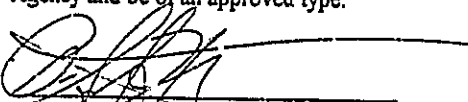


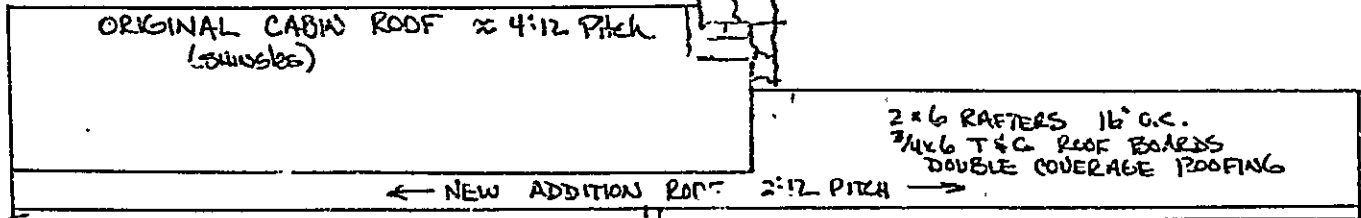
10. Private garages located beneath habitable rooms in occupancies in Use Group R-1, R-2, R-3 or I-1 shall be separated from adjacent interior spaces by fire partitions and floor/ceiling assembly which are constructed with not less than 1 hour fire resisting rating. Private garages attached side-by-side to rooms in the above occupancies shall be completely separated from the interior spaces and the attic area by means of 1/2 inch gypsum board or the equivalent applied to the garage side. (Chapter 4 section 407.0 of the BOCA/1993).
11. Guardrail & 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. Minimum height all Use Groups 42", except Use Group R which is 36". In occupancies in Use Group A,B, H-4, I-1, I-2 M and R and public garages and open parking structures, Open guards shall have balusters or be of solid material such that a sphere with a diameter of 4" cannot pass through any opening. Guards shall not have an ornamental pattern that would provide a ladder effect.
12. All exit signs, l., and means of egress lighting shall be done in accordance with Chapter 10, section & subsections 1023. & 1024 of the City's building code. (The BOCA National Bldg. Code 1993).
13. Stair construction in Use Group R-3 & R-4 is a minimum of 9" tread and 8-1/4" maximum rise.
14. Headroom in habitable space is a minimum of 7'6".
15. The minimum headroom in all parts of a stairway shall not be less than 80 inches.
16. All construction and demolition debris must be disposed at the City's authorized reclamation site. The fee rate is attached. Proof of such disposal must be furnished to the office of Inspection Services before final Certificate of Occupancy is issued or demolition permit is granted.
17. 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".
18. 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 of the facility meet the standards of construction required by this section. Prior to commencing construction of the facility, the builder shall submit the certification to the Division of Inspections Services.
19. 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.


P. Samuel Horvitz
Chief of Inspections

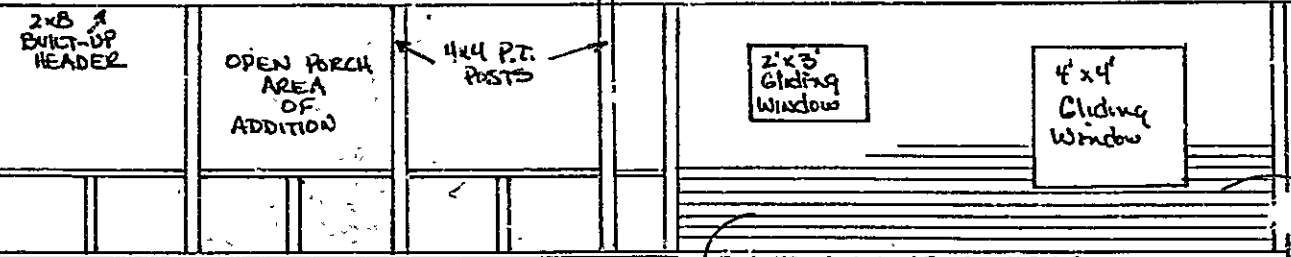
/dmm 3/3/95 redo w/changes

KEDS KUENSTER
CLIFF ISLAND
LOT #109-A-B-17

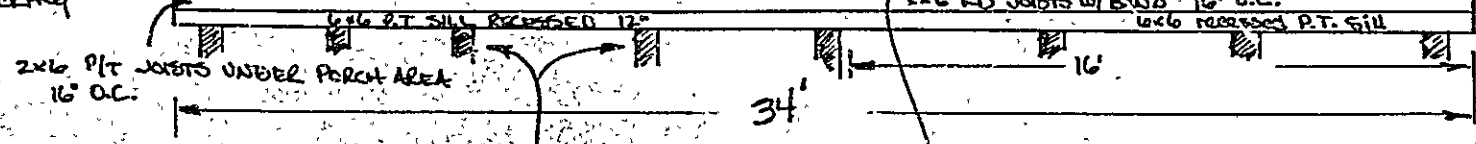
ORIGINAL
STONE
CHIMNEY



CEDAR
FASHIA



5/4 x 6 Porch
Decking



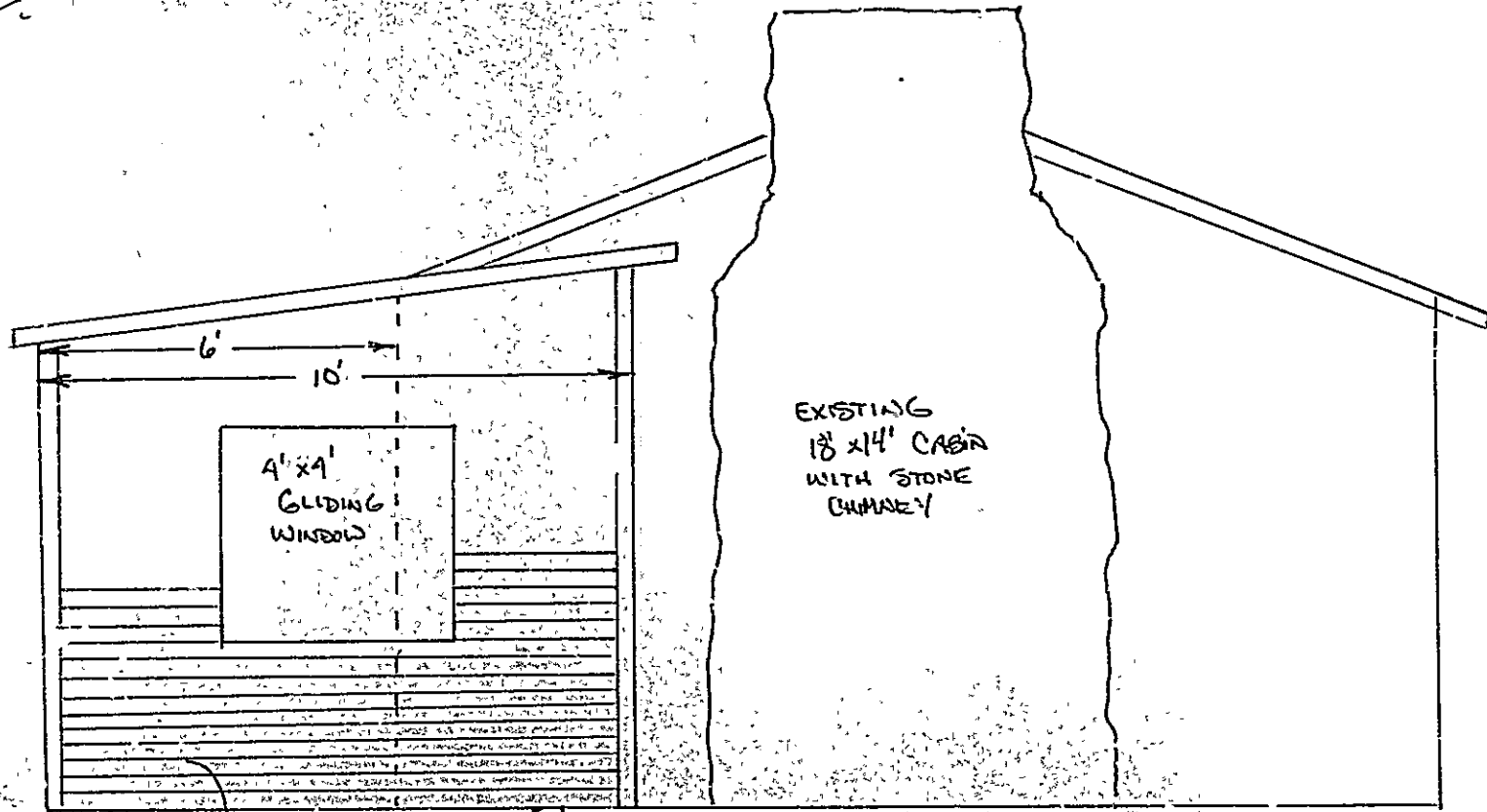
Built 1949
per Assessors

10" Sawtube
CONCRETE
PIERS
APPROX. 6' O.C.
Pinned to ledge

STUDS IN ENCLOSED
AREA ARE 2x4 O.C.
FLOORING IS 3/4" T&G BOARDS
Interior shows even studs &
flat surface of log string

T&G Milled 6" white cedar
log string
(provides flat finish
wall on interior)

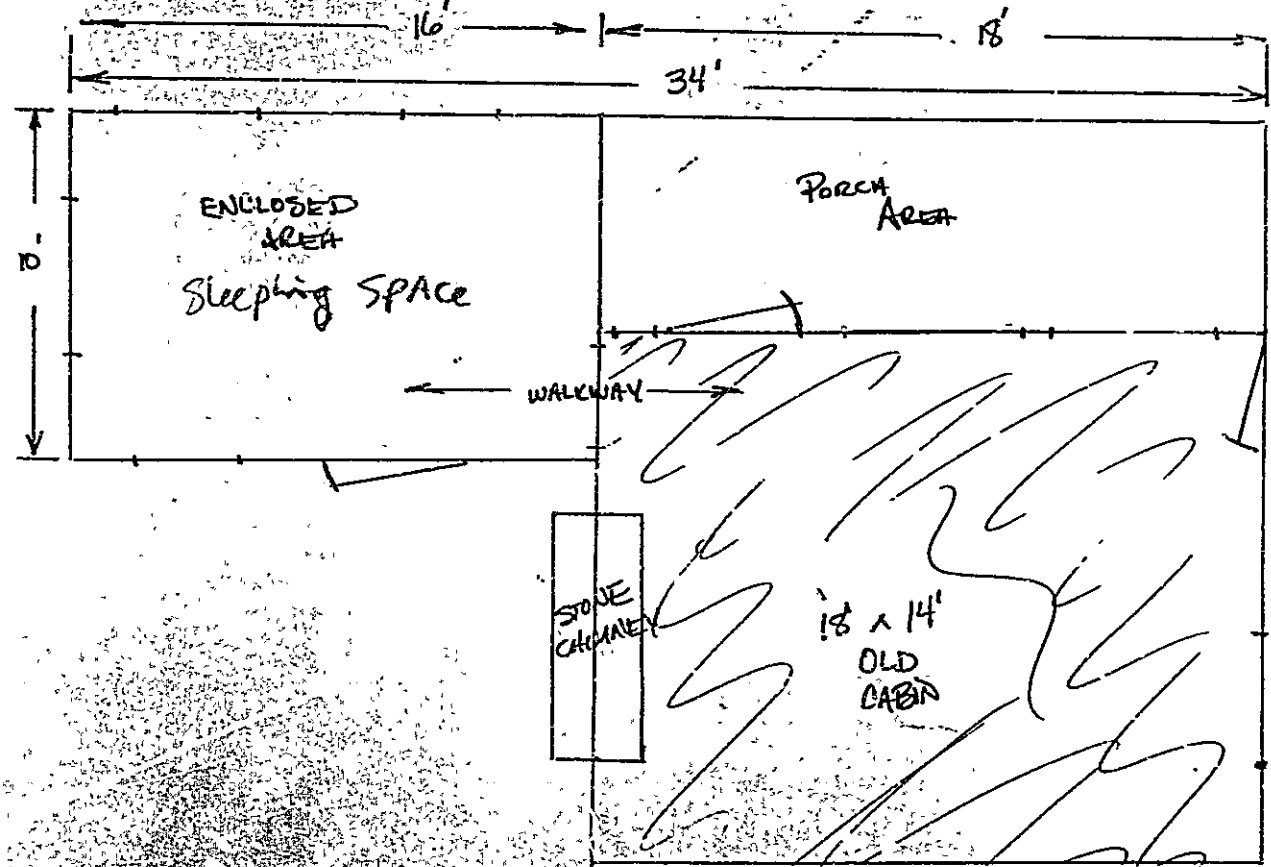
END VIEW



CEDAR T & G LOG SIDING
w/ LOG CORNERS

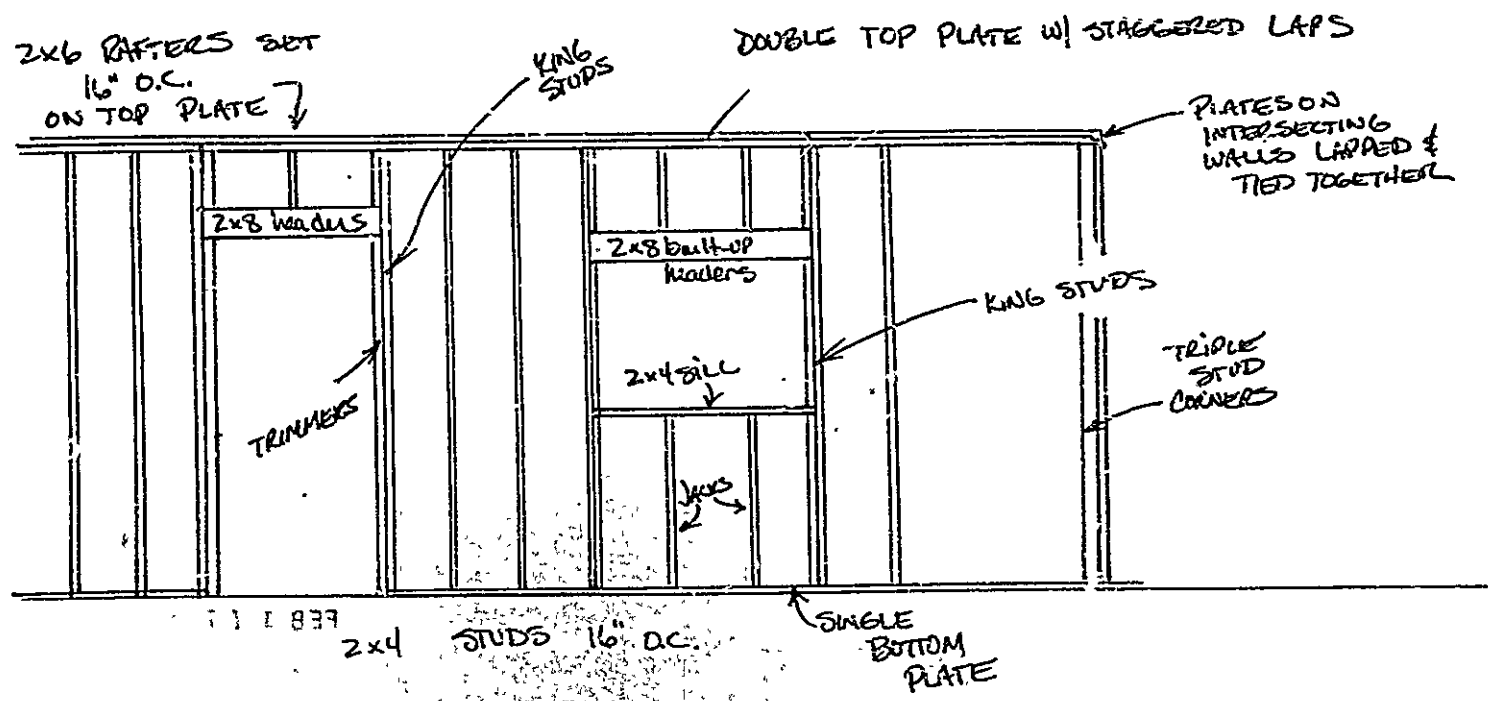
10" SCANTIMES
PINNED TO
LEDGE

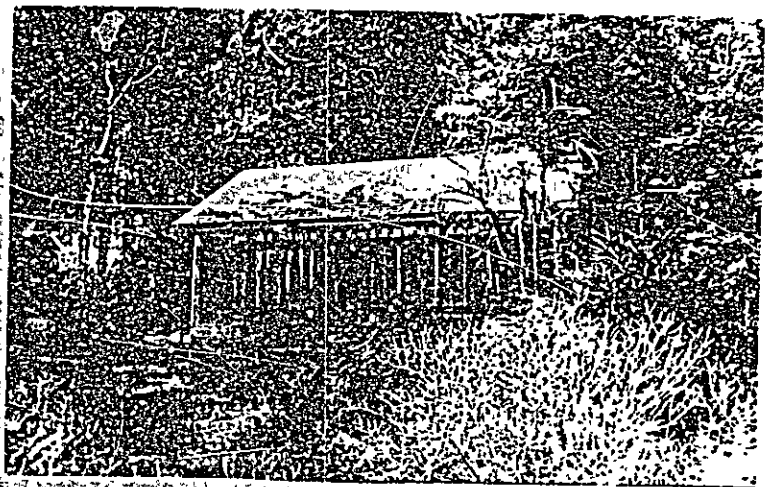
FLOOR PLAN

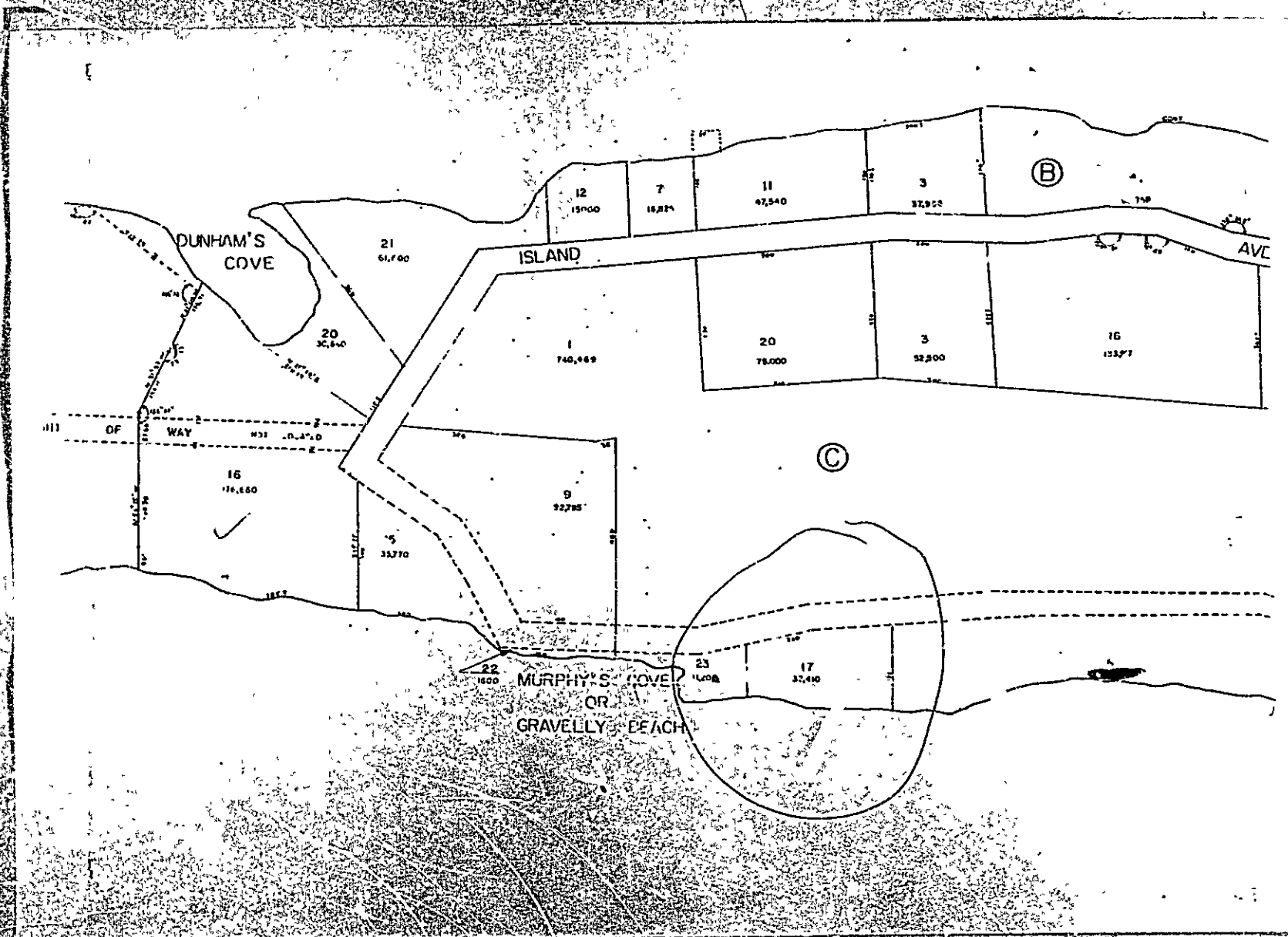


THIS DRAWING IS THE PROPERTY OF THE ARCHITECT AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

TYPICAL WALL FRAMING
WITH
WINDOW AND DOOR DETAIL







Applicant: Rick Berk/Finestkind
 Address: 109A-B-17 Island Ave, Cliff Island
 Assessors No.: 109A-B-17

Date:

ROGER BERLE

FINESTKIND



CLIFF ISLAND

BUILDING ISLAND SOLUTIONS

(207) 766-1827

Cliff Island, Maine 04019

CHECK LIST AGAINST ZONING ORDINANCE

Date -

Zone Location - IR-1

Interior or corner lot -

Use - 10'x16' Addition with Porch 10'x6' 108 sq ft

Sewage Disposal -

Rear Yards -

Side Yards -

Front Yards -

Projections -

Height -

Lot Area -

Building Area - 37,410 sq ft per assessors ? right on the water.

Area per Family -

Width of Lot -

Lot Frontage -

Off-street Parking -

Loading Bays -

Site Plan -

Shoreland Zoning - yes - in Shoreland Area

Flood Plains -

Note is 75' + back (entire structure inc new additions)
 so not impacted by the 30% requirement maximum
 3/13/15

Existing Cabin
 18' x 14' = 252 sq ft
 30% = 75.5 sq ft

3/9/95

MS. MARGE SCHMUCKAL;
ENCLOSED PLEASE FIND
DIAGRAM SHOWING THAT
THE FRONT OF THE ADDITION
TO MY CABIN IS IN EXCESS
OF 80' FROM THE HIGH
WATER MARK.

SINCERELY,

Kenneth H. Kuenster

Received
3/13/95

City of

Contract

1-

Project

Item 1

Item 2

Item 3

Item 4

1. Utility

2. Drainage

3. Foundation

4. Other

5. Notes

6. Other

LAND ASSOCIATION
OF CLIFF ISLANDS

CITY OF TORTONA
(PAPER ROAD)

BLANK/GARDNER ET AL

KEN KUENSTER
CLIFF ISLAND
LOT # 109-A-B-17

17
37,410

NEW SCREEN
PORCH w/
ROOF

EXISTING
LOG PORCH

NEW INTERIOR
SPACE

175

HENNING PONTOPPIDAN
ET AL

HIGH WATER

NO SEPTIC SYSTEM
COMPOSTING TOILET

CASCO BAY

Received
3/13/95

City of Portland, Maine Building or Use Permit Application 369 Congress Street, 04101, Tel: (207) 874-8703, FAX: 874-8716

Location of Construction: Island Ave - Cliff Island		Owner: Kenneth Kuenster	Phone: 766-5115
Owner Address: 1st Oak Ave - Peaks Island, ME		Leasee/Buyer's Name:	Business Name:
Contractor Name: Finestking Builders, Inc.	Address: Box 34 - Cliff Island, ME 04010	Phone: 86 2627	Permit No.: 5022
Past Use: 1-fam	Proposed Use: 1-fam w addition	COST OF WORK: \$ 13,000	PERMIT FEE: \$ 85
Proposed Project Description: construct addition		FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type: Signature: [Signature]
Permit Taken By: Chase		Date Applied For: 2/16/95	PHOTO COPY: 109 A-8-17

PERMIT ISSUED

Permit Issued:
MAR 14 1995

CITY OF PORTLAND

PHOTO COPY: 109 A-8-17

DATE: 3/13/95

Zone or Reviews:

Street 75' set back

Within 500' of highway

Flood zone

Subdivision (see map)

Street 10' min; minor mm

Zoning Appeal

Variance

Miscellaneous

Conditional Use

Other

Historic Preservation

Not in District or Landmark

Does Not Require Review

Requires Review

Action:

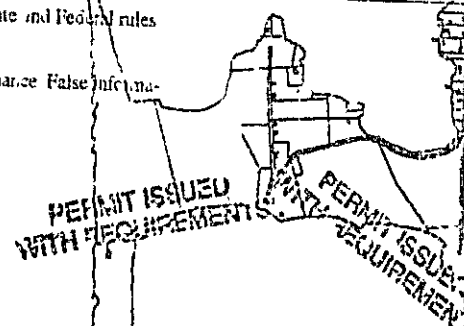
Approved with Conditions

Denied

Date: [Signature]

CEC DISTRICT [Signature]

- 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.



CERTIFICATION

I hereby certify that I am the owner of record of the named property, and 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] ROBERT BERLIN

ADDRESS: ISLAND AVE, CLIFF ISLAND, ME 04010

DATE: 2/16/95

PHONE: 766-2627

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE: [Signature]

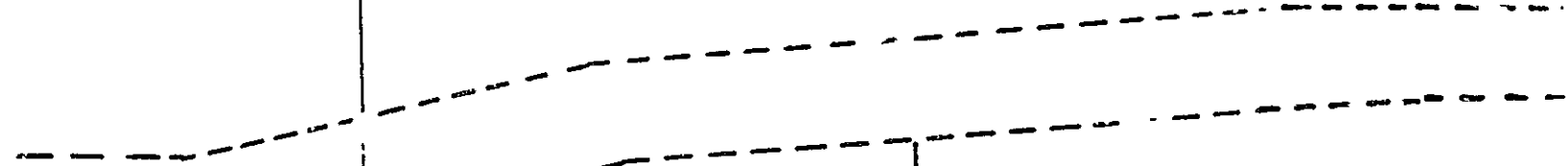
PHONE: [Blank]

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

NEW KOENSTER
CLIFF ISLAND
LOT # 109-A-B-D

NORTH ↗

LAND ASSOCIATES OF CLIFF ISLAND



23

11,200
BLANK/GARDNER
ET AL

17

37,410



125

HELVING POLYMER
ET AL

IVE

EACH

CASCO BAY

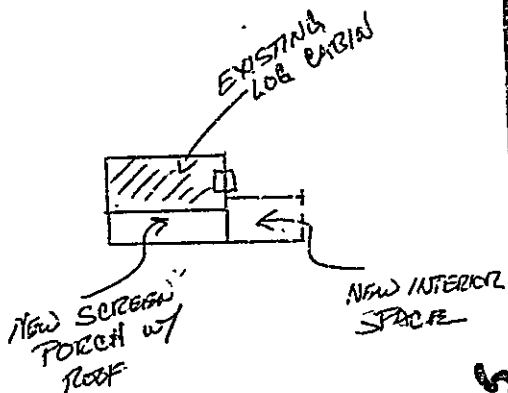
LAND ASSOCIATES
OF CLIFF ISLAND

CITY OF PORTLAND
[PAPER ROAD]

BLANK & JEE ET AL.

KEN KUENSTER
CLIFF ISLAND
LOT # 109-A-B-17

17
37,410



HENNING FORSTADDAU
ET AL.

175

CASCO BAY

NO SEPTIC SYSTEM.
COMPOSTING TOILET

CHART L09	LETTER A	BLOCK B	LOT 017	UNIT NO.	CARD NUMBER 01061	NUMBER 114	STREET NAME SECOND AVE	CLASS EE	STREET CODE 111	STREET NO. 102	LAND USE LR	RDV 10		
OWNER & MAILING ADDRESS HARRIS Kimball S + Priscilla G JTS								DEED BOOK	DEED PAGE	DEED DATE	SALES DATA			
LEGAL DESCRIPTION								MP	PK	TYPE	AMOUNT	SOURCE	VA	
								700						
								701						
								702						
LIVING UNITS 201								ZONE JR1	NC 1	NEIGHBORHOOD 100	PARTIAL 108	ACCOUNT NO 414615	FRAME NUMBER	PLAYING DISTRICT
DELETED 300 336														
LAND DATA & COMPUTATIONS														
0 NONE	N	ACTUAL FRONTAGE	EFFECTIVE FRONTAGE	EFFECTIVE DEPTH	ACTUAL UNIT PRICE	DEPTH FACTOR	EFFECTIVE UNIT PRICE	INFLUENCE FACTOR	LAND VALUE					
201	L							[] %						
202	L							[] %						
203	L							[] %						
210	S	57.410	SQUARE FEET					60	60					
211	S		SQUARE FEET					[] %						
212	S		SQUARE FEET					[] %						
215	A		ACRES					[] %						
216	A		ACRES					[] %						
217	A		ACRES					[] %						
220	S		SQUARE FEET											
225	G													
230	G													
MEMORANDUM ACCESS TO CABIN IS BY WALKING ROUTE THROUGH WOODS. 12-6-80 In response to CB letter, Mr. Harris called but our scheduler do not coincide. I told him we'll estimate. He said it is not even with no other land adjacent or interior field.														
SIGNATURE: _____														
DATE INSPECTED 7/12						COLLECTOR 89								
PROPERTY FACTORS														
401 TOPOGRAPHY	411 UTILITIES	421 STREET/ROAD	431 TRAFFIC	441	451	461	471	481	491	501	511	521		
LEVEL	ALL PUBLIC	PAVED	LIGHT											
ABOVE STREET	PUBLIC WATER	SEMIIMPROVED	MEDIUM											
BELOW STREET	PUB. SEWER	UNPAVED	HEAVY											
ROLLING	GAS	PROPOSED	NONE											
FLAT	WELL	CURB & GUTTER												
RAMP	SEPTIC	SIDEWALK												
DUMP	NONE	ALLEY												
ROCK		NONE												
VALUE SUMMARY														
LAND	BUILDING	TOTAL	EXEMPT	REASON	DATE	REVIEWER	REASON	DATE	REVIEWER	REASON	DATE	REVIEWER		
651														
661														
671														
PORTLAND, MAINE														

DELETE 905513

V VACANT DWELLING OTHER

STORY HEIGHT
1B 1S 2S 2S 3S

EXTERIOR WALLS
1 FRAME 4 BLOCK 7 STONE
2 BRICK 5 STUCCO 8 ASBESTOS
3 WAF 6 FRAME 9 ALUM/VINYL 10 CONCRETE

STYLE
1 RAISIN RANCH 7 CONDO 13 MANSION
2 SPLIT LEVEL 8 CORTEZ 14 GAMBLE
3 RANCH 9 TOWNHOUSE/RW 15 GARRISON
4 CAPP 10 DOTTAGE 16 OTHER
5 COL. STYLE 11 BUNGALOW
6 COLONIAL 12 0.75" EX

AGE
EST. 1949 REMODELED IN

LIVING ACCOMMODATIONS

TOTAL ROOMS 01 BED ROOMS 01 FAMILY ROOMS 0
FULL BATHS 02 HALF BATHS 01 ADDL. FIXT. 00

NO. REMODELED 3-NO 1-NO 2-NO

BASINENT
1 NONE 2 CHAIRL 3 PART 4 FULL

HEATING
1 NONE 2 BASIC 3 CENTRAL AIR COND.

HEATING FUEL TYPE
1 NONE 2 GAS 3 FLEC 4 OIL 5 COAL 6 SOLAR

HEATING SYSTEM TYPE
1 NONE 2 WARM AIR 3 ELEC 4 HOT WATER 5 STEAM 6 ATHC

ATTIC
1 NONE 2 UN-TR 3 FT FIN 4 FULL FIN 5 1/2" FIN 6 FIN/WH

INTERIOR CONDITION
1 DETIC 2 SAME 3 POORER

PHYSICAL CONDITION
1 EX 2 GD 3 AV 4 FR 5 PR 6 VP 7 UN

SFLA

CONDO LEVEL 510 CONDO TYPE 1 INTERIOR 2 CORNER

OTHER FEATURES
1 BRICK TRIM
2 STONE TRIM
3 REC ROOM
4 FIN. BSMT LIVING AREA
5 WBFP: STACKS OPENINGS
6 METAL TP: STACKS OPENINGS
7 WOOD COAL BURNING
8 BSMT GARAGE NO. OF CARS
9 UNFINISHED AREA (-) %
10 UNHEATED AREA (-) %

GRADE FACTOR AA A B C D E H

COST & DESIGN FACTOR H 10%

CDU EP VG SD AV FR VP UN

MARKET ADJUSTMENT %

Grid area for residential and pool codes with handwritten notes 'H20' and 'PATIO'.

RESIDENTIAL POOLS ADDITION CODES

Table with columns for Residential, Pools, and Addition Codes (e.g., RL Carpet, RP1 Plastic Liner).

OTHER BUILDINGS & YARD IMPROVEMENTS

Table with columns for Type Code, Qty, Yr, Size, G, Cond, Rate, Base Value, MA, MDD Codes, True Value.

MISCELLANEOUS IMPROVEMENTS
1 SEE DETAILED CARD
2 SEE DETAILED REPORT

NOTES

Table with columns for Number, Date, Amount, Description.

BUILDING PERMIT RECORD

Table with columns for Number, Date, Amount, Description.

DELETED 601 608 ADDITIONS

Table with columns for Add Code, Yr, 1st, 2nd, 3rd, Area.

DWELLING COMPUTATIONS

Table for Base Price, Basement, Heating, Plumbing, Attic, Additions, Other Features, Sub Total, Grade Factor, C & D Factor, Base Value, Market Adj., True Value.

TOTAL GROSS VALUE

Bernstein, Shur, Sawyer & Nelson

Sumner T. Bernstein
Leonard M. Nelson
William W. Willard
Gregory A. Dellis
F. Paul Friesko
Peter J. Kuble
Alan R. Atkins
Eric F. Sabaders
Gordon F. Grimes
Phillip H. Gleason
Gregory H. Hiele
Mary L. Schendel
John M. R. Paterson
Linda A. Monica
Charles E. Miller

Richard M. Schade
Lee A. Brazz
John H. Montgomerie
Christopher L. Vankotis
Nathan H. Smith
Robert H. Sizer, Jr.
Robert J. Keach
James A. Houle
Catherine A. Lee
Dorward W. Parkinson
John L. Carpenter
Patrick J. Scully
Anthony E. Perkins
Catherine M. Connor
Joseph J. Hahn

100 Middle Street
Post Office Box 9729
Portland, Maine 04104-5029
(207) 774-1200
Telecopier 774-1127

Kennebunk Office
62 Portland Road
Kennebunk, Maine 04043-1640
(207) 985-7152
Telecopier 933-3174

Augusta Office
146 Capitol Street
Augusta, Maine 04332-5037
(207) 623-1596
Telecopier 526-0200

Diane S. Laker
Nelson A. Toner
David A. Soley
Lester F. Wilkinson, Jr.
C. Welsey Crowell
Kenneth W. Letman
Karl S. Debevoise
Margaret C. Lavute
Patricia A. Peard
Robert J. Percina
Robert J. Crawford
Neal F. Pratt
Kenneth D. Herre
Christian L. Harner
Robert F. MacDonald, Jr.

Mary Elizabeth Fungere
Lawrence H. Bryant
Jaimie P. Schwartz
Lisa A. Ernst
Scott E. Schulz
Paul S. Veldenheimer
Glenn Israel
Christopher J. Devlin
Todd S. Holbrook
Eliza M. Cope
William M. Welch
Janet E. Milley
Janie H. Allen
Herbert H. Sawyer
of Counsel

March 2, 1995

Mr. Roger Burleigh
Box 34
Cliff Island
Portland, ME 04019

RE: Kuenster Property - Cliff Island

Dear Roger:

From our telephone conference, I understand that you have made application for a building permit to construct an addition to an existing structure located on a lot off Island Avenue on Cliff Island in Portland, Maine. From our telephone conversation, I understand that both the existing structure and the addition to that structure are more than 80 feet back from the high water mark. You have been advised orally by someone representing the City of Portland that the building permit cannot be approved because the property is subject to shoreland zoning regulations and the addition increases the existing structure area by more than 30% which is prohibited by shoreland zoning regulations.

With limited time available, I made a quick check of the Portland Shoreland Zoning Ordinance Regulations. The only provision that I can find quickly relating to the increase of the floor area or volume of a building is contained in Section 14-449, a copy of which is enclosed for your use. If this is the section that the City official is relying upon, I believe that the ordinance has been misinterpreted by the staff. In our judgment, this section must be read in context and does not prohibit the expansion of an existing structure where the existing structure and the addition meet the required setback. Please note also that the 30% restriction relates to structures in the vicinity of a "fresh water wetland, stream or tributary stream" and not to a saltwater body. Our interpretation of this provision is consistent with that of the State of Maine officials responsible for enforcing the shoreland zoning regulations in the State.


Accordingly, I would recommend that you check with the City officials to see if an error has been made in City Hall. I think that the copy of the ordinance is current but if there has been an amendment, please let me know.

I trust that you can resolve this matter without further dispute. However, if further assistance is needed please recall that I will be out of the State next week and will return on March 13, 1995.

Mr. Roger K. Burleigh
March 2, 1995
Page -2-

Please let me know if you need additional assistance.

Very truly yours,



F. Paul Frinsko

FPF:jld
Enclosure
cc: Eric F. Saunders, Esquire

213.fpf
14828997.001

Sec. 14-447. Applicability.

This division applies to all land areas, uses, structures and land use activities within two hundred fifty (250) feet, horizontal distance, of the normal high water line of any river or water body; within two hundred fifty (250) feet, horizontal distance, of the upland edge of a coastal or freshwater wetland; and within seventy-five (75) feet, horizontal distance, of the normal high water line of a stream. This division also applies to any structure built on, over or abutting a dock, wharf or pier, or other structure extending beyond the normal high water line of a water body or within a wetland.

Code 1968, § 602.19A.B; Ord. No. 499-74, § 10, 8-19-74; Ord. No. 15-92, § 28, 6-15-92

Sec. 14-448. Zoning districts and shoreland regulations.

The regulations and controls of this division apply to all land areas, uses, structures and land use activities cited in section 14-447, in all zones of the city.

Code 1968, § 602.19A.C; Ord. No. 499-74, § 10, 8-19-74

Sec. 14-449. Land use standards.

All land uses and land use activities subject to this division shall conform to the following standards and regulations, as applicable:

(i) *Principal and accessory structures:*

- a. All principal and accessory structures shall be set back at least seventy-five (75) feet from the normal high water line of water bodies, tributary streams, or the upland edge of a wetland, except that in the following zones the setback shall be as indicated:
 - i. B-3: Twenty-five (25) feet.
 - ii. W-1, W-2, O-B, I-3b: No setback required.

Notwithstanding this requirement, when a lot is a lot of record as defined in section 14-433 or cannot otherwise meet the setback requirement of this section due to physical limitations of the site, the planning board may approve a reduction of the setback requirement for a principal structure to the least amount necessary to achieve a building dimension of twenty-eight (28) feet, provided that the setback is not reduced to less than forty (40) feet. Structures in existence on June 15, 1992, may be expanded once during the lifetime of the structure up to twenty-five (25) feet toward a freshwater wetland, stream or tributary stream, provided that the setback is not reduced to less than forty (40) feet and the floor area or volume is not increased by more than thirty (30) percent. In no event shall the setback from a coastal wetland be reduced to less than seventy-five (75) feet, except in the B-3, W-1, W-2, I-B and I-3b zones, where setbacks shall be as set forth above in this subsection.

In all cases, accessory detached structures of less than one hundred (100) square feet of floor area shall be permitted with no setback, provided that such struc-