

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

Location of Construction: 161 Cumberland Ave.		Owner: Allen Bauer		Phone: Not Given		Permit No: 991312	
Owner Address: 4 Hunter's Way, Falmouth		Lessee/Buyer's Name: **William C. Bovill, & Linford Doyle 50 Fairlawn Ave. So Portland, ME 04106		Phone: N/A		BusinessName: N/A	
Contractor Name: American Carpentry		Address: 3 Orchard Circle, Westbrook, ME 04092		Phone: 797-8229		Permit Issued: 30	
Past Use: 3 Unit apt. Bldg.		Proposed Use: Same		COST OF WORK: \$ 2,000		PERMIT FEE: \$ 36.00	
				FIRE DEPT. <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group A-2 Type: 53	
Proposed Project Description: Build second means of egress from 3rd floor.				Signature: <i>[Signature]</i>		Signature: <i>[Signature]</i>	
				PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		Zone: CBL: 022-J-025 R-6 Zoning Approval: <i>[Signature]</i> Special Zone or Reviews: <input type="checkbox"/> Shoreland <i>per Sec.</i> <input type="checkbox"/> Wetland 14-400 <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision 9 11/29/99 <input type="checkbox"/> Site Plan maj <input type="checkbox"/> minor <input type="checkbox"/> mm <input type="checkbox"/>	
Permit Taken By: UB		Date Applied For: Nov. 23, 1999					

1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal rules.
2. Building permits do not include plumbing, septic or electrical work.
3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..

Please Send to: William C. Bovill  
Linford Doyle  
50 Fairlawn Ave.  
South Portland, ME 04106

**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 provisions of the code(s) applicable to such permit

November 23, 1999

SIGNATURE OF APPLICANT	ADDRESS:	DATE:	PHONE:
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE			PHONE:

White-Permit Desk Green-Assessor's Canary-D.P.W. Pink-Public File Ivory Card-Inspector

**Zoning Appeal**

Variance  
 Miscellaneous  
 Conditional Use  
 Interpretation  
 Approved  
 Denied

**Historic Preservation**

Not in District or Landmark  
 Does Not Require Review  
 Requires Review

**Action:**

Approved  
 Approved with Conditions  
 Denied

Date: *[Signature]*

**PERMIT ISSUED WITH REQUIREMENTS 1**  
CEO DISTRICT  
UB

**THIS IS NOT A PERMIT/CONSTRUCTION CANNOT COMMENCE UNTIL THE PERMIT IS ISSUED**

**Building or Use Permit Pre-Application  
Attached Single Family Dwellings/Two-Family Dwelling  
Multi-Family or Commercial Structures and Additions Thereto**

In the interest of processing your application in the quickest possible manner, please complete the Information below for a Building or Use Permit.

**NOTE\*\*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 (include Portion of Building): <b>161 CUMBERLAND AVE, PORTLAND</b>			
Total Square Footage of Proposed Structure <b>STAIRS</b>		Square Footage of Lot <b>1,734</b>	
Tax Assessor's Chart, Block & Lot Number Chart# <b>22</b> Block# <b>J</b> Lot# <b>25</b>		Owner: <b>ALLEN BAUER</b>	Telephone#: <b>NOT GIVEN</b>
Owner's Address: <b>4 HUNTER'S WAY, FALMOUTH</b>	Lessee/Buyer's Name (If Applicable) <b>APPLICANT</b> <b>*WILLIAM C. BOVILL, LINDSEY BOYLE</b> <b>50 FAIRLAWN AVE.</b> <b>SOUTH PORTLAND, MAINE 04106</b>	Cost Of Work: <b>\$ @ 2,000</b>	Fee <b>\$ 36.00</b>
Proposed Project Description: (Please be as specific as possible) <b>799-7945</b> <b>SEE ATTACHED SHEET (BUILD SECOND MEANS YEGGAS FROM 3rd floor)</b>			
Contractor's Name, Address & Telephone <b>AMERICAN CARPENTRY</b> <b>797-8229</b> <b>30 RICHARD CIRCLE, WESTBROOK 04092</b>			Rec'd By <b>UB</b>
Current Use: <b>3-unit apt. building</b>		Proposed Use: <b>SAME</b>	

Separate permits are required for Internal & External Plumbing, HVAC and Electrical installation.

- All construction must be conducted in compliance with the 1996 B.O.C.A. Building Code as amended by Section 6-Art II.
- All plumbing must be conducted in compliance with the State of Maine Plumbing Code.
- All Electrical Installation must comply with the 1996 National Electrical Code as amended by Section 6-Art III.
- HVAC (Heating, Ventilation and Air Conditioning) installation must comply with the 1993 BOCA Mechanical Code.

You must include the following with you application:

- 1) A Copy of Your Deed or Purchase and Sale Agreement
- 2) A Copy of your Construction Contract, if available
- 3) A Plot Plan/Site Plan

Minor or Major site plan review will be required for the above proposed projects. The attached checklist outlines the minimum standards for a site plan.

**4) Building Plans**

**Unless exempted by State Law, construction documents must be designed by a registered design professional.**

A complete set of construction drawings showing all of the following elements of construction:

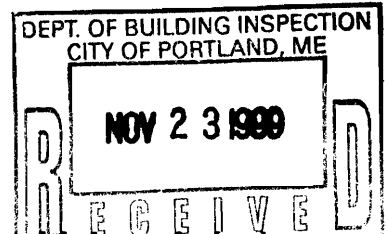
- Cross Sections w/Framing details (including porches, decks w/ railings, and accessory structures)
- Floor Plans & Elevations
- Window and door schedules
- Foundation plans with required drainage and dampproofing
- Electrical and plumbing layout. Mechanical drawings for any specialized equipment such as furnaces, chimneys, gas equipment, HVAC equipment (air handling) or other types of work that may require special review must be included.

**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/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: <i>William C. Bovill</i> <i>Lindsey Boyle</i>		Date: <b>11/23/99</b>
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Building Permit Fee: \$30.00 for the 1st \$1000. cost plus \$6.00 per \$1,000.00 construction cost thereafter.  
Additional Site review and related fees are attached on a separate addendum



Proposed Project Description:

All of Section 1025.3.1

NO ACCESS FROM WINDOW 1025.3.1.

The applicants propose to construct a second egress with access from the kitchen window of the third floor apartment (30.5" x 56'5") to a walkway with railings approximately 13ft across the flat roof at the rear of the building. Walkway enters 2' x 2' landing which attaches to stairs built according to Section 1025.3.1 of the BOCA building code as adopted by the City of Portland. Stairs will be 24" wide with risers of 8" and treads of 8". First set of stairs will face NW, ending at a 4' x 4' landing, which will connect to a second set of stairs facing SE, ending at the level asphalt driveway. Railings will be 42" high, sides will have no opening larger than 4" x 4", handrail grip size will be 1½" on building side and 3 ½" on the open side. All stringers will be cut from 2" x 12" stock, all treads will be made from two 2" x 4" stock with a ½" gap for water/snow runoff. All landings will be cut from 2" x 6" stock and supported by 4" x 4" posts. Proposed egress is to be attached to the left rear side of the building where it will extend over a dirt alley currently having no use. It will not cross in front of any windows or doors. (Please see attached photograph of a recently-constructed egress on a nearby building – plan is to construct an egress very similar to that pictured in photo.)

Because of the size of the third floor apartment, a maximum of two people would usually be using this egress.



#1

*There is no deed or purchase agreement to accompany this application. The applicants are not the current owners of this building. They are the former owners, being sued by the current owner, who claims the need for a second egress from the third floor was not disclosed at time of sale. Applicant's agent did disclose, but applicants are trying to solve the problem by seeking approval to build the egress. Current owner claims egress cannot be built; applicants have spoken directly with Lt. McDougall, Ms. Schmuckal, and Mr. Hoffses, who have supplied direction and code requirements and have no objections to plans as presented.*

#2  
AMERICAN CARPENTRY SERVICE  
3 Orchard Circle  
Westbrook, Me. 04092  
(207) 797-8229

Estimate

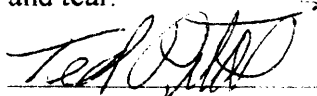
Owner of 161 Cumberland Ave.  
Portland, Me.

Re: Fire escape for 3rd floor

Construct an approximately 3' wide walkway to the edge of the roof, a platform beyond the edge of the roof approx. 3'x3', an intermediate platform also approx. 3'x3', stairs connecting the 2 platforms, and stairs to the ground. Bottom of stairs to rest on cement blocks. Guard rail system to be made from lattice work. Round handrail to be installed on one side of stair system. All framing and decking to be nailed with galvanized ring shank nails. Platforms and braces to be lag bolted to the structure. Owner's responsibility to obtain building permit(if necessary).

Labor & material \$1950-\$2150

American Carpentry will provide the above listed services at the quoted prices. Payment is due within one week of completion. All work to be performed in a professional manner and to be warrantied for the same amount of time as any manufacturers warranty, except for normal wear and tear.



Ted Pitas -owner

#3

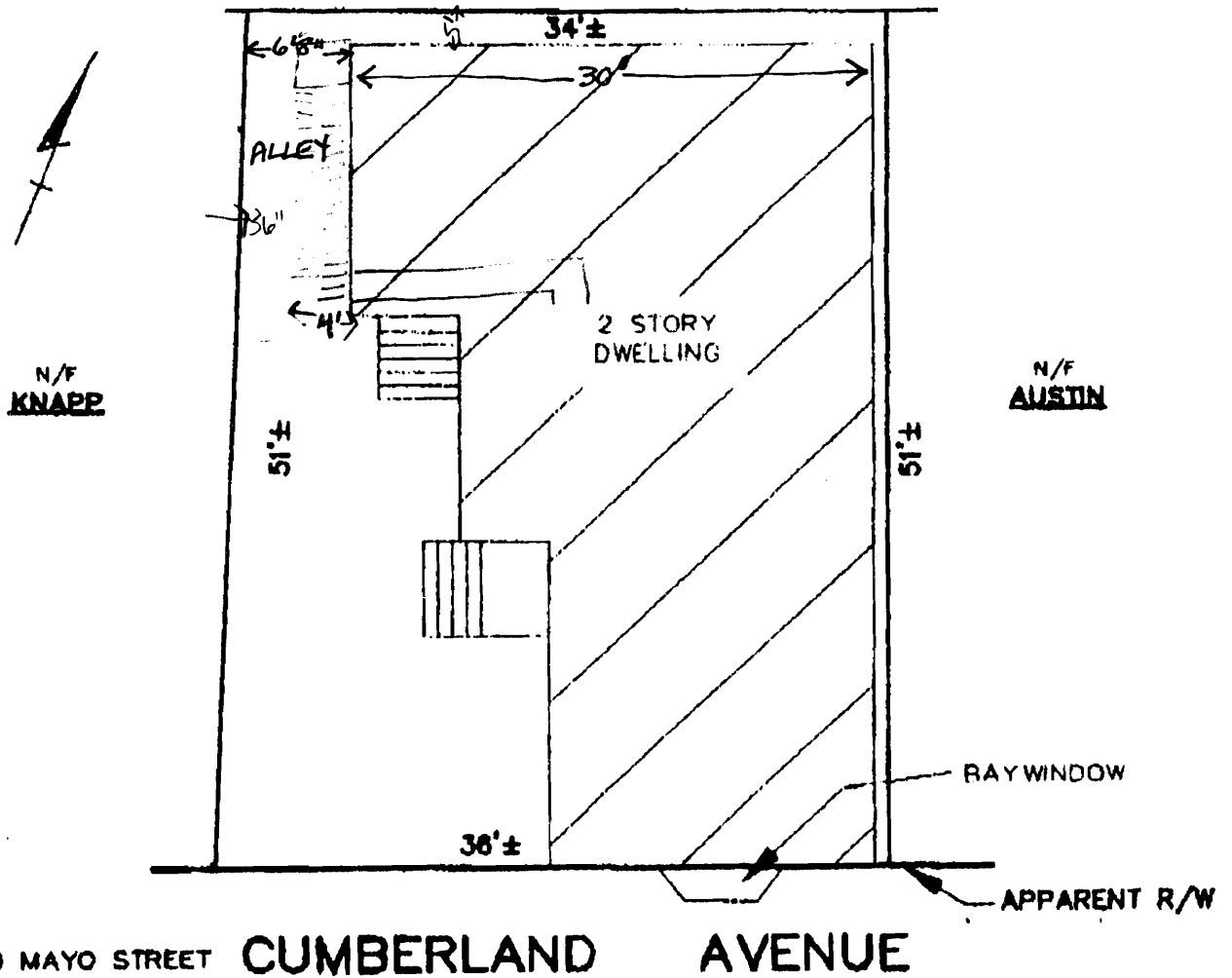
# FOR MORTGAGE LENDER USE ONLY

**GENERAL NOTES:** (1)DISTANCES SHOWN ARE TAKEN FROM PROVIDED TITLE REFERENCES SHOWN BELOW. (2)THIS INSPECTION EXAMINES DWELLING AND ACCESSORY STRUCTURE COMPLIANCE WITH RESPECT TO MUNICIPAL ZONING SETBACK REQUIREMENTS ONLY AT THE TIME OF CONSTRUCTION. (3)A STANDARD BOUNDARY SURVEY SHOULD BE PERFORMED TO RENDER A PROFESSIONAL OPINION AS TO PROPERTY LINE LOCATIONS WITH RESPECT TO DWELLINGS. (4)THIS INSPECTION DEPICTS ALL VISIBLE STRUCTURAL ENCROACHMENTS WITH RESPECT TO APPARENT PROPERTY LINES AND RECOGNIZES ONLY THOSE EASEMENTS & RIGHT OF WAYS STATED OR SHOWN IN THE PROVIDED TITLE REFERENCES SHOWN BELOW. THIS INSPECTION MAY NOT REVEAL ANY CONFLICTS WITH ADJUTING DEEDS. (5)FLOOD HAZARD DETERMINATION IS MADE BY SCALING DISTANCES ON BELOW REFERENCED FEMA MAP. (6)THIS INSPECTION IS TO BE USED ONLY BY THE BELOW LISTED LENDER, TITLE COMPANY &/OR ATTORNEY AND ITS TITLE INSURER.

ADDRESS: 181 CUMBERLAND AVENUE  
PORTLAND, MAINE

INSPECTION DATE: 6/12/98

SCALE: 1" = 10'



APPLICANT: WILLIAM BOUILL & LINFORD DOYLE REQUESTING PARTY: FIRST TITLE OF MAINE

OWNER: ROBERT R. & LYNN C. POWER ATTORNEY: THOMAS W. CLOUTIER

LENDER: CROSSLAND MORTGAGE CO. FILE No. 982689

TITLE REFERENCES:  
DEED BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_  
PLAN BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_ LOT: \_\_\_\_\_  
COUNTY: CUMBERLAND  
MUNICIPAL REFERENCE:

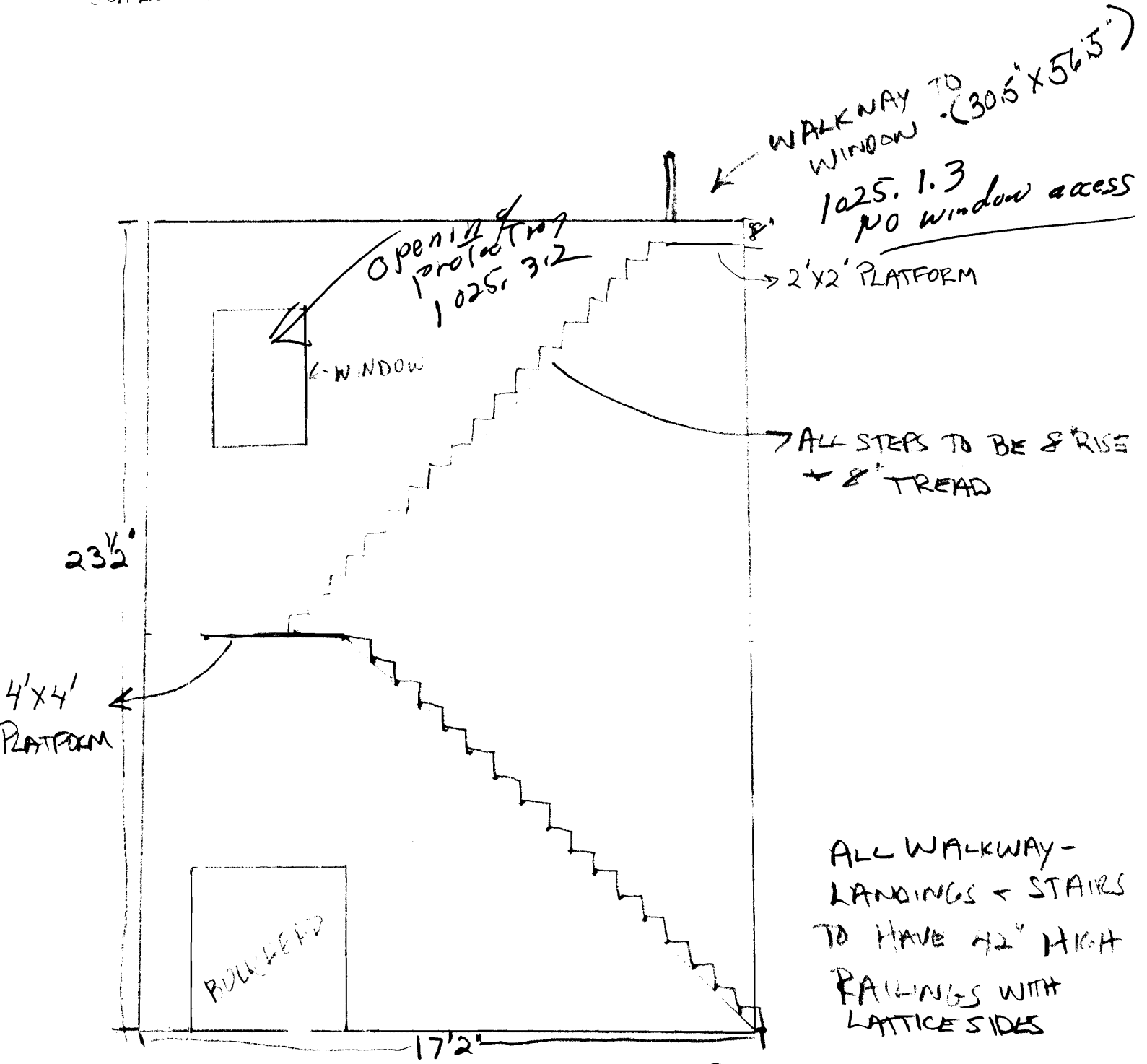
**NADEAU & LODGE**  
PROFESSIONAL LAND SURVEYORS  
844 STEVENS AVENUE RFD 2, BOX 219A  
PORTLAND, ME 04103 ALFRED, ME 04002  
TEL 878-7870 FAX 878-7871 TEL 282-0331

#4

# STAIRS TO BE BUILT AT 161 CUMBORLAND AVE. FLD, ME

## SIDE VIEW

SCALE: 1/4" = 1'



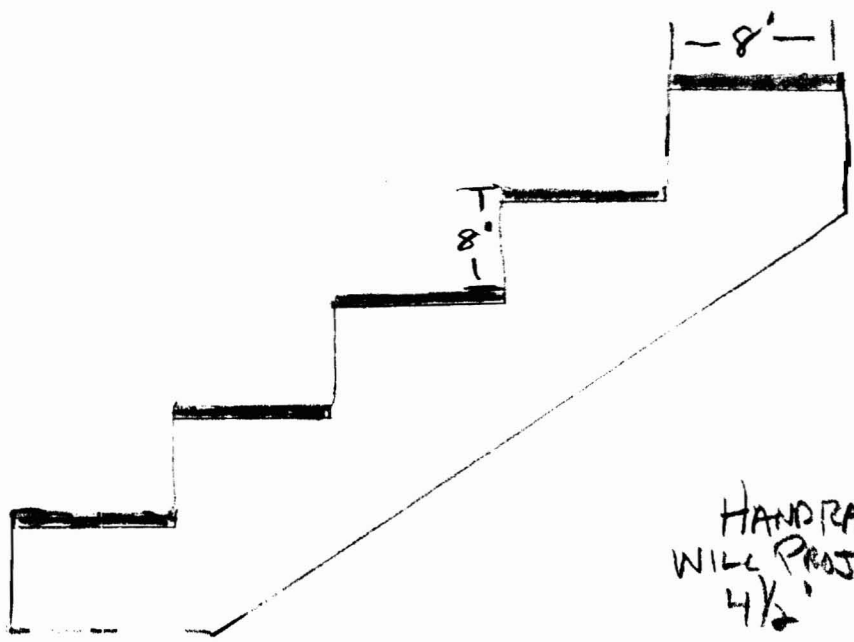
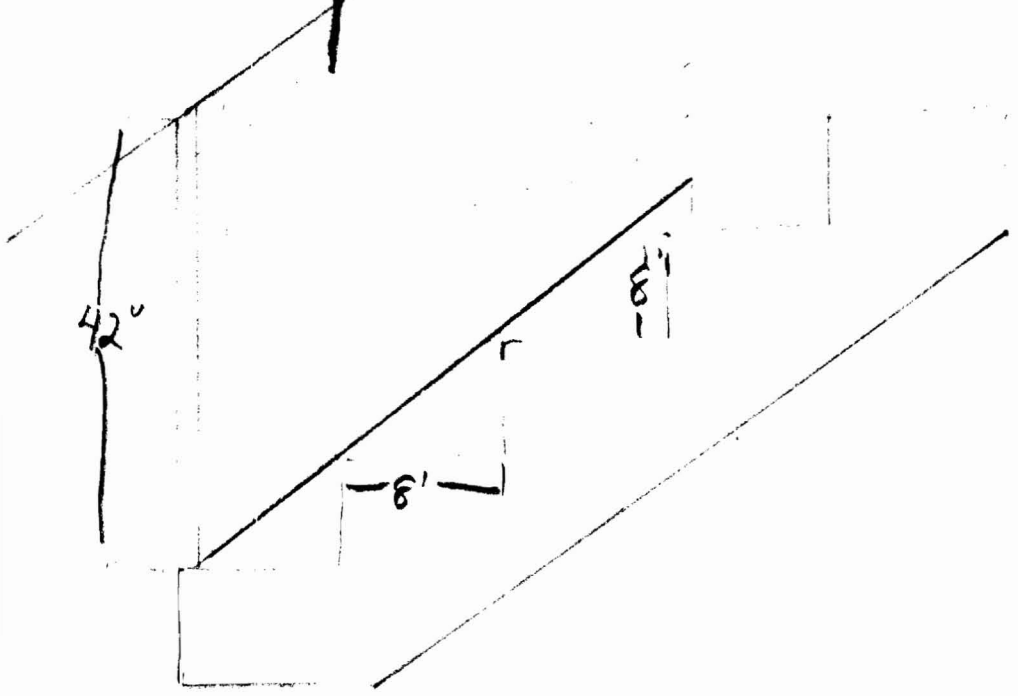
ALL WALKWAY-  
LANDINGS + STAIRS  
TO HAVE 42" HIGH  
RAILINGS WITH  
LATTICE SIDES

STAIR STRINGERS SHALL BE CUT FROM 2x12 STOCK  
STAIR TREADS TO BE 2/2x4 WITH 1/2" GAP FOR WATER RUN OFF

#4

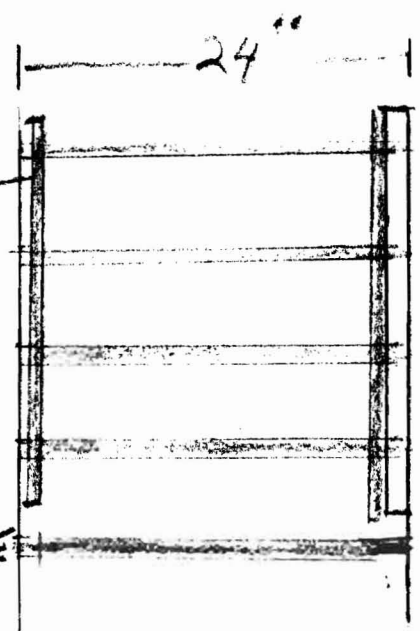
LATTICE WITH HOLES LESS THAN 4" SQ / NO ladder effect

DETAILS FOR STAIRS AT 161 CUMBERLAND AVE PORTLAND, ME



HANDRAILS WILL PROJECT 4 1/2"

HANDRAIL GRIP SIZE WILL BE 1 1/2" ON BUILDING SIDE & 3 1/2" ON OPEN SIDE





City of Portland, Maine

IN THE CITY COUNCIL

AMENDMENT TO PORTLAND CITY CODE  
§14-440 (ZONING ORDINANCE)  
RE: EXTERIOR EGRESS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND, MAINE  
IN CITY COUNCIL ASSEMBLED AS FOLLOWS:

That new Section 14-440 of the Portland City Code is hereby  
enacted, said section to read as follows:

*in effect 2/4/99*

**Sec. 14-440. Exterior egress.**

Notwithstanding any other provision of this code, the building authority may permit the installation of an exterior egress stair or an upgrade of an existing exterior fire escape for a conforming or lawfully nonconforming dwelling unit existing as of (date of passage) if such egress is required to meet current fire or other life safety codes, provided that the owner demonstrates to the building authority that:

*1/5/98*

- (1) There is no practical and economically reasonable way to provide such egress within the interior of the building, as demonstrated by the submission of detailed floor plans showing the projected cost of and the impact on the existing dwelling from an interior stair;
- (2) The stairway and associated landings and other building fixtures are designed and will be constructed to have a minimal visual impact upon the building, especially as viewed from any public way or public open space, as demonstrated by photographs of the front and any other affected facades of the building and plans or drawings of the proposed egress stairs;
- (3) Reductions to setbacks granted under this section shall be the least amount required to meet life safety code requirements; and
- (4) Exterior stairways on buildings subject to regulation under article IX of this chapter shall require review and approval under the provisions of that article.



*Hester  
Preservation*

Zoning Division  
Marge Schmuckal  
Zoning Administrator



Department of Urban Development  
Joseph E. Gray, Jr.  
Director

## CITY OF PORTLAND

Linford Doyle  
50 Fairlawn Avenue  
So. Portland, ME 04106

November 10, 1999

RE: 161 Cumberland Avenue - 3 D.U - 22-J-25 - R-6 Zone

Dear Mrs. Doyle,

This letter is to document our conversation of today's date. Section 14-440 of the City of Portland's Zoning Ordinance allows an owner to building or rebuild an exterior fire exit for an existing legal unit if no reasonable interior egress can be created. It must also be a item that the Fire Department is requiring. This same section of the Ordinance also allows the required setbacks in the applicable zone to be lessened in order to accomodate this egress. I have attached a copy of this section.

A permit is required for this work. From all that has been related to me, a permit could be issued. Please note that untill we receive the actual application with all the documentation, we can't issue an approval to begin construction. This letter is not a substitution for the permit approval process.

Very truly yours,

Marge Schmuckal  
Zoning Administrator

cc: Lt. Gaylen McDougall, Fire Prevention Officer  
P. Samuel Hoffses, Chief Inspector  
File

City of Portland, Maine  
Memorandum

To: Marge Schmuckal, Zoning Administrator

From: Mary P. Davis, Loan Officer

Subject: Verification of Legal Number of Units

Date: August 29, 2002

C-B-L- Number: 022 - J-025

We have received an application for housing assistance for the property located at:

161 Cumberland Avenue

The applicant's name is: Kevin Oakes (NEW)

In completing the application the applicant has indicated that the number of units currently in use at this property is 3.

Please verify that the number of units are legal under the current code.

- Yes, the number of units are legal. *per microfiche*
- No, the number of units do not coincide with City records or the Land Use Code. According to City records the legal number of units for this property is \_\_\_\_\_.
- The property is a single family dwelling.

Verified By: Marge Schmuckal Title: Zoning Admin  
*8/29/02*



**CITY OF PORTLAND, MAINE**  
**Department of Building Inspection**

July 10 2001

Received from James G. ... a fee

of ... /100 Dollars \$ 96.00

for permit to  install  
 erect  
 alter

at ... move  
 demolish Est. Cost \$ ...

*Handwritten notes:*  
1/2" x 1/2" 2575  
C.B.L. 3000

Inspector of buildings  
Per ...

# 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 \$5.00 or 10% whichever is greater.

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