

032-R-003

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

Location of Construction: 432-434 Fore St		Owner: Soley, Joseph		Phone: 774-7777	Permit No: 980694
Owner Address:		Lessee/Buyer's Name: Penguin Dance Club		Phone:	BusinessName:
Contractor Name: Gold Coast Builders XXXXX		Address: P.O. Box 1201 Hampton, NH 03842		Phone:	
Past Use: Bar/Restaurant		Proposed Use:		COST OF WORK: \$	PERMIT FEE: \$ 25.00
				FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type:
Proposed Project Description: Conduct Outside Dining Season 1998		Signature: <i>[Signature]</i>		Signature: <i>[Signature]</i>	
Permit Taken By: HG		Date Applied For: 26 June 1998		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: Approved <input type="checkbox"/> Approved with Conditions: <input type="checkbox"/> Denied: <input type="checkbox"/>	
				Signature: _____ Date: _____	

PERMIT ISSUED
PERMIT ISSUED:
JUL - 1 1998
CITY OF PORTLAND

Zone: CBL: 032-R-003
 Zoning Approval:
 Special Zone or Reviews:
 Shoreland
 Wetland
 Flood Zone
 Subdivision
 Site Plan maj minor mm

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: *6/29/98*
Ext Dining Permits + (check) OK

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

SIGNATURE OF APPLICANT _____ ADDRESS: _____ DATE: *25 June 1998* PHONE: _____

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE _____ PHONE: _____

CEO DISTRICT 7

LAND USE - ZONING REPORT

ADDRESS: 432 - 434 Fore St DATE: 6/30/98

REASON FOR PERMIT: conduct outside Dining

BUILDING OWNER: Joseph Safay C-B-L: 32-R-3

PERMIT APPLICANT: Gold Coast Buildings

APPROVED: with conditions DENIED: _____

#9

CONDITION(S) OF APPROVAL

1. During its existence, all aspects of the Home Occupation criteria, Section 14-410, shall be maintained.
2. The footprint of the existing _____ shall not be increased during maintenance reconstruction.
3. All the conditions placed on the original, previously approved, permit issued on _____ are still in effect for this amendment.
4. Your present structure is legally nonconforming as to rear and side setbacks. If you were to demolish the building on your own volition, you will not be able to maintain these same setbacks. Instead you would need to meet the zoning setbacks set forth in today's ordinances. In order to preserve these legally non-conforming setbacks, -you may only rebuild the garage in place and in phases.
5. This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.
6. Our records indicate that this property has a legal use of _____ units. Any change in this approved use shall require a separate permit application for review and approval
7. Separate permits shall be required for any signage.
8. Separate permits shall be required for future decks and/or garage.

9. Other requirements of condition AS THE REGULATIONS NOTE, THIS USE IS

SUBJECT TO THE TRAFFIC ENGINEER'S REQUIREMENTS,
YOU MAY NEED TO ADJUST YOUR ARRANGEMENTS TO MEET
THOSE REQUIREMENTS

Marge Schmuckal

Marge Schmuckal, Zoning Administrator,
Asst. Chief of Code Enforcement

Inspection Services
Samuel P. Hoffses
Chief



Planning and Urban Development
Joseph E. Gray Jr.
Director

CITY OF PORTLAND

\ OUTSIDE DINING ON PRIVATE AND/OR CITY PROPERTY

Permits are required for expanding eating facilities (tables and chairs) to the outside whether it is on private and/or City property. The fee is based on the cost of work (which in most cases would be less than \$1,000 or a \$25.00 fee). The time period covered is from April 15th thru September 30th. This is a yearly renewable permit.

1. In order to apply the applicant must submit plans showing where the tables and chairs would be located (showing footage distances from the establishment, other chairs, exiting, curbing, how much sidewalk footage is available, etc). The tables and chairs shall be placed on the sidewalk in such a manner as to allow the free and safe passage of pedestrian traffic. If in the sole opinion of the Traffic Engineer, the placement of the tables and chairs creates a public safety hazard, the establishment shall comply with the Traffic Engineer's request to relocate the tables and chairs to a more suitable location. The establishment shall keep the sidewalk area where the tables and chairs are located neat and free from litter and debris.
2. The establishment shall procure and maintain public liability insurance coverage in an amount of not less than three hundred thousand (\$300,000) combined single limit for bodily injury, death and property damage. And if the tables and chairs are on City property, the City of Portland shall be named as an additional insured thereon.
3. If the establishment is to be on City Property an indemnifying statement shall be signed by the establishment owner (see attached).
4. No food shall be prepared outside. If alcohol is to be served, we need to be notified. State law requires that the area be segregated from the rest of the public. We need to know how that is to be accomplished.

CONDITIONS FOR SIDEWALK OCCUPANCY PERMIT

Written consent and agreement relating to occupancy of the City of Portland sidewalk in the front, side, and/or rear of the building at:

432-433 Fore Street (Front Entry) 33-35 WARE Street (Rear Entry)

in Portland, Maine, by the owner of the establishment being:

Gold Coast Builders LLC D/B/A The Penguin Dance Club

doing business as: The Double Diamond Bar & Grill.

hereby, to the fullest extent permitted by law, shall defend, indemnify and hold harmless the City, its officers and employees, from and against all claims, damages, losses and expenses, just or unjust, including, but not limited to costs of defense and attorney's fees, arising out of the establishment's occupancy of the sidewalk, provided that any such claims, damage, loss or expense (1) is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property including the loss of use therefrom, and (2) is caused in whole or in part by any negligent act or omission of the establishment, anyone directly or indirectly employed by it, or anyone for whose act it may be liable.

Signed and Acknowledged: Gold Coast Builders LLC D/B/A Penguin Dance Club.
Establishment Owner
Matilda M. Sunderland (manager of the LLC)

Dated: 6/25/98.

ACORD INSURANCE BINDER

ISSUE DATE (MM/DD/YY)

6/19/1998

THIS BINDER IS A TEMPORARY INSURANCE CONTRACT, SUBJECT TO THE CONDITIONS SHOWN ON THE REVERSE SIDE OF THIS FORM.

PRODUCER

A. D. Davis, Inc.
 North Main Street
 North Conway, NH 03860
 (603) 356-9471 Fax (603) 356-7169

COMPANY

Monticello

BINDER NO.

000084

DATE EFFECTIVE TIME

06/24/98 12:01

AM
 PM

DATE EXPIRATION

06/24/99

12:01 AM
 NOON

THIS BINDER IS ISSUED TO EXTEND COVERAGE IN THE ABOVE NAMED COMPANY PER EXPIRING POLICY NO:

DESCRIPTION OF OPERATIONS/VEHICLES/PROPERTY (including Location)

Rest., Night Club with Dance Floor

CODE

SUB-CODE

INSURED

Goldcoast Builders LLC, DBA
The Penguin Dance Club
 P.O. Box 1201
 Hampton, NH 03842

COVERAGES

TYPE OF INSURANCE	COVERAGE FORMS	AMOUNT	DEDUCTIBLE	COINSUR.
PROPERTY CAUSES OF LOSS				
BASIC	BROAD	SPEC.		

GENERAL LIABILITY

COMMERCIAL GENERAL LIABILITY
 CLAIMS MADE OCCUR
 OWNERS & CONTRACTORS PROT.

RETRO DATE FOR CLAIMS MADE:

GENERAL AGGREGATE	\$	2,000,000
PRODUCTS - COMP/OP AGG.	\$	1,000,000
PERSONAL & ADV. INJURY	\$	1,000,000
EACH OCCURRENCE	\$	1,000,000
FIRE DAMAGE (Any one fire)	\$	50,000
MED. EXPENSE (Any one person)	\$	1,000

AUTOMOBILE LIABILITY

ANY AUTO
 ALL OWNED AUTOS
 SCHEDULED AUTOS
 HIRED AUTOS
 NON-OWNED AUTOS
 GARAGE LIABILITY

COMBINED SINGLE LIMIT	\$	
BODILY INJURY (Per person)	\$	
BODILY INJURY (Per accident)	\$	
PROPERTY DAMAGE	\$	
MEDICAL PAYMENTS	\$	
PERSONAL INJURY PROT	\$	
UNINSURED MOTORIST	\$	

AUTO PHYSICAL DAMAGE

DEDUCTIBLE ALL VEHICLES SCHEDULED VEHICLES

COLLISION
 OTHER THAN COLL.

ACTUAL CASH VALUE
 STATED AMOUNT \$
 OTHER

EXCESS LIABILITY

UMBRELLA FORM
 OTHER THAN UMBRELLA FORM RETRO DATE FOR CLAIMS MADE:

EACH OCCURRENCE	\$	
AGGREGATE	\$	
SELF-INSURED RETENTION	\$	

WORKERS COMPENSATION
 AND
 EMPLOYERS' LIABILITY

STATUTORY LIMITS	
EACH ACCIDENT	\$
DISEASE-POLICY LIMIT	\$
DISEASE-EACH EMPLOYEE	\$

SPECIAL CONDITIONS/OTHER COVERAGES

Rest., Night Club with Dance Floor

NAME & ADDRESS

City of Portland
 Portland, ME

MORTGAGEE
 LOSS PAYEE

ADDITIONAL INSURED

LOAN #

A.D. Davis Incorporated

AUTHORIZED REPRESENTATIVE

Thomas P. Abbott

President

ACORD 75-B (7/90)

ACORD CORPORATION 1998

Det. Andrews
874-8726

Joe Soli
874-8729

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

**Building or Use Permit 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: 432-434 Fore Street (Front Entry) (33-35 WARP Street) (REAR Entry)		
Total Square Footage of Proposed Structure 3,000 square feet	Square Footage of Lot 36,080 square feet	
Tax Assessor's Chart, Block & Lot Number Chart# 032 Block# R Lot# 3	Owner: JOE Soli monopoly Inc.	Telephone#: 774-7777
Owner's Address: 432-434 Fore Street (Front Entry) 33-35 WARP Street (REAR Entry)	Lessee/Buyer's Name (If Applicable) Gold Coast Builders LLC D/B/A Penguin Dance Club	Cost Of Work: \$ 25 -
Proposed Project Description: (Please be as specific as possible) + Double Diamond Bar & grill. CONDUCT OUTSIDE DINING TEL # 603-929-1539.		
Contractor's Name, Address & Telephone Gold Coast Builders LLC D/B/A Penguin Dance Club. P.O. Box 1201 HAMPTON, N.H. 03842.		
Current Use: BAR/REST	Proposed Use: w/outside dining	

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, Ventillation 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: <i>[Signature]</i>	Date: 6/25/98.
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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



