



Jeff Levine, AICP, Director
Planning & Urban Development Department

Ann Machado
Zoning Administrator

CITY OF PORTLAND ZONING BOARD OF APPEALS Conditional Use Appeal Application

Applicant Information:

NAME _____

K. Shamayel Kargar

BUSINESS NAME _____

BK Properties, LLC

BUSINESS ADDRESS _____

PO Box 6149, Falmouth, ME, 04109

BUSINESS TELEPHONE & E-MAIL _____

207-939-8410 / shamayel1966@gmail.com

APPLICANT'S RIGHT/TITLE/INTEREST _____

Owner

CURRENT ZONING DESIGNATION _____

RS Residential

EXISTING USE OF THE PROPERTY: _____

two unit Apartment building

TYPE OF CONDITIONAL USE PROPOSED: _____

three unit apartment building

Subject Property Information:

613 Washington Ave
PROPERTY ADDRESS _____

428-L-022
CHART/BLOCK/LOT (CBL) _____

BK Properties LLC
PROPERTY OWNER (If Different) _____

Same
ADDRESS (If Different) _____

Same
PHONE # AND E-MAIL _____

Same
CONDITIONAL USE AUTHORIZED BY _____

118 (A)(5)
SECTION 14- _____

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:

1. The volume and type of vehicle traffic to be generated, hours of operation, expanse of pavement, and the number of parking spaces required are not substantially greater than would normally occur at surrounding uses or other allowable uses in the same zone; and
2. The proposed use will not create unsanitary or harmful conditions by reason of noise, glare, dust, sewage disposal, emissions to the air, odor, lighting, or litter; and
3. The design and operation of the proposed use, including but not limited to landscaping, screening, signs, loading deliveries, trash or waste generation, arrangement of structures, and materials storage will not have a substantially greater effect/impact on surrounding properties than those associated with surrounding uses of other allowable uses in the 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 described above, and certifies that the information herein is true and correct to the best of his OR her knowledge and belief.

Shamayel Kargar
SIGNATURE OF APPLICANT

6/10/2017
DATE

June 10, 2017

Zoning Board of Appeals

City of Portland

389 Congress St.

Portland, ME 04101-3509

Re: Conditional Use Appeal Application for 613-615 Washington Ave

To Whom It May Concern

You will find enclosed BK Properties, LLC's Conditional Use Appeal Application with supporting documentation. A complete pdf copy of this letter and the enclosed documents is contained on the enclosed CD-R. Shamayel Kargar, a member of BK Properties, LLC, will be hand delivering the application fee.

The purpose of this application is to allow BK Properties, LLC's property at 613-615 Washington Ave in Portland (hereafter the "Property") to be used as a three unit apartment as permitted by Section 14-118(a)(5) of the City Code of Ordinances. As to each of the conditions set forth in subsection 118 (a)(5), BK Properties, LLC states as follows

- (a) It seeks to convert the property to a three unit apartment building.
- (b) The units will not be sold as condominiums; they will be apartments for rent.
- (c) The apartments will be affordable and consistent with the GA City Guidelines rent
- (d) Each of the apartments in the building will be at least 1,200 square feet in area. The Creation of additional space will not involve removing any part of the existing dwelling units. The attic was unfinished for the third unit, no space has been taken from other units.
- (e) There will be no modifications to the exterior.
- (f) There will be sufficient parking for all three units.
- (g) There will be no open stairways or fire escapes above the ground floor.

Zoning Board of Appeals

June 10, 2017

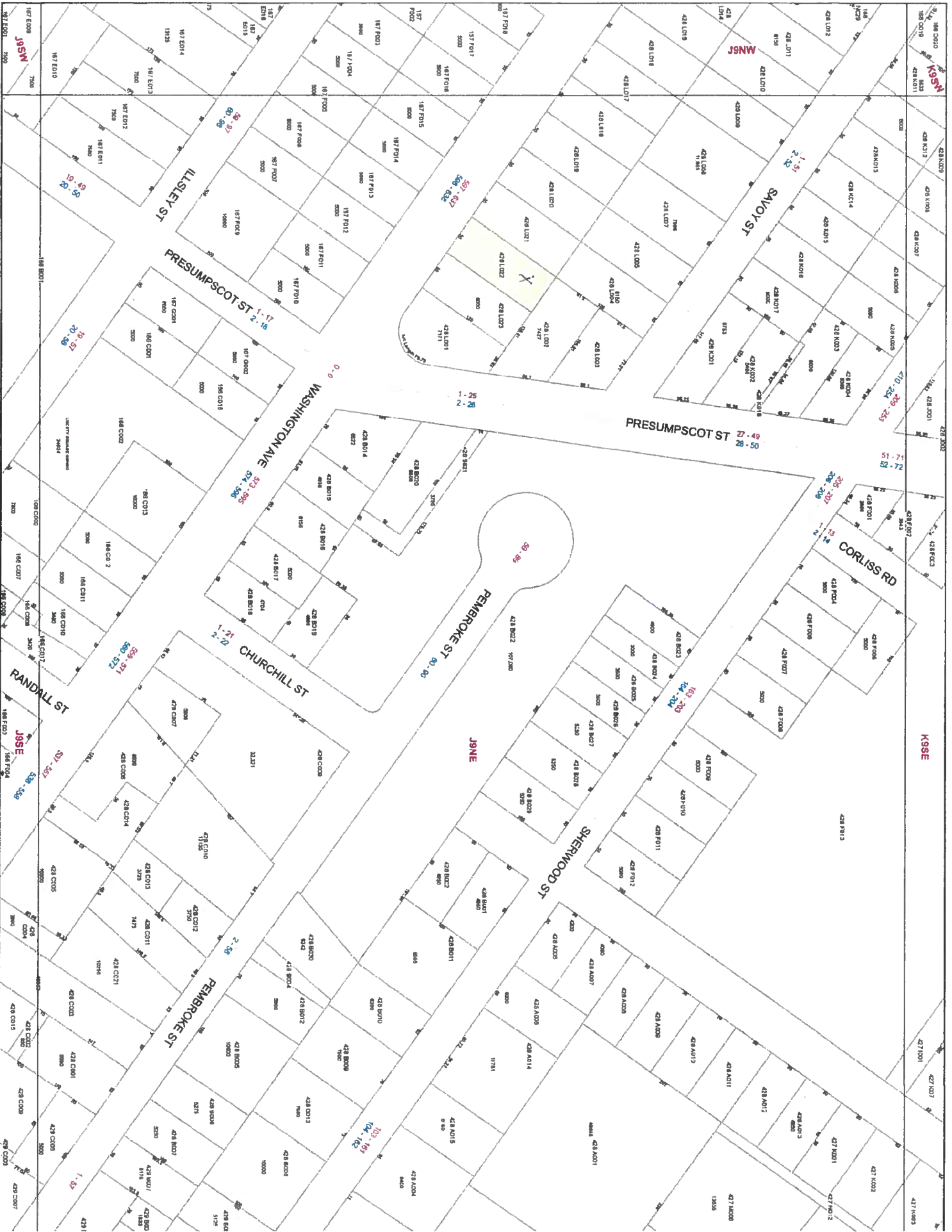
Page 2

(h) BK Properties, LLC will assure that the parking area is properly landscaped and that vehicles are screened from adjacent properties.

BK Properties, LLC is also mindful of the conditions for approval of a conditional use that set forth in Section 14-474(c)(2). BK Properties, LLC does not believe that the conversion of the Property to a three unit apartment will cause any violation of any of the conditions set forth in this subsection relating to increased traffic, unsanitary conditions etc. Moreover, the conversion of the Property will not be to a commercial use such that signs would be erected or deliveries made.

Thank you very much for your attention to this matter. Please contact me if you have any questions.

Sincerely,



April 2016, to 2017

Tax Map Index, <http://www.portlandassessors.com/taxmaps.htm>

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, **Fannie Mae a/k/a Federal National Mortgage Association**, a federally chartered corporation having a mailing address of P.O. Box 650043, Dallas, TX 75265-0043, for consideration paid, and in full consideration of **Two Hundred Twenty Thousand And 00/100 (\$220,000.00) DOLLARS**, does hereby grant to **BK Properties, LLC**, a Maine Limited Liability Company, with a mailing address of P.O. Box 6419 Falmouth, ME 04106

WITH QUITCLAIM COVENANTS

That certain lot or parcel of land located in the City of Portland, the County of Cumberland, the State of Maine more particularly described as follows:

Two certain lots or parcels of land, with the buildings thereon, situated in the City of Portland, County of Cumberland and State of Maine, on the northeasterly side of Washington Avenue and being Lots Numbered 115 and 116 as shown on Plan of Lunt Property recorded in the Cumberland County Registry of Deeds in Plan Book 10, Page 91.

For title see the Quitclaim Deed recorded in Book 31534 at Page 166 of the Cumberland County Registry of Deeds.

This conveyance does not constitute all or substantially all of the corporation's assets in the State of Maine.

GRANTEE HEREIN SHALL BE PROHIBITED FROM CONVEYING CAPTIONED PROPERTY FOR A SALES PRICE OF GREATER THAN \$264,000.00 FOR A PERIOD OF 3 MONTHS FROM THE RECORDING OF THIS DEED. GRANTEE SHALL ALSO BE PROHIBITED FROM ENCUMBERING SUBJECT PROPERTY WITH A SECURITY INTEREST IN THE PRICIPAL AMOUNT OF GREATER THAN \$264,000.00 FOR A PERIOD OF 3 MONTHS FROM THE RECORDING OF THIS DEED. THESE RESTRICTIONS SHALL RUN WITH THE LAND AND ARE NOT PERSONAL TO GRANTEE.

Property Address:
613-615 Washington Avenue
Portland, ME 04103

MAINE REAL ESTATE TAX

WITNESS my hand this 29th day of January, 2015.

Fannie Mae a/k/a Federal National Mortgage Association

By: Shechtman Halperin Savage, LLP
its Attorney in fact*

By: Gini Spaziano
Gini Spaziano, Esq.
Its Partner

*For signatory authority see LPOA recorded at Book 31434, Page 278 of the Cumberland County Registry of Deeds.

STATE OF Rhode Island
COUNTY OF Providence

On January 29, 2015 before me, personally appeared Gini Spaziano, a Partner of Shechtman Halperin Savage, LLP, Attorney in Fact for Fannie Mae a/k/a Federal National Mortgage Association, known by me to be the party executing the foregoing instrument, and he/she acknowledged the said instrument by him/her executed to be his/her free act and deed individually and as attorney in fact on behalf of Fannie Mae a/k/a Federal National Mortgage Association.

I certify under PENALTY OF PERJURY under the laws of the State of Rhode Island that the foregoing paragraph is true and correct.

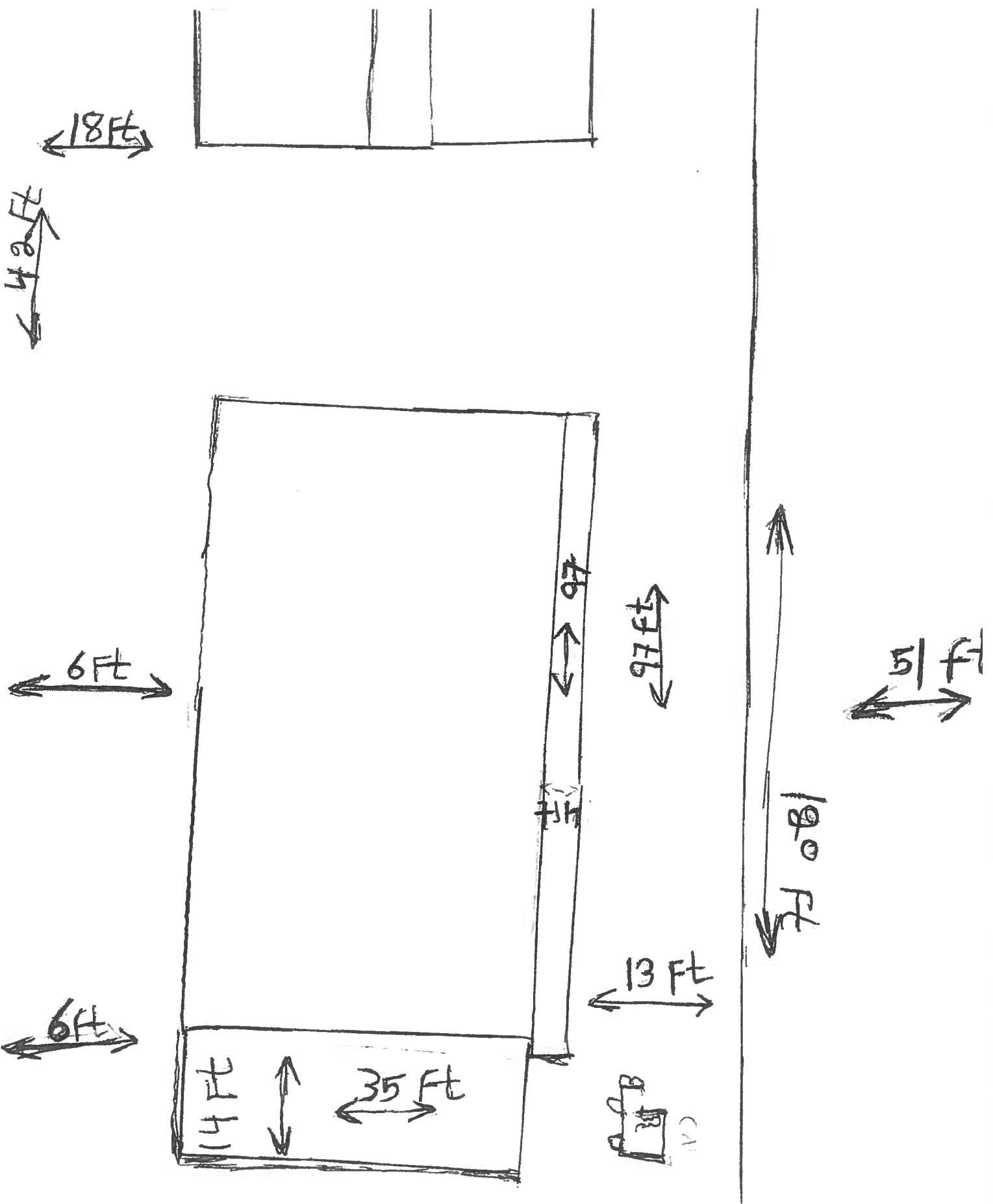
WITNESS my hand and official seal.

Signature M. Liss K. Rinaldi
Print name M. Liss K. Rinaldi
My commission expires: 6-4-18
(seal)

SEAL

Property Address:
613-615 Washington Avenue
Portland, ME 04103

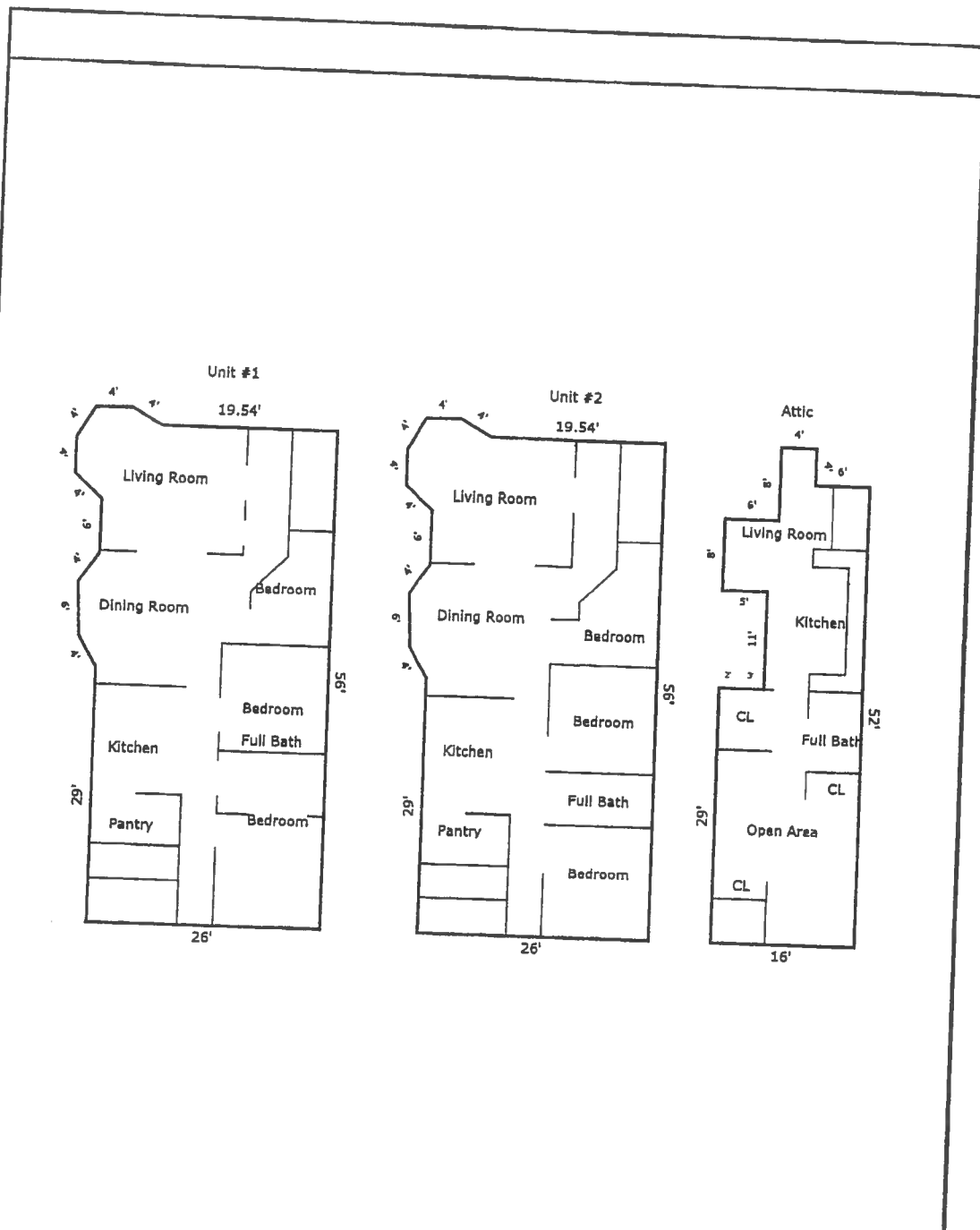
Received
Recorded Register of Deeds
Feb 06, 2015 02:07:21P
Cumberland County
Nancy A. Lane



613 - 615 Washington

Building Sketch

Client	Katahdin Trust Company		
Property Address	613-615 Washington Ave		
City	Portland	County	Cumberland
Client	Katahdin Trust Company	State	ME Zip Code 04103

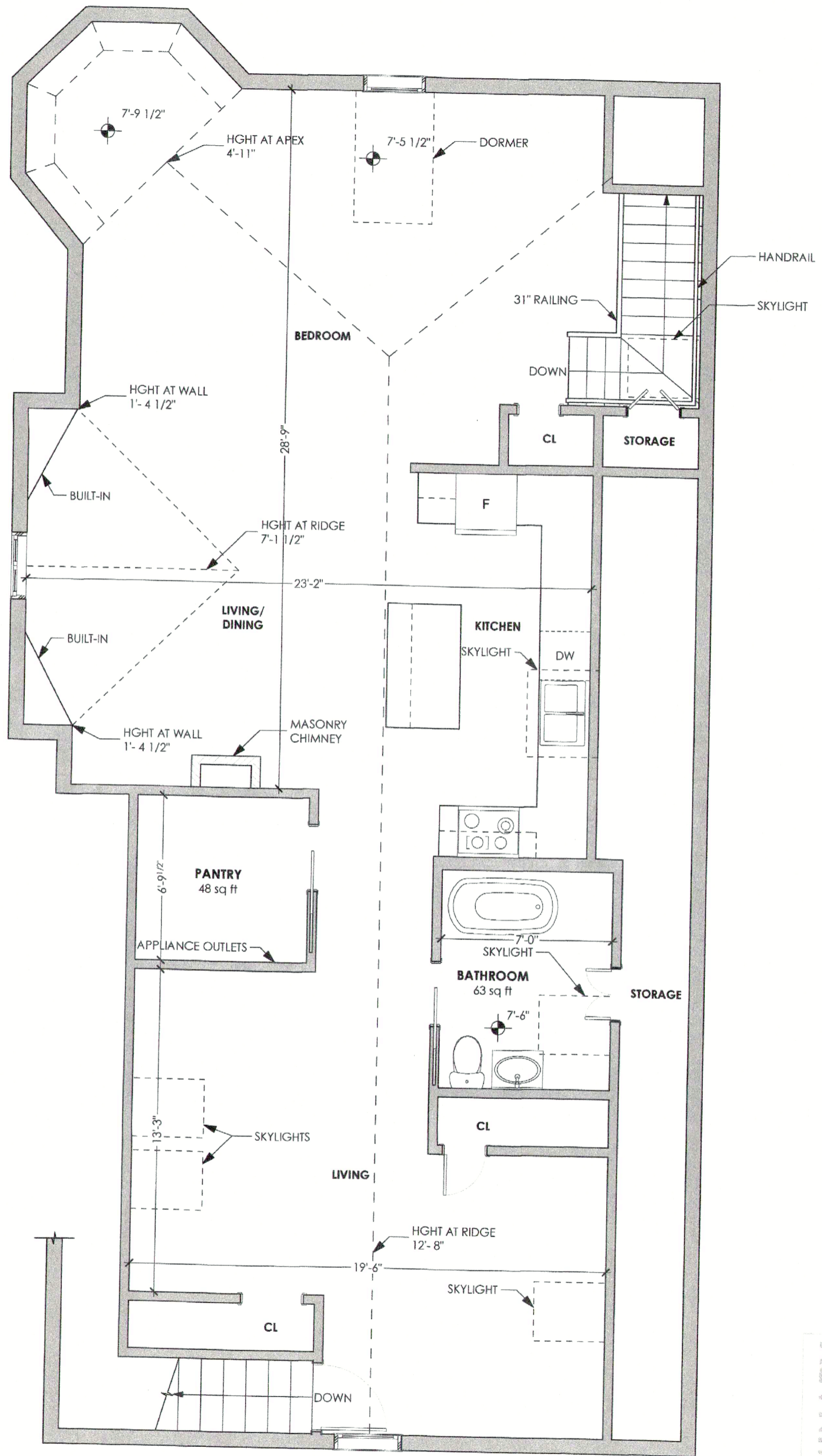


TOTAL Sketch by a la mode, Inc.

Area Calculations Summary

Living Area	
First Floor	1508.18 Sq ft
Second Floor	1508.18 Sq ft
Third Floor	769 Sq ft
Total Living Area (Rounded):	3785 Sq ft

WALL
DOVE



CALEB JOHNSON
ARCHITECTS + BUILDERS

265 MAIN STREET, SUITE 201 BIDDINGFORD, ME 04005
T: 207.283.8777 F: 207.283.8778 C: JAB.ME

SM: _____ **PA:** _____

ISSUE NUMBER	CHANGE NUMBER	DESCRIPTION

CHANGES THIS ISSUE:

ISSUE	DATE	DESCRIPTION

SUBMISSIONS:

ISSUE	DATE	DESCRIPTION

CONSULTANTS:

# Consultant 1 ID	Company

DRAFTER: LEAH SCHAFFER
DATE OF ISSUE: 11/18/16
PROJECT STATUS: M+D

613 WASHINGTON ST
SHAMAYEL KAGAR
613 WASHINGTON STREET PORTLAND ME

PRELIMINARY
NOT FOR CONSTRUCTION

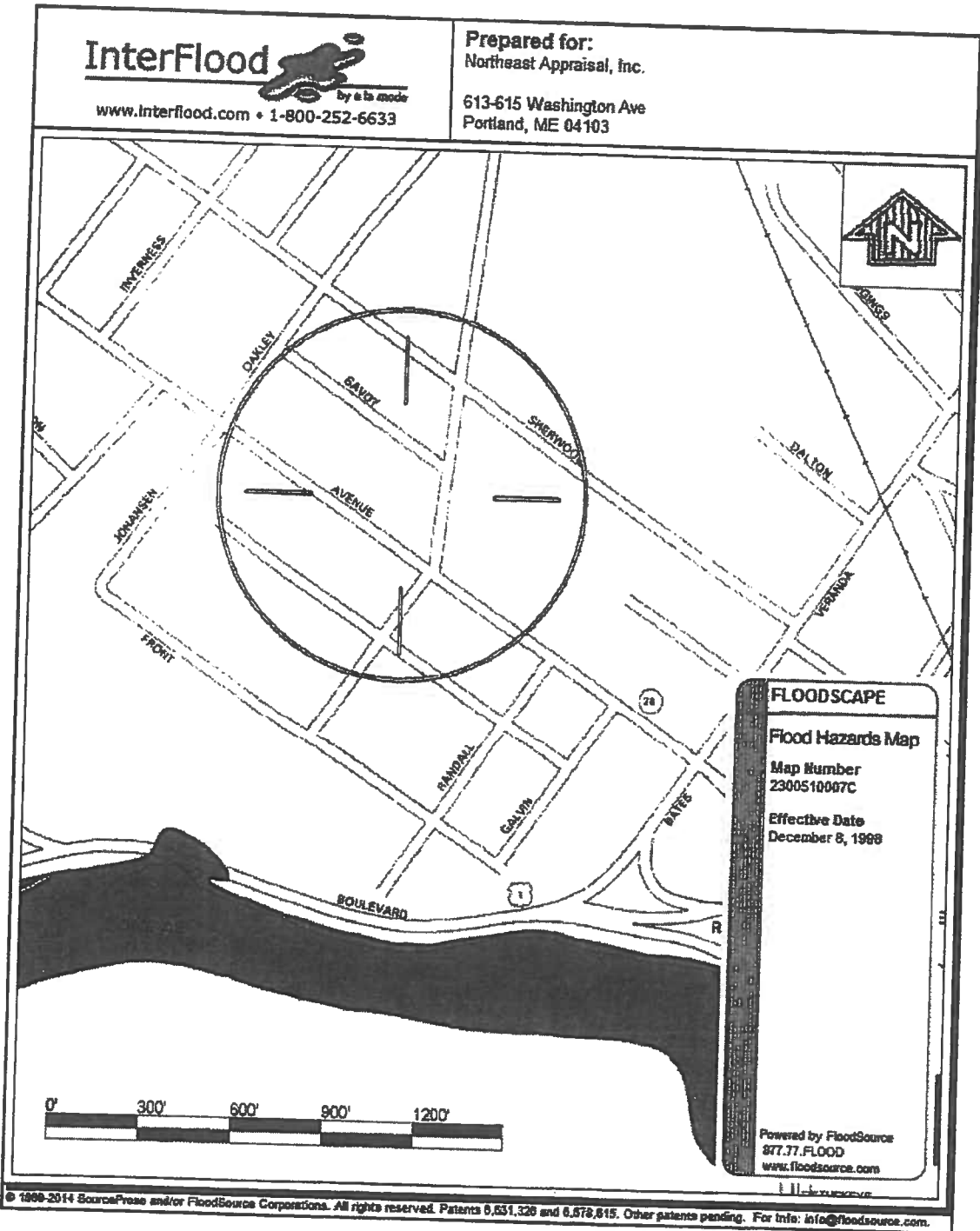
EXISTING PLANS

A-1.2

2 613 WASHINGTON STREET- UNIT 3 EXISTING PLAN
SCALE: 1/4" = 1'-0"
UNIT 3: +/- 1,131 SQ FT

Flood Map

Client	Katahdin Trust Company		
Property Address	613-615 Washington Ave		
City	Portland	County	Cumberland
Client	Katahdin Trust Company	State	ME Zip Code 04103



InterFlood
by a la mode
 www.interflood.com • 1-800-252-6633

Prepared for:
 Northeast Appraisal, Inc.
 613-615 Washington Ave
 Portland, ME 04103

FLOODSCOPE
Flood Hazards Map
 Map Number
 2300510007C
 Effective Date
 December 8, 1988
 Powered by FloodSource
 877.77.FLOOD
 www.floodsource.com

© 1998-2014 SourcePress and/or FloodSource Corporations. All rights reserved. Patents 6,631,326 and 6,678,815. Other patents pending. For info: info@floodsource.com.

