

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

# CITY OF PORTLAND

## BUILDING INSPECTION

# PERMIT

Permit Number: 100911

Please Read Application And Notes, If Any, Attached

This is to certify that MORGAN PHILIP H

has permission to after the fact 8' x 20' deck 7' above ground

AT 8 RYEFIELD ST Peaks Island CBL 084 E005001

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

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

Notification of inspection must be given and written permission procured before this building or part thereof is lathed or otherwise closed-in. 24 HOUR NOTICE IS REQUIRED.

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

### OTHER REQUIRED APPROVALS

Fire Dept. \_\_\_\_\_

Health Dept. \_\_\_\_\_

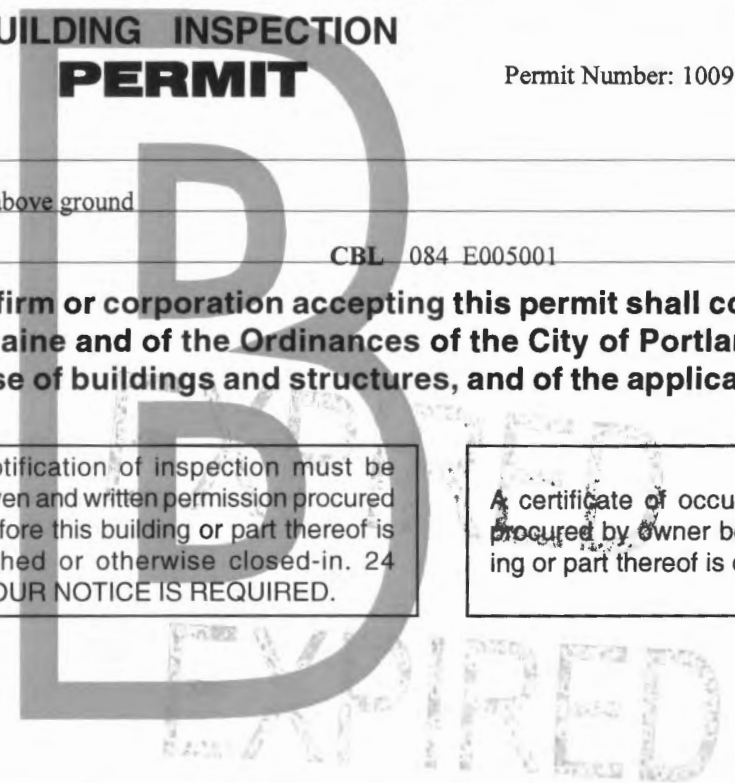
Appeal Board \_\_\_\_\_

Other \_\_\_\_\_

Department Name

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: 10-0911	Issue Date:	CBL: 084 E005001
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Location of Construction: 8 RYEFIELD ST Peaks Island	Owner Name: MORGAN PHILIP H	Owner Address: 30 BARKLEY AVE	Phone:
Business Name:	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Additions - Dwellings	Zone: IR-2 Shoreland

Past Use: Single Family Home	Proposed Use: Single Family Home - after the fact 8' x 20' deck 7' above ground	Permit Fee: \$40.00	Cost of Work: \$1,200.00	CEO District: 1
Proposed Project Description: after the fact 8' x 20' deck 7' above ground		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type:	

Signature:		Signature:	
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)			
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied			
Signature:		Date:	

Permit Taken By: Idobson	Date Applied For: 07/28/2010	<b>Zoning Approval</b>	
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<p>1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</p> <p>2. Building permits do not include plumbing, septic or electrical work.</p> <p>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..</p>	<p>Special Zone or Reviews</p> <p><input type="checkbox"/> Shoreland <i>within</i></p> <p><input type="checkbox"/> Wetland</p> <p><input type="checkbox"/> Flood Zone</p> <p><input type="checkbox"/> Subdivision</p> <p><input type="checkbox"/> Site Plan</p> <p>Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/></p> <p><i>all with conditions</i></p> <p>Date: <i>9/3/10</i></p>	<p>Zoning Appeal</p> <p><input checked="" type="checkbox"/> Variance <i>rear deck setbacks</i></p> <p><input type="checkbox"/> Miscellaneous</p> <p><input type="checkbox"/> Conditional Use</p> <p><input type="checkbox"/> Interpretation</p> <p><input checked="" type="checkbox"/> Approved <i>5-0</i></p> <p><input type="checkbox"/> Denied</p> <p>Date: <i>2/4/10</i></p>	<p>Historic Preservation</p> <p><input checked="" type="checkbox"/> Not in District or Landmark</p> <p><input type="checkbox"/> Does Not Require Review</p> <p><input type="checkbox"/> Requires Review</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Approved w/Conditions</p> <p><input type="checkbox"/> Denied</p> <p>Date: <i>S</i></p>
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EXPIRED

**CERTIFICATION**

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

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



# General Building Permit Application (AFTER THE FACT)

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

Location/Address of Construction: <u>#8 RYEFIELD ST, PEAKS ISLAND 04108</u>		
Total Square Footage of Proposed Structure/Area <u>225 sq. ft.</u>	Square Footage of Lot	Number of Stories
Tax Assessor's Chart, Block & Lot Chart# <u>PB-9</u> Block# <u>E-5</u> Lot# <u>74</u>	Applicant * <u>must</u> be owner, Lessee or Buyer* Name <u>PHILIP H, MORGAN</u> Address <u>30 Barkley Av</u> City, State & Zip <u>Auburn, ME 04210</u>	Telephone: <u>207-786-3102</u>
Lessee/DBA (If Applicable)	Owner (if different from Applicant) Name Address City, State & Zip	Cost Of Work: \$ <u>1200. est</u> C of O Fee: \$ _____ Total Fee: \$ _____
Current legal use (i.e. single family) <u>Single family</u> Number of Residential Units _____		
If vacant, what was the previous use? _____		
Proposed Specific use: <u>cottage</u> <u>3 photos</u>		
Is property part of a subdivision? _____ If yes, please name _____		
Project description: <u>Existing 8ft x 20ft deck 7.0ft above ground level</u> <u>Includes access steps (9) 11" x 40"</u> <u>Plat Plan</u>		
Contractor's name: <u>unknown - originated in 1980-81</u>		
Address: _____		
City, State & Zip _____		Telephone: _____
Who should we contact when the permit is ready: _____		Telephone: _____
Mailing address: _____		

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

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

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

RECEIVED  
JUL 28 2010  
City of Portland Inspections

Signature: Philip H Morgan Date: 7/26/10

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

# CITY OF PORTLAND, MAINE

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## ZONING BOARD OF APPEALS

Peter Coyne  
Philip Saucier-chair  
Sara Moppin  
Jill E. Hunter  
Gordan Smith-secretary  
Trish McAllister  
William Getz

February 17, 2010

Jonathan Goldberg, Esq.  
Mittel Asen, LLC  
PO Box 427  
Portland, ME 04101

RE: 8 Ryefield Street, Peaks Island  
CBL: 084 E005  
ZONE: IR-2

Dear Mr. Goldberg:

At the February 4, 2010 meeting, the Zoning Board of Appeals voted 5-0 to deny the Interpretation Appeal for the porch enclosure to be 50% glass, and the Board voted 4-1 to deny the Interpretation Appeal for the definition of a structure. The Board also voted 5-0 to approve the Variance Appeal for the rear deck. I have enclosed copies of the Board's decisions and the billing for the legal advertisement for the appeals.

I have also enclosed your Certificate of Variance Approval. **The original must be recorded in the Cumberland County Registry of Deeds within 90 days of February 11, 2010, when it was signed.** Failure to record the Certificate will result in it being voided. You must provide this office with a copy of the recorded certificate of Variance showing the recorded book and page.

The Variance Appeal for the deck was approved. Now you need to file an after the fact building permit for the deck and stairs. I have enclosed a building permit application. You have six months from the date of the hearing, February 4, 2010, referenced under section 14-473(e), to apply for the building permit, or your Zoning Board approval will expire.


Since the Board did not approve your Interpretation Appeal for the definition of a structure and you withdrew the request for the Variance for the "tent shed", the "tent shed" needs to be removed. You have submitted a letter dated February 8, 2010 requesting that the owner have until April 30, 2010 to remove the tent shed. Our office feels that this is a reasonable request, so the owner has until that date to remove the tent

shed. An inspection is scheduled for May 3, 2010 to verify that the tent shed has been removed.

Appeals from decisions of the Board may be filed in Superior Court, pursuant to 30-A M.R.S.A. section 2691 (2) (G).

Should you have any questions please feel free to contact me at 207-874-8709.

Yours truly,

  
Ann B. Machado  
Zoning Specialist



COPY

CITY OF PORTLAND

CERTIFICATE OF VARIANCE APPROVAL

I, Philip Saucier, the duly appointed Chair of the Board of Appeals for the City of Portland, Cumberland County and State of Maine, hereby certify that on the 4th day of February, 2010, the following variance was granted pursuant to the provisions of 30-A M.R.S.A. Section 4353(5) and the City of Portland's Code of Ordinances.

- 1. **Current Property Owner: Philip H. Morgan**
- 2. **Property: 8 Ryefield Street, Peaks Island, Portland, ME CBL: 084-E-005**  
Cumberland County Registry of Deeds, Book: 18062 Page: 345  
Last recorded deed in chain of Title: 9/10/2002

3. **Variance and Conditions of Variance:**

To grant relief from section 14-145.11(c)(3) of the Land Use Zoning Ordinance to allow an approximate 11.5' right side yard setback instead of the required 20' side yard setback, and to grant relief from section 14-145.11(c)(2) to allow an approximate 6'8" rear yard setback instead of the required 25' rear yard setback, and to grant relief from section 14-145.11(d) allowing a 38.4% lot coverage instead of the maximum allowed 20% lot coverage.

IN WITNESS WHEREOF, I have hereto set my hand and seal this day of February, 2010

*[Signature]*  
Chair of  
City of Portland Zoning Board,  
Philip Saucier (Printed or Typed Name)

STATE OF MAINE  
Cumberland, ss.

Then personally appeared the above-named Philip Saucier and acknowledged the above certificate to be his free act and deed in his capacity as Chairman of the Portland Board of Appeals, with his signature witnessed on 2/11, 2010.

KATE E. HATCH  
Notary Public, Maine  
My Commission Expires August 2, 2012  
*[Signature]*  
(Printed or Typed Name)  
Notary Public

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

Received  
Recorded Register of Deeds  
Feb 22, 2010 10:23:49A  
Cumberland County  
Pamela E. Lovley

SEAL

## Jonathan Rioux - RE: 8 Ryefield St. Permit Application

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**From:** Jonathan Rioux  
**To:** pmorgan051@gmail.com  
**Date:** 9/27/2010 9:47 AM  
**Subject:** RE: 8 Ryefield St. Permit Application  
**CC:** St. Louis Littell, Penny

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Philip Morgan,

As requested, below are links to our website with sample documents that illustrate design standards.

<http://www.portlandmaine.gov/planning/deckguidelines.pdf>

<http://www.portlandmaine.gov/planning/stairtreadriser.pdf>

<http://www.portlandmaine.gov/planning/2ndfloorplan.pdf>

Jon Rioux  
Code Enforcement Officer

City of Portland  
Planning and Urban Development Department  
Inspection Services Division  
389 Congress St. Rm 315  
Portland, ME 04101  
Office: 207.874.8702  
Support Staff: 207.874.8703  
jrioux@portlandmaine.gov

**Jonathan Rioux - Fwd: Re: After-the-fact permit - 8 Ryefield St, Peaks Is.**

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**From:** Phil morgan <pmorgan051@gmail.com>  
**To:** Jonathan Rioux <JRIOUX@portlandmaine.gov>, "Penny St. Louis Littell" <PL...>  
**Date:** 10/20/2010 12:46 PM  
**Subject:** Fwd: Re: After-the-fact permit - 8 Ryefield St, Peaks Is.

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John:

It's been over a week since I sent you the message below. WHEN do you plan to answer? I "cc-ed" Penny, too, but inexplicably, she's not answered either.

Regards,  
- - Phil

----- Original Message -----

**Subject:**Re: After-the-fact permit - 8 Ryefield St, Peaks Is.  
**Date:**Thu, 12 Oct 2010 13:23:50 -0400  
**From:**Phil morgan <pmorgan051@gmail.com>  
**To:**Jonathan Rioux <JRIOUX@portlandmaine.gov>  
**CC:**Penny St. Louis Littell <PL@portlandmaine.gov>

Jon:

Why is it on hold? Last I knew you told me in our conversation on the phone that you were going to issue the After-the-Fact permit conditionally. Hence, that was why I wrote to you two weeks ago asking how long it would give me to perform the needed work.

Since I haven't received specifics of what additional information is needed. I do recall your asking about dimensions and my calling your attention to you that the drawing I submitted had been marked "drawn to scale" on it. After that, I thought you were satisfied with my submission???

What do you want me to do now?

- - Phil

On 10/12/2010 12:49 PM, Jonathan Rioux wrote:

Mr. Morgan,

Your building permit application is on hold. As discussed, we have not received the



proper information for issuance of a building permit (IRC, 2003 Building Code compliance review).

We spoke via phone conversation on the building code requirements for deck construction, and I emailed you the appropriate information required for "building a deck" within the City of Portland.

Recently, your Attorney contacted our office asking for specific details of our conversation regarding your building permit. If you or your Attorney have further questions regarding our building permit application process, please contact my direct Supervisor Penny St. Louis Littell @ 207.874.8719.

Jon Rioux  
Code Enforcement Officer

City of Portland  
Planning and Urban Development Department  
Inspection Services Division  
389 Congress St. Rm 315  
Portland, ME 04101  
Office: 207.874.8702  
Support Staff: 207.874.8703  
[jrioux@portlandmaine.gov](mailto:jrioux@portlandmaine.gov)

>>> <[pmorgan051@gmail.com](mailto:pmorgan051@gmail.com)> 10/12/2010 11:50 AM >>>

Hi Jon,  
I wondered when I could expect a reply to my message to you 2 weeks ago?

I've contracted for mods to deck in the areas you stated were essential.

Just wondered how long I have to complete those mods?

- - Phil Morgan

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\* \* \* \* \*

Phil Morgan

[pmorgan051@GMail.com](mailto:pmorgan051@GMail.com)

>From Windows 7 Ultimate (Windows "as it should have been")

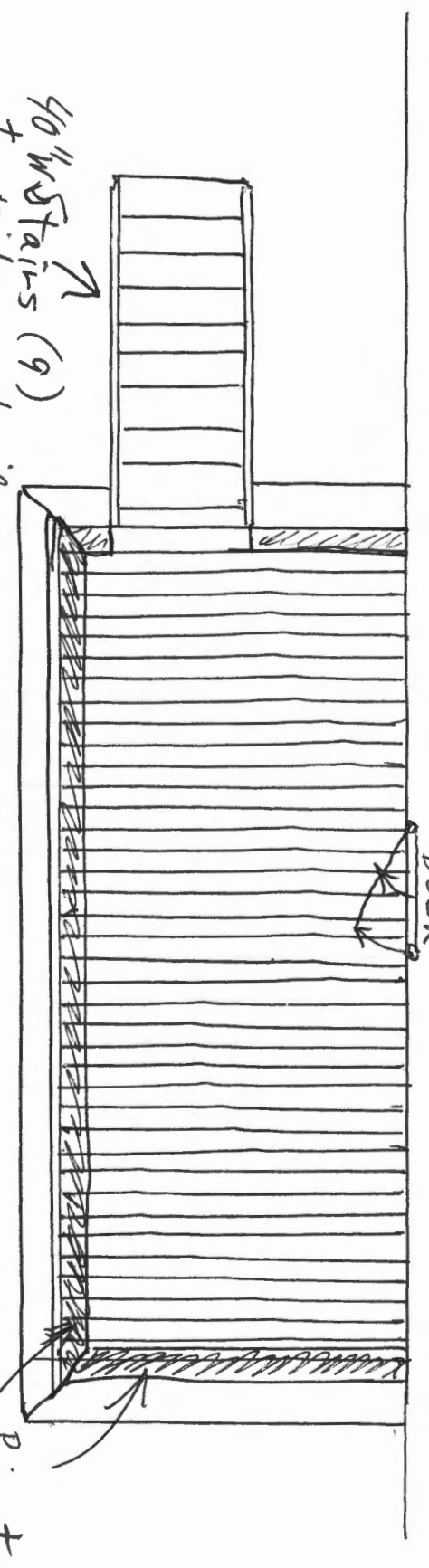
- - SP1 - -

\* \* \* \* \*

Please post all replies under this message.

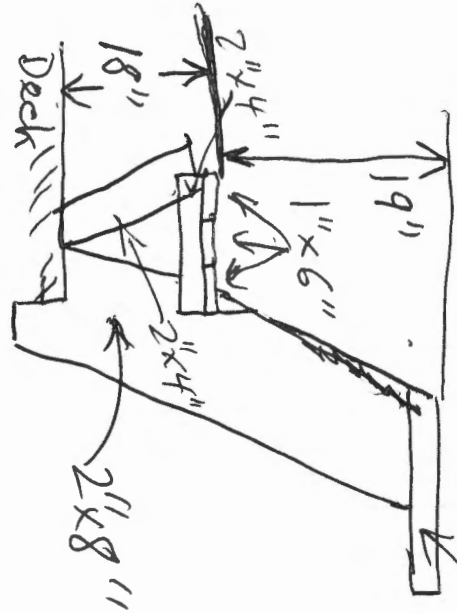
separator

# MAIN DWELLING

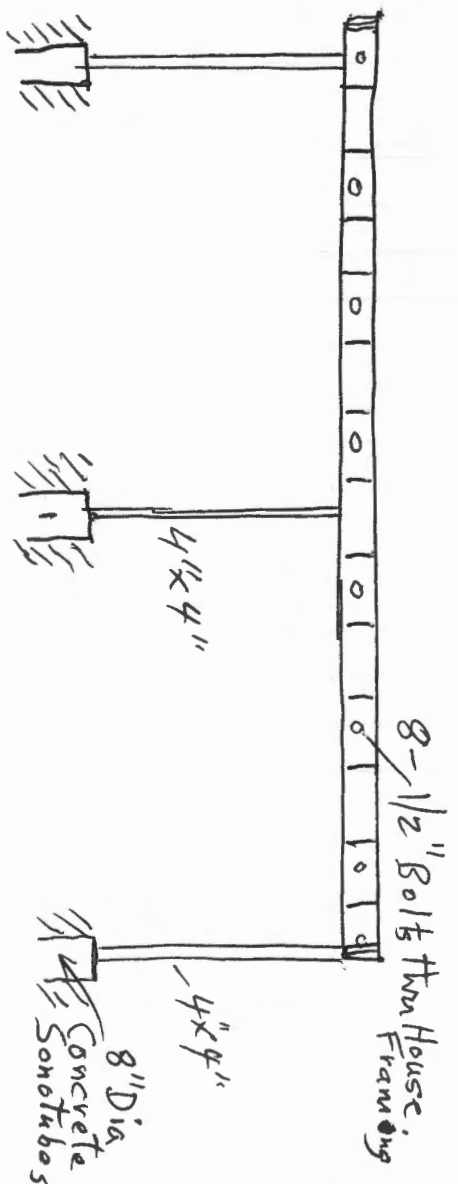


40" W Stairs (9)  
 Two railings each side  
 total rise = 6 ft 2 1/4"  
 total run = 8 ft  
 Each step rise 7"  
 treads are 1" x 6" x 40"  
 railing is 46" above 9" x 10" steps

Scale 1 square = 1 ft



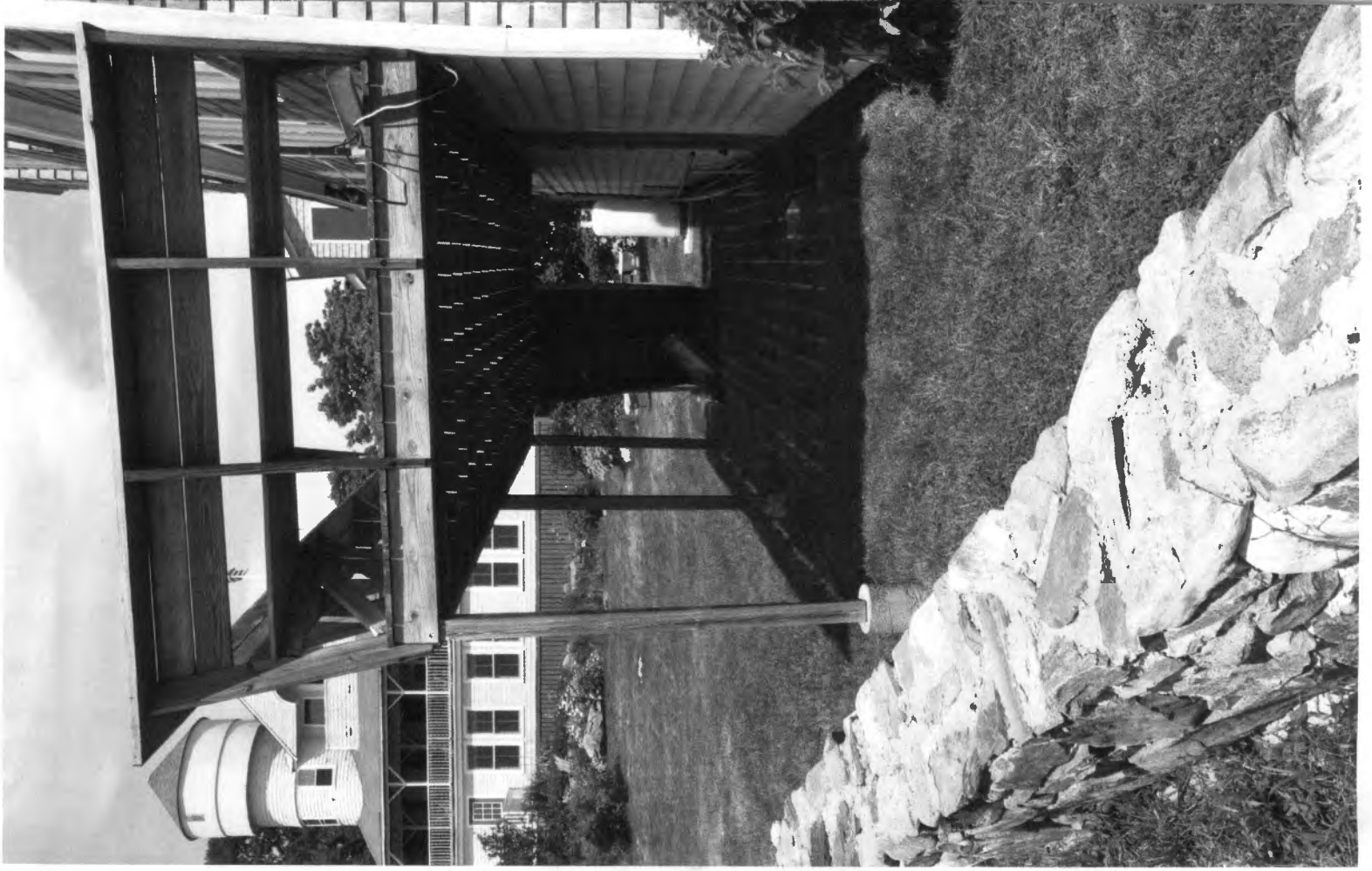
Perimeter Seating Detail  
 (not to scale)



Total area = (deck + seating + stairs)  
 $198 + 27 = 225 \text{ ft}^2$

7/22/10  
 PHM









# CITY OF PORTLAND, MAINE

Department of Building Inspections

## Original Receipt

7.29 2010

Received from

Philip Morgan

Location of Work

8 Ryefield

Cost of Construction \$ \_\_\_\_\_ Building Fee: \_\_\_\_\_

Permit Fee \$ \_\_\_\_\_ Site Fee: \_\_\_\_\_

Certificate of Occupancy Fee: \_\_\_\_\_

Total: 40

Building (IL)  Plumbing (IS)  Electrical (I2)  Site Plan (U2)

Other \_\_\_\_\_

CBL: 84-E-5

Check #: C4 Total Collected \$ 40

**No work is to be started until permit issued.  
Please keep original receipt for your records.**

Taken by: J. J. -

WHITE - Applicant's Copy  
YELLOW - Office Copy  
PINK - Permit Copy

← TO SEASHORE AVE.

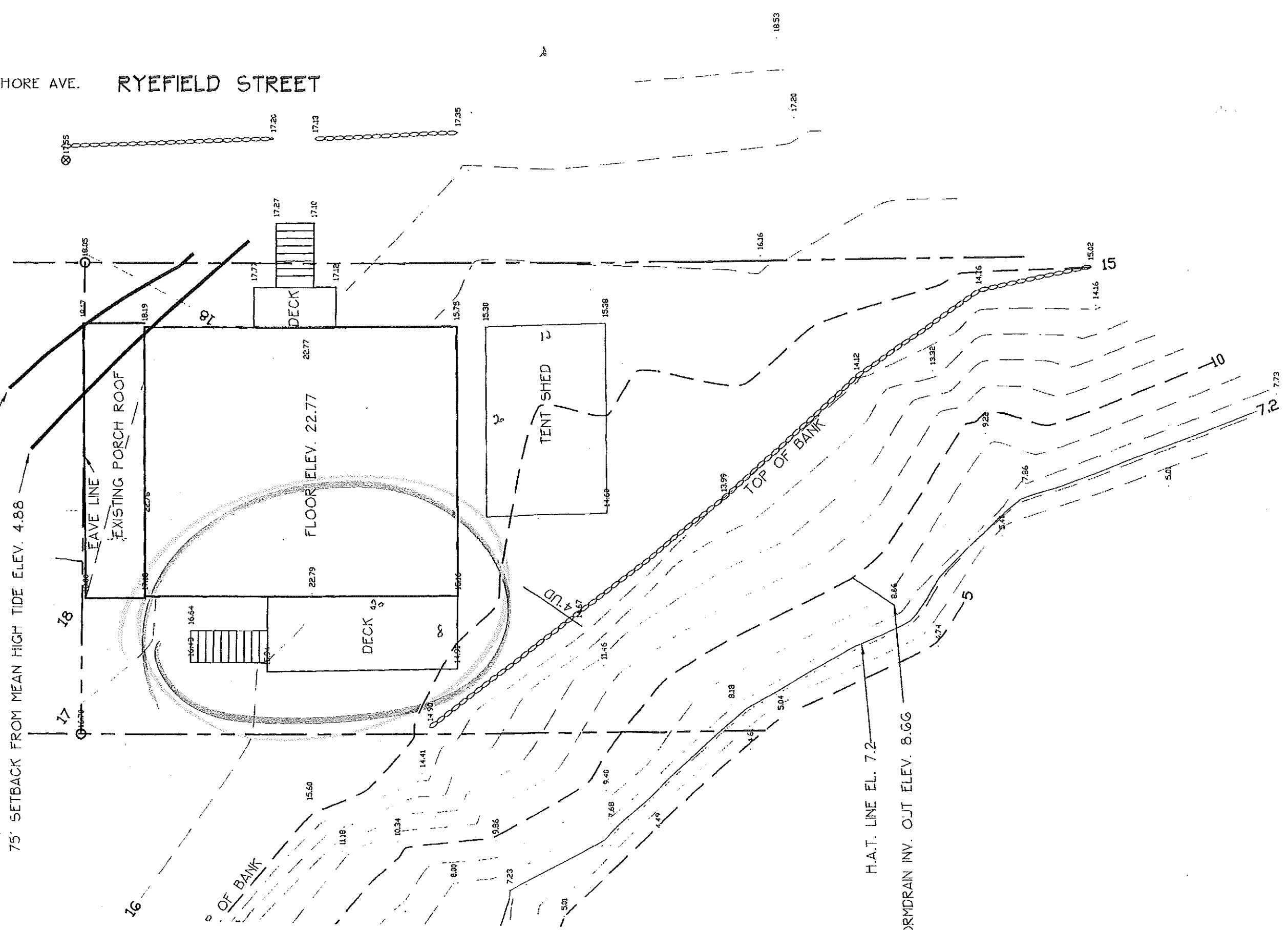
# RYEFIELD STREET

NO

1. PAR IN THE
2. PA SE
3. SL
4. HI DI BE

DEP 75' SETBACK FROM HIGHEST ANNUAL TIDE ELEV. 7.2

75' SETBACK FROM MEAN HIGH TIDE ELEV. 4.88



H.A.T. LINE EL. 7.2

DRY DRAIN INV. OUT ELEV. 8.66

16

TOP OF BANK

5

10

15

7.2

7.73

△ 18: