



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
Tammy M. Munson*

August 12, 2009

Sadri Shir
41 Ocean House Road
Cape Elizabeth, Maine 04107

Sterling Brothers
P.O. Box 43
Westbrook, Maine 04098

RE: 104 Front Street
CBL: 167 B 006
ZONE: R3

Dear Ms. Shir:

On August 6, 2009 the Portland Zoning Board of Appeals, by a vote of 4-0, granted your request for a Disability Variance pursuant to Portland Land Use Code §14-473 (c)(2). The Variance was granted with the condition that the handicap ramp must be removed when it is no longer needed and/or upon exit of a handicap tenant.

Enclosed please find the Certificate of Disability Variance Approval **which must be filed in the Cumberland County Registry of Deeds within 90 days from the date of the ZBA approval.** Please provide this office with a copy of the Book and Page Number from the CCRD.

Appeals from decisions of the Board may be filed in Superior Court, pursuant to 30-A M.R.S.A. section 2691 (2) (G).

Should you have any questions please feel free to contact me at 207-874-8701.

Sincerely,

A handwritten signature in cursive script that reads "Gayle Guertin".

Gayle Guertin
Office Assistant

CC: file

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

ZONING BOARD APPEAL DECISION

To: City Clerk
From: Marge Schmuckal, Zoning Administrator
Date: August 10, 2009
RE: Action taken by the Zoning Board of Appeals on August 6, 2009.

Members Present: Jill Hunter (acting chair), Deborah Rutter (acting secretary), Sara Moppin and William Getz.

Member Absent: Phil Saucier, Gordon Smith and Peter Coyne.

1. New Business:

A. Disability Variance Appeal:

104 Front Street, Sadri Shir, owner, Tax Map 167, Block B, Lot 006, R-3 Residential Zone: The appellant was seeking a disability variance under section 14-473(c)(2) to install a handicap ramp. The appellant was requesting a front yard setback of zero feet instead of the minimum twenty-five foot setback as required under section 14-90(d)(1). Representing the appeal was Stevan Morrow, Sterling Builders, Inc.

The Board voted 4-0 to grant the Disability Variance Appeal with the condition that the ramp is to be removed when it is no longer needed and/or upon exit of tenant.

B. Conditional Use Appeal:

361 Ludlow Street, Clyde Blackwell & Jane McCarthy-Blackwell, owners, Tax Map 286, Block D, Lot 009, R-3 Residential Zone: The appellants were seeking a Conditional Use Appeal under section 14-88(a)(2) to add an accessory dwelling unit to their single family dwelling. Representing the appeal were the owners. **The Board**

voted 4-0 to grant the Conditional Use Appeal for a period of two years of the approval.

C. Conditional Use Appeal:

1757 Forest Avenue, Sean & Patricia A. Finnemore Meehan, owners, Tax Map 309, Block A, Lot 018, R-3

Residential Zone: The appellant was seeking a Conditional Use Appeal under section 14-88(d)(3) to have a family daycare at her home for 12 children. Representing the appeal was the owner, Patricia Meehan. **The Board voted 4-0 to grant the Conditional Use Appeal.**

Enclosure:

Agenda of August 6, 2009

Original Zoning Board Decision

One dvd

CC: Joseph Gray, City Manager

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

Alex Jaegerman, Planning Division

T.J. Martzial, Housing & Neighborhood Services Division

by
emu, 1

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

Penny St. Louis Littell
Planning & Development

APPEAL AGENDA

The Board of Appeals will hold a public hearing on Thursday, August 06, 2009 at 6:30 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. New Business:

A. Disability Variance Appeal:

104 Front Street, Sadri Shir, owner, Tax Map 167, Block B, Lot 006, R-3 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 zero feet instead of the maximum twenty-five foot setback as required under section 14-90(d)(1). Representing the appeal is Stevan Morrow, Sterling Builders, Inc.

B. Conditional Use Appeal:

361 Ludlow Street, Clyde Blackwell & Jane McCarthy-Blackwell, owners, Tax Map 286, Block D, Lot 009, R-3 Residential Zone: The appellants are seeking a Conditional Use Appeal under section 14-88(a)(2) to add an accessory dwelling unit to their single family dwelling. Representing the appeal are the owners.

C. Conditional Use Appeal:

1757 Forest Avenue, Sean & Patricia A. Finnemore Meehan, owners, Tax Map 309, Block A, Lot 018, R-3 Residential Zone: The appellant is seeking a Conditional Use Appeal under section 14-88(d)(3) to have a family daycare at her home for 12 children. Representing the appeal is the owner, Patricia Meehan.

2. Other Business:

3. Adjournment:

RECEIVED

JUL 29 2009

City of Portland
Planning Division

Gayle Guertin - Re: ZBA legal ad for Friday ,07/30/09

From: Joan Jensen <jjensen@pressherald.com>
To: Gayle Guertin <GG@portlandmaine.gov>
Date: 7/28/2009 11:31 AM
Subject: Re: ZBA legal ad for Friday ,07/30/09

Hi Gayle,

All set to run your ad on Thursday, July 30.

The cost is \$179.41.

divided 3 ways

If you have any questions, please call or email me.

Thank you,
Joan

Joan Jensen
Legal Advertising
Portland Press Herald/Maine Sunday Telegram
P.O. Box 1460
Portland, ME 04104
Tel. (207) 791-6157
Fax (207) 791-6910
Email jjensen@pressherald.com

On 7/28/09 9:41 AM, "Gayle Guertin" <GG@portlandmaine.gov> wrote:

Good Morning Joan,
Attached is the Zoning Board of Appeals agenda for the legal ad on Friday, July 30, 2009.

Thank You
Gayle Guertin @ 874-8701

CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT
389 Congress Street
Portland, Maine 04101

INVOICE FOR FEES

Application No:	0000-1535	Applicant:	Hoden Aden
Project Name:	104 Front St	Location:	104 FRONT ST
CBL:	167 B006001	Application Type:	
Invoice Date:	07/15/2009		

Previous Balance	-	Payment Received	+	Current Fees	-	Current Payment	=	Total Due	Payment Due Date
\$0.00		\$0.00		\$248.06		\$100.00		\$148.06	On Receipt

Second Billing

Previous Balance \$0.00

Fee Description	Qty	Fee/Deposit Charge
Legal Advertisements	1	\$59.81
Notices	51	\$38.25
Legal Ad Processing Fee	1	\$50.00
Appeal Fee	1	\$100.00
		\$248.06
Total Current Fees:		+ \$248.06
Total Current Payments:		- \$100.00
Amount Due Now:		\$148.06

Detach and remit with payment

Bill to: Shir Sadri
41 Ocean House Rd
Cape Elizabeth , ME 04107

CBL 167 B006001
Application No: 0000-1535
Invoice Date: 07/15/2009
Invoice No: 35013
Total Amt Due: \$148.06
Payment Amount:

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

*Strengthening a Remarkable City.
Building a Community for Life.*

**PORTLAND
MAINE**

Inspection Services Division

389 Congress Street, RM 315
Portland, Maine 04101-3509

Steven Morrow
c/o Sterling Builders Inc.
PO Box 43
Westbrook, ME 04098

members present: Jill Hunter (Acting Chair) - Deborah Futter (Acting Sec.)
CITY OF PORTLAND, MAINE Sara Moppin - William Getz
ZONING BOARD OF APPEALS
members Absent: Phil Sancier, Gordon Smith, Peter Coyne -

APPEAL AGENDA

meeting called to order 6:35 pm

The Board of Appeals will hold a public hearing on Thursday, August 06, 2009 at 6:30 p.m. on the second floor in room 209 at the Portland City Hall, 389 Congress Street, Portland, Maine, to hear the following Appeals:

4-0 granted on condition
1. New Business:
A. Disability Variance Appeal:
104 Front Street, Sadri Shir, owner, Tax Map 167, Block B, Lot 006, R-3 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 zero feet instead of the ~~maximum~~ ^{minimum} twenty-five foot setback as required under section 14-90(d)(1). Representing the appeal is Stevan Morrow, Sterling Builders, Inc.

4-0 granted a period of 30 years
B. Conditional Use Appeal:
361 Ludlow Street, Clyde Blackwell & Jane McCarthy-Blackwell, owners, Tax Map 286, Block D, Lot 009, R-3 Residential Zone: The appellants are seeking a Conditional Use Appeal under section 14-88(a)(2) to add an accessory dwelling unit to their single family dwelling. Representing the appeal are the owners.

4-0 granted
C. Conditional Use Appeal:
1757 Forest Avenue, Sean & Patricia A. Finnemore Meehan, owners, Tax Map 309, Block A, Lot 018, R-3 Residential Zone: The appellant is seeking a Conditional Use Appeal under section 14-88(d)(3) to have a family daycare at her home for 12 children. Representing the appeal is the owner, Patricia Meehan.

2. Other Business:

3. Adjournment: 7:15 pm

deborah.futter@yahoo.com

Schuyler VA 22969

Secretary's Sand Rd

~~Secret~~

7714



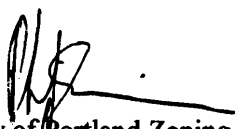
CITY OF PORTLAND

CERTIFICATE OF DISABILITY VARIANCE APPROVAL

I, Philip Saucier, 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 6th day of August, 2009, the following variance was granted pursuant to the provisions of 30-A M.R.S.A. Section 4353(5) and the City of Portland's Code of Ordinances.

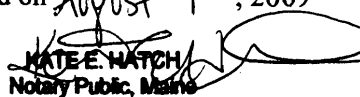
1. **Current Property Owner: Sadri Shir**
2. **Property: 104 Front Street, Portland, ME CBL: 167-B-006**
Cumberland County Registry of Deeds, Book 24302 Page 181
Last recorded deed in chain of Title: 08/25/2006
3. **Variance and Conditions of Variance:**
To grant relief from Section 14-90(d)(1) of the Land Use zoning Ordinance in regards to a front yard setback of zero (0) feet instead of the minimum twenty-five (25) foot setback as required, with a condition that the ramp is to be removed when it is no longer needed and/or upon exit of tenant.

IN WITNESS WHEREOF, I have hereto set my hand and seal this 9th day of August, 2009


Chair of City of Portland Zoning Board,
Philip Saucier
(Printed or Typed Name)

STATE OF MAINE
Cumberland, ss.

Then personally appeared the above-named Philip Saucier and acknowledged the above certificate to be his free act and deed in his capacity as Chairman of the Portland Board of Appeals, with his signature witnessed on August 9, 2009


KATE E. HATCH
Notary Public, Maine
My Commission Expires August 2, 2012

(Printed or Typed Name)
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.

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

Disability Variance Appeal

DECISION

Date of public hearing: August 6, 2009

Name and address of applicant: Sterling Brothers
PO Box 43
Westbrook, ME 04098

Location of property under appeal: 104 Front Street

For the Record:

Names and addresses of witnesses (proponents, opponents and others):
Stevan Morrow, Sterling Builders, Inc.

Exhibits admitted (e.g. renderings, reports, etc.):

As indicated in packets provided;
Nothing else admitted

Findings of Fact and Conclusions of Law:

Applicant is seeking a variance for a handicap ramp. The property is located in the R-3 residential zone, which has a twenty-five foot setback. Applicant is requesting a zero feet setback for the ramp.

Disability Variance standard pursuant to Portland City Code §14-473(c)(2):

1. The variance is for the purpose of making the property accessible to a person with a disability who is living on the property. "Disability" has the same meaning as a physical or mental handicap under 5 M.R.S.A. Section 4553, which is "any disability, infirmity, malformation, disfigurement, congenital defect or mental condition caused by bodily injury, accident, disease, birth defect, environmental conditions or illness, and includes the physical or mental condition of a person that constitutes a substantial disability as determined by a physician or, in the case of mental disability, by a psychiatrist or psychologist, as well as any other health or sensory impairment that requires special education, vocational rehabilitation or related services."

Satisfied ✓ 1-0 Not Satisfied

Reason and supporting facts:

Disability variance application, written;
with Medical Examination for Immigrant or Refugee Applicant

2. Any variance granted under this subsection shall be solely for the installation of equipment or the construction of structures necessary for access to or egress from the property by the person with the disability.

Satisfied ✓ 1-0 Not Satisfied

Reason and supporting facts:

As application requires; testimony

Conclusion: (check one)

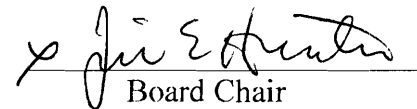
___ Option 1: The Board finds that the standards described above have been satisfied and therefore GRANTS the application.

3. ☒ ⁴⁻⁰ Option 2: The Board finds that while the standard described above has been satisfied, certain additional conditions must be imposed to minimize adverse effects on other property in the neighborhood, and therefore GRANTS the application SUBJECT TO THE FOLLOWING CONDITIONS: (Note that the board may limit the variance to the duration of the disability or to the time that the person with the disability lives on the property).

- Ramp to be removed when it is no longer need and/or upon exit of tenant.

___ Option 3: The Board finds that the standard described has NOT been satisfied and therefore DENIES the application.

Dated:


Board Chair



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

*Penny St. Louis Littell - Director of Planning and Urban Development
Marge Schmuckal, Zoning Administrator*

TO: CHAIR AND MEMBERS OF THE ZONING BOARD OF APPEALS

FROM: ANN MACHADO, ZONING SPECIALIST

SUBJECT: 104 Front Street - 167 B006 – R-3 Residential Zone – Disability Variance

DATE: JULY 22, 2009

The purpose of this memo is to clarify who the applicant is. Sadri Shir is the owner of the property at 104 Front Street. The tenant at the property is Hodan Adan. Her dependent child is Jibril Mohamed. It is Jibril Mohammed who has the disability which requires the handicap ramp. Alpha One, a nonprofit agency, hired Sterling Builders to install the handicap ramp and take care of the necessary paperwork. Stevan Morrow, who is representing the appeal, works for Sterling Builders.



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

Applicant Information:

Name Mohamed JABRIH (Son of Hodan Aden)

Business Name c/o Sterling Builders Inc. - Stevan Morrow

Address P.O. Box 43

Westbrook Maine 04098

Telephone 207-854-1289 Fax 888-601-2909

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

Contractor For Renter
(e.g. owner, purchaser, etc.):

Current Zoning Designation: R-3

Existing Use of Property:

Residence - Single Family

Subject Property Information:

104 Front St.

Property Address

Assessor's Reference (Chart-Block-Lot) 167 B 006

Property Owner (if different):

Name Shir Sadri

Address 41 Ocean house Rd.

Cape Elizabeth ME 04107

Telephone 541-4870

Fax

Variance from Section 14 - 473(c)(2)

JUL 8 2009

Stevan Morrow - Representing

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.

Stevan Morrow

Signature of Applicant

7-8-09

Date

Disability Variance Application

WARNING

This application 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).

1. What is the nature of the disability which supports the request for a variance?

Jibril MOHAMED is a 12 year old male, and son of Ms Hodan ADEN.

He has limited use of his arms and legs and is pushed in a wheelchair to move about.

The variance is needed for installation of a critical access ramp for Jibril MOHAMED to enter and leave the family home safely.

2. Does the disability constitute a physical or mental handicap as defined by 5 M.R.S.A., §4553?

Yes ☒

No ☐

Review of Jibril MOHAMED's recent "Medical Examination for Immigrant or Refugee Applicant" (Department of State Form DS-2053) indicates he has a Class B condition defined as "Quadripareisis since 6 months of age... as a result of a motor neuron disease with a history of convulsions in infancy, but none since 6 months of age. He requires (a) wheelchair for mobility and family assistance for daily life activities."

3. Does the person with the disability reside in the dwelling?

Yes ☒

No ☐

Jibril MOHAMED recently arrived in the United States as a "refugee" with his seven brothers and mother Ms Hodan ADEN. They live together at 104 Front Street, Portland, Maine. This is a single family home with a threshold 5 inches above the ground.

4. Is the variance which is requested 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

X

No

The variance is needed to provide the area necessary for installation of a critical access ramp that is 72 lineal feet and in accordance with the Minnesota Ramp Project design that meets local and Americans with Disabilities Act (ADA) standards. The ramp is not a permanent structure and can be removed if Jibril MOWAMEE leaves or the family changes residence. Conditions

Dwight E. Gladden, IFA

Alpha One, South Portland ME.

The Board may impose conditions on the variance, including limiting the term of the variance to the duration of the disability or the time that the person with the disability lives in the dwelling.

07/07/2009

* The phrase "structure necessary for access to or egress from the dwelling" includes railing, wall or roof systems necessary for the safety or effectiveness of the structure.



P.O. Box 43
Westbrook, Maine 04098
Off. 207-854-1289
Cell 207-831-9595
Fax 888-601-2909
E-mail smorrow@maine.rr.com
www.Sterlingbuildersinc.org

7/08/09

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

Re: Mohamed Jabril (son of Hodan Aden) 104 front Street Portland Variance application

To whom it may concern,


Please find attached 11 copies of the disability variance appeals application for the above address.

Sterling Builders is working on behalf of Alpha 1 a nonprofit agency advocating for persons with disabilities. Temporary ramp structures installed by us for Alpha One are supported under grant funds allocated to Alpha One from various Grant programs including some generously provided by the City of Portland for use by some of their residents. This ramp for Mohamed Jabril, is partially supported by funds presented to Alpha One for the construction of disability access for Portland Residents in need. This being the case any opportunity to wave these application costs and ease the financial burden on these Grant Funds would be most appreciated.

Apparently this ramp has brought the structure footprint for this lot to the street easement presently 10' from the corner of the existing house. We are therefore asking for a variance to accommodate this temporary structure.

Thank you for your consideration of this projects variance needs.

Respectfully Submitted on behalf of Alpha One and Mohamed Jabril,


Stevan W. Morrow
President

Stevan Morrow

From: William Scott [WGS@portlandmaine.gov]
Sent: Wednesday, May 13, 2009 1:58 PM
To: smorrow@maine.rr.com
Cc: Frank Brancely; William Clark
Subject: Street line reference at 104 Front Street
Attachments: Front St 01.jpg

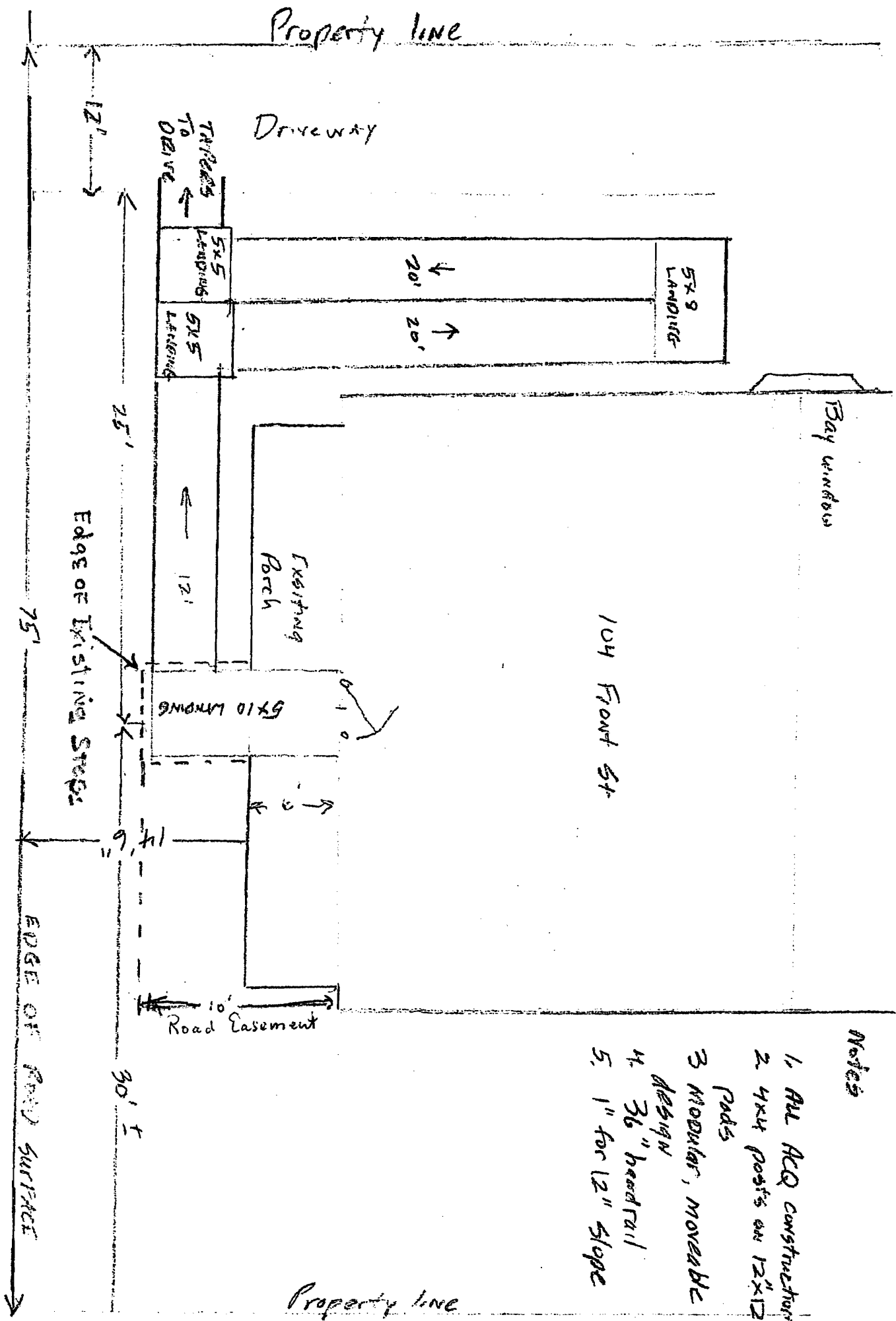
Hello Steve. Regarding your request on May 8th concerning the location of the street line at this address, please see the JPG image below.

According to this survey tie sheet, the street line of Front Street is approximately ten feet (10') from the cornerboard of the house (not porch) on the side closest to Johansen Street.

Please respond to this email to verify that this message is clear to you, and that you can access the image below. Feel free to call me as well, if need be. Thank you.

Bill Scott
Project Engineer-Surveys
City of Portland, Maine
Department of Public Services
Engineering Section
207-874-8825

[illegible]

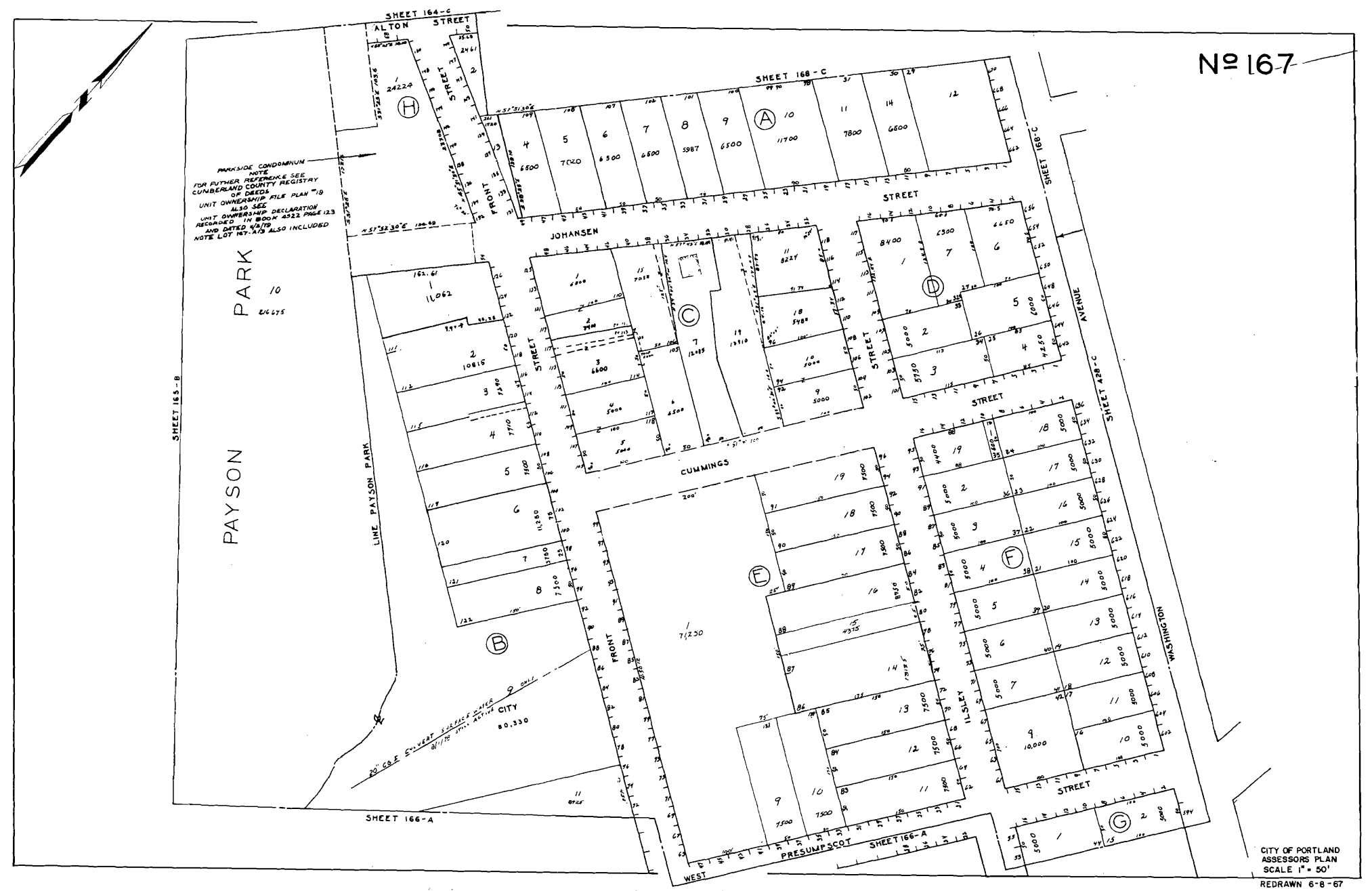


Notes

1. All ACQ construction
2. 4x4 posts on 12x12" pads
3. Modular, moveable design
4. 36" handrail
5. 1" for 12" slope

Front Street
 104 Front St.
 Portland, ME. 04103

CITY OF PORTLAND
ASSESSORS PLAN
SCALE 1" = 50'
REDRAWN 6-8-67







**Critical Access Ramp Program
Landlord's Acknowledgement of
Property Modification**

Property Address: 104 Front Street, Portland, Maine 04103

Tenant Name (Consumer): Ms. Hodan ADAN (for dependent child Jibril MOHAMED)

Property Owner Name: Mr. Shir SADRI

As an accommodation for my tenant, I have agreed to the modifications to my property located at address listed above.

Description of Modifications:

The landlord and tenant also agree to the following:

1. Alpha One will ensure that the ramp conforms to applicable local, State, and Federal codes and requirements.
2. The ramp is considered the personal property of the tenant. At the proper conclusion of the rental agreement the tenant may remove the ramp and take it with them for use at their next residence.
3. At the request of the landlord, the tenant will be responsible for restoring the property to its original condition upon removal of the ramp.
4. If the ramp or other equipment is abandoned by the tenant Alpha One will be notified and will have the option to place the ramp with another person with a disability.

Landlord's Signature: _____

Date: _____

[Handwritten signature]
10/21/2009



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

*Lee Urban- Director of Planning and Development
Marge Schmuckal, Zoning Administrator*

May 22, 2009

Stevan Morrow
P.O. Box 43
Westbrook, ME 04098

RE: 104 Front Street – 167 B006 – R-3 – handicap access ramp – permit #09-0417

Dear Mr. Morrow,

You applied to install a critical access wheel chair ramp at 104 Front Street. 104 Front Street is located in the R-3 residential zone. The front setback in the R-3 zone is twenty-five feet [section 14-90(d)(1)]. The plot plan submitted with the application gave the front yard setback to the proposed ramp as one foot, so it does not meet the required setback. Since the handicap ramp has to be installed ASAP, we will move the permit forward, but you need to apply for a disability variance within thirty days of the permit being issued, since the ramp does not meet the required front setback.

I have enclosed the disability variance application and the information about the appeal process. Please feel free to contact me at 874-8709 if you have any questions.

Yours truly,

A handwritten signature in black ink, appearing to read "Ann B. Machado".

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



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: <u>104 Front Street</u>		
Total Square Footage of Proposed Structure/Area		Square Footage of Lot <u>- 8250</u>
Tax Assessor's Chart, Block & Lot Chart# <u>167</u> Block# <u>3</u> Lot# <u>006 601</u>	Applicant *must be owner, Lessee or Buyer* Name <u>Shir Sadri</u> Address <u>41 Ocean House Rd</u> City, State & Zip <u>CAPE ELIZABETH ME 04107</u>	Telephone: <u>207 541 4870</u>
Lessee/DBA (If Applicable)	Owner (if different from Applicant) Name <u>Same</u> Address City, State & Zip	Cost Of Work: \$ <u>9,130</u> C of O Fee: \$ Total Fee: \$
Current legal use (i.e. single family) <u>Single family</u> If vacant, what was the previous use? Proposed Specific use: Is property part of a subdivision? If yes, please name Project description: <u>Temporary, ADA compliant, Critical Access wheel chair ramp</u>		
Contractor's name: <u>Sterling Builders Inc</u> Address: <u>POB 43</u> City, State & Zip <u>Westbrook ME 04098</u> Telephone: <u>632 4205</u> Who should we contact when the permit is ready: <u>Arne Klepinger</u> Telephone: <u>831 9595</u> Mailing address: <u>See Above</u> <u>ARNE KLEPINGER</u>		

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.

Arne Klepinger SBI

Signature: See attached landlord acknowl Date: 4-27-04

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

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

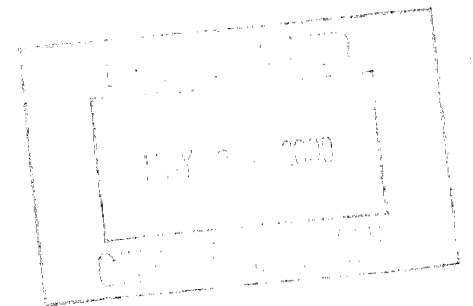
Permit No:	Date Applied For:	CBL:
09-0417	05/06/2009	167 B006001

Location of Construction: 104 FRONT ST	Owner Name: SHIR SADRI	Owner Address: 41 OCEAN HOUSE RD	Phone:
Business Name:	Contractor Name: Sterling Builders, Steve Morrow	Contractor Address: P O Box 43 Westbrook	Phone (207) 831-9595
Lessee/Buyer's Name	Phone:	Permit Type: Additions - Dwellings	

Proposed Use: Single Family - Temporary, ADA compliant, Critical Access wheel chair ramp 90' long	Proposed Project Description: Temporary, ADA compliant, Critical Access wheel chair ramp 90' long
--	--

Dept: Zoning	Status: Approved with Conditions	Reviewer: Ann Machado	Approval Date: 05/19/2009
Note:			Ok to Issue: <input checked="" type="checkbox"/>
1) This permit is being issued with the condition that the applicant will apply for a disability variance within thirty days of the permit being issued. The proposed ramp does not meet the front yard setback of 25'. It is one foot from the property line.			
2) This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.			
3) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.			
Dept: Building	Status: Approved with Conditions	Reviewer: Jeanine Bourke	Approval Date: 05/20/2009
Note:			Ok to Issue: <input checked="" type="checkbox"/>
1) Permit approved based on the plans submitted and reviewed w/owner/contractor, with additional information as agreed on and as noted on plans.			

Comments:
5/6/2009-amachado: Spoke to Steve Morow at Sterling Builders. Need to know where the front property line is and what the setback is to the proposed ramp. The plot plan gives dimension from edge of road to porch.
5/19/2009-amachado: Received revised plot plan.
5/20/2009-jmb: Spoke with Arne K. About ramp details and noted on plans. This is modeled after a method approved by HUD called the Minnesota Book which Arne will provide a copy of for this office. These ramps are specifically designed to be temporary and re-used. They are not attached to the structure and it is less than 400 sf.



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	167 B006001
Location	104 FRONT ST
Land Use	SINGLE FAMILY
Owner Address	SHIR SADRI 41 OCEAN HOUSE RD CAPE ELIZABETH ME 04107
Book/Page	24302/181
Legal	167-B-6 FRONT ST 100-104 11250 SF

Current Assessed Valuation

Land	Building	Total
\$68,600	\$120,600	\$189,200

Property Information

Year Built	Style	Story Height	Sq. Ft.	Total Acres	
1910	Old Style	1	1502	0.258	
Bedrooms	Full Baths	Half Baths	Total Rooms	Attic	Basement
3	1		7	Full Finsh	Full

Outbuildings

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

Sales Information

Date	Type	Price	Book/Page
08/25/2006	LAND + BLDING	\$200,000	24302-181
04/26/1991	LAND + BLDING	\$18,000	09537-145

Picture and Sketch

Picture	Sketch	Tax Map
---------	--------	---------

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!

From: Dwight Glidden <DGlidden@alphaonenow.org>
To: "Marge Schmuckal (mes@portlandmaine.gov)" <mes@portlandmaine.gov>
Date: 7/23/2009 4:43:32 PM
Subject: Disability Variance Application; Jibril A. MOHAMED residing at 104Front Street, Portland

Ms. Schmuckal:

Thank you for taking the time to speak with me this afternoon regarding the disability variance application for Jibril MOHAMED, living at 104 Front Street, Portland. Jibril is 11 years old and uses a wheelchair. The disability variance is needed for installation of a critical access ramp so that he can enter and leave home; particularly so that he can attend school.

As we discussed, I am sending documents from our file to support the application filed by Sterling Builders, Inc. The first set document consent from the landlord, Sadri SHIR, for installation of the ramp and his awareness of the necessary variance. He has not yet responded to our letter asking him to sign that Sterling Builders is acting as his agent, but hopefully the notes from our file demonstrate his approval.

The second set of documents is to support Sterling's request on our behalf for waiver or mitigation of the fees required for the application. Jibril Mohamed is the child of Ms. Hodan ADEN, a single mother of 8 children. The family entered the United States as "refugees" in January, 2009. The household income was assessed as low to moderate under HUD guidelines and renders the family eligible for the installation of the ramp as a grant under our Critical Access Ramp Program. The public funds used to install the ramp originated with a Community Development Block Grant from the City's Planning Department. Waiver of the fees allows us to focus program funds on building more ramps for disabled persons in Portland.

Thank you for your consideration.

At the same time I am also sending a draft copy of a concept for legislation that we hope will provide an alternative method for expedited consideration of disability variances. Are we on the right track? Your thoughts on this are greatly appreciated.

I hope you have a great vacation.

Dwight E. Glidden
Independent Living Assistant
Alpha One, South Portland, Maine

DISCLAIMER:

This e-mail, and any file or attachment transmitted with it, is only intended for the use of the person and/or entity to whom it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the recipient of this message is not the intended recipient or otherwise responsible for delivering the message to the intended recipient, be notified that any disclosure, distribution or copying of this information is strictly prohibited. If you received this communication in error, destroy all copies of this message, attachments and/or files in your possession, custody or control and any other copies you may have created, and notify the sender at 207-767-2189 (Voice or TTY) or at the sender's e-mail address listed above.

CBL	OWNER	OWNER MAILING ADDRESS	PROPERTY LOCATION	UNITS
166 A010001	SEASIDE HEALTHCARE LLC	850 BAXTER BLVD PORTLAND, ME 04103	850 BAXTER BLVD	147
166 B001001	PORTLAND HOUSING AUTHORITY	14 BAXTER BLVD PORTLAND, ME 04101	37 FRONT ST	15
167 A002001	KRAMER BENJAMIN M & RENEE S KRAMER JTS	50 ALTON ST PORTLAND, ME 04103	50 ALTON ST	1
167 A004001	MULKERN PAUL V	45 JOHANSON ST PORTLAND, ME 04103	45 JOHANSEN ST	1
167 A005001	NOBILE LINDA R	41 JOHANSEN ST PORTLAND, ME 04103	41 JOHANSEN ST	1
167 A006001	BAILEY DEBORAH J	37 JOHANSEN ST PORTLAND, ME 04103	37 JOHANSEN ST	1
167 A007001	BEARD RONALD C & LILLIAN B S HARLEY JTS	543 MEADOWBROOK RD PHIPPSBURG, ME 04562	33 JOHANSEN ST	1
167 A008001	SOLESKY CHARLES & SUSAN M	27 JOHANSON ST PORTLAND, ME 04103	27 JOHANSEN ST	2
167 A010001	ADAMS RALPH M & AMY E JTS	19 JOHANSON ST PORTLAND, ME 04103	19 JOHANSEN ST	1
167 B001001	HAM MICHAEL L	54 JOHANSEN ST PORTLAND, ME 04103	54 JOHANSEN ST	1
167 B002001	HAM MICHAEL L	120 FRONT ST PORTLAND, ME 04103	120 FRONT ST	1
167 B003001	HAM MICHAEL L	114 FRONT ST PORTLAND, ME 04103	114 FRONT ST	1
167 B004001	THERIAULT HENRY A KW VET & WILDA M JTS	112 FRONT ST PORTLAND, ME 04103	112 FRONT ST	1
167 B005001	FRONT ST LLC	604 CHANDLER'S WHARF PORTLAND, ME 04101	108 FRONT ST	1
167 B006001	SHIR SADRI	41 OCEAN HOUSE RD CAPE ELIZABETH, ME 04107	104 FRONT ST	1
167 B007001	CHEVARIE MICHAEL & LUZERNE JTS	96 FRONT ST PORTLAND, ME 04103	94 FRONT ST	1
167 C001001	THIM KUNTHEARY	48 JOHANSON ST PORTLAND, ME 04103	48 JOHANSEN ST	1
167 C003001	SPURWINK SCHOOL	899 RIVERSIDE ST PORTLAND, ME 04101	115 FRONT ST	1
167 C004001	ANDERSON ERIC A & MARYANN ANDERSON JTS	205 FORESIDE RD FALMOUTH, ME 04105	111 FRONT ST	1
167 C005001	ANDERSON ERIC A & MARYANN ANDERSON JTS	205 FORESIDE RD FALMOUTH, ME 04105	105 FRONT ST	1
167 C006001	RIVERSIDE ASSOCIATES	899 RIVERSIDE ST PORTLAND, ME 04103	37 CUMMINGS ST	1
167 C007001	DREW DOUGLAS & SUZANNE SMITH-DREW JTS	34 JOHANSEN ST PORTLAND, ME 04103	34 JOHANSEN ST	1
167 C009001	MORRISON ANNE HEIRS	21 EDGEWATER RD FALMOUTH, ME 04105	104 ILLSLEY ST	1
167 C011001	DREW ALLAN K	26 JOHANSEN ST PORTLAND, ME 04103	26 JOHANSEN ST	1
167 C015001	KENISTON NANCY A	58 QUEEN ST GORHAM, ME 04038	38 JOHANSEN ST	1
167 C018001	DREW ALLAN K	26 JOHANSEN ST PORTLAND, ME 04103	110 ILLSLEY ST	1
167 C019001	DREW DOUGLAS & SUZANNE SMITH JTS	34 JOHANSON ST PORTLAND, ME 04103	28 JOHANSEN ST	1
167 D001001	HOLLAND PAUL R & ELIZABETH D HOLLAND JTS	16 JOHANSEN ST PORTLAND, ME 04103	16 JOHANSEN ST	1
167 D002001	SCALA ANTHONY C & JOHN E SCALA &	107 ILLSLEY ST PORTLAND, ME 04103	107 ILLSLEY ST	2

CBL	OWNER	OWNER MAILING ADDRESS	PROPERTY LOCATION	UNITS
167 D003001	CASPARIUS RUDOLF P K & RENATE A JTS	1231 FOREST AVE PORTLAND, ME 04103	9 CUMMINGS ST	6
167 E001001	PORTLAND HOUSING AUTHORITY	14 BAXTER BLVD PORTLAND, ME 04101	63 FRONT ST	11
167 E009001	KILEY DORIS WID WWII VET & SHARON G KILEY &	33 PRESUMPCOT ST W PORTLAND, ME 04103	33 PRESUMPCOT ST	2
167 E011001	PHENG KOSAL & SETHA NHONH JTS	64 ILLSLEY ST PORTLAND, ME 04103	64 ILLSLEY ST	2
167 E012001	GILPATRICK SEAN & DIANA MAURER JTS	68 ILLSLEY ST PORTLAND, ME 04103	68 ILLSLEY ST	2
167 E013001	AHONEN MATTHEW A & MARTHA J JTS	72 ILLSLEY ST PORTLAND, ME 04103	72 ILLSLEY ST	1
167 E014001	LUCARIELLO VINCENT E JR WWII VET & ETAL	74 ILLSLEY ST PORTLAND, ME 04103	74 ILLSLEY ST	1
167 E015001	COOK HEATHER & RYAN COOK JTS	80 ILLSLEY ST PORTLAND, ME 04103	80 ILLSLEY ST	1
167 E017001	BROWN DENNIS G & KAREN A STANHOPE JTS	2054 WASHINGTON AVE PORTLAND, ME 04103	86 ILLSLEY ST	2
167 E018001	ZINN REALTY LLC	187 FORESIDE RD FALMOUTH, ME 04105	90 ILLSLEY ST	2
167 E019001	KADEK SOPHIM & LAKAHNA SAO	94 ILLSLEY ST PORTLAND, ME 04103	94 ILLSLEY ST	1
167 F002001	BELL DANIEL B	17 W BEECH RIDGE RD SCARBOROUGH, ME 04074	91 ILLSLEY ST	2
167 F003001	DIBIASE LOUIS JR	83 ILLSLEY ST PORTLAND, ME 04103	83 ILLSLEY ST	1
167 F005001	ROSMUS MICHAEL L & THERESA M JTS	77 ILLSLEY ST PORTLAND, ME 04103	77 ILLSLEY ST	1
167 F019001	DWYER SHANNON & SANDI DWYER JTS	18 JENNY DR GRAY, ME 04039	93 ILLSLEY ST	3
167 H001001	QUATTRUCCI ANNE M	57 JOHANSEN ST # 1 PORTLAND, ME 04103	57 JOHANSEN ST	1
167 H001002	FOWLE FLORENCE E	59 JOHANSON ST UNIT 2 PORTLAND, ME 04103	59 JOHANSEN ST	1
167 H001003	TUTT CHRISTINA K	8 SHERBROOK LN WINDHAM, ME 04062	61 JOHANSEN ST	1
167 H001004	LALLY KATHLEEN CAROLINE	63 JOHANSEN ST # 4 PORTLAND, ME 04103	63 JOHANSEN ST	1
167 H001005	TAYLOR DAVID A	65 JOHANSEN ST PORTLAND, ME 04103	65 JOHANSEN ST	1
167 H001006	CARSON HENRY & MADELINE CARSON JTS	67 JOHANSEN ST # 6 PORTLAND, ME 04103	67 JOHANSEN ST	1
168 K001001	FLAHERTY JOHN P	38 ALTON ST PORTLAND, ME 04103	38 ALTON ST	1
168 K002001	DECHENE DANIEL M	30 ALTON ST #1 PORTLAND, ME 04103	30 ALTON ST	2
168 K011001	TOWNSEND LILA G	42 ALTON ST PORTLAND, ME 04103	42 ALTON ST	1

CBL	OWNER	OWNER MAILING ADDRESS	PROPERTY LOCATION	UNITS
Total Listed	53	UNITS	239	

Gayle Guertin - ZBA legal ad for Friday ,07/30/09

From: Gayle Guertin
To: classified@pressherald.com
Date: 7/28/2009 9:41 AM
Subject: ZBA legal ad for Friday ,07/30/09
CC: Ann Machado; Gayle Guertin; Marge Schmuckal

Good Morning Joan,
Attached is the Zoning Board of Appeals agenda for the legal ad on Friday, July 30, 2009.

Thank You
Gayle Guertin @ 874-8701

CITY OF PORTLAND, MAINE
Zoning Board of Appeals

Zoning Board of Appeals Committee

DATE: 8/6/2009
TIME: 6:30:00 PM
LOCATION: 389 Congress Street

AGENDA

- 1 A. Disability Variance Appeal: 104 Front Street, Sadri Shir, owner, Tax Map 167, Block B, Lot 006, R-3 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 zero feet instead of the maximum twenty-five foot setback as required under section 14-90(d)(1). Representing the appeal is Stevan Morrow, Sterling Builders, Inc.
- 1 B. Conditional Use Appeal: 361 Ludlow Street, Clyde Blackwell & Jane McCarthy-Blackwell, owners, Tax Map 286, Block D, Lot 009, R-3 Residential Zone: The appellants are seeking a Conditional Use Appeal under section 14-88(a)(2) to add an accessory dwelling unit to their single family dwelling. Representing the appeal are the owners.
- 1 C. Conditional Use Appeal: 1757 Forest Avenue, Sean & Patricia A. Finnemore Meehan, owners, Tax Map 309, Block A, Lot 018, R-3 Residential Zone: The appellant is seeking a Conditional Use Appeal under section 14-88(d)(3) to have a family daycare at her home for 12 children. Representing the appeal is the owner, Patricia Meehan.

From: Dwight Glidden <DGlidden@alphaonenow.org>
To: "Marge Schmuckal (mes@portlandmaine.gov)" <mes@portlandmaine.gov>
Date: 7/23/2009 4:43:32 PM
Subject: Disability Variance Application; Jibril A. MOHAMED residing at 104Front Street, Portland

Ms. Schmuckal:

Thank you for taking the time to speak with me this afternoon regarding the disability variance application for Jibril MOHAMED, living at 104 Front Street, Portland. Jibril is 11 years old and uses a wheelchair. The disability variance is needed for installation of a critical access ramp so that he can enter and leave home; particularly so that he can attend school.

As we discussed, I am sending documents from our file to support the application filed by Sterling Builders, Inc. The first set document consent from the landlord, Sadri SHIR, for installation of the ramp and his awareness of the necessary variance. He has not yet responded to our letter asking him to sign that Sterling Builders is acting as his agent, but hopefully the notes from our file demonstrate his approval.

The second set of documents is to support Sterling's request on our behalf for waiver or mitigation of the fees required for the application. Jibril Mohamed is the child of Ms. Hodan ADEN, a single mother of 8 children. The family entered the United States as "refugees" in January, 2009. The household income was assessed as low to moderate under HUD guidelines and renders the family eligible for the installation of the ramp as a grant under our Critical Access Ramp Program. The public funds used to install the ramp originated with a Community Development Block Grant from the City's Planning Department. Waiver of the fees allows us to focus program funds on building more ramps for disabled persons in Portland.

Thank you for your consideration.

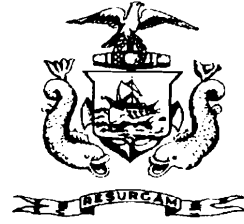
At the same time I am also sending a draft copy of a concept for legislation that we hope will provide an alternative method for expedited consideration of disability variances. Are we on the right track? Your thoughts on this are greatly appreciated.

I hope you have a great vacation.

Dwight E. Glidden
Independent Living Assistant
Alpha One, South Portland, Maine

DISCLAIMER:

This e-mail, and any file or attachment transmitted with it, is only intended for the use of the person and/or entity to whom it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the recipient of this message is not the intended recipient or otherwise responsible for delivering the message to the intended recipient, be notified that any disclosure, distribution or copying of this information is strictly prohibited. If you received this communication in error, destroy all copies of this message, attachments and/or files in your possession, custody or control and any other copies you may have created, and notify the sender at 207-767-2189 (Voice or TTY) or at the sender's e-mail address listed above.



City of Portland Zoning Board of Appeals

July 29, 2009

Steven Morrow
C/O Sterling Builders Inc.
PO Box 43
Westbrook, Maine 04098

Dear Appellant,

Your Disability Variance Appeal has been scheduled to appear before the Zoning Board of Appeals on **Thursday, August 06, 2009 at 6:30 p.m.** located on the second floor room 209 of City Hall.

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 appeal highlighted, as well as the procedures of the meeting for you to familiarize yourself.

Please feel free to contact me at 207-874-8701 if you have any questions.

Sincerely,

Gayle Guertin
Office Assistant

Cc: Mohamed Jabril, applicant
Sadri Shir, owner
File

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

APPEAL AGENDA

The Board of Appeals will hold a public hearing on Thursday, August 06, 2009 at 6:30 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. New Business:

A. Disability Variance Appeal:

104 Front Street, Sadri Shir, owner, Tax Map 167, Block B, Lot 006, R-3 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 zero feet instead of the maximum twenty-five foot setback as required under section 14-90(d)(1). Representing the appeal is Stevan Morrow, Sterling Builders, Inc.

B. Conditional Use Appeal:

361 Ludlow Street, Clyde Blackwell & Jane McCarthy-Blackwell, owners, Tax Map 286, Block D, Lot 009, R-3 Residential Zone: The appellants are seeking a Conditional Use Appeal under section 14-88(a)(2) to add an accessory dwelling unit to their single family dwelling. Representing the appeal are the owners.

C. Conditional Use Appeal:

1757 Forest Avenue, Sean & Patricia A. Finnemore Meehan, owners, Tax Map 309, Block A, Lot 018, R-3 Residential Zone: The appellant is seeking a Conditional Use Appeal under section 14-88(d)(3) to have a family daycare at her home for 12 children. Representing the appeal is the owner, Patricia Meehan.

2. Other Business:

3. Adjournment:



Zoning Board of Appeals Meeting Process

You or your representative must attend the Zoning Board meeting in order to present your case and to answer any questions the Board may have concerning your Appeal. Have a copy of your Appeal with you.

First, the Chairperson will call the meeting to order and read the Board procedures. Next, the Secretary will call the roll of Board members present. The meeting will then open to the first Appeal on the Agenda.

The first Applicant will come forward to the small front table and give a verbal summary of what it is that they are appealing to the Board. The Board will have already received your written application packet. You then may need to answer questions from the Board.

The Public will have a chance to respond when the Chair first asks the public as to who would like to respond in favor or against of the Appeal application. The Applicant will be able to respond after all the public comments.

When the Board is satisfied that they have all the information they need to make a decision, the Chairperson will close the meeting to public comment and will begin their deliberations.

The Board will make a motion (usually in the affirmative) and then further discuss the issues involved. On rare occasions the Board may open the public portion again temporarily to ask another question to the applicant. After all the deliberations, the Board will take an official vote and thus make an official decision.

The Board will then ask the next applicant to come forward. The process continues until all appeals are heard and decisions rendered.

The Chairperson will then adjourn the meeting.

A copy of the Board's decision will be mailed to you, along with a bill for abutter's notices and legal ads. We will also include a building permit application if deemed necessary.

The Building Permit Application will have to be filled out and returned to Inspection Services on the third floor of City Hall, along with the appropriate fees as indicated on the permit application, along with the specifications of that particular permit application. Please note that all those specifications are your responsibility to bring with you, not for the City to copy and add into your submissions. Any submissions that were in your Appeal packet and are necessary for the building permit, but are missing, will be copied from the Appeal packet and billed to you at \$0.50 per page.

The Building Permit Application will then be processed. It takes approximately 15 business days to approve the permit. At the time of issuance of the permit, all fees incurred during the Appeal process must be paid.

You must then call and schedule an inspection as stated in your permit application packet. If a Certificate of Occupancy is necessary, you must call and schedule with us at 874-8703. Once the Inspector is satisfied you have complied with all State and Local regulations, a Certificate of Occupancy will be issued, the fee for which is \$75.00.

Disability Variance Appeal:

104 Front Street, Sadri Shir, owner, Tax Map 167, Block B, Lot 006, R-3 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 zero feet instead of the maximum twenty-five foot setback as required under section 14-90(d)(1).

Representing the appeal is Stevan Morrow, Sterling Builders, Inc.

do memo to board. done

