1. Agenda

   Documents: 6-2-16 AGENDA.PDF

2. 100 Vaughan Street

   Documents: AUTHORIZATION OF REPRESENTATION.PDF, CONDITIONAL USE APPEAL APPLICATION.PDF, COVER LETTER TO ZBA.PDF, DEED 64276_11_2_2000.PDF, DRAWINGS.PDF

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS

Kent Avery, Chair
Donna Katsiaficas, Secretary
Chip Gavin
William Getz
Eric Larsson
Joseph Zamboni

APPEAL AGENDA

The Board of Appeals will hold a Public Hearing on Thursday, June 2, 2016, 6:30 p.m., Room 209, 2nd Floor, City Hall, 389 Congress Street, Portland, Maine, to hear the following appeals:

1. New Business:

A. Conditional Use Appeal:
100 Vaughan Street, Sam and Alexandra May, owners, Tax Map 069, Block C, Lot 008, R-4 Residential Zone: The applicant is seeking a Conditional Use Appeal under section 14-103(a)(2) to alter the existing single-family dwelling to create two single-family condominium units. Representing the appeal is Stephen Pondelis from Attardo Pondelis Architecture.

2. Adjournment

ATTARDO PONDELIS
ARCHITECTURE

City of Portland Maine
Planning & Urban Development Department
389 Congress Street
Portland, Maine

To whom it may concern:

We, Alexandra and Sam May, owners of 100 Vaughan Street, authorize Attardo Pondelis Architecture to represent us, and our project in the upcoming Zoning Board of Appeals meeting.

Sincerely,

Alexandra May

Sam May

81 Bridge St., Suite 402 / Yarmouth, Maine 04096 / 207.846.2042
www.attardopondelis.com

Portland, Maine | Yes. Life's good here.

Jeff Levine, AICP, Director
Planning & Urban Development Department

Ann Machado
Zoning Administrator

CITY OF PORTLAND ZONING BOARD OF APPEALS

Conditional Use Appeal Application

Applicant Information:

NAME
Stephen Pondelis

BUSINESS NAME
Attardo Pondelis Architecture

BUSINESS ADDRESS
81 Bridge St. Suite 402, Yarmouth,Maine 04096

BUSINESS TELEPHONE & E-MAIL
846-2042 Stephen@attardopondelis.com

APPLICANT'S RIGHT/TITLE/INTEREST
Architects

CURRENT ZONING DESIGNATION
R4

Subject Property Information:

PROPERTY ADDRESS
100 Vaughan Street

CHART/BLOCK/LOT (CBL)
069 C008001

PROPERTY OWNER (If Different)
Sam and Alexandra May

ADDRESS (If Different)

PHONE # AND E-MAIL
653-2260 Sam@ddragonllc.com

CONDITIONAL USE AUTHORIZED BY SECTION 14- 103

EXISTING USE OF THE PROPERTY:
Single Family Dwelling

TYPE OF CONDITIONAL USE PROPOSED:
Two Single Family Condominiums

STANDARDS: Upon a showing that a proposed use is a conditional use under this article, a conditional use permit shall be granted unless the Board determines that:

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

NOTE: If site plan approval is required, attach preliminary or final site plan.

The undersigned hereby makes application for a conditional use permit as described above, and certifies that the information herein is true and correct to the best of his OR her knowledge and belief.

Stephen Pondelis — SIGNATURE OF APPLICANT

5.02.2016 — DATE

ATTARDO PONDELIS
ARCHITECTURE

May 2, 2016

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

Sam and Alexandra May, owners of 100 Vaughn Street, propose to convert their single family dwelling into two single family condominium units. Section 14-103 of the City of Portland Zoning Ordinance lists the alteration of an existing structure to accommodate (1) or more dwelling units as an acceptable conditional use in Zone R4 provided that :

a. "No additional dwelling unit shall have less than 600 square feet of floor space, exclusive of common hallways and storage in basement and attic." **In the proposed plans one of the condominium units will have 2,928 square feet of living space and the other will have 2,959 sf of living space in addition to a full basement for each unit.**

b. "No open outside stairways or fire escapes above the ground floor shall be or have been constructed in the immediately preceding five years." **There are no outside stairways existing or as part of the proposed plans.**

c. "The alteration will not result in a total cubic volume increase of more than ten percent within the immediately preceding five years." **The proposed alteration presents no increase in volume nor has there been an increase within the last five years.**

d. "A lower level dwelling unit shall have a minimum of one-half of its floor-to-ceiling height above the average adjoining ground level." **Each of the proposed units has all three floors of its habitable space above the adjoining ground level.**

e. "No existing dwelling unit shall be decreased to less than one thousand (1,000) square feet of area." **The existing single family dwelling of 5,887 square feet will retain approximately half of that square footage in each of the proposed condominium units, (see "a" above).**

f. "Three thousand square feet of land area per dwelling unit shall be required." **The existing lot size is 12,780 square feet with a proposed division of 5,813 square feet front unit and 6,967 square feet, rear unit.**

g. "The project shall be subject to article V (site plan) of this chapter for site plan review and approval". **Supplemental documents included with this submittal are attached to comply with the requirements of article V.**

81 Bridge St., Suite 402 / Yarmouth, Maine 04096 / 207.846.2042
www.attardopondelis.com

h. "Parking shall be provided as required in division 20 of this article." **Each of the proposed condominium units will have two parking spaces. One of the proposed units will be using the existing two car garage off of the rear alley for parking and the other proposed unit will be using two newly created surface parking spaces also off of the rear alley as shown on the attached site plan. The newly created parking spaces do not require a curb cut and will be paved with pervious pavers. Division 20 only requires one new parking spot for the new unit.**

In addition to the provisions addressed above, it is noted in the Conditional Use Appeal Application that the Board may be concerned that the volume and type of vehicular traffic, expanse of pavement and number of parking spaces that the proposed alteration presents may not be consistent with that which would normally occur at other surrounding uses in the R4 zone. **The Owners/Applicants of this proposal believe that the addition of two off street parking spots accessible from the back alley for residential use only is consistent with other uses in the neighborhood and presents a net positive in keeping overnight parked vehicles off of Vaughn Street.**

The Owners/Applicants also believe that this proposed conditional use does not: "create unsanitary or harmful conditions by reason of noise, glare, dust, sewage disposal or emissions to the air, odor, lighting, or litter... **nor will** "the design and operation of the proposed use, including but not limited to landscaping, screening, signs, loading deliveries, trash or waste generation, arrangement of structures, and materials storage have a substantially greater effect/impact on surrounding properties than those associated with surrounding uses of other allowable uses in the zone."

The Owners, Sam and Alexandra May, soon to be "empty nesters" are proposing this conversion to a building that has two single family dwellings so that they can remain in one of the units in the neighborhood and the house they occupied while their children were in school. They believe that the size of each of the condominium units still fits with the generous size of other single family houses in R4. Each of the units will have gracious living and dining with kitchens and half baths on the first floor, master bedroom suites and second bedroom/bath suites on the second floor and two bedrooms and one bath on the third floor. Each unit will have a full basement for storage. The building will be equipped throughout with fire suppression sprinklers. The Owners have also submitted an application with the Historic Review Board seeking a Certificate of Appropriateness. From the primary viewpoint on Vaughn Street there will be practically no evidence of change to the exterior of the house. The Mays consider themselves stewards of this exceptional historical property and hope to remain so.

0064276

BK15825PG188

WARRANTY DEED

SARAH B. MINTON, with a mailing address of 4720 Hamlets Grove Drive, Sarasota, Florida 34235-2236, for consideration paid, **GRANTS** to **SAMUEL S. MAY** and **ALEXANDRA S. MAY**, both with a mailing address of 2128 Lexington Avenue, San Mateo, California 94402, as **JOINT TENANTS** and not as tenants in common, with **WARRANTY COVENANTS**, that certain lot or parcel of land situated in the City of **PORTLAND**, County of **CUMBERLAND** and State of **MAINE**, and more particularly described on **EXHIBIT A** attached hereto and made a part hereof.

Being the same premises described in a deed from Sarah B. Minton to Sarah B. Minton and Paul Minton, dated October 21, 1983 and recorded in the Cumberland County Registry of Deeds, and deed from Paul Minton and Sarah B. Minton to Sarah B. Minton, dated May 16, 1994 and recorded in the Cumberland County Registry of Deeds in Book 11452, Page 141. Reference is made to a deed from Frederick B. Wolf and Barbara B. Wolf to Sarah B. Minton, dated September 16, 1977 and recorded in the Cumberland County Registry of Deeds in Book 4099, Page 110.

MAINE REAL ESTATE TAX PAID

IN WITNESS WHEREOF, the said **SARAH B. MINTON** has signed this instrument on the 23rd day of October, 2000 .

Sarah B. Minton
SARAH B. MINTON

STATE OF MAINE
COUNTY OF CUMBERLAND

October 23, 2000

Personally appeared the above named SARAH B. MINTON and acknowledged the foregoing instrument to be her free act and deed.

Before me,

Susan H. Lentz
Notary Public/~~Attorney at Law~~
Print Name: _____
SEAL

172526/EAH/SKLF
60940.0127

BK 15825 PG 189

Exhibit A

A certain lot or parcel of land with the buildings thereon situated in said City of Portland on the westerly side of Vaughn Street and being further bounded and described as follows:

Beginning on the westerly side of Vaughn Street at the northeasterly corner of land conveyed by J. B. Brown & Sons to Walter G. Davis by Deed dated December 20, 1910, and recorded in the Cumberland County Registry of Deeds in Book 869, Page 108; thence running westerly along the northerly line of said Davis land 134.53 feet to a twenty (20) foot wide passageway; thence running northerly along said passageway 95 feet to the southwesterly corner of land conveyed by Helen C. Donahue to Robert Treat Whitehouse by Deed dated July 23, 1918, and recorded in said Registry of Deeds in Book 1011, Page 148; thence running easterly by the southerly line of said Whitehouse land 134.53 feet to the westerly line of said Vaughn Street; thence running southerly by the westerly line of said Vaughn Street 95 feet to the point of beginning.

Also hereby conveying the right in common with others to use said passageway. This conveyance is made on the condition that no building shall be erected within twenty (20) feet of the westerly line of said Vaughn Street.

RECEIVED
RECORDED REGISTRY OF DEEDS
2000 NOV -2 PM 3:12
CUMBERLAND COUNTY
John B O'Brien

Contractor
Monaghan Woodworks Inc.
100 Commercial Street, Suite 212
Portland, Maine
207-775-2683
www.mwoodworks.com

Architect
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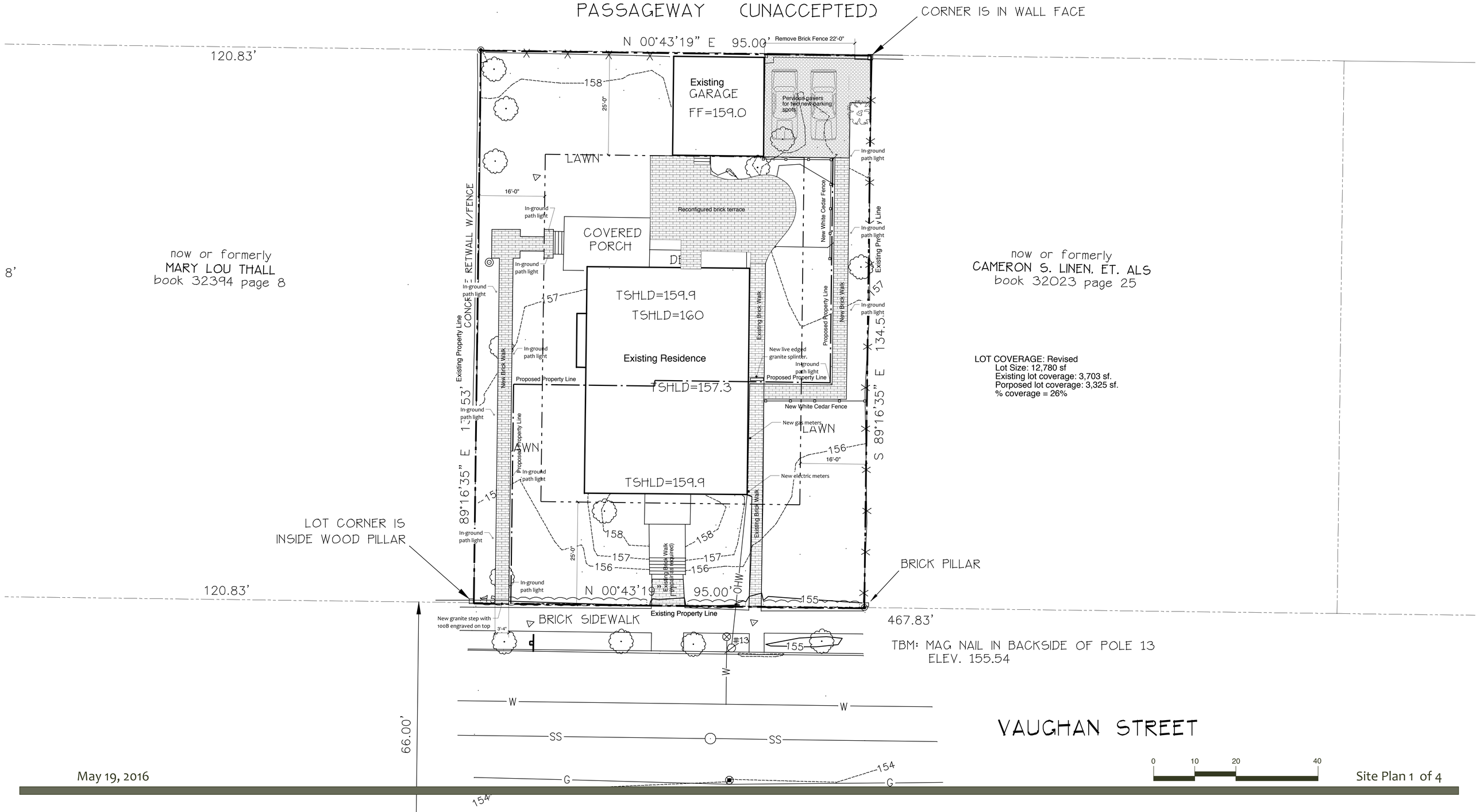
81 Bridge Street
Yarmouth, Maine
207-846-2042
www.attardopondelis.com

100 VAUGHAN STREET

Renovations to the Philip J. Deering House
Portland, Maine



LOT COVERAGE: Revised
Lot Size: 12,780 sf
Existing lot coverage: 3,703 sf.
Porposed lot coverage: 3,325 sf.
% coverage = 26%

TBM: MAG NAIL IN BACKSIDE OF POLE 13
ELEV. 155.54

0 10 20 40

May 19, 2016

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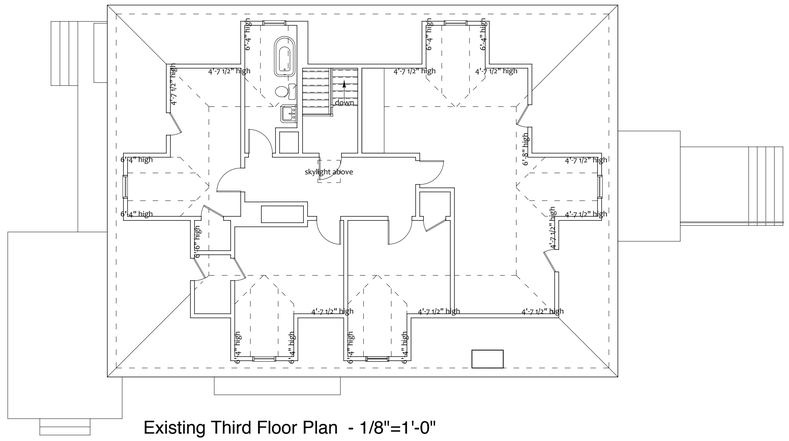
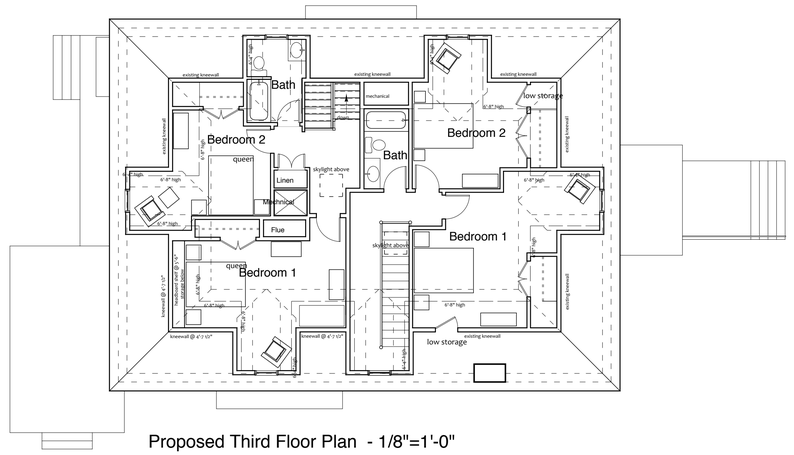
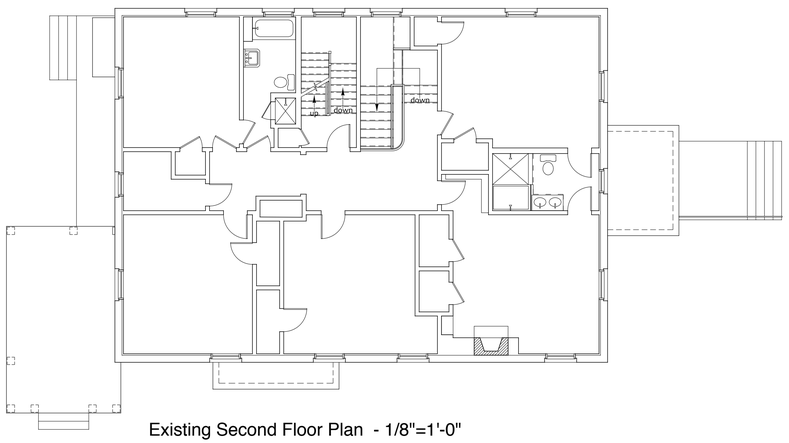


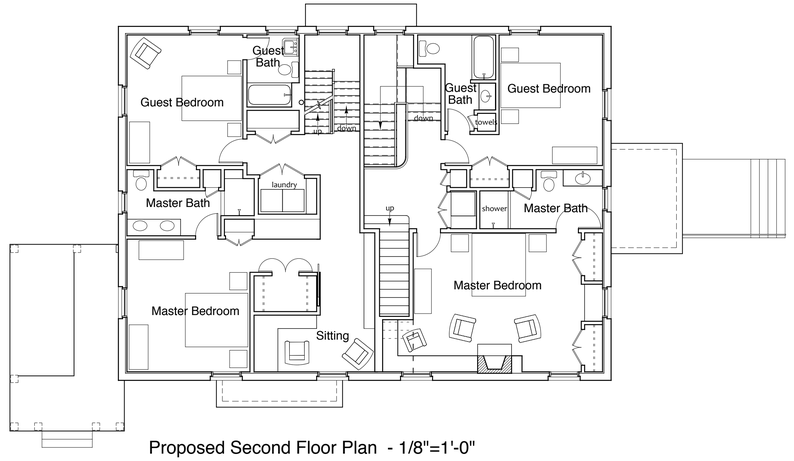
Existing Third Floor Plan - 1/8"=1'-0"



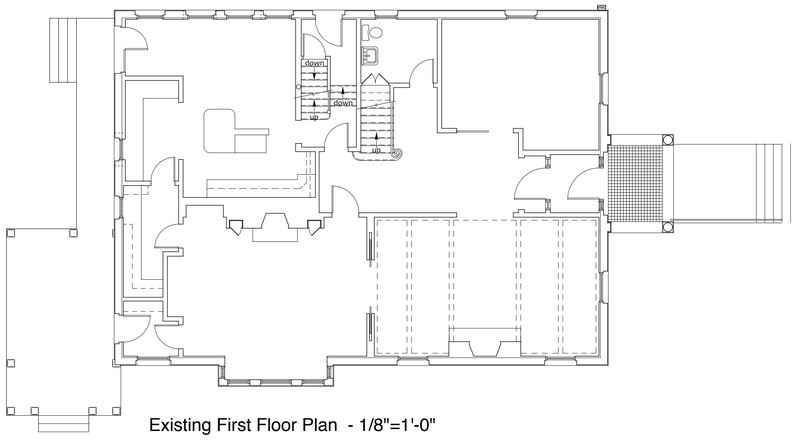
Proposed Third Floor Plan - 1/8"=1'-0"



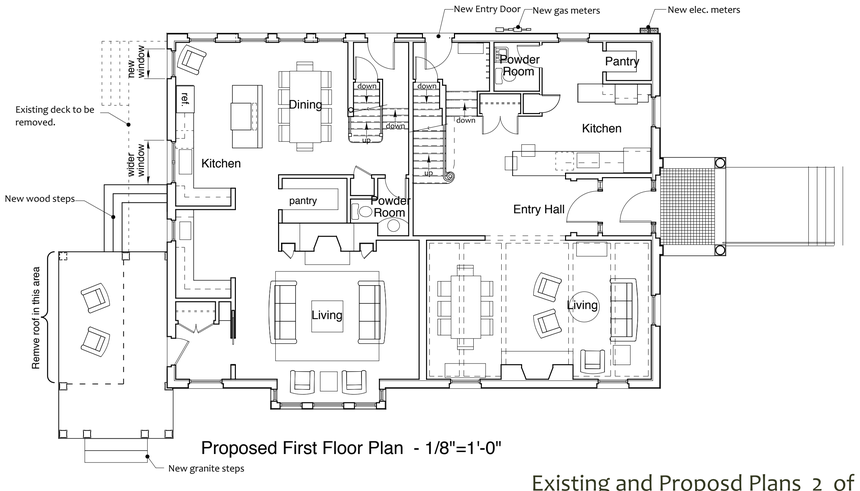
Existing Second Floor Plan - 1/8"=1'-0"



Proposed Second Floor Plan - 1/8"=1'-0"



Existing First Floor Plan - 1/8"=1'-0"



Proposed First Floor Plan - 1/8"=1'-0"

May 19, 2016

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Renovations to the Philip J. Deering House
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May 19, 2016

Tax Map 3 of 4

April 1 2012 fy 2013

Tax Map Index; http://www.portlandassessors.com/taxmaps.htm

Index Number - D8SW

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100 VAUGHAN STREET

Renovations to the Philip J. Deering House
Portland, Maine



View of North Elevation



View of Exg. Walk



View from Vaughan St. (east elevation)



View from Vaughan St. (east elevation)



View from Alley



View of West Elevation



View of West Elevation



View of West Elevation



View from Alley (west elevation)



View of Brick Fence