

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

Location of Construction: 13 Bay Street		Owner: Smith & Tonya McCallum 17 Pilot Road, Cape Elizabeth, ME 04107		Phone: 799-1401		Permit No: 991064	
Owner Address: 17 Pilot Road, Cape Elizabeth, ME 04107		Lessee/Buyer's Name:		Phone:		BusinessName:	
Contractor Name:		Address:		Phone:		Permit Issued: SEP 28 1999	
Past Use: Legal 3 unit		Proposed Use: Legal 3 unit		COST OF WORK: \$ 7		PERMIT FEE: \$ 30.00	
				FIRE DEPT. <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group: Type:	
				Signature: <i>[Signature]</i>		Signature:	
Proposed Project Description: A new concrete 3 unit because legal w/98.45 sq' added to lot area (butting adjacent lot. This is a change of use from 3 unit illegal to a legal 3 unit building.				PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: Approved <input type="checkbox"/> Approved with Conditions: <input type="checkbox"/> Denied <input type="checkbox"/>		Zoning Approval: 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 Taken By:		Date Applied For: 9-24-99		Signature:		Date:	

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: Smith & Tonya McCallum
17 Pilot Road
Cape Elizabeth, ME
04107

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

9-24-99

SIGNATURE OF APPLICANT ADDRESS: DATE: PHONE:

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE PHONE:

CEO DISTRICT

THIS IS NOT A BOUNDARY SURVEY

INSPECTION OF PREMISES

I HEREBY CERTIFY TO City of Portland

10-12 May Street
Portland, Maine

Job Number: 319-76

Inspection Date: 03-14-99

Scale: 1" = 20'

The monumentation is not in harmony with current deed description.

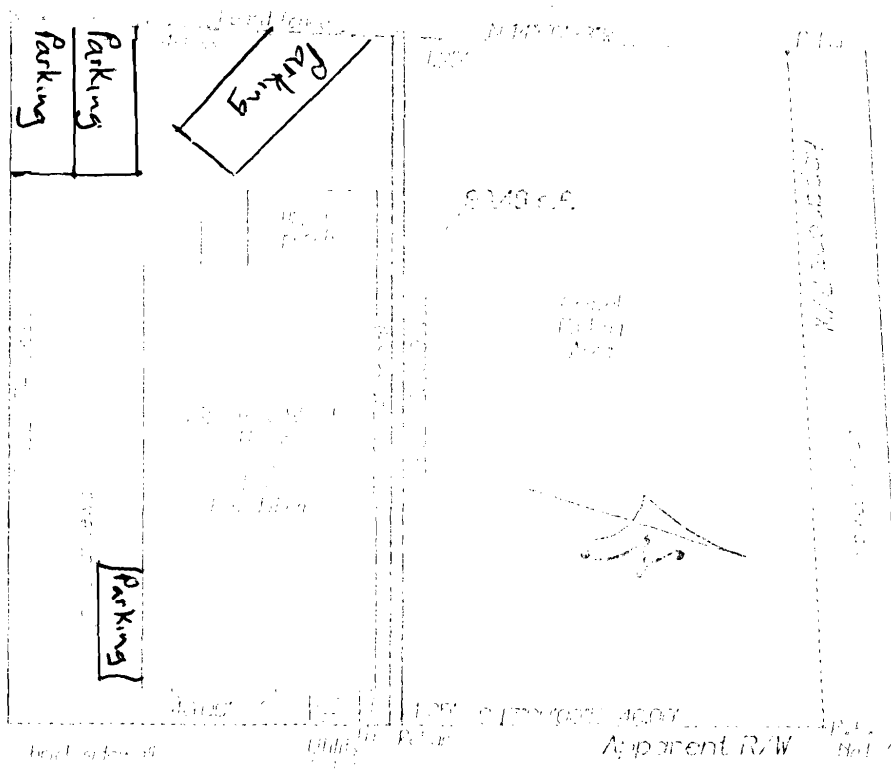
The building setbacks are not in conformity with town zoning requirements. "Grandfathered"

The dwelling does not appear to fall within the special flood hazard zone as delineated by the Federal Emergency Management Agency.

The land does not appear to fall within the special flood hazard zone as indicated on community panel # 2000510013B.

OWNER: Keith C. &
Tanya M. McMullan

Plan Book 7 Page 32



3,000 sq ft
Need 3 1/2 parking spaces - Shows 4

May Street (Colburn Avenue)

41.25%

THIS PROPERTY IS SUBJECT TO ALL RIGHTS AND EASEMENTS OF RECORD. THOSE THAT ARE EVIDENT ARE SHOWN. THIS PLAN MIGHT NOT REVEAL CONFLICTS WITH ADJACENT DEEDS.

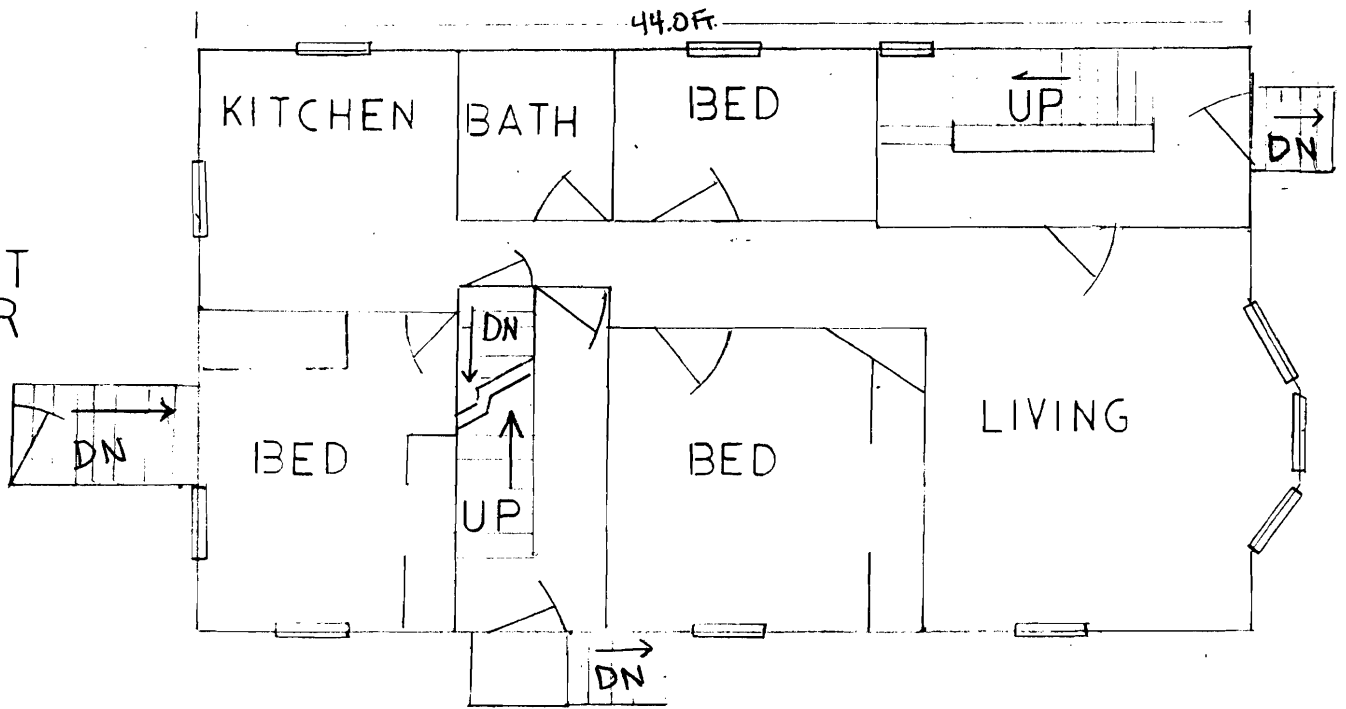
BRUCE H. BOWMAN, INC.
P.O. Box 17-A
Cumberland, Maine 04111
Phone: (207) 829-3539
Fax: (207) 829-3522



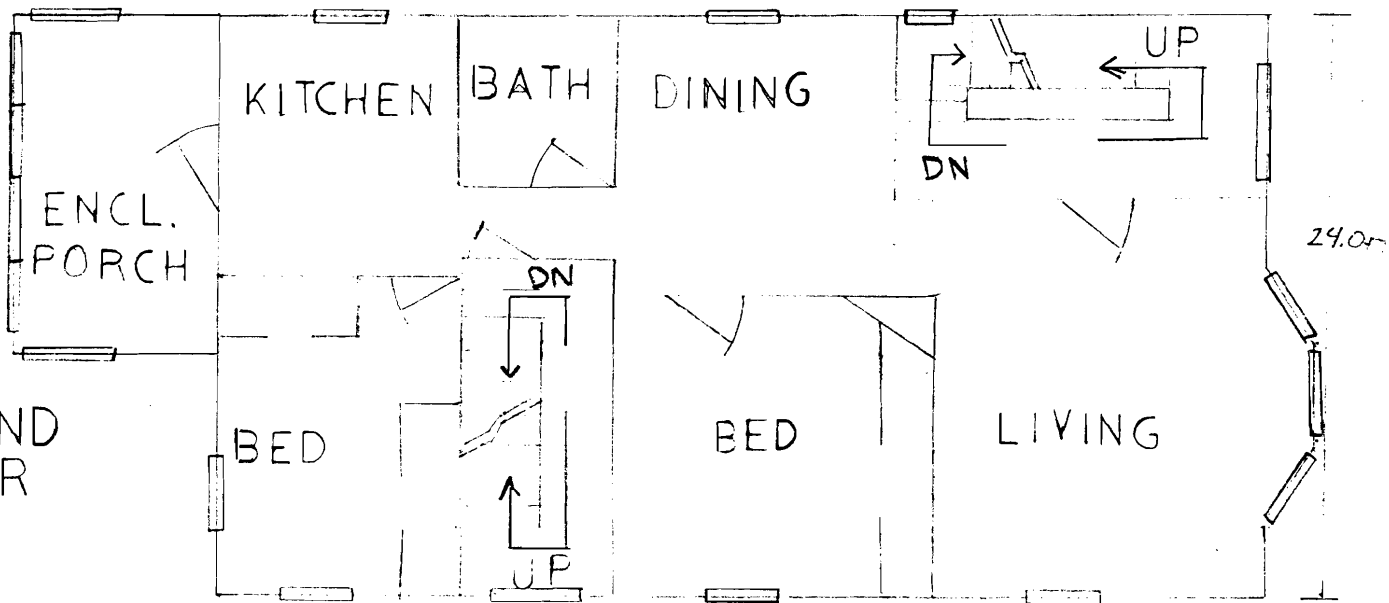
PLAN BOOK _____ PAGE _____ LOT _____
DEED BOOK _____ PAGE _____ COUNTY Cumberland

THIS PLAN IS NOT FOR RECORDING Drawn by: [Signature]

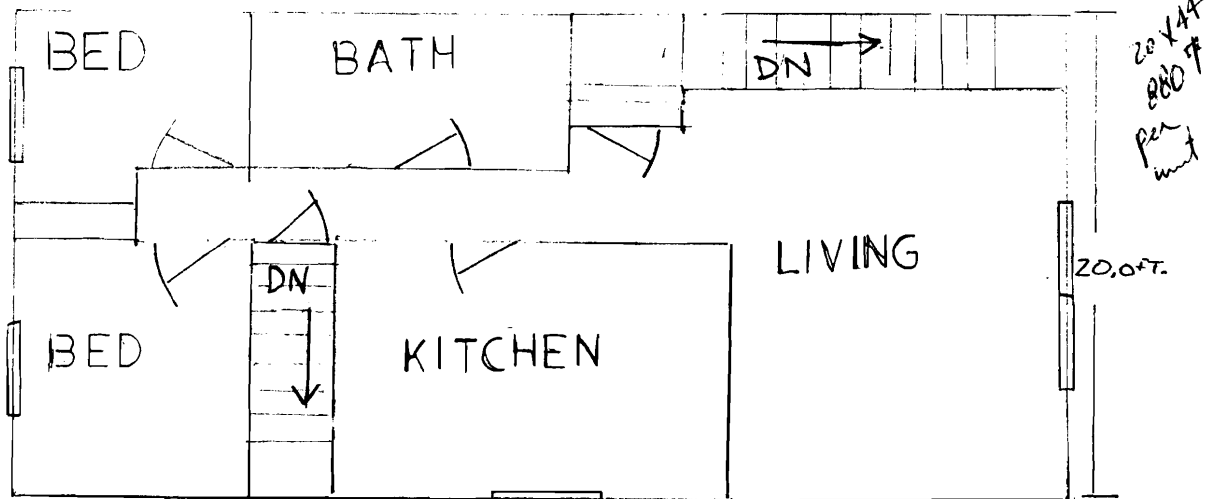
FIRST FLOOR



SECOND FLOOR



THIRD FLOOR



12 MAY STREET PORTLAND ME 04101

SCALE = APPROX 1/8 IN = 1 FT.
ALL DIMENSIONS ARE APPROXIMATE



**PROPOSED DESCRIPTION OF LAND
FROM HAINS TO MCMULLAN**

A certain lot or parcel of land located on May Street, City of Portland, County of Cumberland, State of Maine, further bounded and described as follows:

Beginning at the Westerly line of May Street at a 5/8" Rebar being S17°00'00"E a distance of 46.00' from the Southerly side Taylor Street;

Thence, S73°00'00"W by land now or formerly of William J. Dowd as described in Deed Book 11766/285 as recorded at the Cumberland Registry of Deed a distance of 72.42' to a point on the Easterly side of Plan of Land of Nicholas Emery as recorded in Plan Book 2 Page 32;

Thence, N14°56'33"W by Easterly side of said Plan a distance of 1.25' to a point;

Thence, N73°00'00"E through land now or formerly of Robert C. Hains as described in Deed Book 4345/34 as recorded at the Cumberland Registry of Deed a distance of 72.37' to the Westerly side of said May Street;

Thence, S17°00'00"E by said May Street a distance of 1.25' to the point of beginning.

Said lot containing 90.49 square feet. Bearing are magnetic 1999.

**Bruce R. Bowman, PLS
319-76D**

10-12 MAY 51

THIS IS NOT A BOUNDARY SURVEY

INSPECTION OF PREMISES

I HEREBY CERTIFY TO City of Portland

10-12 May Street
Portland, Maine

Job Number: 319-76
Inspection Date: 09-14-99
Scale: 1" = 20'

The monumentation is not in harmony with current deed description.

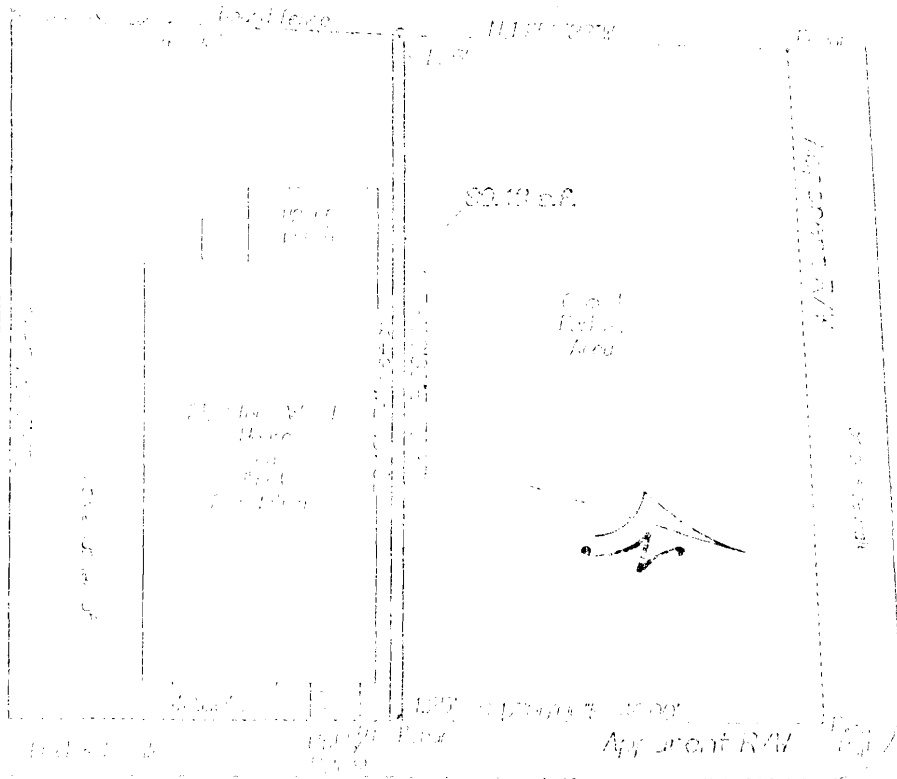
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The land does not appear to fall within the special flood hazard zone as indicated on community panel # 230051 0013 B

OWNER: Keith C. &
Tanya M. McMullan

Plan Book 2 Page 37



10-12 May Street
(3243 sq. ft.)

May Street
(bituminous)

THIS PROPERTY IS SUBJECT TO ALL RIGHTS AND EASEMENTS OF RECORD. THOSE THAT ARE EVIDENT ARE SHOWN.

THIS PLAN MIGHT NOT REVEAL CONFLICTS WITH ADJUTING DEEDS.

BRUCE R. BOWMAN, INC.
P.O. Box 124
Cumberland, Maine 04021
Phone: (207) 829-3359
Fax: (207) 829-3552



PLAN BOOK _____ PAGE _____ LOT _____
DEED BOOK _____ PAGE _____ COUNTY Cumberland

THIS PLAN IS NOT FOR RECORDING Drawn by: [Signature]

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.

NOTEIf 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): 12 MAY ST.			
Total Square Footage of Proposed Structure N/A		Square Footage of Lot 3010.49	
Tax Assessor's Chart, Block & Lot Number Chart# 57 Block# B Lot# 14		Owner: Keith & Tanya McMullen	Telephone#: 799-1461
Owner's Address: 17 Pilot Point Rd. * Cape Elizabeth, ME 04107		Lessee/Buyer's Name (If Applicable)	Cost Of Work: \$ N/A Fee \$ 30-
Proposed Project Description:(Please be as specific as possible) Non conforming 3 unit becomes legal w/ 90.49 sq' added to lot from abutting adjacent lot. Change of use from illegal 3 unit to legal 3 unit			
Contractor's Name, Address & Telephone illegal N/A			Rec'd By UB
Current Use: 3 unit apt. bldg.		Proposed Use: same	

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:

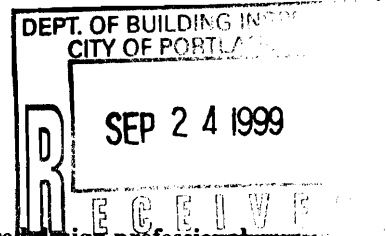
- Cross Sections w/Framing details (including porches, decks w/ railings, and accessory structures)
- Floor Plans & Elevations
- Window and door schedules
- Foundation plans with required drainage and dampproofing
- Electrical and plumbing layout. Mechanical drawings for any specialized equipment such 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: Keith McMullen	Date: 9/24/99
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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



Zoning Division
Marge Schmuckal
Zoning Administrator



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

CITY OF PORTLAND

Keith C. & Tanya McMullan

September 9, 1999

RE: 10-12 May Street - R-6 Zone 57-B-14

microfiche

Dear Keith,

Thank you for the information regarding the ownership of adjoining lots. You have shown that the neighboring vacant lot of 14-16 May Street is considered a lot of record by definition as outlined in Section 14-433. It is my determination that if the owner of 14-16 May Street wanted to sell you a small amount of land so that you would comply with the Zoning requirements to legalize the third unit on your property at 10-12 May Street, he would not jeopardize the right to develop his lot later under the conditions of 14-433. This decision is dependant upon the supposition that a minimum of 3,000 sq. ft. would remain with a 40 foot street frontage. I do not consider the separately proposed strip of land to be conveyed as a "lot" by definition. I am falling back on some concepts as outlined in State subdivision statutes as to neighbor conveyances. Therefore I do not consider this proposed conveyance to jeopardize the lot of record status of 14-16 May Street as the ordinance is now written.

Please note that whenever this lot is to be developed, it will need to meet the current land use ordinance at that time. I have no control over what may or may not change within the ordinance before this lot is developed.

Very truly yours,

Marge Schmuckal
Zoning Administrator

cc: File

10-12 MAY ST.
57 B 14

14-16 MAY ST.
57 B 13

8-10 TAYLOR ST.
57 B 10 11

954 Twomey Edward P Heirs

959 McFarland John M Jr.

& Barbara Anne or surv.

972 Bruni James M & Patricia A

173 Greene Frances M & William E jts

174 Walsh Martha J & Donald L jts

188 D. Filippa David A & Doreen G jts

789 DePeter Thomas R

990 Welsh Robert H

194 Dowd William J

195 McMullan Keith C & Tanya

1929 Exchange Realty Co.

1958 Brenner Norman R

1969 Curtis Betty L et als

1971 Brenner Norman R

& Betty L Curtis

1974 Brenner Norman R

1976 Curtis Betty L

& Barbara I Temm

1979 Hains Robert C

1928 Foley Patrick & Margaret

1975 Foley Mary D

1977 Higgins Alan S

1982 Wood Ann R & Robert E J.

Marge!

Here is the information you requested regarding separate & distinct ownership re 12 May St & surrounding lots. I am so relieved that there is no match of (Marge) ownership. I have been able to get a short extension from the buyers of my wife's & my property. Would you please call me A.S.A.P. so we can discuss the remaining steps to remedying our situation.

Thank so much for your help.

Respectfully

Keith & Tanya McMullan

tel. # 838-6236

Zoning Division
Marge Schmuckal
Zoning Administrator



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

CITY OF PORTLAND

Keith C. & Tanya McMullan

September 9, 1999

RE: 10-12 May Street - R-6 Zone 57-B-14

Also microfiche
CBL = 57-B-13

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14-16 MAY ST.
57 B 13

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57 B 10 & 11

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Respectfully

Keith & Tanya McMullan
tel. # 838-6236

BUILDING PERMIT REPORT

DATE: 25 Sept. 99 ADDRESS: 12 MAY ST. CBL: Ø57-B-Ø14
 REASON FOR PERMIT: Change of Use From 3 D/U (illegal) To 3 D/U Legal (See Permit)
 BUILDING OWNER: McMullan
 PERMIT APPLICANT: Contractor Owners
 USE GROUP R-2 CONSTRUCTION TYPE 5B

The City's Adopted Building Code (The BOCA National Building Code/1996 with City Amendments)
 The City's Adopted Mechanical Code (The BOCA National Mechanical Code/1993)

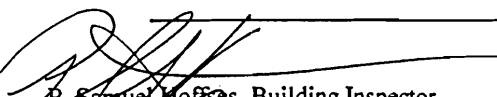
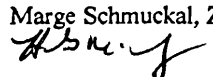
CONDITION(S) OF APPROVAL

This permit is being issued with the understanding that the following conditions are met: *1, *15, *16, *19, *22, *33
12, 18
 Approved with the following conditions: _____

- *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) **ALL LOT LINES SHALL BE CLEARLY MARKED BEFORE CALLING.**
3. Foundation drain shall be placed around the perimeter of a foundation that consists of gravel or crushed stone containing not more than 10 percent material that passes through a No. 4 sieve. The drain shall extend a minimum of 12 inches beyond the outside edge of the footing. The thickness shall be such that the bottom of the drain is not higher than the bottom of the base under the floor, and that the top of the drain is not less than 6 inches above the top of the footing. The top of the drain shall be covered with an approved filter membrane material. Where a drain tile or perforated pipe is used, the invert of the pipe or tile shall not be higher than the floor elevation. The top of joints or top of perforations shall be protected with an approved filter membrane material. The pipe or tile shall be placed on not less than 2" of gravel or crushed stone, and shall be covered with not less than 6" of the same material. Section 1813.5.2
4. Foundations anchors shall be a minimum of ½" in diameter, 7" into the foundation wall, minimum of 12" from corners of foundation and a maximum 6' o.c. between bolts. (Section 2305.17)
5. Waterproofing and dampproofing shall be done in accordance with Section 1813.0 of the building code.
6. Precaution must be taken to protect concrete from freezing. Section 1908.0
7. 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.
8. 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)
9. 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). Chapter 12 & NFPA 211
10. Sound transmission control in residential building shall be done in accordance with Chapter 12, Section 1214.0 of the City's Building Code.
11. 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 3e4" 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 ¼" and not greater than 2". (Sections 1021 & 1022.0) - Handrails shall be on both sides of stairway. (Section 1014.7)
12. Headroom in habitable space is a minimum of 7'6". (Section 1204.0)
13. Stair construction in Use Group R-3 & R-4 is a minimum of 10" tread and 7 ¾" maximum rise. All other Use Group minimum 11" tread, 7" maximum rise. (Section 1014.0)
14. The minimum headroom in all parts of a stairway shall not be less than 80 inches. (6'8") 1014.4
- *15. 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. (Section 1018.6)

- 16. 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. (Section 1010.1)
- 17. 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.) (Section 710.0)
- 18. The boiler shall be protected by enclosing with (1)hour fire rated construction including fire doors and ceiling, or by providing automatic extinguishment. (Table 302.1.1)
- 19. 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 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) Section 920.3.2.
- 20. 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. (Section 921.0)
- 21. The Fire Alarm System shall maintained to NFPA #72 Standard.
- 22. The Sprinkler System shall maintained to NFPA #13 Standard.
- 23. All exit signs, lights and means of egress lighting shall be done in accordance with Chapter 10 Section & Subsections 1023.0 & 1024.0 of the City's Building Code. (The BOCA National Building Code/1996)
- 24. 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".
- 25. 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 the Division of Inspection Services.
- 26. Ventilation shall meet the requirements of Chapter 12 Sections 1210.0 of the City's Building Code. (Crawl spaces & attics).
- 27. All electrical, plumbing and HVAC permits must be obtained by a Master Licensed holders of their trade. No closing in of walls until all electrical (min.72 hours notice) and plumbing inspections have been done.
- 28. All requirements must be met before a final Certificate of Occupancy is issued.
- 29. 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).
- 30. Ventilation of spaces within a building shall be done in accordance with the City's Mechanical Code (The BOCA National Mechanical Code/1993). (Chapter M-16)
- 31. Please read and implement the attached Land Use Zoning report requirements.
- 32. Boring, cutting and notching shall be done in accordance with Sections 2305.4.4, 2305.5.1 and 2305.5.3 of the City's Building Code.
- 33. Glass and glazing shall meet the requirements of Chapter 24 of the building code.
- 34. All signage, shall be done in accordance with Section 3102.0 signs of the City's Building Code, (The BOCA National Building Code 1996).

*35. This permit is For Land Transfer To have Legal Lot size For existing 3 Dwelling Units'


 P. Samuel Hoffes, Building Inspector
 cc: Lt. McDougall, PFD
 Marge Schmuckal, Zoning Administrator


PSH 7/24/99

**On the basis of plans submitted and conditions placed on these plans any deviations shall require a separate approval.

COMMENTS

Sprinklers over Boilers and hook up letter

Inspection Record

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