

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: 070451
JUN 21 2007
CITY OF PORTLAND

This is to certify that BOVE LAUREN ANNE & MICHAEL T BOVE JTS/Richard Sedue

has permission to Change Garage into Study

AT 88 KENT ST 284 D029001

provided that the person or persons who apply for or accept this permit shall comply with all of the provisions of the Statutes of this 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.

Notification of inspection must be given and when permission is procured before this building or part thereof is altered or closed-in. 24 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. _____

Health Dept. _____

Appeal Board _____

Other _____

Department Name

ce/14/07 Chetan M
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: 07-0451	Issue Date: 6/14/07	CBL: 284 D029001
-----------------------	------------------------	---------------------

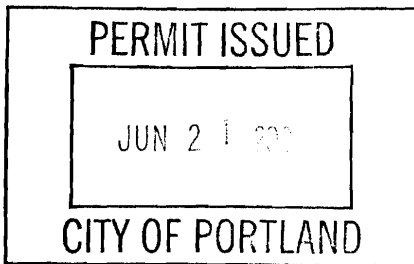
Location of Construction: 88 KENT ST	Owner Name: BOVE LAUREN ANNE & MICHA	Owner Address: 88 KENT ST	Phone:
Business Name:	Contractor Name: Richard Ledue	Contractor Address: 301 Brook Street Westbrook	Phone: 2077974375
Lessee/Buyer's Name	Phone:	Permit Type: Alterations - Dwellings	Zone: R3

Past Use: Single Family Home	Proposed Use: Single Family Home - Change Garage into Study	Permit Fee: \$120.00	Cost of Work: \$10,000.00	CEO District: 3
		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: 2-3 Type: 5B IRC-2003	

Proposed Project Description: Change Garage into Study	Signature:	Signature: <i>6/13/07/CLH</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: ldobson	Date Applied For: 04/30/2007	Zoning Approval
-----------------------------	---------------------------------	------------------------

<ol style="list-style-type: none"> This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. Building permits do not include plumbing, septic or electrical work. 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"/> OK w/conditions Date: 6/8/07 ABM	Zoning Appeal <input checked="" type="checkbox"/> Variance granted 4-0 <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date: 6/7/07	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: ABM
	<p><i>practical difficulty appeal</i></p>		



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

Permit No: 07-0451	Date Applied For: 04/30/2007	CBL: 284 D029001
------------------------------	--	----------------------------

Location of Construction: 88 KENT ST	Owner Name: BOVE LAUREN ANNE & MICHA	Owner Address: 88 KENT ST	Phone:
Business Name:	Contractor Name: Richard Ledue	Contractor Address: 301 Brook Street Westbrook	Phone (207) 797-4375
Lessee/Buyer's Name	Phone:	Permit Type: Alterations - Dwellings	

Proposed Use: Single Family Home - Change Garage into Study	Proposed Project Description: Change Garage into Study
---	--

Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Ann Machado **Approval Date:** 06/08/2007

Note: Practical difficulty variance appeal granted 6/7/07. **Ok to Issue:**

- 1) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.
- 2) This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.

Dept: Building **Status:** Approved with Conditions **Reviewer:** Chris Hanson **Approval Date:** 06/14/2007

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) Hardwired interconnected battery backup smoke detectors shall be installed in all bedrooms, protecting the bedrooms, and on every level.
- 3) Permit approved based on the plans submitted and reviewed w/owner/contractor, with additional information as agreed on and as noted on plans.
- 4) Fastener schedule per the IRC 2003

Comments:

5/17/2007-amachado: See denial letter dated May 17, 2007. If convert garage, not meet required off street parking.

6/8/2007-amachado: Practical difficulty variance appeal was granted by the ZBA, 4-0 vote, June 7, 2007.

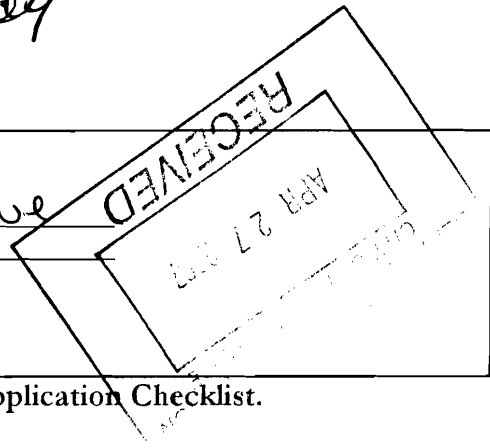
6/12/2007-csh: called Mike w/ ? On roof design drawings don't match picture



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>EE Kent St</u>		
Total Square Footage of Proposed Structure <u>138 ft²</u>		Square Footage of Lot
Tax Assessor's Chart, Block & Lot Chart# <u>284</u> Block# <u>D</u> Lot# <u>28</u>	Owner: <u>MIKE BOUE</u>	Telephone:
Lessee/Buyer's Name (If Applicable)	Applicant name, address & telephone: <u>Richard Ledue</u> <u>301 Brook St</u> <u>Westbrook, Me.</u>	Cost Of Work: \$ <u>10,000</u> Fee: \$ _____ C of O Fee: \$ _____
Current legal use (i.e. single family) <u>GARAGE SFH</u> If vacant, what was the previous use? _____ Proposed Specific use: <u>Finish Space / Study</u> Is property part of a subdivision? <u>NO</u> If yes, please name _____ Project description: <u>Change garage into Study</u>		
Contractor's name, address & telephone: Who should we contact when the permit is ready: <u>Richard Ledue</u> Mailing address: <u>301 Brook St</u> <u>Westbrook Me.</u> Phone: <u>797-4375</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, 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: <u>[Signature]</u>	Date: <u>4-27-07</u>
--	----------------------

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



PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life • www.portlandmaine.gov

*Lee Urban- Director of Planning and Development
Marge Schmuckal, Zoning Administrator*

May 17, 2007

Lauren & Michael Bove
88 Kent Street
Portland, ME 04102

RE: 88 Kent Street – 284 D029 – R3 – convert garage to study - permit #07-0451

Dear Mr. & Mrs. Bove,

I am in receipt of your application to convert your garage to a study at your home at 88 Kent Street. Your house is located in the R3 Residential Zone. Section 14-90(d)(1) of the land use ordinance states that the front yard setback in the R3 zone is twenty-five feet from the front property line. Section 14-332 of the ordinance requires that you have one off-street parking space for your existing single family home. Section 14-336(a) of the ordinance states that the off-street parking space cannot be located in the required front yard of your lot. Since the required front yard depth in the R3 zone is twenty-five feet, your required parking space must be located past twenty-five feet from your front property line. Your plot plan shows that it is twenty-three feet to the front of your house and another nine feet to your garage. This leaves seven feet between the twenty-five foot front setback and the garage. This is not enough space to park a car since the City of Portland Technical and Design Standards and Guidelines gives the required length of a parking space as nineteen feet. If you convert your garage to a study you do not meet the off-street parking requirement, so we cannot allow you to convert your garage to a study.

You have the right to appeal my decision. If you wish to exercise your right to appeal, 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. I have enclosed the appeal application and process if you decide 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.

Sincerely,

Ann B. Machado
Zoning Specialist

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

Peter Coyne
Philip Saucier-sec
Peter Thornton
Kate Knox
Jill E. Hunter
David Dore, chair
Gordon Smith

June 8,2007

Michael T. Bove
88 Kent St.
Portland, ME 04102

RE: 88-90 Kent St.
CBL: 284 D029
ZONE: R3

Dear Mr. Bove:

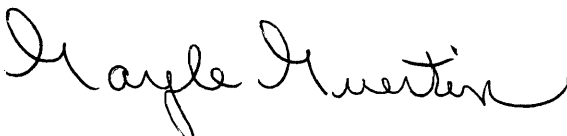
As you know, at its June 7, 2007, meeting, the board voted 4-0 and granted the Practical Difficulty Variance Appeal.

I am enclosing your Certificate of Variance Approval; **the original must be recorded in the Cumberland County Registry of Deeds within 90 days of June 7, 2007, when it was signed.** Failure to record the Certificate will result in its being voided.

Enclosed please find a copy of the Board's decision, along with a building permit to submit to the inspections office for your change of use. You have six months from the date of this letter, referenced under section 14-474 (f) to apply for the change of use permit.

Should you have any questions please feel free to contact me at 207-874-8701.

Sincerely,



Gayle Guertin
Office Assistant



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 7th day of June, 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: Lauren Anne & Michael T. Bove**
2. **Property:** 88 Kent Street, Portland, ME **CBL:** 284-D-029
Cumberland County Registry of Deeds, Book 21512, Page 1
Last recorded deed in chain of Title: 07/07/2004
3. **Variance and Conditions of Variance:**
To grant relief from section 14-336(a) of the Zoning Ordinance to allow an approximate 12 foot front yard set back for one off-street parking space instead of the required 25 foot front yard set back.

IN WITNESS WHEREOF, I have hereto set my hand and seal this

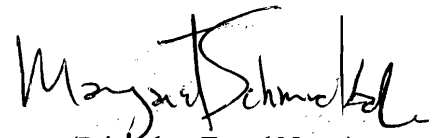
39
07 day of June, 2007


, 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 June 7, 2007



(Printed or Typed Name)

Notary Public

Margaret Schmuckal

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.

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS

“Practical Difficulty” Variance Appeal

DECISION

Date of public hearing: June 7, 2007

Name and address of applicant: Laura & Michael Bove
88 Kent St Portland 04102

Location of property under appeal: 88 Kent St
Portland ME

For the Record:

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

Michael & Laura Bove
88 Kent St
Portland, ME 04102

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

Findings of Fact and Conclusions of Law:

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

4-0

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

Satisfied Not Satisfied

Reason: Setback - parking

4-0

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 Not Satisfied

Reason: practical difficulty of non provision of parking makes entire structure unusable
value of property lower b/c increased 55 ft if garage finished

4-0

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 Not Satisfied

Reason: garage considered "parking"

4-0

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

Reason: no negative impact

4-0

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

Satisfied Not Satisfied

Reason: existing - ordinance didnt exist

4-0

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

Satisfied Not Satisfied

Reason: garage space most feasible

4-0

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


Satisfied Not Satisfied

Reason:

4-0

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 Not Satisfied

Reason: 

Conclusion: (check one)

4-0

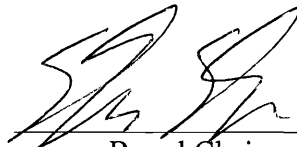
Option 1: The Board finds that the standards described above (1 through 8) have been satisfied and therefore GRANTS the application.

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.

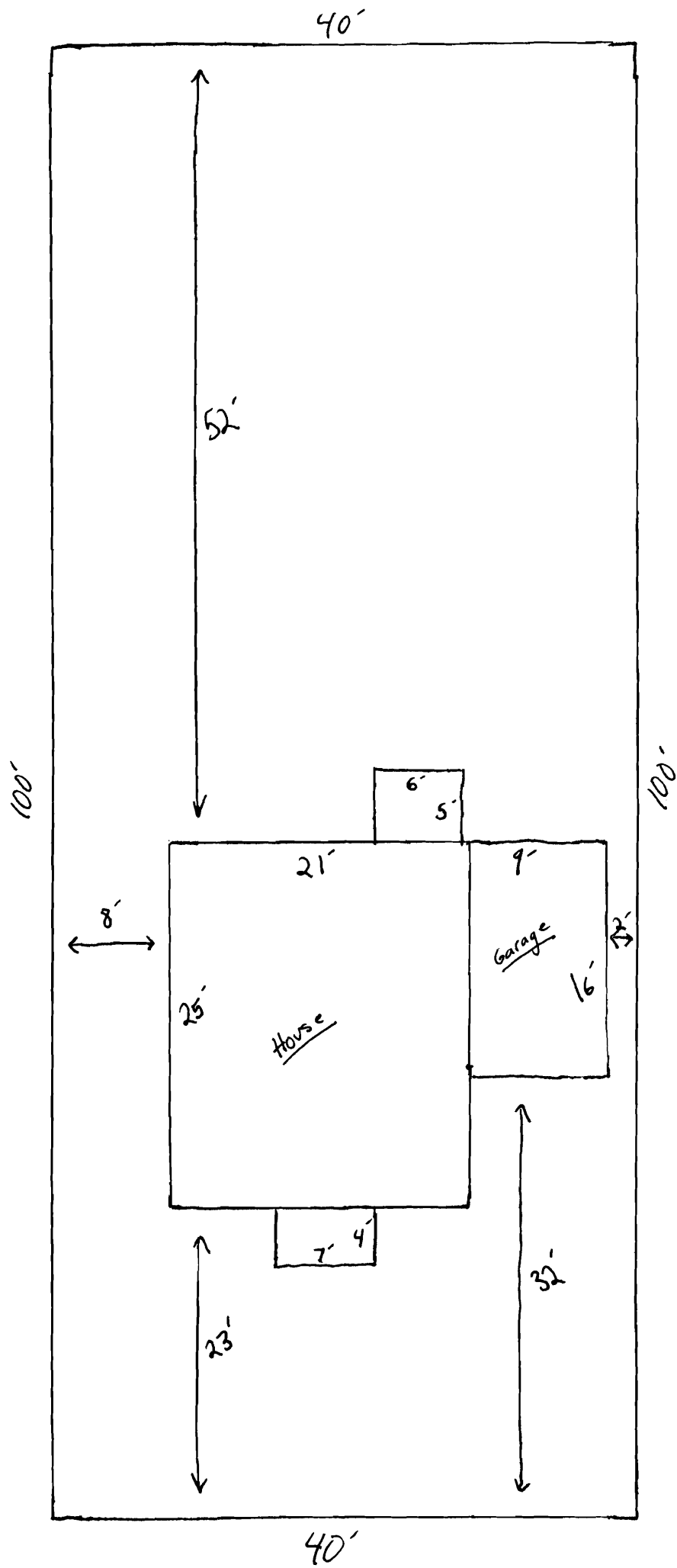
Dated:

6/2/07



Board Chair





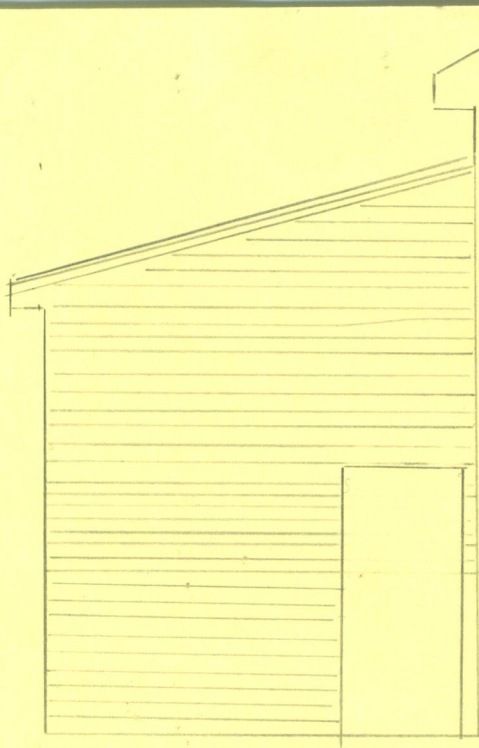
□ = 2 Feet

Kid -
 I'm pretty close
 with this I please
 call it I've missed
 something. Mike Boue

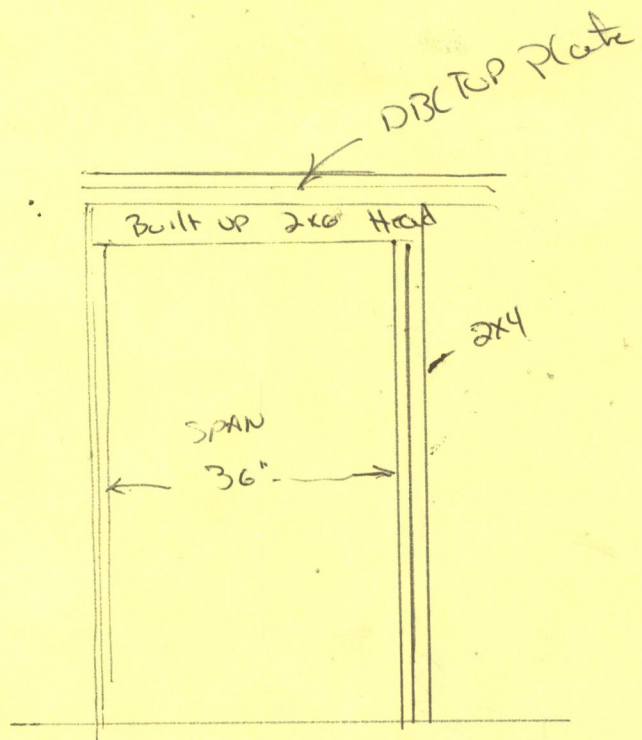
MIKE BOUE
 88 Kent St.
 PORTLAND, ME
 772-6494



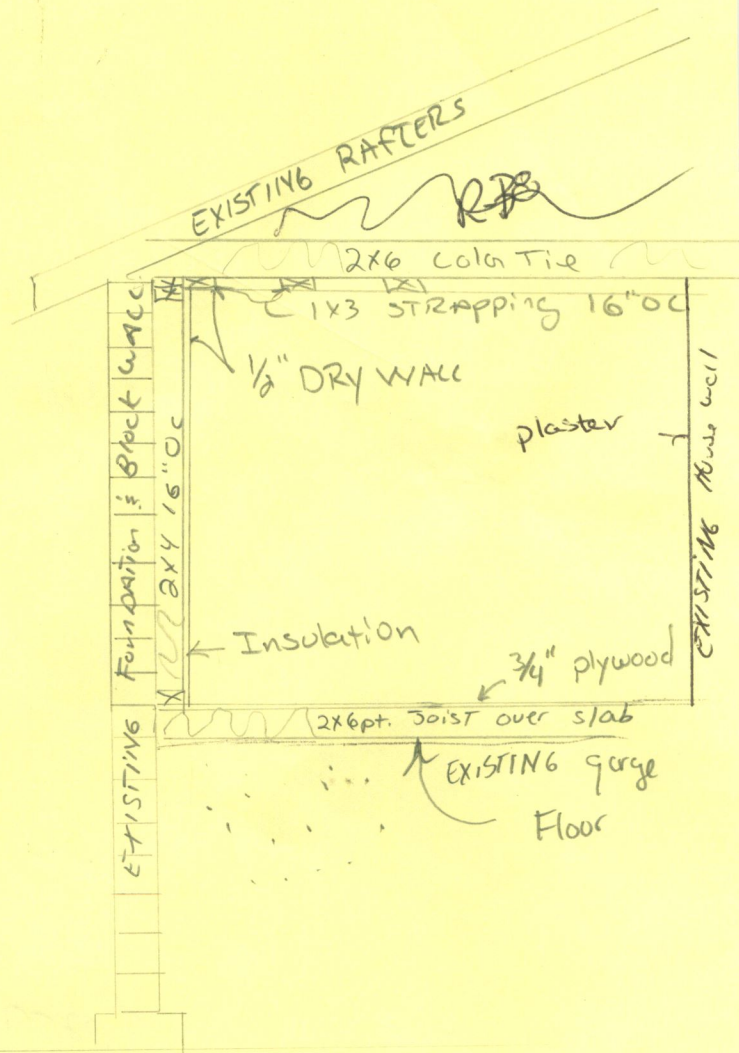
Changed to Pitched
Chris & A.R.



Existing home
 GARAGE No change



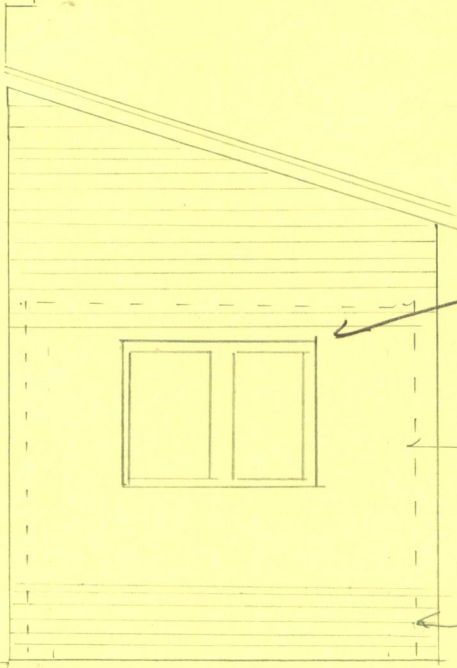
Entrance from NEW Space
 to Kitchen



MIKE BOVE
 88 Kent St.
 PORTLAND ME
 772-6494

$\frac{1}{4} = 1'-0''$

Existing House

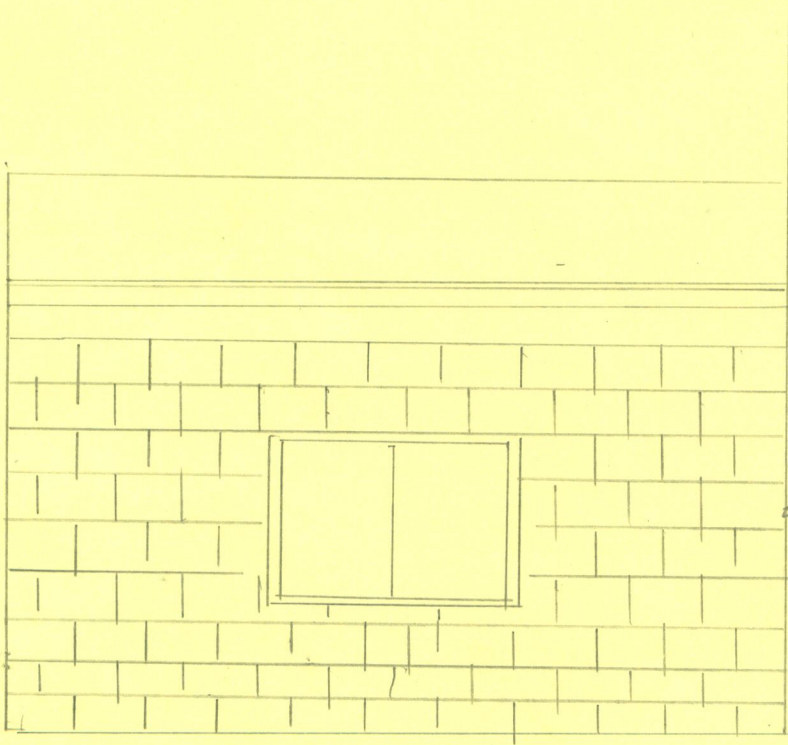


Header Bolt up 2x6

Remove EXISTING GARAGE Door
Install @ 24x36 Casement windows

NEW $\frac{1}{2}$ " OSB w/ Typer & cedar cladboards

FRONT



Existing Block wall & window

Right Side

MIKE BOYE
88 Kent ST.
PORTLAND, ME
772-6494