

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

Location of Construction: 37 Smith St		Owner: Duriette, Donald		Phone:	Permit No: 980205
Owner Address:		Lessee/Buyer's Name:		Phone:	BusinessName:
Contractor Name: David DiPietro		Address: 221 Virginia St Ptd, ME 04103		Phone: 797-9531	
Past Use: IRRM 4-fan		Proposed Use: Same		COST OF WORK: \$ 2,200.00	PERMIT FEE: \$ 30.00
Proposed Project Description: Construct Deck		FIRE DEPT. <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group: 4-2 Type: 29	
		Signature: <i>[Signature]</i>		Signature: <i>[Signature]</i>	
		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied	
Permit Taken By: Mary Gresik		Date Applied For: 25 February 1998		Zoning Approval: <i>[Handwritten]</i> Special Zone or Reviews: <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan maj <input type="checkbox"/> minor <input type="checkbox"/> mm <input type="checkbox"/>	

PERMIT ISSUED
 Permit Issued:
MAR 11 1998
CITY OF PORTLAND

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..

PERMIT ISSUED WITH REQUIREMENTS

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

[Signature] **David DiPietro** ADDRESS: **221 VIRGINIA ST** DATE: **25 February 1998** PHONE: **797-9531**

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE PHONE:

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

Zone: **K-1** CBL: **022-L-014**

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: *[Handwritten]*

CEO DISTRICT **1**
[Handwritten]

COMMENTS

3/16/98 Inspected New roofing started
exterior work is progress. *mmj*

10/9/98 Completed. *AR*

980205
22-L-14

Inspection Record	
Type	Date
Foundation: _____	_____
Framing: _____	_____
Plumbing: _____	_____
Final: _____	_____
Other: _____	_____

Applicant: Donald Durette

Date: 3/2/98

Address: 37 Smith St

C-B-L: 22-L-14

CHECK-LIST AGAINST ZONING ORDINANCE

Date - Existing 4 units -

Zone Location -

Interior or corner lot -

Proposed Use/Work - New exterior Deck & Stairs on rear from 2nd floor - OK per #440 -

Sewage Disposal -

See attached info provided

Lot Street Frontage -

Front Yard - ~~30~~ 10' req N/A

Rear Yard - 20' req - 12' shown

Side Yard - 10' req - 1' shown

Projections -

Width of Lot -

[Handwritten mark]

Height -

Lot Area -

Lot Coverage/ Impervious Surface -

Area per Family -

Off-street Parking -

Loading Bays -

Site Plan -

Shoreland Zoning/ Stream Protection -

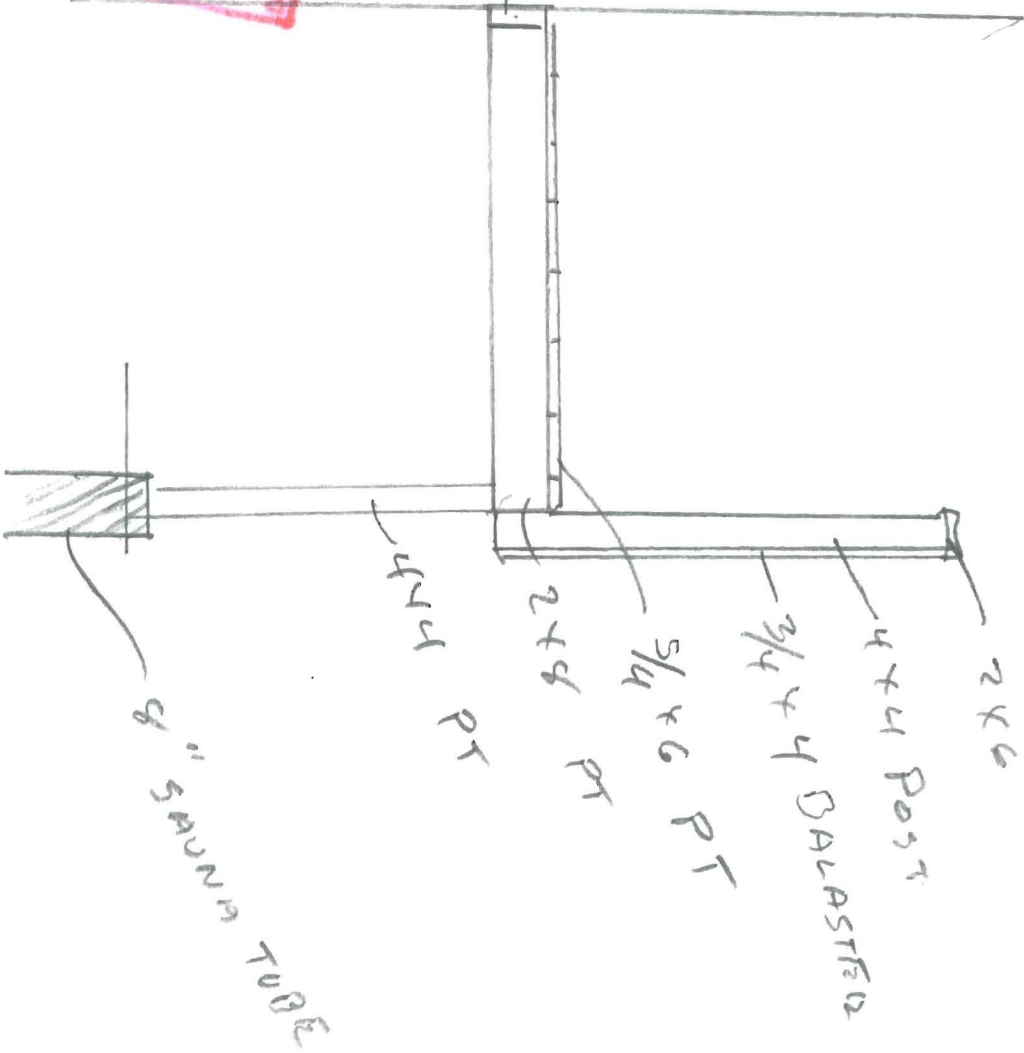
Flood Plains -

37

SMITH ST

JOIST HANGER

AREA OF SEAT OR SITTING MEMBER



CITY OF PORTLAND

RE REAR STAIRWAY FROM 2ND FLOOR AT
37 SMITH STREET. PORTLAND, ME.

MARGE:

THE EXISTING REAR PORCH HAS BEEN
TAKEN DOWN BUT THE DOOR OUT OF THE 2ND
FLOOR IS STILL THERE.
THE FOUNDATION TO THE PORCH IS ALSO STILL
THERE

BECAUSE OF THE LAYOUT IT WOULD BE TOO COSTLY
AND NOT VERY PRACTICAL TO MOVE THE
EXIT FROM THE 2ND FLOOR TO ANOTHER
AREA ON THE EXTERIOR OF THE BUILDING OR
TO AN AREA TO THE INTERIOR OF THE
STRUCTURE.

BY TRYING TO MOVE IT ON THE EXTERIOR IT
WOULD INVOLVE STAIRWAYS THAT BLOCK OFF
WALKS AND WINDOWS AND WOULD COST 3 TO
4 TIMES WHAT IT WOULD BE TO REPLACE IT
WHERE IT WAS ORIGINALLY

TO MOVE IT TO THE INTERIOR IT WOULD
REQUIRE BLOCKING OFF WINDOWS & DOORS
AND BUILDING NEW WALL IN THE LIVING
ROOM AND ALSO WOULD COST 3 TO 4 TIMES AS
MUCH AND STILL WOULD BE IN THE WAY OF
WALKS.

IT WOULD ALSO BE IN THE WAY OF THE
1ST FLOOR EXIT. THE ESTIMATED COST IS:

INTERIOR \$4,000 - \$5,000 EXTERIOR \$1,500

Dad

City of Portland, Maine
IN THE CITY COUNCIL

2/27/97
Feb 2 12:15 PM
5-9

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:

- effect 2/1/99

Sec. 14-440. Exterior egress.

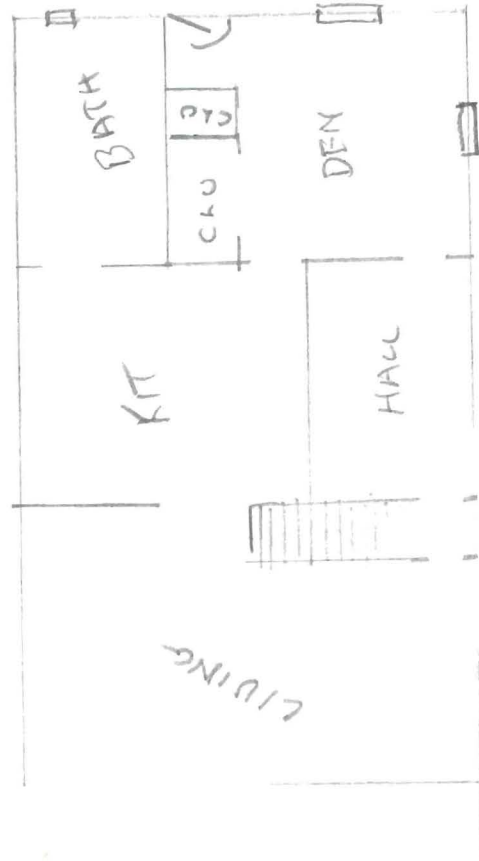
Notwithstanding any other provision of this code, the building
authority may permit the installation of an exterior egress stair
or an upgrade of an existing exterior fire escape for a conforming
or lawfully nonconforming dwelling unit existing as of (date of
passage) if such egress is required to meet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

1/5/98

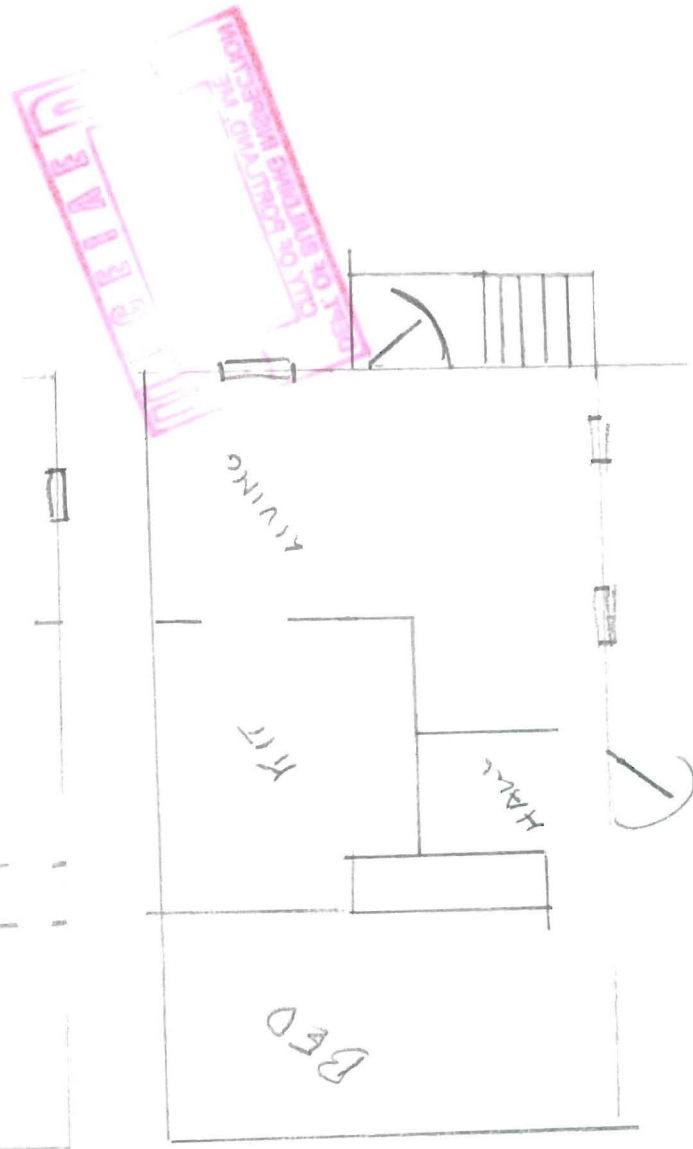
- (1) There is no practical and economically reasonable way to provide such egress within the interior of the building, as demonstrated by the submission of detailed floor plans showing the projected cost of and the impact on the existing dwelling from an interior stair;
- (2) The stairway and associated 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.

↓
Historic
Preservation

37 SMITH ST

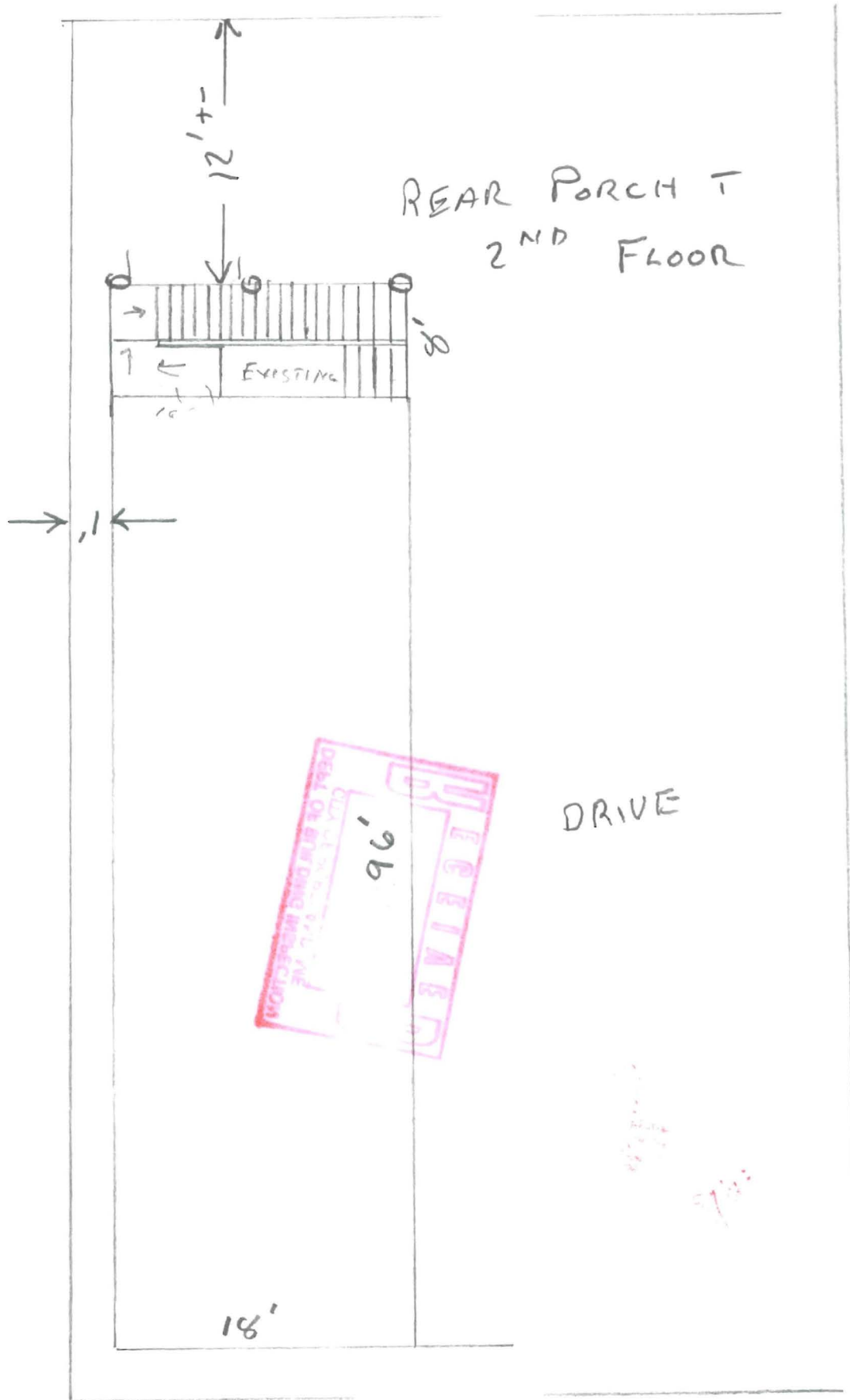


2ND Floor



1ST Floor

REAR PORCH
CUT OF PORCH AND REAR PORCH
CUT OF PORCH AND REAR PORCH



37 SMITH ST

022-L-014

City of Portland, Maine
Memorandum

8/18/99

3rd Floor Egress
is Thru 2nd Fl Apt.
Hallway should remain clear
Approved by Fire code
when re-habbed
checked again for ss.
JB

To: Marge Schmuckal, Zoning Administrator

From: William C. Tracy, Housing Coordinator *wct*

Subject: Verification of Legal Number of Units

Date: December 24, 1997

C-B-L- Number: 22-L-14

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

37 Smith Street, Portland, ME

→ File

The applicant's name is:

Donald Surette

In completing the application the applicant has indicated that the number of units currently in use at this property is 4.

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

Yes, the number of units are legal.

see previous approval
from past zoning Administ.
on file

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 _____.

8-26-97

The property is a single family dwelling.

Verified By: Marge Schmuckal

Title: Zoning Administrator

12/30/97

CITY OF PORTLAND, MAINE
MEMORANDUM

DATE: 8-26-94

CEL 22-L-14

TO: Bill Giroux - Zoning Administrator
FROM: Community Development Office/P.L.H.P. Program
Loan Officer
SUBJECT: Verification of Legal Number of Units

*From
Microfiche*

~~We presently have an application for Loan/Grant for rehabilitation at:~~

37 Smith St.

(ADDRESS)

The Owner is

Tefft

(NAME)

The given number of units of the building is

4

Please verify whether the number of units given are legal under the
Zoning/Building Ordinance.

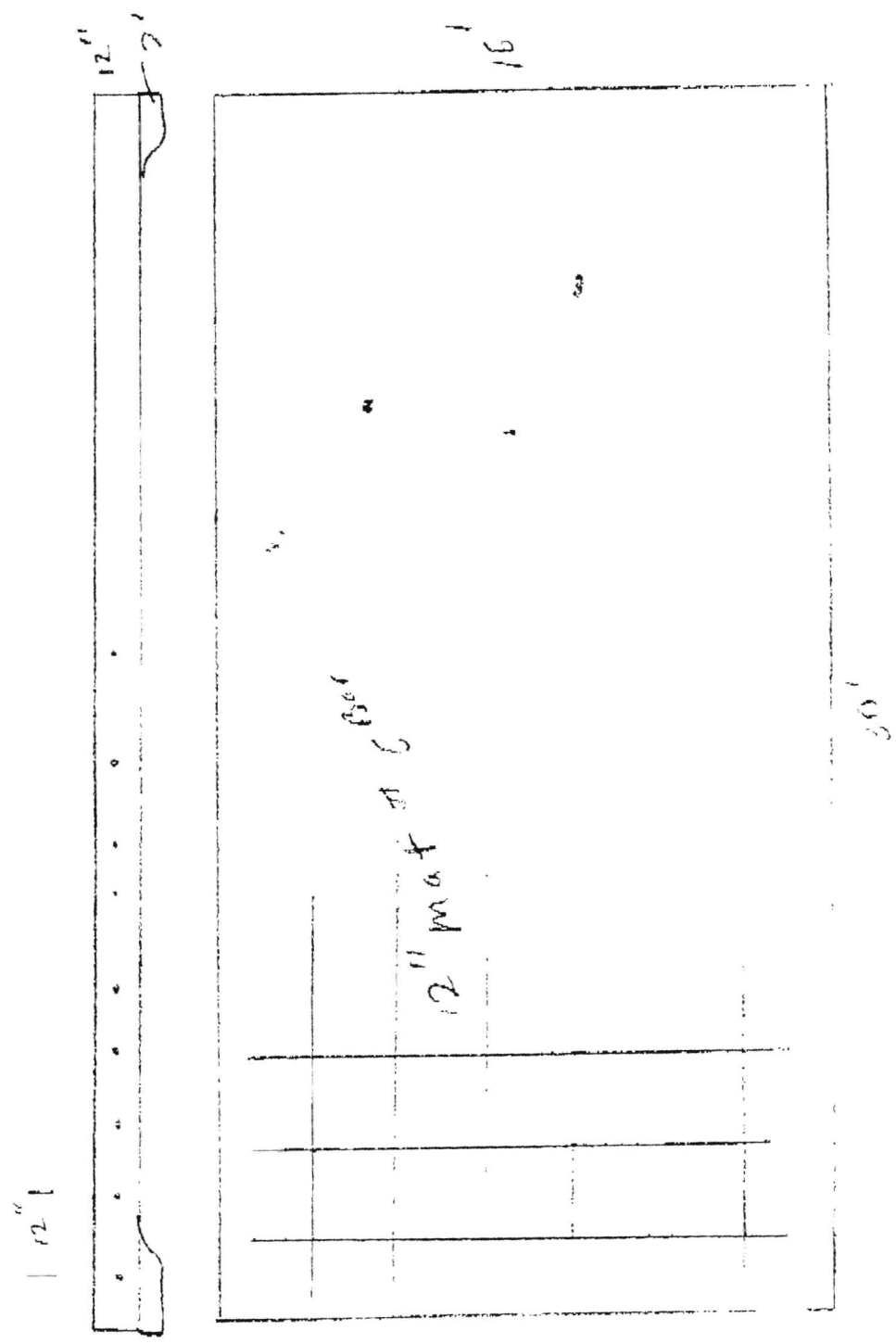
YES the number of units are legal

NO the number of units are not presently legal. The present
number of units is _____.

WDM
SIGNED BY VERIFIER

Zoning Adm.
TITLE

Sam
This is Ship Yard
Silo pad



BUILDING PERMIT REPORT

DATE: 10 MAR 98 ADDRESS: 37 SMITH ST.
REASON FOR PERMIT: To Construct deck 8'x18'
BUILDING OWNER: Donald Durette
CONTRACTOR: David Di Pietro
PERMIT APPLICANT: David Di Pietro
USE GROUP R-2 BOCA 1996 CONSTRUCTION TYPE 5B

CONDITION(S) OF APPROVAL

This Permit is being issued with the understanding that the following conditions are met:

Approved with the following conditions: *1, *4, *3, *8, *10

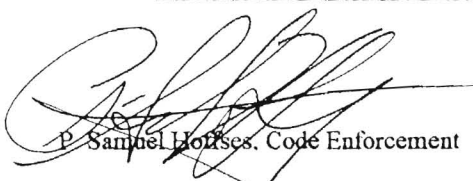
1. This permit does not excuse the applicant from meeting applicable State and Federal rules and laws.
2. Before concrete for foundation is placed, approvals ~~from the Development Review Coordinator and~~ Inspection Services must be obtained. (A 24 hour notice is required prior to inspection)
3. Precaution must be taken to protect concrete from freezing.
4. It is strongly recommended that a registered land surveyor check all foundation forms before concrete is placed. This is done to verify that the proper setbacks are maintained.
5. Private garages located beneath habitable rooms in occupancies in Use Group R-1, R-2, R-3 or I-1 shall be separated from adjacent interior spaces by fire partitions and floor/ceiling assembly which are constructed with not less than 1-hour fire resisting rating. Private garages attached side-by-side to rooms in the above occupancies shall be completely separated from the interior spaces and the attic area by means of ½ inch gypsum board or the equivalent applied to the garage means of ½ inch gypsum board or the equivalent applied to the garage side. (Chapter 4 Section 407.0 of the BOCA/1996)
6. All chimneys and vents shall be installed and maintained as per Chapter 12 of the City's Mechanical Code. (The BOCA National Mechanical Code/1993).
7. Sound transmission control in residential building shall be done in accordance with Chapter 12 section 1214.0 of the city's building code.
8. Guardrails & Handrails: A guardrail system is a system of building components located near the open sides of elevated walking surfaces for the purpose of minimizing the possibility of an accidental fall from the walking surface to the lower level. Minimum height all Use Groups 42" , except Use Group R which is 36". In occupancies in Use Group A, B, H-4, I-1, I-2 M and R and public garages and open parking structures, open guards shall have balusters or be of solid material such that a sphere with a diameter of 4" cannot pass through any opening. Guards shall not have an ornamental pattern that would provide a ladder effect. (Handrails shall be a minimum of 34" but not more than 38". Use Group R-3 shall not be less than 30", but not more than 38".) Handrail grip size shall have a circular cross section with an outside diameter of at least 1 1/4" and not greater than 2".
9. Headroom in habitable space is a minimum of 7'6".
10. Stair construction in Use Group R-3 & R-4 is a minimum of 10" tread and 7 3/4" maximum rise. All other Use group minimum 11" tread, 7" maximum rise.
11. The minimum headroom in all parts of a stairway shall not be less than 80 inches. (6' 8")
12. Every sleeping room below the fourth story in buildings of use Groups R and I-1 shall have at least one operable window or exterior door approved for emergency egress or rescue. The units must be operable from the inside without the use of special knowledge or separate tools. Where windows are provided as means of egress or rescue they shall have a sill height not more than 44 inches (1118mm) above the floor. All egress or rescue windows from sleeping rooms shall have a minimum net clear opening height dimension of 24 inches (610mm). The minimum net clear opening width dimension shall be 20 inches (508mm), and a minimum net clear opening of 5.7 sq. ft.
13. Each apartment shall have access to two (2) separate, remote and approved means of egress. A single exit is acceptable when it exits directly from the apartment to the building exterior with no communications to other apartment units.
14. All vertical openings shall be enclosed with construction having a fire rating of at least one (1)hour, including fire doors with self closer's. (Over 3 stories in height requirements for fire rating is two (2) hours.)
15. The boiler shall be protected by enclosing with (1) hour fire-rated construction including fire doors and ceiling, or by providing automatic extinguishment.
16. All single and multiple station smoke detectors shall be of an approved type and shall be installed in accordance with the

provisions of the City's Building Code Chapter 9, Section 19, 920.3.2 (BOCA National Building Code/1996), and NFPA 101 Chapter 18 & 19. (Smoke detectors shall be installed and maintained at the following locations):

- In the immediate vicinity of bedrooms
- In all bedrooms
- In each story within a dwelling unit, including basements

In addition to the required AC primary power source, required smoke detectors in occupancies in Use Groups R-2, R-3 and I-1 shall receive power from a battery when the AC primary power source is interrupted. (Interconnection is required)

17. A portable fire extinguisher shall be located as per NFPA #10. They shall bear the label of an approved agency and be of an approved type.
18. The Fire Alarm System shall be maintained to NFPA #72 Standard.
19. The Sprinkler System shall maintained to NFPA #13 Standard.
20. All exit signs, lights, and means of egress lighting shall be done in accordance with Chapter 10 Section & Subsections 1023. & 1024. Of the City's building code. (The BOCA National Building Code/1996)
21. Section 25-135 of the Municipal Code for the City of Portland states, "No person or utility shall be granted a permit to excavate or open any street or sidewalk from the time of November 15 of each year to April 15 of the following year".
22. The builder of a facility to which Section 4594-C of the Maine State Human Rights Act Title 5 MRSA refers, shall obtain a certification from a design professional that the plans commencing construction of the facility, the builder shall submit the certification to the Division of Inspection Services.
23. Ventilation shall meet the requirements of Chapter 12 Sections 1210. Of the City's Building Code.
24. All electrical, plumbing and HVAC permits must be obtained by a Master Licensed holders of their trade.
25. All requirements must be met before a final Certificate of Occupancy is issued.
26. All building elements shall meet the fastening schedule as per Table 2305.2 of the City's Building Code. (The BOCA National Building Code/1996).
27. Ventilation of spaces within a building shall be done in accordance with the City's Mechanical Code (The BOCA National Mechanical Code/1993).
28. Please read and implement the attached Land Use-Zoning report requirements.
29. _____
30. _____
31. _____
32. _____



P. Samuel Holmes, Code Enforcement

cc: Lt. McDougall, PFD
Marge Schmückal