

**City of Portland, Maine – Building or Use Permit Application** 389 Congress Street, 04101, Tel: (207) 874-8703, FAX: 874-8716

Location of Construction: 109 Dartmouth St		Owner: Gary W. Smart LLC		Phone: 772-9643		Permit No: <b>80616</b>  <b>PERMIT ISSUED</b>  JUN 15 1998 <b>CITY OF PORTLAND</b> Zone: CBL: 118-D-015		
Owner Address: 109 Dartmouth St Rld 04103		Lessee/Buyer's Name:		Phone:			Business Name:	
Contractor Name: Jim Lombardo/Builder		Address: 69 Milton St, Portland ME 04103		Phone: 878-8895			PERMIT FEE: \$ 40.00	
Past Use: 2-family		Proposed Use: same		COST OF WORK: \$ 3,500			INSPECTION: Use Group: Type:	
Proposed Project Description: Build new deck on 2nd fl (12' x 12') Remove existing window and install new door				FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied		Signature:		
				PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: Approved <input type="checkbox"/> Approved with Conditions: <input type="checkbox"/> Denied <input type="checkbox"/>		Signature: _____ Date: _____		
Permit Taken By: H.C.		Date Applied For: June 4, 1998						

1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal rules.
2. Building permits do not include plumbing, septic or electrical work.
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..

Call Gary for p/u 772-9643

**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

See pre-app

June 4, 1998

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



COMMENTS

6-23-98 Speak with owner will call when work starts

6-25-98 Work is all completed. Contractor never calls to check sawing tubes or depth. Unable to check out from all closed in.

Closed out

CBC # 118-D-15

permit # 980616

Inspection Record

Type	Date
Foundation: _____	_____
Framing: _____	_____
Plumbing: _____	_____
Final: _____	_____
Other: _____	_____

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

**Building or Use Permit Pre-Application  
Attached Single Family Dwellings/Two-Family Dwelling  
Multi-Family or Commercial Structures and Additions Thereto**

In the interest of processing your application in the quickest possible manner, please complete the Information below for a Building or Use Permit.

**NOTE\*\*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 (include Portion of Building): <b>109 DARTMOUTH ST. PORTLAND</b>			
Total Square Footage of Proposed Structure <b>252</b>		Square Footage of Lot <b>6,350</b>	
Tax Assessor's Chart, Block & Lot Number Chart# <b>118</b> Block# <b>D</b> Lot# <b>15</b>		Owner: <b>GARY W. SMART ET AL</b>	Telephone#: <b>772-9643</b>
Owner's Address: <b>109 DARTMOUTH ST. PORTLAND, ME. 04103</b>		Lessee/Buyer's Name (If Applicable)	Cost Of Work: <b>\$ 3500.00</b> Fee <b>\$ 40</b>
Proposed Project Description: (Please be as specific as possible) <b>BUILD NEW DECK ON 2ND FLOOR (12' x 21') REMOVE EXISTING WINDOW AND INSTALL NEW DOOR</b>			
Contractor's Name, Address & Telephone <b>JIM LOMBARDO/BUILDER 69 MILTON ST. PORTLAND, ME. 04103 878-8825</b>		Rec'd By <b>MW</b>	
Current Use: <b>2 FAMILY</b>		Proposed Use:	

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 BOCA 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/Site Plan

Minor or Major site plan review will be required for the above proposed projects. The attached checklist outlines the minimum standards for a site plan.

**4) Building Plans**

**Unless exempted by State Law, construction documents must be designed by a registered design professional.**

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**

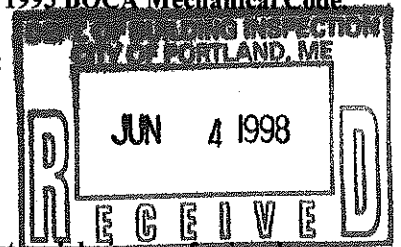
I hereby certify that I am the Owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, 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: <b>Gary W. Smart</b>	Date: <b>6/14/98</b>
--	----------------------

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

Additional Site review and related fees are attached on a separate addendum

call for Plu Gary 772 9643



LAND USE - ZONING REPORT

ADDRESS: 109 Dartmouth St DATE: 6/12/98

REASON FOR PERMIT: Build New deck on 2<sup>nd</sup> floor 12'x12' - remove window - stall door

BUILDING OWNER: Gary Smart C-B-L: 118-D-15

PERMIT APPLICANT: owner

APPROVED: with conditions DENIED: \_\_\_\_\_  
#8 #9

CONDITION(S) OF APPROVAL

1. During its existence, all aspects of the Home Occupation criteria, Section 14-410, shall be maintained.
2. The footprint of the existing \_\_\_\_\_ shall not be increased during maintenance reconstruction.
3. All the conditions placed on the original, previously approved, permit issued on \_\_\_\_\_ are still in effect for this amendment.
4. Your present structure is legally nonconforming as to rear and side setbacks. If you were to demolish the building on your own volition, you will not be able to maintain these same setbacks. Instead you would need to meet the zoning setbacks set forth in today's ordinances. In order to preserve these legally non-conforming setbacks, you may only rebuild the garage in place and in phases.
5. This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.
6. Our records indicate that this property has a legal use of two units. Any change in this approved use shall require a separate permit application for review and approval.
7. Separate permits shall be required for any signage.
8. Separate permits shall be required for future decks and/or garage.
9. Other requirements of condition There shall be no open exterior

The escapes or stairways from this 2<sup>nd</sup> floor deck to the ground level

Marge Schmuckal

Marge Schmuckal, Zoning Administrator,  
Asst. Chief of Code Enforcement

Applicant: GARY SMART

Date: 6/10/98

Address: 109 Dartmouth St

C-B-L: 118-D-15

CHECK-LIST AGAINST ZONING ORDINANCE

Date - Existing

Zone Location - R-5

Interior or corner lot -

Proposed Use/Work - New deck on 2nd floor 12'x12' - remove window - install new door

Sewage Disposal -

- Lot Street Frontage -

Front Yard - N/A

Rear Yard - 20' req - 20' + shown -

Side Yard - 8' req - 12' & 13' shown

Projections -

Width of Lot -

Height -

Lot Area -

Lot Coverage/ Impervious Surface -

Area per Family -

Off-street Parking -

Loading Bays -

Site Plan -

Shoreland Zoning/ Stream Protection -

Flood Plains -

NO EXTERIOR STAIRWAY TO GROUND

# BUILDING PERMIT REPORT

DATE: 12 June 98 ADDRESS: 109 Danfo-TH ST. (118-D-015)  
REASON FOR PERMIT: To Construct 12'x12' second Floor-  
BUILDING OWNER: Gary W. Smart, ETAL  
CONTRACTOR: Jim Lombardo / Builder  
PERMIT APPLICANT: owner  
USE GROUP R-3 BOCA 1996 CONSTRUCTION TYPE 5B

## CONDITION(S) OF APPROVAL

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

Approved with the following conditions: \*1, \*2, \*8, \*10, \*26, \*28, \*29, \*30, \*31

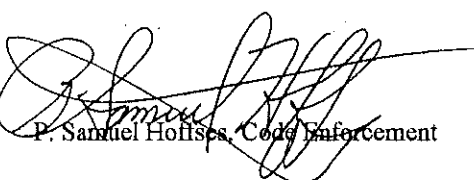
1. This permit does not excuse the applicant from meeting applicable State and Federal rules and laws.
2. Before concrete for foundation is placed, approvals from the Development Review Coordinator and Inspection Services must be obtained. (A 24 hour notice is required prior to inspection)
3. Precaution must be taken to protect concrete from freezing.
4. 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.
5. 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 ½ inch gypsum board or the equivalent applied to the garage means of ½ inch gypsum board or the equivalent applied to the garage side. (Chapter 4 Section 407.0 of the BOCA/1996)
6. 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).
7. Sound transmission control in residential building shall be done in accordance with Chapter 12 section 1214.0 of the city's building code.
8. 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 34" 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".
9. Headroom in habitable space is a minimum of 7'6".
10. Stair construction in Use Group R-3 & R-4 is a minimum of 10" tread and 7 3/4" maximum rise. All other Use group minimum 11" tread. 7" maximum rise.
11. The minimum headroom in all parts of a stairway shall not be less than 80 inches. (6' 8")
12. 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.
13. 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.
14. 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.)
15. The boiler shall be protected by enclosing with (1) hour fire-rated construction including fire doors and ceiling, or by providing automatic extinguishment.
16. 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 19, 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)

- 17. 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.
- 18. The Fire Alarm System shall be maintained to NFPA #72 Standard.
- 19. The Sprinkler System shall maintained to NFPA #13 Standard.
- 20. All exit signs, lights, and means of egress lighting shall be done in accordance with Chapter 10 Section & Subsections 1023. & 1024. Of the City's building code. (The BOCA National Building Code/1996)
- 21. 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".
- 22. 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 to the Division of Inspection Services.
- 23. Ventilation shall meet the requirements of Chapter 12 Sections 1210. Of the City's Building Code.
- 24. All electrical, plumbing and HVAC permits must be obtained by a Master Licensed holders of their trade.
- 25. All requirements must be met before a final Certificate of Occupancy is issued.
- \*26. 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).
- 27. Ventilation of spaces within a building shall be done in accordance with the City's Mechanical Code (The BOCA National Mechanical Code/1993).
- \*28. Please read and implement the attached Land Use-Zoning report requirements.
- \*29. 2x6 @ 16" O.C. with a 10' span will NOT meet The requirements of the PTLR bldg. Code. 2x8 @ 16" O.C. would meet The Code requirements
- \*30. The proposed 4x4 post must be fasten to The 10" sonotubes
- \*31. The Footing and Sono Tube must be anchored together
- 32. Your plans to install a new door by removing a window requires a header design - Please submit This before work begins
- 37.



P. Samuel Hoffes, Code Enforcement

cc: Lt. McDougall, PFD  
Marge Schmuckal

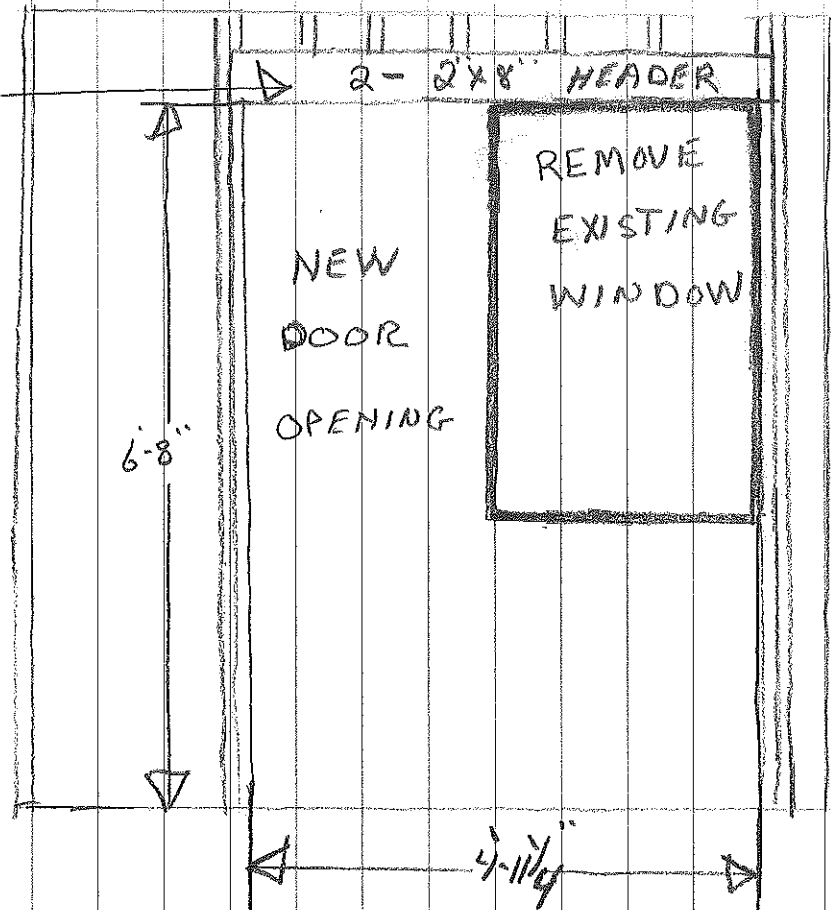
Sam

Requirement to  
permit @  
109 Dartmouth

3/3 call  
772 96

109 DARTMOUTH  
WALL SECTION

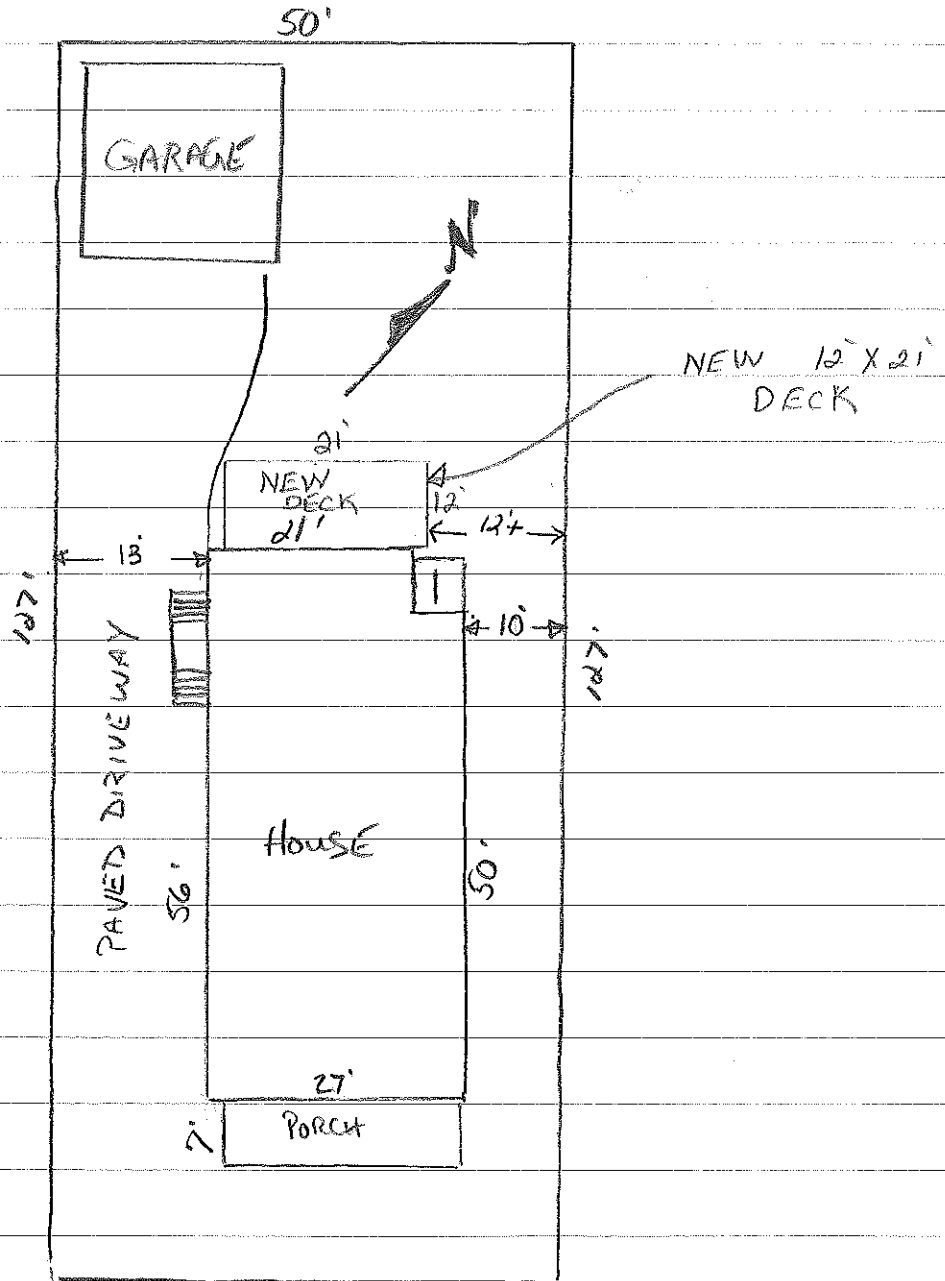
NEW  
HEADER



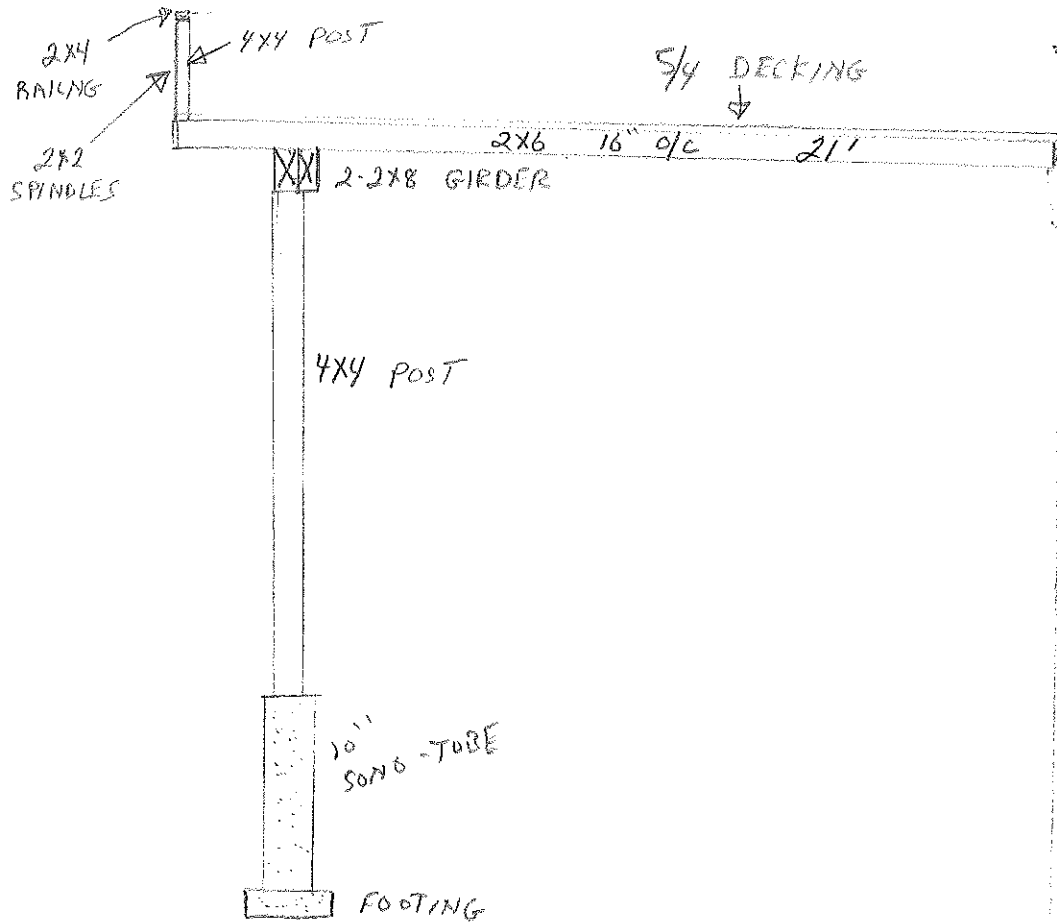
Door to Deck



118 D 15  
R-5

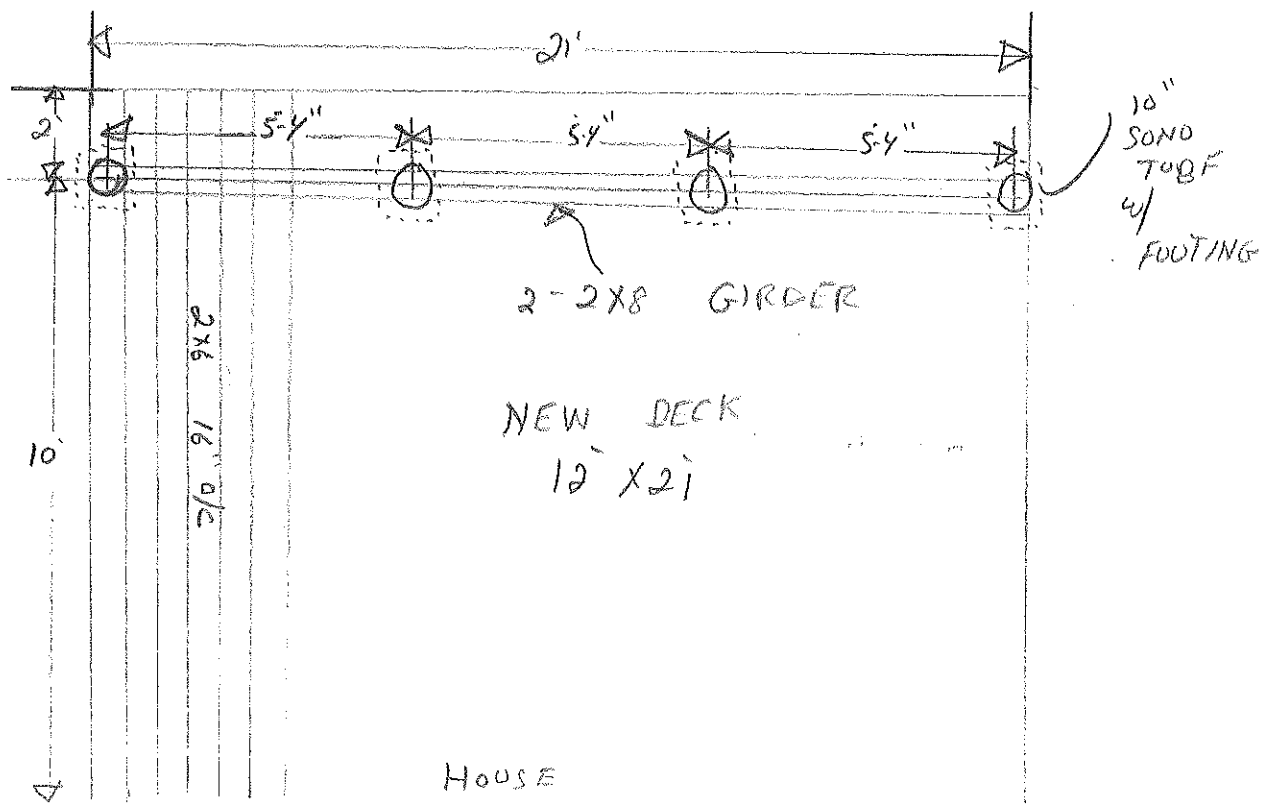


DARMOULD ST.



REMOVE EXISTING WINDOW  
INSTALL NEW DOOR

EXISTING HOUSE



HOUSE