

City of Portland, Maine - Building or Use Permit Application
 389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

PERMIT ISSUED	
Permit No: 01056 MAY	Issue Date: 25 2001
CBL: 423 A006001	

Location of Construction: 765 Ocean Ave	Owner Name: Oliver W. Gerald Herguth	Owner Address: 765 Ocean Ave Portland, ME 04101	Phone: 207-671-9797
Business Name: n/a	Contractor Name: no contractor/self	Contractor Address: n/a n/a	Phone
Lessee/Buyer's Name n/a	Phone: n/a	Permit Type: Alterations - Dwellings	Zone: R-3

Past Use: Single Family two	Proposed Use: Same: Build 3rd Floor Dormer 16' X 9'. Call Meghan Herguth at 671-9797 when ready. No change in # of units Allowed	Permit Fee: \$54.00	Cost of Work: \$5,000.00	CEO District: 2
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Proposed Project Description: Build 16' X 9' 3rd Floor Dormer	FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied INSPECTION: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied Use Group: 53 Type: 53 Signature: [Signature] PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Signature: _____ Date: _____
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Permit Taken By: cjh	Date Applied For: 05/18/2001	Zoning Approval
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1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. 2. Building permits do not include plumbing, septic or electrical work. 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..	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: _____	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date: _____	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: _____
	1455 Directory shows Z.D.M. OK with conditions May 5/2001		

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 _____

PERMIT ISSUED WITH REQUIREMENTS

THIS IS NOT A PERMIT/CONSTRUCTION CANNOT COMMENCE UNTIL THE PERMIT IS ISSUED

Minor/Minor Site Review for New Detached Single Family Dwelling,

All Purpose Building Permit Application

In the interest of processing your application in the quickest possible manner, please complete the Information below for a Building or Use Permit.

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: 765 Ocean Ave		
Total Square Footage of Proposed Structure Interior renovations / 3 rd floor dormer	Square Footage of Lot	8500 sq. ft.
Tax Assessor's Chart, Block & Lot Number Chart# 423 Block# A Lot# 6	Owner: Meghan Herguth	Telephone#: 207-671-9797
Lessee/Buyer's Name (If Applicable) N/A	Owner's/Purchaser/Lessee Address: 42 Ocean Ave. #3 Portland ME 04103	Cost Of Work: \$ 5,000. ⁰⁰ Fee: \$ 54. ⁰⁰
Current use: 2 unit residential If the location is currently vacant, what was prior use: Approximately how long has it been vacant: Proposed use: same Project description: 3 rd Floor Dormer / new bathroom 16' x 9'		
Contractor's Name, Address & Telephone: Geoff Herguth 73 Merrill St. Portland ME 04102 Applicants Name, Address & Telephone: Meghan Herguth 42 Ocean Ave. #3 Portland ME 04103 Who should we contact when the permit is ready: <u>Meghan Herguth</u> Telephone: 671-9797 If you would like the permit mailed, what mailing address should we use: 42 Ocean Ave #3 Portland ME 04103		

5/18
Rec'd By: ck

THIS IS NOT A PERMIT/CONSTRUCTION CANNOT COMMENCE UNTIL THE PERMIT IS ISSUED

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

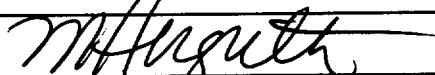
- All construction must be conducted in compliance with the 1999 B.O.C.A. Building Code as amended by Section 6-Art II.
- All plumbing must be conducted in compliance with the State of Maine Plumbing Code.
- All Electrical Installation must comply with the 1999 National Electrical Code as amended by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

Minor/Minor Site Review Fee: \$300.00/Building Permit Fee: \$30.00 for the 1st \$1000.cost plus \$6.00 per \$1,000.00 construction cost thereafter.

ONE SET OF SUBMISSIONS INCLUDING CONSTRUCTION AND SITE PLAN DRAWINGS MUST BE SUBMITTED ON PAPER NO LARGER THAN 11" x 17" BEFORE ANY BUILDING PERMIT WILL BE ISSUED

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/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: 5/15/01
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Please note that exact replacement of any structure including decks, stairs and sheds will still need a scaled plot plan.

16' x 9'

BUILDING PERMIT REPORT

DATE: 19 MAY 2001 ADDRESS: 765 Ocean Ave. CBL: 423-A-006
REASON FOR PERMIT: 3rd Floor dormers/new bathroom
BUILDING OWNER: Meghan Herguth
PERMIT APPLICANT: CONTRACTOR Geoff Herguth
USE GROUP: R-3 CONSTRUCTION TYPE: 5 B CONSTRUCTION COST: \$5000.00 PERMIT FEES: \$54.00

The City's Adopted Building Code (The BOCA National Building Code/1999 with City Amendments)
The City's Adopted Mechanical Code (The BOCA National Mechanical Code/1993)

CONDITION(S) OF APPROVAL

This permit is being issued with the understanding that the following conditions shall be met: *1, *27, *28, *30, *33, *36, *37, *15, *16

- *1. This permit does not excuse the applicant from meeting applicable State and Federal rules and laws.
*2. Before concrete for foundation is placed, approvals from the Development Review Coordinator and Inspection Services must be obtained.
*3. Foundation drain shall be placed around the perimeter of a foundation that consists of gravel or crushed stone containing not more than 10 percent material that passes through a No. 4 sieve.
*4. Foundations anchors shall be a minimum of 1/2" in diameter, 7" into the foundation wall, minimum of 12" from corners of foundation and a maximum 6' O.C. between bolts.
*5. Waterproofing and dampproofing shall be done in accordance with Section 1813.0 of the building code.
*6. Precaution must be taken to protect concrete and masonry.
*7. It is strongly recommended that a registered land surveyor check all foundation forms before concrete is placed.
*8. 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.
*9. All chimneys and vents shall be installed and maintained as per Chapter 12 of the City's Mechanical Code.
*10. Sound transmission control in residential building shall be done in accordance with Chapter 12, Section 1214.0 of the City's Building Code.
*11. 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.
12. Headroom in habitable space is a minimum of 7'6".
13. Stair construction in Use Group R-3 & R-4 is a minimum of 10" tread and 7 1/2" maximum rise.
14. The minimum headroom in all parts of a stairway shall not be less than 80 inches.
*15. The Minimum required width of a corridor shall be determined by the most restrictive of the criteria under section 1011.3 but not less than 36".
*16. 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.
17. Each apartment shall have access to two (2) separate, remote and approved means of egress.
18. All vertical openings shall be enclosed with construction having a fire rating of at least one (1) hour, including fire doors with self closure's.
19. The boiler shall be protected by enclosing with (1) hour fire rated construction including fire doors and ceiling, or by providing automatic extinguishment.

- * 20. 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 920.3.2 (BOCA National Building Code/1999), 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
- 21. 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. (Section 921.0)
- 22. The Fire Alarm System shall be installed and maintained to NFPA #72 Standard.
- 23. The Sprinkler System shall be installed and maintained to NFPA #13 Standard.
- 24. All exit signs, lights and means of egress lighting shall be done in accordance with Chapter 10 Section & Subsections 1023.0 & 1024.0 of the City's Building Code. (The BOCA National Building Code/1999)
- 25. 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".
- 26. 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 the Division of Inspection Services.
- * 27. Ventilation and access shall meet the requirements of Chapter 12 Sections 1210.0 and 1211.0 of the City's Building Code. (Crawl spaces & attics).
- * 28. All electrical, plumbing and HVAC permits must be obtained by Master Licensed holders of their trade. **No closing in of walls until all electrical (min. 72 hours notice) and plumbing inspections have been done.**
- 29. All requirements must be met before a final Certificate of Occupancy is issued.
- * 30. 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).
- 31. Ventilation of spaces within a building shall be done in accordance with the City's Mechanical code (The BOCA National Mechanical Code/1993). (Chapter M-16)
- 32. Please read and implement the attached Land Use Zoning report requirements. *see attached*
- * 33. Boring, cutting and notching shall be done in accordance with Sections 2305.3, 2305.3.1, 2305.4.4 and 2305.5.1 of the City's Building Code.
- 34. Bridging shall comply with Section 2305.16.
- 35. Glass and glazing shall meet the requirements of Chapter 24 of the building code. (Safety Glazing Section 2406.0)
- * 36. All flashing shall comply with Section 1406.3.10.
- 37. All signage shall be done in accordance with Section 3102.0 signs of the City's Building Code, (The BOCA National Building Code/1999).

[Signature]
 P. Samuel Hoffes, Building Inspector
 Cc: Lt. McDougall, PFD
 Marge Schmuckal, Zoning Administrator
 Michael Nugent, Inspection Service Manager

PSH 10/1/00

****This permit is herewith issued, on the basis of plans submitted and conditions placed on these plans, any deviations shall require a separate approval.**

*****THIS PERMIT HAS BEEN ISSUED WITH THE UNDERSTANDING THAT ALL THE CONDITIONS OF THE APPROVAL SHALL BE COMPLETED. THEREFORE, BEFORE THE WORK IS COMPLETED A REVISED PLAN OR STATEMENT FROM THE PERMIT HOLDER SHALL BE SUBMITTED TO THIS OFFICE SHOWING OR EXPLAINING THAT THE CONDITIONS HAVE BEEN MET. IF THIS REQUIREMENT IS NOT RECEIVED YOUR CERTIFICATE OF OCCUPANCY SHALL BE WITHHELD. (You Shall Call for Inspections)**

******ALL PLANS THAT REQUIRE A PROFESSIONAL DESIGNER'S SEAL, (AS PER SECTION 114.0 OF THE BUILDING CODE) SHALL ALSO BE PRESENTED TO THIS DIVISION ON AUTO CAD LT. 2000, DXF FORMAT OR EQUIVALENT.**

*******CERTIFICATE OF OCCUPANCY FEE \$50.00**

LAND USE - ZONING REPORT

ADDRESS: 765 Ocean Ave DATE: 5/24/01

REASON FOR PERMIT: 3rd floor dormer? New Bathroom

BUILDING OWNER: Herguth C-B-L: 423-A-006

PERMIT APPLICANT: owner

APPROVED: with conditions: #1 #7 #10

CONDITION(S) OF APPROVAL

- 1. This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.
- 2. During its existence, all aspects of the Home Occupations criteria, Section 14-410, shall be maintained.
- 3. All the conditions placed on the original, previously approved, permit issued on _____ are still in effect for this amendment, and/or revised permit.
- 4. The footprint of the existing _____ shall not be increased during maintenance reconstruction.
- 5. Your present structure is legally nonconforming as to setbacks. If you are to demolish this structure on your own volition, you will only have one (1) year to replace it in the same footprint (no expansions), with the same height, and the same use. Any changes to any of the above shall require that this structure met the current zoning standards.
- 6. This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.
- 7. Our records indicate that this property has a legal use of two Dwelling units. Any change in this approved use shall require a separate permit application for review and approval.
- 8. Separate permits shall be required for any new signage.
- 9. Separate permits shall be required for future decks, sheds, pool(s), and/or garage.
- 10. This is not an approval for an additional dwelling unit. You shall not add any additional kitchen equipment including, but not limited to items such as stoves, microwaves, refrigerators, or kitchen sinks, etc. without special approvals.
- 11. All of the attached Floodplain forms shall be appropriately filled out, signed, and returned prior to the issuance of any certificates of occupancy.
- 12. Other requirements of condition: _____

Marge Schmuckal Marge Schmuckal, Zoning Administrator

0026624 BKT5485PG324

SHORT FORM WARRANTY DEED

Timberland Development Co., a Maine corporation, with a principal place of business at 249 Middle Road, Falmouth, ME, 04105, FOR CONSIDERATION PAID, grants to **Meghan Herguth and Todd Miranda** of 18 Williams Street, Portland, ME, 04103, as joint tenants and not as tenants in common, with WARRANTY COVENANTS, the following described real property located in the City of Portland, County of Cumberland and State of Maine:

A certain lot or parcel of land, with the buildings thereon, situated on the southeasterly side of Ocean Avenue, in the City of Portland, County of Cumberland and State of Maine, being more particularly described as follows:

Beginning at the most westerly corner of the parcel described herein and on the apparent southeasterly right of way line of Ocean Avenue. Said point of beginning being NORTH 40° 23' 23" EAST and one hundred twenty-one and 32/100 (121.32) feet from a 5/8 inch rebar set at an angle point in the apparent southeasterly right-of-way line of Ocean Avenue; thence

NORTH 40° 23' 23" EAST along said apparent southeasterly right-of-way line of Ocean Avenue, a distance of sixty-seven and 62/100 (67.62) feet to a 5/8 inch rebar set a land now or formerly of Wescott & Payson "BRIARWOOD", reference being made to a plan recorded in the Cumberland County Registry of Deeds in Plan Book 147, Page 51; thence

SOUTH 62° 56' 56" EAST along said land now or formerly of Wescott & Payson, a distance of one hundred forty-seven and 79/100 (147.79) feet; thence

SOUTH 29° 15' 10" WEST a distance of seventy-five and 06/100 (75.06) feet; thence

NORTH 62° 56' 56" WEST a distance of one hundred twenty-one and 71/100 (121.71) feet; thence

NORTH 49° 36' 37" WEST a distance of thirty-nine and 88/100 (39.88) feet to the point of beginning.

Being a portion of land shown on a plan entitled "Standard Boundary Survey, Ocean Avenue, Portland, Maine, for: Realty Resources Chartered" by Survey, Inc., dated July, 1999 and revised August 17, 1999.

All direction are Magnetic North 1999 based on said Plan. All 5/8 inch rebar set are marked with a plastic surveyor's cap stamped "PLS 586".

This conveyance is made subject to a life estate reserved by W. Gerald Oliver in a deed to Timberland Development Co., dated April 24, 2000 and recorded in the Cumberland County Registry of Deeds in Book 15431, Page 117.

This conveyance is made subject to any and all easements and appurtenances of record, insofar as the same may affect the subject premises.

MAINE REAL ESTATE TAX PAID

BK 15485PG325

This conveyance is made subject to unpaid real estate taxes for the current tax year, if any, which the Grantees herein, by acceptance of this deed, assume and agree to pay.

Meaning and intending to convey and hereby conveying a portion of the same premises conveyed to the Grantor herein by deed of W. Gerald Oliver, dated April 24, 2000 and recorded in the Cumberland County Registry of Deeds in Book 15431, Page 117.

IN WITNESS WHEREOF, Timberland Development Co. has caused this instrument to be executed by Steven Searle, its President, thereunto duly authorized, this 22nd day of May, 2000.

WITNESS

TIMBERLAND DEVELOPMENT CO.

By: 

Steven Searle, its President

STATE OF MAINE
Cumberland, ss.

May 22, 2000

Personally appeared the above named Steven Searle, President of Timberland Development Co. and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of Timberland Development Co.

Before me,


Notary Public/Attorney at Law

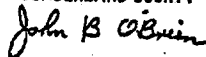
print name

CHRISTINE E. TANGUAY
NOTARY PUBLIC, MAINE
MY COMMISSION EXPIRES
OCTOBER 4, 2005

RECEIVED
RECORDED REGISTRY OF DEEDS

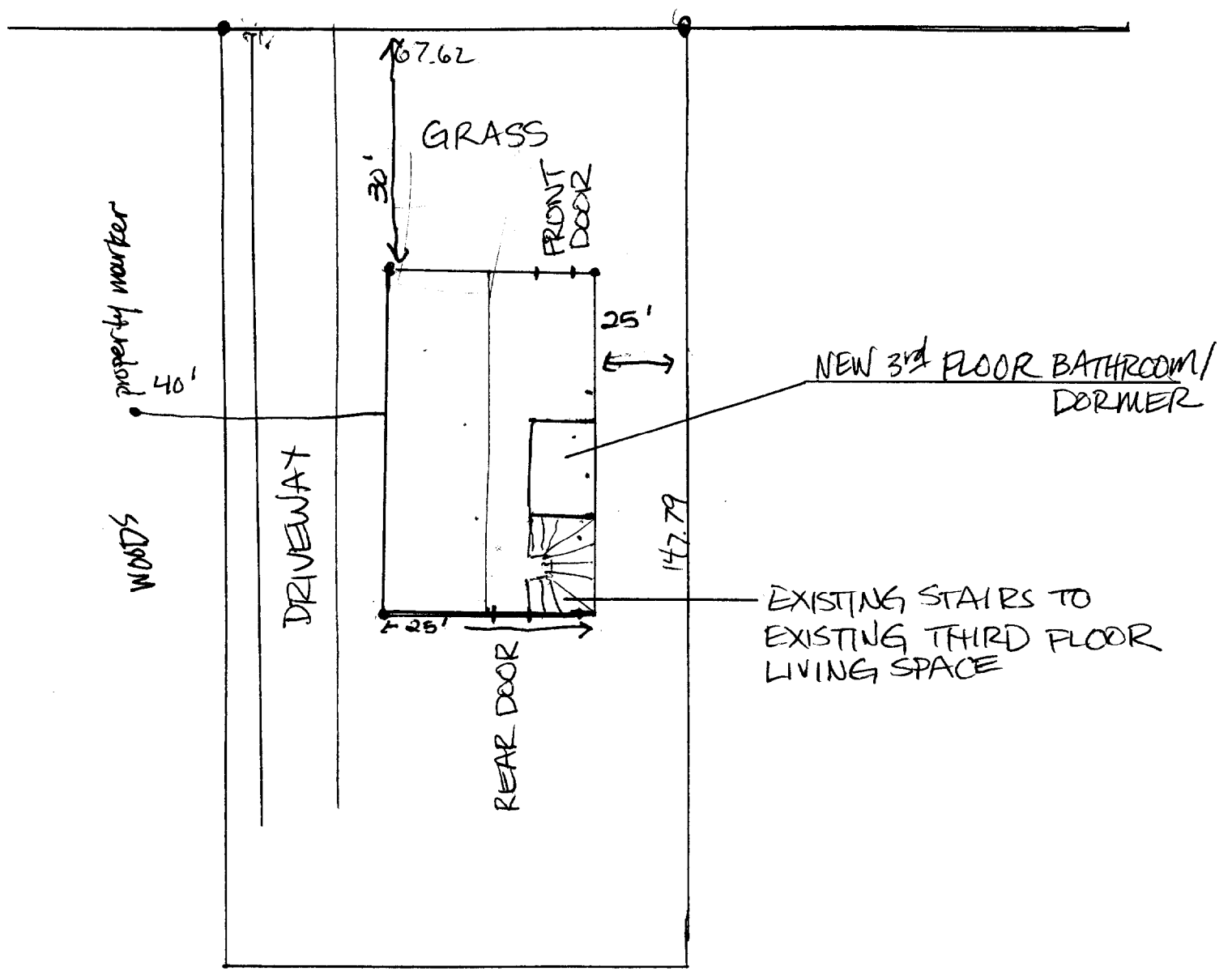
2000 MAY 23 AM 11: 18

CUMBERLAND COUNTY



PLOT PLAN FOR 765 OCEAN AVENUE OWNER: Meghan Herguth
NEW THIRD FLOOR BATHROOM/DORMER

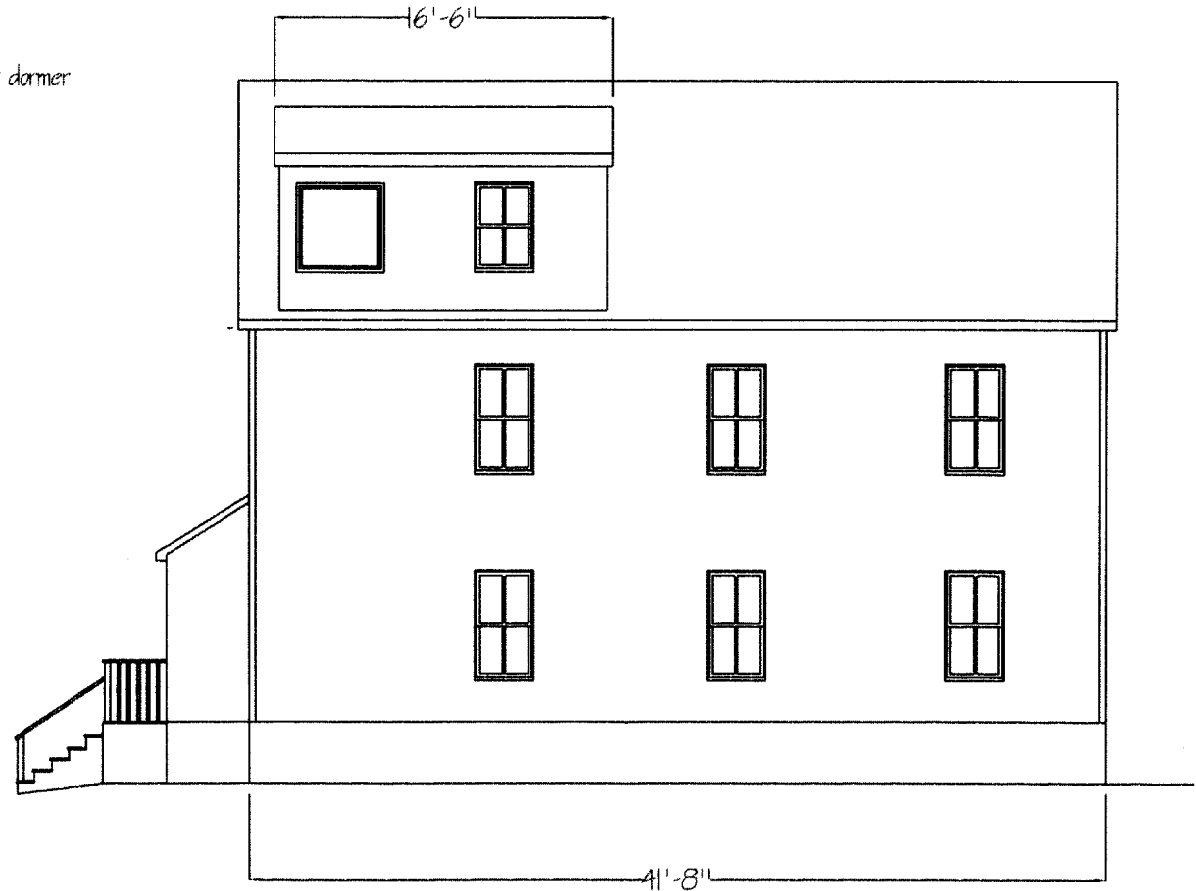
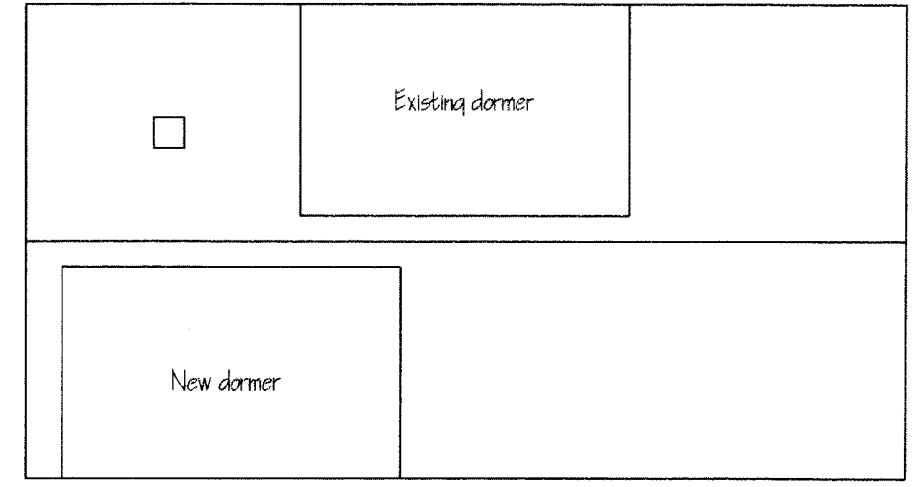
OCEAN AVE.



NFPA 211
Ch. #5

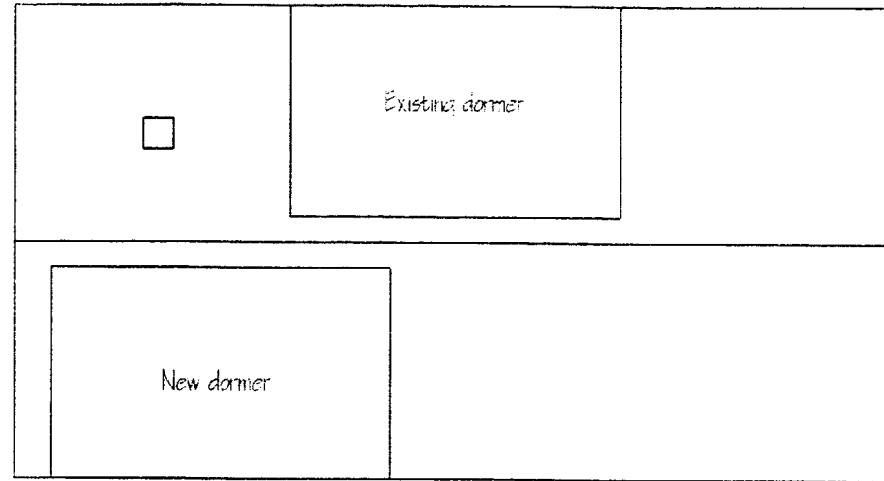


West Elevation (Rear)

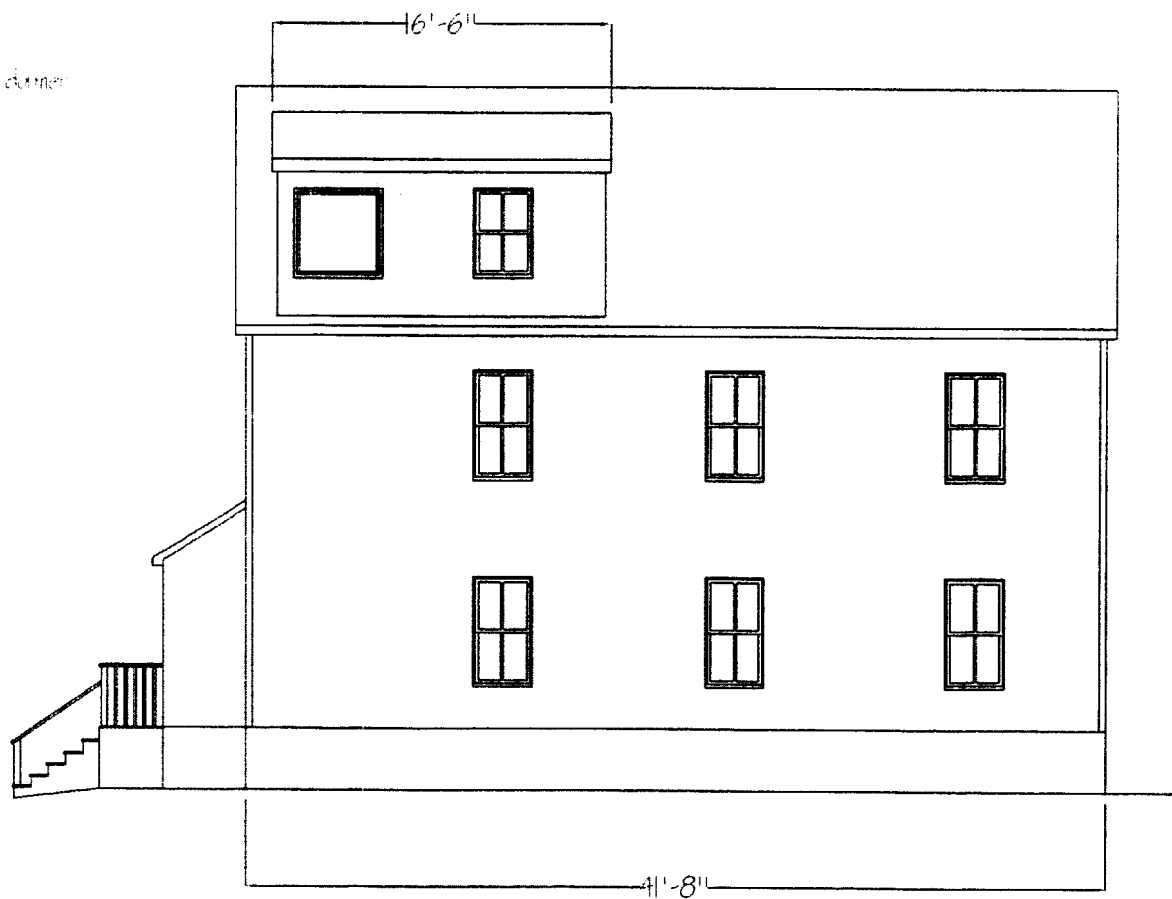


South Elevation

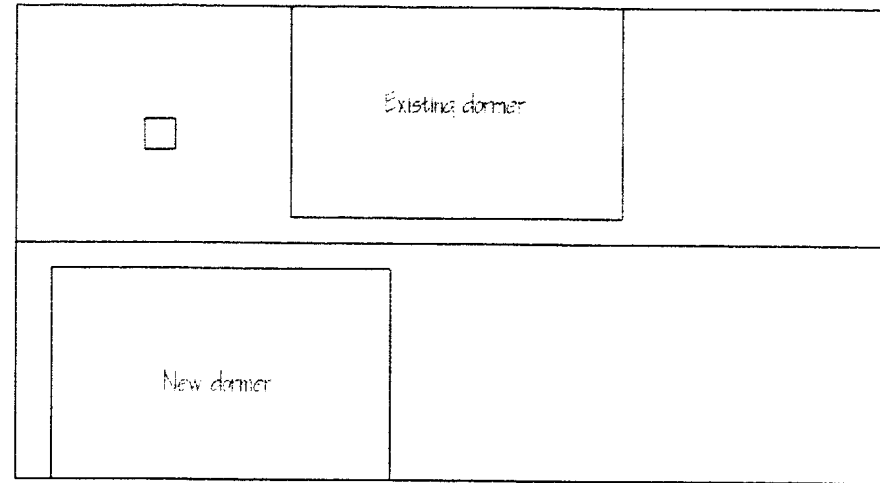
19 MAY 2006



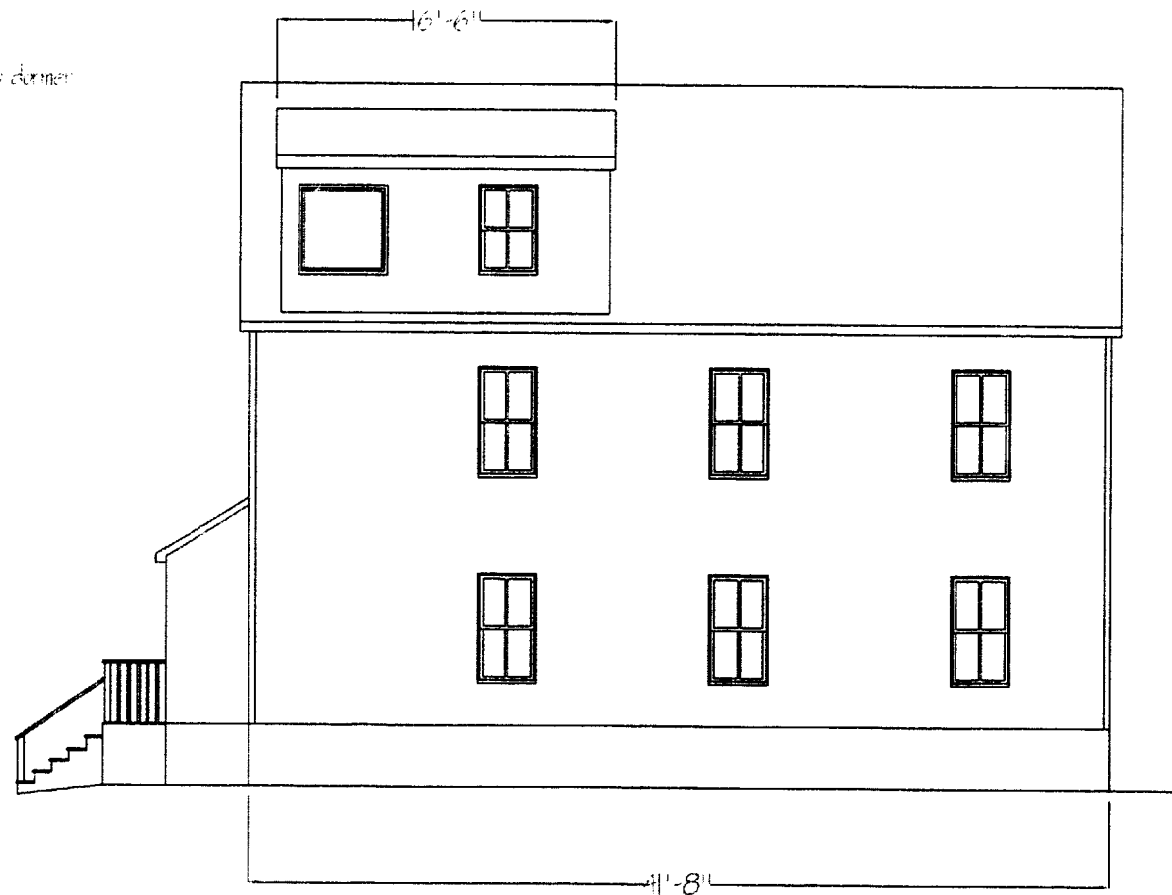
West Elevation (Rear)



South Elevation



West Elevation (Rear)



South Elevation