

City of Portland, Maine - Building or Use Permit Application

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

Permit No: 05-1325	Issue Date: PERMIT ISSUED	CBL: 307 I009001
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Location of Construction: 31 WENDELL ST	Owner Name: PREMO EDITH & ADAM SILBE	Owner Address: 31 WENDELL ST OCT 20 2005	Phone:
Business Name:	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: CITY OF PORTLAND Change of Use - Dwellings	Zone: R-3

Past Use: Single Family	Proposed Use: Residential 2 unit convert space over garage to a unit	Permit Fee: \$105.00	Cost of Work: \$105.00	CEO District: 5
Proposed Project Description: Residential 2 unit convert space over garage to a unit		FIRE DEPT: <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Denied <i>N/A</i>	INSPECTION: Use Group: <i>R</i> Type: <i>SB</i> <i>IRC 2003</i>	
		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: dmartin	Date Applied For: 09/13/2005	Zoning Approval
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<p>1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</p> <p>2. Building permits do not include plumbing, septic or electrical work.</p> <p>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..</p>	<p>Special Zone or Reviews</p> <p><input type="checkbox"/> Shoreland <i>N/A</i></p> <p><input type="checkbox"/> Wetland</p> <p><input type="checkbox"/> Flood Zone</p> <p><input type="checkbox"/> Subdivision</p> <p><input checked="" type="checkbox"/> Site Plan <i>Site plan Exemption HAS been Applied</i></p> <p>Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/></p> <p>Date: <i>OK 9/21/05</i></p>	<p>Zoning Appeal</p> <p><input type="checkbox"/> Variance</p> <p><input type="checkbox"/> Miscellaneous</p> <p><input checked="" type="checkbox"/> Conditional Use</p> <p><input type="checkbox"/> Interpretation</p> <p><input checked="" type="checkbox"/> Approved <i>5-0</i></p> <p><input type="checkbox"/> Denied</p> <p>Date: <i>9/1/05</i></p>	<p>Historic Preservation</p> <p><input checked="" type="checkbox"/> Not in District or Landmark</p> <p><input type="checkbox"/> Does Not Require Review</p> <p><input type="checkbox"/> Requires Review</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Approved w/Conditions</p> <p><input type="checkbox"/> Denied</p> <p>Date: <i>S</i></p>
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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

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Permit No: 05-1325	Date Applied For: 09/13/2005	CBL: 307 I009001
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Business Name:	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Dwellings	

Proposed Use: Residential 2 unit convert space over garage to a unit	Proposed Project Description: Residential 2 unit convert space over garage to a unit
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Dept: Zoning	Status: Approved with Conditions	Reviewer: Marge Schmuckal	Approval Date: 09/21/2005
Note:			Ok to Issue: <input checked="" type="checkbox"/>
1) All zoning code conditions placed on this accessory unit shall be maintained during its life time of use. 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: Tammy Munson	Approval Date: 10/19/2005
Note:			Issue: <input checked="" type="checkbox"/>
1) This is a Change of Use ONLY permit. It does NOT authorize any construction			

*31 Wendell St.
Applicant
Called on this
Agitated
no Structural
Just Change of
Use*

Comments:
10/3/05-GG: received granted site exemption. /gg

All Purpose 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>31 Wendell St Portland ME 04103</u>		
Total Square Footage of Proposed Structure	Square Footage of Lot <u>7500</u>	
Tax Assessor's Chart, Block & Lot Chart# Block# Lot# <u>307 I 009</u>	Owner: <u>ADAM + CHRISTINA SILBERMAN</u> <u>Edith Preme</u>	Telephone: <u>7970922</u>
Lessee/Buyer's Name (If Applicable)	Applicant name, address & telephone: <u>ADAM SILBERMAN</u> <u>31 Wendell St Portland</u> <u>7970922</u>	Cost Of Work: \$ <u>0</u> Fee: \$ <u>30.00</u>
Current use: <u>1 Dwelling</u>		<u>1090</u> <u>75.00</u>
If the location is currently vacant, what was prior use: <u>N/A</u>		<u>105.00</u>
Approximately how long has it been vacant: <u>N/A</u>		<u>105.00</u>
Proposed use: <u>Additional Dwelling</u> Project description:		
Contractor's name, address & telephone:		
Who should we contact when the permit is ready: <u>ADAM SILBERMAN 7970922</u>		
Mailing address: <u>31 Wendell St Portland</u>		
We will contact you by phone when the permit is ready. You must come in and pick up the permit and review the requirements before starting any work, with a Plan Reviewer. A stop work order will be issued and a \$100.00 fee if any work starts before the permit is picked up. PHONE: <u>7970922</u>		

IF THE REQUIRED INFORMATION IS NOT INCLUDED IN THE SUBMISSIONS THE PERMIT WILL BE AUTOMATICALLY DENIED AT THE DISCRETION OF THE BUILDING/PLANNING DEPARTMENT, WE MAY REQUIRE ADDITIONAL INFORMATION IN ORDER TO APPROVE THIS PERMIT.

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>Adam Silberman</u>	Date: <u>9-12-05</u>
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**This is NOT a permit, you may not commence ANY work until the permit is issued.
If you are in a Historic District you may be subject to additional permitting and fees with the
Planning Department on the 4th floor of City Hall**

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

William Hall, Chair
David Dore Secretary
Peter Thornton
Kate Knox
Catherine Alexander
Patric Santere

September 2, 2005

Adam & Christina Silberman
31 Wendall St.
Portland, ME 04103

RE: 31 Wendall St
CBL: 307 I 009
ZONE: R3

Dear Mr .& Mrs. Silberman:

As you know, at its September, 1, 2005, meeting, **the Board of Appeals voted 5-0 and granted to approve your Conditional Use Appeal.**

Enclosed please find the billing for the Zoning Board of Appeals legal ad and abutters' notification and a copy of the Board's decision; also a building permit application for your change of use.

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

Sincerely,



Gayle Guertin
Office Assistant

August 9, 2005

City of Portland
Planning and Development Department
Zoning Board of Appeals
389 Congress St.
Portland, ME 04101

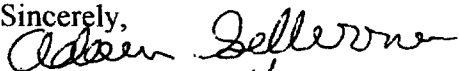
Dear ZBA,

Enclosed is our application for a Condition Use Permit to be granted for the residence at 31 Wendell Street, Portland, Maine, CBL 307 I009001, per the City of Portland Land Use Code Chapter 14 Sec. 14-88. We request a Conditional Use Permit for an accessory unit. The construction has been completed as additional living space with the proper building permit (Permit #040350). The space was intended for a Mother-In-Law living space but is not currently occupied. City officials approved the design for the current space to include a bar sink in the "kitchen" area. The space was not approved to include any cooking facilities. Given the recent changes in the Code, we now meet the required criteria in Sec. 14-88 (a) 2 as follows;

- a) The gross square footage of the main dwelling is 2,090 square feet. The accessory unit is 620 square feet. The accessory unit is less than 30% of the gross square footage of the main dwelling as required by the code.
- b) There are no open outside stairways or fire escapes above the ground floor.
- c) The architectural style has maintained the appearance of a single family dwelling. See enclosed photos.
- d) Our lot size is 7,500 square feet. This is above the minimum required by the Code.
- g) Our dwelling unit was not reduced in size. The additional space was created over the garage.
- h) Off street parking is provided.
- i) 1) Façade materials, building form, and roof pitch are compatible with the architectural style of the main building. The entire building has been vinyl sided and there are new asphalt shingles on the entire roof so it looks uniform and original.
2) The scale and surface area of parking, driveways, and paved areas are arranged and landscaped to properly screen vehicles from adjacent properties and streets.
- i) The principal unit is currently occupied and will continue to be occupied by the owners of the property.

Please notify us if you require anything further. You can reach us by phone at 797-0922.

Sincerely,



Adam & Christina Silberman

WARRANTY DEED

Know All Men By These Presents That We, Adam Silberman and Christina Silberman of 31 Wendel Street, Portland, County of Cumberland and State of Maine,

for consideration paid, grant to Edith Premo and Adam Silberman and Christina Silberman of 31 Wendell 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.

In Witness Whereof, we have hereunto set our hand(s) this 8th day of

August 2004

Witness

[Signature]

[Signature]

Adam Silberman

[Signature]

Christina Silberman

State of Maine
County of Cumberland,

ss.

Adam Silberman and Christina Silberman

On this 8th day of August, 2004, personally appeared before me the above named

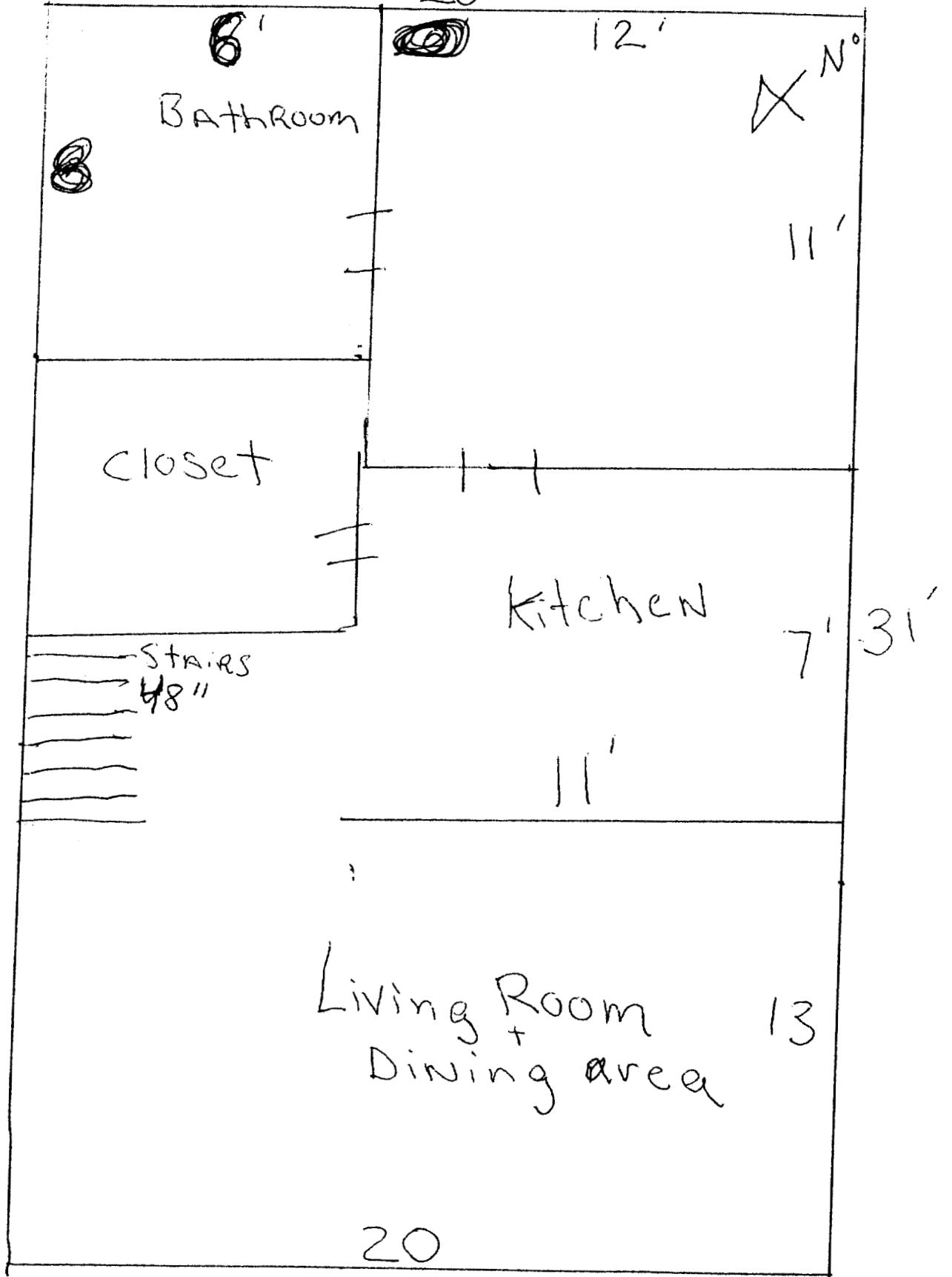
and acknowledged the foregoing to be his/hcr/their free act and deed.

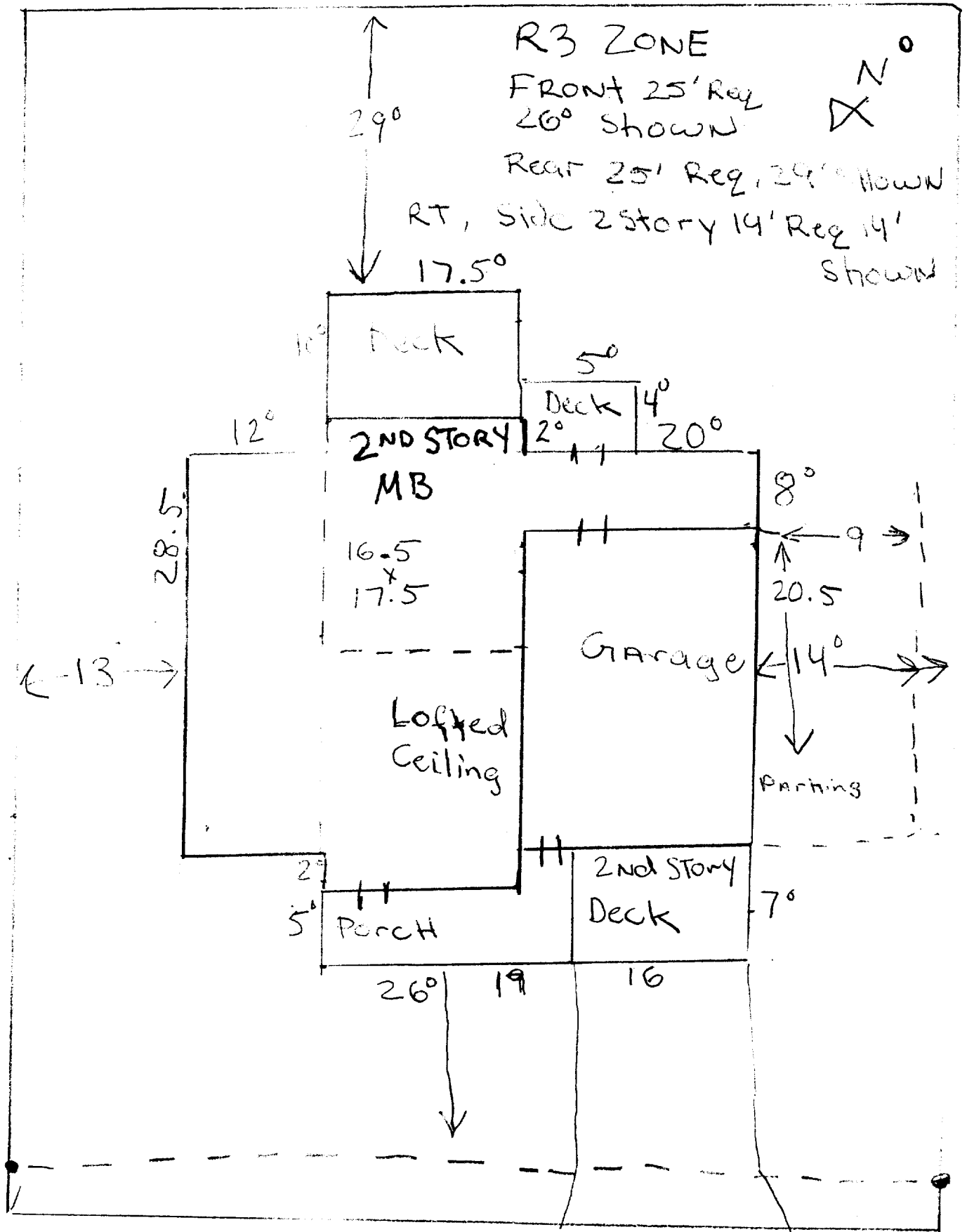
[Signature]
Notary Public, Attorney at Law

Return to: Edith Premo

My Commission
Expires Nov. 20, 2005

Additional Dwelling
The New SPACE over Garage







APPLICATION FOR EXEMPTION FROM SITE PLAN REVIEW

ADAM SILBERMAN
Applicant

9-12-05
Application Date

31 Wendell St Portland ME
Applicant's Mailing Address

IN Law AOT
Project Name/Description

707 0922
Consultant/Agent/Phone Number

31 Wendell St Portland ME
Address of Proposed Site

CBL: 307 T 009001

Description of Proposed Development:

ADDITIONAL DEVELOPMENT
TYPE "B" USE FROM ZONING TO ALLOW IT.

Please Attach Sketch/Plan of Proposal/Development

Criteria for Exemptions:

See Section 14-523 (4) on back side of form

a) Within Existing Structures; No New Buildings, Demolitions or Additions

YES

b) Footprint Increase Less Than 500 Sq. Ft.

N/A

c) No New Curb Cuts, Driveways, Parking Areas

N/A

d) Curbs and Sidewalks in Sound Condition/Comply with ADA

N/A

e) No Additional Parking/ No Traffic Increase

N/A

f) No Stormwater Problems

N/A

g) Sufficient Property Screening

YES

h) Adequate Utilities

YES

All Purpose 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>31 Wendell St Portland ME 04103</u>		
Total Square Footage of Proposed Structure	Square Footage of Lot <u>7500</u>	
Tax Assessor's Chart, Block & Lot Chart# Block# Lot#	Owner: <u>ADAM + CHRISTINA Silberman Edith Premo</u>	Telephone: <u>7970922</u>
Lessee/Buyer's Name (If Applicable)	Applicant name, address & telephone: <u>ADAM Silberman 31 Wendell St Portland 7970922</u>	Cost Of Work: \$ <u>Ø</u> Fee: \$
Current use: <u>1 Dwelling</u>		
If the location is currently vacant, what was prior use: <u>N/A</u>		
Approximately how long has it been vacant: <u>N/A</u>		
Proposed use: <u>Additional Dwelling</u> Project description:		
Contractor's name, address & telephone:		
Who should we contact when the permit is ready: <u>ADAM Silberman 7970922</u>		
Mailing address:		
We will contact you by phone when the permit is ready. You must come in and pick up the permit and review the requirements before starting any work, with a Plan Reviewer. A stop work order will be issued and a \$100.00 fee if any work starts before the permit is picked up. PHONE: <u>7970922</u>		

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In Witness Whereof, we have hereunto set our hand(s) this 8th day of August 2004

Witness [Signature]

[Signature]
Adam Silberman
[Signature]
Christina Silberman

State of Maine
County of Cumberland, ss.
Adam Silberman and Christina Silberman
On this 8th day of August, 2004, personally appeared me the above named
and acknowledged the foregoing to be his/her/their free act and deed.

[Signature]
Notary Public, Attorney at Law

Return to: Edith Premo

My Commission
Expires Nov. 20, 2005

CITY OF PORTLAND, MAINE

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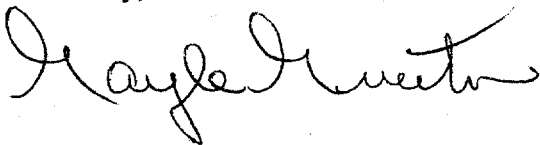
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Gayle Guertin
Office Assistant

August 9, 2005

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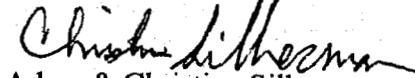
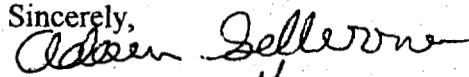
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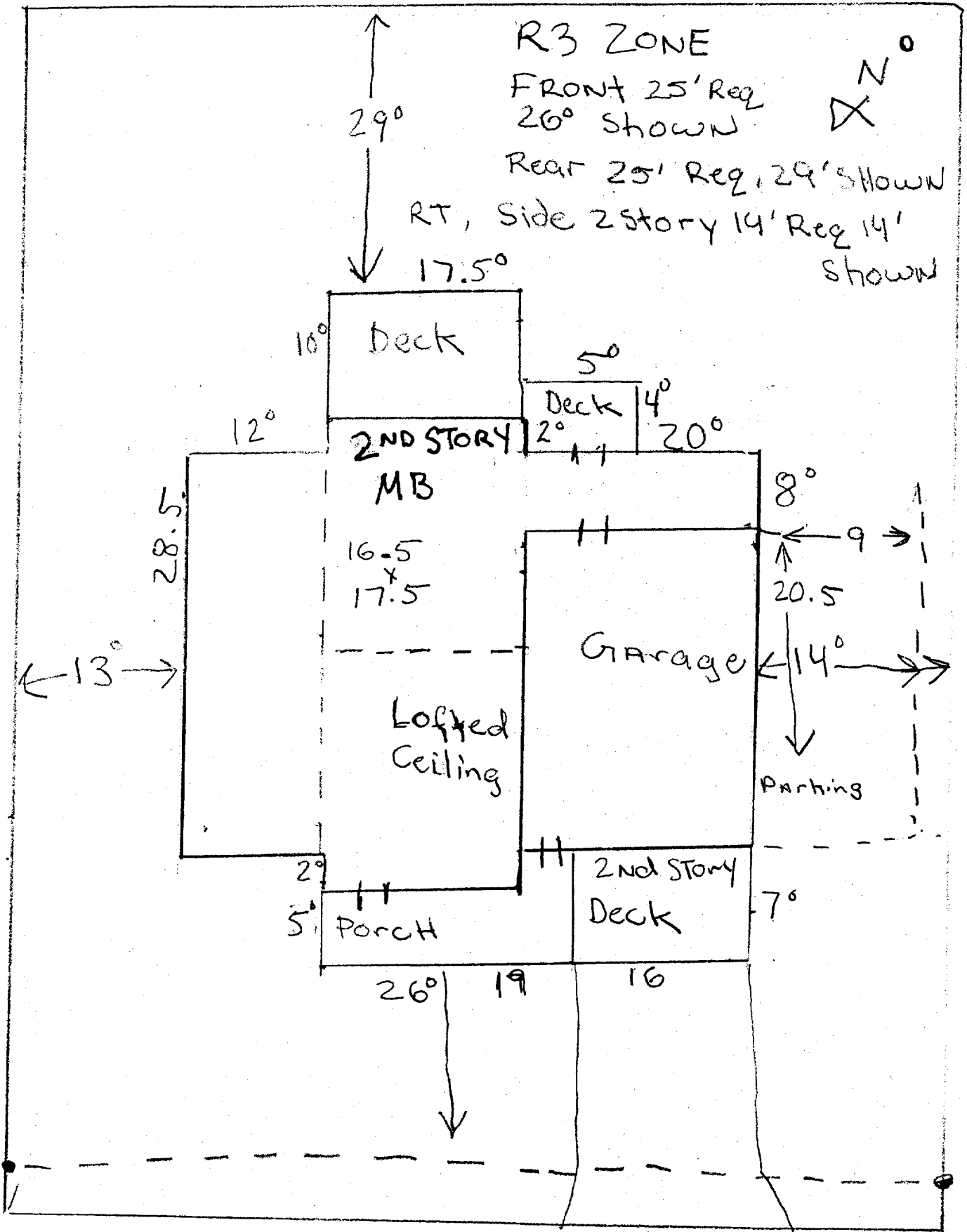
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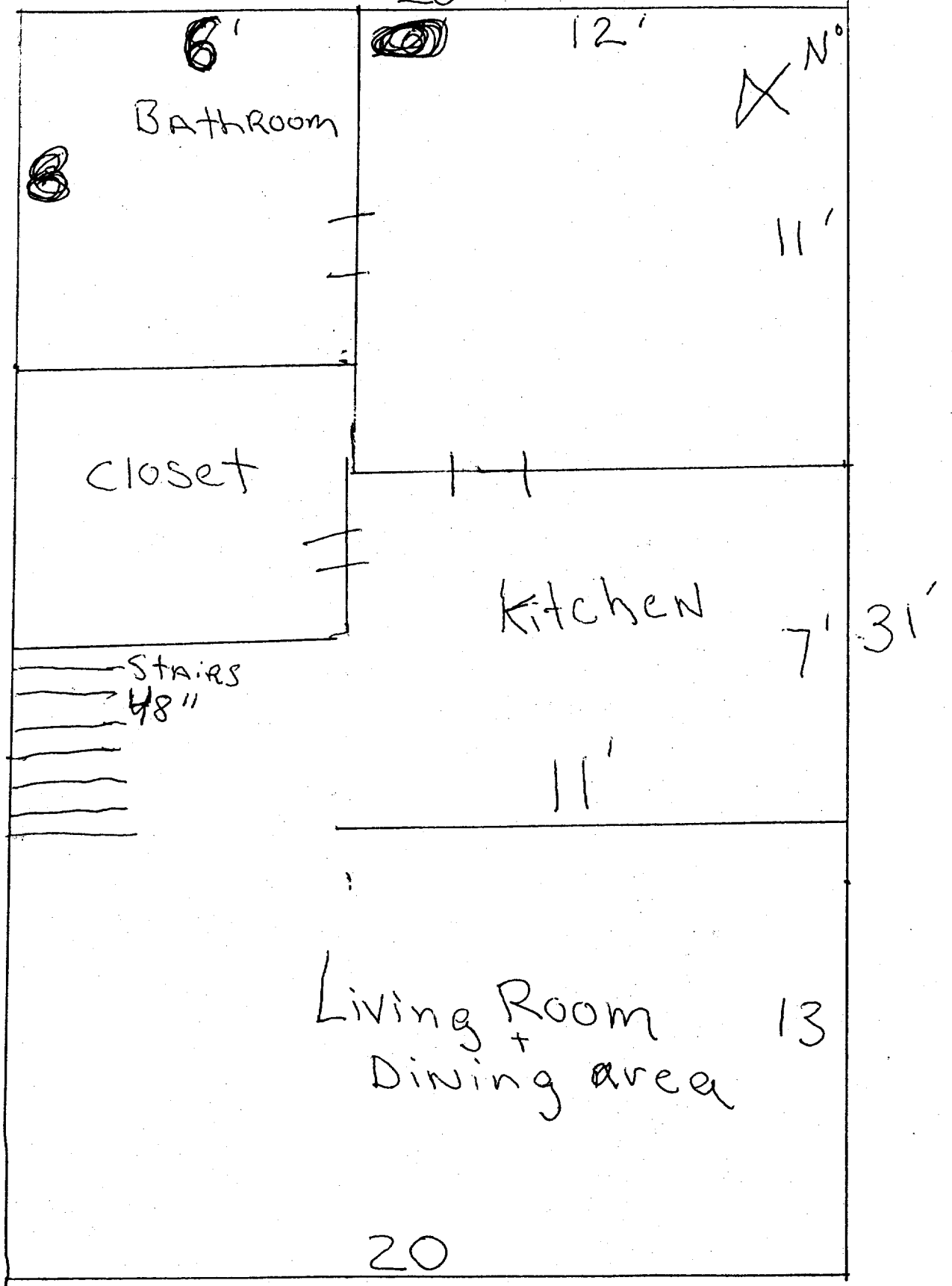
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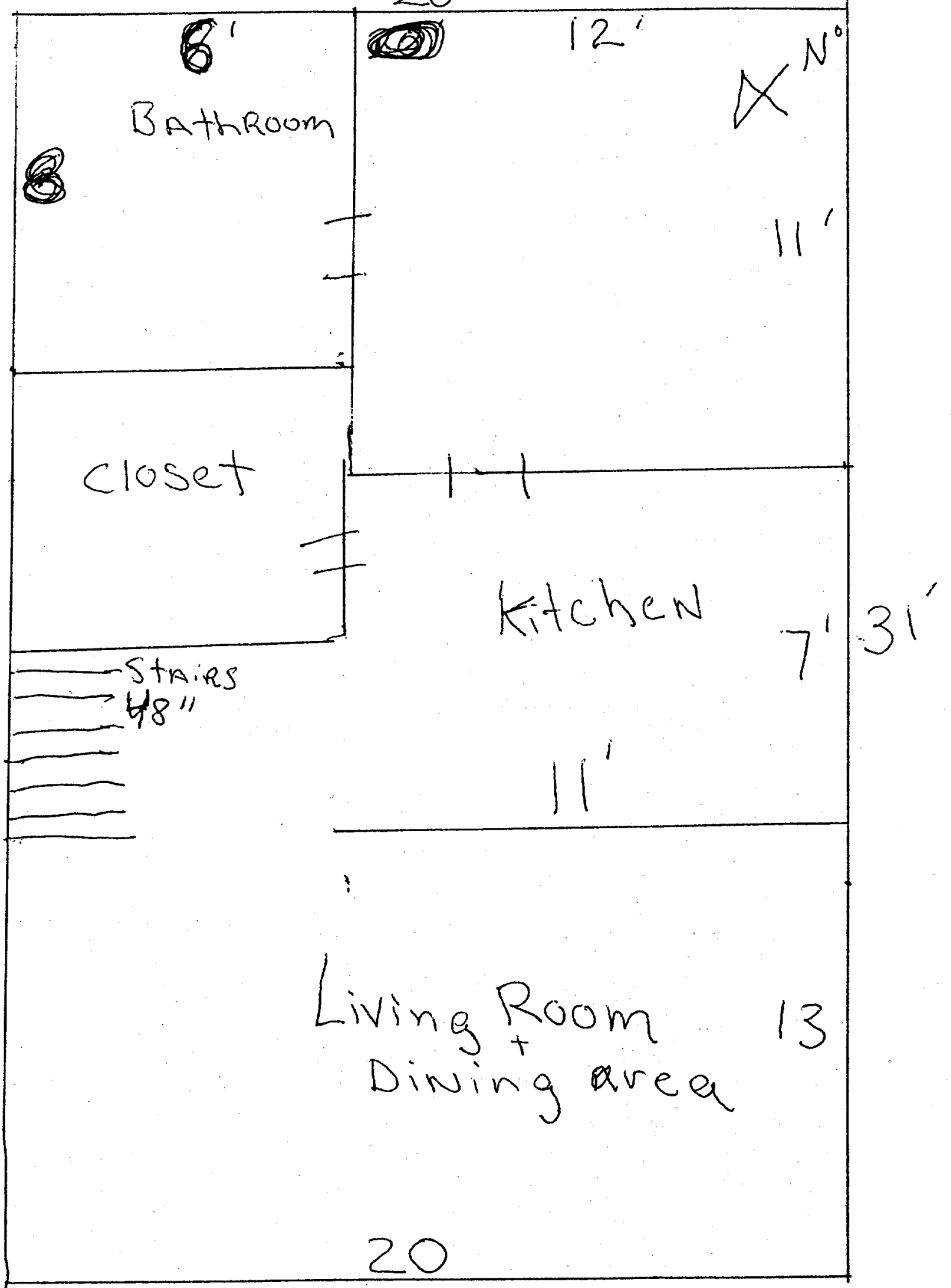
Adam & Christina Silberman



The New Space over Garage



The New Space over Garage





**City of Portland, Maine
 Planning and Development Department
 Zoning Board of Appeals
 Conditional Use Appeal Application**

Applicant Information:

Adam Silberman
 Name

Business Name

31 Wendell Street
 Address

Portland, ME 04103

(207) 797-0922 N/A
 Telephone

cell # 756 9000 Fax

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

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

Current Zoning Designation: R3

Existing Use of Property:

Single Family Residence

Subject Property Information:

31 Wendell Street
 Property Address

CBL 307 I009001
 Assessor's Reference (Chart-Block-Lot)

Property Owner (if different):

Same
 Name

Address

Telephone Fax

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

Type of Conditional Use Proposed:

Accessory 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.

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

Adam Silberman
 Signature of Applicant

8-9-05
 Date

August 9, 2005

City of Portland
Planning and Development Department
Zoning Board of Appeals
389 Congress St.
Portland, ME 04101

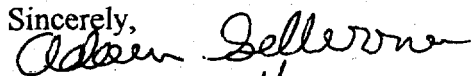
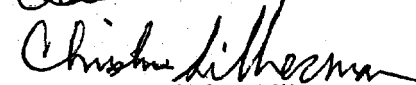
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2) The scale and surface area of parking, driveways, and paved areas are arranged and landscaped to properly screen vehicles from adjacent properties and streets.
- j) The principal unit is currently occupied and will continue to be occupied by the owners of the property.

Please notify us if you require anything further. You can reach us by phone at 797-0922.

Sincerely,



Adam & Christina Silberman

prerelease programs, or current illegal drug users, provided that:

- a. A sheltered care group home shall not be located within five hundred (500) feet of another, as measured along street lines to the respective property lines;
- b. There shall be no open outside stairways or fire escapes above the ground floor;
- c. The facility shall make provision for adequate on-site staffing in accordance with applicable state licensing requirements. If a facility is not licensed by the state, there shall be a minimum of one (1) staff person for every ten (10) residents or fraction thereof.

The board of appeals may impose conditions upon a conditional use permit concerning the creation or operation of a sheltered care group home including but not limited to the following: site and building maintenance; lighting, fencing, and other appropriate security measures; screening and buffering of parking areas; compatibility of any additions or alterations with the existing residential structure; compatibility of new structures with the architectural character of the surrounding area; and limitation on the duration of a sheltered care group home permit.

2. Alteration or construction of a detached single-family dwelling to accommodate one (1) additional dwelling unit for the benefit of homeowners or tenants, provided that:

- a. 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;

- b. There shall be no open outside stairways or fire escapes above the ground floor;
- c. 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;
- d. A minimum lot size of six thousand five hundred (6,500) square feet of land area shall be required;
- g. 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;
- h. Parking shall be provided as required by division 20 of this article;
- i. 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;
 - 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.
- j. Either the accessory unit or principal unit



shall be occupied by the lot owner,
except for bona fide temporary absences.

(b) *Commercial:*

1. Reserved.

(c) *Institutional:* Any of the following conditional uses provided that, notwithstanding section 14-474(a) (conditional uses) of this article or any other provision of this Code, the Planning Board shall be substituted for the board of appeals as the reviewing authority:

1. Elementary, middle, and secondary school;
2. a. Long-term and extended care facilities;
b. Intermediate care facility for thirteen (13) or more persons;
3. Church or other place of worship;
4. Private club or fraternal organization;
5. Hospital.

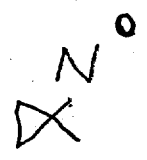
Such uses shall be subject to the following conditions and standards in addition to the provisions of section 14-474:

- a. In the case of expansion of existing such uses onto land other than the lot on which the principal use is located, it shall be demonstrated that the proposed use cannot reasonably be accommodated on the existing site through more efficient utilization of land or buildings, and will not cause significant physical encroachment into established residential areas; and
- b. The proposed use will not cause significant displacement or conversion of residential uses existing as of June 1, 1983, or thereafter;

75'

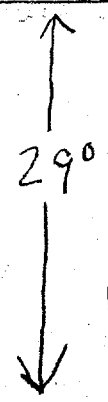
R3 ZONE

FRONT 25' Req
26° Shown

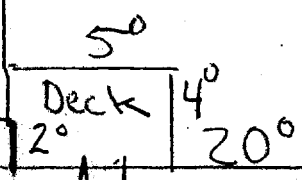


Rear 25' Req, 29' Shown

RT, Side 2 story 14' Req 14' Shown



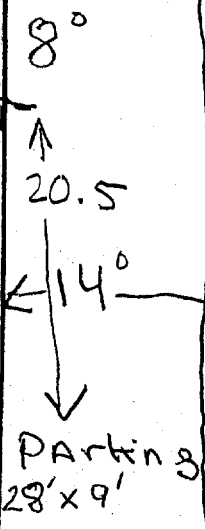
10° Deck



12° 2ND STORY

MB

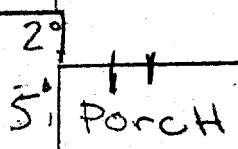
16.5
17.5



Garage

Lofted Ceiling

Parking
28' x 9'



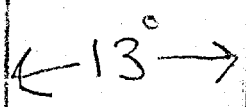
Porch

2nd Story Deck

26° 19

16

100"



28.5'

WENDELL ST

WARRANTY DEED

Know All Men By These Presents That We, Adam Silberman and Christina Silberman of 31 Wendel Street, Portland, County of Cumberland and State of Maine,

for consideration paid, grant to Edith Premo and Adam Silberman and Christina Silberman of 31 Wendell 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.

In Witness Whereof, we have hereunto set our hand(s) this 8th day of August, 2004

Witness [Signature]

[Signature]
Adam Silberman
[Signature]
Christina Silberman

State of Maine
County of Cumberland,

ss.

Adam Silberman and Christina Silberman

On this 8th day of August, 2004, personally appeared before me the above named

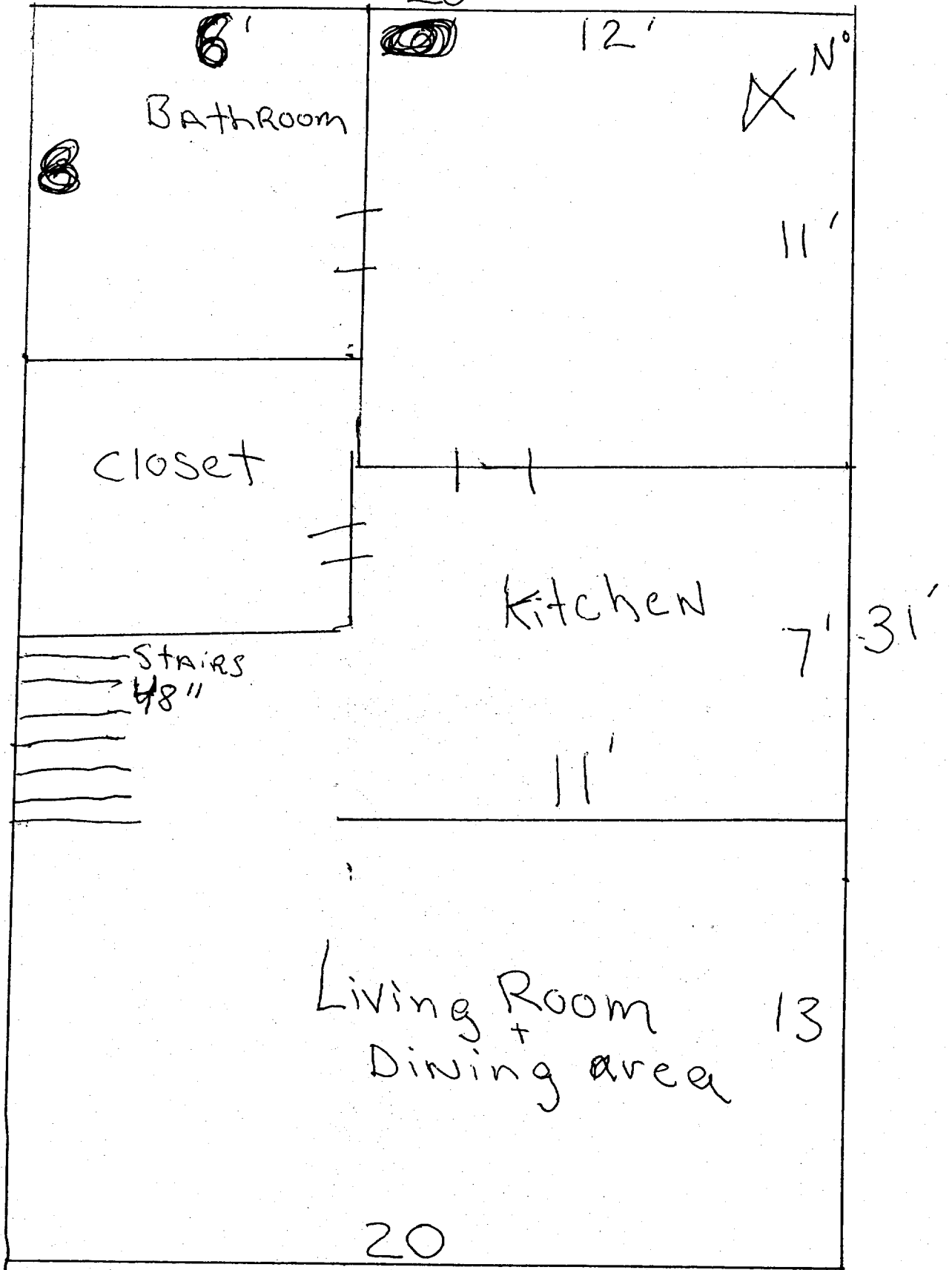
and acknowledged the foregoing to be his/her/their free act and deed.

[Signature]
Notary Public, Attorney at Law

Return to: Edith Premo

My Commission
Expires Nov. 20, 2005.

The New SPACE over Garage





CITY OF PORTLAND, MAINE
Department of Building Inspections

Sept. 13 2005

Received from Adam Gillerman

Location of Work 31 W. 10th St

Cost of Construction \$ _____

Permit Fee \$ 105.00 Bldg. 20.00

15.00

Building (I1) ___ Plumbing (I5) ___ Electrical (I2) ___ Site Plan (U2) ___

Other _____

CBL: 307 I 009

Check # ~~307 I 009~~ Total Collected \$ 105.00

THIS IS NOT A PERMIT

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

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

Jayb