

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

Location of Construction: 70 Fessenden St.		Owner: Robert MacDonald		Phone:		Permit No. <b>980075</b>
Owner Address:		Lessee/Buyer's Name: Charles Butler		Phone: 74-4532		<div style="border: 2px solid black; padding: 5px; text-align: center;"> <b>PERMIT ISSUED</b>                  Permit Issued:  <b>FEB - 5 1998</b>  <b>CITY OF PORTLAND</b> </div>
Contractor Name:		Address:		Phone:		
Past Use: 2 unit		Proposed Use: Same w/one unit having a home occ		COST OF WORK: \$ FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied INSPECTION: Use Group <b>R3</b> Type <b>515</b> Signature: <i>[Signature]</i> Signature: <i>[Signature]</i>		Zone: <b>R-5</b> CBL: 117-4-17
Proposed Project Description: Change of Use		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied Signature: _____ Date: _____		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: Vicki Dover		Date Applied For: 1/28/98				

1. This permit appli *c of o*  
 2. Building permits  
 3. Building permits *Home occ. No signage with out Appl. For Permit.*  
*office on 2nd Floor Apt.*  
*6'8" x 8' Alcove abutting Living Room on Fessenden St. side of house.*  
 I hereby certify that I a *Call C. Butl*  
 authorized by the own  
 if a permit for work de *Sam, Tom R.*  
 areas covered by such

g applicable State and Federal rules.  
 the date of issuance. False informa-  
 ATION  
 e proposed work is authorized by the owner of record and that I have been  
 I agree to conform to all applicable laws of this jurisdiction. In addition,  
 de official's authorized representative shall have the authority to enter all  
 is of the code(s) applicable to such permit

**PERMIT ISSUED WITH REQUIREMENTS**

SIGNATURE OF APPLICANT	Charles Butler	ADDRESS:	70 Fessenden St., Portland 04103	DATE:	1/28/98	PHONE:	774-4532
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE						PHONE:	

CEO DISTRICT 5

COMMENTS

4-1-98 Talked to Chuck Butler he is the tenant on the second (2) Floor He is using all Existing walls No ~~structural~~ structural change's will occur. the owner is his uncle

Robert Mac Donald. Chuck Butler is aware that No signage is allowed with out a permit (TER) 4-1-98 (15:20)

4-3-98 CofO Sect. T-E-R.



Inspection Record

Type	Date
Foundation: _____	_____
Framing: _____	_____
Plumbing: _____	_____
Final: _____	_____
Other: _____	_____



CITY OF PORTLAND, MAINE  
Department of Building Inspection

# Certificate of Occupancy

LOCATION 70 Fessenden St 117-A-017

Issued to Robert MacDonald

Date of Issue 03 April 1998

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. 980075, 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

Entire

APPROVED OCCUPANCY

Two Family Dwelling  
w/Home Occupation - Direct Mail  
2nd floor apt

Limiting Conditions:

No signage without permit.

This certificate supersedes  
certificate issued

Approved:

4-3-98 \_\_\_\_\_  
(Date) Inspector

\_\_\_\_\_ 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.

LAND USE - ZONING REPORT

ADDRESS: 70 Fessenden St. DATE: 2/2/98

REASON FOR PERMIT: Change of use to Allow A home occupation in one Dwelling unit

BUILDING OWNER: Robert MacDonald C-B-L: 117-A-17

PERMIT APPLICANT: Charles Butler

APPROVED: with conditions DENIED: \_\_\_\_\_

#1, #6, #7

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 two 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 under home occupation requirements
- 8. Separate permits shall be required for future decks and/or garage.
- 9. Other requirements of condition \_\_\_\_\_

Marge Schmuckal

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

# BUILDING PERMIT REPORT

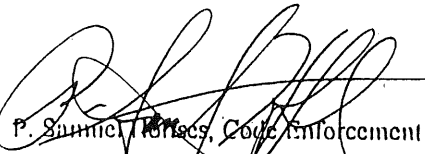
DATE: 3 Feb 98 ADDRESS: 70 Fessenden ST.  
REASON FOR PERMIT: change of use (office)  
BUILDING OWNER: Robert MacDonal d  
CONTRACTOR: \_\_\_\_\_  
PERMIT APPLICANT: Charles Butler APPROVAL: X/ ~~\_\_\_\_\_~~  
USE GROUP R-3 BOCA 1996 CONSTRUCTION TYPE 5 B

## CONDITION(S) OF APPROVAL

- X1. 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. (A 24 hour notice is required prior to inspection)
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. This is done to verify that the proper setbacks are maintained.
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. Private garages attached side-by-side to rooms in the above occupancies shall be completely separated from the interior spaces and the attic area by means of ½ inch gypsum board or the equivalent applied to the garage means of ½ inch gypsum board or the equivalent applied to the garage side. (Chapter 4 Section 407.0 of the BOCA/1996)
6. All chimneys and vents shall be installed and maintained as per Chapter 12 of the City's-Mechanical Code. (The BOCA National Mechanical Code/1993).
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. Minimum height all Use Groups 42" , except Use Group R which is 36". In occupancies in Use Group A, B, H-4, I-1, I-2 M and R and public garages and open parking structures, open guards shall have balusters or be of solid material such that a sphere with a diameter of 4" cannot pass through any opening. Guards shall not have an ornamental pattern that would provide a ladder effect. (Handrails shall be a minimum of 34" but not more than 38". Use Group R-3 shall not be less than 30", but not more than 38".)
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. All other Use group minimum 11" tread, 7" maximum rise.
11. The minimum headroom in all parts of a stairway shall not be less than 80 inches. (6' 8")
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 exterior door approved for emergency egress or rescue. The units must be operable from the inside without the use of special 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.
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.
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.
15. The boiler shall be protected by enclosing with (1) hour fire-rated construction including fire doors and ceiling, or by providing automatic extinguishment.
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 19, 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

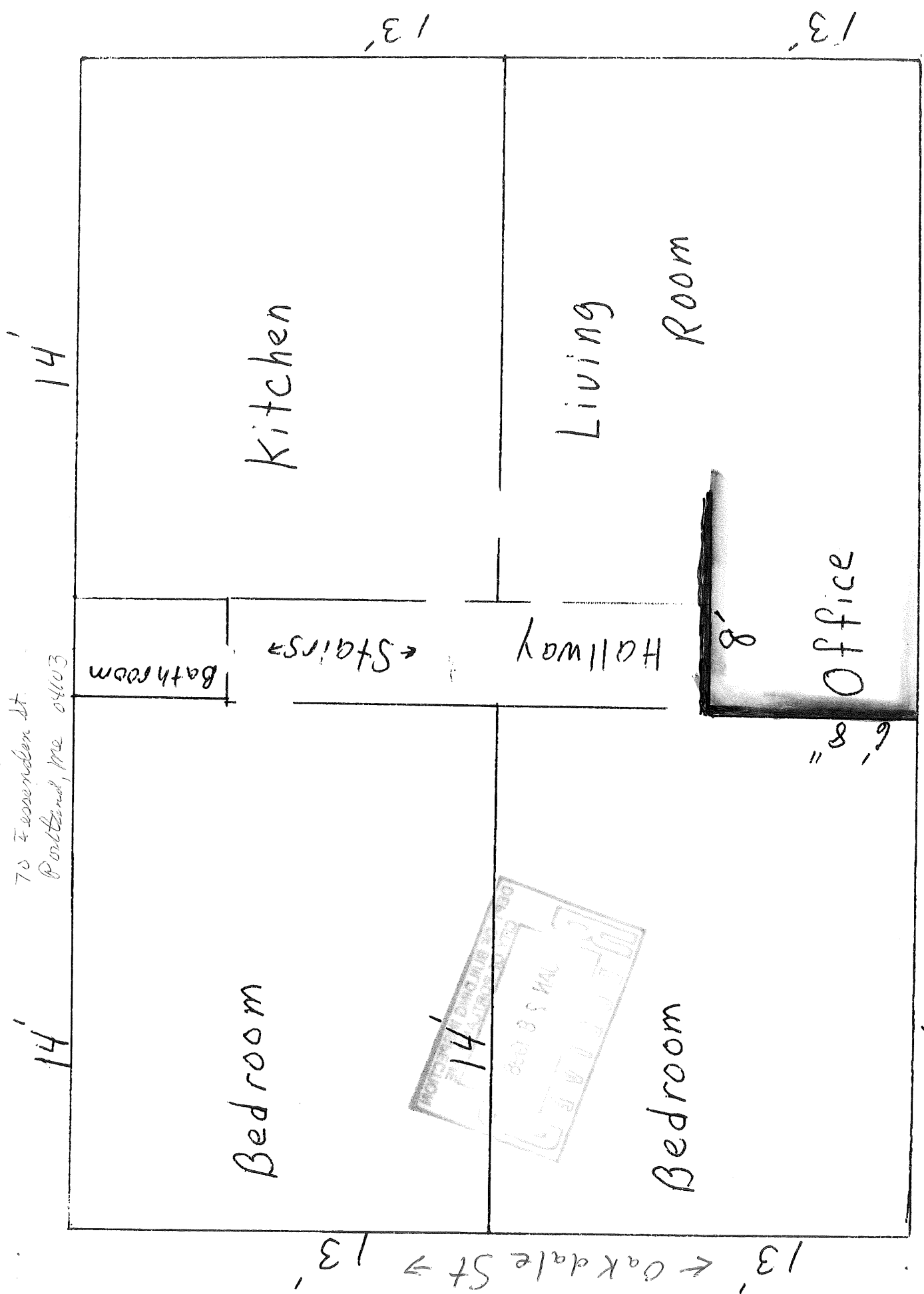
In each story within a dwelling unit, including basements  
In addition to the required AC primary power source, required smoke detectors in occupancies in Use Groups R-2, R-3 and I-1 shall receive power from a battery when the AC primary power source is interrupted. (Interconnection is required)

- 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.
- 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. No construction or demolition work shall begin until you have obtained permits for dumpsters or containers. A work Stop Order shall be issued if this requirement is not met.
- 22. 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".
- 23. 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.
- 24. This permit does not excuse the applicant from obtaining any license which may be needed from the City Clerk's office.
- 25. Ventilation shall meet the requirements of Chapter 12 Sections 1210. of the City's Building Code.
- 26. All electrical, plumbing and HVAC permits must be obtained by a Master Licensed holders of their trade.
- 27. All requirements must be met before a final Certificate of Occupancy is issued.
- 28. 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).
- 29. Ventilation of spaces within a building shall be done in accordance with the City's Mechanical Code (The BOCA National Mechanical Code/1993).
- 30. ~~Please read and amend attached Land Use - Zoning Report.~~
- 31. \_\_\_\_\_
- 32. \_\_\_\_\_
- 33. \_\_\_\_\_
- 34. \_\_\_\_\_

  
P. Schumuckal, Code Enforcement

cc: Lt. McDougall, PFD  
Marge Schumuckal

Chuck Butler  
70 Fessenden St.  
Portland, Me 04103



← Fessenden St. → 2nd Floor. 14'

13' ← Oakdale St. → 13'

Jan. 28, 1998

## Home Occupation Business (Sec 14-410)

The purpose of this letter is to describe the business that I am starting up in my home at 70 Fessenden St. Portland, Maine.

My business will be called 100% Health and will be a direct mail service where I will be mailing vitamins, herbal products, food supplements, and lotions to my customers in Japan.

In this business, I will be buying my products from various suppliers around the United States and shipping them to my individual customers in Japan. My customers will be ordering through my partners in Japan who will be advertising in newspapers, magazines, and the Internet.

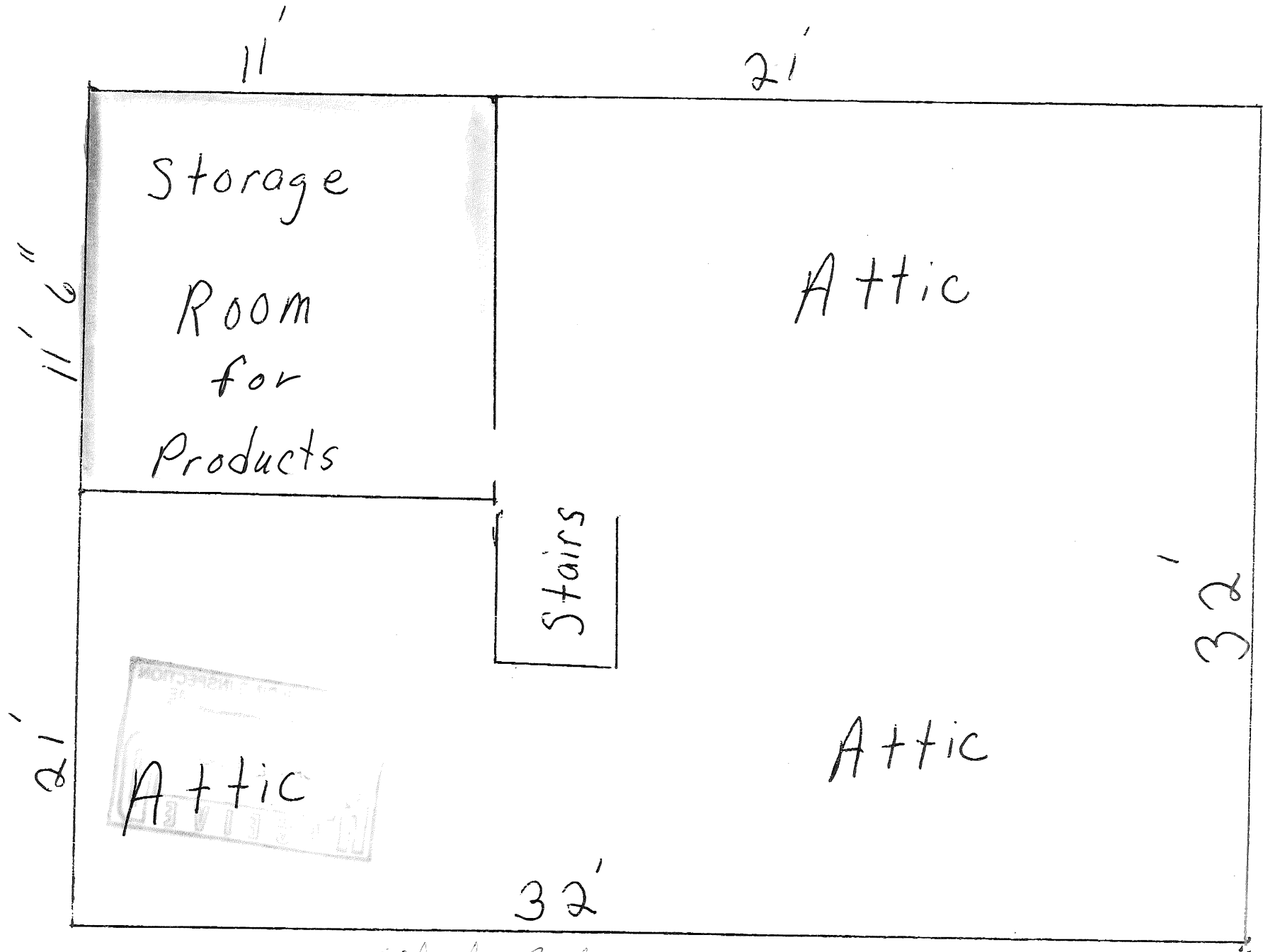
I will use a small area off my living room for my office (8'x6'8"). In this office, I will have my fax machine, computer, and packaging materials. In this area, I will receive my orders by fax or computer. I will then package them and address them here.

I will use the small room in the attic to store my inventory. The vitamins should not take up much space, so this should be ample storage for my present situation.

Finally, at the present time, I have no other employees other than myself.

Chuck Butler  
70 Fessenden St  
Portland, Me 04103  
774-4532





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70 Fessenden St.  
Portland, Me  
04103