

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK
CITY OF PORTLAND

Please Read
 Application And
 Notes, If Any,
 Attached

BU **PERMIT** IATION

Permit Number: 081250

This is to certify that KNOLL SCOTT W & MELISSA KNOLL Hanes
 has permission to Remove Existing Single Car Garage, Rebuild Two Car Garage
 AT 83 WEST ST CE 063 B007001

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of buildings and structures, and of the application on file in this department.

Apply to Public Works for street line and grade if nature of work requires such information.

Notification of inspection must be given and written permission procured before this building or part thereof is lath or other work is used-in. 24 HOUR NOTICE IS REQUIRED.

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

OTHER REQUIRED APPROVALS	
Fire Dept.	
Health Dept.	
Appeal Board	
Other	

PERMIT ISSUED
 OCT 24 1968
 CITY OF PORTLAND

Thomas H. Walker 10/24/68
 Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

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

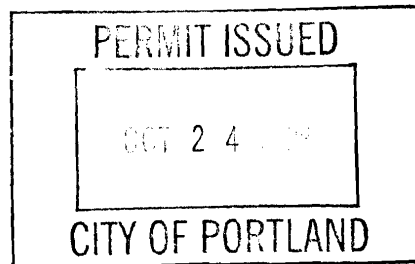
Permit No: 08-1250	Issue Date:	CBL: 063 B007001
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Location of Construction: 83 WEST ST	Owner Name: KNOLL SCOTT W & MELISSA K	Owner Address: 83 WEST ST	Phone: 207-772-1119
Business Name:	Contractor Name: Seth Hanes	Contractor Address: 77 Scott Dyer Road Cape Elizabeth	Phone: 2078991246
Lessee/Buyer's Name	Phone:	Permit Type: Additions - Dwellings	Zone: R-4

Past Use: Single Family Home	Proposed Use: Single Family Home - Remove Existing Single Car Garage, Rebuild Two Car Garage	Permit Fee: \$620.00	Cost of Work: \$60,000.00	CEO District: 2
Proposed Project Description: Remove Existing Single Car Garage, Rebuild Two Car Garage		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: R3 Type: SB IRC 2003 Signature: [Signature] Date: 10/24/08	
		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Signature: _____ Date: _____		

Permit Taken By: lmd	Date Applied For: 10/08/2008	Zoning Approval
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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..	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"/> Date: 10/14/08 ABH	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date:	Historic Preservation yes <input type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Date: 10/21/08 [Signature]
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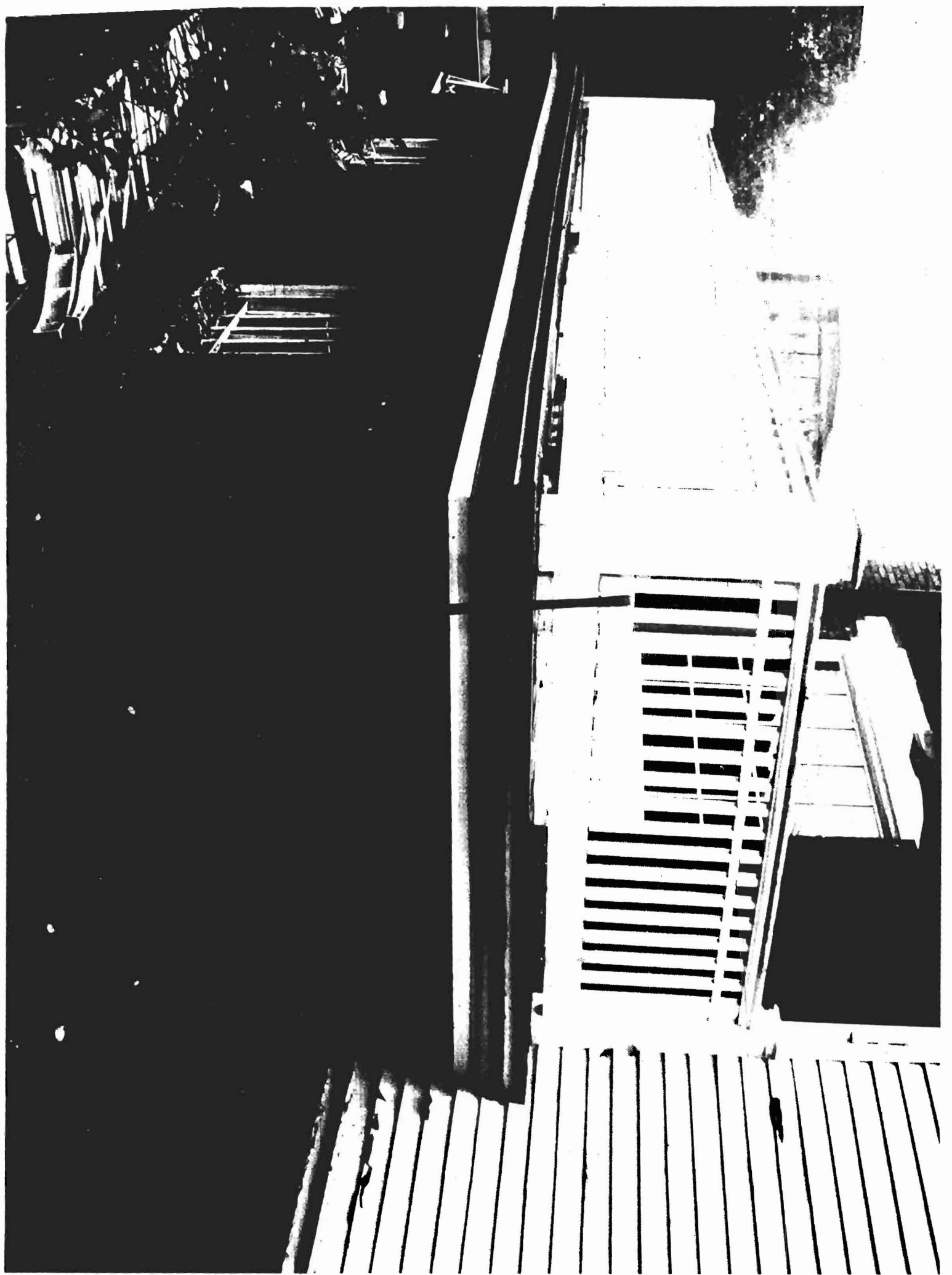


CERTIFICATION

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 provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT _____ ADDRESS _____ DATE _____ PHONE _____

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE _____ DATE _____ PHONE _____











General Building Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Location/Address of Construction: <u>83 West Street (garage area located on Vaughan St.)</u>		
Total Square Footage of Proposed Structure/Area <u>~ 225 sq ft added to garage</u>	Square Footage of Lot <u>5320 ft²</u>	Number of Stories <u>1</u>
Tax Assessor's Chart, Block & Lot Chart# <u>63</u> Block# <u>B</u> Lot# <u>7</u>	Applicant *must be owner, Lessee or Buyer* Name <u>Melissa + Scott Knoll</u> Address <u>83 West Street</u> City, State & Zip <u>Portland, Maine 04102</u>	Telephone: <u>207-772-1119</u>
Lessee/DBA (If Applicable)	Owner (if different from Applicant) Name Address City, State & Zip	Cost Of Work: \$ <u>~\$70,000</u> C of O Fee: \$ _____ Total Fee: \$ _____
Current legal use (i.e. single family) <u>Single Family</u> Number of Residential Units <u>1</u> If vacant, what was the previous use? <u>Single Family</u> Proposed Specific use: <u>2 car garage</u> Is property part of a subdivision? <u>NO</u> If yes, please name _____ Project description: <u>Remove existing single car garage, install 2 car garage</u>		
Contractor's name: <u>Seth Haines</u>		
Address: <u>77 Scott Dyer Rd 04107</u>		
City, State & Zip: <u>Cape Elizabeth, ME</u>		Telephone: <u>899-1246</u>
Who should we contact when the permit is ready: <u>Melissa Knoll</u>		Telephone: <u>772-1119</u>
Mailing address: <u>83 West St. Portland, ME 04102</u>		

Please submit all of the information outlined on the applicable Checklist. Failure to do so will result in the automatic denial of your permit.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information or to download copies of this form and other applications visit the Inspections Division on-line at www.portlandmaine.gov, or stop by the Inspections Division office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature: Melissa Knoll Date: 10/3/08

This is not a permit; you may not commence ANY work until the permit is issued

City of Portland, Maine - Building or Use Permit

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

Permit No: 08-1250	Date Applied For: 10/03/2008	CBL: 063 B007001
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Business Name:	Contractor Name: Seth Hanes	Contractor Address: 77 Scott Dyer Road Cape Elizabeth	Phone: (207) 899-1246
Lessee/Buyer's Name	Phone:	Permit Type: Additions - Dwellings	

Proposed Use: Single Family Home - Remove Existing Single Car Garage, Rebuild Two Car Garage	Proposed Project Description: Remove Existing Single Car Garage, Rebuild Two Car Garage
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Dept: Historic **Status:** Approved with Conditions **Reviewer:** Deborah Andrews **Approval Date:** 10/21/2008

Note:**Ok to Issue:**

- 1) * Garage construction and site improvements shall conform with conditions of approval set by the Historic Preservation Board in its review on 9/3/08---see attached approval letter.

Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Ann Machado **Approval Date:** 10/14/2008

Note: Received approval from Zoning Board of Appeals to expand the size of the garage. Received variance for rear setback & lot coverage. **Ok to Issue:**

- 1) This permit is being issued with the condition that the new garage will be a minimum of 6' from the rear property line and that the lot coverage will not exceed 55% with the new garage addition.
- 2) As discussed during the review process, the property must be clearly identified prior to pouring concrete and compliance with the required setbacks must be established. Due to the proximity of the setbacks of the proposed addition, it may be required to be located by a surveyor.
- 3) ANY exterior work requires a separate review and approval thru Historic Preservation. This property is located within an Historic District.
- 4) This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.
- 5) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.

Dept: Building **Status:** Approved with Conditions **Reviewer:** Tom Markley **Approval Date:** 10/24/2008

Note:**Ok to Issue:**

- 1) This permit DOES NOT certify the use of the property or building. It only authorizes the construction activities.
- 2) Separate permits are required for any electrical, plumbing, or HVAC systems. Separate plans may need to be submitted for approval as a part of this process.
- 3) Application approval based upon information provided by applicant. Any deviation from approved plans requires separate review and approval prior to work.

Comments:

10/6/2008-amachado: Left voicemail for Melissa Knoll. Need full size set of scalable plans.

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Business Name:	Contractor Name: Seth Hanes	Contractor Address: 77 Scott Dyer Road Cape Elizabeth	Phone: (207) 899-1246
Lessee/Buyer's Name	Phone:	Permit Type: Additions - Dwellings	

10/9/2008-amachado: Received full size building plans. Spoke to Melissa Knoll. The size of the garage is different on the plan at garage level (width is 20.5' with 6' to the property line) & the front exterior elevation (width is 25.5' with 7.5' to the property line). The elevation plan also calls for a "new 18-0" wide by 7'-6" tall overhead doors (implying that there is more than one. She will call the architect.

10/10/2008-amachado: Spoke to John Turk at TTL Architects. He said that the garage will be 20'6" wide. He doesn't know why the elevation scales at 25'6". On his cad program it scales at 20'6" on the elevation. He will send over more plans (foundation & framing).

10/10/2008-amachado: Received elevation plan where the garage scales at 20'6" and the setback to the rear property line is 6'.

10/14/2008-amachado: Gave permit to historic before we schedule a predemolition inspection.

10/20/2008-amachado: Gave permit to Lisa to schedule a predemolition inspection.

CITY OF PORTLAND, MAINE
HISTORIC PRESERVATION BOARD

John Turk, Chair
Rick Romano, Vice Chair
Otis Baron
Martha Deprez
Michael Hammen
Ted Oldham
Cordelia Pitman

September 8, 2008

Scott and Melissa Knoll
83 West Street
Portland, Maine 04102

Re: Garage Replacement and Site Alterations, 83 West Street

Dear Mr. and Mrs. Knoll:

On September 3, 2008, the City of Portland's Historic Preservation Board reviewed your proposal for the replacement of your existing garage and other site alterations. Following deliberations, the Board voted 4-0 (Turk recused; Deprez, Pitman absent) to approve the application, based on the revised proposal submitted for the 9/3/08 public hearing.

Board approval was made subject to the following conditions:

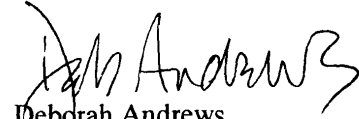
- * The paved area immediately in front of the garage (now concrete) shall be paved in brick. This work shall be undertaken as part of the garage project and not deferred to another time.
- * A ¾" vertical reveal shall be provided to visually separate the house and the new garage. It is acceptable that the façade of the house and the garage be at the same plane.
- * Brick for the replacement garage shall be very similar to that of the house, but not identical in order to make clear that the garage is a later addition.
- * Final proposed detail for the railing's connection to the house shall be reviewed and approved by staff.

Note: Any plans to defer the sidewalk and driveway apron improvements to a later date must be approved by the Public Services Department.

All improvements shall be carried out as shown on the plans and specifications submitted for the 9/08/08 public hearing and/or as described above. Changes to the approved plans and specifications and any additional work that may be undertaken must be reviewed and approved by this office prior to construction, alteration, or demolition. If, during the course of completing the approved work, conditions are encountered which prevent completing the approved work, or which require additional or alternative work, you must apply for and receive a Certificate of Appropriateness or Non-Applicability PRIOR to undertaking additional or alternative work.

This Certificate is granted upon condition that the work authorized herein is commenced within twelve (12) months after the date of issuance. If the work authorized by this Certificate is not commenced within twelve (12) months after the date of issuance or if such work is suspended in significant part for a period of one year after the time the work is commenced, such Certificate shall expire and be of no further effect; provided that, for cause, one or more extensions of time for periods not exceeding ninety (90) days each may be allowed in writing by the Department.

Sincerely,

A handwritten signature in black ink, appearing to read "Deborah Andrews". The signature is fluid and cursive, with the first name "Deborah" and last name "Andrews" clearly legible.

Deborah Andrews
Historic Preservation Program Manager

cc: John Turk, ttl architects
Approval Letter File
Building Inspections



Demolition Call List & Requirements

Site Address: 83 West Street

Owner: Scott + Melissa Knoll

Structure Type: Garage

Contractor: Seth Haines 899-1246

Utility Approvals	Number	Contact Name/Date	Work no.
Central Maine Power	1-800-750-4000	<u>Julie C - 10/1/08</u>	<u>- 3-495259</u>
Northern Utilities	797-8002 ext 6241	<u>Mark Allen - 10/1/08</u>	
Portland Water District	761-8310	<u>Jan Walker - 10/1/08</u>	
Dig Safe	1-888-344-7233	<u>Mary LG - 10/1/08</u>	<u>- 2084006847</u>

After calling Dig Safe, you must wait 72 business hours before digging can begin.

DPW/ Traffic Division (L. Cote)	874-8891	<u>Lucie Cote - 10/1/08</u>
DPW/ Sealed Drain Permit (C. Merritt)	874-8822	<u>Carol Merritt - 10/1/08</u>
Historic Preservation	874-8726	<u>Scott Hansen - 10/1/08</u>
Fire Dispatcher	874-8576	<u>Curt Elkovich - 10/1/08</u>
DEP - Environmental (Augusta)	287-2651	<u>Sandy - 10/1/08</u>

Additional Requirements

- 1) Written notice to adjoining owners
- 2) A photo of the structure(s) to be demolished
- 3) A plot plan or site plan of the property
- 4) Certification from an asbestos abatement company

All construction and demolition debris generated in Portland must be delivered to Riverside Recycling Facility at 910 Riverside Street. Source separated salvage materials placed in specifically designated containers are exempt from this provision. For more information contact Troy Moon @ 874-8467.

U.S. EPA Region 1 - No Phone call required. Just mail copy of State notification to:

Demo / Reno Clerk
US EPA Region I (SEA)
JFK Federal Building
Boston, MA 02203

I have contacted all of the necessary companies/departments as indicated above and attached all required documentation.

October 1, 2008

Dear Neighbor,

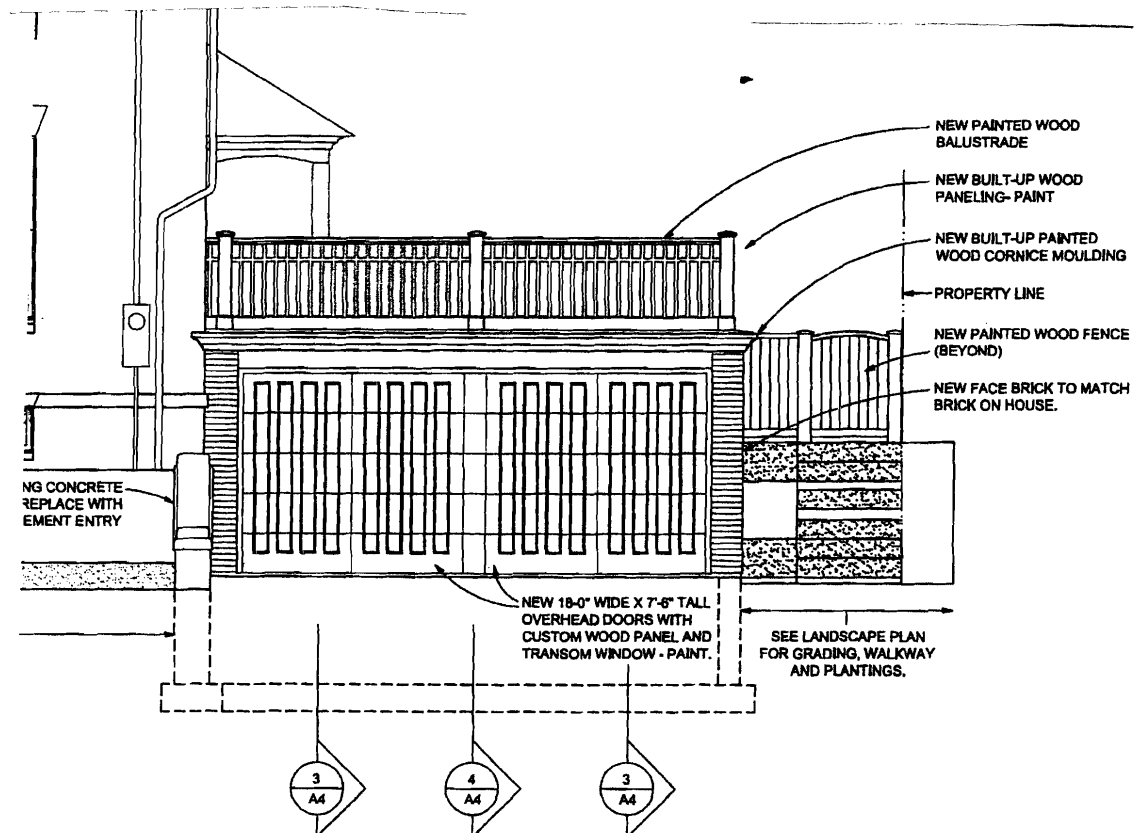
As you may know, we have received zoning and historic board approval to expand the garage attached to our home at 83 West Street. The garage will look very similar to the current design along with what we hope will be a number of improvements (below is a sketch of the overall design).

We hope to begin the project within the next few months and will work to make the process go as expediently as possible to minimize impact on the neighborhood.

If you have questions or concerns, please feel free to contact us at the number or address below. Thank you.

Best regards,

Melissa & Scott Knoll
83 West Street
Portland, Maine 04102
(207) 772-1119





744 #5

CITY OF PORTLAND, MAINE
HISTORIC PRESERVATION BOARD

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Michael Hammen
Ted Oldham
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September 8, 2008

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Board approval was made subject to the following conditions:

- * The paved area immediately in front of the garage (now concrete) shall be paved in brick. This work shall be undertaken as part of the garage project and not deferred to another time.
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Sincerely,

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Deborah Andrews
Historic Preservation Program Manager

cc: John Turk, ttl architects
Approval Letter File
Building Inspections

PLACE THIS CARD ON PRINCIPAL FRONTAGE OF WORK

**CITY OF PORTLAND
HISTORIC PRESERVATION
CERTIFICATE OF APPROPRIATENESS**

This is to certify that

SCOTT & MELISSA KWOLL

has received approval for

garage replacement & site alterations

at

83 West St.

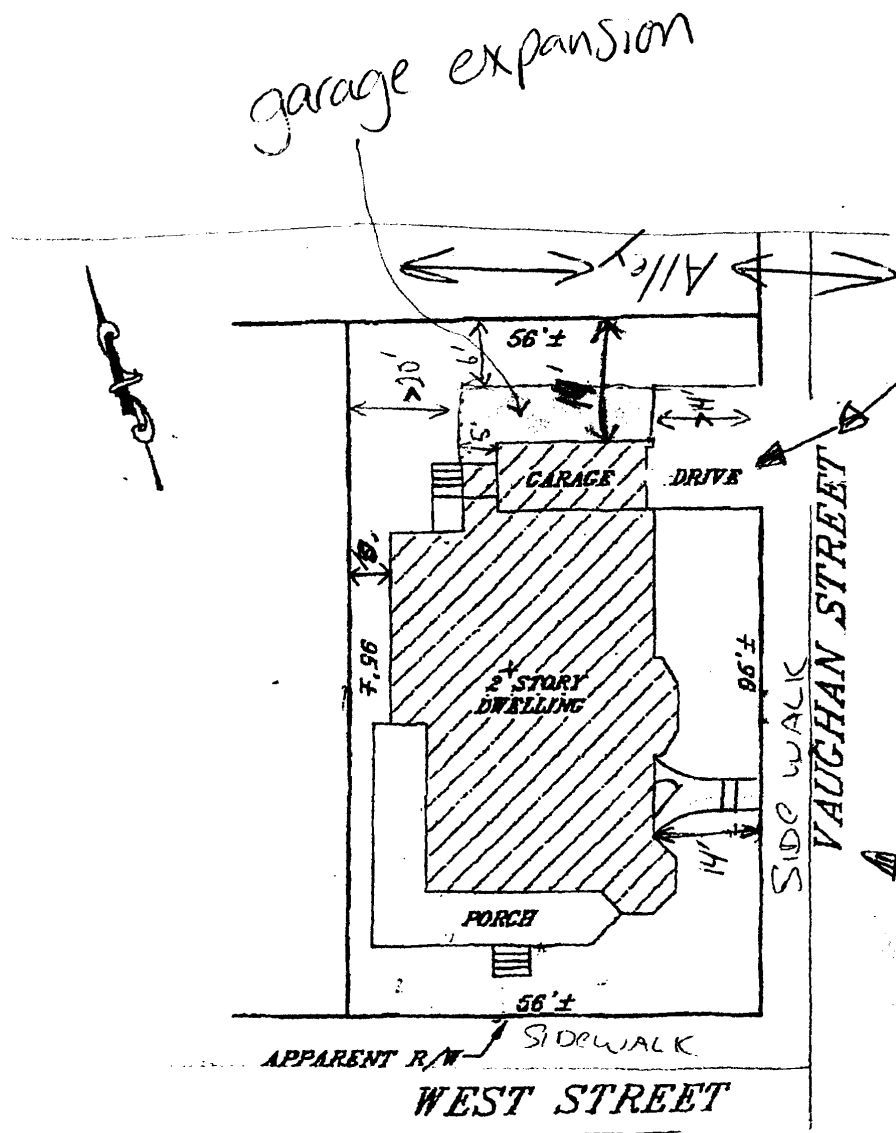
provided that the person or persons, firm or corporation accepting this Certificate shall comply with all other applicable provisions of the Statutes of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of buildings and structures, and of the application on file in the Historic Preservation Office of the Planning Department. For more information on this project, call 874-8719.


Historic Preservation Manager

NOTE: THIS IS NOT A BUILDING PERMIT

PLOT MAP

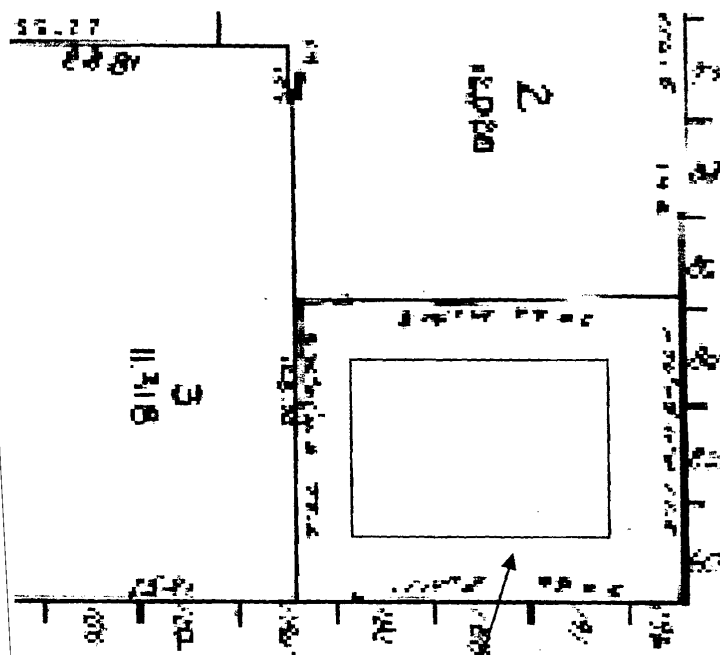
83 West St
Main entrance →



200 Vaughan Street
MD office / Apt. entrance

Garage + off street parking

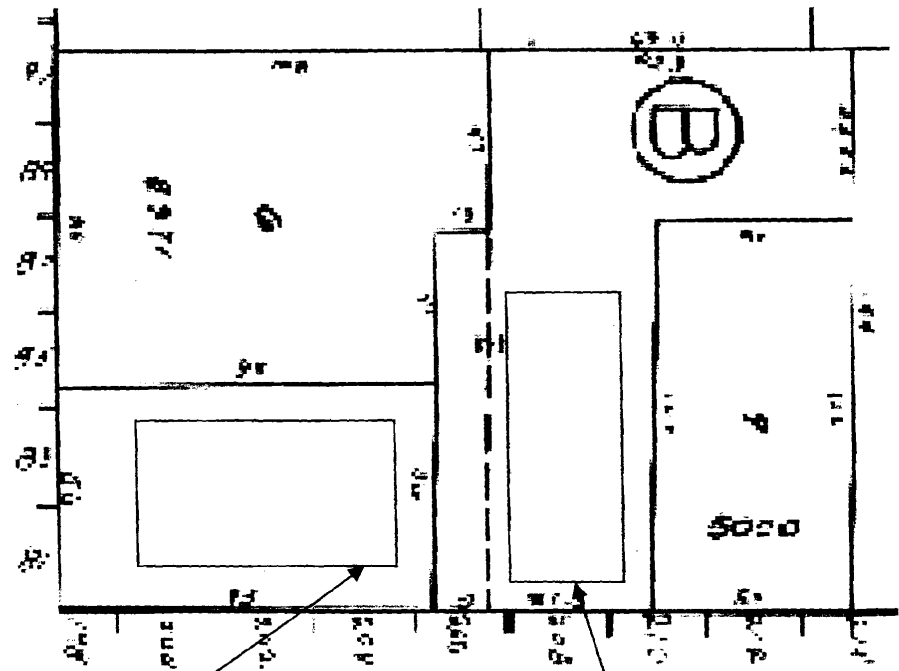
Diagram for calculating if our side setback requires a variance- Section 14-105(d)(4)



VAUGHAN

84 West Street's **SIDE** set back is approx 17 feet

WEST



STREET

208 Vaughan's **FRONT** set back is approx 10 feet (And only 2 feet if you include the front steps

Our garage side set back is currently (and would continue to be) >14.5 feet

1. Section 14-105(d)(4) of the ordinance states that the side yard on a side street does not have to exceed the average depth of the **front** setback of the property directly abutting the property (which in our case would be 208 Vaughan
2. Our side set back of 14.5 feet is allowed based on 208 Vaughan's front setback of only 10'
3. If you average 84 West's side set back (17') and 208 Vaughan's front setback (10') you get 13.5' so we still meet the side set back requirements based on this average

Applicant: Scott & Melissa Knoll

Date: 10/6/08

Address: 83 West St

C-B-L: 63-B-007

permit # 08-1250

CHECK-LIST AGAINST ZONING ORDINANCE

Date - house built approx. 1890

Zone Location - R-4

Interior or corner lot

Proposed Use/Work - demo existing garage (

(20.5' x 27'4")
) rebuild as larger 2 car garage.

Sevage Disposal -

Lot Street Frontage -

Front Yard - A/A

Rear Yard - 25' min. - was legally non conforming @ 14' - proposed is 6' * see zoning board appeal - Jan. 7, 2008 - 6' granted.

Side Yard - 1 story - 10' - 20' given

Projections - side street - 20' or average depth of abutting lots - see coverage of abutting lots.
84 west is 17' ; 208 Vashon is 10' average is 13.5'

Width of Lot -

proposed is 14.5' (012)

Height -

Lot Area - 5320

original garage 12x23 = 276

new garage 20.5x27.33 =

Lot Coverage Impervious Surface - 30% = 1596 sq ft

Existing - 2570

560.27 28426

proposed - 3315

increase.

Area per Family - 3,200 sq ft

2901.5 sq ft which is over.

Off-street Parking -

* see practical difficulty variance granted by ZBA Jan 7 2008

Loading Bays -

to allow 58% of lot coverage

Site Plan -

Shoreland Zoning/ Stream Protection -

Flood Plains -



Location, ownership and detail must be correct, complete and legible. Separate application required for every building. Plans must be filed with this application.

Application for Permit to Build

(1st and 2nd CLASS BUILDING)

from appeal packet

Portland, Me., June 14, 1918 19

To the

INSPECTOR OF BUILDINGS:

The undersigned hereby applies for a permit to build, according to the following Specifications:—

Location No. Vaughan St. corner of West St. Wd. 7
 Name of owner H. Wallace Noyes Address, 83 West St.
 Name of mechanic John W. Burrows Co. " 112 Proble St.
 Name of architect J. C. & J. H. Stevens " 185 Middle St.
 Material of building? brick 1st or 2d class? 2d class
 Building to be occupied for? private garage No. of stories? 2
 How many families? 1
 How rec. the line of the street? 15' 6" from sidewalk
 Will the building be erected on solid or filled land? solid If in block, how many? 1
 Size of lot, No. of feet front? 12; feet rear? 22; feet deep? 22
 Size of building, No. of feet front? 12 No. of feet rear? 22 No. of feet deep? 22
 No. of stories in height, above basement? one; No. of feet in height from sidewalk to highest point of roof? 19' 0"
 Material of foundation? stone If concrete, submit specifications.
 Will foundation be laid on earth, rock or piles? earth
 Length of piles? None Wood or concrete piles?
 Number of rows?
 Distance on centres?
 Diameter top? Bottom?
 Capped with stone or concrete?
 Piles cut off at what grade? Grade of basement?
 External walls, } thickness { 1st. 8" 2d. 3d. 4th. 5th. 6th. 7th. 8th. 9th.
 Party walls, } 1st. 2d. 3d. 4th. 5th. 6th. 7th. 8th. 9th.
 Are the walls solid or vaulted? Material? brick
 What will be the materials of front?
 Will the roof be flat, patch, mansard or hip? flat Material of roofing tar and gravel
 What will be the material of cornice? wood
 What will be means of access to roof?
 Are there any hoistways or elevators? How protected?
 How is building heated? Gas Thickness of shell of flue?
 Fire stops provided? Method of fire stops?
 Means of extinguishing fire?
 Stairways enclosed in brick walls? Thickness of such walls?
 Means of egress?

If the building is to be occupied as a Tenement House, give the following particulars:

Height of cellar? Height of basement?
 Height of 1st story, second, third, fourth,
 fifth, sixth, seventh, eighth, ninth, tenth,
 Is the cellar or the basement to be occupied for habitation?
 Distance from surrounding buildings? front, side, rear,
 If there is a building already erected on the front or rear of lot, give height?
 State how many ways of egress are to be provided,
 Style of egress? Inside stairs or outside fire escapes, or both?
 Will the building comply with the requirements of statutes? Yes
 Estimated Cost,

Signature of owner or authorized representative

[Handwritten Signature]

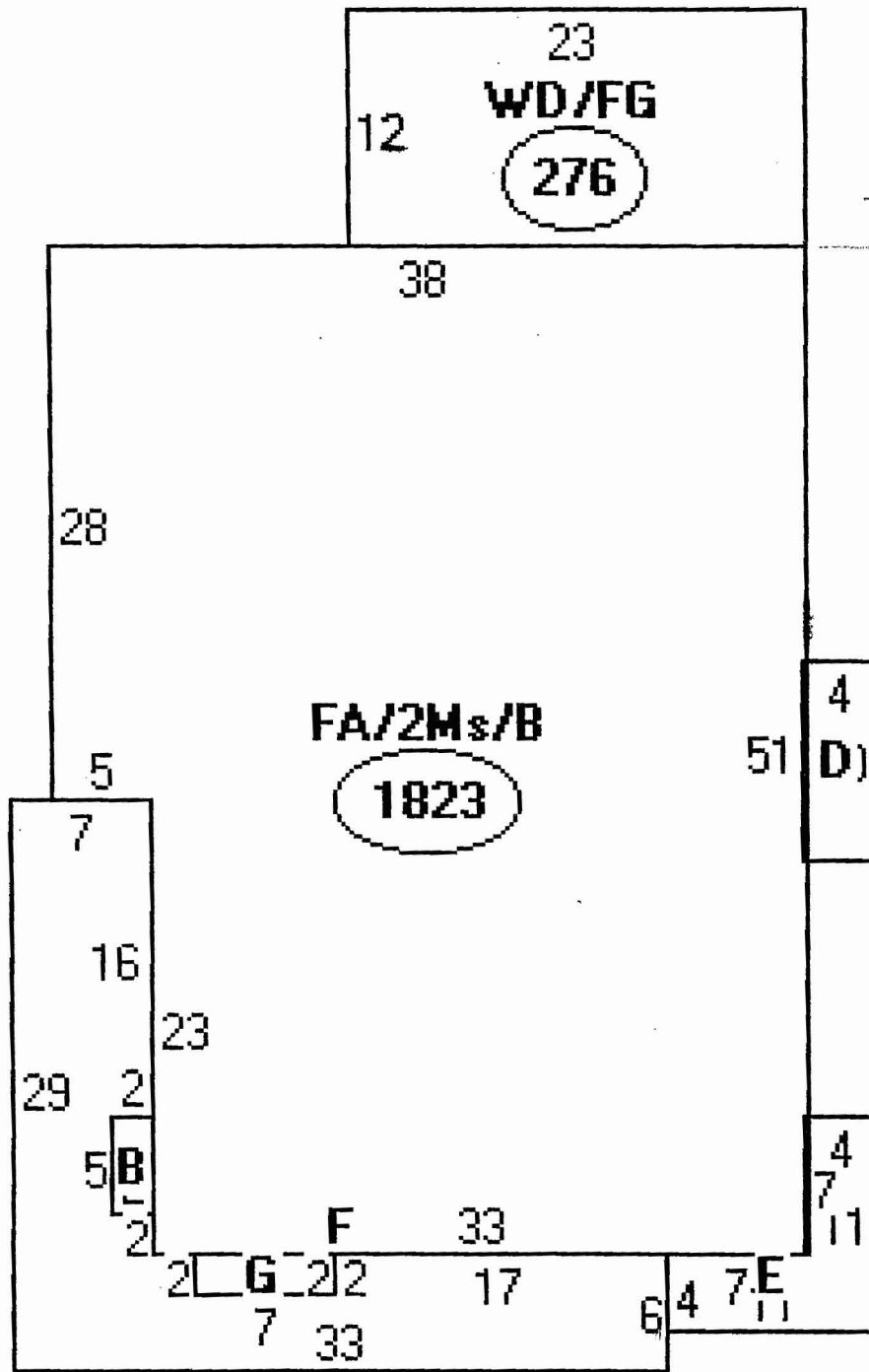
Plans must be submitted in duplicate, one set to be filed with the Department and the duplicate set thereof (bearing the approval of the Inspector of Buildings) shall be kept on the work and exhibited on demand to any Building Inspector of the City of Portland

PERMIT MUST BE OBTAINED BEFORE BEGINNING WORK.

5

from appeal packet

17'



Descriptor/Area

A: FA/2Ms/B
1823 sqft

B: FBAY/OP
10 sqft

C: WD/FG
276 sqft

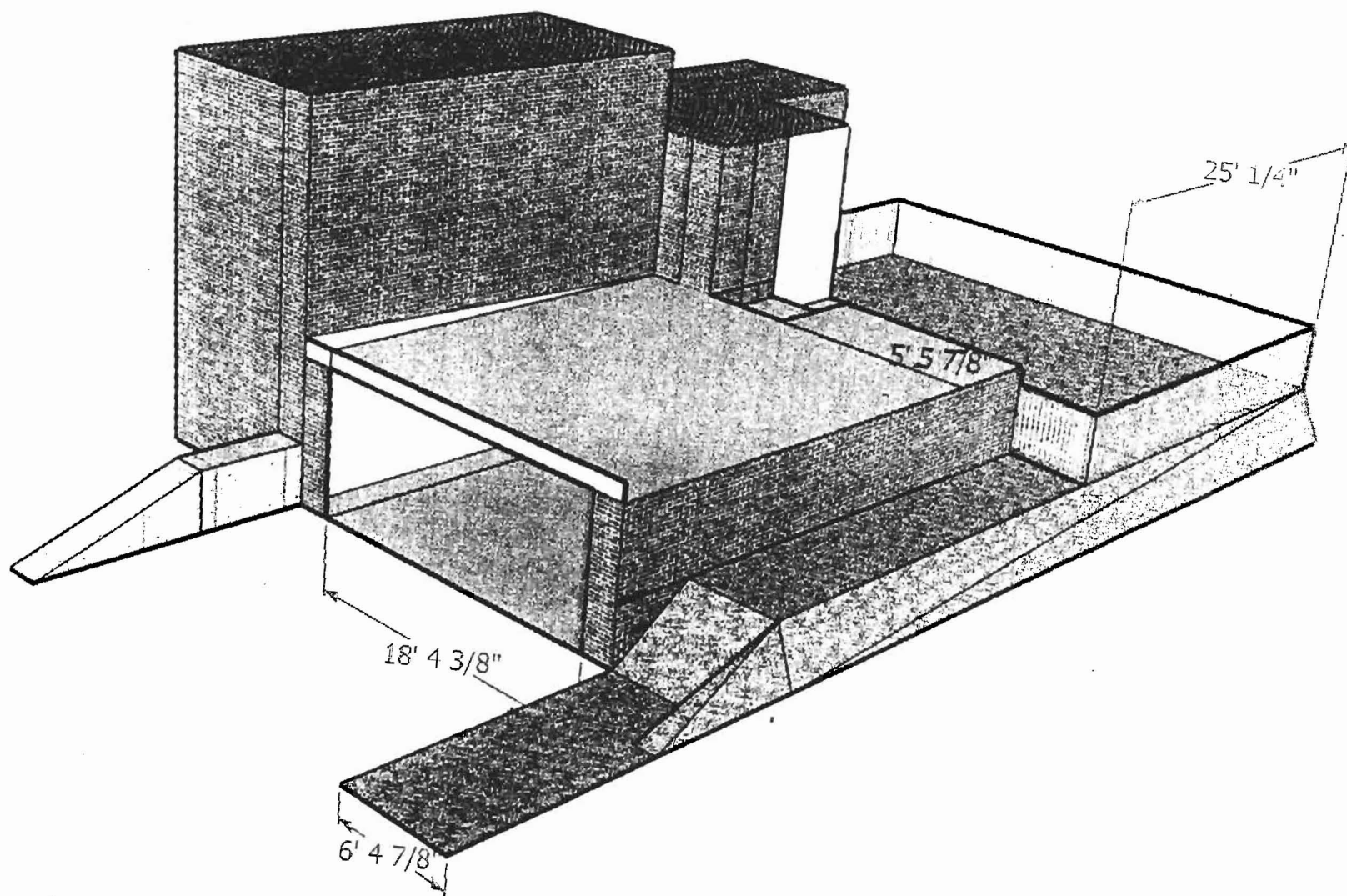
D: 2FBAY/B
40 sqft

E: 2FBAY/B
72 sqft

F: FBAY/OP
335 sqft

G: OFF
14 sqft

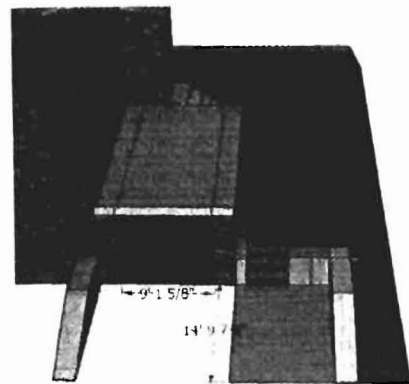
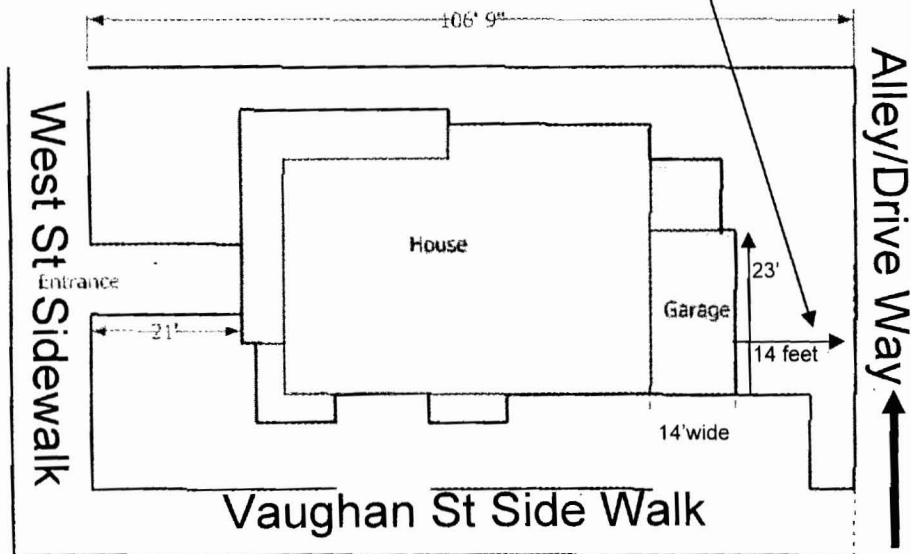
from apper
packet.



from ZBA application

Existing Garage:

1. Added in 1918- too small for many current cars- looks out of proportion with house.
2. Surrounded by unsightly concrete retaining wall
3. Approx 14 foot side setback to alley

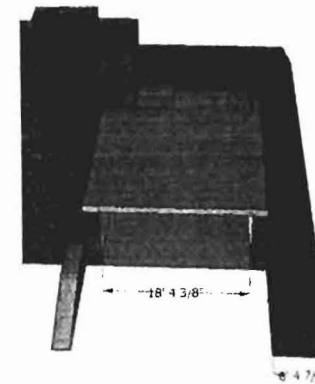
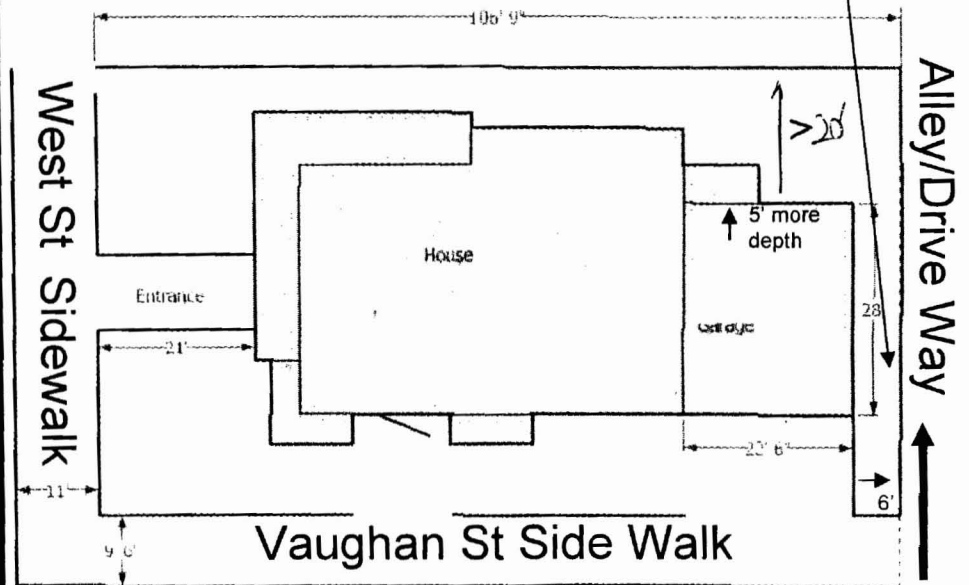


Current garage



Proposed Expanded Garage:

1. Propose adding approximately 8 feet to garage width
2. Propose adding 5 feet to rear of garage
3. Side setback to alley would be 6 feet (requires variance)
4. As part of project we would remove unsightly concrete wall
5. Adds ~300 sq ft to our lot coverage calculation. Total lot coverage would become 2870 sq ft of 5320 sq ft total lot size (54%) – requires variance



Proposed garage





Current retaining wall and garage pillar are falling over and need replacement. We'll replace the retaining wall with a granite stone wall to be approved by historic dept. Deb thought this would be a great improvement.



Expanded garage as proposed would be a closer historical and proportional fit with our John Calvin Stevens house than the small single car garage added in 1918.



As part of the project we would replace the old unsightly concrete retaining walls with historic board approved walls- Deb Andrews suggested this improvement.

Alley / right of way for multiple houses, apartments and MD/office building parking- comes to our property line.

Current garage



Proposed garage

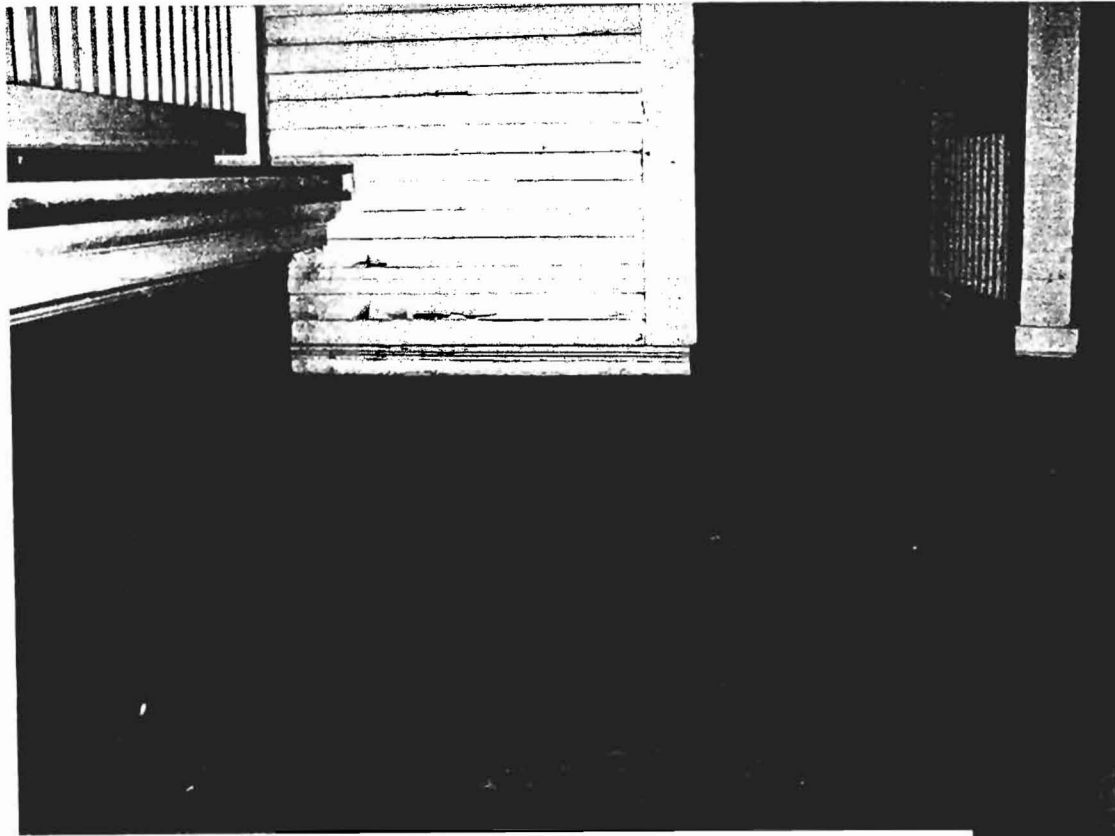


Address- 83 West Street (R4 Zone)

Seeking permit for expansion of Vaughn Street garage which was added in 1918.

Design goal would be to extend look and design of current garage. We have already met with Deb Andrews from historic who thought our expansion could actually improve look and proportions of our home and the neighborhood. We'll plan to work through the historic board at all steps in the process.

The expanded garage would be approx twice as wide and ~5 feet deeper. The deck above would be kept the same.



The expanded garage would come back into the space where the bulkhead is located. The deck above the garage would be expanded but look similar. It would also be part of our plan to have a staircase off the garage deck down to our patio.





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

Lee Urban- Director of Planning and Development
Marge Schmuckal, Zoning Administrator

December 13, 2007

Melissa & Scott Knoll,
83 West Street
Portland, ME 04102

RE: 83 West Street – 063 B007 – R-4 – setbacks and lot coverage – permit #07-1487

Dear Scott and Melissa,

Your application to enlarge your existing garage at 83 West Street does not meet all of the requirements of the R-4 residential zone. Section 14-105(d)(2) of the ordinance states the minimum rear setback to be twenty-five feet. Your plot plan gives the rear setback to the proposed addition as six feet, three inches. This is eighteen feet, nine inches less than the required rear setback. Section 14-105(d)(4) of the ordinance states the minimum side setback on a side street to be twenty feet. Your plot plan gives the distance from the sidewalk to the proposed addition as thirteen feet, five inches. This is six feet, seven inches less than the required side setback on a side street. This section does say that the side yard on a side street does not have to exceed the average depth of the front setback of the property directly abutting the property. We need more information to determine whether your setback of thirteen feet, five inches meets this average depth with the property next door. Section 14-105(e) of the ordinance states that the maximum allowable lot coverage is thirty percent of the lot area. Your lot is 5,320 square feet. Thirty percent of this is 1596 square feet. The footprint of your existing structure is 2,570 square feet, which is already 974 square feet over the maximum allowable lot coverage. Your proposed addition would add 331.5 square feet. This would make the footprint of your structure 2901.5 square feet, which is 1305.5 square feet over the maximum allowable lot coverage. Since your proposed addition to your garage is over the allowable maximum lot coverage, and it does not meet the required rear setback and may not meet the required side setback on a side street, I must deny your permit.

You have the right to appeal my decision. If you wish to exercise your right to appeal, you have thirty days from the date of this letter in which to appeal. If you should fail to do so, my decision is binding and not subject to appeal. I have enclosed a copy of the application for a practical difficulty appeal and the appeal process. If you choose not to file an appeal, you are entitled to get most of your money back if you bring in the original receipt you got when you applied for the permit.

Please feel free to call me at 874-8709 if you have any questions.

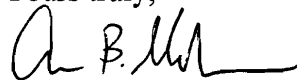
30 days up
Jan 14th

Received ZBA application

1/11/08 - on Feb 7th agenda

appeal granted
for Practical
Difficulty, by ZBA
2/17/08

Yours truly,

A handwritten signature in black ink, appearing to read "Ann B. Machado". The signature is fluid and cursive, with a long horizontal stroke at the end.

Ann B. Machado
Zoning Specialist
(207) 874-8709

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

APPEAL AGENDA

The Board of Appeals will hold a public hearing on Thursday, February 7, 2008 at 6:30 p.m. on the second floor, Room 209, City Hall, 389 Congress Street, Portland, Maine to hear the following appeals:

To: City Clerk
From: Marge Schmuckal, Zoning Administrator
Date: February 8, 2008
RE: Action taken by the Zoning Board of Appeals on February 7, 2008.

The meeting was called to order at 6:42pm.

Roll call as follows:

Members Present: David Dore, Peter Thornton, Philip Saucier, Deborah Rutter and Peter Coyne.

Members Absent: Gordon Smith and Jill Hunter.

1. New Business:

A. Practical Difficulty Variance Appeal:

83 West Street, Melissa & Scott Knoll, owners, Tax Map # 063 Block B Lot #007, in the R-4 Residential Zone. The appellant is seeking a Practical Difficulty Variance Appeal under Sections 14-105(d) 2 and 14-105(e) of the City of Portland Zoning Ordinance. The appellant wishes to enlarge their existing garage which would reduce their current legal nonconforming setback from fourteen (14) feet to six (6) feet instead of the twenty-five (25) feet required under 14-105 (d) 2. The garage enlargement would also increase the legal nonconforming lot coverage from forty-eight (48) percent to fifty-five (55) percent instead of the required thirty (30) percent required under 14-105 (e). Representing the appeal are the owners. **Board voted 5-0 and granted the Practical Difficulty Variance Appeal with the condition that the appeal is good for one year.**

B. Variance Appeal:

83 West Street, Melissa & Scott Knoll, owners, Tax Map # 063 Block B Lot #007, in the R-4 Residential Zone. The appellant is seeking a Variance Appeal under Sections 14-103(2) d and 14-103 (2) f of the City of Portland Zoning Ordinance. Section 14-103 (2) d requires a lower level dwelling unit to have a minimum of one-half of its floor-to-ceiling height above the average adjoining ground level. The current floor-to-ceiling height is 6'10" of which 5' is below grade. The appellant is also appealing the minimum lot area per dwelling unit, section 14-103 (2) (f) and 14-105 (2) b, which requires 3,000 square feet of land area per dwelling unit, or 6,000 square feet instead of their given 5, 320 square foot lot size. Representing the appeal are the owners. **Board voted 4-1 and denied the Variance Appeal.**

C. Conditional Use Appeal:

83 West Street, Melissa & Scott Knoll, owners, Tax Map # 063 Block B Lot #007, in the R-4 Residential Zone. The appellant is seeking a Conditional Use Appeal under Section 14-103 (a) 2 of the City of Portland Zoning Ordinance. The appellant is requesting to change the use from a single family

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS

"Practical Difficulty" Variance Appeal

DECISION

Date of public hearing:

2/7/08

Name and address of applicant:

Melissa + Scott Knoll, 83 West Street

Location of property under appeal:

83 West Street

For the Record:

Names and addresses of witnesses (proponents, opponents and others):

Melissa + Scott Knoll, applicants

Exhibits admitted (e.g. renderings, reports, etc.):

- Letters from (1) Peter + Debby Murray, dated 2/3/08
~~(2) [redacted]~~

- Photographs of garage from 2/6/08

Findings of Fact and Conclusions of Law:

“Practical Difficulty” Variance standard pursuant to Portland City Code §14-473(c)(3):

1. The application is for a variance from dimensional standards of the zoning ordinance (lot area, lot coverage, frontage, or setback requirements).

~~620~~ Satisfied 5-0 Not Satisfied

Reason: yes, for application.

2. Strict application of the provisions of the ordinance would create a practical difficulty, meaning it would both preclude a use of the property which is permitted in the zone in which it is located and also would result in significant economic injury to the applicant. “Significant economic injury” means the value of the property if the variance were denied would be substantially lower than its value if the variance were granted. To satisfy this standard, the applicant need not prove that denial of the variance would mean the practical loss of all beneficial use of the land.

Satisfied 7-1 Not Satisfied

Reason: A two car garage would significantly increase value, so it is increasingly difficult to sell properties without properties without parking.

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

Satisfied 5-0 Not Satisfied

Reason: yes, small lot with 2b garage.

4. The granting of the variance will not produce an undesirable change in the character of the neighborhood and will not have an unreasonably detrimental effect on either the use or fair market value of abutting properties.

Satisfied 5-0 Not Satisfied

Reason: Will have a desirable impact and remove unsightly concrete group.

5. The practical difficulty is not the result of action taken by the applicant or a prior owner.

Satisfied 5-0 Not Satisfied

Reason: Pre-ter current owner.

6. No other feasible alternative is available to the applicant, except a variance.

Satisfied 5-0 Not Satisfied

Reason: There is no other way to accomplish the applicant's goals without a variance.

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

Satisfied 5-0 Not Satisfied

Reason: Will improve by taking out a concrete wall.

8. 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 shoreland zone or flood hazard zone.

Satisfied 450 Not Satisfied

Reason: No, for testimony.

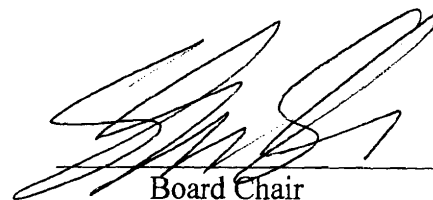
Conclusion: (check one)

4-1 Option 1: The Board finds that the standards described above (1 through 8) have been satisfied and therefore GRANTS the application.

 Option 2: The Board finds that while the standards described above (1 through 8) have been satisfied, certain additional conditions must be imposed to minimize adverse effects on other property in the neighborhood, and therefore GRANTS the application SUBJECT TO THE FOLLOWING CONDITIONS:

 Option 3: The Board finds that the standards described above (1 through 8) have NOT all been satisfied and therefore DENIES the application.

Dated:


Board Chair

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS

Peter Coyne
Philip Saucier-sec
Peter Thornton
Deborah Rutter
Jill E. Hunter
David Dore, chair
Gordan Smith

February 20, 2008

Scott & Melissa Knoll
83 West Street
Portland, ME 04102

RE: 83 West Street
CBL: 063 B007
ZONE: R4

Dear Mr. & Mrs. Knoll:

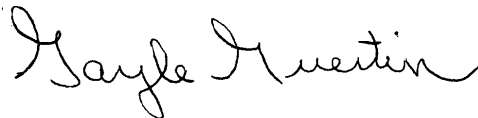
As you know, at its January 7, 2008, meeting, the Board voted 5-0 to approve your Practical Difficulty Variance Appeal to enlarge the existing garage, with the condition that the appeal is good for one (1) year.

I am enclosing your Certificate of Variance Approval; **the original must be recorded in the Cumberland County Registry of Deeds within 90 days of February 20, 2008, when it was signed.** Failure to record the Certificate will result in it being voided.

You now need to submit structural plans for your garage addition, to make your permit application (#071487) complete. The inspections office will then be able to move forward on your permit.

Should you have any questions please feel free to contact me at 207-874-8701.

Sincerely,



Gayle Guertin
Office Assistant

CC: file



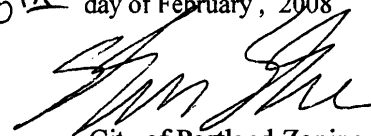
CITY OF PORTLAND

CERTIFICATE OF VARIANCE APPROVAL

I, David Dore, the duly appointed Chair of the Board of Appeals for the City of Portland, Cumberland County and State of Maine, hereby certify that on the 7th day of February, 2008, the following variance was granted pursuant to the provisions of 30-A M.R.S.A. Section 4353(5) and the City of Portland's Code of Ordinances.

1. **Current Property Owner: Melissa & Scott Knoll**
2. **Property:** 83 West Street, Portland, ME CBL: 063-B-007
Cumberland County Registry of Deeds, Book 22184, Page 34
Last recorded deed in chain of Title: 12/30/2004
3. **Variance and Conditions of Variance:**
To grant relief from section 14-105(d)2 to allow an approximate six (6) feet rear setback instead of the required twenty-five (25) foot rear setback and to grant relief from section 14-105(e) to allow an approximate fifty-five (55) percent lot coverage instead of the required thirty (30) percent lot coverage in order to permit the expansion of the existing garage.


IN WITNESS WHEREOF, I have hereto set my hand and seal this 20th day of February, 2008


, Chair of
City of Portland Zoning Board, David Dore

(Printed or Typed Name)

STATE OF MAINE
Cumberland, ss.

Then personally appeared the above-named David Dore and acknowledged the above certificate to be his free act and deed in his capacity as Chairman of the Portland Board of Appeals, with his signature witnessed on Feb. 20, 2008.


(Printed or Typed Name)
Notary Public
Margaret Schmuckal

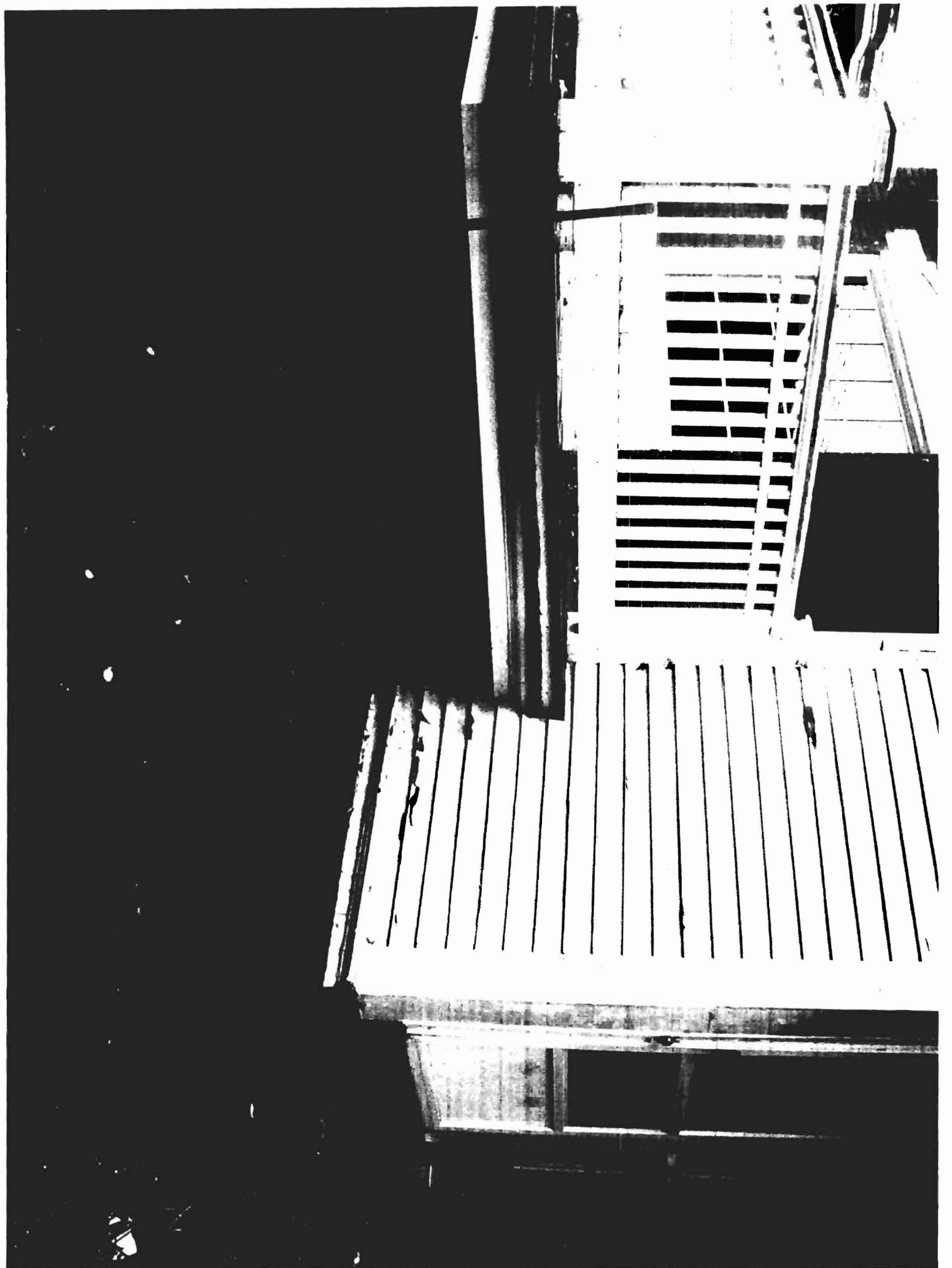
my term expires June 28th, 2012

PURSUANT TO 30-A M.R.S.A. SECTION 4353(5), THIS CERTIFICATE MUST BE RECORDED BY THE PROPERTY OWNER IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS WITHIN 90 DAYS FROM FINAL WRITTEN APPROVAL FOR THE VARIANCE TO BE VALID. FURTHERMORE, THIS VARIANCE IS SUBJECT TO THE LIMITATIONS SET FORTH IN SECTION 14-474 OF THE CITY OF PORTLAND'S CODE OF ORDINANCES.



5 6 7 8 9
0 5 6 8 9 4 5 0
1 7 7







BUILDING PERMIT INSPECTION PROCEDURES

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

to schedule your inspections as agreed upon

Permits expire in 6 months, if the project is not started or ceases for 6 months.

The Owner or their designee is required to notify the inspections office for the following inspections and provide adequate notice. Notice must be called in 48-72 hours in advance in order to schedule an inspection:

By initializing at each inspection time, you are agreeing that you understand the inspection procedure and additional fees from a "Stop Work Order" and "Stop Work Order Release" will be incurred if the procedure is not followed as stated below.

A Pre-construction Meeting will take place upon receipt of your building permit.

Footing/Building Location Inspection: Prior to pouring concrete or setting precast piers

Framing/Rough Plumbing/Electrical: Prior to Any Insulating or drywalling

Final inspection required at completion of work.

Certificate of Occupancy is not required for certain projects. Your inspector can advise you if your project requires a Certificate of Occupancy. All projects DO require a final inspection.

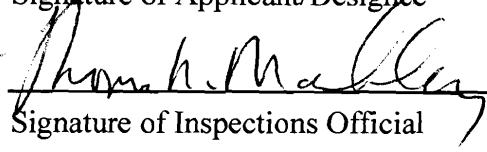
If any of the inspections do not occur, the project cannot go on to the next phase, REGARDLESS OF THE NOTICE OR CIRCUMSTANCES.

CERIFICATE OF OCCUPANICES MUST BE ISSUED AND PAID FOR, BEFORE THE SPACE MAY BE OCCUPIED.



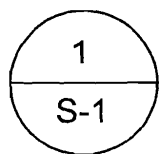
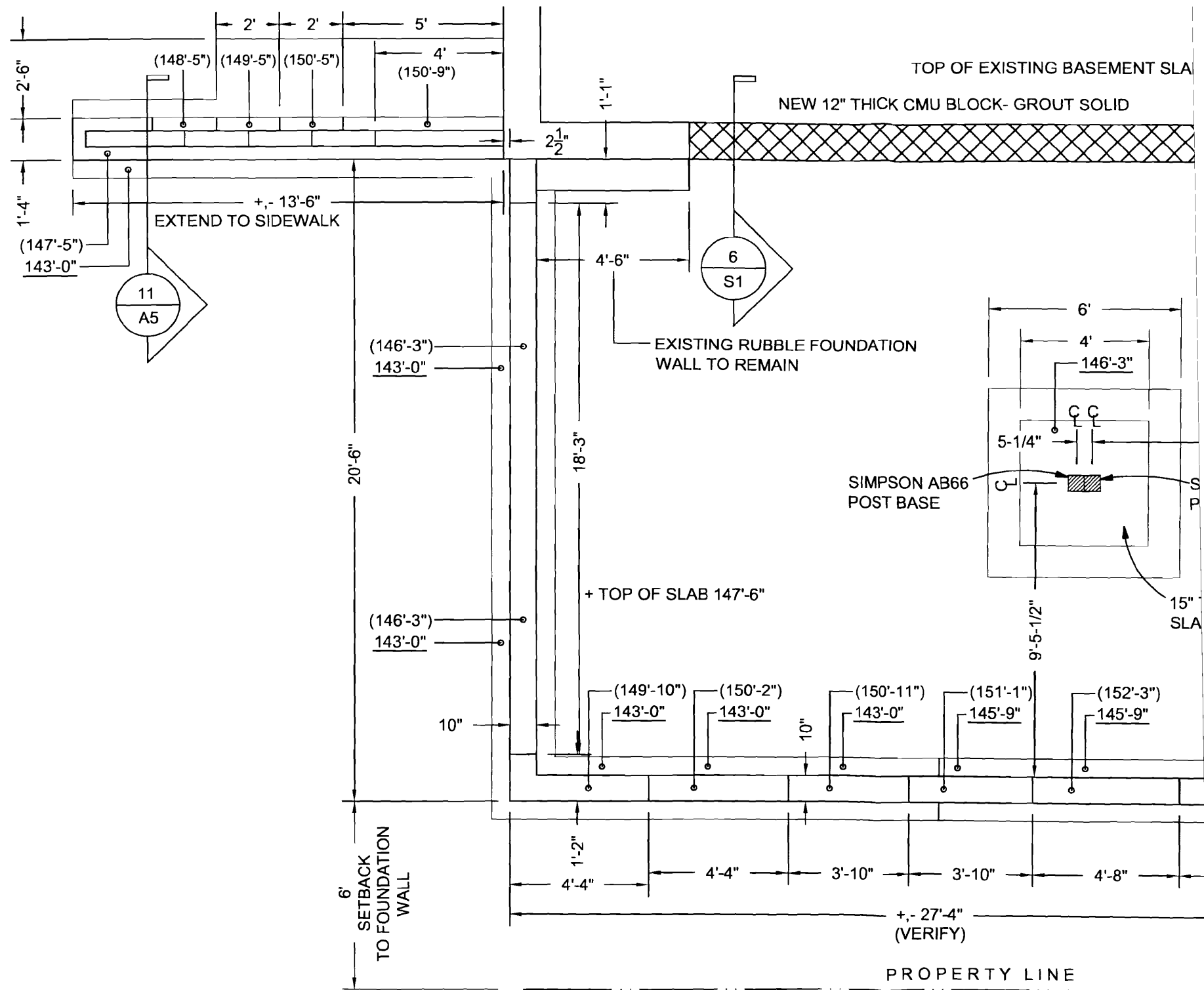
Signature of Applicant/Designee

10/24/08
Date



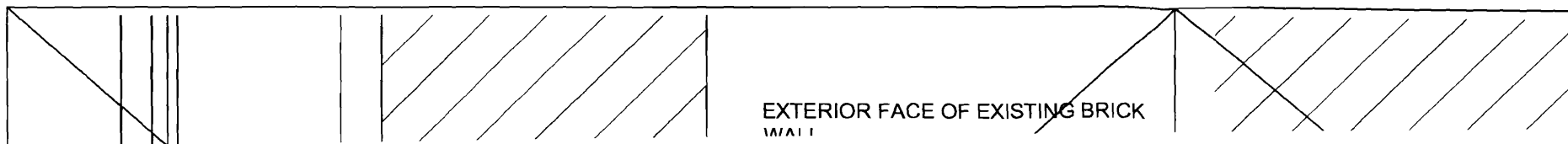
Signature of Inspections Official

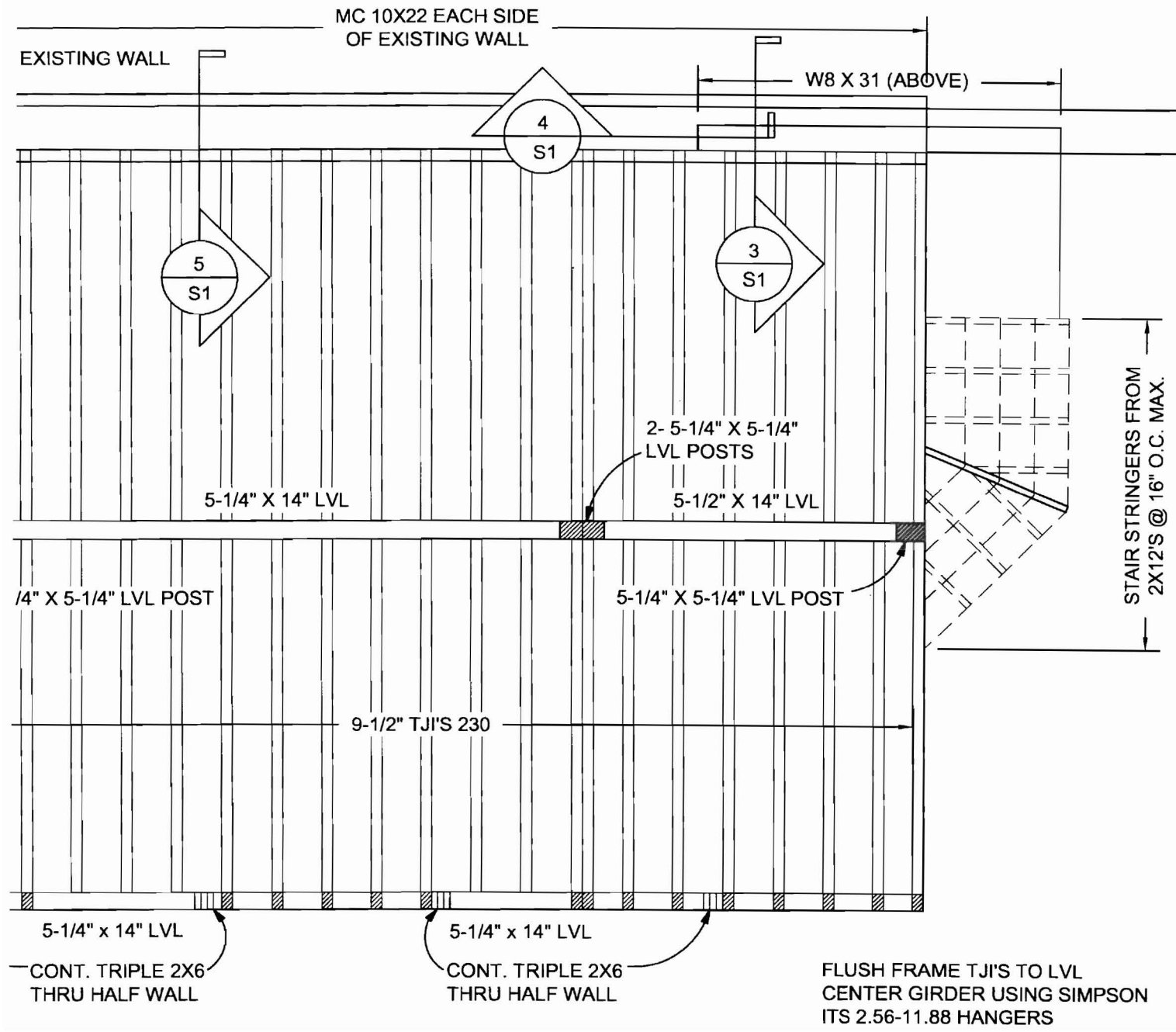
10/24/08
Date

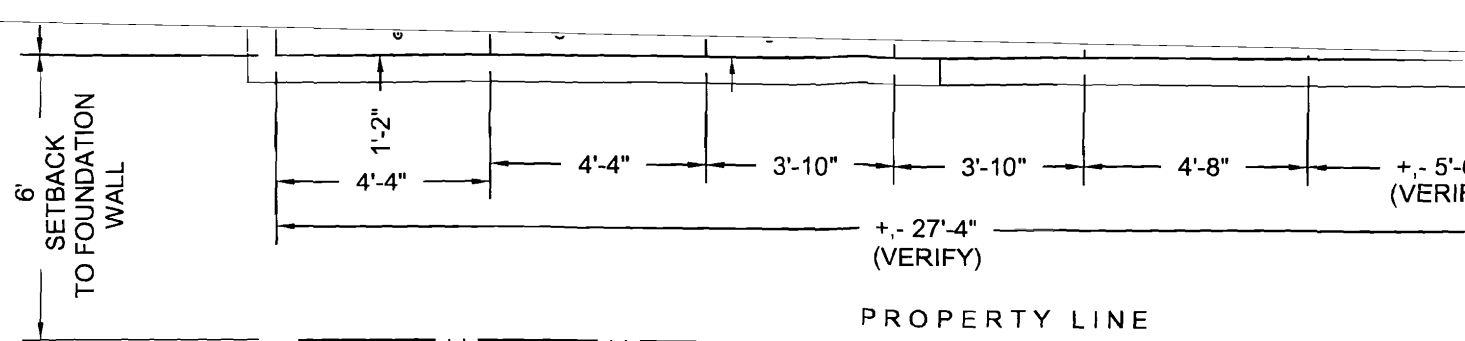


FOUNDATION PLAN

1/4" = 1'-0"



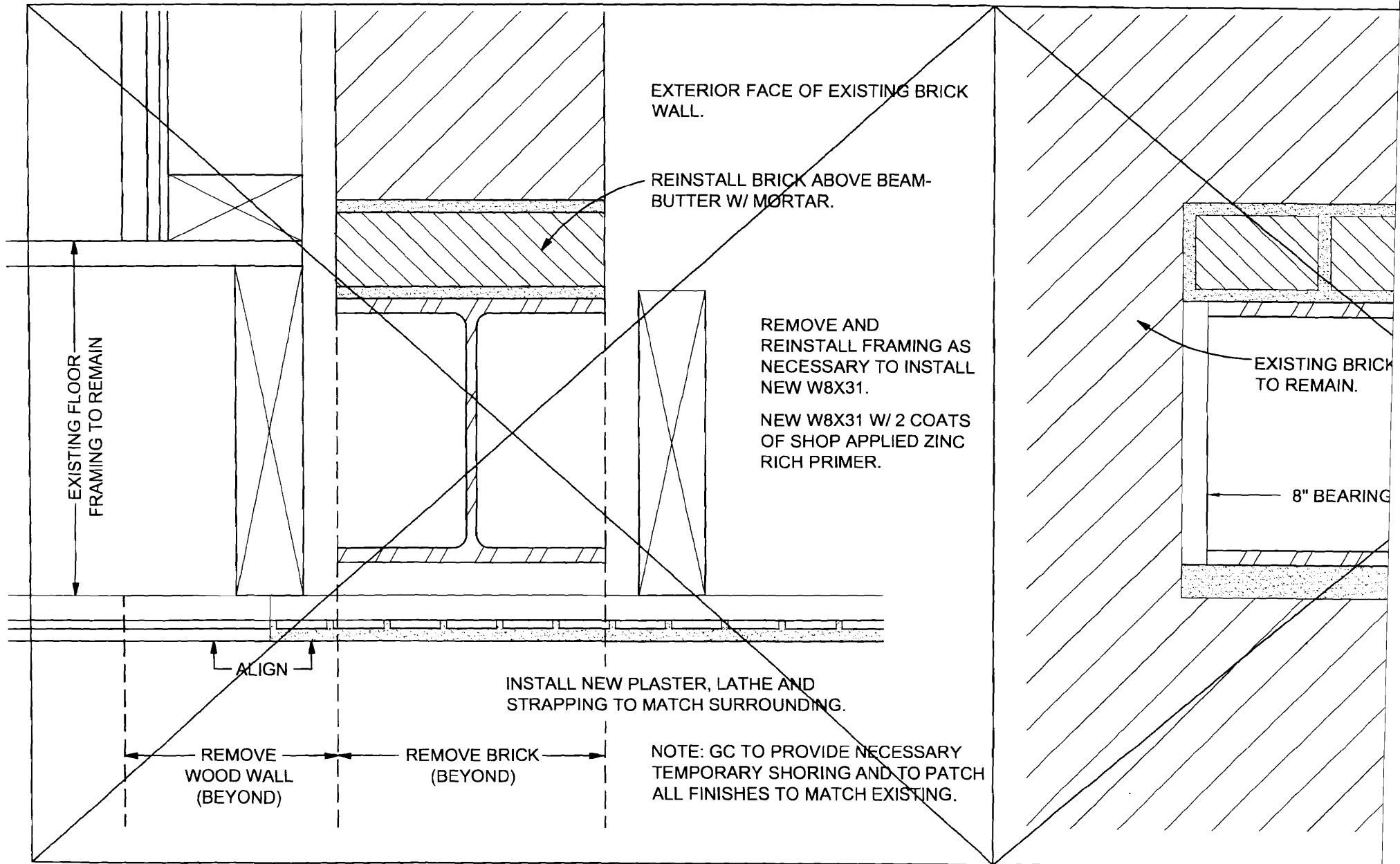




1
S-1

FOUNDATION PLAN

1/4" = 1'-0"



3
S-1

NOT USED

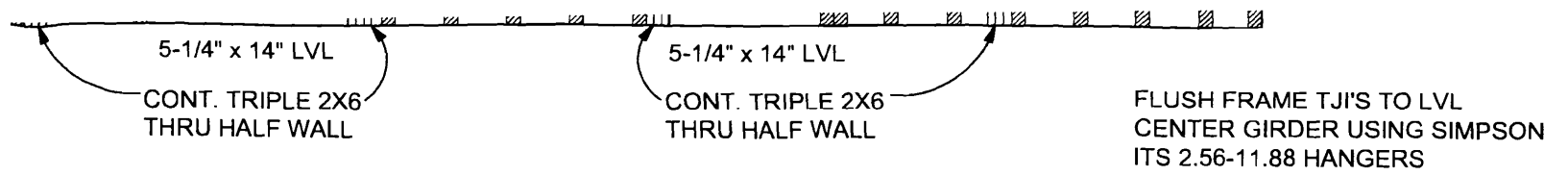
3" = 1'-0"

4
S-1

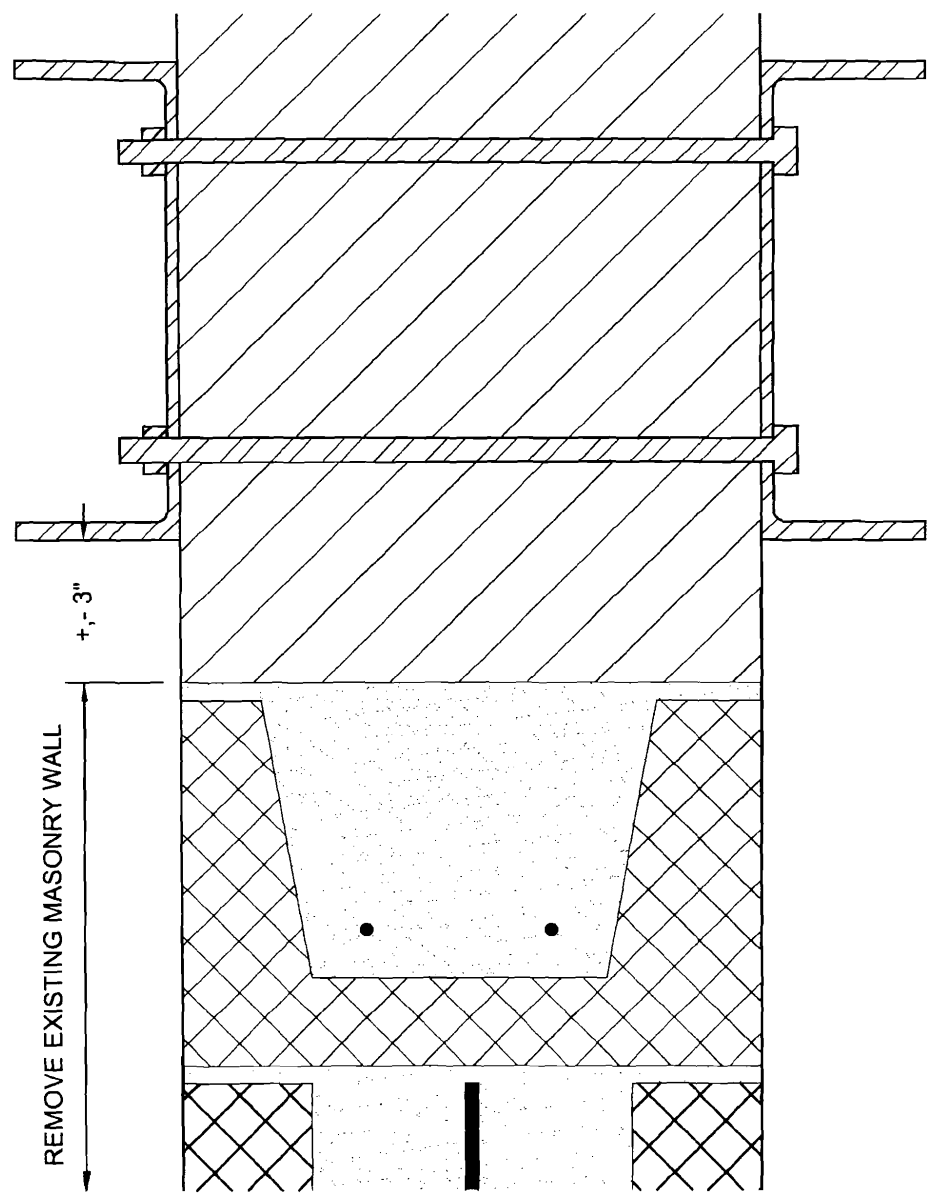
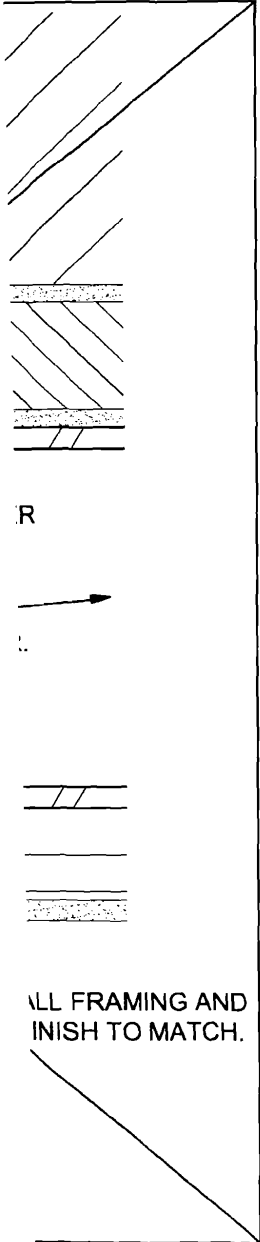
NOT USED

3" = 1'-0"

.C.



2 FRAMING PLAN
S-1 1/4" = 1'-0"



TOP OF STEEL
156'-5-3/4" (VERIFY)

NEW STEEL MC10 X 22 W/ 2 COATS SHOP APPLIED ZINC RICH PRIMER (EACH SIDE).

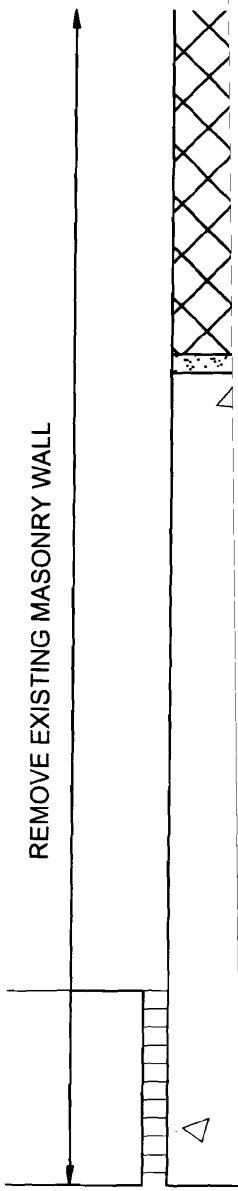
EXISTING MASONRY WALL TO REMAIN

1/2" DIA. THREADED ROD @ 16" O.C. STAGGERED.

DRYPACK GROUT @ TOP OF NEW WALL

NEW CONT. 12" WIDE CMU BOND BEAM GROUT SOLID AND REINFORCE W/ 2 #4'S

NEW 12" WIDE CMU WALL W/ DUR-A-WAL LADDER REINFORCING @ 16" VERT. GROUT CELLS @ 24" O.C. W/ #4 BAR.



5 SECTION DETAIL @ GARAGE / BASEMENT
S-1 3" = 1'-0"

5 SE
S-1 3" =

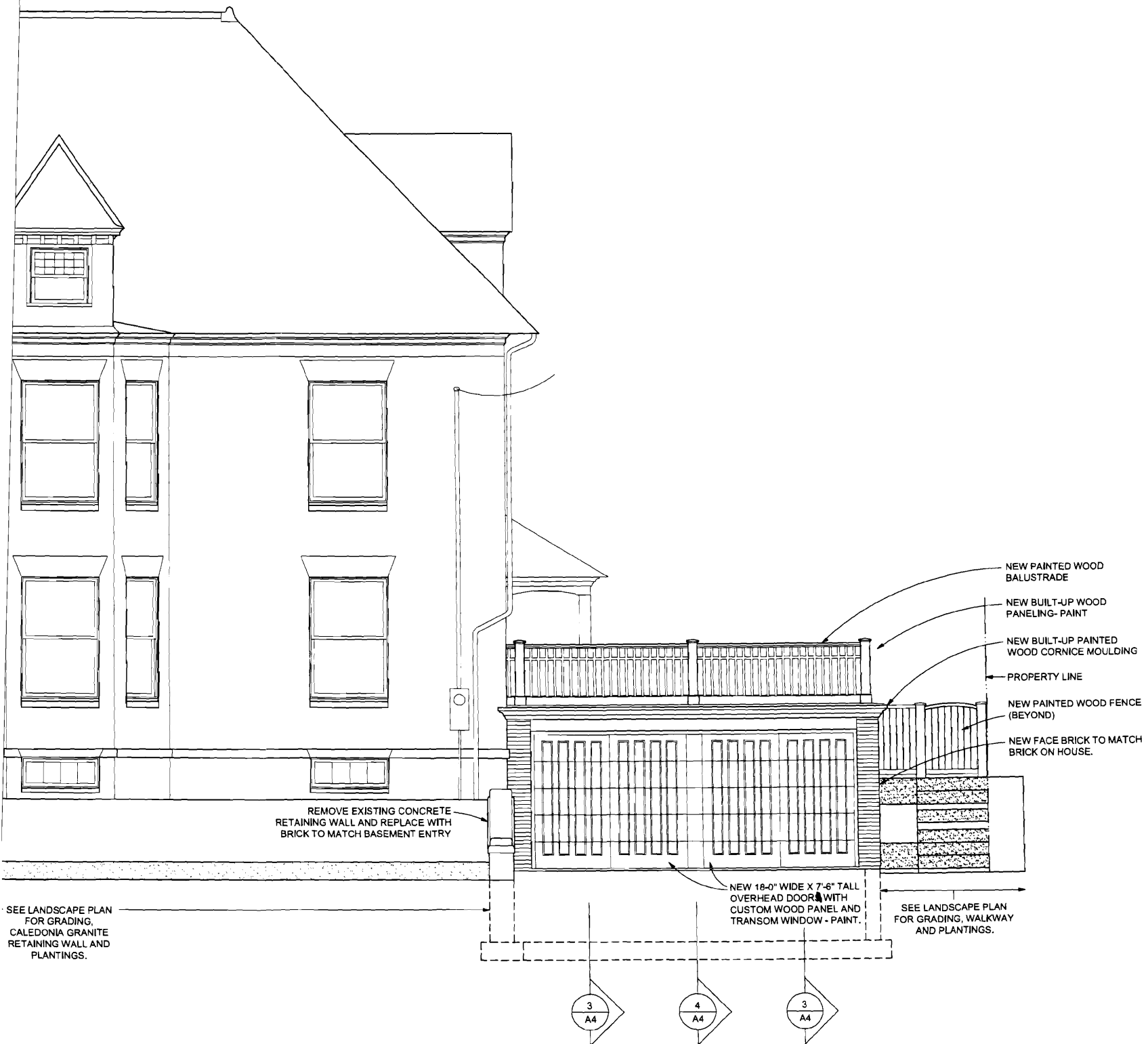
tli-architects, llc
28 DANFORTH STREET
SUITE 213
PORTLAND, MAINE 04101
TEL. 207.761.9662
FAX. 207.761.9696

Garage and Deck Addition
Knoll Residence
83 West Street
Portland, Maine

Date: 27 Aug 2008
Scale: As Shown
Revisions:

Title:
Exterior Elevation

Sheet No: **A-2**



tli-architects, llc
28 DANFORTH STREET
SUITE 213
PORTLAND, MAINE 04101
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FAX. 207.761.9696

Garage and Deck Addition
Knoll Residence
83 West Street
Portland, Maine

Date: 27 Aug 2008
Scale: As Shown
Revisions:

Title:
Exterior Elevation

Sheet No: **A-3**





NEW PAINTED WOOD FENCE.
ALIGN W/ TOP OF CROWN
MOULDING AT GARAGE.

tli-architects, llc
28 DANFORTH STREET
SUITE 213
PORTLAND, MAINE 04101
TEL. 207.761.9662
FAX. 207.761.9696

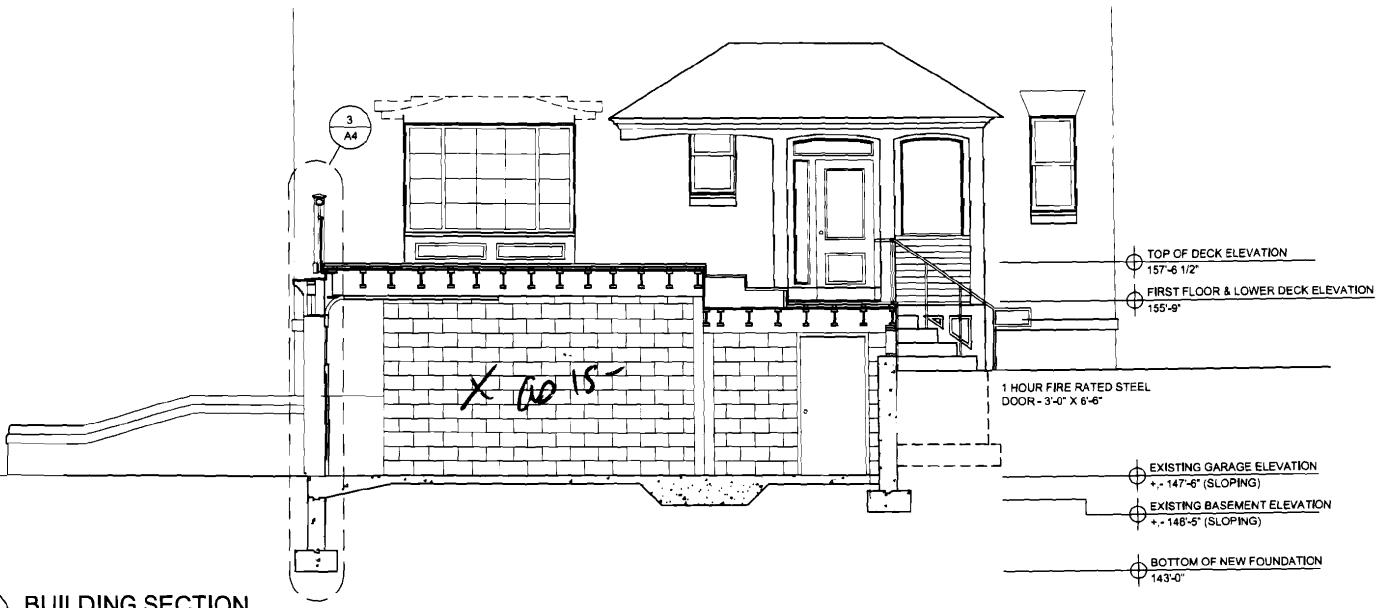
Garage and Deck Addition
Knoll Residence
83 West Street
Portland, Maine

Date: 27 Aug 2008
Scale: As Shown
Revisions:

Title:
Exterior Elevation

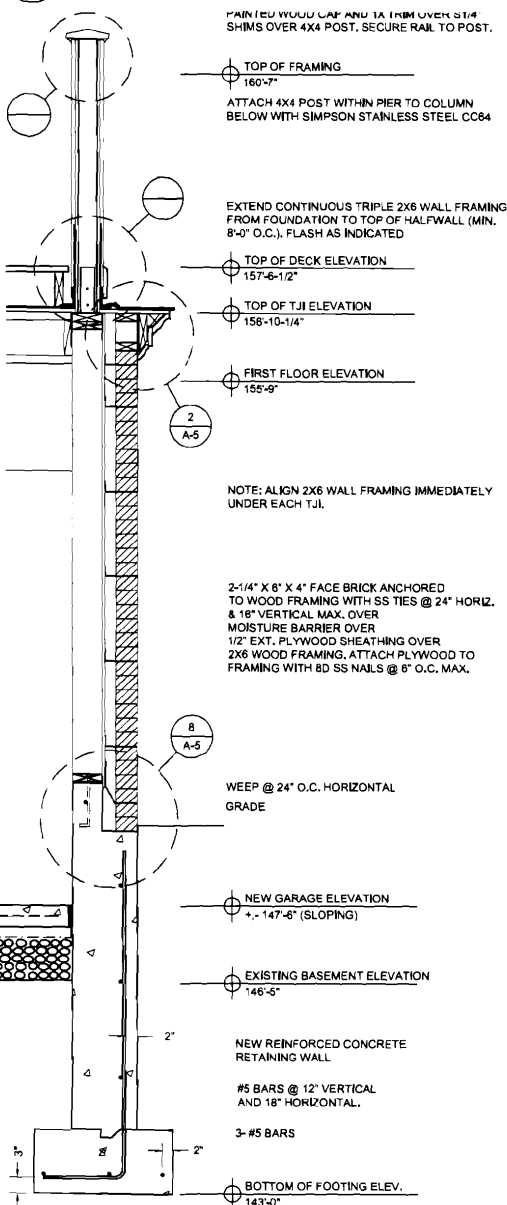
Sheet No: **A-3a**

tli-architects, llc
 28 DANFORTH STREET
 SUITE 213
 PORTLAND, MAINE 04101
 TEL. 207.761.9662
 FAX. 207.761.9696



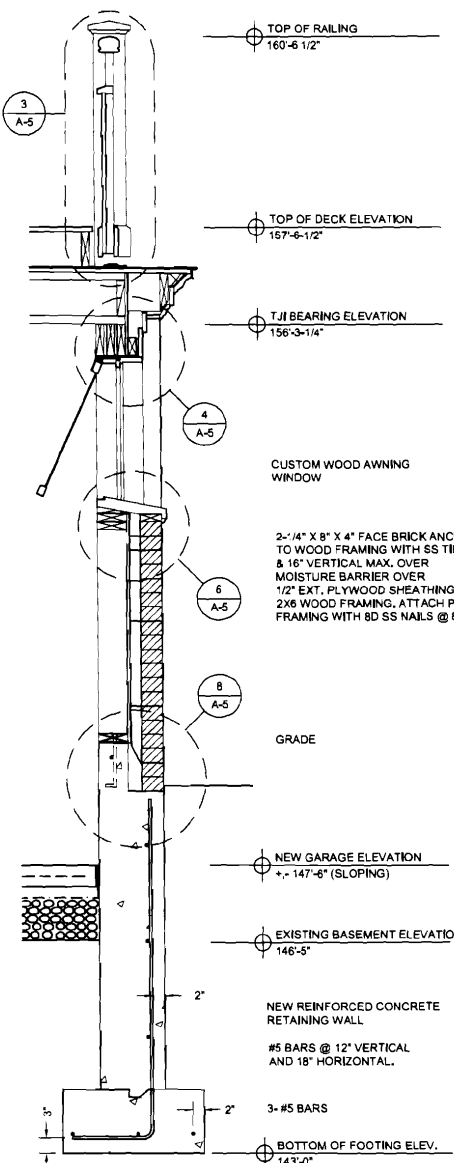
2 BUILDING SECTION

A-4 1/4" = 1'-0"



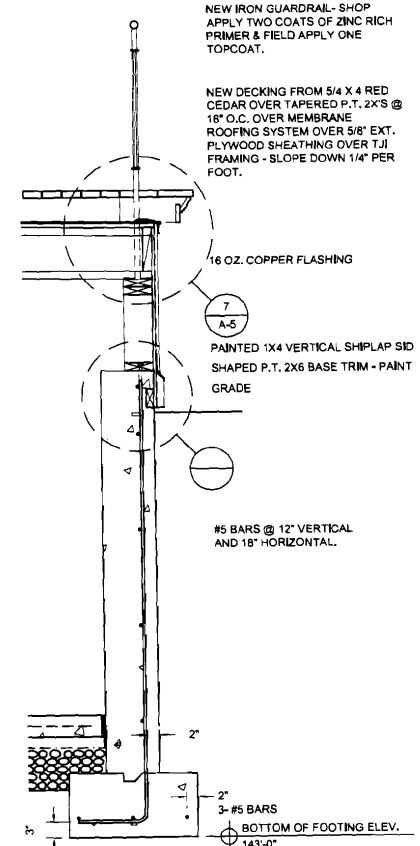
5 WALL SECTION

A-4 3/4" = 1'-0"



6 WALL SECTION

A-4 3/4" = 1'-0"



7 WALL SECTION

A-4 3/4" = 1'-0"

Garage and Deck Addition
Knoll Residence
 83 West Street
 Portland, Maine

Date: 27 August 2008
 Scale: As Shown
 Revisions:

Title:
**Building Sections
 Wall Sections**

Sheet No: **A-4**

tll-architects, llc
 28 DANFORTH STREET
 SUITE 213
 PORTLAND, MAINE 04101
 TEL. 207.761.9662
 FAX. 207.761.9696

Garage and Deck Addition
Knoll Residence
 83 West Street
 Portland, Maine

Date: 27 August 2008
 Scale: As Shown
 Revisions:

Title:
 Details

Sheet No: **A-5**

2 SECTION DETAIL @ CROWN
 A-5 3" = 1'-0"

SHAPED CEDAR HANDRAIL - PAINT
 2X2 CEDAR BALUSTERS @ 5 3/8" O.C. - PAINT
 BUILT-UP CEDAR POST BEYOND - PAINT
 SHAPED CEDAR RAIL FROM 2X - PAINT
 VERTICAL CEDAR SHIPLAP FROM 1X6. ALIGN JOINTS BEHIND BALUSTERS - PAINT
 5/4 X 4 CEDAR DECKING - CLEAR FINISH
 5/4 X 4 CEDAR DECKING - CLEAR FINISH
 1X6 CEDAR BASE RAIL W/ MITERED CORNERS - PAINT

3 BALUSTRADE
 A-5

7 SECTION @ LOWER DECK
 A-5 3" = 1'-0"

4 SECTION @ WINDOW HEAD
 A-5 3" = 1'-0"

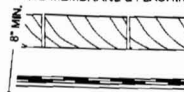
5 WINDOW JAMB
 A-5 3" = 1'-0"

6 SECTION @ WINDOW SILL
 A-5 3" = 1'-0"

9 PLAN DETAIL @ FENCE POST
 A-5 3" = 1'-0"

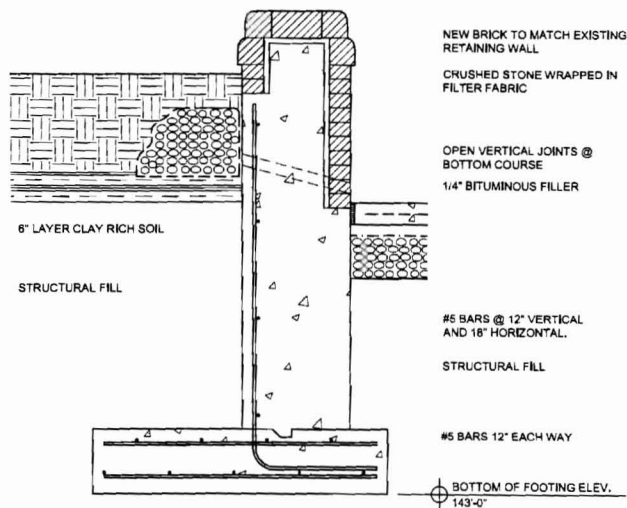
EXISTING BRICK

TAR BACK 2" MIN. AND REPOINT
 0.2 OZ. COPPER COUNTER-FLASHING W/
 1 OVER 16 OZ. COPPER BASE FLASHING.
 4 WHITE CEDAR DECKING W/CLEAR
 OVER 2X4 CEDAR SLEEPERS @ 24" O.C.
 CONT. NEOPRENE PADS OVER RUBBER
 NG MEMBRANE & FLASHINGS.



EXT. T&G PLYWOOD SHEATHING
 -7/8" TJIS @ 2'-0" O.C.

11 CONNECTION @ DECK TO HOUSE



12 WALL SECTION @ RETAINING WALL
 A-5 3/4" = 1'-0"

10 SECTION @ FENCE
 A-5 3" = 1'-0"

tll-architects, llc

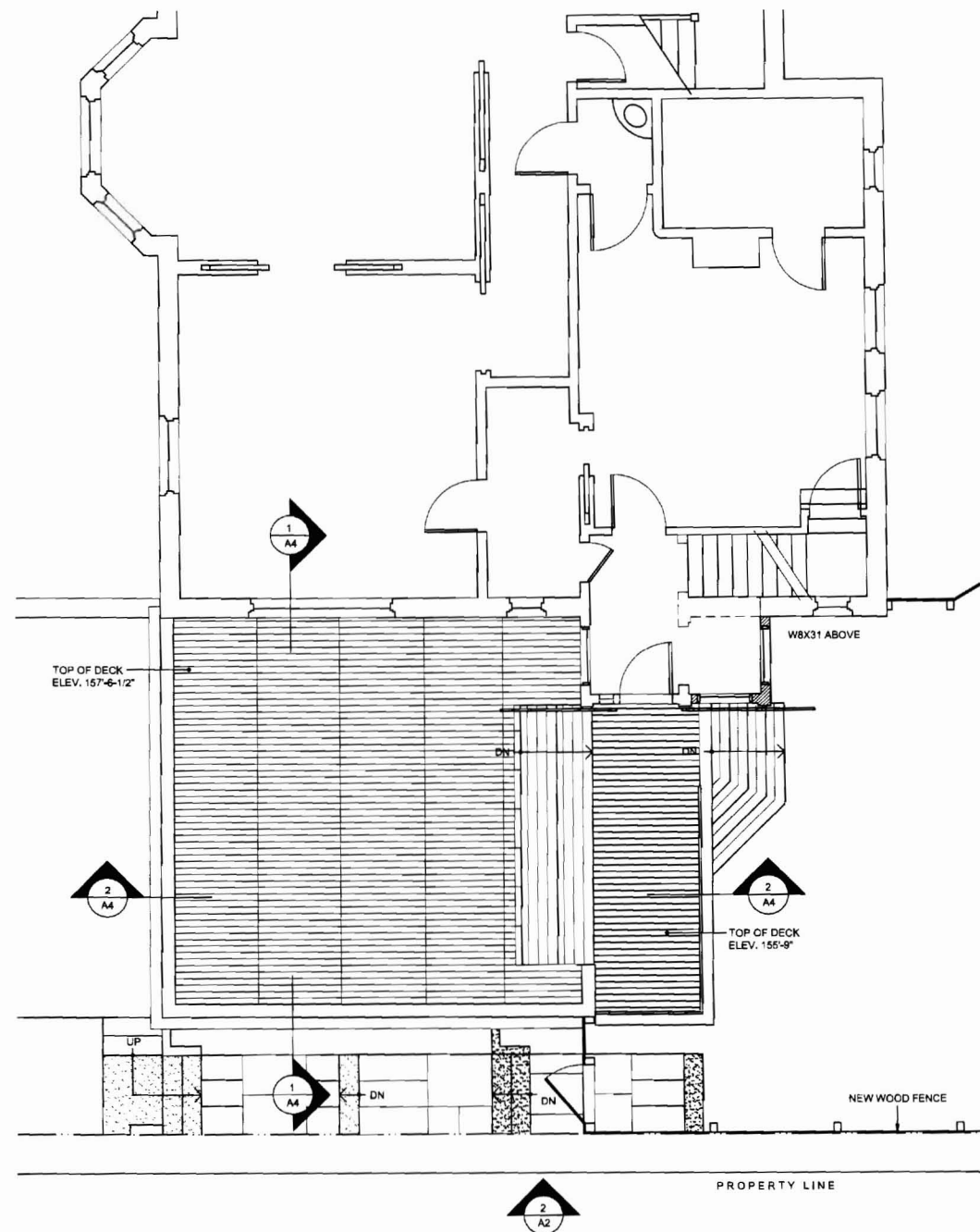
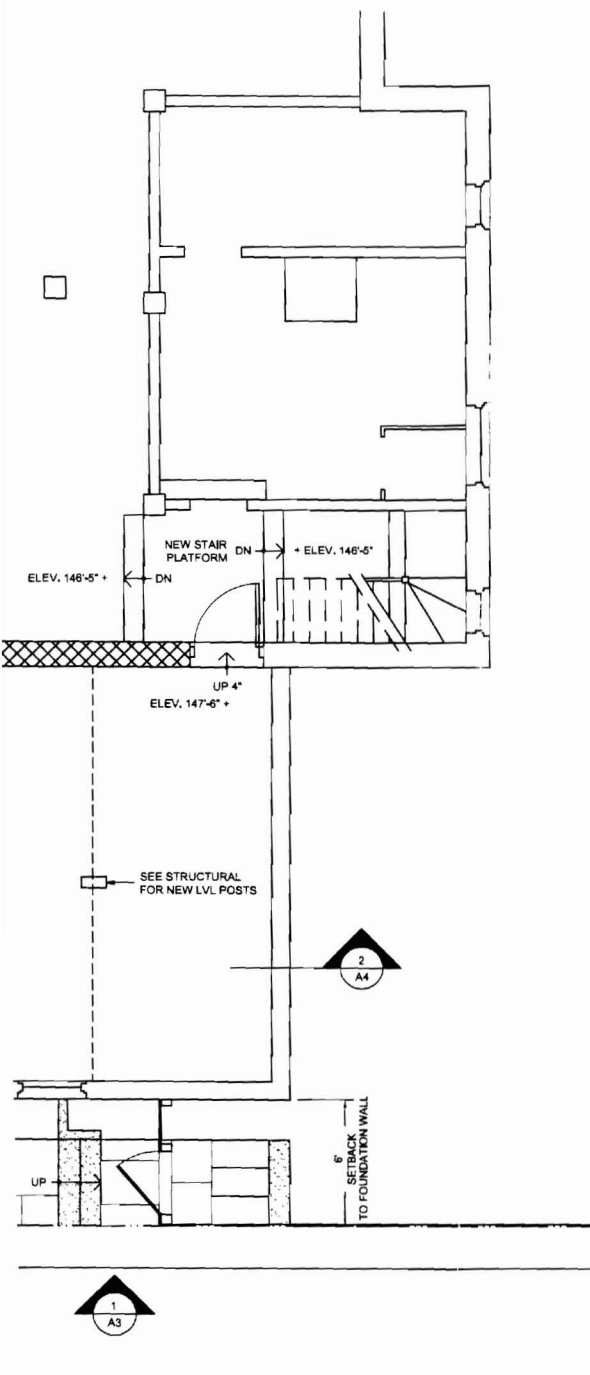
28 DANFORTH STREET
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PORTLAND, MAINE 04101
TEL. 207.761.9682
FAX. 207.761.9696

Garage and Deck Addition
Knoll Residence
83 West Street
Portland, Maine

Date: 27 August 2008
Scale: As Shown
Revisions:

Title:
Plans

Sheet No: **A-1**



2 PLAN AT DECK LEVEL
A-1 1/4" = 1'-0"