

Marge Schmuckal - FW: Existing Conditions Plan of 676 Seashore Avenue, Peaks Island (Piawlock)

From: "Jim Fisher" <jim.fisher@northeastcivilsolutions.com>
To: <mes@portlandmaine.gov>
Date: 9/13/2013 10:05 AM
Subject: FW: Existing Conditions Plan of 676 Seashore Avenue, Peaks Island (Piawlock)
Attachments: 34PIAWLOCK 9-11-13.pdf

Marge-- Here is the attachment. JIM

From: Jim Fisher [mailto:jim.fisher@northeastcivilsolutions.com]
Sent: Friday, September 13, 2013 9:41 AM
To: mes@portlandmaine.gov
Cc: spiawlock@maine.rr.com
Subject: Existing Conditions Plan of 676 Seashore Avenue, Peaks Island (Piawlock)

Hi Marge—

Judy Piawlock, owner of property at 676 Seashore Avenue on Peaks Island (TM 89-E-24), is in the process of selling her property to a prospective buyer (Dyer). You had indicated to either Ms Piawlock or Mr Dyer that you wanted to see a plan that accurately depicts the location of the existing house and appurtenant structures on the property. I believe you have seen, though I have attached a copy herewith, a copy of the Existing Conditions survey plan that reflects the property boundaries, the improvements on the lot, the current setbacks, and the location of a PWD easement across the locus.

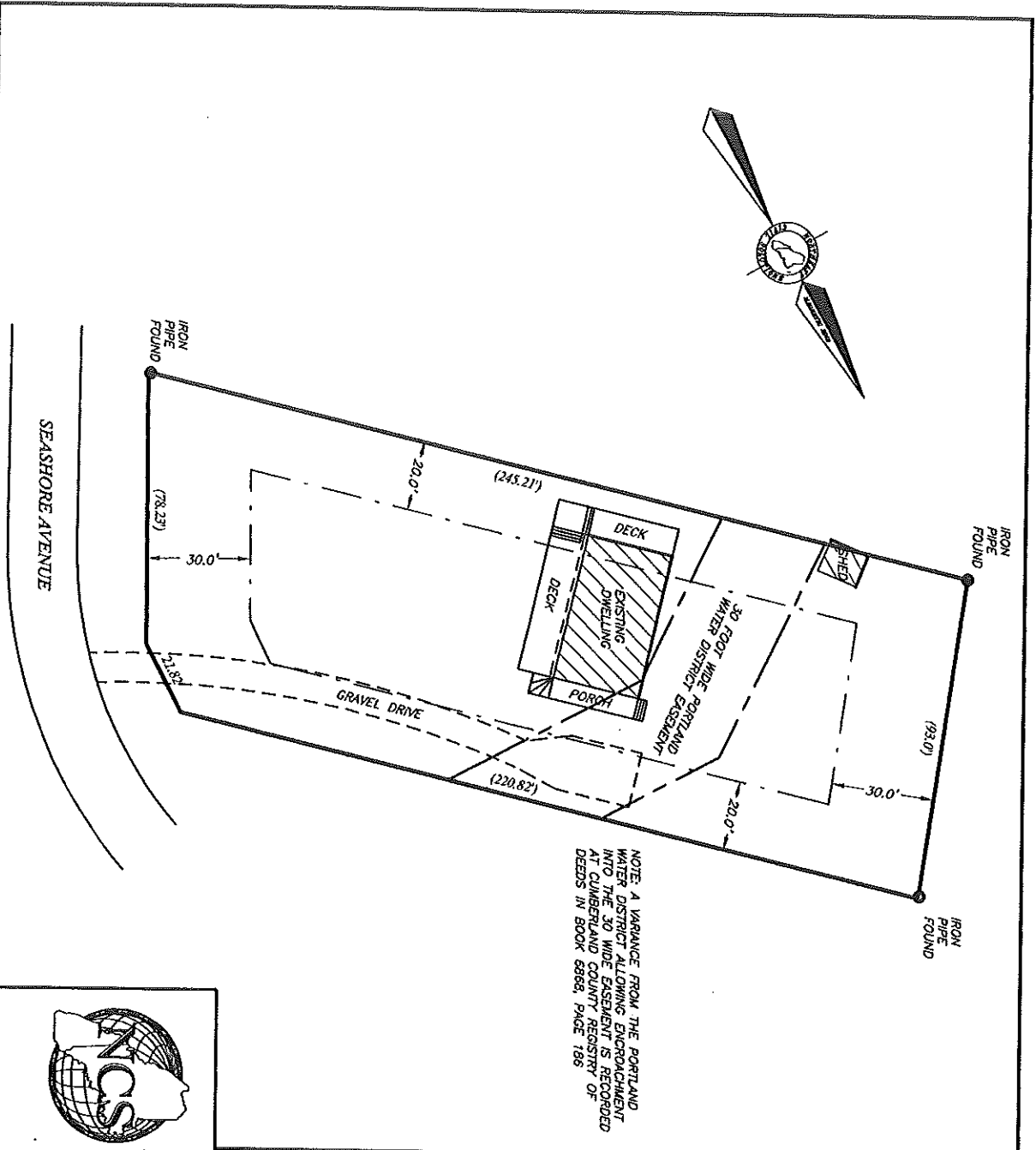
The locus is one of 17 lots in an approved subdivision (Ocean Side Project – North Gate Subdivision) dated 5/4/70. We found corner monuments shown on the original subdivision plan and have depicted them on our NCS plan dated 9/7/13; the locations of those monuments are mathematically correct relative to the original plan, and the instrument survey we conducted on site verified the location of improvements relative to the position of the lot corners. The PWD easement is shown on a recorded plan, the information of which is shown and cited on our plan.

Ms Piawlock indicated to us that you wanted to see a current plan of the locus in order to determine conformity (or the extent of non-conformity) of the structures as shown on it. She also stated that at the time they submitted their building permit application, the side setback was 14' (we show the current 20' setback on our plan).

The entirety of the structure is in the Shoreland Zone, and we did not perform an Elevation Survey establishing the HAT line and the 250' setback therefrom because the structure is well within that distance. There is a note on the plan to this effect.

The plan is to scale (1:30), but if you need specific dimensions that show distances from any given portion of a structure let me know and we'll be happy to add them to the plan. Thanks (and welcome back). JIM

Jim Fisher
 President
 Northeast Civil Solutions, Inc.
 153 US Route 1
 Scarborough, Maine 04074
 phone 1-207-883-1000
 fax 1-207-883-1001
 website: www.northeastcivilsolutions.com
 e-mail: jim.fisher@northeastcivilsolutions.com



NOTE: A VARIANCE FROM THE PORTLAND WATER DISTRICT EASEMENT ENCROACHMENT INTO THE 30' WIDE EASEMENT IS RECORDED AT CUMBERLAND COUNTY REGISTER OF DEEDS IN BOOK 8868, PAGE 188

NOTES

1. RECORD OWNERSHIP OF THE PARCEL SHOWN CAN BE FOUND IN A DEED FROM GARRIE ANN MCCOUGH AND SETH F. MACLEAN TO STANLEY J. PLAWLOCK AND JUDITH C. PLAWLOCK DATED APRIL 8, 1985 AND RECORDED IN DEED BOOK 6735, PAGE 27 CUMBERLAND COUNTY REGISTER OF DEEDS (CORD).
2. THE PARCEL SHOWN IS LOCATED ON THE CITY OF PORTLAND ASSESSOR'S MAP 89, BLOCK E, PARCEL 24.
3. REFERENCE IS MADE TO THE FOLLOWING PLANS OF RECORD:
 - a. "OCEAN SIDE PROJECT, PEAKS ISLAND, MAINE", BY THEODORE T. RAND, DATED MAY 4, 1970 AND RECORDED IN PLAN BOOK 85, PAGE 37 (CORD).
 - b. "CITY OF PORTLAND, MAINE PLAN OF WATER RESERVATION AREA, PEAKS ISLAND, MAINE", BY H. & EC JORDAN, DATED MAY 1977 AND RECORDED IN PLAN BOOK 122, PAGE 107 (CORD).
4. THIS IS NOT A CLASS "A" BOUNDARY SURVEY. THIS EXISTING CONDITIONS PLAN EXCEPTS CHAPTER 90, PART 2, SECTIONS 4 THROUGH 8 OF THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYOR'S RULES.
5. THE STRUCTURE APPEARS TO BE LOCATED WITHIN THE SHORELAND ZONE. NORTHEAST CIVIL SOLUTIONS DID NOT CONDUCT AN ELEVATION SURVEY TO DETERMINE THE EXACT LOCATION OF THE SHORELAND ZONE.

EXISTING CONDITIONS PLAN

OF
676 SEASHORE DRIVE
PEAKS ISLAND
MAINE

SCALE: 1"=30'
 DATE: SEPTEMBER 11, 2013
 PREPARED FOR: JUDY PLAWLOCK
 676 SEASHORE DRIVE
 PORTLAND ME

JOB NUMBER: 34029 ACD FILE: 34029.DWG



INCORPORATED
Northeast Civil Solutions
 SURVEYING ENGINEERING LAND PLANNING

153 US ROUTE 1, SCARBOROUGH, MAINE 04074
 tel 207.883.1000 fax 207.883.1001 e-mail info@northeastcivilsolutions.com
 800.882.2227



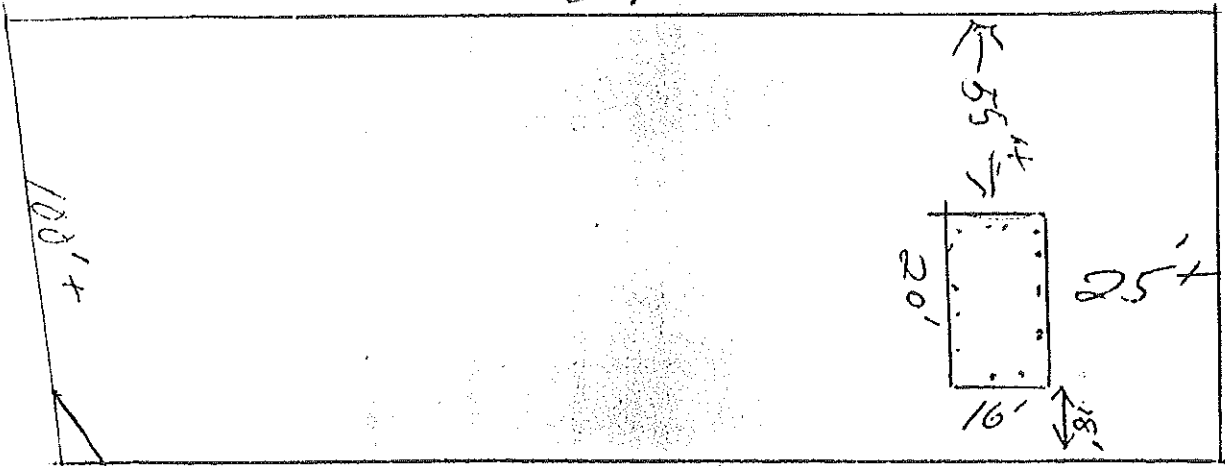
Front of building -
304 feet from water line
as measured from assessor map -

10/20/74
Highland & County App
has been verified & mapped
E. Q. G.

RECEIVED
OCT 18 1974
DEPT. OF BLDG. INSP.
CITY OF PORTLAND

rear property line 245' from water line (assessor map)

245' +



220' +

rear property line 350' from water line (assessor map)

lot #16
in Ave

APPLICATION FOR PERMIT

PERMIT ISSUED

B.O.C.A. USE GROUP

001233

OCT 26 1985

ZONING LOCATION

IR-1 PORTLAND MAINE JULY 12, 1985

To the CHIEF OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE
The undersigned hereby applies for a permit to erect, alter, repair, demolish, move or install the following building, structure, equipment or change use in accordance with the Laws of the State of Maine, the Portland B.O.C.A. Building Code and Zoning Ordinance of the City of Portland with plans and specifications, if any, submitted herewith and the following specifications:

LOCATION ... SEASHORE AVENUE, Mt. Is., Peaks Island, Fire District #10, #20
1. Owner's name and address Stanley, M. & Judith Plawick, Telephone ...
2. Lessee's name and address Mountain Avenue, Lewiston, Telephone ...
3. Contractor's name and address W. Russell Edwards, Jr., Telephone 766-5509
Proposed use of building single family year-round dwelling, No. of sheets ...
Last use No. families ...
Material No. stories Heat Style of roof Roofing
Other buildings on same lot
Estimated contractual cost \$ 49,000

FIELD INSPECTOR—Mr.

@ 775-5451

Minor Site Plan

Appeal Fees \$
Base Fee 50.00 pd
Late Fee 265.00
Total of \$ 50.00
215.00
Stamp of Special Conditions

to construct a 26' x 36' single family dwelling as shown

NOTE TO APPLICANT: Separate permits are required by the installers and subcontractors of heating, plumbing, electrical and mechanicals.

DETAILS OF NEW WORK

Is any plumbing involved in this work? yes
Is connection to be made to public sewer? no
Has septic tank notice been sent? no
Height average grade to top of plate Form notice sent? existing septic system
Size, front depth No. stories Height average grade to highest point of roof solid or filled land? earth or rock?
Material of foundation Thickness, top bottom cellar
Kind of roof Rise per foot Roof covering Kind of heat fuel
No. of chimneys Material of chimneys of lining Sills
Framing Lumber—Kind Dressed or full size? Corner posts
Size Glider Columns under girders Size Max. on centers
Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.
Joists and rafters: 1st floor, 2nd, 3rd, roof
On centers: 1st floor, 2nd, 3rd, roof
Maximum span: 1st floor, 2nd, 3rd, roof
If one story building with masonry walls, thickness of walls? height?

IF A GARAGE

No. cars now accommodated on same lot, to be accommodated number commercial cars to be accommodated
Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building?

APPROVALS BY:

DATE

MISCELLANEOUS

BUILDING INSPECTION—PLAN EXAMINER
ZONING: A.K. Conditionally
BUILDING CODE:
Fire Dept.
Health Dept.
Others:
Will work require disturbing of any tree on a public street?
Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed?

Signature of Applicant

Type Name of above

W. Russell Edwards, Jr.

Phone # 1 2 3 4

Other and Address

FIELD INSPECTOR'S COPY

APPLICANT'S COPY

OFFICE FILE COPY



CITY OF PORTLAND

DEPARTMENT OF PLANNING & URBAN DEVELOPMENT
INSPECTION SERVICES DIVISION

October 25, 1985

Mr. and Mrs. Stanley Prawlock
Mountain Avenue
Lewiston, Maine 04240

RE: Lot #16 Seashore Avenue
Peaks Island, Maine

Dear Stanley and Judith:

Your application to construct a 26' x 46' single family dwelling has been reviewed and a building permit is herewith issued subject to the following requirements:

Site Plan Review Requirements

Inspection Services Division

Approved with conditions:

1. East Side yard must be 20' instead of 14' as shown on the Site Plan.

2. Septic disposal subject to Plumbing Inspection approval.
Mr. W. Turner 10/25/85

Public Works Department

Approved with conditions:

1. There should be a minimum separation of fifteen (15) feet between the existing waterline and the proposed dwelling.

2. A driveway or turn-out shall be provided for off-street parking outside of the street right-of-way.
Ms. B. Barnhardt 7/30/85

Building Code Requirements

1. All lot lines must be clearly marked before calling for a foundation inspection.

Post 16 Sealpost Ave.

M/Mrs. Stanley Prawlock

2

2. Please read attached building code Sections 809.4 and 1716.3.4.
If you have any questions on these requirements, please call this
office.

Sincerely,

P. Samuel Hoffses
Chief of Inspection Services

PSH/cb

Enclosures

Marge Schmuckal - 676 Seashore

From: Brewster Buttfield <brewster@prospectdesign.me>
To: Marge Schmuckal <mes@portlandmaine.gov>
Date: 8/21/2013 10:02 AM
Subject: 676 Seashore
Attachments: 676 Seashore Scan 1.pdf; 676 sketch of how house sits on lot (1).pdf; 676 Seashore PWD easement.pdf

Marge

Thank you for returning my call, unfortunately I was unavailable when you called.

I am forwarding to you the attached research which gives the background on the property. My client has a PnS contract on the property but wants to know if the history of this property will negatively affect his ability to make an addition in the future.

You will see in the documents that the permit was granted with a condition and it appears the condition may not have been met. Specifically the house may have been built 15' from the side property line not 20'. This may have been a discretionary reduction of the setback but we cannot find any documentation that the building department granted the reduction. This may have been because of the PWD easement directly behind the structure. In addition, it appears a deck was added that extended further into the setback but not permitted.

Because of these questions he would like me to get an interpretation from you on what can and cannot be done. The lot is 20,000 sq.ft. and appears to be legally non-conforming as to area. But we are unclear if it is legally non-conforming as to set backs. And as such, what section if any of Building Extensions from Chapter 14 apply. Can the deck stay if it was not permitted? Can the build an addition where the deck is?

If you have time later today or next week after Monday, a few minutes of your time would be appreciated.

Brewster

--

Brewster Buttfield | Prospect Design | 207.749.7400
www.prospectdesign.me



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

Issued to **Stanley Piavlock**
LOCATION **Lot # 16 Seashore Ave., Peaks Isl.**
Date of Issue **June 27, 1986**

This is to certify that the building, premises, or part thereof, at the above location, built—altered—changed as to use under Building Permit No. **85-1233**, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

APPROVED OCCUPANCY

Single family dwelling

Limiting Conditions:
None

This certificate supersedes
certificate issued

Approved: **[Signature]**
Date) **7-7-86**

Inspector

[Signature]
Inspector of Buildings

Notes: This certificate identifies legal use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or leasee for one dollar.

THIS IS NOT A BOUNDARY SURVEY

INSPECTION OF PREMISES

I HEREBY CERTIFY TO *Applicant*

2004 TITLE BOOK BOSTON 001
173 TITLE INCORP

The monumentation is not in conformity with current deed description.

The building setbacks are not in conformity with town zoning requirements.

The dwelling does not ~~appear~~ fall within the special flood hazard zone as delineated by the Federal Emergency Management Agency.

The land does ~~not appear~~ fall within the special flood hazard zone as indicated on community-panel # *222521, 231521*.

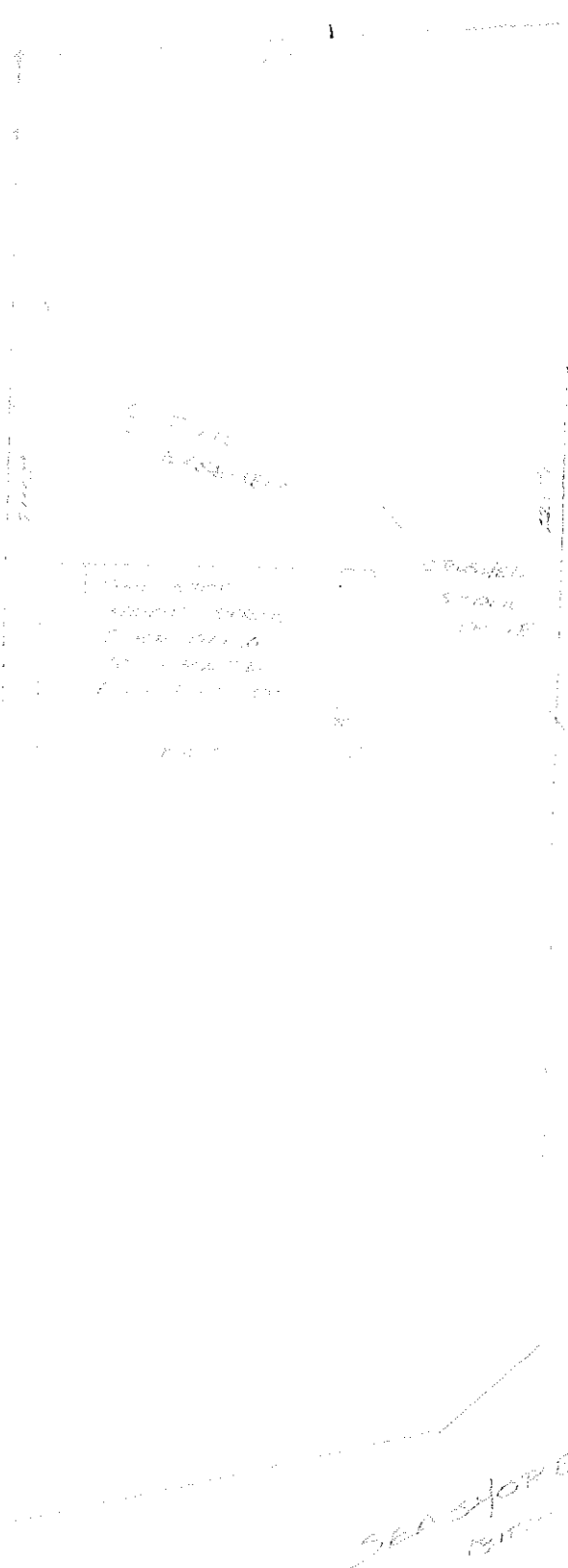
MAINE DEED AND PLAN BOOK
173

450 Seaside Ave
Portland, ME 04101
173-173-010

Job Number: *186-02*

Inspection Date: *02-1-12*

Scale: 1" = 30'



THIS PROPERTY IS SUBJECT TO ALL RIGHTS AND EASEMENTS OF RECORD THOSE THAT ARE EVIDENT ARE SHOWN THIS PLAN MIGHT NOT REVEAL CONFLICTS WITH ABUTTING DEEDS

BRUCE R. BOWMAN, INC.
46 Mill Road
Cumberland, Maine 04021
Phone: (207)829-3959



PLAN BOOK *25* PAGE *101-6*
DEED BOOK *173* PAGE *173-173-010* COUNTY *Cumberland*

THIS PLAN IS NOT FOR RECORDING Drawn by: *JL*