

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

Location of Construction: ** 447 Deering Ave.		Owner: ** Nancy Montgomery Jack Vreeland		Phone: 207-879-9152		Permit No:	
Owner Address: 447 Deering Ave.		Lessee/Buyer's Name: N/A		Phone: N/A		Business Name: N/A	
Contractor Name: N/A		Address: N/A		Phone: N/A		Permit Issued: 991354 DEC 9 1999 CITY OF PORTLAND Zone: CBL: 125-G-004	
Past Use: 2-Family		Proposed Use: 2-Family with home occupation		COST OF WORK: \$ 0		PERMIT FEE: \$ 30.00	
Proposed Project Description: Home occupation: Graphic artist, author, illustrator Change of use from 2 family to 2 family with home occupation.		FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group: 43 Type: 52 BOCA 98		Signature: <i>[Signature]</i>	
		Signature:		Signature: <i>[Signature]</i>		Date:	
Permit Taken By: UB KA		Date Applied For: 12-7-99		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		Zoning Approval: 2000-7-2-K 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	
				Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied		<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	

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..

***Please Send To: Nancy Montgomery
Jack Vreeland
447 Deering ave.
Portland, ME 04102

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

12/7/99

SIGNATURE OF APPLICANT _____ ADDRESS: _____ DATE: _____ PHONE: _____

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

PERMIT ISSUED
WITH REQUIREMENTS
CEO DISTRICT
UB 2

HOME OCCUPATION: GRAPHIC ARTIST, AUTHOR, ILLUSTRATOR

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

Building or Use Permit Pre-Application
Additions/Alterations/Accessory Structures
To Detached Single Family Dwelling

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

NOTE**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.

Form with fields: Location/Address of Construction (447 DEERING AVE.), Tax Assessor's Chart, Block & Lot Number (Chart# 125, Block# G, Lot# 004), Owner (NANCY MONTGOMERY, JACK VREELAND), Telephone# (207-879-9152), Owner's Address (447 DEERING AVE.), Lessee/Buyer's Name, Cost of Work (\$ NA), Fee (\$ 30.00), Proposed Project Description (HOME OCCUPATION: GRAPHIC ARTIST, AUTHOR, ILLUSTRATOR), Contractor's Name, Address & Telephone (NA), Rec'd By.

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 (Sample Attached)

If there is expansion to the structure, a complete plot plan (Site Plan) must include:

- The shape and dimension of the lot, all existing buildings (if any), the proposed structure and the distance from the actual property lines. Structures include decks porches, a bow windows cantilever sections and roof overhangs, as well as, sheds, pools, garages and any other accessory structures.
Scale and required zoning district setbacks

4) Building Plans (Sample Attached)

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

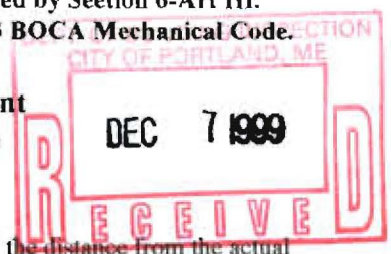
- Cross Sections w/Framing details (including porches, decks w/ railings, and accessory structures)
Floor Plans & Elevations
Window and door schedules
Foundation plans with required drainage and dampproofing
Electrical and plumbing layout. Mechanical drawings for any specialized equipment such as furnaces, 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: [Handwritten Signature] Date: 12/8/99

Building Permit Fee: \$30.00 for the 1st \$1000 cost plus \$6.00 per \$1,000.00 construction cost thereafter.



2F

BUILDING PERMIT REPORT

DATE: 9 Dec 99 ADDRESS: 447 Deering Ave CBL: 125-G-004

REASON FOR PERMIT: Change of use from 2 Family dwelling To Two Family Home Occupancy

BUILDING OWNER: Montgomery - Vreeland

PERMIT APPLICANT: CONTRACTOR Owner

USE GROUP: R-3 CONSTRUCTION TYPE: 5B CONSTRUCTION COST: PERMIT FEES \$3000

The City's Adopted Building Code (The BOCA National Building code/1996 with City Amendments)
The City's Adopted Mechanical Code (The BOCA National Mechanical Code/1993)

CONDITION(S) OF APPROVAL

This permit is being issued with the understanding that the following conditions are met: *1, *30, *34 #31

- 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.
3. 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.
4. 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.
5. Waterproofing and dampproofing shall be done in accordance with Section 1813.0 of the building code.
6. Precaution must be taken to protect concrete from freezing. Section 1908.0
7. It is strongly recommended that a registered land surveyor check all foundation forms before concrete is placed.
8. 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.
9. All chimneys and vents shall be installed and maintained as per Chapter 12 of the City's Mechanical Code.
10. Sound transmission control in residential building shall be done in accordance with Chapter 12, Section 1214.0 of the City's Building Code.
11. 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.
12. Headroom in habitable space is a minimum of 7'6". (Section 1204.0)
13. Stair construction in Use Group R-3 & R-4 is a minimum of 10" tread and 7 1/2" maximum rise. All other Use Group minimum 11" tread, 7" maximum rise. (Section 1014.0)
14. The minimum headroom in all parts of a stairway shall not be less than 80 inches. (6'8") 1014.4
15. 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.
16. Each apartment shall have access to two (2) separate, remote and approved means of egress.
17. 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.
18. 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)

19. 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
20. 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)
21. The Fire Alarm System shall maintained to NFPA #72 Standard.
22. The Sprinkler System shall maintained to NFPA #13 Standard.
23. All exit signs, lights and means of egress lighting shall be done in accordance with Chapter 10 Section & Subsections 1023.0 & 1024.0 of the City's Building Code. (The BOCA National Building Code/1996)
24. 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".
25. 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 the Division of Inspection Services.
26. Ventilation shall meet the requirements of Chapter 12 Sections 1210.0 of the City's Building Code. (Crawl spaces & attics).
27. 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.
28. All requirements must be met before a final Certificate of Occupancy is issued.
29. 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).
- *30. 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)
31. Please read and implement the attached Land Use Zoning report requirements.
32. Boring, cutting and notching shall be done in accordance with Sections 2305.3, 2305.3.1, 2305.4.4 and 2305.5.1 of the City's Building Code.
33. Bridging shall comply with Section 2305.16.
- *34. Glass and glazing shall meet the requirements of Chapter 24 of the building code. (Safety Glazing Section 2405.0)
35. All signage, shall be done in accordance with Section 3102.0 signs of the City's Building Code, (The BOCA National Building Code/1996).

36.

J. Samuel Hoffses Building Inspector
 CCF L. McDougall, PFD
 Marge Schmuckal, Zoning Administrator

PSH 11/25/99

**On the basis of plans submitted and conditions placed on these plans any deviations shall require a separate approval.

****THIS PERMIT HAS BEEN ISSUED WITH THE UNDERSTANDING THAT ALL THE CONDITIONS OF THE APPROVAL SHALL BE COMPLETED. THEREFORE, BEFORE THE WORK IS COMPLETED A REVISED PLAN OR STATEMENT FROM THE PERMIT HOLDER SHALL BE SUBMITTED TO THIS OFFICE SHOWING OR EXPLAINING THAT THE CONDITIONS HAVE BEEN MET. IF THIS REQUIREMENT IS NOT RECEIVED YOUR CERTIFICATE OF OCCUPANCY SHALL BE WITHHELD.**

New Certificate of Occupancy Cost \$50.00

LAND USE - ZONING REPORT

ADDRESS: 447 Deering Ave DATE: 12/9/99

REASON FOR PERMIT: change of use from 2 family to 2 fam. with one unit

BUILDING OWNER: Nancy Montgomery C-B-L: 125-G-4 *having a home occup of artist*

PERMIT APPLICANT: owner

APPROVED: with conditions DENIED: _____

#1, #2, #9

CONDITION(S) OF APPROVAL

1. This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.
2. During its existence, all aspects of the Home Occupation criteria, Section 14-410, shall be maintained.
3. The footprint of the existing _____ shall not be increased during maintenance reconstruction.
4. All the conditions placed on the original, previously approved, permit issued on _____ are still in effect for this amendment.
5. 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 _____ in place and in phases.
6. This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.
7. 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.
8. Separate permits shall be required for any signage, *under home occupation guidelines*
9. Separate permits shall be required for future decks, sheds, pool(s), and/or garage.
10. This is not an approval for an additional dwelling unit. You shall not add any additional kitchen equipment, such as stoves, microwaves, refrigerators, or kitchen sinks, etc. without special approvals.
11. Other requirements of condition _____

Marge Schmuckal Marge Schmuckal, Zoning Administrator

Nancy Montgomery
447 Deering Avenue
Portland, Maine 04103
879-9152 or (W) 846-3714

December 9, 1999

Ms. Marge Schmuckal
Zoning Administrator
Department of Urban Development
City of Portland
369 Congress Street
Portland, Maine 04101

Dear Ms. Schmuckal,

I am requesting a permit to allow me the use of my residence at 447 Deering Avenue for a home occupation. I intend to continue working (as I have done for the last 20 years) as a graphic artist, author and illustrator. I will be designing books on the computer, writing text sporadically, as well as creating collateral materials such as Annual Reports and Brochures for selected clients. I will also be working on writing another book and creating illustrations for books, as well as programming and writing code to create computer websites.

I believe that my work as an artist and illustrator, graphic artist, and designer using computer programs -- is an acceptable home occupation (artist/ author/computer programmer). Graphic artists are certainly artists and I am a user, if not primarily a programmer, of computer programs under item (2) of Sec. 14-410 of the Portland Code. While I realize that "graphic artist" is not specifically listed, I believe that under the list of occupations the above could qualify under "artist" I hope you will consider as well, the additional activities which are all part of my specific mix of work.

The following is a list of how my home occupation meets the criteria listed under item (1) of the same:

- a. My home occupation will occupy approximately 399 sq. feet (14%) of floor area of the entire residence. (max. of 500')
- b. No goods will be stored, displayed or be visible from outside the residence -- I have no need for such.
- c. Storage of the materials needed to perform my occupation are minimal and included in the 320 sq. feet of floor space mentioned above.
- d. There will be no display of Exterior Signs with the exception of a small non-illuminated Brass Nameplate next to the Mail Slot. This will be well within the non-illuminated limits of no more than 2 sq. feet.

- e. No alterations to the outside of the building will be made.
- f. Parking: I will occasionally meet single individual clients, on a one-client-at-a-time basis, in my studio to discuss matters relating to my work (h.o.). Usually I will travel to a client's office. Parking here should not be an issue since the number of these visits fall absolutely within normal residential limits -- perhaps one a week, on average. Meetings will be within normal business hours. We do have 2 interior garage parking spaces and 4 exterior driveway parking spaces for a total of 6 spaces. During any given business day, there are almost never more than one of those spaces occupied -- and that car is parked in the garage. We will have adequate off-street parking, and none in the front yard.
- g. My home occupation will produce no offensive effects as per the City's Zoning list.
- h. I will very rarely require the work of no more than one other freelance graphic artist who is a non-resident. This freelancer will meet with me briefly, on occasion, but will perform their assignments in their own studio.
- i. No traffic will be generated outside normal residential volumes. I would expect an average of one client visit per week, one car each.
- j. No large vehicle (as described) in sec.(1) 14-410, Portland Code, will be stored on the property in connection with the 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 very negligible and entirely in keeping with the residential nature of the neighborhood.

Attached you will find a floor plan showing the ~~399~~ sq. feet and location of the home occupation space, as well as a letter from the current owners of the building, granting permission to conduct a home occupation on premises.

Thank you for your attention in this matter.

Sincerely,



Nancy Montgomery

Nancy Montgomery and Jack Vreeland
447 Deering Avenue
Portland, Maine 04103
879-9152 or (W) 846-3714

December 9, 1999

Ms. Marge Schmuckal
Zoning Administrator
Department of Urban Development
City of Portland
369 Congress Street
Portland, Maine 04101

Dear Ms. Schmuckal,

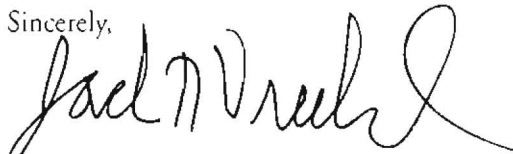
We, Jack Vreeland and Nancy Montgomery, the owners of 447 Deering Avenue, Portland, Maine, are writing to formally grant permission to Nancy Montgomery to conduct a Home Occupation as a Graphic Artist, Author, and Illustrator on our property at this address.

We anticipate that all activities of the Home Occupation will qualify easily under the guidelines of activity compatible with a residential neighborhood.

We, Jack Vreeland and Nancy Montgomery, do occupy 447 Deering Avenue as our primary residence.

It is our intent to expedite the Home Occupation Process.
Thankyou.

Sincerely,



Jack Vreeland



Nancy Montgomery

THIS IS NOT A BOUNDARY SURVEY

MORTGAGE LOAN INSPECTION PLAN

447 DEERING AVENUE
PORTLAND, ME

No 642-47

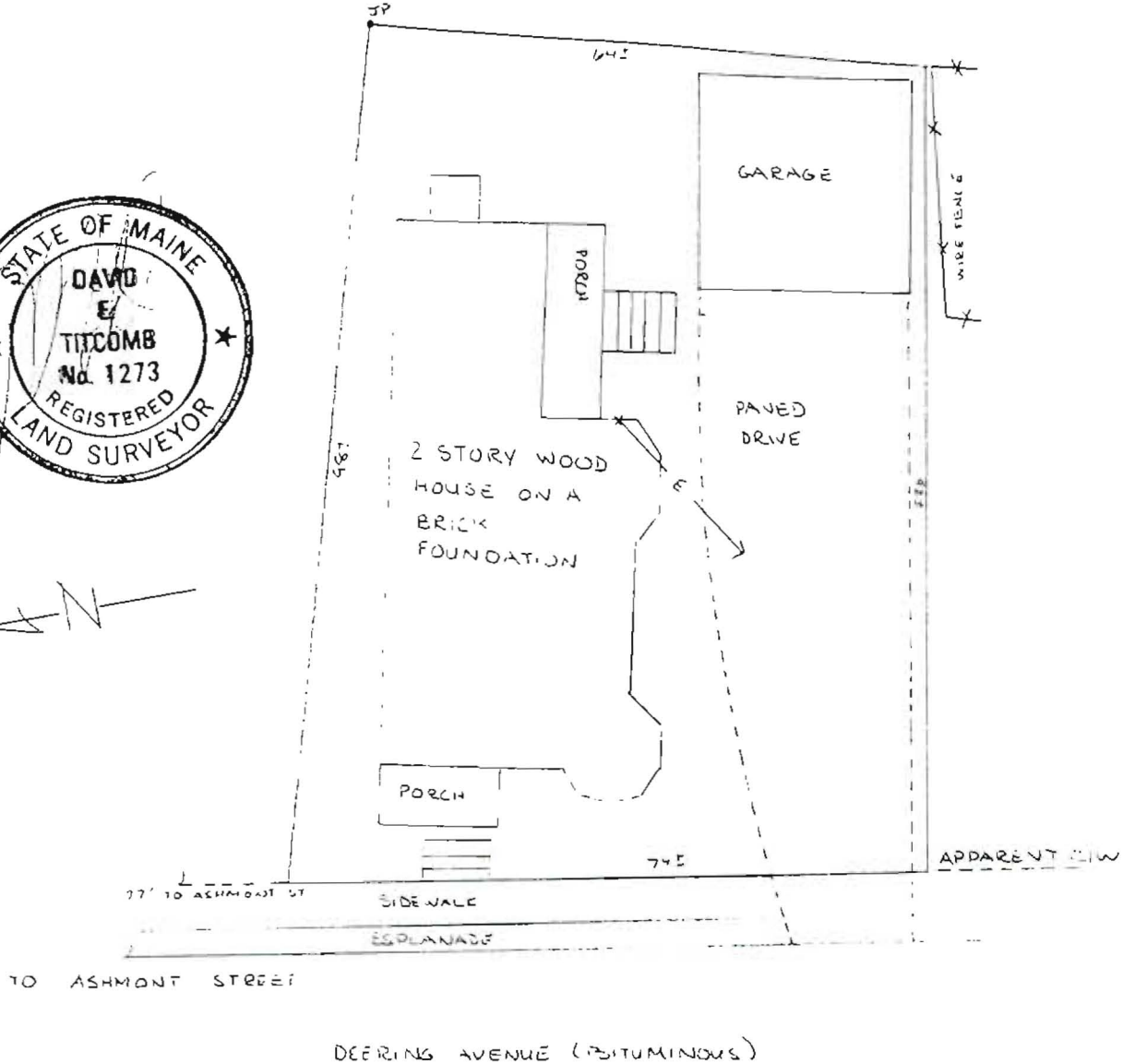
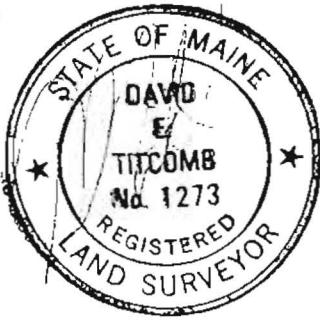
TO THE LENDING INSTITUTION AND ITS TITLE INSURER
I hereby certify that the location of the dwelling shown
on this plan did conform with the local zoning
laws in effect at the time of construction. The property
does not fall within a special flood hazard zone

BUILDER: JACK VREELAND

SELLER: PETER LOR

BOOK 6549 PAGE 257 COUNTY CUMBERLAND

PLAN BOOK _____ PAGE _____ LOT _____



THIS IS NOT A BOUNDARY SURVEY. This plan is based
strictly on information provided by others and
does not take into consideration any conflicts
which abutting descriptions may contain.
This plan was not made from an instrument survey.
The certifications are for mortgage purposes only.
This plan applies only to conditions existing as of
the date shown hereon. This plan is not for recording.

Date 5-5-69 Scale 1"=20'

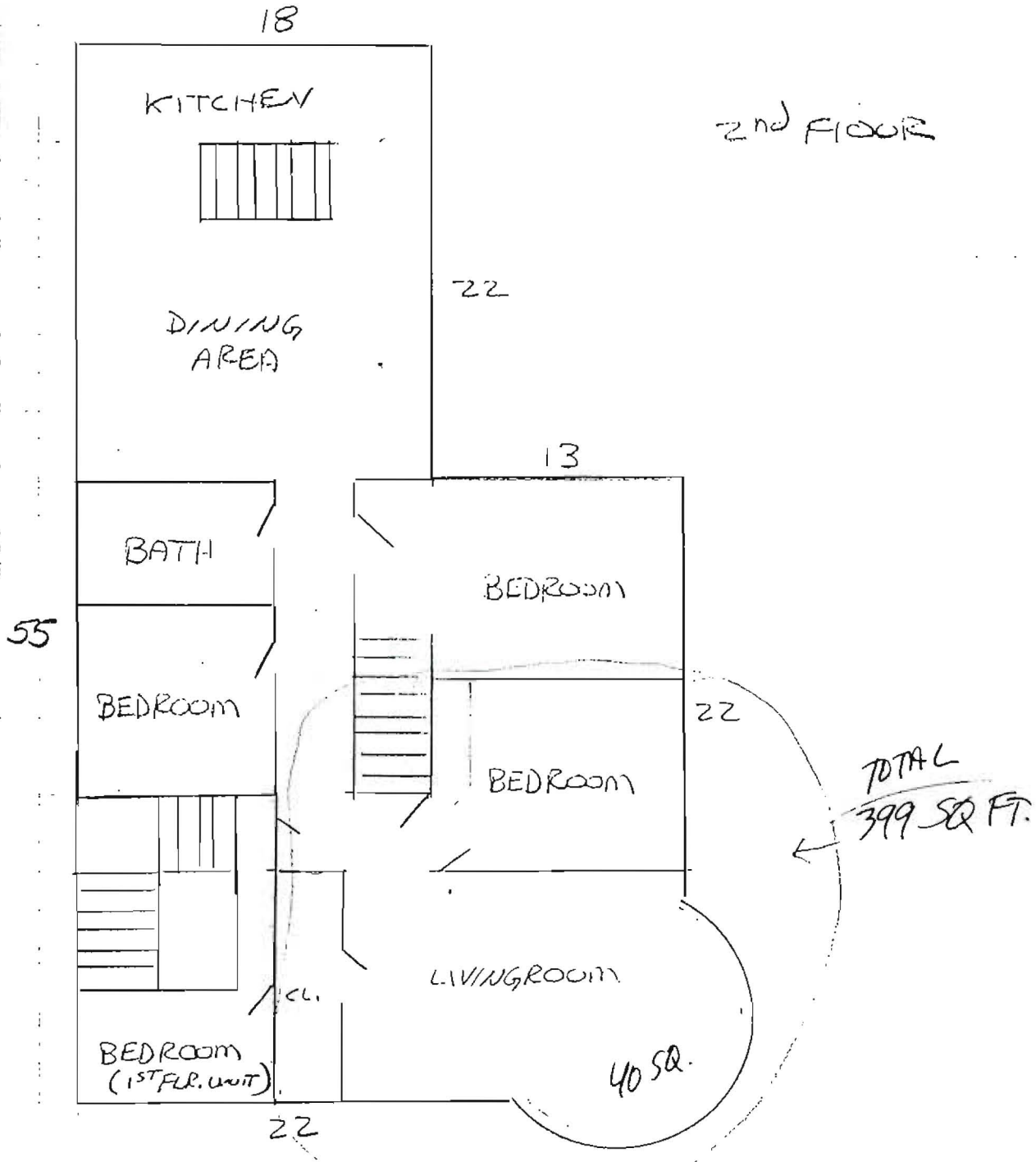
TITCOMB ASSOCIATES Falmouth, Maine

Drawn By S

Vreeland/Montgomery
447 Deering Avenue
Portland, ME

SOLARI

2nd FLOOR



NOT TO SCALE