

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

Location of Construction: <b>**135 Vaughan Street 04102</b>		Owner: <b>**Margot McWilliams-</b>		Phone: <b>7738529</b>		Permit No: <b>000163</b>	
Owner Address: <b>SAA</b>		Lessee/Buyer's Name: <b>N/A</b>		Phone: <b>N/A</b>		BusinessName: <b>N/A</b>	
Contractor Name: <b>Coastal Carpentry</b>		Address: <b>182 Frances St. Portland, ME</b>		Phone: <b>777-0579</b>		Permit Issued: <b>MAR 8 2000</b>	
Past Use: <b>Carriage House</b>		Proposed Use: <b>Living Space</b>		COST OF WORK: <b>\$ 700.00</b>		PERMIT FEE: <b>\$ 30.00</b>	
				FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group <b>A-3</b> Type: <b>54</b> <b>200A90</b>	
Proposed Project Description: <b>Amendment to permit#991231 interior stairs.</b>				Signature: _____		Signature: <i>Huffner</i>	
				PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		Zoning Approval:	
				Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied		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: <b>UB</b>		Date Applied For: <b>2-8-2000</b>		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: Margot McWilliams  
135 Vaughan St.  
Portland, ME 04102**

**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	ADDRESS:	DATE: <b>2-8-00</b>	PHONE:
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE	PHONE:		

White-Permit Desk Green-Assessor's Canary-D.P.W. Pink-Public File Ivory Card-Inspector

**PERMIT ISSUED**  
**MAR 8 2000**  
**CITY OF PORTLAND**  
Zone: **CBI**  
**067-A-009**

**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: \_\_\_\_\_

**PERMIT ISSUED WITH REQUIREMENTS**

**CEO DISTRICT**  
**ub**



**BUILDING PERMIT REPORT**

DATE: 6 March 2000 ADDRESS: 135 Vaughan St. CBL: 062-17-009

REASON FOR PERMIT: To Amend permit # 991231

BUILDING OWNER: Margot McWilliams

PERMIT APPLICANT: \_\_\_\_\_ CONTRACTOR Coastal Carpentry

USE GROUP: A CONSTRUCTION TYPE: \_\_\_\_\_ CONSTRUCTION COST: \_\_\_\_\_ PERMIT FEES: \_\_\_\_\_


The City's Adopted Building Code (The BOCA National Building code/1999 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, \*9, \*11, \*15, \*27, \*29, \*32, \*34, \*37, \*38, \*39-

- \* 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 1/2" 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 1/2 inch gypsum board or the equivalent applied to the garage means of 1.2 inch gypsum board or the equivalent applied to the garage side. (Chapter 4, Section 407.0 of the BOCA/1999)
- \* 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 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". (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 1/2" 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 1010.4)
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 closure'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/1999), 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
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 be installed and maintained to NFPA #72 Standard.
22. The Sprinkler System shall be installed and 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/1999)
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 and access shall meet the requirements of Chapter 12 Sections 1210.0 and 1211.0 of the City's Building Code. (Crawl spaces & attics).
27. All electrical, plumbing and HVAC permits must be obtained by 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 2305.3, 2305.3.1, 2305.4.4 and 2305.5.1 of the City's Building Code.
33. Bridging shall comply with Section 2305.16.
34. Glass and glazing shall meet the requirements of Chapter 24 of the building code. (Safety Glazing Section 2406.0)
35. All signage, shall be done in accordance with Section 3102.0 signs of the City's Building Code, (The BOCA National Building Code/1999).
37. *This permit does not authorize any new dwelling units*
38. *All requirement for permit #991231 shall still be adhered to*
39. *Spiral stairs shall comply with Section 1014.6.4 of the bldg. Code, BOCA99*

  
 Samuel Hoffses, Building Inspector  
 Lt. McDougall, PFD  
 Marge Schmuckal, Zoning Administrator

PSH 1/26/00

\*\*This permit is herewith issued, on the basis of plans submitted and conditions placed on these plans, any deviations shall require a separate approval.

**\*\*\*THIS PERMIT HAS BEEN ISSUED WITH THE UNDERSTANDING THAT ALL THE CONDITIONS OF THE APPROVAL SHALL BE COMPLETED. THEREFORE, BEFORE THE WORK IS COMPLETED A REVISED PLAN OR STATEMENT FROM THE PERMIT HOLDER SHALL BE SUBMITTED TO THIS OFFICE SHOWING OR EXPLAINING THAT THE CONDITIONS HAVE BEEN MET. IF THIS REQUIREMENT IS NOT RECEIVED YOUR CERTIFICATE OF OCCUPANCY SHALL BE WITHHELD.**

**\*\*\*\*ALL PLANS THAT REQUIRE A PROFESSIONAL DESIGNER'S SEAL, (AS PER SECTION 114.0 OF THE BUILDING CODE) SHALL ALSO BE PRESENTED TO THIS DIVISION ON AUTO CAD LT. 2000, OR EQUIVILENT.**

**\*\*\*\*\*CERTIFICATE OF OCCUPANCY FEE \$50.00**



CONSERVATOR'S DEED  
16630

KNOW ALL MEN BY THESE PRESENTS, that I, Rosemary B. Vanamee of New York in the County of New York and State of New York, Conservator of the Estate of Helen F. Brown, by virtue of an Order of the Judge of Probate of Cumberland County, in consideration of One Dollar (\$1.00) and other valuable considerations, the total of which being less than One Hundred Dollars (\$100.00), to me paid by Margot B. McWilliams of Portland in the County of Cumberland and State of Maine, Derek ~~F.~~<sup>F.</sup> Brown of Framingham in the County of Middlesex and Commonwealth of Massachusetts, Joyce E. Brown of said Portland, Rosemary B. Vanamee of said New York, James C. Brown of Glendale in the County of Glendale and State of California, Gillian B. Fulford of Monroe, in the County of Waldo and State of Maine, and Peter F. Brown of said New York and whose mailing address is: c/o Daniel T. Drummond, Jr., 900 Maine Savings Plaza, Portland, Maine 04101, the receipt whereof I do hereby sell and convey and forever quitclaim a one-fifth (1/5) interest in common and undivided unto the said Margot B. McWilliams, her heirs and assigns forever, a one-fifth (1/5) interest in common and undivided unto the said Derek ~~F.~~<sup>F.</sup> Brown, his heirs and assigns forever, a one-fifth (1/5) interest in common and undivided unto the said Joyce E. Brown, her heirs and assigns forever, a one-fifth (1/5) interest in common and undivided unto the said Rosemary B. Vanamee, her heirs and assigns forever, a one-fifteenth (1/15) interest in common and undivided unto the said James C. Brown, his heirs and assigns forever, a one-fifteenth (1/15) interest in common and undivided unto the said Gillian B. Fulford, her heirs and assigns forever, and a one-fifteenth (1/15) interest in common and undivided unto the said Peter F. Brown, his heirs and assigns forever, in and to the following:



Parcel 1:

A certain lot or parcel of land, with the buildings thereon, situated in the said City of Portland, County of Cumberland and State of Maine, bounded and described as follows:-

Beginning on the easterly side of Vaughan Street, so called, at the northwesterly corner of a lot of land belonging now or formerly to the Estate of J. B. Brown; thence running northwardly by said Vaughan Street ninety-two and one half (92 1/2) feet, more or less, to land now or formerly of Louise S. Drew, and from these two points extending eastwardly between land of said Brown Estate on the south and land of said Drew on the north one hundred fifty-eight (158) feet, more or less, to the rear line of lots fronting on Neal Street, formerly owned by Cullen C. Chapman.

Also the right to drain the lot above described through land formerly belonging to said Cullen C. Chapman, lying easterly of the property above described according to the conditions named in a deed given by the said Chapman to Ella M. Smith, dated December 20, 1877, and recorded in Cumberland County Registry of Deeds, Book 444, Page 370.

Being the same premises conveyed to Helen F. Brown by Christian G. Kragelund by deed dated December 30, 1955 and recorded in said Registry of Deeds, Book 2267, Page 224.

Parcel 2:

A certain lot or parcel of land situated in said Portland in the County of Cumberland and State of Maine, and bounded and described as follows:

Beginning at a point on the Westerly line of land now or formerly owned by Mary Emma Cole; which point is distant Northerly from the Northerly side line of Carroll Street one hundred eleven (111) feet, and Easterly from the Easterly side line of Vaughan Street one hundred (100) feet; thence Easterly along a line parallel with the Northerly side line of Carroll Street forty-three (43) feet to land conveyed by J. B. Brown & Sons to Frederick A. Thompson, by warranty deed dated August 2, A.D. 1912, and recorded in the Cumberland County Registry of Deeds, Book 898, Page 100; thence Northerly along the line of said Thompson's land twenty-five (25) feet to land of the Thomas Laughlin heirs; thence Westerly along the Southerly line of said Thomas Laughlin heirs' land forty-three (43) feet to a point, which point is distant one hundred (100) feet from the Easterly side line of Vaughan Street; thence Southerly and parallel with the Easterly side line of Vaughan Street twenty-five (25) feet to the point of beginning.

Being the same premises conveyed to Helen F. Brown by Glendon C. Strout by deed dated November 23, 1960 and recorded in said Registry of Deeds, Book 2577, Page 80.

TO HAVE AND TO HOLD the same, together with all the privileges and appurtenances thereunto belonging, to the said Margot B. McWilliams, Derek <sup>F.</sup>K. Brown, Joyce E. Brown, Rosemary B. Vanamee, James C. Brown, Gillian B. Fulford and

Peter F. Brown, their respective heirs and assigns, each as aforesaid, to their own use and behoof forever.

AND I, the said Rosemary B. Vanamee, in my said capacity, do hereby covenant to and with the Grantees, their respective heirs and assigns, that I am the lawful Conservator of the Estate of said Helen F. Brown; that I have the power as Conservator and pursuant to said Order to sell as aforesaid; and that in making this conveyance, I have in all respects acted in pursuance of the authority granted in and by said Court Order.

IN WITNESS WHEREOF, I, the said Rosemary B. Vanamee, in the capacity of Conservator as aforesaid, have hereunto set my hand and seal this 18th day of April in the year of our Lord one thousand nine hundred and eighty-five. Six. (RBV)

Signed, Sealed and Delivered  
In the Presence of:

*[Handwritten signature]*

*Rosemary B. Vanamee*

Rosemary B. Vanamee  
Conservator of Helen F. Brown



STATE OF MAINE  
CUMBERLAND, ss.

April 18, 1986

Then personally appeared the above-named Rosemary B. Vanamee, Conservator of Helen F. Brown and acknowledged the above instrument to be her free act and deed in her said capacity.

Before me,

*Carolyn B. Hull*

Notary Public

Type Name: Carolyn B. Hull

CAROLYN B. HULL  
NOTARY PUBLIC, MAINE  
MY COMMISSION EXPIRES JUNE 27, 1992

SEAL

RECEIVED  
RECORDED DEPT. OF REVENUE

1986 APR 24 PM 1:52





FILL IN AND SIGN WITH INK

# APPLICATION FOR PERMIT HEATING OR POWER EQUIPMENT

3  
PERMIT ISSUED  
JAN 12 2000  
CITY OF PORTLAND, MAINE

CBL # 062-A-009  
000030

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to install the following heating, cooking or power equipment in accordance with the Laws of Maine, the Building Code of the City of Portland, and the following specifications:

Location 135 Vaughn st Use of Building Residence Date 1/11/99  
Name and address of owner of appliance Same

Installer's name and address Rolf Casparius 1231 Forest Ave Portland Me 04103  
(Rudi the Plumber) Telephone 797-8311

**Location of appliance:**

Basement  Floor  Attic  Roof

**Type of Fuel:**

Gas  Oil  Solid

**Appliance Name:** Rolf Casparius

U.L. Approved  Yes  No

Will appliance be installed in accordance with the manufacture's installation instructions?  Yes  No

IF NO Explain: \_\_\_\_\_

**The Type of License of Installer:**

Master Plumber # \_\_\_\_\_

Solid Fuel # \_\_\_\_\_

Oil # \_\_\_\_\_

Gas # PNT 1311

Other \_\_\_\_\_

**Type of Chimney:**

Masonry Lined  
Factory built \_\_\_\_\_

Metal  
Factory Built U.L. Listing # \_\_\_\_\_

Direct Vent  
Type Integral UL# H75SMITH GV100-5 NAT

**Type of Fuel Tank**

Oil  Gas

Size of Tank N/A

Number of Tanks N/A

Distance from Tank to Center of Flame N/A feet.

COST OF WORK \$ 4,500.00  
FEE -> 51.00

Approved

Approved with Conditions

Fire: \_\_\_\_\_  
Ele.: \_\_\_\_\_  
Bldg.: \_\_\_\_\_

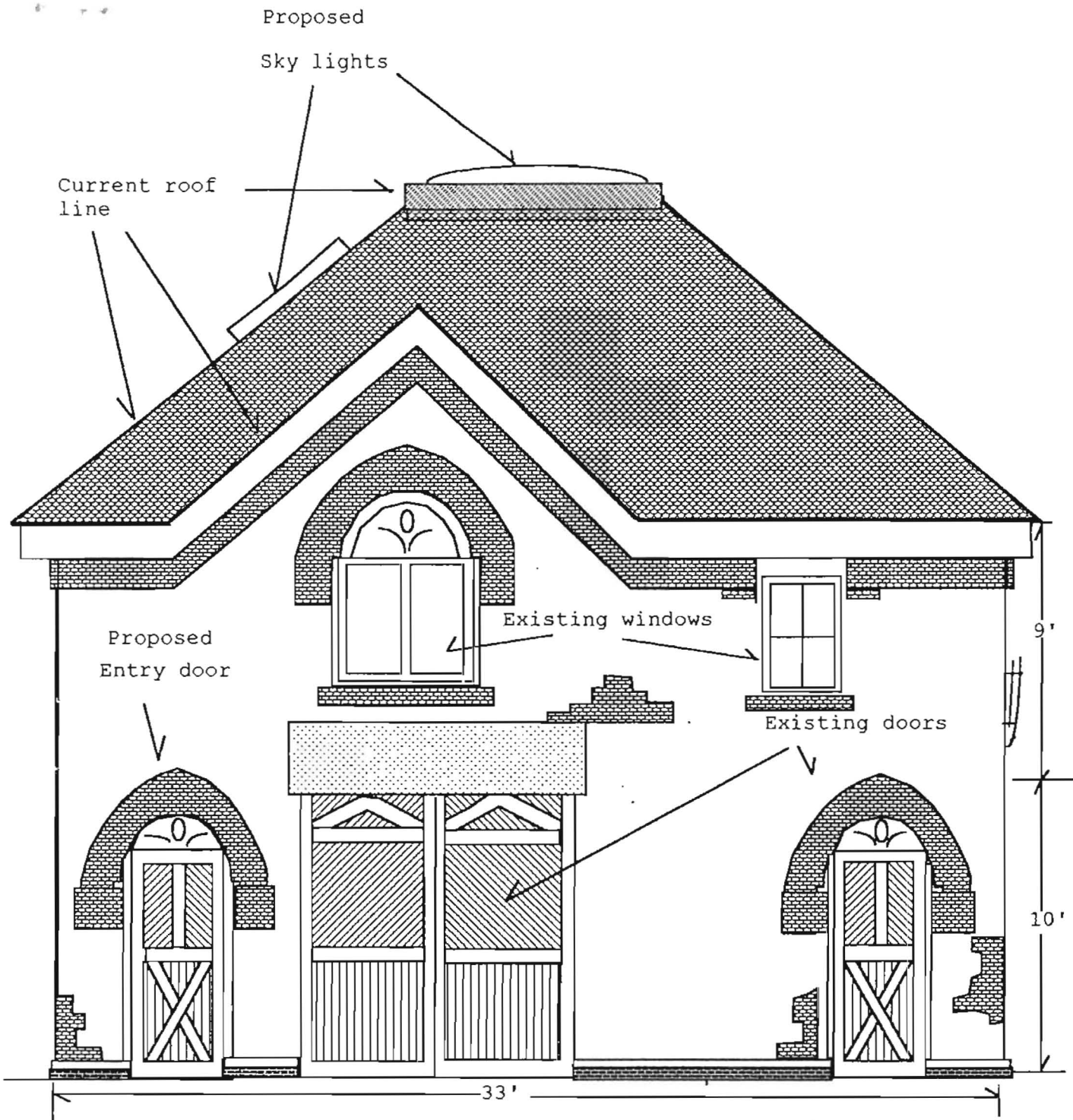
See attached letter or requirement

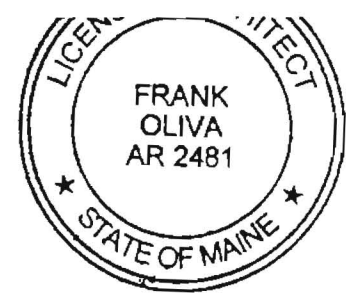
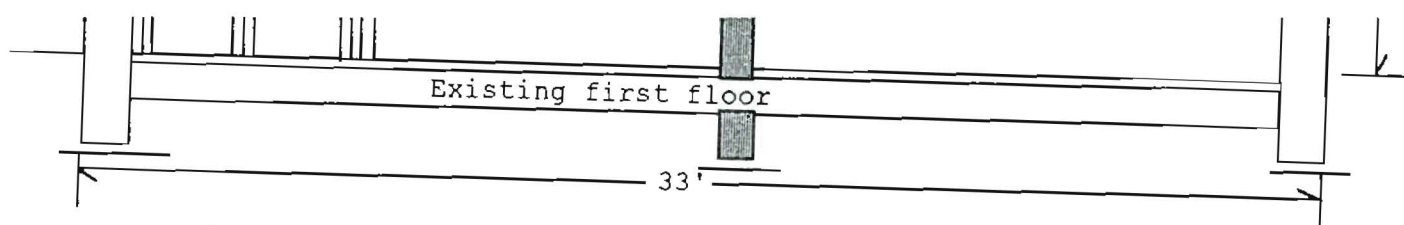
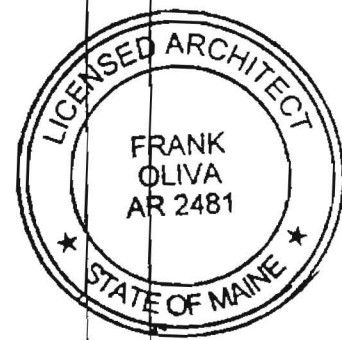
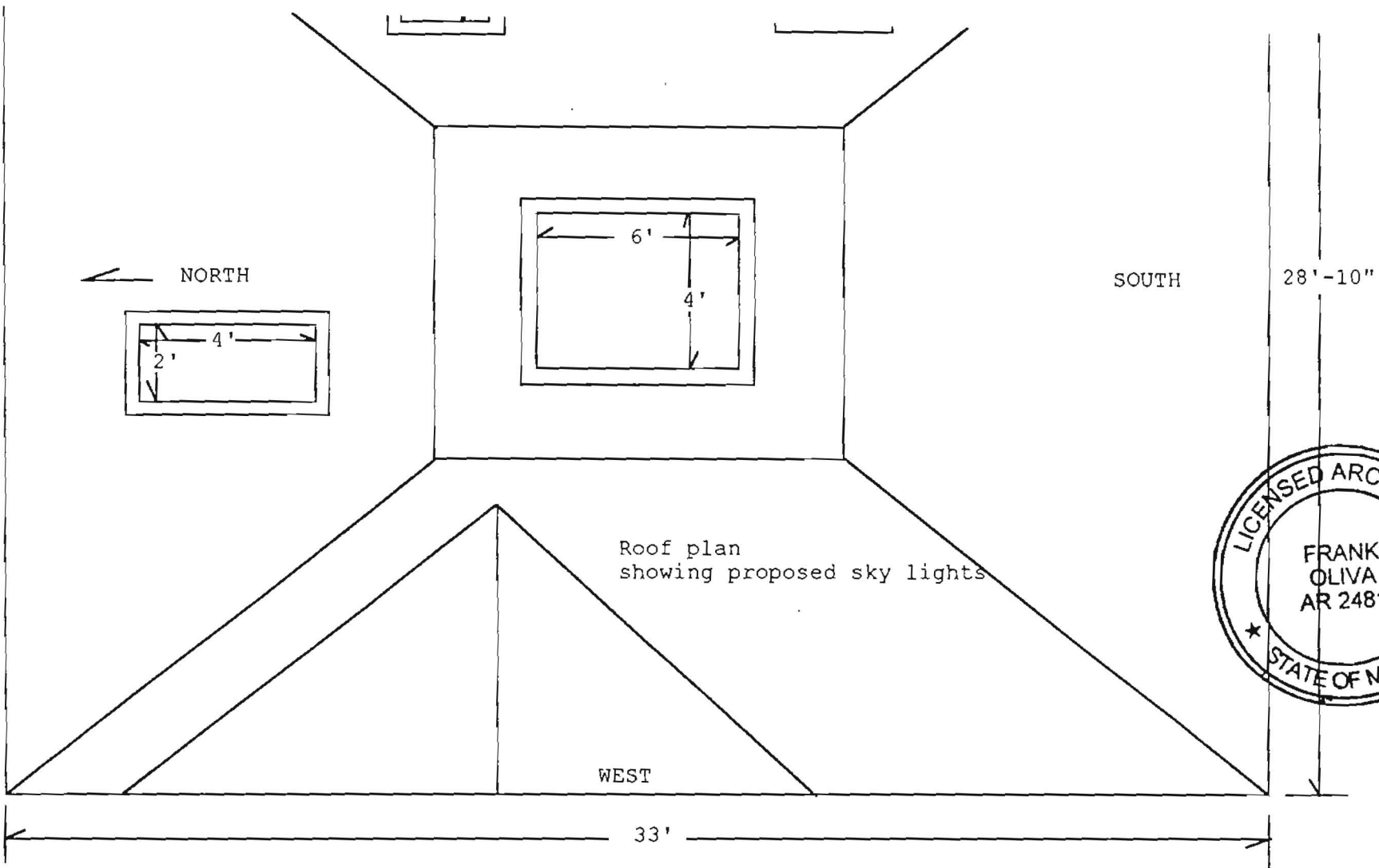
Signature of Installer [Signature]

White - Inspection    Yellow - File    Pink - Applicant's    Gold - Assessor's Copy



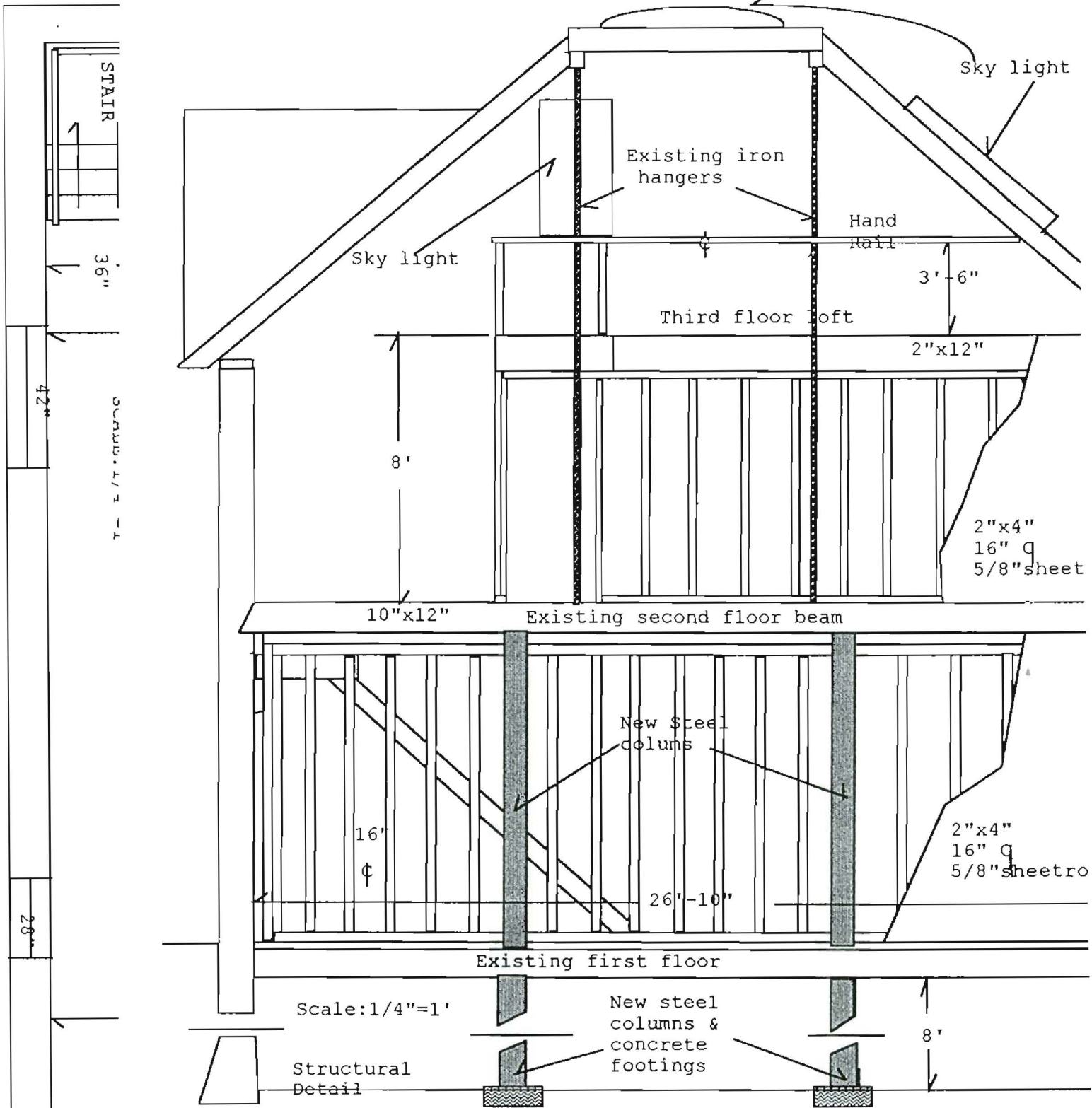


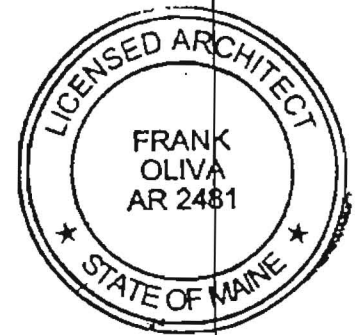
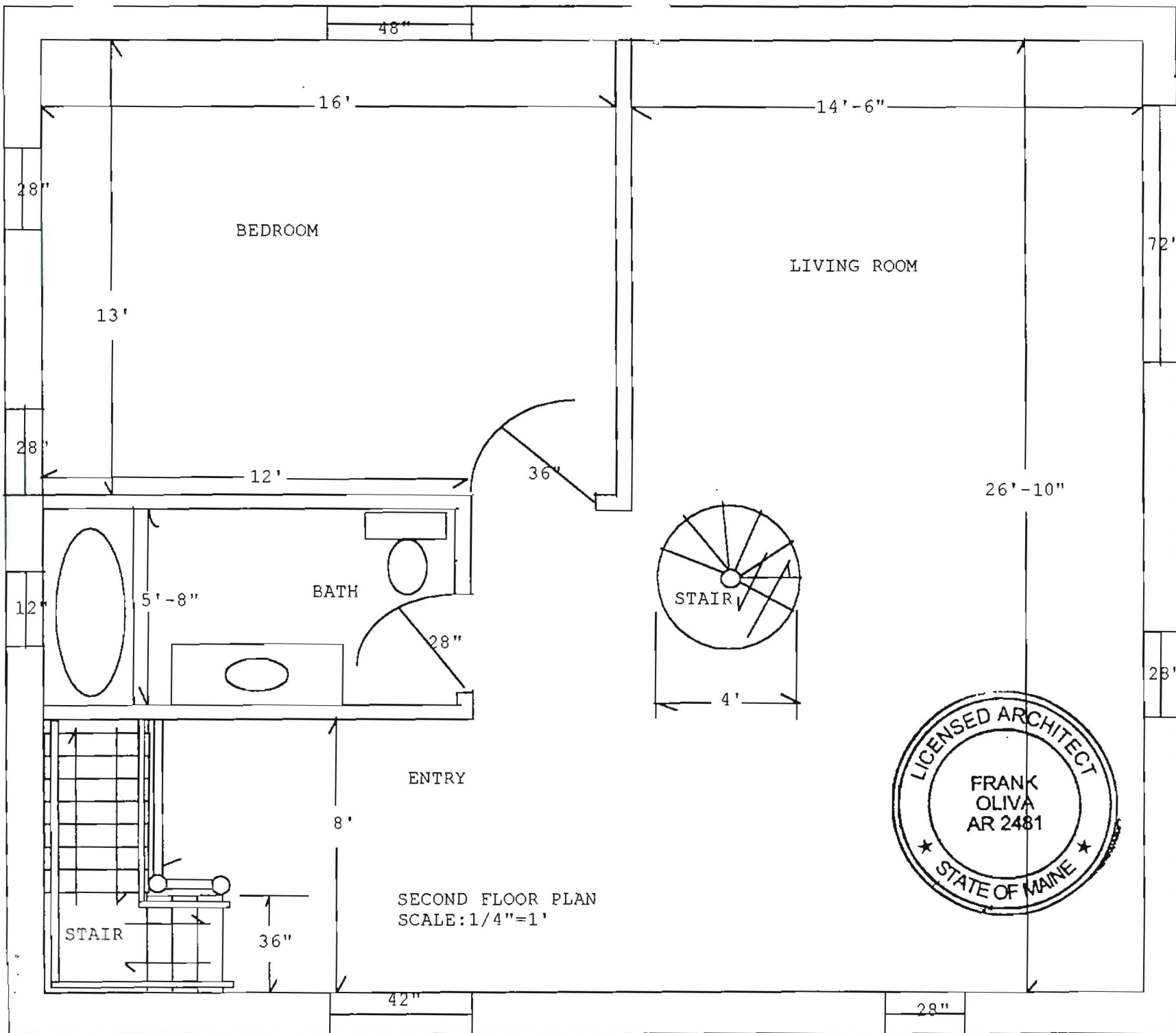




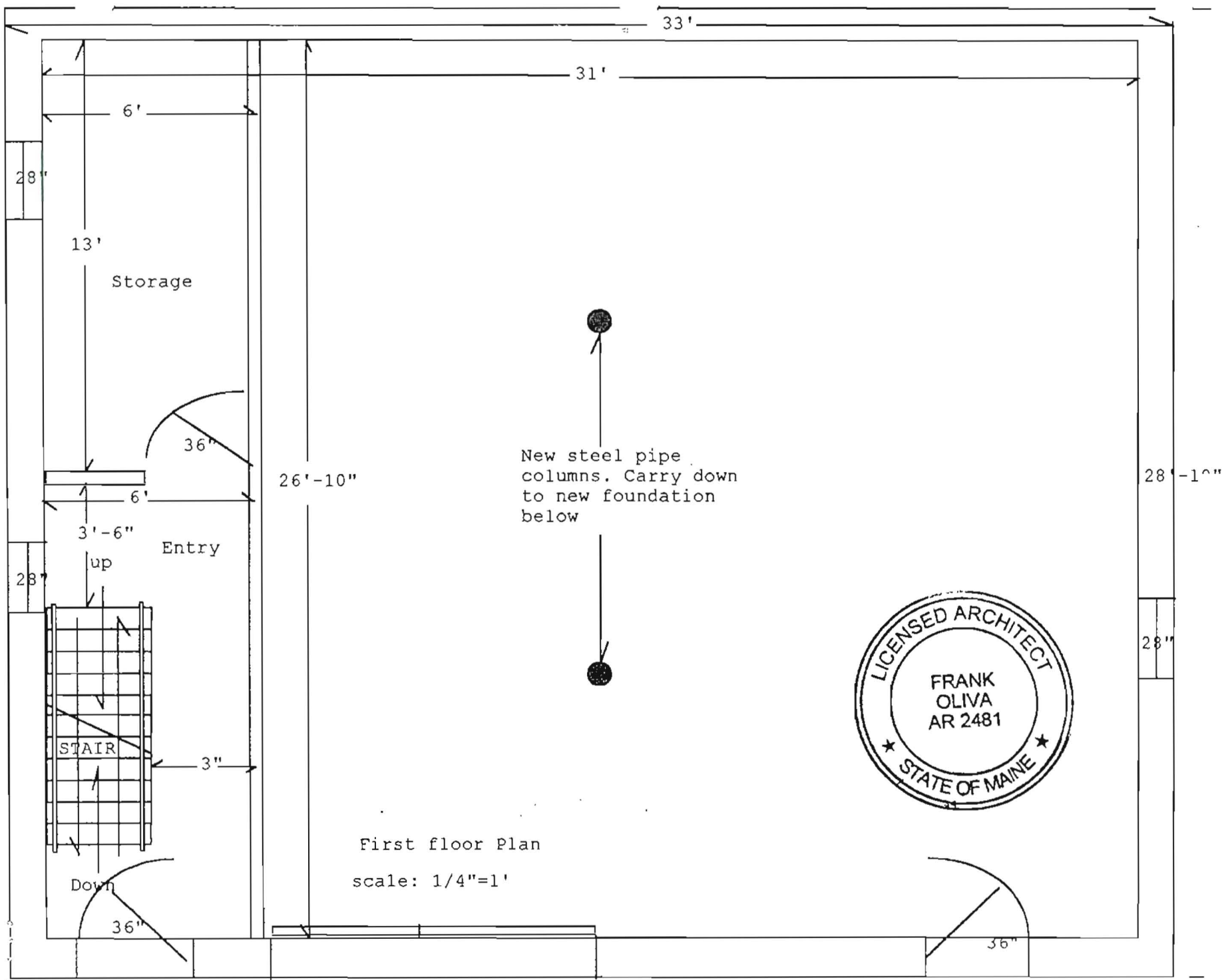
BUILDING CONSTRUCTION  
SCALE: 1/4"=1'











33'

31'

6'

28"

13'

Storage

36"

26'-10"

3'-6"

Entry

up

28"

STAIR

3"

Down

36"

New steel pipe columns. Carry down to new foundation below

28'-10"

28"



First floor Plan

scale: 1/4"=1'

36"

October 28, 1999

Dear Ms. Shmuckal,

We are writing to you to inform you that we are withdrawing our application for a practical difficulty variance. We are doing this upon your advice given to us in our meeting on Thursday, October 28<sup>th</sup>, 1999.

We realized in our meeting with the board on Thursday, October 21<sup>st</sup>, 1999 that we had misunderstood question two in reference to the effect on the fair market value of the property. In our initial application we had not indicated that we have historically used the carriage house in a domestic/residential capacity, when in fact we have used the upstairs of the carriage house as an alternative living space during the summer seasons since 1964.



Please find changes to this effect in the second draft of our practical difficulty variance application. We hope that the changes we made in explanation will change our application status for a building permit.

We greatly appreciate all of your time, assistance, and concern. Please let us know if there is anything else we can do. Thank you very much.

Very truly yours,

Kirsten McWilliams  
Kirsten McWilliams

Margot B. McWilliams

Margot B. McWilliams

PRACTICAL DIFFICULTY VARIANCE APPLICATION  
ADDENDUM

- 1) The need for a variance is due to the unique circumstances of the property, and not to the general conditions in the neighborhood.

The existing carriage house was built during the 1860s, before the presently existing zoning restrictions were put into place, and has remained unchanged since. Please see attached a property border recorded in 1882 (map #62 V sheet #55) from the City Engineer's Dept. The building's proximity to the border was apparently established at this time. (The map is, in fact, incorrect, in that it shows no distance between the building and the eastern border. There is, in fact, a setback of seventeen feet. Current zoning codes require 25 feet. The lot is also larger than indicated on the 1882 map, as my father purchased, in the 1960s, some of the adjacent property which at that time was owned by the J.B. Brown estate. I have roughly penciled this acquisition in on the 1882 map with pencil.

- 2) The granting of the variance will not have an unreasonably detrimental effect on either the use or the fair market value of abutting properties.

"The Barn," as we've always called the Carriage House, has been a getaway and spare room for our family during the summers since my older brothers and sisters were in high school during the late forties and early fifties. This use continued through my high school career in the early sixties. The upstairs of the barn became my getaway in the summer of my senior year, 1964. It was complete with bed, couch, radio, TV set, my favorite books, and plenty of room for friends staying over. In 1980 I returned home with my four young children. My mother lived in the main house, but suffered from Alzheimer's Disease, and had little tolerance for four small children and a golden retriever. The old to-the-floor hay door had dissolved, as had the brick under it. I hired a mason who repaired the brick and replaced the hay door with an Anderson Window. The children and I camped there happily, taking our meals in the house. As my own children grew into high school age, they took their turns out in the barn with their friends for the summers. Andrew in '88 and Kirsten and Elizabeth throughout the nineties. The only one of my children who hasn't had a turn in the barn is my autistic daughter, Suzannah. She, at 28, is returning to Portland to live semi-independently, hopefully in the barn. This will require heat and plumbing. She will, following tradition, take her meals in the main house. There will be minimal exterior changes to the barn (a window being turned into a door, and some skylights. These changes will not have a detrimental effect on either the use or the fair market value of abutting properties.

*Purchased the house before purchasing in 1960s*



- 3) The practical difficulty is not the result of action taken by the applicant.

The practical difficulty is the fact that the building was built over a hundred years before the existence of the current codes. The practical difficulty, therefore, is not the result of any action taken by the applicant.

- 4) No other feasibly alternative is available to the applicant, except a variance.

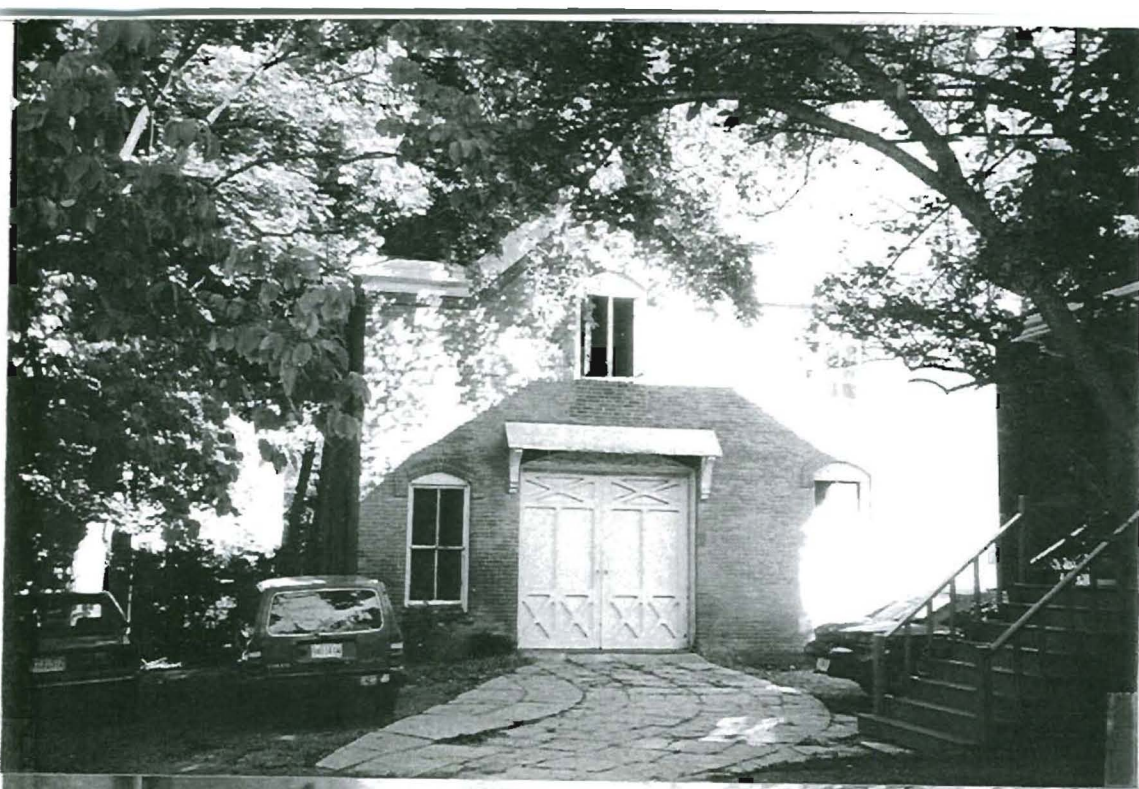
The building is constructed of old brick, and moving it to meet the current zoning requirements would result in its demolition. The purchase of surrounding property is also impossible. The only remaining feasible action, therefore, would be a variance from the city.

- 5) The granting of a variance will not have an unreasonably adverse effect on the natural environment.

The building is currently surrounded, on its south and east sides, by a maintained lawn, and on the north by a stand of Norway Maples. None of this will be affected in any way, and the status quo will be maintained.

- 6) The property is not located, in whole or in part, within a shoreland area, as defined in 38 M.R.S.A. 435, nor within a shoreline zone or flood hazard zone as defined in this article.

The property is located on the West End peninsula of the City of Portland, the highest point in the city. It is not within a shoreline zone or flood hazard zone as defined in this article.



West-facing  
wall.

North Setback  
beyond cars.  
Left ground-floor  
window would be  
proposed door,  
matching existing  
door on right.



Northern Property -  
Line Setback  
18' ft. Setback



Rear Setback  
(Eastern Property  
Line - 18' feet)



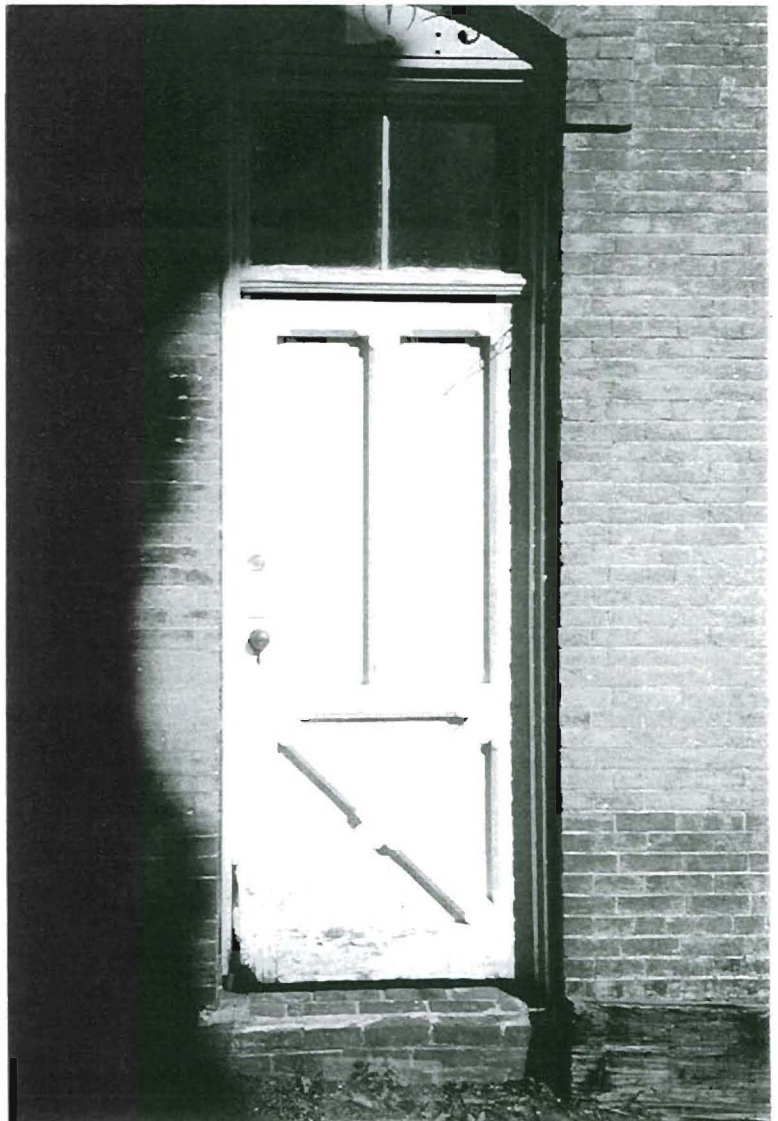


←  
Proposed window-to-Door  
change, to match existing  
door, below.

Please note deteriorated  
brick beneath window (which  
would be replaced by new, hard-  
made door).

Also note unsightliness of  
interior staircase

Existing entrance.  
This would be repaired.





37614

QUITCLAIM DEED  
 (Tenants in Common)  
 (Maine Statutory Short Form)

KNOW ALL BY THESE PRESENTS, that we, JOYCE E. BROWN and MARGOT B. McWILLIAMS, both of Portland, County of Cumberland, and State of Maine, for consideration paid, GRANT to ANDREW McWILLIAMS, of Fossil, County of Wheeler, and State of Oregon, and KIRSTEN McWILLIAMS, of Portland, County of Cumberland, and State of Maine, whose mailing address is: 135 Vaughan Street, Portland, ME 04101, with QUITCLAIM covenants, a one-fifth (1/5TH) interest, in common and undivided, in and to the land in Portland, County of Cumberland, and State of Maine, which is more particularly described as follows:

Parcel 1: Beginning on the easterly side of Vaughan Street, so-called, at the northwesterly corner of a lot of land belonging now or formerly to the Estate of J.B. Brown; thence running northwardly by said Vaughan Street ninety-two and one-half (92-1/2) feet, more or less, to land now or formerly of Louise S. Drew, and from these two points extending eastwardly between land of said Brown Estate on the south and land of said Drew on the north one hundred fifty-eight (158) feet, more or less, to the rear line of lots fronting on Neal Street, formerly owned by Cullen C. Chapman.

Also the right to drain the lot above-described through land formerly belonging to said Cullen C. Chapman, lying easterly on the property above-described according to the conditions named in a deed given by said Chapman to Ella M. Smith, dated December 20, 1877, and recorded in the Cumberland County Registry of Deeds, Book 444, Page 370.

Parcel 2: Beginning at a point on the westerly side of land now or formerly owned by Mary Emma Cole; which point is distant northerly from the northerly side line of Carroll Street one hundred eleven (111) feet, and easterly from the easterly side line of Vaughan Street one hundred (100) feet; thence easterly along a line parallel with the northerly side line of Carroll Street forty-three (43) feet to land conveyed by J.B. Brown & Sons to Frederick A. Thompson by warranty deed dated August 2, 1912 and recorded in said Registry of Deeds in Book 898, Page 100; thence northerly along the line of said Thompson's land twenty-five (25) feet to land of the Thomas Laughlin heirs; thence westerly along the southerly line of said Thomas Laughlin heirs' land forty-three (43) feet to a point, which point is distant one hundred (100) feet from the easterly side line of Vaughan Street; thence southerly and parallel with the easterly side line of Vaughan Street twenty-five (25) feet to the point of beginning.

MAINE REAL ESTATE TAX PAD

Being the same premises described in a deed from Rosemary B. Vanamee, Conservator of the Estate of Helen F. Brown to Margot B. McWilliams et al, dated April 18, 1986, and recorded in said Registry of Deeds in Book 7145, Page 264.

The 1/5th in common and undivided interest being transferred by this deed is the same 1/5th in common and undivided interest which the Grantors acquired from Derek F. Brown by deed of even date to be recorded herewith in said Registry of Deeds.

There is included with this conveyance the assignment of a 1/5th interest in the "household account" maintained by the Grantors and in certain tangible personal property located at and used in connection with the premises.

Grantors hereby covenant and agree with the Grantees, their heirs and assigns, that they will warrant and defend the title to said 1/5th interest in the premises to the Grantees, their heirs and assigns forever from the claims and demands of all persons claiming by, through or under them and from the claims and demands of all persons claiming by through or under said Derek F. Brown.

WITNESS my hand and seal this 8th day of ~~June~~ <sup>July</sup>, 1996.

SIGNED, SEALED AND DELIVERED  
in the presence of:

Rachel M. Rowell  
(to both)

Margot B. McWilliams  
Margot B. McWilliams

Joyce E. Brown  
Joyce E. Brown

STATE OF MAINE  
COUNTY OF CUMBERLAND, ss

July 8, 1996  
~~June~~

Then personally appeared the above-named Margot B. McWilliams and Joyce E. Brown and acknowledged the foregoing instrument to be their free act and deed.

Before me,

Rachel M. Rowell  
Notary Public/~~Attorney at Law~~

Printed Name: Rachel M. Rowell

RECEIVED  
RECORDED REGISTRY OF DEEDS

PCH/PCH/YX5/DE  
95 JUL -9 PM 3:52

CUMBERLAND COUNTY

John B. Brown

Sam Hoffses 874 8704

Dear Building Inspections

The carriage house on the 135 Vaughan St property has some staircase design issues where tread width doesn't quite make the minimum 10" nose to nose requirement. The reason for this slight shortfall is that we wanted to provide adequate landings (3 FT minimum) between the main stair and the loft stair, and between the short and long run of the main stair. We also had some spatial limitations involving the east facing window. (we didn't want the loft stair to encroach the window, tread width on the loft stair is about 28" due to the fact that it is limited by the window on one side and by an iron suspension pole that holds up the second floor on the other side, the loft will be used strictly as storage/stud and will in no way be used as a bedroom. ~~We have~~ Our two bedrooms are on the main floor, it seems appropriate to mention that should the city grant a waiver on the stair issue, the owners (myself included) will in no way at any time now or



in the future hold the city liable for any accident that may occur on ~~either staircase~~ the staircase.

One final matter involves bedroom window egress requirements. The lower sash in ~~each~~ the egress window in each bedroom falls just short of minimum requirement for egress. However, the windows are Brasco Tilt and Wash, meaning that both window sashes easily pop out, meaning that the entire window area becomes available for egress. Sill height is a low 18" on both egress windows. If widening the windows were required, the intricate exterior brick detail would be considerably altered. The entire property is listed on the National Register as well as on the ~~the~~ local district.

Thank you for your consideration and please realize that I respect building codes and have tried as much as possible to meet them.

Sincerely and with all due respect,  
Andrew M. Miller

**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**

Permit # 991231

In the interest of processing your application in the quickest possible manner, please complete the Information below for a Building or Use Permit.

**NOTE\*\*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.**

Location/Address of Construction (include Portion of Building): * 135 VAUGHAN ST 04102	
Total Square Footage of Proposed Structure	Square Footage of Lot
Tax Assessor's Chart, Block & Lot Number Chart# 062 Block# A Lot# 009	Owner: Margot McWilliams Telephone#: 773 8529
Owner's Address: SAA	Lessee/Buyer's Name (If Applicable) Cost Of Work: \$ 700.00 Fee: \$ 30
Proposed Project Description: (Please be as specific as possible) Amend permit # 991231 TO INSTALL STAIR WELL AS OPPOSED TO SPIRAL STAIR TO LOFT	
Contractor's Name, Address & Telephone: COASTAL CARPENTRY TR NO. -773-0579 182 FRANCES ST PORTLAND ME	Rec'd By: [Signature]
Current Use: carriage house	Proposed Use: LIVING SPACE

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.

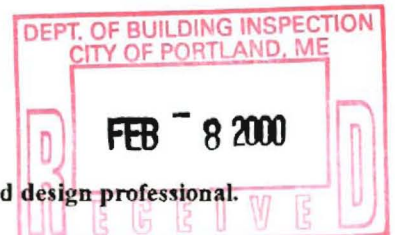
**Certification**

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: <i>Margot McWilliams</i>	Date: 02/08/00
--	----------------

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



This is particularly true in emergency situations where the rate of travel up or down a stairway is increased from the pace set under normal conditions of stairway use.

The employment of winders in stairway construction creates a special hazard because of the tapered configuration of the treads. For example, a person descending a straight flight of stairways will set up a natural cadence or rhythmic movement (see commentary, Section 1014.6.2). However, in a stairway constructed with winders, the rhythmic movement of descent is suddenly disturbed when the section of stairway with the winders is reached. Because of the tapered treads, the horizontal distance traveled by each of the footsteps nearest the radial center of the winding section is necessarily shorter than the distance that must be traveled by each if the footsteps are nearest the periphery or outer edge of the stairway (see Figure 1014.6.3). This condition sets up an eccentric movement. The hazard is further amplified because the inner footsteps (nearest to the radial center of the turn) must land on those portions of the tapered treads that are smaller in depth than the portions receiving the outer footsteps.

Because of the inherent dangers of stairways with winders, this section prohibits winders except for stairways serving a single dwelling unit. Because of the inherent danger in negotiating winders and the fact that Section 1014.7, Exception 3, permits only one handrail in stairs within a dwelling unit, this section requires a handrail be installed on the narrow side. This section does not prohibit winders from being used in stairways that are not a required means of egress.

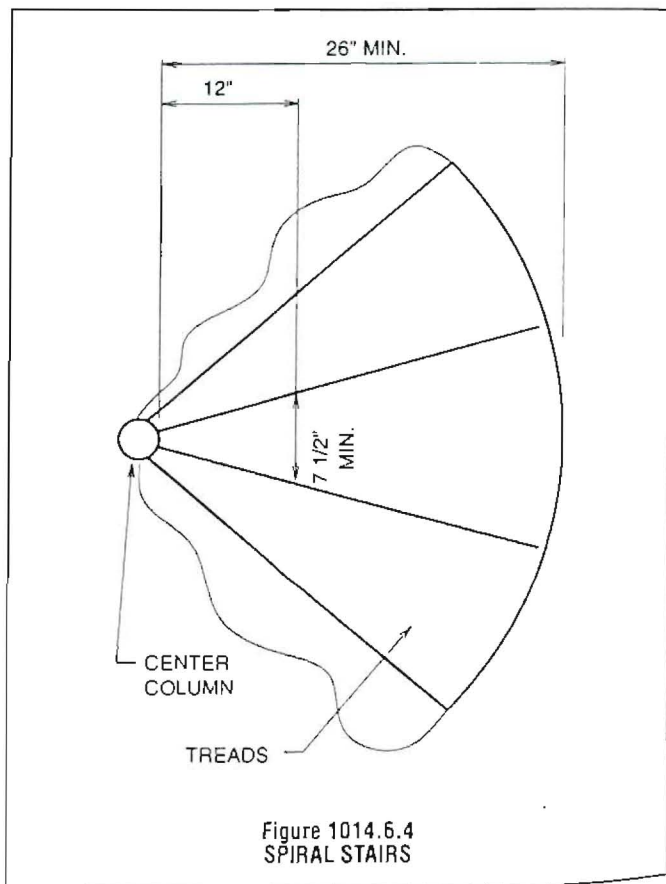
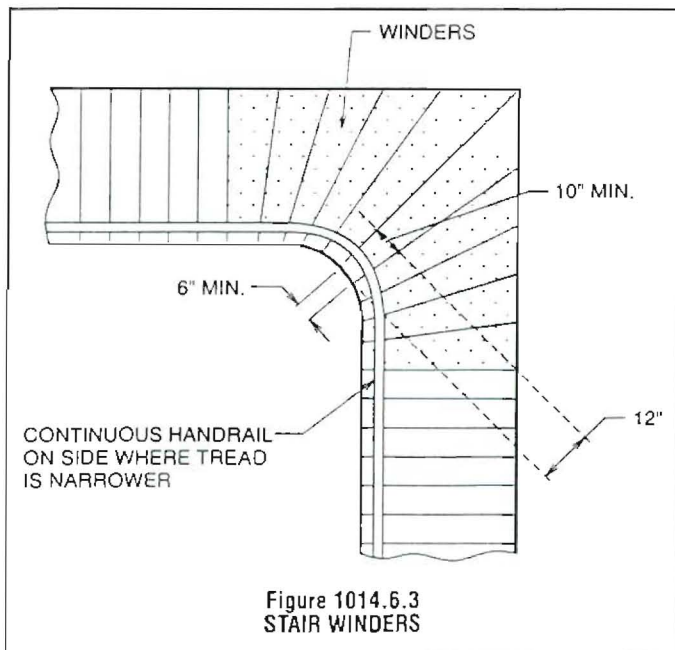
**1014.6.4 Spiral stairways:** Spiral stairways shall not be used as an element of a means of egress except: within a single dwelling unit; from a mezzanine area not more than 250 square feet (23 m<sup>2</sup>) in area which serves not more than five occupants; and in penal facilities from a guard tower, observation station or control room not more than 250 square feet (23 m<sup>2</sup>) in area. The minimum width of all spiral stairways shall be 26 inches (660 mm) with each tread having a 7½-inch (191 mm) minimum tread

depth at 12 inches (305 mm) from the narrow edge. All treads shall be identical and the rise shall not be more than 9½ inches (241 mm). A minimum headroom of 6 feet 6 inches (1981 mm) shall be provided.

■ Spiral stairways are generally constructed with a fixed center pole which serves as either the primary or the only means of support from which pie-shaped treads radiate to form a winding stairway.

The commentary to Section 1014.6.3 regarding the eccentricity of movement on stairways with winders also applies to spiral stairways. The nature of stairway construction is such that it does not serve well when used in emergencies that require immediate evacuation, nor does a spiral stairway configuration permit the handling of a large occupant load in an efficient and safe manner. Therefore, this section allows only limited use of spiral stairways. They are permitted as a means of egress only and from mezzanines or special penal security spaces with areas of 250 square feet or less and serving not more than five occupants. Like stairways with winders, spiral stairways may be used in any occupancy as long as such stairways are not a component of a required means of egress.

Spiral stairways are required to have dimensional uniformity. Treads must be at least 26 inches wide and the depth of the treads must not be less than 7½ inches measured at a point that is 12 inches out from the narrow edge (see Figure 1014.6.4). Riser heights are required to be the same throughout the stairway, but are not to exceed 9½ inches. A minimum headroom of 6 feet 6 inches is required.





FAX



To: RANJU @ Morgan Stanley

Fax Number: (817) 852-2730

From: Marge Schmueta

Fax Number:

Date: 10/13/09

Regarding: 135 Vaughan St

Total Number Of Pages Including Cover: 10 PGS

Phone Number For Follow-Up:

Ranju,

Comments:

AS Stated on The phone to you, And AS stated on The most recent permits, The last approved use for the property is a single family. The area above the carriage house was NOT approved AS A separate dwelling unit under zoning. That area was recognized only AS A sleeping area and an extension of the single family dwelling in the principal house.

Marge

City Of Portland, Maine

Inspections Division Services

389 Congress St Room 315 Portland Me 04101-3509

Phone: (207) 874-8703 or (207) 874-8693

Fax: (207) 874-8716

<http://www.portlandmaine.gov/>

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

Location of Construction: <b>**135 Vaughn St.</b>		04102	Owner: <b>Margot McWilliams et. al</b>	Phone: <b>773-8529</b>	Permit No: <b>991231</b>
Owner Address: <b>=SAA</b>	Lessee/Buyer's Name: <b>n/a</b>	Phone: <b>n/a</b>	Business Name: <b>n/a</b>		<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;"> <b>PERMIT ISSUED</b>  <b>NOV - 5 1999</b>  <b>CITY OF PORTLAND</b> </div>
Contractor Name: <b>Raymond Maine Carl Bartolomeo address not given</b>	Address: <b>655-6633</b>	Phone: <b>655-6633</b>		Permit Issued:	
Past Use: <b>Carriage House</b>	Proposed Use: <b>Non-apartment living Space (NO KITCHEN)</b>	<b>COST OF WORK:</b> \$ <b>37,000</b>	<b>PERMIT FEE:</b> \$ <b>246.00</b>	<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;"> <b>CITY OF PORTLAND</b>  <b>Zone: CBL: 062-A-009</b>  <b>R-1</b> </div>	
Proposed Project Description: <b>2nd floor of carriage house to be independent living quarters</b>		<b>FIRE DEPT.</b> <input type="checkbox"/> Approved <input type="checkbox"/> Denied	<b>INSPECTION:</b> Use Group: <b>A-3</b> Type: <b>33</b> <b>BOC496</b>		
		<b>PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)</b>		<b>Signature: Hoffner.</b> <b>Date:</b>	
Permit Taken By: <b>UB</b>		Date Applied For: <b>10-28-99</b>			

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..

**\*\*\* Send to:**  
**Margot McWilliams**  
**135 Vaughn St.**  
**Portland, ME 04102**

**CERTIFICATION**

**PERMIT ISSUED  
WITH REQUIREMENTS**

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.

**10-28-99**

SIGNATURE OF APPLICANT \_\_\_\_\_ ADDRESS: \_\_\_\_\_ DATE: \_\_\_\_\_ PHONE: \_\_\_\_\_

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE \_\_\_\_\_ PHONE: \_\_\_\_\_

White-Permit Desk Green-Assessor's Canary-D.P.W. Pink-Public File Ivory Card-Inspector

**Zoning Appeal**

Variance **10/28/99**

Miscellaneous

Conditional Use

Interpretation

Approved

Denied

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**Historic Preservation**

Not in District or Landmark

Does Not Require Review

Requires Review

---

**Action:**

Approved

Approved with Conditions

Denied

Date: **10-28-99**

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**PERMIT ISSUED  
WITH REQUIREMENTS  
CEO DISTRICT**



**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.

**NOTE\*\*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.**

Location/Address of Construction (include Portion of Building) <i>135 Vaughan St. Portland, ME 04102</i>		
Total Square Footage of Proposed Structure	Square Footage of Lot	
Tax Assessor's Chart, Block & Lot Number Chart# <i>062</i> Block# <i>A</i> Lot# <i>009</i>	Owner: <i>Margot McWilliams et al. (family)</i>	Telephone#: <i>773-8529</i>
Owner's Address: <i>135 Vaughan St.</i>	Lessee/Buyer's Name (If Applicable)	Cost Of Work. Fee <i>246</i> <del>\$50,000</del> \$ <i>37,000</i> (app.)
Proposed Project Description (Please be as specific as possible) <i>Turn upstairs of carriage house into semi-independent living quarters (bed-sitting room with bath) for my adult daughter who needs moderately supervised living. She would come into the house for family</i>		
Contractor's Name, Address & Telephone <i>Carl Bartolomeo 655-6633 Raymond, ME</i>		Rec'd By <i>meals.</i>
Current Use: <i>Storage Carriage Room</i>	Proposed Use: <i>non-apartment living space</i>	

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: <i>Margot B. McWilliams</i>	Date: <i>9/22/99</i>
---	----------------------

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





**BUILDING PERMIT REPORT**

DATE: 29 OCT. 99 ADDRESS: 135 Vaughan St. CBL: 062-A-009  
 REASON FOR PERMIT: 2<sup>nd</sup> Floor of Carriage house To rooming unit (No Kitchen)  
 BUILDING OWNER: Margot McWilliams  
 PERMIT APPLICANT: Guest living CONTRACTOR Carl Bartalomeo  
 USE GROUP: R-3 CONSTRUCTION TYPE: B-B CONSTRUCTION COST: 37,000 PERMIT FEES: 246.00  
without kitchen

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)

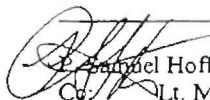
CONDITION(S) OF APPROVAL

This permit is being issued with the understanding that the following conditions are met: \*1 \*8 \*9 \*11 \*13 \*13  
\*14 \*15 \*17 \*27 \*30 \*32 \*33 \*34 \*36 #31

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 1/2" 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 damp proofing 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 1/2 inch gypsum board or the equivalent applied to the garage means of 1.2 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 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". (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 3/4" 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 1010.4)
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
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).
- X 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).
- X 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. *- see attached*
- X 32. Boring, cutting and notching shall be done in accordance with Sections 2305.3, 2305.3.1, 2305.4.4 and 2305.5.1 of the City's Building Code.
- X 33. Bridging shall comply with Section 2305.16.
- X 34. Glass and glazing shall meet the requirements of Chapter 24 of the building code. (Safety Glazing Section 2405.0)
35. All signage, shall be done in accordance with Section 3102.0 signs of the City's Building Code, (The BOCA National Building Code/1996).
- X 36. Skylights shall comply with Section 2404.0 of the Bldg. code

37

  
 Samuel Hoffses, Building Inspector  
 Lt. McDougall, PFD  
 Marge Schmuekal, Zoning Administrator

LAND USE - ZONING REPORT

ADDRESS: 135 Vaughan St DATE: 11/1/99

REASON FOR PERMIT: to fix-up carriage house & restore to

BUILDING OWNER: Margot McWilliam et al B.L. 062-A-9

ACCESS: Living space to main house

PERMIT APPLICANT: owner

APPROVED: with conditions DENIED: \_\_\_\_\_

#1, #6, #10

CONDITION(S) OF APPROVAL

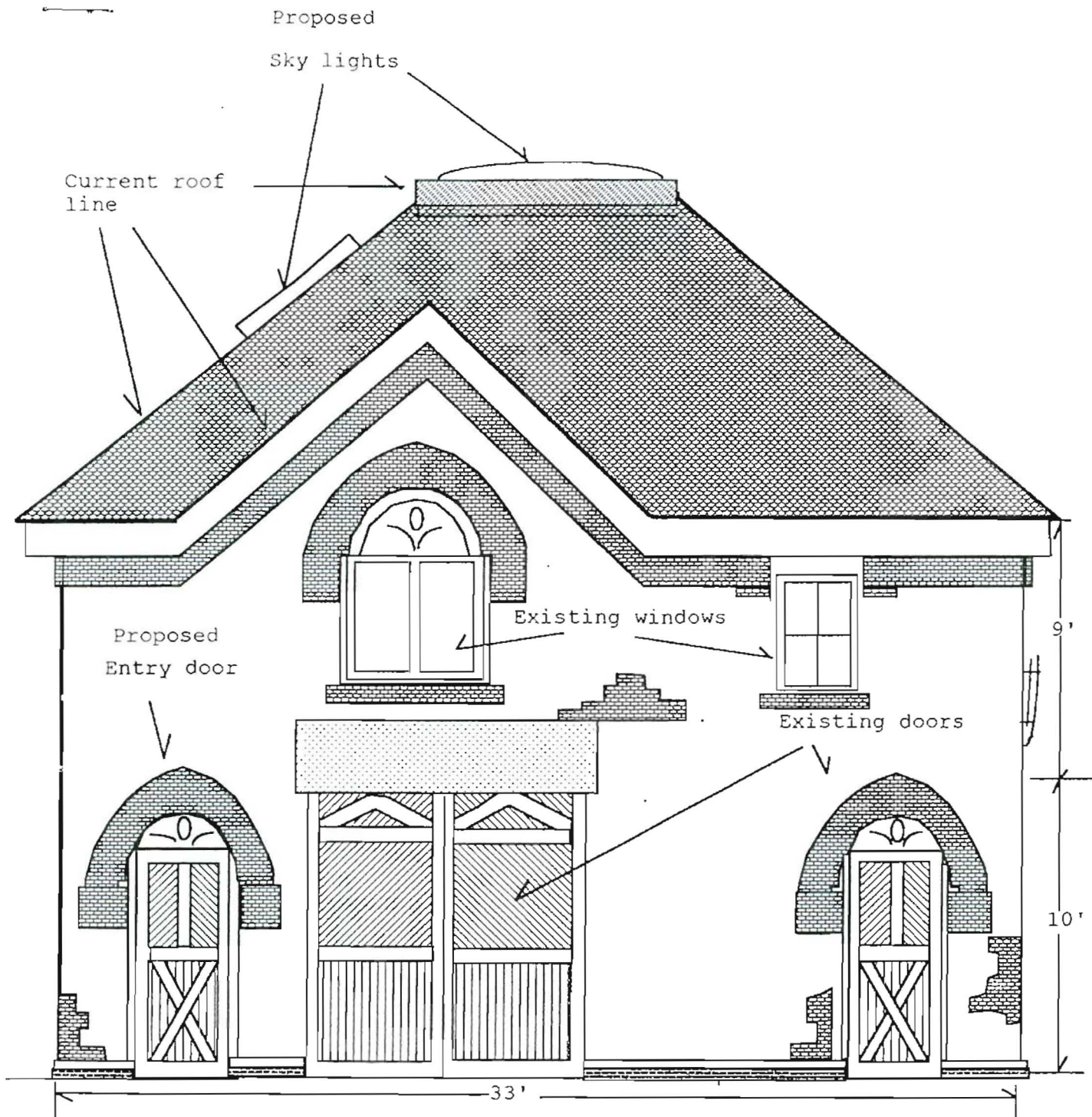
- 1. This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.
- 2. During its existence, all aspects of the Home Occupation criteria, Section 14-410, shall be maintained.
- 3. The footprint of the existing \_\_\_\_\_ shall not be increased during maintenance reconstruction.
- 4. All the conditions placed on the original, previously approved, permit issued on \_\_\_\_\_ are still in effect for this amendment.
- 5. 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 \_\_\_\_\_ in place and in phases.
- 6. This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.
- 7. Our records indicate that this property has a legal use of \_\_\_\_\_ units. Any change in this approved use shall require a separate permit application for review and approval.
- 8. Separate permits shall be required for any signage.
- 9. Separate permits shall be required for future decks, sheds, pool(s), and/or garage.
- 10. This is not an approval for an additional dwelling unit. You shall not add any additional kitchen equipment, such as stoves, microwaves, refrigerators, or kitchen sinks, etc. without special approvals.
- 11. Other requirements of condition note: This is a continued use for

sleeping & living space that has been present in that structure since the 1940's.

Marge Schmuckal

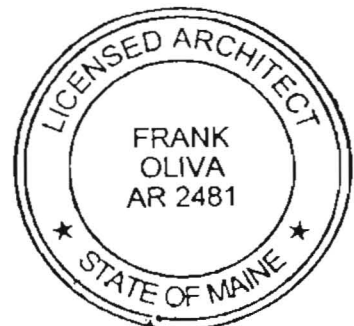
Marge Schmuckal, Zoning Administrator

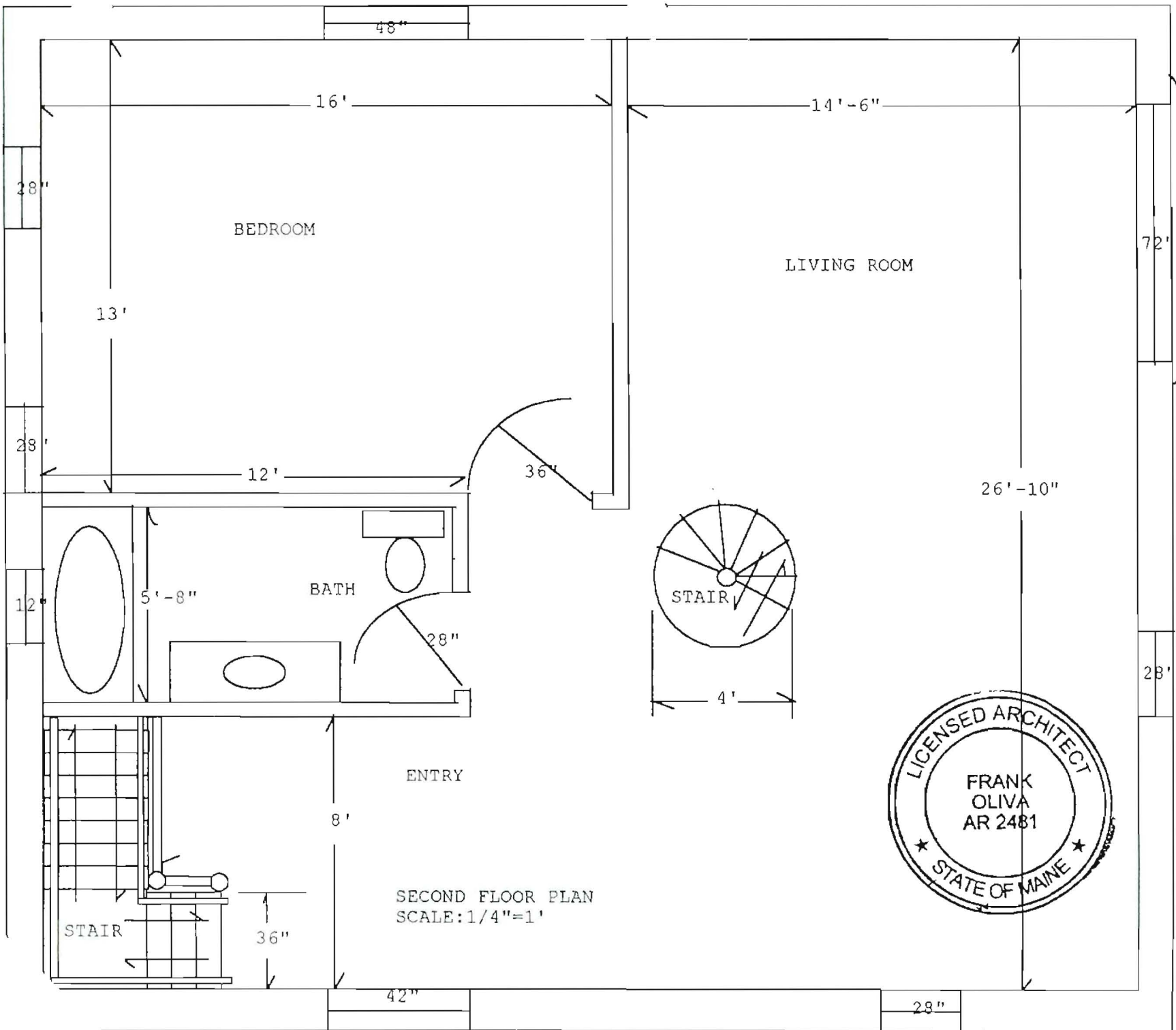




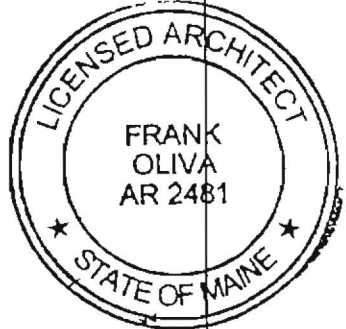
West elevation

Scale: 1/4" = 1'





SECOND FLOOR PLAN  
 SCALE: 1/4"=1'



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

Location of Construction: #1135 Vaughan Street 04102		Owner: Margot McWilliams		Phone: 7738519	
Owner Address: SAA		Lessee/Buyer's Name: N/A		Phone: N/A	
Contractor Name: Coastal Carpentry		Address: 187 Frances St. Portland, ME		Phone: 774-0579	
Past Use: Carriage House		Proposed Use: Living Space		<b>COST OF WORK:</b> \$ 700.00 <b>PERMIT FEE:</b> \$ 30.00 <b>FIRE DEPT.</b> <input type="checkbox"/> Approved <input type="checkbox"/> Denied <b>INSPECTION:</b> Use Group: <i>1-3</i> Type: <i>32</i> <i>200140</i> Signature: <i>[Signature]</i> <b>PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)</b> Action: Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied <input type="checkbox"/> Signature: _____ Date: _____	
Proposed Project Description: Amendment to permit #091231 Interior stairs.					
Permit Taken By: UB		Date Applied For: 2-8-2000			

Permit No:  
**000163**

**PERMIT ISSUED**  
MAR 8 2000

**CITY OF PORTLAND**  
Zoning Approval:  
Special Zone or Reviews:  
 Shoreland  
 Wetland  
 Flood Zone  
 Subdivision  
 Site Plan map  minor  mm

**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: \_\_\_\_\_

*\*\*Please Send to: Margot McWilliams  
135 Vaughan St.  
Portland, ME 04102*

**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

**PERMIT ISSUED WITH REQUIREMENTS**

**PERMIT ISSUED WITH REQUIREMENTS**

SIGNATURE OF APPLICANT	ADDRESS:	DATE:	PHONE:
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE			PHONE:

CEO DISTRICT



**BUILDING PERMIT REPORT**

DATE: 6 March 2000 ADDRESS: 135 Vaughan St. CBL: 062-17-009  
 REASON FOR PERMIT: To Amend permit # 991231  
 BUILDING OWNER: Margot McWilliams  
 PERMIT APPLICANT: \_\_\_\_\_ CONTRACTOR Coastal Carpentry  
 USE GROUP: A CONSTRUCTION TYPE: \_\_\_\_\_ CONSTRUCTION COST: \_\_\_\_\_ PERMIT FEES: \_\_\_\_\_

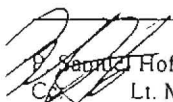
The City's Adopted Building Code (The BOCA National Building code/1999 with City Amendments)  
 The City's Adopted Mechanical Code (The BOCA National Mechanical Code/1993)

**CONDITION(S) OF APPROVAL**

This permit is being issued with the understanding that the following conditions are met: \*1, \*9, \*11, \*15, \*27, \*29, \*32, \*34, \*37, \*38, \*39-

- \* 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 1/2" 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 1/2 inch gypsum board or the equivalent applied to the ~~garage means of 1/2 inch gypsum board or the equivalent applied to the~~ garage side. (Chapter 4, Section 407.0 of the BOCA/1999)
- \* 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 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". (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 1/2" 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 1010.4)
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 closure'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/1999), 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
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 be installed and maintained to NFPA #72 Standard
22. The Sprinkler System shall be installed and 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/1999)
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 and access shall meet the requirements of Chapter 12 Sections 1210.0 and 1211.0 of the City's Building Code (Crawl spaces & attics).
27. All electrical, plumbing and HVAC permits must be obtained by 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).
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33. Bridging shall comply with Section 2305.16.
34. Glass and glazing shall meet the requirements of Chapter 24 of the building code. (Safety Glazing Section 2406.0)
35. All signage, shall be done in accordance with Section 3102.0 signs of the City's Building Code, (The BOCA National Building Code/1999)
37. *This permit does not authorize any new dwelling units*
38. *All requirement for permit \*991221 shall still be adhered too*
39. *Spiral stairs shall comply with Section 1014.6.4 of the bldg. Code, BOCA 99*

  
 P. Samuel Hoffses, Building Inspector  
 Lt. McDougall, PFD  
 Marge Schmuckal, Zoning Administrator

PSH 1/26/00

\*\*This permit is herewith issued, on the basis of plans submitted and conditions placed on these plans, any deviations shall require a separate approval.

**...THIS PERMIT HAS BEEN ISSUED WITH THE UNDERSTANDING THAT ALL THE CONDITIONS OF THE APPROVAL SHALL BE COMPLETED. THEREFORE, BEFORE THE WORK IS COMPLETED A REVISED PLAN OR STATEMENT FROM THE PERMIT HOLDER SHALL BE SUBMITTED TO THIS OFFICE SHOWING OR EXPLAINING THAT THE CONDITIONS HAVE BEEN MET. IF THIS REQUIREMENT IS NOT RECEIVED YOUR CERTIFICATE OF OCCUPANCY SHALL BE WITHHELD.**

**\*\*\*\*ALL PLANS THAT REQUIRE A PROFESSIONAL DESIGNER'S SEAL, (AS PER SECTION 114.0 OF THE BUILDING CODE) SHALL ALSO BE PRESENTED TO THIS DIVISION ON AUTO CAD LT. 2000, OR EQUIVILENT.**

**\*\*\*\*\*CERTIFICATE OF OCCUPANCY FEE \$50.00**