



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 1476 FOREST AVE CBL 298 B023001

Issued to Messer Charles B/Charles Messer Date of Issue 01/05/2010

This is to certify that the building, premises, or part thereof, at the above location, built — altered — changed as to use under Building Permit No. 09-1379, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

Entire

APPROVED OCCUPANCY

Single Family Home (Handicap Family Unit) w/
Accessory Dwelling Unit
Use Group: R3
Type: 5B
IRC, 2003

Limiting Conditions:

The basement is not included as a "Dwelling Unit" separate permits are needed to occupy this space.

This certificate supersedes
certificate issued

Approved:

01/05/10

(Date)

Inspector

Inspector of Buildings

Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

CITY OF PORTLAND

BUILDING DEPARTMENT

PERMIT ISSUED

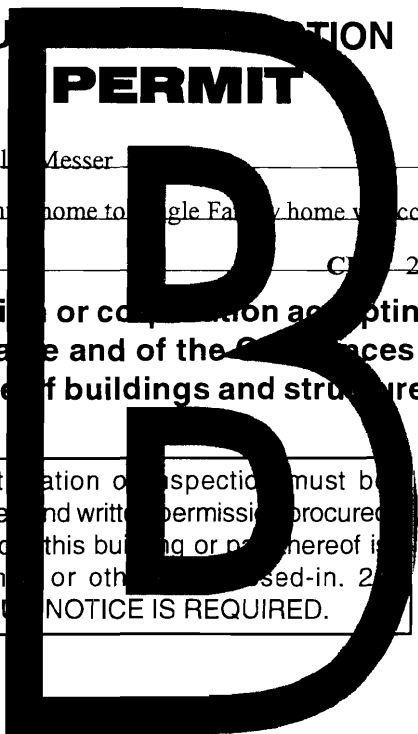
Please Read Application And Notes, If Any, Attached

Permit Number: 091322

DEC - 3 2009

This is to certify that MESSER CHARLES B /Charles Messer has permission to Change of use from single family home to single family home w/ accessory dwelling unit City of Portland AT 1476 FOREST AVE City 298 B023001

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 lath or other used-in. 2 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

Signature: Thomas M. Markley 12/3/09
Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 (ONLY)

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 inspection procedure and additional fees from a "Stop Work Order" and "Stop 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.

 X **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.

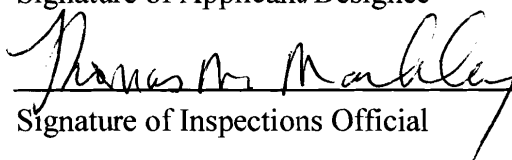
If any of the inspections do not occur, the project cannot go on to the next phase, REGARDLESS OF THE NOTICE OR CIRCUMSTANCES.

CERIFICATE OF OCCUPANICES MUST BE ISSUED AND PAID FOR, BEFORE THE SPACE MAY BE OCCUPIED.



Signature of Applicant/Designee

 12-3-09
Date



Signature of Inspections Official

 12/3/09
Date



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>1476 Forest Ave</u>		
Total Square Footage of Proposed Structure/Area	Square Footage of Lot	Number of Stories <u>0</u>
Tax Assessor's Chart, Block & Lot Chart# <u>298</u> Block# <u>B</u> Lot# <u>23</u>	Applicant * must be owner, Lessee or Buyer* Name <u>Charles Messer</u> Address <u>P.O. box 1980</u> <u>04104</u> City, State & Zip <u>Portland, Me.</u>	Telephone:
Lessee/DBA (If Applicable)	Owner (if different from Applicant) Name Address City, State & Zip	Cost Of Work: \$ <u>30</u> C of O Fee: \$ <u>75</u> Total Fee: \$ <u>105</u>
Current legal use (i.e. single family) <u>Single Family</u> Number of Residential Units <u>1</u> If vacant, what was the previous use? Proposed Specific use: <u>Single Family w/ Accessory Dwelling</u> Is property part of a subdivision? <u>No</u> If yes, please name Project description:		
Contractor's name: <u>Charles Messer</u> Address: <u>P.O. Box 1980</u> City, State & Zip <u>Portland, Me.</u> <u>04104</u> Telephone: <u>207-252-7882</u> Who should we contact when the permit is ready: <u>Same</u> Telephone: Mailing address: <u>Same</u>		

Please submit all of the information outlined on the applicable 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 or to download copies of this form and other applications visit the Inspections Division on-line at www.portlandmaine.gov, or stop by the Inspections Division 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:

Date:

11-19-09

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

City of Portland, Maine - Building or Use Permit

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

Permit No: 09-1322	Date Applied For: 11/19/2009	CBL: 298 B023001
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Location of Construction: 1476 FOREST AVE	Owner Name: MESSER CHARLES B	Owner Address: PO BOX 1980	Phone:
Business Name:	Contractor Name: Charles Messer	Contractor Address: P.O. Box 1980 Portland	Phone (207) 252-7482
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Dwellings	

Proposed Use: Single Family Home w/ Accessory Dwelling unit - Change of use from single family home to Single Family home w/ accessory dwelling unit	Proposed Project Description: Change of use from single family home to Single Family home w/ accessory dwelling unit
--	--

Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Marge Schmuckal **Approval Date:** 11/23/2009

Note: **Ok to Issue:**

- 1) All conditions existing and placed upon this use shall continue during the existance of this approved conditional use appeal. Any changes shall require a separate review and approval.
- 2) Separate permits shall be required for future decks, sheds, pools, and/or garages.
- 3) This property shall remain a single family dwelling with an accessory dwelling unit with the issuance of this permit and the subsequent issuance of a Certificate of Occupancy. Any change of use shall require a separate permit application for review and approval.
- 4) 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:** Tom Markley **Approval Date:** 12/03/2009

Note: **Ok to Issue:**

- 1) This is a Change of Use ONLY permit. It does NOT authorize any construction activities.
- 2) Application approval based upon information provided by applicant. Any deviation from approved plans requires separate review and approval prior to work.

Comments:

12/1/2009-gg: received granted site exemption with condition. Filed with permit (Tom) /gg

7 Sep 09

Charles B Messer
1476 Forest Ave
PO Box 1980
Portland Me 04104
Phone 207 252 7482

Ms. Ann Machado Zoning Specialist
Planning & Development Department
Housing & Neighborhood Division
Portland City Hall
389 Congress Street Portland Maine 04101

Dear Ann:

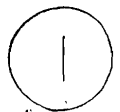
This applies to have an Inlaw Unit at 1476 Forest Avenue, Portland Maine. The unit would occupy the upper floor of the rear block 'B' shown on the drawings and its floor area would amount to 17 % of the remaining floor area of the remaining principle building,

Enclosed is a check for \$ 100 and eleven copies of the following documents:

- This letter
- Form of application
- Building photograph from front
- Ditto from above
- Ditto from north
- Site plan
- Bird's eye view diagram
- Main floor plan
- Upper floor plan
- Deed of ownership
- City tax block plan

Referring specifically to the Code of Ordinances handed to me the proposed Inlaw unit would conform exactly with these regulations as follows:

- 2 a. The unit would be in floor area 583 sf which would amount to 17 % of the remaining principle living space floor area of 3456 sf. All of the unit's floor would be above any adjacent grade level.
- b. There would be no outside stairways or fire escapes above ground level.
- c. There would be no alterations of any kind to the exterior of the existing building so the exterior of the building would remain the style of a single family dwelling.



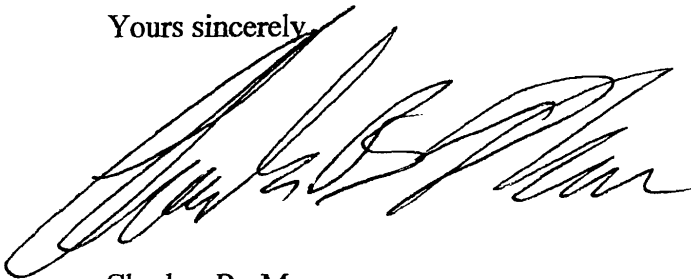
- d. The lot size is 13,168 s.f. well above the required 6,500 s.f.
- e. The principle dwelling unit's remaining floor area would be 3039 less 583 equals 2456 square feet..
- f. The space available for parking amounts to more than twice the three vehicles reuired.
- g. The exterior of the building will stay exactly the same as is existing which is compatible with a single family dwelling. The parking spaces are already landscaped to screen from The neighboring property. The Inlaw Unit will be occupied by The owner only.

Referring specifically to the "Standards" included on the application sheet
(a) (b) (c):

No part of the Inlaw Unit would adversely affect the existing Environment or well being of the surrounding property or public. See enclosed documents.

I appreciate the close attention you are giving this project. At your earliest convenience please let me know of any further data you may require.

Yours sincerely,



Charles B. Messer

CBM/mb

PS: The only construction involved with this proposal is to add kitchen equipment into the proposed Inlaw Unit. So the present single family exterior appearance would not be compromised in any way.



Planning and Development Department
 Zoning Board of Appeals
 Conditional Use Appeal Application

874 8721 4th
 TRX 874 8486

156

Applicant Information:

Charles B. Messer
 Name

Business Name

P.O. Box 1980
 Address

Portland, Me. 04104

207-252-7482
 Telephone Fax

Subject Property Information:

1476 Forest Ave.
 Property Address

298-B-023
 Assessor's Reference (Chart-Block-Lot)

Property Owner (if different):

Name

Address

Telephone Fax

Applicant's Right, Title or Interest in Subject Property:

Owner
 e.g. owner, purchaser, etc.):

Current Zoning Designation: R-3

Existing Use of Property:

~~Family~~
1 (SINGLE FAMILY)

Conditional Use Authorized by Section 14 - 88(a)(2)

Type of Conditional Use Proposed:

In law unit

Standards:

Upon a showing that a proposed use is a conditional use under this article, a conditional use permit shall be granted unless the board determines that:

- (a) There are unique or distinctive characteristics or effects associated with the proposed conditional use;
- (b) There will be an adverse impact upon the health, safety, or welfare of the public or the surrounding area; and
- (c) Such impact differs substantially from the impact which would normally occur from such a use in that zone.

NOTE: If site plan approval is required, attach preliminary or final site plan.

I, the undersigned hereby makes application for a conditional use permit as above described, and certified that information herein supplied by his/her is true and correct to the best of his/her knowledge and belief.

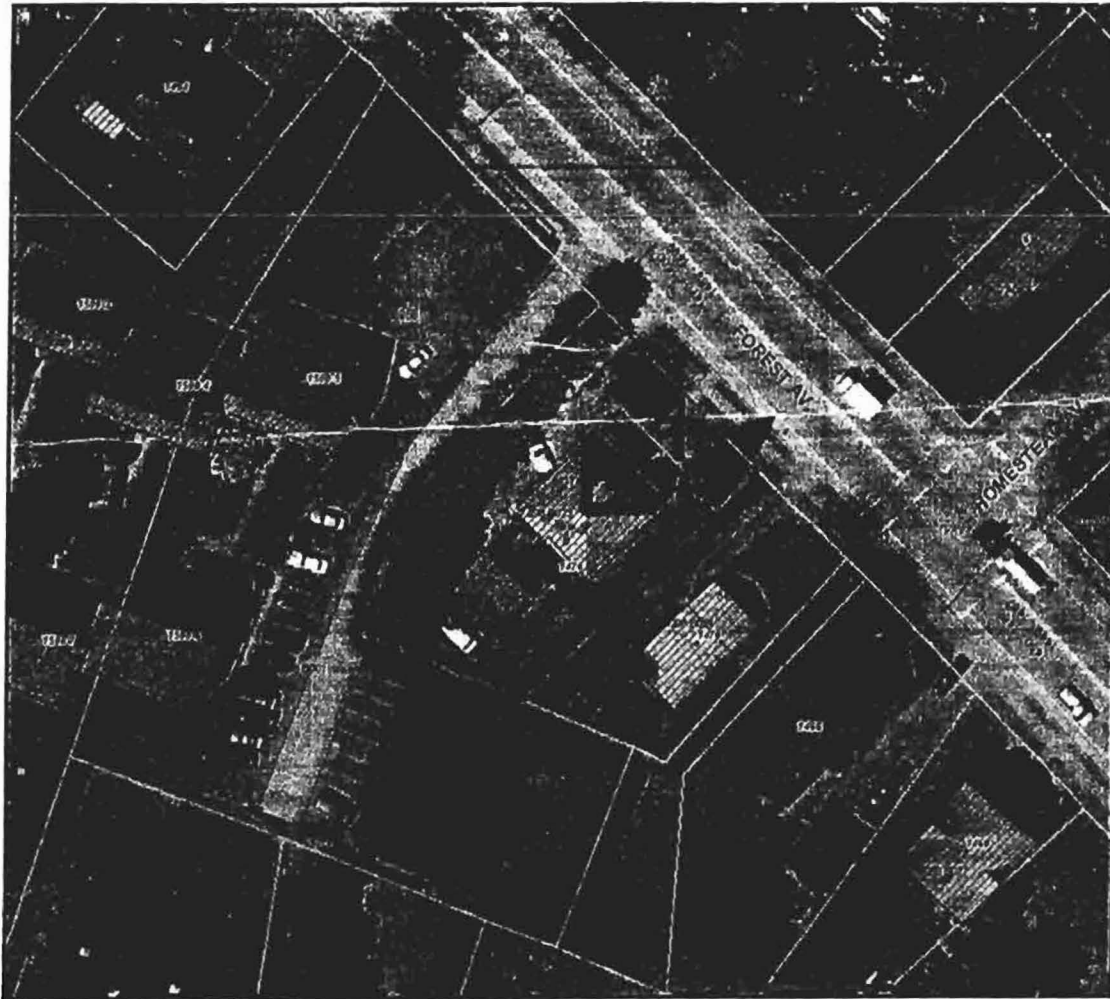
[Signature]
 Signature of Applicant

8-22-09
 Date



5005 71210

4



City of Portland
GIS



DISCLAIMER : This is a product of the City of Portland MIS Department. The data depicted here have been developed with cooperation from other federal, state and local agencies. The City of Portland expressly disclaims responsibility for damages or liability that may arise from the use of this map.

Copyright 2007
City of Portland
389 Congress St.
Portland, Maine
04101





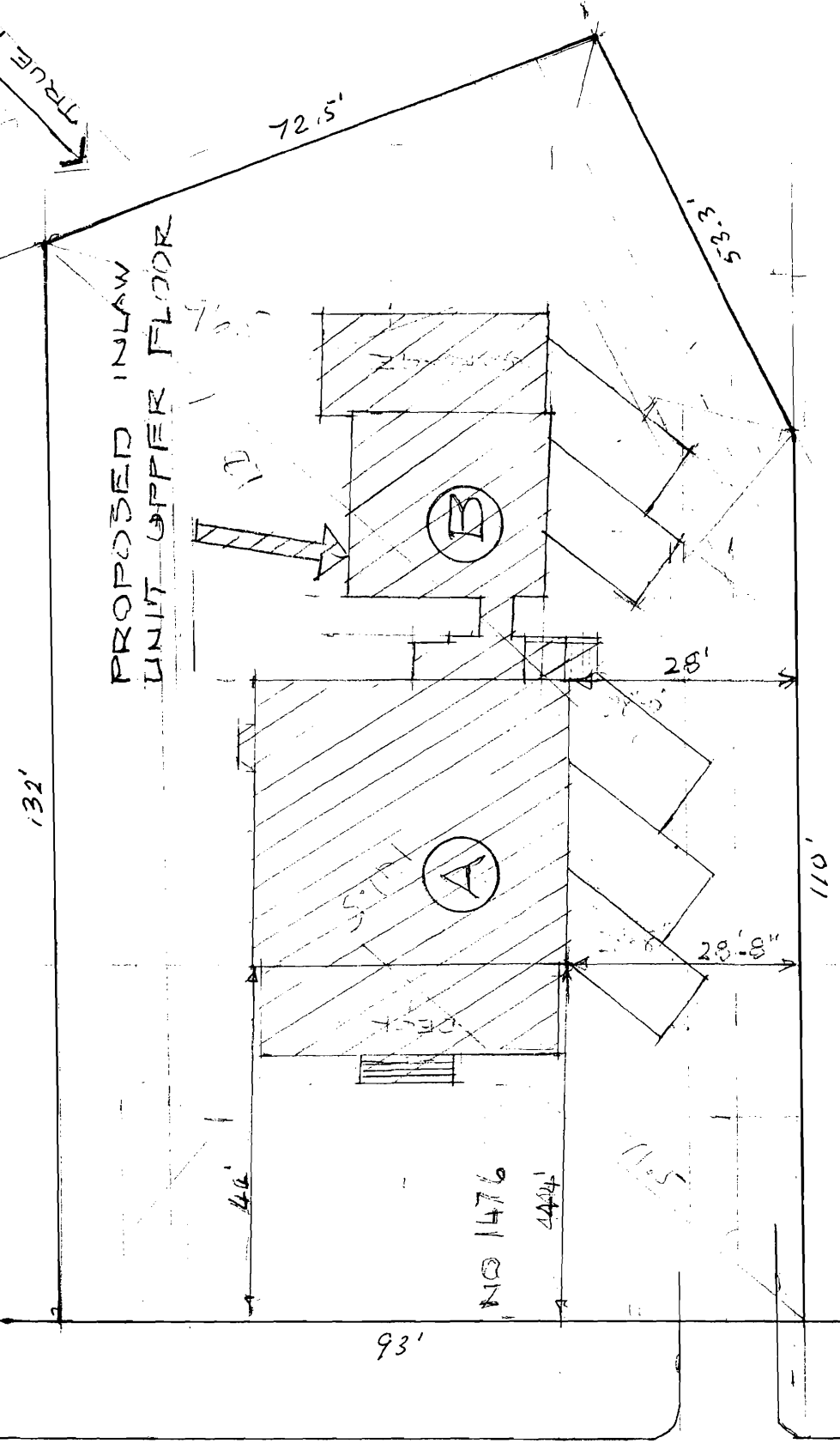
123

CONSTN. NORTH
TRUE NORTH

PROPOSED INLAW
UNIT UPPER FLOOR

Roadway

FOREST AVENUE



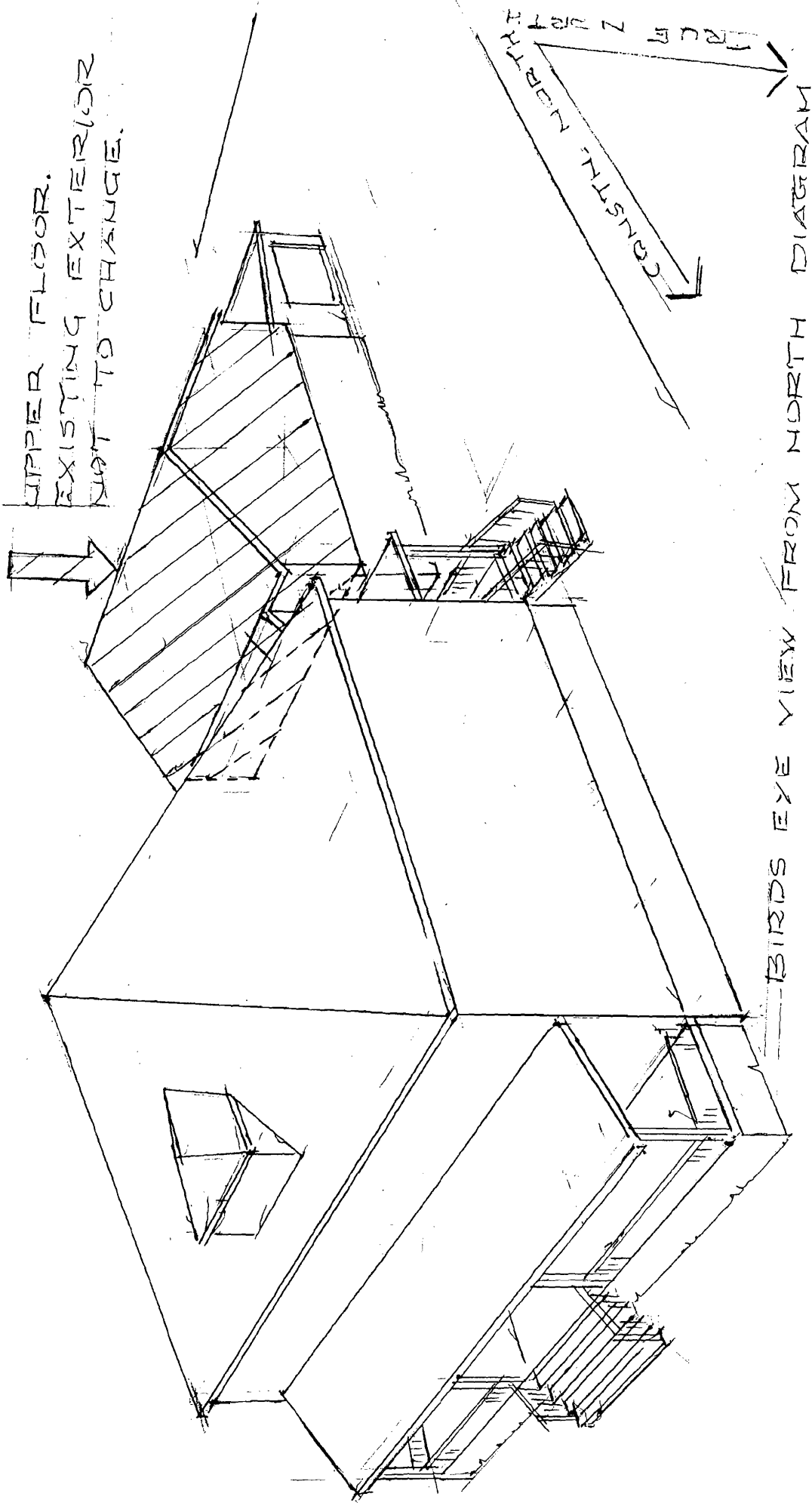
1/3 ACRE

SITE PLAN SC: 1" = 20' SITE AREA 13,168 SF ±

CONDITIONAL ZONING USE APPEAL APPLICATION DATED 21 AUG 09
 FROM CHARLES B MESSER 1476 FOREST AVE PORTLAND ME
 PO BOX 198 PORTLAND ME PHONE 207 252 7482 OWNER
 PROPOSED INLAW UNIT

7

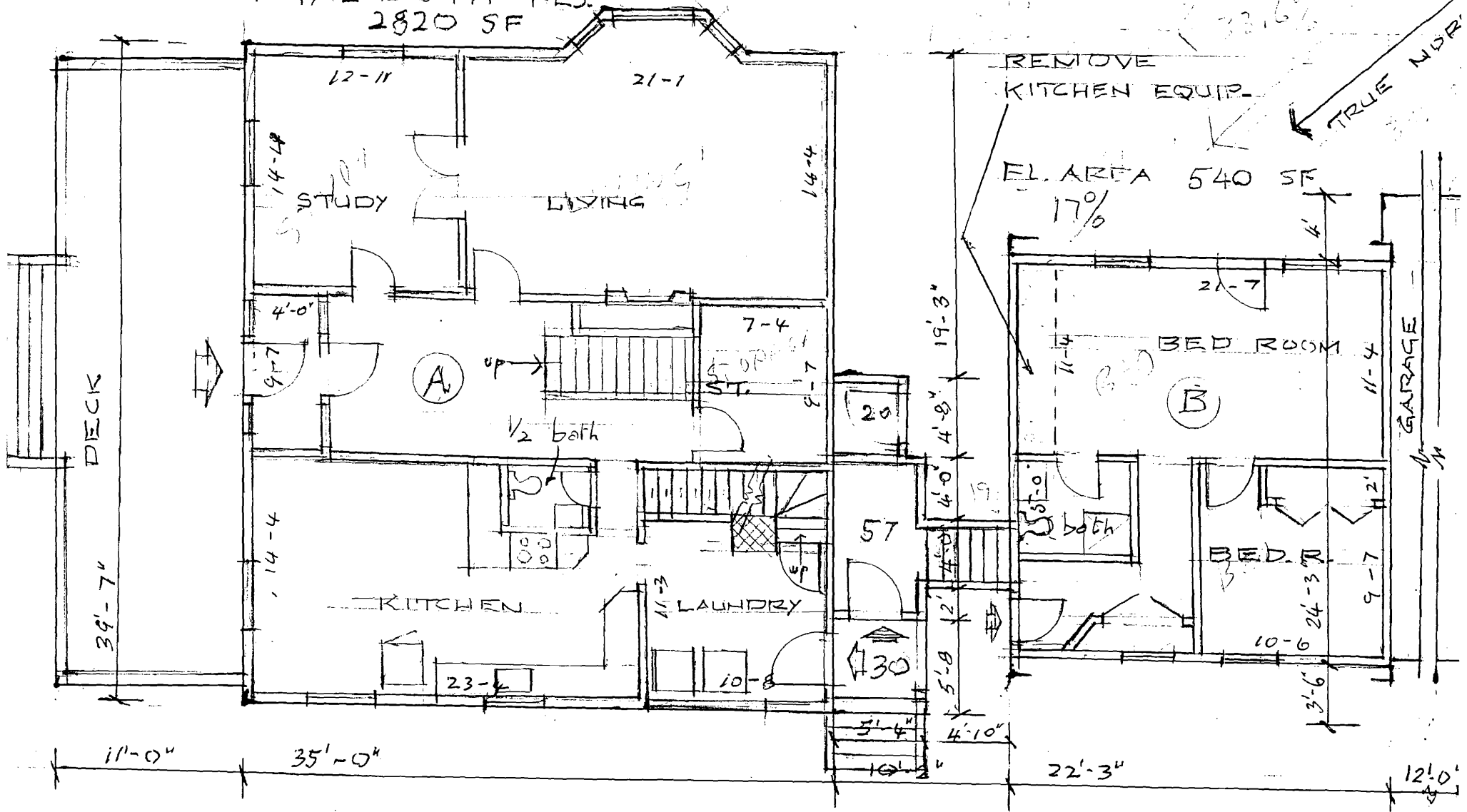
PROPOSED INLAW UNIT



CONDITIONAL ZONING USE APPEAL APPLICATION DATED 21 AUG 03
FROM CHARLES B MESSER 1476 FOREST AVE PORTLAND ME
PO BOX 198 PORTLAND ME PHONE 207 252 7482 OWNER
PROPOSED INLAW UNIT

FLOOR AREA 1410 SF
 TOTAL BOTH FLS.
 2820 SF

CONSTRUCTION NORTH



PLAN FIRST FLOOR SCALE $\frac{1}{8}'' = 1'-0''$

CONDITIONAL ZONING USE APPEAL APPLICATION DATED 21 AUG 01
 FROM CHARLES B MESSER 1476 FOREST AVE PORTLAND ME
 PO BOX 198 PORTLAND ME PHONE 207 252 7482 OWNER.
 PROPOSED INLAW UNIT

9

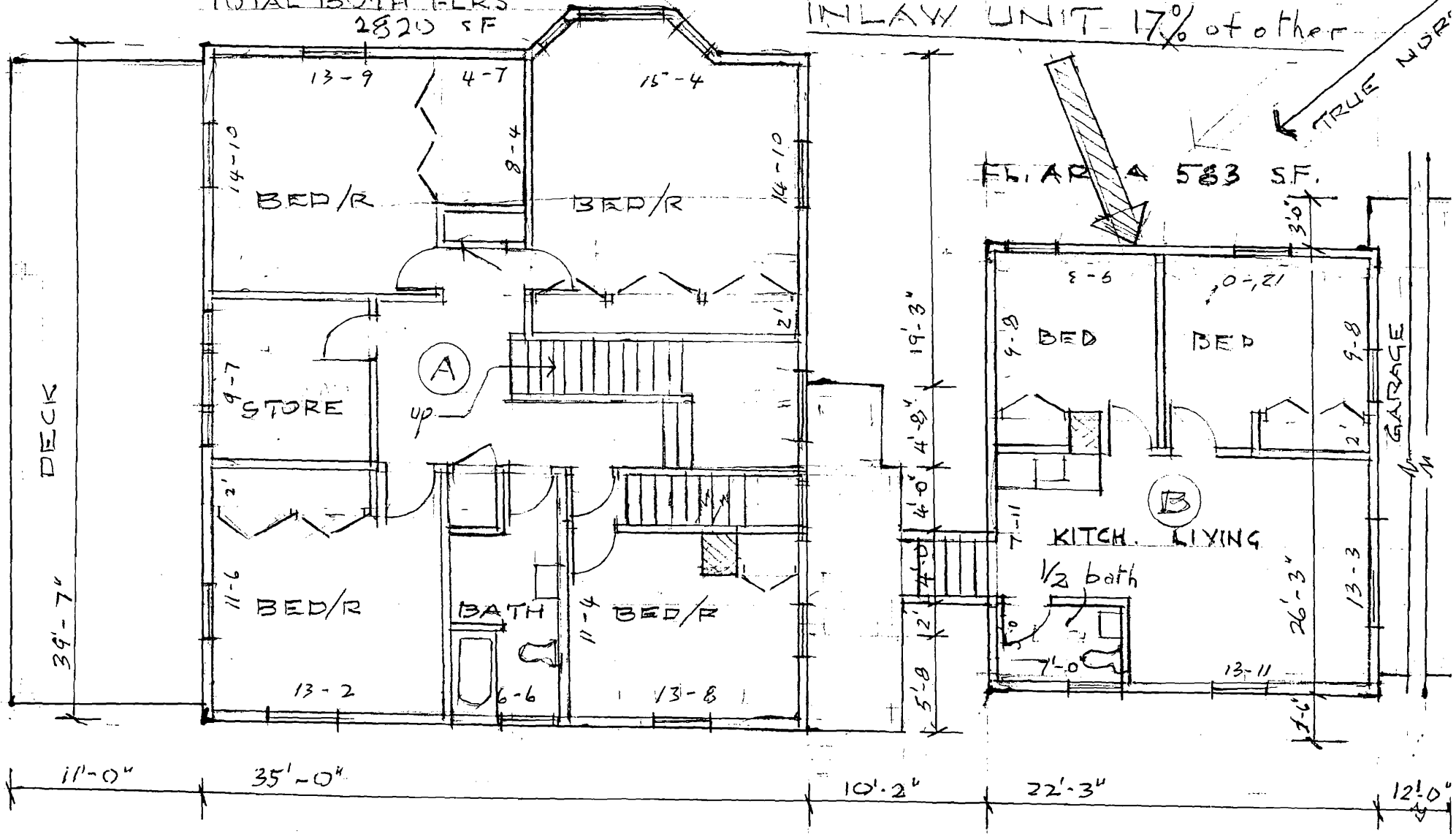
FL. AREA. 1410 SF
 TOTAL BOTH FLRS
 2820 SF

PROPOSED
 INLAW UNIT - 17% of other

CONSTRUCTION NORTH

TRUE NORTH

FL. AREA 583 SF.



PLAN SECOND FLOOR SCALE $\frac{1}{8}'' = 1'-0''$

CONDITIONAL ZONING USE APPEAL APPLICATION DATED 21 AUG 95
 FROM CHARLES B MESSER 1476 FOREST AVE PORTLAND ME
 PO BOX 198 PORTLAND ME PHONE 207 252 7482 OWNER.
 PROPOSED INLAW UNIT

0014546

BK 14572 PG 315

WARRANTY DEED

Know All Men By These Presents That I, George M. Townsend
of 171 Allen Avenue, Portland,
County of Cumberland and State of Maine,

for consideration paid, grant to Charles B. Messer

of 34 Galvin Street, Portland,
County of Cumberland and State of Maine

with **WARRANTY COVENANTS:**

A certain lot or parcel of land together with any buildings thereon situated in
Portland County of Cumberland
and State of Maine, more particularly described in Exhibit A attached hereto and
incorporated herein by reference.

MAINE REAL ESTATE TAX PAID

In Witness Whereof, I have hereunto set my hand(s) this 25th day of
February, 1999

[Signature]
Witness

[Signature]
George M. Townsend

State of Maine
County of Cumberland ss.

On this 25th day of February, 1999, personally appeared before me the
above named George M. Townsend

and acknowledged the foregoing to be his/her/their free act and deed.

[Signature]
Notary Public, Attorney at Law
[Signature]
Kerry E. Rowball

Return to: NORTHEAST LAND TITLE INC.
4 Canal Plaza
Portland, ME 04101

Exhibit A - Deed

A certain lot or parcel of land, with the buildings thereon, situated in the City of Portland, County of Cumberland and State of Maine, on the southwesterly side of Forest Avenue, bounded and described as follows:

Beginning at a point on said southwesterly side of Forest Avenue distant northerly sixty (60) feet from a fence on line between land formerly of A.C. Frost and land formerly of Charles O. Lord, thence northwesterly by said line of Forest Avenue eighty and eighty-seven one hundredths (80.87) feet to the southerly side of a concrete driveway at land formerly of said A.C. Frost; thence at right angles with said Forest Avenue on a course about S 60° 5' W one hundred twenty (120) feet to a point; thence making an angle to the left of twenty-five (25°) degrees four (4) minutes on a course about S35° 1' W forty (40) feet to a point; thence on a course about S 50° 42' E sixty-eight and three-tenths (68.3) feet to a point; thence on a course about N 60° 5' E on a line at right angles with said Forest Avenue one hundred thirty-two (132) feet to the point of beginning.

Subject to the right reserved by Arthur C. Frost to enter upon said land for the purpose of connecting with the drain and cesspool upon said land and using the same for sewerage purposes in connection with any buildings upon other lands owned by said Arthur C. Frost, which reservation is set forth in his deed to Bertha M. Abbott, dated June 10, 1912, recorded in Cumberland County Registry of Deeds in Book 894, Page 174.

Also another certain lot or parcel of land, with the buildings thereon, situated in said Portland, on the southwesterly side of Forest Avenue, and bounded and described as follows:

Beginning on the southwesterly side of Forest Avenue at the northerly corner of a lot of land conveyed by Arthur C. Frost to Bertha M. Abbott on June 10, 1912 by deed recorded in Cumberland County Registry of Deeds in Book 894, Page 174, being the first parcel herein; thence northwesterly by said side of Forest Avenue ten (10) feet to a stake; thence S 60° 52' W by land formerly of Arthur C. Frost one hundred ten (110) feet to an iron driven in the ground; thence S 33° 32' W by land formerly by said Arthur C. Frost fifty-three and three-tenths (53.3) feet to an iron driven in the ground; thence S 50° 10' E by land formerly of said Arthur C. Frost three and five tenths (3.5) feet to the westerly corner of said former Abbott land; thence about N 35° 33' E and adjoining said Abbott land forty (40) feet to an iron driven in the ground; thence about N 60° 37' E adjoining said Abbott land one hundred twenty (120) feet to said Forest Avenue at the point of beginning.

Meaning and intending to convey and hereby conveying the same premises described in a deed from Mark Stimson Associates dated November 9, 1972 to George M. Townsend and Dorothy I. Townsend and recorded in the Cumberland County Registry of Deeds in Book 1125 Page 55 Dorothy I. Townsend died on December 21 1992

BK 4572 PG 317

LEGAL DESCRIPTION - CONTINUED

leaving George M. Townsend as surviving joint tenant.

RECEIVED
RECORDED REGISTRY OF DEEDS

1999 FEB 26 PM 12:19

NEWLAND
CUMBERLAND COUNTY

John B. Albin

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

Peter Coyne
Philip Saucier-chair
Jill E. Hunter
Jordan Smith-secretary
William Getz
Trish McAllister
Sara Moppin

October 5, 2009

Charles B. Messer 207-7492
P.O. Box 1980
Portland, ME 04102

RE: 1476 Forest Avenue
CBL: 298 B023
ZONE: R-3

Dear Mr. Messer:


As you know, at the October 1, 2009 meeting, the Zoning Board voted 6-0 to grant your Conditional Use Appeal to add an accessory dwelling unit to your single family dwelling.

Enclosed is the Zoning Board of Appeals decision. You are now required to submit a Change of Use permit to add the accessory dwelling unit to your single family dwelling. Enclosed is an application 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, or your Zoning Board approval will expire.

Appeals from decisions of the Board may be filed in Superior Court, pursuant to 30-A M.R.S.A. section 2691 (2) (G).

Should you have any questions, please feel free to contact me at 207-874-8709.

Sincerely,


Ann B. Machado
Zoning Specialist

Cc: file

11/12/09 - I left
a message with the
owner stating
(reminding) that a
building permit was
required for the change
of use of the permission from
ZBA will expire

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

ZONING BOARD APPEAL DECISION

To: City Clerk

From: Marge Schmuckal, Zoning Administrator

Date: October 5, 2009

RE: Action taken by the Zoning Board of Appeals on October 1, 2009.

Members Present: Phil Saucier (chair), Gordon Smith (secretary), Sara Moppin, Peter Coyne, Trish McAllister, and William Getz.

Members Absent: Jill Hunter

1. New Business:

A. Conditional Use Appeal:

1472-1478 Forest Avenue, Charles B. Messer, owner, Tax Map 298, Block B, Lot 023, R-3 Residential Zone: The appellant is seeking a Conditional Use Appeal under section 14-88(a)(2) to add an accessory dwelling unit to his single family dwelling. Representing the appeal is the owner. **The Board voted 6-0 to grant the conditional use appeal.**

Enclosure:

Agenda of October 1, 2009

Original Zoning Board Decision

One dvd

CC: Joseph Gray, City Manager

Penny St. Louis Littell, Director, Planning & Urban Development

Alex Jaegerman, Planning Division

T.J. Martzial, Housing & Neighborhood Services Division

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

R-3 Residential Zone Accessory Unit:

Conditional Use Appeal

DECISION

Date of public hearing: October 1, 2009

Name and address of applicant: Charles Messer
1476 Forest Ave.
Portland, ME

Location of property under appeal: 1476 Forest Ave.

For the Record:

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

Charles MESSER, Applicant
Michael ~~Bowdler~~ Bowdler (proponent)

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

Findings of Fact and Conclusions of Law:

Applicant is proposing to add an accessory dwelling unit to his single family home in which he resides. The total floor area of the house is 3,456 sq. ft. The floor area of the accessory unit would be 583 sq. ft., which equals 17% of the gross floor area of the house. There will be no open outside stairways or fire escapes above the ground floor. The lot size is 13,168 sq. ft.

A. Conditional Use Standards pursuant to Portland City Code §14-88(a)(2):

1. The accessory unit shall be no more than thirty (30) percent of the gross floor area of principal building and shall have a minimum floor area four hundred (400) square feet; gross floor area shall exclude any floor area that has less than two-thirds of its floor-to ceiling height above the average adjoining ground level; gross floor area may include attic space if such space shall be included as habitable space within either dwelling unit.

Satisfied Not Satisfied

Reason and supporting facts:

Drawings + testimony indicate compliance

2. There shall be no open outside stairways or fire escapes above the ground floor.

Satisfied Not Satisfied

Reason and supporting facts:

satisfied per drawings + testimony

3. Any building additions or exterior alterations such as facade materials, building form, or roof pitch shall be designed to be compatible with the architectural style and to maintain the single-family appearance of the dwelling.

Satisfied Not Satisfied

Reason and supporting facts:

satisfied per drawings + testimony

4. A minimum lot size of six thousand five hundred (6,500) square feet of land area shall be required.

Satisfied Not Satisfied

Reason and supporting facts:

Per testimony + plans

5. No dwelling unit shall be reduced in size to less than one thousand (1,000) square feet of floor area, exclusive of common areas and storage in basement or attic.

Satisfied Not Satisfied

Reason and supporting facts:

~~Principal Dwelling Unit = Dwelling~~
Principal unit will remain over 1,000 sq. ft., per testimony.

6. Parking shall be provided as required by division 20 of this article: 1 off-street parking space per new unit (14-332(a)(2)).

Satisfied Not Satisfied

Reason and supporting facts:

7 or 8 Available Spaces per
Drawing + testimony

7. Either the accessory unit or principal unit shall be occupied by the lot owner, except for bona fide temporary absences.

Satisfied Not Satisfied

Reason and supporting facts:

accessory ~~unit~~ will be occupied by applicant/owner as primary residence

B. Conditional Use Standards pursuant to Portland City Code §14-474(c)(2):

1. There are unique or distinctive characteristics or effects associated with the proposed conditional use.

Yes No

Reason and supporting facts:

standard single family home w/ accessory unit per plans / testimony

2. There will be an adverse impact upon the health, safety, or welfare of the public or the surrounding area.

Yes No

Reason and supporting facts:

existing use that exists

3. Such impact differs substantially from the impact which would normally occur from such a use in that zone.

Yes ___ No

Reason and supporting facts:

NO evidence of different impacts

Conclusion: (check one)

Option 1: The Board finds that all of the standards (1 through 7) described in section A above have been satisfied and that not all of the conditions (1 through 3) described in section B above are present, and therefore GRANTS the application.

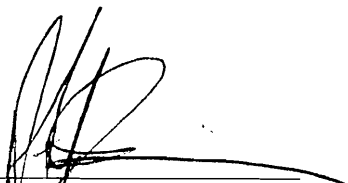
Option 2: The Board finds that all of the standards (1 through 7) described in section A above have been satisfied, and that while not all of the conditions (1 through 3) described in section B above are present, certain additional conditions must be imposed to minimize adverse effects on other property in the neighborhood, and therefore GRANTS the application SUBJECT TO THE FOLLOWING CONDITIONS:

Option 3: The Board finds that not all of the standards (1 through 7) described in section A above have been satisfied and/or that all of the conditions (1 through 3) described in section B above are present, and therefore DENIES the application.

Please note that, pursuant to Portland City Code 14-88(a)(2)(i), if approved the project shall be subject to article V (site plan) of this chapter for site plan review and approval and the following additional standards:

1. Any additions or exterior alterations such as facade materials, building form and roof pitch shall be designed to be compatible with the architectural style of the building; and
2. The scale and surface area of parking, driveways and paved areas shall be arranged and landscaped to properly screen vehicles from adjacent properties and streets.

Dated: 10.1.09



Board Chair

7 Sep 09

Charles B Messer
1476 Forest Ave
PO Box 1980
Portland Me 04104
Phone 207 252 7482

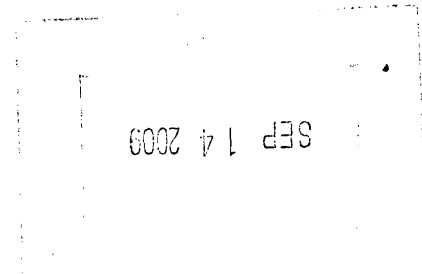
Ms. Ann Machado Zoning Specialist
Planning & Development Department
Housing & Neighborhood Division
Portland City Hall
389 Congress Street Portland Maine 04101

Dear Ann:

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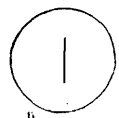
Enclosed is a check for \$ 100 and eleven copies of the following documents:

This letter
Form of application
Building photograph from front
Ditto from above
Ditto from north
Site plan
Bird's eye view diagram
Main floor plan
Upper floor plan
Deed of ownership
City tax block plan



Referring specifically to the Code of Ordinances handed to me the proposed Inlaw unit would conform exactly with these regulations as follows:

- 2 a. The unit would be in floor area 583 sf which would amount to 17 % of the remaining principle living space floor area of 3456 sf. All of the unit's floor would be above any adjacent grade level.
- b. There would be no outside stairways or fire escapes above ground level.
- c. There would be no alterations of any kind to the exterior of the existing building so the exterior of the building would remain the style of a single family dwelling.



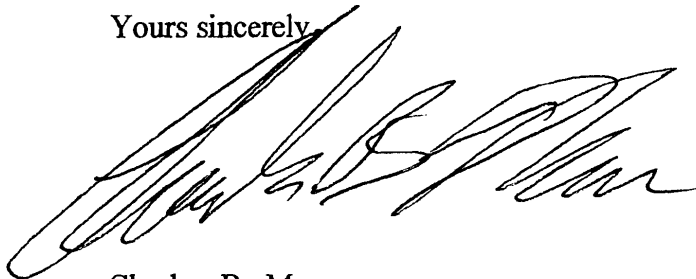
- d. The lot size is 13,168 s.f. well above the required 6,500 s.f.
- e. The principle dwelling unit's remaining floor area would be 3039 less 583 equals 2456 square feet..
- f. The space available for parking amounts to more than twice the three vehicles required.
- g. The exterior of the building will stay exactly the same as is existing which is compatible with a single family dwelling. The parking spaces are already landscaped to screen from The neighboring property. The Inlaw Unit will be occupied by The owner only.

Referring specifically to the "Standards" included on the application sheet
(a) (b) (c):

No part of the Inlaw Unit would adversely affect the existing Environment or well being of the surrounding property or public. See enclosed documents.

I appreciate the close attention you are giving this project. At your earliest convenience please let me know of any further data you may require.

Yours sincerely,



Charles B. Messer

CBM/mb

PS: The only construction involved with this proposal is to add kitchen equipment into the proposed Inlaw Unit. So the present single family exterior appearance would not be compromised in any way.



Side view

4

*Several other multiple family units
in this vicinity*



City of Portland
GIS



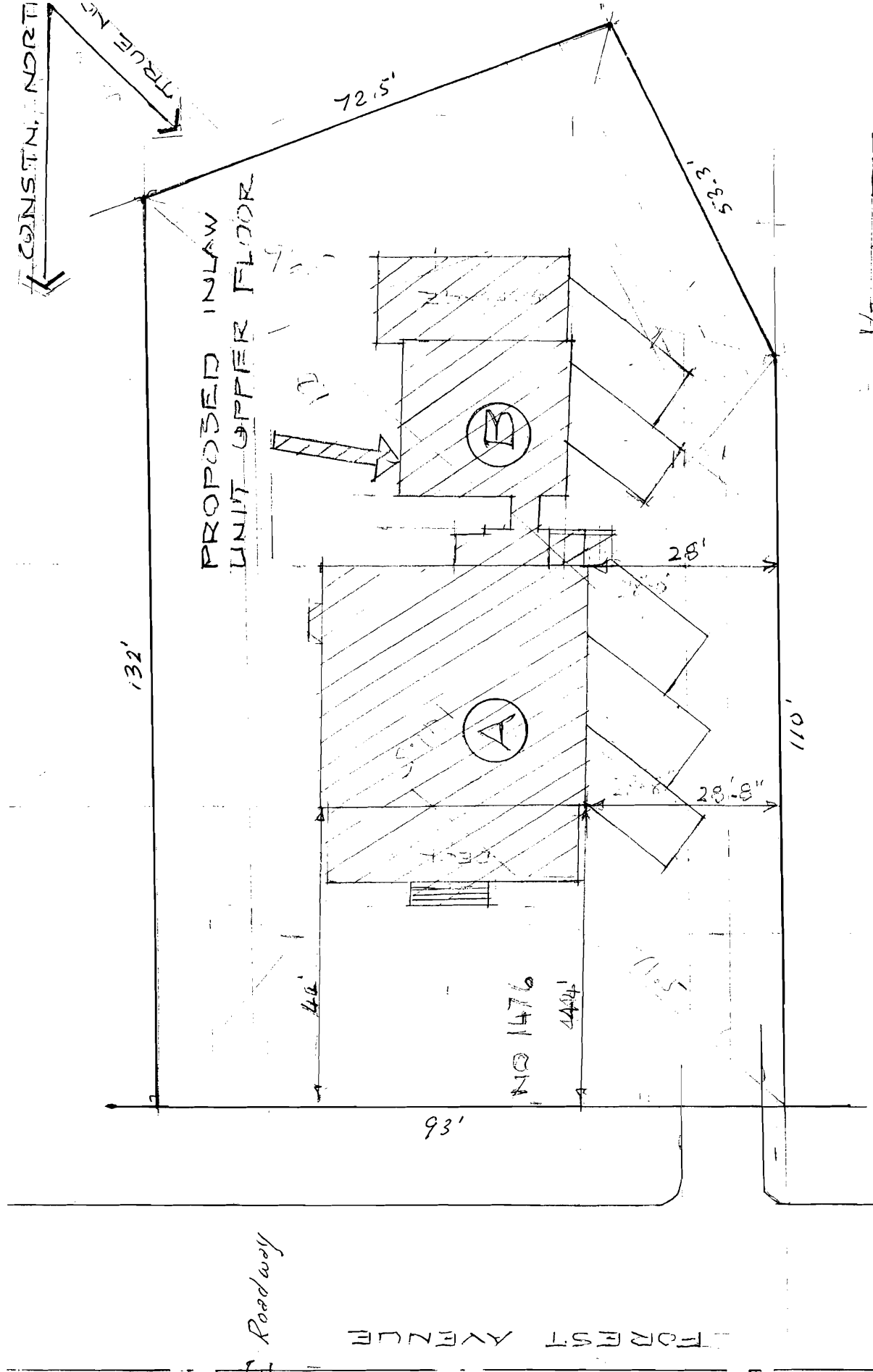
DISCLAIMER : This is a product of the City of Portland MIS Department. The data depicted here have been developed with cooperation from other federal, state and local agencies. The City of Portland expressly disclaims responsibility for damages or liability that may arise from the use of this map.

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City of Portland
389 Congress St.
Portland, Maine
04101





CONST. N. NORTH
TRUE N. S.

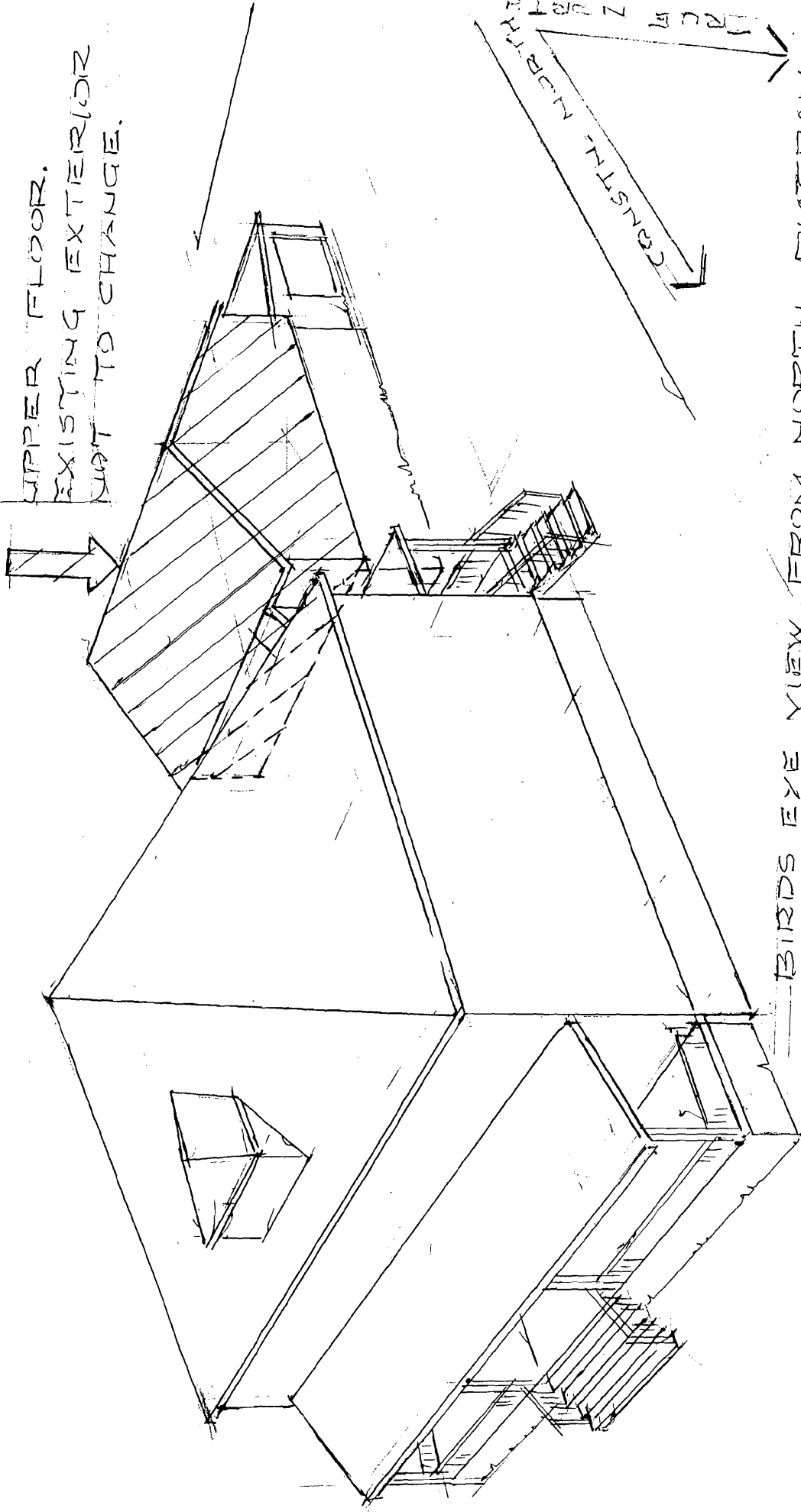


1/3 ACRE
SITE PLAN SC: 1" = 20' SITE AREA 13,168 SF ±

CONDITIONAL ZONING USE APPEAL APPLICATION DATED 21 AUG 09
FROM CHARLES B MESSER 1476 FOREST AVE PORTLAND ME
PO BOX 198 PORTLAND ME PHONE 207 252 7482 OWNER -
PROPOSED INLAW UNIT

7

PROPOSED INLAW UNIT



BIRDS EYE VIEW FROM NORTH DIAGRAM

CONDITIONAL ZONING USE APPEAL APPLICATION DATED 21 AUG 0
FROM: CHARLES B MESSER 1476 FOREST AVE PORTLAND ME
PO BOX 198 PORTLAND ME PHONE 207 252 7482 OWNER
PROPOSED INLAW UNIT

City of Portland, Maine - Building or Use Permit Application

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

Permit No: 09-1322	Issue Date:	CBL: 298 B023001
-----------------------	-------------	---------------------

Location of Construction: 1476 FOREST AVE	Owner Name: MESSER CHARLES B	Owner Address: PO BOX 1980	Phone:
Business Name:	Contractor Name: Charles Messer	Contractor Address: P.O. Box 1980 Portland	Phone 2072527482
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Dwellings	Zone: R-3

Past Use: Single Family Home	Proposed Use: Single Family Home w/ Accessory Dwelling unit - Change of use from single family home to Single Family home w/ accessory dwelling unit	Permit Fee: \$105.00	Cost of Work: \$105.00	CEO District: 5
		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: R3 Type: SB IRC 2003	

Proposed Project Description: Change of use from single family home to Single Family home w/ accessory dwelling unit	Signature:	Signature: <i>Jm 12/3/09</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: 11/19/2009	Zoning Approval
-----------------------------	---------------------------------	------------------------

- 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	Zoning Appeal	Historic Preservation
<input type="checkbox"/> Shoreland	<input type="checkbox"/> Variance	<input checked="" type="checkbox"/> Not in District or Landmark
<input type="checkbox"/> Wetland	<input type="checkbox"/> Miscellaneous	<input type="checkbox"/> Does Not Require Review
<input type="checkbox"/> Flood Zone	<input checked="" type="checkbox"/> Conditional Use <i>Accessory D.U.</i>	<input type="checkbox"/> Requires Review
<input type="checkbox"/> Subdivision	<input type="checkbox"/> Interpretation	<input type="checkbox"/> Approved
<input checked="" type="checkbox"/> Site Plan <i>exempt</i> <i>Submitted</i>	<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Approved w/Conditions
Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/>	<input type="checkbox"/> Denied	<input type="checkbox"/> Denied
Date: <i>11/23/09</i>	Date: <i>10/1/09</i>	Date:

PERMIT ISSUED

DEC - 3 2009

City of Portland

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

07-09-09 (Change-Of-Use-Needed
Inspt Main bld of Capt. Go-traco, advised property mgt.
to have owner submit a change of use permit application
to our office. JGR

09/09/09 SMH verified illegal two(2) units
were remove.

11/09/09 TM final for Change-Of-Use

12/16/09 Close-In - Okay

2 renovated necessary units attached
to main Bld. Hardware / CO
det. interconnected - egress from
bedroom (front entrance - open hallway
to remainder of house.

A Basement to main bld. utilities only.

12/30/09 Final - Okay JGR
Tested sub. det./
CO.

JGR



Application for Exemption from Site Plan Review

Portland, Maine

Department of Planning and Urban Development, Planning Division and Planning Board

091322

PROJECT NAME: Charles Messer

PROJECT ADDRESS: 1476 Forest Ave.

PROJECT DESCRIPTION: (Please Attach Sketch/Plan of Proposal/Development)
No Construction / Change of Use Sngl. Fam.
to Single Fam w/ Accessory Dwelling

CHART/BLOCK/LOT: _____

CONTACT INFORMATION:

OWNER/APPLICANT

Name: Charles Messer
Address: P.O. Box 1980
Portland, Me.
Zip Code: 04104
Work #: 252-7482
Cell #: Same
Fax #: _____
Home #: Same
E-mail: _____

CONSULTANT/AGENT

Name: _____
Address: _____
Zip Code: _____
Work #: _____
Cell #: _____
Fax #: _____
Home #: _____
E-mail: _____

RECEIVED

DEC 1 2009

Dept. of Building Inspections
City of Portland Maine

Criteria for Exemptions:

(See Section 14-523 (4) on page 2 of this application)

- a) Is the proposal within existing structures?
- b) Are there any new buildings, additions, or demolitions?
- c) Is the footprint increase less than 500 sq. ft.?
- d) Are there any new curb cuts, driveways or parking areas?
- e) Are the curbs and sidewalks in sound condition?
- f) Do the curbs and sidewalks comply with ADA?
- g) Is there any additional parking?
- h) Is there an increase in traffic?
- i) Are there any known stormwater problems?
- j) Does sufficient property screening exist?
- k) Are there adequate utilities?

Applicant's Assessment Y(yes), N(no), N/A

Yes
No
Yes
No
-
-
No
No
No
Yes
Yes

Planning Division Use Only

Yes
no
Yes
no
NA Yes
NA Yes
no
no
no
Yes
Yes

Planning Division Use Only Exemption Granted ^{with condition} Partial Exemption _____ Exemption Denied _____

1. The applicant shall obtain all required building permits from Portland's Inspection Division

Planner's Signature Barbara Berhydt Date Dec. 1, 2009

City of Portland, Maine - Building or Use Permit Application

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

Permit No: 09-1322	Issue Date:	CBL: 298 B023001
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Proposed Project Description: Change of use from single family home to Single Family home w/ accessory dwelling unit		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type:	
		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: Ldobson	Date Applied For: 11/19/2009	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 checked="" type="checkbox"/> Site Plan <i>exempt for</i> <i>Submitted</i> Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> Date: <i>11/23/09</i>	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input checked="" type="checkbox"/> Conditional Use <i>Accessory D.U.</i> <input type="checkbox"/> Interpretation <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied Date: <i>10/1/09</i>	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: <i>[Signature]</i>
	[Handwritten notes and signatures in the bottom section of the table]		

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

Planning Barbara Barhydt

December 1, 2009

Jean Fraser presented the plans at the 11/25/09 development review meeting. There is a single family house and there were 2 illegal apartments in the rear extension. The change of use is eliminating one of the apartments. Zoning Board of Appeals has approved the single family house with one accessory unit.

The site plan shows 5 parking spaces and a garage. Only 2 parking spaces are required for the use. There is sufficient space for the two required parking spaces.

At the development review meeting, Alexander Jaegerman, Planning Division Director, and Thomas Errico, Consulting Traffic Engineer, found the plan to be acceptable.

The request for an exemption of site plan review is granted with one condition of approval:

1. The applicant shall obtain all required building permits from Portland's Inspection Division.

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

Peter Coyne
Philip Saucier-chair
Jill E. Hunter
Gordan Smith-secretary
William Getz
Trish McAllister
Sara Moppin

October 5, 2009

Charles B. Messer
P.O. Box 1980
Portland, ME 04102

202-7492

RE: 1476 Forest Avenue
CBL: 298 B023
ZONE: R-3

Dear Mr. Messer:

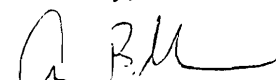
As you know, at the October 1, 2009 meeting, the Zoning Board voted 6-0 to grant your Conditional Use Appeal to add an accessory dwelling unit to your single family dwelling.

Enclosed is the Zoning Board of Appeals decision. You are now required to submit a Change of Use permit to add the accessory dwelling unit to your single family dwelling. Enclosed is an application 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, or your Zoning Board approval will expire.

Appeals from decisions of the Board may be filed in Superior Court, pursuant to 30-A M.R.S.A. section 2691 (2) (G).

Should you have any questions, please feel free to contact me at 207-874-8709.

Sincerely,



Ann B. Machado
Zoning Specialist

Cc: file

11/12/09 - I left
a message with the
owner stating
(reminding) that a
building permit was
required for the change
of use or the permission from
ZBA will expire

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

ZONING BOARD APPEAL DECISION

To: City Clerk

From: Marge Schmuckal, Zoning Administrator

Date: October 5, 2009

RE: Action taken by the Zoning Board of Appeals on October 1, 2009.

Members Present: Phil Saucier (chair), Gordon Smith (secretary), Sara Moppin, Peter Coyne, Trish McAllister, and William Getz.

Members Absent: Jill Hunter

1. New Business:

A. Conditional Use Appeal:

1472-1478 Forest Avenue, Charles B. Messer, owner, Tax Map 298, Block B, Lot 023, R-3 Residential Zone: The appellant is seeking a Conditional Use Appeal under section 14-88(a)(2) to add an accessory dwelling unit to his single family dwelling. Representing the appeal is the owner. **The Board voted 6-0 to grant the conditional use appeal.**

Enclosure:

Agenda of October 1, 2009

Original Zoning Board Decision

One dvd

CC: Joseph Gray, City Manager

Penny St. Louis Littell, Director, Planning & Urban Development

Alex Jaegerman, Planning Division

T.J. Martzial, Housing & Neighborhood Services Division

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS

R-3 Residential Zone Accessory Unit:

Conditional Use Appeal

DECISION

Date of public hearing: October 1, 2009

Name and address of applicant: Charles Messer
1476 Forest Ave.
Portland, ME

Location of property under appeal: 1476 Forest Ave.

For the Record:

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

Charles MESSER, Applicant
Michael ~~Bowdler~~ Bowdler (proponent)

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

Findings of Fact and Conclusions of Law:

Applicant is proposing to add an accessory dwelling unit to his single family home in which he resides. The total floor area of the house is 3,456 sq. ft. The floor area of the accessory unit would be 583 sq. ft., which equals 17% of the gross floor area of the house. There will be no open outside stairways or fire escapes above the ground floor. The lot size is 13,168 sq. ft.

A. Conditional Use Standards pursuant to Portland City Code §14-88(a)(2):

1. The accessory unit shall be no more than thirty (30) percent of the gross floor area of principal building and shall have a minimum floor area four hundred (400) square feet; gross floor area shall exclude any floor area that has less than two-thirds of its floor-to ceiling height above the average adjoining ground level; gross floor area may include attic space if such space shall be included as habitable space within either dwelling unit.

Satisfied Not Satisfied

Reason and supporting facts:

Drawings + testimony indicate compliance

2. There shall be no open outside stairways or fire escapes above the ground floor.

Satisfied Not Satisfied

Reason and supporting facts:

submitted per drawings + testimony

3. Any building additions or exterior alterations such as facade materials, building form, or roof pitch shall be designed to be compatible with the architectural style and to maintain the single-family appearance of the dwelling.

Satisfied Not Satisfied

Reason and supporting facts:

submitted per drawings + testimony

4. A minimum lot size of six thousand five hundred (6,500) square feet of land area shall be required.

Satisfied Not Satisfied

Reason and supporting facts:

Per testimony + plans

5. No dwelling unit shall be reduced in size to less than one thousand (1,000) square feet of floor area, exclusive of common areas and storage in basement or attic.

Satisfied Not Satisfied

Reason and supporting facts:

~~Principal Dwelling Unit = Dwelling~~

Principal unit will remain over 1,000 sq. ft., per testimony.

6. Parking shall be provided as required by division 20 of this article: 1 off-street parking space per new unit (14-332(a)(2)).

Satisfied Not Satisfied

Reason and supporting facts:

7 or 8 Available Spaces per
Drawing + testimony

7. Either the accessory unit or principal unit shall be occupied by the lot owner, except for bona fide temporary absences.

Satisfied Not Satisfied

Reason and supporting facts:

accessory ~~unit~~ will be occupied by applicant/owner as primary residence

B. Conditional Use Standards pursuant to Portland City Code §14-474(c)(2):

1. There are unique or distinctive characteristics or effects associated with the proposed conditional use.

Yes No

Reason and supporting facts:

standard single family home w/ accessory unit per plans / photos

2. There will be an adverse impact upon the health, safety, or welfare of the public or the surrounding area.

Yes No

Reason and supporting facts:

existing use that exists

3. Such impact differs substantially from the impact which would normally occur from such a use in that zone.

Yes ___

No

Reason and supporting facts:

NO evidence of different impacts

Conclusion: (check one)

Option 1: The Board finds that all of the standards (1 through 7) described in section A above have been satisfied and that not all of the conditions (1 through 3) described in section B above are present, and therefore GRANTS the application.

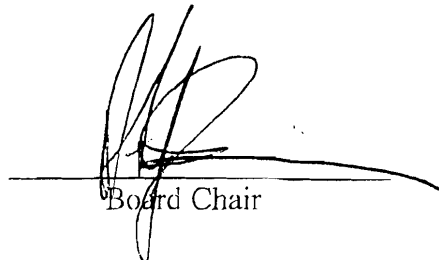
Option 2: The Board finds that all of the standards (1 through 7) described in section A above have been satisfied, and that while not all of the conditions (1 through 3) described in section B above are present, certain additional conditions must be imposed to minimize adverse effects on other property in the neighborhood, and therefore GRANTS the application SUBJECT TO THE FOLLOWING CONDITIONS:

Option 3: The Board finds that not all of the standards (1 through 7) described in section A above have been satisfied and/or that all of the conditions (1 through 3) described in section B above are present, and therefore DENIES the application.

Please note that, pursuant to Portland City Code 14-88(a)(2)(i), if approved the project shall be subject to article V (site plan) of this chapter for site plan review and approval and the following additional standards:

1. Any additions or exterior alterations such as facade materials, building form and roof pitch shall be designed to be compatible with the architectural style of the building; and
2. The scale and surface area of parking, driveways and paved areas shall be arranged and landscaped to properly screen vehicles from adjacent properties and streets.

Dated: 10.1.09


Board Chair

7 Sep 09

Charles B Messer
1476 Forest Ave
PO Box 1980
Portland Me 04104
Phone 207 252 7482

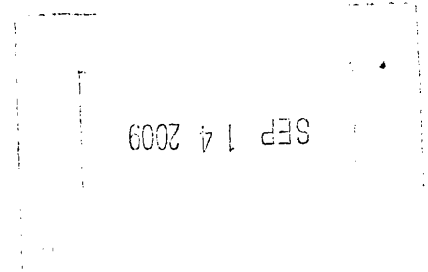
Ms. Ann Machado Zoning Specialist
Planning & Development Department
Housing & Neighborhood Division
Portland City Hall
389 Congress Street Portland Maine 04101

Dear Ann:

This applies to have an Inlaw Unit at 1476 Forest Avenue, Portland Maine. The unit would occupy the upper floor of the rear block 'B' shown on the drawings and its floor area would amount to 17 % of the remaining floor area of the remaining principle building,

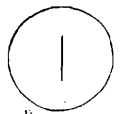
Enclosed is a check for \$ 100 and eleven copies of the following documents:

This letter
Form of application
Building photograph from front
Ditto from above
Ditto from north
Site plan
Bird's eye view diagram
Main floor plan
Upper floor plan
Deed of ownership
City tax block plan



Referring specifically to the Code of Ordinances handed to me the proposed Inlaw unit would conform exactly with these regulations as follows:

- 2 a. The unit would be in floor area 583 sf which would amount to 17 % of the remaining principle living space floor area of 3456 sf. All of the unit's floor would be above any adjacent grade level.
- b. There would be no outside stairways or fire escapes above ground level.
- c. There would be no alterations of any kind to the exterior of the existing building so the exterior of the building would remain the style of a single family dwelling.



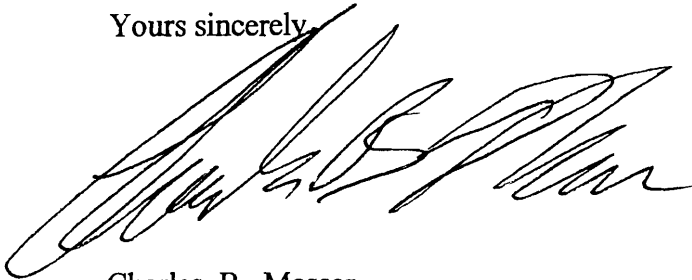
- d. The lot size is 13,168 s.f. well above the required 6,500 s.f.
- e. The principle dwelling unit's remaining floor area would be 3039 less 583 equals 2456 square feet..
- f. The space available for parking amounts to more than twice the three vehicles required.
- g. The exterior of the building will stay exactly the same as is existing which is compatible with a single family dwelling. The parking spaces are already landscaped to screen from The neighboring property. The Inlaw Unit will be occupied by The owner only.

Referring specifically to the "Standards" included on the application sheet
(a) (b) (c):

No part of the Inlaw Unit would adversely affect the existing Environment or well being of the surrounding property or public. See enclosed documents.

I appreciate the close attention you are giving this project. At your earliest convenience please let me know of any further data you may require.

Yours sincerely,



Charles B. Messer

CBM/mb

PS: The only construction involved with this proposal is to add kitchen equipment into the proposed Inlaw Unit. So the present single family exterior appearance would not be compromised in any way.



5047 1/2 W

4



CONSTN. NORTH
TRUE N

132'

PROPOSED INLAW
UNIT UPPER FLOOR



72.5'

133.3'

44'

44'

93'

(A)

(B)

NO 1476

28'

28'-8"

110'

Roadway

FOR FIRST AVENUE

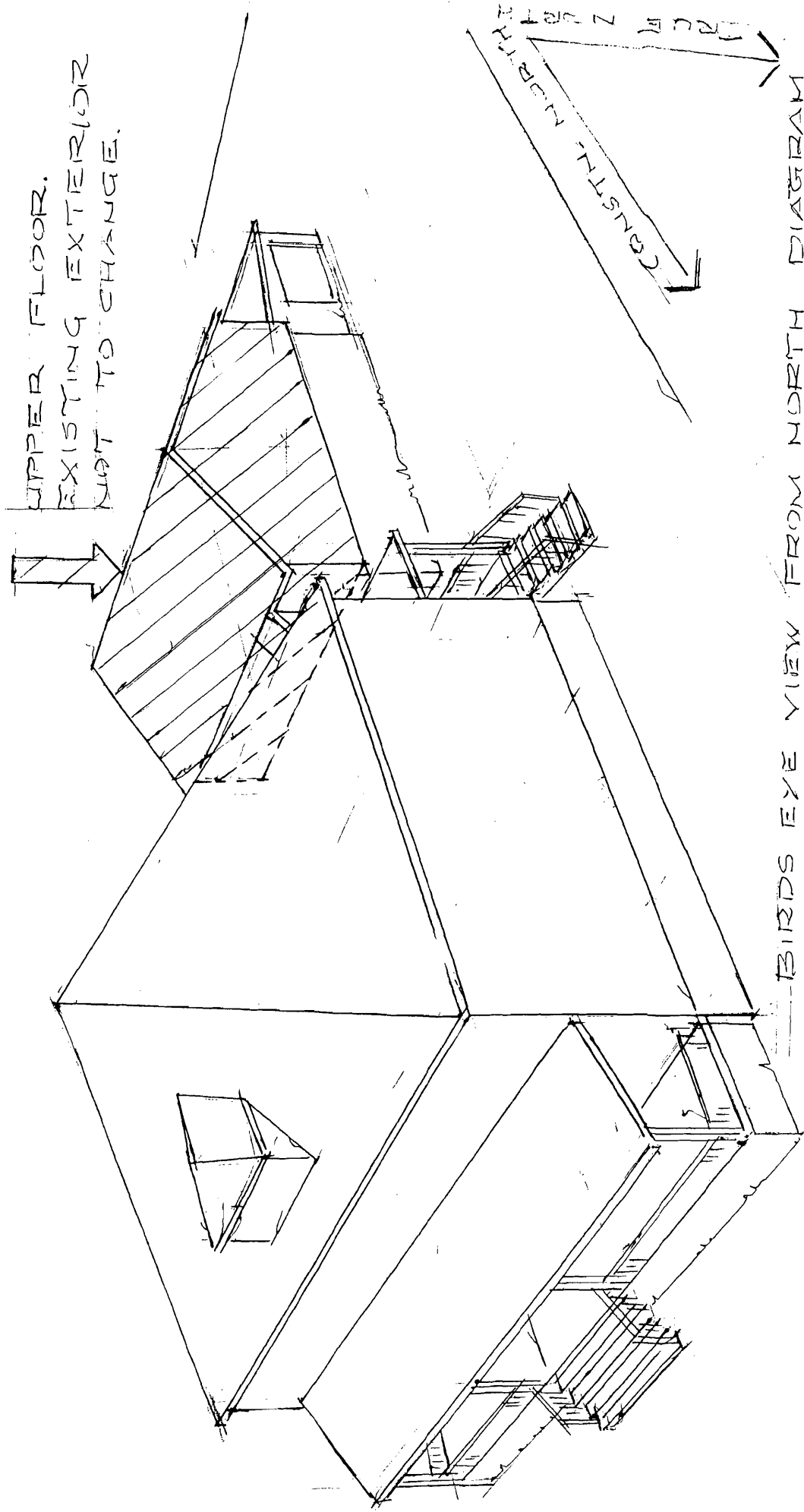
1/3 ACRE

SITE PLAN SC: 1" = 20' SITE AREA 13,168 SF ±

CONDITIONAL ZONING USE APPEAL APPLICATION DATED 21 AUG 09
FROM: CHARLES B MESSER 1476 FOREST AVE PORTLAND ME
PO BOX 198 PORTLAND ME PHONE 207 252 7482 OWNER
PROPOSED INLAW UNIT

7

PROPOSED INLAW UNIT



CONDITIONAL ZONING USE APPEAL APPLICATION DATED 21 AUG 0
FROM CHARLES B MESSER 1476 FOREST AVE PORTLAND ME
PO BOX 198 PORTLAND ME PHONE 207 252 7482 OWNER
PROPOSED INLAW UNIT

Several other multiple family units in this vicinity



City of Portland
GIS



DISCLAIMER : This is a product of the City of Portland MIS Department. The data depicted here have been developed with cooperation from other federal, state and local agencies. The City of Portland expressly disclaims responsibility for damages or liability that may arise from the use of this map.

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City of Portland
389 Congress St.
Portland, Maine
04101



DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

BUILDING INSPECTION

PERMIT

Permit Number: 091379

PERMIT ISSUED

Please Read Application And Notes, If Any, Attached

This is to certify that MESSER CHARLES B /Charles Messer
has permission to create 2 bedrooms in existing space / add hallway to house
AT 1476 FOREST AVE CB# 298 B023001 DEC - 4 2009

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 lathed or otherwise 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

Thomas M. McLaughlin 12/4/09
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: 09-1379	Issue Date:	CBL: 298 B023001
-----------------------	-------------	---------------------

Location of Construction: 1476 FOREST AVE	Owner Name: MESSER CHARLES B	Owner Address: PO BOX 1980	Phone:
Business Name:	Contractor Name: Charles Messer	Contractor Address: P.O. Box 1980 Portland	Phone: 2072527482
Lessee/Buyer's Name	Phone:	Permit Type: Additions - Dwellings	Zone: R3

Past Use: Single Family Home w/ Accessory Dwelling unit connected w/ permit# 091522 <i>Single family home was changed to handi cap family unit</i>	Proposed Use: <i>handicap family unit</i> Single Family Home w/ Accessory Dwelling unit - create 2 bedrooms in existing space/ add hallway to house	Permit Fee: \$50.00	Cost of Work: \$3,000.00	CEO District: 5
Proposed Project Description: create 2 bedrooms in existing space/ add hallway to house - part of handi cap family unit.		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: R3 Type: SB IRC 2003	
		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: Ldobson	Date Applied For: 12/03/2009	Zoning Approval		
-----------------------------	---------------------------------	------------------------	--	--

- 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..

PERMIT ISSUED

DEC - 4 2009

City of Portland

Special Zone or Reviews	Zoning Appeal	Historic Preservation
<input type="checkbox"/> Shoreland	<input type="checkbox"/> Variance	<input checked="" type="checkbox"/> Not in District or Landmark
<input type="checkbox"/> Wetland	<input type="checkbox"/> Miscellaneous	<input checked="" type="checkbox"/> Does Not Require Review
<input type="checkbox"/> Flood Zone <i>OK</i>	<input type="checkbox"/> Conditional Use	<input type="checkbox"/> Requires Review
<input type="checkbox"/> Subdivision	<input type="checkbox"/> Interpretation	<input type="checkbox"/> Approved
<input type="checkbox"/> Site Plan	<input type="checkbox"/> Approved	<input type="checkbox"/> Approved w/Conditions
Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/>	<input type="checkbox"/> Denied	<input type="checkbox"/> Denied
Date: <i>Jan 12/4</i>	Date:	Date: <i>Jan 12/4</i>

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

BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 (ONLY)

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 inspection procedure and additional fees from a "Stop Work Order" and "Stop 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.


 X **Framing/Rough Plumbing/Electrical: Prior to Any Insulating or drywalling**

 X **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.

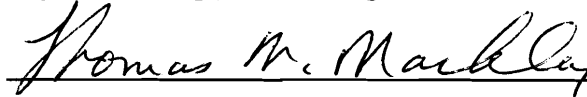
If any of the inspections do not occur, the project cannot go on to the next phase, REGARDLESS OF THE NOTICE OR CIRCUMSTANCES.

CERIFICATE OF OCCUPANICES MUST BE ISSUED AND PAID FOR, BEFORE THE SPACE MAY BE OCCUPIED.



Signature of Applicant/Designee

12-4-09
Date



Signature of Inspections Official

12/4/09
Date

PERMIT ISSUED

DEC - 4 2009

City of Portland



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>1476 Forest Ave.</u>		
Total Square Footage of Proposed Structure/Area <u>42 SF.</u>	Square Footage of Lot <u>13,168</u>	Number of Stories <u>1</u>
Tax Assessor's Chart, Block & Lot Chart# Block# Lot# <u>298 B 023</u>	Applicant * <u>must be owner, Lessee or Buyer</u> * Name <u>Charles B. Messer</u> Address <u>P.O. Box 1980</u> City, State & Zip <u>Portland, Me. 04104</u>	Telephone: <u>207-252-7482</u>
Lessee/DBA (If Applicable)	Owner (if different from Applicant) Name Address City, State & Zip	Cost Of Work: \$ <u>3000</u> C of O Fee: \$ _____ Total Fee: \$ <u>50</u>
Current legal use (i.e. single family) <u>w/inlaw</u> Number of Residential Units _____ If vacant, what was the previous use? _____ Proposed Specific use: <u>2 bedrooms + Hallway</u> Is property part of a subdivision? <u>NO</u> If yes, please name _____ Project description: <u>Create 2 bedrooms in existing space / Add hallway to house.</u>		
Contractor's name: <u>Same</u> Address: _____ City, State & Zip _____ Telephone: _____ Who should we contact when the permit is ready: <u>Same</u> Telephone: _____ Mailing address: <u>Same P.O. Box 1980</u>		

Please submit all of the information outlined on the applicable Checklist. Failure to do so will result in the automatic denial of your permit.

RECEIVED

In order to be sure the City fully understands it may request additional information prior to the this form and other applications visit the Inspection Division office, room 315 City Hall or call 874-8703

I hereby certify that I am the Owner of record of th that I have been authorized by the owner to make tl laws of this jurisdiction. In addition, if a permit for v authorized representative shall have the authority to provisions of the codes applicable to this permit.

LM for Chuck Messer
That permit is ready
if He calls Lannie
today he may pick up
otherwise it will be
mailed.

2009
Department
download
of
Inspections
of Portland
the proposed work and
inform to all applicable
the Code Official's
hour to enforce the

Signature: _____

This is not a permit; you m:

_____ issue

Tom M
12/21/09

City of Portland, Maine - Building or Use Permit

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

Permit No: 09-1379	Date Applied For: 12/03/2009	CBL: 298 B023001
------------------------------	--	----------------------------

Location of Construction: 1476 FOREST AVE	Owner Name: MESSER CHARLES B	Owner Address: PO BOX 1980	Phone:
Business Name:	Contractor Name: Charles Messer	Contractor Address: P.O. Box 1980 Portland	Phone (207) 252-7482
Lessee/Buyer's Name	Phone:	Permit Type: Additions - Dwellings	

Proposed Use: Single Family Home w/ Accessory Dwelling unit - create 2 bedrooms in existing space/ add hallway to house	Proposed Project Description: create 2 bedrooms in existing space/ add hallway to house
---	---

Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Tom Markley **Approval Date:** 12/04/2009

Note: Single Family with Accessory Dwelling Unit connected to permit# 09-1322

Ok to Issue:

- 1) This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.
- 2) 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:** Tom Markley **Approval Date:** 12/04/2009

Note:

Ok to Issue:

- 1) Carbon Monoxide Detectors shall be installed in each area within or giving access to bedrooms. That detection must be powered by the electrical service in the building and battery.
- 2) Hardwired interconnected battery backup smoke detectors shall be installed in all bedrooms, protecting the bedrooms, and on every level.
- 3) Separate permits are required for any electrical, plumbing, sprinkler, fire alarm or HVAC or exhaust systems. Separate plans may need to be submitted for approval as a part of this process.
- 4) Application approval based upon information provided by applicant. Any deviation from approved plans requires separate review and approval prior to work.

Comments:

12/31/2009-amachado: Permit #09-0874 was issued to change the use of the single family to a handicap family unit. The certificate of occupancy was issued on 11/3/09. These two bedrooms are part of the handicap family unit.

16'0" 2' Span 6" Pitch

2x6 studs 16'0" OC
w/ 7/16" OSB - Typar
+ Vinyl Siding

New 6'00'

Existing
Appt.

Existing
Slab

7" Riser

125"
2x10 Ridge
2x4 Rafter

1/2" drywall

RECEIVED
DEC - 3 2009

Dept. of Building Inspections
Portland and Maine

1 1/2" Tread
7" Rise

36" Landing

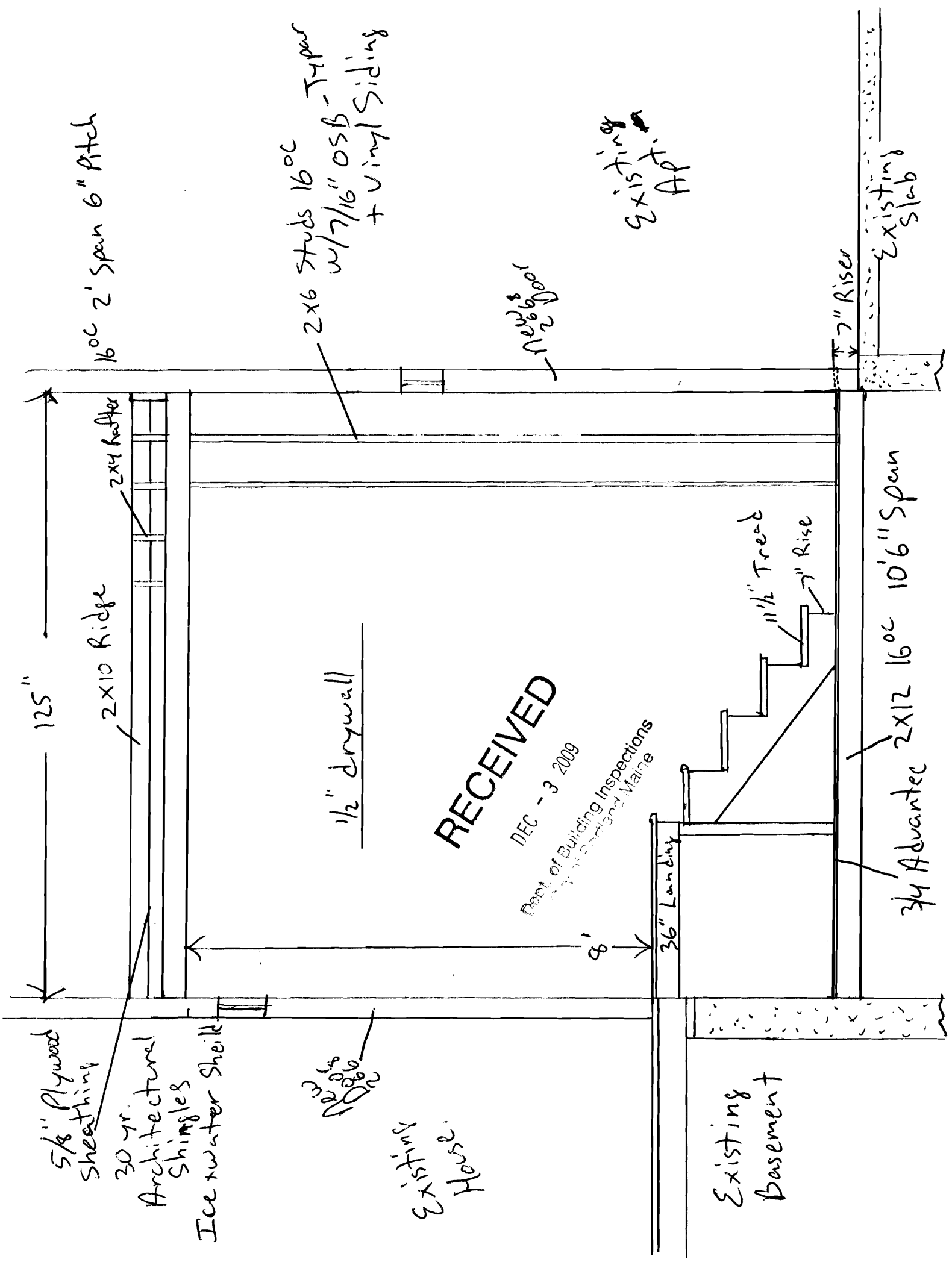
3/4 Advantec 2x12 16'0" OC 10'6" Span

5/8" Plywood Sheathing
30 yr. Architectural Shingles
Ice water shield

1990s
1990s

Existing
House

Existing
Basement



RECEIVED

CONSTRUCT
TRUE N

FLOOR AREA 1410 SF
TOTAL BOTH FLS.
2820 SF

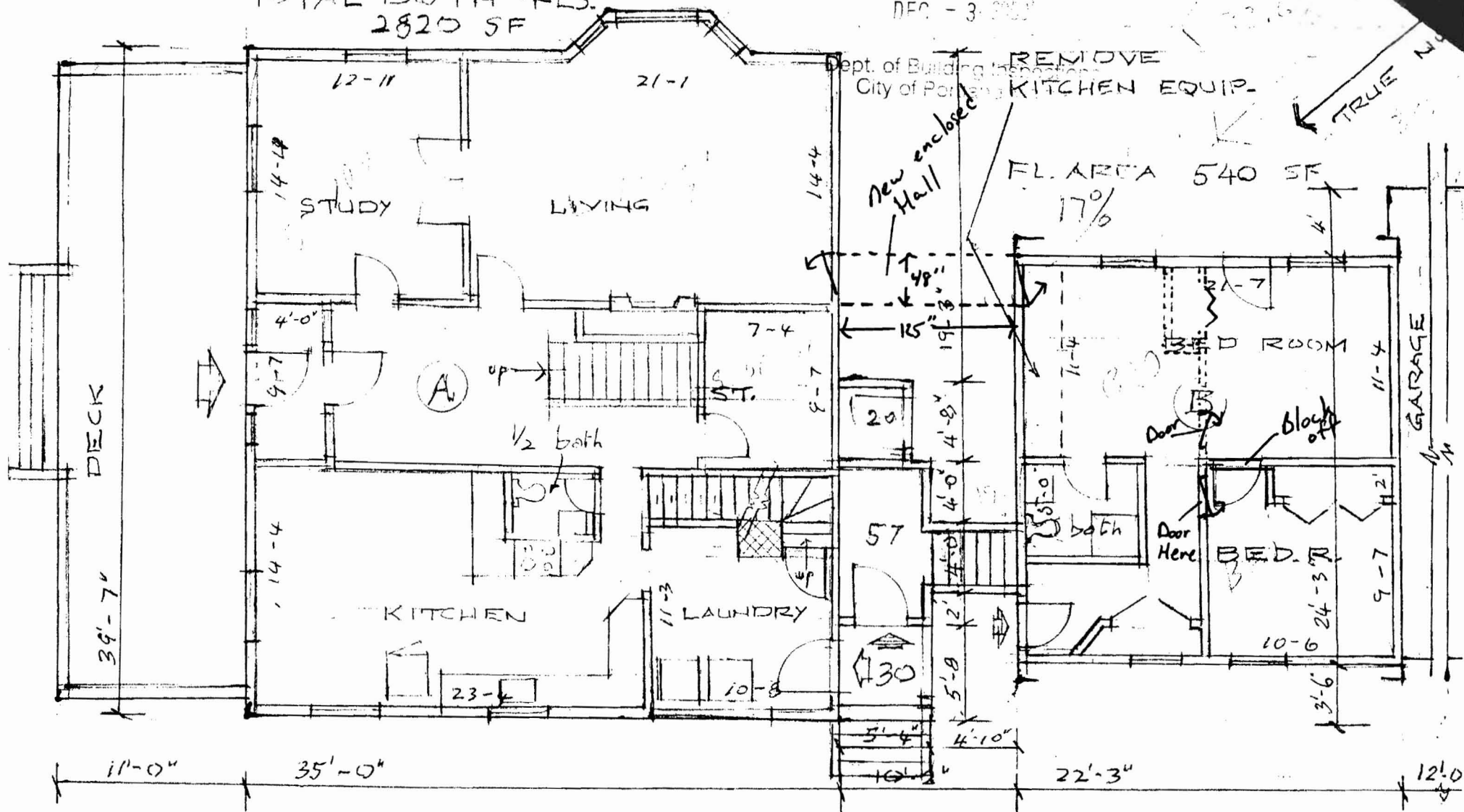
DEC - 3 - 2001

Dept. of Building Inspection
City of Portland

REMOVE
KITCHEN EQUIP.

FL. AREA 540 SF
17%

New enclosed
Hall

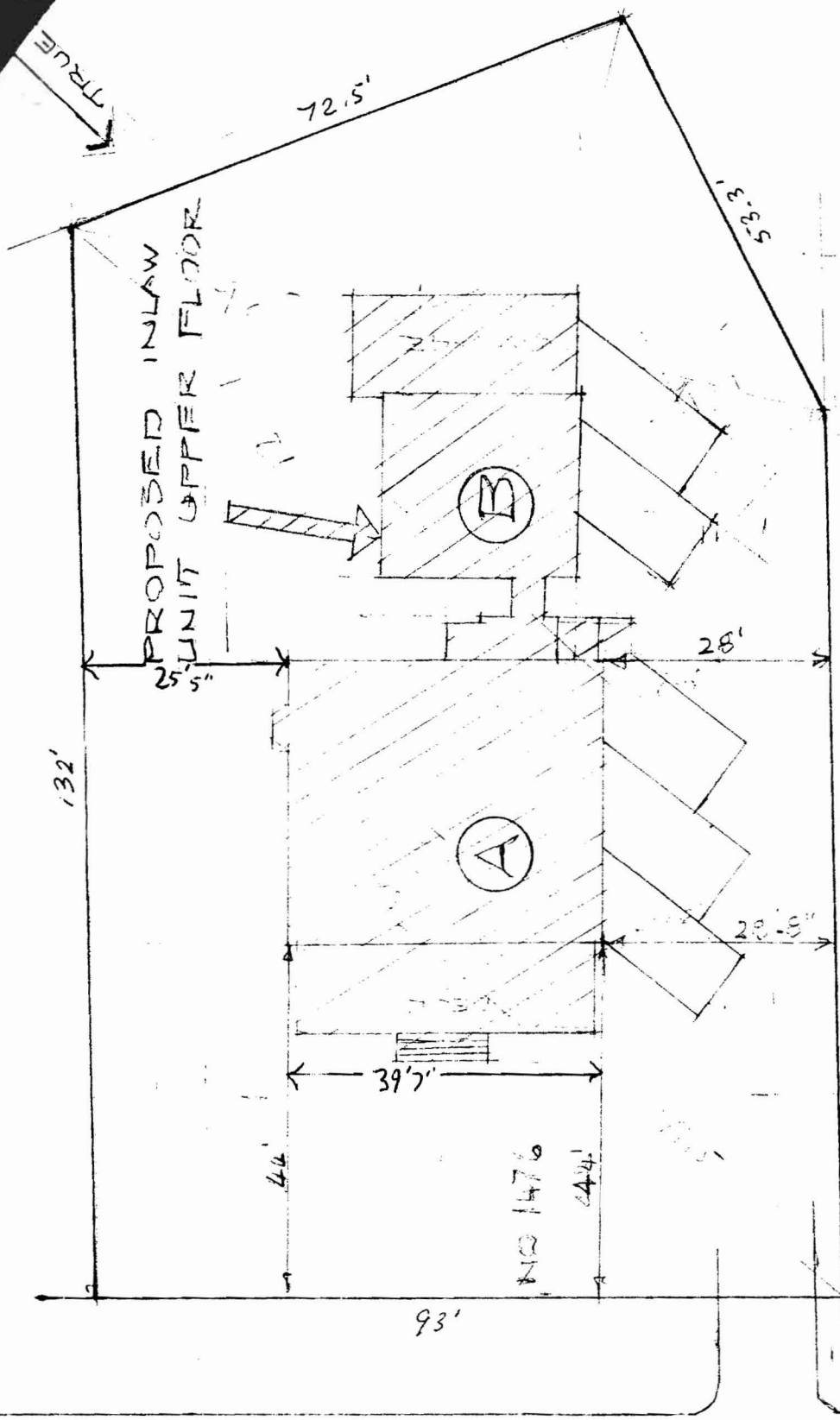


PLAN FIRST FLOOR SCALE 1/8" = 1'-0"

CONDITIONAL ZONING USE APPEAL APPLICATION DATED 21 AUG 2001
FROM CHARLES B MESSER 1476 FOREST AVE PORTLAND ME
PO BOX 198 PORTLAND ME PHONE 207 252 7482 OWNER.
PROPOSED INLAW UNIT

CONST

TRUE



Roadway

FOREST AVENUE RECEIVED

1/3 ACRE
SITE PLAN SC: 1" = 20' SITE AREA 13,168 SF ±

CONDITIONAL ZONING USE APPEAL APPLICATION DATED 21 AUG 09
FROM CHARLES B MESSER 1476 FOREST AVE PORTLAND ME
PO BOX 198 PORTLAND ME PHONE 207 252 7482 OWNER
PROPOSED INLAW UNIT

7

DEC - 3 2009

Dept. of Building Inspections
City of Portland Maine