City of Portland, Maine	Ruilding on Use I	Rommit Applicatio	Per	mit No:	Issue Date:	CBL:	
389 Congress Street, 04101	•	* *		02-0193		076 A0300	001
Location of Construction:	Owner Name:			r Address:	Phone:		
1000 Congress St	Gtb Llc	Gth Llc		ox 4682			
Business Name:	Contractor Name	:	Contri	actor Address:		Phone	_
	Warren Constr	nuction	P.O. Box 362 South Freeport		2078653522	2078653522	
Lessee/Buyer's Name	Phone:			t Type: rations - Cor	nmercial	24	
Past Use:	Proposed Use:		Permit Fee: Cost of Wark: C			CEO District:	
trucking company	Trucking Com	pany,d.b.a Royal		\$128.00	\$15,000.0	0 3	
Lobster Approved ZBA		А оп 2/21/02	FIRE	DEPT;		SPECTION: the Group: Ty 4/10/07 4/10/07	pe: N/A
Proposed Project Description: Fire escape per Zoning Board	of Anneals		Signat		M sig	macure July	A
			_	STRIAN ACTI		<u> </u>	
			Action: 🗌 Approved 🎦 Approved v		ed w/Conditions 📋 De	w/Conditions Denied	
			Signa	ture:		Date:	
Permit Taken By:	Date Applied For:		-	Zoning	Approval		
jodinea	03/04/2002						
 This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. Building permits do not include plumbing, septic or electrical work. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work 		Special Zone or Reviews		s Zoning Appeal		Historic Preserv	ation
		Shoreland MA		Varianc	e	Not in District or	r Landmark
		Wetland		Miscella	EBA-	🗌 Does Noi Requir	e Review
		Flood Zone		Conditio	mai Use 14-387	🖌 🗌 Requires Review	,
		🔲 Subdivision	ł	interpre	tation	Approved	
		Site Plan erfor	sptan	Approv	ed	Approved w/Con	ditions
			4⊡ 7∠	Denied	21/02	Denied	3
		Date: 3/07/0	<u>v</u>			Date:	_

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.

DOUARDS ONLY 364 LEFT MESSAGE MUSO BE 424 (PAUL BEIKER)



Form # P 04	DISPLAY				AL FRONT		F WORK
Please Read Application And Notes, If Any Attached			E	PERMI	ECTION		umber: 020193
This is to certify	thet <u>Gtb Llc</u>	/Warren Constr	ruction				
has permission t	to <u>Fire esc</u>	ape per Zoning	Boar App				
AT 1000 Congr	ress_St					030001	
•	visions of th uction, main tment.			and of the buildings an		-	of Portland regulating application on file in
1 1 1 1	blic Works for statute of workation.		N licati g hand b reth land o H IR N	w ripermis s ding ar		procured ing or par	ate of occupancy must be by owner before this build- rt thereof is occupied.
OTHER Fire Dept.		ROVALS			7 Gu	AROS	MUST BE
Health Dept.						$\lambda \Lambda$	LA
Appeal Board						AL .	4/07/02
Other	Department Name				$\sim \alpha$	Director · Bu	Rising & Importion Services
		P	ENALTY F	OR REMOVI	NG THIS CARE	Ń	

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APPLICATION FOR EXEMPTION FROM SITE PLAN REVIEW. WORN 102 **Application Date** Applica X4 (4110Z JAXAV nno 6/X \mathcal{U} Applicant's Mailing Address Project Name/De eription נ ומח Unixo Address of Proposed Site ultant/Agent/Phone Number Ċ, 8105-3522 CBL: UNLE - AL Q. R() Description of Proposed Development: I Xac YL Piesse Attach Sketch/Plan of Proposal/Development Applicant's Assessment (Yes, No, N/A) Criteria for Exemptions: See Section 14-523 (4)

- a) Within Existing Structures; No New Buildings, Demolitions or Additions
- b) Footprint Increase Less Than 500-Sq. Ft.
- c) No New Curb Cuts, Driveways, Parking Areas
- d) Curbs and Sidewalks in Sound Condition/ Comply with ADA
- e) No Additional Parking / No Traffic Increase
- f) No Stormwater Problems
- g) Sufficient Property Screening
- h) Adequate Utilities



Yellow - Applicant





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2002 0193

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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.

Location/Address of Construction: 10	DD C	DNans	Stree	<i>I</i>	
Total Square Footage of Proposed Structu	re	Square Footage	of Lot		
Tax Assessor's Chart, Block & LotChart#Block#Lot#())/leA()30		evin Roy Congress: and me	st. 04102	Telephone:	
Lessee/Buyer's Name (If Applicable)		post, me c	50n 62000 We	ost Of ork: <u>\$ 15,000</u> .00 e: \$ 12B-	
Current use: <u>trucking Company</u> 845-3522 If the location is currently vacant, what was prior use: <u>NIA</u> Approximately how long has it been vacant: <u>NIA</u> Proposed use: Project description:					
<u>appnNrd for Schords on 2121 ph by Zoning band of Apprils</u> Contractor's name, address & telephone: Peter Warren WARREN CONSTRUCTION GROUP. POBR 362. So. Freepart. Mc 04078 Who should we contact when the permit is ready: <u>Peter Warren</u> Mailing address: <u>POBR 362</u> So. Freepart. Mc 04078 We will contact you by phone when the permit is ready. You must come in and pick up the permit and review the requirements before starting any work, with a Plon Reviewer. A stop work order will be issued and a \$100.00 fee if any work starts before the permit is picked up. PHONE: 865-3522					
IF THE REQUIRED INFORMATION IS NOT INCL	UDED IN THE		PERMIT WILL E		

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 awner 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 cavered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of applicant: Haci	à Dusas e	Date:			
This is NOT a permit, you	nen Construction nay not commence Al	Shoup NY work until	the permit is issu		
If you are in a Historic District you may be subject to additional permitting and fees with the					
Plannina	Department on the 4 th	floor of City	Hall		





SUBJECT PROPERTY



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ROM SITE PLAN REVIEW

Koth LOBSTOR CO

Applicant 1000 CONORESS ST. POLITIANO ME Applicant's Mailing, Address

5/1.10 Application Date STMES & ROYAL LOBSTER Project Name/Description 1000 CONGLESS STREET **71** Address of Proposed Site

Consultant/Agent/Phone Number

Description of Proposed Development: PLEMSE REFER TO LETTER ATTACHEO Applicant's Assessment (Yes, No, N/A) Please Attach/Sketch/Plan of Proposal/Development Υ. Criteria for Exemptions: See Section 14-523 (4) 1 N a) Within Existing Structures; No New Buildings, Demolitions of Additions b) Footprist Increase Less Than 500 Sq. Pt. c) No New Curb Cups, Driveways, Parking Areas d) Curbs and Sidewalks in Sound Condition/ A Comply with ADA ĥ L e) No Additional Parking / No Traffic Increase ۲ f) No Stornewater Problems ۲

g) Sufficient Property Screening

b) Adequate Utilities 11.27

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XIII CONTRACTOR 1.00

MA

H/A

White - Planning Office

Pink - Inspections

Yellow - Applicant

Цę.,



EAST SIDE OF RONAL LOBSTER



SOUTH END OF BUILDING-REFERENCE EXISTING FIRE LADDER FOR NEW STAIR LOCATION



SOUTH END OF BUILDING NEW STAIR LOCATION - LODKING TOWARDS CUMBERLAND COUNTY JAIL



WEST SIDE OF PROPERTY-SHOWING DEBRIS OF NEIGHBOR TO WEST - NOTE CHARRED TREE FROM FIRE IN AUGUST





NORTH STAIR FROM WEST









ZONING BOARD OF APPEALS

MISCELLANEOUS APPEAL APPLICATION

Applicant's name and address: Keyin J. Kou 1000 Concress Street, Portland maine 04102 Applicant's interest in property (e.g., owner, purchaser, etc.): OWNEY Owner's name and address (if different): Key w J. R 93 Foggilload Scarborough Anciel 040FY Address of property and Assessor's chart, block and lot number: 076-BlickA-Lot 30 Fresent Use: Ihuelly Zone: Past Use (if different) Appeal pertains to: Section 14-382. Por agraph C Basis for Appeal and relief requested: Add; tion of fine concess end of Structure to connect lite safety deficiency in the property. The stair while it is descued to fit within the property line does no NOTE: If site plan approval is required, attach proposed or final alte plan.

The undersigned hereby makes application for an appeal as above described, and certifies that all information herein supplied by him/her is true and correct to the best of his/her knowledge.

Date: 12 Signatu

CITY OF PORTLAND, MAINE	-
	NEL COMMENTS

VARIANCE APPEAL APPLICATION Kevin J. Roy / Roych Applicant's name and add Maine 04102 1000 Lowcress -1 اعسد Applicant's interest in property (e.g. owner, purchaser, etc.) :_ Owner owner's name and address (if differenty: Kevin J. Tov Food Wad. Scarborough, Maine 04074 Address of property and Assessor's chart, block, and lot number: Map 76 - Block A- Lot 30 zone: I-1 Present use: Tricking Col Variance from section 14-352. Paragraph C

Note: If site plan approval is required, attach preliminary or final site plan.

The undersigned hereby makes application for a variance is above described, and cartifies that all information herein supplied by him/her is true and concept to the best of his/her knowledge and belief.

Applicanc

Except as specifically provided by the Ordinance, a variance may be granted by the Board only where strict application of the Ordinance, or a provision thereof, to the stitioner and his property would cause undue hardship. In order for the Board to find "undue hardship", the applicant must answer all of the following questions, and provide supporting evidence. The Board vill consider this evidence in deciding whether to grant the appeal.

 Can the land yield a reasonable return (not the highest return) without the granting of a variance?

Yes f (deny the appeal) The office area on the second floor does provide a safe scand means of

4 med فسلمط bris. 5

 Will the granting of the variance alter the essential character of the locality;

(deny the appeal) Yes Le addition of a code complian way will not after the

 Is the hardship a result of action taken by the applicant or a prior owner, (self-created hardship);

Yes 🜙 (deny the appeal) No second Hoor constr veted by the pre did not adequately consider what are how reasonable life safety neasures. acceptable and

It is up to the applicant to decide whether to file an appeal after reviewing the above requirements.

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<u>SCHEDULE A</u>

REAL PROPERTY

[Metes and Bounds Description of Real Property]

Beginning on the northwesterly sideline of a right of way, commonly known as Ogdensburg Street, at the point of intersection of said northwesterly sideline of said right of way with the prolongation southwesterly of a line parallel to and five (5) feet southwesterly from the face of this southwesterly wall of the building now occupied by the so-called Radio Service Laboratory of N.H. and Maine: thence southwesterly along said northwesterly sideline of said right of way one hundred two and thirty-seven hundredths (102.37) feet, more or less, to another right of way; thence northwesterly by said other right of way seventy-six and twenty-five hundredths (76.25) feet, more or less, to land now or formerly of George F. Wescott; thence northwesterly by the southeasterly sideline of said Wescott land to the point of intersection of said southeasterly sideline of said We scott land with the prolongation northwesterly of a line parallel to and five (5)feet southwesterly from the face of the southwesterly wall of the building now occupied by the so-called Radio Service Laboratory of N.H. and Maine; thence southeasterly along said prolongation northwesterly of said line parallel to and five (5) feet southwesterly from the face of the southwesterly wall of the building now occupied by the s0-called Radio Service Laboratory of N.H. and Maine. along said line parallel to and five (5) feel southwesterly from the face of the southwesterly wall of the building now occupied by the so-called Radio Service Laboratory of N.H. and Maine and along the prolongation southeasterly of said line parallel to and five (5) feet southwesterly from the face of the southwesterly wall of the building now occupied by the so-called Radio Service Laboratory of N.H. and Maine to said northwesterly sideline of said right of way, commonly known as Ogdensburg Street, and the point of beginning.

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City of Portland, Maine Code of Ordinances, revised 10/01/2000 Secs. 14-376 Land Use Chapter 14

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DIVISION 23. NONCONFORMING USE AND NONCONFORMING BUILDINGS

Sec. 14-381. Continuation.

Any lawful use of buildings, structures, premises or parts thereof, existing on June 5, 1957, and made nonconforming by the provisions of this article or any amendment thereto may be continued although such use does not conform with the provisions of this article or amendment thereto.

(Code 1968, § 602.17.A)

Sec. 14-382. Increase in nonconforming use of building or alterations to nonconforming buildings limited.

(a) A lawful nonconforming building may be maintained, repaired, or reconstructed in kind within a one year period, but no alterations, modifications or additions shall be made to it, except as provided in this division.

(b) A building whose use is wholly nonconforming shall not be altered so as to increase the cubical content or the degree of nonconformity.

(c) No alterations, modifications or additions shall be made so as to increase the cubical content or the degree of nonconforming use, nor shall a nonconforming use be extended to any other part of such building, unless such part was clearly arranged and designed for such nonconforming use prior to June 5, 1957, or such extension of a nonconforming use is solely for the purpose of bringing the use into compliance with health or safety codes, or to correct a condition that may not technically be in violation but which is determined by the board of appeals to constitute a health or safety problem. In either case, the expansion shall be limited/ to the minimum necessary to accomplish that purpose.

(d) Alteration, modification or addition may be made to a building which is lawfully nonconforming as to space and bulk or any dimensional requirement where the proposed changes in existing exterior walls and/or roofs would be within the space occupied by the existing shell of the building, and would not create any new nonconformity nor increase any existing nonconformity. This

Main Identity

From:"Gaylen McDougall" <GWM@ci.portland.me.us>To:<pDW@WarrenConstructionGroup.com>Cc:<MES@ci.portland.me.us>;Sent:Thursday, October 18, 2001 3:44 PMSubject:ConcealedSubject:1000 Congress Street

I have inspected the above property. After the fire at the above property the value of the two stairs were proven. From a life safety point of view the two stairs are necessary.

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CITY OF PORTLAND, MAINE ZONING BOARD OF APPEALS

Elizabeth Bordowitz, Chair Lee Lowry, Secretary Nan Sawyer Julie Brady Joc Lewis Willjam Neleski, Jr.

February 25, 2002

Royal Lobster, Co. 1000 Congress Street Portland, Maine 04102

RE:1000 Congress StreetCBL:076-A-030ZONE:I-L Zone

Dear Mr. Roy;

As you know, at its February 21, 2002 meeting, the Board of Appeals voted 5-0 to grant your Miseellaneous Appeal to build a fire escape.

We would suggest recording documentation at the Registry of Deeds showing the setback reduction that the Board Approved. It is not mandatory, but highly suggested.

Enclosed you will find a copy of the Boards decision along with a building permit application, that must be approved before any construction begins.

Sincerely,

Marge Schmuckal Zoning Administrator



1000 CONGRESS STREET PORTLAND, MADE 04102 . (207) 775-5002 . FAX (207) 775-4224

Date: January 21, 2002 City of Portland, Maine - Zoning Board of Appeals

Re: Miscellaneous Appeal Application for Fire and Rescue Stair at 1000 Congress Street, Portland, Maine

Dear Ms. Schmuckal,

Please accept our application for a Miscellaneous Appeal Application to be allowed to construct a fire stair at the south end of our building at 1000 Congress Street in Portland, Maine.

The previous owner constructed approximately 90 lineal feet of offices on the second floor of the property with an enclosed stair at the north end of the building. We do not consider the existing fire ladder at the south end of the building to be an adequate means of fire egress for the occupants of a structure of this size. Sam Hoffis and Lt. Gaylen Mcdougall also raised this concern when they toured our building in November 2000 to review our pending permit application. Their opinion was that our design and plan for a new, code-compliant, fire escape stairway would markedly improve life safety, not only for any potential building occupants, but for fire and rescue personnel as well.

Our initial building permit application of May 14, 2001 was denied, as the location of the steel fire stair proposed did not meet building-setback requirements. We were unaware of this requirement prior to our application. Our property line is approximately 5 feet from the building face. Please refer to the attached site plan showing the proposed fire escape stairway. Later in May of 2001, we discussed and were informally advised, that a variance appeal would be denied, "As the previous owner had created the hardship".

In August of 2001, tires and debris belonging to our neighbor to the west caught fire, resulting in damage to our building. Thankfully serious injury was avoided. In discussion with some of the firefighters at the scene, it was suggested that we reapply for permission to construct a suitable fire escape and rescue stairway. In this regard Lt. McDougall forwarded an "e-mail", to support and corroborate our case. We request that the Board review the attached site plan, engineers plan, photographs, and "e-mail" for the proposed fire and rescue stairway, and allow us a variance under Section 14 – 382, Paragraph C, of the City of Portland, Maine, Code of Ordinances revised 10/01/00, which is also attached.

Our purpose is to correct a condition, regardless of origin, that constitutes a safety problem. Our "expansion" is proposed to be within our property lines and is within the minimum size to accomplish our purpose.

In addition, we request the Board's opinion with regards to the existing enclosed stairway at the north end of the building, which will require replacement in the near future. Similar setback issues exist in this location, with the difference being the stairway already exists.

Thank you very much for your consideration of our request.

Respectfully,

Kevin J. Roy®

Kevin J. Roy. President RLC

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 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.

Pre-construction Meeting: Must be scheduled with your inspection team upon receipt of this permit. Jay Reynolds, Development Review Coordinator at 874-8632 must also be contacted at this time, before any site work begins on any project other than single family additions or alterations.

MA Footing/Building Location Inspecti	on: Prior to pouring concrete		
\underline{NA} Re-Bar Schedule Inspection:	Prior to pouring concrete		
<u>NA</u> Foundation Inspection:	Prior to placing ANY backfill		
Kraming/Rough Plumbing/Electric	al: Prior to any insulating or drywalling		
<u>SD</u> Final/Certificate of Occupancys			

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

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

 $\frac{\sqrt{\gamma+1}}{\gamma+1}$ CERIFICATE OF OCCUPANICES MUST BE ISSUED AND PAID FOR, BEFORE THE SPACE MAY BE OCCUPIED

Signature of applicant/designee 4

Signature of Inspections Official

CBL: 076-A03001 Building Permit #: 12 -0123