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**Fwd: 37 Tate Street Revised Plans**

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Wed, Jun 6, 2018 at 3:24 PM

To: Glenn Harmon &lt;gharmon@portlandmaine.gov&gt;, azimuthblu@gmail.com

Joe -

Glenn forwarded the most recent plans to me.

In the R-6 Zone, section 14-136(a)(2)(b) :

a) Residential:

2. Multifamily dwellings.

b. No open outside stairways or fire escapes above the ground floor shall be constructed;

based on this the proposed exterior stair needs to be enclosed.

That being said, section 14-440 states:

*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 January 5, 1998, if such egress is required to meet current fire or other life safety codes, provided that the owner demonstrates to the building authority that:*

*(a) 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;*

*(b) 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;*

*(c) Reductions to setbacks granted under this section shall be the least amount required to meet life safety code requirements; and*

*(d) Exterior stairways on buildings subject to regulation under article IX of this chapter shall require review and approval under the provisions of that article.*

To not enclose the stairs, you would need to show how this section is being met.

Also, the R-6 zone has 60% lot coverage. Which means that the footprint of all structures on the property can't cover more than 60% of the lot. What will the lot coverage be with the proposed stairs?

Finally, 35 Tate ST and 37 Tate Street are owned by two different entities. 35 Tate is owned by Kanval Ahmed and 37 Tate is owned by Noor Properties, LLC. The second means of egress for both properties is through the other property on the second and third floors. They either need to be owned by the same entity or there needs to be easements for each property to access the egress on the other property.

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