

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

ZONING BOARD APPEAL DECISION

To: City Clerk

From: Marge Schmuckal, Zoning Administrator

Date: July 20, 2010

RE: Action taken by the Zoning Board of Appeals on July 15, 2010.

Members Present: Phil Saucier (chair), William Getz (acting secretary), Sara Moppin, and Jill Hunter

Members Absent: Gordon Smith

1. New Business:

A. Disability Variance Appeal:

70 – 86 Oxford Street (25 Boyd Street), Portland Housing Authority, owner, Tax Map 022, Block H, Lot 001, R-6 Residential Zone: The appellant is seeking a disability variance under section 14-473(c)(2) to install a handicap ramp. The appellant is requesting a front yard setback of eight feet, ten inches instead of the minimum ten foot setback as required under section 14-139(d)(1). Representing the appeal is Stephen Thomas, architect. **The Board voted 4-0 to grant the disability variance appeal allowing the applicant to reduce the front yard setback to eight feet, ten inches to install a handicap ramp.**

B. Practical Difficulty Variance Appeal:

23 Neal Street, Steven & Kari Brynes, owners, Tax Map 062, Block E, Lot 008, R-4 Residential Zone: The appellants are proposing to build a twenty-five foot by five foot farmer's porch on the front of their house. The appellants are requesting a variance from the required front yard setback of twenty-five feet to eighteen feet [section 14-105(d)(1)]. Representing the appeal is Zac Davis of Davis Fine Woodworking. **The Board voted 4-0 to grant the practical difficulty appeal allowing the applicants to reduce the front yard setback to eighteen feet in order to build a farmer's porch.**

C. Disability Variance Appeal:

3-11 Van Vechten Street, James & Elizabeth Quinn, owners, Tax Map 410, Block C, Lots 034, 035, 036 & 037, R-3 Residential Zone: The appellants are seeking a disability variance under section 14-473(c)(2) to install a handicap ramp. The appellants are requesting a front yard setback of three feet instead of the required twenty five foot setback [section 14-90(d)(1)]. The appellants are also requesting a side yard setback of six feet instead of the required eight foot setback [section 14-90(d)(3)]. Representing the appeal is Thomas Quinn, the owners' son. **The Board voted 4-0 to grant the disability variance appeal allowing the applicants to reduce the front yard setback to three feet and the side yard setback to six feet in order to install a handicap ramp with the condition that the ramp be removed when no longer needed by the household member.**

D. Variance Appeal:

887-917 Riverside Street, Dan Bonner, COO of Spurwink School, Tax Map 326, Block B, Lot 004, I-M Industrial Zone: The use of the property at 899 Riverside Street as a Community Living Arrangement for eight disabled persons plus staff is legally nonconforming in the I-M Zone. The appellant is requesting a variance under section 14-382(c) to expand the volume and footprint of the building to bring the building into compliance with safety codes. Representing the appeal is Dan Bonner, the COO of Spurwink School. **The Board voted 4-0 to accept the withdrawal of the variance appeal.**

E. Practical Difficulty Variance Appeal:

90 Cobb Avenue, Bernice M. Profenno, owner, Tax Map 210, Block B, Lots 015 & 016, R-2 Residential Zone: The appellant is pursuing a conditional use appeal to add an accessory dwelling unit to her single family dwelling. Section 14- 78(a)(2)(g) requires that parking for the accessory dwelling unit shall meet the parking requirements. Section 14-332(a)(2) requires that one additional parking space is required for the additional unit. Section 14-336(a) states that the required off street parking cannot be located in the front yard setback. The appellant is requesting a variance for the front yard setback from a required twenty-five feet [section 14-80(d)(1)] to zero feet for the required off street parking. Representing the appeal is Raymond Veroneau, Jr., the owner's son in law. **The Board voted 4-0 to grant the practical difficulty appeal allowing the applicant to have the required parking space for a proposed accessory dwelling unit be located within the required front yard setback.**

F. Conditional Use Appeal:

90 Cobb Avenue, Bernice M. Profenno, owner, Tax Map 210, Block B, Lots 015 & 016, R-2 Residential Zone: The appellant is seeking a Conditional Use Appeal under section 14-78(a)(2) to add an accessory dwelling unit to her single family dwelling. Representing the appeal is Raymond Veroneau, Jr., the owner's son in law. **The Board voted 4-0 to grant the conditional use appeal to allow the applicant to add an accessory dwelling unit.**

Enclosure:

Decision for Agenda from July 15, 2010

Original Zoning Board Decision

One dvd

CC: Joseph Gray, City Manager

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

Alex Jaegerman, Planning Division

members present; Jill Hunter - SARA Moppin - Bill Getz
Philip Sawyer
CITY OF PORTLAND, MAINE
Acting Sec.

ZONING BOARD OF APPEALS

member Absent - Gordon Smith

APPEAL AGENDA

called to order at 6:30 pm

The Board of Appeals will hold a public hearing on Thursday, July 15, 2010 at 6:30 p.m. on the second floor in room 209 at Portland City Hall, 389 Congress Street, Portland, Maine, to hear the following Appeals:

1. New Business:

A. Disability Variance Appeal:

4-0
granted

70 - 86 Oxford Street (25 Boyd Street), Portland Housing Authority, owner, Tax Map 022, Block H, Lot 001, R-6 Residential Zone: The appellant is seeking a disability variance under section 14-473(c)(2) to install a handicap ramp. The appellant is requesting a front yard setback of eight feet, ten inches instead of the minimum ten foot setback as required under section 14-139(d)(1). Representing the appeal is Stephen Thomas, architect.

B. Practical Difficulty Variance Appeal:

4-0
granted

23 Neal Street, Steven & Kari Brynes, owners, Tax Map 062, Block E, Lot 008, R-4 Residential Zone: The appellants are proposing to build a twenty-five foot by five foot farmer's porch on the front of their house. The appellants are requesting a variance from the required front yard setback of twenty-five feet to eighteen feet [section 14-105(d)(1)]. Representing the appeal is Zac Davis of Davis Fine Woodworking.

C. Disability Variance Appeal:

7-0
granted
in condition

3-11 Van Vechten Street, James & Elizabeth Quinn, owners, Tax Map 410, Block C, Lots 034, 035, 036 & 037, R-3 Residential Zone: The appellants are seeking a disability variance under section 14-473(c)(2) to install a handicap ramp. The appellants are requesting a front yard setback of three feet instead of the required twenty five foot setback [section 14-90(d)(1)]. The appellants are also requesting a side yard setback of six feet instead of the required eight foot setback [section 14-90(d)(3)]. Representing the appeal is Thomas Quinn, the owners' son.

Variance only lasts as long as the owner of the property requires handicap access.

D. Variance Appeal:

accepted
4-0
with admin

887-917 Riverside Street, Dan Bonner, COO of Spurwink School, Tax Map 326, Block B, Lot 004, I-M Industrial Zone: The use of the property at 899 Riverside Street as a Community Living Arrangement for eight disabled persons plus staff is legally nonconforming in the I-M Zone. The appellant is requesting a variance under section 14-382(c) to expand the volume and footprint of the building to bring the building into compliance with safety codes. Representing the appeal is Dan Bonner, the COO of Spurwink School.

4-0

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R-2 Residential Zone: The appellant is pursuing a conditional use appeal to add an accessory dwelling unit to her single family dwelling. Section 14- 78(a)(2)(g) requires that parking for the accessory dwelling unit shall meet the parking requirements. Section 14-332(a)(2) requires that one additional parking space is required for the additional unit. Section 14-336(a) states that the required off street parking cannot be located in the front yard setback. The appellant is requesting a variance for the front yard setback from a required twenty-five feet [section 14-80(d)(1)] to zero feet for the required off street parking. Representing the appeal is Raymond Veroneau, Jr., the owner's son in law.

Granted

4-0

F. Conditional Use Appeal:

90 Cobb Avenue, Bernice M. Profenno, owner, Tax Map 210, Block B, Lots 015 & 016,

R-2 Residential Zone: The appellant is seeking a Conditional Use Appeal under section 14-78(a)(2) to add an accessory dwelling unit to her single family dwelling. Representing the appeal is Raymond Veroneau, Jr., the owner's son in law.

Granted

2. Adjournment: — 7:45

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

Philip Saucier-chair
Sara Moppin
Jill E. Hunter
Gordan Smith-secretary
William Getz

July 20, 2010

Dan Bonner
Spurwink Services
899 Riverside Street
Portland, ME 04103

RE: 899 Riverside Street
CBL: 326 B004
ZONE: I-M

Dear Mr. Bonner:

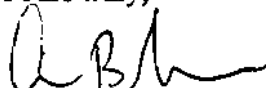
At the July 15, 2010 meeting, the Zoning Board of Appeals voted 4-0 to accept the withdrawal of your variance appeal application. I am enclosing a copy of the Board's decision.

Since you did not have to pursue a variance appeal, the remaining outstanding fees have been waived.

You need to apply for a building permit to bring the building into compliance. Since the current use is legally nonconforming, you need to include a letter from the State Fire Marshall's Office stating that the building is not in compliance with certain safety codes and what needs to be done to bring it into compliance [section 14-382(c)].

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

Yours truly,



Ann B. Machado
Zoning Specialist
(207) 874-8709

Cc. file



**City of Portland, Maine
 Department of Planning and Urban Development
 Zoning Board of Appeals
 Variance Appeal Application**

Applicant Information:

Name
SPURWINK SERVICES
 Business Name
879 RIVERSIDE ST
 Address
Sue Whitt House
(207) 871-1200
 Telephone Fax

Applicant's Right, Title or Interest in Subject Property

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

Current Zoning Designation: IM

Existing Use of Property:

COMMUNITY LIVING APP-
ROUMENTS FOR 8
DISABLED PERSONS PLUS
STAFF

Subject Property Information:

879 RIVERSIDE (CAPD 2093)
 Property Address
326-Booth
 Assessor's Reference (Chart-Block-Lot)
 Property Owner (if different):
 Name
 Address
 Telephone Fax
 Variance from Section 14 - 382

WITHDRAW

RECEIVED

JUN 25 2010

**Dept. of Building Inspections
 City of Portland Maine**

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

The undersigned hereby makes application for a variance 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.

[Signature]
 Signature of Applicant

26/25/10
 Date

Except as specifically provided by the ordinance, a variance may be granted by the Board only where strict application of the ordinance, or a provision thereof, to the petitioner and his property would cause undue hardship. In order for the Board to find "undue hardship", the applicant must answer ALL of the following questions, and provide supporting evidence. The Board will consider this evidence in deciding whether to grant the appeal.

1. Can the land yield a reasonable return (not the highest return) without the granting of a variance?

Yes _____ (deny the appeal) No X

Reasons SEE ATTACHED

2. Are there factors which are unique to this property, and not to the general conditions of the neighborhood, which create a need for a variance?

Yes X No _____ (deny the appeal)

Reasons SEE ATTACHED

3. Will the granting of the variance alter the essential character of the locality?

Yes _____ (deny the appeal) No X

Reasons SEE ATTACHED

4. Is the hardship a result of the action taken by the applicant or a prior owner (self-created hardship)?

Yes _____ (deny the appeal) No X

Reasons SEE ATTACHED

It is up to the applicant to decide whether to file an appeal after reviewing the above requirements.

1. Can the land yield a reasonable return (not the highest return) without the granting of a variance?

No.

The property could no longer provide a reasonable return. Without granting a variance to complete these code required improvements to the residence Spurwink would be forced to close the program.

2. Are there factors, which are unique to the property, and not the general conditions of the neighborhood, which create the need for a variance?

Yes.

The subject building in question, Sue Wright House, is the original Spurwink property that first housed 8 young boys and provided them with Residential Board Care. Without granting the variance Spurwink would lose an original piece of its 50-year history serving the public good.

3. Will the granting of the variance alter the essential character of the locality?

No.

Sue Wright House has operated as a Community Living Arrangement for 50 years and is in itself part of the essential character of the community. To deny the variance would do more to alter that character.

4. Is the hardship the result of the action taken by the applicant or a prior owner (self created hardship)?

No.

The hardship is the result of continually evolving building codes intended to preserve the safety and well being of the intended occupants.

GARRISON CONSULTING

June 25, 2010

Phillip Saucier, Chair
City of Portland Maine
Zoning Board of Appeals
389 Congress Street
Portland, Maine 04101

Re: Spurwink Services, 899 Riverside Street – Sue Wright House

Dear Mr. Saucier:

Attached please find (11) copies of a Variance Appeal Application for the Sue Wright House at 899 Riverside Street on the Spurwink Services campus. We are submitting this variance appeal to increase the volume of the facility as part of our effort to bring Sue Wright House into conformance with the requirements of the State Fire Marshall's Office, NFPA 101 - Life Safety Code Handbook and Federal Fair Housing requirements.

Presently Sue Wright House is approved as an Existing Non-Conforming use as a Community Living Arrangement for (8) persons of need plus the house parents / family in the IM Zone. This approved use dates back to 1960 when Spurwink began providing children of need with care. As part of ongoing regulatory review of the program itself, the State requires periodic review from the State Fire Marshall's office to ensure the facility meets the provisions of a continually evolving building code. During their most recent visit, the State Fire Marshall noted that Sue Wright house no longer meets the standards for Means of Escape in the Residential Care Occupancy chapter for Small Facilities. Specifically noted were NFPA Life Safety code sections 33.2, 33.2.2.2 & 33.2.3 among others.

This submission outlines how we propose to adapt Sue Wright House to meet the current code standards for Residential Care Occupancy – Small Facilities.

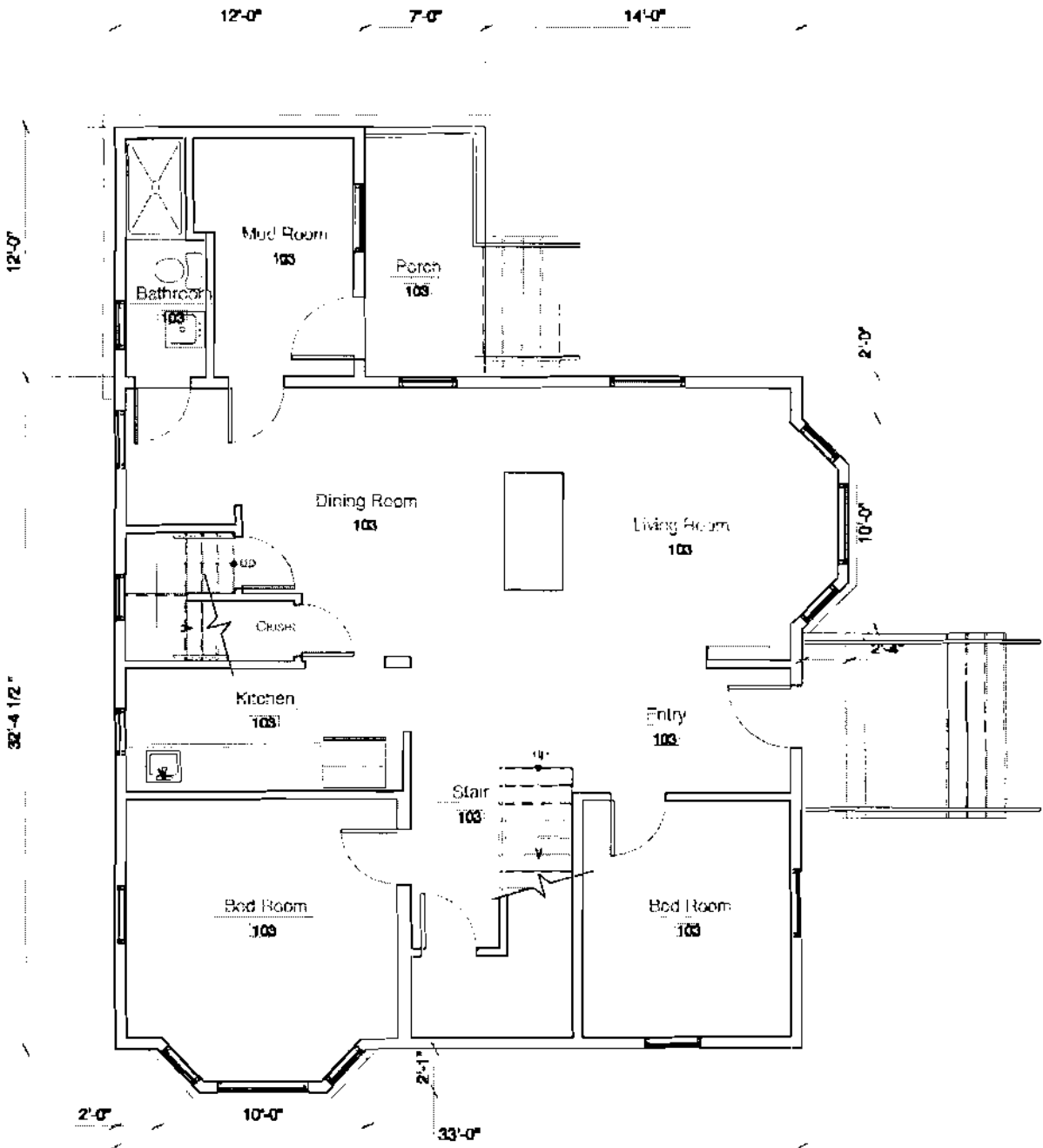
To summarize this proposal, Spurwink would build a new 1-hr enclosed stairway to provide safe evacuation from the facility. This new stair would be built within the existing footprint of the residence and spring upward from the existing 1-story mud-room located in the rear of the building. To alleviate safety concerns we also propose to extend a new porch off the back of the residence to help redirect rainwater and winter snow. Finally this submittal identifies some interior renovation to provide improved accommodation for the residents in the house.

We look forward to presenting this request to you in person at the next ZBA meeting.

Sincerely,

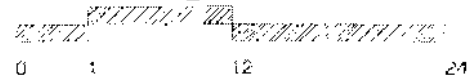


Matthew G Winch
Principal



10

Existing Floor Plan



41 edgewood ave
 portland, maine 04103
 telephone 207 450 0750

e-mail matthewwinch@earthlink.net

Sue Wright House

899 Riverside St.
 Portland, Maine

Existing Conditions First Floor Plan

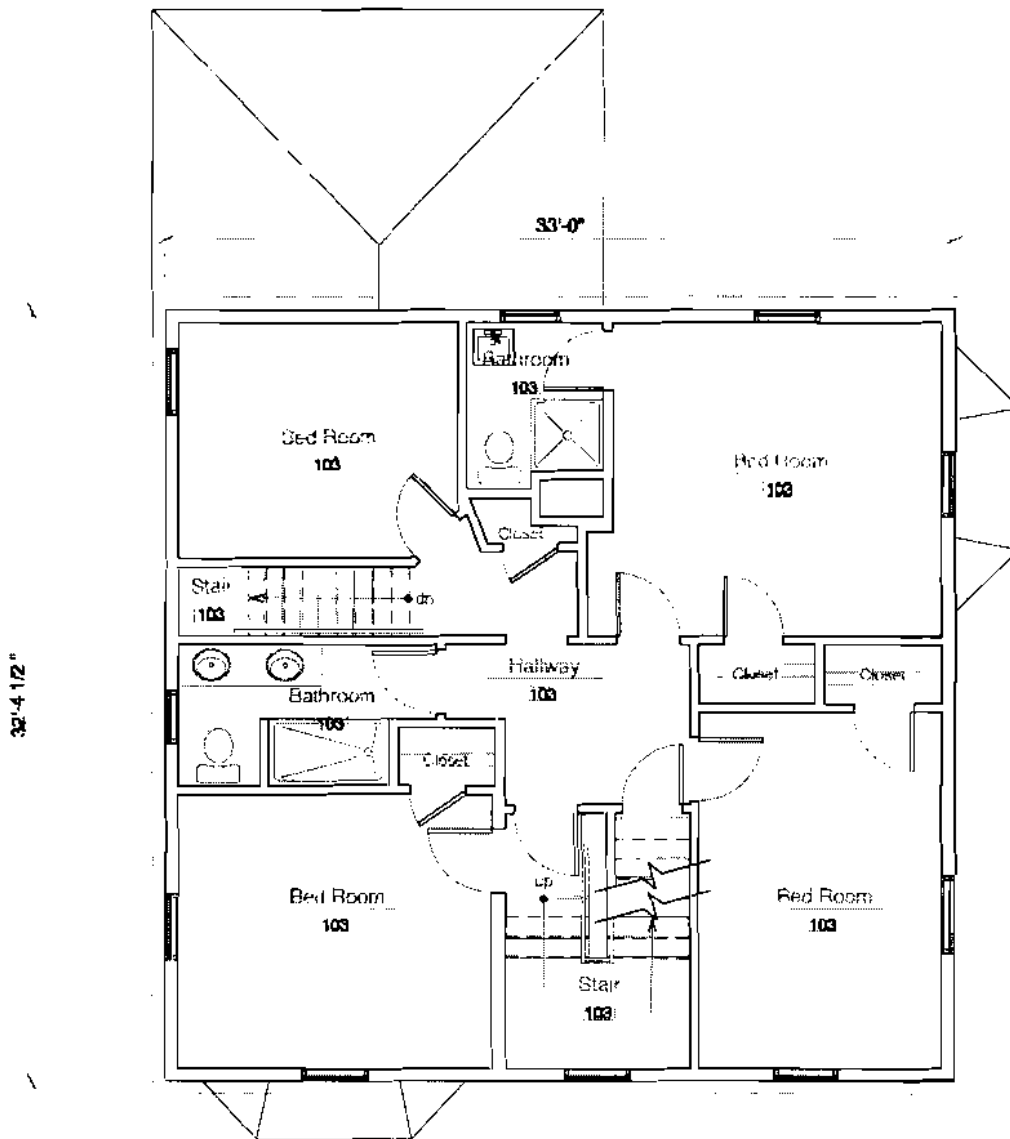
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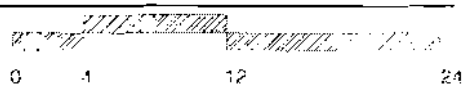
Project No: 2010-006

DWG NO:

EXTC-01



10 Existing Floor Plan



GARRISON
CONSULTING

41 eopewood ave.
portland, maine 04103
telephone 207 459 0730

e-mail mathewwinch@earthlink.net

Sue Wright House

899 Riverside St.
Portland, Maine

**Existing Conditions
Second Floor Plan**

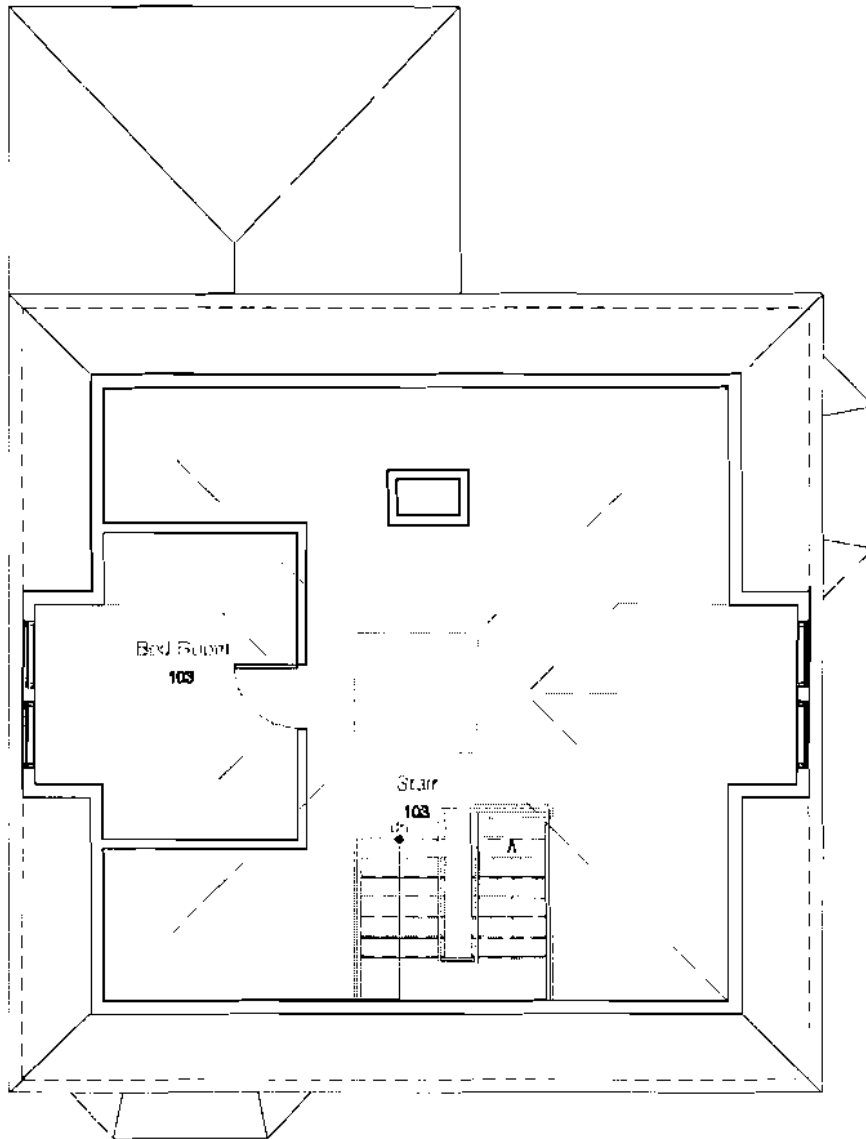
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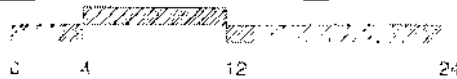
Project No: 2010-006

DWG NO:

EXTC-02



10 Existing Floor Plan



GARRISON
CONSULTING

41 edgewood ave
portland, maine 04103
telephone 207 450-0750

e-mail matthewwinch@garrison.net

Sue Wright House

899 Riverside St.
Portland, Maine

**Existing Conditions
Second Floor Plan**

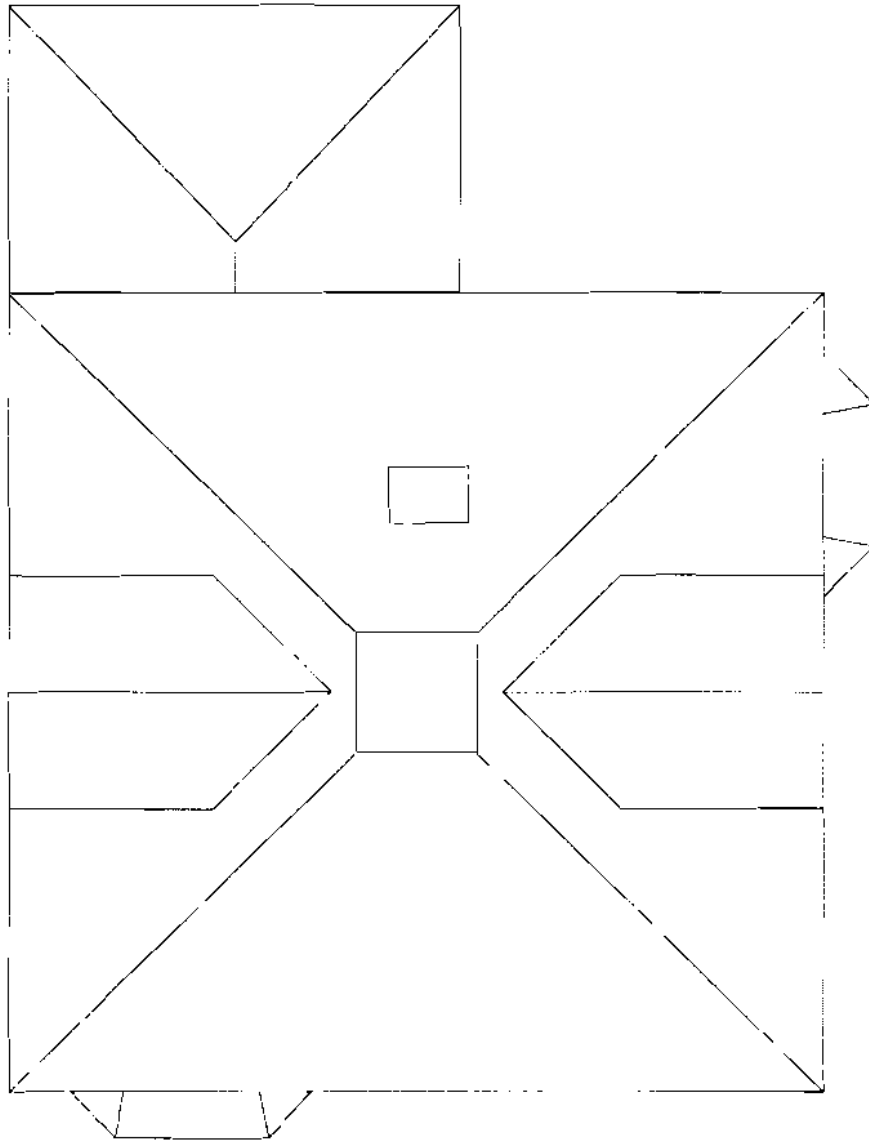
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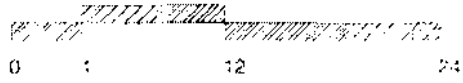
Project No: 2010-006

DWG NO:

EXTC-03



10 Existing Roof Plan



GARRISON
CONSULTING

41 edgewood ave
portland, maine 04103
telephone: 207 450 0750

e-mail: mathewwinch@earthlink.net

Sue Wright House

899 Riverside St.
Portland, Maine

**Existing Conditions
Second Floor Plan**

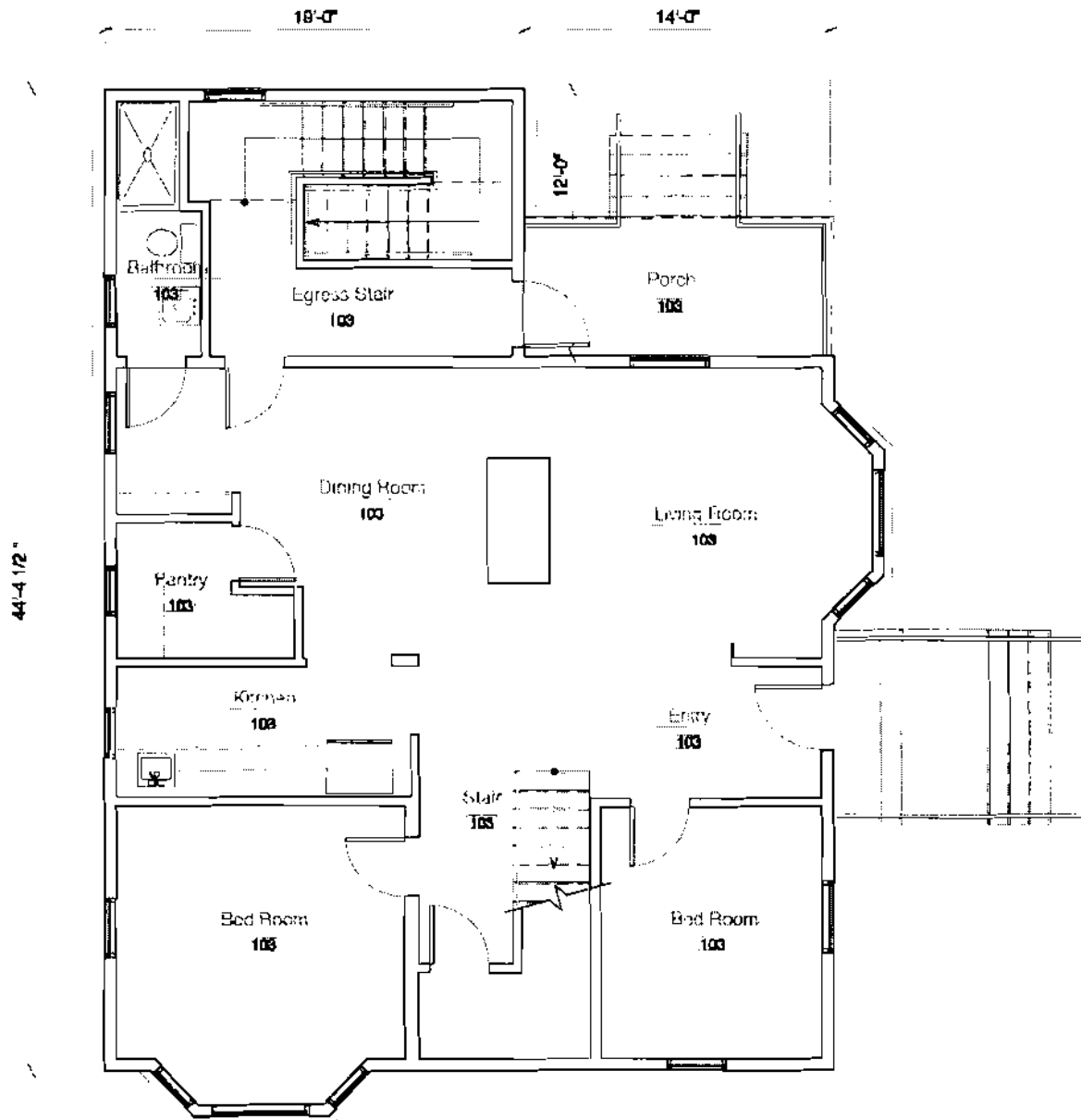
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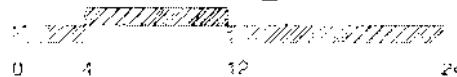
Project No: 2010-006

DWG NO:

EXTC-03



10 Proposed Floor Plan



GARRISON
CONSULTING

41 edgewood ave.
portland, maine 04103
telephone 207 450 0750

e-mail matthewwoch@earthlink.net

Sue Wright House

899 Riverside St.
Portland, Maine

**Proposed
First Floor Plan**

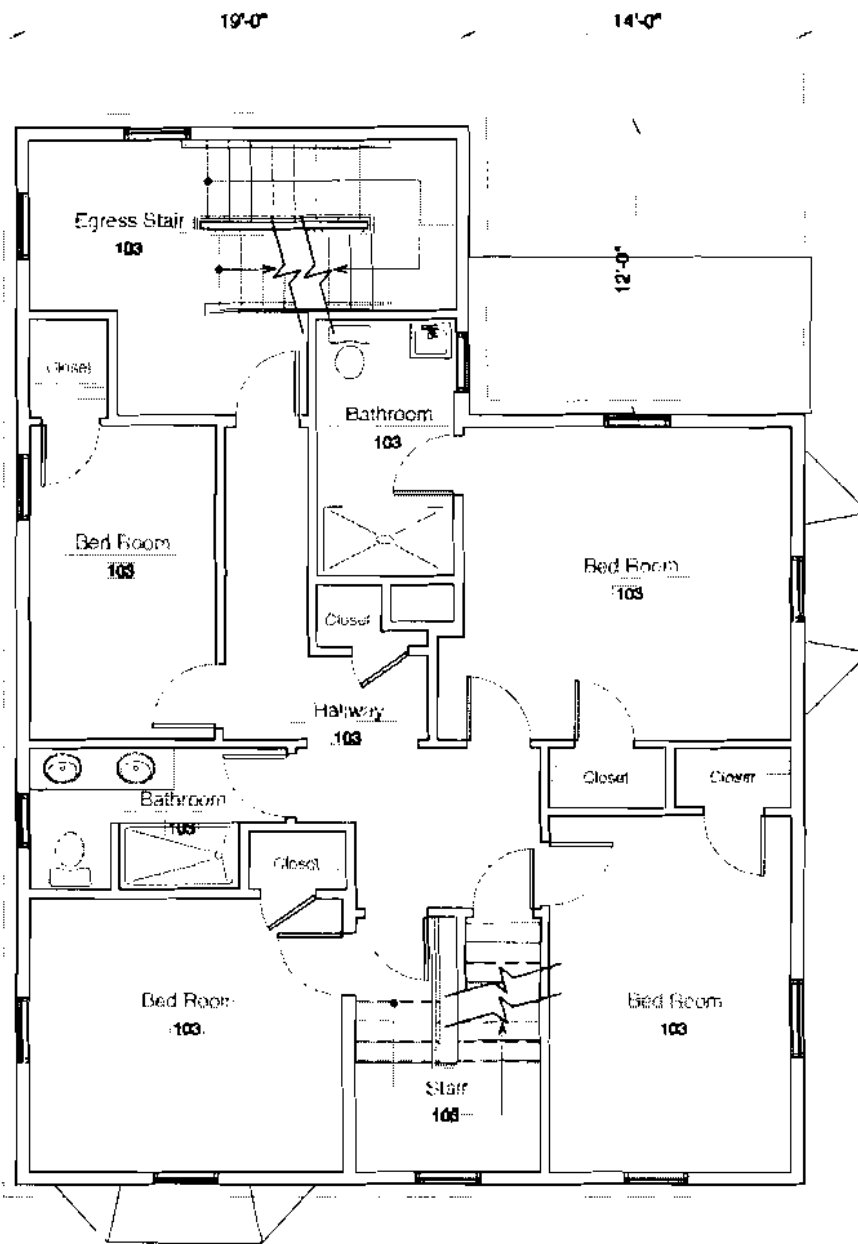
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Drawn By: MGW

Project No: 2010-006

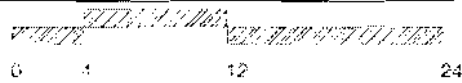
DWG NO:

SKA-01



10

Proposed Floor Plan



GARRISON
CONSULTING

41 edgewood ave
portland, maine 04103
telephone 207 450 0750

e-mail matt@winch@earthlink.net

Sue Wright House

899 Riverside St.
Portland, Maine

**Proposed
Second Floor Plan**

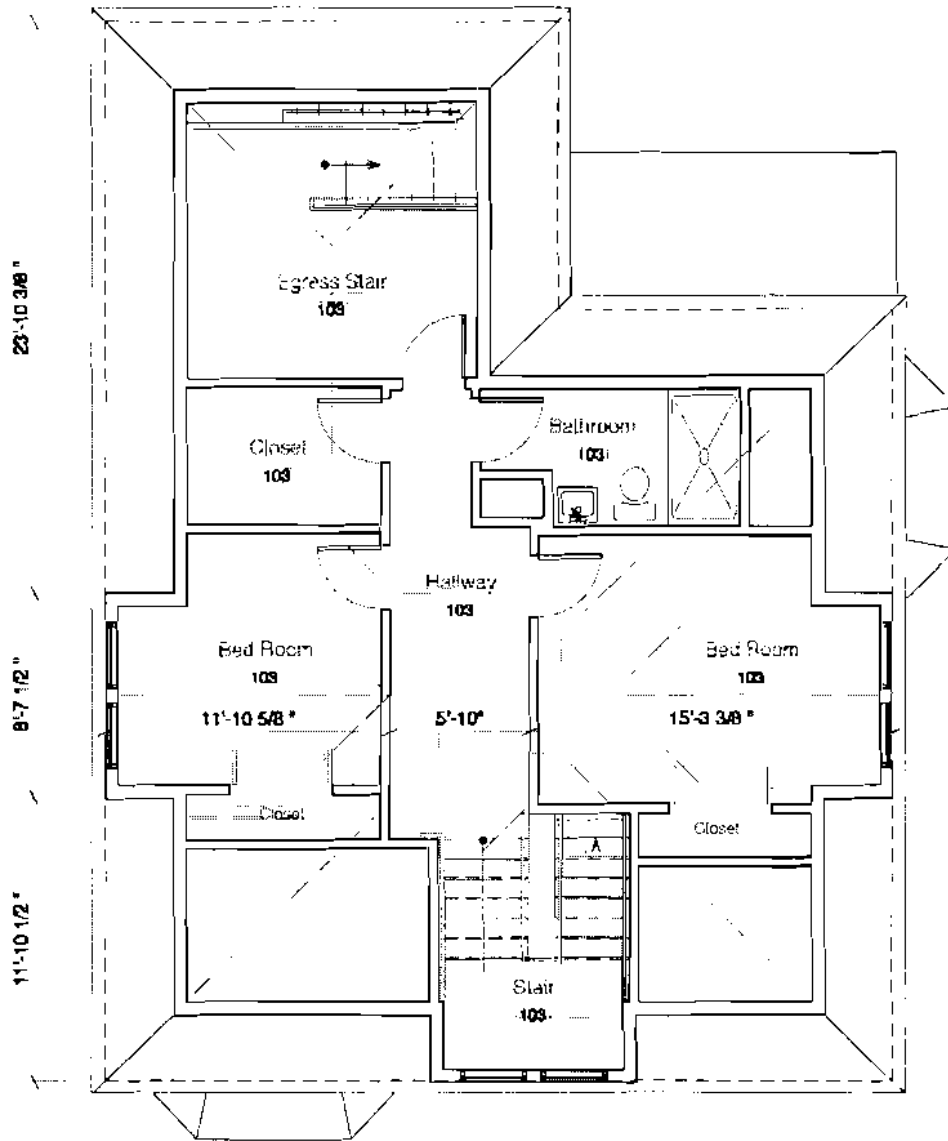
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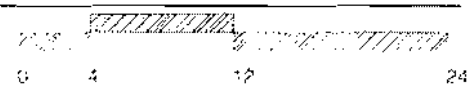
Project No: 2010-006

DWG NO:

SKA-02



10 Proposed Floor Plan



GARRISON
CONSULTING

41 edgewood ave
portland, maine 04113
telephone 207 450 0730

e mail mgw@earthlink.net

Sue Wright House

899 Riverside St.
Portland, Maine

**Proposed
Third Floor Plan**

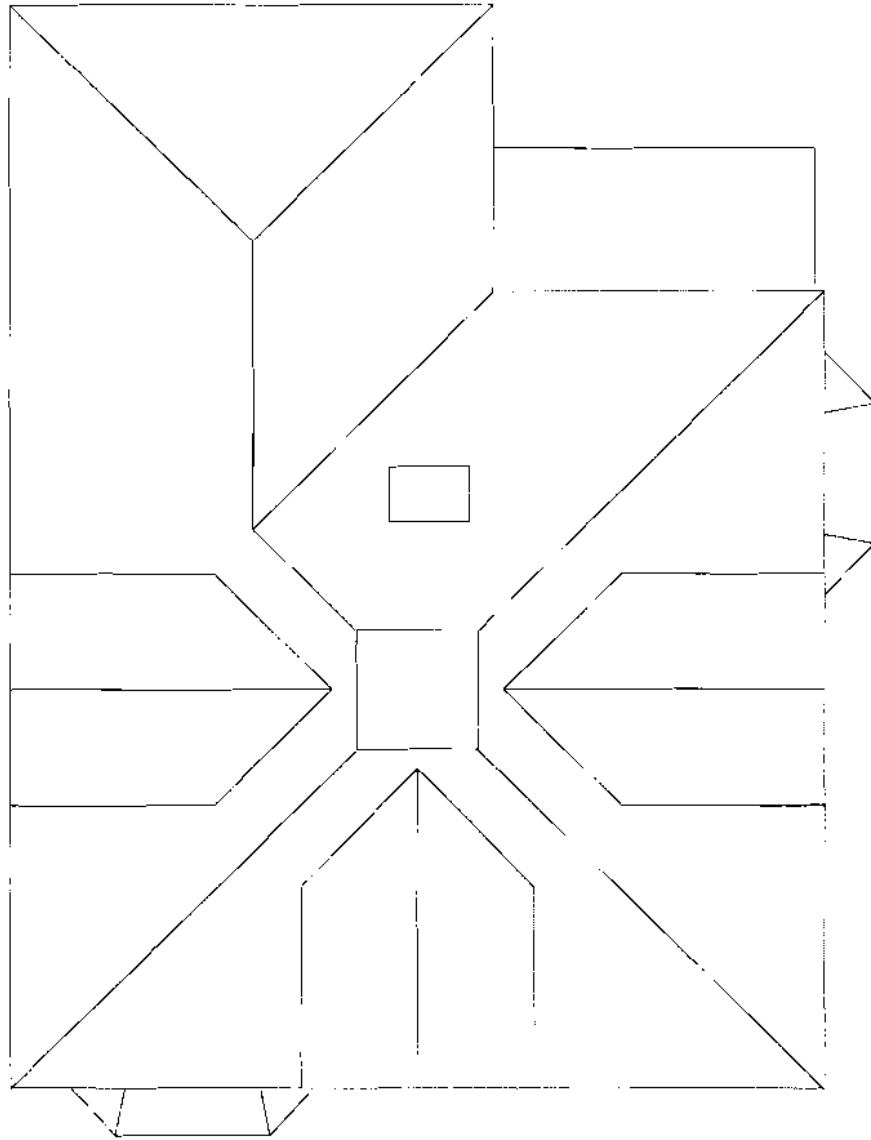
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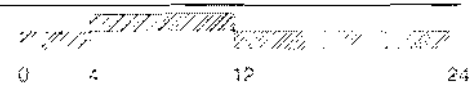
Project No: 2010-006

DWG NO:

SKA-03



10 Proposed Roof Plan



GARRISON
CONSULTING

41 edgewood ave
portland, maine 04103
telephone 207 456 0750

A mail mtotheworinch@arrment.net

Sue Wright House

899 Riverside St.
Portland, Maine

**Proposed
Roof Plan**

Scale: 1/8" = 1'-0" Date: 06/24/10

Drawn By: MGW

Project No: 2010-006

DWG NO:

SKA-04

EDGEFIELD LODGE, CASCO
10 CANDLEWYCK ROAD, PORTLAND
98 RACKLEFF SYREET, PORTLAND
899 RIVERSIDE STREET, PORTLAND
18 SONNET LANE, PORTLAND
342 WOODFORDS STREET, PORTLAND

WARRANTY DEED
Maine Statutory Short Form

No 82135 Bk 11161 Ps 333

KNOW ALL PERSONS BY THESE PRESENTS, that SPURWINK ASSOCIATES LIMITED PARTNERSHIP (f/k/a SPURWINK ASSOCIATES), a Maine limited partnership with a place of business in Portland, in the County of Cumberland and State of Maine, for consideration paid, GRANTS with WARRANTY COVENANTS TO:

THE SPURWINK SCHOOL, a not-for-profit corporation with a place of business in Portland, County of Cumberland, State of Maine, whose mailing address is 899 Riverside Street, Portland, Maine:

Parcel One - Edgefield Lodge, Casco: Two (2) certain lots or parcels of land with the buildings thereon, situated on the easterly side of the highway leading through Casco Village to Spurr's Corner, so-called, in the Town of Casco, County of Cumberland and State of Maine, being more particularly bounded and described on Exhibit A annexed hereto and made a part hereof.

Being a portion of the premises conveyed to Spurwink Associates by warranty deed of Richard M. Smith and Harvey J. Berman dated December 5, 1983 and recorded in the Cumberland County Registry of Deeds in Book 6342, Page 331.

Parcel Two - 10 Candlewyck Road, Portland: A certain lot or parcel of land with the buildings thereon, situated on Candlewyck Road, in the City of Portland, County of Cumberland and State of Maine, being more particularly bounded and described on Exhibit B annexed hereto and made a part hereof.

Being a portion of the premises conveyed to Spurwink Associates by warranty deed of Harvey J. Berman, et al. dated December 5, 1983 and recorded in said Registry of Deeds in Book 6342, Page 329.

Parcel Three - 98 Rackleff Street, Portland: A certain lot or parcel of land with the buildings thereon, situated on the southerly side of Rackleff Street, in the City of Portland, County of Cumberland and State of Maine, being more particularly bounded and described on Exhibit C annexed hereto and made a part hereof.

Being a portion of the premises conveyed to Spurwink Associates by warranty deed of Harvey J. Berman, et al. dated December 5, 1983 and recorded in said Registry of Deeds in Book 6342, Page 329.

Parcel Four - 899 Riverside Street, Portland: Two (2) certain lots or parcels of land with the buildings thereon, situated on the southeasterly side of Riverside Street, in the City of Portland, County of Cumberland and State of Maine, being more particularly bounded and described on Exhibit D annexed hereto and made a part hereof.

MAINE REAL ESTATE TAX PAID

82135 B

Being a portion of the premises conveyed to Spurwink Associates by warranty deed of The Spurwink Riverside Corporation dated December 5, 1983 and recorded in said Registry of Deeds in Book 6342, Page 336.

Parcel Five - 18 Sonnet Lane, Portland: A certain lot or parcel of land with the buildings thereon, situated on the southerly side of Sonnet Lane, in the City of Portland, County of Cumberland and State of Maine, being more particularly bounded and described on Exhibit E annexed hereto and made a part hereof.

Being the same premises conveyed to Spurwink Associates by warranty deed of Janice M. Hawkins-Donovan dated February 20, 1990 and recorded in said Registry of Deeds in Book 9092, Page 15.

Parcel Six - 342 Woodfords Street, Portland: A certain lot or parcel of land with the buildings thereon, situated on Woodfords Street, in the City of Portland, County of Cumberland and State of Maine, being more particularly bounded and described on Exhibit F annexed hereto and made a part hereof.

Being a portion of the premises conveyed to Spurwink Associates by warranty deed of Harvey J. Berman, et al. dated December 5, 1983 and recorded in said Registry of Deeds in Book 6342, Page 329.

IN WITNESS WHEREOF, the said SPURWINK ASSOCIATES LIMITED PARTNERSHIP has caused this instrument to be signed this 13th day of December, 1993.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF

[Signature]

SPURWINK ASSOCIATES LIMITED
PARTNERSHIP

BY [Signature]
David Lakaw
Its Gen. Mgr.

STATE OF MAINE
COUNTY OF CUMBERLAND

December 13, 1993

Personally appeared the above-named David Lakaw, in his said capacity, and acknowledged the foregoing to be his free act and deed, and the free act and deed of said corporation, before me.

[Signature]
Notary Public/Attorney at Law

David A. Anderson
Printed Name

EXHIBIT D899 Riverside Street, Portland, Maine

A certain lot or parcel of land located in the City of Portland, County of Cumberland, and State of Maine, bounded and described as follows:

Beginning at a stone monument in the southeasterly side of Riverside Street, which monument marks the southwesterly corner of land conveyed by Jefferson H. Hodges, et al. to Richard M. Smith by deed dated July 12, 1960, and recorded in the Cumberland County Registry of Deeds, Book 2553, Page 229; THENCE, southeasterly along line of land formerly of said Smith and now of Spurwink Associates 417.8 feet to the southeasterly corner thereof; THENCE, continuing southeasterly along line of land conveyed by Jefferson H. Hodges, et al. to Riverside Industrial Park, Inc. by deed dated February 24, 1964 and recorded in said Registry in Book 2806, Page 441, 138.06 feet, more or less, to a fence which marked the line of land formerly of Lydia J. Stevens; THENCE, southwesterly 404.13 feet to an angle in said fence; THENCE, northwesterly 551.63 feet by line of said fence and over a stone monument to the southeasterly side of Riverside Street; THENCE, northeasterly by said Riverside Street 408.84 feet, more or less, to the stone monument at the point of beginning. Containing 5.16 acres, more or less.

Also, a certain lot or parcel of land with the buildings thereon situated on the southeasterly side of Riverside Street in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

Beginning at a stone monument in the southeasterly side of Riverside Street, said stone monument being distant 408.84 feet, northeasterly from the northwesterly corner of the land conveyed to Jefferson H. Hodges and Edith G. Hodges by Arthur H. Jones by deed dated January 22, 1942, and recorded in Book 1667, Page 123; THENCE, North 36° 23' East along the southeasterly sideline of Riverside Street, a distance of 414.43 feet, to an iron; THENCE, South 42° 32' East, a distance of 425.4 feet to a point; THENCE, South 36° 18' West a distance of 353.3 feet to a point; THENCE, North 51° 03' West a distance of 417.8 feet, more or less, to the monument in the southeasterly sideline of Riverside Street and the point of beginning.

Together with the benefit of the rights reserved as set forth in the deed to Corley Family Realty Limited Partnership dated September 30, 1988, and recorded in Book 8467, Page 86, that no building or paving shall be constructed or placed within 30 feet of the southwesterly sideline of Spurwink Associates' remaining land and landscaping shall substantially adhere to the plans of Corley Family Realty Limited Partnership, approved by Spurwink Associates. This condition shall run with the land and shall bind Spurwink Associates and Corley Family Realty Limited Partnership herein, their respective successors and assigns, and all parties claiming by, through, or under them, so long as Spurwink Associates maintains the same buffer in which no building or paving shall be constructed or placed within 30 feet of Corley Family Realty Limited Partnership's northeasterly sideline.

Accepting that certain lot or parcel of land conveyed to Corley Realty Limited Partnership by deed dated September 30, 1988, recorded in Book 8497, Page 86, and bounded and described as follows:

A certain lot or parcel of land situated on the southeast side of Riverside Street, in the City of Portland, County of Cumberland and State of Maine:

Beginning at a point on the southeast sideline of Riverside Street marking the westerly corner of land herein described and the northerly corner of land now or formerly of Eve Mitchell, said point being North 50° 22' 1.2" West 11.47 feet from a granite monument; THENCE, North 38° 26' 30" East along the southeasterly side of said Riverside Street 408.84 feet to an angle point; THENCE, North 36° 47' 33.6" East along the southeasterly side of said Riverside Street 14.12 feet to a point marking the northerly corner of land herein described and land of Spurwink Associates; THENCE, South 51° 33' 30" East 421 feet along land of Spurwink Associates to a point marking and easterly corner of land herein described and land now or formerly of the City of Portland; THENCE, South 36° 18' West 29.17 feet along land now or formerly of the City of Portland to an iron pipe marking a corner of land herein described; THENCE, South 51° 03' East 138.06 feet along land of the City of Portland to an iron pipe marking the easterly corner of land herein described and land now or formerly of Riverside Industrial Park; THENCE, South 39° 36' 30" West 404.13 feet along land of Riverside Industrial Park to an iron pipe marking the southerly corner of land herein described and land now or formerly of Mount Holyoke College; THENCE, North 50° 22' 1.2" West 540.16 feet along land now or formerly of Mount Holyoke College and Eve Mitchell to a granite monument; THENCE, North 50° 22' 1.2" West 11.47 feet along land now or formerly of Eve Mitchell to the southeast sideline of Riverside Street and the point of beginning, containing 5.377 acres.

No 326



RIVERSIDE STREET 325-A

INDUSTRIAL WAY

WESTERLY LIMIT OF M.T.A. R/W SHEET 326-A

MAINE TURNPIKE

CITY OF PORTLAND ASSESSORS PLAN SCALE 1" = 50'

REVISED 1-78

SHEET 327A-A



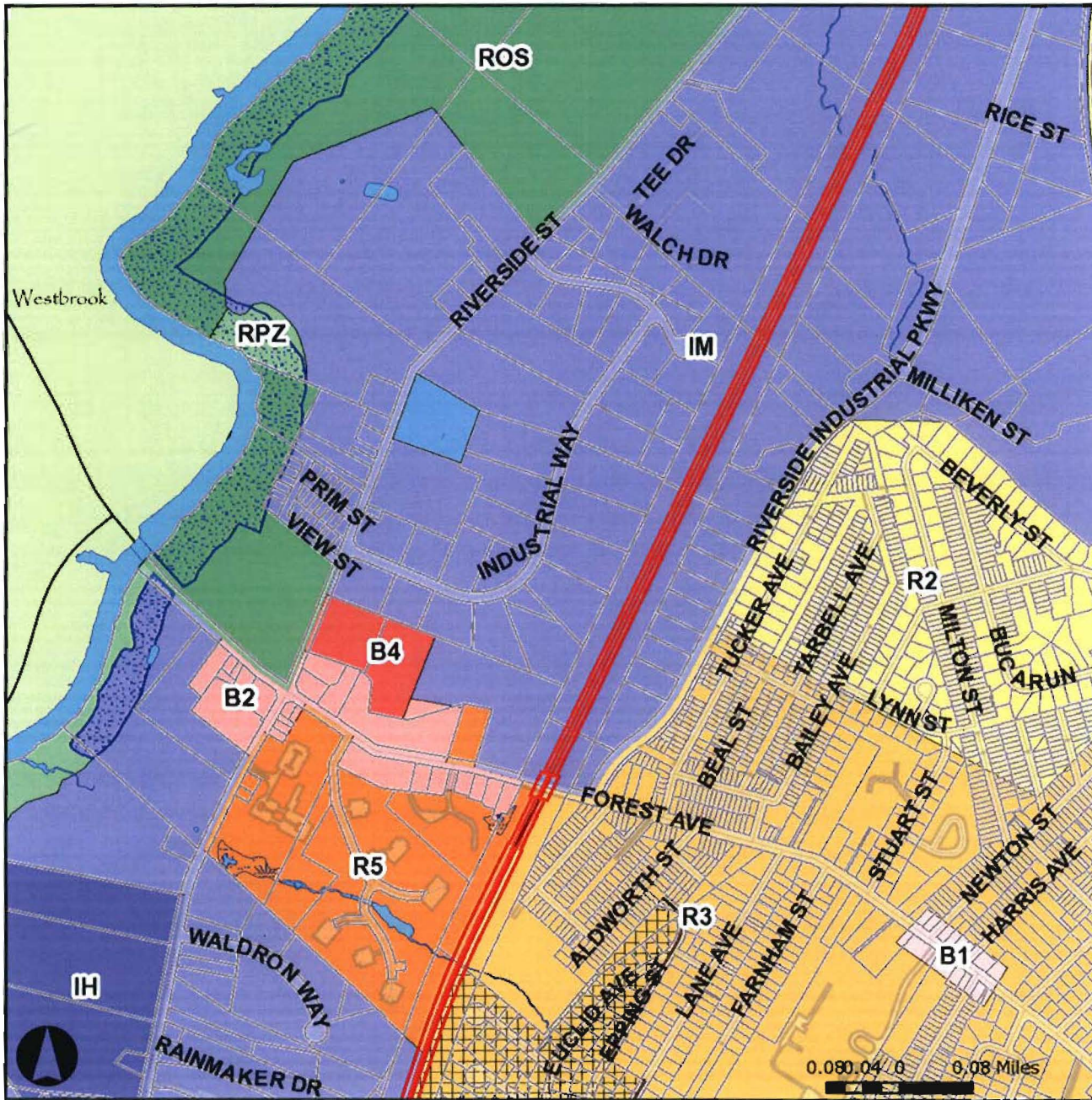
View of front door (top)
View from Riverside St (bottom)



View looking south from Riverside St (top)
View of the north side of the residence (bottom)



Map



Parcels	Island Zoning (continued)	Zoning (continued)	Zoning (continued)
Interstate	I-R1	R6 Residential	C28
Streets	I-R2	ROS Recreation Open	C29
Parcels	I-R3	Space	C30
Traveled Ways	ROS	RP Residential Professional	C31
	RPZ	RPZ Resource Protection	none
	Zoning	WCZ* Waterfront	B2c
	AB Airport Business		C32

(COPY)



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 899 Riverside St.

Issued to Richard N Smith
899 Riverside St.

Date of Issue October 11, 1961

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. 60/970, 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
Residence School for mentally
disturbed children.

Limiting Conditions:
No more than eight children.
Third floor not to be used.

This certificate supersedes
certificate issued

Approved:

(Date)

Inspector

Inspector of Buildings

Notes: 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.



- ★ Project 10-59400002
- Bonds
- Conditions
- Documents
- ~~Documents~~
- Key dates
- Locations
- Notices letters
- Project data
- Project names
- Project text
- Receipts
- Reviews
- Review steps
- Active review action
- Active review agent

Project General Information

Project description: VARIANCE APPEAL, 899 RIVERSIDE STREET - NONCONFORMING USE AS GROUP HOME, NEEDS TO BE ZONED
 Project type: ZONING USE VARIANCE ZUV
 Project Title: 899 RIVERSIDE ST.
 Applicant: DAN BONNER
 Project status: *ACTIVE Withdrawn* AC-W/D
 PIN number: 6367
 Application date: 6/28/2010
 Planner assigned: ANN MACHADO ABM
 Accounting project:
 Dwelling units: 0
 Total square footage: 0
 Building Permits notify: NONE
 Permit process:

Fee Transactions				
	NOTICING ZONING BOARD	.00	.00	.00
	ZONING BOARD OF APPEALS	100.00	.00	100.00
Fee totals		100.00	.00	100.00

- Print
- Cancel
- Exit
- Refresh

City of Portland

DATE: 6/28/10

TIME: 9:43:03

PZ CASH RECEIPT

PROJECT #: 10-59400002

PROJECT DESC: VARIANCE APPEAL, 899 RIVERSIDE STREET -

RECEIVED FROM: Dan Bonner

RECEIPT NUMBER:

FEE	DESCRIPTION	CREDIT	PAYMENT
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Z1	ZONING BOARD OF APPEALS		100.00
		TOTAL AMOUNT:	100.00

CBL	OWNER	OWNER MAILING ADDRESS	PROPERTY LOCATION	UNITS
	100 INDUSTRIAL WAY LLC	PO BOX 1922 PORTLAND, ME 04103	100 INDUSTRIAL WAY	1
	50 INDUSTRIAL WAY LLC	50 INDUSTRIAL WAY PORTLAND, ME 04103	50 INDUSTRIAL WAY	1
	AASKOV DANA B TRUSTEE	900 RIVERSIDE ST PORTLAND, ME 04103	900 RIVERSIDE ST	1
	ADVANCED LEACHFIELDS LLC	PO BOX 338 WESTBROOK, ME 04098	862 RIVERSIDE ST	0
	CURRY MANNING LLC	PO BOX 103 SLINGERLANDS, NY 12159	956 RIVERSIDE ST	1
	DAIRY TIMES LLC	100 COMMERCIAL ST PORTLAND, ME 04101	14 INDUSTRIAL WAY	1
	DAIRY TIMES LLC	100 COMMERCIAL ST PORTLAND, ME 04101	847 RIVERSIDE ST	0
	DEUBEN SHANE E	19 PRIM ST PORTLAND, ME 04103	19 PRIM ST	1
	ELIKRIS LLC	17 COLEMAN WAY FALMOUTH, ME 04105	146 INDUSTRIAL WAY	0
	ELIKRIS REALTY LLC	126 INDUSTRIAL WAY PORTLAND, ME 04103	126 INDUSTRIAL WAY	1
	FOURNELLE'S REALTY LLC	PO BOX 338 WESTBROOK, ME 04098	872 RIVERSIDE ST	1
	GRIMALDI MARIO J	422 CAPISIC ST PORTLAND, ME 04102	874 RIVERSIDE ST	0
	GRIMALDI MARIO J	442 CAPISIC ST PORTLAND, ME 04102	884 RIVERSIDE ST	1
	HARVEY WENYOY	858 RIVERSIDE ST PORTLAND, ME 04103	858 RIVERSIDE ST	1
	KOWABUNGA LLC	100 SILVER ST PORTLAND, ME 04101	921 RIVERSIDE ST	1
	MATHEWS ARTHUR E & JEANNE D JTS	858 RIVERSIDE ST PORTLAND, ME 04103	858 RIVERSIDE ST	1
	MICUCCI BROTHERS	961 RIVERSIDE ST PORTLAND, ME 04103	969 RIVERSIDE ST	1
	NORTHEASTERN GRAPHIC INC	PO BOX 1418 PORTLAND, ME 04104	INDUSTRIAL WAY	0
	PECOR RAYMOND JR & JAN ROSENTHAL TRUSTEE	506 HERCULES DR COLCHESTER, VT 05448	867 RIVERSIDE ST	32
	RIVERSIDE REALTY LLC	6 DOLLYS WAY SCARBOROUGH, ME 04074	892 RIVERSIDE ST	2
	SPURWINK SCHOOL	899 RIVERSIDE ST PORTLAND, ME 04103	899 RIVERSIDE ST	7
	TURNPIKE PROPERTIES LLC	405 WESTERN AVE # 517 SOUTH PORTLAND, ME 04106	110 INDUSTRIAL WAY	1

