DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

CITY OF PORTLAND

BUILDING PERMIT

This is to certify that RICHARD LIBBY

Located At 495 ALLEN AVE

Job ID: 2011-10-2378-CH OF USE

CBL: 400- D-012-001

has permission to Change of Use add Accessory Dwelling Unit No Const
provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statues of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of the buildings and structures, and of the application on file in the department.

Notification of inspection and written permission procured before this building or part thereof is lathed or otherwise closed-in. 48 HOUR NOTICE IS REQUIRED.

A final inspection must be completed by owner before this building or part thereof is occupied. If a certificate of occupancy is required, it must be

Fire Prevention Officer

Code Enforcement Officer / Plan Reviewer

THIS CARD MUST BE POSTED ON THE STREET SIDE OF THE PROPERTY

PENALTY FOR REMOVING THIS CARD

PORTLAND MAINE

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

Director of Planning and Urban Development
Penny St. Louis

Job ID: 2011-10-2378-CH OF USE **Located At:** 495 ALLEN AVE **CBL:** 400- D-012-001

Conditions of Approval:

Zoning

1. With the issuance of this permit and the certificate of occupancy, this property shall remain a single family dwelling with an accessory dwelling unit. All of the Conditional Use requirements must be maintained including the condition that the owner must live in one of the units. Any change of use shall require a separate permit application for review and approval.

Fire

All construction shall comply with City Code Chapter 10.

A separate no fee One- or Two-family Fire Sprinkler Permit is required.

All smoke detectors and smoke alarms shall be photoelectric.

Hardwired Carbon Monoxide alarms with battery back up are required on each floor.

A sprinkler system is recommended but not required based on the following:

Plans indicate the addition will not exceed _30% of the total completed structure.

City of Portland, Maine - Building or Use Permit Application

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

Job No:	Date Applied:	CBL:
2011-10-2378-CH OF USE	**10/5/2011**	**400- D-012-001**

Location of Construction:	Owner Name:	Owner Address:	Phone:
495 ALLEN AVE	**RICHARD LIBBY**	**495 ALLEN AVE** **PORTLAND, ME 04103**	207-653-4185
Business Name:	Contractor Name: Owner	Contractor Address:	Phone:
Lessee/Buyer's Name:	Phone:	Permit Type: **CHUSE-DW - Change of Use - Dwelling**	Zone: **R-3**
Past Use: Single family	Proposed Use: Single family with accessory dwelling unit – work done under permit #10-1127	Cost of Work: **1000.00**	CEO District:
		Fire Dept: ✓ Approved w/conditions ___ Denied ___ N/A Signature: Capt. Pierce 11/3/11	Inspection: Use Group: R3 Type: 5B IRC 03 Signature:

Proposed Project Description:	Pedestrian Activities District (P.A.D.)
Change of Use add Accessory Dwelling Unit No Const	

Permit Taken By:

1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.
2. Building Permits do not include plumbing, septic or electrial work.
3. Building permits are void if work is not started within six (6) months of the date of issuance. False informatin may invalidate a building permit and stop all work.

Zoning Approval

Special Zone or Reviews	Zoning Appeal	Historic Preservation
___ Shoreland	___ Variance	✓ Not in Dist or Landmark
___ Wetlands	___ Miscellaneous	___ Does not Require Review
___ Flood Zone	✓ Conditional Use	___ Requires Review
___ Subdivision	___ Interpretation	___ Approved
✓ Site Plan Admin Action #10-6991 00037 extended 1 year ___ Maj ___ Min ___ MM	✓ Approved to ___ Denied	___ Approved w/Conditions
		___ Denied
Date: Ok w/ condition 10/25/11 AGM	Date: 10/20/11	Date: ABM

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 appication 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

2011-10-2378

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: 495r ALLEN AVE, PORTLAND, 04103

Total Square Footage of Proposed Structure/Area	Square Footage of Lot	Number of Stories
684 ft	22,940	1 1/2

Tax Assessor's Chart, Block & Lot			Applicant *must be owner, Lessee or Buyer*	Telephone:
Chart#	Block#	Lot#	Name Richard Libby	207-653-4185
400	D	12	Address 495r ALLEN AVE	
			City, State & Zip PORTLAND, ME 04103	

Lessee/DBA (If Applicable)	Owner (if different from Applicant)	Cost Of Work: $
	Name	C of O Fee: $
	Address	Total Fee: $
	City, State & Zip	

Current legal use (i.e. single family) Single family Number of Residential Units 1
If vacant, what was the previous use? N/A
Proposed Specific use: Single family w/ accessory dwelling unit
Is property part of a subdivision? No If yes, please name
Project description:
Change of use - no construction

Contractor's name: N/A
Address:
City, State & Zip Telephone:
Who should we contact when the permit is ready: RICHARD Libby Telephone: 653-4185
Mailing address: same

10-5-11

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: Richard Libby Date: 10-5-11

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

Revised 01-20-10

Ann Machado - 495 Allen Avenue

From: Barbara Barhydt
To: Machado, Ann
Date: 11/2/2011 4:08 PM
Subject: 495 Allen Avenue

Permit # 2011-10-2378

400-D-12

Hi Ann:

I approved the administrative authorization for this project on November 3, 2010. Mr. Libby requested a one year extension on October 26, 2011. I am granting the extension.

Thank you.

Barbara

Barbara Barhydt
Development Review Services Manager
Planning Division
389 Congress Street 4th Floor
Portland, ME 04101
(207) 874-8699
Fax: (207) 756-8256
bab@portlandmaine.gov

Application for Administrative Authorization 10-6700037

Portland, Maine

Planning and Urban Development Department, Planning Division

PROJECT NAME: Richard Libby

PROJECT ADDRESS: 495r Allen Ave **CHART/BLOCK/LOT:** 400 D012

APPLICATION FEE IS $50:_____ **PROJECT DESCRIPTION:** **(Please Attach Sketch/Plan of Proposal/Development)**

CONTACT INFORMATION:

RECEIVED
NOV 2 2010
City of Portland
Planning Division

OWNER/APPLICANT		CONSULTANT/AGENT	
Name:	Richard Libby	Name:	None
Address:	495r Allen Ave Portland,	Address:	
Zip Code:	04103	Zip Code:	
Work #:	N/a	Work #:	
Cell #:	653-4185	Cell #:	
Fax #:	n/a	Fax #:	
Home #:	653-4185	Home #:	
E-mail:	rlibby10@maine.rr.com	E-mail:	

Criteria for an Adminstrative Authorizations:
(See Section 14-523 (4) on page 2 of this application)

		Applicant's Assessment Y(yes), N(no), N/A	Planning Division Use Only
a)	Is the proposal within existing structures?	Y	Y
b)	Are there any new buildings, additions, or demolitions?	N	N
c)	Is the footprint increase less than 500 sq. ft.?	Y	No increase
d)	Are there any new curb cuts, driveways or parking areas?	N	N
e)	Are the curbs and sidewalks in sound condition?	Y	Y
f)	Do the curbs and sidewalks comply with ADA?	Y	Y
g)	Is there any additional parking?	N	N
h)	Is there an increase in traffic?	N	N
i)	Are there any known stormwater problems?	N	N
j)	Does sufficient property screening exist?	Y	Y
k)	Are there adequate utilities?	Y	Y
l)	Are there any zoning violations?	N	N
m)	Is an emergency generator located to minimize noise?	N/a	NA
n)	Are there any noise, vibration, glare, fumes or other impacts?	N	N

IMPORTANT NOTICE TO APPLICANT: The granting of an Administrative Authorization to exempt a development from site plan review does not exempt this proposal from other approvals or permits, nor is it an authorization for construction. You should first check with the Building Inspections Office, Room 315, City Hall (207) 874-8703, to determine what other City permits, such as a building permit, will be required.

Signature of Applicant:	Date:
Richard Libby	10-19-10

Approved with condition to obtain all required building permits
Barbara Barhydt, Dev. Review Services Mgr - Nov 3, 2010

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS

ZONING BOARD APPEAL
DECISION

To: City Clerk
From: Marge Schmuckal, Zoning Administrator
Date: October 21, 2011
RE: Action taken by the Zoning Board of Appeals on October 20, 2011.

Members Present: William Getz, Elyse Wilkinson, Gordon Smith (secretary), Phil Saucier (chair), Mark Bower and Sara Moppin

Members Absent: Matthew Morgan

1. Old Business
A. Interpretation Appeal:
512 Island Avenue, Peaks Island, Keith Ivers, prospective buyer, Tax Map 090, Block AA, Lots 001, 002 & 005, I-B Island Business Zone: The applicants are challenging the Zoning Administrator's determination that the proposed parking of fuel trucks and other trucks is permitted in the I-B Zone as "off-street parking" [sections 14-233(f) & 14-331]. Representing the appeal is David A. Lourie, esquire. The Zoning Board of Appeals heard the appeal on October 13, 2011. The Board will vote on the final findings of fact and take the final vote at the October 20, 2011 meeting. **The Zoning Board of Appeals voted 5-0 to approve the findings of fact and voted 5-0 to deny the appeal (Phil Saucier recused himself).**

2. New Business
A. Practical Difficulty Variance Appeal:
96-100 Dorset Street, Sally B. Trice, owner, Tax Map 275, Block I, Lot 031, R-3 Residential Zone: The applicant is proposing to replace an existing side entry porch with a larger entry porch. The appellant is requesting a variance for the front setback from the required twenty-five feet to twenty-four feet, four inches [section 14-90(d)(1)]. Representing the appeal is the owner. **The Board voted 6-0 to deny the variance to reduce the required front setback in order to expand the side porch.**

B. Conditional Use Appeal:
491-501 Allen Avenue, Richard Libby, owner, Tax Map 400, Block D, Lot 012, R-3 Residential Zone: The applicant was granted a Conditional Use Appeal on October 7, 2010 to add an accessory dwelling unit to his single family dwelling [section 14-88(a)(2)]. The Conditional Use approval expired. The appellant is again seeking a

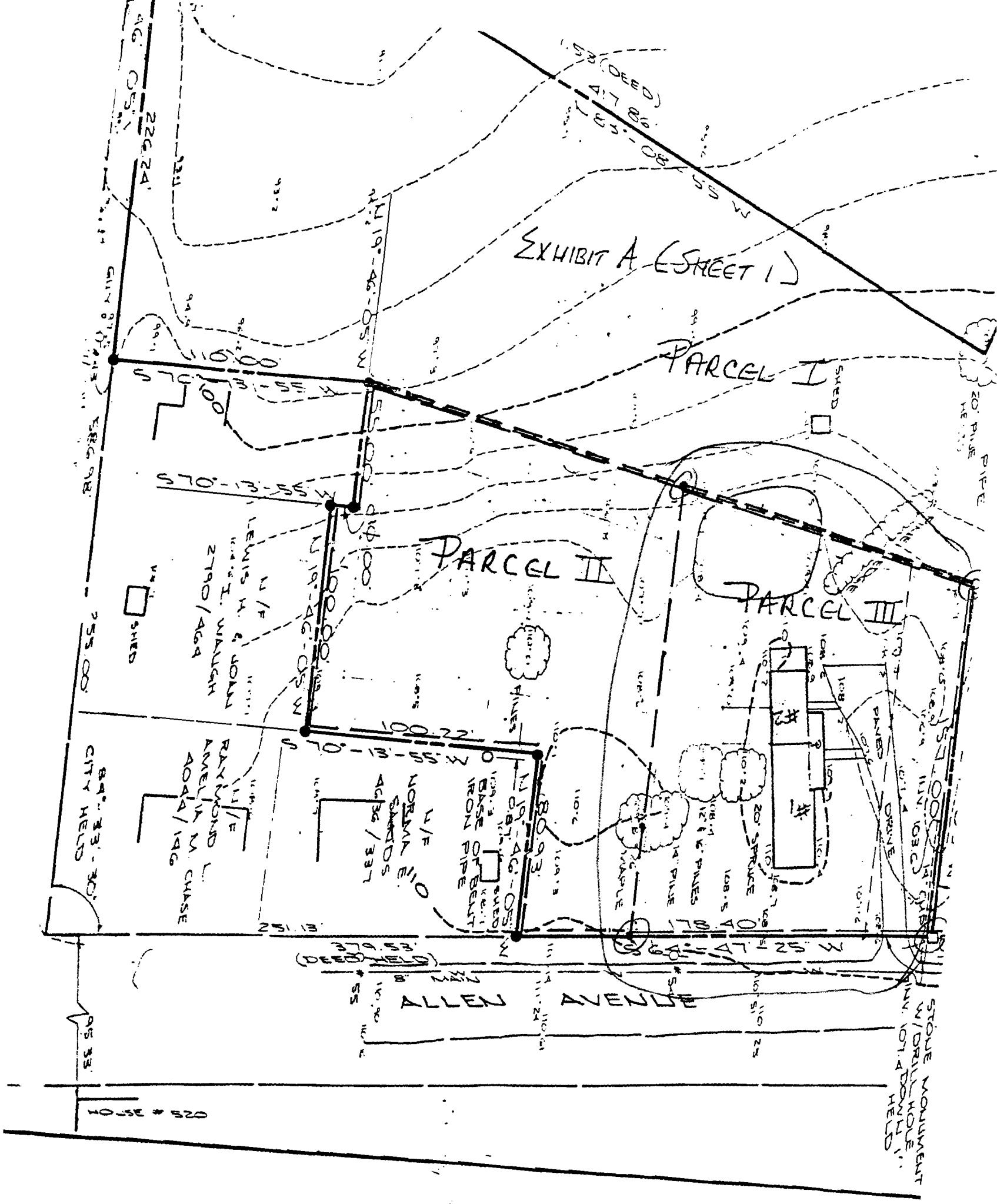
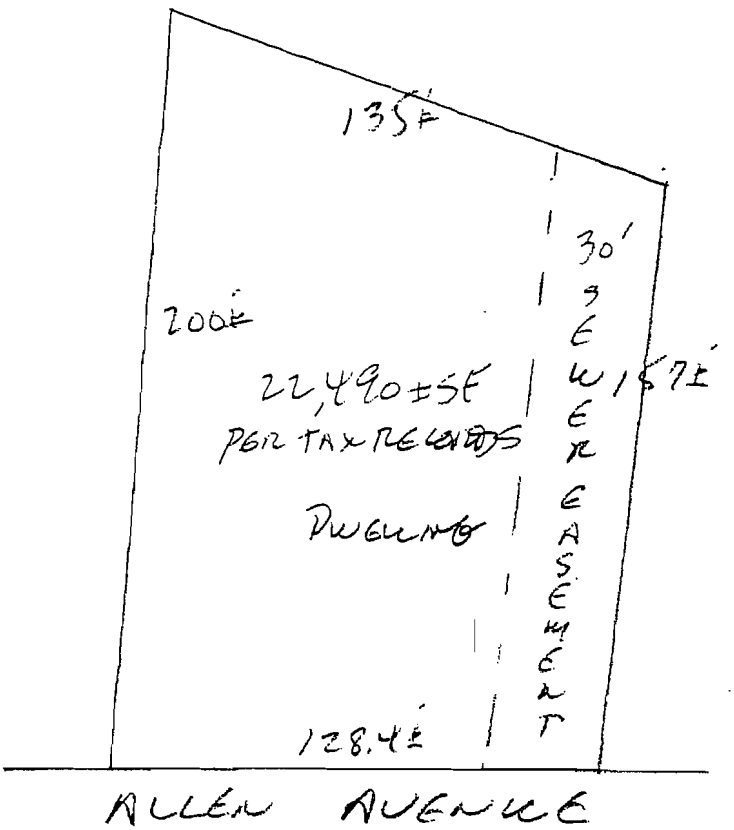


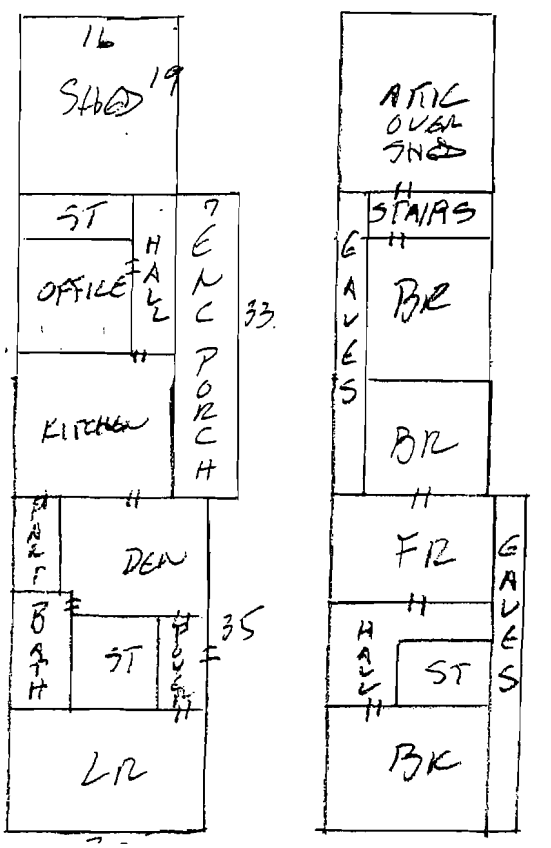
EXHIBIT A (SHEET 1)
PARCEL I
PARCEL II
PARCEL III
S70°-13'-55" W
100.22'
251.13'
379.53'
(DEED) HELD
178.40'
S64°-47'-25" W
ALLEN AVENUE
HOUSE # 520
226.24'
116.00'
SHED
STONE MONUMENT

SITE SKETCH



SCALE: 1" = 50'

DWELLING SKETCH — FLOOR PLAN



1ST FLOOR

20 x 35 = 700
16 x 33 = 528
1,228±SF

2nd FLOOR

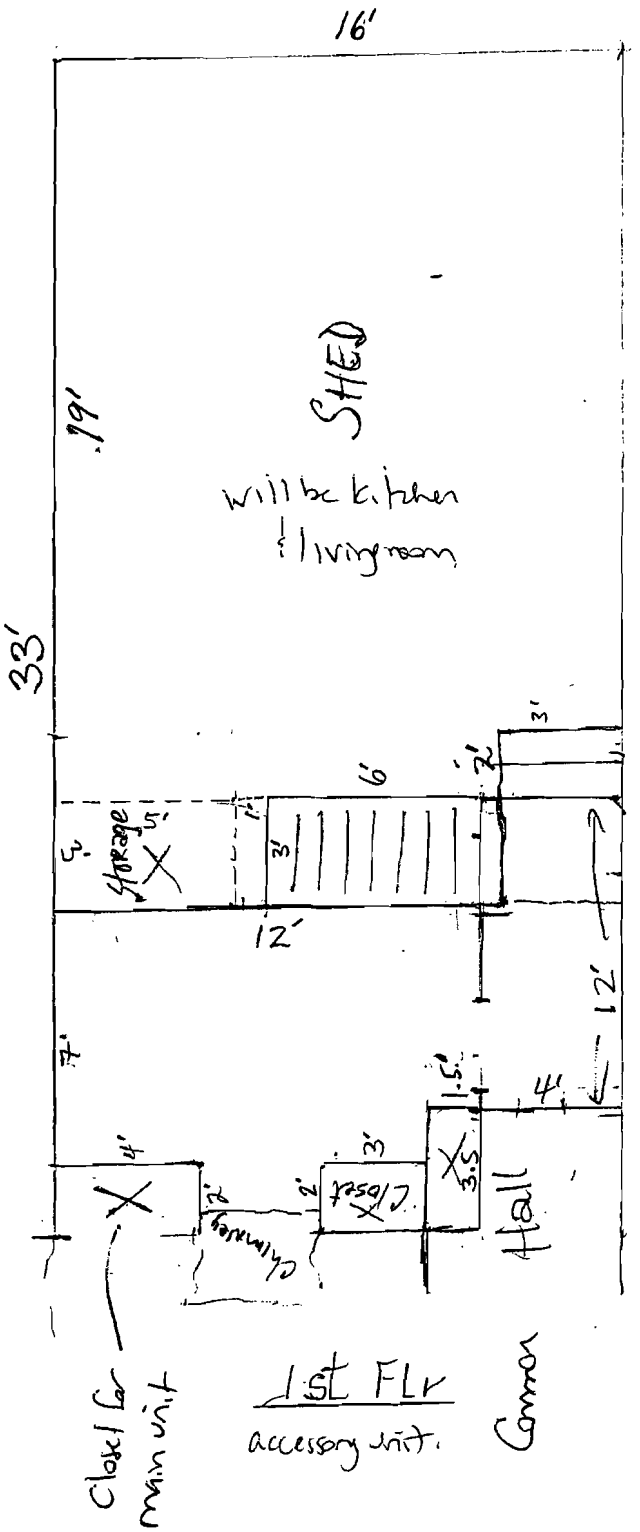
17 x 35 = 595
13 x 33 = 429
1,024 ±SF

total square footage = 485 (1st floor)
269.75 (2nd floor)
754.75

(OK)

30% total floor area (2556 ft) = 766.8 ft

16 × 19 = 304
12 × 3 = 36
12 × 4 = 48
7 × 12 = 84
2 × 3.5 = 7
2 × 3 = 6
485



Scale - 3/16 +/-

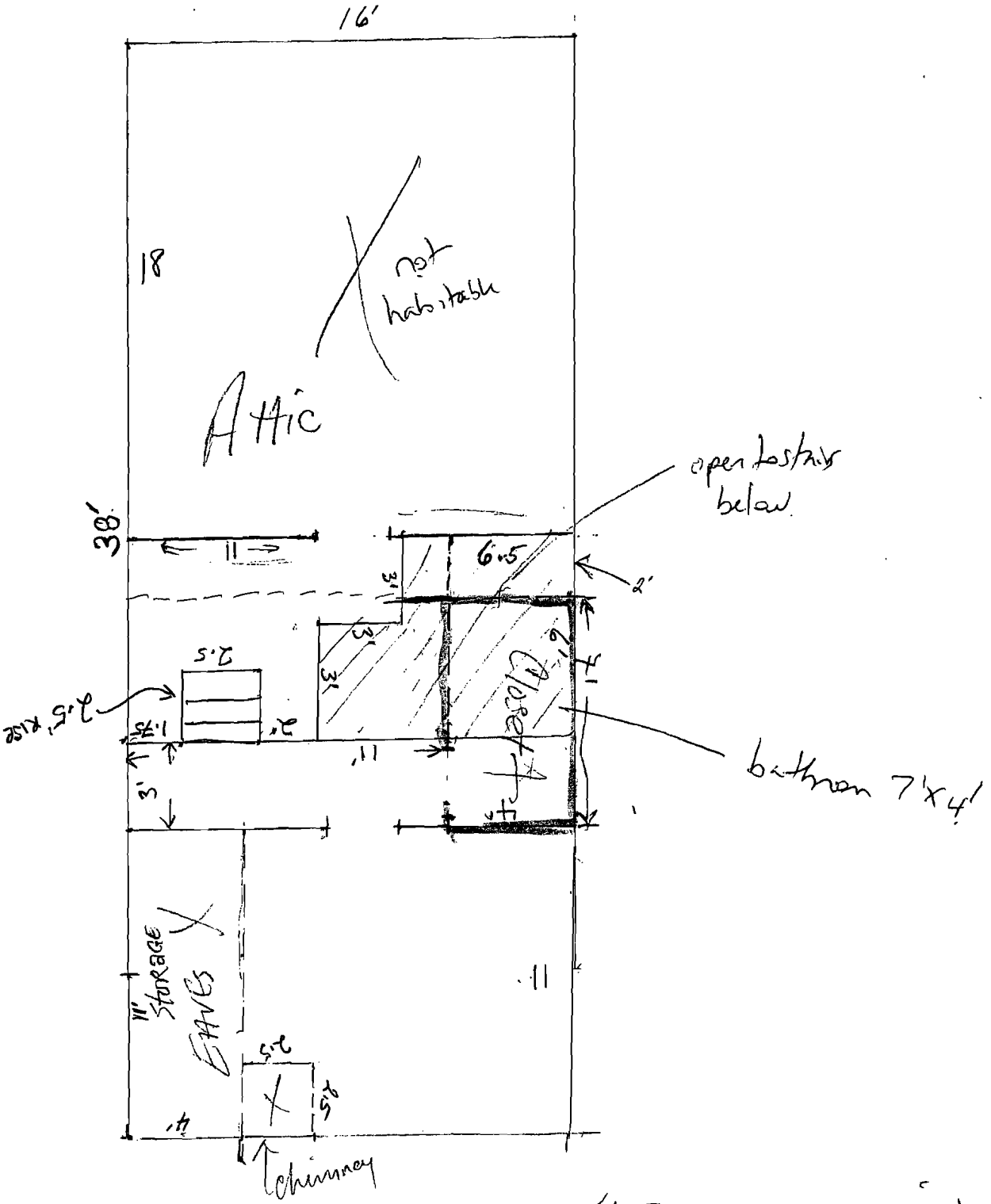
9x16 = 144

11x12 = 132

276

− 6.25 (chimney)

269.75



2nd Flr – accessory unit.

BUILDING PERMIT INSPECTION PROCEDURES

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

or email: buildinginspections@portlandmaine.gov

With the issuance of this permit, the owner, builder or their designee is required to provide adequate notice to the city of Portland Inspections Services for the following inspections. Appointments must be requested 48 to 72 hours in advance of the required inspection. The inspection date will need to be confirmed by this office.

- **Please read the conditions of approval that is attached to this permit!! Contact this office if you have any questions.**
- **Permits expire in 6 months. If the project is not started or ceases for 6 months.**
- **If the inspection requirements are not followed as stated below additional fees may be incurred due to the issuance of a "Stop Work Order" and subsequent release to continue.**

Required Inspections:

Certificate of Occupancy inspection required.

The project cannot move to the next phase prior to the required inspection and approval to continue, REGARDLESS OF THE NOTICE OF CIRCUMSTANCES.

IF THE PERMIT REQUIRES A CERTIFICATE OF OCCUPANCY, IT MUST BE PAID FOR AND ISSUED TO THE OWNER OR DESIGNEE BEFORE THE SPACE MAY BE OCCUPIED.

CITY OF PORTLAND, MAINE
Department of Building Inspections

Original Receipt

October 5 20 11

Received from Richard Libby

Location of Work 495 Allen Ave.

Cost of Construction $_____ Building Fee: _____

Permit Fee $_____ Site Fee: _____

Certificate of Occupancy Fee: _____

Total: $ 105.00

Building (IL) ✓ Plumbing (I5) ___ Electrical (I2) ___ Site Plan (U2) ___

Other _____

CBL: 400-D-12

Check #: 413 **Total Collected $** 105.00

No work is to be started until permit issued.
Please keep original receipt for your records.

Taken by: TAM

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

Conditional Use appeal 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 to add an accessory dwelling unit to the single family home.**

3. Other Business:
Election of Chair and Secretary for the Zoning Board of Appeals. **Gordon Smith was elected chair and Sara Moppin was elected secretary.**

Enclosure:
Decisions for Agenda from October 20, 2011
One dvd
CC: Mark Rees, City Manager
Penny St. Louis, Director, Planning & Urban Development
Alex Jaegerman, Planning Division
Mary Davis, Housing and Neighborhood Services Division