

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

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

Permit No: 06-0230	Issue Date: MAR 14 2006	CEB: 224A F001001
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Location of Construction: 634 BRIGHTON AVE	Owner Name: MYERS DONALD	Owner Address: PO BOX 1062	Phone:
Business Name:	Contractor Name:	Contractor Address: CITY OF PORTLAND	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Dwellings	Zone: RP

Past Use: Single Family Home	Proposed Use: Commercial/ Professional Office/ Change of Use from Single Family Home to Professional Office	Permit Fee: \$105.00	Cost of Work: \$105.00	CEO District: 3
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Proposed Project Description: Change of Use from Single Family Home to Professional Office	FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied TO NFPA 101 NEW BUSINESS	INSPECTION: Use Group: B Type: SB 3/13/06 Signature: [Signature]
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Permit Taken By: Idobson	Date Applied For: 02/17/2006	<b>Zoning Approval</b>	
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<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> <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: 3/7/06	<b>Zoning Appeal</b> <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:	<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 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 \_\_\_\_\_

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

# CITY OF PORTLAND

## BUILDING INSPECTION

### PERMIT

Please Read Application And Notes, If Any, Attached

This is to certify that MYERS DONALD

has permission to Change of Use from Single Family Home to Professional Office

at 634 BRIGHTON AVE

224A F001001

PERMIT ISSUED  
Permit Number: 060230  
MAR 14 2006  
CITY OF PORTLAND

provided that the person or persons from whom this permit is issued shall comply with all of the provisions of the Statutes of the City of Portland 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.

Information of inspection must be obtained and when permit is issued there shall be no further inspection required or work closed-in.

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

#### OTHER REQUIRED APPROVALS

Fire Dept Class 3-7-06

Health Dept

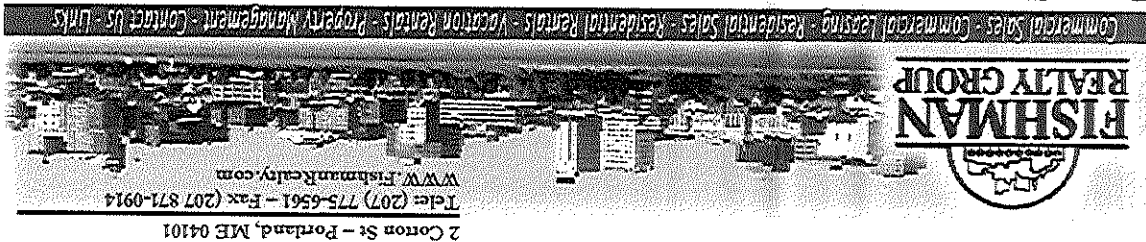
Appeal Board

Other

Department Name

PENALTY FOR REMOVING THIS CARD

*Myers Donald*  
Director - Building & Inspection Services



To: City of Portland Building and Inspections  
 From: Anthony Donovan, Agent for Donald Myers, Owner of Record  
 Date: Feb. 14, 2006

RE: Change of Use Permit Application (attached)  
 634 Brighton Ave, Portland CBL 224-A-1

As per the attached general Building Permit Application the following applies:

- Front Setback to Porch - 18'
- Rear Setback - 35'
- Street side setback - 20'
- Sideyard setback - 6'
- Lot Size 50' (Brighton Ave) x 100' (Machigonne St.) is 5,000 SF
- Existing conditions lot coverage (see attached) 2,050 SF (.41)

As per the attached Building Permit Application, the owner proposes a change of use of the existing structure in this RP (Residential Professional) zone from a single-family residence to an office use as permitted under the City of Portland land Use Code Chapter 14. There are no modifications or alterations to the existing structure.

For the purpose of meeting the requirements for off-street parking the owner is proposing use of the existing paved parking area which is approximately 1,000 SF (see attached). The current owner has used the area to park 4 vehicles since acquiring the building in 2004 (See attached). The total space used for office in the building does not exceed 1,746 SF. As per the attached plan the owner will provide four parking spaces for the office use.

Attachments:

- General Building Permit Application
- Existing Conditions Site Plan
- Existing Conditions floorplans showing gross office area
- Proof of Agent Registration

For additional information, appointments to view the property or any contacts related to this project please feel free to contact my office any time.

Anthony J. Donovan  
 ME & NH Real Estate Brokerage

Fishman Realty Group  
 2 Cotton Street  
 Portland, ME 04101  
 (207) 775-6561 ext 203 Off  
 (207) 329-6732 Cellular  
 (207) 871-0914 Fax  
 Email: [Tony@FishmanRealty.com](mailto:Tony@FishmanRealty.com)

EXCLUSIVE RIGHT TO SELL LISTING AGREEMENT

TO:

Fishman Realty Group

(hereinafter "Agency") DATE:

In consideration of Agency's agreement to list and promote the sale of Seller's property located at 65A Brighton Ave, Portland, ME

04102

recorded in the Cumberland County Registry of Deeds in Book 20241, Page 250, the undersigned as Seller, hereby gives the Agency the exclusive right to sell or exchange said property at a price of \$ \_\_\_\_\_, and on the terms herein stated, or at any other price or terms to which Seller may authorize or consent. If, during the term of this agreement, a Buyer is produced who is ready, willing and able to purchase at said price, or any other price or terms to which the Seller may agree, or if the property is sold or exchanged by anyone, including the Seller, then Seller agrees to pay Agency a commission of 5% to 2/8/06 % of contract price. This agreement shall be in effect for 90 days from 11/10/05 to 2/8/06.

The commission as provided above shall be due if the property is sold, conveyed, exchanged, optioned or otherwise transferred within 6 months after the expiration of this agreement to anyone with whom Agency has negotiated unless listed with another Agency on an Exclusive Right to Sell Listing Agreement. Negotiation shall include providing information about the property, showing the property, or presenting offers on the property. All rights under this paragraph shall terminate on \_\_\_\_\_.

TRANSACTING FEE: Seller acknowledges that, in connection with the sale of Seller's property described above, various State and federal statutes, as well as various local ordinances, now require that buyers and sellers and/or their respective agents deliver to or receive from one another, or deliver from governmental agencies, homeowners associations, and other third parties, numerous disclosures, certifications, reports and informational materials (collectively "Regulatory Materials"). Failure by a Seller to make timely delivery of Regulatory Materials or a party's inability to establish past delivery thereof may adversely affect the course of a transaction or result in statutory or contractual liability. In consideration of Agency's processing, monitoring and coordinating the delivery of Regulatory Materials in connection with this sale, Seller agrees to pay Agency a Transaction Processing Fee of \$ \_\_\_\_\_. This fee shall be payable \_\_\_\_\_ N/A. Seller acknowledges that additional fees or costs may be charged by governmental agencies and/or any third party information service providers whose services are selected by Seller.

SUBAGENCY

Yes  No This Agency's policy is to cooperate with other agencies acting as subagents of you the Seller.

Yes  No This Agency's policy is to share compensation with subagents.

BUYER'S AGENCY

Yes  No This Agency's policy is to cooperate with other agencies acting as Buyer's agents.

Yes  No This Agency's policy is to share compensation with Buyer's agents.

TRANSACTION BROKERS

Yes  No This Agency's policy is to cooperate with other agencies acting as transaction brokers.

Yes  No This Agency's policy is to share compensation with transaction brokers.

Agency has disclosed its policies regarding cooperation and compensation so as to inform Seller of any policy that would limit the participation of any other Agency.

Seller acknowledges and/or agrees:

- A continuing duty between the signing of this listing agreement and the final closing to disclose to Agency all information about the property, advertise or otherwise, and understands that all such information shall be disclosed by Agency to Buyer.
- To hold Agency harmless for any claim which may result from the Seller's failure to disclose information about the property.
- To refer all inquiries to Agency.
- To convey property by \_\_\_\_\_ deed.

Warranty

- To authorize a "For Sale" sign on the property.  Yes  No
- To authorize the advertising of the property.  Yes  No
- To authorize a lock box on the property.  Yes  No
- To authorize listing agent to divulge the existence of offers on the property.  Yes  No
- To authorize publication of property in the MLS and use of information for marketing and statistical purposes.  Yes  No
- That the State of Maine law requires Buyers of property owned by non-resident Sellers to withhold a prepayment of capital gains tax unless a waiver has been obtained by Seller from the State of Maine Bureau of Taxation.
- To seek legal, tax, and other professional advice as necessary in connection with sale of property.
- Receipt of a copy of this agreement.
- That Agent has informed Seller of his/her disclosure and certification obligations regarding the presence of lead-based paint and lead-based paint hazards and a Buyer's right to conduct a risk assessment or inspection of the property to determine the presence of lead-based paint or lead-based paint hazards.
- To not include street address on an Internet display of the property on virtual office websites of other real estate companies.
- Any property management services are only provided by Agency if agreed to by separate written agreement.
- If any earnest money is forfeited by a Buyer, it shall be distributed one half to Seller, and one half to Agency. In no event shall the Agency portion exceed the agreed upon commission set forth above.



MAINE ASSOCIATION OF REALTORS®  
All Rights Reserved.

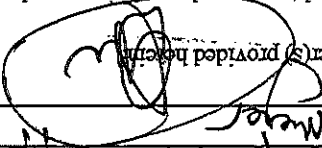
Produced with ZInfoForm™ by RE FormNet, LLC 18025 Fifteen Mile Road, Clinton Township, Michigan 48035, (800) 383-9805 www.zinfoform.com



FIXTURES: The Seller agrees that all fixtures, including but not limited to existing storm and screen windows, shades and/or blinds, shutters, curtain rods, built-in appliances, heating sources/systems including gas and/or kerosene-fired heaters and wood stoves, and electrical fixtures are included with the sale except for the following:

PERSONAL PROPERTY: The following items of personal property may be included with the sale at no additional cost, in "as is" condition with no warranties if specified in the Purchase & Sale Agreement

Other Conditions: Agent, Anthony Donovan of Fishman Realty, is allowed to sign permit applications for owner, Donald Meyer

I hereby consent to receive tax transmissions sent from Agency to tax number(s) provided herein 

Agency and Seller each agree that this property is to be offered without regard to race, color, religion, sex, handicap/disability, familial status (families with children), ancestry or national origin

SELLER(S) Donald Meyer  
 SS# OR TAXPAYER ID# 381-52-2960

SELLER(S) Mailing Address: PO Box 1062, Portland, ME 04104

SELLER(S) Phone Number: \_\_\_\_\_  
 SELLER(S) E-mail Address: \_\_\_\_\_  
 SELLER(S) Fax Number(s): \_\_\_\_\_

Accepted by Anthony J. Donovan (Agent) on behalf of Fishman Realty Group (Agency)



**CITY OF PORTLAND, MAINE**  
 Department of Building Inspections

20 02

Received from

Phillips Insurance

Location of Work

6871 Franklin

Cost of Construction \$

500,000

Permit Fee \$

175,080

Building (U)  Plumbing (15)  Electrical (12)  Site Plan (U2)

Other

CBL: 00000 001-417-1

Check #: 3558

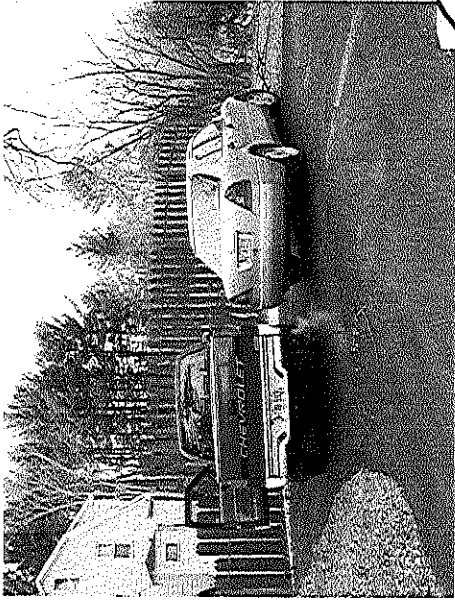
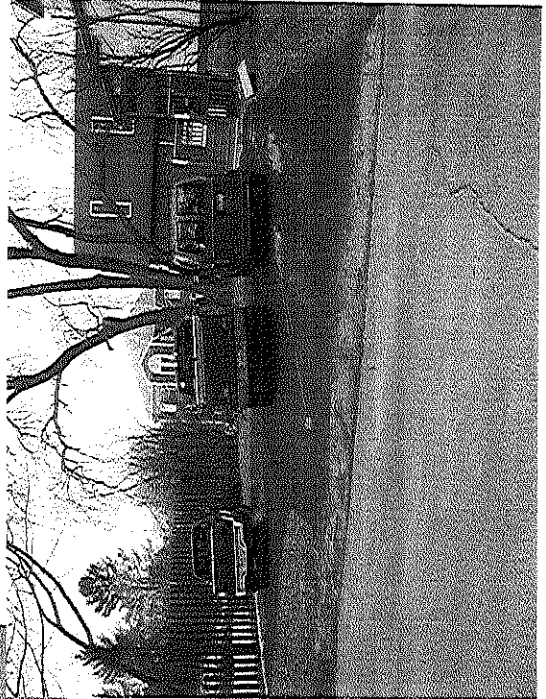
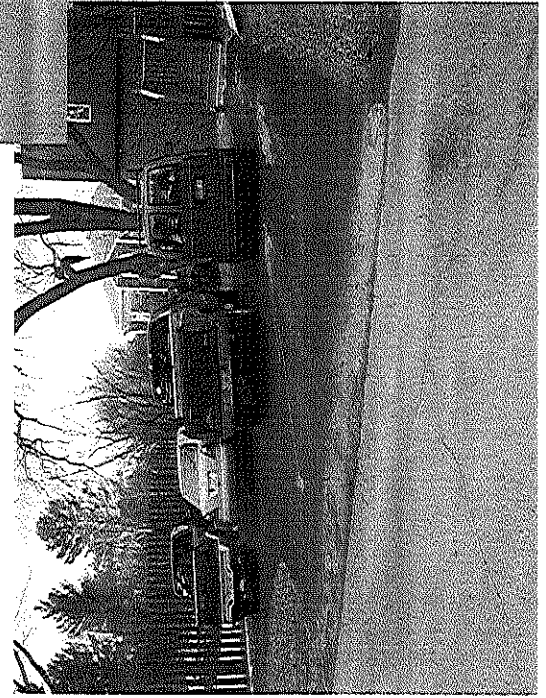
**Total Collected \$** 101,240

**THIS IS NOT A PERMIT**

No work is to be started until PERMIT CARD is actually posted upon the premises. Acceptance of fee is no guarantee that permit will be granted. **PRESEERVE THIS RECEIPT.** In case permit cannot be granted the amount of the fee will be refunded upon return of the receipt less \$10.00 or 10% whichever is greater.

WHITE - Applicant's Copy  
 YELLOW - Office Copy  
 PINK - Permit Copy

**632 Brighton Ave  
Portland, Maine  
Parking access from  
Machigonne St**



From: "Tony Donovan" <tony@fishmanrealty.com>  
To: "Marge Schmuckal" <MES@portlandmaine.gov>  
Date: 3/7/2006 9:28:19 AM  
Subject: RE: 634 Brighton Ave

Hello Marge;

Please find attached the pictures of parking at 632 Brighton Ave. There is room for 4 vehicles easily without touching the grass and allowing pedestrian access to the rear entry. Please reply or call me if you have difficulty opening this or have additional questions

Thanks

Tony D

Anthony J. Donovan  
ME & NH Real Estate Brokerage

Fishman Realty Group  
2 Cotton Street  
Portland, ME 04101

(207) 775-6561 ext 203 Off  
(207) 329-6732 Cellular  
(207) 871-0914 Fax

Mailto: Tony@FishmanRealty.com  
URL: WWW.FishmanRealty.com

-----Original Message-----

From: Marge Schmuckal [mailto:MES@portlandmaine.gov]  
Sent: Thursday, February 09, 2006 11:31 AM  
To: Tony Donovan  
Cc: dbarouch@maine.m.com  
Subject: Re: 634 Brighton Ave

If we have all the information we request for review, it takes about 2-3 weeks depending on how many permits have come in.

>>> "Tony Donovan" <tony@fishmanrealty.com> 2/9/2006 11:19:53 AM >>>  
Marge - Below is the message I sent to the incorrect address. thanks for your call. I will be in tomorrow for a change of use permit for the owner. He has about 4 spaces (650 SF) of paved off-street parking and maybe room for 3 additional vehicles off street for about 1600 plus SF of usable office space.

What is the turnaround for a permit of this type?

thanks

TD



Marge:

This property is CBL = 224A-F-1 on the corner of Brighton ave and Machigonne St. the current owner has rehabilitated the building to accommodate a professional office user. There is a law firm considering a purchase and has a question as to the allowable use based on the lot size of 5,000 SF. The code provides a minimum lot size of 6,000 but we need to know if the existing building allows professional use.

thank you

Always a pleasure

TD

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

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

Permit No:	06-0230
Date Applied For:	02/17/2006
CBL:	224A F001001

Location of Construction:	634 BRIGHTON AVE	Owner Name:	MYERS DONALD
Business Name:		Contractor Name:	
Lessee/Buyer's Name:		Contractor Address:	PO BOX 1062
		Contractor Phone:	
		Permit Type:	Change of Use - Dwellings

Proposed Use:	Commercial/Professional Office/Change of Use from Single Family Home to Professional Office
Proposed Project Description:	Change of Use from Single Family Home to Professional Office

**Dept: Zoning** Status: Approved with Conditions Reviewer: Marge Schmuckal Approval Date: 03/07/2006  
 Note: 03/06/06 Marge & Ann did a site visit to confirming the parking - the on-site measured dimensions are a little less than what is shown on plans. Will request that the traffic engineer confirm that it is reasonable to get 4 cars in the lot. Tony D. will e-mail me a picture of 4 cars in the lot  
 3/7/06 Tony e-mailed me several pictures & 4 cars do fit in the space

- 1) Separate permits shall be required for any new signage.
- 2) This property shall remain a professional office. Any change of use shall require a separate permit application for review and approval.
- 3) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.

**Dept: Building** Status: Approved with Conditions Reviewer: Mike Nugent Approval Date: 03/16/2006  
 Note: This is a Change of Use ONLY permit. It does NOT authorize any construction activities.  
 Ok to Issue:

- 2) Potential user of this space must provide documentation regarding ADA compliance prior to an Occupancy Certificate.

**Dept: Fire** Status: Approved with Conditions Reviewer: Cptn Greg Cass Approval Date: 03/07/2006  
 Note: Building shall comply with NFPA 101 Chapter 38  
 Ok to Issue:

- 1) Building shall comply with NFPA 101 Chapter 38

A copy of the code is available upon request.



# 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: 634 Brighton Ave	
Total Square Footage of Proposed Structure: 1740 SF	Square Footage of Lot: 5100 SF

Tax Assessor's Chart, Block & Lot: Chart# 244 Block# 21 Lot#	Owner: Donald Myers
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Lessee/Buyer's Name (If Applicable):	Applicant name, address & telephone: Donald Myers PO Box 1062 Portland, ME 04104 775-6561-itsagent
Current Specific use: Residence	Proposed Specific use: Professional office

Project description: No Alterations	Change of use
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Contractor's name, address & telephone:	Who should we contact when the permit is ready: Anthony J Demoran Phone: 775-6561-xxxx
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Please submit all of the information outlined in the Commercial Application Checklist.	
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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: [Signature]	Date: 2/16/06
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This is not a permit; you may not commence ANY work until the permit is issued.

**BUILDING PERMIT INSPECTION PROCEDURES**

Please call 874-8703 or 874-8693 to schedule your

inspections as agreed upon

Permits expire in 6 months, if the project is not started or ceases for 6 months.

The Owner or their designee is required to notify the inspections office for the following inspections and provide adequate notice. Notice must be called in 48-72 hours in advance in order to schedule an inspection:

By initializing at each inspection time, you are agreeing that you understand the Work Order Release" will be incurred if the procedure is not followed as stated below.

A Pre-construction Meeting will take place upon receipt of your building permit.

- Footing/Building Location Inspection: Prior to pouring concrete
- Re-Bar Schedule Inspection: Prior to pouring concrete
- Foundation Inspection: Prior to placing ANY backfill
- Framing/Rough Plumbing/Electrical: Prior to any insulating or drywalling

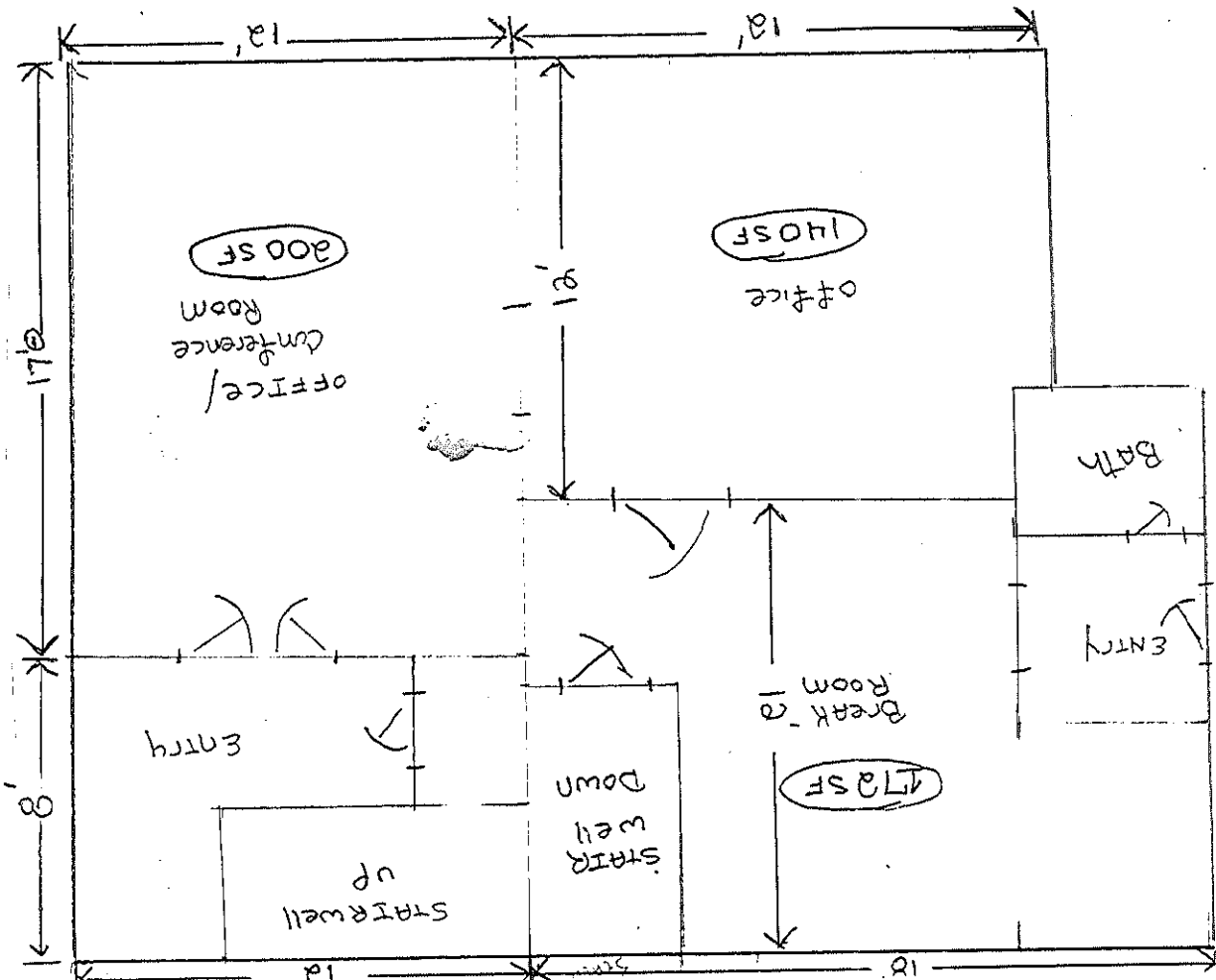
Final/Certificate of Occupancy: Prior to any occupancy of the structure or use. NOTE: There is a \$75.00 fee per inspection at this point.

Certificate of Occupancy is not required for certain projects. Your inspector can advise you if your project requires a Certificate of Occupancy. All projects DO require a final inspection  
 If any of the inspections do not occur, the project cannot go on to the next phase, REGARDLESS OF THE NOTICE OR CIRCUMSTANCES.

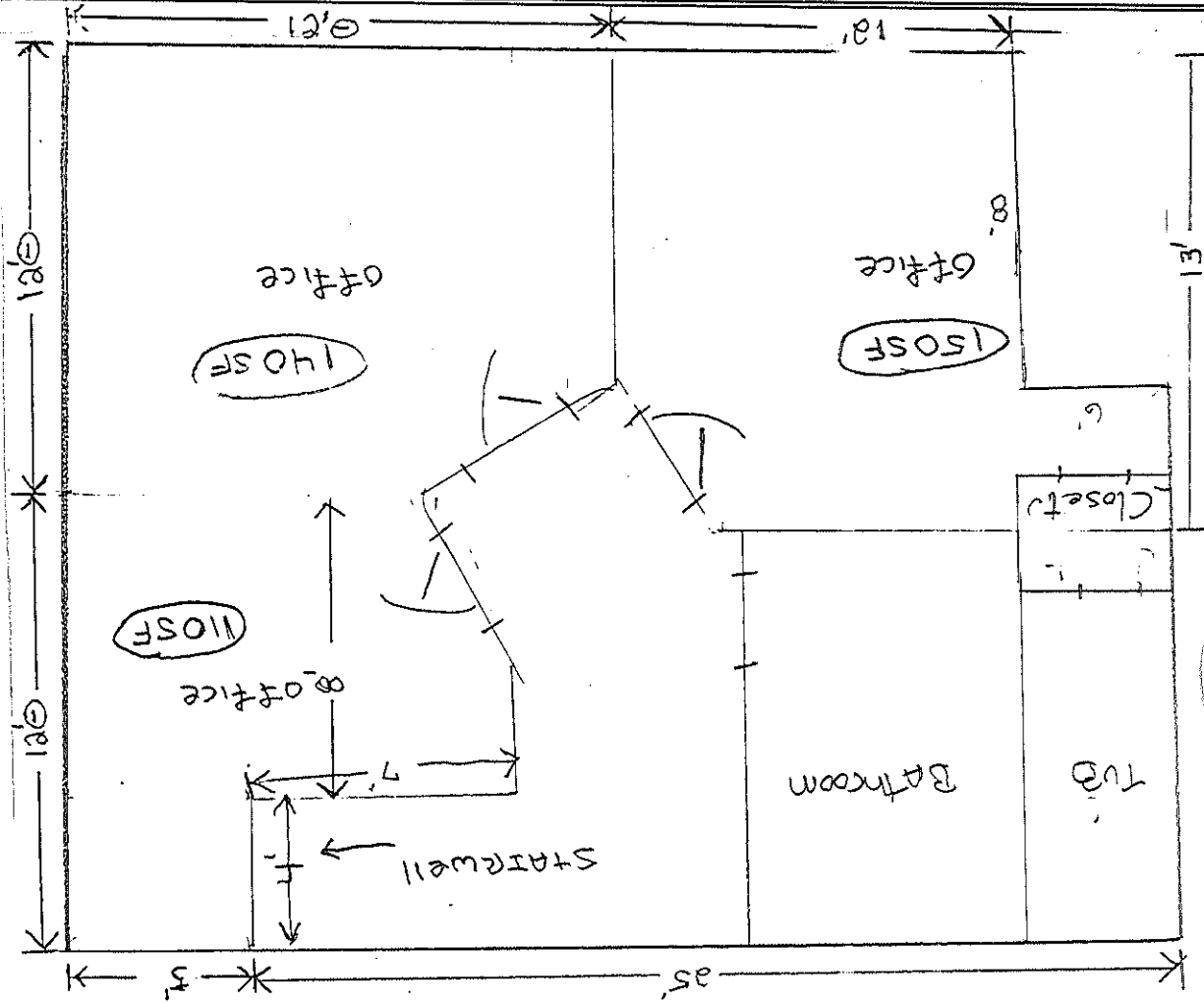
**CERTIFICATE OF OCCUPANCIES MUST BE ISSUED AND PAID FOR, BEFORE THE SPACE MAY BE OCCUPIED**

Signature of Applicant/Designee: [Signature] Date: 3/15/08  
 Signature of Inspections Official: [Signature] Date: 3/15/08  
 CBL: 224AF001 Building Permit #: 060280

**1<sup>ST</sup> FLOOR GROSS OFFICE AREA**  
672 +/- SF

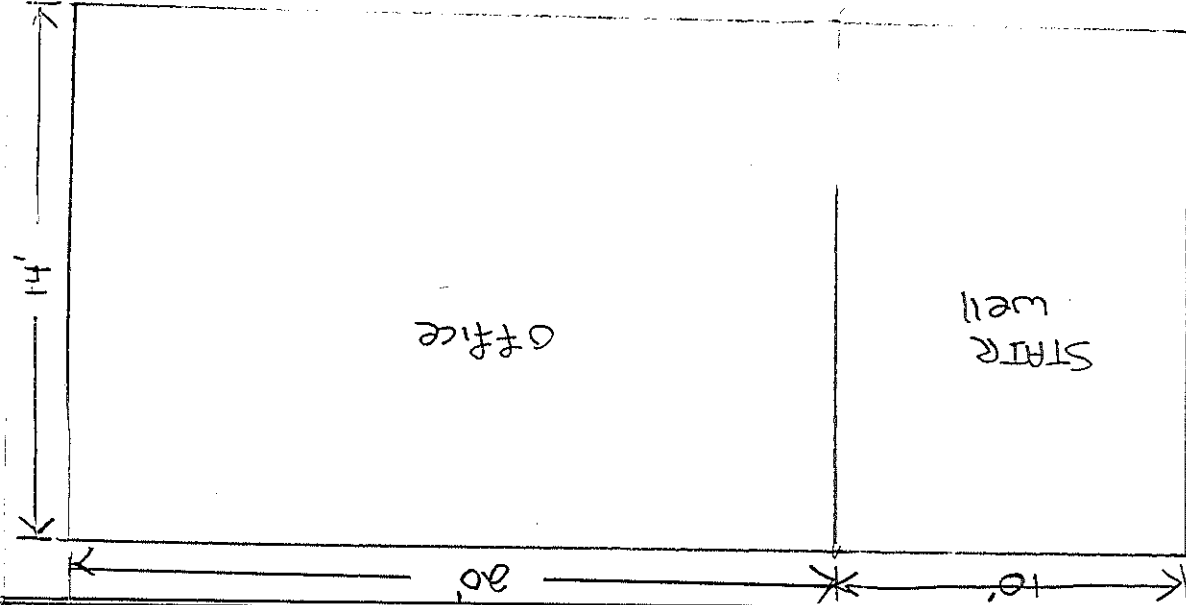


**2<sup>ND</sup> FLOOR GROSS OFFICE AREA**  
672 +/- SF



$\frac{1761}{420} = 4.19$   
4.19 working spaces.

**3<sup>RD</sup> FLOOR GROSS OFFICE AREA**  
420 +/- SF



**634 BRIGHTON AVE**  
**PORTLAND, ME CBL 224-A-1**  
**TOTAL OFFICE AREA**  
**1,764 +/- SF**

MACHIGONNE-STREET

BRIGHTON AVE

634 BRIGHTON AVE  
PORTLAND MAINE  
CBL - 224-A-1

EXISTING CONDITIONS  
LOT COVERAGE - 2,050+/- SF

