

Permit No: **980179**

**PERMIT ISSUED**

Permit Issued: **MAR - 5 1998**

**CITY OF PORTLAND**

Zone: **2-4** CBL: **296-A-005**

Zoning Approval: *2-4 with conditions*

Special Zone or Reviews:

- Shoreland
- Wetland
- Flood Zone
- Subdivision
- Site Plan maj  minor  mm

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: *11/2/97*

CEO DISTRICT 7

Location of Construction: **313 Warren Ave** Owner: **Diblase, Anthony** Phone: **777-3899**

Owner Address: **5AA Ptld, ME 04103** Lessee/Buyer's Name: **Anthony Diblase** Phone: **777-3899**

Contractor Name: **Anthony Diblase** Address: **20' X 24' 11"** Phone: **777-3899**

Past Use: **1-fam** Proposed Use: **same**

**PERMIT FEE: \$ 55.00**

**COST OF WORK: \$ 7,000.00**

**INSPECTION: Use Group: *5B* Type: *5B***

**FIRE DEPT.  Approved  Denied**

**Signature: *Anthony Diblase***

**PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.):**

Action: **Approved  Approved with Conditions  Denied**

**Signature: *Anthony Diblase*** Date: **03 November 1997**

**PERMIT TAKEN BY: *Mary Gresh*** Date Applied For: **03 November 1997**

**Proposed Project Description:**

**Construct Addition (24-x-32)-**

**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

**SIGNATURE OF APPLICANT:** *Anthony Diblase* ADDRESS: **313 Warren Ave** PHONE: **777-3899**

**DATE:** **03 November 1997**

**RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE:**

**White-Permit Desk Green-Assessor's Canary-D.P.W. Pink-Public File Ivory Card-Inspector**

**APPLICATION FOR EXEMPTION FROM SITE PLAN REVIEW**

Anthony D. DiBiaso, Jr.  
Applicant

313 Warren Ave. Ctld.  
Applicant's Mailing Address

Application Date

Consultant/Agent/Phone Number

313 Warren Ave. Ctld.  
Address of Proposed Site

Project Name/Description

Description of Proposed Development:

20' - 24" Addition for machine in law - page sheet  
Bedroom & Living room

Please Attach Sketch/Plan of Proposal/Development

Criteria for Exemptions:

See Section 14-523 (4)

- a) Within Existing Structures; No New Buildings, Demolitions or Additions
- b) Footprint Increase Less Than 500 Sq. Ft.
- c) No New Curb Cuts, Driveways, Parking Areas
- d) Curbs and Sidewalks in Sound Condition/ Comply with ADA
- e) No Additional Parking / No Traffic Increase
- f) No Stormwater Problems
- g) Sufficient Property Screening
- h) Adequate Utilities

Applicant's Assessment (Yes, No, N/A)	Planning Office Use Only
No	OK
Yes	OK
No	OK
No	N/A
No	OK
No	OK
Yes	OK
Yes	OK

Planning Office Use Only:

Exemption Granted

Partial Exemption

Exemption Denied

*This item still needs zoning clarification on expansion.*

Planner's Signature Ferdie Sabot

Date 2/26/98

COMMENTS

3/9/95 - Call for Re-Construct, - Spike in Anthony Di Biasi - No: 1 was slow,  
Zany Records - other Requirements - He also called when starting  
4/30/98 same Call - Spun in - ? on deck/struck & starting down -  
deck/struck - ch1 w/MS - ok - Di Biasi will submit plan for  
starting down B-4 handbill will be returned

1/3/97 1990 Single family → Lodging House.

Inspection Record  
Type

Date

Foundation: \_\_\_\_\_

Framing: \_\_\_\_\_

Plumbing: \_\_\_\_\_

Final: \_\_\_\_\_

Other: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

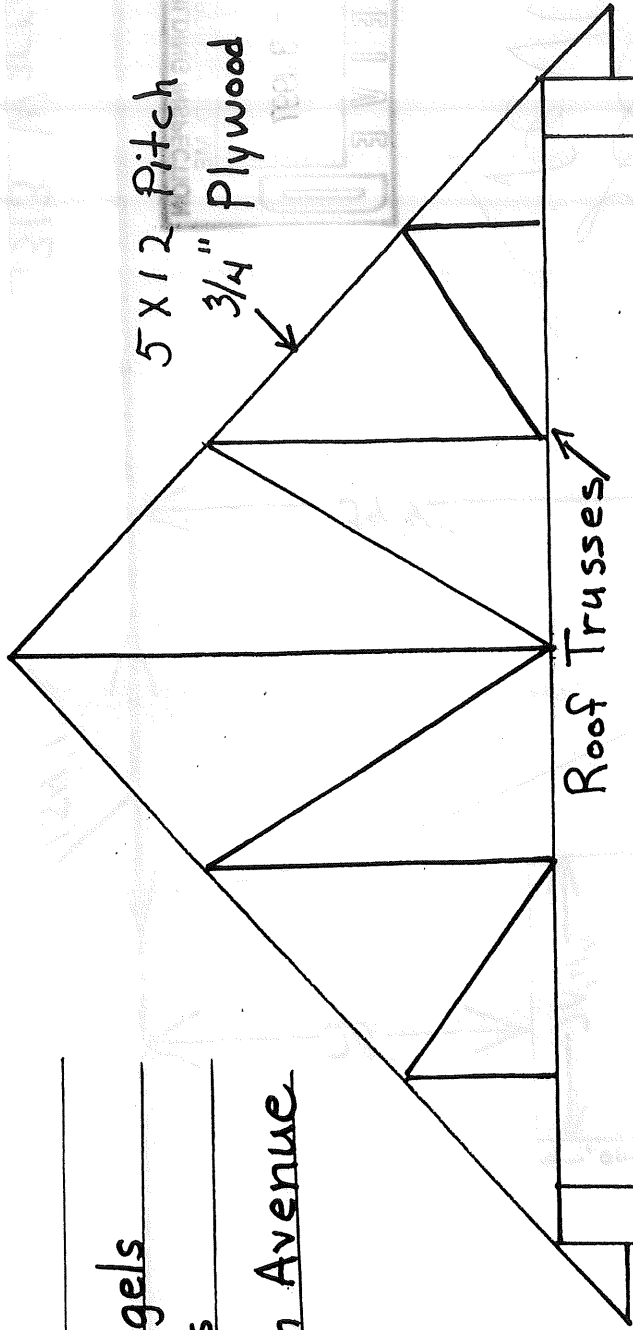
\_\_\_\_\_

24' x 32'

Asfalt Shingels

Vinal Sidings

313 Warren Avenue



1/2\" Plywood

1600

2x6

3/4\" Plywood  
13\" x 24' Pressured treated Floor Trusses

2x6 Pressured treated

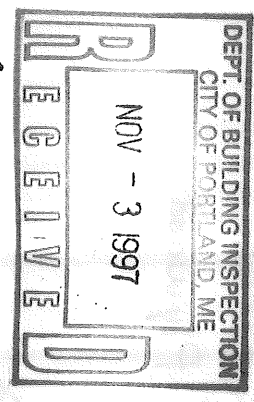
1600

Poly  
Gravel

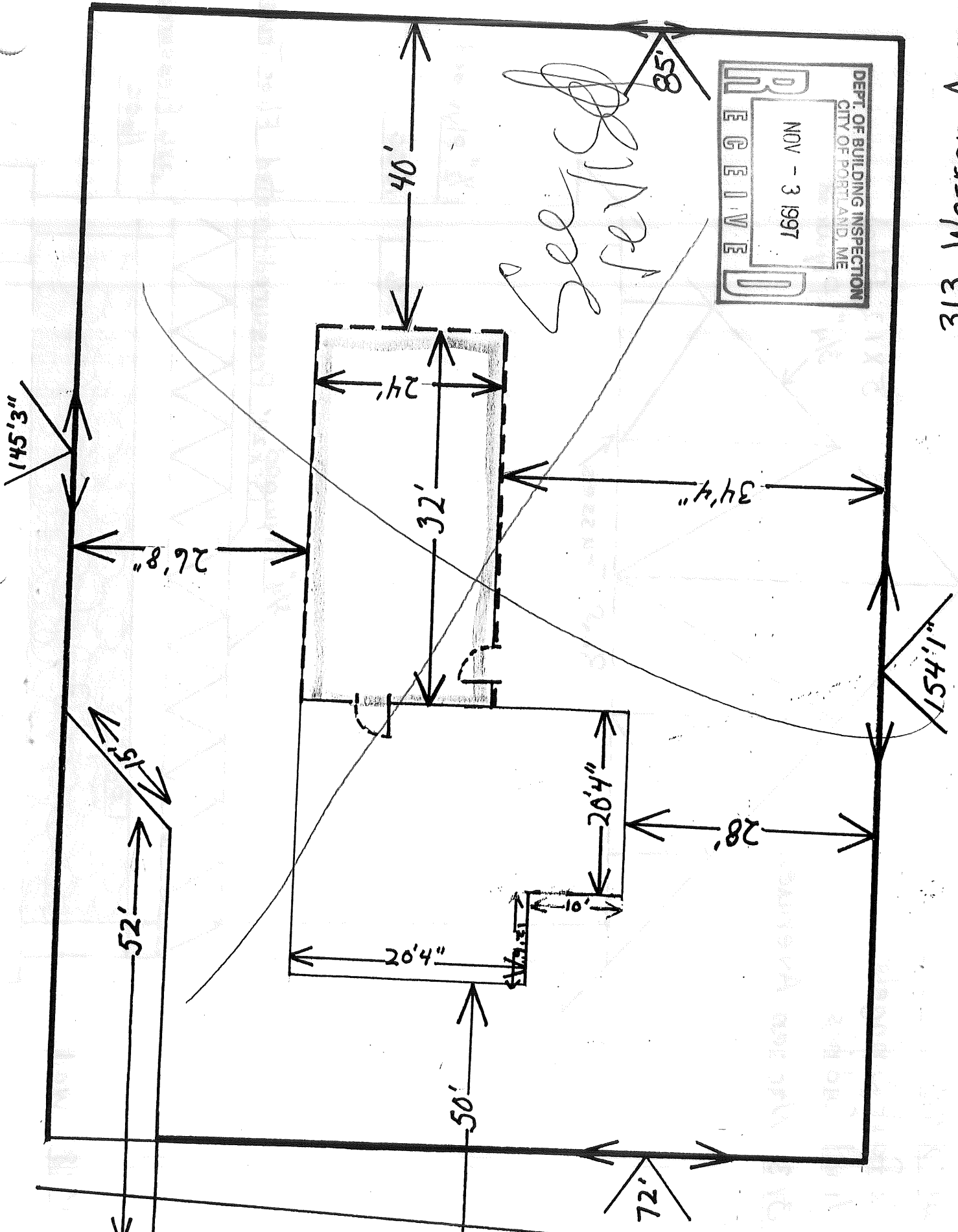
4' x 8\" wall

2' x 8\" Footing

313 Warren Avenue



*See VSD*



# BUILDING PERMIT REPORT

DATE: 5 March 98 ADDRESS: 313 Warren Ave. 296-A-5  
REASON FOR PERMIT: To Construct a 20'x24' addition.  
BUILDING OWNER: Anthony D'Biase  
CONTRACTOR: Same  
PERMIT APPLICANT: Same  
USE GROUP R-3 BOCA 1996 CONSTRUCTION TYPE 5 B

## 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, \*3\*6, \*8, \*9\*10, \*12\*16, \*26\*28\*29.

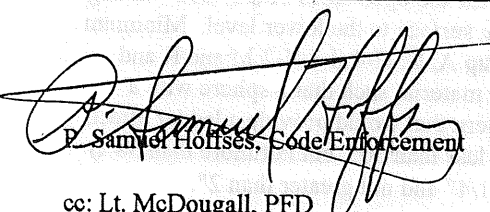
1. This permit does not excuse the applicant from meeting applicable State and Federal rules and laws.
2. Before concrete for foundation is placed, approval from the ~~Development Review Coordinator~~ and Inspection Services must be obtained. (A 24 hour notice is required prior to inspection)
3. Precaution 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. Foundation drainage shall be done in accordance with section 1813.5.2 of the City's building Code (The BOCA National Building Code/1996)
30. \_\_\_\_\_
31. \_\_\_\_\_
32. \_\_\_\_\_

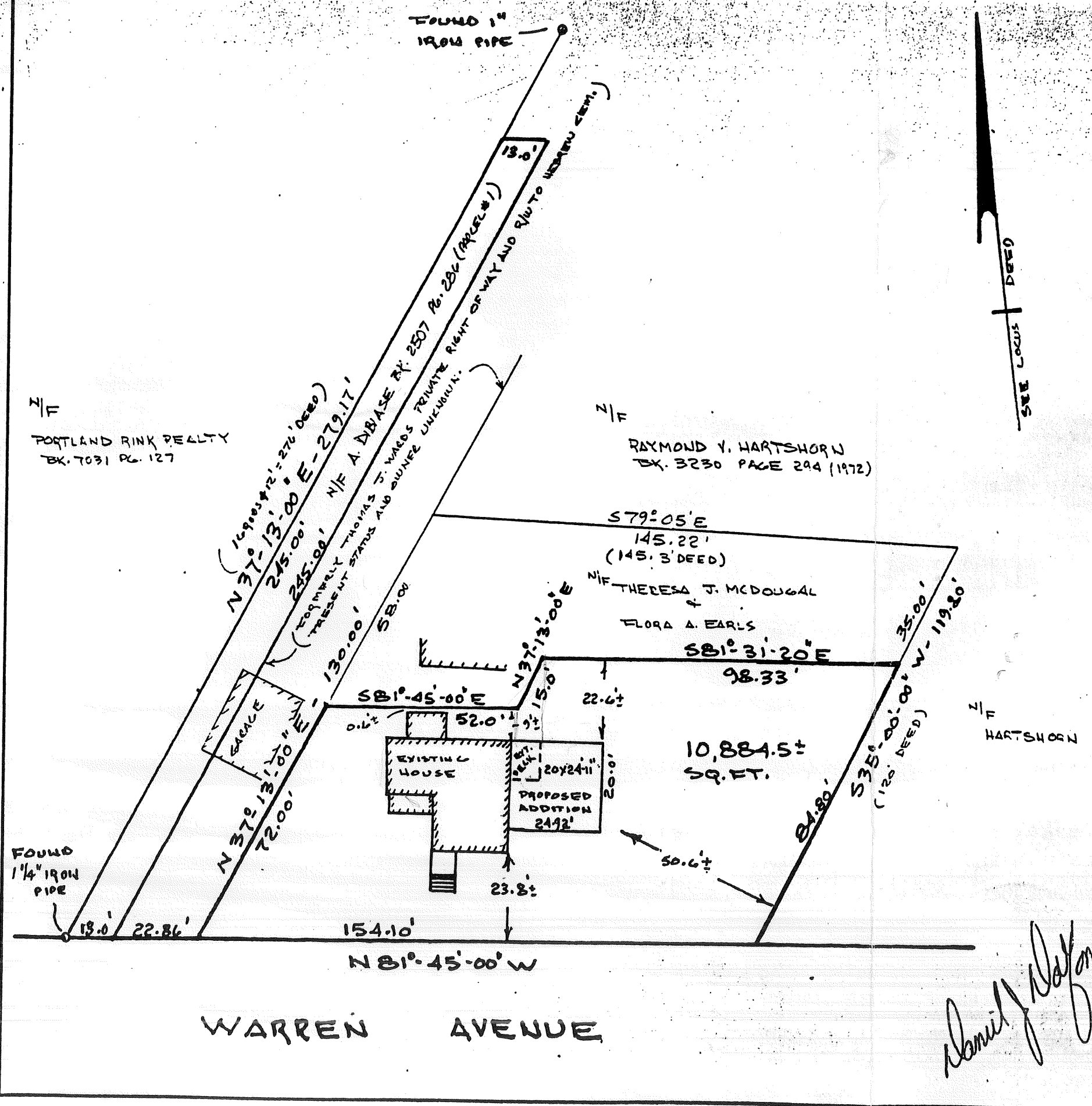


P. Samuel Hoffses, Code Enforcement

cc: Lt. McDougall, PFD  
Marge Schmuckal

**LOCUS DEED REFERENCE:**  
 SANTO AND LUCIA DIBIASE TO ANTHONY D. DIBIASE  
 BOOK 2507 PAGE 286, 1959. PARCEL #2

Phone 797-3899



*Daniel J. Dalfonso*

PLAN SHOWING A STANDARD BOUNDARY SURVEY MADE FOR <b>ANTHONY D. DIBIASE</b> 313 WARREN AVENUE PORTLAND, MAINE		
SCALE: 1" = 30'	APPROVED BY:	DRAWN BY:
DATE: 1-17-98		REVISED: 1-23-98 2-10-98
BY: DANIEL J. DALFONSO LAND SURVEYOR 119 SCAMMAN ST. SO. PORTLAND, ME. 04106		TRUOVE: 799-5931
CATEGORY I CONDITION III SURVEY EXCEPT: NO CORNER MARKERS SET		DRAWING NUMBER 520'





CITY OF PORTLAND, MAINE  
Department of Building Inspection

# Certificate of Occupancy

LOCATION 313 Warren Ave 296-A-005

Issued to Anthony DiBiase

Date of Issue 03 November 1998

**This is to certify** that the building, premises, or part thereof, at the above location, built — altered — changed as to use under Building Permit No. 980179, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

APPROVED OCCUPANCY

Entire

Lodging House

2 Lodging units present

Limiting Conditions:

This certificate supersedes  
certificate issued

Approved:

11/3/98  
(Date)

Inspector

Inspector of Buildings

Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.

296-A-5

TOTAL P.02

Job	Truss	Truss Type	Qty	Ply	Sheet 3 of 28
ST-41845	522	QUEENPOST	100	1	

wood structures, biddeford, ma 04005-0347

4.0-32 a Apr 3 1998 Mittek Industries, Inc. Fri May 01 14:48:49 1998 Page 1

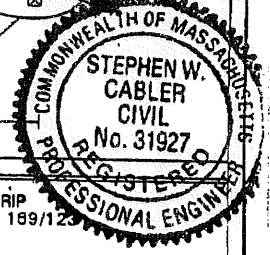
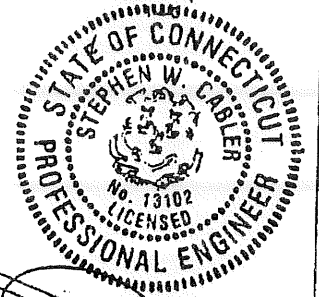
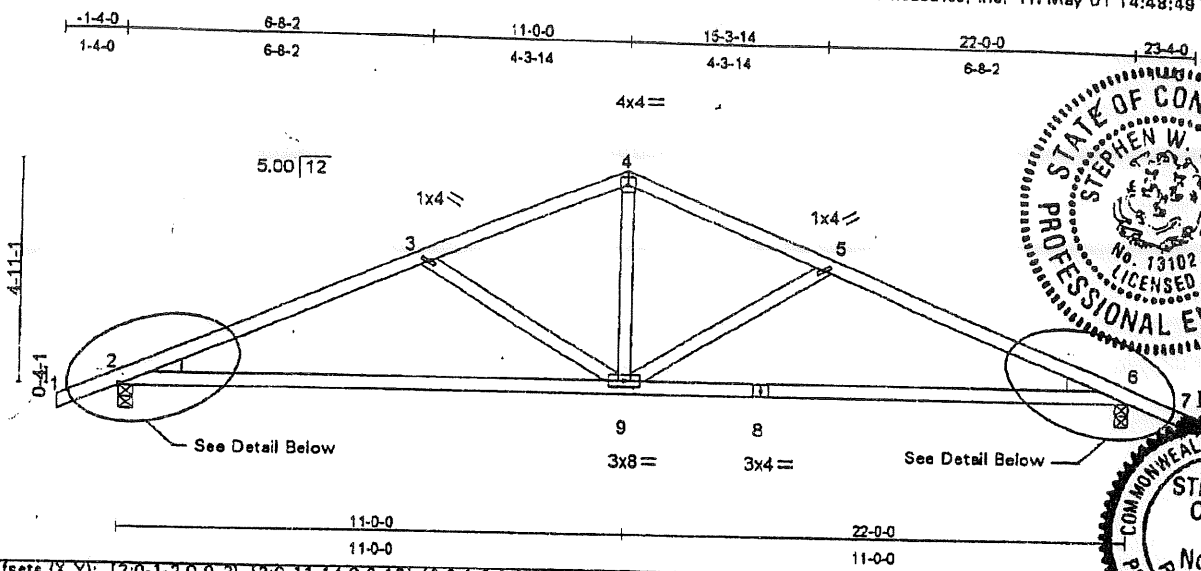


Plate Offsets (X,Y): [2:0-1-2,0-0-2], [2:0-11-14,0-0-12], [6:0-1-2,0-0-2], [6:0-11-14,0-0-12]

LOADING (psf)	SPACING	CSI	DEFL (in)	PLATES	GRIP
TCLL 42.0	2-0-0	TC 0.71	Vert(LL) -0.38	M20	189/12
TCDL 7.0	Plates Increase 1.15	BC 0.87	Vert(TL) -0.76		
TCLL 0.0	Lumber Increase 1.15	WB 0.49	Horz(TL) 0.06		
TCDL 10.0	Rep Stress Incr YES		1st LC LL Min l/defl = 240		
	Code BOCA/ANSI95				Weight: 79 lb

**LUMBER**  
 TOP CHORD 2 X 4 SPF No.2  
 BOT CHORD 2 X 4 SYP M 19  
 WEBS 2 X 4 SPF-S Stud  
 WEDGE Left: 2 X 4 SPF-S Stud, Right: 2 X 4 SPF-S Stud

**BRACING**  
 TOP CHORD Sheathed or 2-11-8 on center purlin spacing.  
 BOT CHORD Rigid ceiling directly applied or 10-0-0 on center bracing.

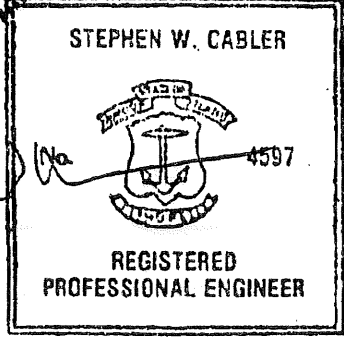
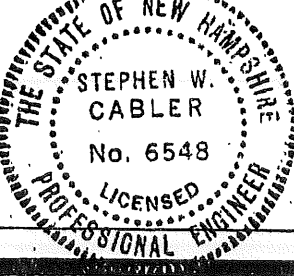
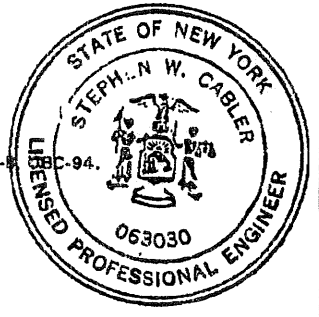
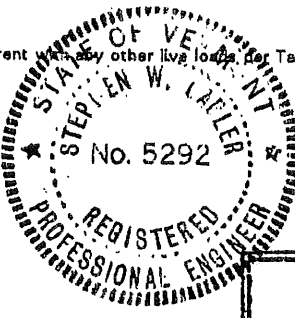
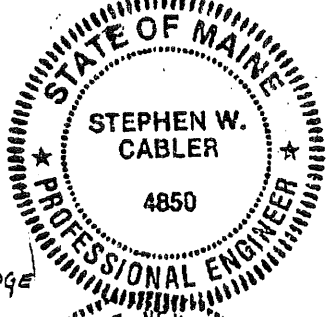
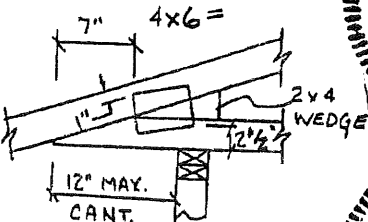
**REACTIONS (lb/size)** 2 = 1426/0-3-8, 6 = 1426/0-3-8

**FORCES (lb) - First Load Case Only**  
 TOP CHORD 1-2 = 24, 2-3 = -2171, 3-4 = -1631, 4-5 = -1631, 5-6 = -2171, 6-7 = 24  
 BOT CHORD 2-9 = 1993, 8-9 = 1993, 6-8 = 1993  
 WEBS 3-9 = -572, 4-9 = 816, 5-9 = -572

**NOTES**  
 1) This truss has been checked for unbalanced loading conditions.  
 2) All plates are M20 plates unless otherwise indicated.  
 3) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with other live loads per Table No. 16-B of C-94.  
 4) This truss has been designed with ANSI/TPI 1-1995 criteria.

**LOAD CASE(S)** Standard

**DESIGN LOADING:**  
 TCLL/TOTAL (PSF)  
 42/59 @ 24" oc,  
 53/74 @ 19.2" oc,  
 53/89 @ 16" oc.



MAY 01 1998

296-A-005



P.O. Box 347  
14 Pomerleau Street  
Biddeford, ME 04005

Tel: 207-282-7556  
ME WATS: 800-339-0716  
Out-Of-State: 800-341-9612

---

## Facsimile Cover Sheet

**To:** TAMMY MUNSON  
**Company:** CITY OF PORTLAND  
**Phone:**  
**Fax:** 874-8716

**From:** Michelle per MARRINER LBR  
**Company:** WOOD STRUCTURES, INC.  
**Phone:** 207-282-7556  
**Fax:** 207-282-2423

**Date:** 7/28/98  
**Pages including this cover page:** 2

**Comments:** RE: 313 WARREN AVE  
PORTLAND,  
PETER RISBARA

Applicant: Anthony DiBiase

Date: 3/3/98

Address: 313 Warren Ave

C.B.L.: 296-A-5

CHECK-LIST AGAINST ZONING ORDINANCE

Date - Existing

Zone Location - B-4

Interior or corner lot -

Proposed Use/Work - Change of use to Lodging house  
And 20' x 24' 11" Addition

Existing Deck on REAR to be incorp. into New Structure setback ok

Sewage Disposal - City

Lot Street Frontage - 60' req

Front Yard - 20' req - 25' + shown

Rear Yard - 20' req - ~~22.6'~~ 22.6' shown

Side Yard - 10' req - 50' shown

Projections -

Width of Lot - 60' req

Height - 65' MAX allowed

Lot Area - 10,000 sq ft - 10,884.5 sq ft shown

Lot Coverage/ Impervious Surface - 80%

Area per Family -

Off-street Parking - ok

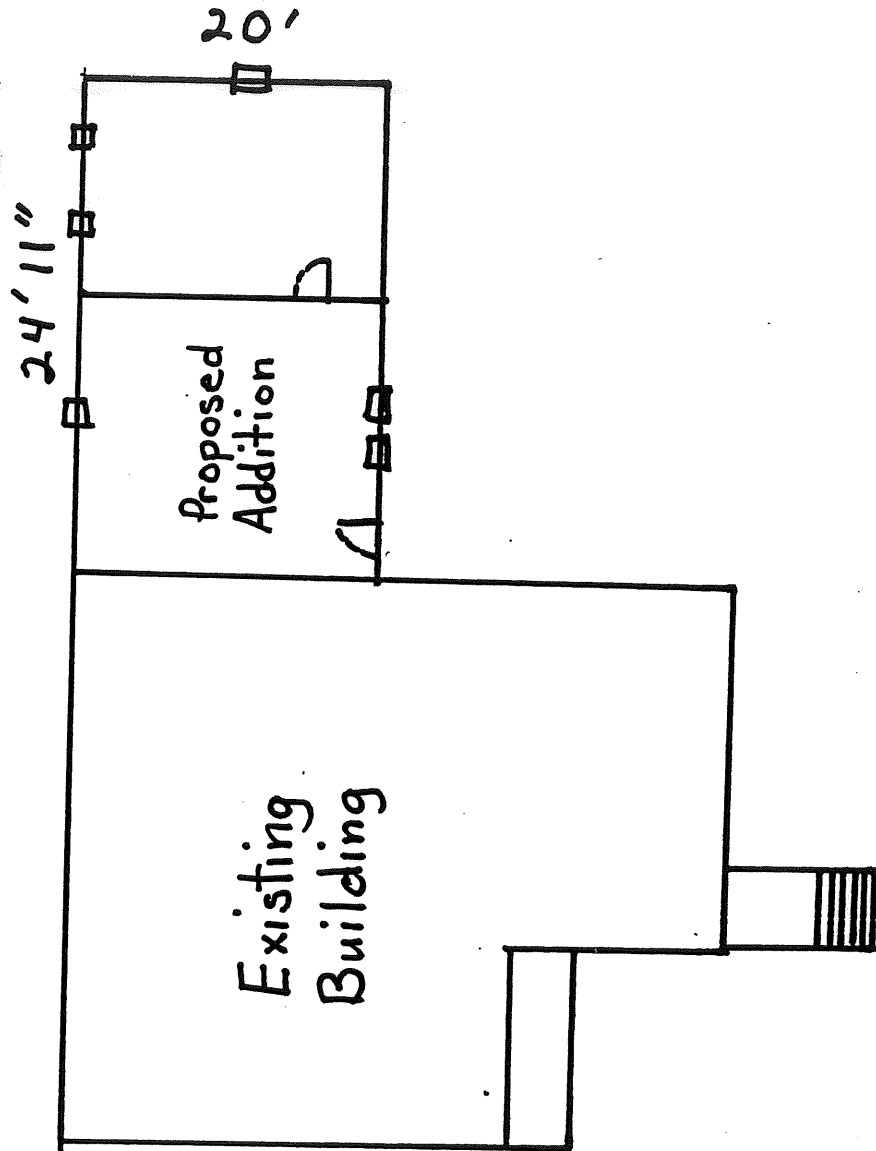
Loading Bays -

Site Plan - got site plan exemption from

Shoreland Zoning/ Stream Protection - N/A

Flood Plains - N/A

313 Warren Ave.



LAND USE - ZONING REPORT

ADDRESS: 313 Warren Ave DATE: 3/3/98

REASON FOR PERMIT: change of use from 1 family to lodging house with 200x24" addition

BUILDING OWNER: Anthony DiBiase C-B-L: 296-A-5

PERMIT APPLICANT: owner

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

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 \_\_\_\_\_ units. Any change in this approved use shall require a separate permit application for review and approval.

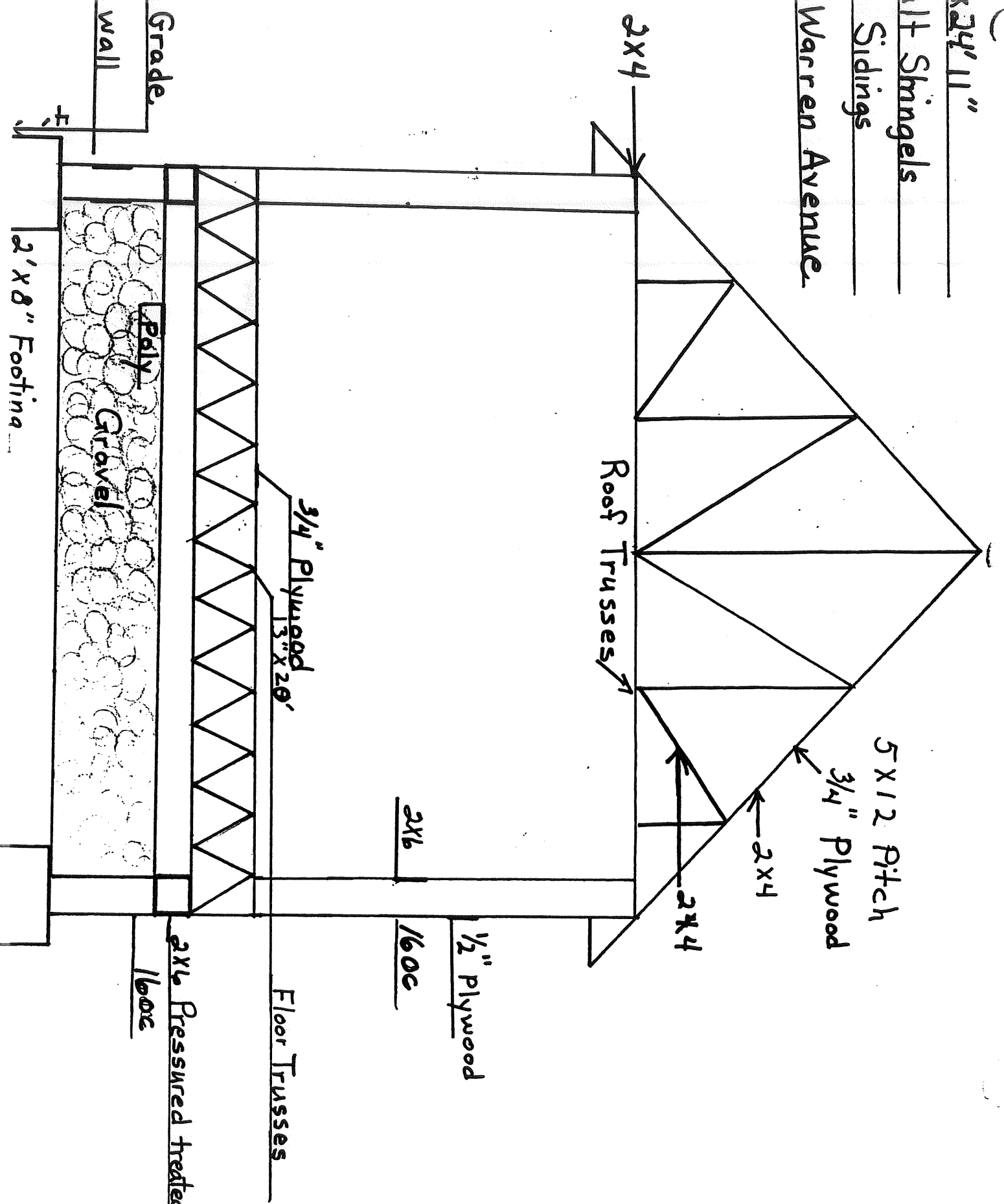
7 Separate permits shall be required for any signage.

8 Separate permits shall be required for future decks and/or garage, sheds, pools

9 Other requirements of condition The change of use from single family to lodging house removes a legal nonconformity (single family)  
Since single family dwellings are not allowed you will not be able to change back to a single family dwelling. you lose any grandfaded rights.

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

20' x 24' 11"  
Asfalt Shingels  
Vinal Sidings  
313 Warren Avenue



5x12 Pitch

3/4" Plywood

Roof Trusses

Floor Trusses

2x6 Pressured treated

160c

1/2" Plywood

160c

Finish Grade

4' x 8" wall

2' x 8" Footing

Poly

Gravel

3/4" Plywood  
13" x 20'

Inspection Services  
P. Samuel Hoffses  
Chief



Planning and Urban Development  
Joseph E. Gray Jr.  
Director

## CITY OF PORTLAND

Anthony DiBiase  
313 Warren Avenue  
Portland, ME 04103

RE: 313 Warren Avenue - B-4 Zone -

November 10, 1997

Dear Mr. DiBiase,

I am in receipt of your permit application to construct an addition 24' x 32'. Please note that I can not issue your permit because you are located in a B-4 Business Zone which does not allow residential uses. Your present structure and use is legally non-conforming and may continue. However, the Zoning Ordinance does not allow for increases in legal nonconformities. Therefore, I can not issue this permit.

If you have any questions regarding this matter, please do not hesitate to contact this office.

Very Truly Yours,

Marge Schmuckal  
Zoning Administrator

cc: Joseph Gray, Jr., Dir. of Planning & Urban Dev.  
Mark Adelson, Housing & Community Dev.  
Amy Powers, Code Enforcement Officer

revised their  
Application  
see revised