

Form # P 04

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK
CITY OF PORTLAND

Please Read
Application And
Notes, If Any,
Attached

BUILDING INSPECTION
PERMIT

Permit Number: 100475

This is to certify that SCANLON PETER F & JEAN M SCANLON

has permission to install a 12' x 16' deck

AT 74 ROARING BROOK RD

CB# 397 A016001

PERMIT ISSUED

JUN 22 2010

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 ~~City of Portland~~ **City of Portland** 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 lathed or otherwise closed-in. 24 HOUR 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: 10-0475	Issue Date:	CBL: 397 A016001
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Location of Construction: 74 ROARING BROOK RD	Owner Name: SCANLON PETER F & JEAN M S	Owner Address: 74 ROARING BROOK RD	Phone:
Business Name:	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Additions - Dwellings	Zone: R-2

Past Use: Single Family Home	Proposed Use: Single Family Home - install a 12' x 16' deck	Permit Fee: \$50.00	Cost of Work: \$2,800.00	CEO District: 5	10030 th
Proposed Project Description: install a 12' x 16' deck		FIRE DEPT: <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Denied N/A	INSPECTION: Use Group: U/R-3 Type: 3 IRC 2003		

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: Idobson	Date Applied For: 05/05/2010	Zoning Approval	
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- This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.
- Building permits do not include plumbing, septic or electrical work.
- 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..

Special Zone or Reviews	Zoning Appeal	Historic Preservation
<input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <i>US 17 section 14-433 for rear setback of 15'</i> <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: <i>7/2/10 KBA</i>	<input checked="" type="checkbox"/> Variance <i>Practical Difficulty for lot coverage</i> <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input checked="" type="checkbox"/> Approved <i>4-0</i> <input type="checkbox"/> Denied Date: <i>6/17/10</i>	<input checked="" 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: _____

PERMIT ISSUED

JUN 22 2010

City of Portland

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

Department of Building Inspections

Original Receipt

5-5 20 10

Received from Peter Canton

Location of Work 74 Boarney Brook

Cost of Construction \$ _____ Building Fee: _____

Permit Fee \$ _____ Site Fee: _____

Certificate of Occupancy Fee: _____

Total: 50

Building (11) _____ Plumbing (15) _____ Electrical (12) _____ Site Plan (U2) _____

Other _____

CBL: 357-A-16

Check #: 4293 Total Collected \$ 50

**No work is to be started until permit issued.
Please keep original receipt for your records.**

Taken by: [Signature]

WHITE - Applicant's Copy
YELLOW - Office Copy
PINK - Permit Copy

City of Portland, Maine - Building or Use Permit Application

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

Permit No: 10-0475	Issue Date:	CBL: 397 A016001
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Location of Construction: 74 ROARING BROOK RD	Owner Name: SCANLON PETER F & JEAN M S	Owner Address: 74 ROARING BROOK RD	Phone:
Business Name:	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Additions - Dwellings	Zone: R-2

Past Use: Single Family Home	Proposed Use: Single Family Home - install a 12' x 16' deck	Permit Fee: \$50.00	Cost of Work: \$2,800.00	CEO District: 5	Zone: 10030 th
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Proposed Project Description: install a 12' x 16' deck	FIRE DEPT: <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Denied Signature: <i>N/A</i>	INSPECTION: Use Group: <i>U/R/S</i> Type: <i>SD</i> Signature: <i>IRC 2003</i>
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input checked="" type="checkbox"/> Denied Signature: _____ Date: _____		

Permit Taken By: Idobson	Date Applied For: 05/05/2010	Zoning Approval
-----------------------------	---------------------------------	------------------------

- This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.
- Building permits do not include plumbing, septic or electrical work.
- 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..

Special Zone or Reviews <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: <i>7/2/10</i> <i>ABN</i>	Zoning Appeal <input checked="" type="checkbox"/> Variance <i>Practical D. Difficulty</i> <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input checked="" type="checkbox"/> Approved 4-0 <input type="checkbox"/> Denied Date: <i>6/17/10</i>	Historic Preservation <input checked="" 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: _____
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PERMIT ISSUED

JUN 22 2010

City of Portland

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

Permit No: 10-0475	Date Applied For: 05/05/2010	CBL: 397 A016001
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Location of Construction: 74 ROARING BROOK RD	Owner Name: SCANLON PETER F & JEAN M S	Owner Address: 74 ROARING BROOK RD	Phone:
Business Name:	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Additions - Dwellings	

Proposed Use: Single Family Home - install a 12' x 16' deck	Proposed Project Description: install a 12' x 16' deck
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Dept: Zoning	Status: Approved with Conditions	Reviewer: Ann Machado	Approval Date: 07/02/2010
Note: Using section 14-433 to allow 13' rear setback. Practical difficulty appeal allowing lot coverage to be increased to 24.63%.			Ok to Issue: ✓
1) This permit is being issued with the condition that the existing shed must be removed within thirty days of the permit being issued. The shed was not permitted and it does not meet the maximum allowable lot coverage.			
2) This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.			
3) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.			
Dept: Building	Status: Approved with Conditions	Reviewer: Tammy Munson	Approval Date: 06/22/2010
Note:			Ok to Issue: ✓
1) Application approval based upon information provided by applicant. Any deviation from approved plans requires separate review and approval prior to work.			
2) Sauna tubes must be a minimum of 8" diameter and 4"-0" below grade.			

Comments:
5/10/2010-mes: wrote letter to applicant will try to call him also
6/22/2010-amachado: Granted a practical difficulty variance on June 17, 2010 for lot coverage. Moving permit forward in review process. Will not issue permit until receive copy of recorded certificate of variance.
7/2/2010-amachado: Received copy of recorded certificate of variance.
5/7/2010-mes: over lot coverage max. of 20% - is 24.63% - I can consider the closer setback ok under 14-433- on hold

PERMIT ISSUED

JUN 22 2010

City of Portland

BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 (ONLY)

or email: buildinginspections@portlandmaine.gov

With the issuance of this permit, the owner, builder or their designee is required to provide adequate notice to the City of Portland Inspection Services for the following inspections. Appointments must be requested 48 to 72 hours in advance of the required inspection. The inspection date will need to be confirmed by this office.

- Please read the conditions of approval that is attached to this permit!! Contact this office if you have any questions.
- Permits expire in 6 months, if the project is not started or ceases for 6 months.
- If the inspection requirements are not followed as stated below additional fees may be incurred due to the issuance of a "Stop Work Order" and subsequent release to continue with construction.

 X Footing/Building Location Inspection: Prior to pouring concrete or setting precast piers

 X Framing inspection required. This can be combined with the final inspection as long as all framing is visible.

 X Final inspection required at completion of work.

The project cannot move to the next phase prior to the required inspection and approval to continue, REGARDLESS OF THE NOTICE OR CIRCUMSTANCES.

IF THE PERMIT REQUIRES A CERTIFICATE OF OCCUPANCY, IT MUST BE PAID FOR AND ISSUED TO THE OWNER OR DESIGNEE BEFORE THE SPACE MAY BE OCCUPIED.

PERMIT ISSUED

JUN 22 2010

City of Portland



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>74 ROARING BROOK RD.</u>		
Total Square Footage of Proposed Structure/Area <u>192</u> sq'		Square Footage of Lot <u>10,000</u> sq'
Tax Assessor's Chart, Block & Lot Chart# <u>397</u> Block# <u>A</u> Lot# <u>16</u>	Applicant * <u>must</u> be owner, Lessee or Buyer* Name <u>PETER SCANLON</u> Address <u>74 ROARING BROOK RD</u> City, State & Zip <u>PORTLAND, ME 04103</u>	Telephone: <u>797-2864</u>
Lessee/DBA (If Applicable) <u>/</u>	Owner (if different from Applicant) Name Address City, State & Zip <u>/</u>	Cost Of Work: \$ <u>2,800.00 est</u> C of O Fee: \$ _____ Total Fee: \$ <u>50</u>
Current legal use (i.e. single family) <u>SINGLE FAMILY RESIDENCE</u> If vacant, what was the previous use? _____ Proposed Specific use: <u>12'x16' DECK</u> Is property part of a subdivision? <u>NO</u> If yes, please name _____ Project description: <u>12'x16' DECK</u>		
Contractor's name: <u>N/A (DOING IT MYSELF W/ HELP FROM OTHERS)</u> Address: _____ City, State & Zip _____ Telephone: _____ Who should we contact when the permit is ready: <u>PETER SCANLON</u> Telephone: <u>797-2864</u> Mailing address: <u>74 ROARING BROOK RD, PORTLAND, ME.</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, 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: <u><i>Peter Scanlon</i></u>	Date: <u>May 5, 2010</u>
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RECEIVED

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

Dept. of Building Inspections
City of Portland Maine



New Residential Single Family 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 www.portlandmaine.gov, in the Inspection Office, Room 315 of Portland City Hall or call (207)874-8703 to have one mailed to you.

All new two-family residential developments will be required to go through the minor site plan review process.

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

- Cross sections w/framing details
- Floor plans and elevations to scale
- 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 (if applicable)
- Insulation R-factors of walls, ceilings & floors & U-factors of windows per the IEBC 2003
- Deck construction including: pier layout, framing, fastenings, guards, stair dimensions
- Reduced plans or electronic files in pdf format are required if originals are larger than 11" x 17"
- 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.

Four (4) copies of the boundary survey/site plan are required and must include:

- A stamped boundary survey to scale showing north arrow, zoning district & setbacks to a scale of $\geq 1" = 20'$. The boundary survey should include the following:
- The footprint of the proposed structure and the distance from the actual property lines. Structures include decks, porches, steps, bow windows, cantilever sections and roof overhangs, sheds, pools, garages, and any other accessory structures and must be shown to scale. Photocopies of the plat or hand drawn footprints not to scale will not be accepted. The footprint should be consistent with the building plan.
- Location and dimensions of parking areas and driveways
- Finish floor or sill elevation (based on mean sea level datum)
- Location of proposed utilities
- Existing and proposed grades/contours
- Silt fence (erosion control) locations
- Location of two required street trees
- Separate requirements may apply for lots on unimproved streets
- A reduced boundary survey/site plan is required if original is larger than 11' x 17"

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 www.portlandmaine.gov, 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
Site plan review fee: \$300.00

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



PORTLAND MAINE

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

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

May 10, 2010

Peter Scanlon
74 Roaring Brook Road
Portland, ME 04103

RE: 74 Roaring Brook Road – 397-A-016 – R-2 Zone – permit application #10-0475

Dear Mr. Scanlon,

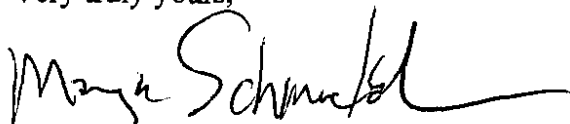
I am in receipt of your application to construct a 12' x 16' rear deck. We met previously on March 2, 2010 to discuss the deck and its setbacks. Based on the information that you supplied to me, I can accept the proposed 13 foot rear setback under section 14-433. However, when reviewing an application, I must be sure that all requirements of the underlying zone are being met.

First of all, it should be noted that this office never reviewed or approved a shed shown on your plot plan. The shed is currently nonconforming to the R-2 Zone.

Currently the R-2 Zoning Ordinance requires a maximum lot coverage of 20% (section 14-80(e)). After figuring in the square footage of your proposed deck, your lot coverage would be at 24.63% which is over the 20% maximum allowed. Please note that this lot coverage calculation does not include the nonconforming shed. My interpretation of lot coverage includes only structures such as principal buildings, garages, decks, stairs and sheds. It does not include driveways or sidewalks or patios that are concrete or made of pavers.

At this time your permit is on hold and will not be reviewed further. You have the right to appeal my decision. If you would like to exercise your right to appeal, you must do so within 30 days of the date of this letter. Please contact this office for the necessary paperwork that is required to file an appeal. If you have any further questions regarding this matter, please feel free to call me at 874-8695.

Very truly yours,


Marge Schmuckal
Zoning Administrator

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

Philip Saucier-chair
Sara Moppin
Jill E. Hunter
Gordan Smith-secretary
William Getz

June 21, 2010

Jean & Peter Scanlon
74 Roaring Brook Road
Portland, ME 04103

RE: 74 Roaring Brook Road
CBL: 397 A016
ZONE: R-2

Dear Mr. & Ms. Scanlon:

At the June 17, 2010 meeting, the Zoning Board of Appeals voted 4-0 to grant the practical difficulty appeal to allow the maximum allowable lot coverage to be 24.63%. I have enclosed a copy of the Board's decision.

I am also enclosing the Certificate of Variance Approval. **The original must be recorded in the Cumberland County Registry of Deeds within 90 days of June 18, 2010, when it was signed.** Failure to record the Certificate will result in it being voided. Our office must be provided with a copy of the recorded Certificate of Variance showing the recorded book and page.

Now that the practical difficulty appeal to increase the maximum allowable lot coverage was approved, the building permit to build the 12' x 16' deck (#10-0475) will be moved forward in the review process. The permit will not be issued until we receive a copy of the recorded Certificate of Variance. The building permit must be issued and construction begun within six months of the date of the hearing, June 17, 2010, referenced under section 14-473(e), or the Zoning Board approval will expire.

Appeals from decisions of the Board may be filed in Superior Court, pursuant to 30-A M.R.S.A. section 2691 (2) (G).

Should you have any questions please feel free to contact me at 207-874-8709.

Yours truly,



Ann B. Machado
Zoning Specialist

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

ZONING BOARD APPEAL DECISION

To: City Clerk

From: Marge Schmuckal, Zoning Administrator

Date: June 21, 2010

RE: Action taken by the Zoning Board of Appeals on June 17, 2010.

Members Present: Gordon Smith (acting chair), William Getz (acting secretary), Sara Moppin, and Jill Hunter

Members Absent: Phil Saucier

1. New Business:

A. Practical Difficulty Variance Appeal:

70-76 Roaring Brook Road, Peter & Jean Scanlon, owners, Tax Map 397, Block A, Lot 016, R-2 Residential Zone: The appellants applied for a building permit to build a twelve foot by sixteen foot deck at the rear of their house. Section 14-80(e) gives the maximum allowable lot coverage as twenty percent. Presently, the permitted structure on the lot covers 22.71% of the lot. The appellants are requesting a variance to increase the lot coverage from 22.71% to 24.63%. Representing the appeal are the owners. **The Board voted 4-0 to grant the practical difficulty appeal allowing the applicants to increase the maximum allowable lot coverage to 24.63%.**

B. Practical Difficulty Variance Appeal:

395 -397 Spring Street, Vilean Taggersell & Robert Levine, owners, Tax Map 061, Block A, Lot 001, R-4 Residential Zone: The applicants are proposing to add a twenty-two foot by twelve foot porch with a seven foot by thirteen foot mudroom to the rear of their house. Section 14-105(e) gives the maximum allowable lot coverage as thirty percent. Presently, the permitted structure on the lot covers 40.83% of the lot. The appellants are requesting a variance to increase the lot coverage to 43.85%. Representing the appeal are the owners. **The Board voted 4-0 to grant the practical difficulty appeal allowing the applicants to increase the maximum allowable lot coverage to 43.85%. This variance was granted for a period of two years and will expire if work has not significantly commenced by June 17, 2012.**

Enclosure:

Decision for Agenda from June 17, 2010

Original Zoning Board Decision

One dvd

CC: Joseph Gray, City Manager

Penny St. Louis Littell, Director, Planning & Urban Development

Alex Jaegerman, Planning Division

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

"Practical Difficulty" Variance Appeal

DECISION

Date of public hearing: June 17, 2010

Name and address of applicant: Peter & Jean Scanlon
74 Roaring Brook
Portland, ME 04103

Location of property under appeal: 74 Roaring Brook Rd.

For the Record: Present: Sara Hoppin, Jill Hunter, Gordon Smith, William Getz

Names and addresses of witnesses (proponents, opponents and others):

Peter + Jean Scanlon
74 Roaring Brook Portland

Exhibits admitted (e.g. renderings, reports, etc.):

Photos of house and patio

3. The need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood.

Satisfied Not Satisfied

Reason and supporting facts:

The access to the house is unique to the Scanlon's.

4. The granting of the variance will not produce an undesirable change in the character of the neighborhood and will not have an unreasonably detrimental effect on either the use or fair market value of abutting properties.

Satisfied Not Satisfied

Reason and supporting facts:

Similar to other properties of the neighborhood.

5. The practical difficulty is not the result of action taken by the applicant or a prior owner.

Satisfied Not Satisfied

Reason and supporting facts:

The average of the 20% was already out of compliance and was permitted by properly

Conclusion: (check one)

Option 1: The Board finds that the standards described above (1 through 8) have been satisfied and therefore GRANTS the application. *Moppin Motion - Hunter Second*

Option 2: The Board finds that while the standards described above (1 through 8) have been satisfied, certain additional conditions must be imposed to minimize adverse effects on other property in the neighborhood, and therefore GRANTS the application SUBJECT TO THE FOLLOWING CONDITIONS: *passed 4-0*

Option 3: The Board finds that the standards described above (1 through 8) have NOT all been satisfied and therefore DENIES the application.

Dated:

6/17/10



Board Chair

May 5, 2010

Building Inspection Department
Room 315
389 Congress St.
Portland, Maine

Subject:

Peter F. Scanlon

74 Roaring Brook Rd.

Parcel ID: 397-A-016-001

Lot # 46; R2

Enclosed please find materials required to apply for a permit to construct a deck at the above residence.

The construction layout consists of four pages; a copy of the deed showing ownership; and several photos to provide a better illustration of the project. The estimated material cost of the project will be in the area of \$2,500 - \$2,800. The labor cost is not included as I am retired and plan to do this with the help of a friend, or two. I, however, would estimate a replacement or finished cost in the range of \$3,500 - \$3,800.

This deck will be built over the existing patio. Since the floor of the deck will be a maximum height from ground of 27" there will be no railings. We do, however, plan to use some decorative plant stands of sorts to keep people from the edges.

At issue is the fact that this proposed deck will be placed within the 25" setback requirement. I would point out, however, that the adjoining property is a 76' wide strip owned by the Portland Water District and used by same for their present underground piping.. There could never be any further residential construction in this area so there wouldn't be any visual disturbance or infringement to any neighbors.

Sincerely,



Peter F. Scanlon

797-2864; pscanlon1@maine.rr.com

Subject:

Peter F. Scanlon/Jean M. Scanlon

74 Roaring Brook Road

Portland, Maine

Parcel ID: 397-A-016-001;

Lot # 46; R2

The following will describe rationale as to why the 25' setback rule should not apply to the construction of a 12' x 16' deck proposed for the above property.

Several years ago my wife suffered a back injury and this plus the fact that we were now in our 60's led us to decide to move into a one story ranch type residence. After living here for just over two years my wife has been experiencing discomfort in stepping down the granite steps leading to the existing patio. As a result we have not been making full use of the patio nor its outdoor grill.

We thought that the simple cure would be to build a deck at roughly the same level as the doorway to the existing patio. Checking further, however, we found that this couldn't as it would enter into the 25' setback requirement area.

Also, while the deck would be in the 25' setback area at the rear of our property, it should be pointed out that the adjoining property consists of a 76' strip of land that runs throughout the Roaring Brook neighborhood. This property is both wooded and open in places and has always been there. It is owned by Portland Water District and used for underground piping. There, of course, would be no further building construction here and thus no ascetic infringement involved.

Hopefully, I've followed the right process and have given you the information you need. If not please feel free to contact me via phone or email as listed below

Sincerely,

*original Bldg constructed
1987*

Peter F. Scanlon

797-2864; pscanlo1@maine.rr.com

FOR MORTGAGE LENDER USE ONLY

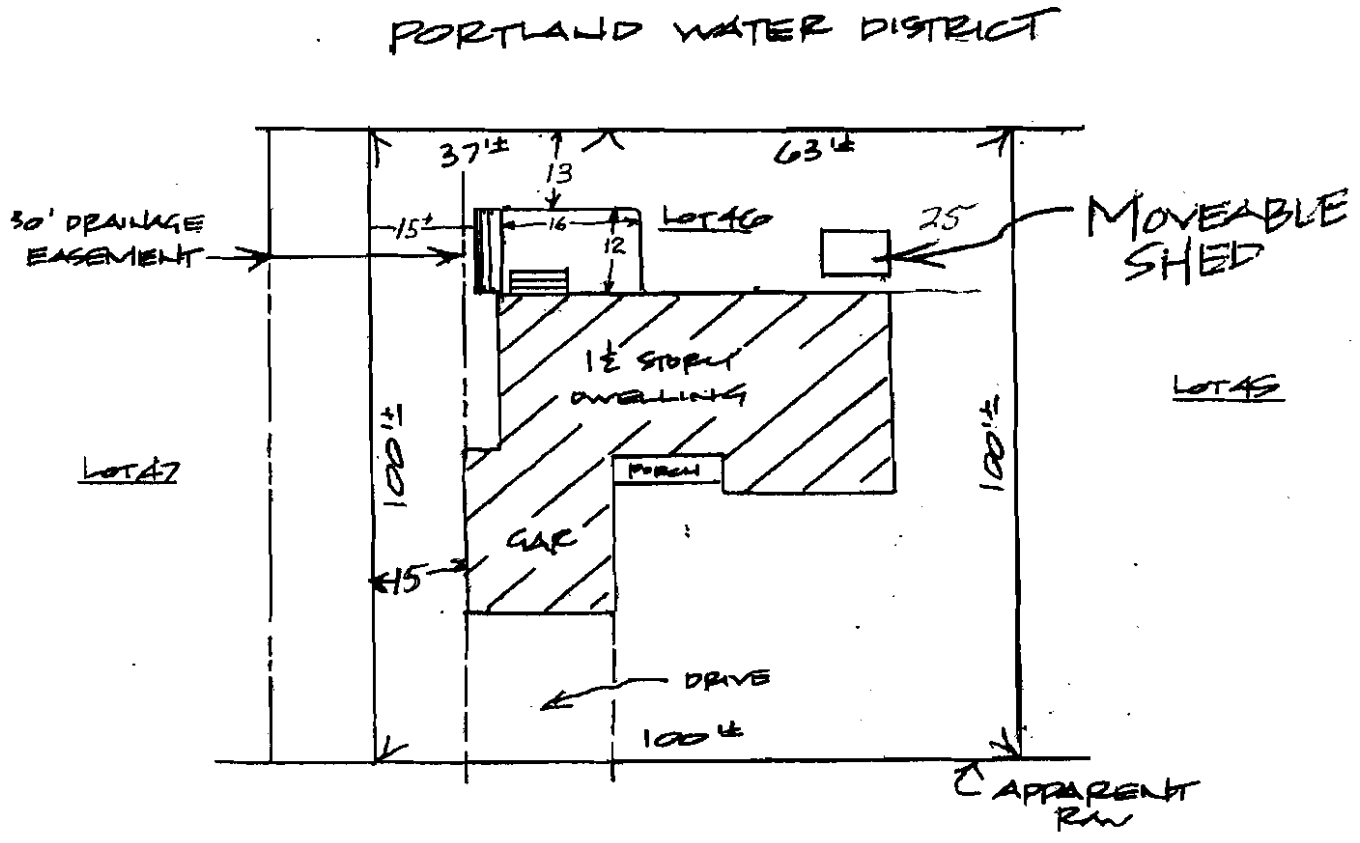
GENERAL NOTES: (1) DISTANCES SHOWN ARE TAKEN FROM PROVIDED TITLE REFERENCES SHOWN BELOW. (2) THE PURPOSE OF THIS INSPECTION IS TO RENDER AN OPINION AS FOLLOWS: A) DWELLING AND ACCESSORY STRUCTURE'S COMPLIANCE WITH RESPECT TO MUNICIPAL ZONING SETBACKS, AND B) FLOOD ZONE DETERMINATION BY HORIZONTAL SCALING ON BELOW REFERENCED FEMA MAP. (3) THIS INSPECTION EXCEPTS OUT ALL TECHNICAL STANDARDS CURRENTLY SET FORTH BY STATE OF MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS. (4) THIS INSPECTION IS TO BE USED ONLY BY THE BELOW LISTED LENDER, TITLE ATTORNEY & TITLE INSURER AND IS NOT TO BE USED BY ANOTHER PARTY FOR BOUNDARY LINE LOCATIONS OR LAND TITLE OPINIONS. (5) A BOUNDARY SURVEY SHOULD BE PERFORMED TO RENDER A PROFESSIONAL OPINION PERTAINING TO BOUNDARY LINE LOCATIONS, EASEMENTS, RIGHTS OF WAY, ENCUMBRANCES, ENCROACHMENTS, AND/OR CONFLICTS WITH ADJACENT'S DEEDS.

REV. 1/20/06

**THIS SKETCH IS NOT TO BE USED FOR CONSTRUCTION PURPOSES
THE LOCATION OF IMPROVEMENTS SHOWN ARE APPROXIMATE ONLY.**

ADDRESS: 74 Roaring Brook Road
Portland, Maine

INSPECTION DATE: June 25, 2007
SCALE: 1" = 30'



TO ALLEN AVE ← ROARING BROOK ROAD

R-2
lotsize - 10,033
front setback - NA

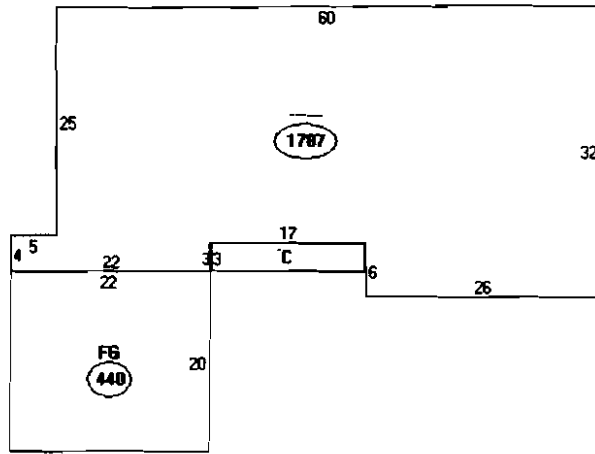


INSP. BY SBH

SEE PROVIDED TITLE REFERENCES FOR APPLICABLE APPURTENANCES, IF ANY.

rear setback 25' - 18' side (b) section 14-433 - see Margie's letter.
side setback 12' - 15' on left. (b)
- right (b) - 58' setback (b)
lot coverage - ~~what is~~ 20% 2006 φ 2470 - lot cover which 2470
24,63% - ok w/practical difficulty applied

over lot coverage



Descriptor/Area	Area
A: ---	1787
B: FG	440
C: OFF	51
	<hr/>
	227.8
12x16 =	192
	<hr/>
	2470 #

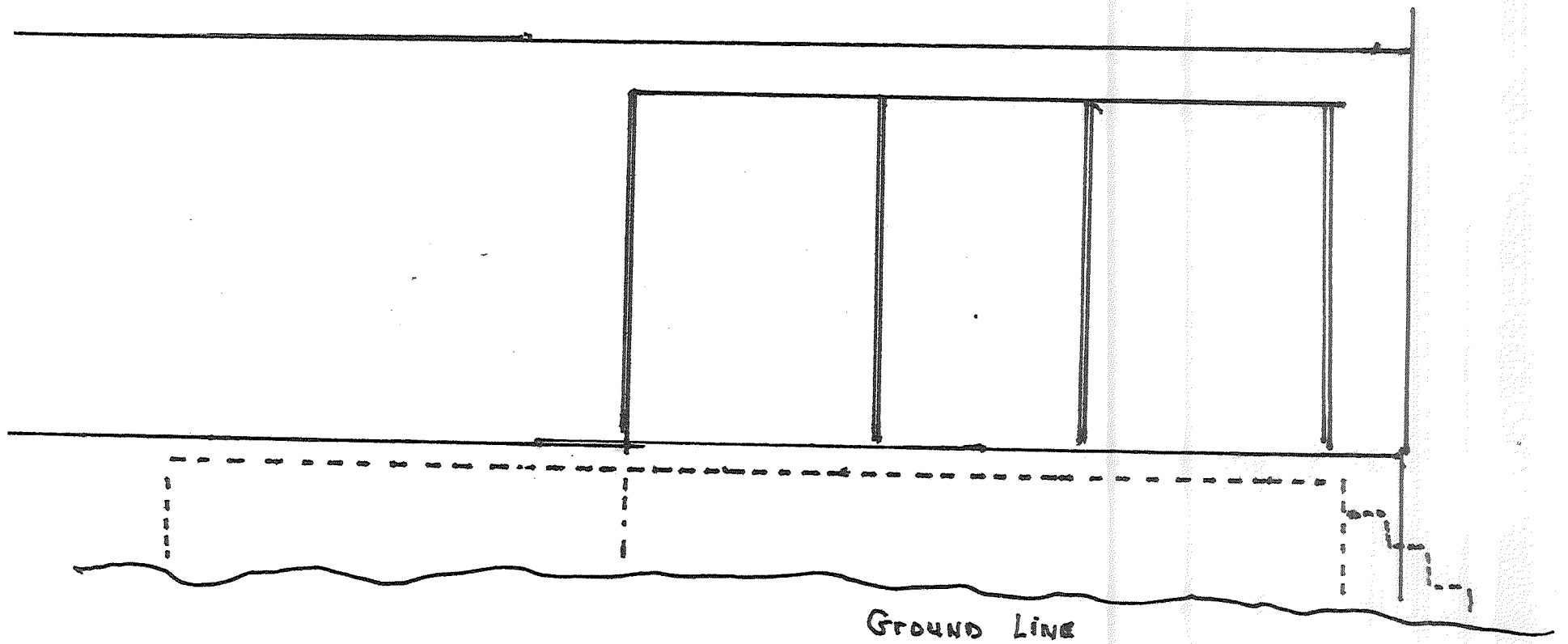
Reattached on property

$$10,030 \# \times 20\% = \cancel{2,006 \#} \text{ No}$$

$$2470 \# \times 10\% = 24,63\%$$

No shed figured in these codes

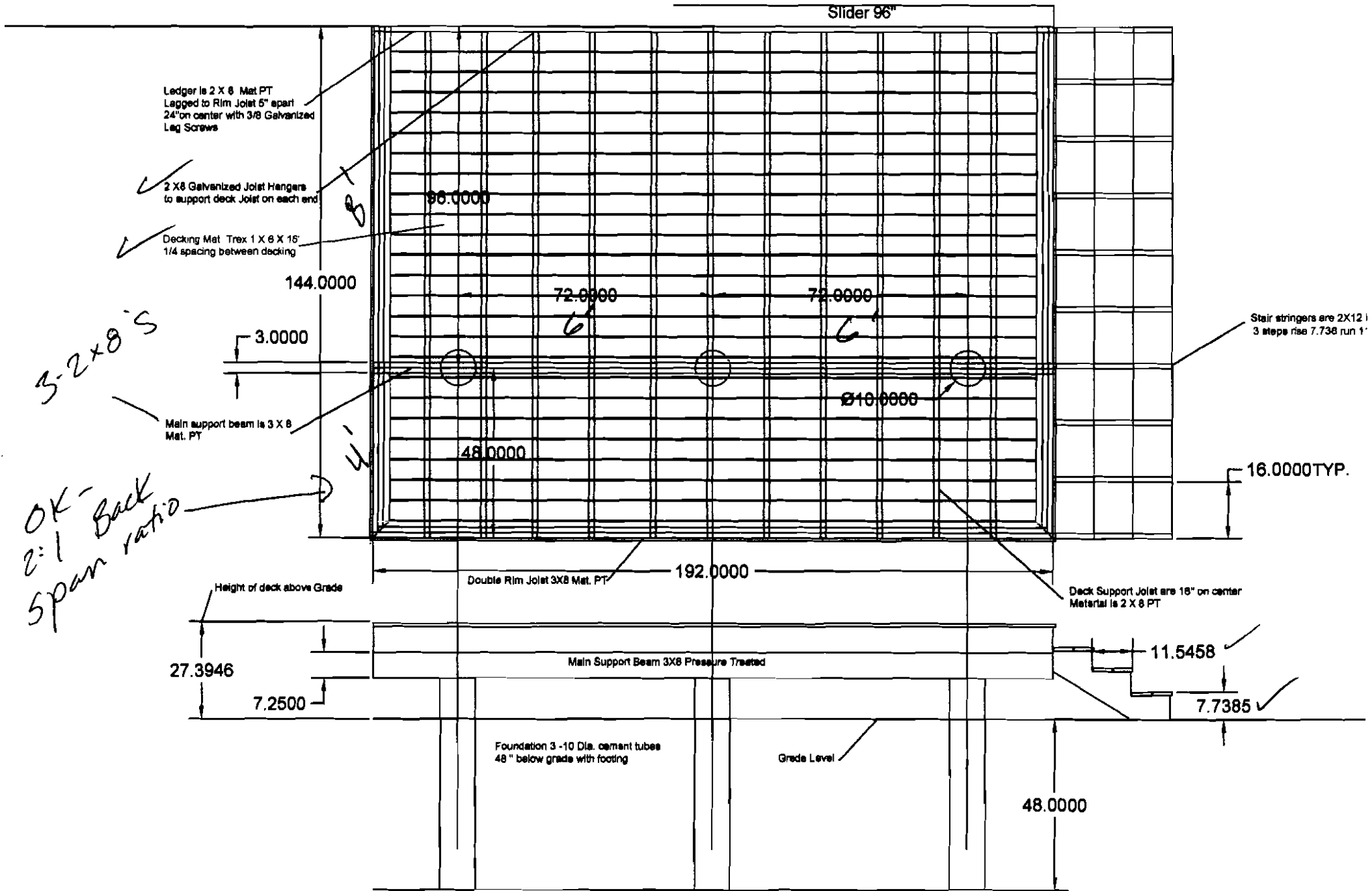
currently 22.71%



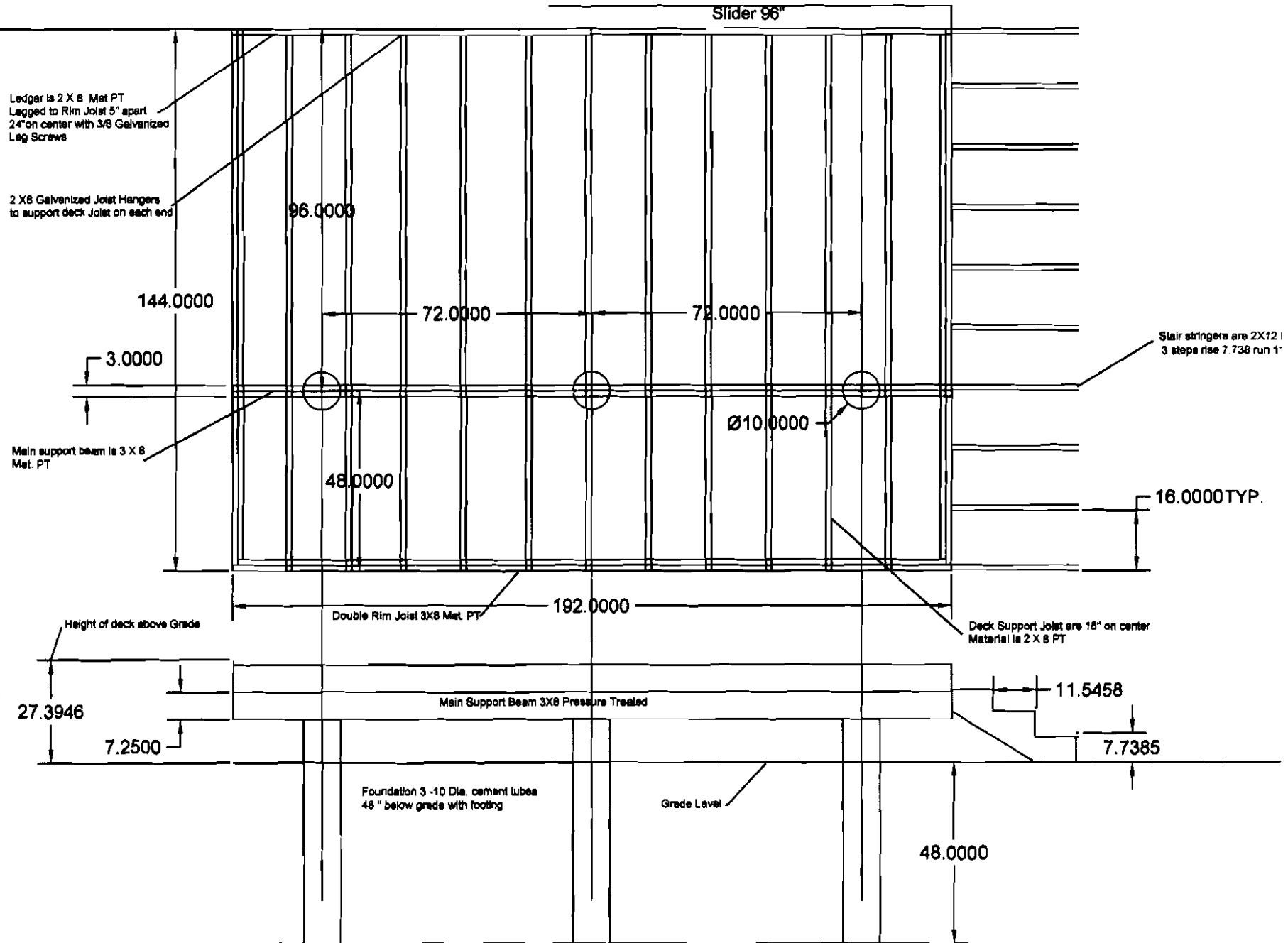
GROUND LINE

16'

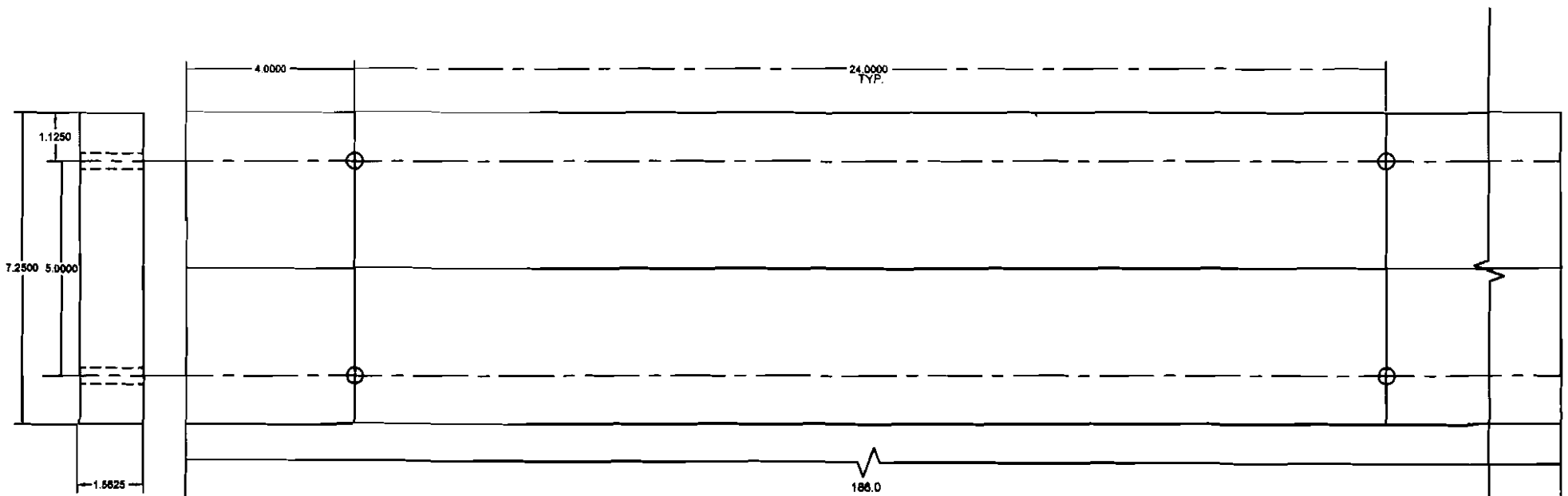
House



House



*OK
no guard
needed*



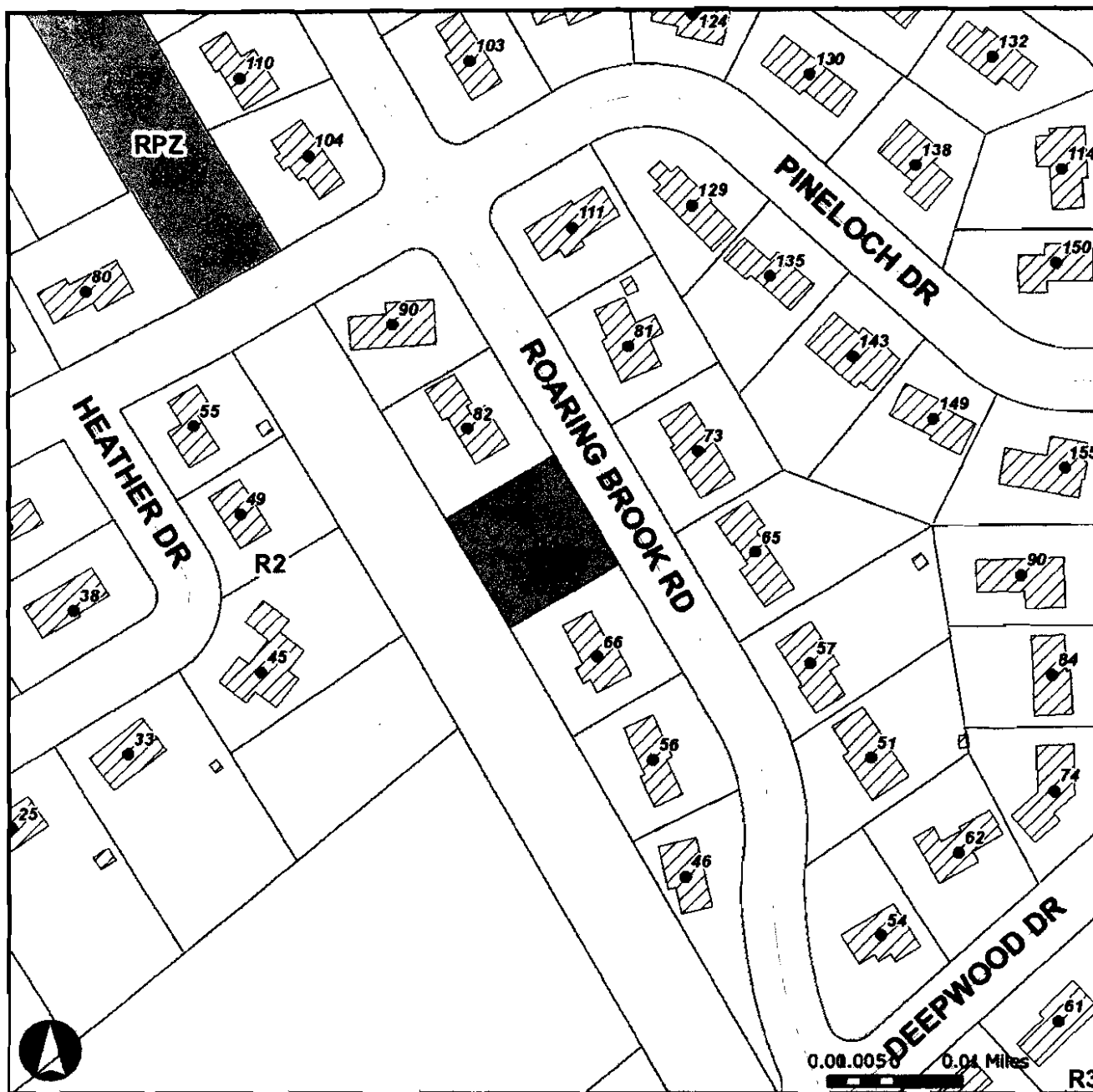
16 Eq. Sp. 3/8 Dia holes for
3/8 dia. X 5' Long Galvanized
Lag Screws

Ledger Mat. 2 X 8 PT

Flashing will be Aluminum and Weathersheld
between the house and ledger and Aluminum
and Weathersheld over the top of the ledger



Map



Parcels	Stream Overlay Zone	Zoning (continued)	Zoning (continued)
Parcel	Stream_protection	R2 Residential	C25
Interstate	Island Zoning	R3 Residential	C26
Interstate	C43	R4 Residential	C27
Streets	I-B	R5 Residential	C28
Buildings	I-TS	R6 Residential	C29
Building	I-R1	ROS Recreation Open	C30
Out Building	I-R2	Space	C31



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION Lot 46 Roaring Brook Road

Issued to William Dolan

Date of Issue November 6, 1987

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. 67-800, 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

entire

APPROVED OCCUPANCY

single family dwelling with
attached garage

Limiting Conditions:

This certificate supersedes
certificate issued

Approved:

[Signature]
.....
(Date) Inspector

[Signature]
.....
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.

