

58-B-001

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

| | | | | | | | |
|--|--|----------------------------------|--|---|--|---|--|
| Location of Construction: 30 Salem St | | Owner: James Messer | | Phone: 823-0688 | | Permit No: 980279 | |
| Owner Address: | | Lessee/Buyer's Name: | | Phone: | | BusinessName: | |
| Contractor Name: Self | | Address: | | Phone: | | Permit issued: MAR 27 1998 CITY OF PORTLAND | |
| Past Use: Residential Illegal 3-family | | Proposed Use: 2-family | | COST OF WORK: \$ 6,500 | | PERMIT FEE: \$ 55.00 | |
| | | | | FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied | | INSPECTION: Use Group: Type: 3 | |
| Proposed Project Description: Proposed Deck, Downer work, new window Change Use & Make Renovations Construct Int Stairway (2) | | | | Signature: | | Signature: | |
| Permit Taken By: Sherry Pinard | | Date Applied For: March 23, 1998 | | 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 checked="" type="checkbox"/> Site Plan maj <input type="checkbox"/> minor <input type="checkbox"/> mm | |

- This permit application does not preclude the Applicant(s) from meeting applicable State and Federal rules.
- Building permits do not include plumbing, septic or electrical work.
- 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..

call for p/B

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 OF APPLICANT James Messer | ADDRESS: | DATE: March 23, 1998 | PHONE: |
| RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE | | | PHONE: |

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: _____

CEO DISTRICT 3

LAND USE - ZONING REPORT

ADDRESS: 30 Salem St DATE: 3/25/98

REASON FOR PERMIT: Change from illegal 3 units to 2 units with interior renovation

BUILDING OWNER: James N. Ross C-B-L: 58-13-1

PERMIT APPLICANT: owner

APPROVED: with conditions DENIED: _____
#6 & #9

CONDITION(S) OF APPROVAL

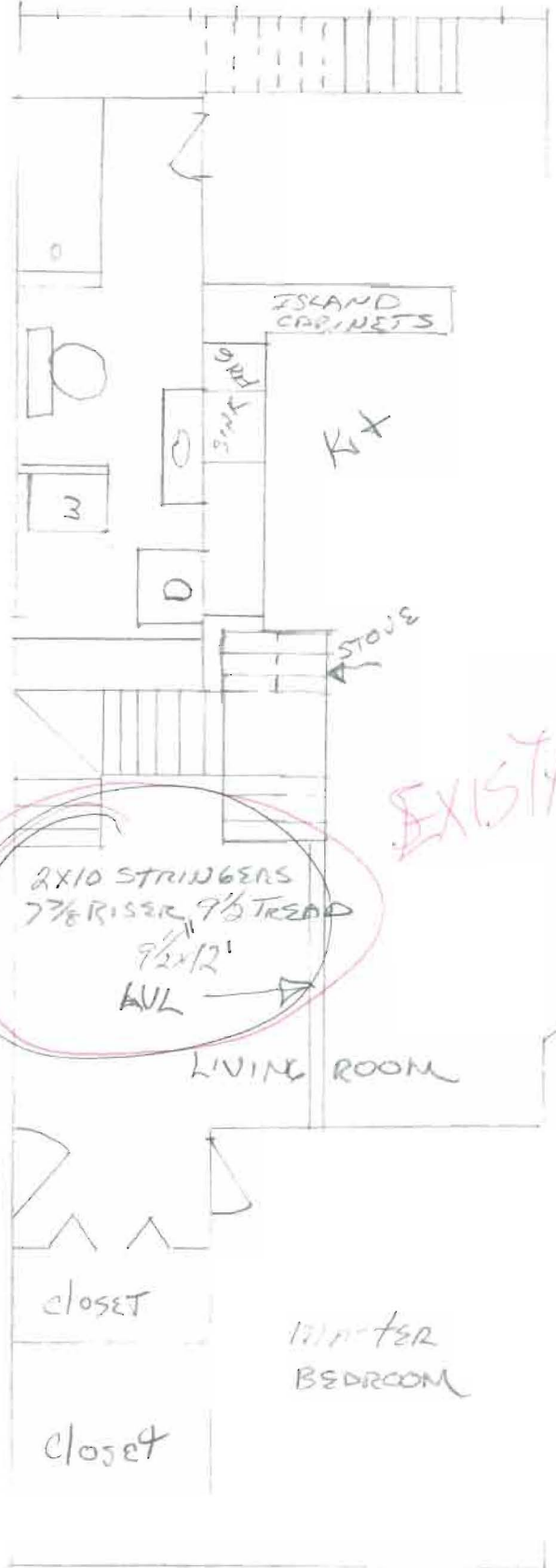
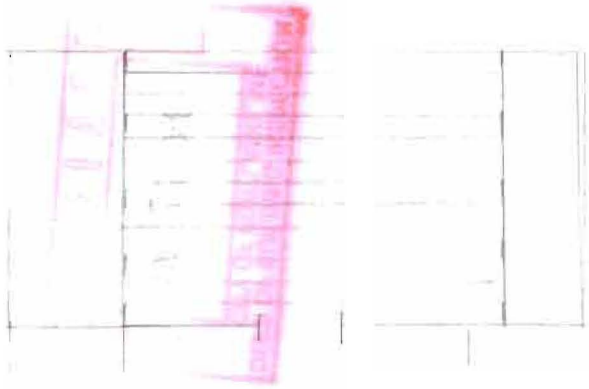
1. During its existence, all aspects of the Home Occupation criteria, Section 14-410, shall be maintained.
2. The footprint of the existing _____ shall not be increased during maintenance reconstruction.
3. All the conditions placed on the original, previously approved, permit issued on _____ are still in effect for this amendment.
4. Your present structure is legally nonconforming as to rear and side setbacks. If you were to demolish the building on your own volition, you will not be able to maintain these same setbacks. Instead you would need to meet the zoning setbacks set forth in today's ordinances. In order to preserve these legally non-conforming setbacks, you may only rebuild the garage in place and in phases.
5. This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.
6. Our records indicate that this property has a legal use of two units. Any change in this approved use shall require a separate permit application for review and approval.
7. Separate permits shall be required for any signage.
8. Separate permits shall be required for future decks and/or garage.
9. Other requirements of condition ~~AA~~ The illegal kitchen facilities

shall be removed in their entirety, the Code Enforcement
officer shall inspect for compliance

Marge Schmuckal

Marge Schmuckal, Zoning Administrator,
Asst. Chief of Code Enforcement

EXISTING?
2x10x12 7 1/2" RISER 9 1/2" TREAD



EXISTING?

3RD
FLOOR

RAVES

RAVES

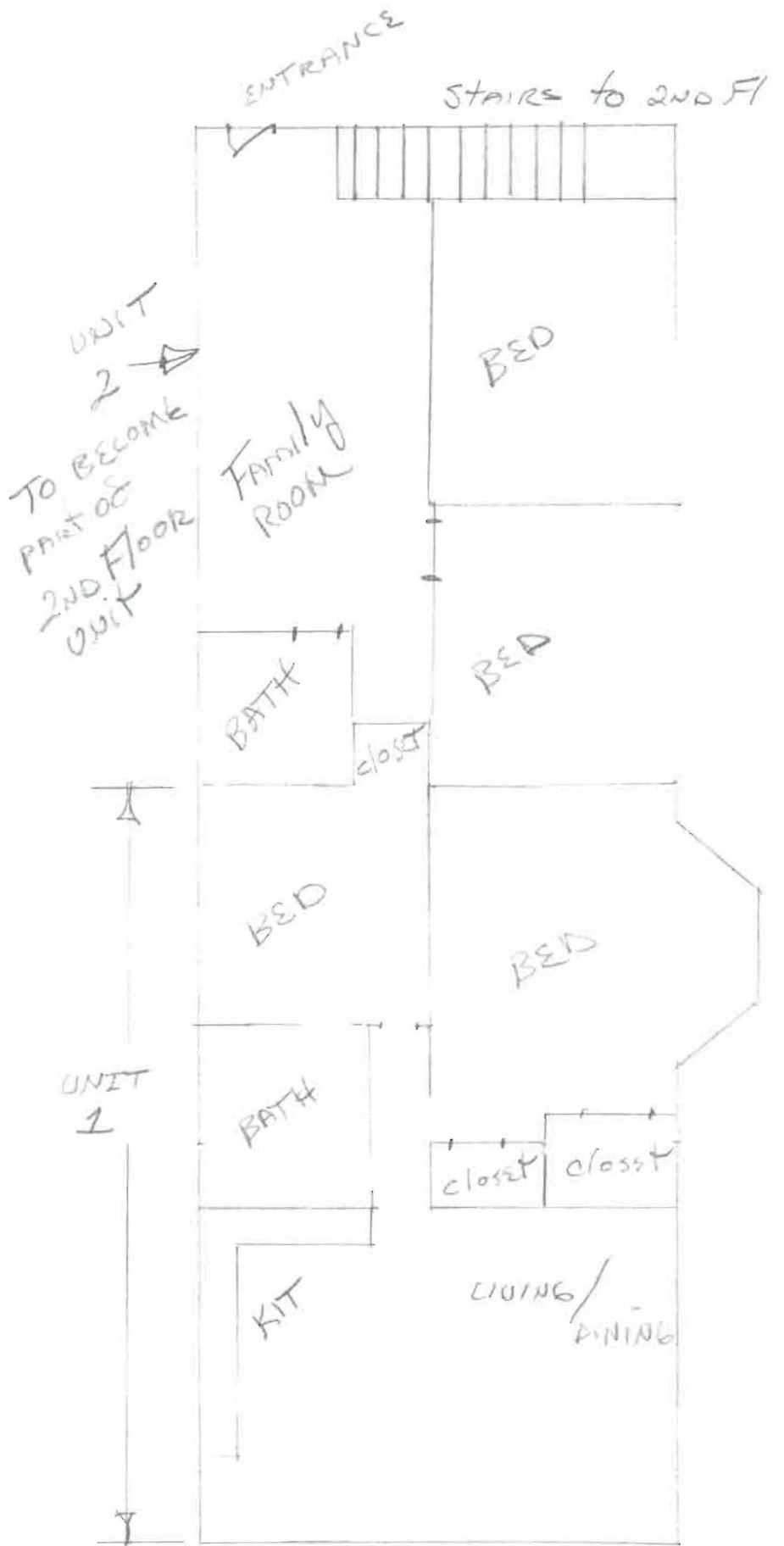
OFFICE / STUDY

closet

WINTER
BEDROOM

closet

LIVING ROOM



58-B-001
Zoning Division
Marge Schmuckal
Zoning Administrator



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

CITY OF PORTLAND

James E. Messer, Jr.
30 Salem Street
Portland, ME 04102

March 24, 1998

RE: 30 Salem Street. R-6 Zone. 058-B-001

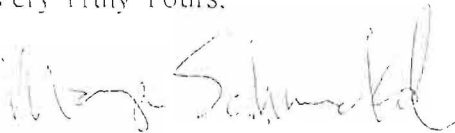
Dear Mr. Messer,

I am in receipt of your permit application for a proposed deck dormer and new stairs. As I related to you on the phone today, this application is being denied because the use of the building, three dwelling units, is an illegal use of the property. Our files clearly show a permit issued for a change of use from one to two units in 1985. In 1986 a variance appeal was denied which requested a change of use from two to three units. Three units have never been approved at this location by the City of Portland. It will be necessary to remove one of the units in order to bring the property into compliance.

You will have 30 days from the date of this letter to bring your building into compliance with the City of Portland's Zoning Ordinance. At that time you will be reinspected for compliance. If you are not in compliance at that time, it will be necessary to turn this matter over to our Corporation Counsel for legal action. If you wish to appeal this matter, you have 30 days from the date of this letter to do so. I have attached copies of information to assist you in that endeavor.

If you have any questions regarding this matter, please do not hesitate to contact me at 874-8695.

Very Truly Yours,


Marge Schmuckal
Zoning Administrator

3/25/98 - owner revised
plans for returning property
to the legal 2 family use
permit being based on those
revisions 3/25/98

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS



MERRILL S. SELTZER
Chairman

JACQUELINE COHEN
Secretary

ROBERT J. GAUDREAU
THOMAS F. JEWELL
EUGENE S. MARTIN
DAVID L. SILVERNAIL
MICHAEL E. WESTORT

January 27, 1986

RE: 30 Salem Street

Louis and Marjorie Lavigne
60 Keswick Road
South Portland, Maine 04106

Dear Mr. and Mrs. Lavigne:

At the January 23rd meeting of the Board of Appeals, the Board voted by a vote of 4 opposed to 3 in favor to deny your request for a variance for 30 Salem Street. If granted, the variance would have permitted a change of use from two to three apartment units on a lot containing 2,925 square feet instead of the 3,000 square feet of land area as required in the R-6 Residence Zone.

Sincerely,

Warren J. Turner
Zoning Specialist

WT/el

Enclosure: Copy of Decision

cc: Merrill Seltzer, Chairman, Board of Appeals
Joseph E. Gray, Jr., Director of Planning and Urban Development
Alexander Jaegerman, Chief Planner
P. Samuel Hofsee, Chief of Inspection Services

DEPT. OF BUILDING INSPECTION
CITY OF PORTLAND, ME
MAR 23 1998
RECEIVED

The foundation wall on Clark St side has been partially replaced with 8" Block. I propose to remove the remaining wall + complete with 8" Block. The structure will be temporarily supported by Menall Building Movers while this work takes place.

The 1st Floor has 2 apt. Both of these units are in pretty good repair. No major changes needed, just paint + paper.

The end unit consist of the apt + end closets. Two changes are being requested in this unit. 1) The existing stairway is 26" wide and has 9" risers and is placed in the corner of the kitchen. I propose moving the stairway down the length of the building into the living room. Stairway will have 3-2x10 stringers, two of which will be supported by walls. The risers are 7 1/8" and treads are 9 1/2" x 12". The landing is 4' x 4'. Is going to require hand room at the top, which lends us to the second change.

2) Demolish top of stairway. To allow a way to fire in the roof over the bay windows I propose the demer be 14' wide by 6' tall.

RPPLST6 CAMA Real Property System - Residential Display 3/24/98

RPP092 Parcel Id: 058- - B-001-001 01/01 Acct: M5081599 09:30

Property Address 30 SALEM ST

Owner Name1 MESSER JAMES E JR (l, f, i)

Name2

Address 30 SALEM ST

City/State/Zip PORTLAND ME 04102

Entrance Code 7 Land Use 12 # of Units 2

Route 50 Zone R6 Nbhd 102 District 12 Traffic 1

Total Sq Ft

Utilities 2 3 Desc 58-B-1 Living Area 2,372

SALEM ST 30

CLARK ST

2925 SF

House Style 5 Year Built 1930 Total Rms 10 Total Bedrms 04

Baths Full 2 Half 0 Kitchen Remodeled 2 Bath Remodeled 2 Basement 4

Attic 4 Phy Cond 4 CDU UN Heating Type 2 4 5 Wood/Coal Burn 0

Next Screen [] Bldg Sketch Screen [] Return []

BUILDING PERMIT REPORT

DATE: 27 March 98 ADDRESS: 30 Salem ST (058-B-001)
REASON FOR PERMIT: To MAKE interior renovation (change of use 2 family)
BUILDING OWNER: James Messer
CONTRACTOR: owner
PERMIT APPLICANT: owner
USE GROUP R-3 BOCA 1996 CONSTRUCTION TYPE F.B

CONDITION(S) OF APPROVAL

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

Approved with the following conditions: *1/*8/*9/*10/*12/*13/*14/*16/*24/*26/*27/*28

- X 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.
- X 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".
- X 9. Headroom in habitable space is a minimum of 7'6"
- X 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")
- X 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.
- X 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.
- X 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.
- X 16. All single and multiple station smoke detectors shall be of an approved type and shall be installed in accordance with the

COMMENTS

Framing - appears to be done per plans - reworking into old space - spurs built according to submitted plan. Made them add post under beams & headers w/cripples over windows.

Plumbing - Appears ok

Inspection Record

Type

Foundation: N/A

Framing: O.K.

Plumbing: OK

Final:

Other:

Date

N/A

OK

OK

The overall configuration has not changed
other than two none supporting walls have
been removed.

The kitchen was a 4' steel sink and cabinet
In the drawings you can see I've turned that
area into the laundry/bathroom area.

The new kitchen will be on the back side of the
bath/laundry wall.

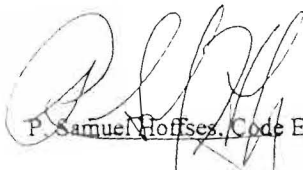


provisions of the City's Building Code Chapter 9, Section 19, 920.3.2 (BOCA National Building Code/1996), and NFPA 101 Chapter 18 & 19. (Smoke detectors shall be installed and maintained at the following locations):

- 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.
- X 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.
- A 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).
- X 27. Ventilation of spaces within a building shall be done in accordance with the City's Mechanical Code (The BOCA National Mechanical Code/1993).
- X 28. Please read and implement the attached Land Use-Zoning report requirements.
29. _____
30. _____
31. _____
32. _____



P. Samuel Hoffses, Code Enforcement

cc: Lt. McDougall, PFD
Marge Schmuckal