Form #P 04

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

Please Read Application And Notes, If Any, Attached	В	PERMIT	Permit Number 0205465 []
This is to certify that	Prosser Alan/Applicant		90-30-2
has permission to	Addition of 960 sq ft Storage	ilding	,
AT 193 St John St			068 A01000 PER PORTLAND
provided that ti	ne person or persons,	m or experation epti	ing this permit shall comply with all

provided that the person or persons, of the provisions of the Statutes of Nathernance and utilis department.

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

N ication inspect must git and with permis in procure to the this to ding on the thereoder in the procure of th

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

OTHER	DECLINDER	ADDDOWAL
CIBER	ucaniub*) APPROVAL

Oyector - Building & Inspersion Services

ne and of the second ances of the City of Portland regulating

of buildings and structures, and of the application on file in

PENALTY FOR REMOVING THIS CARD

City of Portland, Maine	- Building or Use 1	Permit Applicati	on Per	PERM	Issue Date	UED 7	CBL:	
389 Congress Street, 04101	Tel: (207) 874-8703	, Fax: (207) 874-8	716	02-0546	7 3 0 20	n2	068 A0	10001
Location of Construction:	Owner Name:			r Address:	_		Phone:	
193 St John St	Prosser Alan		195	COMP O	F PODT		775-0968	
Business Name:	Contractor Name	:			IONI	LAND	Phone	
	Applicant			lland			ľ	
Lessee/Buyer's Name	Phone:			t Type: litions - Com	mercial			Zone: 12 -2
Past Use:	Proposed Use:		Perm	it Fee:	Cost of Wor	k: C	EO District:	1
Auto Storage	Auto Storage		FIRE	\$163.00 C DEPT:	\$20,00 Approved Denied	OO.OO INSPECT Use Grou	\sim \sim	Туре:5А
Proposed Project Description: Addition of 960 sq ft Storage Building - 240 rg			Signa PEDE Actio	STRIAN ACT		Signature FRICT (P.A	t	2d Denied
			Signa	ture:		Ľ	Date:	
Permit Taken By: gad	Date Applied For: 05/21/2002			Zoning	Approva	al		
This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.		Special Zone or Re	views	Zoni:	ng Appeal	Q	Historic Pres	ervation et or Landmark
Building permits do not include plumbing, septic or electrical work.		☐ Wetland		☐ Miscella	aneous		Does Not Rec	_l uire Review
3. Building permits are void if work is not started within six (6) months of the date of issuance.		☐ Flood Zone PM	13 ~e C	Condition	onal Use		Requires Rev	iew
permit and stop all work		Site Plan # 2002 - 0	17.1	☐ Approve	ed		Approved w/6	Conditions
		Maj Minor N M	wyh 67	Denied Date:	Ś	Date	Denked)
		H,	' '			* <		
I hereby certify that I am the ov I have been authorized by the o jurisdiction. In addition, if a pe shall have the authority to enter	wner to make this applermit for work describe	ication as his authori d in the application i	t the prop zed agen s issued,	it and I agree I certify that	to conform the code of	to all app ficial's au	licable laws thorized repr	of this esentative

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE

SIGNATURE OF APPLICANT

ADDRESS

DATE

PHONE

DATE PHONE

1/7/04 - Stains to area steps (fire expand) to high-will contact during programmed on a varing of insulation, Asbuits on prack gross windows, rating between floors, and disposal building. grands on alerhoad dwar on secund play. 90-4mm - No Pletname at this term - not oxay to close in -

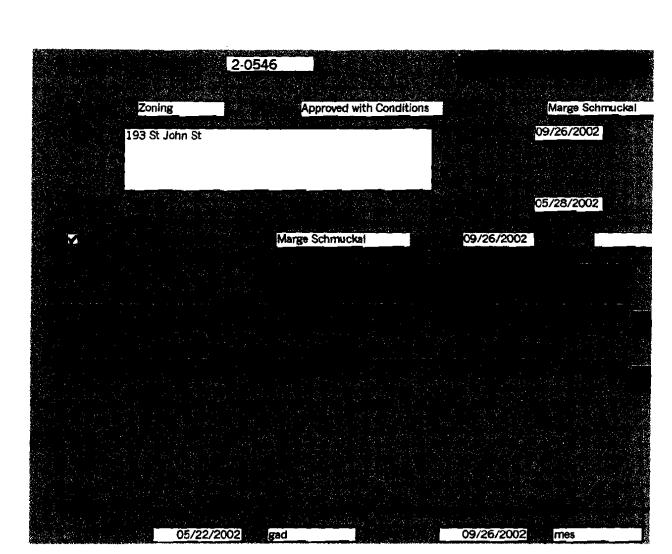
BUILDING PERMIT INSPECTION PROCEDURES Please call 874-8703 or 874-8693 to schedule your inspections as agreed upon

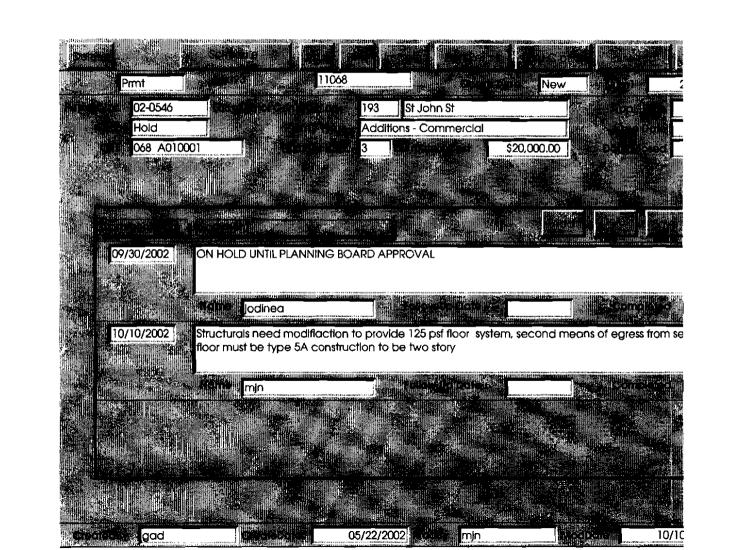
Permits expire in 6 months, if the project is not started or ceases for 6 months.

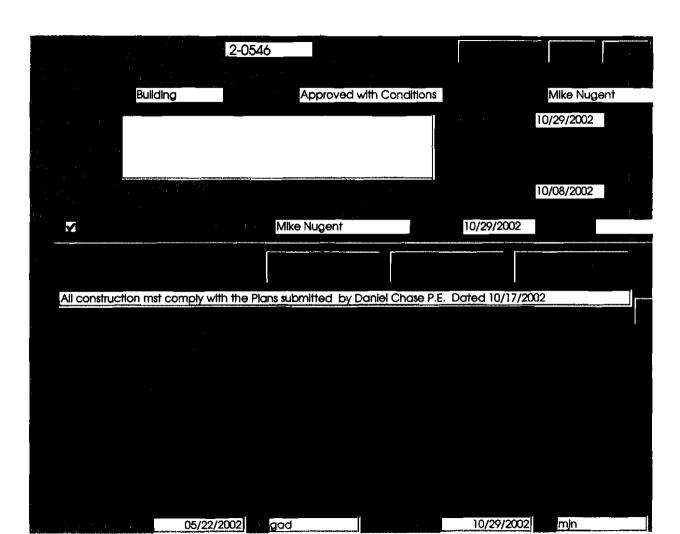
The Owner or their designee is required to notify the inspections office for the following inspections and provide adequate notice. Notice must be called in 48-72 hours in advance in order to schedule an inspection:

	By initializing at each inspection time, you ar inspection procedure and additional fees from Work Order Release" will be incurred if the below.	n a "Stop Work Order" and "Stop
XX L	Pre-construction Meeting: Must be so receipt of this permit. Jay Reynolds, Development also be contacted at this time, before any site we single family additions or alterations.	
va L	Footing/Building Location Inspection	Prior to pouring concrete
Λ 1 '	Re-Bar Schedule Inspection:	Prior to pouring concrete
	Foundation Inspection:	Prior to placing ANY backfill
WA L	Framing/Rough Plumbing/Electrical:	Prior to any insulating or drywalling
ppf ~	use	or to any occupancy of the structure or . NOTE: There is a \$75.00 fee per pection at this point.
	Certificate of Occupancy is not required for certificate of Occupancy in spection	
Me	If any of the inspections do not occur, phase, REGARDLESS OF THE NOTICE OF	
MAL	CERIFICATE OF OCCUPANICES N BEFORE THE SPACE MAY BE OCCUPIED	
4 ,	Signature of applicant designee	11 10 102 Date
	Signature of Inspections Official	Date Date

D Building Permit #:







02-0546

All Purpose 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.

ì

<u> </u>				
Location/Address of Construction: 193 ST. Jo Hu SI. REAR				
Total Square Footage of Proposed Structure 960 Foot Peint / 2 FLO	e Square Fo	otage of Lot	25,000 700	
Tax Assessor's Chart, Block & Lot Chart# 68 Block# A Lot#/0	Owner: ALAN AU	10 /B45 Inc	Telephone: 77750968	
Lessee/Buyer's Name (If Applicable) Applicant name, address & Cost Of Work: \$ 20.000 April Dan PROSSER 7750968 Fee: \$ 143-				
Current use: AUTO STORAL	<u> </u>			
If the location is currently vacant, what was	s prior use:			
Approximately how long has it been vacar	nt:			
Proposed use: AVTO STORA	16E.	<u> </u>	-	
Project description: _ ATTACHED STORAGE BUILDING				
2013				
Contractor's name, address & telephone: Alan PROSSER (See BELDWE)				
Who should we contact when the permit is	ready: Ahn Pr	102SER	`	
Malling address: 145 ST John ST				
PORTLAND ME, 04102				
IF THE REQUIRED INFORMATION IS NOT INCLUDED IN THE SUBMISSIONS THE PERMIT WILL BE AUTOMATICALLY DENIED AT THE DISCRETION OF THE BUILDING/PLANNING DEPARTMENT, WE MAY REQUIRE ADDITIONAL INFORMATION IN ORDER TO APROVE THIS PERMIT. 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 Officials 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: Date: 5 2 ° / 0 Z				

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

	Applicant: Man Prossey Date: 6/10/02
	Applicant: Man Prosser Date: 6/10/02 Address: 193 8t John 87 E May & C-B-L: 060-A-10
	Date - New Add to 02-0546
	Zone Location - B-Z
	Interior or corner lot- Interior or corner lot- Proposed Use/Work- Auto Storage on 18t Coop 1920# total Servage Disposal- No Coment plans to use The 2nd Floor Ared
	Servage Disposal-
	Lot Street Frontage - 56'm
	Front Yard - NA
	Rear Yard-10/regarded - 37/Shown
	Side Yard- None except where the butts of the Festilutial Fore of USC > 10 Very side yard an side St - 16' - 55' & 50' 8how Projections-
	Width of Lot -
	Height-45/MAX - 36 Scalad
0/12	Lot Area - 10000 him 25,000 per ASSESSONS
patywo	Height - 45/max - 36/Scalad Molot Area - 10000 him 25,000 per ASSESSON Lot Coverage Impervious Surface & Man 7 1029 104 See Letter Area per Family - NA
	Area per Family - NA Off-street Parking - In Car Storage
•	Loading Rays -
	Site Plan - Munor Site plan - condition & use Appen - Expansion of # 2067-0126 Shoreland Zoning/ Stream Protection - NA
	Shoreland Zoning/Stream Protection - NA
	Flood Plains - Phiel 13 - Zne C
Note:	Storkway Shall the store on situation of That is exist in did

Alan Prosser

7/17/02

6/17/02

Jonathan Spence
Planning Dept.
City of Portland
Portland,Me.

Dear Jonathan,

2.

Here's some answers for you:

Tota (Site

- Impervious area on entire lot equals 16,700 square feet approx. Proposed impervious area would be 17,400 square feet and would be only increased by the footprint of the building. Some other considerations along this line are at the fact that most all the other buildings on this lot are guttered and plumbed into a dry well. This system connects to a catch basin which handles all the water falling on the front portion of the property. b. The rear portion of the lot (along Valley St.) is primarily unpaved and has 4700 square feet of pervious surface. The proposed building would only lessen that amount by 780 square feet.
- 3. As this was a requirement for a used parts dealer license the area between Valley St. and my property is appropriately screened albeit the rosa rugosas planted there took a beating when the City installed sidewalks recently. I have enclosed picture (A) for your benefit.
- 4. My long—range plan is to put all vehicles located in the back yard (next to Valley St.) undercover. This would include two groups of vehicles 1) service vehicles (fork truck, tool van, dump truck, and the like) and 2) parts cars. The building under current consideration is designed to accommodate four service vehicles.
- 5. This question peeks my interest in Staff's concerns. As you may be able to see from the enclosed photos (B and C) what might be construed as a "pile" by a casual glance is in fact the last remnent of the original landscape in this area. To wit there are at lease 20 varieties of trees growing on that site. As this space is also our snow dump detribus is added to and subtracted from it over time; but the net berm stays pretty much the same volume. It has been suggested by others that I have it leveled and gain more building space. I have resisted this as it and its indiginous vegitation offer added visual buffering to the rear of the property.

Sincerely

Alan Prosser, Boss

	arge Schmuckai - 193	St. John St Alan Prosser	Pag
The results of the same			
	From:	Marge Schmuckal	
	To:	Jonathan Spence	
• · · · · · · · · · · · · · · · · · · ·	Subject:	193 St. John St Alan Prosser	
		is located within a B-2 zone. The rear and side setbacks as given are well under the of 10 feet each.	
; ;	The maximum	height limit is 45 feet and I scaled the new building to be 36 feet high at the maximum.	
	The use is an Board.	expansion of the conditional use of auto service station which is reviewed by the Planning	9
	maximum of 8	of figures submitted that discuss the impervious surface ratio. The B-2 zone has a 80% impervious surface. The applicant will need to submit the calculations for impervious to compliance can be determined. I Need ckal istrator	J –
2 2 7	Marge Schmu	ckal / / /	1-2
# 9	Zoning Admin	istrator 7//7/	00
ý	6/10/02	See 1111	MA
	W.10702	Lettentro	m /ILA
6	CC:	ALEX JAEGERMAN	

From:

Marge Schmuckal

To: Date: Jonathan Spence Wed, Jul 24, 2002 9:13 AM

Subject:

193 St John Street - Alan Proser Project

Jonathan,

In addition to the previous memo concerning this project, I have received information from you concerning the Impervious surface square footage. Based on that information, the was submitted, the proposed impervious surface ratio is approximately 70% which is under the 80% maximum.

Based on all the submittals, this proposal is meeting the B-2 regulations

Marge Schmuckal Zoning Administrator 7/24/02 To: Jonathan Spence

Date: Wed, Jul 24, 2002 11:25 AM

Subject: 193 St. John Street - Alan Prosser Project

Marge Schmuckal

expansion of a building that has existing nonconformities (as long as the existing nonconformities themselves are NOT expanded).

I hope this answers some of the questions concerning this project.

This memo is to clarify the question of nonconformity. This proposed project is not creating an expansion of a nonconformity. The new addition is meeting all the required dimensionall standards within the existing B-2 zone. There is nothing in our current zoning ordinance that forbids an legal

Marge Schmuckał Zoning Administrator

From:

Jonathan.

From: Marge Schmuckal To: Jonathan Spence

Date: Thu, Aug 15, 2002 12:19 PM
Subject: 193 St John St. - Alan Prosser

Jonathan,

This memo is meant to clarify nonconforming structures and this project.

Presently, there is a structure on this property which is legally nonconforming as to the B-2 zone setbacks. The zoning ordinance does not preclude an owner from building a new addition as long as such does not increase any existing nonconformity.

If a proposed addition is meeting all the present zoning requirements, it is NOT increasing an existing nonconformity. The proposed addition is shown to meet all existing B-2 zone requirements. It is not increasing any existing nonconformities.

Please note that this area used to be an Industrial Zone (I-2b and then I-Mb) in the near past. However, during the rewriting and acceptance of the Business Zones in July, 1999, this side of "D" Street was changed to be a B-2 Business Zone.

I hope this is helpful to the Board.

Marge Schmuckal Zoning Administrator 8/15/02

CC: Sarah Hopkins

5/20/02 ALAN AUTO/BAS INC. 195 ST. JOHN ST. PORTLAND, ME.

DEPT. OF BUILDING INSPECTIONS CITY HALL CITY OF PORTLAND PORTLAND, ME.

RE: APPLICATION FOR A BUILDING PERMIT TO CONSTRUST A STORAGE BUILDING ADDITION AT THE REAR OF 195 ST. JONH ST.

THE NEED/INTENTION FOR THIS ADDITION IS TO STORE SERVICE VEHICLES USED IN MY AUTO REPAIR BUSINESS. SERVICE VEHICLES WITH HYDRAULIC SYSTEMS SUCH AS LOADERS AND FORK LIFTS TEND TO LEAK HYDRAULIC FLUID; SO THERE ARE ENVIRONMENTAL BENEFITS TO HAVING THEM IN ENCLOSED STORAGE. WHEN STORED OUTSIDE THESE TYPES OF VEHICLES REQUIRE MORE FREQUENT SERVICE AND OR REPLACEMENT. THESE VEHICLES ARE VERY EXPENSIVE; AND THIS POSES AN ECONOMIC HARDSHIP ON MY COMPANY. THERE ARE AESTHETIC BENEFITS TO THE COMMUNITY HAVING THIS EQUIPMENT STORED OUT OF SIGHT.

BECAUSE OF THE WEIGHT (OVER 10K LBS. NET) OF SOME OF THIS EQUIPMENT A VERY STRONG FLOOR WAS CHOSEN: MONOLITHIC DESIGN, 5000 LB. CONCRETE, STEEL REINFORCED.

GALVANIZED STEEL EXTERIOR PANELS WILL BE USED FOR WALLS AND ROOF. THIS IS IN KEEPING WITH THE EXISTING BUILDING AND IS LOW MAINTANENCE. ALSO THE ROOF WILL CLEAR EASILY. A 6/12 ROOF PITCH WAS CHOOSEN TO AID IN ROOF CLEARING AND TO GIVE THE BUILDING A VISUALLY PLEASANTER /LOWER PROFILE LOOK THAN THE 30 FOOT WALL THAT EXISTED THERE PREVIOUSLY.

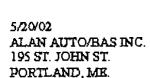
NO CHANGES WILL BE MADE IN GRADING AS THE CONSTRUCTION AREA IS CURRENTLY ALMOST FLAT PITCHING SLIGHTLY (6") FROM NORTH TO SOUTH THE NATIVE SOIL IN BANK RUN GRAVEL TO AT LEAST 6 FEET DEEP (BASED UPON PREVIOUS DIGGING EXPERIENCE).. THE TOP FOOT (APPROX.) IS CRUSHED STONE WHICH HAS BEEN BROUGHT IN OVER TIME TO MAKE A COMPACTABLE SURFACE. HISTORICALLY WATER HAS NEVER STOOD ON THE SURFACE.

I DO NOT CURRENTLY HAVE A NEED FOR OR PLAN ANY UTILITES IN THIS BUILDING.
ACCESS TO THE VEHICLE STORAGE AREA IS BY OVERHEAD DOORS. WHEN THEY ARE
OPEN SUFFICIENT NATURAL LITE ILLUMINATES THE BUILDING. THERE ARE NO CURRENT
PLANS TO USE THE SECOND FLOOR STORAGE AREA. LIGHTS WILL BE INSTALLED BEFORE
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(EXCEPT THE LARGER MIDDLE WINDOW) OUTSWING THERMALPANE VINAL. THE PASS
DOOR WILL BE A COMMERCIAL STEEL 2'8" DOOR.

I WILL ACT AS MY OWN GENERAL CONTRACTOR AS I HAVE ON ALL OTHER PROJECTS LIVE BUILT IN THE CITY. AS ALWAYS I WILL HIRE LICENCED PROFESSIONALS AND EXPERIENCED TRADESPEOPLE TO DO THE WORK.

RESPECTFULLY SUBMITTED

ALAN PROSSER



DEPT. OF BUILDING INSPECTIONS CITY HALL CITY OF PORTLAND PORTLAND, ME.

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RESPECTFULLY SUBMITTED

ALAN PROSSER



DIVISION DIRECTORS
Mark B. Adelson
Housing & Neighborhood Services

Alexander Q. Jaegerman Planning

John N. Lufkin Economic Development

DEPARTMENT OF PLANNING AND DEVELOPMENT

12/12/02

Allan Prosser 195 St. John St. Portland, ME 04102

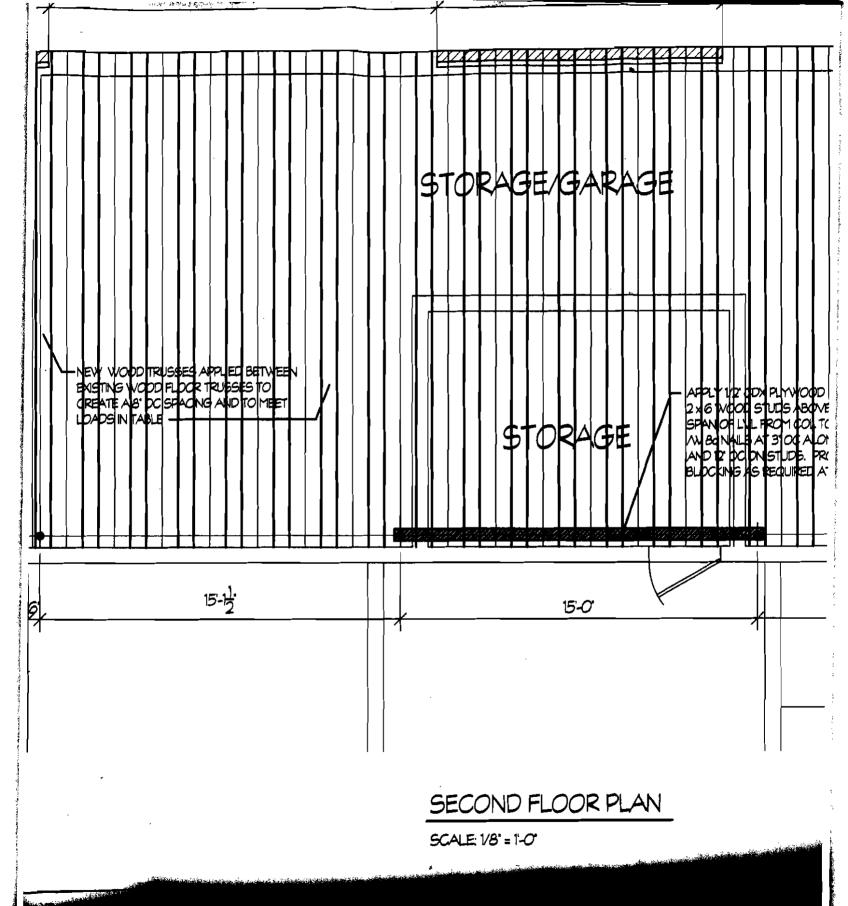
RE: Floor Trusses/Permit #020546

Dear Allan,

Please refer to the attached copies of your approved plans. The design professional should make the final determination as to the suitability of any materials specified in his plans. Any variation will require review and resubmittal.

Mike Nugont

Manager of Inspection Services



NOTE:

STRUCTURAL DESIGN BY DANIEL CHASE P.E. ME. # 4016, DRAFTING BY SBM ASSOCIATES INC.

GENERAL FRAMING NOTES

- 1. ALL TRUSSES SHALL BE HANDLED AND ERECTED IN STRICT ACCORDANCE WITH THE MANUFACTURERS RECOMMENDATIONS
- 2. CONTRACTOR SHALL FOLLOW TRUSS MANUFACTURERS DESIGN FOR ALL BRACING AND ANCHORAGE OF TRUSSES
- 3. FINAL TRUSS DESIGN AND LAYOUT BY THE MANUFACTURER/SUPPLIER SHALL BE SEALED BY A MAINE REGISTERED ENGINEER
- 4. ALL MEMBERS SHALL BE CUT TO BEAR
- 5. ALL PLATE CONNECTORS SHALL HAVE AN EFFECTIVE AREA 20% GREATER THAN THAT REQUIRED BY DESIGN BY USING THE MAXIMUM DESIGN CAPACITY
- 6. ROOF TRUSS UNIFORM LOADING (MIN. REQUIREMENT EXCLUDING WEIGHT OF TRUSS)
 TOP CHORD:

- 7. TRUSS DESIGNER/ENGINEER SHALL TAKE INTO ACCOUNT THE LATEST B.O.C.A. CODE REQUIREMENTS FOR ROOF SNOW LOADINGS AND DESIGN
- 8. PROVIDE AND INSTALL 'SIMPSON STRONGTIE' A-35 FRAMING ANCHORS ON EA END OF EA ROOF TRUSS UNLESS OTHERWISE NOTED
- 9. PROVIDE AND INSTALL MIN. $2-2\times 6$ HEADERS IN 2×4 INTERIOR STUD WALLS AND MIN. $3-2\times 10$ HEADERS IN EXTERIOR STUD WALLS UNLESS OTHERWISE NOTED
- 10. ALL TRUSSES SHALL BE SPACED AT 24" OC UNLESS OTHERWISE NOTED
- 11. ALL FLOOR JOISTS SHALL B E MIN. f_b = 1000 PSI UNLESS OTHERWISE NOTED
- 12. ALL STEEL COLUMNS SHALL BE 4" DIA STD STEEL WITH 1/2" CAP PLATES AND 1/2" BASE PLATES WELDED TO COLUMN. ANCHOR COLUMNS TO CONCRETE
- 13. FLOOR TRUSS UNIFORM LOADING (MIN. REQUIREMENT EXCLUDING WEIGHT OF TRUSS)
 TOP CHORD:

LIVE LOAD......150 PSF DEAD LOAD......10 PSF BOTTOM CHORD:

- 14. FLOOR TRUSSES AND ROOF TRUSS DESIGN BY SUPPLER
- 15. STRUCTURAL DESIGN AS PROVIDED BY DANIEL S. CHASE, P.E., 210 ST JOHN STREET PORTLAND, MAINE 04102 TEL. 799-9087

T

DANIEL S. CHASE, P. E. Structural and Construction Engineering 210 St. John St. Portland, ME 04102 (207) 799-9087 / Fax: 799-0325

March 3, 2004

068-A010

Mr. Alan Prosser Alan Auto 195 St. John St. Portland, ME 04102

Re: Building addition - overhead door guard.

Dear Alan,

Your proposal is to utilize a heavy duty steel folding gate, as manufactured by Illinois Engineered Products, as a guardrail system for the second floor overhead door. According to the city building code, which references the ASCE 7 standard, guardrail systems must be capable of resisting, and transferring to the supporting structure:

- 1) simultaneous vertical and horizontal loads of 50 lbs. per foot along the top, and
- 2) a single concentrated load of 200 lbs. at any point along the top.

While I cannot do load bearing calculations per se, I have discussed this issue with the manufacturers' representative, and inspected both your gate, and a similar gate installed elsewhere. In my opinion, the gate is adequate to support the required loading.

Should you have questions, or require additional information, please contact me.

Yours truly,

Daniel Chase, P. E.

fax copy: Jodeen, City of Portland, Building Inspection Dept., 874-8716

Fax Transmittal Cover Sheet

To: Jodeen , - City of Portland, Building Insp

From: Daniel Chase, Daniel Chase, P. E.

Fax Number: 207-799-0325

Date: Fri, Mar 5, 2004 • 9:07 AM

Pages, including cover: 2

If there is difficulty with this transmission, please call: 207-799-9087

Note:

To Jodeen

Sent at the request of Alan Prosser, Alan Auto.

Daniel Chase

3/17/04 NW DAN Chase WIII STAMP.

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DANIEL S. CHASE, P. E. Structural and Construction Engineering 210 St. John St. Portland, ME 04102 (207) 799-9087 / Fax: 799-0325

February 10, 2004

Mr. Alan Prosser Alan Auto 195 St. John St. Portland, ME 04102

Re: Building addition framing.

Dear Alan,

I inspected the as-built framing of the addition with you on January 12th. The purpose of the inspection was to investigate a question raised about the headers over the new windows. The headers are triple 2 X 6's, spanning approximately 36 inches.

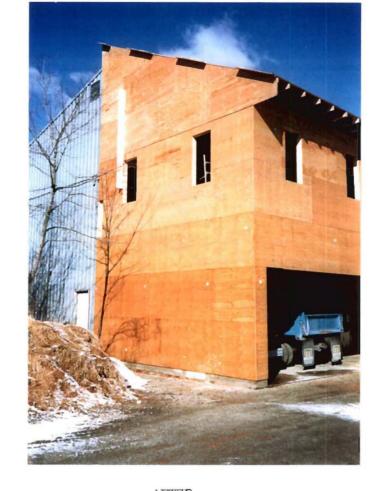
My subsequent analysis shows that the headers are adequate to support the loads required by the building code.

Should you have questions, or require additional information, please contact me.

Yours truly,

Daniel Chase, P. E.

fax copy: Jodeen, City of Portland, Building Inspection Dept., 874-8716

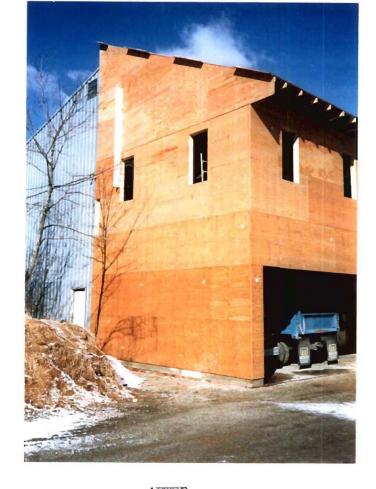






BEFORE









BEFORE



CITY OF PORTLAND, MAINE DEVELOPMENT REVIEW APPLICATION PLANNING DEPARTMENT PROCESSING FORM

2002-0126

Application I. D. Number Planning Copy 5/20/02 Prosser Alan Application Date Applicant 195 St John St, Portland, ME 04102 Addition to Auto Storage Facility Applicant's Mailing Address Project Name/Description 195 - 195 St John St, Portland, Maine Consultant/Agent Address of Proposed Site Applicant Ph: (207) 775-0968 068 A010001 Agent Fax: Applicant or Agent Daytime Telephone, Fax Assessor's Reference: Chart-Block-Lot Proposed Development (check all that apply): Change Of Use New Building | Building Addition Residential [] Office Retail Manufacturing Warehouse/Distribution Parking Lot Other (specify) 960 sq. Ft. Proposed Building square Feet (Zoning Check Review Required: Site Plan view 14-403 Streets Review Inspections (major/minor) Flood Hazard Preservation **DEP Local Certification** Zoning Conditional Other Use (ZBA/PB) Fees Paid: Site Plan eview Date 5/22/02 onathan Spence Planning Approval Approved Denied Approval Date 10/8/0: nsion to Additional Sheets Attached OK to Issue Building Permit signature date Performance Guarantee ✓ Required* Not Required * No building permit may be issued until a performance guarantee has been submitted as indicated below 10/8/02 \$165.00 Performance Guarantee Accepted expiration date date amount Inspection Fee Paid date amount **Building Permit Issue** date Performance Guarantee Reduced date remaining balance signature Temporary Certificate of Occupancy Conditions (See Attached) date expiration date Final Inspection signature date Certificate Of Occupancy date Performance Guarantee Released date signature Defect Guarantee Submitted submitted date amount expiration date Defect Guarantee Released

date

signature

CITY OF PORTLAND, MAINE

PLANNING BOARD

Jaimey Caron, Chair Deborah Krichels, Vice Chair Mark Malone Orlando E. Delogu Sarah Luck Kevin Beal Lee Lowry III

September 11, 2002

Mr. Alan Prosser 195 St. John Street Portland, ME 04102

RE: Addition for Auto Storage-195 St. John Street

CBL: 68-A-1001

Dear Mr. Prosser:

On September 10, 2002, the Portland Planning Board voted 5-0, (Lowry abstaining, Malone absent) to approve the site plan for the addition to the rear of your business located in the vicinity of 195 St. John Street. The approval was granted for the project with the following condition(s):

i. That the site plan be revised to include two (2), 2.25" catiper 'Crusgali' Thornléss Hawthorns along the Valley Street frontage to be placed with the assistance of the City Arborist.

The approval is based on the submitted site plan and the findings related to site plan review standards as contained in Planning Report # 54-02.

Please note the following provisions and requirements for all site plan approvals:

- 1. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount (but not less than \$300.00) and 7 final sets of plans must be submitted to and approved by the Planning Division and Public Works prior to the release of the building permit. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.
- 2. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.
- 3. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.

- 4. Prior to construction, a preconstruction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the preconstruction meeting.
- 5. If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)

The Development Review Coordinator must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at the Planning Department at 874-8632. <u>Please</u> make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. <u>Please</u> schedule any property closing with these requirements in mind.

If there are any questions, please contact Jonathan Spence at 756-8083.

Sincerely,

Jamey Caron, Chair Portland Planning Board

cc:

Lee D. Urban, Planning and Development Department Director Alexander Jaegerman, Planning Division Director Sarah Hopkins, Development Review Program Manager Jonathan Spence, Planner Jay Reynolds, Development Review Coordinator

Marge Schmuckal, Zoning Administrator
Jodine Adams, Inspections
William Bray, Director of Public Works
Larry Ash, Traffic Engineer
Tony Lombardo, Project Engineer
Eric Labelle, City Engineer
Jeff Tarling, City Arborist
Penny Littell, Associate Corporation Counsel
Lt. Gaylen McDougall, Fire Prevention
Don Hall, Appraiser, Assessor's Office
Approval Letter File
Correspondence File

CITY OF PORTLAND, MAINE

PLANNING BOARD

Jaimey Caron, Chair Deborah Krichels, Vice Chair Mark Malone Orlando E. Delogu Sarah Luck Kevin Beal Lee Lowry III

September 11, 2002

Mr. Alan Prosser 195 St. John Street Portland, ME 04102

RE: Addition for Auto Storage-195 St. John Street

CBL: 68-A-1001

Dear Mr. Prosser:

On September 10, 2002, the Portland Planning Board voted 5-0, (Lowry abstaining, Malone absent) to approve the site plan for the addition to the rear of your business located in the vicinity of 195 St. John Street. The approval was granted for the project with the following condition(s):

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The approval is based on the submitted site plan and the findings related to site plan review standards as contained in Planning Report # 54-02.

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Jamey Caron, Chair Portland Planning Board

cc: Lee D. Urban, Planning and Development Department Director

Alexander Jaegerman, Planning Division Director

Sarah Hopkins, Development Review Program Manager

Jonathan Spence, Planner

Jay Reynolds, Development Review Coordinator

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Jeff Tarling, City Arborist

Penny Littell, Associate Corporation Counsel

Lt. Gaylen McDougall, Fire Prevention

Don Hall, Appraiser, Assessor's Office

Approval Letter File

Correspondence File

Department of Planning & Development Lee D. Urban, Director



CITY OF PORTLAND

Division Directors
Mark B. Adelson
Housing & Neighborhood Services

Alexander Q. Jaegerman, AICP Planning

> John N. Lufkin Economic Development

November 5, 2003

Mr. Alan Prosser 195 St. John Street Portland, ME 04102

RE:

Amendment to Auto Storage-195 St. John Street

(ID# 2003-0218, CBL#68-A-001)

Dear Mr. Prosser:

Thank you for your application for an amendment to your site plan. Upon review, the City has the following comments:

- 1. The location of the storage area does not appear to meet the zoning requirement with regards to setbacks (10' rear).
- 2. The inspections department has stated that the proposal would require a building permit.
- 3. It appears that the height of the vehicle storage would make these vehicles visible from Valley Street. Please provide adequate landscaping along the Valley Street right-of-way to ensure proper screening.
- 4. The narrative provided in your application refers to fluid leakage from these vehicles. Are there any on-site collection system(s) in place to properly manage this? Also, will the proposed pavement direct these spills to a containment system?

If you have any questions, please do not hesitate to contact me at 874-8632.

Sincerely,

Jay Reynolds

Development Review Coordinator

CC: Sarah Hopkins, Development Review Services Manager
 Michael Nugent, Inspection Services Manager
 Marge Schmuckal, Zoning Administrator

STATE	OF	MAIN	Œ
CUMBI	ERL	AND,	SS.

NINTH DISTRICT COURT
CIVIL ACTION
Docket No

CITY OF PORTLAND, a body politic and corporate, located in the County of Cumberland and the State of Maine)))
Plaintiff) CONSENT DECREE
٧.)
ALAN PROSSER)
) .
Defendant)

1. Description of Property.

This Consent Decree relates to property owned by the Defendant and situated at 195 St. John Street in Portland.

2. Code Violation.

The City of Portland charged the Defendant with violation of the 1999 BOCA Building Code (failure to obtain building permit) which is more fully described in the Rule 80K complaint which forms the basis for this action.

3. Admission of Violation.

The Defendant admits the violation. He agrees to pay a civil penalty in the amount of \$2,500.00, plus a filing fee in the amount of \$100.00. Payments shall be made, as follows:

- (i) \$1,500 at the time the signing of this Decree; and
- (ii) \$100 per month, for ten consecutive months thereafter, commencing on May 1, 2002, until the balance of the civil penalty has been paid in full.

4. Violations Existing After Deadline.

The Defendant agrees that within 15 days from the date that both parties have executed this Decree (the "Deadline") he will file for, and thereafter diligently prosecute,

applications for the permits and approvals required for his project under Portland's Land Use Code.

If the Defendant should fail to comply with this Decree after the deadline, he will be required to pay a civil penalty in the amount of One Hundred Dollars (\$100) per day for each day such violation continues.

5. Contempt.

In addition to the imposition of civil penalties referred to above, the Defendant may be found in contempt for any violation of this Order.

6. Attorney's Fees and Costs.

The Defendant will also be liable to pay attorney's fees and costs, pursuant to 30-A M.R.S.A. §4452(3)(D), related to any action taken by the City of Portland to enforce this Order.

7. Access to Property.

The Defendant will provide City Inspectors with full and free access to the property which is the subject of this Order at reasonable times, until sixty (60) days following the issuance of the Certificate of Occupancy, so that they may verify

compliance with its terms and conditions.	pancy, so that they may verify
3. Submission to Court	
This Consent Decree is submitted to the Court may adopt it as its own Order. Alan Prosser Beth Prasser, withes	Charles A. Lane, Esq. Bar# 1040 Associate Corporation Counsel Attorney for Plaintiff
The foregoing Consent Order is hereby a day of, 2002.	dopted as the Order of the Court this
	Judge, Ninth District Court

Corporation CounselGary C. Wood



Associate Counsel
Charles A. Lane
Elizabeth L. Boynton
Donna M. Katsiaficas
Penny Littell

May 1, 2002

68-A-10

Natalie L. Burns, Esq. Jensen, Baird, Gardner & Henry Ten Free Street P.O. Box 4510 Portland, ME 04112-4510

RE: Alan Prosser d/b/a Alan Auto - Consent Decree

Dear Natalie:

I have just learned that the Defendant has neither returned an executed consent decree to me nor applied for the permits required for the work. It was anticipated that the required permits would have been applied for by mid-April.

Although Mr. Prosser has paid the initial installment of \$1,500 as well as the first monthly installment of \$100.00, in my view, he is in breach of the agreement which is reflected in the unexecuted consent decree.

Unless I receive the consent decree signed either by Mr. Prosser or yourself as his counsel by noontime on Wednesday, May 8th, and unless Mr. Prosser has applied for the requisite permits by the same time, then I will commence a Rule 80K action against him.

I have enclosed a copy of the consent decree which was previously faxed to you on April 2, 2002.

Very truly yours,

مناسل

Charles A. Lane Associate Corporation Counsel

CAL:ses

CC: Michael J. Nugent, Manager of Inspection Services. O:\OFFICE\CHARLIE\LTR\Bums Prosser 05-01-02,doc

STATE OF MAINE CUMBERLAND, ss.	NINTH DISTRICT COURT CIVIL ACTION Docket No.
CITY OF PORTLAND, a body politic and corporate, located in the County of Cumberland and the State of Maine)))
Plaintiff) CONSENT DECREE
V.)
ALAN PROSSER)

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Defendant

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7. Access to Property.

The Defendant will provide City Inspectors with full and free access to the property which is the subject of this Order at reasonable times, until sixty (60) days following the issuance of the Certificate of Occupancy, so that they may verify compliance with its terms and conditions.

8. Submission to Court.

This Consent Decree is submitted to the Court by the parties jointly so that the Court may adopt it as its own Order.

	<i>\$</i> \$
Alan Prosser	Charles A. Lane, Esq. Bar# 1040 Associate Corporation Counsel Attorney for Plaintiff
The foregoing Consent Order day of, 200	der is hereby adopted as the Order of the Court this 2.
	Judge, Ninth District Court

City Of Portland Inspection Services RETURN OF SERVICE

On the 6th day of March 2002, I made service of A Stop Work Order Notice dated		
March 6, 2002 upon, the Owner, at 195 St. John Street		
_	_	
	By delivering a copy in hand.	
	By leaving copies at the individual's of abode with a person of suitable ag therein and whose name is	ge or discretion who resides
	By delivering a copy to an agent authorized to receive service of process, and whose name is	
	By (describe other manner of service)	
DATED:	3/4/02	anda
		Signature of Person Making Service
/		Code Enforcement Officer Title
	•	
I have receive	ed the above referenced documents	Person Receiving Service
· alan	, Prosser	Refused to sign Unable to sign



CITY OF PORTLAND STOP WORK NOTICE

March 6, 2002

Alan Prosser 195 St. John Street Portland, Maine 04102

RE: 195 St. John Street

CBL: 068-A-010

HAND DELIVER

Dear Alan Prosser:

An evaluation of the property at 195 St. John Street revealed that the property fails to comply with Section 107.1 of the 1999 BOCA Building Code of the City of Portland. Section 107.1 states that "An application shall be submitted to the code official for the following activities, and these activities shall not commence without a permit being issued in accordance with Section 108.0 (107.1.1 Construct or alter a structure.)".

This is a **STOP WORK ORDER** pursuant to Section 117.1 of the 1999 BOCA Building Code. All construction activity at the above referenced property must **STOP** immediately.

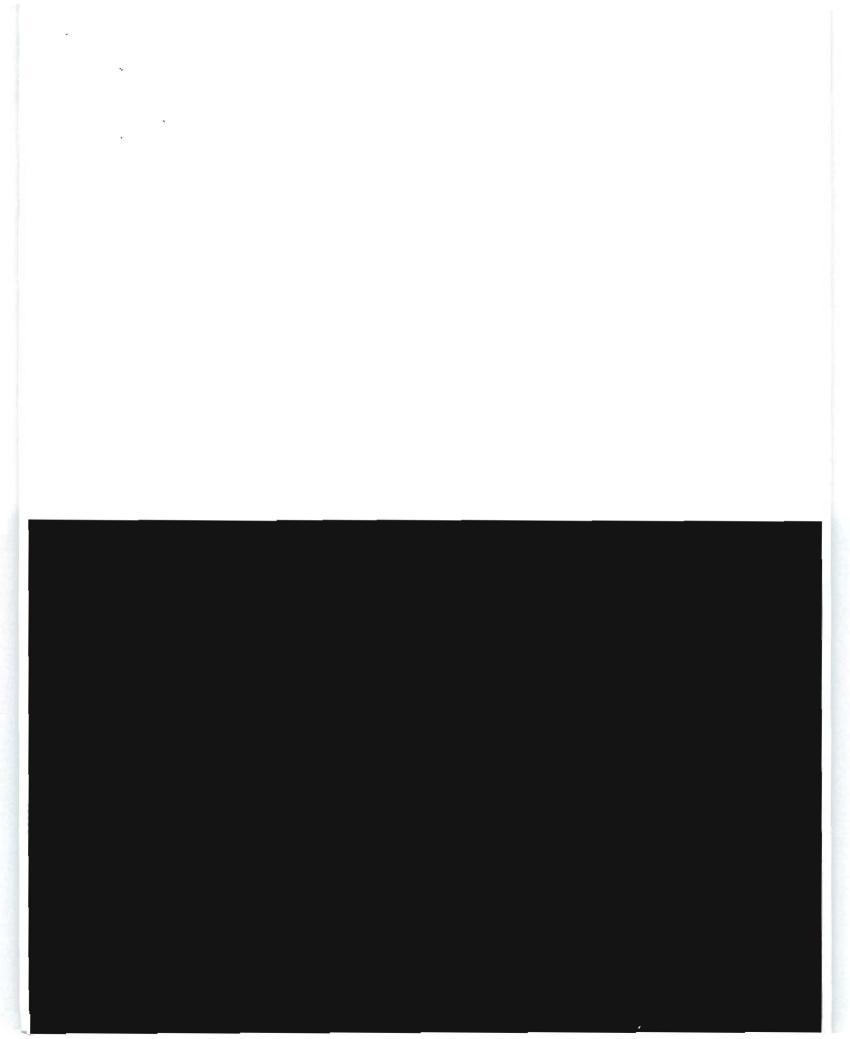
Construction may begin after the amendment to your building permit application has been issued and this order has been lifted.

Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 1-15 of the Code and in Title 30-A M.R.S.A. Ss 4452. This constitutes an appealable decision pursuant to Section 1-16.(2) of the City of Portland Code of Ordinances. Please feel free to contact me at 874-8697, if you wish to discuss the matter or have any questions.

Sincerely,

Arthur Rowe

Code Enforcement Officer



ALAN AUTO 195 ST. JOHN STREET PORTLAND, ME 04102 775-0968

March 11, 2002

Mike Nugent Head of Inspection Services City of Portland Portland, Me 04102

Dear Mr. Nugent:

I am terribly sorry for not having obtained a permit before starting to add to the rear of 195 St. John Street. After my conversation with you, I realize that to build without a permit is a serious matter. It was never my intent to do anything malicious. Could you please take a few minutes to consider the facts before throwing the book at me? I'll try to elaborate herein on what I touched on in our phone conversation, what lead to my impulsive action.

BUILDING HISTORY: The renovation projects I have done in the City of Portland since I established my business here in 1978 - 161 St. John St/167 St John St/195 St. John St/3 C St/133 Frost St - have all started with vacant and/or dilapidated structures. My training as an industrial designer (Syracuse University) plus having worked in my family's construction business gave me enough experience to be able to successfully complete some projects before the city required architecture/engineer certification. If anything, all my projects have been over-built and have needed little or no repairs after their completion. My project at the corner of C and Valley Street, the Victorian house, was catalytic in turning around a blighted neighborhood.

ALAN AUTO: It's taken years of hard work and most of my income reinvested in my property to make it what it is today, a pleasant and healthful work environment. The current facility at 195 St. John St., designed and built by me, is a model for the auto repair business and helped Alan Auto win the Governor's Award in 1997. My company is featured in DEP literature; I serve on the DEP business advisory panel; I served on the panel which helped draft the current mercury bill; and I am a company selected to participate in the DEP Step-up program for companies who go beyond environmental compliance. Through these activities my contact with the DEP has increased considerably as of late.

DEP: This Dedicated Environmental Proactivity brings with it intense albeit constructive Departmental scrutiny. Having a licensed salvage yard with its potential for environmental disaster is an uncomfortable contradiction in my relations with the Department. Over time this adjunct (but absolute necessity) to my business has come to cause me increasing concern. Vehicles have the potential to leak their unsavory, and in some cases hazardous fluids (including our current arch nemesis, mercury) onto the ground at any time. Besides ,although old cars to me have a degree of charm, a group of them isn't always considered to be art by the public. As part of the permitting process we have complied with screening and do attempt to use current best practices with regard to environmental impacts. However, the only really sure-fire way of handling this issue is containment/enclosure. To get an idea of the gravity of this problem look at the pavement where vehicles stop at toll booths. My plan was to first make a concrete pad for service vehicles and later for salvage vehicles. This would allow complete containment of any spills from these vehicles and of course ally any fears regarding the environmental impact of this aspect of my business. I have already done this successfully in the service area of Alan Auto.

RIGHT THING/WRONG WAY: I have always tried to do the right thing - I guess I did the right thing in the wrong way. Perhaps the foregoing has given you some idea of the motivation behind my hasty actions. The enclosed pictures tell the story. Before the building the area was unsightly and poorly suited to car storage. I had hoped this project would be an asset not only to my business but to the environment and to the community as well.

Again I apologize for not having followed proceedure. If given an opportunity I will. I appeal to your office for assistance. Is it not the intent of the code to ensure that safe, well constructed, attractive buildings are built to benefit the occupants and the community? If that is even remotely so, could you please help me in this pursuit instead of taking any action to in any way hinder this?

Alan R. Prosser

Alan Auto

Sincerely,

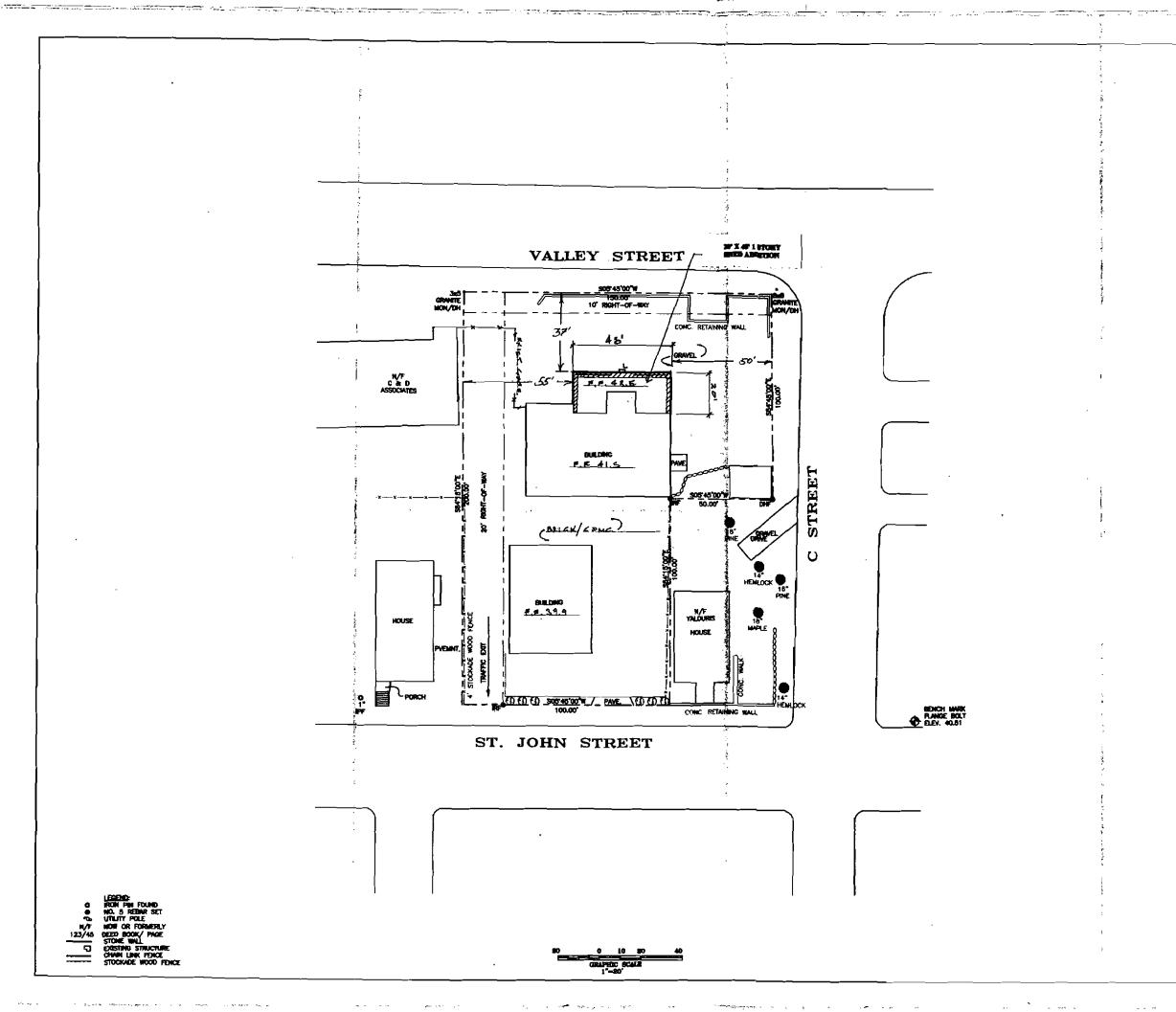














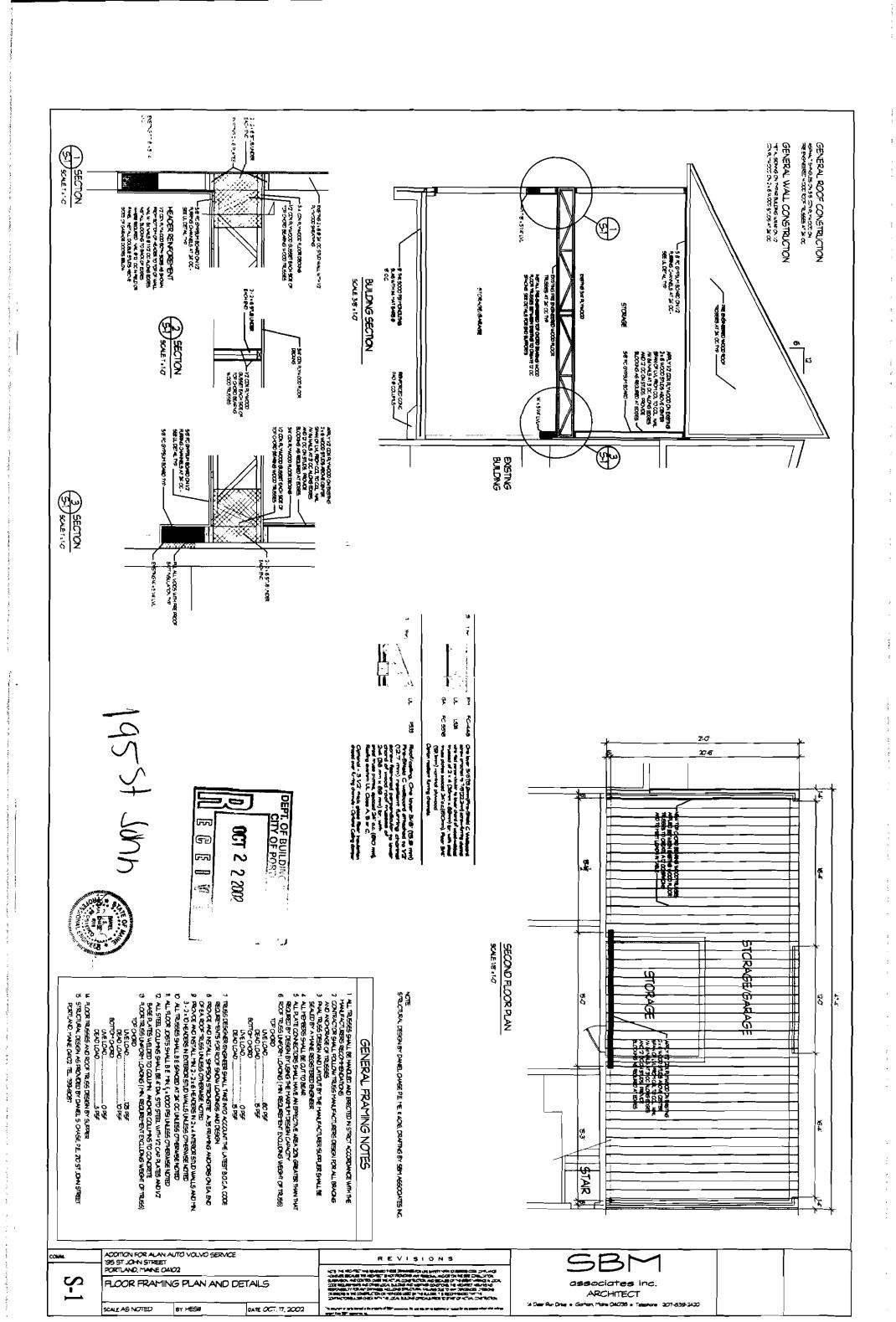
LOCATION MAP

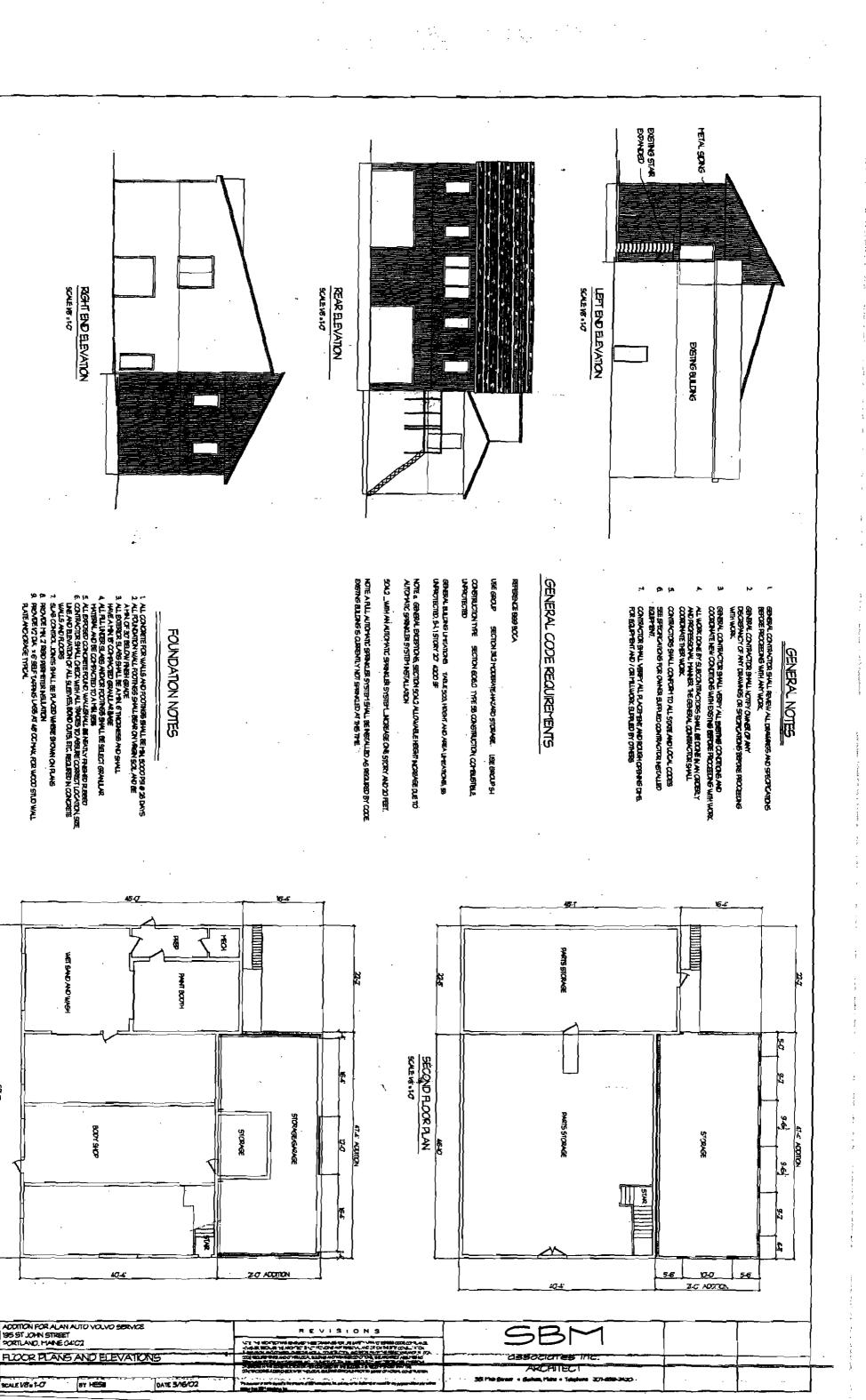
HOTES

- (1) DEED REFERENCE: DEED BOOK DOX, PAGE XX
 CLARRESTAND COUNTY REGISTRY OF DEEDS
- (2) TAX MAP REFERENCE: TAX MAP & A LOT TO
- (3) PLAN REFERENCE
 - (A) FIRST PLAN RETERENCE
- (B) SECOND PLAN REFERENCE
- (C) THERED..

ADDITION TO AUTO STORAGE PACELITY
ALAN AUTO
196 ST. JURIN STREET, PORTLAND, ME
PLANNING / DESIGN ANDCIATES
HAMREN EAL RETAIN MYRITHERY COUNTLAND
F.O. REEL ST. STREETE MYRITHERY COUNTLAND
F.O. REEL STREETE MYRITHERY COUNTLAND
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FRST FLOOR PLAN

COMM.

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