

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK



CITY OF PORTLAND BUILDING PERMIT

This is to certify that NANCY LITROCAPES/CARRIE BERNARD

Located At 31 PAYSON ST

CBL: 066A-C-007-001

Job ID: 2012-01-3021-CH OF USE - NO CONSTRUCTION

has permission to Change the Use from a 2 unit, with 1 illegal unit, to the same adding a Home Occupation 1st fl, Acupuncture provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statues of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of the buildings and structures, and of the application on file in the department.

Notification of inspection and written permission procured before this building or part thereof is lathed or otherwise closed-in. 48 HOUR NOTICE IS REQUIRED.

A final inspection must be completed by owner before this building or part thereof is occupied. If a certificate of occupancy is required, it must be

Fire Prevention Officer



Code Enforcement Officer / Plan/Reviewer

1/25/17

THIS CARD MUST BE POSTED ON THE STREET SIDE OF THE PROPERTY
PENALTY FOR REMOVING THIS CARD



Certificate of Occupancy



CITY OF PORTLAND, MAINE

Department of Planning and Urban Development
Building Inspections Division

Location: 31 PAYSON ST

CBL: 066A- C-007-001

Issued to: LITROCAPES, NANCY

Date Issued: 10/2/2012

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. 2012-01-3021-CH OF USE, has had a final inspection, has been found to conform substantially to the requirements of the Building Code and the Land Use Code of the City of Portland, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

FIRST FLOOR

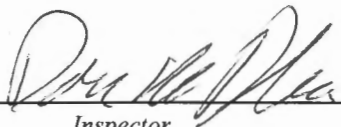
APPROVED OCCUPANCY

USE GROUP R-2
HOME OCCUPATION - ACUPUNCTURE
TYPE 5B
IBC 2009

Approved:

10-2-2012

(Date)


Inspector


Inspection Division Director

Notice: This certificate identifies the legal use of the building or premises, and ought to be transferred from owner to owner upon the sale of the property.

City of Portland, Maine - Building or Use Permit Application

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

Job No: 2012-01-3021-CH OF USE	Date Applied: 1/3/2011	CBL: 066A- C-007-001	
Location of Construction: 31 PAYSON ST (33)	Owner Name: NANCY LITROCAPES	Owner Address: 33 PAYSON ST # 1 PORTLAND, ME 04102	Phone: 207-523-9202
Business Name:	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name: Carie Bernard	Phone: 207-409-9779	Permit Type: BLDG - Building	Zone: R-5
Past Use: Two family w/ one illegal unit	Proposed Use: Same – two family w/ one illegal unit – add a home occupation (acupuncture) to 1 st floor unit	Cost of Work:	CEO District:
		Fire Dept: <input checked="" type="checkbox"/> Approved w/conditions <input type="checkbox"/> Denied <input type="checkbox"/> N/A Signature: <i>Capt. Perrone - H7-12</i>	Inspection: Use Group: <i>R-2</i> Type: <i>SB</i> <i>IBC 2009</i> Signature: <i>JMB</i>
Proposed Project Description: Home Occupation for acupuncturist – 1 st floor		Pedestrian Activities District (P.A.D.) <i>1/25/12</i>	

Permit Taken By:	Zoning Approval		
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 informatin may invalidate a building permit and stop all work.	Special Zone or Reviews <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetlands <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan <input type="checkbox"/> Maj <input type="checkbox"/> Min <input type="checkbox"/> MM Date: <i>01/19/12 ABM</i>	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 Dist 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 Date: <i>ABM</i>
	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
---	------	-------

1-26-12 DWM/BKL Cary 409-9779 Code fail
Housing + Fire inspection of entire building, correction of all
violations. Violations found today SD + CO detection NTC,
Fire doors NTC. GFCI req'd in bathroom.

1-30-12 DWM/BKL/John Mardell Nancy 523-9202 Housing Inspection
All units: Provide CO/SD + Fire rated doors
1st floor unit: Repair hole in Bedroom floor + GFCI Bathroom outlet.

3-12-12 DWM TCO Issued for 1 year pending Fire Plan of Action

BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 (ONLY)

or email: buildinginspections@portlandmaine.gov

With the issuance of this permit, the owner, builder or their designee is required to provide adequate notice to the city of Portland Inspections Services for the following inspections. Appointments must be requested 48 to 72 hours in advance of the required inspection. The inspection date will need to be confirmed by this office.

- **Please read the conditions of approval that is attached to this permit!! Contact this office if you have any questions.**
- **Permits expire in 6 months. If the project is not started or ceases for 6 months.**
- **If the inspection requirements are not followed as stated below additional fees may be incurred due to the issuance of a "Stop Work Order" and subsequent release to continue.**

Certificate of Occupancy/Final Inspection

The project cannot move to the next phase prior to the required inspection and approval to continue, REGARDLESS OF THE NOTICE OF CIRCUMSTANCES.

IF THE PERMIT REQUIRES A CERTIFICATE OF OCCUPANCY, IT MUST BE PAID FOR AND ISSUED TO THE OWNER OR DESIGNEE BEFORE THE SPACE MAY BE OCCUPIED.



PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life • www.portlandmaine.gov

Director of Planning and Urban Development
Penny St. Louis

Job ID: 2012-01-3021-CH OF USE

Located At: 31 PAYSON ST

CBL: 066A- C-007-001

Conditions of Approval:

Zoning

1. This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.
2. The legal use of this property is two dwelling units. There is an illegal dwelling unit on the third floor. The owner has a month to bring the property into compliance by either applying for a permit to legalize it or removing the illegal unit. With the issuance of this permit and the certificate of occupancy, the first floor unit will have a home occupation.
3. During its existence, all aspects of the Home Occupations criteria, Section 14-410, shall be maintained.

Building

1. Application approval based upon information provided by applicant. Any deviation from approved plans requires separate review and approval prior to work.
2. This is a Change of Use ONLY permit. It does NOT authorize any construction activities.
3. Separate permits are required for any electrical, plumbing, sprinkler, fire alarm, HVAC systems, heating appliances, including pellet/wood stoves, commercial hood exhaust systems and fuel tanks. Separate plans may need to be submitted for approval as a part of this process.
4. This permit recognizes a pre-existing land use and does not require or certify compliance with the City's current building code. The inspection performed will be done pursuant to the City's Minimum Standards for Housing, The Housing Code.
5. Smoke and carbon dioxide detection is required per NFPA and City Code Chap. 10
6. This change of use for dwelling/home occupation (acupuncture) designates 15% of the 1st floor dwelling unit. The additional percentage is approved per IBC Sec. 3408.1, for existing structures, which allows occupancy if the building official deems the use is no more hazardous based on life and fire risk than the existing use. The addition of a sprinkler and fire alarm system in that area is not required, and is keeping consistent with the NFPA 101 code.
7. The Certificate of Occupancy will not be issued until all of the zoning, life safety and housing code inspections are completed and violations are corrected.

Fire

1. Installation shall comply with City Code Chapter 10.
2. All construction shall comply with City Code Chapter 10.
3. All outstanding code violations shall be corrected prior to final inspection.
4. All smoke detectors and smoke alarms shall be photoelectric.
5. Carbon Monoxide is detection required in accordance with NFPA 720, *Standard for Installation of Carbon Monoxide (CO) Detection and Warning Equipment*, 2009 edition.

R-5

2012-01-3021

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.



(31 Payson)

Location/Address of Construction: <u>33 Payson St., Apt 1, Portland, ME 04102</u>		
Total Square Footage of Proposed Structure/Area	Square Footage of Lot	Number of Stories
Tax Assessor's Chart, Block & Lot Chart# Block# Lot# <u>66A C 007</u>	Applicant * must be owner, Lessee or Buyer* Name <u>Carie Bernard</u> Address <u>33 Payson St., Apt. 1</u> City, State & Zip <u>Portland, ME 04102</u>	Telephone: <u>409-9779</u>
Lessee/DBA (If Applicable)	Owner (if different from Applicant) Name <u>Nancy Litroques</u> Address <u>33 Payson St., #1</u> City, State & Zip <u>Portland 04102</u>	Cost Of Work: \$ _____ C of O Fee: \$ _____ Total Fee: \$ _____
Current legal use (i.e. single family) <u>3 Family home</u> Number of Residential Units _____ If vacant, what was the previous use? _____ Proposed Specific use: _____ Is property part of a subdivision? _____ If yes, please name _____ Project description: <u>Apt- #</u> <u>3 Family home permit 1 w/ home occupation</u>		
Contractor's name: _____ Address: _____ City, State & Zip _____ Telephone: _____ Who should we contact when the permit is ready: <u>Carie Bernard</u> Telephone: <u>409-9779</u> Mailing address: <u>See above</u>		

RECEIVED
JAN - 3 2012

Please submit all of the information outlined on the applicable Checklist. Failure to do so will result in the automatic denial of your permit.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information or to download copies of this form and other applications visit the Inspections Division on-line at www.portlandmaine.gov, or stop by the Inspections Division office, room 315 City Hall or call 874-8703.

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: Carie Bernard Date: 1/3/12

This is not a permit; you may not commence ANY work until the permit is issue

January 2, 2010

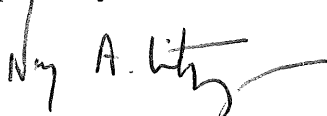
Ms. Anne Machado
Zoning Specialist
Department of Planning and Urban Development
City of Portland
389 Congress Street
Portland, ME 04101

Dear Ms. Machado,

I am the owner of a multi unit building on Payson Street in Portland, ME 04102. Carie Bernard is planning to rent the first floor unit from me, which includes a small, two-room office space. From the office space, she is planning to run an acupuncture business. Carie has my permission to run this business on my property with the understanding that clientele will be expected to park on the street. Carie's business is the sort that does not interfere with the typical flow of residential life in the neighborhood and I don't see it as having any negative impact on the rest of the neighbors and neighborhood. Most people will not even know it is there.

Thank you for your assistance in supporting Carie's business. Feel free to call if you have any questions. My number is 207-523-9202.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nancy A. Litrocapas", with a long horizontal flourish extending to the right.

Nancy Litrocapas,
Landlord
31-33 Payson Street
Portland ME 04102

CARIE L. BERNARD, L.AC., DIPL. AC., MAOM

13 Arcadia St., #2 ♦ Portland, ME ♦ 04103
(207) 409-9779 ♦ carie.Bernard@gmail.com

January 2, 2012

Ms. Ann Machado
Zoning Specialist
Department of Planning and Urban Development
City of Portland
389 Congress Street
Portland, ME 04101

RECEIVED

JAN 6 2012

Dept. of Building Inspections
City of Portland Maine

Dear Ms. Machado,

I am requesting a permit to allow me the use of my residence (as of February 1, 2012) at 33 Payson St., Apt. 1, Portland, ME 04102 for a home occupation. I intend to move my acupuncture practice from its current location in Yarmouth, to my new residence. My work will be to provide acupuncture treatments to patients, an acceptable home occupation listed under item (2) of Section 14-410 of the Portland Zoning Ordinance. The following is an explanation of how my home occupation meets the criteria listed under item (1) of the same.

- a. My home occupation will occupy approximately ¹⁴²~~145~~ square feet (\surd %) of floor area of the residence
- b. No goods will be stored, displayed or be visible from outside the residence
- c. Storage of the material necessary to perform my occupation are minimal and included in the ¹⁴²~~145~~ square feet of floor space mentioned above
- d. There will be external signage related to my home occupation that will not be more than 2 square feet or more than 1 foot beyond the building. I understand that I need a sign permit and will apply for this.
- e. No exterior alterations to the residence are necessary
- f. Since I will be meeting clients at my residence, additional parking is necessary, however, there is plenty of on-street parking and it would easily accommodate the parking needs of my part-time practice - *there is also room in the driveway*
- g. No objectionable effects will result from my home occupation
- h. I will not require the services of any employees
- i. Since I will be meeting clients at my residence, a small amount of additional traffic will be generated by my home occupation. This will be minimal, however, since I rarely treat more than one patient at a time.
- j. No vehicles even nearing a gross vehicle weight of 6,000 pounds are necessary for my home occupation.

As you can see, my home occupation is a secondary and incidental use of my residence. The external activity level and impact is negligible and in keeping with the residential character of the neighborhood.

Attached you will find a copy of a floor plan showing my entire dwelling and area of the home occupation space, as well as a letter from the owner of the building granting permission to conduct a home occupation on the premises.

Thank you for your assistance in this matter.

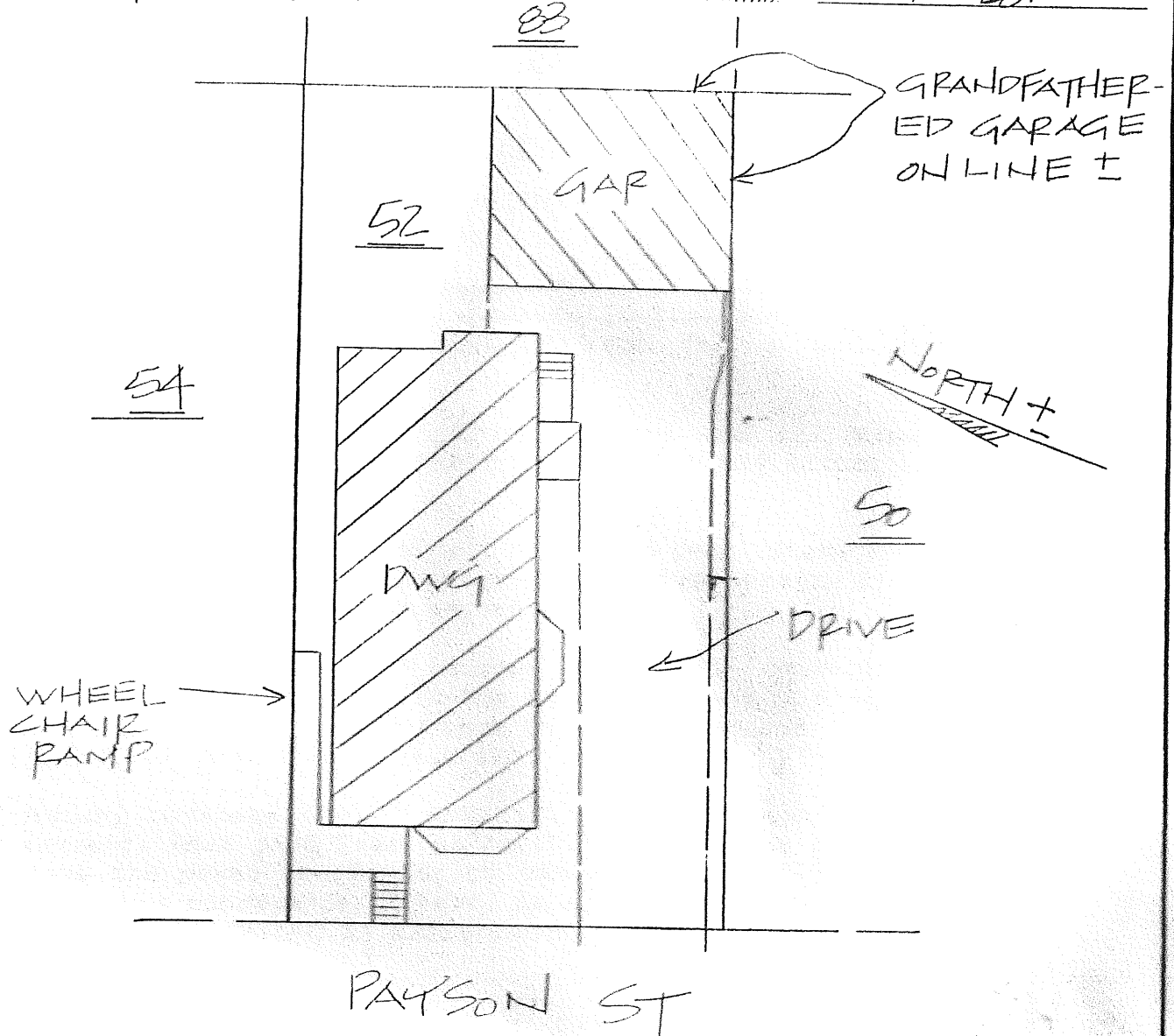
Sincerely,

Carie Bernard, L.Ac.

FOR MORTGAGE LENDER USE ONLY

GENERAL NOTES: (1) DISTANCES SHOWN ARE TAKEN FROM PROVIDED TITLE REFERENCES SHOWN BELOW. (2) THIS INSPECTION EXAMINES DWELLING AND ACCESSORY STRUCTURE COMPLIANCE WITH RESPECT TO MUNICIPAL ZONING SETBACK REQUIREMENTS ONLY. (3) A STANDARD BOUNDARY SURVEY SHOULD BE PERFORMED TO RENDER A PROFESSIONAL OPINION AS TO ACTUAL PROPERTY LINE LOCATIONS. (4) THIS INSPECTION DEPICTS ALL VISIBLE STRUCTURAL ENCROACHMENTS WITH RESPECT TO APPARENT PROPERTY LINES AND RECOGNIZES ONLY THOSE BASEMENTS & RIGHTS OF WAY STATED OR SHOWN IN BELOW PROVIDED TITLE REFERENCES AND DOES NOT REVEAL ANY CONFLICTS WITH ABUTTING DEEDS. (5) FLOOD HAZARD DETERMINATION IS MADE BY SCALING DISTANCES ON BELOW REFERENCED FEMA MAP. (6) THIS INSPECTION IS TO BE USED ONLY BY BELOW LISTED LENDER, TITLE COMPANY &/OR ATTORNEY AND ITS TITLE INSURER.

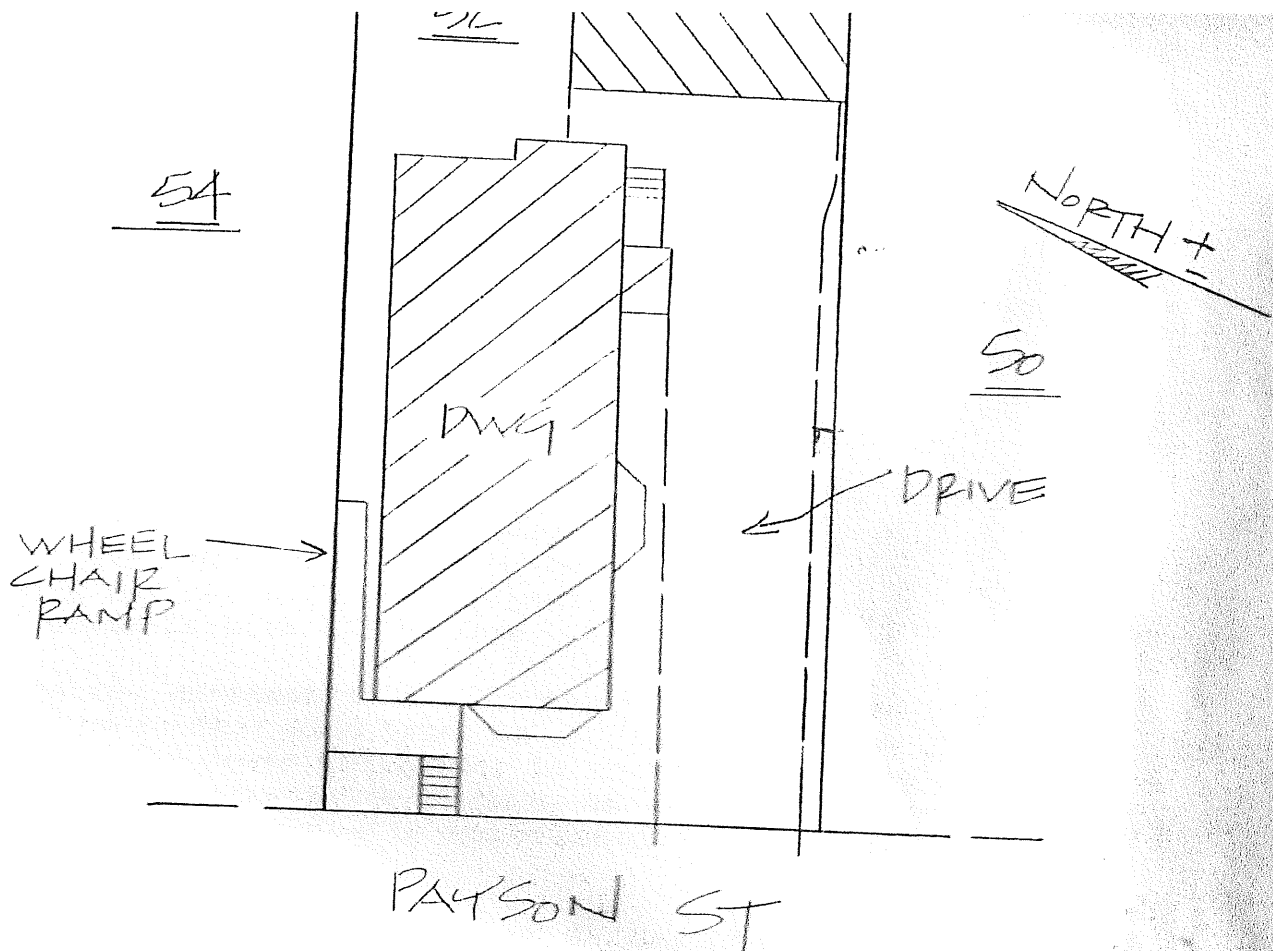
ADDRESS: 31 PAYSON ST INSPECTION DATE: 9-9-00
PORTLAND, ME SCALE: 1" = 20'



SEE PROVIDED TITLE REFERENCES FOR APPLICABLE APPURTENANCES, IF ANY.

APPLICANT: LITROSCAPES REQUESTING PARTY: LEETE & LEMIEUX
 OWNER: WEINTRAS ATTORNEY: JAMES LEMIEUX
 LENDER: _____ FILE No: 2008643

TITLE REFERENCES: _____ YOUR FILE # _____



SEE PROVIDED TITLE REFERENCES FOR APPLICABLE APPURTENANCES, IF ANY.

APPLICANT: LITROSCAPES REQUESTING PARTY: LEETE & LEMIEUX
 OWNER: WEINTRAS ATTORNEY: JAMES LEMIEUX
 LENDER: _____ FILE No. 2008643

TITLE REFERENCES:
 DEED BOOK: 13265 PAGE: 113
 PLAN BOOK: 14 PAGE: 59 LOT: 52
 COUNTY: CUMB

MUNICIPAL REFERENCE:
 MAP C60A BLOCK C LOT: 7

THE DWELLING DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD ZONE PER FEMA COMMUNITY MAP No. 230051.
 FANFI 2013B ZONE: C DATE: 12-8-99

THE DWELLING WAS IN COMPLIANCE WITH MUNICIPAL ZONING SETBACK REQUIREMENTS AT THE TIME OF CONSTRUCTION.

COMMENTS:

YOUR FILE #: _____

NADEAU & LODGE, INC.
 PROFESSIONAL LAND SURVEYORS

844 STEVENS AVENUE
 PORTLAND, ME 04103
 (207) 878-7870

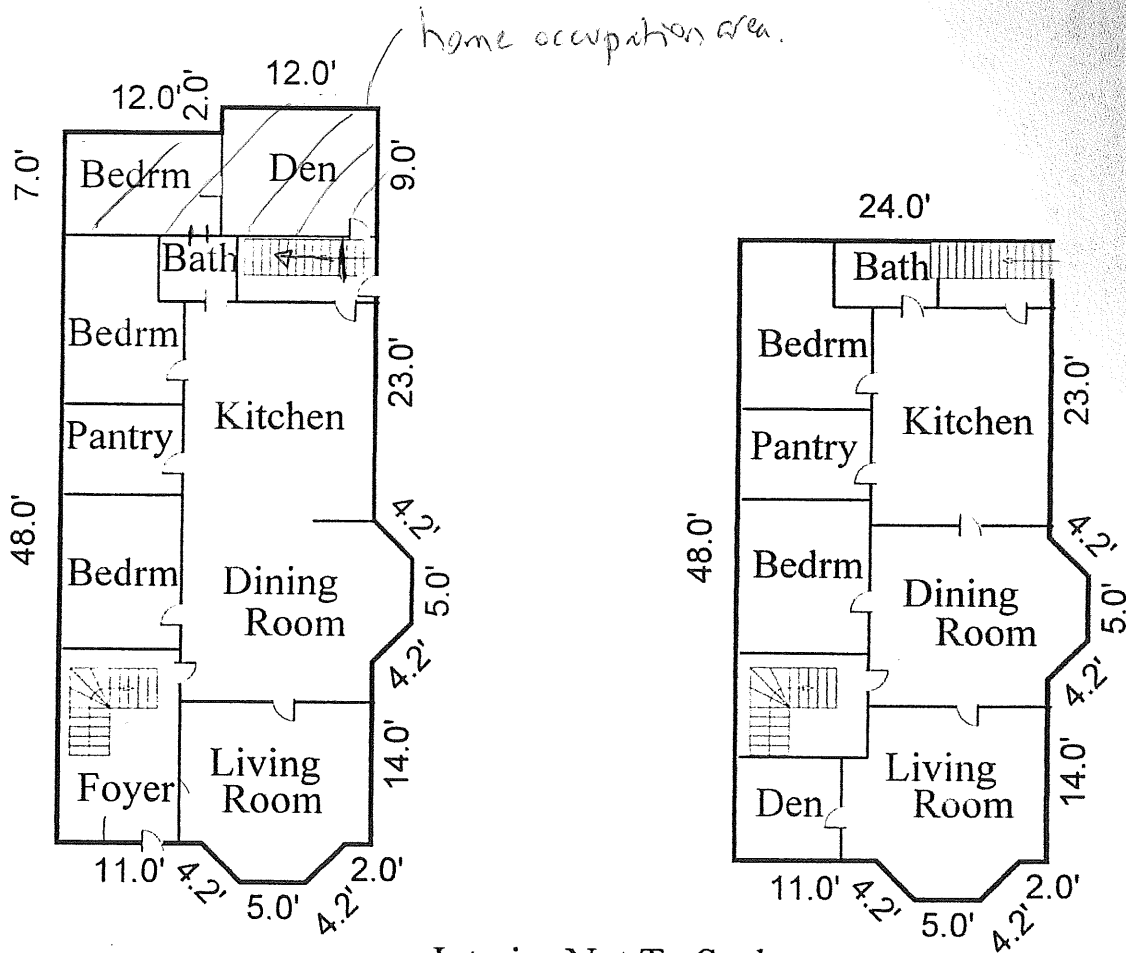
232 CLARKS WOODS ROAD
 LYMAN, ME 04002
 (207) 499-2958

James D. Leete

THIS IS NOT A BOUNDARY SURVEY - NOT FOR RECORDING

SKETCH/AREA TABLE ADDENDUM

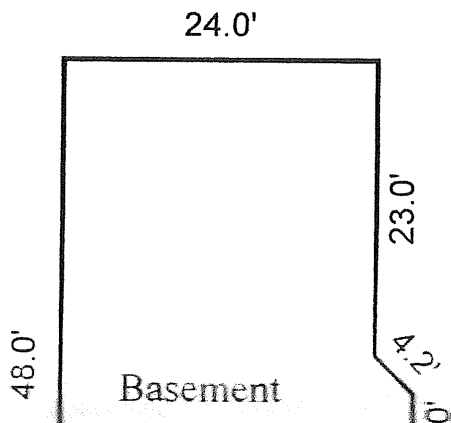
Case No	File No. ed308245
Property Address 31 Payson Street	
City Portland	County Cumberland State ME Zip 04102
Borrower Litrocapas, Nancy	
Lender/Client Banknorth Mortgage	L/C Address 477 Congress Street, Portland, ME 04101
Appraiser Name Ellen L. Dyer (12/31/00)	Appr Address P.O. Box 6370, Scarborough, ME 04076-6370



Interior Not To Scale
Exhibit Only

$$\begin{array}{r}
 48 \times 24 = 1320 \\
 2 \times 24 = 24 \\
 \hline
 1344
 \end{array}$$

$$\begin{array}{r}
 145 \\
 1344 \quad 11\%
 \end{array}$$



IMPROVEMENTS SKETCH

Program: FP322L

by Property Report

FIRE PREVENTION

```

=====
Property address          Property name          Property number
  Inspection type                Date      Inspector
    Seq. Violation class          Violation type      Reference   Target   Actual
      Location(s)                                     date       date
=====
  
```

```

0031 PAYSON ST, PORTLAND ME 04102          31-33 PAYSON ST.          233826-000-000
ROUTINE INSPECTION                        5/28/08 CHRISTOPHER PIRONE, Bramhall Station, Platoon 3
  1 Fire Doors                             Fire Doors Required          6/30/08   0/00/00
    UNIT DOOR VIA REAR HALL
  
```

Violation Summary:

Open	Closed	Total
1	0	1

Donald McPherson - Re: Conditions of Approval for 31 Payson St Home Occupation

From: Jeanie Bourke
To: Ann Machado; Benjamin Wallace; Chris Pirone; Donald McPherson
Date: 1/26/2012 1:55 PM
Subject: Re: Conditions of Approval for 31 Payson St Home Occupation
CC: Tammy Munson

Yes, this one is out of the ordinary.....they all seem to be these days.

I'll start backwards...the tenant can by all means move into the unit without the CO.

I verified with the tenant that her business won't actually move there until the end of March as she has a lease at a different office.

Zoning is only saying what the new use will be, and a time frame to submit the legalization application. Upon speaking with Ann, the records show that it is the 3rd floor apt. that is illegal, there was an appeal in 1980 that was denied, but the unit was never removed. This owner purchased 5 years ago, and now the Ordinance has the process for her to legalize it.

I suggested a preliminary CO inspection (and maybe here in lies the error) to vet out any other violations that may have to be corrected before the CO is issued. It's basically a housing/life safety inspection, although the whole building may not be available today.

I still think we should not issue the CO until the violations are corrected or we could do a temporary, but there will also be a CO with the legalization. Or you could cancel the inspection until that comes in.

Sorry for the confusion,
 Jeanie

>>> Donald McPherson 1/26/2012 12:34 PM >>>
 Hi Team,

I am a little confused about the conditions for approval for this application.

Zoning re: Condition #2. "Owner has a month to bring the property into compliance..."
 Zoning will follow up on this and I can issue the CO without further review.

Building re: Condition #7 "The certificate of Occupancy will not be issued until all of the zoning, life safety and housing code inspections are complete and violations are corrected."

To comply with this:

1. Zoning must resolve the illegal unit and,
2. An inspection of the Building must be completed by Fire, Electrical inspection and the Code office and all violations found must be resolved.

Fire re: Condition #3 "All outstanding code violations shall be corrected prior to final inspection"

There is one outstanding issue that I know of and that is the fire door violation from 2008.

Please let me know if this is correct.

The tenant wants to move in on Monday and a condition of her contract is that she be allowed the Home Occupation.

Thank you

Don



CITY OF PORTLAND, MAINE

Department of Building Inspections

Original Receipt

01.31.20

Received from

Chick Brown

Location of Work

33 Taylor #1

Cost of Construction \$ _____

Building Fee: 150

Permit Fee \$ _____

Site Fee: _____

Certificate of Occupancy Fee: 75

Total: 225

Building (IL) _____

Plumbing (I5) _____

Electrical (I2) _____

Site Plan (U2) _____

Other _____

CBL: _____

Check #: 034

Total Collected \$ 225

**No work is to be started until permit issued.
Please keep original receipt for your records.**

Taken by: [Signature]

WHITE - Applicant's Copy
YELLOW - Office Copy
PINK - Permit Copy