

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

# CITY OF PORTLAND

## BUILDING INSPECTION

### PERMIT

Please Read Application And Notes, If Any, Attached

**PERMIT ISSUED**

Permit Number: 060230  
MAR 14 2006

**CITY OF PORTLAND**

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

provided that the person or persons who perform or supervise the work accepting this permit shall comply with all of the provisions of the Statutes of the State 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.

Classification of inspection must be given and when permission is procured before this building or part thereof is occupied or service is closed-in. 4  
YOUR 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 Cass 3-7-06

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

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

Other \_\_\_\_\_

Department Name

*[Signature]*  
Director - Building & 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

Permit No: 06-0230	Issue Date: 06-23-06	CEB: 224A F001001
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Location of Construction: <b>634 BRIGHTON AVE</b>	MYERS DONALD	Owner Address: PO BOX 1063	Phone:
Business Name:	Contractor Name:	Contractor Address: <b>CITY OF PORTLAND</b>	Phone:
Lessee/Buyer's Name	(Phone:)	Permit Type:	Zone: <b>KP</b>
Past Use: Single Family Home	Proposed Use: Commecial/ Professional Office/ Change of Use from Single Family Home to Professional Office	Permit Fee: \$105.00	Cost of Work: \$105.00
Proposed Project Description: Change of Use from Single Family Home to Professional Office		CEO District: 3	
		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied TO NFPA 101 NEW BUSINESS Signature: <i>Carla Carr</i>	
		INSPECTION: Use Group <b>3</b> Type: <b>55</b> <b>3/13/06</b> Signature: <i>[Signature]</i>	
		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: Idobson	Date Applied For: 02/17/2006	<b>Zoning Approval</b>
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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..	<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: <i>3/7/06</i>	<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: <i>3/7/06</i>	<b>Historic Preservation</b> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review Approved <input type="checkbox"/> Approved w/Conditions Denied Date: <i>[Signature]</i>
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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



# General Building Permit Application

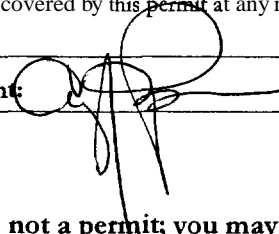
If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Location/Address of Construction: <u>634 Brighton Ave</u>		
Total Square Footage of Proposed Structure <u>1,740 SF</u>		Square Footage of Lot <u>5,000 <del>7</del></u>
Tax Assessor's Chart, Block & Lot Chart#      Block#      Lot# <u>224      A1</u>	Owner: <u>Donald Myers</u>	Telephone:
Lessee/Buyer's Name (If Applicable)	Applicant name, address & telephone: <u>Donald Myers</u> <u>PO Box 1062</u> <u>Portland, ME, 04104</u> <u>775-6561 x203 - ITS Agent</u>	cost Of Work \$ _____ Fee: \$ <u>30</u> C of O Fee: \$ <u>75</u>
Current Specific use: <u>Residence</u>	Proposed Specific use: <u>Professional office</u>	<u>105<sup>00</sup>/sq</u>
Project description: <u>No Alterations</u> <u>Change of use</u>		
Contractor's name, address & telephone:		
Who should we contact when the permit is ready: <u>Anthony J Donouan</u>		
Mailing address: <u>SAME AS APPLICANT</u>		Phone: <u>775-6561 x203</u>

**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 representatives 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: 	ITS Agent	Date: <u>2/16/06</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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**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) **2,050SF (.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 Representation*

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) 3294732 **Cellular**  
(207) 871-0914 **Fax**

**Mailto: [Tonyh3@fishmanrealty.com](mailto:Tonyh3@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 638 Brighton Ave., Portland, ME 04102

recorded in the Cumberland County Registry of Deeds in Book 2024 1, 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% % 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 \_\_\_\_\_.

TRANSACTION PROCESSING 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.

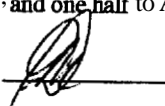
### TRANSACTION BROKERS

- 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, adverse 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 \_\_\_\_\_ Warranty deed.
- 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 my 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.



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 Myers

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

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)

(Signature)  
Donald Myers

381-50-2060  
SS# OR TAXPAYERID#

SS# OR TAXPAYERID#

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

SELLER(S) Phone Number: \_\_\_\_\_

SELLER(S) E-mail Address: \_\_\_\_\_

SELLER(S) Fax Number(s): \_\_\_\_\_

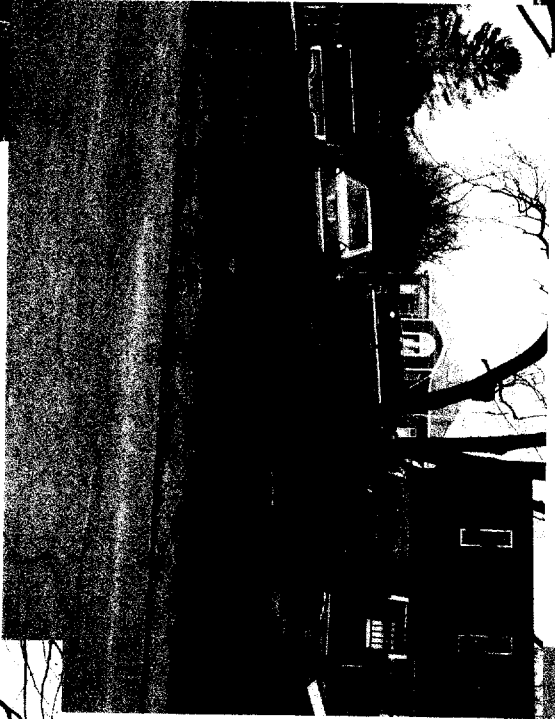
Accepted by Anthony J. Donovan on behalf of Fishman Realty Group  
(Agent) (Agency)

Page 2 of 2 - ERTS

MAINE ASSOCIATION OF REALTORS®/Rev. 2005  
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**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.rr.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

Anthony J. Donovan  
ME & NH Real Estate Brokerage

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2 Cotton Street  
Portland, ME **04101**

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Mailto: Tony@FishmanRealty.com<mailto:Tony@FishmanRealty.com>  
URL: [www.FishmanRealty.com](http://www.FishmanRealty.com) <http://hrwww.fishmanrealty.com/>

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

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

<b>Permit No:</b> 06-0230	<b>Date Applied For:</b> 02/17/2006	<b>CBL:</b> 224A F001001
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<b>Location of Construction:</b> 634 BRIGHTON AVE	<b>Owner Name:</b> MYERS DONALD	<b>Owner Address:</b> PO BOX 1062	<b>Phone:</b>
<b>Business Name:</b>	<b>Contractor Name:</b>	<b>Contractor Address:</b>	<b>Phone:</b>
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Change of Use - Dwellings	

<b>Proposed Use:</b> Commecial/ Professional Office/ Change of Use from Single Family Home to Professional Office	<b>Proposed Project Description:</b> Change of Use from Single Family Home to Professional Office
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**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

- Ok to Issue:**
- 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

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