

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

Location of Construction: <i>Diamond Cove Unit 1A</i>		Owner: <i>John O'Leary</i>		Phone: <i>802-658-0619</i>		Permit No: 981453	
Owner Address: <i>179 Maple St. #2 Burlington, VT 05401</i>		Lessee/Buyer's Name:		Phone:		Business Name:	
Contractor Name:		Address:		Phone:		Permit Issued: DEC 30 1998	
Past Use: <i>Vacant/Empty 50+years</i>		Proposed Use: <i>Residential/Condo</i>		COST OF WORK: \$ <i>80,000</i>		PERMIT FEE: \$ <i>420.00</i>	
Proposed Project Description: <i>All cosmetic no structural. Restore & remodel including kitchens & baths. UNIT A</i>		FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group: Type:		CITY OF PORTLAND	
		Signature:		Signature:		Zone: CBL: 83-E 3-011	
		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: Approved <input type="checkbox"/> Approved with Conditions: <input type="checkbox"/> Denied <input type="checkbox"/>		Signature: Date:		Zoning Approval: <i>K</i> Special Zone or Reviews: <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan maj <input type="checkbox"/> minor <input type="checkbox"/> mm <input type="checkbox"/>	
Permit Taken By: <i>ME</i>		Date Applied For: <i>12/21/98</i>					

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..

**PERMIT ISSUED
WITH REQUIREMENTS**

CERTIFICATION

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

SIGNATURE OF APPLICANT ADDRESS: DATE: PHONE:

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE PHONE:

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

CEO DISTRICT

1
12/22

COMMENTS

5-9-00 No Access JB
8/8/00 Completed all

Inspection Record

Type

Foundation: _____

Framing: _____

Plumbing: _____

Final: _____

Other: _____

Date

BUILDING PERMIT REPORT

DATE: 26 Dec. 98 ADDRESS: Diamond Cove unit 1A CBL 83-E-B-011
REASON FOR PERMIT: Restore & remodel unit A only
BUILDING OWNER: John O'Leary
CONTRACTOR: owner
PERMIT APPLICANT: ↑
USE GROUP R-3 BOCA 1996 CONSTRUCTION TYPE BB

CONDITION(S) OF APPROVAL

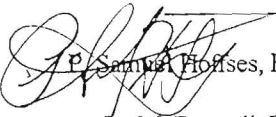
This Permit is being issued with the understanding that the following conditions are met:

Approved with the following conditions: *1, *6, *7, *8, *9, *10, *11, *12, *16, *24, *26, *27, *29, *30, *31, *32, #18

- ☒ 1. This permit does not excuse the applicant from meeting applicable State and Federal rules and laws.
- 2. Before concrete for foundation is placed, approvals from the Development Review Coordinator and Inspection Services must be obtained. (A 24 hour notice is required prior to inspection)
- 2.5 Foundation drain shall be placed around the perimeter of a foundation that consists of gravel or crushed stone containing not more than 10 percent material that passes through a No. 4 sieve. The drain shall extend a minimum of 12 inches beyond the outside edge of the footing. The thickness shall be such that the bottom of the drain is not higher than the bottom of the base under the floor, and that the top of the drain is not less than 6 inches above the top of the footing. The top of the drain shall be covered with an approved filter membrane material. Where a drain tile or perforated pipe is used, the invert of the pipe or tile shall not be higher than the floor elevation. The top of joints or top of perforations shall be protected with an approved filter membrane material. The pipe or tile shall be placed on not less than 2" of gravel or crushed stone, and shall be covered with not less than 6" of the same material. Section 1813.5.2
- 2.6 Foundations anchors shall be a minimum of 1/2" in diameter, 7" into the foundation wall, minimum of 12" from corners of foundation and a maximum 6' o.c. between bolts. (Section 2305.17)
- 3. Precaution must be taken to protect concrete from freezing. Section 1908.0
- 4. It is strongly recommended that a registered land surveyor check all foundation forms before concrete is placed. This is done to verify that the proper setbacks are maintained.
- 5. Private garages located beneath habitable rooms in occupancies in Use Group R-1, R-2, R-3 or I-1 shall be separated from adjacent interior spaces by fire partitions and floor/ceiling assembly which are constructed with not less than 1-hour fire resisting rating. Private garages attached side-by-side to rooms in the above occupancies shall be completely separated from the interior spaces and the attic area by means of 1/2 inch gypsum board or the equivalent applied to the garage means of 1/2 inch gypsum board or the equivalent applied to the garage side. (Chapter 4 Section 407.0 of the BOCA/1996)
- ☒ 6. All chimneys and vents shall be installed and maintained as per Chapter 12 of the City's Mechanical Code. (The BOCA National Mechanical Code/1993). Chapter 12 & NFPA 211
- ☒ 7. Sound transmission control in residential building shall be done in accordance with Chapter 12 section 1214.0 of the city's building code.
- ☒ 8. Guardrails & Handrails: A guardrail system is a system of building components located near the open sides of elevated walking surfaces for the purpose of minimizing the possibility of an accidental fall from the walking surface to the lower level. Minimum height all Use Groups 42", except Use Group R which is 36". In occupancies in Use Group A, B, H-4, I-1, I-2 M and R and public garages and open parking structures, open guards shall have balusters or be of solid material such that a sphere with a diameter of 4" cannot pass through any opening. Guards shall not have an ornamental pattern that would provide a ladder effect. (Handrails shall be a minimum of 34" but not more than 38". Use Group R-3 shall not be less than 30", but not more than 38".) Handrail grip size shall have a circular cross section with an outside diameter of at least 1 1/4" and not greater than 2". (Sections 1021 & 1022.0) - Handrails shall be on both sides of stairway. (Section 1014.7)
- ☒ 9. Headroom in habitable space is a minimum of 7'6". (Section 1204.0)
- ☒ 10. Stair construction in Use Group R-3 & R-4 is a minimum of 10" tread and 7 3/4" maximum rise. All other Use group minimum 11" tread. 7" maximum rise. (Section 1014.0)
- ☒ 11. The minimum headroom in all parts of a stairway shall not be less than 80 inches. (6' 8") 1014.4
- ☒ 12. Every sleeping room below the fourth story in buildings of use Groups R and I-1 shall have at least one operable window or exterior door approved for emergency egress or rescue. The units must be operable from the inside without the use of special

knowledge or separate tools. Where windows are provided as means of egress or rescue they shall have a sill height not more than 44 inches (1118mm) above the floor. All egress or rescue windows from sleeping rooms shall have a minimum net clear opening height dimension of 24 inches (610mm). The minimum net clear opening width dimension shall be 20 inches (508mm), and a minimum net clear opening of 5.7 sq. ft. (Section 1018.6)

13. Each apartment shall have access to two (2) separate, remote and approved means of egress. A single exit is acceptable when it exits directly from the apartment to the building exterior with no communications to other apartment units. Section 1010.1
14. All vertical openings shall be enclosed with construction having a fire rating of at least one (1) hour, including fire doors with self closer's. (Over 3 stories in height requirements for fire rating is two (2) hours.) Section 710.0
15. The boiler shall be protected by enclosing with (1) hour fire-rated construction including fire doors and ceiling, or by providing automatic extinguishment. Table 302.1.1
- X16. All single and multiple station smoke detectors shall be of an approved type and shall be installed in accordance with the provisions of the City's Building Code Chapter 9, Section 920.3.2 (BOCA National Building Code/1996), and NFPA 101 Chapter 18 & 19. (Smoke detectors shall be installed and maintained at the following locations):
 - In the immediate vicinity of bedrooms
 - In all bedrooms
 - In each story within a dwelling unit, including basementsIn addition to the required AC primary power source, required smoke detectors in occupancies in Use Groups R-2, R-3 and I-1 shall receive power from a battery when the AC primary power source is interrupted. (Interconnection is required) Section 920.3.2
17. A portable fire extinguisher shall be located as per NFPA #10. They shall bear the label of an approved agency and be of an approved type. Section 921.0
18. The Fire Alarm System shall be maintained to NFPA #72 Standard.
19. The Sprinkler System shall maintained to NFPA #13 Standard.
20. All exit signs, lights, and means of egress lighting shall be done in accordance with Chapter 10 Section & Subsections 1023. & 1024. Of the City's building code. (The BOCA National Building Code/1996)
21. Section 25-135 of the Municipal Code for the City of Portland states, "No person or utility shall be granted a permit to excavate or open any street or sidewalk from the time of November 15 of each year to April 15 of the following year".
22. The builder of a facility to which Section 4594-C of the Maine State Human Rights Act Title 5 MRSA refers, shall obtain a certification from a design professional that the plans commencing construction of the facility, the builder shall submit the certification to the Division of Inspection Services.
23. Ventilation shall meet the requirements of Chapter 12 Sections 1210. Of the City's Building Code. (crawl spaces & attics)
- X24. All electrical, plumbing and HVAC permits must be obtained by a Master Licensed holders of their trade. No closing in of walls until all electrical (min. 72 hours notice) and plumbing inspections have been done.
25. All requirements must be met before a final Certificate of Occupancy is issued.
- X26. All building elements shall meet the fastening schedule as per Table 2305.2 of the City's Building Code. (The BOCA National Building Code/1996).
- X27. Ventilation of spaces within a building shall be done in accordance with the City's Mechanical Code (The BOCA National Mechanical Code/1993). (Chapter M-16)
- (28) Please read and implement the attached Land Use-Zoning report requirements. *Attached*
- X29. Boring, cutting and notching shall be done in accordance with Sections 2305.4.4, 2305.5.1 and 2305.3. of the City's building code.
- X30. Glass and glazing shall meet the requirements of Chapter 24 of the building code.
- X31. *This permit is for unit A only and interior work only. Any exterior work must have Historic Preservation approval.*
- X32. *Fire partition between unit A & unit B must be installed as per section 714.0 of the building code (1 Hr. min.).*
- 33.

 P. Samuel Flores, Building Inspector

cc: Lt. McDougall, PFD

Marge Schmuckal, Zoning Administrator

ADDRESS: Unit 1A - Diamond Cove
PERMIT APPLICATION FOR: Interior Renovations
BUILDING OWNER: _____
PERMIT APPLICANT: John O'Leary
REVIEWER: _____
DATE OF DECISION: 12/29/98

HISTORIC PRESERVATION REVIEW

Note: Your property is an individually designated landmark structure or is located within a designated historic district. As such, alterations to the building exterior or site which are visible from a public way are subject to review and approval under Article IX (Historic Preservation) of the Land Use Code. Your building or sign permit application has been reviewed to determine whether the nature or scope of the project requires review, and if so, whether it meets the standards of the historic preservation ordinance.

ACTION

☒ Does not Require Review (e.g. Interior work only / alteration is not readily visible from a public way)

Note: this finding is based on the understanding that the application entails interior work only or that the proposed exterior alteration(s) will not be readily visible from a public way. If your project entails exterior or site alterations (including the installation of sign(s), awnings, or exterior lighting for such) these alterations must be reviewed and approved prior to commencing with the work. Contact 874-8726 for more information.

_____ Denied Reason for Denial: _____

_____ Approved as submitted

_____ Approved with conditions (see below)

Conditions of Approval:

_____ Contact Historic Preservation Staff (874-8726 or 874-8728) prior to installation of sign(s) to confirm approved location.

_____ Your sign permit includes no reference to exterior lighting; if lighting is included, please submit information on fixtures and specifications on installation.

Other conditions:

1. _____
2. _____
3. _____

LAND USE - ZONING REPORT

ADDRESS: Diamond Cove Unit 1A DATE: 12/29/98

REASON FOR PERMIT: interior renovations for 1 condo unit

BUILDING OWNER: John O'Leary C-B-L: _____

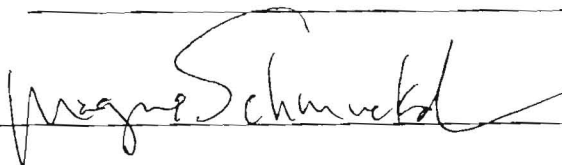
PERMIT APPLICANT: owner

APPROVED: with conditions DENIED: _____

#5 & #9

CONDITION(S) OF APPROVAL

1. During its existence, all aspects of the Home Occupation criteria, Section 14-410, shall be maintained.
2. The footprint of the existing _____ shall not be increased during maintenance reconstruction.
3. All the conditions placed on the original, previously approved, permit issued on _____ are still in effect for this amendment.
4. Your present structure is legally nonconforming as to rear and side setbacks. If you were to demolish the building on your own volition, you will **not** be able to maintain these same setbacks. Instead you would need to meet the zoning setbacks set forth in today's ordinances. In order to preserve these legally non-conforming setbacks, you may only rebuild the _____ in place and in phases.
5. This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.
6. Our records indicate that this property has a legal use of _____ units. Any change in this approved use shall require a separate permit application for review and approval.
7. Separate permits shall be required for any signage.
8. Separate permits shall be required for future decks, sheds, pool(s), and/or garage.
9. This is **not** an approval for an additional dwelling unit. You **shall not** add any additional kitchen equipment, such as stoves, microwaves, refrigerators, or kitchen sinks, etc. without special approvals.
10. Other requirements of condition _____



Marge Schmuckal, Zoning Administrator
City of Portland

**THIS IS NOT A PERMIT/CONSTRUCTION CANNOT COMMENCE UNTIL THE
PERMIT IS ISSUED**

**Building or Use Permit Pre-Application
Attached Single Family Dwellings/Two-Family Dwelling
Multi-Family or Commercial Structures and Additions Thereto**

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

NOTEIf 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.**

83E B 011

Location/Address of Construction (include Portion of Building): <u>Diamond Cove Unit 1A, Portland</u>		
Total Square Footage of Proposed Structure <u>4.000</u>	Square Footage of Lot <u>90.83 acres</u>	
Tax Assessor's Chart, Block & Lot Number Chart# <u>83E</u> Block# <u>B</u> Lot# <u>011</u>	Owner: <u>John O'Leary</u>	Telephone#: <u>802-658-0619</u>
Owner's Address: <u>179 Maple St #2 Burlington VT 05401</u>	Lessee/Buyer's Name (If Applicable)	Cost Of Work: <u>\$80,000</u> Fee <u>\$420</u>
Proposed Project Description: (Please be as specific as possible) <u>All cosmetic - no structural Restore / remodel including kitchens + Baths.</u>		
Contractor's Name, Address & Telephone <u>N/A</u>		Rec'd By <u>[Signature]</u>
Current Use: <u>Empty / Vacant 50+ years</u>	Proposed Use: <u>residential / condo</u>	

Separate permits are required for Internal & External Plumbing, HVAC and Electrical installation.

•All construction must be conducted in compliance with the 1996 B.O.C.A. Building Code as amended by Section 6-Art II.

•All plumbing must be conducted in compliance with the State of Maine Plumbing Code.

•All Electrical Installation must comply with the 1996 National Electrical Code as amended by Section 6-Art III.

•HVAC (Heating, Ventilation and Air Conditioning) installation must comply with the 1993 BOCA Mechanical Code.

You must include the following with you application:

- 1) A Copy of Your Deed or Purchase and Sale Agreement
- 2) A Copy of your Construction Contract, if available
- 3) A Plot Plan/Site Plan

Minor or Major site plan review will be required for the above proposed projects. The attached checklist outlines the minimum standards for a site plan.

4) Building Plans

Unless exempted by State Law, construction documents must be designed by a registered design professional.

A complete set of construction drawings showing all of the following elements of construction:

- Cross Sections w/Framing details (including porches, decks w/ railings, and accessory structures)
- Floor Plans & Elevations
- Window and door schedules
- Foundation plans with required drainage and dampproofing
- Electrical and plumbing layout. Mechanical drawings for any specialized equipment such as furnaces, chimneys, gas equipment, HVAC equipment (air handling) or other types of work that may require special review must be included.

Certification

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

Signature of applicant: <u>[Signature]</u>	Date: <u>11.24.98</u>
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Building Permit Fee: \$25.00 for the 1st \$1000. cost plus \$5.00 per \$1,000.00 construction cost thereafter.

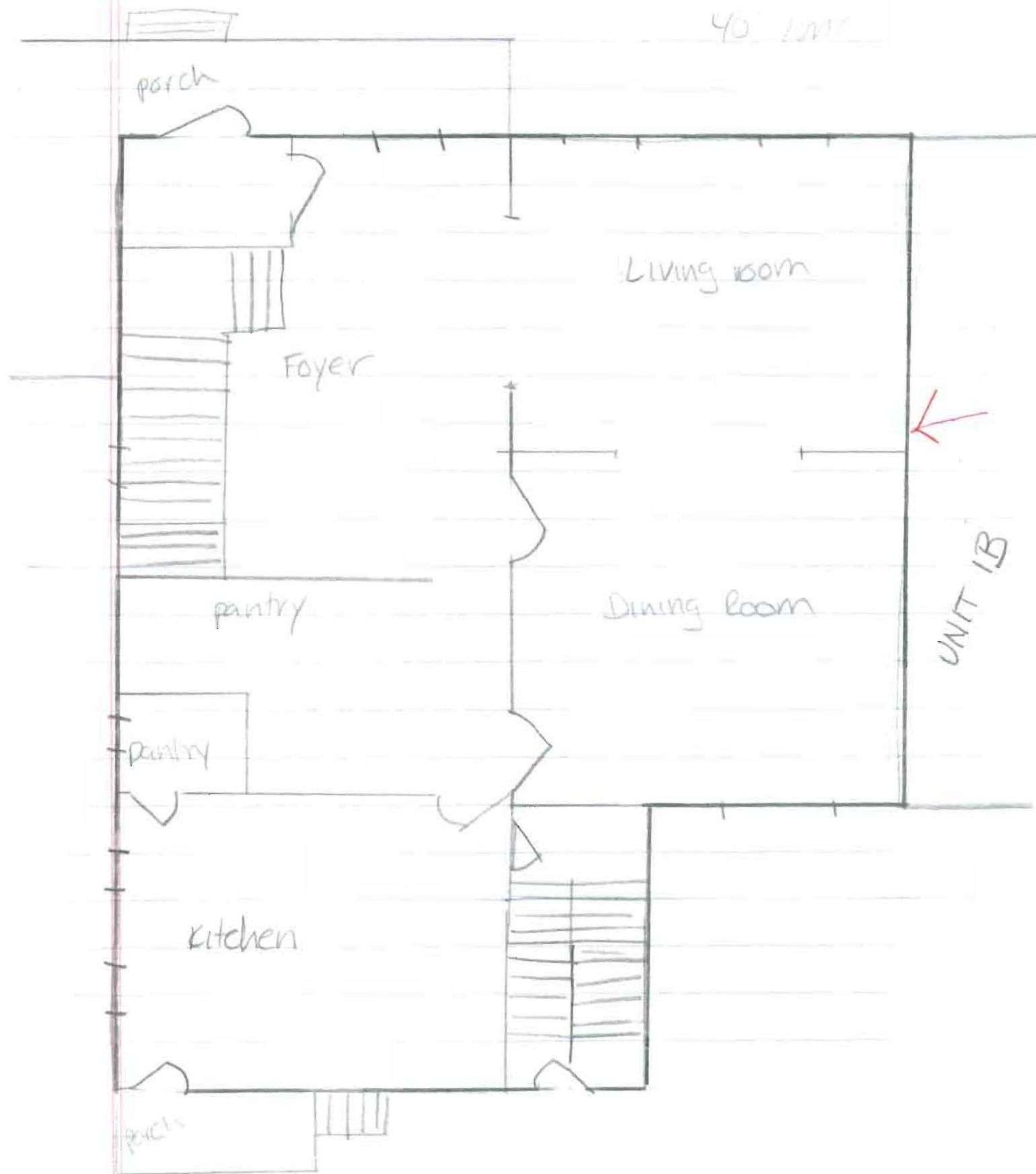
Additional Site review and related fees are attached on a separate addendum



Unit 1A First Floor Diamond Cove

22' wide

40' long



BK 13854PG041

031829

QUIT CLAIM DEED

ANDROSCOGGIN SAVINGS BANK, Trustee and Custodian of the Ronald G. Fitch Individual Retirement Account, a banking corporation with a principal place of business in Lewiston, County of Androscoggin, State of Maine, for consideration paid, grants to JOHN J. O'LEARY, JR. of Burlington, County of Chittenden, State of Vermont WITH QUIT CLAIM COVENANT, the land, together with any buildings thereon, situated on Great Diamond Island, Portland, County of Cumberland, State of Maine, bounded and described as follows:

SEE ATTACHED SCHEDULE A

IN WITNESS THEREOF, Androscoggin Savings Bank has caused this instrument to be sealed with the corporate seal and signed in the corporate name by John F. Cullinane, its Senior Trust Officer, thereunto duly authorized this 22nd day of May, 1998.

Mary Leavitt

ANDROSCOGGIN SAVINGS BANK

By: *John F. Cullinane*
John F. Cullinane,
Senior Trust Officer

STATE OF MAINE
ANDROSCOGGIN, SS.

May 22, 1998

Then personally appeared before me the above-named John F. Cullinane and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said corporation.

Before me,

Mary Leavitt
Notary Public
Printed name: _____

SEAL

MARY LEAVITT
NOTARY PUBLIC, MAINE
MY COMMISSION EXPIRES APRIL 2, 1999

CROCKETT,
PHILBROOK
& CROUCH, RA.
ATTORNEYS AT LAW
178 COURT STREET
AUBURN, MAINE 04210

MAINE REAL ESTATE TAX PAID

SCHEDULE A

A certain lot or parcel of land, together with the buildings and improvements thereon, situated on Great Diamond Island in the City of Portland, County of Cumberland and State of Maine and being Lot No. 1-A as shown on Sheet 4 of a plan entitled "Diamond Cove, Great Diamond Island, Portland, Maine, Plan of Diamond Cove", dated September 27, 1989 and recorded in the Cumberland County Registry of Deeds in Plan Book 181, Page 36, as amended by Plan dated August 30, 1990 and recorded in said Registry of Deeds in Plan Book 187, Page 37, and as further amended by plans dated February 21, 1994 and recorded in said Registry of Deeds in Plan Book 194, Pages 58 and 59 (the "Plan"), to which Plan and the record thereof reference can be made for a more particular description of the within conveyed premises.

The above described premises are conveyed together with and subject to the covenants, conditions, restrictions, rights, easements, charges, liens and other matters set forth or referred to in an Amended and Restated General Declaration of Covenants and Restrictions dated December 17, 1993 and recorded in said Registry of Deeds in Book 11277, Page 322, including Exhibit A thereto, as amended by First Supplement to Amended and Restated General Declaration of Covenants and Restrictions by McKinley Partners Limited Partnership, dated February 25, 1994 and recorded in said Registry in Book 11307, Page 200, prior to the recording of this deed (the "Declaration"). Particular reference is made to Articles 9 and 10 of the Declaration regarding lot boundaries and certain restrictive zones and areas appurtenant to Phase I Lots.

The above described premises are further conveyed subject to all other matters of record.

Particular reference is also made to the terms and conditions of State of Maine Department of Environmental Protection Orders dated December 10, 1986 and recorded in said Registry of Deeds in Book 7585, Page 112, dated December 9, 1987 and recorded in said Registry of Deeds in Book 8848, Page 314, dated May 10, 1989 and recorded in said Registry of Deeds in Book 8772, Page 161, dated July 5, 1989 and recorded in said Registry of Deeds in Book 8833, Page 12, re-recorded in said Registry of Deeds in Book 8902, Page 118, dated October 12, 1989 and recorded in said Registry of Deeds in Book 8964, Page 155, dated February 8, 1990 and recorded in said Registry of Deeds in Book 9109, Page 292, and dated June 25, 1991 and recorded in said Registry of Deeds in Book 9641, Page 287.

Further reference is made to an Assignment of Declarant Rights from Diamond Cove Associates to the Grantor dated December 17, 1993 and recorded in said Registry of Deeds in Book 11199, Page 247.

RECEIVED
RECORDED REGISTRY OF DEEDS

1998 MAY 28 PM 2: 21

CUMBERLAND COUNTY

John B O'Brien