

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK
CITY OF PORTLAND

Please Read Application And Notes, If Any, Attached

BUILDING DEPARTMENT

PERMIT

This is to certify that T. Covington Johnson
has permission to Amend Permit #91091 window digger
AT 18 City Point Road, Peaks Island, ME

provided that the person or persons performing or supervising 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 when permission is procured before this building or part thereof is occupied or enclosed-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

PERMIT ISSUED WITH REQUIREMENTS
[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: 874-8716

| | | | | |
|--|-----------------------|---|---|---|
| Location of Construction: 18 City Point Road Peaks Island, ME | | Owner: T. Covington Johnson ** | Phone: 766-3375 | Permit No: |
| Owner Address: ***P.O. Box 48 Peaks Island, ME 04108 | | Lessee/Buyer's Name: | Phone: | BusinessName: |
| Contractor Name: Same | | Address: | | Phone: |
| Past Use: 1-Family | Proposed Use: Same | COST OF WORK: \$ 150.00 | PERMIT FEE: \$ 30.00 | Zone: IRZ CBL: 087-S-009 |
| | | FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied | INSPECTION: Use Group: 13 Type: 5B DOCA 96 | |
| Proposed Project Description: Amend Permit #990091 - window bigger <i>↑ Actually this is a door see letter</i> | | Signature: _____ | | Signature: <i>Hoffen</i> |
| | | PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) | | Zoning Approval: |
| Permit Taken By: SP | | Date Applied For: 7-7-99 | | Special Zone or Reviews: <input type="checkbox"/> Shoreland <i>see original</i> <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <i>permit</i> <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan maj <input type="checkbox"/> minor <input type="checkbox"/> mm <input type="checkbox"/> |

- 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..

*****Mail To:

T. Covington Johnson
P.O. Box 48
Peaks Island, ME 04108

Permit

Denied - see letter

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

7-7-99

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

Zoning Appeal

Variance
 Miscellaneous
 Conditional Use
 Interpretation
 Approved
 Denied

Historic Preservation

Not in District or Landmark
 Does Not Require Review
 Requires Review

Action:

Approved
 Approved with Conditions
 Denied

Date: _____

CEO DISTRICT
ub

3

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

**Building or Use Permit Pre-Application
Additions/Alterations/Accessory Structures
To Detached Single Family Dwelling**

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.**

| | | |
|---|-------------------------------------|---|
| Location/Address of Construction: <i>18 City St Rd Peab</i> | | |
| Tax Assessor's Chart, Block & Lot Number Chart# <i>087</i> Block# <i>S</i> Lot# <i>009</i> | Owner: <i>T. Lovington Schwan</i> | Telephone#: <i>706 3375</i> |
| Owner's Address: <i>PO Box 48 Peab</i> | Lessee Buyer's Name (If Applicable) | Cost Of Work: <i>\$150</i> Fee: <i>\$30</i> |
| Proposed Project Description: (Please be as specific as possible) <i>Amend permit 990091 window bidder</i> | | |
| Contractor's Name, Address & Telephone <i>same</i> | | Rec'd By: <i>of</i> |

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 B.O.C.A. 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 (Sample Attached)

If there is expansion to the structure, a complete plot plan (Site Plan) must include:

- The shape and dimension of the lot, all existing buildings (if any), the proposed structure and the distance from the actual property lines. Structures include decks porches, a bow windows cantilever sections and no porches as well as sheds, pools, garages and any other accessory structures.
- Scale and required zoning district setbacks

4) Building Plans (Sample Attached)

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.

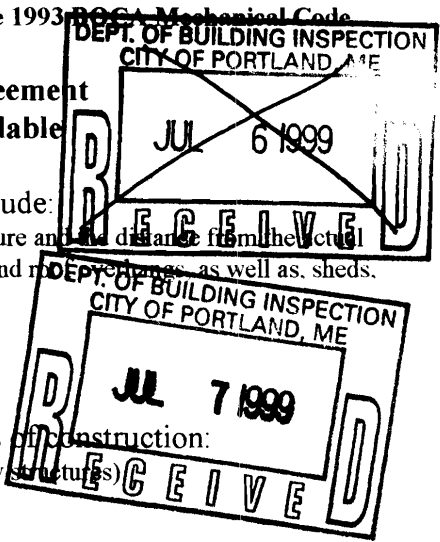
Certification

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: <i>[Signature]</i> | Date: |
|--|-------|

Building Permit Fee: \$25.00 for the 1st \$1000 cost plus \$5.00 per \$1,000.00 construction cost thereafter.

O:\INSP\CORRESP\MNUAGENT\APADSFD.WPD



BUILDING PERMIT REPORT

DATE: 7/July/98 ADDRESS: 18 City Point Rd. P.I CBL: 087-5-009
 REASON FOR PERMIT: Amend permit # 990091
 BUILDING OWNER: Johnson
 PERMIT APPLICANT: ↑
 USE GROUP R-3 BOCA 1996 CONSTRUCTION TYPE 503

CONDITION(S) OF APPROVAL

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

Approved with the following conditions: * 1, * 11, * 15, * 29, * 32, * 33, * 34

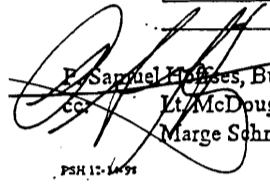
- * 1. This permit does not excuse the applicant from meeting applicable State and Federal rules and laws.
2. Before concrete for foundation is placed, approvals from the Development Review Coordinator and Inspection Services must be obtained. (A 24 hour notice is required prior to inspection)
3. Foundation 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
4. 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)
5. Waterproofing and dampproofing shall be done in accordance with Section 1813.0 of the building code.
6. Precaution must be taken to protect concrete from freezing. Section 1908.0
7. 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.
8. 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)
9. 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
10. Sound transmission control in residential building shall be done in accordance with Chapter 12, Section 1214.0 of the City's Building Code.
- * 11. 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 3e4" 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)
12. Headroom in habitable space is a minimum of 7'6". (Section 1204.0)
13. Stair construction in Use Group R-3 & R-4 is a minimum of 10" tread and 7 1/2" maximum rise. All other Use Group minimum 11" tread, 7" maximum rise. (Section 1014.0)
14. The minimum headroom in all parts of a stairway shall not be less than 80 inches. (6'8") 1014.4
- * 15. 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)
16. 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)
17. 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)
18. 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)
19. 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 basements

In 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.

20. 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)
21. The Fire Alarm System shall maintained to NFPA #72 Standard.
22. The Sprinkler System shall maintained to NFPA #13 Standard.
23. All exit signs, lights and means of egress lighting shall be done in accordance with Chapter 10 Section & Subsections 1023.0 & 1024.0 of the City's Building Code. (The BOCA National Building Code/1996)
24. 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".
25. 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 the Division of Inspection Services.
26. Ventilation shall meet the requirements of Chapter 12 Sections 1210.0 of the City's Building Code. (Crawl spaces & attics).
27. 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.
28. All requirements must be met before a final Certificate of Occupancy is issued.
29. 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).
30. 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)
31. Please read and implement the attached Land Use Zoning report requirements.
32. Boring, cutting and notching shall be done in accordance with Sections 2305.4.4, 2305.5.1 and 2305.5.3 of the City's Building Code.
33. Glass and glazing shall meet the requirements of Chapter 24 of the building code.
34. All requirement of permit shall be adhered too.
35. _____
36. _____


E. Samuel Higgins, Building Inspector
cc: Lt. McDougall, PFD
Marge Schmuckal, Zoning Administrator

**On the basis of plans submitted and conditions placed on these plans any deviations shall require a separate approval.

Zoning Division
Marge Schmuckal
Zoning Administrator



Department of Urban Development
Joseph E. Gray, Jr.
Director

CITY OF PORTLAND

T. Covington Johnson
P.O. Box 48
Peaks Island, ME 04108

July 9, 1999

RE: 18 City Point Road, Peaks Island, - 087-S-009 - IR-2 Zone

Dear Covey,

I have reviewed your most recent amendment to your building permit. As you remember this amendment was requested because you again did not follow your submitted plans. The approved window in the upper loft area facing the ocean was changed to a sliding door that exits out on to a roof at this time. You claim that this door is actually a window. You also claimed that there is no difference between a door and a window.

First of all, as I have explained to you from the very beginning, your property is located within a shoreland zone area and most importantly within 75' of the high water mark. Within this area you are severely limited as to what you can do for alterations. You can not increase more than 30% floor area and volume once during the lifetime of this building. What was finally approved by plans is at the maximum increase of 30% floor area and volume.

There is a difference between a door and a window. Their uses are self explanatory. A door is used for entering and exiting. A window is for light and air. Because you are in a shoreland overlay zone, the difference between a door and a window is even more significant. In your particular case, you are at the maximum floor area allowed for increase. The installation of a door is inviting the occupant to go out onto the roof which conveniently has protections on either side of the roof (which was only approved as a pitched roof without side protections). I realize that you are now calling this door a window, but I do not think that changes the function of the sliding door, nor changes the reality of what it actually is. I also understand that you are proposing to install balusters on both sides of the door to prevent its use. I still would not allow that door because it gives tacit approval to its real function of a door. And it is my opinion that the balusters will not last long. The area is set up for use as an outside deck. The City will not be put in the position of encouraging the misuse of a roof/deck to be used in excess of the shoreland zoning provisions.

Therefore, I am denying this amendment for the door and the balusters as you have submitted. It will be necessary to adhere to the original approval for a window. Please note that I realize that people can open a window and climb out of it to go on the roof. But it takes much more effort to do so. It will be your responsibility as owner not to allow that action, because as I have stated several times previously, the roof shall not be used as a deck or any alternate use other than a roof.

As long as the door is in place, this office will not grant a temporary or permanent occupancy permit.

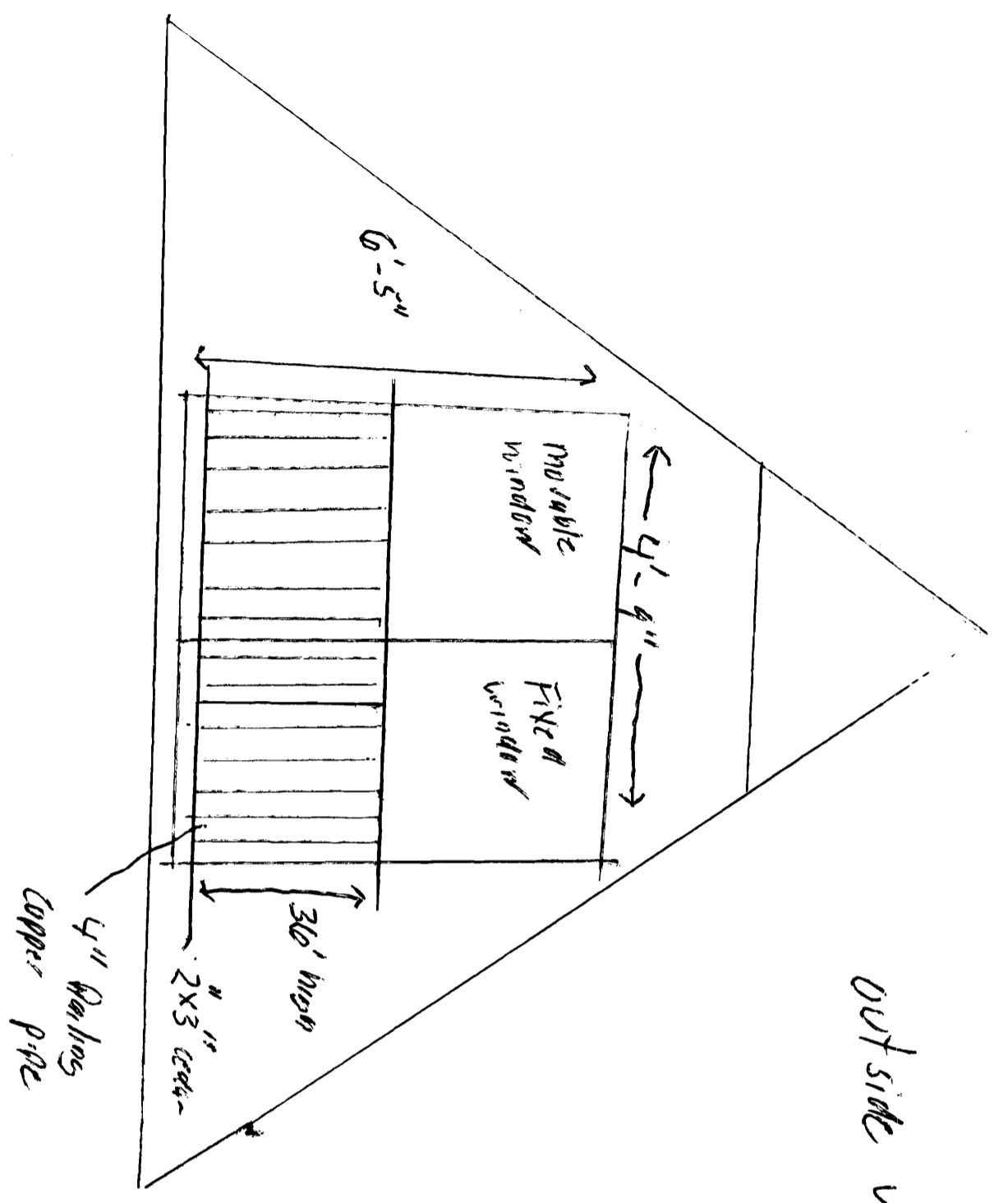
You do have the right to exercise the right of an appeal. Please note that a practical difficulty variance appeal can not be granted by the Board of Appeals because of the shoreland zoning issues involved. Instead you may want to pursue an interpretation appeal. I have enclosed the information you will need to apply for an appeal. You have 30 days from the date of this letter to appeal my decision. I would also like to point out that on 7/8/99 I left a voice message with you relating this information so you would not be held up on starting the appeal action.

Very truly yours,

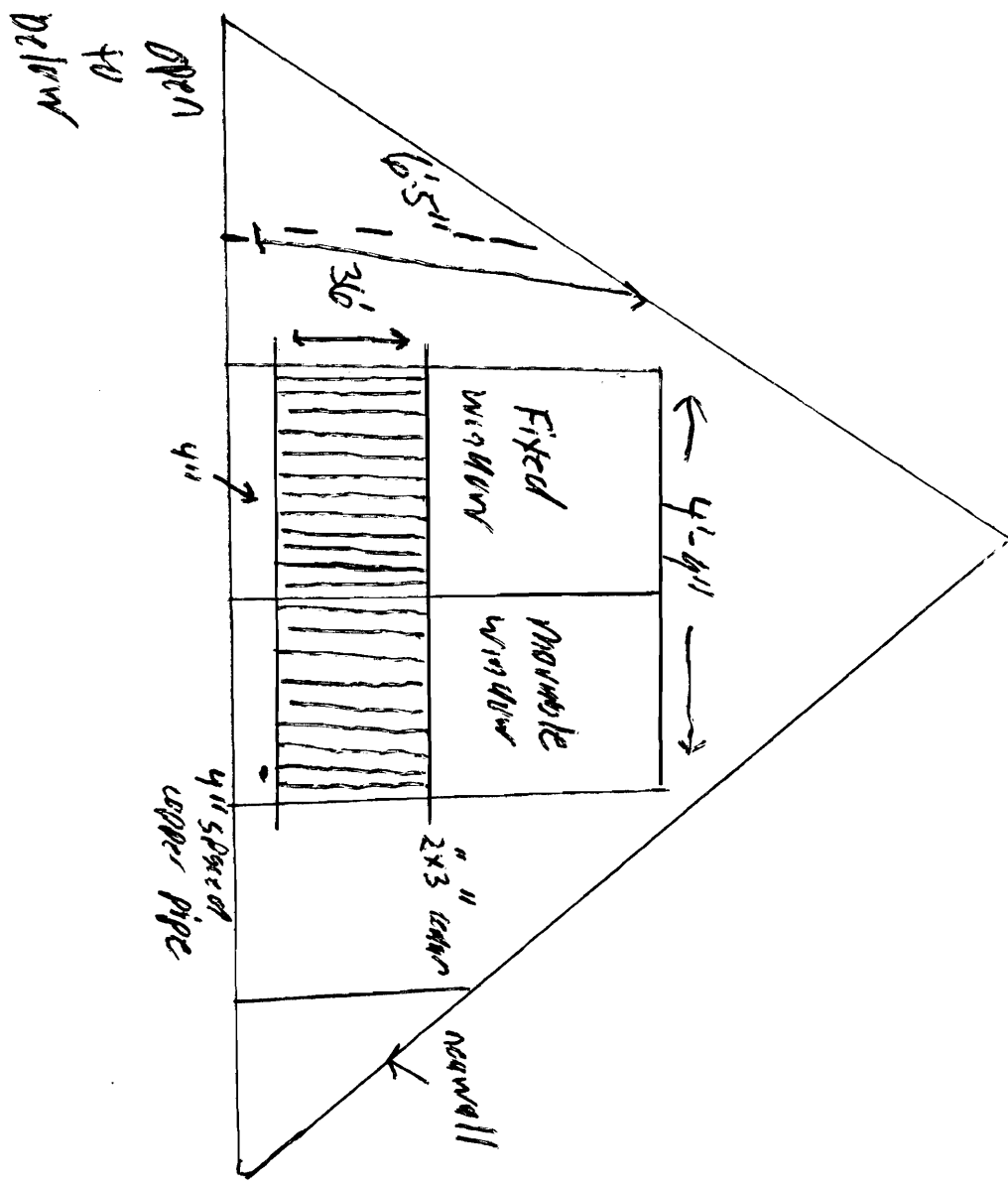
Marge Schmuckal
Zoning Administrator

cc: Andrew Doukas, attny, 673 Congress St., Portland, ME 04101
Joseph Gray, Jr., Dir. of Planning & Urban Dev.
Mark Adelson, Housing & Neighborhood Dev.
Mike Nugent, Housing & Neighborhood Dev.
Tom Reinsborough, Code Enforcement Officer
Corporation Counsel
File

outside view



putting
railings inside and outside
36" High with 4" spacing



Inside view