

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

Location of Construction: 85 Rackleff Street 04102 ****		Owner: James & Karen Nadeau **		Phone: 773-3847		Permit No: 000088
Owner Address: SAA		Lessee/Buyer's Name:		Phone:		
Contractor Name: Stiffler & Close Builders		Address: Widham ME		Phone:		Permit Issued: FEB 9
Past Use: single family		Proposed Use: same		<div> <div>COST OF WORK: \$ 23,000</div> <div>PERMIT FEE: \$ 155.00</div> </div> <div> <div>FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied</div> <div>INSPECTION: Use Group: 11 Type: 5B BOCA-96</div> </div>		
Proposed Project Description: Demo and reconstruct non conforming detached garage		Signature:		Signature: <i>Hoffman</i>		<div> <div>Zone: CBL: 122-E-009</div> <div>Zoning Approval:</div> <div> Special Zone or Reviews: <input type="checkbox"/> Shoreland <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"/> </div> </div>
Permit Taken By: K		Date Applied For: Feb 3 2000 K		<div> <div>PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)</div> <div> Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied </div> </div>		

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..

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

Feb. 3 2000

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

PERMIT ISSUED
WITH REQUIREMENTS

CEO DISTRICT
PERMIT
WITH REQUIREMENTS

3

COMMENTS

3/13/00 Apt. for Precon, Setback Supp. - put off for 24 hrs due to Snow
 3/14/00 Footing in - foundation Panels up - all ok to pour @ 4:52/00
 9/7/00 Inspected framing & wiring with J.R.
 Built as per plans stairs ok wiring

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



CITY OF PORTLAND, MAINE

Department of Building Inspection

2/3 2000

Received from James Nadeau a fee

of One Hundred & Fifty Two Dollars \$ 162.00

for permit to ^{install}
^{erect}
^{alter} Demo & ReConst Garage

at ^{move}
^{demolish} 85 Rackliff St Est. Cost \$ 23,000

863 (K)
Inspector of buildings
Per

THIS IS NOT A PERMIT

No work is to be started until PERMIT CARD is actually posted upon the premises. Acceptance of fee is no guarantee that permit will be granted. PRESERVE THIS RECEIPT. In case permit cannot be granted the amount of the fee will be refunded upon return of the receipt less \$5.00 or 10% whichever is greater.

WHITE - Applicant's Copy
YELLOW - Office Copy
PINK - Auditors Copy

BUILDING PERMIT REPORT

DATE: 4 Feb. 2K ADDRESS: 85 Rackett ST. CBL: 122-E-009
REASON FOR PERMIT: Demo and reconstruct Non-Conforming detached garage
BUILDING OWNER: James & Karen Nadeau
PERMIT APPLICANT: _____ CONTRACTOR Stiffen & Case Builders
USE GROUP: U CONSTRUCTION TYPE: 5B CONSTRUCTION COST: \$23,000 PERMIT FEES: \$162.60

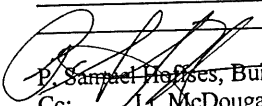
The City's Adopted Building Code (The BOCA National Building code/1996 with City Amendments)
The City's Adopted Mechanical Code (The BOCA National Mechanical Code/1993)

CONDITION(S) OF APPROVAL

This permit is being issued with the understanding that the following conditions are met: *1, *2, *4, *5, *6, *11, *13
*22, *28, *29, *32, *34, *36, *37

- ☒ 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) **"ALL LOT LINES SHALL BE CLEARLY MARKED BEFORE CALLING."**
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 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". (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 1/4" 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 1010.4)
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
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. *See Attached Zoning Conditions*
- * 32. Boring, cutting and notching shall be done in accordance with Sections 2305.3, 2305.3.1, 2305.4.4 and 2305.5.1 of the City's Building Code.
33. Bridging shall comply with Section 2305.16.
- * 34. Glass and glazing shall meet the requirements of Chapter 24 of the building code. (Safety Glazing Section 2405.0)
35. All signage, shall be done in accordance with Section 3102.0 signs of the City's Building Code, (The BOCA National Building Code/1996).
- * 36. This permit does not authorize any new dwelling units on this property.


D. Samuel Hoffes, Building Inspector
Cc: Lt. McDougall, PFD
Marge Schmuckal, Zoning Administrator

PSH 11/25/99

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

***THIS PERMIT HAS BEEN ISSUED WITH THE UNDERSTANDING THAT ALL THE CONDITIONS OF THE APPROVAL SHALL BE COMPLETED. THEREFORE, BEFORE THE WORK IS COMPLETED A REVISED PLAN OR STATEMENT FROM THE PERMIT HOLDER SHALL BE SUBMITTED TO THIS OFFICE SHOWING OR EXPLAINING THAT THE CONDITIONS HAVE BEEN MET. IF THIS REQUIREMENT IS NOT RECEIVED YOUR CERTIFICATE OF OCCUPANCY SHALL BE WITHHELD.

****CERTIFICATE OF OCCUPANCY FEE \$50.00

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Marge Schmuckal, Zoning Administrator

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****CERTIFICATE OF OCCUPANCY FEE \$50.00

LAND USE - ZONING REPORT

ADDRESS: 85 Rackliff St DATE: 2/9/08

REASON FOR PERMIT: to Demolish existing nonconforming garage and Rebuild to same footprint and height.

BUILDING OWNER: James & Karen Nadesny C-B-L: 122-EG

PERMIT APPLICANT: owners

APPROVED: with conditions DENIED: _____

#1, #3, #6, #10, #11

CONDITION(S) OF APPROVAL

1. This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.
2. During its existence, all aspects of the Home Occupation criteria, Section 14-410, shall be maintained.
3. The footprint of the existing garage shall not be increased during maintenance reconstruction.
4. All the conditions placed on the original, previously approved, permit issued on _____ are still in effect for this amendment.
5. 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 _____ in place and in phases.
6. This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.
7. Our records indicate that this property has a legal use of _____ units. Any change in this approved use shall require a separate permit application for review and approval.
8. Separate permits shall be required for any signage.
9. Separate permits shall be required for future decks, sheds, pool(s), and/or garage.
10. This is not an approval for an additional dwelling unit. You shall not add any additional kitchen equipment, such as stoves, microwaves, refrigerators, or kitchen sinks, etc. without special approvals. It is this office's understanding that the 2nd floor shall be used for storage & family room -
11. Other requirements of condition you have one year from the demolition of this structure in order to rebuild on the same foot print and same height. If it is not rebuilt within that time frame you shall loose your rights to your nonconforming setbacks and shall rebuild under

Marge Schmuckal, Zoning Administrator

The setbacks of The current Zoning Ordinance

Marge Schmuckal

QUITCLAIM DEED WITH COVENANT
Maine Statutory Short Form

Know all Men by these Presents.

That Mark A. Malone

of Portland, County of Cumberland, State of Maine

~~being conveyed~~ for consideration paid, grant to Karen L. Wilkins, formerly known as Karen L. Malone,

of Portland, County of Cumberland, State of Maine

whose mailing address is 85 Rackleff Street
Portland, Maine 04103

with quitclaim covenant, the land in Portland, County of Cumberland

State of Maine, described as follows:

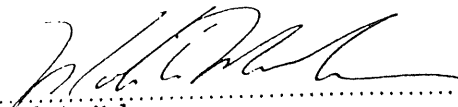
A certain lot or parcel of land with the buildings thereon, further described in Schedule A attached hereto and incorporated herein by reference.

~~And~~

~~Substantially correct and accurate copy of the original instrument as recorded in the office of the County Clerk of Cumberland County, Maine~~

Witness my hand and seal this 12th day of the month of June, 1991.

Signed, Sealed and Delivered
in presence of


Mark A. Malone

State of Maine, County of Cumberland as June 12, 1991

Then personally appeared the above named Mark A. Malone

and acknowledged the foregoing instrument to be his free act and deed.

Before me,


Attorney at Law

Notary Public

Printed Name

Schedule A

A certain lot or parcel of land with the buildings thereon, situated on the northerly side of Rackleff Street in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

Commencing at an iron hub driven in the ground in the northerly sideline of said Rackleff Street distant sixty-nine (69) feet easterly thereon from the east boundary of land formerly of C. W. Belknap and at the southeasterly corner of land now or formerly of Maud J. Berry; thence northerly on a line at right angles with said Rackleff Street about seventy-one (71) feet to land formerly of Frank W. Dearborn and later of one Blackstone; thence southerly by said Dearborn-Blackstone land to the northerly sideline of said Rackleff Street; thence westerly by said northerly sideline of Rackleff Street about seventy-one (71) feet to the point of beginning; containing about seven thousand one hundred (7,100) feet of land.

Meaning and intending to convey the same premises conveyed to Mark A. Malone and Karen L. Malone, Grantee herein, by deed of Mark A. Malone and Karen L. Malone, dated November 25, 1986 and recorded in the Cumberland County Registry of Deeds in Book 7503, Page 26.

Grantee herein assumes and agrees to pay the obligations created by a certain note and mortgage given by Grantor and Grantee herein to National Mortgage Company, Inc. dated May 8, 1987. Said mortgage is recorded in the Cumberland County Registry of Deeds in Book 7765, Page 284 and was subsequently assigned to New Hampshire Savings Bank by instrument recorded in said Registry of Deeds in Book 9442, Page 331. Grantee herein further agrees to indemnify and hold harmless Grantor herein for any claims made against him arising out of said note and mortgage.


Recorded
Cumberland County
Registry of Deeds
06/19/91 11:04:05AM
Robert P. Titcomb
Register

**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: 85 RACKLEFF STREET - PORTLAND		
Tax Assessor's Chart, Block & Lot Number Chart# 122 Block# E Lot# 9	Owner: KAREN & JAMES NADEAU	Telephone#: 773-3847
Owner's Address: 85 RACKLEFF STREET	Lessee/Buyer's Name (If Applicable) N/A	Cost Of Work: ⁰⁰ \$ 23,000 Fed ⁰⁰ \$ 135
Proposed Project Description: (Please be as specific as possible) DEMOLISH & RECONSTRUCT LEGAL NON-CONFORMING DETACHED GARAGE		
Contractor's Name, Address & Telephone STIFFLER & CLOSE BLDG'S, WINDHAM, ME		Rec'd By: 

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 (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 roof overhangs, as well as, sheds, pools, garages and any other accessory structures.
- Scale and required zoning district setbacks

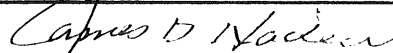
4) Building Plans (Sample Attached)

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: 	Date: 1-20-2000
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Building Permit Fee: ~~\$25.00~~ for the 1st \$1000. cost plus \$5.00 per \$1,000.00 construction cost thereafter.
O:\INSP\CORRESP\MNUGENT\APAD\JED.WPD

30.00

60.00

January 20, 2000

Marge Smuckeral, C.E.O.
City of Portland
389 Congress Street
Portland, Maine 04101-3503

RE: Demolition and Reconstruction of Detached Garage, 85 Rackleff Street, Portland, Maine

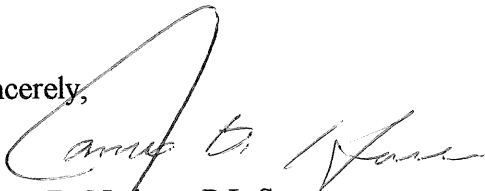
Dear Marge,

Please accept these documents as my formal request to seek a building permit for the demolition and reconstruction of my current 1 1/2 story detached garage located at the above address. The current garage is in very poor condition.

I will be calling you next week to make an appointment for comments on this project. It is my belief that this project will not have any negative effect to my neighborhood, since it will be new construction on the original grandfathered footprint. My intent is to reconstruct a garage which is the same size vertically and horizontally as the one which currently exists.

Also, I will file my electrical permit next week. Please call if you have any questions pertaining to this submittal.

Sincerely,



James D. Nadeau, P.L.S.
President, Nadeau & Lodge, Inc.
Registration #2124

per owner, Storage AND
family room to be above
garage - No plumbing to
be installed.

