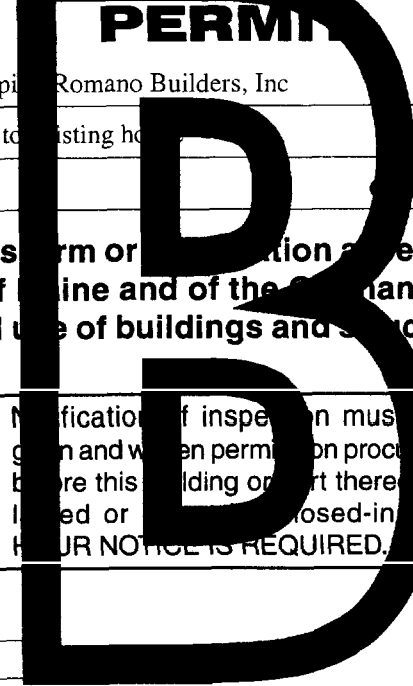


# DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

Please Read Application And Notes, If Any, Attached

INSPECTION

Permit Number 060430



This is to certify that MORGAN BARRY R /Papi Romano Builders, Inc

has permission to Renovations and Addition to existing ho

AT 140 NOYES ST

082 A017001

PERMIT ISSUED  
MAY 11 2006  
CITY OF PORTLAND

provided that the person or persons who accept this permit shall comply with all of the provisions of the Statutes of the City 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 when permission procedure before this building or part thereof is closed or closed-in. 4 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 \_\_\_\_\_  
Department Name

*[Signature]*  
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: 06-0430	Issue Date: MAY 11 2006	City: 082 A017001
-----------------------	----------------------------	----------------------

<b>Location of Construction:</b> 140 NOYES ST	<b>Owner Name:</b> MORGAN BARRY R	<b>Owner Address:</b> 140 NOYES ST
<b>Business Name:</b>	<b>Contractor Name:</b> Papi & Romano Builders, Inc	<b>Contractor Address:</b> PO Box 1079 Portland
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Alterations - Dwellings

<b>Past Use:</b> Single Family	<b>Proposed Use:</b> Single Family Renovations and Addition to existing house - does not include the addition to the existing front bay window for which height is being disputed	<b>Permit Fee:</b> \$4,071.00	<b>Cost of Work:</b> \$450,000.00	<b>CEO District:</b> 3
-----------------------------------	--	----------------------------------	--------------------------------------	---------------------------

<b>Proposed Project Description:</b> Renovations and Addition to existing house	<b>FIRE DEPT:</b> <input type="checkbox"/> Approved <input type="checkbox"/> Denied	<b>INSPECTION:</b> Use Group: R3 Type: SB 5/9/06
	<b>Signature:</b>	<b>Signature:</b>

<b>Permit Taken By:</b> dmartin	<b>Date Applied For:</b> 0313 112006	<b>Zoning Approval</b>
------------------------------------	---	------------------------

	Special Zone or Reviews	Zoning Appeal	Historic Preservation
1.	<input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <i>rework per section 14-425</i> <input type="checkbox"/> Flood Zone <input type="checkbox"/> subdivision <input type="checkbox"/> Site Plan <i>N/A</i> Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> <i>ok with carlot</i> Date: <i>5/9/06</i>	<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:	<input checked="" type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied 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.

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

# City of Portland, Maine - Building or Use Permit

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

<b>Permit No:</b> 06-0430	<b>Date Applied For:</b> 03/31/2006	<b>CBL:</b> 082 A017001
------------------------------	--	----------------------------

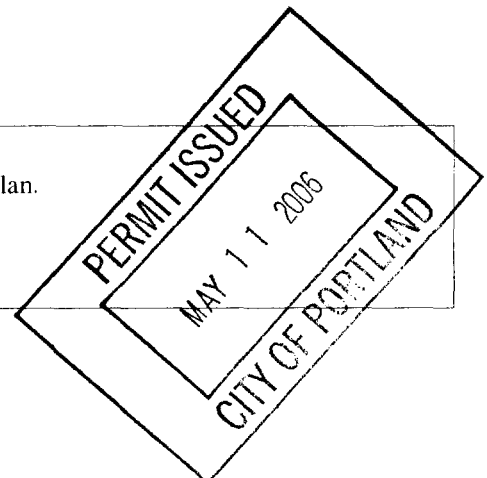
<b>Location of Construction:</b> 140 NOYES ST	<b>Owner Name:</b> MORGAN BARRY R	<b>Owner Address:</b> 140 NOYES ST	<b>Phone:</b>
<b>Business Name:</b>	<b>Contractor Name:</b> Papi & Romano Builders, Inc	<b>Contractor Address:</b> PO Box 1079 Portland	<b>Phone:</b> (207) 797-3381
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b>	

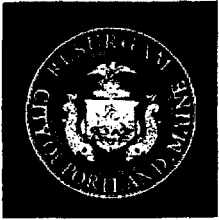
<b>Proposed Use:</b> Single Family Renovations and Addition to existing house - does not include the addition to the existing front bay window for which height is being disputed	<b>Proposed Project Description:</b> Renovations and Addition to existing house
--	--

<b>Dept:</b> Zoning	<b>Status:</b> Approved with Conditions	<b>Reviewer:</b> Ann Machado	<b>Approval Date:</b> 05/09/2006
<b>Note:</b> The rear porch encroaches into the rear set back 4" on the left side and 1.5' on the right side. The total encroachment is 40.26 sf. Since the deck is 4.75' deep and the encroachment is less than 50 sf section 14-425 applies. 5/9/06 This permit approval does not include the turret like addition above the existing front bay window for which height measurement is being disputed.			<b>Ok to Issue:</b> <input checked="" type="checkbox"/>
1) Separate permits shall be required for future decks, sheds, pools, and/or garages. 2) This is NOT an approval for an additional dwelling unit. You SHALL NOT add any additional kitchen equipment including, but not limited to items such as stoves, microwaves, refrigerators, or kitchen sinks, etc. Without special approvals. 3) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work. PLEASE NOTE: This permit approval does not include the turret like addition above the front bay windows for which the height measurement is being disputed. 4) This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.			

<b>Dept:</b> Building	<b>Status:</b> Approved with Conditions	<b>Reviewer:</b> Mike Nugent	<b>Approval Date:</b> 05/09/2006
<b>Note:</b>			<b>Ok to Issue:</b> <input checked="" type="checkbox"/>
1) The "turret" is not a part of this approval.  The Balconies have been eliminated, redesign is in progress new plans will be submitted prior to framing.  The bulkhead has been eliminated.  The crawlspace wall has been changed redesign is in progress new plans will be submitted prior to commencement.			

<b>Comments:</b>
4/21/2006-amachado: Left message with Rick Romano. Need a full size set of plans. Need a plot plan.
4/25/2006-amachado: need to check height of turret with Marge.
5/5/2006-amachado: Still trying to resolve issue of turret roof height.





# PORTLAND MAINE

*Strengthening a Remarkable City, Building a Community for Life • [www.portlandmaine.gov](http://www.portlandmaine.gov)*

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

May 9, 2006

Papi & Romano Builders, Inc.  
P.O. Box 1079  
Portland, ME 04104  
Attn: Rick Romano

Re: 140 Noyes Street – 082-A-17 & 19 – **R-5** Zone – permit #06-0430

Dear Rick,

This office is in receipt of your application to make renovations and construct additions to the existing single family dwelling at 140 Noyes Street. A review of your submitted plans show that the proposed upward extension of your front bay window structure is not meeting the height limits of section 14-120(g), maximum structure height.

Your permit to make renovations and construct additions has been forwarded on for building codes review with the condition that the proposed upward extension of your front bay window structure be deleted from the application pending resolution of the height issue.

Within the **R-5** zone there is a maximum height limit of thirty-five (35) feet as stated under section 14-120(g). A scaling of your plans shows that the height on the expansion of your front bay window structure is 37.6 feet in height which is in violation of zoning. Please note that height is a vertical measurement from grade to a level midway between the level of the eaves and highest point of pitched roofs. Your roof on this upward expansion is considered to be a pitched roof.

Your architect has argued that the roof is a “steeple” and would therefore be exempt **from** the required height limits under section 14-430 which states: “Roof structures for the housing of elevators, stairways, tanks, fans, or other building operating equipment not intended for human occupancy, skylights, steeples, roof signs, flag poles, chimneys, smokestacks, radio or television masts, water tanks, or silos may be erected above the height limitation herein prescribed for buildings”. I disagree with this argument. The proposed roof is not a steeple. According to the head of the City’s Historic Preservation Ordinance, Deb Andrews, steeples are only on churches or other places of worship. Steeples are an appendage that is placed upon a roof. It is usually not the roof itself. I see no exemption under 14-430 which would qualify this building roof **from** the height

limit of the zoning ordinance. I have determined that this structure and roof must meet the requirements of section 14-120(g) of which it is now in violation. **If** you wish to go forward with the construction of this upward expansion, you must submit revised, scaled drawings showing compliance with the Zoning Ordinance.

You have the right to appeal my decision. If you wish to exercise your right to appeal, you have **30** 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. We have had phone discussions concerning this matter. I have included the necessary paperwork needed to file an interpretation appeal per your request. I have also enclosed an application for a variance appeal if you choose that route for appeal.

If you have any further question please do not hesitate to contact me at 874-8695

Very truly yours,



Marge Schmuckal  
Zoning Administrator

Cc: Barry R. Morgan, owner, 140 Noyes Street, Portland, ME 04103  
Michael R. Charek, Architect, 25 Hartley Street, Portland, ME 04103  
File

enclosures



# General Building Permit Application

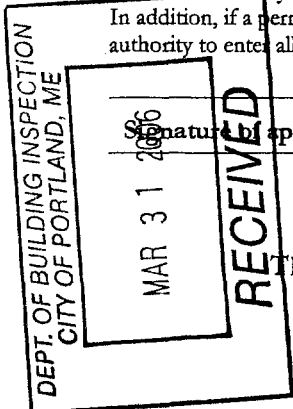
If you or the property owner **owes** real estate or personal property taxes or user charges on **any** property within the **City**, payment arrangements must be made before permits of any kind are accepted.

Total Square Footage of Proposed Structure <u>2152</u>		Square Footage of Lot <u>DOUBLE LOT</u>	
Chart# <u>82</u>	Block# <u>A</u>	Lot# <u>17-19</u>	<u>BARRY MORLAN</u> <u>671-4798</u> <u>or 797-3381</u>
Lessee/Buyer's Name (If Applicable)		Applicant name, address & telephone: <u>PAPI &amp; ROMANO BLDGS., INC.</u> <u>FOR: BARRY MORLAN</u> <u>P.O. BOX 1079</u> <u>PORTLAND, ME 04104</u>	cost Of Work: \$ <u>450,000.</u> Fee: \$ <u>4,071</u> C of O Fee: \$ <u>N/A</u>
Current Specific use: <u>SINGLE FAMILY RESIDENTIAL</u>			
If vacant, what was the previous use?			
Proposed Specific use: <u>RENOVATE &amp; ADD - USE TO STAY THE SAME</u>			
Project description: <u>RENOVATIONS &amp; ADDITION TO EXISTING SINGLE FAMILY HOME</u>			
Contractor's name, address & telephone: <u>PAPI &amp; ROMANO BLDGS., INC.</u> P.O. BOX 1079 <u>PORTLAND, ME 04104</u>			
Who should we contact when the permit is ready:		<u>RICK ROMANO</u>	
Mailing address:		Phone: <u>797-3381</u>	

**Please submit all of the information outlined in the Commercial Application 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 visit us on-line at [www.portlandmaine.gov](http://www.portlandmaine.gov), stop by the Building Inspections 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 representatives 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: <u>By: Rick Romano</u>	Date: <u>3/31/06</u>
<u>FOR: PAPI &amp; ROMANO BLDGS., INC.</u> <u>ITS: PRESIDENT</u>	

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

This page contains a detailed description of the Parcel ID you selected. Press the **New Search** button at the bottom of the screen to submit a new query.

**Current Owner Information**

Card Number 1 of 1  
 Parcel ID 082 A017001  
 Location 140 NOYES ST  
 Land Use SINGLE FAMILY

*R5*

Owner Address MORGAN BARRY R  
 140 NOYES ST  
 PORTLAND ME 04103

*min lot size - 6000 sq ft ✓ OK.*

Book/Page 21321/313  
 Legal 82-A-17-19  
 NOYES ST 138-142  
 9171 SF

*20' req.  
 R 20' req.  
 S 14' req.  
 max lot coverage 40% = 3668.4 sq ft ✓ OK  
 max height 35'*

*lot coverage ≈ 2411.9 + 96  
 building shed  
 (2507.9)*

**Current Assessed Valuation For Fiscal Year 2006**

Land	Building	Total
\$62,240	\$133,280	\$195,520

**Estimated Assessed Valuation For Fiscal Year 2007\***

Land	Building	Total
\$91,400	\$166,500	\$257,900

\* Value subject to change based upon review of property status as of 4/1/06. The tax rate will be determined by City Council in May 2006.

**Property Information**

Year Built	Style	Story Height	Sq. Ft.	Total Acres	
1890	Old Style	2	2086	0.211	
Bedrooms	Full Baths	Half Baths	Total Rooms	Attic	Basement
3	1		7	Full Finsh	Full

**Outbuildings**

Type	Quantity	Year Built	Size	Grade	Condition
SHED-FRAME		1986	8X12	C	A

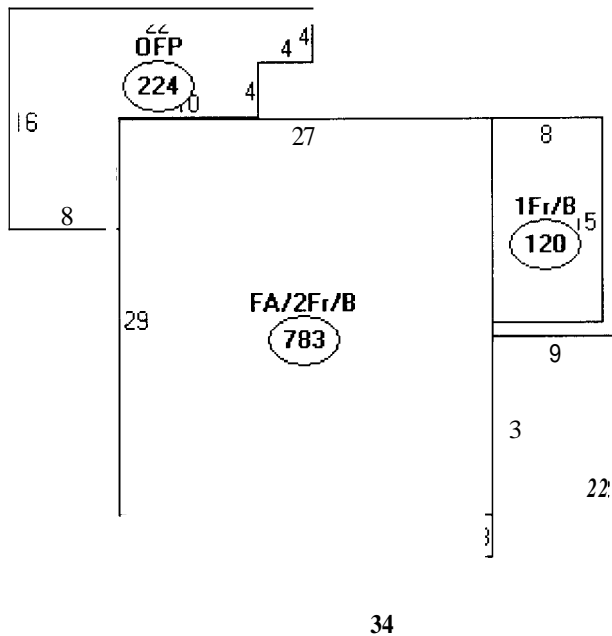
**Sales Information**

Date	Type	Price	Book/Page
05/25/2004	LAND + BLDING	\$378,000	21321-313
11/08/1991	LAND + BLDING		09785-208

**Picture and Sketch**

Picture      Sketch      Tax Map

[Click here](#) to view Tax Roll Information.



Descriptor/

- A: FA/2Fr/B  
783 sqft
- E: OFF  
224 sqft
- C: 1Fr/B  
120 sqft
- D: OFF  
387 sqft
- E: FA/2sFBAY  
36 sqft



Existing  
to remain

