

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

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

Permit No: 03-0461	Issue Date: MAY 28 2003	CBL: 038 F008001
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Location of Construction: 468 Fore St	Owner Name: Dictar Associates Li	Owner Address: Po Box 3572	Phone: 772-2992
Business Name:	Contractor Name: Applicant	Contractor Address: Portland	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Outdoor Seating	Zone: B3

Past Use: Commercial/The Bistro at Akari	Proposed Use: Commercial/The Bistro at Akari	Permit Fee: \$75.00	Cost of Work: \$75.00	CEO District: 1
		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: A3 Type OUTSIDE SEATING	

Proposed Project Description:  
Seasonal Outdoor Seating for 20 Chairs/5 Tables

*Liquor license restricts alcohol sales to less than 50% of total sales*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)

Action:  Approved  Approved w/Conditions  Denied

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Permit Taken By: gad	Date Applied For: 05/01/2003	<b>Zoning Approval</b>
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<p>1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</p> <p>2. Building permits do not include plumbing, septic or electrical work.</p> <p>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..</p>	<p>Special Zone or Reviews</p> <p><input type="checkbox"/> Shoreland</p> <p><input type="checkbox"/> Wetland</p> <p><input type="checkbox"/> Flood Zone</p> <p><input type="checkbox"/> Subdivision</p> <p><input type="checkbox"/> Site Plan</p> <p>Maj <input type="checkbox"/> Minor <input type="checkbox"/> IMM <input type="checkbox"/></p> <p>Date: <i>5/16/03</i></p>	<p>Zoning Appeal</p> <p><input type="checkbox"/> Variance</p> <p><input type="checkbox"/> Miscellaneous</p> <p><input type="checkbox"/> Conditional Use</p> <p><input type="checkbox"/> Interpretation</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Denied</p> <p>Date: _____</p>	<p>Historic Preservation</p> <p><input checked="" type="checkbox"/> Not in District or Landmark</p> <p><input type="checkbox"/> Does Not Require Review</p> <p><input type="checkbox"/> Requires Review</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Approved w/Conditions</p> <p><input type="checkbox"/> Denied</p> <p>Date: _____</p>
	<p><i>separate permits are required for any new signage</i></p>		

**CERTIFICATION**

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 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

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

# CITY OF PORTLAND

## BUILDING INSPECTION

# PERMIT

Permit Number: 030461

PERMIT ISSUED

Please Read Application And Notes, If Any, Attached

This is to certify that Dictar Associates ll/Applicant

has permission to Seasonal Outdoor Seating for 4000 Chairs Available

AT St 038 F008001

MAY 24 2009

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 written permission procured before this building or part thereof is lathed or otherwise closed-in. 24 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. \_\_\_\_\_
- Health Dept. \_\_\_\_\_
- Appeal Board \_\_\_\_\_
- Other \_\_\_\_\_

Department Name

*[Signature]*  
Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

2/7/04 Checked Stairs OK to close  
need to bend down  
ends of hand rail  
before we close Remit

4/30/04

done.

AR



C/B/L: \_\_\_\_\_

## 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 the stated

location: 470 Fore Street; in Portland, Maine, by the owner of the establishment being: Deal Corp Stylist, doing business

as: The Bistro at Akari, hereby, to the fullest extent permitted by law, shall defend, indemnify and hold harmless the City of Portland, 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: 

Establishment owner

Date: 4/30/03

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

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

<b>Permit No:</b> 03-0461	<b>Date Applied For:</b> 05/01/2003	<b>CBL:</b> 038 F008001
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<b>Location of Construction:</b> 468 Fore St	<b>Owner Name:</b> Dictar Associates II	<b>Owner Address:</b> Po Box 3572	<b>Phone:</b> ( ) 772-2992
<b>Business Name:</b>	<b>Contractor Name:</b> Applicant	<b>Contractor Address:</b> Portland	<b>Phone:</b>
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Outdoor Seating	

<b>Proposed Use:</b> Commercial/The Bistro at Akari	<b>Proposed Project Description:</b> Seasonal Outdoor Seating for 20 Chairs/5 Tables
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**Dept:** Zoning      **Status:** Approved with Conditions      **Reviewer:** Marge Schmuckal      **Approval Date:** 05/16/2003

**Note:** **Ok to Issue:**

- 1) PLEASE NOTE: Your present liquor license limits your alcohol sales to less than 50% of your total sales. If there is any change in your business that may put you over this restriction, YOU MUST contact the City Clerk's licensing division for further requirements.
- 2) Separate permits shall be required for any new signage.

**Dept:** Building      **Status:** Approved      **Reviewer:** Mike Nugent      **Approval Date:** 05/28/2003

**Note:** **Ok to Issue:**

**Comments:**

05/19/2003-mjn: new proposed stairway not a part of this approval

03-0461

# Outdoor Seating 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.

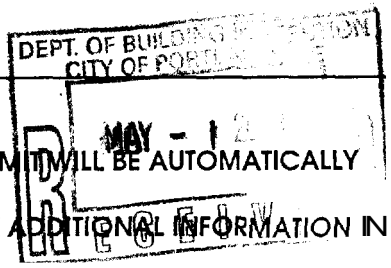
Location/Address of Construction: <u>470 Fore Street, Portland, ME 04101</u>	
Total Square Footage of Proposed Structure	Square Footage of Lot

Tax Assessor's Chart, Block & Lot Number Chart# <u>38</u> Block# <u>F</u> Lot# <u>006</u>	Owner: <u>David Bateman</u>	Telephone#: <u>207-772-2992</u>
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Lessee/Buyer's Name (If Applicable): <u>Deal Corp - The</u>	Owner's/Purchaser/Lessee Address: <u>470 Fore Street, Portland</u>	Cost Of Work: <u>0</u> Fee: <u>\$75.00</u>
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Current use: None Bistro at Akari  
 If the location is currently vacant, what was prior use: vacant  
 Approximately how long has it been vacant: \_\_\_\_\_  
 Proposed use: Restaurant seating  
 Project description: outside seating  
 How many chairs 20 How many tables 5

Contractor's Name, Address & Telephone: None  
 Applicants Name, Address & Telephone: \_\_\_\_\_  
 Who should we contact when the permit is ready: Tracy Foss  
 Telephone: 772-9060 xx 6000  
 If you would like the permit mailed, what mailing address should we use: \_\_\_\_\_



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.

**Certification**  
 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

Signature of applicant: <u>[Signature]</u>	Date: <u>4/30/03</u>
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Marge  
Code Enforcement  
City of Portland

May 14, 2003

Dear Marge,

Akari the Bistro (430 Fore Street, Portland, 04101) is requesting a permit for outside seating. Last year we filed an application requesting a permit to expanding our existing salon business to include a restaurant. We felt our customer would be better served by offering an in-house place to eat. You granted us approval for this business expansion.

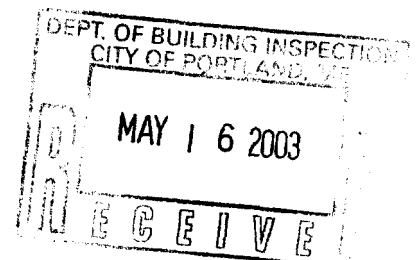
We have been doing business in our restaurant (Akari the Bistro) for about six months. During this time we have acquired a license to serve wine. We have primarily been serving our own Akari customer over the last six months. Over these months our ideas for our business have grown and changed over time. Now we are submitting application to expand our business for outside seating. We will still be accommodating our clients, however; we are hoping to attract more business for our restaurant as well as create a new Akari customer.

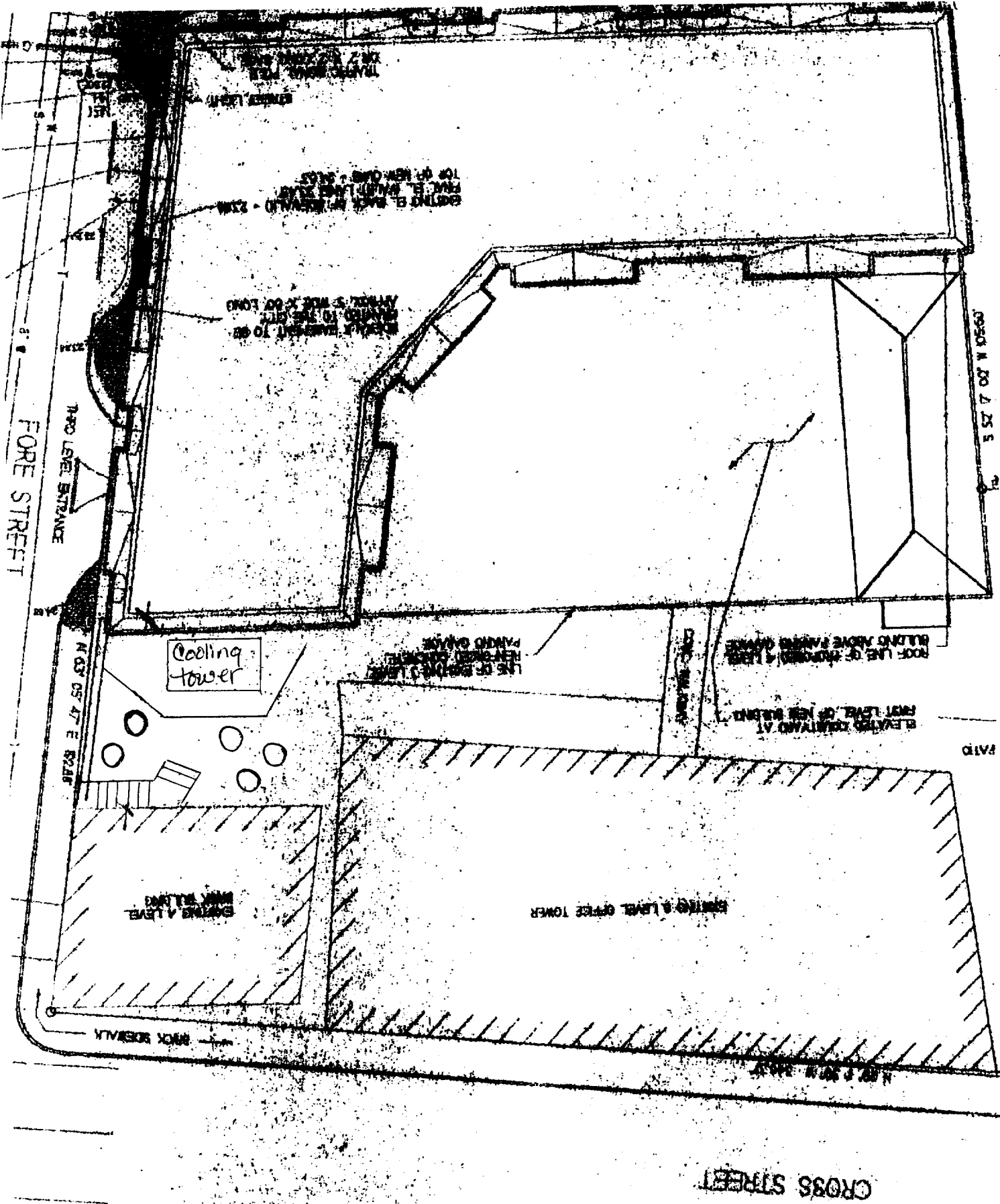
Our original ideals have not change with regard to how our restaurant should operate since you and I spoke last year. We will be offering our client, as well as the public, an eclectic, peaceful and elegant atmosphere. We want to offer clients (new or old) a different experience than can be found in Portland at this time. We don't ever want to be considered a "bar"!

Please consider our application and if you have additional questions do not hesitate to give me a call.

Thank you,

Tracy Foss







**From:** Marge Schmuckal  
**To:** Brandi Maxwell  
**Date:** Tue, May 13, 2003 12:42 PM  
**Subject:** Akari Hair Salon - 470 Fore Street

Brandi,

I have been talking with Tracy at the Akari Hair Salon on Fore Street. Last year we approved a small cafe (500 sq. ft) for her customers. It was all accessory to her clients and had no outside direct access.

We currently have a new permit application to allow outside seating for five tables (20 chairs) that would be accessible to the general public too, not just her clients. I believe that they currently have a wine liquor license. Does this new principal use trigger any Old Port Overlay restrictions? Can she still be granted a liquor license?

Zoning is not a problem as far as uses. Let me know if there are any complications. I will hold up the permit until I hear from you.

Thanks,  
Marge

**CC:** Mike Nugent

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

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

Permit No: 02-1050	Date Applied For: 09/11/2002	CBL: 038 F008001
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<b>Location of Construction:</b> 468 Fore St	<b>Owner Name:</b> Dictar Associates Li	<b>Owner Address:</b> Po Box 3577	<b>Phone:</b> ( ) 772-2992
<b>Business Name:</b> Akari Hair Salon	<b>Contractor Name:</b> Foss Welding & Fabrication	<b>Contractor Address:</b> 1207 Highland Avenue South Portlan	<b>Phone:</b> (207) 767-7338
<b>Lessee/Buyer's Name:</b> Tracy	<b>Phone:</b> 772-5198	<b>Permit Type:</b> Change of Use - Commercial	

<b>Proposed Project Description:</b> Changing 500' of Studio Space to Café/Coffee Shop/Install Staircase to Connect Basement to 1st Flow	Café/500' of Space
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**Dept:** Zoning      **Status:** Approved      **Reviewer:** Marge Schmuckal      **Approval Date:** 09/20/2002  
**Note:** 9/20/02 spoke with Tracy - Akairi owner- this is accessory to her clients - no outside direct access.      **OktoIssue:**

**Dept:** Building      **Status:** Approved      **Reviewer:** Mike Nugent      **Approval Date:** 09/27/2002  
**Note:**      **OktoIssue:**

**Dept:** Fire      **Status:** Approved with Conditions      **Reviewer:** Lt. McDougall      **Approval Date:** 09/24/2002  
**Note:**      **OktoIssue:**   
 1) the fire alarm system shall be maintained to NFPA 72 standards

**Comments:**  
 11/05/2002-axr: closed by axr

*Previous Approval info*

**From:** Marge Schmuckal  
**To:** "MJN"@Portland.gwgwia; Brandi Maxwell  
**Date:** Tue, May 13, 2003 2:06 PM  
**Subject:** Re: Akari Hair Salon - 470 Fore Street

Thank you. I will put a reminder on the permit that limits her sales to less than 50% sales from alcohol.  
Marge

>>> Brandi Maxwell 05/13 1:03 PM >>>

The Overlay is not affected because the licensee does not have 50% or more of their sales from alcohol.

>>> "Mike Nugent" <MJN@ci.portland.me.us> 05/13 12:54 PM >>>  
overlay?!?!?

>>> "Brandi Maxwell" <BLM@ci.portland.me.us> 05/13 12:51 PM >>>

Gary or Linda please correct me if I am wrong... I believe that her City liquor license does not change with outside use of alcohol, pending approval from zoning. The State **needs** to be made aware of the application for alcohol use outside.

>>> Marge Schmuckal 05/13 12:42 PM >>>

Brandi,

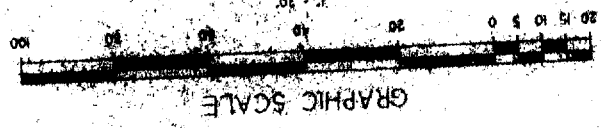
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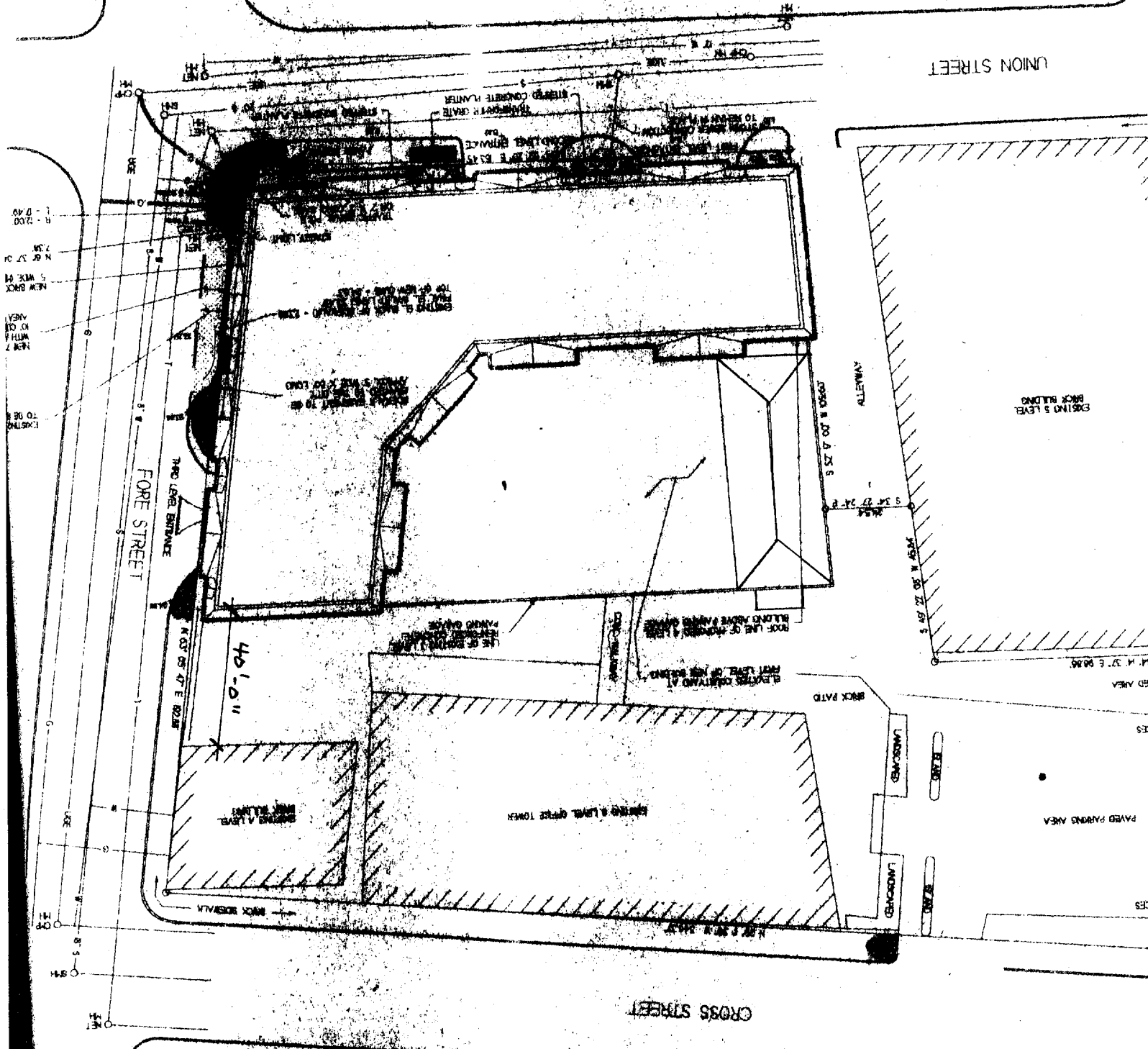
Zoning is not a problem as far as uses. Let me know if there are any complications. I will hold up the permit until I hear from you.

Thanks,  
Marge

**CC:** Gary Wood; Linda Cohen



NO.	REVISIONS
1	ADDED GRADE NOT
2	REVISED PER REVIEW COMMENT
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NO.	REVISIONS
1	ADDED GRADE NOT
2	REVISED PER REVIEW COMMENT
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# BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 to schedule your inspections as agreed upon

Permits expire in 6 months, if the project is not started or ceases for 6 months.

The Owner or their designee is required to notify the inspections office for the following inspections and provide adequate notice. Notice must be called in 48-72 hours in advance in order to schedule an inspection:

By initializing at each inspection time, you are agreeing that you understand the inspection procedure and additional fees from a "Stop Work Order" and "Stop Work Order Release" will be incurred if the procedure is not followed as stated below.

NA **Pre-construction Meeting:** Must be scheduled with your inspection team upon receipt of this permit. Jay Reynolds, Development Review Coordinator at 874-8632 must also be contacted at this time, before any site work begins on any project other than single family additions or alterations.

NA **Footing/Building Location Inspection:** Prior to pouring concrete

NA **Re-Bar Schedule Inspection:** Prior to pouring concrete

NA **Foundation Inspection:** Prior to placing ANY backfill

NA **Framing/Rough Plumbing/Electrical:** Prior to any insulating or drywalling

**Final/Certificate of Occupancy :** Prior to any occupancy of the structure or use. NOTE: ~~There is a \$75.00 fee per inspection at this point.~~

Certificate of Occupancy is *not* required for certain projects. Your inspector can advise you if your project requires a Certificate of occupancy. All projects DO require a **final inspection**

**If any of the inspections do not occur, the project cannot go on to the next phase, REGARDLESS OF THE NOTICE OR CIRCUMSTANCES.**

**CERTIFICATE OF OCCUPANCIES MUST BE ISSUED AND PAID FOR, BEFORE THE SPACE MAY BE OCCUPIED**

[Signature]  
Signature of applicant/designee

\_\_\_\_\_  
Date

[Signature]  
Signature of Inspections Official

\_\_\_\_\_  
Date

CBL: 038 Foo 5 Building Permit #: 0305 10