Permit * City of rortland BUIL Please fill out any part which applies to job Proper plans	DING PERMIT APP must accompany form.	LICAT ON Fee 125 Zone Map # Lot#
Owner Arthur I. Fllis Phone		
Address, 8 Chester St- Ptld, ME 041		For Unicial Use Unity F CANTEL TO
		Data 3/2/4/93
LOCATION OF CONSTRUCTION 8 Chester St.		Inside Fire Limits
Contractor: OWNET Sub.:		Bldg Code Ownership: Public
Address:Phone		Time Limit
Est. Construction Cost: \$850 Proposed Use.	I-fam w nocch	
		Zoning: Street Frontege Provided.
Past Use:	Tala M houch	Stree' Frontege Provided. Provided Setbacks' Front. Back Side Side Side
# of Existing Res. Units # of New Res. Units		Raview Required:
Building Dimensions LW Total Sq Ft		Zoning Board Approval: Yes No Date: Planning Board Approval: Yes No Date:
# Stories: Lot Eize Lot Eize		Planning Board Approval. Yes No Date. Conditional Use Variance Site Plan Subdivisio
Is Proposed Use: Scasonal Condominium C	Conversion	Sh reland Zoning Yes No Floodplain Yes No No
Explain Conversion rebuild porch - targ	er size + 6'x20'	Special Exception Other (Explain)
Expiriti Conversion		Other (Exhidin) 6-27-94
		Value of the control
Foundation:		1. Ceiling Joists Size. 2. Ceiling Strapping Size Spacing Not in District nor 3. Type Ceilings: Does not require s
1. Type of Sail. 2. Set Backs - Front Rear	Sida(e)	2. Ceiling Strapping Size Spacing
3 Footings Size:	5146(8)	4. Insulation Type Size
3 Footings Size: 4. Foundation Size:		5. Ceiling Height: AND
5. Other		5. Ceiling Height: Roof: 1 Truss or Raffer Size Spanaction Approved
Floor:		Z Sheathing IVDC Size Annoyee Si
1. Sills Size: Si		3. Roof Covering Type Of Derivative
2. Girder Si :e: 3 Lally Column SpacingSize:		3. Roof Covering Type
4 Joists Size.	Spacing 16" O.C.	Heating:
4 Juista Siza. 5. Bridging Type. Size: Size: Size:		Type of Heat:
6. Floor Sheathing TypeSize:_		Electrical: Service Entrance Size. Smoke Detector Required Yes 1
7 Other Material		Plumbing:
Exterior Walls		1. Approval of soil test if required Yes No
1 Studding Size Spacing		2 Nc. of Tubs or Showers
2. No. windows		3 No. of Flushes
3. No Doors 4. Header Sizes Spanis		
4. Hearier S.zes Spanis 5. Bracing Yes No		Swimming Pools: 1. Type. 2 Pool Size
6. Corner Posts Size		1. Type
7 Insulation Type Size		2 Pool Size /// x Square Footage
7 Insulation Type Size 8 Sheathing Type Size 9. Siding Type Weath 10. Masonry Muterials	er Exposure	
		Permit Received By Louise E. Chase
11. Metal Materials		
Interior Walls:	m Po	Signature of Applicant Value 11 11 11 Date
1. Studding S ze Spacing	- NO.	Signature of CEO Kathryn M. El. 1s Date
		Signature of CEO Date
3. Wall Covering Type 4. Fire Wall if required		Inspection Dates 6 72 RAUC

White Tag -CEO

PLOT PLAN	N A
ž.	
FEES (Breakdown From Front) Base Fee \$ 25 - Subdivision Fee \$ Site Plan Review Fee \$	Type Date
Other Fees \$	
COMMENTS	
	Love 7/24/99
Signature of Applicant	Date

Service Comments

Inspection Services Semuej P. Holises Chief



Planning and Urban Development Joseph E. Gray Jr. Director

CITY OF PORTLAND

October 27, 1993

RE: 8 Chester Street

Arthur T. Ellis 8 Chester St. Portland, ME 04103

Dear Mr. and Mrs. Ellis,

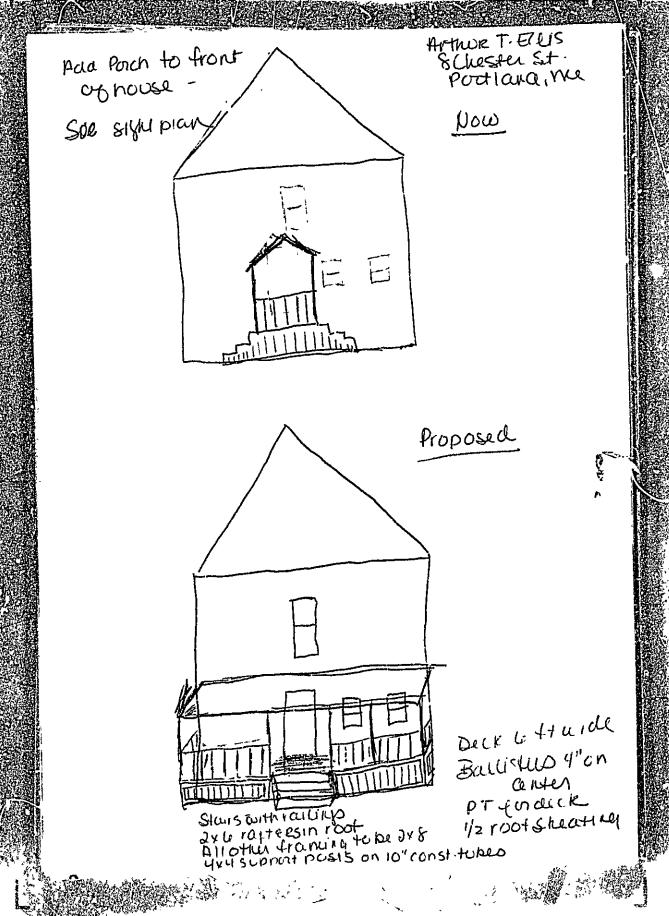
This letter is in regards to your pending application to remove the existing porch on the Chester Street side of the house and rebuild with a larger 6° X 20° porch. As we discussed a few times over the last few weeks, the permit is not issuable at this time. It is necessary that you demonstrate compliance with section 14-382(f)(1) and 14-436 which I have attached. I have also included a copy of the setbacks in effect on June 5, 1957 for your convenience. Please contact me if I may be of further assistance.

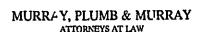
Sincerely,

William D. Gircux Zoning Administrator

/e1

cc: } muel Hoffses, Chief of Inspection Services Arthur Rowe, Code Enforcement Officer





E. Stephen Murray Peter S. Plumb John C. Lightbo Jy Thomas C. Newman John C. Bannon Susan D. Thomas Drew A. Anderson Richard L. C'Meara Ann M. Courtney Judith M Peters Barbara T. Schneider Christopher B. Branson Timothy P. Brooks 75 Pearl Street Portland, Maine 04101-1114 (207) 77 > 5651

> Telefax: (207) 773-8023

Peter L. Murray Charlton S. Smith Counsel

June 15, 1994

Mr. William D. Giroux Zoning Administrator City of Portland 389 Congress Street Portland, Maine 04101

11

Re: Application By Arthur and Kathryn Ellis for Permir to Build Porch at 8 Chester Street

Dear Mr. Giroux:

We spoke about this matter at some length last fall. During the interim I have been studying the Portland Zoning Code, the Ellis's building plans, and, most importantly, have been involved in a very complicated case in South Bristol concerning how to measure the "expansion" of nonconforming structures in the Shoreland Zone. Hence, I have an unexpectedly complete understanding of how the State wants municipalities to measure such expansions.

Based upon my analysis of the Ellis's house, the Portland Zoning Code, and the State Shoreland Zoning Guidelines, I am confident that the City may issue a building permit for the proposed porch.

I. GENFRAL SETBACK ISSUES

As you helpfully pointed out in the past, because the Ellis's house existed on June 5, 1957 and was then conforming, it is allowed, under Code § 14-436, to be extended horizontally so long as it meets the setbacks that were in effect on June 5, 1957.

Apparently you supplied the Ellises with the attach d copy of the 1957 Ordinance. At that time, the required front and side setbacks (which are the only ones impacted by the porch) were 15 feet and 7 feet, respectively.

(<u>)</u>

. 6.

Mr. William D. Giroux Page 2 June 15, 1994

According to the site plan enclosed with this letter, the existing front porch is set-tack slightly more than 15 feet from the sideline of the Chester Street right-of-way. The proposed porch would be the same distance from the right of way. Therefore, the proposed porch would satisfy the front setback set forth in the 1957 ordinance.

In addition, the porch would have a side set-back vastly exceeding 7 feet on both sides. Accordingly, the proposed porch would also satisfy the 1957 side set-setbacks.

II. SHORELAND ZONING EXPANSION ISSUES

Of course, the porch must also satisfy the expansion limitations set forth under the City Code and State Shoreland Zoning Law.

Code § 14-382 contains the standard provision that those portions of "grandfathered" structures that violate the 75-foot setback may be expanded no more than 30% in floor area or volume during the life of the structure. The Code has no separate definition of "floor area" or "volume." However, the State's Mirimum Shoreland Zoning Guidelines contain the following definitions of those terms:

Ploor area - the sum of the horizontal areas of the floor(s) of a structure enclosed by exterior walls, plus the horizontal area of any unenclosed portions of a structure such as porches and decks.

volume of a structure - the volume of all portions of a structure enclosed by roof and fixed exterior walls as measured from the exterior faces of these walls and roof.

I am unaware of any municipality that has attempted to deviate from those definitions. Hence, I have employed them in anal, ing the extent of the Ellis's expansions.

A. Measurement Of The Expansions Of The Existing House.

All but one small corner of the Ellis residence violates the 75-foot shoreline setback. Hence, the entire, original house must be taken into account in measuring expansions.

When the Ellises originally measured their house when they applied for a permit to build the single-story addition, they measured their house incorrectly for the purposes of calculating shoreland zoning expansions. Those errors worked against them, and caused them to underestimate the extent to which they could expand the house. That underestimate, in turn, leaves ample room for the proposed porch.

MURRAY, PLUMB & MURRAY 75 Pearl Street Porciand, Maine 04101 (207) 773-5651

Mr. William D. Giroux Page 3 June 15, 1994

1. Floor area.

The outside dimensions of the house are 24' by 26'. Accordingly, each floor has a square footage of 624 feet. However, for the purpose of measuring expansion of nonconforming structures in the shoreland zone, there are three floors in the Ellis's house: the bottom floor, the second floor, and the attic floor.

Accordingly, the total floor area of the Ellis residence is not 624 square feet, as they originally reported, but 1,872 square feet. The Code and the Shoreland Zoning would allow an expansion by 30% of that figure, or 561.6 sq to feet. The prior addition consumed 420 square feet of the 30% expansion allowance. Accordingly, there remains an expansion "credit" of 141.60 feet -- which should be ample to cover the proposed porch.

2. Volume.

Each of the two stories in the old house has a floor area of 624 feet, and a height of 7.5 feet. Accordingly, the cubic volume of each story is 4,680 cubic feet. The attic area, on the other hand, has a peak of only 4.67 feet, and therefore has a cubic volume of only 1,249 cubic feet [4.67' x 26' x 24' x 1/2]. Hence, the total cubic volume of the two stories plus the attic is 10,609 cubic feet.

Thirty percent of the total volume would be 3,182 cubic feet. The prior addition consumed 1,260 cubic feet of that allowance, thus leaving an expansion "cvedit" of 1,922 cubic feet. Once again, that remaining credit should be ample to cover the proposed porch.

B. Minor Adjustments.

As was noted above, a small corner (meas ring about 4' by 4') of the Ellis residence lies outside the 75-foot set-back, and therefore should not be taken into account in determining the expansion allowance. Hence, I would ordinarily deduct from the above calculations the square footage and volume of that corner. However, by the same token, an equally-large area of the proposed porch would be located cutside the 75-foot et-back, and would not be subject to the 30% expansion limitation. Accordingly, since those two areas essentially "wash." I have not set forth in this letter separate calculations for these areas.

Indeed, there are arguably <u>for</u> floors, given the fact the basement is finished and is fully exposed on the water side of the house. However, I have excluded the basement in calculating both floor area a pubic volume.

Mr. William D. Giroux Page 4 June 15, 199?

If you would like me to perform those calculations, I will be happy to do them. However, even if one were to deduct the area of the corner of the house from the above calculations, there would still be an expansion "credit" large enough to allow construction of the proposed porch.

Thank you for your attention to this letter. Please call me if you have any questions.

hn C. Bannor

JCB:mb Enclosure

cc: Arthur and Kathryn Ellis (w/Enclosure)

- d. No open piazzas or rorches, other than piazzas and porches one story in height and with the floor thereof not higher than the ground floor of the dwelling house, and no open outside stairs extending above the ground floor level of the dwelling house have been aided.
- e. Not more than one dwelling .t shall be provided for each 2,000 square .eeu of lot area.
- f. No living quarters shall be provided below the first floor.
- g. Each abartment shall have a floor area of not less that 600 square feet, exclusive of partitions, public hallways and strage space in cellar, basement or attic.
- B. REAR YARDS. There shall be behind every building a rear yard having a minimu, cep in of twenty feet or twenty per cent of the depth of the less.
- c. SIDE YARDS. There shall be on each side of each building a side yard having a minimum width of seven feet, provided that the width of, one side yard may be reduced one foot or two feet if the other is correspondingly increased in width, and provided further the to, no lot held under separate and distinct ownership from adjacent lots and of record on December 5, 1938, shall the buildable width be reduced by this requirement to less than twenty-four feet. There shall be on each side of each pair of attached dwelling houses a side yard having a minimum width of ten feet.
- D. FRONT YARDS. There shall be in front of every building a front yard having a minimum depth of fifteen feet, provided that no front yard feed be deeper than the average of
 the depths of front yards on the lots next thereto on either side,
 a vacant lot or a lot occupied by a building with a front yard

more than fifteen feet deep being considered as having a front yard fifteen feet deep, and previded further that on a lot of record on December 5, 1938, and less than one hundred feet deep no front yard need be deeper than fifteen per cent of the death of the lot.

E. CORNER CLEARANCE. Between the lines of intersecting streets and a line joining points on such lines fifteen feet distant from their point of intersection, or, in the case of a rounded corner, the point of intersection of the tangents, no building structure or foliage may be erected or maintained between a height three and one-half feet and a height ten feet above the plane through their curb grades.

two and one-half stories in height unless it sets back from each street and lot line ten feet in addition to the above requirements plus one foot for each foot of excess height. No building shall exceed fifty-five feet or four stories in height. No building for more than one family shall exceed thirty-five feet or two and one-half stories in height, nor shall there be an independent apartment above the second story, provided that any dwelling house existing on December 5, 1938, and located on a lot hald in separate and distinct ownership from adjacent lots at a record on December 5, 1938, and containing not less than four thousand five hundred square feet may be attered to accommodate not more than two families.

G. EUILDING AREA. No dwelling house shall occupy more than forty per cent of its lot and no building other than a

This is not a Boundary Survey.
The proposed addition is to be
no closer to HMM, that the existing structure.
This plan does not attest to
the cubic footage of the addition.

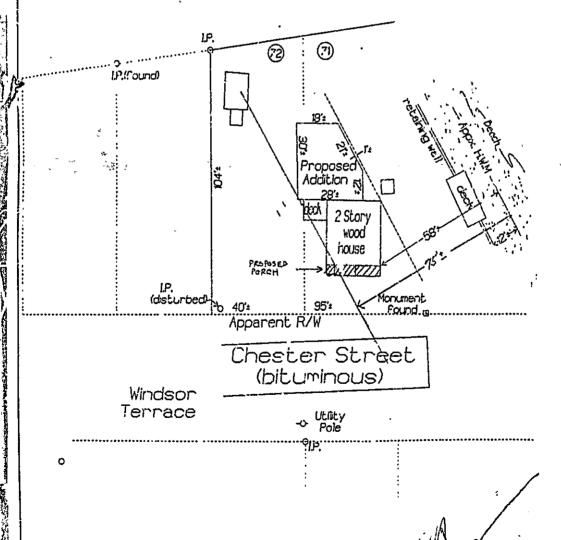
SKETCH FLAN

8 Chester Street
Portiend, Meine
For
Arthur Ellis

BRUCE R. BOWMAN, Inc.
Professional Land Surveyor
49 411 Rood Curtorland Have 879-3955

Date: 8-9-93 Job: 213-20

DrawBy: Scale: 1"=30"

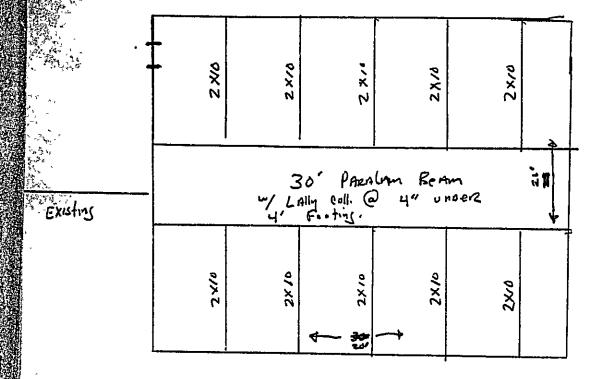


930719 930713	Jang .
Sermit Con 13 E 307 13 BUILDING PERMET APPLICATION	CATION Fee \$145 Zone Map # Loty
Please fill out any par , which applies to job. Froper plans must accompany form.	PERMIT-ISSUED
er: Arthur 7. & Karherane Phone 1 773-2575	Ror Official Use Only
Address: 8 Chester St - Pild Ellis ME 04773	THE CHARLES AND ASSESSED ASSESSEDANCE ASSESSED ASSESSEDA ASSESSED ASSESSED ASSESSED ASSESSED ASSESSED ASSESSED ASSESSEDA
LOCATION OF CONSTRUCTION 8 Chaster 31	Date 7/21/93 WE 6 333
	Incide l'iro Limits
Contractor: OHNET Sub:	Ownership of the Art Martin Asi
Address: Phone #	Extrasted Cost 25,000
Est. Construction Cost: 25,000 Primed Use: 1- am w addition	- Zo ding)
Addruss: Phone # Est. Construction Cost: 25,000 Privated Use: 1- am w addit: 34 Pas. Use. 3- 4 ii 7 of Existing Res. Units # of New Res. Units	Street Frontage Provided:
2 of Existing Ray Units # & New Roy Units	Provided Selbacks: Front 3ack 5ace
Building Pimersions L W Total Sq. Ft.	Zening Board Approval: Yes No Date:
# Stor'es: # Bodrooms Los Size	Pi- nning Board Approval: YesNo Date:
	Shoreland Zoning Yes No Floodplain Yes No
Is Proposed I'c: Sersonal Condomnium Conversion	Special Exception
Explain America _ construct addition = 23'x38' 31' 12 C	Other (Englata) 8-13-93
	Celling 1. Celling Jor & Size: 2. Celling Strapping Size Spacing Met I District 201 Land
Foundation: 4/3/- C-15 -16	1. Celling do s Size: 2. Celling Strapping Size Spacing Not 1 3. Tyre Cellings: Post Specing
1 Type of Soil: 2 Set Bucks - Front Rear Cido(s)	2. Celling Strapping Size Spacing Spacing
2. Set Bucks - Front Rear Side(s)	4 Insulation Type Size
3. Footings Size: 4. Foundation Size:	5. Ceiling Height:
5. Other	Books Approved.
Floor:	2. Cel'ing Strapping Size Spacing West Product as a Spacing Sp
1. Sills Size Sills muss 1 > achored.	3. East Covering Type
2. Girdor Size: 3. Lally Column Spacing: Size: Size:	Chimneys:
3. Lally Column Spacing: Size:	Heating:
5. Bridging Two: Size:	Type of Heat:
4. Josta Size: Spacing 16" O.C. 5. Bridging Type: Size: 6 Floor Sheathing Type: Size:	Electrical: Scryce Entrance Size: Emoke Detector Required Yes No.
7. Other Material:	Plumbing
Exterior Walls:	1 Approval of soil test if required Yes No.
1 St. dding Size Spacing	2. No. of Tubs or Showers
2 No. windows	3. No. of l'lushes
3. No. Doors	5. No. of O her Fixtures
4. Header Sizes Span(s) 5. Bracing Yes No.	Swimming Pools:
d. Corner Posts Size	·
d. Corner Posts Size 7. Insulation Type Size Stranger	2. Pool Size: Square Footage
6. Sheathing Typo Size	3. Musik William Nittania Francisca Code and State Law.
6, Sheathing Typo Size 9, Siding Typo Weather Expessive 10. Masonry Movemals	2. Pool Size: Square Footage 3. Muster State Michael Code and State Law. Premit Received By Louise E. Chase
10. Masonry Moternals	LIMING DECEMBER DY LUMINE LA MINESE
11. Metal Materials	Signature of Applicant (Date - 21. 93
Interior visus	organistic of applicant
2. Header Sizes Span(a)	Sunday of COO APTITUTE 1 & LIVIS
3. Wall Covering Type	Signature of CEC Date
4. Fire Wall if required	Signature of CEO Date Inspection Dates
5. Other Materic's	
Yellow-GPe	COG White Tag -CEO Copyright GPCOG 1988

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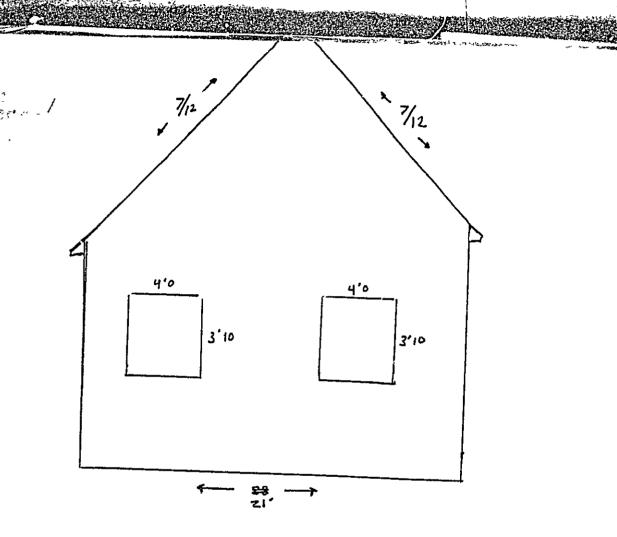
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PLOT PLAN	N.
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FEES (Breakdown From Front) Base Fee \$	Sm. 5, 2,94
(Explain)Late Fee \$	allows !!
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Signature of Applicant Mills Sec.	Date 7.2/. 93

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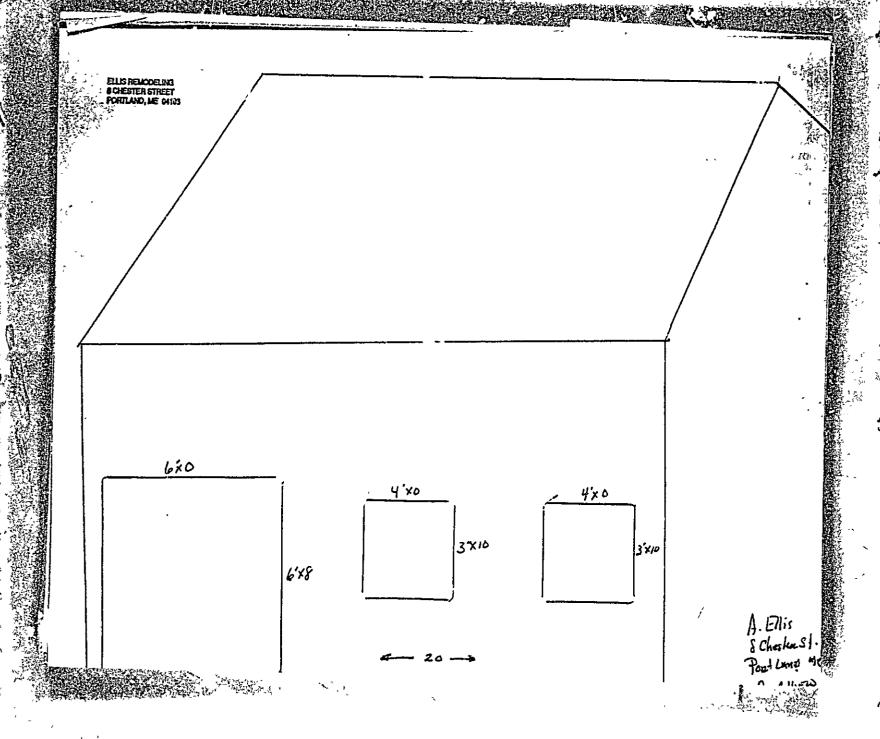


A. Ellis 8 Ches lea st-Portland Me.

ELLIS REMODELING



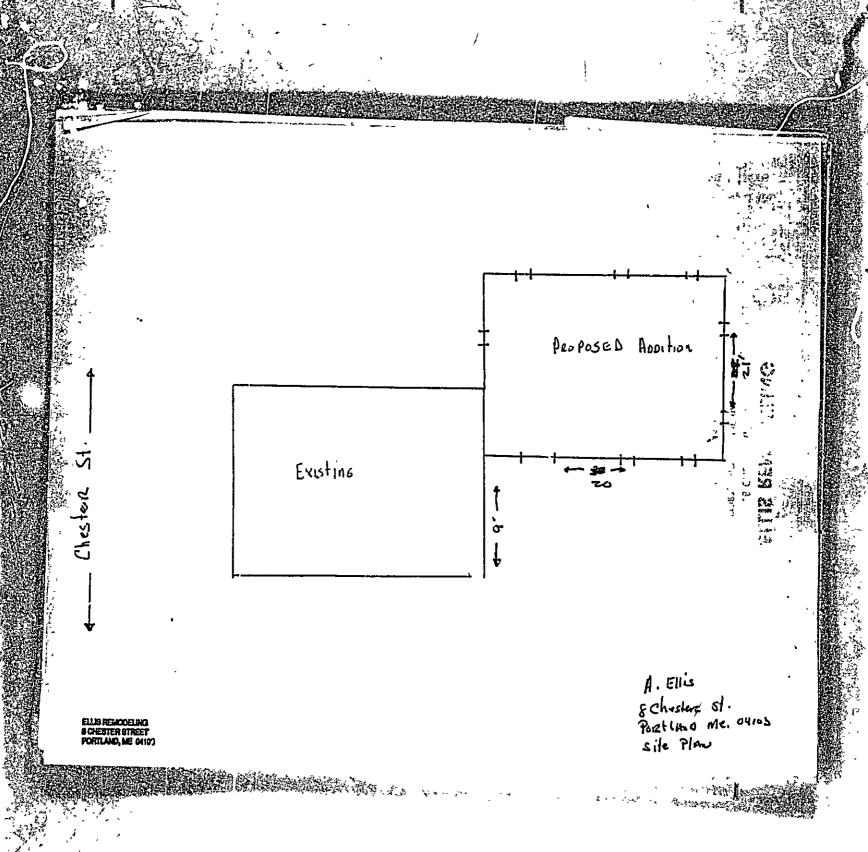
ELLIS REMODELING 8 CHESTER STREET PORTLAND, HE 64103 A. Ellis 8 Chester St Portland Me. Rear View

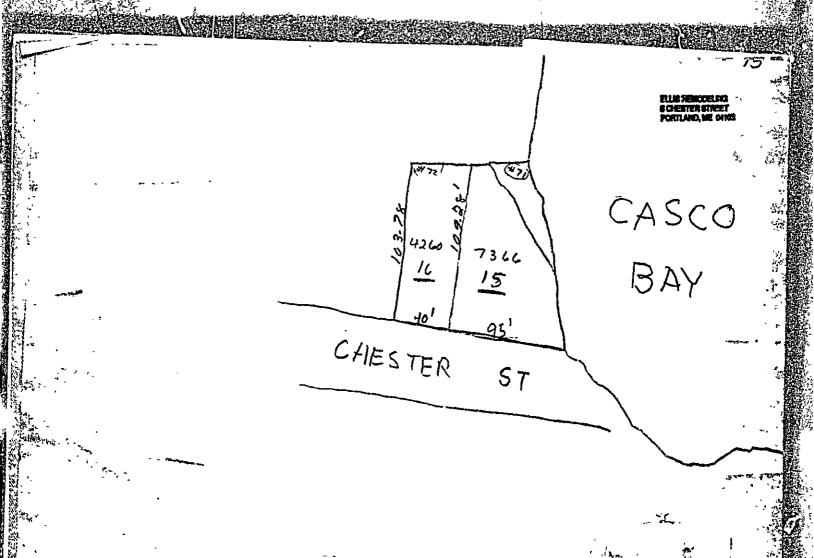


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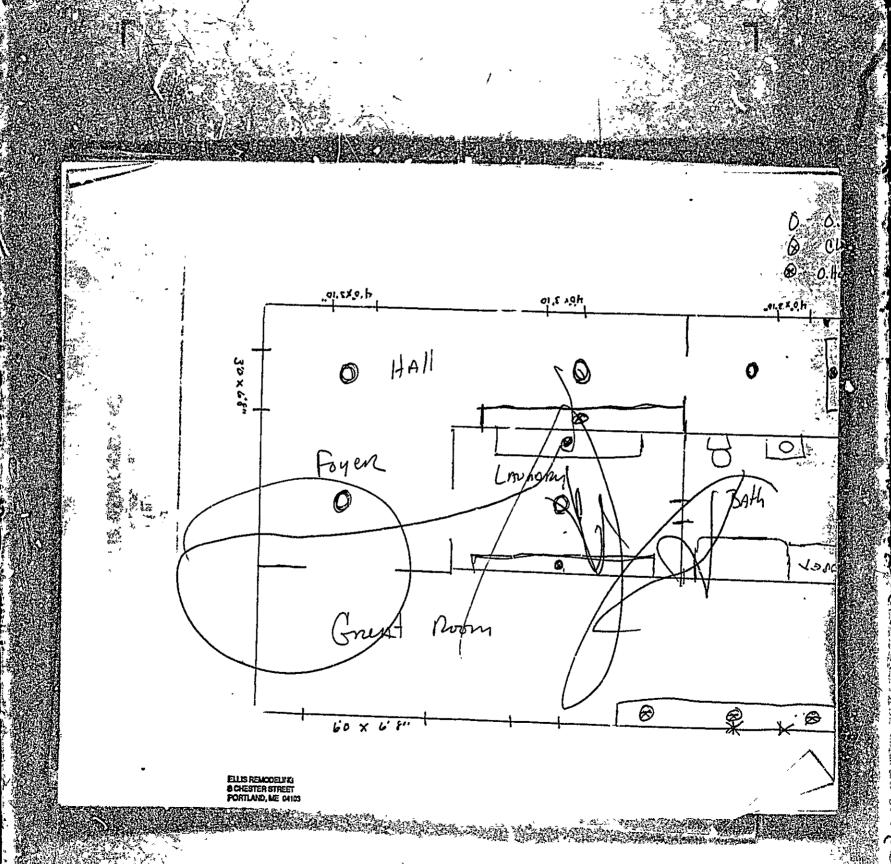
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ASSESSOR'S PLOT PLAN



ELLIS REMODELING

8 CHESTER STREET PORTLAND, MAINE 04103 (207) 871-1362

Proposes 1 story Andition To Ruan of & Chester. St. Porland Me.

Size: 21×20 Sy. Fl. 420 Co. Vol. 1260

Existing Itause.

Size 24x26

Sq. ft. 624

Ov. Vol. 14352

30% = 4305.6

BUILDING PERMIT REPORT

ADDRESS: 8ChosTer S7. DATE: 13/Buy 9
REASON FOR PERMIT: IC CONSTRUCT a 20x21' addition
BUILDING OWNER: Arthur & Katherine E LLis CONTRACTOR: OWNER
CONTRACTOR: OWNER
PERMIT APPLICANT:
APPROVED: */ *6 *7 *9 *12 × 13 × 14
CONDITION OF APPROVAL: 11.) Before concrete for foundation is placed, approvals from Public Works and Inspection Services must be obtained. (A 24 hour notice is required prior to inspection.)
20) Precaution must be taken to protect concrete from freezing.

- 3.) All vertical openings shall be enclosed with construction having a five rating of at least one(1) hour, including fire doors with self-closers.
- 4.) Each apartment shall have access to two(2) separate, remote and approved means of egress. A single exit is acceptable when it exits directly from the apartment to the building exterior with no communications to other apartment units.
- 5.) The boiler shall be protected by enclosing with one(1) hour fire ruced construction including fire doors and ceiling, or by providing automatic extinguishment. Sprinkler piping serving not more than s_x sprinklers may be connected to a domestic water supply system having a capacity sufficient to provide 0.15 gallons per minute, per square foot of floor throughout the entire area. An INDICATING shut-off valve shall be installed in an accessable location between the sprinkler and the connection to the domestic water supply. Minimum pipe size shall be 3/4 inch copper or 1 inch steel. Maximum coverage area of a residential sprinkler is 144 square feet per sprinkler.
- K-6.) 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. The units must be operable from the inside opening without the use of separate tools. Where windows are provided as a means of egress or rescue, they shall have a sill height not more than 44 inches (1118 mm) above the floor. All egress or rescue windows from sleeping rooms must have minimum net clear openings of 5.7 square feet (0.53m). The minimum net clear opening height dimension shall be 24 inches (J10 mm). The minimum net clear opening width dimension shall be 20 inches (508 mm).
- 7.) All single and multiple-station smoke detectors shall be of an approved type and shall be installed in accordance with the provisions of the building code (BOCA National Building Code 1.90, and N.F.P.A. 101 Chapter 18 & 19.

over

- 8.) Private garages located beneath rooms in buildings of Use Groups R-1, R-2, R-3 or I-1 shall have walls, partitions, thoors and ceilings separating the garage space from the adjacent interior spaces constructed if not less than I-hour fireresistrum: rating. Attached private garages shall be completely separated from the adjacent interior spaces and the attic area by means or 1/2-inch gypsum board or equivalent applied to the garage side. The sills of all door openings between the garage and adjacent interior spaces shall be raised not less than 4 inches (102 mm) above the garage floor. The door opening protectives shall be 1 3/4-inch solid core wood doors or approved equivalent.
- 9.) A guardrail system located near the open side of deck or elevated walk' surfaces shall be constructed. Guards in buildings of Use Grou -3 shall be not less than 36 inches in height. Open guards shall have intermediate rails, balusters or other construction such that a sphere with a diameter of 4 inches cannot pass through any opening. Handrails on stairs shall be no less than 34 inches nor more than 38 inches. Mandrails within individual dwelling units shall not be less than 30 inches nor more than 38 inches. For more detail on guards & handrails see Article 8 section 824.0 and 825.0 of the BOCA National Building Code.
- 10.) 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.
- 11.) The builder of a facility to which Section 4594-C of the Maine State Human Rights Act, Title 5 M.R.S.A. 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 Inspection Services.
- 42.) Stair construction in Use Group R-3, R-4, is a minimum of 9" tread and 8-1/4" maximum rise.
- 13.) Yeadroom in habitable spaces is a minimum of 7.6".
 - 14.) The minimum headroom in all parts of a stairway shall not be less than 6 feet 8 inches.
 - 15.) All construction and demolition debris must be disposed

 by a licensed carrier or solid waste 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 or occupancy is issued or demolition permit is granted.

Sincerely,

Chief of Inspection Services

/el

11/16/88-11/27/90-8/14/91-9/2/9?-10/14/92

ELLIS REMODELING

8 CHESTER STREET PORTLAND, MAINE 24193 (207) 871-1362

Proposeo 1 Story Modition Al & Chester st Pontland 20×21 420 Sti Footac,

Powner Comenque Footing & Frost walls To come Specs.

2x4 P.T. Sills 2x10 Rim Jake 2 KIO LAMINATO CARRYING BEAM.

CX10 Floor joices co/ HAMSERS

3/4" Fin Tie Plywood Sots Floor 2x1 Exterior wall Framing (100) 12-19 Insulation

2×4 Pratition walls (14,00) 1/2 Fire Extense Shenthing

2xx Roof Raffers (16 00)

2x6 Collar Ties 1/2 fr. Ply wood Prof Sheathing

3 TAB 30 4R. Shingles Vinal Siving To match

All Window & Door Henners To Be Triple 2"x8" with 1/2" cox Ply

