



Christina Stacey &lt;cstacey@portlandmaine.gov&gt;

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**Re: Widow's watch in Rosemont Neighborhood**

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**Christina Stacey** <cstacey@portlandmaine.gov>  
To: "Reed, Tracie" <traciereed@dextrouscreative.com>

Fri, Mar 4, 2016 at 4:01 PM

Hi Tracie,

Apologies for the long delay in responding. I did talk over your question with Ann Machado and her interpretation it that this would be too large to meet the intent of the roof structure exemption for Section 14-430, since the space is more than large enough for people to utilize as sitting space. We have only approved cupolas if they are inaccessible or so small as to only provide rooftop access. This interpretation may be appealed to the ZBA within 30 days, please let me know if you would like paperwork to pursue that.

Please let me know if you have any other questions.

Yours,  
Chris

Christina Stacey  
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&gt;&gt;&gt; Tracie Reed &lt;traciereed@dextrouscreative.com&gt; 2/28/2016 10:06 AM &gt;&gt;&gt;

Christina, I'm so sorry it's taken me so long to get this sketch to you. Note it's not to scale. Let me know if you have any questions. Note that IRC and NFPA allow the existing stairs to remain. Again, here's the historical photograph showing the house with cupola: <https://www.mainememory.net/artifact/46635/zoom>

Tracie Reed, Maine Licensed Architect

On Mon, Feb 8, 2016 at 8:24 AM, Christina Stacey &lt;cstacey@portlandmaine.gov&gt; wrote:

Possibly, but would you be able to send a quick sketch of what the interior floor plan would look like, including stairs?

&gt;&gt;&gt; Tracie Reed &lt;traciejeanreed@gmail.com&gt; 2/5/2016 2:20 PM &gt;&gt;&gt;

Chris, I verified with the owner that the clear dimensions from the inside of the support beams that the former cupola was attached to is 84"x65". We would obviously like to keep the same footprint. Do you think this is too large? Obviously the finished interior space would be slightly smaller than that factoring in gypsum, etc.

Tracie

On Fri, Jan 29, 2016 at 12:36 PM, Christina Stacey &lt;cstacey@portlandmaine.gov&gt; wrote:

I am looking at it purely from the perspective of the zoning ordinance, so my use of the term "uninhabitable" is not related to the building code definition at all. It probably wasn't the best term to use. What I was trying to say is that if you look at the language of the roof structure height exemption, the intent is to allow things like elevator shafts, stairway shafts, steeples, chimneys, etc - things that

will not be used for living space. When we get permits to add roof structures (especially residential rooftop stairway access structures), we make sure it's the minimum size needed to access the roof and that it could not be used as a room. In light of this I suspect an 8' by 8' area would probably be considered too large to be allowed under the exemption. If the landowner wants a formal decision on this, we could send an interpretation letter which would be able to be appealed to the ZBA.  
Chris

>>> Tracie Reed <[traciejeanreed@gmail.com](mailto:traciejeanreed@gmail.com)> 1/29/2016 12:20 PM >>>

Chris, Thanks for weighing in! From the IRC perspective their definition of habitable space is basically anything that's not a bathroom, closet or utility room, irregardless of size especially since it has an existing stair providing access. I haven't measured out the space but it's under 8'x8' and definitely under 70 SF.

Tracie

On Fri, Jan 29, 2016 at 10:24 AM, Christina Stacey <[cstacey@portlandmaine.gov](mailto:cstacey@portlandmaine.gov)> wrote:

Hi Tracie,

There is a provision in the rules, Sec 14-430 (see attached) that does allow for certain roof structures to be exempt from the height limitation. To qualify, the widow's watch would need to be uninhabitable in terms of size - i.e., it could basically only have a stair access and a place to stand, not space for furniture, etc.

Let me know if you have questions.

Yours,

Chris

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>>> Jeanie Bourke 1/28/2016 12:54 PM >>>

Hi Tracie,

I am cc'ing Chris Stacey in zoning for her to weigh in on the height questions. Deb Andrews does the historic review, of which this property is not in a district, not that she wouldn't be interested to know of the potential resurrection of the widows watch.

So for code this would fall under a rooftop structure by definition. The IRC does not elaborate on this much, but it would definitely not be considered a habitable space, so hopefully it's less than 70 SF. I can't imagine the stair is compliant anyway.

Best,

Jeanie

*Jeanie Bourke*  
*CEO/LPI/Plan Reviewer*

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>>> Tracie Reed <[traciejeanreed@gmail.com](mailto:traciejeanreed@gmail.com)> 1/28/2016 10:43 AM >>>

Greetings, I have been approached by a client who is interested in adding a widow's watch to his house, located at 252 Concord Street W. when he replaces his leaking roof this summer. The structure existed in the 1924 Tax photo (<http://www.mainememory.net/artifact/46635/enlarge>) but was removed at some point thereafter. At present a stair leading to an unfinished partial height room

exists where structural supports and a new roof peak clearly demarcates the location of the former room.

The house is in the R-5 zone, with a building height of 35'-0". We're still working to verify the height of the existing roof but I'm guessing since it's three stories that we're basically at this height without the widow's walk/cupola. Considering this I told him I would check with you both to see if it would be possibly granted since I wouldn't want him to pay me to come up with a set of construction drawings for a project that would get denied in permitting. Another component to the project's feasibility is the extent of reinforcements required to the existing structure - of which structural engineer, Al Hodson, will be conducting an analysis.

The client would be seeking to replicate the cupola/widow's walk as close to what had previously been constructed as possible.

Regards,  
Tracie Reed, Maine Licensed Architect  
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