

City of Portland, Maine - Building or Use Permit Application
 389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 05-0083	Issue Date:	CBL: 429 A001001
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Location of Construction: 56 Veranda St	Owner Name: Hardway Construction Co Inc	Owner Address: 743 Congress St # 3	Phone: 207-774-5110
Business Name: n/a	Contractor Name: n/a	Contractor Address: n/a Portland	Phone:
Lessee/Buyer's Name n/a	Phone: n/a	Permit Type: Legalization of Non-Conforming Units	Zone: B1

Past Use: 2 units	Proposed Use: Legalization of nonconforming dwelling unit; currently two units, requesting to legalize one unit to be a total of three legal units.	Permit Fee: \$375.00	Cost of Work: \$0.00	CEO District: 4
		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type:	

Proposed Project Description: Legalization of nonconforming dwelling unit; currently two units, requesting to legalize one unit to be a total of three legal units.	Signature:	Signature:
<i>Exp. 1/25/05</i>	PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)	
	Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied	Date:

Permit Taken By: gg	Date Applied For: 01/25/2005	Zoning Approval
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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 electrical work. 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..	Special Zone or Reviews <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> Date:	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date:	Historic Preservation <input 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>NO RESPONSE FROM APPLICANT</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

City of Portland, Maine - Building or Use Permit Application

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<p style="font-size: 2em; font-weight: bold; text-align: center;">Denied 2/4/05</p>		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type:	
		Signature:	Signature:	
Proposed Project Description: Legalization of nonconforming dwelling unit; currently two units, requesting to legalize one unit to be a total of three legal units.		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: gg	Date Applied For: 01/25/2005	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 type="checkbox"/> Site Plan Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> Date:	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date:	Historic Preservation <input 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:
		Denied by Zoning 2/4/05		

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



January 25, 2005

VIA HAND DELIVERY

Jonathan Reed
City of Portland
380 Congress Street
Portland, ME 04101

Re: 54-56 Veranda Street, Portland, Maine

Dear Jonathan:

I am writing this letter on behalf of Richard Johnson, owner of Hardway Construction Co., who recently purchased 54-56 Veranda Street in Portland. This property was listed by a former associate broker for Gendron Commercial Brokers, Daniel Gordon. Daniel was terminated from Gendron Commercial Brokers while this property was under contract with Richard Johnson as the buyer. I have assisted with the designated broker to complete the transaction. However, when Daniel was obtaining this listing, he relied on property information supplied by the City of Portland Tax Assessor and on the fact that when he inspected the property, there was a valid second floor apartment. According to the Seller, who purchased the property in 1996, the second floor unit has always been rented to a tenant. The Seller considered the property to have 3 units, and informed the broker that he bought it as a 3-unit.

We are requesting that the City of Portland determine that the second floor unit is a legal dwelling unit. I have enclosed Richard's Application for Legalization of Nonconforming Dwelling Units, together with our check in the amount of \$375 for the costs and fee. Please call me if you have any questions, and thank you for your assistance.

Sincerely,

A handwritten signature in cursive script that reads "Felisa Ricks".

Felisa D. Ricks
Office Manager/Sales Agent
cc: Richard Johnson

Zoning Division
Marge Schmuckal
Zoning Administrator

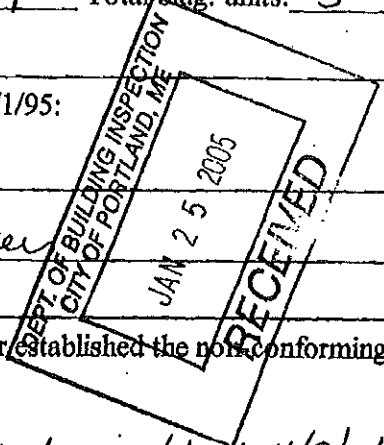
Department of Planning & Development
Leo Urban, Director



CITY OF PORTLAND

APPLICATION FOR LEGALIZATION OF NONCONFORMING DWELLING UNITS Section 14-391 - In effect March 24, 2004

Location/Address of Legalization: <u>54-56 Veranda Street</u>	
Tax Assessor's Chart, Block & Lot Chart# <u>429</u> Block# <u>A</u> Lot# <u>1</u>	Owner: <u>Richard Johnson</u> <u>Hardway Construction Co.</u> Address: <u>743 Congress St, #3</u> <u>Portland, ME 04101</u> Telephone: <u>774-5110</u>
Contact name, address & telephone if different than above:	Cost of Work: <u>\$ 300</u> Fee: <u>\$ 75</u>
\$300 per legalized unit & \$75 per C of O	
Current # of legal D.U. <u>2</u>	Requested # of units To be legalized: 2 <u>1</u> Total bldg. units: <u>3</u>
Attach evidence that each requested unit to be legalized existed as of 4/1/95: List evidence that you are submitting: <u>City of Portland Assessor's information</u> <u>Letter from Gendron Commercial Broker</u>	
Attach evidence that the current owner/applicant neither constructed nor established the nonconforming dwelling units to be legalized: List evidence that you are submitting: <u>Deed from Gillian to Hardway Construction dated 11/8/04</u>	
<small>I hereby certify that I am the Owner of record of the above 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.</small>	
Signature of applicant: <u>Richard Johnson</u>	Date: <u>1/24/05</u>
This is NOT a permit, you may not commence ANY work until the permit is issued.	





CITY OF PORTLAND

March 4, 2005

Richard Johnson
Hardway Construction Co.
743 Congress St. #3
Portland, ME 04101

RE: 54-56 Veranda Street – 429-A-001 – B-1 Zone – application #05-0083

Dear Mr. Johnson,

I am in receipt of your permit application to legalize one illegal unit, making this building change from two (2) dwelling units to three (3) dwelling units. Your permit is incomplete and cannot be processed at this time.

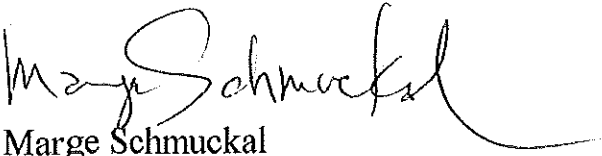
Section 14-391(b) of the ordinance states that the applicant must submit (i) a plan, drawn to scale, which shows the location of the building(s) on the lot, parking, easements, dumpsters, fencing, public ways and any other significant feature and (ii) a floor plan for each unit in the dwelling, whether or not it is the subject of the application. Your application did not contain the required plot plan, nor the required floor plans.

Our records show that previously a bakery was on the first floor of this building. You need to notify this office as to whether that bakery is still present. The submitted floor plans should include this use also if it is still present.

Section 14-391(c) of the ordinance requires that the applicant must submit competent evidence, supported by public records that the nonconforming dwelling units were either in existence April 1, 1995. You submitted a current copy of the assessor's record. You need to submit evidence prior to 4/1/95, not the current record. Also, the letter from a realtor must be in an affidavit format that is attested to and witnessed for accuracy.

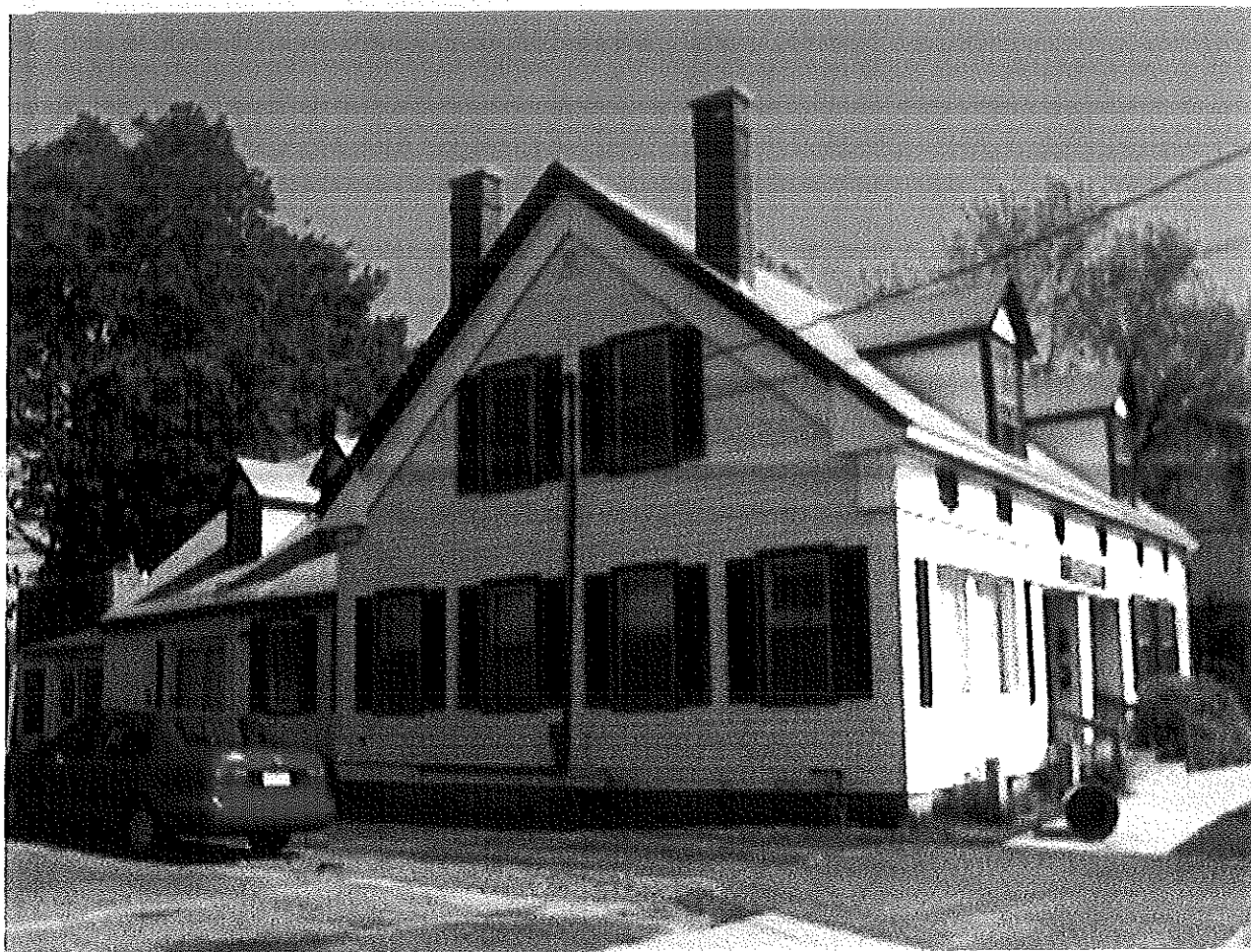
Until this office receives all the required documentation, your permit will be on hold. No further actions will be taken on this application at this time.

Very truly yours,

A handwritten signature in black ink, appearing to read "Marge Schmuckal". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Marge Schmuckal
Zoning Administrator

Cc: file



This page contains a detailed description of the Parcel ID you selected. Press the **New Search** button at the bottom of the screen to submit a new query.

Current Owner Information

Card Number 1 of 1
Parcel ID 429 A001001
Location 56 VERANDA ST
Land Use RETAIL & PERSONAL SERVICE

Owner Address HARDWAY CONSTRUCTION CO INC
 743 CONGRESS ST # 3
 PORTLAND ME 04101

Book/Page 21988/170
Legal 429-A-1
 VERANDA ST 54-58
 9796 SF

Valuation Information

Land	Building	Total
\$44,940	\$76,440	\$121,380

Building Information

Bldg #	Year Built	# Units	Bldg Sq. Ft.	Identical Units
1	1920	1	5004	1
Total Acres 0.225				
Total Buildings		Sq. Ft.	Structure Type	Building Name
1		5004	MIXED RES/COMM	

Exterior/Interior Information

Section	Levels	Size	Use
1	B1/B1	1247	UNFINISHED RES BSMT
1	01/01	1088	CONVERTED SALES
1	01/01	1059	MULTI-USE APARTMENT
1	02/02	1610	MULTI-USE APARTMENT

Height	Walls	Heating	A/C
6		NONE	
9	FRAME	NONE	
9	FRAME	NONE	
9	FRAME	NONE	

Building Other Features

Line	Structure Type	Identical Units
2	UTILITY BUILDING - FRAME	1
4	PORCH - OPEN	1
2	PORCH - COVERED	1
2	PORCH - ENCL	1

Yard Improvements

Year Built	Structure Type	Length or Sq. Ft.	# Units
1970	SHED FRAME	96	1

Z
M
Z
2/18/05
denied - Needs
Site Plan Review
- show party
more information
of where the new
D.U. is
2/10/05
was in

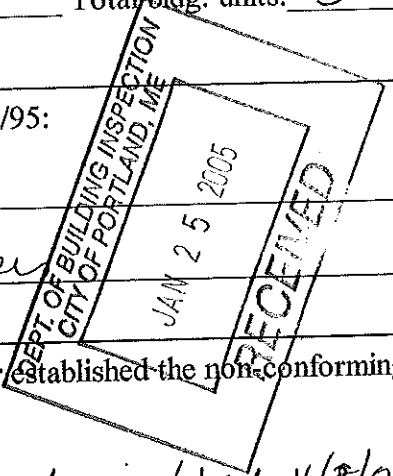
Department of Planning & Development
Lee Urban, Director



CITY OF PORTLAND

**APPLICATION FOR
NONCONFORMING DWELLING UNITS**
- In effect March 24, 2004

Location/Address of Legalization: <u>54-56 Veranda Street</u>	
Tax Assessor's Chart, Block & Lot Chart# <u>429</u> Block# <u>A</u> Lot# <u>1</u>	Owner: <u>Hardway Construction Co.</u> Address: <u>743 Congress St, #3</u> <u>Portland, ME 0401</u> Telephone: <u>774-5110</u>
Contact name, address & telephone if different than above:	Cost of Work: \$ <u>300</u> Fee: \$ <u>75</u>
\$300 per legalized unit & \$75 per C of O	
Current # of legal D.U. <u>2</u>	Requested # of units To be legalized: 3 <u>1</u> Total bldg. units: <u>3</u>
Attach evidence that each requested unit to be legalized existed as of 4/1/95: List evidence that you are submitting: <u>City of Portland Assessor's information</u> <u>Letter from Gendron Commercial Broker</u>	
Attach evidence that the current owner/applicant neither constructed nor established the non-conforming dwelling units to be legalized: List evidence that you are submitting: <u>Deed from Gillian to Hardway Construction dated 11/3/04</u>	



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Signature of applicant: Richard Johnson Date: 1/24/05

This is NOT a permit, you may not commence ANY work until the permit is issued.

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Current Owner Information

Card Number	1 of 1
Parcel ID	429 A001001
Location	56 VERANDA ST
Land Use	RETAIL & PERSONAL SERVICE
Owner Address	HARDWAY CONSTRUCTION CO INC 743 CONGRESS ST # 3 PORTLAND ME 04101
Book/Page	21988/170
Legal	429-A-1 VERANDA ST 54-58 9796 SF

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4	PORCH - OPEN	1
2	PORCH - COVERED	1
2	PORCH - ENCL	1

Yard Improvements

Year Built	Structure Type	Length or Sq. Ft.	# Units
1970	SHED FRAME	96	1

Doc# 88118 Bk# 21988 Pg# 170

WARRANTY DEED
(Statutory Short Form)

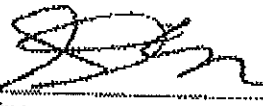
KNOW ALL BY THESE PRESENTS that I, **WILLIAM J. GILLIAN, III**, of the City/Town of P.O. Box 612, Portland, Me., County of Cumberland, and State of Maine, for consideration paid, do hereby grant unto **HARDWAY CONSTRUCTION CO., INC.**, a corporation organized and existing under the laws of the State of Maine with a principal place of business at 743 Congress Street, Apt # 3, Portland ME 04101, with **WARRANTY COVENANTS**, the real estate in Portland, County of Cumberland and State of Maine, bounded and described as follows:

SEE SCHEDULE A ATTACHED HERETO AND MADE A PART HEREOF.

The premises are conveyed subject to any easements and restrictions of record, and this deed includes all rights, easements, privileges and appurtenances belong to the premises hereinabove described.

WITNESS my hand and seal this 3 day of the month of November, 2004.

**SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF**



Witness



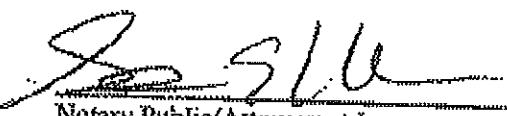
William J. Gillian, III

MAINE REAL ESTATE TAX PAID

STATE OF MAINE
CUMBERLAND, SS:

November 3, 2004

Then personally appeared the above-named William J. Gillian, III, and acknowledged the foregoing instrument to be his free act and deed, before me,



Notary Public/Attorney at Law
Print name: Scott E. Han
My commission expires: _____

Doc#: 88118 Bk:21988 Pg: 171

EXHIBIT A
Warranty Deed
Gillian III to Hardway Construction Co., Inc.

The premises known as 54-56 Veranda Street, in the City of Portland, County of Cumberland and State of Maine, further described as follows:

Parcel I: A certain lot or parcel of land, with any buildings thereon, situated in the City of Portland, County of Cumberland and State of Maine, beginning on the northwesterly line of Veranda Street at the southerly corner of land now or formerly owned by David Sturdivant; thence Northwesterly by said Sturdivant's land, one hundred forty-nine (149) feet, more or less to land now or formerly of David Sturdivant; thence Southwesterly parallel with said street by said Sturdivant land about seventy-one (71) feet to land now or formerly of one Noyes; thence Southeasterly by said Noyes land, forty-one (41) feet to land now or formerly of one Batchelder; thence Northeasterly by said Batchelder land, thirty-five (35) feet, more or less, to the northerly corner of said Batchelder land; thence Southeasterly by said Batchelder land, through middle of block, one hundred eight (108) feet, more or less, to said street; thence Northeasterly by said street about thirty-five (35) feet to first mentioned bounds. These premises are subject to the condition to maintain a fence as specified in deed from said David Sturdivant to Christopher Kilby, dated May 12, 1858, and recorded in the Cumberland County Registry of Deeds in Book 287, Page 327.

Parcel II: Also, another certain lot or parcel of land, with any buildings thereon, situated in said Portland, County of Cumberland and State of Maine, beginning on said northwesterly side of said Veranda Street at a point which divides the double tenement house; thence Northerly on a line through said house, and which line divides said house, to other land formerly of William Russell and formerly owned by C. Kilby; thence Westerly on the line of said Russell land and land formerly owned by Joseph Randall, thirty-six (36) feet; thence Southerly on a line parallel with the line which divides said house, one hundred (100) feet to the road; thence Easterly on said road, thirty-six (36) feet to the point of starting. A strip of land eight and one-quarter (8 1/4) feet wide on said street is hereby conveyed, subject to the location of said street. The premises are conveyed together with and subject to any and all easements or appurtenances of record, insofar as the same are in force and applicable.

Being the same premises conveyed to William J. Gillian III by deed of Another Brick Company, a Maine corporation, recorded April 11, 2001, in the Cumberland County Registry of Deeds, Book 16187, Page 252.

Received
 Recorded Register of Deeds
 Nov 08, 2004 01:50:52P
 Cumberland County
 John B O'Brien

Is ZBA action required? _____

City NFPA compliance received on: _____

City Housing Ordinance compliance received on: _____

Notices to owners of properties situated within 300 feet sent on: _____

For Office Use Only:

LEGALIZATION OF NONCONFORMING DWELLING UNITS

APPLICATION FOR

PAGE 2

CITY OF PORTLAND



Zoning Division
Marge Schmuckal
Zoning Administrator

Department of Planning & Development
Lee Urban, Director



PORTLAND MAINE

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

*Director of Planning and Urban Development
Penny St. Louis Littell*

*Inspection Services, Director
Jeanie Bourke*

October 14, 2008

JOHNSON RICHARD R
54 VERANDA ST
PORTLAND, ME 04103

CBL: 429 A001001
Located at 56 VERANDA ST

Certified Mail 70033110000260636578

Dear JOHNSON RICHARD R ,

An evaluation of the above-referenced property on 09/12/2008 revealed that the premises fails to comply with Section 22.03 of the Garbage, Waste and Junk Ordinance of the City of Portland.

Attached is a list of the violations.

This is a Notice of Violation pursuant to Section 22.03 of the Code. All referenced violations shall be corrected within 30 days of the date of this notice. A re-inspection will occur on 11/14/2008 , at which time compliance will be required. Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 1-15 of the Code and in Title 30-A M.R.S.A. Section 4452. This is an appealable decision pursuant to Section 12.80 of the Municipal Code.

Please feel free to contact me if you wish to discuss this matter, or if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Menario".

Mike Menario @ (207) 874-8789
Building Inspector

CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

389 Congress Street
Portland, Maine 04101

Inspection Violations

Owner/Manager JOHNSON RICHARD R		Inspector Mike Menario	Inspection Date 9/12/2008
Location 56 VERANDA ST	CBL 429 A001001	Status Re-Inspect 30 Days	Inspection Type Complaint-Inspection

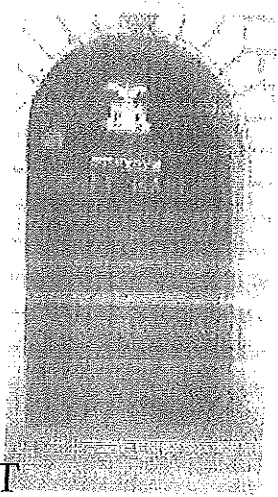
Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
1) 22-3 (a)	Exterior			Various locations	
Violation: Rodent Harborage					
Notes: Trash, furniture household trash					

Comments: All trash must be removed from the property within 30 days of the date of this notice

City of Portland
INSPECTION SERVICES

Room 315
389 Congress Street
Portland, Maine 04101

Telephone: 207-874-8703 or 207-874-8693
Facsimile: 207-874-8716



FACSIMILE TRANSMISSION COVER SHEET

TO: <u>Felicia At Goudron Realty</u>	FROM: <u>Marge</u>
FAX NUMBER: <u>774-6060</u>	NUMBER OF PAGES, WITH COVER: <u>5</u>
TELEPHONE: _____	RE: <u>54-56 Veranda St</u>
DATE: <u>2/7/05</u>	_____

Comments: I hope this helps you -

letter + ordinance info