

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK



CITY OF PORTLAND

BUILDING PERMIT

This is to certify that ALLYN B CHASE

Located At 37 WOODS PATH RD *Cliff Is*

Job ID: 2012-05-3892-DRG

CBL: 109B- E-037-001

has permission to Build a small shed 10' x12'

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 the buildings and structures, and of the application on file in the department.

Notification of inspection and written permission procured before this building or part thereof is lathed or otherwise closed-in. 48 HOUR NOTICE IS REQUIRED.

A final inspection must be completed by owner before this building or part thereof is occupied. If a certificate of occupancy is required, it must be

N/A

Fire Prevention Officer

Mary Schmittsch 1/4/13
Code Enforcement Officer / Plan Reviewer

THIS CARD MUST BE POSTED ON THE STREET SIDE OF THE PROPERTY
PENALTY FOR REMOVING THIS CARD

BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 (ONLY)

or email: buildinginspections@portlandmaine.gov

With the issuance of this permit, the owner, builder or their designee is required to provide adequate notice to the city of Portland Inspections Services for the following inspections. Appointments must be requested 48 to 72 hours in advance of the required inspection. The inspection date will need to be confirmed by this office.

- **Please read the conditions of approval that is attached to this permit!! Contact this office if you have any questions.**
- **Permits expire in 6 months. If the project is not started or ceases for 6 months.**
- **If the inspection requirements are not followed as stated below additional fees may be incurred due to the issuance of a "Stop Work Order" and subsequent release to continue.**

**** Please call for a setback inspection prior to placement of the shed ****

The project cannot move to the next phase prior to the required inspection and approval to continue, REGARDLESS OF THE NOTICE OF CIRCUMSTANCES.

IF THE PERMIT REQUIRES A CERTIFICATE OF OCCUPANCY, IT MUST BE PAID FOR AND ISSUED TO THE OWNER OR DESIGNEE BEFORE THE SPACE MAY BE OCCUPIED.



PORTLAND MAINE

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Director of Planning and Urban Development
Jeff Levine

Job ID: 2012-05-3892-DRG

Located At: 37 WOODS PATH RD CBL: 109B- E-037-001

Cliff Island

Conditions of Approval:

Zoning

1. This permit is being approved on the basis of revised plans submitted. Any deviations shall require a separate approval before starting that work.
2. Section R105.2 of the International Residential Code states that structures 200 square foot or under is exempt from building code review. This structure has not been reviewed for codes or safety under the building codes. The owner takes full responsibility for structural integrity.

Entered 5/1/12 (B3)



General Building Permit Application

2012-05-3892-DRG IR-1

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>37 WOODS PATH RD CLIFF ISLAND, ME</u>		
Total Square Footage of Proposed Structure/Area <u>120 sq ft</u>	Square Footage of Lot <u>6,000 sq ft</u>	Number of Stories <u>1</u>
Tax Assessor's Chart, Block & Lot Chart# <u>109 B</u> Block# <u>E 037</u> Lot# <u>ATTACHED</u>	Applicant: (must be owner, lessee or buyer) Name <u>ALYN CHASE</u> Address <u>108 RIVER RD</u> City, State & Zip <u>KILLINGWORTH CT HOME, VT 05749</u>	Telephone: <u>CLIFF: 766-2807</u> <u>(860) 663-3102</u>
Lessee/DBA <u>6000 sq lot</u>	Owner: (if different from applicant) Name Address City, State & Zip RECEIVED MAY 01 2012 Dept. of Building Inspections City of Portland Maine	Cost of Work: <u>\$2,500</u> C of O Fee: \$ Historic Review: \$ Planning Amin.: \$ Total Fee: \$ <u>50.00</u>
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: _____ Is property part of a subdivision? <u>NO</u> If yes, please name _____ Project description: <u>BUILD A SMALL SHED TO STORE TOOLS, LAWN MOWER & MATERIALS (NAILS, SCREWS, WOOD) [NOTE: THESE MATERIALS DECAY IN DIRT CELLAR]</u>		
Contractor's name: _____ Email: _____ Address: <u>OWNER WILL CONSTRUCT</u> City, State & Zip _____ Telephone: <u>(ABOVE)</u> 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, or stop by the Inspections Division office, room 315 City Hall or call 874-8703.

and 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.

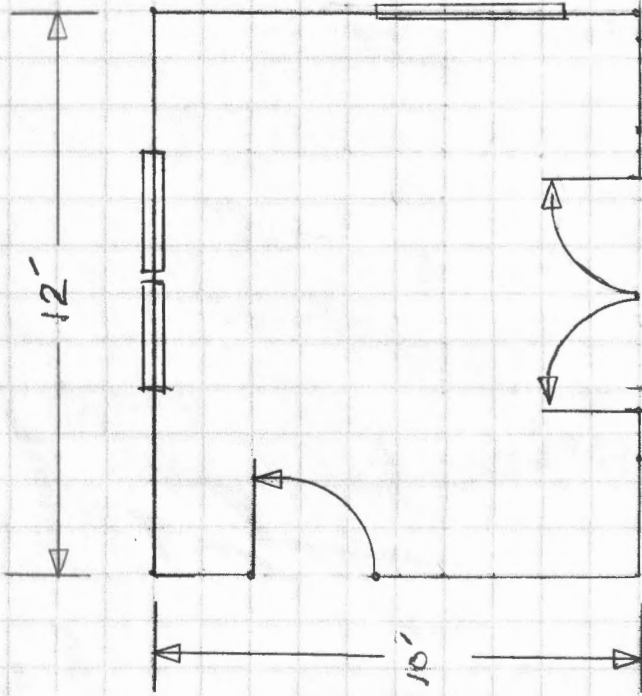
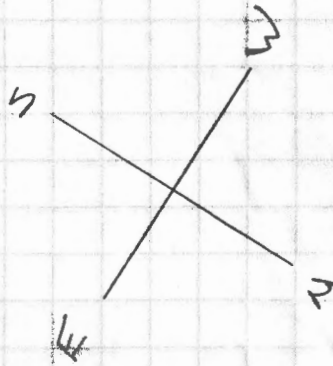
Signature: Alyn B. Chase Date: APRIL 22, 2012

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

37 WOODS PATH TRAIL
CLIFF ISLAND, ME.

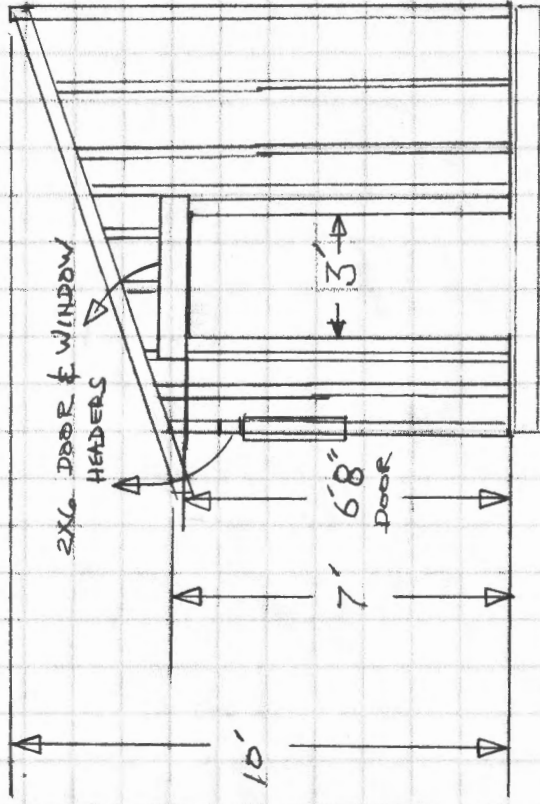
SKETCHES OF PLANNED SHED

10' x 12'

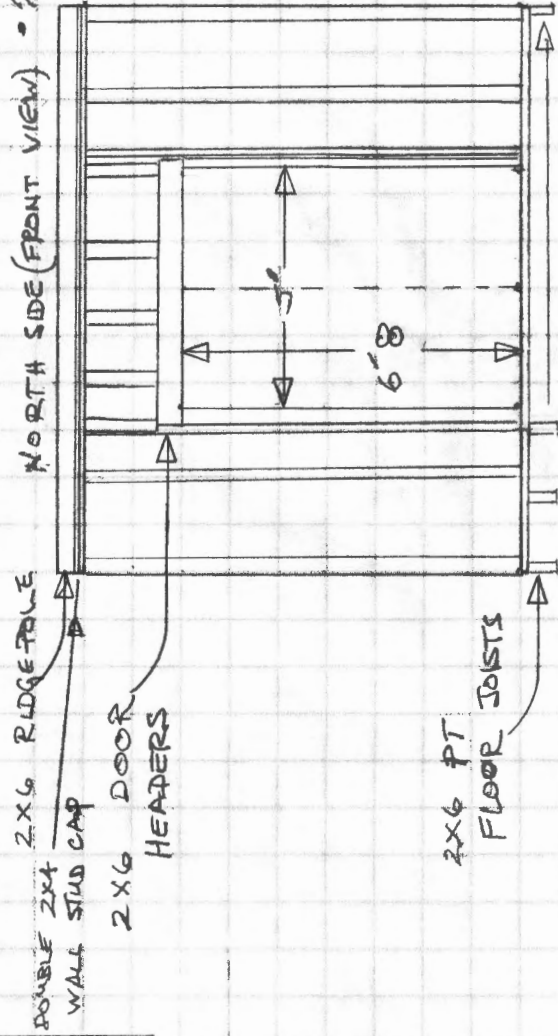


- FRONT-
PLAN VIEW

EAST SIDE (LEFT VIEW)



NORTH SIDE (FRONT VIEW)



CONSTRUCTION &
MATERIALS

NOTES:

- 1 1/2" OC CONSTR. MATERIALS
- 2x4 FRAMING STUDS
- 2x6x12 RAFTERS
- 2x6 DOOR & WINDOW HEADERS
- ASPHALT SHINGLES
- 2x6 RIDGE POLE
- 1/2" x 4x8 FT PLYWOOD FLOOR
- 2x6 PT FLOOR JOISTS
- 5/8" x 4x8 T-11 WALL SHEATHING
- 1/2" x 4x8 ASS ROOF SHEATHING

Marge Schmuckal - Information for Cliff Island Shed Permit

From: allyn chase <abchase01@gmail.com>
To: Marge Schmuckal <mes@portlandmaine.gov>
Date: 12/27/2012 4:13 PM
Subject: Information for Cliff Island Shed Permit
CC: allyn chase <abchase01@gmail.com>
Attachments: Shed Sebacks Rev 12-26-12.pdf; Deed from vonloss with bk and pg.pdf

Dear Ms. Schmuckal,

Hope you are well and Happy New Year...

I have attached two documents for you: The deed with Book and Page and a new diagram providing setbacks for the shed. The setbacks are based on the added land.

Please let me know if this works..

BTW, am I required to send another permit fee since I didn't do first attempt correctly?

Very best,

Allyn

Planning and Development Department
Permit Application

April 26, 2012

Dear Permit Officials:

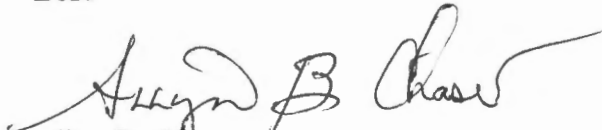
Earlier this week I sent a permit requesting permission to construct a small shed on my property on Cliff Island.

I believe I neglected to submit a \$50.00 check with the request.

Please find enclosed a check for this permit request and a copy of the cover page of the original permit request.

Thanks for your consideration....

Best,


Allyn B. Chase

RECEIVED
MAY 01 2012
Dept. of Building Inspections
City of Portland Maine

37 Woods Path Rd

Cliff Island



Copyright 2011 Esri. All rights reserved. Thu Jul 5 2012 12:04:16 PM.

Marge Schmuckal - Update on Shed Permit on Cliff Island - #2012-05-3892 On Hold

From: allyn chase <abchase01@gmail.com>**To:** <mes@portlandmaine.gov>**Date:** 9/4/2012 9:58 AM**Subject:** Update on Shed Permit on Cliff Island - #2012-05-3892 On Hold**CC:** allyn chase <abchase01@gmail.com>

37 Woods Path Rd
109B-E-37

Dear Schmuckal,

Just an update on my application which we placed on hold when we met in ?July?..

I have met with the property owners and all have agreed to transfer the 40x100 lot adjacent our lot (37 Woods Path Road) to Barbara and myself.

I plan to meet with attorneys this week to start the transfer. As you requested. once completed I will forward a copy of our new deed and lot definition to you.

Thanks so much for your patience, help and support!

Best to you,

Allyn

7/5/2012 the plot plan is not complete and does not show all setbacks and the one that is shown on the side is less than what is required. Also the lot is very small and before the shed is at 27% lot coverage instead of the 20% required – with the shed, the lot coverage will be at 29% - on hold – MES

7/13/2012 met with Allyn Chase - he thought he also owned another 40'x100' lot – it was meant to be conveyed years ago, but apparently was never legally transferred – want the permit on hold until he can sort it all out – He will get back to me MES

Marge Schmuckal - Re: Cliff Island Shed Permit

From: Marge Schmuckal
To: allyn chase
Date: 12/12/2012 11:27 AM
Subject: Re: Cliff Island Shed Permit

Yes I would need a copy of it. I will need a revised plot plan showing what you own now and where the shed is located compared to the new property lines. Then I can get the permit moving.

Thank you,
Marge

>>> allyn chase <abchase01@gmail.com> 12/12/2012 8:44 AM >>>

Dear Ms. Schmuckal,

According to my emails I last contacted you around Sept 6-7, 2012.. I believe the shed permit process was still on hold.

Well good news, after much travail with people losing the paperwork and other delays we now own the 40x100 strip of property adjacent to our original lot that was needed for sideline distances. I also believe this size to will bring the cottage and original lot size into conformity.

The deed is in Book 30170 and Page 85 at Cumberland County Registry of Deeds. I can't remember if you needed a copy - if you do let me know and I'll email a PDF copy.

Thanks for being so helpful and patient.

Happy Holidays.

Very Best,
Allyn



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Jeff Levine - Director of Planning and Urban Development
Marge Schmuckal, Zoning Administrator

July 5, 2012

Allyn B. & Barbara C. Chase
108 River Road
Killingworth, CT 06419

12/31/12
ok now
has bought 4,000[#] (40x100)
from Abutte

RE: Application #2012-05-3892 – 37 Woods Path Road, Cliff Island – 109B-E-037

Dear Mr. & Mrs. Chase,

I am in receipt of your application to construct a 10' x 12' shed on the property located at 37 Woods Path Road, Cliff Island, Maine. The property is located in an IR-1 or Island Residence One Zone.

First of all, I cannot make a final determination because your plot plan is incomplete. Setbacks to your front, side and rear property lines are not given from your shed. From the little you submitted, I can only assume that that the side setback of your shed will be less than 8 feet. Please note that for a shed less than 144 square foot, the minimum side yard setback is 15 feet. The minimum front setback is 30 feet. The minimum rear setback is 10 feet for a shed less than 144 square foot in size. I will need what the actual setbacks will be.

Secondly, the IR-1 zone only allows a maximum lot coverage of 20%. Currently your property is at 27% lot coverage, which is considered to be legally nonconforming. However, the proposed shed would increase your lot coverage to 29%. This increase in your lot coverage and legal nonconformity is not allowed under the City's Land Use Zoning Ordinance.

Before I can issue any denial letter, I need to know all the specific setbacks. Until such time your application is on hold.

If you have any questions regarding this matter, please feel free to call me at (207) 874-8695.

Very truly yours,

Marge Schmuckal
Zoning Administrator



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Receipts Details:

Tender Information: Check , Check Number: 2913

Tender Amount: 50.00

Receipt Header:

Cashier Id: bsaucier

Receipt Date: 5/1/2012

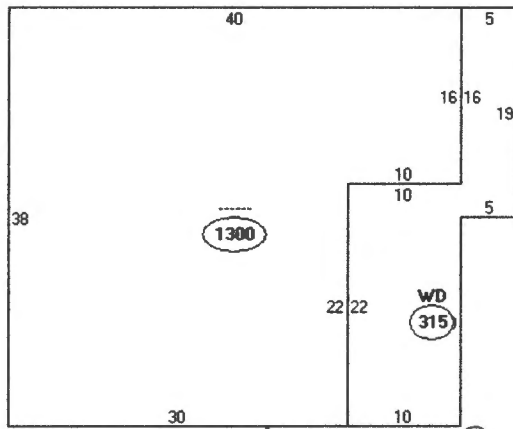
Receipt Number: 43427

Receipt Details:

Reference ID:	6339	Fee Type:	BP-Constr
Receipt Number:	0	Payment Date:	
Transaction Amount:	50.00	Charge Amount:	50.00
Job ID: Job ID: 2012-05-3892-DRG - Build small shed			
Additional Comments: 37 Woods Path Rd			

Thank You for your Payment!

IR-1 Zone



20%
lot cov.

Descriptor/Area
 1300 sqft
 B.W.B.
 315 sqft

1615 #
 + 120 #
 1735 #
 would be
 29%

1615 #
 currently
 27%

bought 4,000[#] extra from

now 10,000[#] per Deed

~~6000~~ lot per ASSESSORS

~~6000 x 20%~~
 10,000 x 20%

~~12000~~ MAX
 20000 MAX
 AT

now 12/31/12

FRONT: 30' min - Not shown

REAR: 10' min (144[#] or less) - ~~Not shown to the property line~~
 could have 42' now shown

SIDE: 15' min (144[#] or less) - ~~Not shown~~
 42' now shown

WARRANTY DEED
Statutory Short Form

KNOW ALL MEN BY THESE PRESENTS, That we, **Peter D. von Lossnitzer** of Gloucester, in the County of Essex, and Commonwealth of Massachusetts, **Lori M. Foskitt** of Easthampton, in the County of Hampshire, and Commonwealth of Massachusetts, unmarried, and **Daniel E. von Lossnitzer** of Somerville, in the County of Middlesex, and Commonwealth of Massachusetts,

for consideration paid,

grant to **Allyn B. Chase** and **Barbara C. Chase**, both of Killingworth, in the County of Middlesex, and State of Connecticut,

whose mailing address is 108 River Road, Killingworth, CT 06419,

with **WARRANTY COVENANTS**, as Joint Tenants,

a certain lot or parcel of land situated on Cliff Island in Casco Bay, so-called, in the City of Portland, County of Cumberland, and State of Maine, bounded and described as follows: Beginning at a stone monument set in the Northwesterly corner of premises of the Grantees herein, as described in a deed recorded in Cumberland County Registry of Deeds, Book 11584, Page 329, and thence running South 37° 30' 00" East by Grantees present premises one hundred (100) feet to a capped 5/8 rebar set for a corner at premises now or formerly of Robert and Diane O'Reilly, as described in a deed recorded in Cumberland Registry of Deeds, Book 4856, Page 123; thence running South 52° 30' 00" West by said O'Reilly premises forty (40) feet to a stake to be set for a corner at remaining premises of the Grantors herein; thence running North 37° 30' 00" West by remaining premises of the Grantors one hundred (100) feet to a stake to be set for a corner in the Southeasterly sideline of a private lane; and thence running North 52° 30' 00" East by the Southeasterly sideline of said private lane forty (40) feet, more or less, to the stone monument and point of beginning.

Reference should be made to deed from Beverly von Lossnitzer to the Grantors herein dated November 17, 2008, and recorded in Cumberland County Registry of Deeds, Book 26473, Page 230 and Deed from Barbara C. Chase and David E. Chapin to the Grantors herein of even date to be recorded herewith.

This conveyance is to an abutter.

Jennifer Fantaroni, spouse of Peter D. von Lossnitzer, and Margaret von Lossnitzer, spouse of Daniel E. von Lossnitzer, releases all rights in the premises being conveyed, and

Beverly A. von Lossnitzer, joins in this deed releasing her life estate in this parcel.

MAINE REAL ESTATE TAX PAID

Return To
FERGUSON & JOHNSON P
P.O. Box 97
Springvale, ME 04083

Marge Schmuckal - Re: Cliff Island Shed Permit

From: Marge Schmuckal
To: allyn chase
Date: 12/12/2012 11:27 AM
Subject: Re: Cliff Island Shed Permit

Yes I would need a copy of it. I will need a revised plot plan showing what you own now and where the shed is located compared to the new property lines. Then I can get the permit moving.

Thank you,
Marge

>>> allyn chase <abchase01@gmail.com> 12/12/2012 8:44 AM >>>

Dear Ms. Schmuckal,

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Well good news, after much travail with people losing the paperwork and other delays we now own the 40x100 strip of property adjacent to our original lot that was needed for sideline distances. I also believe this size to will bring the cottage and original lot size into conformity.

The deed is in Book 30170 and Page 85 at Cumberland County Registry of Deeds. I can't remember if you needed a copy - if you do let me know and I'll email a PDF copy.

Thanks for being so helpful and patient.

Happy Holidays.

Very Best,
Allyn

Marge Schmuckal - Re: Help!!!! - a couple points of clarity

From: Marge Schmuckal
To: allyn chase
Date: 9/6/2012 10:00 AM
Subject: Re: Help!!!! - a couple points of clarity
CC: robert@fergjohnlaw.com

Hi Allyn,

Your lawyer advises you properly. I am not an attorney. I can not advise you on legal matters. I can only relay Zoning information from the Portland Ordinance. I would need to surveys see of property to be sure that no violations of zoning are made. You told me at the meeting that the adjoining property has a lot of property. I would need to verify that. The plan that was submitted to the City for the permit application was generated by you using Assessor's information. Please be aware that the Assessor's information is not to be used for site plans. They will be the first to tell you that their information is for assessment purposes and is not survey quality. The City does not survey private property.

I have no opinion on whether one or two deeds is required. I would need to see that all the land is under the same ownership.

I hope this helps you,
 Marge Schmuckal
 Zoning Administrator

>>> allyn chase <abchase01@gmail.com> 9/5/2012 9:21 AM >>>

Dear Ms. Schmuckal,

I have spoken with Attorney Robert Ferguson in Springvale, Maine and have outlined for him the desired deed changes. This transfer will give full ownership to my wife and me the 40x100 adjacent lot currently co-owned by my wife, her brother, and her first cousin's children.

Attorney Ferguson raised a couple points of clarity. First, he wished for me to inquire as to the adjacent parcel (Lot 109B-E-33 Von Lossnitzer, Peter ETALS) meeting zoning requirements once the 40x100 lot is deeded to me. I believe when you and I discussed the permit for the shed that the Lot 109B-E-33 had more than sufficient sqft of land to remain in full zoning compliance.

Second, Attorney Ferguson wished for me to verify that with an additional 40 ft added to my west boundary that two deeds showing ownership of a total of 100x100 sqft of land meets shed/construction permit specifications if I cross the old boundary line. One deed is possible but is an additional expense for me. If two deeds do not meet shed/construction permit regulations, please explain how the regulations are stated/work - I am not clear on this point - sorry for the confusion on my part!!! I couldn't find the regulations online but I thought I recalled you had instructed me where to find them. Just wish to do this the correct way on the first pass!!

Other than these two points of clarity I think we are good to go. I plan to drop off materials to Attorney Ferguson this Thursday, 6 September 2012. He has requested that I gather information from other owners which I am in the process of doing.

I seem to recall also that with us owning a 100x100 sqft parcel the additional 4,000 sqft will now bring my cottage into compliance. This is another goal we had discussed as well.

I have included the email address of Attorney Ferguson so if I have misunderstood or misstated any key points please feel free to include correspondence to him as well

Very Best,
 Allyn

