

City of Portland, Maine - Building or Use Permit Application

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

Permit No: 04-0871	Issue Date: JUL 02 2004	CBE: 409 C026001
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Location of Construction: 25 Huntington Ave	Owner Name: Gillespie Evelyn M	Owner Address: 25 Huntington Ave	Phone: 878-8169
Business Name:	Contractor Name: Andrew DeForte Builders	Contractor Address: 11 Daggett St Portland	Phone: 2077977699
Lessee/Buyer's Name: <i>Dave Bennett</i>	Phone: <i>632-2445</i>	Permit Type: Alterations - Dwellings	Zone: <i>R-3</i>

Past Use: single family residence	Proposed Use: single family residence w/ handicapped access ramp & new handrails & stairs	Permit Fee: \$66.00	Cost of Work: \$5,000.00	CEO District: 4
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Proposed Project Description:
new handicapped access ramp & stairs-bring existing 6'x8' rear porch to code

FIRE DEPT: <i>N/A</i>	<input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: <i>R-3</i> Type <i>SB</i> <i>BOCA 1999</i>
Signature:	Signature:	

PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)

Action: Approved Approved w/Conditions Denied

Signature: _____ Date: _____

Permit Taken By: jodinea	Date Applied For: 06/25/2004	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</p> <p><input type="checkbox"/> Wetland</p> <p><input type="checkbox"/> Flood Zone</p> <p><input type="checkbox"/> Subdivision</p> <p><input type="checkbox"/> Site Plan</p> <p>Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/></p> <p>Date: <i>7/2/04</i></p>	<p>Zoning Appeal</p> <p><input checked="" type="checkbox"/> Variance <i>Disability</i></p> <p><input type="checkbox"/> Miscellaneous</p> <p><input type="checkbox"/> Conditional Use</p> <p><input type="checkbox"/> Interpretation</p> <p><input checked="" type="checkbox"/> Approved</p> <p><input type="checkbox"/> Denied</p> <p>Date: <i>8/19/04</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>7/2/04</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



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

Applicant Information:

BENNETT HOMES. DAVID, R.
 Name

BENNETT HOMES
 Business Name

32 WOODVALE ST.
 Address

PORTLAND, ME 04102-1325

632-2445
 Telephone Fax

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

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

Current Zoning Designation: R-3

Existing Use of Property:
SINGLE FAMILY.

Subject Property Information:

25 HUNNINGTON AVE
 Property Address

409-C-026
 Assessor's Reference (Chart-Block-Lot)

Property Owner (if different):

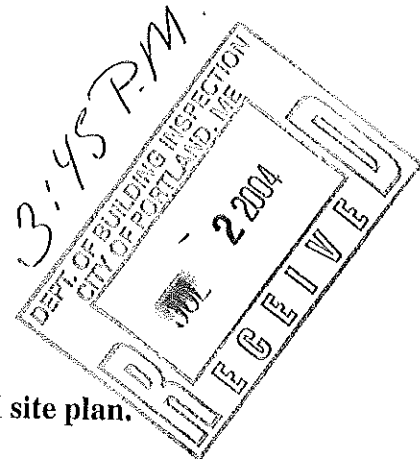
EWELYN GILLESPIE
 Name

25 HUNNINGTON AVE
 Address

PORTLAND ME 04103.

878-8169
 Telephone Fax

Variance from Section 14 - FRONT YARD
SET BACK (HANDI-CAP RAMP)



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 certifies that all information herein supplied by his/her is true and correct to the best of his/her knowledge and belief.

Signature of Applicant

7.2.04
 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

Reasons HANDI-CAP RAMP.

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 No _____ (deny the appeal)

Reasons HANDI CAP RAMP DOESN'T MEET FRONT YARD SETBACK.

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

Yes _____ (deny the appeal) No

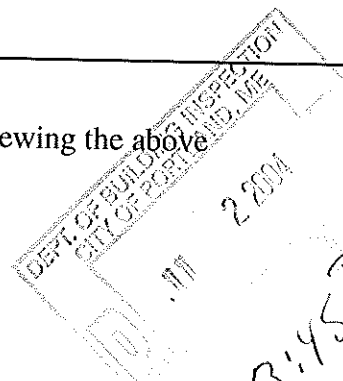
Reasons _____

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

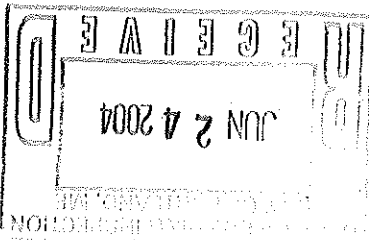
Yes _____ (deny the appeal) No

Reasons _____

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



12/16



3

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: 25 HUNNINGTON AVE PORT. ME 04103		
Total Square Footage of Proposed Structure 229 S.F.	Square Footage of Lot 9521.6 SF.	
Tax Assessor's Chart, Block & Lot Chart# 409 Block# C Lot# 26	Owner: EVELYN GILLESPIE 25 HUNNINGTON AVE PORT. ME 04103	Telephone: 878-8169
Lessee/Buyer's Name (If Applicable) N/A.	Applicant name, address & telephone: BENNETT HOMES. 32 WOODVALE ST. PORT. ME 04102 (207) 632-2445	Cost of Work: \$ 5,000.00 Fee: \$
Current use: SINGLE FAMILY HOME		
If the location is currently vacant, what was prior use: N/A		
Approximately how long has it been vacant: N/A.		
Proposed use: ELDERLY LADY IS HOUSE BOUND W/O THIS WHEEL CHAIR RAMP (OWNER)		
Project description: WHEEL CHAIR RAMP & BRING EXIST 6x8 REAR PORCH UP TO CODE W/ NEW STAIRS & HANDRAILS.		
Contractor's name, address & telephone: ANDREW DEFORTE BLDGS. 11 DAGGETT ST. PORTLAND, ME . 04103 (207)-797-7699		
Who should we contact when the permit is ready: APPLICANT		
Mailing address: PLEASE CALL WILL PICK-UP.... AGAIN "OWNER 32 WOODVALE ST. PORTLAND ME 04103. IS HOUSEBOUND"		
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: 632-2445		

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:	Date: 6-24-04
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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

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Permit No: 04-0871	Date Applied For: 06/25/2004	CBL: 409 C026001
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Location of Construction: 25 Huntington Ave	Owner Name: Gillespie Evelyn M	Owner Address: 25 Huntington Ave	Phone: () 878-8169
Business Name:	Contractor Name: Andrew DeForte Builders	Contractor Address: 11 Daggett St Portland	Phone: (207) 797-7699
Lessee/Buyer's Name	Phone:	Permit Type: Alterations - Dwellings	

Proposed Use: single family residence w/ handicapped access ramp & new handrails & stairs	Proposed Project Description: new handicapped access ramp & stairs-bring existing 6'x8' rear porch to code
--	---

Dept: Zoning Status: Approved with Conditions Reviewer: Tammy Munson Approval Date: 07/02/2004
 Note: Ok to Issue:

- 1) This permit is for the ramp only. The stop work order placed on the property regarding the pool and other violations is still in place. The issuance of this permit does not represent compliance with any other violation.
- 2) A letter stating the owners need for an immediate ramp must be submitted to this office prior to the release of the permit.
- 3) A board of appeals application must be filed prior to the release of this building permit.

Dept: Building Status: Approved Reviewer: Tammy Munson Approval Date: 07/02/2004
 Note: Ok to Issue:

Comments:

6/30/04-tmm: Left message w/builder - need porch framing details, handrails, possible redesign of ramp to be more compliant w/setbacks, also need to go to the Board of Appeals for setback variance.

7/2/04-tmm: Builder rediesgned it to make it more compliant, went over handrails reeq., left message staing we still need a letter from owner stating she is house bound and having surgery and also that he need to fill out a board of appeals packet when they pick up ther permit.

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

Please Read
Application And
Notes, if Any,
Attached

BUILDING INSPECTION

PERMIT

Permit Number: 040871

PERMIT ISSUED
JUL 02 2004
CITY OF PORTLAND

This is to certify that Gillespie Evelyn M/Andrew Porte Bu
has permission to new handicapped access ramp stairs-b existing 6'x8' rear rch to code
AT 25 Huntington Ave 409 C026001

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of Maine and of the ordinances of the City of Portland regulating the construction, maintenance and use of buildings and structures, and of the application on file in this department.

Apply to Public Works for street line and grade if nature of work requires such information.

Notification of inspection must be given and written permission procured before this building or part thereof is altered or closed-in. 48 HOUR NOTICE IS REQUIRED.

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

OTHER REQUIRED APPROVALS

Fire Dept. _____
Health Dept. _____
Appeal Board _____
Other _____
Department Name

[Signature]
7/2/04
Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 to schedule your inspections as agreed upon

Permits expire in 6 months, if the project is not started or ceases for 6 months.

The Owner or their designee is required to notify the inspections office for the following inspections and provide adequate notice. Notice must be called in 48-72 hours in advance in order to schedule an inspection:

By initializing at each inspection time, you are agreeing that you understand the inspection procedure and additional fees from a "Stop Work Order" and "Stop Work Order Release" will be incurred if the procedure is not followed as stated below.

[Signature] **Pre-construction Meeting:** Must be scheduled with your inspection team upon receipt of this permit. Jay Reynolds, Development Review Coordinator at 874-8632 must also be contacted at this time, before any site work begins on any project other than single family additions or alterations.

Footing/Building Location Inspection: Prior to pouring concrete

Re-Bar Schedule Inspection: Prior to pouring concrete

Foundation Inspection: Prior to placing ANY backfill

Framing/Rough Plumbing/Electrical: Prior to any insulating or drywalling

Final/Certificate of Occupancy: Prior to any occupancy of the structure or use. NOTE: There is a \$75.00 fee per inspection at this point.

Certificate of Occupancy is not required for certain projects. Your inspector can advise you if your project requires a Certificate of Occupancy. All projects DO require a final inspection

If any of the inspections do not occur, the project cannot go on to the next phase, REGARDLESS OF THE NOTICE OR CIRCUMSTANCES.

CERTIFICATE OF OCCUPANCIES MUST BE ISSUED AND PAID FOR, BEFORE THE SPACE MAY BE OCCUPIED

[Signature]
Signature of Applicant/Designee

Date

[Signature]
Signature of Inspections Official

Date

CBL:

409-C26

Building Permit #:

090871

Hugh F. Harwood, MD
66 Leighton Road
Falmouth, ME 04105

Tel: (207) 878-8799
Fax: (207) 878-8797

FACSIMILE COVER SHEET

FAX TO: City of Portland FAX# 874-8716

FAX FROM: Dr. Harwood

ATTN: Tammy Munson

OF PAGES (including cover sheet): _____

NOTES: Evelyn Collette DOB 10/31/31

Requires a permanent wheelchair
due to severe Osteoarthritis
and Degenerative Disk Disease.
She is permanently wheelchair
bound.

[Signature] 7/2/04

WARNING: The following material is strictly confidential; all persons are advised that they may be prosecuted under federal and state law for sharing this information with unauthorized individuals.

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Business Name:	Contractor Name: Andrew DeForte Builders	Contractor Address: 11 Daggett St Portland	Phone: (207) 797-7699
Lessee/Buyer's Name	Phone:	Permit Type: Alterations - Dwellings	

Proposed Use: single family residence w/ handicapped access ramp & new handrails & stairs	Proposed Project Description: new handicapped access ramp & stairs-bring existing 6'x8' rear porch to code
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- 2) A letter stating the owners need for an immediate ramp must be submitted to this office prior to the release of the permit. OK - rec'd 7/2
- 3) A board of appeals application must be filed prior to the release of this building permit.

Dept: Building Status: Approved Reviewer: Tammy Munson Approval Date: 07/02/2004

Note: Ok to Issue:

Comments:

6/30/04-tmm: Left message w/builder - need porch framing details, handrails, possible redesign of ramp to be more compliant w/setbacks, also need to go to the Board of Appeals for setback variance.

7/2/04-tmm: Builder rediesgned it to make it more compliant, went over handrails reeq., left message staing we still need a letter from owner stating she is house bound and having surgery and also that he need to fill out a board of appeals packet when they pick up ther permit.

*He will bring in
letter stating need
of ramps from owner*

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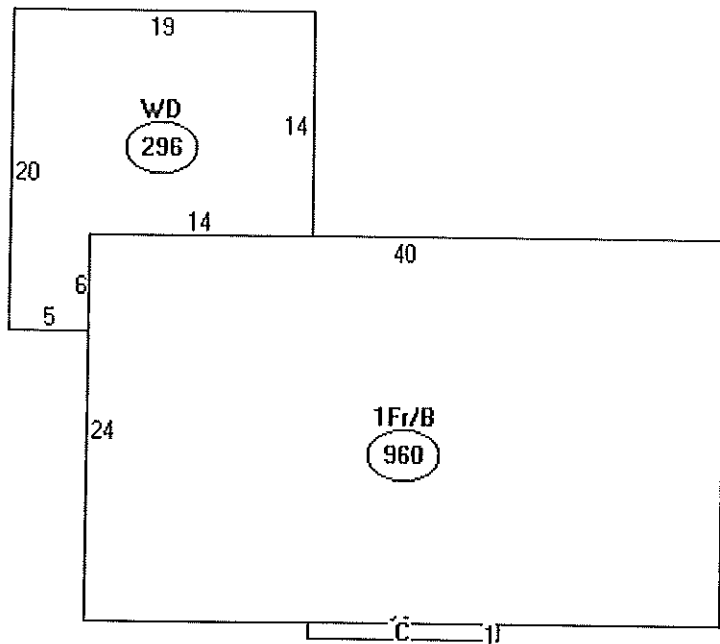
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Delete	Schedule	Add	End	Print Permit	Print C of C	Print Insp	Invoicing	Taxes Due	Close
Print	Tex193	42362	40871	Constr Type	New	Num1	40871		
Permit Nbr	04-0871	Location of Construction	25	Huntington Ave	Appl. Date	06/25/2004			
Status	Hold	Permit Type	Alterations - Dwellings	Issue Date	06/25/2004				
CBL	409 C026001	District Nbr	4	Estimated Cost	\$5,000.00	Date Closed			

Comment Date	06/30/2004	Comment	Left message w/builder - need porch framing details, handrails, possible redesign of ramp to be more compliant w/setbacks, also need to go to the Board of Appeals for setback variance.	Add	Delete	Save	Print
Name	Imm	Follow Up Date		Completed	<input type="checkbox"/>		

CreatedBy	Jodinea	CreateDate	06/25/2004	ModBy	Imm	ModDate	06/30/2004
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Descriptor/Area

- A: 1Fr/B
960 sqft
- B: WD
296 sqft
- C: FBAY
12 sqft

$$\begin{array}{r} 9540 \\ \times 2.5 \\ \hline 2392.5 \end{array}$$

1268 SF
61 shed
1332 current
48

1380
OK -
1000 SF
1e ft

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	409 C026001
Location	25 HUNTINGTON AVE
Land Use	SINGLE FAMILY
 Owner Address	 GILLESPIE EVELYN M 25 HUNTINGTON AVE PORTLAND ME 04103
 Book/Page	 409-C-26
Legal	HUNTINGTON AVE 23-29 9570 SF

Valuation Information

Land	Building	Total
\$32,130	\$62,060	\$94,190

Property Information

Year Built	Style	Story Height	Sq. Ft.	Total Acres	
1980	Ranch	1	972	0.22	
Bedrooms	Full Baths	Half Baths	Total Rooms	Attic	Basement
5	2		8	None	Full

Outbuildings

Type	Quantity	Year Built	Size	Grade	Condition
------	----------	------------	------	-------	-----------

Sales Information

Date	Type	Price	Book/Page
------	------	-------	-----------

Picture and Sketch

[Picture](#) [Sketch](#)

[Click here to view Tax Roll Information.](#)

Any information concerning tax payments should be directed to the Treasury office at 874-8490 or [e-mailed.](#)

New Search



City of Portland Zoning Board of Appeals

August 9, 2004

Dear Appellant,

Your Appeal Application has been scheduled to appear before The Zoning Board of Appeals on August 19, 2004 at 7:00 p.m. on the second floor of City Hall in room 209.

Please remember to bring a copy of the packet with you to the meeting to answer any questions the Board may have.

I have included an agenda with your item highlighted along with the procedures of the meeting to formularize yourself with.

I have also included the bill for the legal ad and abutter's notices. The check should written as follows:

TO: City of Portland
MAILING ADDRESS: 389 Congress Street
Room 315
Portland, Maine 04101

If you have any questions, you may call me, Gayle Guertin, at 207-874-8701.

Sincerely,

Gayle Guertin

CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

389 Congress Street
 Portland, Maine 04101

INVOICE FOR FEES

Application No: 0000-0608	Applicant: Gillespie Evelyn M
Project Name: 25 Huntington Ave	Location: 25 HUNTINGTON AVE
CBL: 409 C026001	Application Type:
Invoice Date: 08/09/2004	

Previous Balance	-	Payment Received	+	Current Fees	=	Total Due		Payment Due Date
\$107.60		\$0.00		\$60.00		\$167.60		On Receipt

First Billing

Previous Balance	\$107.60
-------------------------	-----------------

Fee Description	Qty	Fee Charge
Legal Advertisements	1	\$60.00
		<u>\$60.00</u>
Total Current Fees:	+	\$60.00
Amount Due Now:		\$167.60

 Detach and remit with payment

Bill to: Gillespie Evelyn M
 25 Huntington Ave
 Portland, ME 04103

CBL 409 C026001
Application No: 0000-0608
Invoice Date: 08/09/2004
Invoice No: 15239
Total Amt Due: \$167.60
Payment Amount:

Make checks payable to the *City of Portland*, ATTN: Karen Dunfey, 3rd Floor, 389 Congress Street, Portland, ME 04101

CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

389 Congress Street
 Portland, Maine 04101

INVOICE FOR FEES

Application No: 0000-0608	Applicant: Gillespie Evelyn M
Project Name: 25 Huntington Ave	Location: 25 HUNTINGTON AVE
CBL: 409 C026001	Application Type:
Invoice Date: 07/27/2004	

Previous Balance	-	Payment Received	+	Current Fees	=	Total Due		Payment Due Date
\$100.00		\$100.00		\$107.60		\$107.60		On Receipt

First Billing

Previous Balance	\$100.00
Payment Received 07/20/2004 - Thank you	\$100.00

Fee Description	Qty	Fee Charge
Legal Advertisements	1	\$57.00
Notices	92	\$50.60
		<u>\$107.60</u>

Total Current Fees:	\$107.60
Amount Due Now:	\$107.60

 Detach and remit with payment

Bill to: Gillespie Evelyn M
 25 Huntington Ave
 Portland, ME 04103

CBL 409 C026001
Application No: 0000-0608
Invoice Date: 07/27/2004
Invoice No: 15077
Total Amt Due: \$107.60
Payment Amount:

Make checks payable to the *City of Portland*, ATTN: Karen Dunfey, 3rd Floor, 389 Congress Street, Portland, ME 04101.

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

APPEAL AGENDA

The Board of Appeals held a public hearing on Thursday, August 19, 2004 at 7:00 p.m. on the second floor in Room 209 at the Portland City Hall 389 Congress Street, Portland, Maine to hear the following appeals:

To: City Clerk
From: Marge Schmuckal, Zoning Administrator
Date: August 31, 2004
RE: Action taken by the Zoning Board of Appeals on August 19, 2004

The meeting was called to order at 7:07 p.m.

Roll call as follows:

Members present: Chair Patric Santerre, Catherine Alexander, Nan Sawyer and Derek Gamble
Members Absent: Joseph Lewis and Peter Thornton

1. New Business:

A. Disability Variance

Evelyn Gillespie of 24 Huntington Avenue, Tax Map #409, Block C, Lot #0026 in the R-3 Zone is seeking a Disability Variance under section 14-473 (c)(2) and dimensional requirements 14-90(d) 2 of the Portland Zoning Ordinance to construct ramp on the front and left side of the building. The front setback requirement is 25'; the applicant is requesting a reduction of 9'. The new front yard setback will be 16'. David Bennett of Bennett Homes will represent the applicant. Board voted 4-0 to allow for relief from section 14-90(d) 2 of the zoning ordinance in regards to the dimensional requirement to allow an approximate sixteen (16) foot front yard setback for a handicap ramp instead of the twenty-foot minimum required, with the condition that the ramp may not be modified in any way from the plans submitted with the application.

2. New Business:

A. Variance Appeal

Richard Gendron and Helen Champagne, Trustees of 450 Baxter Boulevard, corner 120-126 Parsons Road Tax Map #139 Block K, Lot #013 in the R-3 Zone is seeking a Variance Appeal under section 14-426 (fences) and 14-428 (corner lots) of the Portland Zoning Ordinance to replace a 15 foot-high hedge with a 5 to 7-foot high wooden fence on the Parsons Road side of the property. The ordinance states within 25 feet of the street line, a front yard fence shall not be higher than 4 feet in height. Clarke C. Hambley, P.A. will be representing the applicant. The Board voted 4-0 to allow the applicant to withdraw the appeal without prejudice.

3. Other Business: There was no new business
4. Adjournment: Meeting adjourned at 8:00p.m.

Enclosure:

Agenda of August 19, 2004
Copy of Board's Decision
1 standard size tapes

CC: Joseph Gray, City Manager
Alex Jaegerman, Planning Department
Lee Urban, Planning & Development Director
Aaron Shapario, Housing & Neighborhood Services



CITY OF PORTLAND

CERTIFICATE OF DIABILITY VARIANCE APPROVAL

I, Patric Santerre, the duly appointed Chair of the Board of Appeals for the City of Portland, Cumberland County and State of Maine, hereby certify that on the 19th day of , 2004, the following variance was granted pursuant to the provisions of 22 M.R.S.A., § 1711-C (Confidentiality of Health Care Information) and 1 M.R.S.A., § 402(3) (Freedom of Access Law) and City of Portland's Code of Ordinances.

1. **Current Property Owner: Evelyn M. Gillespie**
2. **Property: Cumberland Country Registry of Deeds, Book 6119 , Page 215**
(Last recorded February 16, 1963 Deed in Chain of Title)
25 Huntington Avenue, Portland, ME CBL: 409-C-026
3. **Variance and Conditions of Variance:**
To allow for relief from Section 14-90(d)2 of the Zoning Ordinance in regards to the dimensional requirement to allow an approximate sixteen (16) foot front yard setback for a handicap ramp instead of the twenty-five foot minimum required, with the condition that the ramp may not be modified in any way from the plans submitted with the application.

IN WITNESS WHEREOF, I have hereto set my hand and seal this 25th day of August, 2004.

Patric Santerre Chair

Patric Santerre
(Printed or Typed Name)

STATE OF MAINE
Cumberland, ss.

Then personally appeared the above-named **Patric Santerre** and acknowledged the above certificate to be his free act and deed in his capacity as Chairman of the Portland Board of Appeals.

Margaret Schmuckal
Margaret Schmuckal (Printed or Typed Name)
Notary Public
my term expires June 20, 2005

PURSUANT TO 30-A M.R.S.A. SECTION 4353(5), THIS CERTIFICATE MUST BE RECORDED BY THE PROPERTY OWNER IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS WITHIN 90 DAYS FROM FINAL WRITTEN APPROVAL FOR THE VARIANCE TO BE VALID. FURTHERMORE, THIS VARIANCE IS SUBJECT TO THE LIMITATIONS SET FORTH IN SECTION 14-474 OF THE CITY OF PORTLAND'S CODE OF ORDINANCES.

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

APPEAL AGENDA

The Board of Appeals will hold a public hearing on Thursday, August 19, 2004 at 7:00 p.m. on the second floor in Room 209 at the Portland City Hall 389 Congress Street, Portland, Maine to hear the following appeals:

1. Old Business

A. Disability Variance

Evelyn Gillespie of 24 Huntington Avenue, Tax Map #409, Block C, Lot #0026 in the R-3 Zone is seeking a Disability Variance under section 14-473 (c)(2) and dimensional requirements 14-90(d) 2 of the Portland Zoning Ordinance to construct ramp on the front and left side of the building. The front setback requirement is 25', the applicant is requesting a reduction of 9'. The new front yard setback will be 16'. David Bennett of Bennett Homes will represent the applicant

2. New Business:

A. Variance Appeal

Richard Gendron and Helen Champagne, Trustees of 450 Baxter Boulevard, corner 120-6 Parsons Road Tax Map #139 Block K, Lot #013 in the R-3 Zone is seeking a Variance Appeal under section 14-426 (fences) and 14-428 (corner lots) of the Portland Zoning Ordinance to replace a 15 foot-high hedge with a 5 to 7-foot high wooden fence on the Parsons Road side of the property. The ordinance states within 25 feet of the street line, a front yard fence shall not be higher than 4 feet in height. Clarke C. Hambley, P.A. will be representing the applicant.

3. Other Business:

4. Adjournment:



CITY OF PORTLAND

CERTIFICATE OF DIABILITY VARIANCE APPROVAL

I, Patric Santerre, the duly appointed Chair of the Board of Appeals for the City of Portland, Cumberland County and State of Maine, hereby certify that on the 19th day of , 2004, the following variance was granted pursuant to the provisions of 22 M.R.S.A., § 1711-C (Confidentiality of Health Care Information) and 1 M.R.S.A., § 402(3) (Freedom of Access Law) and City of Portland's Code of Ordinances.

1. **Current Property Owner:** Evelyn M. Gillespie
2. **Property:** Cumberland County Registry of Deeds, Book 6119 , Page 215
(Last recorded February 16, 1963 Deed in Chain of Title)
25 Huntington Avenue, Portland, ME CBL: 409-C-026
3. **Variance and Conditions of Variance:**
To allow for relief from Section 14-90(d)2 of the Zoning Ordinance in regards to the dimensional requirement to allow an approximate sixteen (16) foot front yard setback for a handicap ramp instead of the twenty-five foot minimum required, with the condition that the ramp may not be modified in any way from the plans submitted with the application.

IN WITNESS WHEREOF, I have hereto set my hand and seal this 25th day of August, 2004.

Patric Santerre Chair

Patric Santerre
(Printed or Typed Name)

STATE OF MAINE
Cumberland, ss.

Then personally appeared the above-named **Patric Santerre** and acknowledged the above certificate to be his free act and deed in his capacity as Chairman of the Portland Board of Appeals.

Margaret Schmuckal
Margaret Schmuckal (Printed or Typed Name)

my term expires June 20, 2005
Notary Public

PURSUANT TO 30-A M.R.S.A. SECTION 4353(5), THIS CERTIFICATE MUST BE RECORDED BY THE PROPERTY OWNER IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS WITHIN 90 DAYS FROM FINAL WRITTEN APPROVAL FOR THE VARIANCE TO BE VALID. FURTHERMORE, THIS VARIANCE IS SUBJECT TO THE LIMITATIONS SET FORTH IN SECTION 14-474 OF THE CITY OF PORTLAND'S CODE OF ORDINANCES.

DISABILITY VARIANCE- DECISION

WARNING

This decision contains health care information and is CONFIDENTIAL, pursuant to 22 M.R.S.A., § 1711-C (Confidentiality of Health Care Information) and 1 M.R.S.A., § 402(3) (Freedom of Access Law).

THE MEDICAL INFORMATION CONTAINED HEREIN MAY NOT BE DISCLOSED TO ANY PERSON WITHOUT THE WRITTEN CONSENT OF THE PATIENT.

The Board of Appeals is authorized to grant disability variances by 30-A M.R.S.A., §4-A and Port Municipal Code §14-473 (c)(2).

DECISION

Name and address of applicant:

EVELYN GILLESPIE represented by DAVID BENNETT
BENNETT HOMES 32 WOODVALE ST. PORTLAND

Location of property under appeal:

25 HUNTINGTON AVENUE

Appearances.

Names and addresses of witnesses (proponents, opponents and others):

David Bennett _____

Exhibits.

1. The need for the variance is due to a disability which constitutes a physical or mental handicap as defined by 5 M.R.S.A., §4553.

YES 4 NO _____ (deny application)

Comment: Letter provided by doctor verifying the disability, is part of the record.

2. The person with the disability resides in the dwelling.

YES 4 NO _____ (deny application)

Comment: owner with disability resides in dwelling.

3. The variance requested is restricted solely to the installation of equipment or the construction of structures necessary for access to or egress from the dwelling by the person with the disability.

YES 4 NO _____ (deny application)

Comment: The variance is restricted to the construction of a ramp for access to the dwelling by the person with the disability.

4. Does the Board wish to impose conditions on the variance?

YES 4 NO _____

Condition(s) The ramp may not be modified in any way from the plans submitted with the application.

5. Date of Public Hearing: 8 8/19/04

6. Motion: motion to ~~approve~~ grant disability variance with condition set forth above.
(including conditions and findings of fact) _____

findings set forth above.

7. Votes in Favor

Votes Opposed

John D. [Signature]

[Signature]

Derek R. [Signature]

[Signature]



CITY OF PORTLAND

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Patric Santerre Chair

Patric Santerre
(Printed or Typed Name)

STATE OF MAINE
Cumberland, ss.

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Margaret Schmuckel
Margaret Schmuckel (Printed or Typed Name)

Notary Public
my term expires June 28, 2005

PURSUANT TO 30-A M.R.S.A. SECTION 4353(5), THIS CERTIFICATE MUST BE RECORDED BY THE PROPERTY OWNER IN THE CUMBERLAND-COUNTY REGISTRY OF DEEDS WITHIN 90 DAYS FROM FINAL WRITTEN APPROVAL FOR THE VARIANCE TO BE VALID. FURTHERMORE, THIS VARIANCE IS SUBJECT TO THE LIMITATIONS SET FORTH IN SECTION 14-474 OF THE CITY OF PORTLAND'S CODE OF ORDINANCES.



CITY OF PORTLAND, MAINE
Department of Building Inspections

Received from General House 10/22 2004

Location of Work 2225 Harrison St. Portland, ME

Cost of Construction \$ _____
Permit Fee \$ 150.00

Building (1L) _____ Plumbing (15) _____ Electrical (12) _____ Site Plan (U2) _____

Other Approval 2004

CBL: 109 C 26
Check #: 1490 Total Collected \$ 150.00

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