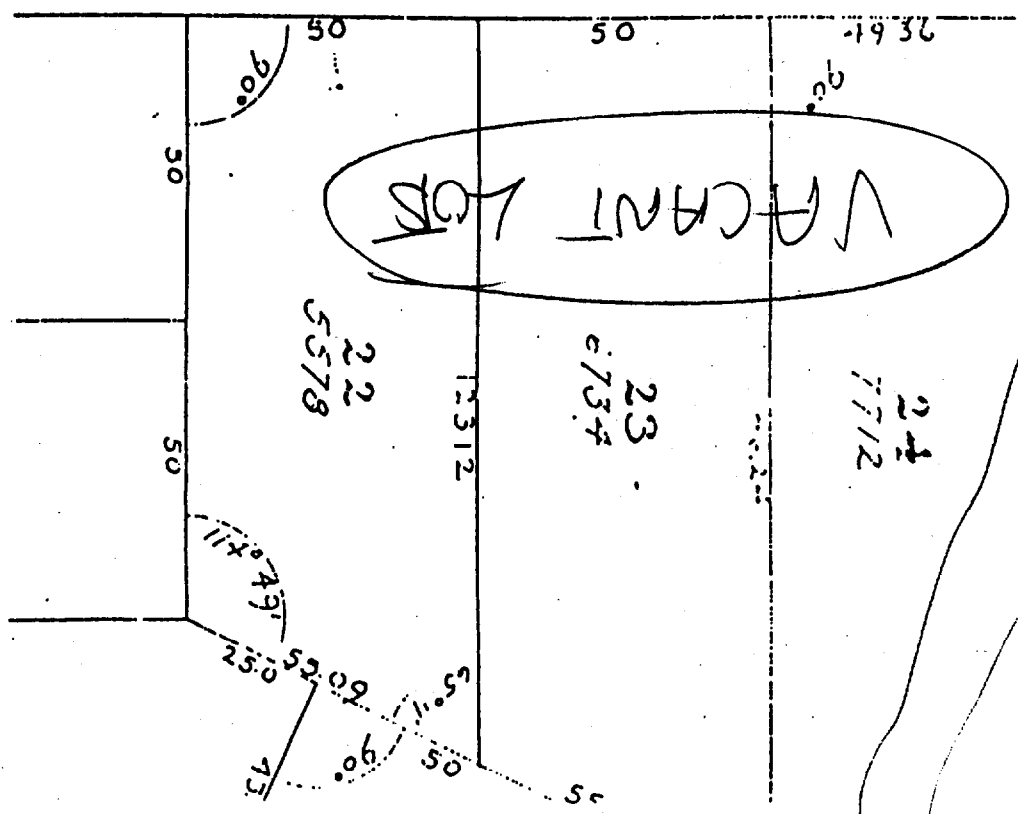
THIS PLAN IS NOT FOR RECORDING Drawn by: A.M.

ST JOSEPH'S MANOR

River



ANTHONY AVENUE #3
ONY AVENUE



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

Permit No: 02-0702	Issue Date:	CBL: 172 E002001
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Location of Construction: 14 Anthony Ave	Owner Name: Williams Brian K &	Owner Address: 14 Anthony Ave	Phone: 207-797-5484
Business Name:	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use Home Occupation	Zone: R-3

Past Use: Single Family	Proposed Use: Single Family with Home Occupation	Permit Fee: \$105.00	Cost of Work: \$30.00	CEO District: 2
		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type:	

Proposed Project Description: Change of Use Single Family with Home Occupation	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:

Permit Taken By: jmy	Date Applied For: 06/24/2002	Zoning Approval
-------------------------	---------------------------------	------------------------

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

172 E002001 1 of 1
WILLIAMS BRIAN K &
CATHERINE A JTS
14 ANTHONY AVE
PORTLAND ME 04103

14 ANTHONY AVE
RESIDENTIAL
172-E-2-3
RAY ST 38
ANTHONY AVE
13250 SF

SINGLE FAMILY 1 LIGHT
R3 010
NORTH DEERING
1901
PUBLIC WATER PUBLIC SEWER NONE
14 ANTHONY AVE
12/28/2000 vjm

0715

From: Marge Schmuckal
To: Linda P. Pinard
Date: Thu, Jul 11, 2002 11:55 AM
Subject: 14 Anthony St

Linda,

This property is located within an R-3 residential zone. Business uses are not allowed within any residential zones. However, there is an allowance for a home occupation (section 14-410) within all residential zones. There are certain specific uses listed (snow plowing is one of them). In addition to the listed uses, there is specific criteria all home occupations must meet. These include only one commercial vehicle, no storage outside, etc. You can get Karen a copy of 14-410 so she can familiarize herself with it. This owner is close, but apparently not close enough to meet the guidelines. That was why I was going out there. There may be some tweaking that the owner can change with their operation so as to meet the ordinance. There's room for discussion.

The owners have applied for a home occupation. I have not approved nor denied it yet.

Hope this helps you.

Marge

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

Permit No: 02-0702	Issue Date:	PERMIT DENIED	GBL: 172 E002001
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		CE0 District: 2	
Proposed Project Description: Change of Use Single Family with Home Occupation		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type:
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 SIGNATURE OF APPLICANT ADDRESS DATE PHONE

 RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE DATE PHONE

Inspection Services
Samuel P. Hoffbes
Chief

Planning and Urban Development
Joseph E. Gray Jr.
Director



CITY OF PORTLAND

March 24, 1992

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Portland, ME 04103

re: ~~14 Anthony Ave.~~ Great Outdoor, Inc.

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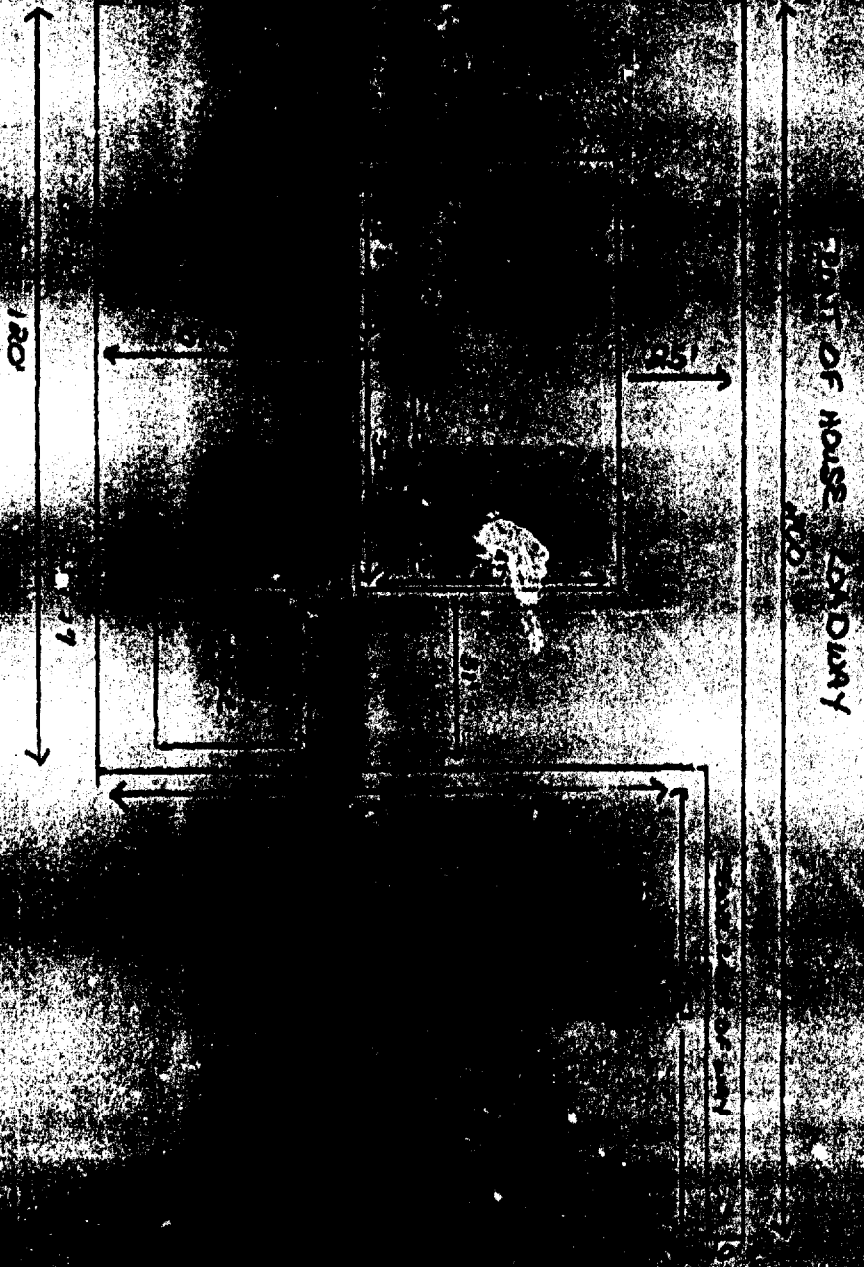
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Burton MacIsaac
Burton MacIsaac
Code Enforcement Officer.

[Signature]
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lec

BEARD & CARRILLIANS
14 EASTMAN AVENUE
PORTLAND, ME 04103



Inspection Services
Michael J. Nugent
Manager

Dept. of Planning & Development
Lee Urban
Director



CITY OF PORTLAND

June 6, 2002

Brian & Catherine Williams
14 Anthony Avenue
Portland, ME 04103

Certified Mail # 7001 1940 0004 2777 4809 & Regular Mail

RE: 14 Anthony Ave CBL: 172-E-002 R-3 Zone

Dear Mr. & Mrs. Williams:

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Marge Schmuckal
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June 24, 2002

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Zoning Administrator
City of Portland
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Portland, ME 04101

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172-E-001 R-3 Zone (empty lot)

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Brian Williams

cc: Jeanie Bourke
Karen Geraghty
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THIS IS NOT A BOUNDARY SURVEY

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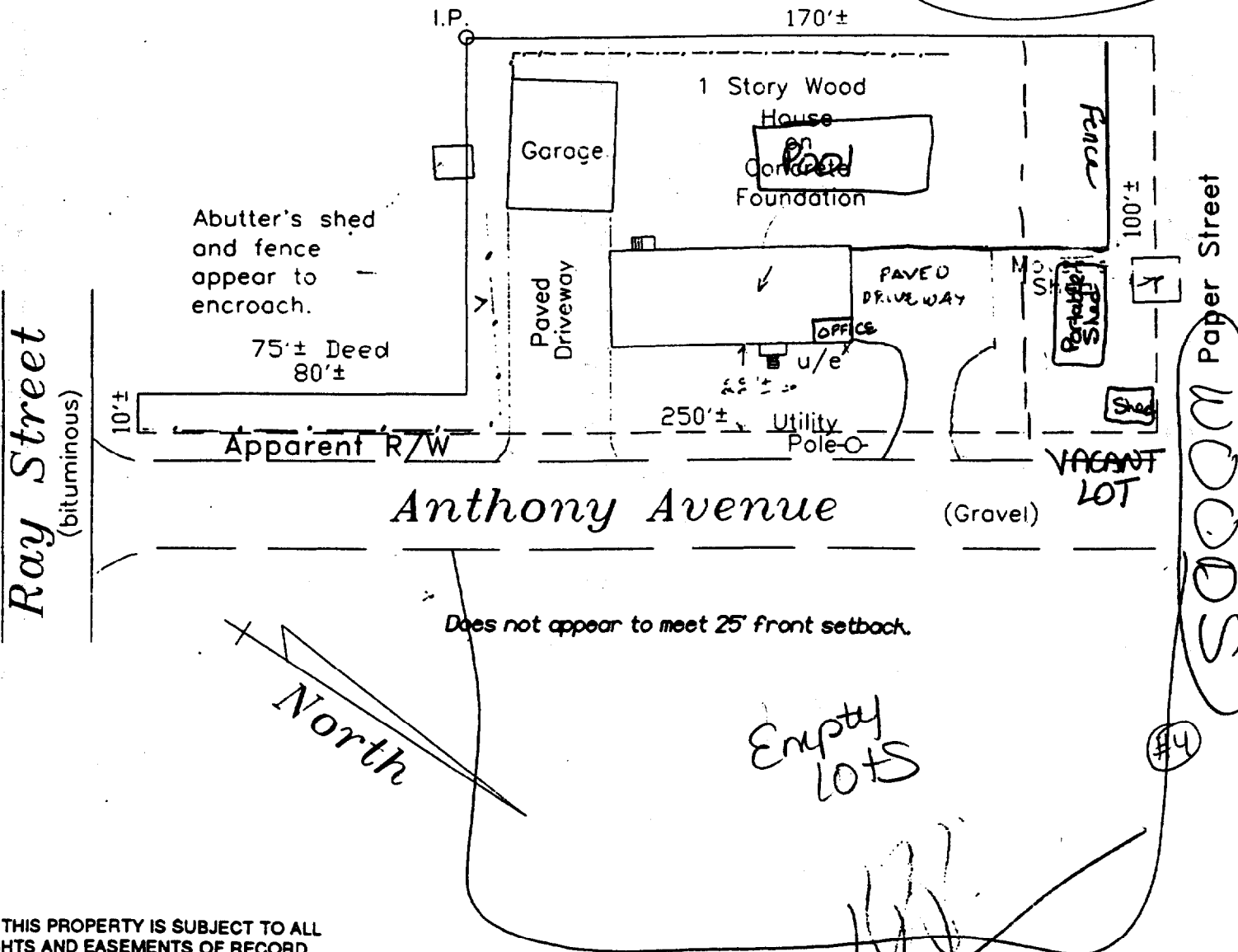
Inspection Date: 2-18-98

Scale: 1" = 40'

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The monumentation is vague.

WOODS



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BRUCE R. BOWMAN, INC.
P.O. Box 12 A
Cumberland, Maine 04021
Phone: (207) 829-3959
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DEED BOOK PAGE COUNTY Cumberland

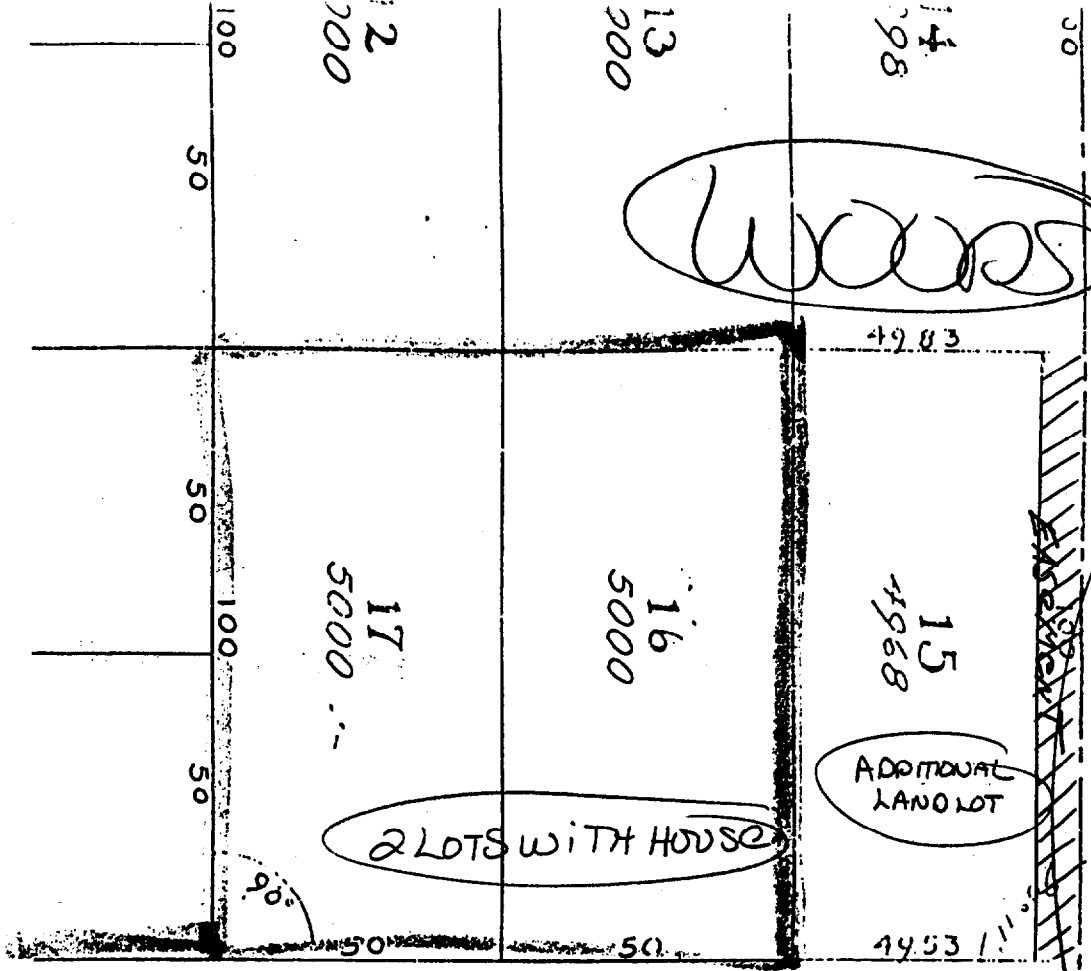
THIS PLAN IS NOT FOR RECORDING Drawn by: AA

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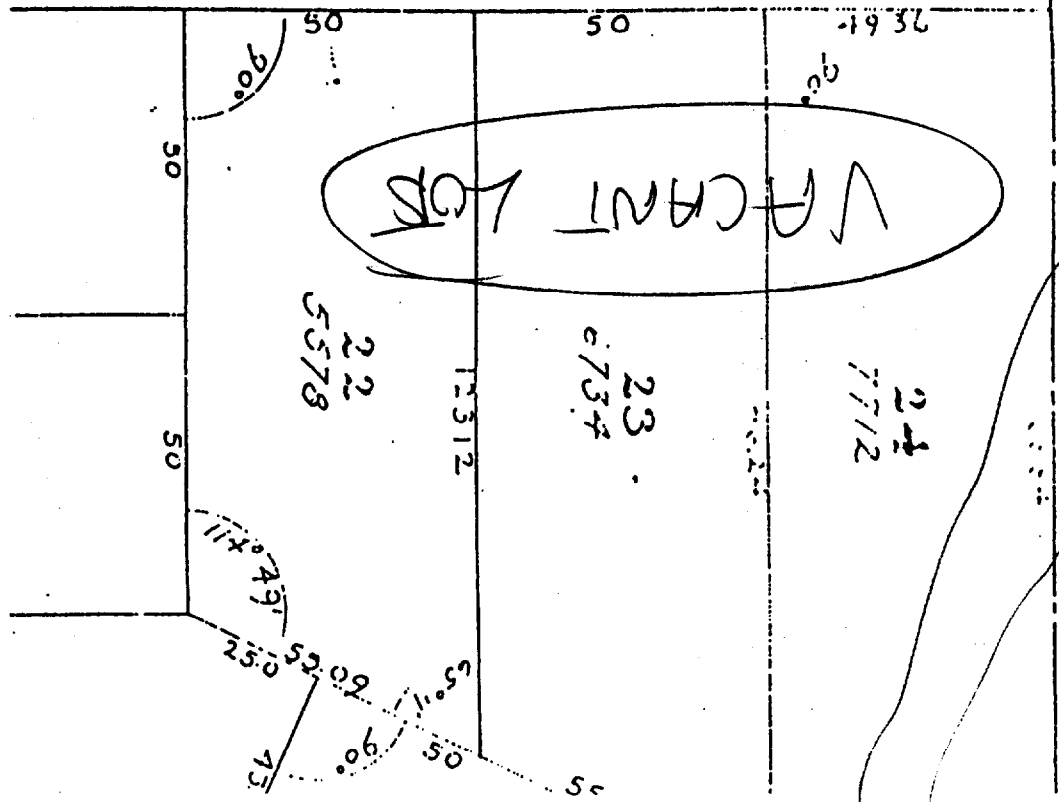
River

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WOODS



ANTHONY AVENUE #3
ONY AVENUE



Zoning Division
Marge Schmuckal
Zoning Administrator

Department of Urban Development
Lee Urban, Director



CITY OF PORTLAND

July 1, 2002

Brian K. & Catherine A. Williams
14 Anthony Avenue
Portland, ME 04103

RE: 14 Anthony Avenue – 172- E-002 & 003 – R-3 Zone

Dear Brian & Catherine,

I am in receipt of your application for a home occupation for an apparent landscaping/mowing and snow plowing business at 14 Anthony Avenue. Under the current Zoning Ordinance section 14-410 does not allow me to issue this permit under the terms that you have requested.

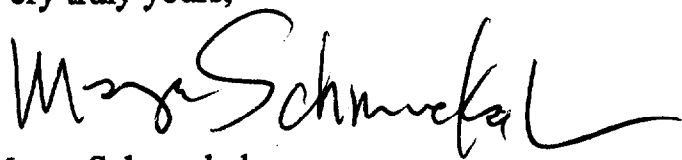
Section 14-410 does not list landscaping/mowing and snow plowing businesses as a home occupation. You are also not meeting the criteria given for home occupations. No more than one (1) nonresident shall be employed in the home occupation, and you have stated that you have 2-3 employees. You have also stated that you have several commercial vehicles on site, where the ordinance restricts home occupations to not allowing motor vehicles exceeding a gross vehicle weight of six (6,000) pounds. The ordinance also does not allow exterior storage of materials, such as sand or gravel or any other materials such as may be stored on this site.

As I stated, I do not have the authority to grant this type of appeal or variance from the ordinance. Only the Zoning Board of Appeals can grant these types of variances. Variances are very difficult to have granted by the Zoning Board of Appeals. Please note that under section 14-473 prohibits the Zoning Board of Appeals from allowing a business use within a residential zone.

You have the right to appeal this decision. If you wish to exercise your right to appeal, you have 30 days from the date of this letter in which to apply. I have included all the required paper work that is necessary for you to apply for such an appeal.

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

Very truly yours,

A handwritten signature in black ink, appearing to read "Marge Schmuckal". The signature is fluid and cursive, with a long horizontal stroke at the end.

Marge Schmuckal
Zoning Administrator

Cc: File

02-0702

THIS IS NOT A PERMIT; CONSTRUCTION, DEMOLITION, SITE CLEARING OR ALTERATION OF THE SITE CANNOT COMMENCE UNTIL THE PERMIT IS ISSUED,

All Purpose 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.

Location/Address of Construction: H Anthony Ave.

Total Square Footage of Proposed Structure: 24' x 60' house
Square Footage of Lot: 74,968 3 lots together.

Tax Assessor's Chart, Block & Lot Number: Chart# 172 Block# E-002 Lot#
Owner: Brian & Catherine Williams
Telephone#: 797-5484

Lessee/Buyer's Name (If Applicable):
Owner's/Purchaser/Lessee Address:
Cost Of Work: \$ 0 Fee: \$ 30

Current use: Single Family
If the location is currently vacant, what was prior use: _____
Approximately how long has it been vacant: _____
Proposed use: Single family with home occupation. COFO not pd
Project description: Change of Use for a home occupation, to add: Snoreplex & Lawn Maintenance Office 185sq ft in cellar.

Contractor's Name, Address & Telephone:
Applicants Name, Address & Telephone:
Who should we contact when the permit is ready: Catherine
Telephone: cell 233-9317
If you would like the permit mailed, what mailing address should we use:

IF THE REQUIRED INFORMATION IS NOT INCLUDED IN THE SUBMISSIONS THE PERMIT WILL BE AUTOMATICALLY DENIED.

AT THE DISCRETION OF THE BUILDING/PLANNING DEPARTMENT, WE MAY REQUIRE ADDITIONAL INFORMATION IN ORDER TO APPROVE THIS PERMIT.

Certification

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 or Building Inspector representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the applicable codes applicable to this permit.

Signature of applicant: Catherine Williams Date: 6/20/02

