

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

Location of Construction: 46 Torrington Ave P.I.		Owner: Cottage Park		Phone:	Permit No:
Owner Address:		Leasee/Buyer's Name:		Phone:	Business Name:
Contractor Name: Ric Weinschenk		Address: 16 Park Circle Cape Elizabeth, ME 04107		Phone: 767-3806	Permit issued:
Past Use: 1-fam sur. met res. only per assessors		Proposed Use: Same w/deck & Addition		COST OF WORK: \$ 5,000.00	PERMIT FEE: \$ 45.00
Proposed Project Description:  Construct Deck (3'x 6'10" Addition)		Signature:		FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type:
Permit Taken By: Mary Gresik		Date Applied For: 31 May 1995		Signature: _____ Date: _____	

Zone: IR2 CBL: 084-S-005

Zoning Approval  
**Denied - 6/16/95**

Special Zone or Reviews:

Shoreland  
 Wetland  
 Flood Zone  
 Subdivision  
 Site Plan map  minor  mm

1. This permit application doesn't 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.

*Permit Denied see attached letter!*

**Zoning Appeal**

Variance  
 Miscellaneous  
 Conditional Use  
 Interpretation  
 Approved  
 Denied

**Historic Preservation**

Not in District or Landmark  
 Does Not Require Review  
 Requires Review

**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 issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provisions of the code(s) applicable to such permit

SIGNATURE OF APPLICANT: [Signature] ADDRESS: \_\_\_\_\_ DATE: 31 May 1995 PHONE: \_\_\_\_\_

RESPONSIBLE PERSON IN CHARGE OF WORK TITLE: \_\_\_\_\_ PHONE: \_\_\_\_\_

CEO DISTRICT 6  
A. Rowe

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

Inspection Services  
P. Samuel Hoffses  
Chief



Planning and Urban Development  
Joseph E. Gray Jr.  
Director

CITY OF PORTLAND

June 15, 1995

RE: ~~46 Torrington Ave., Peaks Island, (084-8-005)~~

Ric Weinschenk  
16 Park Circle  
Cape Elizabeth, ME 04107

Dear Mr. Weinschenk,

As per our recent conversation, your application to construct a deck addition and new pantry/refrigeration addition can not be issued because of the following:

1. The required 25' front yard setback can not be met. Instead, a 9' setback is shown.
2. The required 20' side yard setback can not be met. Instead, a 7' setback is shown.
3. This IR-2 Zone has a maximum lot coverage requirement of 20%. Your present coverage (prior to your proposed additions shown), is over 22% which is over the maximum allowed. Any further additions shall not be allowed because of this provision.

If this work has already been completed, it will be necessary to remove any work that violates the above requirements. However, you do have the right to appeal. It will be necessary to apply for an appeal within thirty (30) days of the receipt of this letter.

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

Sincerely,

Marge Schmuskal  
Zoning Administrator

/el

cc: Joseph E. Gray, Jr., Director of Planning and Urban Development  
P. Samuel Hoffses, Chief of Inspection Services  
Arthur Rowe, Code Enforcement Officer

Applicant: Ric Wamschenk

Date: 6/17/95

Address: 46 Torrington Ave, PT

Assessors No.: 084-5-005

CHECK LIST AGAINST ZONING ORDINANCE

Date -

Zone Location - IR-2-

Interior or corner lot -

Use - construct new deck Addition; entry/ref, Addition

Sewage Disposal -

Rear Yards - 25' req - exist

→ Side Yards - 20' req - 7' shown

→ Front Yards - 25' req - 9' shown

Projections -

Height -

Lot Area -

→ Building Area - 20% MAX lot coverage -  $4912 \text{ sq ft} \times 20\% = 982.4 \text{ sq ft MAX COV}$

Area per Family -

Width of Lot -

Lot Frontage -

Off-street Parking -

Loading Bays -

Site Plan -

Shoreland Zoning -

Flood Plains -

present coverage  
1088 sq ft

can not increase

RPPLST6  
RFP092

(CAMA Rea) Property System - Residential Display  
Parcel Id: 084- - 3-005-00. 01701 Acct: 51075496

6/07/95  
11:35

Property Address 46 TORRINGTON AVE  
Owner Name1 CDDT CHARLOTTE (1, f, 1)  
Name2

Address 29 CASCO TER  
City/State/Zip FALMOUTH ME 04105

Entrance Code Land Use 18 # of Units 1

Route 163 Zone IR2 Nbhd 100 District 17 Traffic 1

Utilities 2 6 Desc 84-S-E TORRINGTON AVE Total Sq Ft  
PEAKS ISL Living Area 1,384  
4912 SF

House Style 10 Year Built 1900 Total Rm 66 Total Bedrooms 03

Baths Full 1 Half 0 Kitchen Remodeled 2 Bath Remodeled 2 Basement 3

Attic 1 Phy Cond 3, CDU AV heating Type 2 4 5 Wood/Coal Burn 0  
Next Screen [ ]

RPPLST7  
RFP095

(CAMA Rea) Property System - Residential Display  
Parcel Id: 084- - 3-005-00. 01701 Acct: 51075496

6/07/95  
11:36

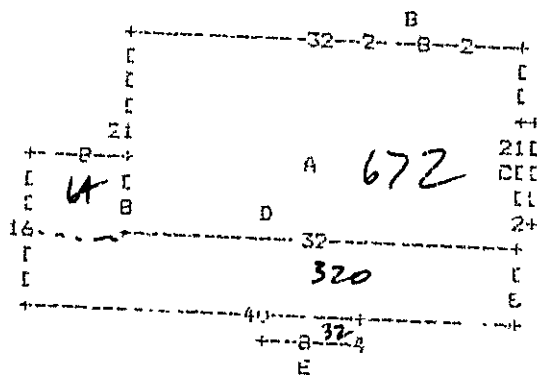
LWR	1ST	2ND	3RD	AREA
A	MAIN	STR		672
B	15			0016
C	15			0024
D	12			0384
E	5			0032
F				
G				
H				
I				

TOTAL AREA: 1384

672  
320  
64  
32  

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1088



Return L

Inspection Services  
P. Samuel Hoffses  
Chief



Planning and Urban Development  
Joseph E. Gray Jr.  
Director

CITY OF PORTLAND

August 2, 1995

Ric Weinschenk  
16 Park Circle  
Cape Elizabeth, ME 04107

RE: 46 Torrington Avenue  
Peaks Island (84-S-005)

Dear Mr. Weinschenk:

As discussed with your previously, your deadline to appeal my decision as outlined in my June 15, 1995 letter, has passed. You have decided not to go to the Board of Appeals. Therefore, the new structure must be removed immediately.

In response to your recent letter undated, but received 7-28-95, item #1 is correct. The new deck built constitutes a structure and does not meet the requirements of the Land Use Ordinance and therefore must be removed.

Item #2 needs more explanation. As I explained to you, ground patios consisting of patio pavers, a concrete slab, or stone dust, is not considered a structure and would not require a permit. If brick were used to build up and create a structure, it would then require a permit and would need to meet the requirements of the Land Use Ordinance. If you have any questions on this please make sure our office is notified, so that any future issues can be avoided.

Item #3 is also basically true. However, the exact replacement of the old porch and stairs is allowable maintenance. However, any change in the structure or any change in its placement outside of the original footprint, would necessitate a building permit and would require a review. Property fences do not need a permit, but must meet certain requirements in the Land Use Ordinance, such as being no higher than 4 feet within 25 feet of the streetline or public way. A garden trellis does not need a permit. If a fence or a garden trellis is incorporated into a deck structure, it may be considered part of the deck and need a review. Please check with our office first if that is intended. I do consider fences and railings quite different nature and use.

Please also note that your holding tank must be kept readily accessible for require service and pumping.

As discussed with you on June 20th when you were in my office, I expect immediate action on your part to start removing the illegal structures in a timely manner. I am pleased that your letter stated that you would begin removal work soon. Our Field Inspector will be inspecting the site on a regular basis.

Sincerely,



Marge Schuckal  
Assistant Chief of Inspection Services  
Zoning Administrator

cc: Joseph E. Gray, Jr., Director of Planning and Urban Development  
P. Samuel Hoffses, Chief of Inspection Services  
Arthur Rowe, Code Enforcement Officer