

Inspection Services
Michael J. Nugent
Manager



Housing & Neighborhood Services
Mark B Adelson
Director

CITY OF PORTLAND

February 21, 2002

Jack Soley
111 Commercial St.
Portland, ME 04101

Re: Building Permit #011395 18 Hampshire St. (028 0015) Window schedule issue

Dear Jack,

Thank you for the input, and our sincerest of apologies for any confusion generated surrounding the above project. As you already know from our discussion on 2/20/02 which included a call to BOCA (our code author) there are severe limitations with additions to structures that are less than 3 feet from the property line. Among those limitations is the requirement for a 1hr. fire separation wall (rated inside as well as outside) devoid of any unrated glazing or materials. This leaves the code official with no flexibility.

In reviewing your fax , with the “remove the window if the neighbor expands” language. It must be stressed that this code requirement would be there even if the lot next door was undeveloped. This being the case I cannot allow a deviation from the code based on this proposed language. We have discussed several options and this office requires resubmission of code compliant plans, prior to commencing.

Lastly, I am attaching Section 108.6 as amended. It is clear that our plan reviewer, David Caddell, was not fully aware of these code issues and because he has made a mistake of law, the City has the right to revoke the permit. It is not our wish to do this at this time, however, if construction commences in a noncompliant fashion, this office will exercise this option.

This constitutes an appealable decision pursuant to Section 121.5 of the Code as amended. Please feel free to contact myself or Dave Caddell, if you need further assistance.

Sincerely,

Mike Nugent
Manager of Inspection Services