

# DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

Please Read  
Application And  
Notes, if Any,  
Attached

BUILDING DEPARTMENT

## PERMIT

Permit Number: 030413

This is to certify that Iovino David B  
has permission to Change of Use to Sandwich Shop  
AT 89 Congress St 014 D012001

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 is procured before this building or part thereof is occupied or closed-in.  
**48 HOUR NOTICE IS REQUIRED.**

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

**OTHER REQUIRED APPROVALS**

Fire Dept. [Signature]  
Health Dept. \_\_\_\_\_  
Appeal Board \_\_\_\_\_  
Other \_\_\_\_\_  
Department Name \_\_\_\_\_

[Signature]  
Director - Building & Inspection Services

**PENALTY FOR REMOVING THIS CARD**

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

|                       |             |                     |
|-----------------------|-------------|---------------------|
| Permit No:<br>03-0413 | Issue Date: | CBL:<br>014 D012001 |
|-----------------------|-------------|---------------------|

|   |                               |  |                    |
|---|-------------------------------|--|--------------------|
| Location of Construction:<br>89 Congress St | Owner Name:<br>Iovino David B | Owner Address:<br>32 Hampshire St          | Phone:<br>772-7719 |
| Business Name:                              | Contractor Name:              | Contractor Address:                        | Phone:             |
| Lessee/Buyer's Name                         | Phone:                        | Permit Type:<br>Change of Use - Commercial | Zone:<br>B1        |

|  |   |   |   |                    |
|--|---|---|---|--------------------|
| Past Use:<br>vacant <i>sandwich shop</i> | Proposed Use:<br><i>Sandwich Shop 25-30 seats restaurant proposed</i> | Permit Fee:<br>\$30.00  | Cost of Work:<br>\$0.00   | CEO District:<br>1 |
|  |   | FIRE DEPT:<br><input checked="" type="checkbox"/> Approved<br><input type="checkbox"/> Denied | INSPECTION:<br>Use Group: <i>A3</i> Type: <i>5B</i><br><i>8/11/03</i> |                    |

|  |                                  |                                  |
|--|----------------------------------|----------------------------------|
| Proposed Project Description:<br>Change of Use to <i>Sandwich Shop restaurant - 25-30 SEATS</i>                          | Signature:<br><i>[Signature]</i> | Signature:<br><i>[Signature]</i> |
| 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:<br>kwd | Date Applied For:<br>04/30/2003 | <b>Zoning Approval</b> |
|-------------------------|---------------------------------|------------------------|

|  |   |  |  |
|--|---|--|--|
| 1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.<br>2. Building permits do not include plumbing, septic or electrical work.<br>3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work.. | Special Zone or Reviews<br><input type="checkbox"/> Shoreland <i>NA</i><br><input type="checkbox"/> Wetland<br><input type="checkbox"/> Flood Zone<br><input type="checkbox"/> Subdivision<br><input type="checkbox"/> Site Plan<br><input type="checkbox"/> Other <i>with conditions</i> | Zoning Appeal<br><input type="checkbox"/> Variance<br><input checked="" type="checkbox"/> Miscellaneous <i>Joint use for parking and delivery</i><br><input checked="" type="checkbox"/> Conditional Use <i>for use with conditions</i><br><input type="checkbox"/> Interpretation<br><input checked="" type="checkbox"/> Approved <i>July 17th</i><br><input type="checkbox"/> Denied | Historic Preservation<br><input checked="" type="checkbox"/> Not in District or Landmark<br><input type="checkbox"/> Does Not Require Review<br><input type="checkbox"/> Requires Review<br><input type="checkbox"/> Approved<br><input type="checkbox"/> Approved w/Conditions<br><input type="checkbox"/> Denied |
|  | Date: <i>7/25/03</i>  | Date: <i>[Signature]</i>   | Date: <i>[Signature]</i>   |

*① Applicant shall make every effort to steer patrons to use the off-street parking lot provided*  
*② The lease on the off-street parking spaces shall be continuous*

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 |

Zoning Division  
Marge Schmuckal  
Zoning Administrator

Department of Planning & Development  
Lee Urban, Director



## CITY OF PORTLAND

May 12, 2003

David B. Iovino  
32 Hampshire Street  
Portland, ME 04101

RE: 89 Congress Street – 014-D-012 – B-1 Zone

Dear Mr. Iovino,

I am in receipt of your building permit to change the use of the first floor of your building from a retail, take-out sandwich shop to a restaurant with 25-30 seats. It is understood that there are two legal apartments in addition to this retail space. Your permit can not be issued without a conditional use appeal from the Zoning Board of Appeals as required by ordinance. Only the Zoning Board can approve this use under 14-163. I have attached a copy of that section of the ordinance. All the conditions shall be met for the Zoning Board to approve your request. The Board shall require you to explain to them how you specifically meet all such conditions.

You are also required to show how you meet all off-street parking requirements. Your permit application does not show how many parking spaces are available in your lot. On street parking spaces can not count toward your off-street parking requirements. You will need to submit an improved site plan showing how many off-street parking spaces you have available for the all the uses of this building. The two existing apartments require 1 off-street parking space each, or two spaces. The restaurant use requires one parking space for each one hundred fifty (150) square feet, or major fraction thereof, of floor area not used for bulk storage or food preparation.

I have enclosed an application for a conditional use appeal along with information that explains how to apply for an appeal. If you have any questions, please do not hesitate to call.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Marge Schmuckal', is written over a horizontal line.

Marge Schmuckal  
Zoning Administrator

**From:** Marge Schmuckal  
**To:** Brandi Maxwell  
**Date:** Fri, Jul 25, 2003 9:35 AM  
**Subject:** Re: Blue Spoon - 89 Congress Street

Brandi,

Yes, the Blue Spoon (don't they intend to wash their silverware?), or David Iovino received his zoning appeal approvals on July 17th. His permits on file will be issued soon. Thanks for checking.

Marge

>>> Brandi Maxwell 07/25 9:16 AM >>>

Hi there,

The applicant for Blue Spoon indicated in a conversation back in June that they had to go before the zoning board of appeals to get approved for their license. I am just wondering if this indeed happened and if so were they approved? -Brandi

**CC:** Karen Dunfey

**City of Portland, Maine - Building or Use Permit**

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

|                       |                                 |                     |
|-----------------------|---------------------------------|---------------------|
| Permit No:<br>03-0413 | Date Applied For:<br>04/30/2003 | CBL:<br>014 D012001 |
|-----------------------|---------------------------------|---------------------|

|   |                               |  |                        |
|---|-------------------------------|--|------------------------|
| Location of Construction:<br>89 Congress St | Owner Name:<br>Iovino David B | Owner Address:<br>32 Hampshire St          | Phone:<br>( ) 772-7719 |
| Business Name:                              | Contractor Name:              | Contractor Address:                        | Phone:                 |
| Lessee/Buyer's Name                         | Phone:                        | Permit Type:<br>Change of Use - Commercial |                        |

|  |   |
|--|---|
| Proposed Use:<br>Restaurant - 25- 30 seats | Proposed Project Description:<br>Change of Use to restaurant with 25-30 seats |
|--|---|

**Dept:** Zoning      **Status:** Approved with Conditions      **Reviewer:** Marge Schmuckal      **Approval Date:** 07/25/2003

**Note:** 5/12/03 This new use requires a conditional use appeal. Letter sent      **Ok to Issue:**   
7/17/03 ZBA approved the conditional use for restaurant and the misc appeal for joint use parking and off-street parking over 100' away

- 1) Separate permits shall be required for any new signage.
- 2) At their July 17th meeting, the Zoning Board of Appeals added two additional conditions to this restaurant use. 1) The applicant shall make every effort to steer patrons to use the of site parking lot. 2) The lease on the off site parking spaces shall be continuous and run with the restaurant use.
- 3) Please note that ALL the conditions placed on restaurants in the B-1 zone must be maintained during the continued operation of this establishment.

**Dept:** Building      **Status:** Pending      **Reviewer:**      **Approval Date:**  
**Note:**      **Ok to Issue:**

**Dept:** Fire      **Status:** Pending      **Reviewer:** Lt. MacDougal      **Approval Date:**  
**Note:**      **Ok to Issue:**

014 D012001

1 of 1

IOVINO DAVID B

32 HAMPSHIRE ST

PORTLAND ME 04101

89 CONGRESS ST

COMMERCIAL

14-D-12  
CONGRESS ST 89-89A  
MERRILL ST 2-6  
2784 SF

MIXED RES/COMM

C

1

CI

0

1

1

0

0

0

03-0413

# All Purpose 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.

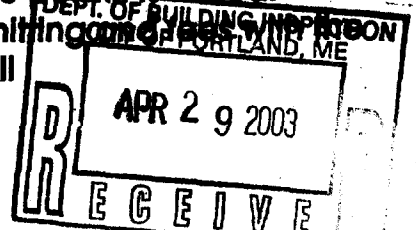
|  |   |  |
|--|---|--|
| Location/Address of Construction: <u>89 Congress St</u> <u>Zone B1</u>   |   |  |
| Total Square Footage of Proposed Structure<br><u>2584 Bldg - 725 Project</u>   | Square Footage of Lot<br><u>2700 SF</u>   |  |
| Tax Assessor's Chart, Block & Lot<br>Chart# <u>014</u> Block# <u>D</u> Lot# <u>012</u>   | Owner:<br><u>David Jonno</u>  | Telephone:<br><u>772-7719</u>                        |
| Lessee/Buyer's Name (if Applicable)  | Applicant name, address & telephone:<br><u>David Jonno</u><br><u>32 Hampshire St - 2</u><br><u>Portland Me 04101</u><br><u>772-7719</u> | Cost Of Work: \$ <u>1500</u><br>Fee: \$ <u>37.00</u> |
| Current use: <u>vacant / Tony Quies</u>  |   | Col <u>45.00</u>                                     |
| If the location is currently vacant, what was prior use: <u>Sandwich shop</u>  |   | <u>112.00</u>  |
| Approximately how long has it been vacant: <u>3 1/2 months</u>   |   |  |
| Proposed use: <u>25-30 seat cafe serving lunch &amp; dinner</u>  |   |  |
| Project description:<br><u>(Change of use is seating)</u>  |   |  |
| Contractor's name, address & telephone:  |   |  |
| Who should we contact when the permit is ready: <u>David Jonno</u>   |   |  |
| Mailing address: <u>32 Hampshire St.</u><br><u>Portland, Me 04101</u>  |   |  |
| We will contact you by phone when the permit is ready. You must come in and pick up the permit and review the requirements before starting any work, with a Plan Reviewer. A stop work order will be issued and a \$100.00 fee if any work starts before the permit is picked up. PHONE: <u>772-7719</u> |   |  |

IF THE REQUIRED INFORMATION IS NOT INCLUDED IN THE SUBMISSIONS THE PERMIT WILL BE AUTOMATICALLY DENIED AT THE DISCRETION OF THE BUILDING/PLANNING DEPARTMENT, WE MAY REQUIRE ADDITIONAL INFORMATION IN ORDER TO APPROVE THIS PERMIT.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

|  |                      |
|--|----------------------|
| Signature of applicant: <u>[Signature]</u> | Date: <u>3-18-03</u> |
|--|----------------------|

This is NOT a permit, you may not commence ANY work until the permit is issued. If you are in a Historic District you may be subject to additional permitting requirements. Planning Department on the 4th floor of City Hall



- (8) *Retail stores*: One (1) parking space for each two hundred (200) square feet of first floor area in excess of two thousand (2,000) square feet not used for bulk storage and one (1) parking space for each seven hundred (700) square feet, or major fraction thereof, for each floor above the first floor not used for bulk storage.
- (9) *Restaurants or establishments constructed and intended for the dispensing of food and drink as the principal activity*: One (1) parking space for each one hundred fifty (150) square feet, or major fraction thereof, of floor area not used for bulk storage or food preparation.
- (10) *Offices; professional and public buildings*: One (1) parking space for each four hundred (400) square feet, or major fraction thereof, of floor area exclusive of cellar not used for bulk storage; except that in the B-2 and B-2b zones one (1) parking space for each three hundred and ~~thirty four (334) square feet or major fraction thereof~~ of floor area exclusive of cellar not used for bulk storage shall be required. 1999
- (11) *Church and accessory uses located on same or contiguous lots*: One (1) parking space for each five (5) fixed seats; or if no fixed seats, one (1) parking space for each twenty-five (25) square feet, or major fraction thereof, of area in sanctuary or principal place of assemblage for worship in the church.
- (12) *For that part of every business, manufacturing, and industrial building not catering to retail trade and with floor area over three thousand (3,000) square feet*: One (1) parking space for each one thousand (1,000) square feet of floor area, or major fraction thereof.
- (13) *Beds*: One (1) parking space for each eight (8) beds, or major fraction thereof.
- (14) *Longterm, extended care and intermediate care facilities*: One (1) parking space for each five (5) beds, or major fraction thereof, plus one (1) parking space per each employee normally present during one (1) weekday morning shift.



- a. Any residential use set forth in section 14-162(a);
- b. Bed and breakfast, subject to the standards of article V (site plan).

(Ord. No. 292-88, 4-4-88; Ord. No. 133-93, § 2, 11-15-93; Ord. No. 125-97, § 5, 3-3-97; Ord. No. 94-99, 11-15-99)

**Sec. 14-163. Conditional uses.**

The following uses are permitted in the B-1 zone and on the ground floor level of buildings in the B-1b zone, as provided in section 14-474 (conditional uses), if they meet the following requirements:

- (a) **Restaurants**, provided they meet the following requirements:

1. Maximum total floor area for use of the public shall be one thousand (1,000) square feet;
2. The hours of operation shall be limited to between 6:00 a.m. and 11:00 p.m. each day;
3. Food service and consumption are the primary function of the restaurant; and
4. There shall be no drive-through service.

(Ord. No. 292-88, 4-4-88; Ord. No. 133-93, § 3, 11-15-93; Ord. No. 94-99, 11-15-99)

**Sec. 14-164. Prohibited uses.**

Uses not enumerated in sections 14-162 and 14-163 as either permitted or conditional uses are prohibited.

(Ord. No. 292-88, 4-4-88)

**Sec. 14-165. Dimensional requirements.**

In addition to the provisions of division 25 (space and bulk regulations and exceptions) of this article, residential uses permitted under section 14-162(a) shall meet the requirements of such abutting or nearest residential zone except as noted below, and nonresidential uses in the B-1 and B1-b zone shall meet the following minimum requirements:

*I am submitting a change of use request for the storefront located at 89 Congress St, Portland Maine. The premises used to be the location of Tony Q's, a sandwich and pizza shop, which sold food to go as well as soda beer milk and juice. The proposed use will be a 25-seat café serving lunch and dinner. This café, Blue Spoon, will be open 6 days a week serving food, beer and wine to clientele who eat in, as well as food to go. There will be 3-5 employees working at a time. Parking will be in the 34' by 39' lot behind the building as well and the 5 spots on the street. Blue spoon will fit into the space used by the previous business and will not intrude on residential use in the building. The hours will be from 11 a.m. to 10 p.m. Tuesday through Saturday and 9 a.m. to 2 p.m. on Sundays.*

*I am also submitting a request for a building permit for interior permanent partition walls. Electrical, plumbing, ventilation, structural and window plans will be submitted separately. The enclosed floor plan shows the highlighted walls and counters that this permit asks for. The space has been opened up to studs and beams, the permit will be for putting up new 5/8' fire rated sheetrock walls and ceiling, and erecting permanent partitions for bathrooms*

*and kitchen dividers and counters. The partitions will be 2x4 stud based 16 in spacing on center. This work will be by the business and property owner, myself, material costs will be between \$1000 and \$1500. Any further information can be obtained by contacting David lovino (772.7719)*

APPLICATION FOR PERMIT

PERMIT ISSUED

B.O.C.A. USE GROUP

B.O.C.A. TYPE OF CONSTRUCTION

ZONING LOCATION

B-1

May 11, 1957

MAY 12 1957

City Of Portland

To the CHIEF OF BUILDING & INSPECTION SERVICE... The undersigned hereby applies for a permit to erect, alter, repair, demolish, move or install the following building, structure, equipment or change use in accordance with the Laws of the State of Oregon, the Portland B.O.C.A. Building Code and Zoning Ordinance of the City of Portland with plans and specifications if any, submitted herewith and the following specifications:

LOCATION 89 Congress Street Fire District #1, #2
1. Owner's name and address Breyer Plaza Telephone 773-1234
2. Lessee's name and address Telephone 799-0902
3. Contractor's name and address P. O. Box 1122 So. Park Telephone 799-0902
Proposed use of building take out office No. of sheets
Last use same No. families
Material No. stories Heat Style of roof Roofing
Other buildings on same lot
Estimated contractual cost \$ 239.00 Appeal Fees \$
FIELD INSPECTOR—Mr. Amount \$ 25.00 TOTAL \$

To erect 15' x 2' out foot building on front of building as per plans. Flame proof certificate enclosed. Stamp of Special Conditions send permit to # 3 04104

NOTE TO APPLICANT: Separate permits are required for the installation of heating, plumbing, electrical and mechanicals.

DETAILS OF WORK

Is any plumbing involved in this work?
Is connection to be made to sewer?
Has septic tank notice been received?
Height average grade to highest point of roof?
Side front?
Material of foundation?
Kind of roof?
No. of chimneys?
Framing Lumber—Kind?
Size Girder?
Studs (outside walls and carrying partitions)?
Joists and rafters: 1st floor? roof?
On centers: 1st floor? roof?
Maximum span: 1st floor? roof?

No. cars now accommodated on lot? Will automobile repairing be done on lot?

APPROVALS BY: BUILDING INSPECTION—PLAN ZONING: O.K. Building Code: Fire Dept.: Health Dept.: Others:

Signature of Applicant Type Name of Applicant Phone # 5555 1 0 2 0 3 0 4 0 and Address

This page contains a detailed description of the Parcel ID you selected. Press the **New Search** button at the bottom of the screen to submit a new query.

### Current Owner Information

|                          |  |
|--------------------------|--|
| <b>Card Number</b>       | 1 of 1   |
| <b>Parcel ID</b>         | 014 D012001  |
| <b>Location</b>          | 87 CONGRESS ST   |
| <b>Land Use</b>          | MULTI-USE COMMERCIAL                                       |
| <br><b>Owner Address</b> | <br>IOVINO DAVID B<br>32 HAMPSHIRE ST<br>PORTLAND ME 04103 |
| <br><b>Book/Page</b>     | <br>18861/291  |
| <b>Legal</b>             | 14-D-12<br>CONGRESS ST 87-87A<br>MERRILL ST 2-6<br>2784 SF |

### Valuation Information

|             |                 |              |
|-------------|-----------------|--------------|
| <b>Land</b> | <b>Building</b> | <b>Total</b> |
| \$38,640    | \$75,290        | \$113,930    |

### Building Information

| Bldg # | Year Built | # Units | Bldg Sq. Ft. | Identical Units |
|--------|------------|---------|--------------|-----------------|
| 1      | 1910       | 1       | 3733         | 1               |

|                    |                        |                |                       |                      |
|--------------------|------------------------|----------------|-----------------------|----------------------|
| <b>Total Acres</b> | <b>Total Buildings</b> | <b>Sq. Ft.</b> | <b>Structure Type</b> | <b>Building Name</b> |
| 0.064              | 3733                   |                | MIXED RES/COMM        | BREGGY'S PIZZA       |

### Exterior/Interior Information

| Section | Levels | Size | Use                 |
|---------|--------|------|---------------------|
| 1       | 01/01  | 1185 | UNFINISHED RES BSMT |
| 1       | 01/01  | 776  | CONVERTED SALES     |
| 1       | 01/01  | 530  | MULTI-USE APARTMENT |
| 1       | 02/02  | 1242 | MULTI-USE APARTMENT |

| Height | Walls | Heating | A/C |
|--------|-------|---------|-----|
| 8      |       | HOT AIR |     |
| 7      | FRAME | HOT AIR |     |
| 7      | FRAME | HOT AIR |     |
| 7      | FRAME | HOT AIR |     |

### Building Other Features

|             |                       |                        |
|-------------|-----------------------|------------------------|
| <b>Line</b> | <b>Structure Type</b> | <b>Identical Units</b> |
| 2           | PORCH - ENCL UPPER    | 1                      |

### Yard Improvements

| Year Built | Structure Type | Length or Sq. Ft. | # Units |
|------------|----------------|-------------------|---------|
|------------|----------------|-------------------|---------|

*Change of use permit and building permit*

*Blue Spoon*

*89 Congress St.*

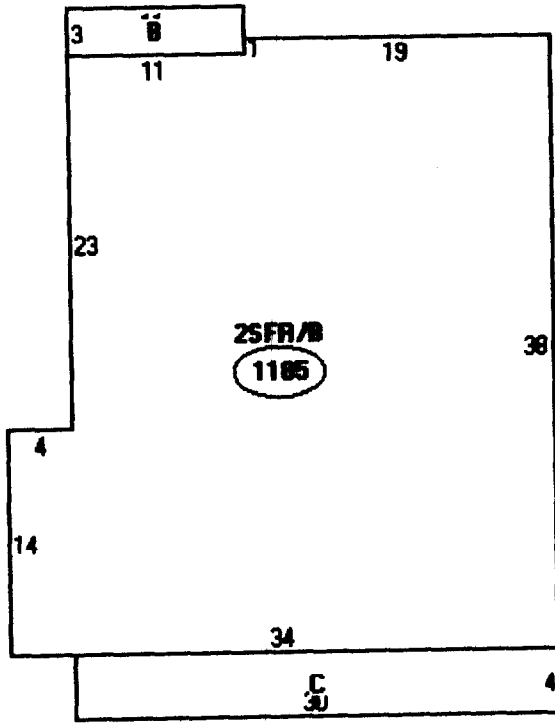
*David Iovino*

*32 Hampshire St*

*207.772.7719*

*Contents*

- 1 Application*
- 2 Cover letter*
- 3 Plot plan and floor plan*
- 4 Proposed building*
- 5 Deed to building*



Descriptor/Area

A: 2SFR/B  
1185 sqft

B: 1SFR/EFP  
33 sqft

C: 1SFR  
120 sqft

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that **SAMFRAN, LLC**, a Maine limited liability company with a place of business at 89 Congress Street, Portland, Maine, for consideration paid, grant to **DAVID B. IOVINO**, of Portland, Maine, with a mailing address of 32 Hampshire Street, Portland, Maine 04101, with WARRANTY COVENANTS, the land in Portland, County of Cumberland and State of Maine, described below:

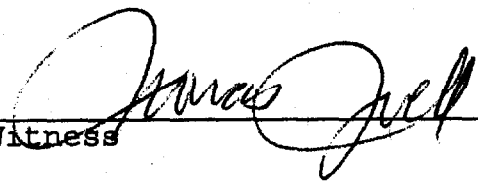
A certain lot or parcel of land, with the buildings thereon, situated on the Northwesterly corner of Congress and Merrill Streets, in the City of Portland, County of Cumberland and State of Maine, and bounded and described as follows:

Beginning at the intersection of the Southwesterly side of said Merrill Street with the Northwesterly side of said Congress Street and running thence southwestwardly on said Congress Street thirty-six (36½) feet, more or less, to land conveyed to Joseph D. Decelle by deed of Jacob Groves, dated July 25, 1876 and recorded in the Cumberland County Registry of Deeds, Book 432, Page 59; thence Northwesterly by said Decelle land seventy-five (75) feet; thence Northeasterly parallel with said Congress Street thirty-eight and one-half (38½) feet, more or less to said Merrill Street; thence Southeasterly by said Merrill Street to the place of beginning.

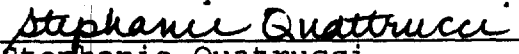
Being the same premises conveyed to the Grantor herein by deed of John D. Breggia, dated August 30, 2000 and recorded in Book 15699, Page 12.

IN WITNESS WHEREOF, the said Samfran, LLC has set its hand this 7<sup>th</sup> day of February, 2003.

MAINE REAL ESTATE TAX CO., D

  
Witness

SAMFRAN, LLC


BY:   
Stephanie Quattrucci  
Its Member

STATE OF MAINE  
COUNTY OF CUMBERLAND

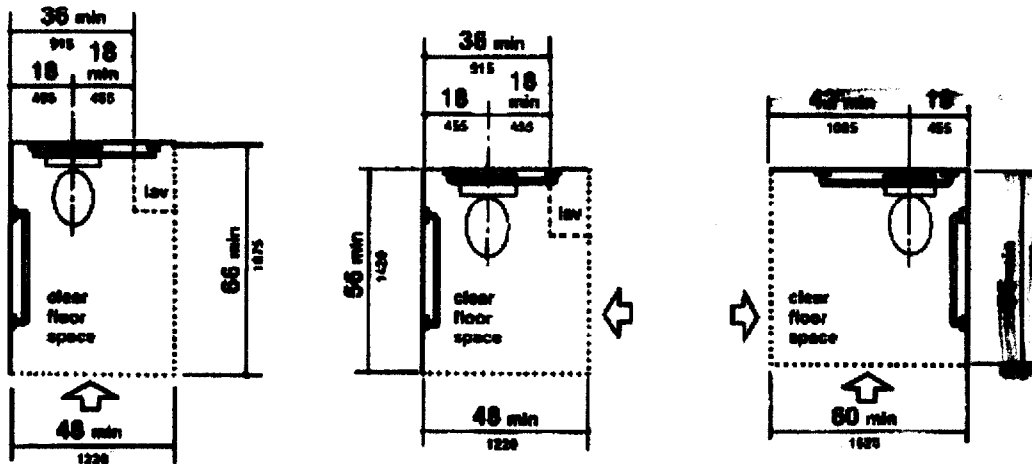
February 7, 2003

Then personally appeared Samfran, LLC, by its member, Stephanie Quattrucci and acknowledged the foregoing instrument to be her free act and deed and the free act and deed of said company.

Received  
Recorded Register of Deeds  
Feb 11, 2003 03:24:04P  
Cumberland County  
John B. O'Brien

Before me,  
  
Thomas F. Jewell  
Attorney at Law



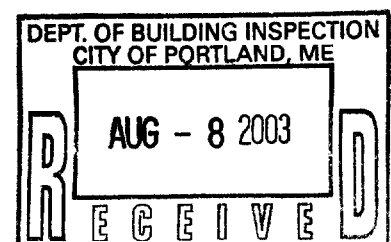


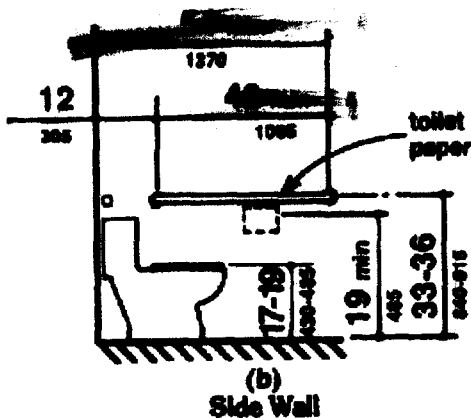
**Figure 28**  
**Clear Floor Space at Water Closets**

For a front transfer to the water closet, the minimum clear floor space at the water closet is a minimum 48 inches (1220 mm) in width by a minimum of 66 inches (1675 mm) in length. For a diagonal transfer to the water closet, the minimum clear floor space is a minimum of 48 inches (1220 mm) in width by a minimum of 56 inches (1420 mm) in length. For a side transfer to the water closet, the minimum clear floor space is a minimum of 60 inches (1525 mm) in width by a minimum of 56 inches (1420 mm) in length. (4.16.2, A4.22.3)

[Back to ADAAG](#)

[List of Figures](#)



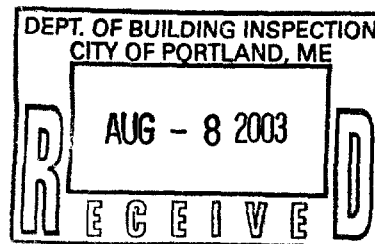


**Figure 29b**  
**Grab Bars at Water Closets**  
**Side Wall**

A 42 inch (1065 mm) minimum length grab bar is required to the side of the water closet spaced 12 inches (305 mm) maximum from the back wall and extending a minimum of 54 inches (1370 mm) from the back wall at a height between 33 and 36 inches (840-915 mm). The toilet paper dispenser shall be mounted at a minimum height of 19 inches (485 mm). (4.16.3, 4.16.4, 4.16.6)

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**4.19.1 General.** The requirements of 4.19 shall apply to lavatory fixtures, vanities, and built-in lavatories.

**4.19.2 Height and Clearances.** Lavatories shall be mounted with the rim or counter surface no higher than 34 in (865 mm) above the finish floor. Provide a clearance of at least 29 in (735 mm) above the finish floor to the bottom of the apron. Knee and toe clearance shall comply with Fig. 31.

**EXCEPTION 1:** Lavatories used primarily by children ages 6 through 12 shall be permitted to have an apron clearance and a knee clearance 24 in (610 mm) high minimum provided that the rim or counter surface is no higher than 31 in (760 mm).

**EXCEPTION 2:** Lavatories used primarily by children ages 5 and younger shall not be required to meet these clearances if clear floor space for a parallel approach complying with 4.2.4 is provided.

**4.19.3 Clear Floor Space.** ~~A clear floor space 30 in by 48 in~~ (760 mm by 1220 mm) complying with 4.2.4 shall be provided in front of a lavatory to allow forward approach. ~~Such clear floor space shall adjoin or overlap an accessible route and shall extend a maximum of 19 in (485 mm)~~ underneath the lavatory (see Fig. 32).

**4.19.4 Exposed Pipes and Surfaces.** Hot water and drain pipes under lavatories shall be insulated or otherwise configured to protect against contact. There shall be no sharp or abrasive surfaces under lavatories.

**4.19.5 Faucets.** Faucets shall comply with 4.27.4. Lever operated, push-type, and electronically controlled

