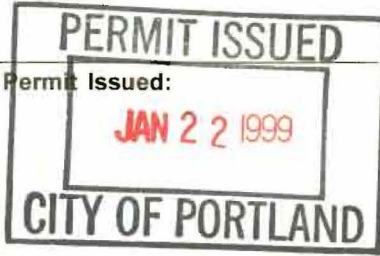


City of Portland, Maine – Building or Use Permit Application 389 Congress Street, 04101, Tel: (207) 874-8703, FAX: 874-8716

Location of Construction: 121 Middle St 1st fl		Owner: 123 Middle St Assoc		Phone: 774-1030		Permit No: 990050	
Owner Address: 121 Middle St		Lessee/Buyer's Name: Kyle Wolfe		Phone:		BusinessName:	
Contractor Name: Allied/Cook Construction		Address: P.O. Box 1396 Pld ME 04104		Phone: 772-2888		Permit Issued: JAN 22 1999	
Past Use: Restaurant		Proposed Use: Retail		COST OF WORK: \$ 105,000		PERMIT FEE: \$ 545	
				FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group 93 Type: 33 3/17/96	
Proposed Project Description: Interior Renovations		Signature:		Signature:		Zone: CBL: 028-A-005	
		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied		Zoning Approval: Special Zone or Reviews: <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan maj <input type="checkbox"/> minor <input type="checkbox"/> mm <input type="checkbox"/>	
Permit Taken By: SP		Date Applied For: January 13, 1999		Signature:		Date:	



PERMIT ISSUED WITH REQUIREMENTS

1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal rules.
2. Building permits do not include plumbing, septic or electrical work.
3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..

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 provisions of the code(s) applicable to such permit

January 13, 1999

SIGNATURE OF APPLICANT ADDRESS: DATE: PHONE:

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE PHONE:

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

- Zoning Appeal**
- Variance
 - Miscellaneous
 - Conditional Use
 - Interpretation
 - Approved
 - Denied

- Historic Preservation**
- Not in District or Landmark
 - Does Not Require Review
 - Requires Review

- Action:**
- Approved
 - Approved with Conditions
 - Denied

Date: 2/1/99

CEO DISTRICT 48/100

COMMENTS

2/3/99

Pre-con meeting w/ Barry. OK

2/18/99

Framming ok. Plumbing ok. Dr. Rowe

3/24/99

CGO spec-inspection. Questions on stairs - Headroom!

3/26/99

Head room problem resolved. Allow

CGO OK.

[Handwritten signature]

990050

28-M-5

Type

Inspection Record

Date

Foundation: _____

Framing: _____

Plumbing: _____

Final: _____

Other: _____

BUILDING PERMIT REPORT

DATE: 21 January 99 ADDRESS: 121 Middle ST. 1st Fl. CBL 028-47-005
REASON FOR PERMIT: Interior renovations
BUILDING OWNER: 123 Middle ST. ASSOC.
CONTRACTOR: Allied/Cook Const.
PERMIT APPLICANT:
USE GROUP A-3 BOCA 1996 CONSTRUCTION TYPE 303

CONDITION(S) OF APPROVAL

This Permit is being issued with the understanding that the following conditions are met:

Approved with the following conditions: *1, *6, *8, *10, *11, *18, *19, *20, *23, *24, *30, *31, *32, *33

- *1. This permit does not excuse the applicant from meeting applicable State and Federal rules and laws.
2. Before concrete for foundation is placed, approvals from the Development Review Coordinator and Inspection Services must be obtained.
2.5 Foundation drain shall be placed around the perimeter of a foundation that consists of gravel or crushed stone containing not more than 10 percent material that passes through a No. 4 sieve.
2.6 Foundations anchors shall be a minimum of 1/2" in diameter, 7" into the foundation wall, minimum of 12" from corners of foundation and a maximum 6' o.c. between bolts.
3. Precaution must be taken to protect concrete from freezing.
4. It is strongly recommended that a registered land surveyor check all foundation forms before concrete is placed.
5. Private garages located beneath habitable rooms in occupancies in Use Group R-1, R-2, R-3 or I-1 shall be separated from adjacent interior spaces by fire partitions and floor/ceiling assembly which are constructed with not less than 1-hour fire resisting rating.
*6. All chimneys and vents shall be installed and maintained as per Chapter 12 of the City's Mechanical Code.
7. Sound transmission control in residential building shall be done in accordance with Chapter 12 section 1214.0 of the city's building code.
*8. Guardrails & Handrails: A guardrail system is a system of building components located near the open sides of elevated walking surfaces for the purpose of minimizing the possibility of an accidental fall from the walking surface to the lower level.
9. Headroom in habitable space is a minimum of 7'6".
*10. Stair construction in Use Group R-3 & R-4 is a minimum of 10" tread and 7 3/4" maximum rise.
11. The minimum headroom in all parts of a stairway shall not be less than 80 inches.
12. Every sleeping room below the fourth story in buildings of use Groups R and I-1 shall have at least one operable window or door approved for emergency egress or rescue.

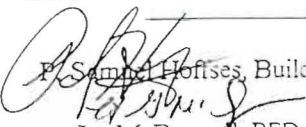
knowledge or separate tools. Where windows are provided as means of egress or rescue they shall have a sill height not more than 44 inches (1118mm) above the floor. All egress or rescue windows from sleeping rooms shall have a minimum net clear opening height dimension of 24 inches (610mm). The minimum net clear opening width dimension shall be 20 inches (508mm), and a minimum net clear opening of 5.7 sq. ft. (Section 1018.6)

13. 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. Section 1010.1
14. All vertical openings shall be enclosed with construction having a fire rating of at least one (1)hour, including fire doors with self closer's. (Over 3 stories in height requirements for fire rating is two (2) hours.) Section 710.0
15. The boiler shall be protected by enclosing with (1) hour fire-rated construction including fire doors and ceiling, or by providing automatic extinguishment. Table 302.1.1
16. All single and multiple station smoke detectors shall be of an approved type and shall be installed in accordance with the provisions of the City's Building Code Chapter 9, Section 920.3.2 (BOCA National Building Code/1996), and NFPA 101 Chapter 18 & 19. (Smoke detectors shall be installed and maintained at the following locations):

- In the immediate vicinity of bedrooms
- In all bedrooms
- In each story within a dwelling unit, including basements

In addition to the required AC primary power source, required smoke detectors in occupancies in Use Groups R-2, R-3 and I-1 shall receive power from a battery when the AC primary power source is interrupted. (Interconnection is required) Section 920.3.2

17. A portable fire extinguisher shall be located as per NFPA #10. They shall bear the label of an approved agency and be of an approved type. Section 921.0
- ~~18.~~ The Fire Alarm System shall be maintained to NFPA #72 Standard.
- ~~19.~~ The Sprinkler System shall maintained to NFPA #13 Standard.
- ~~20.~~ All exit signs, lights, and means of egress lighting shall be done in accordance with Chapter 10 Section & Subsections 1023. & 1024. Of the City's building code. (The BOCA National Building Code/1996)
21. 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".
22. The builder of a facility to which Section 4594-C of the Maine State Human Rights Act Title 5 MRSA refers, shall obtain a certification from a design professional that the plans commencing construction of the facility, the builder shall submit the certification to the Division of Inspection Services.
- ~~23.~~ Ventilation shall meet the requirements of Chapter 12 Sections 1210. Of the City's Building Code. (crawl spaces & attics)
- ~~24.~~ All electrical, plumbing and HVAC permits must be obtained by a Master Licensed holders of their trade. No closing in of walls until all electrical (min. 72 hours notice) and plumbing inspections have been done.
25. All requirements must be met before a final Certificate of Occupancy is issued.
26. All building elements shall meet the fastening schedule as per Table 2305.2 of the City's Building Code. (The BOCA National Building Code/1996).
27. Ventilation of spaces within a building shall be done in accordance with the City's Mechanical Code (The BOCA National Mechanical Code/1993). (Chapter M-16)
28. Please read and implement the attached Land Use-Zoning report requirements.
29. Boring, cutting and notching shall be done in accordance with Sections 2305.4.4, 2305.5.1 and 2305.3. of the City's building code.
- ~~30.~~ Glass and glazing shall meet the requirements of Chapter 24 of the building code.
- ~~31.~~ Separate permits are required for any signage.
- ~~32.~~ Please read attached HISTORIC PRESERVATION requirements.
33. State Fire Marshall approval required for this project


P. Samuel Hoffses, Building Inspector

cc: Lt. McDougall, PFD

Marge Schmuckal, Zoning Administrator

ADDRESS: 121 Middle St.
 PERMIT APPLICATION FOR: Interior Renovation
 BUILDING OWNER: 123 Middle St. Assoc.
 PERMIT APPLICANT: _____
 REVIEWER: T. Bridges
 DATE OF DECISION: 7/21/99

HISTORIC PRESERVATION REVIEW

Note: Your property is an individually designated landmark structure or is located within a designated historic district. As such, alterations to the building exterior or site which are visible from a public way are subject to review and approval under Article IX (Historic Preservation) of the Land Use Code. Your building or sign permit application has been reviewed to determine whether the nature or scope of the project requires review, and if so, whether it meets the standards of the historic preservation ordinance.

ACTION

Does not Require Review (e.g. Interior work only / alteration is not readily visible from a public way)

Note: this finding is based on the understanding that the application entails interior work only or that the proposed exterior alteration(s) will not be readily visible from a public way. If your project entails exterior or site alterations (including the installation of sign(s), awnings, or exterior lighting for such) these alterations must be reviewed and approved prior to commencing with the work. Contact 874-8726 for more information.

Denied Reason for Denial: _____

Approved as submitted

Approved with conditions (~~see below~~)

Conditions of Approval:

Contact Historic Preservation Staff (874-8726 or 874-8728) prior to installation of sign(s) to confirm approved location.

Your sign permit includes no reference to exterior lighting; if lighting is included, please submit information on fixtures and specifications on installation.

Other conditions:

1. _____
2. _____
3. _____

THIS IS NOT A PERMIT/CONSTRUCTION CANNOT COMMENCE UNTIL THE PERMIT IS ISSUED

**Building or Use Permit Pre-Application
Attached Single Family Dwellings/Two-Family Dwelling
Multi-Family or Commercial Structures and Additions Thereto**

In the interest of processing your application in the quickest possible manner, please complete the information below for a Building or Use Permit.

NOTEIf 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 (include Portion of Building): <u>121 MIDDLE ST. 1ST FL.</u>			
Total Square Footage of Proposed Structure <u>5700[#]</u>		Square Footage of Lot <u>N/A</u>	
Tax Assessor's Chart, Block & Lot Number Chart# <u>28</u> Block# <u>M</u> Lot# <u>5</u>		Owner: <u>123 MIDDLE ST. ASSOCIATES</u>	Telephone#: <u>774-1030</u>
Owner's Address: <u>121 MIDDLE STREET PORTLAND ME</u>		Lessee/Buyer's Name (If Applicable) <u>KYLE WOLFE</u>	Cost Of Work: <u>\$ 105,000</u> Fee <u>\$ 545</u>
Proposed Project Description: (Please be as specific as possible) <u>TENANT F.T UP - SEE PLANS</u>			
Contractor's Name, Address & Telephone <u>ALLIED/COOK CONSTRUCTION P.O. BOX 1396 PORTLAND ME 04104 772-2888</u>			Rec'd By <u>[Signature]</u>
Current Use: <u>FORMER CARBURS RESTAURANT</u>		Proposed Use: <u>RETAIL</u>	

Separate permits are required for Internal & External Plumbing, HVAC and Electrical installation.

- All construction must be conducted in compliance with the 1996 B.O.C.A. Building Code as amended by Section 6-Art II.
- All plumbing must be conducted in compliance with the State of Maine Plumbing Code.
- All Electrical Installation must comply with the 1996 National Electrical Code as amended by Section 6-Art III.
- HVAC (Heating, Ventilation and Air Conditioning) installation must comply with the 1993 BOCA Mechanical Code.

You must include the following with you application:

- 1) A Copy of Your Deed or Purchase and Sale Agreement
- 2) A Copy of your Construction Contract, if available
- 3) A Plot Plan/Site Plan

Minor or Major site plan review will be required for the above proposed projects. The attached checklist outlines the minimum standards for a site plan.

4) Building Plans

Unless exempted by State Law, construction documents must be designed by a registered design professional.

A complete set of construction drawings showing all of the following elements of construction:

- Cross Sections w/Framing details (including porches, decks w/ railings, and accessory structures)
- Floor Plans & Elevations
- Window and door schedules
- Foundation plans with required drainage and dampproofing
- Electrical and plumbing layout. Mechanical drawings for any specialized equipment such as furnaces, chimneys, gas equipment, HVAC equipment (air handling) or other types of work that may require special review must be included.

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/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>1/13/99</u>
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Building Permit Fee: \$25.00 for the 1st \$1000. cost plus \$5.00 per \$1,000.00 construction cost thereafter.
Additional Site review and related fees are attached on a separate addendum



ALLIED/COOK CONSTRUCTION

Planners • Managers • Design/Builders
Building Excellence Since 1958

28-4-5

March 25, 1999

P. Samuel Hoffses
~~Arthur Rowe~~ Code Enforcement
City of Portland
389 Congress Street
Portland, ME 04101

Re: 121 Middle Street
Permit No. 990050

Dear Sam:

During a Certificate of Occupancy walk through inspection on Thursday, March 23, Arthur Rowe, the inspector for the above referenced project pointed out two concerns he had with the stairway landing from the main floor to the lower level. One being a headroom problem at the bottom of the stairs and the second being stair treads are not 11" wide.

First it is important to point out that these are existing stairs that before we started had a great deal of code problems. We have replaced the old guard rail system around the floor opening with a new guard system. the open riser construction was changed to solid risers. the rail leading down the stairs has been replaced with a guard and rail system.

After we received Mr. Rowe's concerns about these stairs we went back over the stairs to see what could be done to try to correct these items. With some modifications to the existing floor framing, sheetrock, and finish trim work we feel the head room clearance issue can be corrected. We are proceeding with this work to do so. However, we can not come up with any way to extend the run of the stairs to allow changing the existing 10" tread to 11" without major structural modifications to the existing building.

In light of the improvements that have been done to these stairs and the structural limitations we have, we request the 10" tread be accepted under Exception #6 and/or #7 of section 1014.6 of the National BOCA Building Code.

Sincerely,



Peter J. Pelletier
Vice President of Administration

Cc: Rick Hanson
Dave Cook



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 121 Middle St 028-M-005

Issued to 123 Middle St Associates

Date of Issue 26 March 1999

This is to certify that the building, premises, or part thereof, at the above location, built — altered — changed as to use under Building Permit No. 990050, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

First Floor

Limiting Conditions:

APPROVED OCCUPANCY

Retail
Use Group: A3
Type: 3B
BOCA '96

This certificate supersedes
certificate issued

Approved:

3/24/99
.....
(Date)

G. Rowe
.....
Inspector

[Signature]
.....
Inspector of Buildings

Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.