

City of Portland, Maine - Building or Use Permit Application

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

Job No: 2011-05-1221-ALTCOMM	Date Applied: 5/27/2011	CBL: 013 - - M - 008 - 001 - - - - -	
Location of Construction: 88 CUMBERLAND AVE	Owner Name: LIEN MAI	Owner Address: 88 CUMBERLAND AVE PORTLAND, ME - MAINE 04101	Phone: 329-9515
Business Name:	Contractor Name: Todd Manter	Contractor Address: 270 E Prom, Portland, ME 04101	Phone: 329-7175
Lessee/Buyer's Name:	Phone:	Permit Type: Repair and extend an existing entry & stair	Zone: R-6
Past Use: Five Residential Dwelling Units	Proposed Use: Same: Five Residential Dwelling Units – to replace an existing entry stair and to add an additional deck area	Cost of Work: \$1000.00	CEO District:
		Fire Dept: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> N/A	Inspection: Use Group: Type:
		Signature:	Signature:
Proposed Project Description: 88 Cumberland Ave: Replace stairs and additional deck area		Pedestrian Activities District (P.A.D.)	

Permit Taken By: Lannie	Zoning Approval		
<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 informatin may invalidate a building permit and stop all work.</p>	Special Zone or Reviews <input checked="" type="checkbox"/> Shoreland <input checked="" type="checkbox"/> Wetlands <input type="checkbox"/> Flood Zone <input checked="" type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan <input type="checkbox"/> Maj <input type="checkbox"/> Min <input type="checkbox"/> MM Date:	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date:	Historic Preservation <input checked="" type="checkbox"/> Not in Dist or Landmark <input type="checkbox"/> Does not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Date:
	Denied See Letter		

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	PHON

6/3/11 I spoke to Todd Manter and explained that the Ordinance would allow him to repair the existing stairway, even allowing the minimum size of deck allowed for the single entryway (36" x 36") but not a deck that extends 8' as show. The entry way is only 4' from the property line per the submitted plan. The nonconformity cannot be increased. I will write a letter denying the permit. – MES

8/30/11 no appeal came in – this permit is now denied and voided - MES

Denied



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

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

June 9, 2011

Lien Mai
88 Cumberland Avenue
Portland, ME 04101

CC: Todd Manter, PO Box 4132, Portland, ME 04101

RE: 88 Cumberland Ave. - 13-M-008 – R-6 Zone – permit application #2011-05-1221

Dear Lien Mai,

I am in receipt of a permit application concerning your property located at 88 Cumberland Avenue. You have asked to replace an existing entry stairway and to add an additional 8 foot deck to this property. Your permit is being denied because your proposal can not meet the required setbacks. It is also understood that currently your stairs into the right side entry do not currently have a landing before entry through the door. This office would allow a minimum landing of 3 feet by 3 feet to bring the entry up to minimum building codes. However, this office cannot allow a deck 8 feet long.

Your entry way is currently 2 feet from the side property line based upon a Class D survey submitted. Section 14-139.d.3 requires a minimum side yard setback of 10 feet. You are legally nonconforming for your existing structure, but you cannot increase your nonconformity (other than to permit the minimum under Building Codes to bring the entryway up to minimum safety standards –section 14-440).

I also want to point out that the legal use of this property is 5 residential dwelling units. Your Class D survey plan states that the building is a six unit building. Your contractor confirmed that there are only 5 residential units in the building. Please note that if there is a sixth unit, it must be removed immediately.

As stated above, your permit application is denied based on deficiencies meeting the Land Use Zoning Ordinance. If you wish to revise your application so that your proposal will meet the Ordinances, please bring in revised plans. You have the right to appeal my decision concerning this matter. If you wish to exercise your right to appeal, you have 30 days from the date of this letter in which to appeal. If you should fail to do so, my decision is binding and not subject to appeal. Please contact this office for the necessary paperwork that is required to file an appeal.

Very Truly Yours,
Marge Schmuckal, Zoning Administrator



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Very Truly Yours,
Marge Schmuckal, Zoning Administrator



General Building Permit Application

Legal Suit NOT in Historic *XYS* *5/27/11*

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>88 Cumberland Ave</u>		
Total Square Footage of Proposed Structure/Area <u>10' x 6'</u>	Square Footage of Lot <u>7426</u>	Number of Stories <u>3</u>
Tax Assessor's Chart, Block & Lot Chart# <u>13</u> Block# <u>G10</u> Lot# <u>88</u> <u>13 M 8</u>	Applicant * <u>must</u> be owner, Lessee or Buyer* Name <u>Lien Mai / Todd Manter</u> Address <u>88 Cumberland Ave.</u> City, State & Zip <u>Portland, ME</u>	Telephone: <u>329-7175-Todd</u> <u>329-9515-Lien</u>
Lessee/DBA (If Applicable) <u>Todd Manter</u> <u>Manter/Husband</u>	Owner (if different from Applicant) Name <u>Todd Manter</u> Address <u>270 E. Prom.</u> City, State & Zip <u>Portland, ME 04101</u>	Cost Of Work: \$ <u>500.00</u> C of O Fee: \$ _____ Total Fee: \$ <u>500.00</u>
Current legal use (i.e. single family) <u>Multi-Family</u> Number of Residential Units <u>5</u> If vacant, what was the previous use? <u>Residential</u> Proposed Specific use: <u>Repair entry stairs + landing</u> Is property part of a subdivision? _____ If yes, please name _____ Project description: <u>Replace existing entry stair + Adding additional Deck landing</u>		
Contractor's name: <u>Todd Manter</u> Address: <u>270 E. Prom</u> City, State & Zip: <u>Portland, ME 04101</u> Telephone: <u>329-7175</u> Who should we contact when the permit is ready: <u>Todd</u> Telephone: _____ Mailing address: <u>270 E. Prom #5 Portland, ME</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.

RECEIVED
31 x 31 Pen Bldg Code Review
MAY 27 2011
Department of Inspections
City of Portland, Maine

Signature: [Signature] Date: 05/27/11

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

5/27/2011

To whom it may concern:

The property at 88 Cumberland Avenue is a multi unit building. Unit #1 has a private entrance and patio on the south west corner. The stairs leading from the patio to the entrance have become unsafe and recently started to fall apart. The plan originally was to replace the existing stairs as they were.

However, I would like to replace them with some additional room at the top of landing. Before there was a narrow landing which did not allow much room for maneuvering. Basically, one would have to fumble with the keys while on the stairs. Add in ice and groceries and it gets a little precarious.

I would like to repair this situation without cutting the patio in half. Bringing the deck over the patio seems logical as it is a concrete slab, flat solid and easy to build off of. This plan would allow a safer entrance as well as maintaining room for the tenant's plants and chairs.

Please review this application and let me know if I can continue the project under the current zoning law.

Thank You for your time and consideration.



Todd Manter

Manter Properties

PO Box 4132

Portland ME 04101

tmanter2003@yahoo.com

207-329-7175

THIS IS NOT A BOUNDARY SURVEY

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MORTGAGE INSPECTION OF: DEED BOOK 22378 PAGE 105 COUNTY Cumberland
 PLAN BOOK --- PAGE --- LOT ---

ADDRESS: 84-88 Cumberland Street, Portland, Maine

Job Number 458-06-R

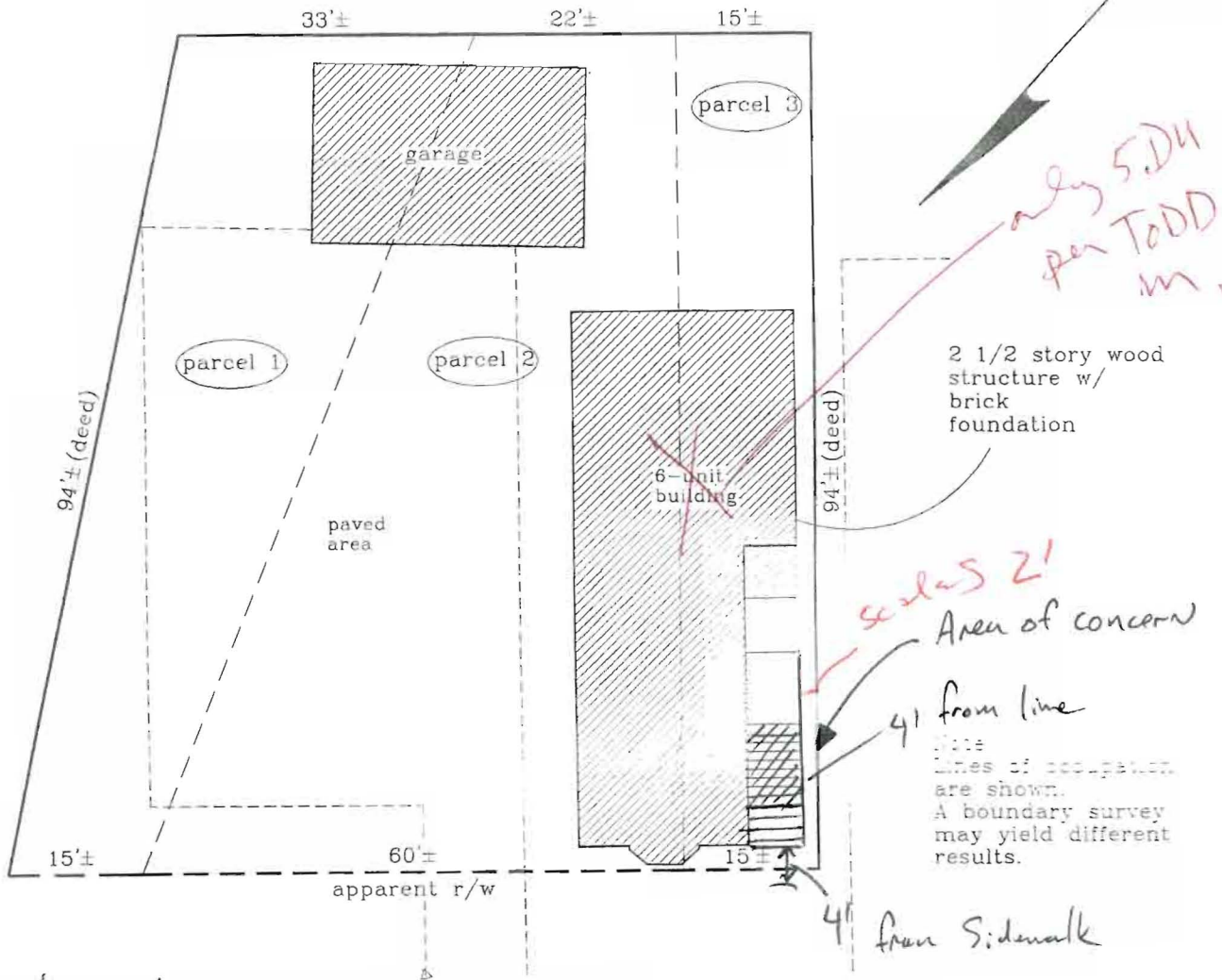
Inspection Date: 2/24/06

Scale: 1" = 20'

Client File #: 06-V00097

Buyers: Lien & Dien The Mai

Sellers: Todd & Sarah Stoutenborough



[Signature] Cumberland Ave.

to Washington Ave.

WE HEREBY CERTIFY TO: Vision Title & Closing LLC, Merrimack

encumbrances found did not conflict with the deed description.

Setback requirements do not violate town zoning requirements.

Structure is located on the Federal Emergency Management Agency Community Flood Hazard Zone Map, File No. 230051-0014B:

Structure does not fall within the special flood hazard zone.

and does not fall within the special flood hazard zone.

Special flood hazard study has not been performed.

APPARENT EASEMENTS AND RIGHTS OF WAY ARE SHOWN. OTHER ENCUMBRANCES, RECORDED OR NOT, MAY EXIST. THIS SKETCH WILL NOT REVEAL ABUTTING DEED CONFLICTS, IF ANY.

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Livingston-Hughes
 Professional Land Surveyors
 88 Guinea Road
 Kennebunkport, Maine 04046
 207-867-2700 FAX: 207-867-4831

MORTGAGE INSPECTION OF: DEED BOOK 22378 PAGE 105 COUNTY Cumberland
PLAN BOOK -- PAGE -- LOT --

ADDRESS: 84-88 Cumberland Street, Portland, Maine

Job Number: 458-06-R

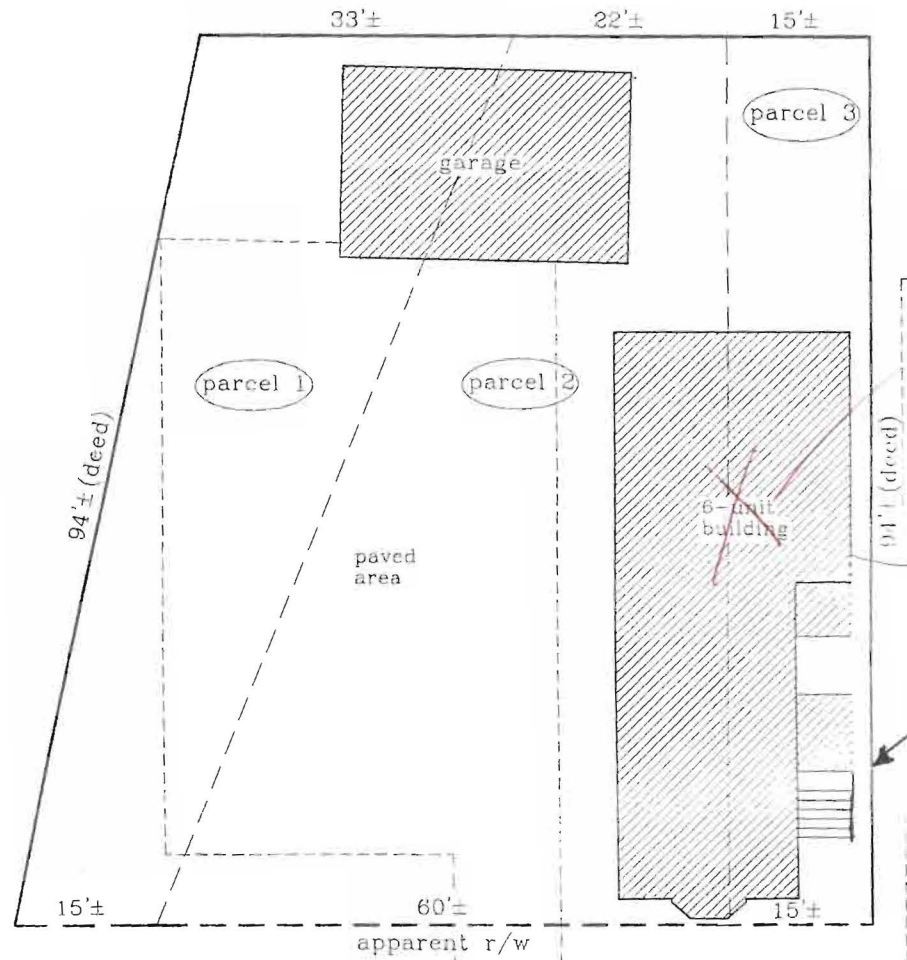
Inspection Date: 2/24/06

Scale: 1" = 20'

Client File #: 06-V00097

Buyers: Lien & Dien The Mai

Sellers: Todd & Sarah Stoutenborough



*only 5 DA per Todd
MA The*

2 1/2 story wood structure w/ brick foundation

existing Area

Note:
Lines of occupation are shown.
A boundary survey may yield different results.

[Handwritten signature] Cumberland Ave.

to Washington Ave.

I HEREBY CERTIFY TO: Vision Title & Closing LLC, Merrimack Mortgage, and its title insurer.
 Monuments found did not conflict with the deed description.
 The dwelling setbacks do not violate town zoning requirements.
 As delineated on the Federal Emergency Management Agency Community Panel 230051-0014B:
 The structure does not fall within the special flood hazard zone.
 The land does not fall within the special flood hazard zone.
 A wetlands study has not been performed.

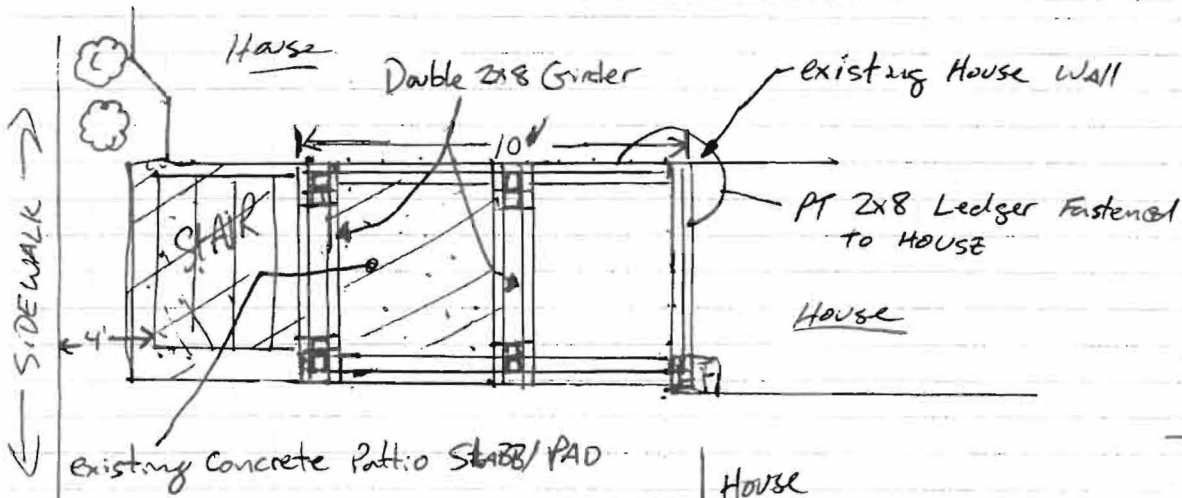
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 www.livingston-hughes.com

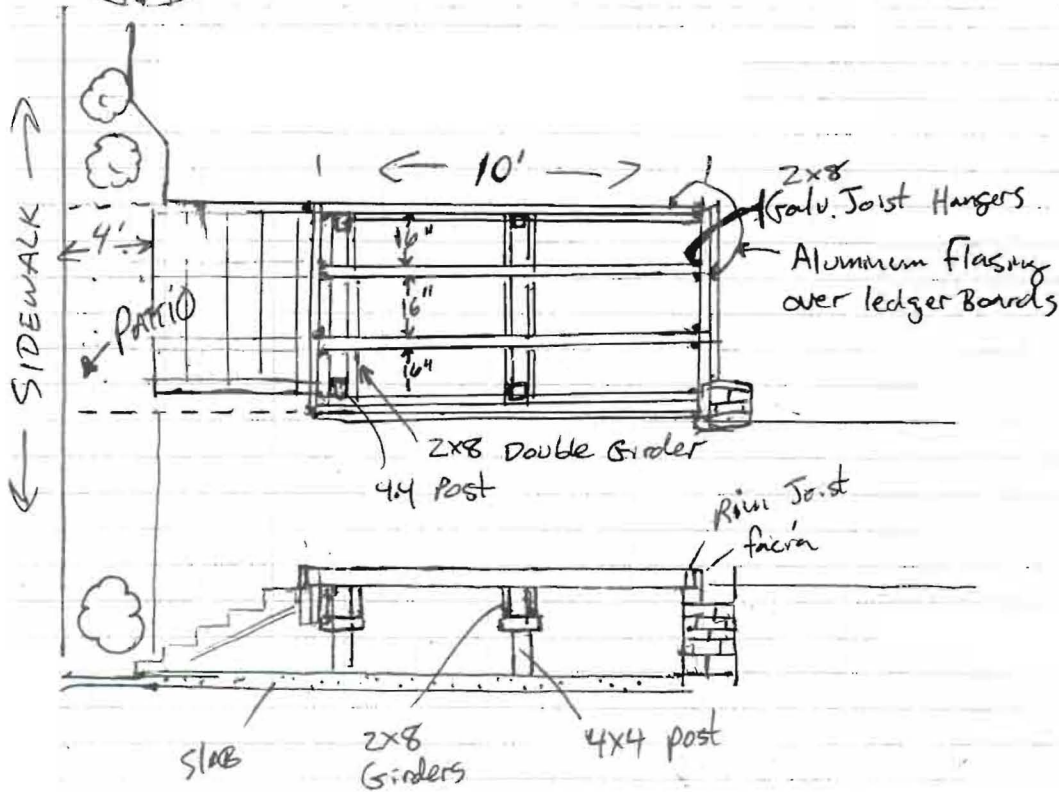
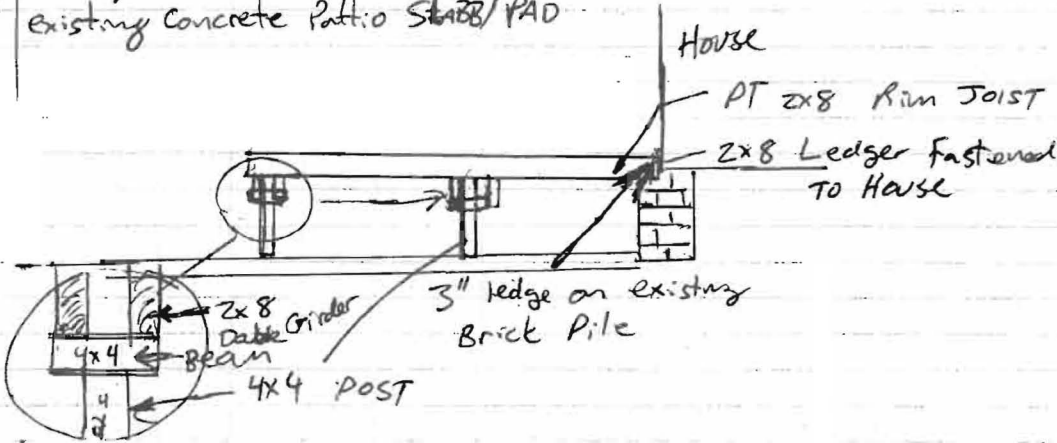
THIS SKETCH IS FOR MORTGAGE PURPOSES ONLY

	516.
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88 Cumberland

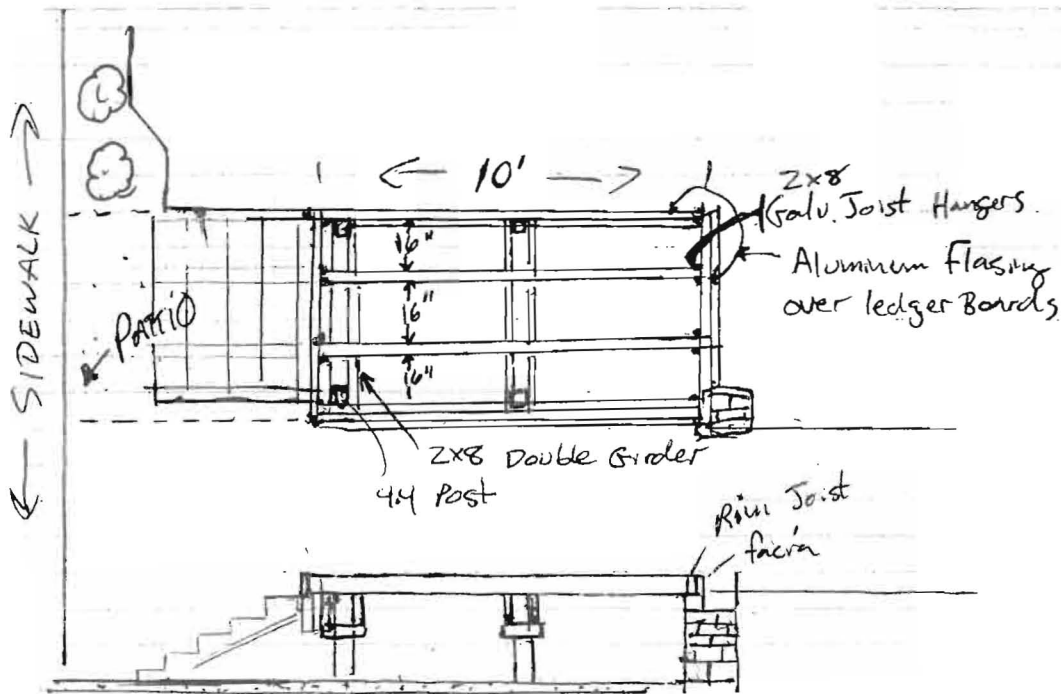
Girder Framing
Plan



88 Cumberland

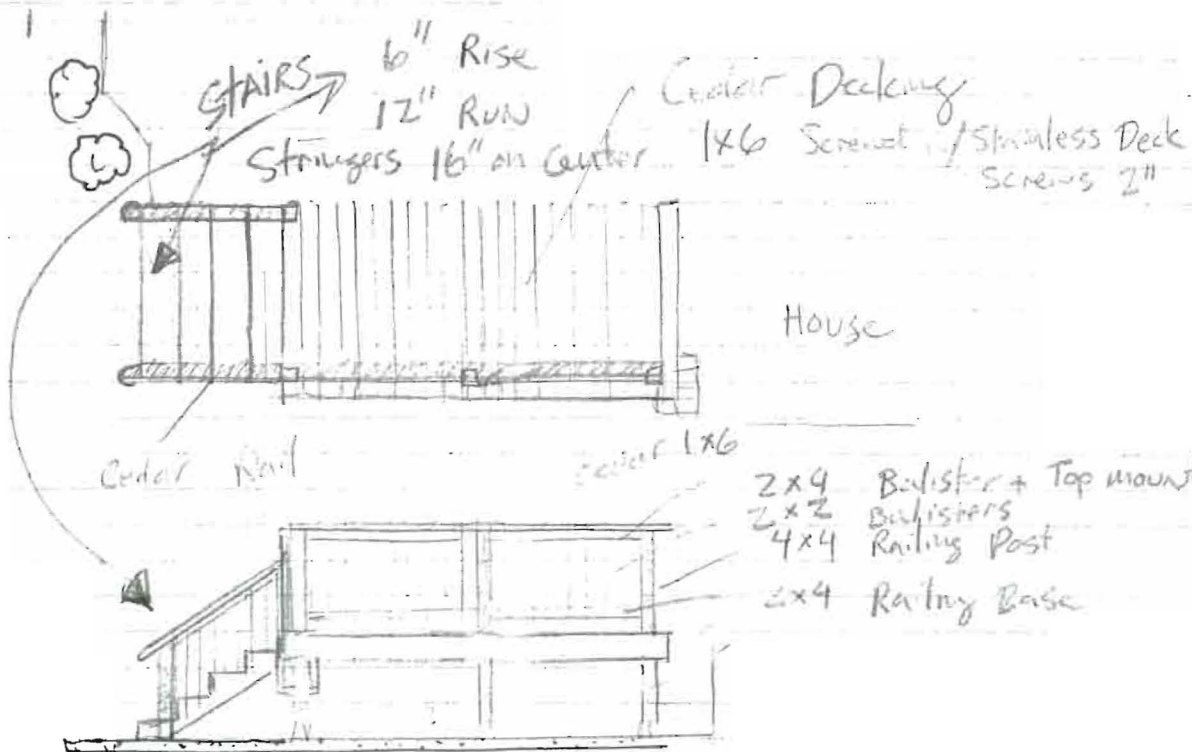
Deck Framing
Plan

- 3" Stainless Screws
- 4" Steel Bolts
- 4" Tap con concrete bolts



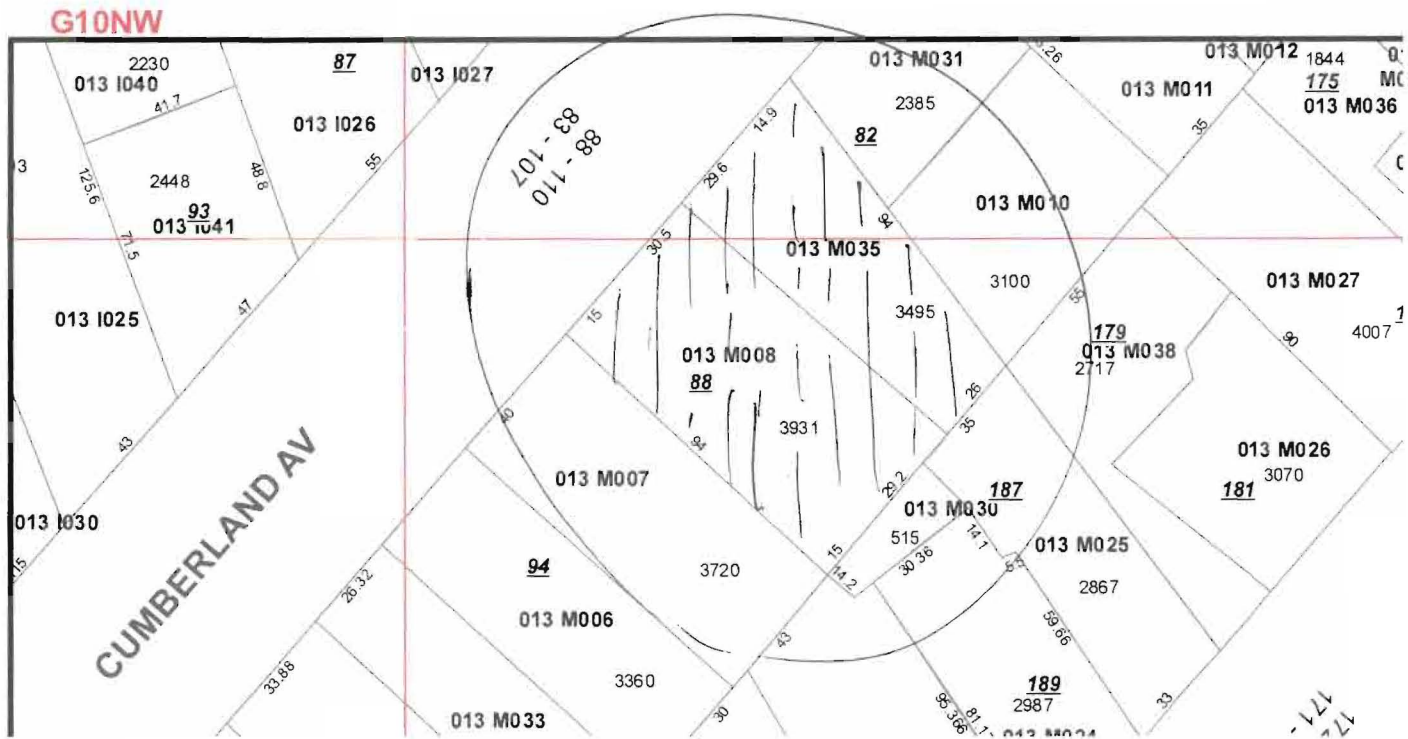
88 Cumberland
Deck Framing
Plan

- 3" Stainless Screws
- 4" Steel Bolts
- 4" Tap Con
Concrete Bolts



88. Cumberland
Decking + Railing
Detail

88 Cumberland ave





CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 88 Cumberland Avenue

Issued to Bruce Pota

Date of Issue January 11, 1996

This is to certify that the building, premises, or part thereof, at the above location, built — altered — changed as to use under Building Permit No. 950760, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below:

PORTION OF BUILDING OR PREMISES

APPROVED OCCUPANCY

Change of Use - from 3 to 5
family dwelling

Limiting Conditions:

This certificate supersedes
certificate issued

Approved:

(Date)

Inspector

Inspector of Buildings

1/11/96

Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lease for one dollar.



Current

Proposed



864

Current





CITY OF PORTLAND, MAINE

Department of Building Inspections

Original Receipt

5-27-20 11

Received from Lin Mai

Location of Work 88 Commercial

Cost of Construction \$ _____ Building Fee: _____

Permit Fee \$ _____ Site Fee: _____

Certificate of Occupancy Fee: _____

Total: 30

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

Other _____

CBL: 17-148-

Check #: 560

Total Collected \$ 30

**No work is to be started until permit issued.
Please keep original receipt for your records.**

Taken by: [Signature]

WHITE - Applicant's Copy
YELLOW - Office Copy
PINK - Permit Copy