

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

**CITY OF PORTLAND**

Please Read  
Application And  
Notes, If Any,  
Attached

BUILDING DEPARTMENT

**PERMIT**

Permit Number: 070797

AUG 8 2007

**CITY OF PORTLAND**This is to certify that True Karen A /selfhas permission to Change of Use / Single family residence office building.AT 14 Sewall St

C 189 A002001

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of Maine and of the ordinances of the City of Portland regulating the construction, maintenance and use of buildings and structures, and of the application on file in this department.

Apply to Public Works for street line and grade if nature of work requires such information.

Notification of inspection must be given and written permission procured before this building or part thereof is altered or closed-in.  
48 HOUR NOTICE IS REQUIRED.

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

**OTHER REQUIRED APPROVALS**Fire Dept. Craig Chase

Health Dept. \_\_\_\_\_

Appeal Board \_\_\_\_\_

Other \_\_\_\_\_

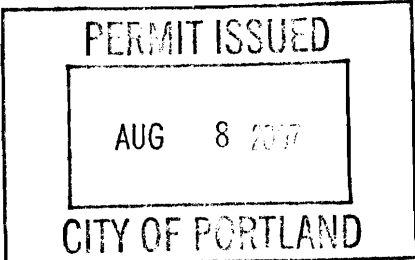
Department Name

Director / Building &amp; Inspection Services

**PENALTY FOR REMOVING THIS CARD**

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

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

<b>Permit No:</b> 07-0797		<b>Issue Date:</b>		<b>CBL:</b> 189 A002001			
<b>Location of Construction:</b> 14 Sewall St		<b>Owner Name:</b> True Karen A		<b>Owner Address:</b> 14 Sewall St			
<b>Business Name:</b>		<b>Contractor Name:</b> self		<b>Phone:</b> 207-775-0282			
<b>Contractor Address:</b> Portland		<b>Phone:</b>					
<b>Lessee/Buyer's Name</b>		<b>Phone:</b>		<b>Permit Type:</b> Change of Use - Dwellings			
				<b>Zone:</b> S-2			
<b>Past Use:</b> Single Family		<b>Proposed Use:</b> Change of Use / Single family residence to office building.		<b>Permit Fee:</b> \$105.00			
				<b>Cost of Work:</b> \$0.00			
				<b>CEO District:</b> 3			
<b>Proposed Project Description:</b> Change of Use / Single family residence to office building.		<b>FIRE DEPT:</b> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <i>See Conditions</i>		<b>INSPECTION:</b> Use Group: <i>B</i> Type: <i>SB</i> <i>IBC 2003</i> <i>[Signature]</i>			
		<b>Signature:</b> <i>Craig Cross</i>		<b>Signature:</b> <i>[Signature]</i>			
		<b>PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)</b>					
		Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied					
		Signature: _____ Date: _____					
<b>Permit Taken By:</b> gg		<b>Date Applied For:</b> 07/02/2007		<b>Zoning Approval</b>			
<ol style="list-style-type: none"><li>This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</li><li>Building permits do not include plumbing, septic or electrical work.</li><li>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..</li></ol>		<b>Special Zone or Reviews</b>		<b>Zoning Appeal</b>			
		<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"/> <i>OK</i> Date: <i>7/30/07</i> <i>ABM</i>		<input checked="" type="checkbox"/> Variance <i>min 1st size</i> <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input checked="" type="checkbox"/> Approved <i>4-0 7/19/07</i> <input type="checkbox"/> Denied Date: <i>7/19/07</i>		<b>Historic Preservation</b>	
		<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: _____					
							

**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

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

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

<b>Permit No:</b> 07-0797		<b>Date Applied For:</b> 07/02/2007	<b>CBL:</b> 189 A002001
<b>Location of Construction:</b> 14 Sewall St	<b>Owner Name:</b> True Karen A	<b>Owner Address:</b> 14 Sewall St	<b>Phone:</b> 207-775-0282
<b>Business Name:</b>	<b>Contractor Name:</b> self	<b>Contractor Address:</b> Portland	<b>Phone</b>
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Change of Use - Dwellings	

<b>Proposed Use:</b> Change of Use / Single family residence to office building.	<b>Proposed Project Description:</b> Change of Use / Single family residence to office building.
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**Dept:** Zoning      **Status:** Approved      **Reviewer:** Ann Machado      **Approval Date:** 07/30/2007  
**Note:** 07/03/07 Lot does not meet minimum lot size for non residential use. See letter dated 7/3/07.      **Ok to Issue:** ☒  
Practical Difficulty Variance was approved 7/19/07.

**Dept:** Building      **Status:** Approved with Conditions      **Reviewer:** Tammy Munson      **Approval Date:** 08/08/2007  
**Note:**      **Ok to Issue:** ☒  
1) Separate permits are required for any electrical, plumbing, or HVAC systems.  
Separate plans may need to be submitted for approval as a part of this process.  
2) This is a Change of Use ONLY permit. It does NOT authorize any construction activities.

**Dept:** Fire      **Status:** Approved with Conditions      **Reviewer:** Capt Greg Cass      **Approval Date:** 08/01/2007  
**Note:**      **Ok to Issue:** ☒  
1) emergency lighting, exit signs, and fire extinguishers required in business occupancies.

**Comments:**

7/3/2007-amachado: See letter dated 7/3/07. Does not meet minimum lot size for non residential use. Applicate will file a practical difficulty appeal for variance on lot size.

7/20/2007-gg: Practical Difficulty Variance was approved on 7/19/07.

7/30/2007-amachado: Received Certificate of Variance Approval from Gayle.



# 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.

Location/Address of Construction: <u>14 Sewall Street Portland Maine</u>		
Total Square Footage of Proposed Structure <u>1000 sq ft.</u>		Square Footage of Lot <u>4500 sq. ft.</u>
Tax Assessor's Chart, Block & Lot Chart# <u>189</u> Block# <u>A 002</u> Lot# <u>001</u>	Owner: <u>Karen A. True</u>	Telephone: <u>2077750282</u>
Lessee/Buyer's Name (If Applicable) <u>owner</u>	Applicant name, address & telephone: <u>owner</u>	Cost Of Work: \$ <u>30.00</u> Fee: \$ _____ C of O Fee: \$ <u>7500</u>
Current legal use (i.e. single family) <u>vacant when purchased</u> If vacant, what was the previous use? <u>residence, single family</u> Proposed Specific use: <u>office building</u> <u>\$105.00</u> Is property part of a subdivision? <u>no</u> If yes, please name _____ Project description: <u>convert single family residence to office building for financial planning practice</u> <u>Change of Use</u>		
Contractor's name, address & telephone: <u>self → Karen True</u> Who should we contact when the permit is ready: <u>Karen True</u> Mailing address: <u>14 Sewall St</u> Phone: <u>207 7750282</u> <u>Portland Me 04102</u>		
DEPT. OF BUILDING INSPECTION CITY OF PORTLAND, ME JUL 2 2007 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](http://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.

Signature of applicant: Karen A True

Date: 07/02/07

This is not a permit; you may not commence ANY work until the permit is issued.

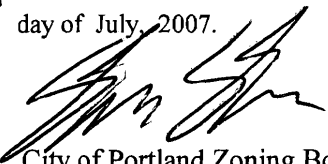


**CITY OF PORTLAND**  
**CERTIFICATE OF VARIANCE APPROVAL**

I, David Dore, the duly appointed Chair of the Board of Appeals for the City of Portland, Cumberland County and State of Maine, hereby certify that on the 19th day of July, 2007, the following variance was granted pursuant to the provisions of 30-A M.R.S.A. Section 4353(5) and the City of Portland's Code of Ordinances.

1. **Current Property Owner:**
2. **Property:** 14 Sewall Street, Portland, ME    **CBL:** 189-A-002  
Cumberland County Registry of Deeds, Book 24075, Page 269  
Last recorded deed in chain of Title: June 16, 2006
3. **Variance and Conditions of Variance:**  
To grant relief from section 14-185(a)(2) of the Zoning Ordinance to allow a 4,500 square foot lot instead of the required 10,000 square foot lot for a change of use from a single family to a business use.


IN WITNESS WHEREOF, I have hereto set my hand and seal this 23<sup>rd</sup> day of July, 2007.

  
\_\_\_\_\_, Chair of  
City of Portland Zoning Board, David Dore

(Printed or Typed Name)

STATE OF MAINE  
Cumberland, ss.

Then personally appeared the above-named David Dore and acknowledged the above certificate to be his free act and deed in his capacity as Chairman of the Portland Board of Appeals, with his signature witnessed on July 23<sup>rd</sup>, 2007



(Printed or Typed Name)

Notary Public  
Margaret Schmuckal

my term expires  
June 28, 2012

PURSUANT TO 30-A M.R.S.A. SECTION 4353(5), THIS CERTIFICATE MUST BE RECORDED BY THE PROPERTY OWNER IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS WITHIN 90 DAYS FROM FINAL WRITTEN APPROVAL FOR THE VARIANCE TO BE VALID. FURTHERMORE, THIS VARIANCE IS SUBJECT TO THE LIMITATIONS SET FORTH IN SECTION 14-474 OF THE CITY OF PORTLAND'S CODE OF ORDINANCES.



*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

6/29/07  
- filed application to appeal

July 3, 2007

Karen True  
Wintergreen Financial Group  
14 Sewall Street  
Portland, ME 04102

RE: 14 Sewall Street – 189 A002 – B2 – Change of Use – permit #07-0797

Dear Ms. True,

I am in receipt of your application to change the use of your property at 14 Sewall Street from a single-family home to an office. Your property is located in the B-2 zone, and an office is a permitted use in this zone. There are other requirements of the zone that must be met though. The ordinance in section 14-185(a)(2) states that the minimum lot size is 10,000 square feet for non-residential uses in the B-2 zone. Your lot is 4500 square feet. Since your lot does not meet the minimum lot size requirement, I must deny your application to change the use of the property to an office.

It is my understanding that you would like to appeal this decision. You have thirty days from the date of this letter in which to appeal. If you should fail to do so, my decision is binding and not subject to appeal. If you choose not to file an appeal, you are entitled to get most of your money back if you bring in the original receipt you got when you applied for the permit.

Please feel free to call me at 874-8709 if you have any questions.

Yours Truly,

Ann B. Machado  
Zoning Specialist  
(207) 874-8709

# CITY OF PORTLAND, MAINE

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## ZONING BOARD OF APPEALS

### "Practical Difficulty" Variance Appeal

#### DECISION

Date of public hearing:

7.19.07

Name and address of applicant:

KAREN TRUE.  
14 SEWALL ST.

Location of property under appeal:

14 SEWALL ST.

COPY

For the Record:

Names and addresses of witnesses (proponents, opponents and others):

KAREN TRUE  
14 SEWALL ST.

Exhibits admitted (e.g. renderings, reports, etc.):

- VARIANCE APPLICATION
- NARRATIVE ANSWERS TO VARIANCE CONDITIONS
- LETTER FROM APPLICANT
- PLOT PLAN
- BUILDING SKETCH
- ASSESSOR'S PLAN
- PURCHASE & SALE AGREEMENT
- WARRANTY DEED
- 4 PHOTOGRAPHS.

Findings of Fact and Conclusions of Law:

"Practical Difficulty" Variance standard pursuant to Portland City Code §14-473(c)(3):

1. The application is for a variance from dimensional standards of the zoning ordinance (lot area, lot coverage, frontage, or setback requirements).

Satisfied ✓ (4-0) Not Satisfied     

Reason: • variance from 10,000 ft. lot size requirement.

2. Strict application of the provisions of the ordinance would create a practical difficulty, meaning it would both preclude a use of the property which is permitted in the zone in which it is located and also would result in significant economic injury to the applicant. "Significant economic injury" means the value of the property if the variance were denied would be substantially lower than its value if the variance were granted. To satisfy this standard, the applicant need not prove that denial of the variance would mean the practical loss of all beneficial use of the land.

Satisfied ✓ (4-0) Not Satisfied     

Reason: • difference bet/w. comm. & residential use and value.

3. The need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood.

Satisfied ✓ (4-0) Not Satisfied     

Reason:

• issue is lot size, not related to general conditions.



4. The granting of the variance will not produce an undesirable change in the character of the neighborhood and will not have an unreasonably detrimental effect on either the use or fair market value of abutting properties.

Satisfied ✓ Not Satisfied \_\_\_\_  
(4-0)

Reason:

• neighborhood is very commercial already.

5. The practical difficulty is not the result of action taken by the applicant or a prior owner.

Satisfied ✓ Not Satisfied \_\_\_\_  
(4-0)

Reason:

• lot size is smaller, no action by applicant.  
• did not matter that applicant knew of property restrictions

6. No other feasible alternative is available to the applicant, except a variance.

Satisfied ✓ Not Satisfied \_\_\_\_  
(4-0)

Reason:

• can't run business w/o a variance

7. The granting of a variance will not have an unreasonably adverse effect on the natural environment.

Satisfied ✓ Not Satisfied \_\_\_\_

Reason:

• no buffer removal, back lot is already parking lot.

8. The property is not located, in whole or in part, within a shoreland area, as defined in 38 M.R.S.A. § 435, nor within a shoreland zone or flood hazard zone.

Satisfied ✓ (4-0) Not Satisfied       
Reason:

• Marge stated it is not in shoreland zone.

**Conclusion:** (check one)

X (4-0) Option 1: The Board finds that the standards described above (1 through 8) have been satisfied and therefore GRANTS the application.

     Option 2: The Board finds that while the standards described above (1 through 8) have been satisfied, 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 the standards described above (1 through 8) have NOT all been satisfied and therefore DENIES the application.

Dated:

7/19/07

  
Board Chair

# 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, July 19, 2007 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: July 20, 2007

RE: Action taken by the Zoning Board of Appeals on July 19, 2007.

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

Roll call as follows:

**Members Present:** David Dore (for 1<sup>st</sup> appeal), Jill Hunter, Peter Coyne, Kate Knox (acting secretary) and Philip Saucier (acting chair).

**Members Absent:** Peter Thornton and Gordan Smith.

#### 1. Old Business:

##### A. Practical Difficulty Variance Appeal:

745 Forest Avenue, Stephen E. Mardigan, owner, Tax Map # 130 Block K Lot #001, in the B2 Business Zone. The appellant is seeking a Practical Difficulty Variance Appeal under section 14-185 (c) 2 of the City of Portland Zoning Ordinance. Appellant is requesting a one foot (1') rear setback instead of the required ten foot (10') rear set back. Representing the appeal is Robert Greenlaw, surveyor of Back Bay Boundary, Inc. **Continued from the meeting of June 21, 2007 and July 19, 2007 to the next available meeting (due to a lack of quorum).**

#### 2. New Business:

##### A. Conditional Use Appeal:

58 Deering Run Drive, Ray and Michele Clayton, owners Tax Map #353 Block E Lot #005 in the R2 Residential Zone. The Appellant is seeking a Conditional Use Appeal under section 14-78 (C) (3) of the City of Portland Zoning Ordinance. Appellant is requesting a Change of Use from a single family home to a daycare and preschool facility. Appellant is proposing a 24' x 15' attached addition for the capacity of six to twelve children. Representing the Appeal are the owners. **Board voted 4-0 and granted the Conditional Use Appeal.**

##### B. Practical Difficulty Variance Appeal:

14 Sewall Street, Karen True, owner Tax Map #189 Block A Lot #002 and 001 in the B2 Community Business Zone is seeking a Practical Difficulty Variance Appeal under section 14-185 (a) (2) of the City of Portland Zoning Ordinance. Appellant is requesting a variance for the 4,500 square foot lot which is less than 10,000 square foot lot size required for a change of use from single family home to an office use. Representing the Appeal is the owner. **Board voted 4-0 and granted the Practical Difficulty Appeal.**

##### C. Conditional Use Appeal:

19-21 Lawn Avenue, Gretchen Grufman, owner, Tax Map #122 Block I Lot #003 in the R5 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 nonconforming dwelling unit for a total of three (3) dwelling units within the building. During the permit process zoning received two letters of objection; therefore the final approval for the legalization is given to the Zoning Appeals Board. Representing the appeal is the owner. **Board voted 4-0 and granted the Conditional Use Appeal.**

**D. Conditional Use Appeal:**

182 Ocean Avenue, Owen Pickus owner, Tax Map # 140 Block C Lot #012 in the B1 Neighborhood Business Zone. The Appellant is seeking a Conditional Use Appeal under section 14-163 of the City of Portland Zoning Ordinance. Appellant is requesting a change of use from a deli / ice cream shop to a bakery / restaurant and retail outlet. Representing the Appeal is the applicant Jim Amaral. **Board voted 4-0 and granted the Conditional Use Appeal.**

**3. Other Business: None**

**4. Adjournment: 8:15pm**

**Enclosure:**

Agenda of July 19, 2007  
Copy of Board's Decision  
CC: Joseph Gray, City Manager  
Alex Jaegerman, Planning Department  
Lee Urban, Planning & Development Director  
T.J Martzial, Housing & Neighborhood Services

## Building Sketch (Page - 1)

Borrower/Client	True, Karen		
Property Address	14 Sewall Street		
City	Portland	County	Cumberland
		State	ME
		Zip Code	04102-2604
Lender	Navy Federal Credit Union		

LOT approx  $\Rightarrow$  50 X 90

Sketch by Apex IV™

Comments: Parking Available - 6 spaces.

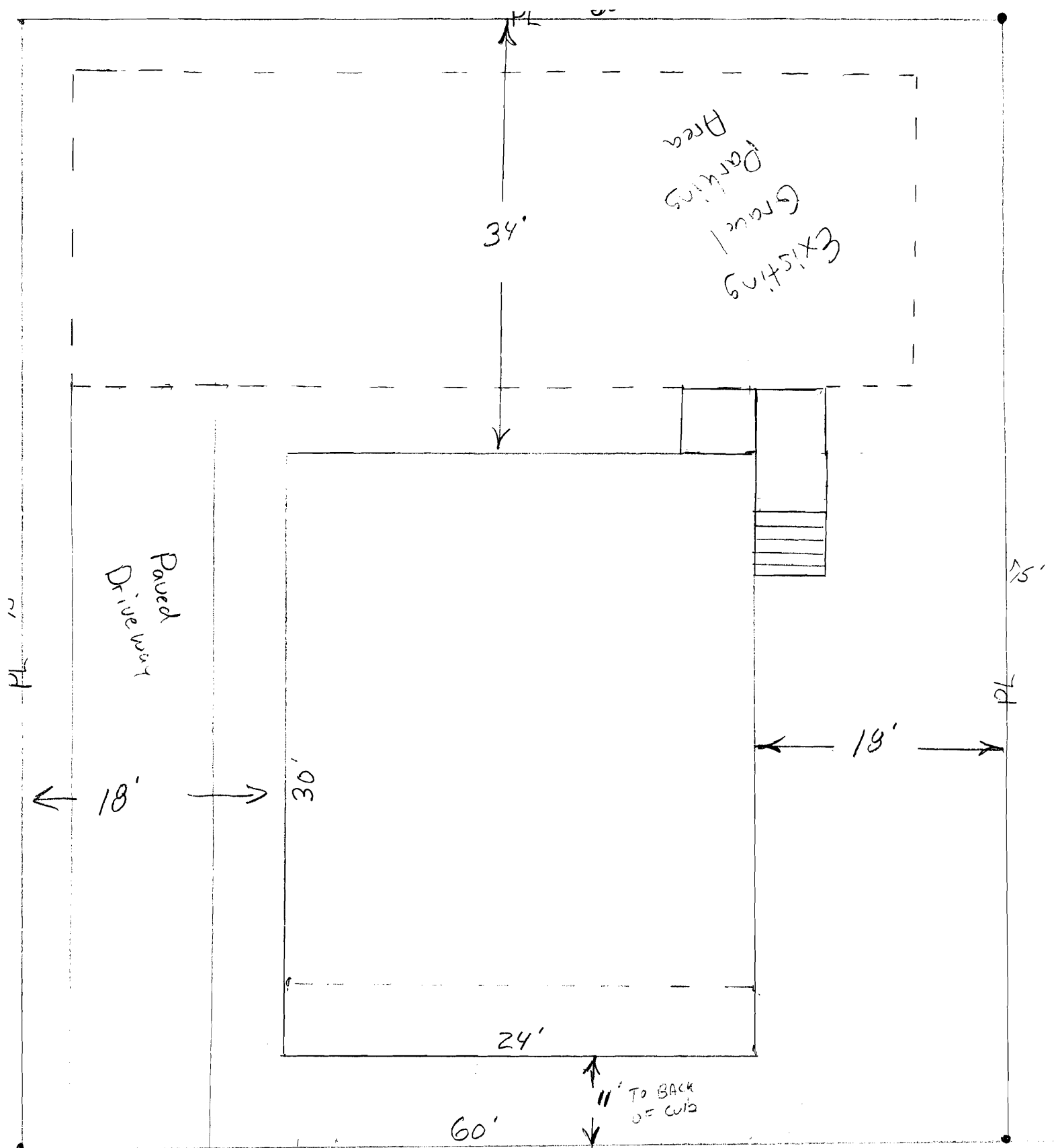
AREA CALCULATIONS SUMMARY			
Code	Description	Size	Net Totals
GIA1	First Floor	815.00	815.00
GIA2	Second Floor	416.00	416.00
TOTAL LIVABLE (rounded)			1231

LIVING AREA BREAKDOWN		
	Breakdown	Subtotals
First Floor		
	1.0 x 10.0	10.00
	5.0 x 35.0	175.00
	21.0 x 30.0	630.00
Second Floor		
	9.0 x 14.0	126.00
	7.0 x 8.0	56.00
	6.0 x 11.0	66.00
	5.0 x 7.0	35.00
	5.0 x 19.0	95.00
	2.0 x 5.0	10.00
	4.0 x 7.0	28.00
10 Calculations Total (rounded)		1231

1231 ÷ 334  
~~Area~~ = 3.68  
 need 4 spaces.

parking B-2 - 334  $\Phi$  6  
 office



Sewall Street



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

<b>Card Number</b>	1 of 1
<b>Parcel ID</b>	189 A002001
<b>Location</b>	14 SEWALL ST
<b>Land Use</b>	SINGLE FAMILY
<b>Owner Address</b>	TRUE KAREN A 14 SEWALL ST PORTLAND ME 04102
<b>Book/Page</b>	24075/269
<b>Legal</b>	189-A-2 SEWALL ST 14-16 4500 SF

### Current Assessed Valuation

<b>Land</b>	<b>Building</b>	<b>Total</b>
\$53,100	\$114,300	\$167,400

### Property Information

<b>Year Built</b> 1924	<b>Style</b> Bungalow	<b>Story Height</b> 1	<b>Sq. Ft.</b> 1236	<b>Total Acres</b> 0.103	
<b>Bedrooms</b> 3	<b>Full Baths</b> 2	<b>Half Baths</b>	<b>Total Rooms</b> 6	<b>Attic</b> Full Fin./wh	<b>Basement</b> Full

### Outbuildings

Type	Quantity	Year Built	Size	Grade	Condition
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### Sales Information

<b>Date</b> 06/16/2006	<b>Type</b> LAND + BLDING	<b>Price</b> \$237,000	<b>Book/Page</b> 24075-269
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### Picture and Sketch

<a href="#">Picture</a>	<a href="#">Sketch</a>	<a href="#">Tax Map</a>
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[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.

**New Search!**