

Single-component manufactured housing: Manufactured housing which is constructed and transported in one (1) section that is a habitable dwelling unit. For purposes of planned residential unit development and multiplex development, single-component manufactured housing shall not be considered a dwelling unit, except in the FH Flexible Housing Zone.

Special needs independent living unit: A dwelling unit developed and managed by a nonprofit organization for habitation by persons with special social, physical or mental needs beyond strictly economic needs. Such persons shall be provided required levels of supervision, care and/or counseling services appropriate to their special needs, and the services shall be provided by either the sponsoring nonprofit agency or through another entity with which the agency has entered into a contractual arrangement.

Sports complex: One or more facilities located on the same parcel of land where athletic events are held and with a combined seating capacity of at least six thousand (6,000) seats.

Stockpiling. Any placement or creation of piles or loads of soil, loam, sand, gravel, rock or other mineral deposits upon a site for the purpose of storage, warehousing or reserving for future use. Stockpiles shall be considered structures for purposes of dimensional requirements under the Land Use Code.

Stormwater detention area: A storage area for the temporary storage of stormwater runoff which does not contain water during nonstorm conditions.

Storm water retention area: A pond or basin used for the permanent storage of stormwater runoff.

→ *Story:* That portion of a building included between the surface of any floor and the surface of the floor, or the roof, next above. A half story is a story situated under a sloping roof, the area which at a height four (4) feet above the floor does not exceed two-thirds of the floor area of the story immediately below it and which does not contain an independent apartment or dwelling unit. A story which exceeds eighteen (18) feet in height shall be counted as two (2) stories. A basement shall be counted as a story for the purpose of height measurement where more than one-half of its height is above the average level of the adjoining ground.

Stream: A free-flowing body of water from the outlet of the confluence of two (2) perennial streams as depicted on the most

IR-2 Zone

City of Portland
Code of Ordinances
Sec. 14-145

Land Use
Chapter 14
Rev. 10-3-08

facility located in a residential or existing accessory structure and serving more than twelve (12) children shall be twenty thousand (20,000) square feet;

- vi. Off-street parking shall be provided on the site for all staff of the facility. Parking for the facility shall not interfere with access to or use of play areas. Parking spaces may be stacked or placed side by side in order to lessen their impact on the residential character of the lot and the neighborhood, and shall not be located closer than five (5) feet from the property line of any abutting residential use or residentially zoned site;
- vii. The maximum number of children in a day care facility located in a residential or existing accessory structure shall be twenty-four (24); and
- viii. Any additions or exterior alterations such as facade materials, building form, roof pitch, and exterior doors shall be designed to be compatible with the architectural style of the building and preserve the residential appearance of the building.

(Ord. No. 28-85, § 1, 7-15-85; Ord. No. 161-89, § 2, 12-11-89; Ord. No. 235-91, § 15, 2-4-91; Ord. No. 133-96, § 9, 11-18-96)

Sec. 14-145.10. Prohibited uses.

Uses that are not expressly enumerated herein as either permitted uses or conditional uses are prohibited.
(Ord. No. 28-85, § 1, 7-15-85)

Sec. 14-145.11. Dimensional requirements.

In addition to the provisions of division 25 (space and bulk regulations and exceptions) of this article, lots in an IR-2 zone shall meet the following minimum requirements:

(a) *Minimum lot size:*

1. Residential: Twenty thousand (20,000) square feet, except as provided in section 14-433 (lots of record and accessory structure setbacks for existing buildings) and section 14-145.9(a)1 of this article.
2. Schools and other educational facilities: Twenty thousand (20,000) square feet.
3. Churches and other places of worship: Twenty thousand (20,000) square feet.
4. Private clubs, fraternal organizations: Twenty thousand (20,000) square feet.
5. Lodging houses: Thirty thousand (30,000) square feet for three (3) lodging rooms, plus ten thousand (10,000) square feet for each additional lodging room in excess of three (3).
6. In issuing any permit for new development, the building or planning authority shall require that any lot located in an IR-2 zone shall be at least twenty thousand (20,000) square feet in area when the lot is to be serviced by a subsurface wastewater disposal system, except those lots which are located in a subdivision approved by the Planning Board after June 8, 1968, [and excluding Peaks Island].
7. [Excluding Peaks Island from this subsection 7.,] any property owner whose lot does not meet the minimum lot size requirements outlined in subsection f. of this section may, for purposes of this section only, merge two (2) or more separate lots on the same island in order to meet these requirements. Where the lots so merged are not contiguous, the property owner shall grant to the city as holder a conservation easement upon the lot or lots which will not contain the principal structure. The conservation easement shall contain both an existing legal description and a city assessor's chart, block and lot description. The

building authority shall be authorized to accept such conservation easements on behalf of the city. Said easement shall be recorded by the applicant in the registry of deeds. A copy of the recorded easement and copies of the deeds for both lots shall be submitted to the building authority prior to issuance of a building permit. The property over which the conservation easement has been granted shall be used for passive recreational and conservation purposes only, and shall be subject to the following restrictions:

- a. No structure shall be permitted on this property.
- b. No parking or storage of vehicles or machinery shall be permitted on this property at any time.
- c. No area of this property shall be paved.
- d. No exterior storage for commercial use shall be permitted on this property.
- e. The easement deed shall reference the lot which is benefited by this conservation easement. No conservation easement shall be used to benefit more than one (1) lot.

Conservation easements shall only be granted over lots which conform either to the provisions of section 14-433 or to the minimum lot sizes set forth in (a)1 of this section. Conservation easements shall not be granted over any lot which is encumbered by any other easement which prohibits all construction on that lot.

A conservation easement may also name as a holder or grant a third-party right of enforcement to a nonprofit corporation or charitable trust, the purposes or powers of which include retaining or protecting the natural, scenic or open space values of real property; assuring the availability of real property for agricultural, forest, recreational or open space use; protecting natural resources; or

maintaining or enhancing air or water quality of real property.

Nothing in this section shall be construed to allow an owner of a currently existing and developed lot to convey or permit a portion of that lot to be used to fulfill the requirements of this section if such conveyance would render the existing lot nonconforming under the terms of this chapter. The lot upon which a building is to be constructed shall meet the minimum lot size requirements of section 14-433.

8. Where an existing subsurface wastewater disposal system serving an existing structure requires replacement, the replacement system shall meet the requirements of CMR 241 Section 2-E. The land area requirements in subsection f. of this section shall not apply to such a replacement system.

For purposes of this subsection, the mean high tide mark shall be considered to be the shoreline lot line.

(b) *Minimum street frontage:*

Seventy (70) feet, except that a lot of record as described in section 14-433 (lots of record and accessory structure setbacks for existing buildings) and lots created after July 15, 1985, which are not part of a subdivision need not provide street frontage if access is available by means of a permanent easement or right-of-way which existed as of July 15, 1985. Such easement or right-of-way shall have a minimum width of sixteen (16) feet and a minimum travel width of eight (8) feet except that an easement or right-of-way providing access for three (3) or more lots or providing the only means of access to a parcel or parcels of three (3) acres or more, shall be a minimum thirty-two (32) feet wide and meet the construction requirements of article III of chapter 25 (street acceptances) of this Code. Such easement or right-of-way shall permit municipal service delivery.

(c) *Minimum yard dimensions:*

(Yard dimensions shall include setbacks of structures

from property lines and setbacks of structures from one another. No structure shall occupy the minimum yard of another structure.)

1. *Front yard:* Principal or accessory structures: Twenty-five (25) feet except that a front yard need not exceed the average depth of front yards on either side of the lot.

2. *Rear yard:* Principal or accessory structures with ground coverage greater than one hundred (100) square feet: Twenty-five (25) feet.

Accessory detached structures with ground coverage of one hundred (100) square feet or less: Ten (10) feet.

3. *Side yard:* Principal or accessory structures with ground coverage greater than one hundred (100) square feet: Twenty (20) feet.

Accessory detached structures with ground coverage of one hundred (100) square feet or less: fifteen (15) feet, except that the minimum distance from a principal structure may be five (5) feet.

4. *Side yard on side streets:* Principal or accessory structures: Twenty (20) feet.

5. Notwithstanding the foregoing, the width of one side-yard may be reduced to not less than ten feet in the case of a lot of record, existing as of June 5, 1957, and which contained a structure in use at that time and at all times subsequent thereto as a year-round, single-family residence, and which is served by public sewer and water, at the time of any expansion permitted by this section, where the reduction is necessary either to bring the use into compliance with health and safety codes or to improve a condition which the Board of Appeals determines constitutes a health or safety problem. Any alteration or expansion authorized by this section may only be situated in the rear yard and shall not encroach into the required setback more than the existing building does prior to the construction of such alteration or expansion. Any

such alteration or expansion will be subject to the maximum lot coverage requirements applicable to this zone; and, cumulatively, during the lifetime of the structure, may not exceed forty percent (40%) of the combined floor area of the habitable rooms existing at the time of the first expansion permitted by this section. For the purposes of this section "floor area" and "habitable room" shall have the same meaning ascribed to them in Portland Municipal Code, §6-106, et seq., Housing Code, as it may be amended from time to time.

- (d) *Maximum lot coverage:* Twenty (20) percent of lot area.
- (e) *Minimum lot width:* Eighty (80) feet.
- (f) *Maximum structure height:* Principal or accessory attached structure: Thirty-five (35) feet. For Little Diamond Island only: Twenty (27) feet.

Accessory detached structure: Eighteen (18) feet.

(Ord. No. 28-85, § 1, 7-15-85; Ord. No. 161-89, § 3, 12-11-89; Ord. No. 215-02, 4-17-02; Ord. No. 76-03/04, 10-20-03)

Sec. 14-145.12. Other requirements.

Other requirements include the following:

- (a) *Offstreet parking:* Off-street parking shall be required as provided in division 20 (off-street parking) of this article.
- (b) *Shoreland and flood plain management regulations:* Any lot or portion of a lot located in a shoreland zone as identified on the city shoreland zoning map or in a flood hazard zone shall be subject to the requirements of division 26 and/or division 26.5.
- (c) *Storage of vehicles:* Only one (1) unregistered motor vehicle may be stored outside on the premises and not for a period exceeding thirty (30) days.

(Ord. No. 28-85, § 1, 7-15-85; Ord. No. 15-92, § 13, 6-15-92)

DIVISION 7.3. IR-3 ISLAND RESIDENTIAL ZONE

Sec. 14-145.13. Purpose.

- d. Expansion onto land other than the lot on which the principal use is located of no more than fifteen (15) percent of the total contiguous land area of the existing use, or one (1) acre, whichever is less, within any five-year period.

~~(b) Minimum lot area per dwelling unit:~~ Fifteen thousand (15,000) square feet.

(c) Minimum street frontage: Seventy-five (75) feet.

(d) Minimum yard dimensions:

(Yard dimensions include setbacks of structures from property lines and setbacks of structures from one another. No structure shall occupy the minimum yard of another structure.)

1. Front yard:

Principal or accessory structures: Twenty-five (25) feet.

2. Rear yard:

a. Principal or accessory structures with ground coverage greater than one hundred (100) square feet: Twenty-five (25) feet.

b. Accessory detached structures with a ground coverage of one hundred (100) square feet or less: Five (5) feet.

Setbacks for swimming pools shall be as provided for in section 14-432 (swimming pools) of this article.

3. Side yard:

a. Principal or accessory structures with ground coverage greater than one hundred (100) feet:

(b) ~~Minimum area~~ per dwelling unit: Ten thousand (10,000) square feet.

(c) Minimum street frontage: Fifty (50) feet.

(d) Minimum yard dimensions:

(Yard dimensions include setbacks of structures from property lines and setbacks of structures from one another. No structure shall occupy the minimum yard of another structure.)

1. Front yard:

Principal or accessory structures: Twenty-five (25) feet.

2. Rear yard:

a. Principal or accessory structures with ground coverage greater than one hundred (100) square feet: Twenty-five (25) feet.

b. Accessory detached structures with a ground coverage of one hundred (100) square feet or less: Five (5) feet.

Setbacks for swimming pools shall be as provided for in section 14-432 (swimming pools) of this article.

3. Side yard:

a. Principal or accessory structures with ground coverage greater than one hundred (100) square feet:

- d. Expansion onto land other than the lot on which the principal use is located of no more than fifteen percent (15%) of the total contiguous land area of the existing use, or one (1) acre, whichever is less, within any five-year period.

~~(b) Minimum lot area per dwelling unit:~~

PRUD: Sixty-five hundred (6,500) square feet of net land area is defined in section 14-47 (definitions) of this article. As part of a site plan and subdivision application, the applicant shall provide a calculation of those factors deducted to determine net land area. In addition, such net area factors shall be delineated on a site plan.

Other uses: Sixty-five hundred (6,500) square feet.

- (c) *Minimum street frontage:* Fifty (50) feet, except that lots located in a subdivision approved after the effective date of Ord. No. 165-97 pursuant to section 14-497.5 shall meet the street frontage requirements approved as part of the subdivision plan under the terms of that section.

(d) *Minimum yard dimensions:*

(Yard dimensions include setbacks of structures from property lines and setbacks of structures from one another. No structure shall occupy the minimum yard of another structure.)

1. *Front yard:*

Principal or accessory structures: Twenty-five (25) feet.

2. *Rear yard:*

- a. Principal or accessory structures with ground

nonresidential structures existing and in nonresidential use as of June 1, 1983, provided that such reuse is contained within the lot of record of such structure or parking area as of June 1, 1983;

7. Expansion onto land other than the lot on which the principal use is located of no more than fifteen (15) percent of the total contiguous land area of the existing use, or one (1) acre, whichever is less, within any five-year period.

~~(b) Minimum lot area per dwelling unit~~ Three thousand (3,000) square feet, except as provided for a multiplex. This requirement may be reduced by up to twenty (20) percent for a special needs independent living unit.

(c) *Minimum street frontage:* Fifty (50) feet.

(d) *Minimum yard dimensions:*

(Yard dimensions include setbacks of structures from property lines and setbacks of structures from one another. No structure shall occupy the minimum yard of another structure.)

1. *Front yard:*

Principal or accessory structures: Twenty-five (25) feet.

A front yard need not exceed the average depth of front yards on either side of the lot. A lot of record existing as of June 5, 1957, and less than one hundred (100) feet deep need not be deeper than twenty (20) percent of the depth of the lot.

2. *Rear yard:*

- a. Principal or accessory structures with ground coverage greater than one hundred (100) square feet: Twenty-five (25) feet.
- b. Accessory detached structures with a ground coverage of one hundred (100) square feet or

area as of June 1, 1983;

- d. Expansion onto land other than the lot on which the principal use is located of no more than fifteen (15) percent of the total contiguous land area of the existing use, or one (1) acre, whichever is less, within any five-year period.

~~(b) Minimum lot area per dwelling unit:~~

PRUD: Three thousand (3,000) square feet of net land area as defined in section 14-47 (definitions) of this article. As part of a site plan and subdivision application, the applicant shall provide a calculation of those factors deducted to determine net land area. In addition, such net area factors shall be delineated on a site plan.

Special needs independent living units: Four thousand eight hundred (4,800) square feet; except that special needs independent living units with two hundred fifty (250) feet or more of frontage shall require three thousand six hundred (3,600) square feet.

Other uses: Three thousand (3,000) square feet, except as provided for a multiplex.

(c) *Minimum street frontage:* Fifty (50) feet.

(d) *Minimum yard dimension:*

(Yard dimensions include setbacks of structures from property lines and setbacks of structures from one another. No structure shall occupy the minimum yard of another structure.)

1. *Front yard:*

Principal or accessory structures: Twenty (20) feet.

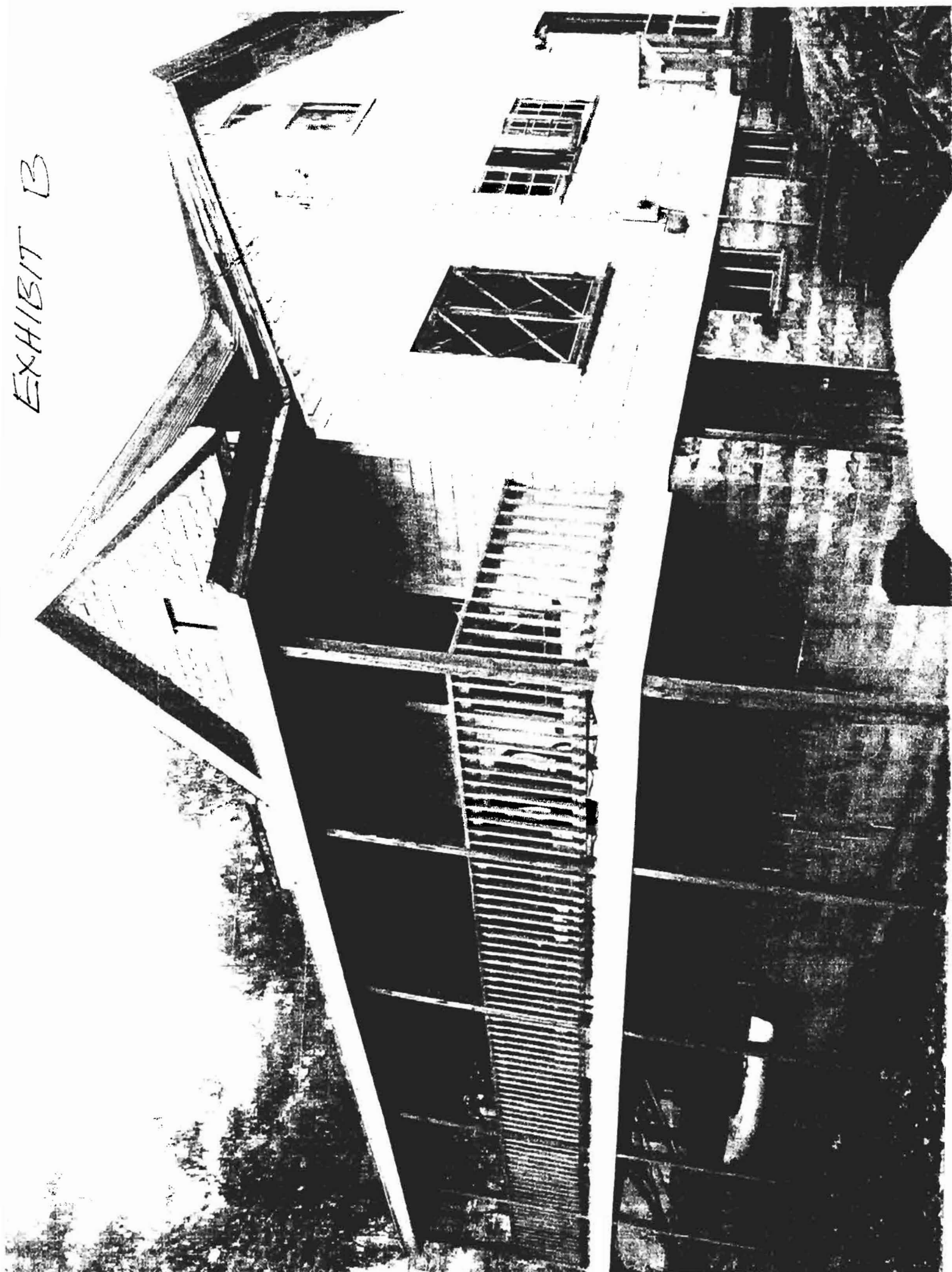
A front yard need not exceed the average depth of front yards on either side of the lot. A lot of



EXHIBIT A

Submitted @ The ZBA meeting
11/13/08

EXHIBIT B



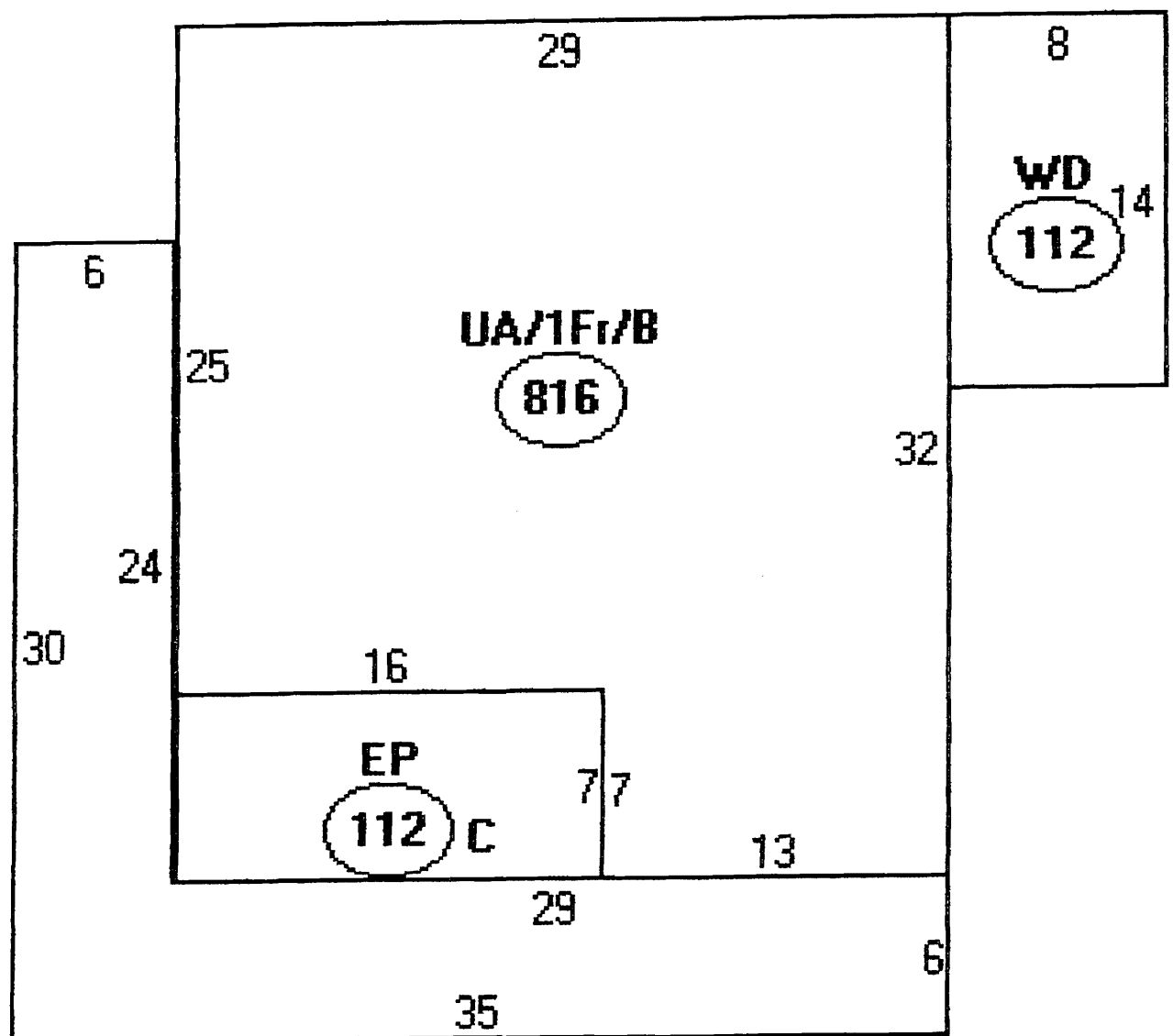


EXHIBIT C

A:1
B:1
C:1
D:1

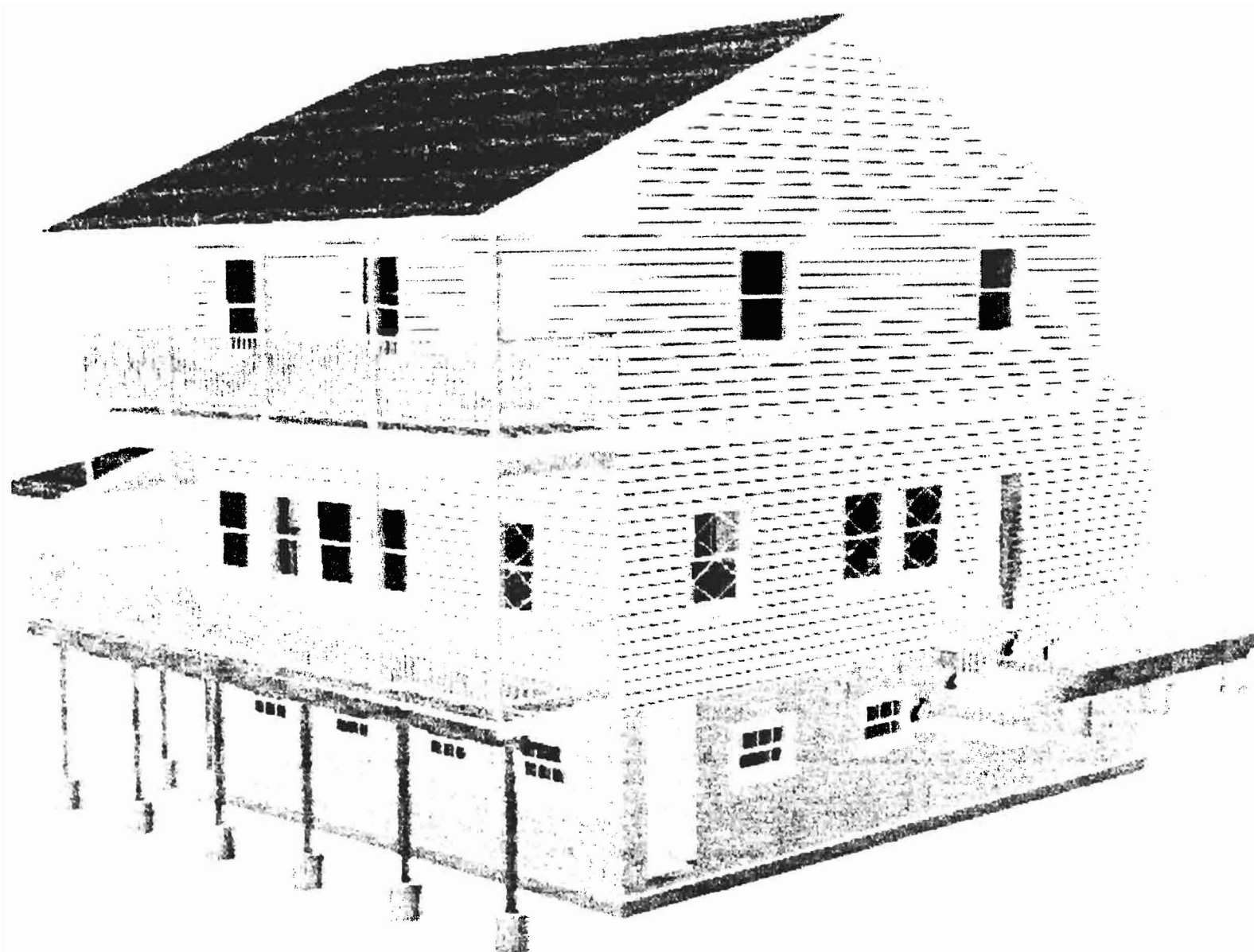


EXHIBIT D

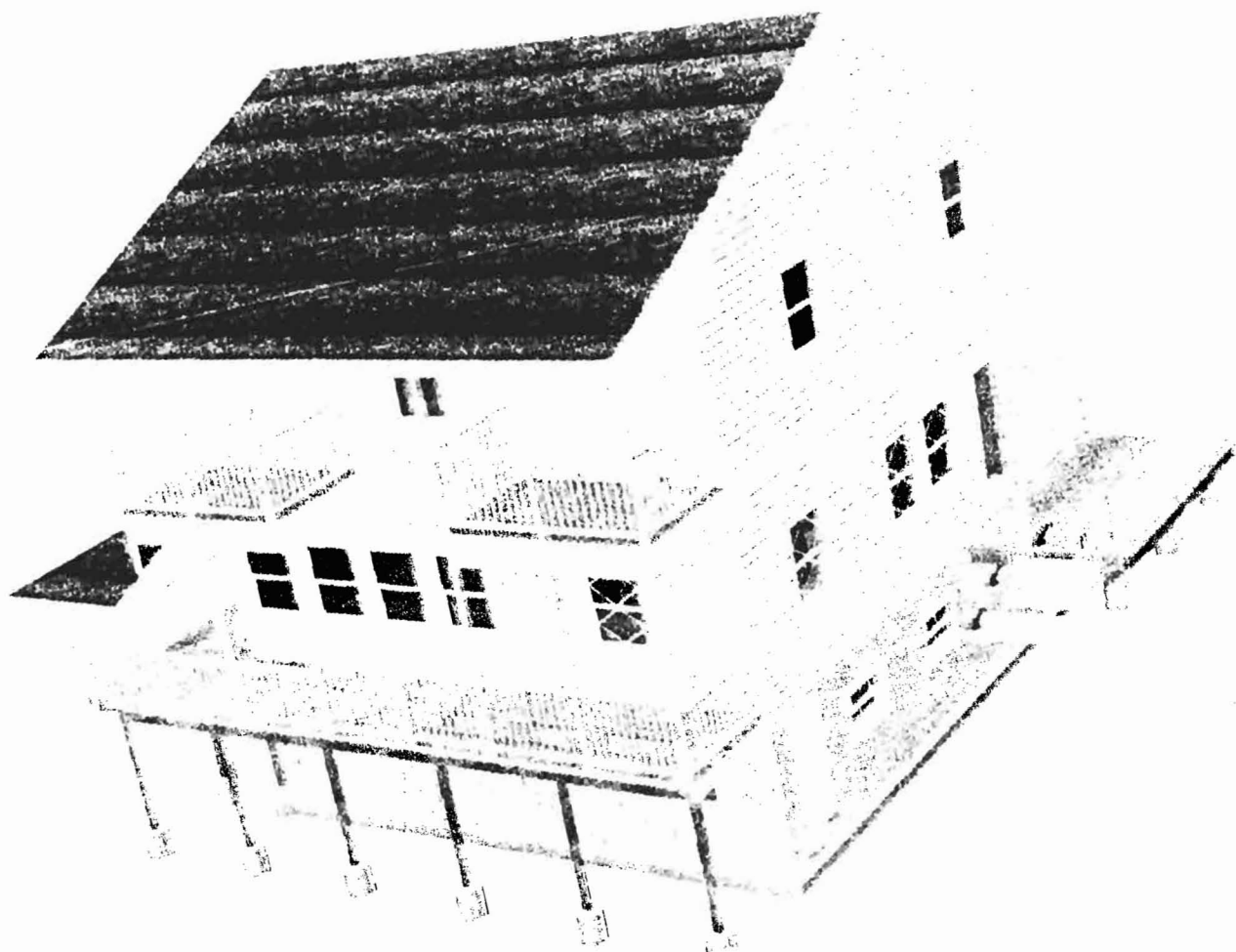
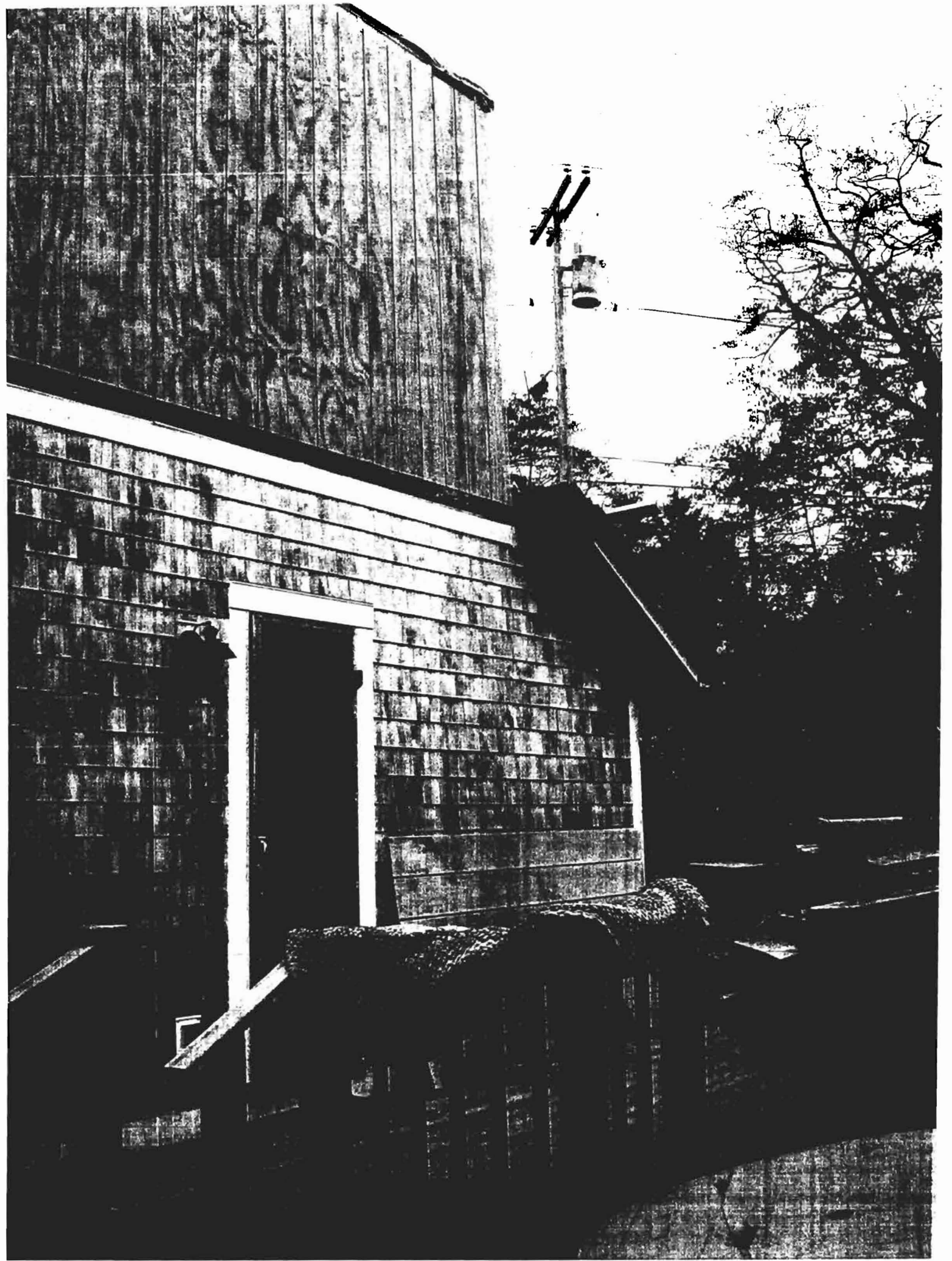
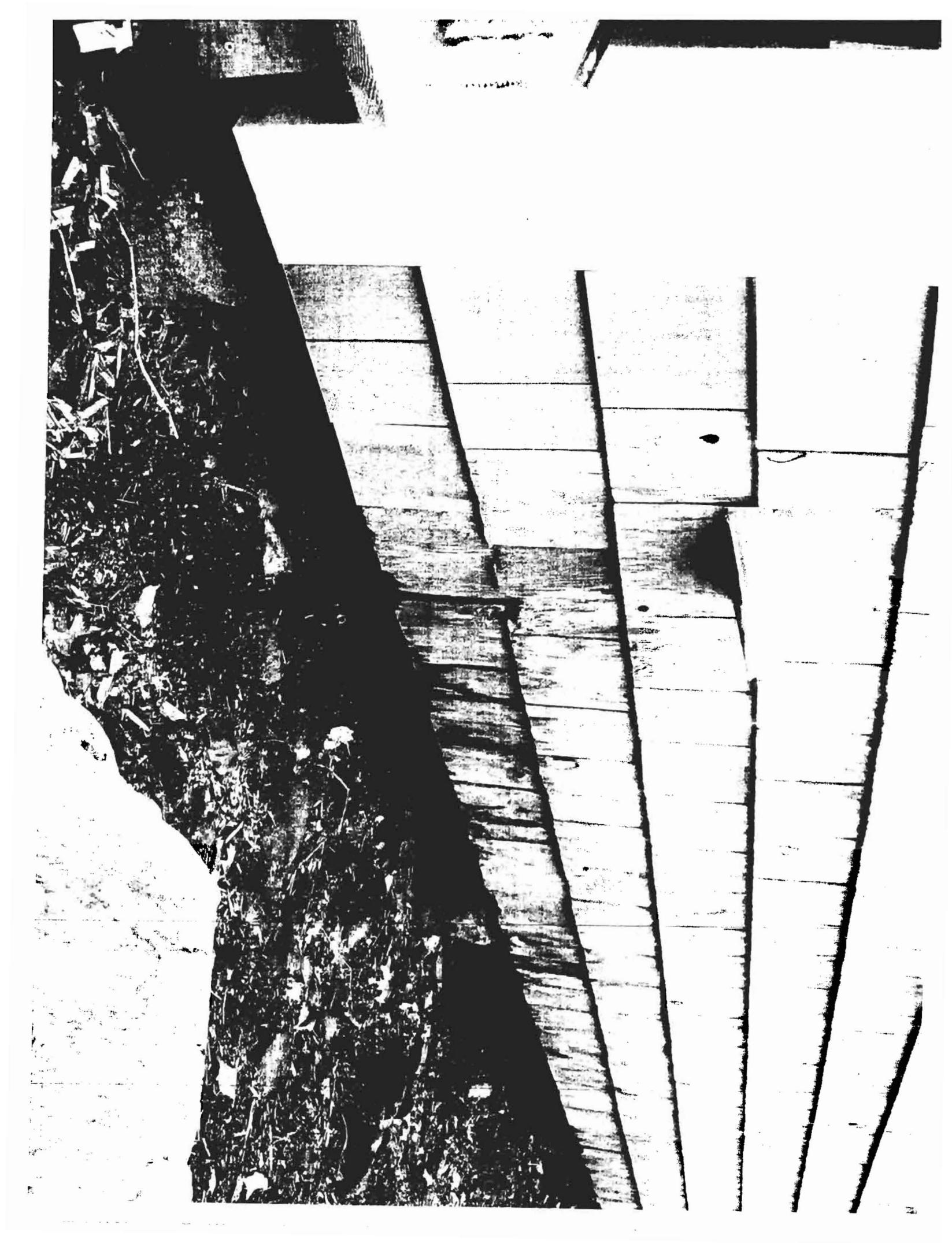


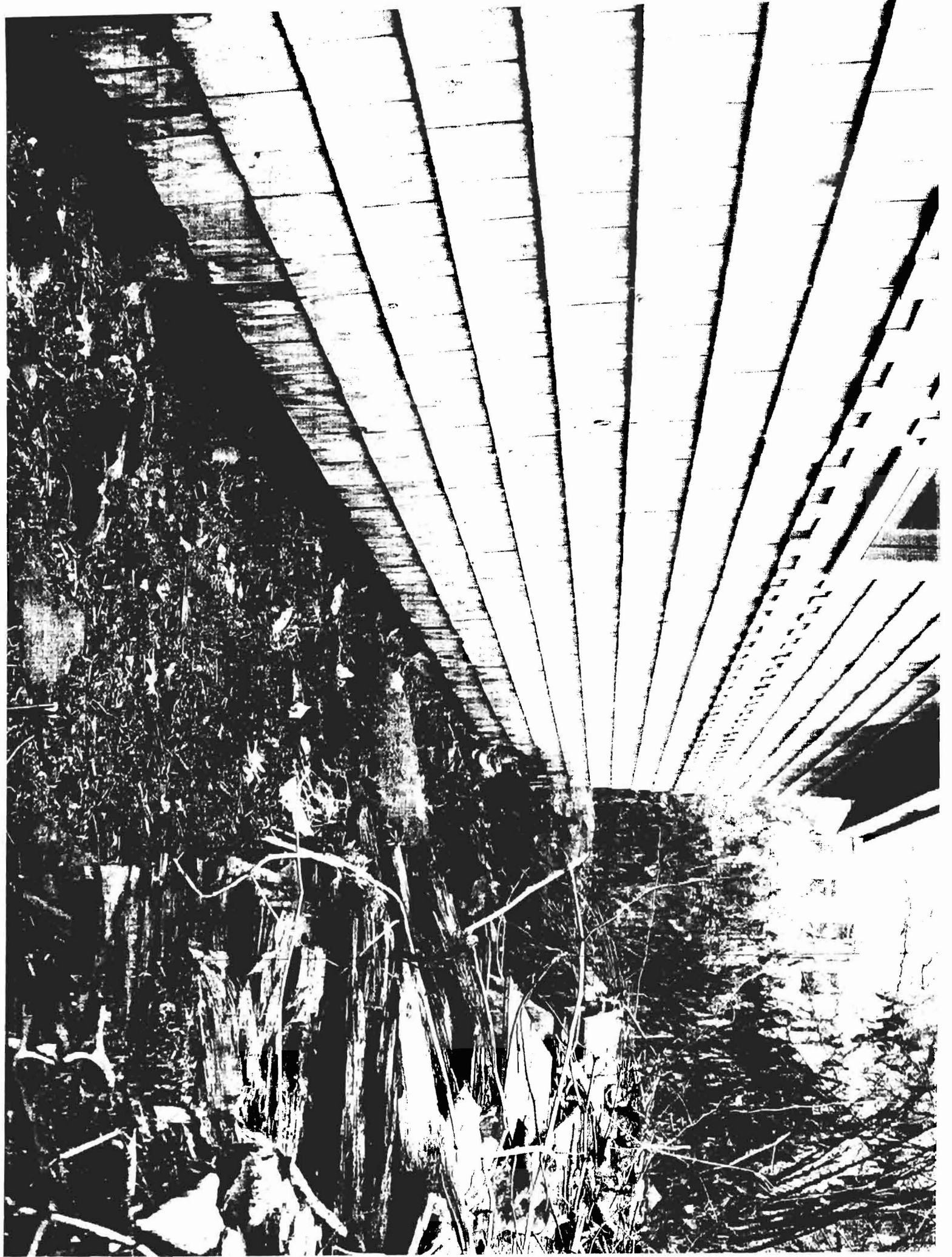
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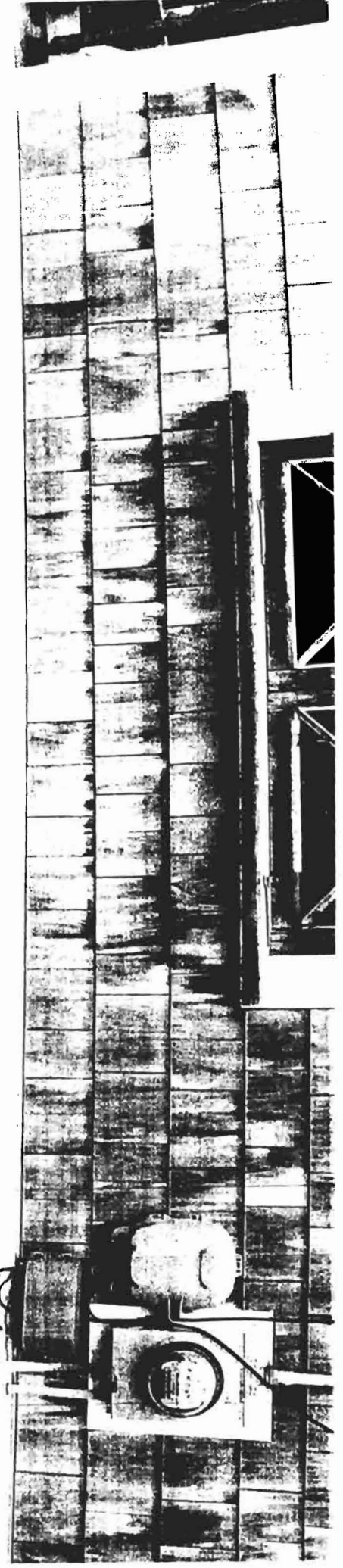
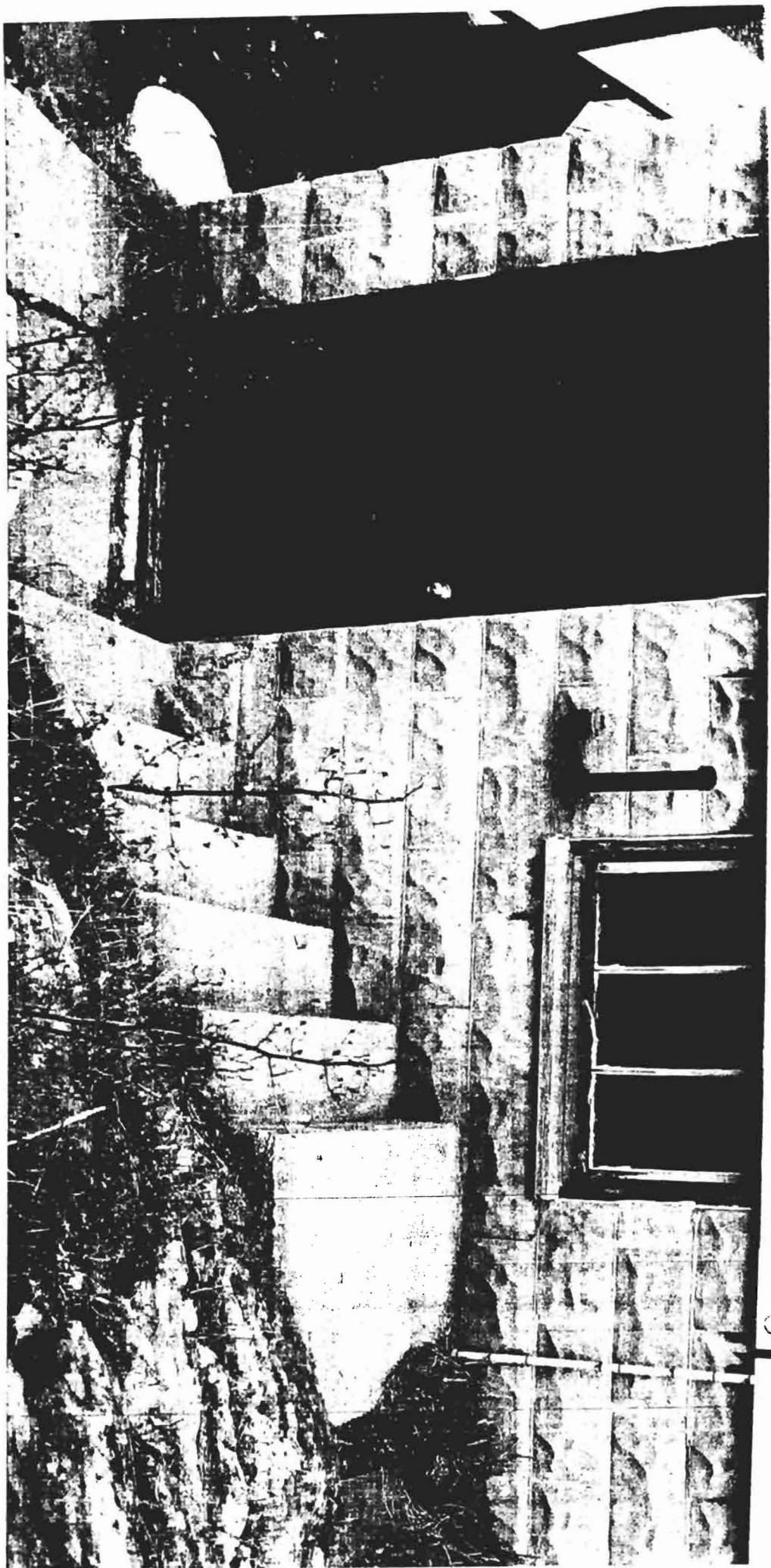


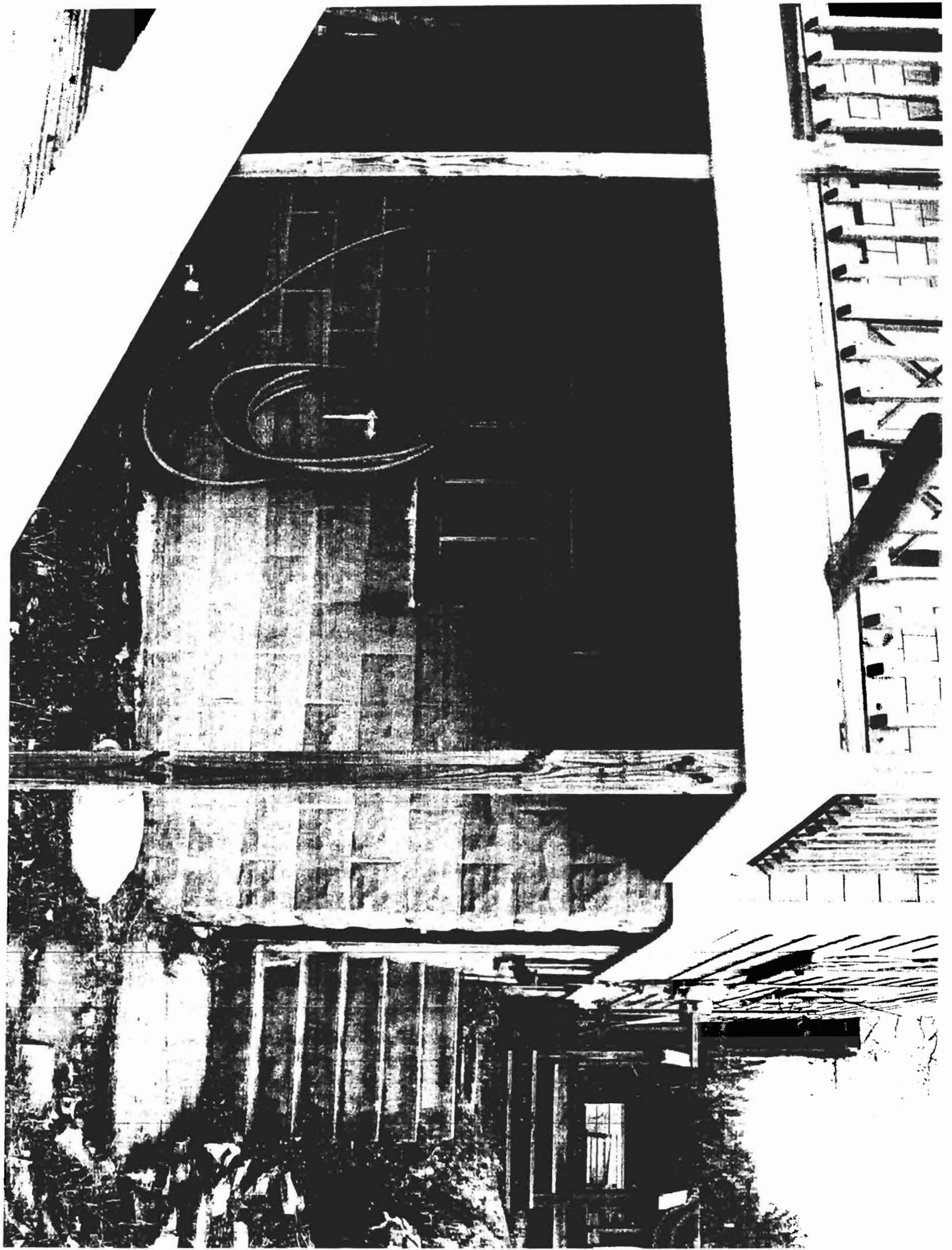










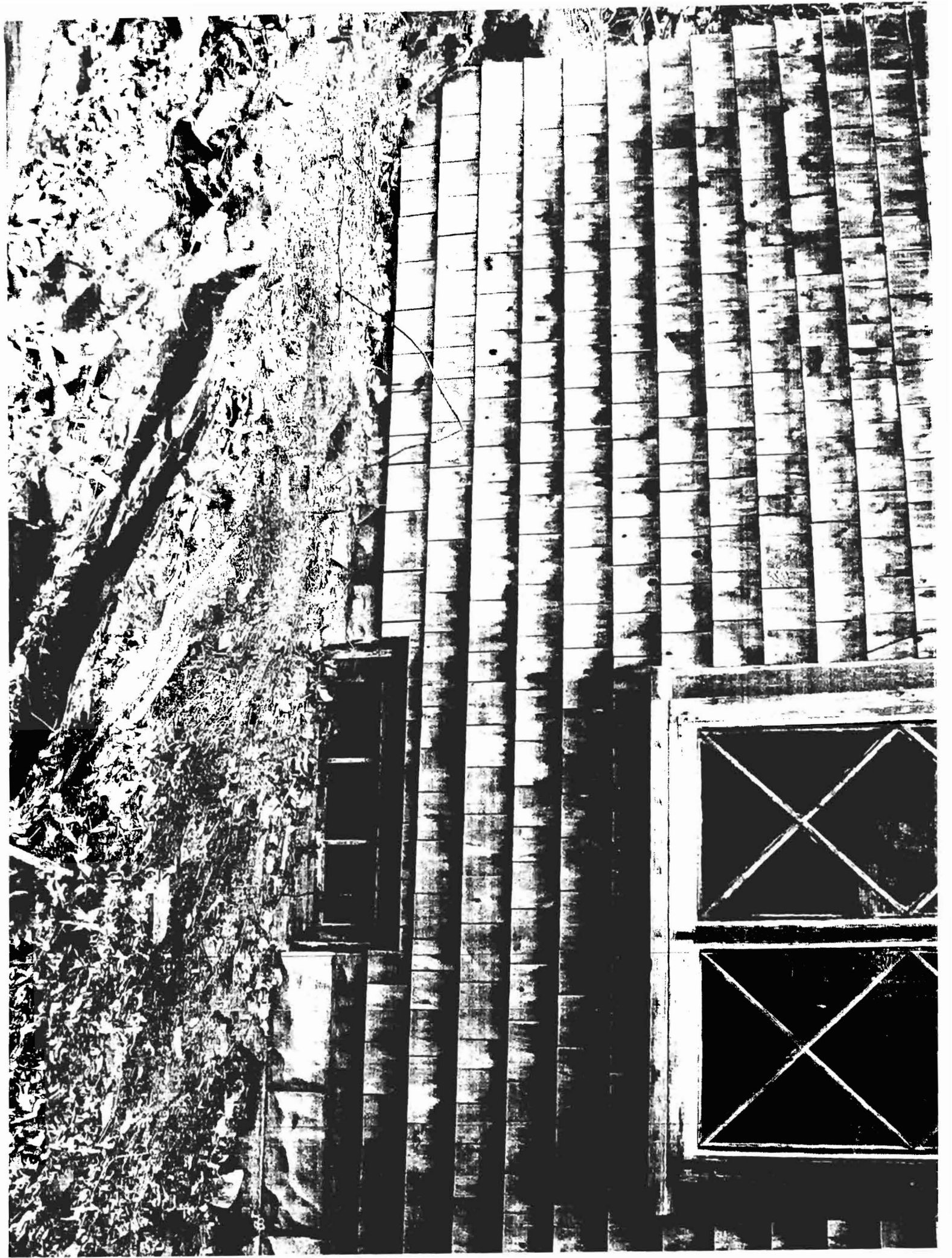












Inspection Services
Michael J. Nugent
Manager



Dept. of Planning & Development
Lee Urban
Director

Submitted at the ZBA meeting
11/13/08

CITY OF PORTLAND

September 21, 2004

Mr. Alfred Aydelott
251 Boston Post Road
Weston, MA 02493

RE: 36 Oak Avenue - CBL: 084-R-011 - I-B Zone

Dear Mr. Aydelott:

This letter is to confirm our conversations regarding the permit application for renovations at the address above. As you know, I am able to approve the permit (# 04-1055) for the side porch addition, rear steps, window canopy, new foundation, and 2nd floor expansion and interior modifications.

The proposed expansion, which creates the 3rd level deck, is being **denied** because it is not allowed under the City's Zoning Ordinance.

This property is lawfully non-conforming as to land area per dwelling unit and is limited to a 50% expansion of the first floor footprint. Section 14-436 allows this expansion within the existing footprint and shall be created in the uppermost floor by the use of dormers, turrets or similar structures...while preserving the existing roof configuration to the maximum extent possible. Your proposal creates a new floor area above the uppermost floor, which is not allowed, therefore this portion of your application is being **denied**.

You have the right to appeal my decision. Please note that variance appeals are very difficult to have granted by the Board of Appeals. If you wish to exercise your right to appeal, you have 30 days from the date of this letter in which to do so. I am enclosing the necessary paperwork in which to file an appeal. Feel free to call me with questions @ 207-874-8715.

Sincerely,

A handwritten signature in cursive script that reads "Jeanie Bourke".

Jeanie Bourke
Code Enforcement Officer/Plan Reviewer

A handwritten signature in cursive script that reads "Marge Schmuckal".

Marge Schmuckal
Zoning Administrator

Submitted at the ZBA meeting 11/13/08

Jonathan Goldberg

From: Ashton, Pat [PAshton@transnationalgroup.com]
Sent: Tuesday, November 04, 2008 7:59 AM
To: Jonathan Goldberg
Subject: RE:

Jon,

Please thank Alfred Aydelott for the time and attention he put into the alternative plan for our house renovation.

I do have a few concerns with the plan. It is actually very similar to a plan we had in the early stages of our design process when we "went down the dormer route" as we call it. It is hard for me to visualize the rooms as there are no dimensions listed, and I don't know what the ceilings would be like, as I'm assuming they would not be flat. There is also no outside space included, which if you remember our discussion, is a very important inclusion. We wanted a deck off the front of the second floor but the city would not allow it, so we revised our plan to include an open porch within the second floor space. I would even be willing to reduce the bedrooms to two in order to have outdoor space.

My contractor advised me that the stairs as shown in the plan are not correct. The ceilings on the first floor are almost ten feet tall, which made the design of the stairs one of our most difficult issues. He tells me that the upstairs bedroom on the right, with a bed and two nightstands forward of the stairs is not possible. He is willing to send measurement information if Mr. Aydelott is interested.

I don't know if Mr. Aydelott wants to continue this discussion, but I am certainly open to it. Having said that, I can not promise that I am going to accept any plan that he comes up with, so the amount of time he wants to invest is totally up to him.

As I told you, I really do want to be a good neighbor, and I had no idea I would be having a negative impact on houses so much further uphill than mine, as naïve as that may sound.

Pat

-----Original Message-----

From: Jonathan Goldberg [mailto:JGoldberg@mittelasen.com]
Sent: Friday, October 31, 2008 5:25 PM
To: Ashton, Pat
Subject: FW:

Ms. Ashton,

Attached are the sketches from Alfred Aydelott. As we discussed by telephone, this is copyrighted material that is offered at no cost to you on a preliminary basis and subject to an agreement among you and my clients that you will construct your home in full compliance with the final, finished drawings supplied by Mr. Aydelott. Assuming such an agreement is reached, the design will be offered as a total architectural package that must be implemented in full rather than accepted on a piecemeal basis.

We don't mean to sound "stingy," but these designs are intellectual property that is offered to you without charge, provided that you will comply with these few simple rules. We believe that the final product will be both more functional and comfortable for you, and aesthetically more pleasing to the you and your neighbors.

I will be eager to hear your reactions to the attached sketches. Please give me a call at your convenience.

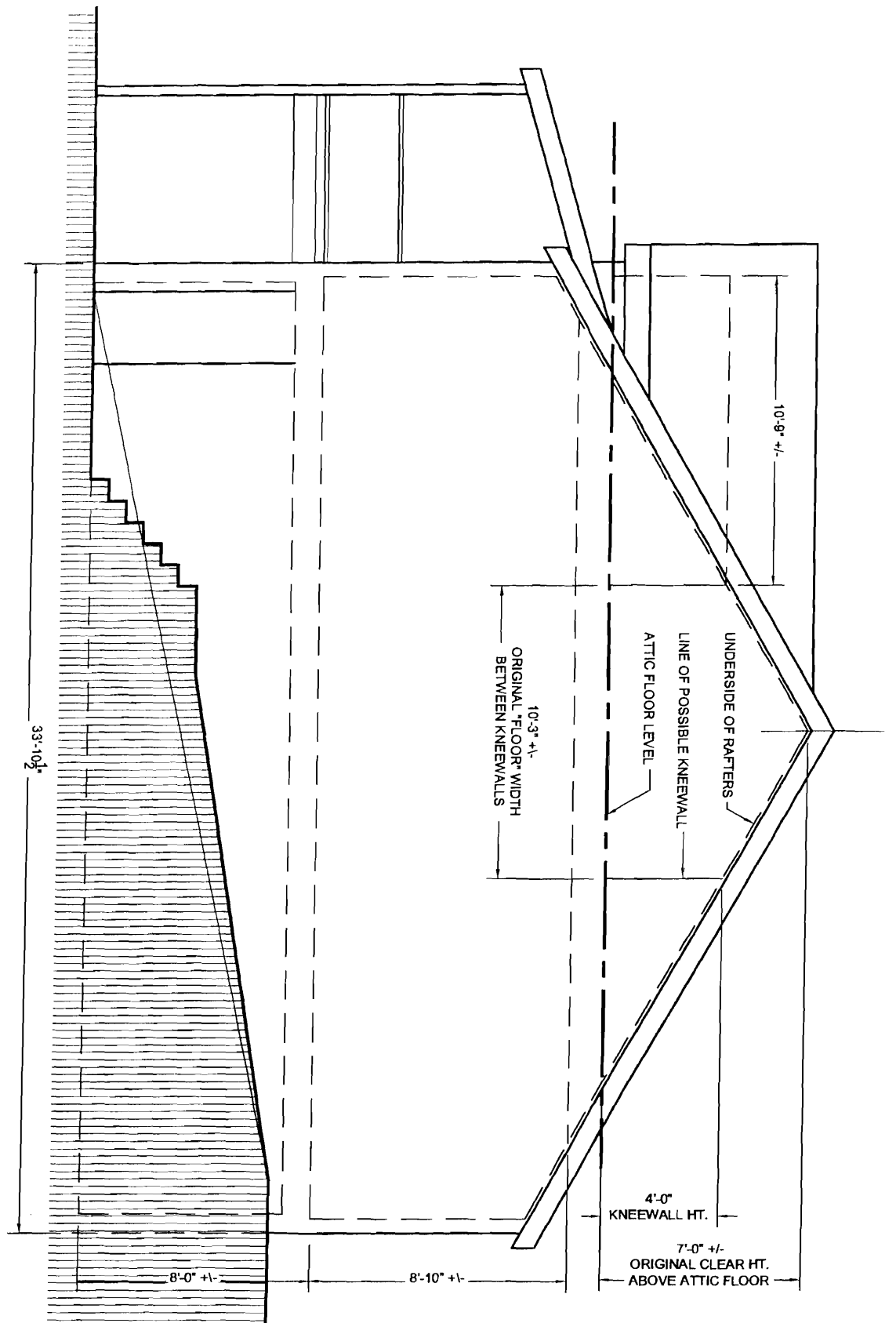
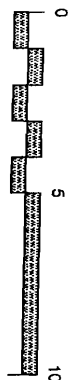
Jon

-----Original Message-----

From: JONATHAN [mailto:jgoldberg@mittelasen.com]

ORIGINAL ATTIC FLOOR AREA ANALYSIS

ORIGINAL ATTIC FLOOR AREA = 365 SF.
 BETWEEN 4 FOOT HIGH KNEE WALLS
 28.75' X 10.23' = 295 SF MAIN GABLE
 10.75' X 5' = 55 SF +/- CROSS GABLE
 3' X 5' = 15 SF +/- SHED DORMER



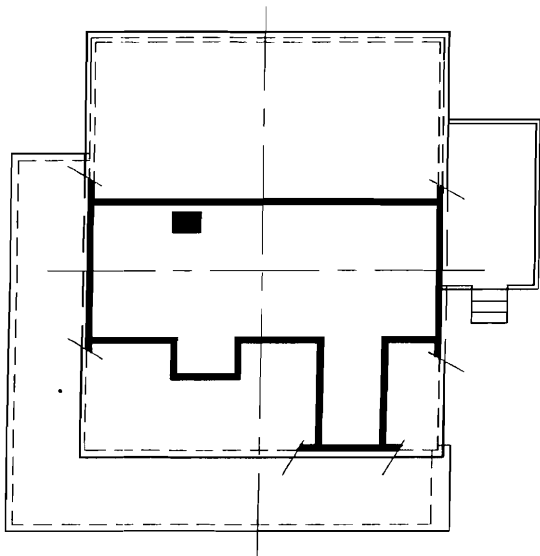
© A. L. Aydekoti and Associates, Architects and Engineers, Inc.

Diagrammatic Gable End Elevation
38 Torrington Avenue, Peaks Island

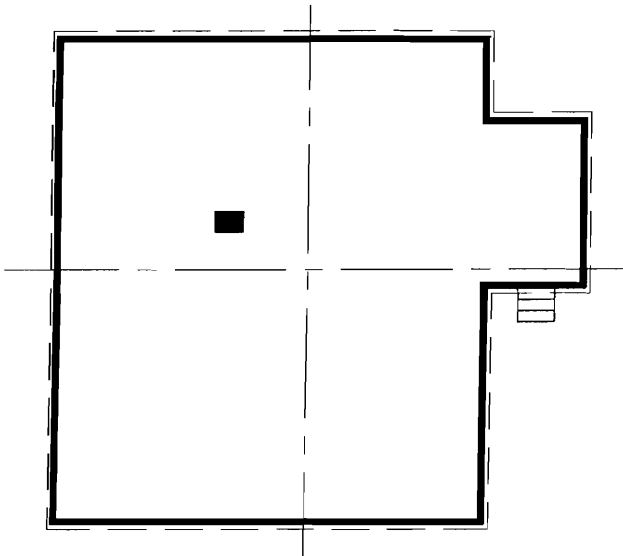
SK1

10.31.2008 1/316"x1'-0"

Submitted to the ZBA meeting on 11/13/08



ORIGINAL "ATTIC" AREA



ALLOWABLE UPPER FLOOR AREA PER PERMIT APPROVAL

PERMITTED ALLOWABLE AREA IS 4 TIMES THE ORIGINAL AREA AND 80 SF LARGER THAN TOTAL ENCLOSED AREA, PORCHES & DECKS BELOW.

EXPANSION AREA ALLOWED: CURRENT INTERPRETATION	
1. "GROUND FLOOR" AREA (GFA)	1,423 SF
2. ALLOWED EXPANSION @ 80% GFA	1,108 SF
3. ORIGINAL "ATTIC" AREA	385 SF
4. TOTAL ALLOWED AREA (2 + 3)	1,503 SF
FIGURES TAKEN FROM BUILDING PERMIT APPLICATION.	



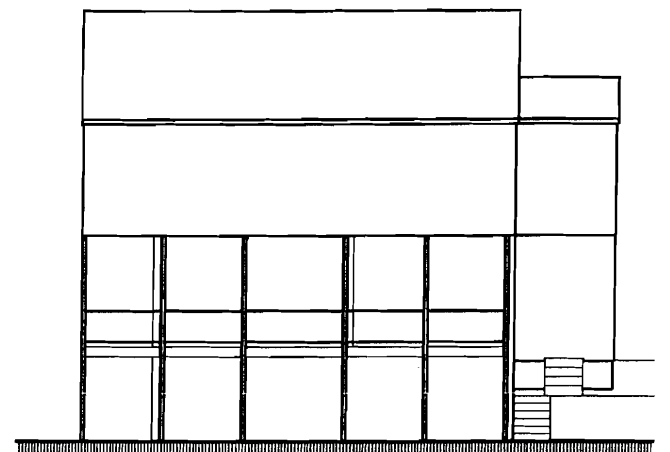
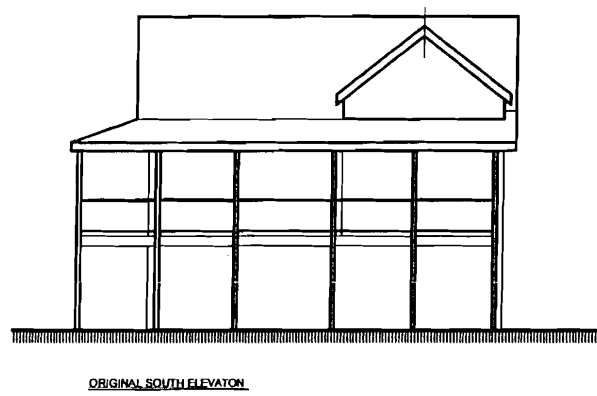
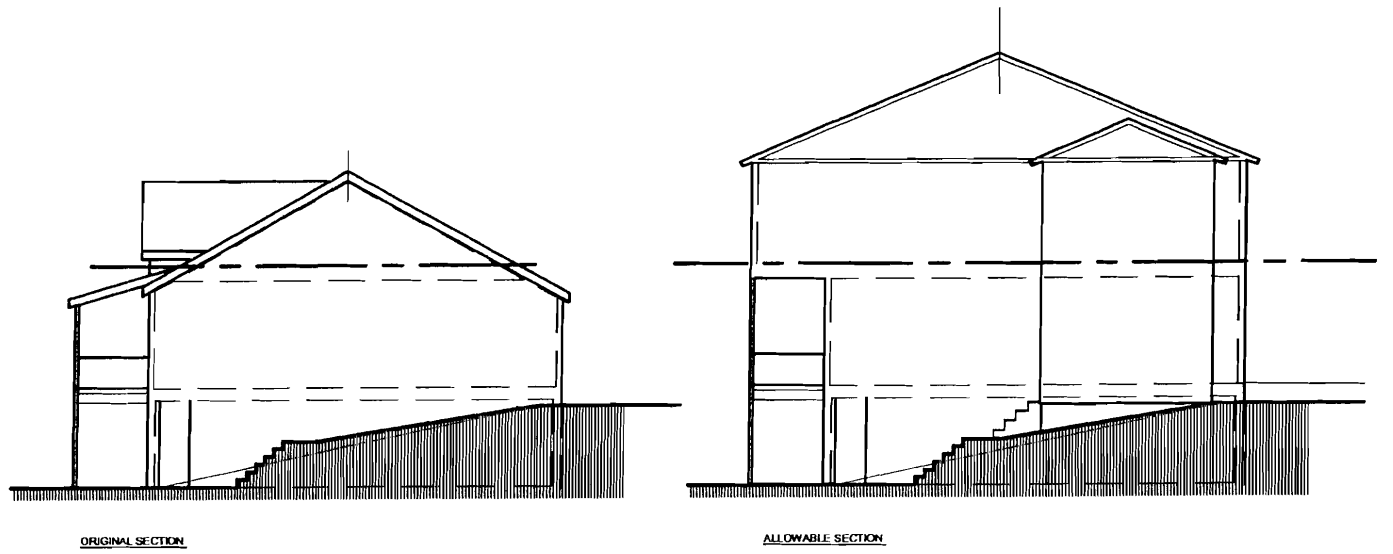
• A. L. Aydelott and Associates, Architects and Engineers, Inc.

Current Interpretation

Allowable Expansion
38 Torrington Avenue, Peaks Island

10.31.2008 | 1/16"=1'-0"

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2A



• A. L. Aydelott and Associates, Architects and Engineers, Inc.

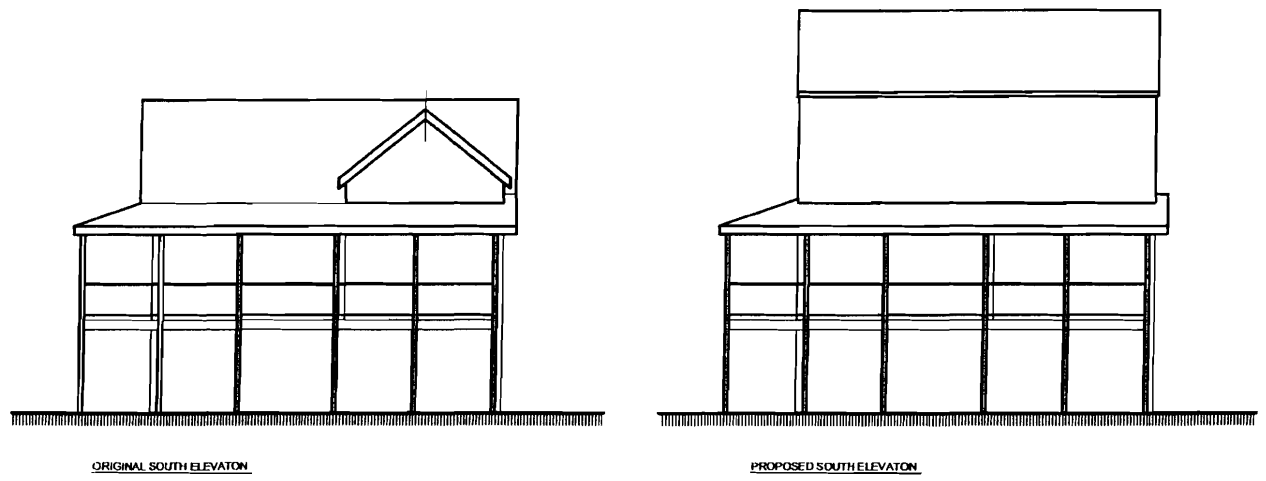
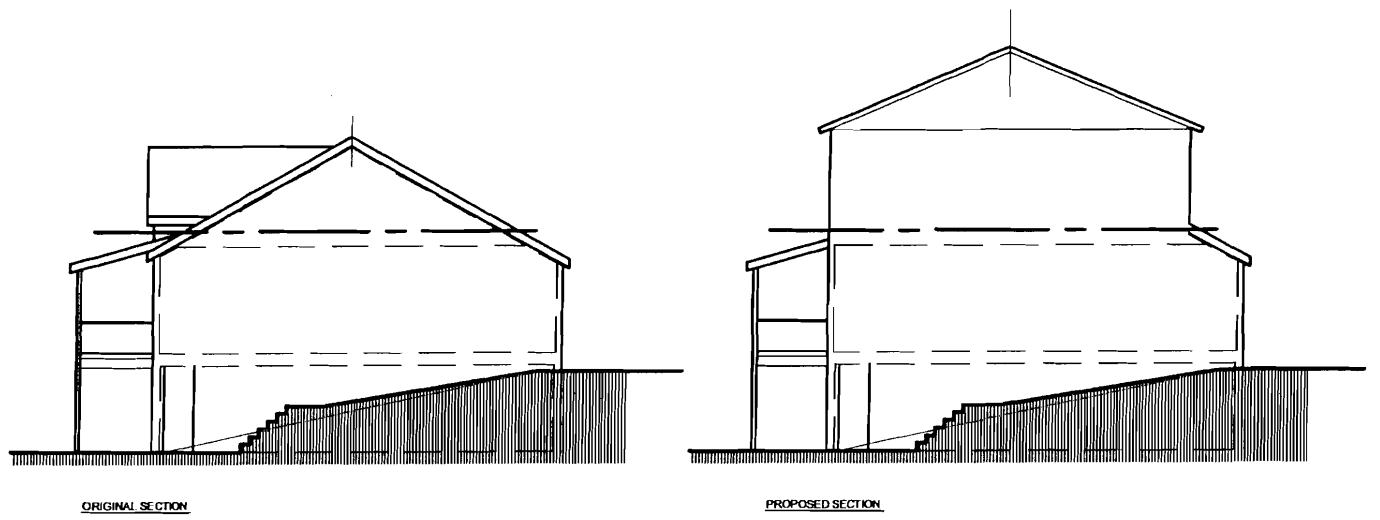
Current Interpretation

Allowable Expansion

38 Torrington Avenue, Peaks Island

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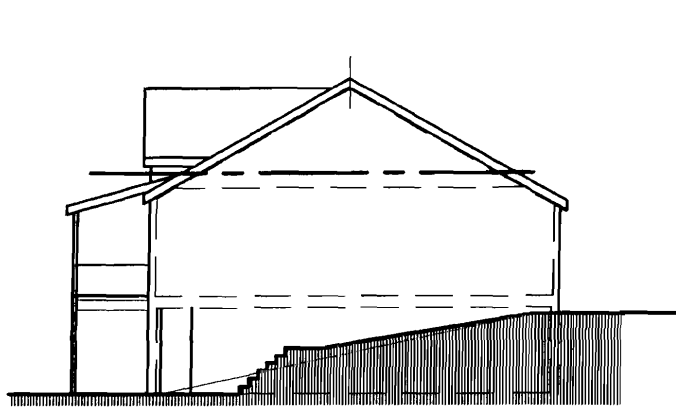


• A. L. Aydelott and Associates, Architects and Engineers, Inc.

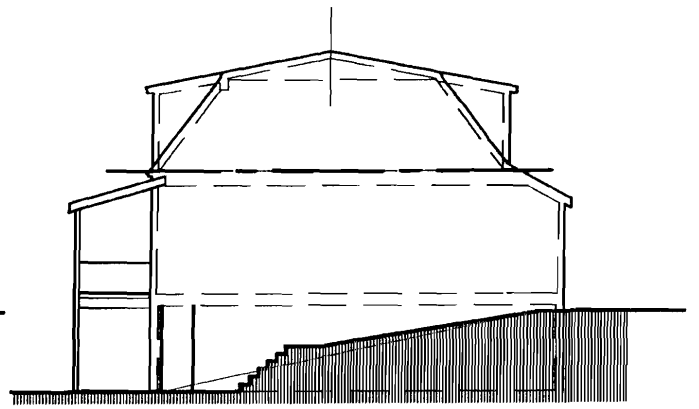
Comparative Diagrammatic Elevations
38 Torrington Avenue, Peaks Island

| 10.31.2008 | 1/16"=1'-0"

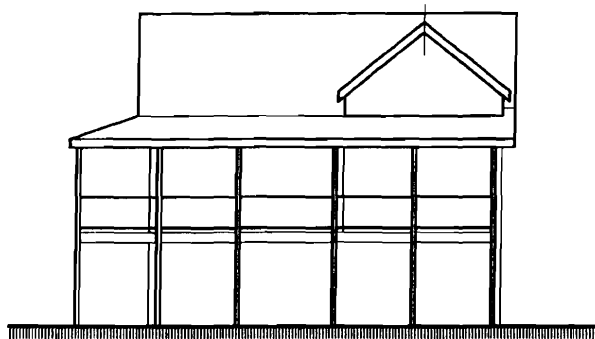
SK
2C



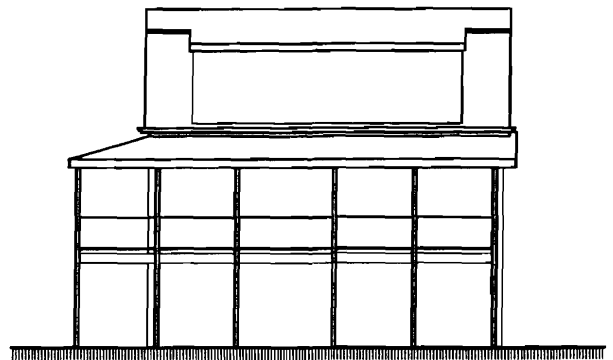
ORIGINAL SECTION



SUGGESTED ALTERNATIVE SECTION



ORIGINAL SOUTH ELEVATION



SUGGESTED ALTERNATIVE SOUTH ELEVATION

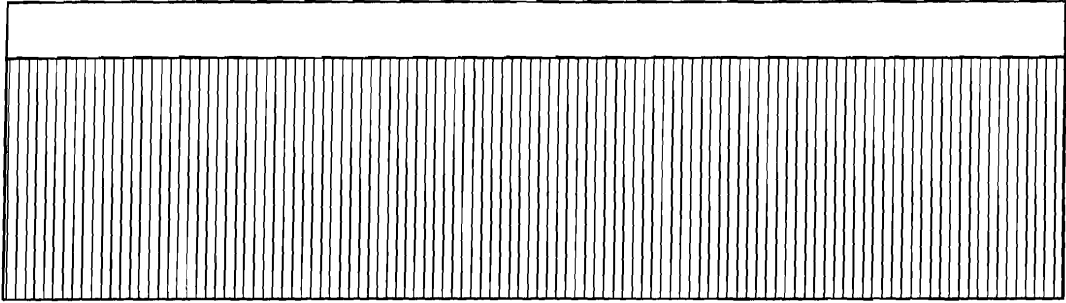


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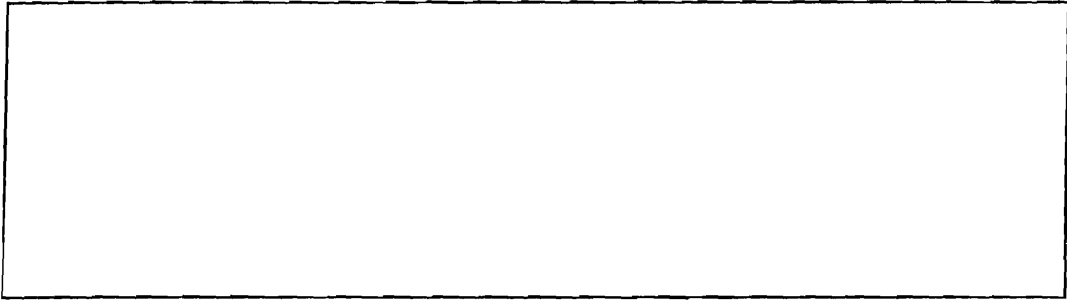
Comparative Diagrammatic Elevations
38 Torrington Avenue, Peaks Island

SK3

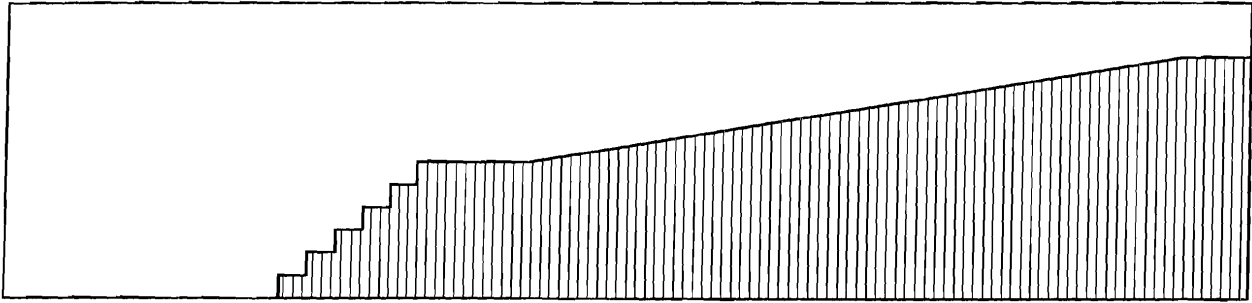
10.31.2008 1/16"=1'-0"



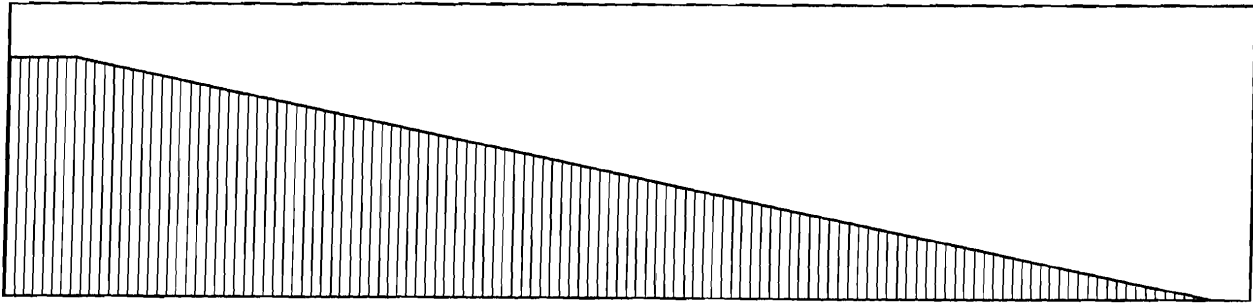
NORTH WALL



SOUTH WALL



EAST WALL



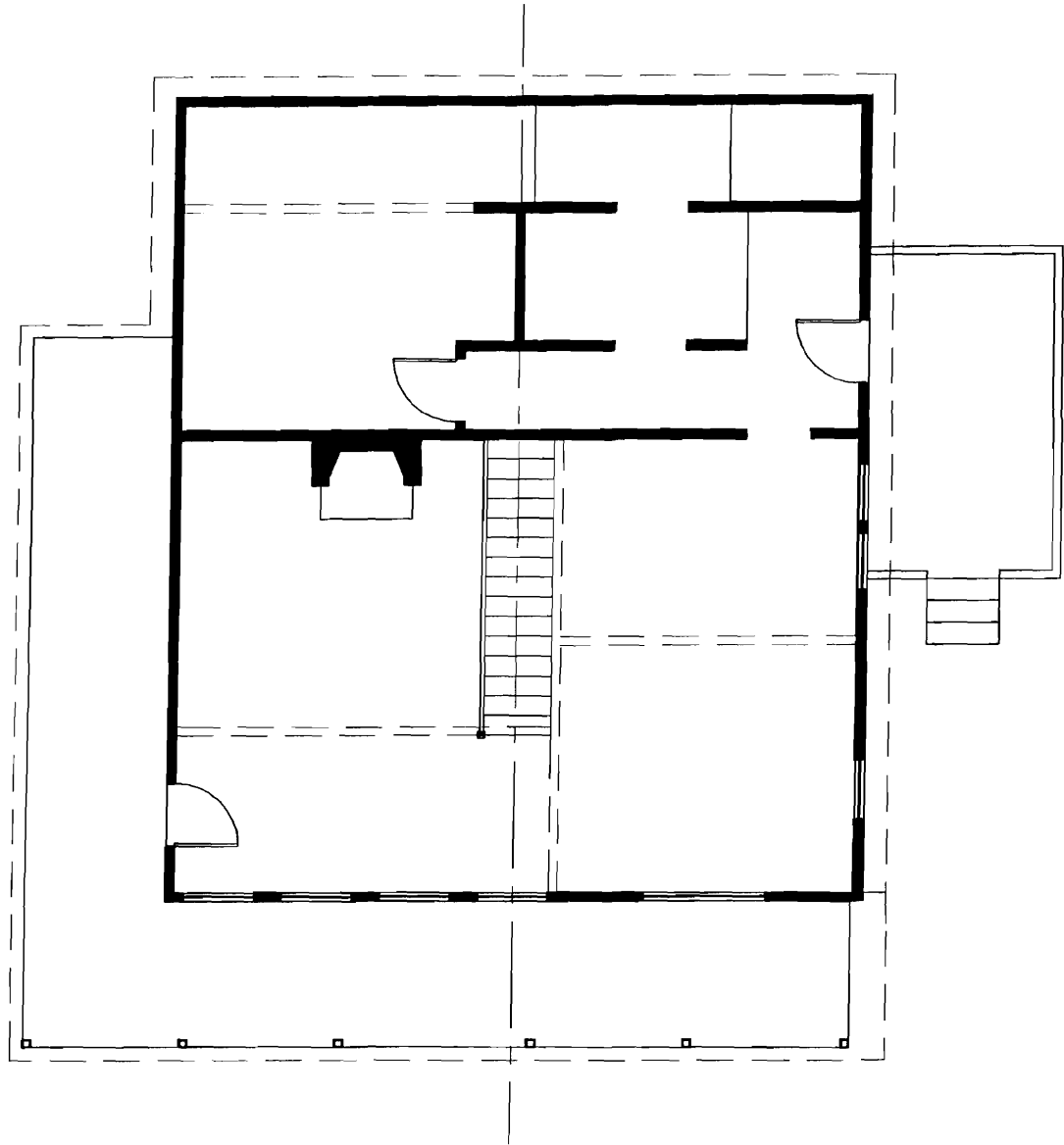
WEST WALL

WALL AREA CALCULATIONS		
	ABOVE GRADE	BELOW GRADE
NORTH WALL	43.5	191.4
SOUTH WALL	234.9	0.0
EAST WALL	160.4	117.6
WEST WALL	159.8	114.5
TOTALS	598.6	423.5

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CONCEPT DRAWING

NOT TO BE USED IN CONSTRUCTION

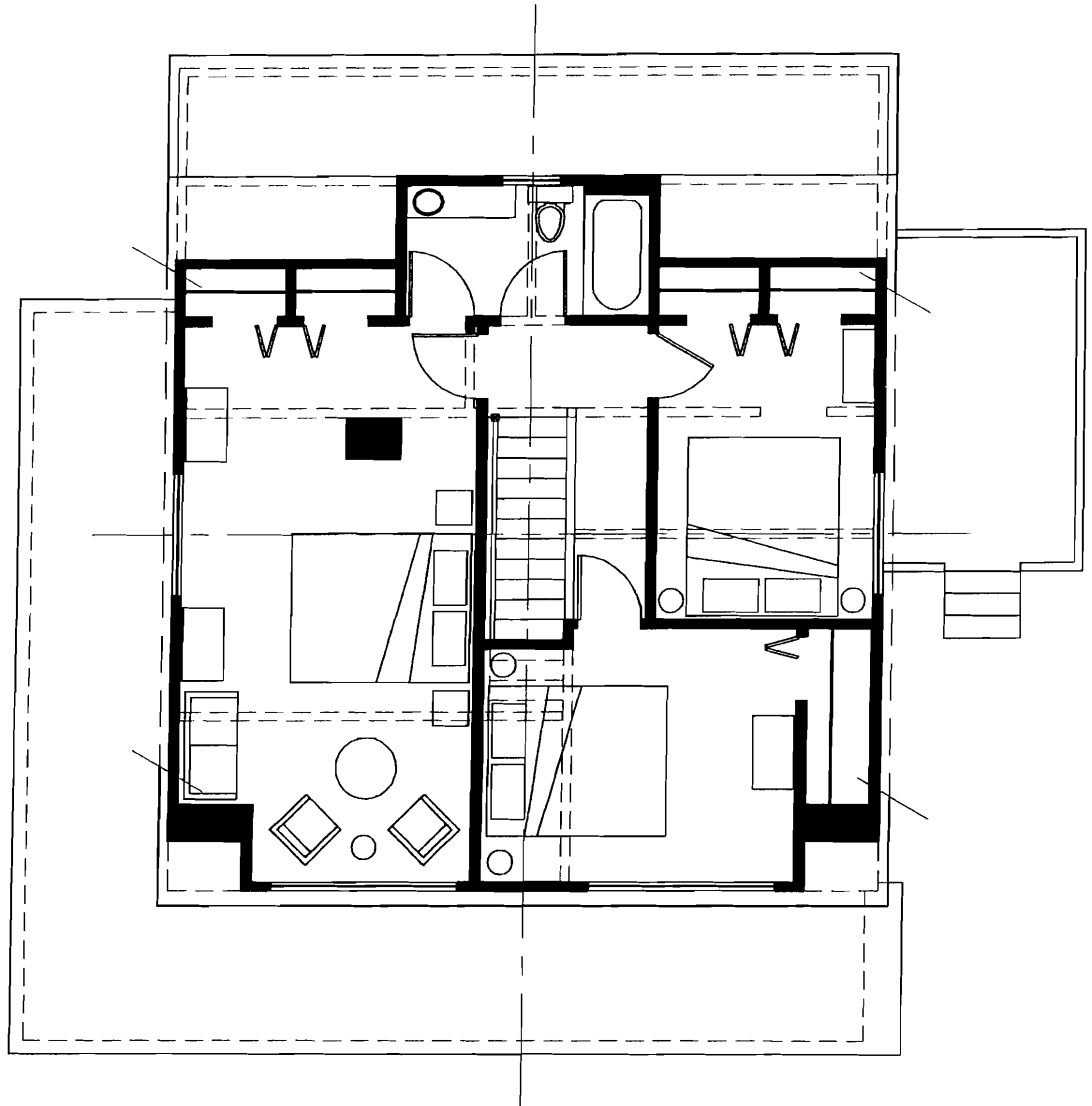


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Suggested Alternative Ground Floor Plan
38 Torrington Avenue, Peaks Island **SK5**

11.04.2006 | 1/8"=1'-0"

CONCEPT DRAWING
NOT TO BE USED IN CONSTRUCTION



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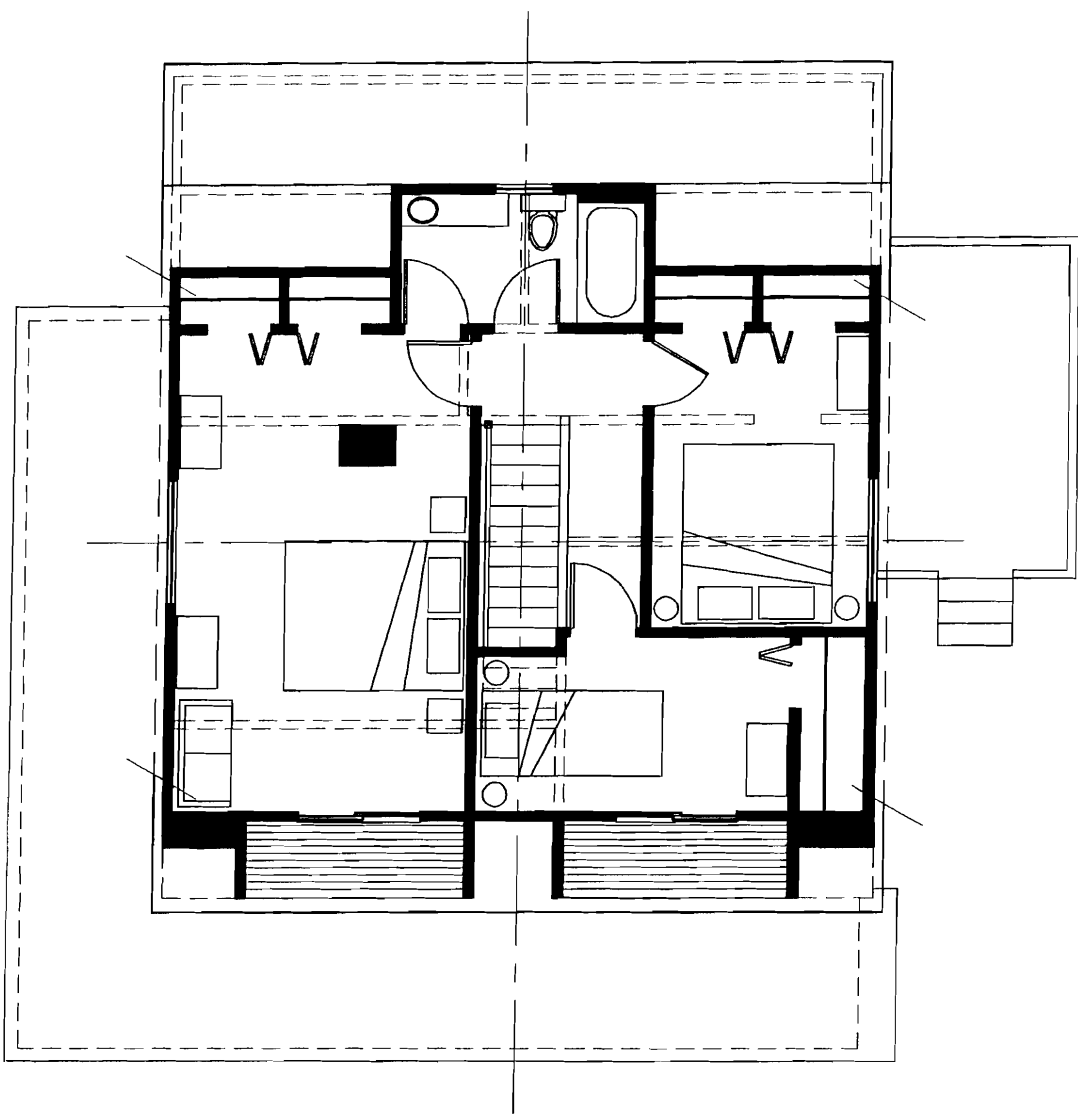
Gambrel Roof / No Balconies

Suggested Alternative Upper Floor Plan
38 Torrington Avenue, Peaks Island

11.04.2008 1/8"=1'-0"

SK
6A

CONCEPT DRAWING
NOT TO BE USED IN CONSTRUCTION



• A. L. Aydelott and Associates, Architects and Engineers, Inc.

Gambrel Roof / Balconies

Suggested Alternative Upper Floor Plan
38 Torrington Avenue, Peaks Island

SK
6B

11.04.2008 1/8"=1'-0"

CONCEPT DRAWING
NOT TO BE USED IN CONSTRUCTION



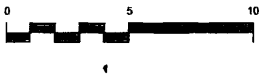
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Gambrel Roof / No Balconies **Suggested Alternative South Elevation**
38 Torrington Avenue, Peaks Island

11.04.2008 | 1/8"=1'-0"

**SK
7A**

CONCEPT DRAWING
NOT TO BE USED IN CONSTRUCTION



Gambrel Roof / Balconies

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Suggested Alternative South Elevation
38 Torrington Avenue, Peaks Island

11.04.2008 | 1/8"=1'-0"

SK
7B

CONCEPT DRAWING
NOT TO BE USED IN CONSTRUCTION

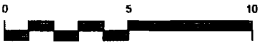
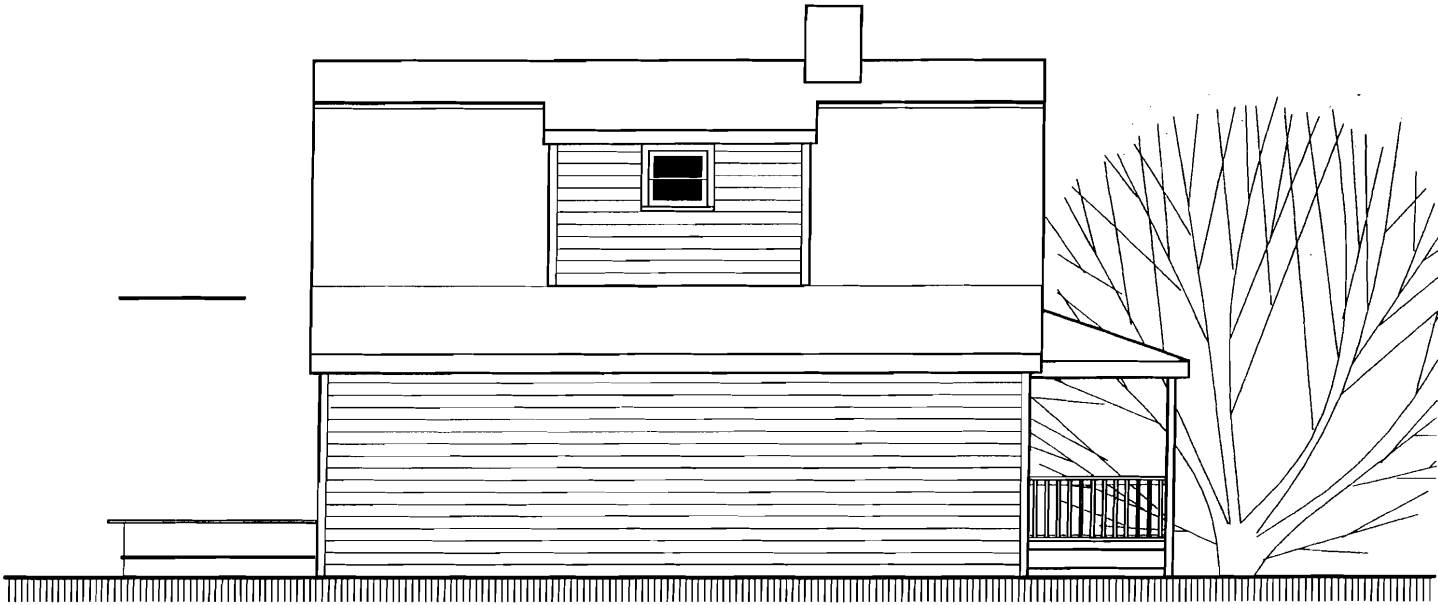


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Suggested Alternative East Elevation
38 Torrington Avenue, Peaks Island **SK8**

11.04.2008 | 1/8"=1'-0"

CONCEPT DRAWING
NOT TO BE USED IN CONSTRUCTION



• A. L. Aydelott and Associates, Architects and Engineers, Inc.

Suggested Alternative North Elevation
38 Torrington Avenue, Peaks Island **SK9**
11.04.2008 | 1/8"=1'-0"

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK
CITY OF PORTLAND

Please Read
Application And
Notes, If Any,
Attached

BUILDING INSPECTION

PERMIT

Permit Number: 081166

This is to certify that ASHTON RICHARD & PATRICIA ASHTON ITS/Horizontal Under
is permission to Rough Second floor shell w/ stairs & deck
38 TORRINGTON AVE Peaks Island 084 S006001

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 application 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 when permission procured
before this building or part thereof is
laid or closed-in.
FOUR HOURS NOTICE IS REQUIRED.

A certificate of occupancy must be
procured by owner before this build-
ing or part thereof is occupied.

OTHER REQUIRED APPROVALS

Fire Dept. _____
Health Dept. _____
Zoning Board _____
Inspector _____
Department Name _____

Thomas N. Mahoney 9/18/08
Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

Scanned

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

Permit No: 08-1166		Issue Date:		CBL: 084 S006001					
Location of Construction: 18 TORRINGTON AVE Peaks Island		Owner Name: ASHTON RICHARD & PATRICIA		Owner Address: 50 SILVERHILL RD		Phone:			
Business Name:		Contractor Name: Horizon Builders Inc.		Contractor Address: P O Box 802 Portland		Phone: 2072523551			
Applicant/Owner's Name:		Phone:		Permit Type: Additions - Dwellings			Zone: IR-2		
Current Use: Single Family Home		Proposed Use: Single Family Home - Rough Second floor shell w/ stairs & decks		Permit Fee: \$520.00		Cost of Work: \$49,800.00		CEO District: 1	
Proposed Project Description: Rough Second floor shell w/ stairs & decks				FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group: R3 Type: SB IRC 2003 Signature: [Signature] 9/18/08			
				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: [Signature] [Name]		Date Applied For: 09/16/2008		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 checked="" type="checkbox"/> Shoreland part of existing covered open porch is within 75' setback. rest of structure is within 25' setback. Parcel 15 - Zone C <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan Major <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> Or w/ conditions Date: 9/22/08		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 ASU Date:			

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

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

Permit No: 08-1166	Date Applied For: 09/16/2008	CBL: 084 S006001
-----------------------	---------------------------------	---------------------

Location of Construction: 38 TORRINGTON AVE Peaks Isla	Owner Name: ASHTON RICHARD & PATRICIA	Owner Address: 50 SILVERHILL RD	Phone:
Business Name:	Contractor Name: Horizon Builders Inc.	Contractor Address: P O Box 802 Portland	Phone: (207) 252-3551
Lessee/Buyer's Name	Phone:	Permit Type: Additions - Dwellings	

Proposed Use: Single Family Home - Rough Second floor shell w/ stairs	Proposed Project Description: Rough Second floor shell w/ stairs
--	---

Dept: Zoning Status: Approved with Conditions Reviewer: Ann Machado Approval Date: 09/22/2008

Note: Original application was to add two second floor decks, but proposal for the two decks has been withdrawn Ok to Issue: ☒
because it didn't meet shoreland zone requirements.

First floor footprint is 1423 sf. 80% is 1138.4 sf. Proposed second floor is 858.69 sf total minus 394.55 sf existing for a total of 464.14 sf increase which is 41% of allowable 80% increase.

-) This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.
-) 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: Tom Markley Approval Date: 09/18/2008

Note: Ok to Issue: ☒

-) Hardwired interconnected battery backup smoke detectors shall be installed in all bedrooms, protecting the bedrooms, and on every level.
-) Separate permits are required for any electrical, plumbing, or HVAC systems. Separate plans may need to be submitted for approval as a part of this process.
-) Application approval based upon information provided by applicant. Any deviation from approved plans requires separate review and approval prior to work.

Comments:

9/16/2008-amachado: I need more information from Tom Childs about the existing floor area on the second floor. I'm moving the permit forward to plan review but I'm not ready to sign off.

9/22/2008-amachado: Tom brought in the information.



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: 38 TORRINGTON AVE. PEAKS ISLAND			
Total Square Footage of Proposed Structure 1060 SF		Square Footage of Lot	
Tax Assessor's Chart, Block & Lot Chart# 84 Block# S Lot# 6	Owner: PATRICIA & RICK ASHTON	Telephone: 508 473-7862	
Lessee/Buyer's Name (If Applicable)	Applicant name, address & telephone: 50 SILVERHILL RD. MILFORD, MA 01757	Cost Of Work: \$ 42,800	Fee: \$
		C of O Fee: \$	
Current legal use (i.e. single family) SINGLE FAMILY			
If vacant, what was the previous use? N/A			