

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

**BUILDING**

**PERMIT**

Permit Number: 090252

Please Read Application And Notes, If Any, Attached

This is to certify that HANNIGAN ROBERT J/Meritue, Contractor  
has permission to remove existing rear deck & build 13'6" x 2' deck in same place.

AT 15 BOATHOUSE WAY Peaks Island City of Portland 084 P004001

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 lath or other work is set-in. 2 HOURLY 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

*Christy R* 4/21/09  
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: 09-0252	Issue Date: 4/21/09	CBL: 084 P004001
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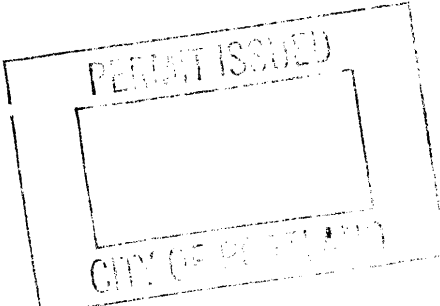
Location of Construction: 15 BOATHOUSE WAY Peaks Islan	Owner Name: HANNIGAN ROBERT J	Owner Address: 76 ISLAND AVE	Phone:
Business Name:	Contractor Name: McTigue, Construction	Contractor Address: 97 Brackett Ave, P.I. Portland	Phone 2077662676
Lessee/Buyer's Name	Phone:	Permit Type: Additions - Dwellings	Zone: I-B

Past Use: Retail Grocery Store w/ One residential	Proposed Use: Retail Grocery Store w/ One residential - extension to existing deck remove existing deck & build 13'6" x 20' deck in same place.	Permit Fee: \$50.00	Cost of Work: \$3,000.00	CEO District: 1
Proposed Project Description: <del>extension</del> <sup>remove</sup> extension to existing deck; build 13'6" x 20' deck in <del>new</del> <sup>same</sup> place		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: R-3/B Type: SB IRC-2003 Signature: <i>cl</i> 4/21	

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: Ldobson	Date Applied For: 03/31/2009	<b>Zoning Approval</b>	
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<ol style="list-style-type: none"> <li>This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</li> <li>Building permits do not include plumbing, septic or electrical work.</li> <li>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..</li> </ol>	<b>Special Zone or Reviews</b> <input checked="" type="checkbox"/> Shoreland T-B zone note setback - approx 83' to deck <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"/> Date: 4/21 <i>cl</i>	<b>Zoning Appeal</b> <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: _____	<b>Historic Preservation</b> <input type="checkbox"/> Not in District or Landmark <input checked="" 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: _____
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**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

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>15 Boat House way Peaks Island</u>		
Total Square Footage of Proposed Structure/Area <u>511 SF Deck</u>	Square Footage of Lot <u>9637.60 SF</u>	Number of Stories <u>1</u>
Tax Assessor's Chart, Block & Lot Chart# <u>84 P</u> Block# <u>4.5</u> Lot#	Applicant * <b>must be owner, Lessee or Buyer</b> * Name <u>Robert Hannigan</u> Address <u>15 Boat House way</u> City, State & Zip <u>Peaks Isl. Me 04108</u>	Telephone: <u>766-2351</u>
Lessee/DBA (If Applicable)	Owner (if different from Applicant) Name Address City, State & Zip	Cost Of Work: \$ <u>3000<sup>00</sup></u> C of O Fee: \$ _____ Total Fee: \$ <u>50</u>
Current legal use (i.e. single family) _____ Number of Residential Units _____ If vacant, what was the previous use? _____ Proposed Specific use: _____ Is property part of a subdivision? <u>NO</u> If yes, please name _____ Project description: <u>Existing Deck Extension</u>		
Contractor's name: <u>McTigue Const.</u> Address: <u>97 Brackett</u> City, State & Zip <u>Peaks Isl. Me 04108</u> Telephone: <u>730-1083</u> Who should we contact when the permit is ready: <u>McTigue</u> Telephone: _____ Mailing address: <u>97 Brackett</u>		

**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.

MAR 31 2009

Signature: Robert T. McTigue Date: 3-27-09

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

**City of Portland, Maine - Building or Use Permit**

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

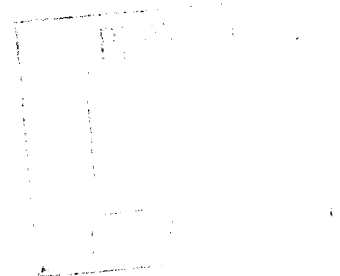
<b>Permit No:</b> 09-0252	<b>Date Applied For:</b> 03/31/2009	<b>CBL:</b> 084 P004001
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<b>Location of Construction:</b> 15 BOATHOUSE WAY Peaks Islan	<b>Owner Name:</b> HANNIGAN ROBERT J	<b>Owner Address:</b> 76 ISLAND AVE	<b>Phone:</b>
<b>Business Name:</b>	<b>Contractor Name:</b> McTigue, Construction	<b>Contractor Address:</b> 97 Brackett Ave, P.I. Portland	<b>Phone</b> (207) 766-2676
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Additions - Dwellings	

<b>Proposed Use:</b> Retail Grocery Store w/ One residential - remove existing rear deck & build 13'6"x 20' deck in the same place.	<b>Proposed Project Description:</b> emove existing rear deck & build 13'6" x 20' deck in the same place.
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<b>Dept:</b> Zoning	<b>Status:</b> Approved with Conditions	<b>Reviewer:</b> Ann Machado	<b>Approval Date:</b> 04/10/2009
<b>Note:</b> The footprint of the existing structure is already over the maximum allowable lot coverage. It is 6547 sf (permit #08-1549) which covers 64.8% of the lot. <b>Ok to Issue:</b> <input type="checkbox"/>			
<ol style="list-style-type: none"> <li>1) This permit is being approved with the condition that the new 20' x 13.5' deck will replace the existing 27' x 10' deck. The footprint of the new deck may not exceed 270 square feet. The existing deck had a set of steps 3'6" deep by 7'6" long. The new deck can have steps to grade using the minimum size required by code.</li> <li>2) Pending issuance of c. of o. for permit #08-1549, this property shall remain a grocery store and one residential unit. Any change of use shall require a separate permit application for review and approval.</li> <li>3) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.</li> </ol>			
<b>Dept:</b> Building	<b>Status:</b> Approved with Conditions	<b>Reviewer:</b> Chris Hanson	<b>Approval Date:</b> 04/21/2009
<b>Note:</b> <b>Ok to Issue:</b> <input checked="" type="checkbox"/>			
<ol style="list-style-type: none"> <li>1) Stairs to grade to be minimum size allowed by code. Must meet 73/4" max. Rise and 10" min. Run.</li> <li>2) Permit approved based on the plans submitted and reviewed w/owner/contractor, with additional information as agreed on and as noted on plans.</li> <li>3) Frost protection must be installed per the enclosed detail as discussed w/owner/contractor.</li> </ol>			

<b>Comments:</b> 3/31/2009-amachado: Spoke to Bobby McTigue. Existing structure is already over the allowable maximum lot coverage. Permit denied. See letter. 4/10/2009-amachado: Received revised plans for the new deck to be the same square footage (270 sf) as the existing, so the lot coverage is not changing. Left vcm with Bobby McTigue asking if there are any steps coming off the existing deck and will there be any coming off the new deck.
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*Strengthening a Remarkable City, Building a Community for Life • www.portlandmaine.gov*

*Penny St. Louis Littell - Director of Planning and Urban Development  
Marge Schmuckal, Zoning Administrator*

March 31, 2009

Robert Hannigan  
76 Island Avenue  
Peaks Island, ME 04108

*Revised plans  
received after we  
that don't increase  
existing lot coverage*

Re: 15 Boat House Way, Peaks Island – 084 P004 – I-B – deck extension – permit #09-0252

Dear Mr. Hannigan,

I am in receipt of your application to enlarge your deck at 15 Boat House Way. After reviewing your application, I must deny it because it does not meet the zoning requirements of the I-B zone.

Section 14-226(d) of the ordinance gives the maximum allowable lot coverage as 50% of the lot. The lot is 10,096 square feet, so the footprint of the structure can cover 5048 square feet. The footprint of the existing structure with the 10'x 27' deck is 6574 square feet which is already over the maximum allowable lot coverage. The proposed enlarged deck would add 241 square feet for a total of 6815 square feet of lot coverage. The existing structure and deck are legally nonconforming, but you cannot make the property more nonconforming by enlarging the deck.

You have the right to appeal my decision. If you wish to exercise your right to appeal, you have thirty 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. Please contact this office for the necessary paperwork that is required to file an appeal. If you choose not to file an appeal, you are entitled to get most of your money back if you bring in the original receipt you got when you applied for the permit.

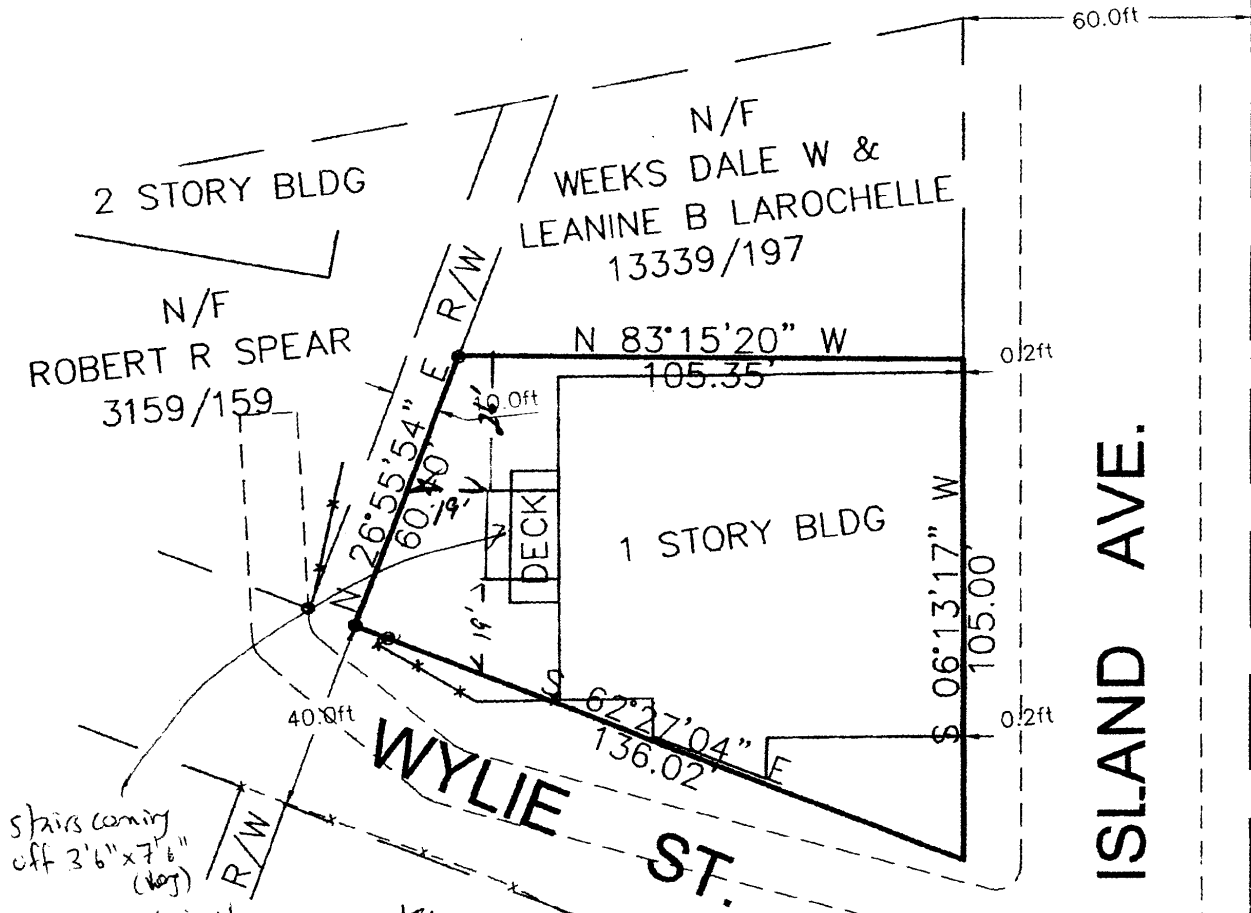
Please feel free to call me at 874-8709 if you have any questions.

Yours truly,

Ann B. Machado  
Zoning Specialist  
(207) 874-8709

2. BEARING...
3. AREA OF SUBJECT PARCEL: 91
4. REFERENCE IS MADE TO THE I
  - a. PLAN ESTATE OF MARY BRACK
  - b. CITY OF PORTLAND ASSESSOR

3/6" project set x 7/6" long.



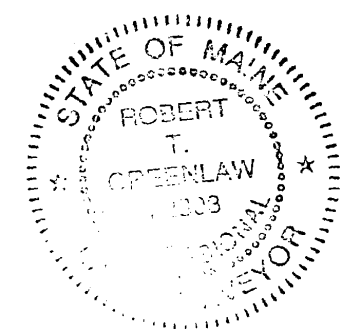
APR 10 2009



stairs coming off 3'6" x 7'6" (dog)  
 per conversation w/ Bobby McTigue 4/10/09 ABK

Existing Deck 270 SF  
 10' X 25'  
 Proposed New Deck 270 SF  
 20' X 13'6" IB

Rear setback 10' - 17' setback ok  
 side, 10' - 20' on right - ok  
 - 19' on left ok  
 lot coverage is not changing



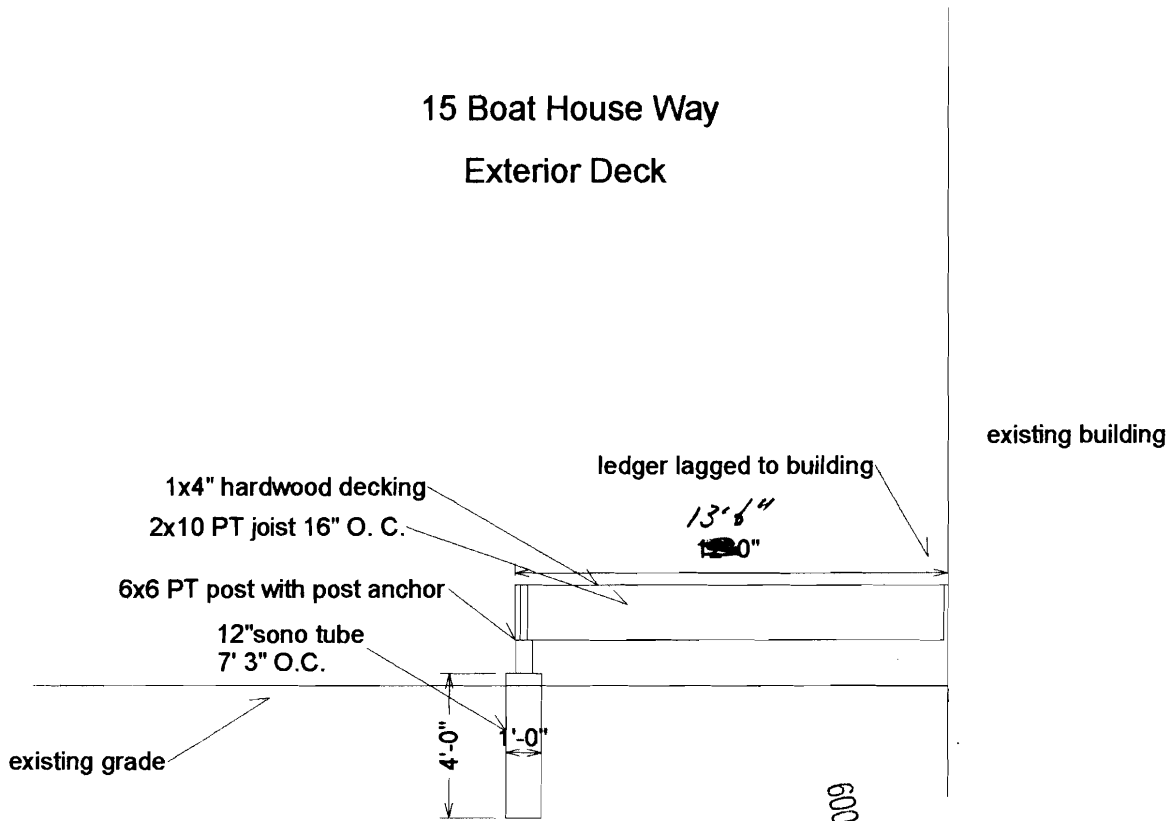
**SURVEYORS STATEMENT**

I HEREBY CERTIFY THAT THIS FOR PROFESSIONAL LAND SURVEYING WAS PERFORMED IN ACCORDANCE WITH THE RULES OF PROFESSIONAL CONDUCT, 2001 WITH THE FOLLOWING INFORMATION:

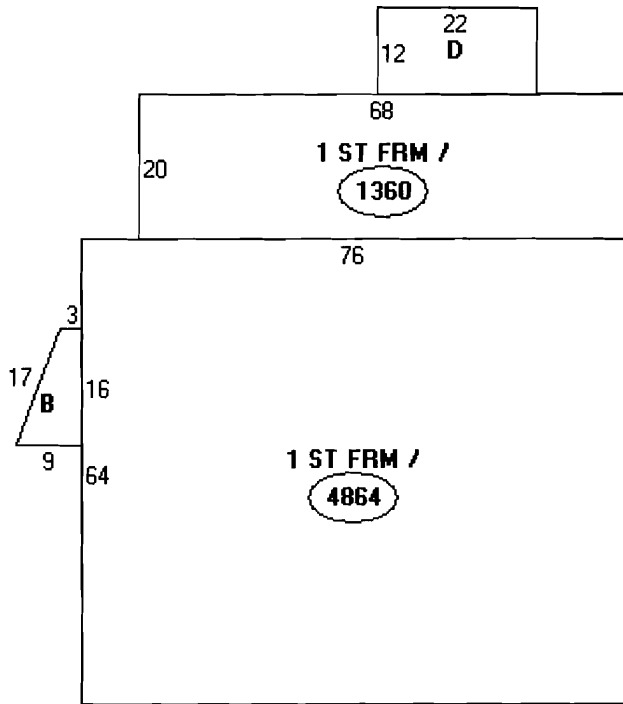
- a) NO WRITTEN REPORT
- b) NO NEW DESCRIPTION

*Robert T. Greenlaw*  
 ROBERT T. GREENLAW P.L.S.

15 Boat House Way  
Exterior Deck



APR 10 2009



Descriptor  
A: 1 ST FRM  
4864 sqft  
B: ENCL DO  
96 sqft  
C: 1 ST FRM  
1360 sqft  
D: WD DK  
264 sqft

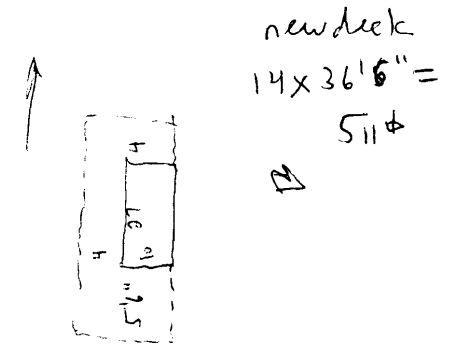
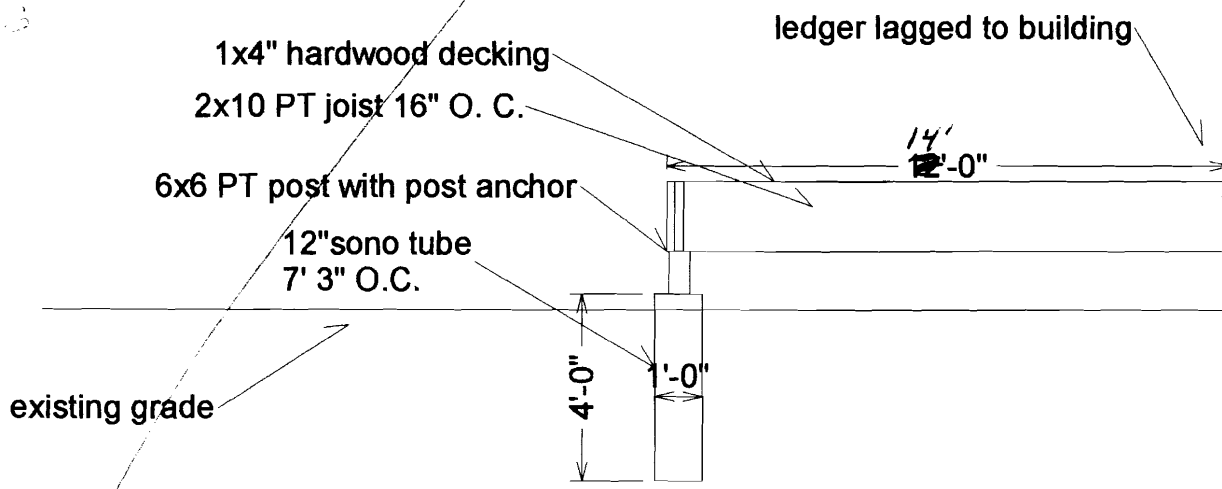
= 6 584 over 50%





revised plan  
Submitted 4/10/09

### 15 Boat House Way Exterior Deck



existing building

~~Existing Deck  
10' x 27'  
Deck Extension  
4' north side  
5'-6" south side  
4' west side~~