



## Comments:

4/27/2007-mes: see letter - is not meeting 14-436 expansion - is going higher than permitted
6/4/2007-mes: met with Mr. Johnson to go over section 14-436-He will redesign and get information back to me. He also will give me separate information concerning the garage repairs. We may separate the garage repairs under a separate permit to allow that portion of the job to move forward.

| Location of Construction: <br> 493 OCEAN AVE | Owner Name: <br> JOHNSON SCOTT W \& MARY L | Owner Address: <br> 493 OCEAN AVE | Phone: |
| :--- | :--- | :--- | :--- |
| Business Name: | Contractor Name: | Contractor Address: | Phone |
| Lessee/Buyer's Name | Phone: | Permit Type: <br> Additions - Multi Family |  |

1/4/2008-mes: met with Mr. Johnson - he showed me some sketches that could work. The sketches were not scalable and wasn't able to be sure that it was meeting the 14-436, but it looks closer. I wanted some scalable plans and floor to ceiling heights for the "attic" area above.

4/1/2008-jmb: Spoke to Scott T. About details on plans, new framing section, floor ceiling assemblies, penetrations, storage area separation, stair construction and railings, all on a scale large enough to read. He will submit.
4/30/2008-jmb: Submitted revised plans to scale, need reduced copy or electronic
3/6/2008-mes: received revised plans from applicant on 2/6/08 - applicant out of town for a week told to hold off -
$5 / 2 / 2008-j m b$ : Spoke to Scott J. The plans still don't include the fire/sound rated floor ceiling assemblies, stair details and fire penetration. He will submit. He also said the pdf was emailed to Lannie.
5/12/2008-jmb: Received fax for floor ceiling assembly
5/12/2008-jmb: Email msg to Scott J. After receiving the plans for the stairs: I am going allow use of the IRC code for the stair construction as the 3 rd unit is independent from the 1 st and 2 nd units.

This means that the stair and deck guard must be a minimum of $36^{\prime \prime}$ in height instead of $42^{\prime \prime}$. The handrail height on the stairs can be between 34 " -38 " as stated on the plans, if it is mounted separately from the top of the balustered rail, or the graspbable handrail can be the top rail at $36^{\prime \prime}$.

## General Building Permit Application

If you of the property owner owes real estate or personal property taves or user charges on any property sithin the City, payment arrangements must be made before permits of any kind are accepted

| Location/Address of Construction: 49.3 OCEAN AVE. |  |  |
| :---: | :---: | :---: |
| Total Square Footage of Proposed Structure Square Footage of Lot <br> 840 21.250 |  |  |
| Tax Assessor's Chart, Block \& Lot    <br> Chart\# Block\# Lot\#  <br> 163 D 3  | Owner: SCOT W. JOHNSON | Telephone: $\begin{aligned} & 773-4994 \\ & 329-5551-D \end{aligned}$ |
| Lessee/Buyer's Name (If Applicable) | Applicant name, address \& telephone: <br> Scort W. Johnson 493 OCEAN AVE. <br> PORTLAND, ME OH103 $773-4994$ | Cost Of <br> Work: \$ $\qquad$ 40,000 <br> Fee: \$ $\qquad$ <br> C of O Fee: \$ $\qquad$ |
| Current legal use (i.e. single family) 3 FAMILY <br> If vacant, what was the previous use? <br> Proposed Specific use: $\qquad$ SAME <br> Is property part of a subdivision? __NO $\qquad$ If yes, please name $\qquad$ <br> Project description: <br> REPLACING - DININGROOM \& DECK WITH 2 DINING ROOMS AND ATIIC SPACE. + Repair Replace Garge Foundation - |  |  |
| Contractor's name, address \& telephone: <br> Who should we contact when the permit is ready: SLOrr Jotinson Mailing address: Phone: $773-4994$ (774-1104w) |  |  |

Please submit all of the information outlined in the Commercial Application Checklist.
Failure to do so will result in the attomatic 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 visit us on-line at mww.portlandmaine.gov, stop by the Building Inspections office, room 315 City Hall or call 874-8703.


#### Abstract

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 authori\%ed 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.




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

The additional floor area shall be created in the uppermost floor by the use of dormers, turrets or similar structures needed to provide the minimum height required for habitable space while preserving the existing roof configuration to the maximum extent possible.
(b) For residential principal structures conforming as to land area per dwelling unit as of July 19, 1988, but lawfully nonconforming as to any yard setback or nonresidential principal structures that are lawfully nonconforming as to any yard setback: The floor area of the expansion shall be limited to no more than eighty (80) percent of the first floor footprint. The additional floor area shall be created by raising the existing roof configuration the minimum amount required to create an additional story of habitable space, or by the use of dormers, turrets or similar structures.

Building expansions under this section may occur only once during the lifetime of an existing structure.
(Ord. No. 61-97, 8-18-97; Ord. No. 284-99, §3, 5-17-99, enacted as an emergency
) to take effect immediately pursuant to Article II, Sec. 8 of the Portland city Charter)
*Editor's note--Ord. No. 61-97, adopted Aug. 18, 1997, repealed former $\$$ 14-436 and enacted similar new provisions as herein set out. Formerly, such section derived from § 602.19.O of the 1968 Code as amended by Ord. No. 92-88, adopted July 19, 1988.
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Sec. 14-437. Setback reductions.
(a) Authority. The zoning administrator may grant setback reductions to the extent provided by this section.
(b) Procedure. Application for a setback reduction shall be submitted to the building inspections division. A payment of a nonrefundable application fee, as established from time to time by order of the city council to cover administrative costs, shall accompany each application. The application shall be in such form as prescribed by the zoning administrator and shall contain at least the following information and documentation:

1. The name and address of the applicant and his or her

# BUILDING PERMIT INSPECTION PROCEDURES <br> Please call 874-8703 or 874-8693 (ONLY) <br> to schedule your inspectionswagreed upon <br> Permits expire in 6 months, if the project is not started or ceases for $\mathbf{6}$ months. 

The Owner or their designee is required to notify the inspections office for the following inspections and provide adequate notice. Notice must be called in 4.8-72 hours in advance in order to schedule an inspection:

By initializing at each inspection time, you are agreeing that you understand the inspection procedure and additional fees from a "Stop Work Order" and "Stop Work Order Release" will be incurred if the procedure is not followed as stated below.

A Pre-construction Meeting will take place upon receipt of your building permit.
$\qquad$ Footing/Building Location Inspection: Prior to pouring concrete or setting precast piers
$\qquad$ Foundation Inspection: Prior to placing ANY backfill for below grade occupiable space
$\qquad$ Framing/Rough Plumbing/Electrical: Prior to Any Insulating or drywalling
$\qquad$
$\qquad$ Final inspection required at completion of work.

Certificate of Occupancy is not required for certain projects. Your inspector can advise you if your project requires a Certificate of Occupancy. All projects DO require a final inspection.

If any of the inspections do not occur, the project cannot go on to the next phase, REGARDLESS OF THE NOTICE OR CIRCUMSTANCES.

## CERIFICATE OF OCCUPANICES MUST BE ISSUED AND PAID FOR, BEFORE THE SPACE MAY BE OCCUPIED.






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## Lee Urban- Director of Planning and Development

Marge Schmuckal, Zoning Administrator

April 27, 2007

## Scott W. Johnson

493 Ocean Avenue
Portland, ME 04103
RE: 493 Ocean Avenue - 163-D-003 - R-5 primary zone along Ocean Ave, with R-3 zone in the rear - permit \#07-0360

Dear Mr. Johnson,
I am in receipt of your permit to replace and existing dining room and deck with 2 dining rooms and attic space and to repair and replace the garage foundation.

At this time I can not approve zoning for this permit because you are not meeting the current Land Use Ordinance regulations regarding your property.

Your property is currently legally nonconforming for setbacks. Because your property is legally nonconforming for setbacks, the amount of expansion allowed under 14-436 is limited in scope. I have attached a copy of 14-436 which guides this type of expansion. The ordinance only allows additional floor area created by raising the existing roof configuration the minimum amount required to create an additional story of habitable space, or by the use of dormers, turrets or similar structures. Your proposal goes beyond the requirements of the ordinance.

Your permit will be on hold if you would like to revise your plans to meet the ordinance.
Please call if you have any questions.


Cc: file

| From: | scottjohnson [ltssj@maine.rr.com](mailto:ltssj@maine.rr.com) |
| :--- | :--- |
| To: | Marge Schmuckal [MES@portlandmaine.gov](mailto:MES@portlandmaine.gov) |
| Date: | 6/7/2007 4:02:06 PM |
| Subject: | Re: 493 Ocean Avenue (CDB 163.003) |

The garage will be exactly the same height.
We will work on some variations for roof line configurations.
Thanks.
Scott
> From: Marge Schmuckal [MES@portlandmaine.gov](mailto:MES@portlandmaine.gov)
> Date: Thu, 07 Jun 2007 14:49:05-0400
> To: Itssj@maine.rr.com
> Subject: Re: 493 Ocean Avenue (CDB 163.003)
$>$
$>$ Scott,
$>$ If you are going to change anything (including the height) about the garage,
> would need plans showing the specifics of what you would be changing before
$>$ can sign off on a permit.
$>$
> I don't know if you can incorporate a deck. I would need to see what you are
$>$ proposing first to see if it meets the wording of the ordinance. And an
> exterior stairway which is not enclosed, then it would not meet zoring.
> Building code regulations regarding stairways are a separate matter which I do
$>$ not regulate. The building code folks regulate those requirements.
$>$
$>$ Marge
>>>> scottjohnson [ltssj@maine.rr.com](mailto:ltssj@maine.rr.com) 6/7/2007 2:00:17 PM >>>
> Marge,
$>$
$>$ My notes say that the maximum is 18 ft . Can I raise it 1 foot, making the $>$ new height 17 ft from average grade? If the 16 ft permit is quickly doable $>$ and 17 ft is another involved process, I will make it 16 ft
> Also, with regard to the house, can we incorporate a roof deck?
> Are spiral staircases legal?
$>$
$>$ Thanks,
$>$ Scott
$>$
$>$
>> From: Marge Schmuckal [MES@portlandmaine.gov](mailto:MES@portlandmaine.gov)
>> Date: Thu, 07 Jun 2007 11:38:02-0400
>> To: Itssj@maine.rr.com
>> Subject: Re: 493 Ocean Avenue (CDB 163.003)
>>
>> Scott,
>> Let me reiterate what I think you just told me. The existing height of the >> existing garage is 16 ft from average grade to the midway point of the roof $\gg$ Are you also telling me that when you lift it up and replace the foundation $\gg$ that you will NOT be raising it any higher? That it will remain the 16 ft in >> height?

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>>
>> If you can confirm this, I will have a separate permit created just for the
>> garage as we work on the house addition
>>
>> Thank you
>> Marge
>>
>>>>> scottjohnson <|tssj@maine.rr.com> 6/7/2007 11:34:23 AM >>>
>> Hi Marge,
>>
>> Thank you for meeting with me Monday.
>>
>> With regard to the separate permit for re-supporting the garage, the height
>> from average grade to the point half way between the roof peak and eave edge
>> is 16]
>>
>> Please let me know what I need to do. New Permit app or additional funds?
>>
>> Thanks again for your help.
>>
>> Scott Johnson
>
```






| From: | scottjohnson [ltssj@maine.rr.com](mailto:ltssj@maine.rr.com) |
| :--- | :--- |
| To: | [gec@portlandmaine.gov](mailto:gec@portlandmaine.gov) |
| Date: | 3/19/2008 5:52:04 PM |


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NEW


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VIEW FROM NEIGHBOR








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