

**DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK**  
**CITY OF PORTLAND**

Please Read  
Application And  
Notes, If Any,  
Attached

**BUILDING INSPECTION**

**PERMIT**

Permit Number: 071396

This is to certify that SMITH WADE S /Marc Sy

has permission to Add a 8'x 20' Deck

AT 836 WASHINGTON AVE Unit #8

170 B017008

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

Apply to Public Works for street line and grade if nature of work requires such information.

Notification of inspection must be given and written permission procured before this building or part thereof is occupied or closed-in.  
**HOOR NOTICE IS REQUIRED.**

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

**OTHER REQUIRED APPROVALS**

Fire Dept. \_\_\_\_\_

Health Dept. \_\_\_\_\_

Appeal Board \_\_\_\_\_

Other \_\_\_\_\_

Department Name

Director - Building & Inspection Services

**PENALTY FOR REMOVING THIS CARD**

**City of Portland, Maine - Building or Use Permit Application**

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 07-1396	Issue Date:	CBL: 170 B017008
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<b>Location of Construction:</b> 836 WASHINGTON AVE Unit #8	<b>Owner Name:</b> SMITH WADE S	<b>Owner Address:</b> 836 WASHINGTON AVE # 8	<b>Phone:</b>
<b>Business Name:</b>	<b>Contractor Name:</b> Marc Sylvaud	<b>Contractor Address:</b> 145 Whitney Ave Portland	<b>Phone</b> 2076503371
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Additions - Multi Family	<b>Zone:</b> R-5

<b>Past Use:</b> 8 Unit Condominium Unit # 8	<b>Proposed Use:</b> 8 Unit Condominium Unit # 8 - Add a 8'x 20' Deck	<b>Permit Fee:</b> \$70.00	<b>Cost of Work:</b> \$5,000.00	<b>CEO District:</b> 4
<b>Proposed Project Description:</b> Add a 8'x 20' Deck		<b>FIRE DEPT:</b> <input type="checkbox"/> Approved <input type="checkbox"/> Denied	<b>INSPECTION:</b> Use Group: Type:	
		Signature:		
<b>PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)</b>				
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied				
Signature: Date:				

DENIED

<b>Permit Taken By:</b> Idobson	<b>Date Applied For:</b> 11/08/2007	<b>Zoning Approval</b>		
<ol style="list-style-type: none"> <li>This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</li> <li>Building permits do not include plumbing, septic or electrical work.</li> <li>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..</li> </ol>		<b>Special Zone or Reviews</b> <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"/> Date:	<b>Zoning Appeal</b> <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date:	<b>Historic Preservation</b> <input type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Date:

**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 provision of the code(s) applicable to such permit.

\_\_\_\_\_  
SIGNATURE OF APPLICANT ADDRESS DATE PHONE

\_\_\_\_\_  
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE DATE PHONE

**City of Portland, Maine - Building or Use Permit**

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

<b>Permit No:</b> 07-1396	<b>Date Applied For:</b> 11/08/2007	<b>CBL:</b> 170 B017008
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<b>Location of Construction:</b> 836 WASHINGTON AVE Unit #8	<b>Owner Name:</b> SMITH WADE S	<b>Owner Address:</b> 836 WASHINGTON AVE # 8	<b>Phone:</b>
<b>Business Name:</b>	<b>Contractor Name:</b> Marc Sylvaud	<b>Contractor Address:</b> 145 Whitney Ave Portland	<b>Phone</b> (207) 650-3371
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Additions - Multi Family	

<b>Proposed Use:</b> Condominium - Unit # 8 - Add a 8'x 20' Deck	<b>Proposed Project Description:</b> Add a 8'x 20' Deck
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<b>Dept:</b> Zoning	<b>Status:</b> Denied	<b>Reviewer:</b> Ann Machado	<b>Approval Date:</b>
<b>Note:</b> See letter dated 11/19/07.			<b>Ok to Issue:</b> <input type="checkbox"/>
<b>Dept:</b> Building	<b>Status:</b> Pending	<b>Reviewer:</b>	<b>Approval Date:</b>
<b>Note:</b>			<b>Ok to Issue:</b> <input type="checkbox"/>

<b>Comments:</b>
1/2/2008-amachado: Thirty day period to appeal was up on December 19, and no appeal was received.
11/19/2007-amachado: Spoke to Marc Sylvain, contractor. Told him that the deck did not meet the 8' side setback and undersection 14-388, the lot does not meet landarea per dwelling unit so there can be no expansion. See letter.



# PORTLAND MAINE

*Strengthening a Remarkable City, Building a Community for Life* • [www.portlandmaine.gov](http://www.portlandmaine.gov)

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

visit appeal up  
Decision

November 19, 2007

Wade Smith  
836 Washington Avenue (8 Cedar Court)  
Portland, ME 04103

RE: 836 Washington Avenue (Unit 8) – 170 B017008 - R-5 – build an 8' x 20' deck –  
Permit #071396.

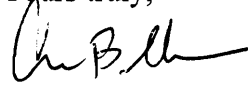
Dear Mr. Smith,

I have reviewed your application to build a twenty foot by eight foot deck at your condominium at 836 Washington Avenue (Unit 8), and I must deny it for two reasons. The first reason is that your condominium does not meet the minimum land area per dwelling unit requirement in the R-5 residential zone. The minimum land area per dwelling unit for a property with three or more residential units is 6,000 square feet per dwelling unit (section 14-117(2)(a)). There are twelve residential units on the property, and the size of the lot is 46,624 square feet. To meet the land area per dwelling unit requirement, the lot would need to be 72,000 square feet, so the lot is legally nonconforming. The ordinance, under section 14-388, states that a building that is nonconforming as to area per dwelling unit cannot be enlarged unless the building can be made to conform to the land area per dwelling unit requirement. Since the lot is legally nonconforming as to land area per dwelling unit, you cannot enlarge the existing building, so your permit is denied. Also, the minimum side yard setback in the R-5 residential zone is eight feet for a one story structure (section 14-120(d)(3)). The setback provided on the plan is seven feet, so the proposed deck does not meet the side setback requirement and must be denied.

You have the right to appeal my decision. If you wish to exercise your right to appeal, you have thirty days from the date of this letter in which to appeal. If you should fail to do so, my decision is binding and not subject to appeal. Please contact our office at 874-8709 for the necessary paper work if you decide to file an appeal. If you choose not to file an appeal, you are entitled to get most of your money back if you bring in the original receipt you got when you applied for the permit.

Please feel free to call me at 874-8709 if you have any questions.

Yours truly,



Ann B. Machado  
Zoning Specialist  
(207) 874-8709



# General Building Permit Application

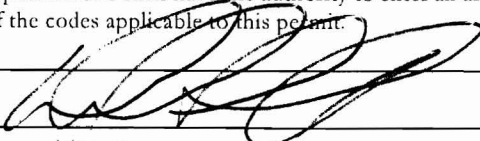
If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Location/Address of Construction: <u>336 Washington Ave. S Cedar Court</u>		
Total Square Footage of Proposed Structure/Area <u>176 sqft</u>		Square Footage of Lot <u>330 sqft</u>
Tax Assessor's Chart, Block & Lot Chart#      Block#      Lot# <u>170      B      17</u>	Applicant * <b>must be owner, Lessee or Buyer</b> * Name <u>Wade Smith</u> Address <u>336 Washington Ave S Cedar Ct.</u> City, State & Zip <u>Portland ME 0410</u>	Telephone:
Lessee/DBA (If Applicable)	Owner (if different from Applicant) Name Address City, State & Zip	Cost Of Work: \$ _____ C of O Fee: \$ _____ Total Fee: \$ <u>5,000</u>
Current legal use (i.e. single family) <u>Single Family Unit - 8 Condo's</u> <u>70</u> If vacant, what was the previous use? _____ Proposed Specific use: _____ Is property part of a subdivision? <u>yes</u> If yes, please name <u>Cedar Court</u> Project description: <u>Back yard patio/railings 8' x 20'</u>		
Contractor's name: <u>Marc Sylva</u> _____ Address: <u>145 Whitney Ave. #4</u> City, State & Zip <u>Portland ME 04102</u> Telephone: _____ Who should we contact when the permit is ready: <u>Marc</u> Telephone: <u>207 650-3371</u> Mailing address: <u>145 Whitney Ave Portland ME 04102</u>		

**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](http://www.portlandmaine.gov), or stop by the Inspections Division office, room 315 City Hall or call 874-8703.

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: 

Date: 11/07/07

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



**Cedar Court  
Condominium  
Association**

836 Washington Avenue  
Suite 9  
Portland Me, 04103

November 6, 2007

836 Washington ave, unit #8

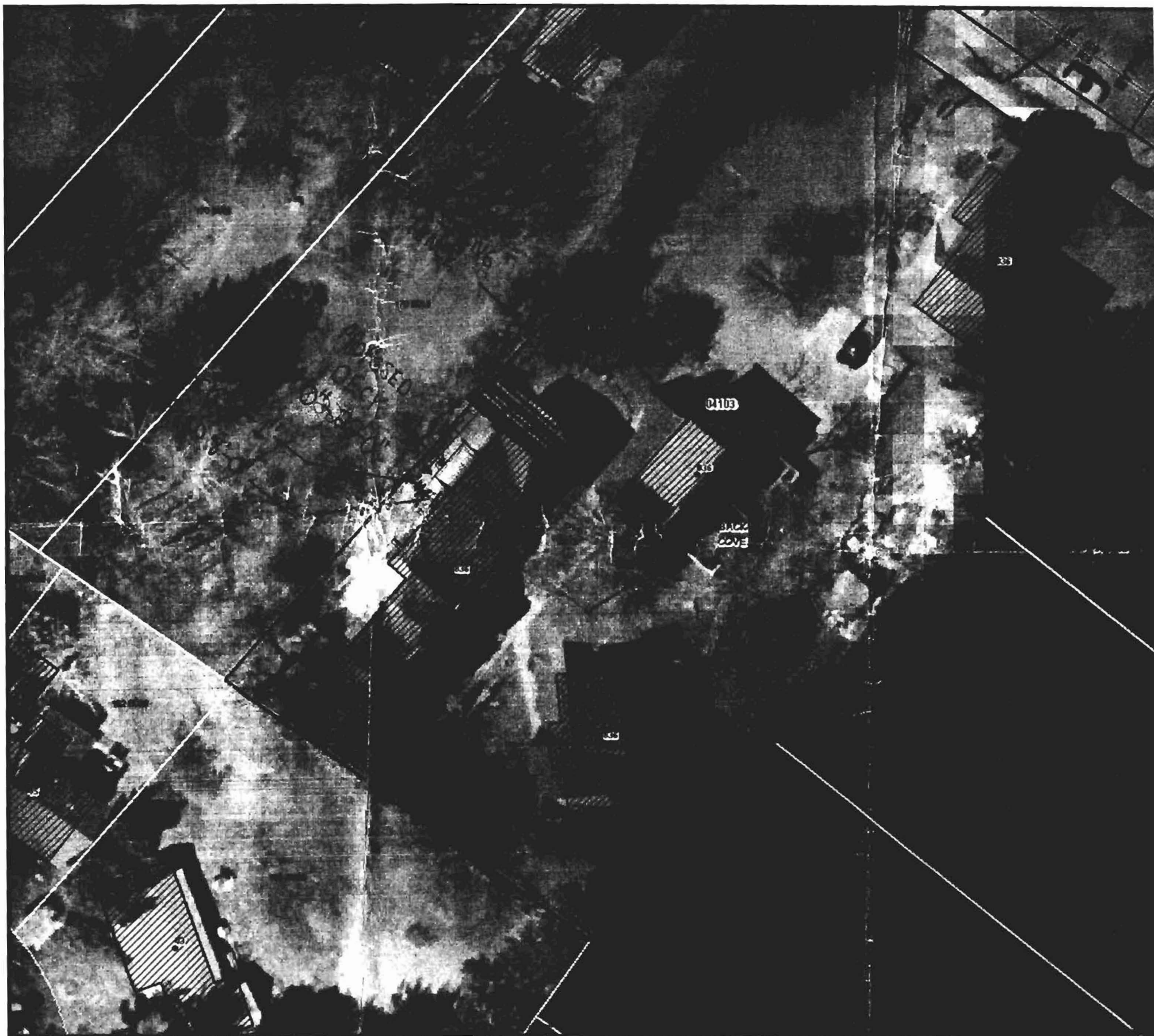
Dear Sir or Madam:

The Cedar Court association approves a new deck to be built off the back patio door of unit #8

Sincerely,

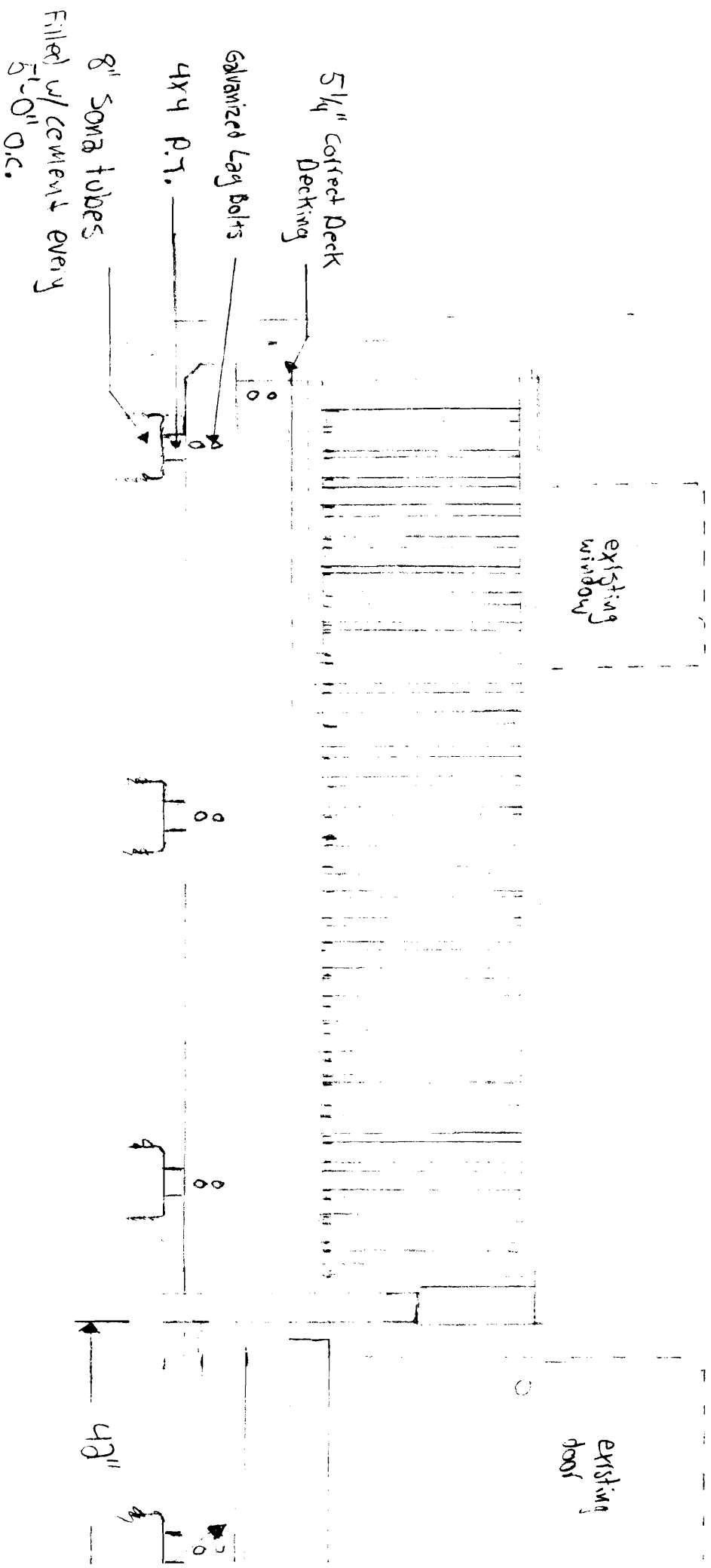
A handwritten signature in black ink, appearing to read 'Jeff Corbin'. The signature is fluid and cursive.

Jeff Corbin  
President Cedar Court Condominium Association



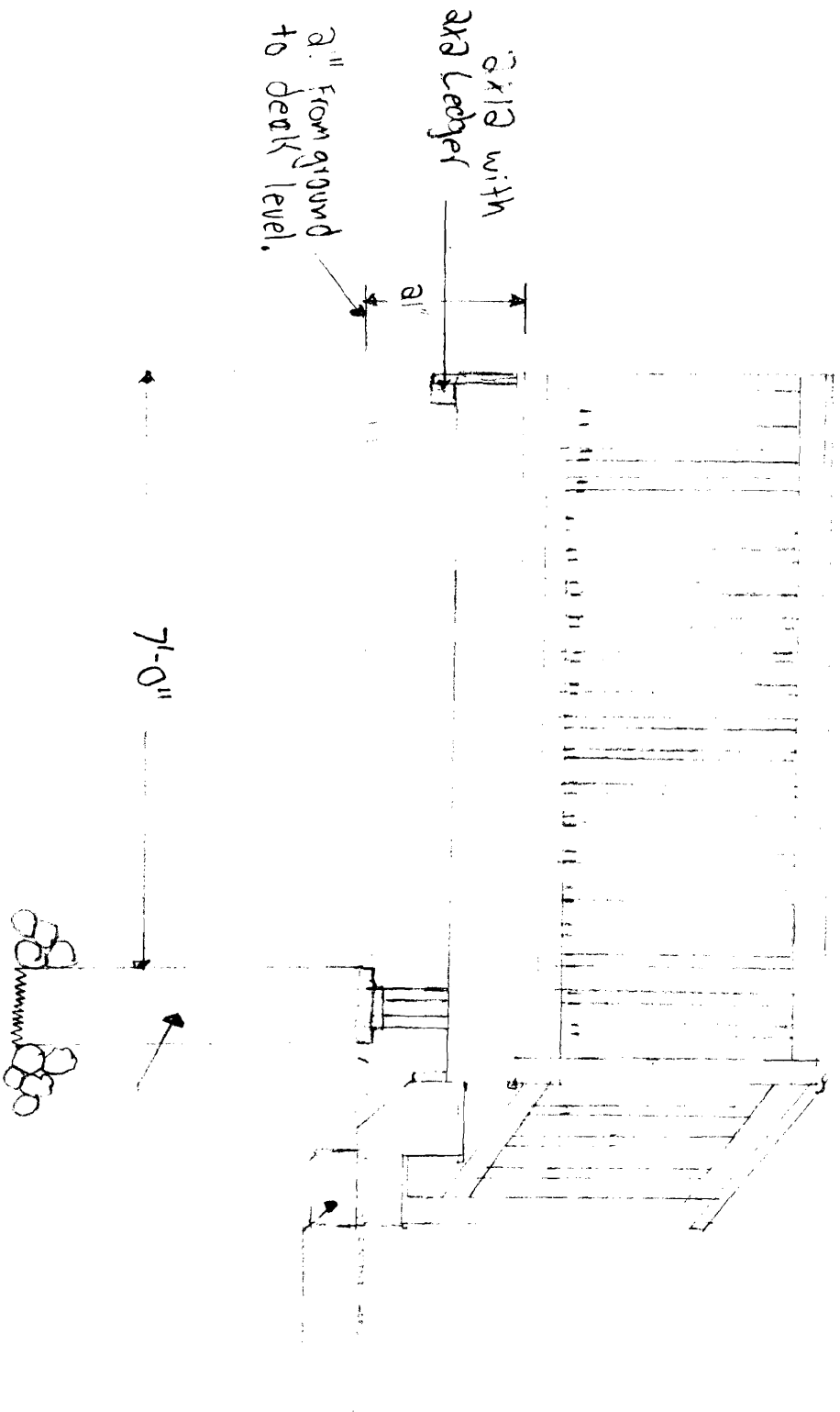


WADE SMITH RESIDENCE  
836 Washington Ave  
7 Cedar Court  
Portland, Maine



SCALE  
1/8" = 1'-0"

WADE SMITH RESIDENCE  
836 Washington Ave  
& Cedar Court  
Portland ME



3 8" x 4" cement blocks  
at base of steps

8" Sona tube,  
4'-0" below grade

SCALE  
1/8" = 1'-0"