

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

## BUILDING INSPECTION PERMIT

Permit Number: 020998

Please Read Application And Notes, If Any, Attached

This is to certify that Bond Inc. Profit sharing Trust/Wolf, James

has permission to Build New 24' x 40' Split Level Home

AT 11 Barclay Ave CBL 339 D011001

provided that the person or persons, firm or corporation accepti of the provisions of the Statutes of Maine and of the Ordinance the construction, maintenance and use of buildings and structu 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 lathed or otherwise closed-in. 24 HOUR NOTICE IS REQUIRED.

### OTHER REQUIRED APPROVALS

- Fire Dept. \_\_\_\_\_
- Health Dept. \_\_\_\_\_
- Appeal Board \_\_\_\_\_
- Other \_\_\_\_\_  
Department Name

① confirm lot with RE Ken Smitzer letter SAYS 60'

② This is a two story - Doesn't have setbacks

③

④ Denied see letter

**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: 02-0998	Issue Date:	CBL: 339 D011001
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Location of Construction: A Barclay Ave	Owner Name: Bond Inc. Profit sharing Trust	Owner Address: Po Box 10127	Phone: 207-773-4988
Business Name: n/a	Contractor Name: Wolf, James	Contractor Address: PO Box 10127 Portland	Phone: 2077734988
Lessee/Buyer's Name n/a	Phone: n/a	Permit Type: Single Family	Zone: R-3

Past Use: Vacant	Proposed Use: Single Family / New 24' x 40' New Split Level Home	Permit Fee: \$588.00	Cost of Work: \$70,000.00	CEO District: 1
		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type:	

Proposed Project Description: Build New 24' x 40' Split Level Home	Signature:	Signature:
<p style="font-size: 2em; font-weight: bold; color: blue;">Denied</p> <p style="font-size: 1.2em; color: blue;">see letter submittals not met</p>	PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)	
	Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied	
	Signature:	Date:

Permit Taken By: gg	Date Applied For: 09/04/2002	Zoning Approval
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<p>1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</p> <p>2. Building permits do not include plumbing, septic or electrical work.</p> <p>3. 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..</p>	<p><b>Special Zone or Reviews</b></p> <p><input type="checkbox"/> Shoreland <i>NA</i></p> <p><input type="checkbox"/> Wetland</p> <p><input type="checkbox"/> Flood Zone <i>Panel Zone C</i></p> <p><input type="checkbox"/> Subdivision <i>NOT AT THIS TIME</i></p> <p><input checked="" type="checkbox"/> Site Plan <i>number/minor # 2002-0193</i></p> <p>Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input checked="" type="checkbox"/></p> <p>Date:</p>	<p><b>Zoning Appeal</b></p> <p><input type="checkbox"/> Variance</p> <p><input type="checkbox"/> Miscellaneous</p> <p><input type="checkbox"/> Conditional Use</p> <p><input type="checkbox"/> Interpretation</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Denied</p> <p>Date:</p>	<p><b>Historic Preservation</b></p> <p><input checked="" type="checkbox"/> Not in District or Landmark</p> <p><input type="checkbox"/> Does Not Require Review</p> <p><input type="checkbox"/> Requires Review</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Approved w/Conditions</p> <p><input type="checkbox"/> Denied</p> <p style="font-size: 2em; font-weight: bold; color: blue;">9</p> <p>Date:</p>
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**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

Zoning Division  
Marge Schmuckal  
Zoning Administrator

Department of Planning & Development  
Lee Urban, Director



**CITY OF PORTLAND**

November 15, 2002

Bono Inc. Profit Sharing Trust  
PO Box 10127  
Portland, ME 04104

OLD  
Denial  
Permit

RE: 41 Barclay Avenue – 339-D-011 & 012 – R-3 Zone – permit application #02-0998

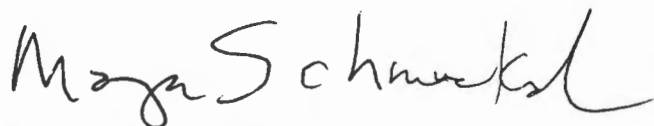
Dear Jim,

I am in receipt of your application to construct a new single family dwelling at 41 Barclay Avenue. There seems to be some difference of opinion as to the width of this lot. As part of your application Cumberland Title Company states that “this parcel has approximately 60 feet of frontage on Barclay Avenue. It has already been confirmed that this is considered to be a lot of record which requires a minimum lot width of 65 feet. Your submitted plan states that the lot width is 65’ 8”. Any new or further review would require documentation to verify the correct and accurate width of lot.

I have also found that the proposed structure **does not** meet the required setbacks in the R-3 zone. This split level is considered a two story building. Your plans are not showing the appropriate setbacks for a two story. In the definitions section of the ordinance (14-47) for “story”, it reads, “A basement shall be counted as a story for the purpose of height measurement where more than one-half of its height is above the average level of the adjoining ground”. The construction and elevation plans clearly show that well over one-half of the basement level is above grade. I considered the proposed building to be a two story building. A two story building in an R-3 zone requires a fourteen (14) foot side setback on both sides. The ordinance does allow one side to be reduced to not less than eight (8) feet, if for every foot that is reduced on one side, it is added to the opposite side requirement. You have reduced one side to ten (10) feet. This means that the opposite side requirement shall be a minimum of eighteen (18) feet. Your plan only shows sixteen (16) feet on the opposite side of the building. Your permit is **denied** because your plans do not meet the current zoning requirements of the R-3 zone.

You have the right to appeal this decision. If you wish to exercise your right to appeal, you have 30 days from the date of this letter in which to do so. Please contact this office for the necessary paperwork needed to make an application to appeal.

Very truly yours,

A handwritten signature in black ink that reads "Marge Schmuckal". The signature is written in a cursive, flowing style.

Marge Schmuckal  
Zoning Administrator

Cc: Lee Urban, Dir. Planning & Development  
Mark Adelson, Dir. Housing & Neighborhood Services  
Sarah Hopkins, Planning  
Jay Reynolds, Planning  
File

# CUMBERLAND TITLE COMPANY

A LandAmerica Company  
One Canal Plaza, P.O. Box 4843  
Portland, ME 04112-4843

(207) 774-1773  
(800) 640-7779

FAX 774-2278  
[ksnitger@landam.com](mailto:ksnitger@landam.com)

January 29, 2002

James M. Wolf  
Bono, Inc. Profit Sharing Plan  
P.O. Box 10127  
Portland, ME 04104

RE: Former Joyce Property; Barclay Avenue, Portland

339-D-11-12

Dear Mr. Wolf:

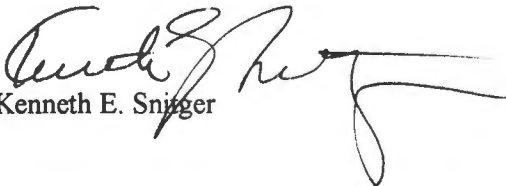
Pursuant to your request we conducted a title examination of the referenced property as the same is described in a deed from John F. Marsh, Personal Representative of the Estate of Walter J. Joyce to Bono, Inc. Profit Sharing Plan, dated December 7, 2001, recorded in the Cumberland County Registry of Deeds in Book 17067, Page 42.

This deed conveys a parcel of land acquired by Joseph and Annie Joyce in a deed from Newton W. Harris dated March 9, 1922, recorded in said Registry in Book 1096, Page 458, which deed included Lots 216 and 217 as show on a plan entitled Plan of Harris Farms dated June 5, 1919, recorded in said Registry in Plan Book 14, Page 19.

The parcel passed by deed or through the Joyce family estates eventually into Walter Joyce and plan lots 216 and 217 remained as one parcel throughout the period noted.

This parcel has approximately 60 feet of frontage on Barclay Avenue.

Sincerely,

  
Kenneth E. Snitzer

# Diversified Properties, Inc.

*P.O. Box 10127, Portland, ME 04104  
Tel 207-773-4988 • Fax 207-773-6875*

September 4, 2002

City Of Portland  
Building Inspection Department  
389 Congress Street  
Portland, Maine 04101

RE: Building Permit, Barclay Avenue, Portland Tax Map 339 - D - 11 to 12

Attached please find the following information in support of our request for a single family building permit.

- Construction drawings for a 24 x 40 split level single family home – (1 set included)
- Site plan drawing showing drainage, erosion control and setbacks for the proposed building and abutting property. (4 plans included)
- Deed of Ownership

Please review the enclosed.

Thank you for your cooperation.

Sincerely,



James Wolf  
Diversified Properties, Inc.

17067/43

**DEED OF SALE BY PERSONAL REPRESENTATIVE**

(Intestate)

Maine Statutory Short Form

KNOW ALL MEN BY THESE PRESENTS, THAT I, JOHN F. MARSH of Old Orchard Beach, Maine, duly appointed and acting Successor Personal Representative of the ESTATE OF WALTER J. JOYCE, deceased (intestate), as shown by the probate records of the County of Cumberland, Maine, Docket No.1986-801, by the power conferred by the Probate Code, and every other power, having provided ten (10) day notice to interested parties, for consideration paid, grant to JAMES WOLF, Trustee of Bono, Inc. Profit Sharing Trust, u/t/d December 31, 1998, whose mailing address is P.O. Box 10127, Portland, Maine, 04104, the real property in Portland, County of Cumberland, State of Maine, described as follows:

See attached Exhibit A.

Witness my hand and seal this 7<sup>th</sup> day of December, 2001.

MAINE REAL ESTATE TAX PAID

Signed, Sealed and Delivered  
in presence of

[Signature]  
Witness

THE ESTATE OF WALTER J. JOYCE

[Signature]  
BY: JOHN F. MARSH,  
PERSONAL REPRESENTATIVE

STATE OF MAINE  
CUMBERLAND, ss.

Then personally appeared the above named JOHN F. MARSH in his said capacity and acknowledged the foregoing instrument to be his free act and deed.

Before me,

[Signature]  
Notary Public/Attorney at Law

Charles R. Bean  
Printed Name

## EXHIBIT A

Two certain lots or parcels of land situated on the westerly side of Barclay Avenue in Portland, County of Cumberland and State of Maine, being lots numbered 216 and 217 as shown on a Plan of Harris Farms made by E. C. Jordan and Company, C.E., dated June 5, 1919 and recorded in the Cumberland County Registry of Deeds in Plan Book 14, Page 19. together with the fees of land in said Barclay Avenue in front of and adjoining said lots 216 and 217, and extending from the street line to the middle of said avenue. Subject to the rights of other lot owners and the public to the use thereof as a street.

Meaning and intending to convey a portion of the premises conveyed to Walter J. Joyce by virtue of being an heir of law of Joseph Joyce, deceased, and by virtue of a deed from John J. Joyce, et al dated July 31, 1959 and recorded in the Cumberland County Registry of Deeds in Book 2501, Page 85.

CHARLES R. BEAN, P.A.  
Attorney at Law  
P.O. Box 2267  
South Portland, Maine 04116-2267  
Telephone: (207) 767-3276

RECEIVED  
RECORDED REGISTRY OF DEEDS

2001 DEC 11 PM 1:02

CUMBERLAND COUNTY

*John B. C. Brien*



020988

Site # 0002 0193

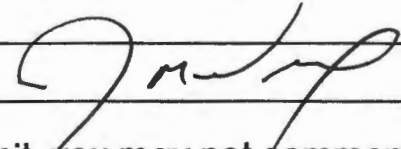
# All Purpose Building Permit Application

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.

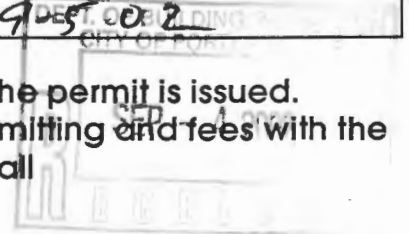
Location/Address of Construction: <b>BARCLAY AVENUE</b>		
Total Square Footage of Proposed Structure <b>960</b>	Square Footage of Lot <b>6534</b>	
Tax Assessor's Chart, Block & Lot Chart# <b>339</b> Block# <b>D</b> Lot# <b>11-12</b>	Owner: <b>BOND INC PROFIT SHARING TRUST</b>	Telephone: <b>773-4988</b>
Lessee/Buyer's Name (If Applicable) <b>N/A</b>	Applicant name, address & telephone: <b>773-4988</b> <b>BOND INC. PROFIT SHARING TRUST</b> <b>PO BOX 10127</b> <b>PORTLAND, ME. 04104</b>	Cost Of Work: \$ <b>70,000</b> Fee: \$ <b>813</b>
Current use: <b>VACANT LAND</b>	Blding Fee 513.00	
If the location is currently vacant, what was prior use: <b>VACANT LAND</b>	Site Fee 300.00	
Approximately how long has it been vacant: <b>N/A</b>	\$813.00	
Proposed use: <b>SINGLE FAMILY</b>	owe for 6 of 0	
Project description: <b>24' x 40'</b>	\$75.00	
Contractor's name, address & telephone: <b>same as above</b>		
Who should we contact when the permit is ready: <b>JAMES WOLF</b>		
Mailing address: <b>memo</b>		
We will contact you by phone when the permit is ready. You must come in and pick up the permit and review the requirements before starting any work, with a Plan Reviewer. A stop work order will be issued and a \$100.00 fee if any work starts before the permit is picked up. PHONE: <b>773-4988</b>		

IF THE REQUIRED INFORMATION IS NOT INCLUDED IN THE SUBMISSIONS THE PERMIT WILL BE AUTOMATICALLY DENIED AT THE DISCRETION OF THE BUILDING/PLANNING DEPARTMENT, WE MAY REQUIRE ADDITIONAL INFORMATION IN ORDER TO APPROVE THIS PERMIT.

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 of applicant: 	Date: <b>9-25-02</b>
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This is NOT a permit, you may not commence ANY work until the permit is issued. If you are in a Historic District you may be subject to additional permitting and fees with the Planning Department on the 4th floor of City Hall



## NEW SINGLE FAMILY HOMES

Your submissions must include the following to be accepted as a complete application:

- 1 Copy of the deed and purchase and sales agreement
- 4 Copies of the site/plot plan to scale, this must be prepared and sealed by a registered land surveyor
- 1 Copy of the building/construction plan
- 1 Copy of the site/plot plan and construction/building plan on 11" x 17" paper, we cannot accept the application without the reduced submissions. Electronic plans may be submitted in place of the 11" x 17" copies

### PLOT PLAN INCLUDES THE FOLLOWING:

- The shape and dimension of the lot, footprint of the proposed structure and the distance from the actual property lines. Structures include decks porches; a bow windows cantilever sections and roof overhangs, sheds, pools, garages and any other accessory structures must be shown and to scale. **A photocopy of the plat with hand drawn footprints of buildings if it is not to scale, it will not be accepted**
- Boundary survey to scale showing north arrow; zoning district & setbacks
- First Floor sill elevation (based on mean sea level datum);
- Location and dimensions of parking areas and driveways;
- Location and size of both existing utilities in the street and the proposed utilities serving the building;
- Location of areas on the site that will be used to dispose of surface water.
- Existing and proposed grade contours
- Silt fence locations
- Location of two proposed trees by Ordinance
- **THE SURVEYORS MONUMENTS MUST BE IN PLACE AND THE LOT STAKED FOR A SETBACK INSPECTION PRIOR TO ISSUANCE OF A BUILDING PERMIT.**

### A COMPLETE SET OF CONSTRUCTION DRAWINGS INCLUDES THE FOLLOWING

- Cross Sections w/Framing details (including porches, decks w/ railings, and accessory structures)
- Floor Plans & Elevations
- Window and door schedules
- Foundation plans with required drainage and damp proofing
- Electrical and plumbing layout. Mechanical drawings for any specialized equipment such as furnaces, chimneys, gas equipment, HVAC equipment (air handling) or other types of work that may require special review must be included.

**SEPARATE PERMITS ARE REQUIRED FOR INTERNAL & EXTERNAL PLUMBING, HVAC AND ELECTRICAL INSTALLATIONS**

- All construction must be conducted in compliance with the 1999 B.O.C.A. Building Code as amended by Section 6-Art II.
- All plumbing must be conducted in compliance with the State of Maine Plumbing Code.
- All electrical Installation must comply with the 1999 National Electrical Code as amended by Section 6-Art III.
- HVAC (Heating, Ventilation and Air Conditioning) installation must comply with the 1993 BOCA Mechanical Code.

**AT THE DISCRETION OF THE BUILDING/PLANNING DEPARTMENT, WE MAY REQUIRE ADDITIONAL INFORMATION IN ORDER TO APPROVE THE PERMIT**

**ABSOLUTELY NO SITE WORK MAY BE DONE UNTIL THE PERMIT HAS BEEN ISSUED, THIS WILL INCLUDE:**

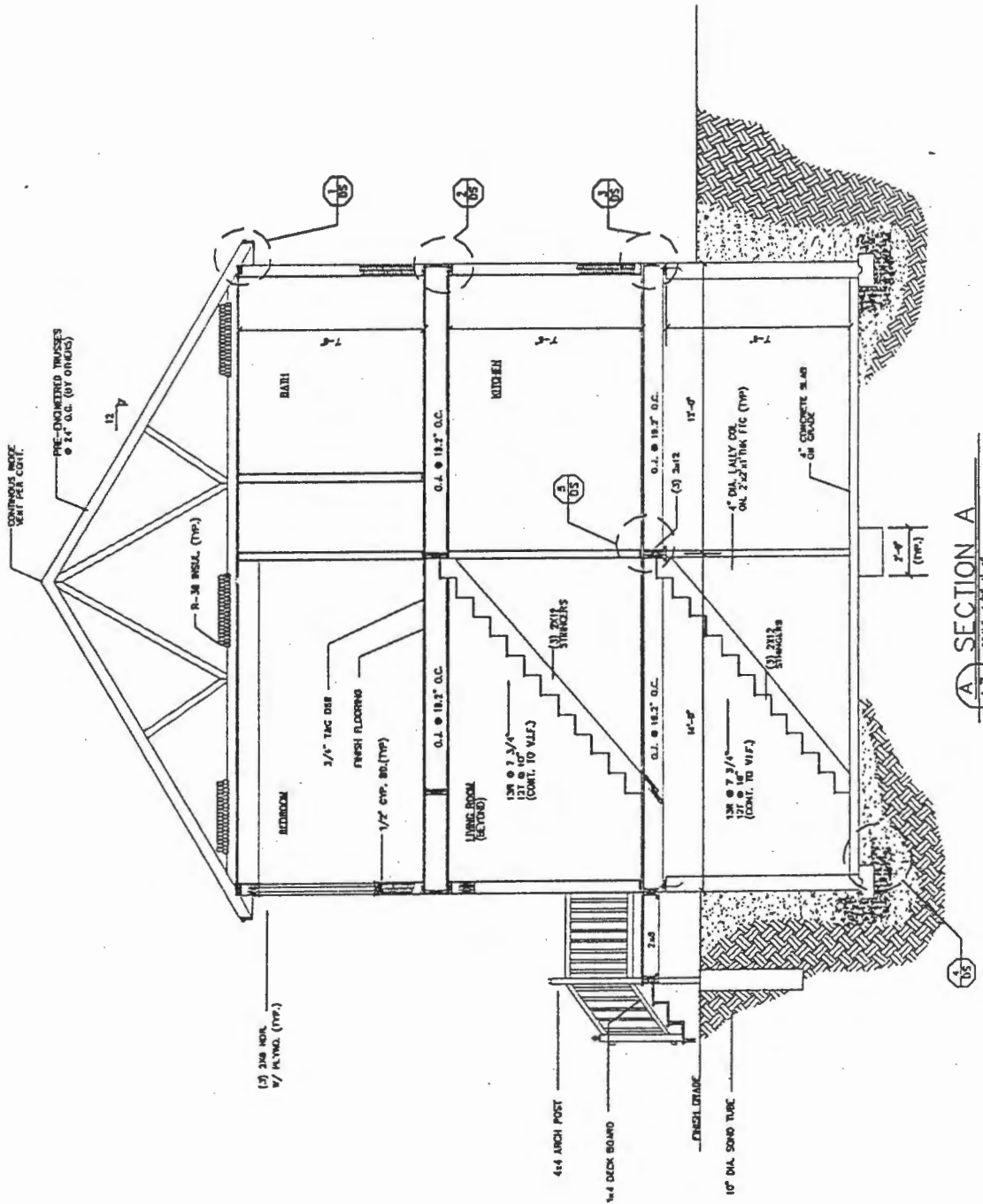
BLASTING  
CLEARING OF TREES  
BRING ANY TYPES OF FILL TO THE SITE FOR STORAGE  
DIGGING FOR UTILITY LINES OF ANY KIND  
CUTTING IN DRIVEWAYS  
ANY TYPE OF GRADING  
DEMOLISHION

**IF THE REQUIRED INFORMATION AS STATED ABOVE IS NOT SUBMITTED WITH THE APPLICATION, THE APPLICATION WILL BE AUTOMATICALLY DENIED**

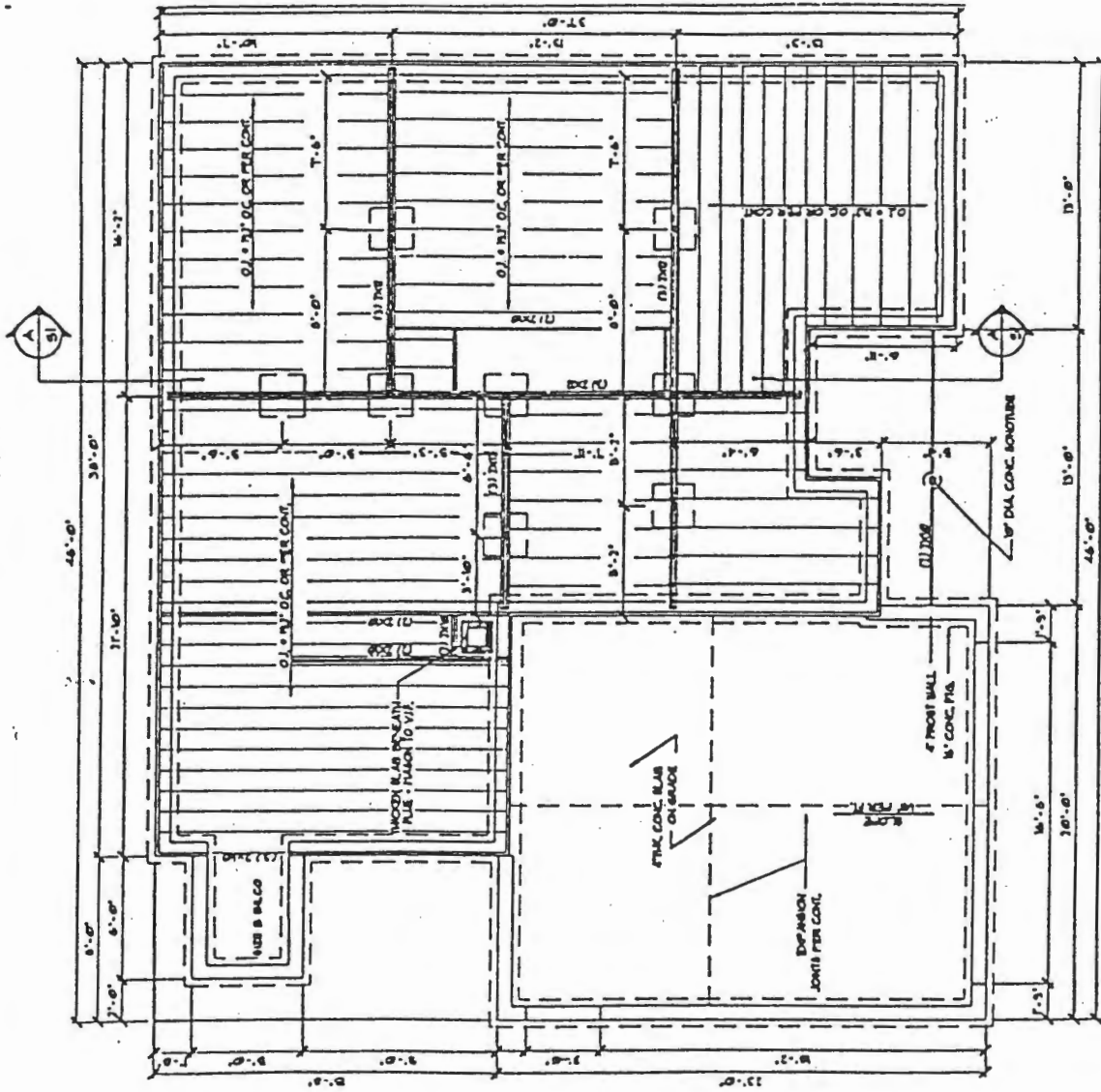
**The cost of the permit is as follows:**

- Site plan review fee:\$300.00
- Basic permit fee: \$30.00
- The first \$1,000.00 worth of construction is covered in the \$30.00 base fee
- Every additional \$1,000.00 of construction will cost \$7.00

***A Certificate of Occupancy must be issued and paid for before the structure may be occupied. The fee is \$75.00***

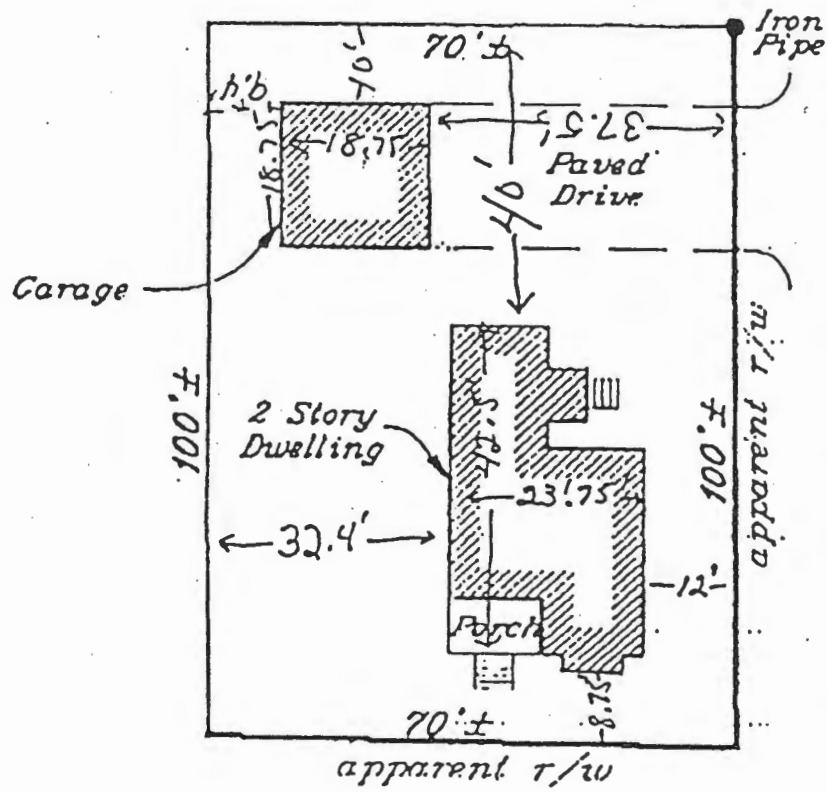


**(A) SECTION A**  
 SCALE: 1/8" = 1'-0"



**FOUNDATION PLAN**

SCALE: 1/4" = 1'-0"



Lot Front

**CITY OF PORTLAND, MAINE  
DEVELOPMENT REVIEW APPLICATION  
PLANNING DEPARTMENT PROCESSING FORM  
Insp Copy**

**2002-0193**  
Application I. D. Number  
**9/4/2002**  
Application Date  
**Barclay Ave**  
Project Name/Description

**Bond Inc. Profit Sharing Trust**  
Applicant  
**PO Box 10127, Portland, ME 04101**  
Applicant's Mailing Address  
**Jim Wolf**  
Consultant/Agent  
**Applicant Ph: (207) 773-4988 Agent Fax:**  
Applicant or Agent Daytime Telephone, Fax

**Barclay Ave, Portland, Maine**  
Address of Proposed Site  
**339 D011001**  
Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply):  New Building  Building Addition  Change Of Use  Residential  Office  Retail  
 Manufacturing  Warehouse/Distribution  Parking Lot  Other (specify) \_\_\_\_\_

**960 sq. Ft.** **6534 sq. Ft.**  
Proposed Building square Feet or # of Units Acreage of Site Zoning

**Check Review Required:**

- |  |   |  |  |
|--|---|--|--|
| <input checked="" type="checkbox"/> Site Plan<br>(major/minor) | <input type="checkbox"/> Subdivision<br># of lots _____ | <input type="checkbox"/> PAD Review            | <input type="checkbox"/> 14-403 Streets Review   |
| <input type="checkbox"/> Flood Hazard                          | <input type="checkbox"/> Shoreland                      | <input type="checkbox"/> Historic Preservation | <input type="checkbox"/> DEP Local Certification |
| <input type="checkbox"/> Zoning Conditional<br>Use (ZBA/PB)    | <input type="checkbox"/> Zoning Variance                |  | <input type="checkbox"/> Other _____             |

Fees Paid: Site Pla **\$50.00** Subdivision \_\_\_\_\_ Engineer Review **\$250.00** Date **9/9/2002**

**Insp Approval Status:**

Reviewer \_\_\_\_\_

- Approved**  **Approved w/Conditions**  **Denied**  
See Attached

Approval Date \_\_\_\_\_ Approval Expiration \_\_\_\_\_ Extension to \_\_\_\_\_  Additional Sheets Attached

Condition Compliance \_\_\_\_\_  
signature date

**Performance Guarantee**  **Required\***  **Not Required**

\* No building permit may be issued until a performance guarantee has been submitted as indicated below

- |   |                |  |                 |
|---|----------------|--|-----------------|
| <input type="checkbox"/> Performance Guarantee Accepted     | _____          | _____  | _____           |
|   | date           | amount   | expiration date |
| <input type="checkbox"/> Inspection Fee Paid                | _____          | _____  |                 |
|   | date           | amount   |                 |
| <input type="checkbox"/> Building Permit Issue              | _____          |  |                 |
|   | date           |  |                 |
| <input type="checkbox"/> Performance Guarantee Reduced      | _____          | _____  | _____           |
|   | date           | remaining balance                                  | signature       |
| <input type="checkbox"/> Temporary Certificate of Occupancy | _____          | <input type="checkbox"/> Conditions (See Attached) | _____           |
|   | date           |  | expiration date |
| <input type="checkbox"/> Final Inspection                   | _____          | _____  |                 |
|   | date           | signature  |                 |
| <input type="checkbox"/> Certificate Of Occupancy           | _____          |  |                 |
|   | date           |  |                 |
| <input type="checkbox"/> Performance Guarantee Released     | _____          | _____  |                 |
|   | date           | signature  |                 |
| <input type="checkbox"/> Defect Guarantee Submitted         | _____          | _____  | _____           |
|   | submitted date | amount   | expiration date |
| <input type="checkbox"/> Defect Guarantee Released          | _____          | _____  |                 |
|   | date           | signature  |                 |

## SPACE AND BULK REQUIREMENTS - R-3 ZONE

MINIMUM LOT SIZE: 6,500 S.F.

MINIMUM FRONTAGE: 50 FT.

MINIMUM SETBACKS:

FRONT YARD 25 FT.

REAR YARD 25 FT.

SIDE YARD\*

1 STORY 8 FT.

1 1/2 STORY 8 FT.

2 STORY 14 FT.


2 1/2 STORY 16 FT.

MINIMUM LOT WIDTH: 75 FT.

\* THE WIDTH OF ONE (1) SIDE YARD MAY BE REDUCED ONE (1) FOOT FOR EVERY FOOT THAT THE OTHER SIDE YARD IS CORRESPONDINGLY INCREASED, BUT NO SIDE YARD SHALL BE LESS THAN EIGHT (8) FEET IN WIDTH.

THE SIDE YARDS SHOWN ON THE FOLLOWING FIGURES ARE BASED UPON A 2 STORY STRUCTURE AND MAY BE INCREASED OR DECREASED DEPENDING UPON THE NUMBER OF STORIES.

Design: DER	Date: JULY 2002
Draft: SGB	Job No.: 374
Checked: AMP	Scale: NTS
File Name: 374-SP.DWG	

	Gorrill-Palmer Consulting Engineers, Inc. Traffic and Civil Engineering Services
	PO Box 1237, 15 Shaker Road Gray, ME 04039 207-657-6910

Drawing Name: <b>Space &amp; Bulk Requirements</b>
Project: <b>BARCLAY AVENUE, PORTLAND</b>

Figure No. <b>1</b>
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**From:** Marge Schmuckal  
**To:** "jmw1@maine.rr.com"@Portland.gwgwia  
**Date:** 12/20/02 5:21PM  
**Subject:** Re: 41 Barclay, Permit number 020998

OLD  
Denied permit

Jim,

I have just reviewed your most recent submittal of 12/9/02 for this project. On your submitted site plan you did not show the side porch and stairs. I scaled them out as approx. 3' x 7' from your building plans. These stairs project into your required setback. Instead of the 21+ feet shown, you actually have 18+ feet. Because you have reduced one side yard to 8+ feet, you are required to add the amount taken off to the other side. You still do not have the required amount of total setback.

This projection of the porch and stairs also encroaches into your required parking area.. You may be able to adjust that on your plans. However, I would need to see a revised plan with your choice of redesign for final approval.

Jim, as I have stated many times to you and other contractors; you must show ALL projections on your submitted site plans. Porches and steps and decks and other structures are required to meet the setbacks. Your site plan MUST MATCH the construction plans. Presently it does not.

Your permit is still denied at this point until a submittal meets the current zoning ordinance.

Marge Schmuckal  
Zoning Administrator  
12/20/02

>>> "James Wolf" <jmw1@maine.rr.com> 12/18/02 08:27AM >>>  
Marge

Recently I had plans revised plans delivered for 41 Barclay. The plans included a survey, site plan and building plans. Would you please update me as to the review status. Gail at the desk was unable to locate any notes in the computer and suggested I contact you.

Also, do you know where I can obtain a current list of the Board of Appeals Members?

Thank you for your help

Jim

James Wolf  
Diversified Properties, Inc  
1-207-773-4988  
Fax 1-207-773-6875

**CC:** Jay Reynolds; Lee Urban; Mark Adelson; PENNY LI...

2nd Review RE: Resubmitted Plans Dated 12/10/02

Applicant: Bond Inc

Date: 12/20/02

Address: 41 Barclay Ave

C-B-L: 339-D-11 & 12

CHECK-LIST AGAINST ZONING ORDINANCE

Date - New Dev. 02-0998

Zone Location - R-3

Interior or corner lot - Dead end of Barclay Ave 24x36

Proposed Use/Work - Construct single family 2 story (split) home

Sewage Disposal - city

Lot Street Frontage - 50' req - 65' 8" shown NO Deck NO GARAGE

Front Yard - 25' req - 45' shown

Rear Yard - 25' req - 25' shown to bulkhead

Side Yard - 14' req (can reduce one side to NO LESS THAN 8' if added on to other side) - 8.25 & 18.37

Projections - bulkhead - 3x7 side porch

This is a lot of record. Width of Lot - 65' min required for lot of record - see survey which shows 65' 8" width

Height - 35' max - 20' scaled

Lot Area - 6,500<sup>sq ft</sup> - 6,560<sup>sq ft</sup> per A 55-55.5

Lot Coverage/Impervious Surface - 25% MAX 1640<sup>sq ft</sup> MAX

Area per Family - 6,500<sup>sq ft</sup> 6,560<sup>sq ft</sup> shown

Off-street Parking - 2 req - side porch 3x7' interrupts req. parking

Loading Bays - N/A

Site Plan - 2002-0193

Shoreland Zoning/Stream Protection - N/A

Flood Plains - Panel 1 - Zone C only one sewer stub

24 x 36 = 864  
porch 3 x 7 = 21  
BH 5.33 x 6.33 = 33.74

918.74

# Diversified Properties, Inc.

P.O. Box 10127, Portland, ME 04104  
Tel 207-773-4988 • Fax 207-773-6875

December 4, 2002

Marge Schmuckal  
Zoning Administrator  
City of Portland  
389 Congress Street  
Portland, ME 04101

RE: 41 Barclay Avenue, Portland – 339-D-11 & 12  
Permit application #02-0998

Dear Marge:

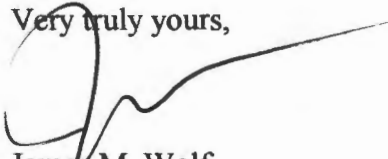
I am in receipt of your letter dated November 15, 2002, which I received November 19, 2002.

Pursuant to a survey plan prepared by Titcomb Associates the lot is 65.68 ft. wide along Barclay Avenue, 65.54 ft. wide at the rear and 100 ft. deep. For your reference I have enclosed a copy of the survey plan. This is consistent with City Tax Map 339-D-11-12.

By separate correspondence I will forward a revised site plan and building plan. Both my consultant and I did not realize a split-level home was treated as a 2-story home for setback purposes. A new plan will be submitted correcting our mistake.

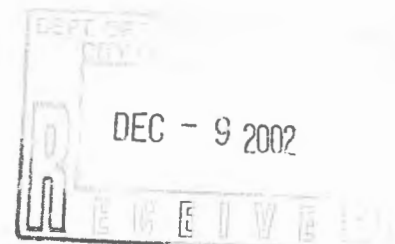
Thank you for your review.

Very truly yours,



James M. Wolf  
JMW/jmy  
Email = [jmw1@maine.rr.com](mailto:jmw1@maine.rr.com)  
Enclosure

cc. Lee Urban  
Mark Adelson  
Sarah Hopkins  
Jay Reynolds.



**CITY OF PORTLAND, MAINE  
DEVELOPMENT REVIEW APPLICATION  
PLANNING DEPARTMENT PROCESSING FORM  
DRC Copy**

2002-0193  
Application I. D. Number

09/04/2002  
Application Date

**Bond Inc. Profit Sharing Trust**

Applicant

PO Box 10127, Portland, ME 04101

Applicant's Mailing Address

Jim Wolf

Consultant/Agent

Applicant Ph: (207) 773-4988 Agent Fax:

Applicant or Agent Daytime Telephone, Fax

Barclay Ave, #41  
Project Name/Description

41 - 41 Barclay Ave, Portland, Maine

Address of Proposed Site

339 D011001

Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply):  New Building  Building Addition  Change Of Use  Residential  Office  Retail  
 Manufacturing  Warehouse/Distribution  Parking Lot  Other (specify) \_\_\_\_\_

960 sq. Ft.

6534 sq. Ft.

Proposed Building square Feet or # of Units

Acreage of Site

Zoning

**Check Review Required:**

- |  |   |  |  |
|--|---|--|--|
| <input checked="" type="checkbox"/> Site Plan<br>(major/minor) | <input type="checkbox"/> Subdivision<br># of lots _____ | <input type="checkbox"/> PAD Review            | <input type="checkbox"/> 14-403 Streets Review   |
| <input type="checkbox"/> Flood Hazard                          | <input type="checkbox"/> Shoreland                      | <input type="checkbox"/> Historic Preservation | <input type="checkbox"/> DEP Local Certification |
| <input type="checkbox"/> Zoning Conditional<br>Use (ZBA/PB)    | <input type="checkbox"/> Zoning Variance                | <input type="checkbox"/> Other _____           |  |

Fees Paid: Site Plan \$50.00 Subdivision \_\_\_\_\_ Engineer Review \$250.00 Date 09/09/2002

**DRC Comments**

11/12 WAITING FOR REVISED PERFORMANCE GUARANTEE.  
12/12 REVISED PLAN APPROVED, WAITING FOR REVISED PERFORMANCE GUARANTEE

Performance Guarantee  Required\*  Not Required

\* No building permit may be issued until a performance guarantee has been submitted as indicated below

<input type="checkbox"/> Performance Guarantee Accepted	_____	_____	_____
	date	amount	expiration date
<input type="checkbox"/> Inspection Fee Paid	_____	_____	
	date	amount	
<input type="checkbox"/> Building Permit Issue	_____		
	date		
<input type="checkbox"/> Performance Guarantee Reduced	_____	_____	_____
	date	remaining balance	signature
<input type="checkbox"/> Temporary Certificate of Occupancy	_____	<input type="checkbox"/> Conditions (See Attached)	_____
	date		expiration date
<input type="checkbox"/> Final Inspection	_____	_____	
	date	signature	
<input type="checkbox"/> Certificate Of Occupancy	_____		
	date		
<input type="checkbox"/> Performance Guarantee Released	_____	_____	
	date	signature	
<input type="checkbox"/> Defect Guarantee Submitted	_____	_____	_____
	submitted date	amount	expiration date
<input type="checkbox"/> Defect Guarantee Released	_____	_____	
	date	signature	