

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK



CITY OF PORTLAND

BUILDING PERMIT

This is to certify that Sara Donnelly

Located At 19 ELLSWORTH ST

Job ID: 2012-09-5020-ALTR

CBL: _053- H-004-001

has permission for Removal of exist stairs; rebuild new two (2) level deck (Two Family Residence).
provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statues of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of the buildings and structures, and of the application on file in the department.

Notification of inspection and written permission procured before this building or part thereof is lathed or otherwise closed-in. 48 HOUR NOTICE IS REQUIRED.

A final inspection must be completed by owner before this building or part thereof is occupied. If a certificate of occupancy is required, it must be

Fire Prevention Officer



Code Enforcement Officer / Plan Reviewer

12/03/2012

THIS CARD MUST BE POSTED ON THE STREET SIDE OF THE PROPERTY
PENALTY FOR REMOVING THIS CARD

BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 (ONLY)

or email: buildinginspections@portlandmaine.gov

With the issuance of this permit, the owner, builder or their designee is required to provide adequate notice to the city of Portland Inspections Services for the following inspections. Appointments must be requested 48 to 72 hours in advance of the required inspection. The inspection date will need to be confirmed by this office.

- **Please read the conditions of approval that is attached to this permit!! Contact this office if you have any questions.**

- **Permits expire in 6 months. If the project is not started or ceases for 6 months.**

- **If the inspection requirements are not followed as stated below additional fees may be incurred due to the issuance of a "Stop Work Order" and subsequent release to continue.**
 1. Footings/Setbacks prior to pouring concrete
 2. Close In Elec/Plmb/Frame prior to insulate or gypsum
 3. Final Inspection

The project cannot move to the next phase prior to the required inspection and approval to continue, REGARDLESS OF THE NOTICE OF CIRCUMSTANCES.

IF THE PERMIT REQUIRES A CERTIFICATE OF OCCUPANCY, IT MUST BE PAID FOR AND ISSUED TO THE OWNER OR DESIGNEE BEFORE THE SPACE MAY BE OCCUPIED.



PORTLAND MAINE

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

Director of Planning and Urban Development
Jeff Levine

Job ID: 2012-09-5020-ALTR

Located At: 19 ELLSWORTH ST

CBL: 053- H-004-001

Conditions of Approval:

Zoning

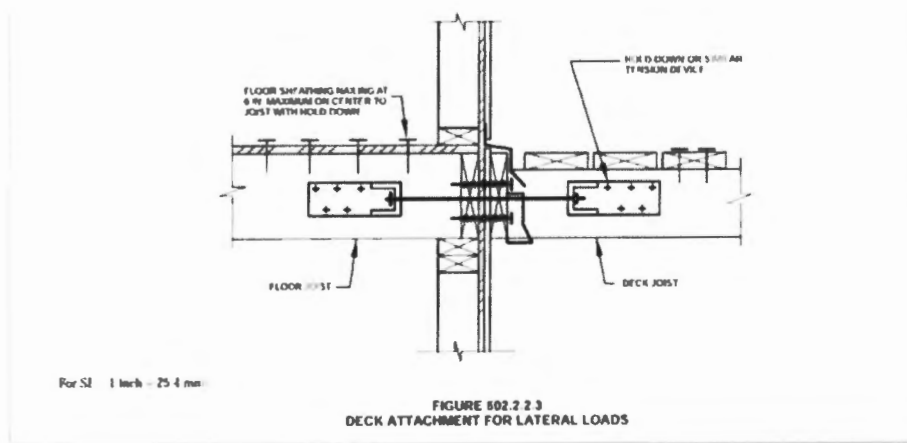
1. This permit is being approved on the basis of plans submitted 11/14/12. Any deviations shall require a separate approval before starting that work.
2. This property shall remain a two family dwelling. Any change of use shall require a separate permit application for review and approval.
3. The deck is being approved using section 14-433 reducing the rear setback to 5 feet.

Building

1. Separate permits are required for any electrical: plumbing, sprinkler, fire alarm, HVAC systems, commercial hood exhaust systems and fuel tanks. Separate plans may need to be submitted for approval as a part of this process.
2. R311.1 Means of egress. All dwellings shall be provided with a means of egress as provided in this section. The means of egress shall provide a continuous and unobstructed path of vertical and horizontal egress travel from all portions of the dwelling to the exterior of the dwelling at the required egress door without requiring travel through a garage.
 - a. Note: Architect stated that both units have independent means of egress.
3. A graspable handrail (34-38 inches in height) shall be provided on at least one side of each continuous run of treads or flight with four or more risers. Fall protection (36 inches) from exterior decks may be required if floor joist are at or above thirty (30) inches from grade.
4. R312.3 Opening limitations. Required guards shall not have openings from the walking surface to the required guard height which allow passage of a sphere 4 inches in diameter.
5. R502.6 Bearing. The ends of each joist, beam or girder shall have not less than 1.5 inches of bearing on wood or metal and not less than 3 inches on masonry or concrete except where supported on a 1-inch-by-4-inch ribbon strip and nailed to the adjacent stud or by the use of approved joist hangers.


6. R311.5.1 Attachment. Exterior landings, decks, balconies, stairs and similar facilities shall be positively anchored to the primary structure to resist both vertical and lateral forces or shall be designed to be self-supporting. Attachment shall not be accomplished by use of toenails or nails subject to withdrawal.

7.



City of Portland, Maine - Building or Use Permit Application

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

Job No: 2012-09-5020-ALTR	Date Applied: 9/24/2012	CBL: 053- H-004-001	
Location of Construction: 19 ELLSWORTH ST	Owner Name: SARA DONNELLY	Owner Address: 19 ELLSWORTH ST PORTLAND, ME 04102	Phone: 207-632-1042
Business Name:	Contractor Name: Stalwart Constrution - Patrick Roche	Contractor Address: 25 Morning St., #5, Portland ME 04101	Phone: (646) 510-1240
Lessee/Buyer's Name:	Phone:	Permit Type: BLDG - Building	Zone: R-6
Past Use: Two family	Proposed Use: Same - Two family - remove rear landing & stairs and build two story deck - 124 sf	Cost of Work: 14000.00	CEO District:
		Fire Dept: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input checked="" type="checkbox"/> N/A	Inspection: Use Group: RS Type: SB IRC, 2009 (AUBBC) Signature: 
Proposed Project Description: Removal of exist stairs; build new 2 level deck		Pedestrian Activities District (P.A.D.)	
Permit Taken By: Brad		Zoning Approval	

	Special Zone or Reviews	Zoning Appeal	Historic Preservation
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 informatin may invalidate a building permit and stop all work.	<input type="checkbox"/> Shoreland <input type="checkbox"/> Wetlands <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan <input type="checkbox"/> Maj <input type="checkbox"/> Min <input type="checkbox"/> MM Date: <i>Dr w/ Conditional 11/15/12 ABN</i>	<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:	<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: <i>ABN</i>

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 appication 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	PHONE

P-6

Entire 9/21/12



General Building Permit Application

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.

2012-09-5020-ALTR



Location/Address of Construction: <u>19 Ellsworth Street</u>		
Total Square Footage of Proposed Structure/Area <u>300 S.F.</u>	Square Footage of Lot <u>3040 S.F.</u>	Number of Stories <u>Two</u>
Tax Assessor's Chart, Block & Lot Chart# Block# Lot# <u>53 H 4</u>	Applicant: (must be owner, lessee or buyer) Name <u>Sara Donnelly</u> Address <u>19 Ellsworth Street</u> City, State & Zip <u>Portland, ME 04102</u>	Telephone: <u>207-632-1042</u> <u>14,000</u>
Lessee/DBA RECEIVED SEP 21 2012 Dept. of Building Inspections City of Portland Maine	Owner: (if different from applicant) Name _____ Address _____ City, State & Zip _____	Cost of Work: <u>\$13,500</u> C of O Fee: \$ _____ Historic Review: \$ _____ Planning Amin.: <u>\$30+130</u> Total Fee: \$ <u>160.00</u>
Current legal use (i.e. single family) single family <u>multi-family</u> Number of Residential Units <u>2</u> If vacant, what was the previous use? _____ Proposed Specific use: <u>same</u> Is property part of a subdivision? <u>no</u> If yes, please name _____ Project description: <u>Removal of existing landing & stair. Installing new two-level deck.</u>		
Contractor's name: <u>Stalwart Construction</u>		Email: <u>roche.patrick@gmail.com</u>
Address: <u>27 Morning Street #5</u>		Telephone: <u>646-510-1240</u>
City, State & Zip <u>Portland, ME 04101</u>		Telephone: <u>646-510-1240</u>
*Who should we contact when the permit is ready: <u>Patrick Roche</u>		Telephone: <u>646-510-1240</u>
Mailing address: <u>same</u> <u>SARA (632-1042)</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.

~~Hold do not send~~

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.

and 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.

Signature: _____	Date: _____
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This is not a permit; you may not commence ANY work until the permit is issued

September 20, 2012

Re: **19 Ellsworth Street
Portland, Maine**

City of Portland
Planning and Urban Development Department
389 Congress Street
Portland, Maine 04101

Attn: Ms. Ann Machado, Zoning Department

Ms. Schmuckal and Ms. Machado,

Some time ago, I spoke with Ms. Machado on the phone regarding the above referenced project. The intent with this project is to construct a wood-framed deck in the rear yard of the existing residence. While this deck is not large, it is planned to be constructed within the rear (and side) setbacks. While the code does have provisions for this construction and a zoning appeal is assumed not to be necessary, I wanted to verify these regulations.

This current two-family residence is located on a 3,040 square foot parcel (see application), and is in the R-6 Residential Zone. Currently, there is one residence on the lower level (accessed from the side of the residence), and a second residence on the upper level (accessed from the front of the residence). In the rear yard there is a small landing outside of one of the upper level windows with a stair down to grade. Neither the existing landing, nor the existing stair are code compliant. It is the intent of the homeowner to remove this landing and stair in order to construct a deck for each unit.

As you are aware, this R-6 zone has a rear setback of 20 feet (Sec. 14-139,4, b., i.) for principal and attached accessory structures. The current residence is approximately 14 feet away from the rear property line. This makes the construction of a deck outside of the rear setback impossible. However, per Section 14-433 of the Zoning Code, where a principle structure existed before 1988, less restrictive setbacks may be used. These setbacks are consistent with the regulations for construction on small non-conforming vacant lots in the R-6 Zone (Sec. 14-139(b)). These regulations allow for a reduction in the side and rear yards for a setback of 5 feet. However, the code only allows for these reductions if the new construction can meet the less-restrictive requirements contained in Sec. 14-139(b).

To meet the requirements in Sec. 14-139(b), the lot must be under 10,000 square feet (this lot is 3,040 sf), a minimum of two stories, and a maximum building height of 45 feet (this new structure is 18 feet above grade). There are no designated side and rear setbacks (except for the ones previously mentioned), but the distance to the adjacent buildings must be taken into account. In this case, for the rear yard a distance of 10 feet is required between an adjacent structure (the closest building is approximately 30'-8" away) as long as one of the side yards is least 15 feet (which exists on the driveway side of this property). For the side yard, a distance of 10 feet to the adjacent structure is required (the distance from the new construction to the closest adjacent residence is 13 feet), and again, as long as the opposite side yard is 15 feet. Therefore, because this new structure meets these requirements, the side and rear yards may be reduced to 5 feet each.

There is one more regulation in this Section that must be met. This section is 14-139(b) 6., regarding Open Space Requirements. This section requires that each of the two units be provided with a deck, porch, patio, or balcony. This section does allow for the reduction of these decks by 50% provided that open space exists. However, this open space is required to be 15 feet by 15 feet minimum, and with this residence at 14 feet away from the property line, this cannot be met, and decks must be provided for each unit (which is the entire premise of this project).

As you can see from the attached drawings, the new decks provide the open space required for each unit and are within the 5 foot setbacks as dictated per Sec. 14-433. The new construction complies with all of the other requirements in Sec. 14-139(b). We have attempted to design these decks within the parameters of Appendix 7 of the Portland Design Manual for scale, composition and massing. For example, a simple rectangular deck to infill the allowable building area was rejected in favor of a deck that emphasized smaller, intimate areas that related better to the existing residence and neighborhood. A gentle curve was added to the outside of the deck to tie the area back to house rather than out towards the adjacent property. The intermediate deck was lowered to reduce its visibility and the decks are oriented slightly towards the greater of the two side yards.

In our opinion, this project will increase the value of the existing residence, add the required areas, and assist with maintaining the character of the neighborhood.

If you have any questions, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Chaloupecky', with a long, sweeping horizontal flourish extending to the right.

Mark Chaloupecky, LEED-AP
Design Consultant

R-6

lot size - 3040 ϕ

front - N/A

rear - 20' - using section 14-433-5' - scales @ 5.5' ϕ

side - 10' - scales @ 10.75' ϕ

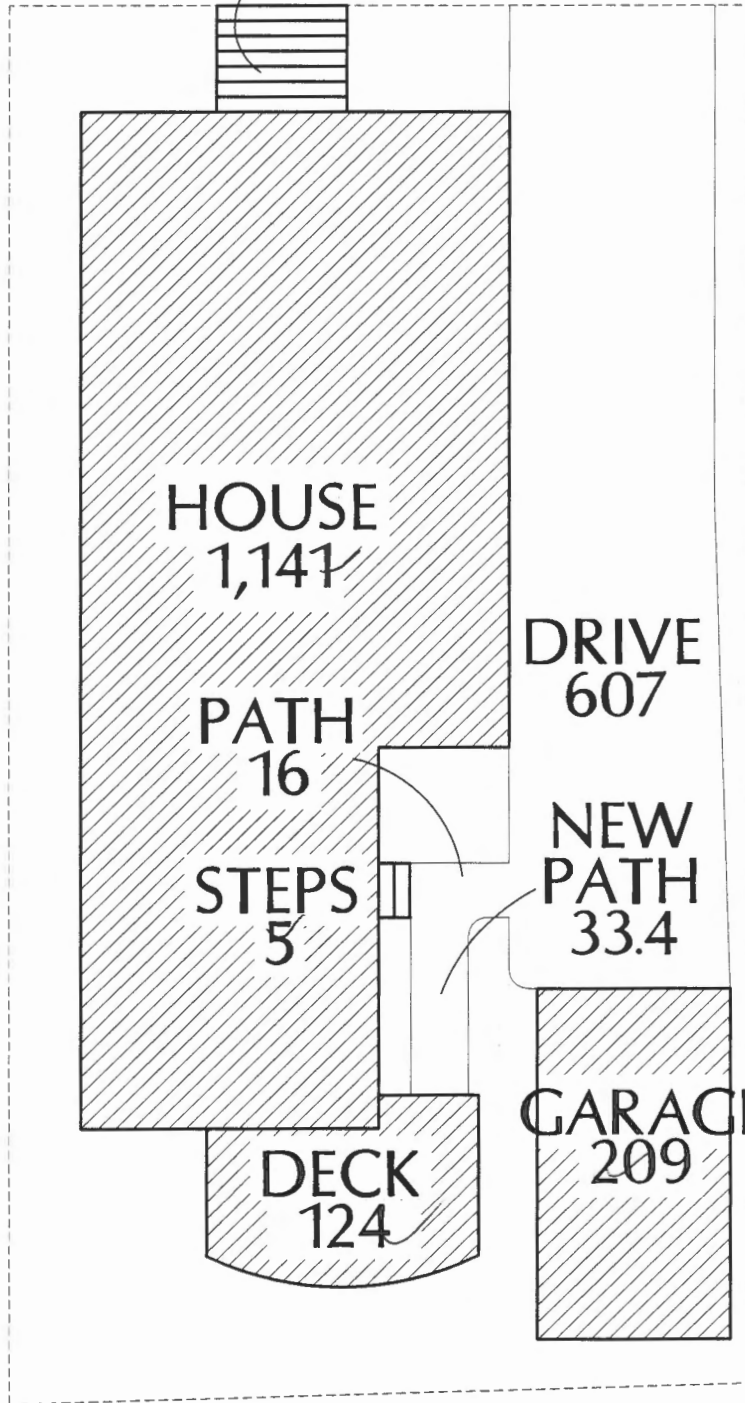
lot coverage = 50% = 1520 ϕ - 1519.9 ϕ ϕ ϕ

open space - 20% = 608

3040 - 2176.3 = 863.7 ϕ ϕ ϕ

~~2176.3~~ 71.6% covered ϕ ϕ

STEPS
40.9



1519.9 ϕ
 607
 16
 33.4

 2176.3 ϕ

1141
 40.9
 5
 209
 124

 1519.9 ϕ

RECEIVED

NOV 13 2012

Dept. of Building Inspections
City of Portland Maine

Ann Machado - Donnelly Residence - 19 Ellsworth St

From: "Mark Chaloupecky" <mark@portcityarch.com>
To: <amachado@portlandmaine.gov>
Date: 11/12/2012 5:03 PM
Subject: Donnelly Residence - 19 Ellsworth St
Attachments: DONNELLY (Rev 11-12-12).pdf; DONNELLY (site).pdf

Ann –

I think the owner has decided on a plan for the deck for the above referenced address.

As we last left off, we were ascertaining the maximum size of the deck that would be possible. However, we did run into the issue of 50% building coverage. When we talked last, you explained that any entry steps would be included in the building coverage numbers as well as impervious surface. Upon measuring the steps into the residence, it was determined that the deck needed to be reduced by quite a bit. This required analysis by the owner to determine if they still wanted to go through with the project as they would lose a section of the deck. If you remember, there was an intermediate level to the deck. This area would have to be eliminated.

It was determined to remove this area and then make the deck as large as possible given the site constraints. Therefore:

Area of the lot: 3,040 sf

Area of existing residence: 1,141 sf

Area of existing garage: 209 sf

Front steps: 7' long x 10" treads x 7 treads = 40.8 sf

Side steps : 3' long x 10" treads x 2 treads = 5 s.f.

Total building area: 1,395.8 sf

Area left for new deck: $3040 \text{ sf} \times 50\% = 1,520 \text{ sf} - 1,395.8 = 124.2 \text{ sf}$ (Therefore, we made the new deck to be 124 sf). See attached (we had to adjust it the size to make it slightly smaller).

We then made sure we did not exceed the maximum impervious surface. I measured the driveway to be 11' wide and run all the way to the front sidewalk.

Area of lot: $3,040 \text{ sf} \times 80\% = 2,432 \text{ sf}$

Impervious surface: $(1,141 + 209 + 40.8 + 5 + 124 + 607 + 16 + 33.4) = 2,176.2 \text{ sf}$ (...with 255.8 sf left to spare).

Hopefully this should get the project off the ground. I have revised the construction drawing and attached it to this email. If you need me to bring in a hard copy, let me know.

Thanks Ann!

Mark Chaloupecky, LEED-AP
 207-650-6512 cell

RECEIVED

NOV 13 2012

Dept. of Building Inspections
 City of Portland Maine

Ann Machado - Re: Donnelly Residence 19 Ellsworth Street

From: Ann Machado
To: Mark Chaloupecky
Date: 10/10/2012 2:46 PM
Subject: Re: Donnelly Residence 19 Ellsworth Street

Mark -

A few things:

1. The square footage is measured to the edge of the deck - the dimensions on the plan seem to go to the middle of the columns. This is important because you are saying the footprint is 170 sf which gives you exactly 50% lot coverage. You also need to include the footprint of any landing and stairs that are not shown on the assessor's footprint.
2. For the square footage of the deck, did you figure in the footprint of the stairs from the lower level?
3. Besides the 50% lot coverage, you also need to show that there is 20% open space. Open space is the area that is not covered by impervious surfaces (footprint of structures & any pavement).

Ann

>>> "Mark Chaloupecky" <mark@portcityarch.com> 10/9/2012 1:04 PM >>>
Ann -

We reconfigured the deck a bit. I pulled it away from both of the setbacks slightly (more on the side closest to the existing neighbor). The square footages seem to work out:

Lot : 3,040 s.f.
Existing house: 1,141 s.f.
Garage: 209 s.f.
New Deck: 170 s.f.

Let me know if this works for you and we can issue a new sheet with the revised plan.

Thanks Ann!

Mark Chaloupecky, LEED-AP
Port City Architecture
65 Newbury Street
Portland, Maine 04101
207-761-9000 wk
207-650-6512 cell



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Receipts Details:

Tender Information: Check , Check Number: 1061
Tender Amount: 160.00

Receipt Header:

Cashier Id: bsaucier
Receipt Date: 9/24/2012
Receipt Number: 48522

Receipt Details:

Referance ID:	8106	Fee Type:	BP-Constr
Receipt Number:	0	Payment Date:	
Transaction Amount:	160.00	Charge Amount:	160.00
Job ID: Job ID: 2012-09-5020-ALTR - Removal of exist stairs; rebuild new 2 level deck			
Additional Comments: 19 Ellsworth			

Thank You for your Payment!