

PENALTY FOR REMOVING THIS CARD

Citv	y of Portland, Maine	- Building or Use	Permit Applicati	on Pe	rmit No:	Issue Date:		CBL:	
-	Congress Street, 04101	•	~ -		09-1235			332 E0	38001
Location of Construction: Owner Name:			Owne	r Address:			Phone:		
12 TARBELL AVE GAY GREGO		RY G	12 T	ARBELL AV	VE				
Business Name: Contracto		Contractor Name	ontractor Name:		actor Address:	<u>_</u>		Phone	
Ì		Property Own	er	Port	tland		l		
		Phone:		Permi	t Type:				Zone:
				Ado	litions - Dwe	llings			R-3
Past I	Use:	Proposed Use:		Perm	it Fee:	Cost of Work:	CEC) District:	7
Sing	gle Family Home	Single Family	Home - 16' x 19'		\$160.00	\$14,000.00	5	5	
		addition w/ she	ed roof for dining	FIRE	DEPT:	Approved INS	PECTIC	DN:	
1		room possible	bedroom	1			e Group:		Туре:
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Prop	osed Project Description:			-		{			
	x B addition w/ shed roof	for dining room possib			Signature: Sigr		nature:		
		2 1				VITIES DISTRIC).)	
1				Actio	_				Denied
				Actio					Denied
				Signa	ture:		Date	e:	
Perm	it Taken By:	Date Applied For:			Zoning	Approval			
Ldo	obson	11/02/2009							
1.	This permit application de	bes not preclude the	Special Zone or Reviews		Zoning Appeal		H	listoric Pres	ervation
	Applicant(s) from meeting	g applicable State and	Shoreland		h	_		Not in Distric	ct or Landmar
	Federal Rules.				_ Variance	e			
2.	Building permits do not in	nclude plumbing,	Wetland		Miscella		}		quire Review
2. 3.	Building permits do not in septic or electrical work. Building permits are void	if work is not started		i inc	Miscella				-
2. 3.	Building permits do not in septic or electrical work.	if work is not started ne date of issuance.			Miscella Conditio	aneous		Does Not Re	-
2. 3.	Building permits do not in septic or electrical work. Building permits are void within six (6) months of the False information may inv	if work is not started ne date of issuance.	Wetland Flood Zone: •		Miscella Conditio	aneous onal Use		Does Not Re Requires Rev	iew
2. 3.	Building permits do not in septic or electrical work. Building permits are void within six (6) months of the False information may inv	if work is not started ne date of issuance.	 Wetland Flood Zone Subdivision Site Plan 	M []	Condition	aneous onal Use		Does Not Re Requires Rev Approved Approved w/ Denied	view .
2. 3.	Building permits do not in septic or electrical work. Building permits are void within six (6) months of the False information may inv	if work is not started ne date of issuance.	 Wetland Flood Zone Subdivision Site Plan 	M []	Condition Condition Testebored Approved	aneous onal Use		Does Not Re Requires Rev Approved Approved w/	view .

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 - E 389 Congress Street, 04101 Te	Ç		Permit No: 09-1235	Date Applied For: 11/02/2009	CBL: 332 E038001
Location of Construction:	Owner Name:	10	Wher Address:		Phone:
12 TARBELL AVE	GAY GREGORY G	1	12 TARBELL AV	E	
Business Name:	Contractor Name:	C	Contractor Address:		Phone
}	Property Owner		Portland		
Lessee/Buyer's Name	Phone:	P	ermit Type:		
			Additions - Dwelli	ings	
Proposed Use:		Proposed	Project Description:		
Single Family Home - 16' x 19' ad room possible bedroom	aition w/ snea roor for aini		addition w/ snea	roof for dining room	
Dept: Zoning Status	: 7	Reviewer:	Ann Machado	Approval Da	ite:
Note:					Ok to Issue: 🗌
Dept: Building Status	Pending	Reviewer:		Approval Da	nte:
Note:					Ok to Issue:
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Comments:

2/1/2010-amachado: Met with Gregory Gay at the counter. He said that he had received my second letter (dated 1/8/10). I gave him the practical difficulty appeal application. I told him the deadline to submit the appeal application was February 8, 2010 because that was when the thirty day period was up from the Janury 8, 2010 letter. He was planning on appealing to keep the deck and do the addition.

2/10/2010-amachado: The thirty day period to appeal the deck and addition was up February 8, 2010. Did not recieve an appeal application.

9/17/2010-mes: Gary Wood & Corp Counsel is handling the deck and wants it biforcated from this permit so the addition can move forward. However, the applicant must bring in revised plans showing a 25' rear setback instead of the given 20'.

11/6/2009-amachado: Left vcm for Donny Nevers. The proposed addition doesn't meet the rear setback of 25'. No permit for the deck; it too does not meet the rear setback.

11/18/2009-amachado: Spoke to contractor & owner about the rear setback and the deck. Wrote letter dated 11/18/09.

12/18/2009-amachado: Thirty day period to appeal was up today. Did not receive appeal application.

1/8/2010-amachado: Spoke with Greg Gay on 1/5/10. He said that he never received the letter that I mailed him on November 18, 2009. I sent a second letter today certified mail giving Greg another thirty days to appeal. I called him to tell him and he said that he is out of the country. I told him that the thirty day appeal period starts today (the date of the letter).



Strengthening a Remarkable City, Building a Community for Life • www.portlandmaine.gov

⁹enny St. Louis Littell - Director of Planning and Urban Development Marge Schmuckal, Zoning Administrator

30 days up Dec. 18

November 18, 2009

Gregory Gay 12 Tarbell Street Portland, ME 04103

Re: 12 Tarbell Street – 332 E038 – R-3 – 16' x 20' single story addition – permit #09-1235

Dear Mr. Gay,

This letter is a follow up to the conversation that we had at the counter earlier today. I have reviewed your application to build a single story, twenty by sixteen foot addition on the rear of the house. At this point I must deny the permit.

12 Tarbell Street is located in the R-3 residential zone. The required rear setback in the zone is twenty-five feet [Section 14-90(d)(2)]. The plot plan shows the rear setback to the proposed addition as twenty feet. Since it does not meet the required setback, the permit is denied.

In reviewing the permit application, it came to my attention that the existing deck on the rear of the house has never been permitted. We have no record in our system for a deck having been built. When we cannot find a permit for a structure, we default to the pre-1957 assessor's record. The pre-1957 assessor's record shows a six by twenty foot deck on the left rear side, but not the deck that exists now. Since the existing deck was not built before 1957 and there is no record of it being permitted, it is illegal.

The property must be brought into compliance. Since the setback for the existing deck does not meet the required twenty-five foot rear setback, it cannot be permitted after the fact. Since it cannot be permitted, it must be removed. You have thirty days from the date of this letter to remove the deck.

You have the right to appeal my decisions. 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 decisions are binding and not subject to appeal. Please contact this office for the necessary paperwork that is required to file an appeal.

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

Yours truly, B

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: 12 71	ARBELL ST PORTLAND Me	
Total Square Footage of Proposed Structure/A 300 S9 FT	rea Square Footage of Lot	Number of Stories
Tax Assessor's Chart, Block & Lot	Applicant *must be owner, Lessee or Buye	r* Telephone:
Chart# Block# Lot#	Name GREG GAY	Gregs 615-5850
552 2 38	Address 12 TARBELL ST	DONAY
	City, State & Zip PONT AND, ME	NEVERS 878 8000 EXT 722
Lessee/DBA (If Applicable)	Owner (if different from Applicant)	Cost Of
	Name	Work: \$14000.00
	Address	C of O Fee: \$
	City, State & Zip	Total Fee: \$
VINING ARE BUT Should Be Contractor's name: <u>CAREG G GAY</u> Address: <u>12</u> <u>TAR BELL</u> ST City, State & Zip <u>PURTLAND</u> <u>Me</u> Who should we contact when the permit is ready Mailing address: <u>SAME</u>	If yes, please name <u>FOREST</u> acoding please 2000 M W/SHED ROOF TO <u>2 Approved</u> as Bedroom <u>00000ER</u> <u>04103</u> <u>1000000</u> <u>1000000</u> <u>10000000</u> <u>1000000000000000000000000000000000000</u>	AVE TERRACE BE USED AS EDF POSSIBLE FUTUR USE lephone B78 BUD EXT 222
Please submit all of the information of do so will result in the	automatic denial of your portuation	st. Failure to
		Lana I. W. Jacob State

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 informallow of ta download copies of this form and other applications visit the Inspections Division on-line at <u>www.portlandmaine.gov</u>, 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 and Basis and 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:	1	K/	T	Date: //-/-09	
	This is no	a permit	; you n	ay not commence ANY work until the permit is issue	
Revised 09-26-08					



Residential Additions/Alterations Permit Application Checklist

All of the following information is required and must be submitted. Checking off each item as you prepare your application package will ensure your package is complete and will help to expedite the permitting process.

The Maine Home Construction Contracts Act requires that any home construction or repair work for more than \$3000. in materials or labor must be based on a written contract unless the parties agree to exempt themselves. A sample contract is available on the City's website at <u>www.portlandmaine.gov</u>, in the Inspection Office, Room 315 of Portland City Hall or call (207)874-8703 to have one mailed to you.

One (1) complete set of construction drawings must include:

- Cross sections w/framing details
- Floor plans and elevations existing & proposed
- □ N4 Detail removal of all partitions & any new structural beams
- □ NA Detail any new walls or permanent partitions
- INA Stair details including dimensions of: rise/run, head room, guards/handrails, baluster spacing
- Window and door schedules
- Foundation plans w/required drainage and damp proofing (if applicable)
- Detail egress requirements and fire separation/sound transmission ratings (if applicable)
- X. Insulation R-factors of walls, ceilings & floors & U-factors of windows per the IEEC 2003
- Deck construction including: pier layout, framing, fastenings, guards, stair dimensions
- Reduced plans or electronic files in pdf format are also required if original plans are larger than 11" x 17"
- \mathbf{X} Proof of ownership is required if it is inconsistent with the assessors records

Separate permits are required for internal & external plumbing, HVAC, and electrical installations.

If there are any additions to the footprint or volume of the structure, any new or rebuilt structures or, accessory detached structures a plot plan is required. A plot must include:

The shape and dimension of the lot, footprint of the existing and proposed structure and the distance from the actual property lines. Structures include decks, porches; bow windows, cantilever sections and roof overhangs, sheds, pools, garages and any other accessory structures must be shown with dimensions if not to scale.

- X Location and dimensions of parking areas and driveways
- \square A change of use may require a site plan exemption application to be filed.

Please submit all of the information outlined in this application checklist. If the application is incomplete, the application may be refused.

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 <u>www.portlandmaine.gov</u>, stop by the Building Inspections office, room 315 City Hall or call 874-8703.

Permit Fee: \$30.00 for the first \$1000.00 construction cost, \$10.00 per additional \$1000.00 cost

This is not a Permit; you may not commence any work until the Permit is issued.



Shed /1x16 - 176



12:27

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REFUSED ENTRY				*

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, WE, JOHN E. DAURAY JR. & DEBORAH D. DAURAY F/K/A DEBORAH A. DERRIG, both of 339 Congdon Drive, Wakefield in the State of Rhode Island 02879

FOR CONSIDERATION PAID, GRANT TO

GREGORY G. GAY, of 3 Stockman Avenue, Saco County of York in the State of Maine 04072

with WARRANTY COVENANTS, the following:

A certain lot or parcel of land situated in the City of Portland, County of Cumberland and State of Maine, and being Lots No. 272 and 273 as shown on plan of Forest Avenue Terrace belonging to J.W. Wilbur, said plan being made by A. L. Eliot, Surveyor, dated May 7, 1910 and recorded in the Cumberland County Registry of Deeds in Plan Book 12, Page 5. Said lots measure thirty (30) feet in width by seventy (70) feet in depth and contain according to said plan 2,100 square feet, more or less.

Also another certain lot or parcel of land with the buildings thereon, situated on Tarbell Avenue in the City of Portland, County of Cumberland and State of Maine, being Lot No. 366 as shown on plan of Forest Avenue Terrace belonging to J.W. Wilbur said plan being made by A.L. Eliot, survey or, dated May 7, 1910 and recorded in the Cumberland County Registry of Deeds in Plan Book 12, Page 5. Said lot measures thirty (30) feet in width by seventy (70) feet in depth and contains according to said plan 2,100 square feet, more or less.

Also another certain lot or parcel of land, with the buildings thereon, situated on said Tarbell Avenue, in the City of Portland, County of Cumberland and State of Maine, being Lot No. 367 as shown on said plan. Said lot measures thirty (30) feet in width by seventy (70) feet in depth and contains according to said plan, 2,100 square feet, more or less.

Also another certain lot or parcel of land, with the buildings thereon, situated on said Tarbell Avenue, in the City of Portland, County of Cumberland and State of Maine, being Lot No. 368 as shown on said plan. Said lot measures thirty five (35) feet on Tarbell Avenue, seventy one and seventy hundredths (71.70) feet on lots 48 and 49 on said plan, fifty and five tenths (50.5) feet on lots 270 and 271 on said plan, and seventy (70) feet on lot 367 on said plan, and contains, according to said plan, 2,992 square feet, more or less.

Meaning and intending to describe and convey the same premises conveyed to John E. Dauray Jr. and Deborah A. Derrig N/K/A Deborah D. Dauray by Warranty Deed, of Roger V. Seymour & Deborah A. Seymour, dated September 28, 1988 and recorded in the Cumberland County Registry of Deeds at Book 8493, Page 302.

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WITNESS our hands and seals this <u>30.74</u> day of May 2001. JOHN & DAURAY IR. ₩itness

State of RHODE . WASHINGTON County HDEISLAND

May 30, 2001

Personally appeared JOHN E. DAURAY JR. known to me, or satisfactorily proven, to be the person whose name IS subscribed to the foregoing instrument and acknowledged that he executed the same for the purposes therein contained,

Before me, Notary Public/Attorney-at-I My Comprission Expires: 20 Ker

Witness

DEBORAH D. DAURAY F.K. A DEBORAH A. DERRIG

State of WAGHINGTON County

May 30, 2001

Personally appeared DEBORAH D. DAURAY F/K/A DEBORAH A. DERRIG known to me, or satisfactorily proven, to be the person whose name IS subscribed to the foregoing instrument and acknowledged that She executed the same for the purposes therein contained,

Before me otary/Public/Attorney-at-l lan 2004 Commission Expires: Mŷ

PAGE TWO OF TWO

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CITY OF PORTLAND, MAINE

Department of Building Inspections

Original Receipt

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Received from	Dettip Grace
Location of Work	DTarbell 20 1
Cost of Construction \$	Building Fee:
Permit Fee \$	Site Fee:
	Certificate of Occupancy Fee:
	Total:60
Building (IL) Plumbing	(I5) Electrical (I2) Site Plan (U2)
Other	
CBL: 332 8-	
Check #:	Total Collected s_/60
	be started until permit issued. riginal receipt for your records.
Taken by:	1
WHITE - Applicant's Copy YELLOW - Office Copy PINK - Permit Copy	