

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

Please Read Application And Notes, If Any, Attached

BUILDING DEPARTMENT

Permit Number: 070755

PERMIT

PERMIT ISSUED

This is to certify that FRENCH-COOK JOAN V L INTEREST /property owner

has permission to Change of Use to daycare center with interior renovation

AT 38 CODMAN ST

JUL 12 2007

129 H012001

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 when permission is procured before this building or part thereof is occupied or 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

Thomas M. Mackley 7/10/07
Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

City of Portland, Maine - Building or Use Permit Application

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

Permit No: 07-0755	Issue Date:	CBL: 129 H012001
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Location of Construction: 38 CODMAN ST	Owner Name: FRENCH-COOK JOAN V LIFE IN	Owner Address: 38 CODMAN ST	Phone:
Business Name:	Contractor Name: property owner	Contractor Address: Portland	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use Home Occupation	Zone: R3

Past Use: Residential 2 unit	Proposed Use: Residential 2 unit with a Change of Use to add a daycare center for up to twelve children in the basement with interior renovations	Permit Fee: \$235.00	Cost of Work: \$235.00	CEO District: 4
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FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: R3 Type: SB IRC 2003
Signature:	Signature: <i>Jm 7/10/07</i>

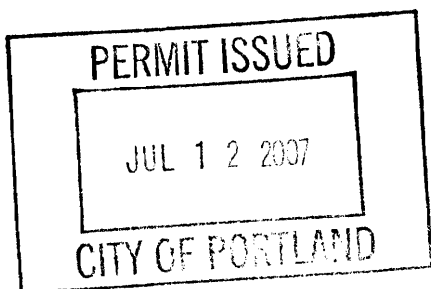
Proposed Project Description:
Change of Use to daycare center with interior renovation

PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)
Action: Approved Approved w/Conditions Denied
Signature: _____ Date: _____

Permit Taken By: dmartin	Date Applied For: 06/22/2007	Zoning Approval
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- This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.
- Building permits do not include plumbing, septic or electrical work.
- 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..

Special Zone or Reviews	Zoning Appeal	Historic Preservation
<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"/> <i>Ok w/condition</i> Date: <i>6/27/07 Jm</i>	<input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input checked="" type="checkbox"/> Conditional Use <i>approved 4-0 w/cond. h/w</i> <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date: <i>5/2/07</i>	<input checked="" type="checkbox"/> Not in District 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 <i>ABU</i> Date: _____



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

City of Portland, Maine - Building or Use Permit

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

Permit No: 07-0755	Date Applied For: 06/22/2007	CBL: 129 H012001
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Location of Construction: 38 CODMAN ST	Owner Name: FRENCH-COOK JOAN V LIFE IN	Owner Address: 38 CODMAN ST	Phone:
Business Name:	Contractor Name: property owner	Contractor Address: Portland	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use Home Occupation	

Proposed Use: Residential 2 unit with a Change of Use to add a daycare center for up to twelve children in the basement with interior renovations	Proposed Project Description: Change of Use to daycare center with interior renovation
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Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Ann Machado **Approval Date:** 06/27/2007

Note: **Ok to Issue:**

- 1) This property shall remain a two family dwelling with a daycare for up to twelve children in the basement. Any change of use shall require a separate permit application for review and approval.
- 2) During its existence the daycare must meet the conditions set forth by the Zoning Board of Appeals under the conditional use appeal for the daycare.
- 3) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.

Dept: Building **Status:** Approved with Conditions **Reviewer:** Tom Markley **Approval Date:** 07/10/2007

Note: **Ok to Issue:**

- 1) Application approval based upon information provided by applicant. Any deviation from approved plans requires separate review and approval prior to work.

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.

A Pre-construction Meeting will take place upon receipt of your building permit.

- 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
- 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

May K French
Signature of Applicant/Designee
[Signature]
of Inspections Official

7/12/07
Date
7.12.07
Date

H-12 Building Permit #: 070755



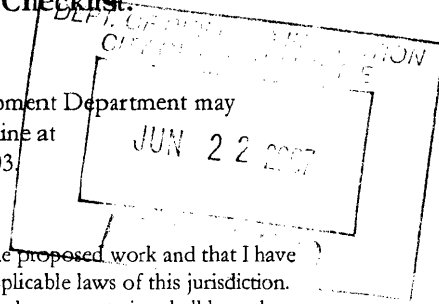
General Building Permit Application

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.

Location/Address of Construction: <u>38 COOMAN ST, PORTLAND, ME 04103</u>		
Total Square Footage of Proposed Structure <u>1050 Square feet</u>		Square Footage of Lot <u>1050</u>
Tax Assessor's Chart, Block & Lot Chart# Block# Lot# <u>129 H 12</u>	Owner: <u>JOAN FRENCH-COOK</u> <u>MARTIN E. FRENCH</u>	Telephone: <u>(207) 772 2546</u> <u>(207) 780 1498</u>
Lessee/Buyer's Name (If Applicable) <u>N/A</u>	Applicant name, address & telephone: <u>MARTIN & MARY FRENCH</u> <u>38 COOMAN ST</u> <u>PORTLAND, ME 04103</u>	Cost Of Work: \$ <u>TBD</u> Fee: \$ <u>10.00</u> C of O Fee: \$ <u>225.00</u>
Current legal use (i.e. single family) <u>Residential 2 unit</u> If vacant, what was the previous use? <u>N/A</u> Proposed Specific use: <u>change of use, Use basement as a daycare</u> Is property part of a subdivision? <u>No</u> If yes, please name _____ Project description: <u>To Replace all Drywall w/ 5/8 inch thick drywall, Removing one wall & leaving space open. Install an egress window, Will be doing the work ourselves.</u>		
Contractor's name, address & telephone: <u>N/A + Mary</u>		
Who should we contact when the permit is ready: <u>MARTIN E. FRENCH</u> Mailing address: <u>38 COOMAN ST</u> <u>PORTLAND, ME 04103</u> Phone: <u>(207) 780-1498</u> <u>Call</u> <u>Home Occupation</u>		

Please submit all of the information outlined in the Commercial Application 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 visit us on-line at www.portlandmaine.gov, stop by the Building Inspections 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 of applicant:	Date: <u>5/31/07</u>
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Mary K French

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

Mary K. French
38 Codman St
Portland, Me 04103

Building Inspections Division
Attn: Gail Guertin
389 Congress St
Portland, Me 04101

Dear Gayle:

I am requesting a home occupation permit to allow me the use of my residence at 38 Codman Street for a home based business. I intend to have a home daycare with a maximum of twelve children. My work will be as a care provider for children between the ages of three months to five years of age.

- a. my home occupation will occupy 1050 square feet (100%) of the floor area of the basement
- b. no materials will be stored or displayed or visible from the outside residence, except for a swing set and sand box on our property in the rear of the house. This will also be fenced in from neighbors with a four foot barrier fence.
- c. storage of the material for performing my occupation are minimum and included in the 1050 square feet of floor space mentioned above.
- d. there will be no outdoor signage related to my home occupation
- e. no exterior alterations to the residence is necessary
- f. no objectionable effects will result from my home occupation
- g. I will have one assistant working with me as a full time employee
- h. minimal traffic will be created by my home occupation, I have appeared before the board of appeals and was granted the conditional use of my residence

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 the floor plans 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, also a copy of the board of appeals letter granting my conditional use appeal with conditions, which will be met.

Sincerely,

A handwritten signature in black ink that reads "Mary K French". The signature is written in a cursive style with a large, stylized 'M' and 'F'.

Mary K. French

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

Peter Coyne
Philip Saucier
Peter Thornton
Kate Knox
Catherine Alexander
David Dore Secretary

April 5, 2007

Mary & Martin French
38 Codman St.
Portland, ME 04103

RE: 38 Codman St.
CBL: 129 H012
ZONE: R3

Dear Mr. & Mrs. French:

As you know, at its April 5, 2007, meeting, the Board voted 4-0 and granted the Conditional Use Appeal with conditions.

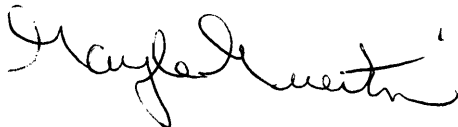
1. No idling on street or drop off in street.
2. Satisfy the screening and fencing requirements of the play area.

Enclosed is a copy of the board's decision.

Your next step is to apply for a Change of Use application, which I have also enclosed.

Should you have any questions please feel free to contact me at 207-874-8701.

Sincerely,



Gayle Guertin
Office Assistant

Phil Jencius - Acting Chair
Kate Knox
Catherine Alexander
Peter Coyne

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

R-3 Residential Zone Child Care Facility:

Conditional Use Appeal

DECISION

Date of public hearing: 4.5.07

Name and address of applicant: Martin E French
Joan V French - Cook

Location of property under appeal: 39 Codman St

For the Record:

Names and addresses of witnesses (proponents, opponents and others):

~~Joan V French Cook~~
~~39 Codman St Portland~~
Keith Cunningham
46 Codman St Portland

Mary French
38 Codman St Portland
Mary-Ann Gordon
98 Codman St Portland

Exhibits admitted (e.g. renderings, reports, etc.):

- 1- floorplans
- 2- plot plan
- 3- Building Elevations & Pictures
- 5- 1999 Traffic Study
- 6- letter from Keith Cunningham

Findings of Fact and Conclusions of Law:

A. Conditional Use Standards pursuant to Portland City Code §14-78(c)(3):

1. The day care facility or home babysitting service would not be permitted as a home occupation under section 14-410 (because it will accommodate more than 6 children plus 2 children after school or will have any nonresidential employees).

Satisfied Not Satisfied

Reason: Applicant stated 12 children & non-residential employee

2. The facility shall be located in a structure in which there is one (1) or more occupied residential units or in an existing accessory structure, unless the facility is located in a principal structure that has not been used as a residence in whole or in part within the five (5) years immediately preceding the application for a day care use, home babysitting use, nursery school or kindergarten, or in a nonresidential structure accessory to the principal nonresidential use.

Satisfied Not Satisfied

Reason: Applicant demonstrated in residential unit

3. The maximum capacity shall be twelve (12) children for facilities located in residential or existing structures accessory thereto, unless the additional standards in subsection (v) are met. There shall be no maximum limit on the number of children in a facility located in a principal structure that has not been used as a residence in whole or in part within the five (5) years immediately preceding the application for a day care use or home babysitting use, nursery school or kindergarten, or in a nonresidential structure accessory thereto, provided that any such structure that serves more than twelve (12) children shall be subject to review under article V of this chapter.

Satisfied Not Satisfied

Reason: Applicant testimony stated no more than 12.

4. Outdoor play areas shall be screened and buffered from surrounding residences with landscaping and/or fencing to minimize visual and noise impacts.

Satisfied Not Satisfied

Reason: Applicant testified buffer & fencing upon approval

5. Solid waste shall be stored in covered containers. Such containers shall be screened on all four (4) sides.

Satisfied Not Satisfied

Reason: Applicant testified waste containers stored in garage.

6. Day care facilities, home babysitting uses, nursery schools or kindergartens located either in structures that have been in residential use within the past five (5) years or in existing accessory structures and that serve between thirteen (13) and twenty-four (24) children shall meet the additional standards of 14-88 (d)(3)(e).

Satisfied Not Satisfied

Reason: Does not Apply

B. Conditional Use Standards pursuant to Portland City Code §14-474(c)(2):

4-0

1. There are unique or distinctive characteristics or effects associated with the proposed conditional use.

Yes No

Reason: Permitted use in R-3

2. There will be an adverse impact upon the health, safety, or welfare of the public or the surrounding area.

4-0

Yes ___ No

Reason: Conditions require use of driveway for drop off & pick-up

3. Such impact differs substantially from the impact which would normally occur from such a use in that zone.

4-0

Yes ___ No

Reason: Area has similar traffic problems

Conclusion: (check one)

___ Option 1: The Board finds that all of the standards (1 through 6) described in section A above have been satisfied and that not all of the conditions (1 through 3) described in section B above are present, and therefore GRANTS the application.

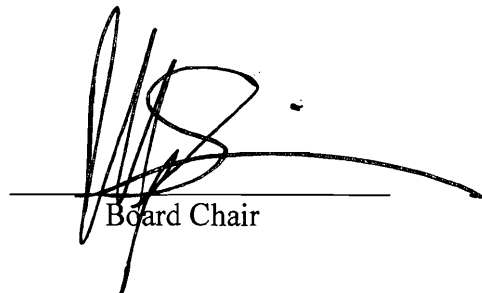
4-0

Option 2: The Board finds that all of the standards (1 through 6) described in section A above have been satisfied, and that while not all of the conditions (1 through 3) described in section B above are present, certain additional conditions must be imposed to minimize adverse effects on other property in the neighborhood, and therefore GRANTS the application SUBJECT TO THE FOLLOWING CONDITIONS:

- ① No idling during drop-off / pick-up on street
- ② Adequate buffer & fencing per conditional use

___ Option 3: The Board finds that not all of the standards (1 through 6) described in section A above have been satisfied and/or that all of the conditions (1 through 3) described in section B above are present, and therefore DENIES the application.

Dated:



Board Chair

City of Portland
Zoning Board Association
389 Congress Street, Room 315
Portland, Maine 04101

To Whom It May Concern:

Martin E. French and Joan V. French-Cook, owners and occupants of 38 Codman Street, Portland, Maine give Mary K. French permission and authorization to utilize our property for a home based daycare center for up to twelve children. This includes the basement area and all of the outside property, driveway and yard.

If you should have any questions regarding this matter please feel free to contact either owner, Martin E. French can be reached at (207)780-1498 and Joan V. French-Cook at (207)772-2546.

Sincerely,

Martin E. French

Martin E French

3/10/07

Joan V. French-Cook

Joan V French - Cook

3/10/07

Basement PRESENT

DayLight entrance

16 ft

7 ft

10 ft

OPEN REAR

Full
BATH

3 ft

6 ft

* All wall areas currently
insulated, will be replaced
with 1/2 inch thick drywall

9 ft

1 1/2 in. Drywall

Full
KITCHEN

17.8 ft

OPEN REAR

SPACE

Remains 1 1/2 in.

19 Feet

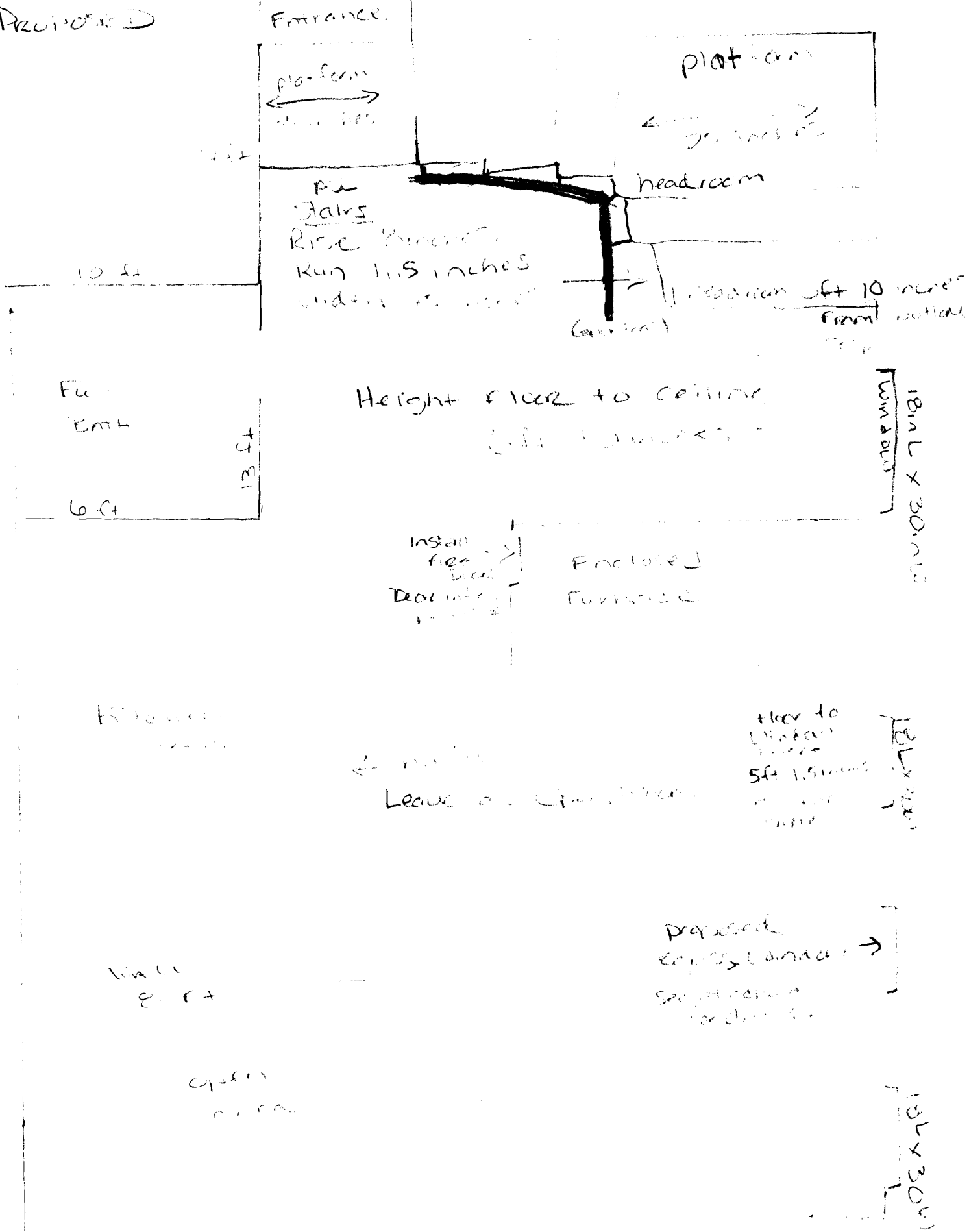
25 ft

SPACE

Open
REAR

SPACE

Basement Proposed



1050 total Square feet Area

Products | **DIY Advice** | Important Information

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Go

Exterior Doors | Interior Doors | Door Frames | Fire Doors | Door Hinges | Door Locks & Latches | Door Handles | Door Fittings, etc.

Click to show sizes in **mm** or **inches**

Interior Door, White Primed 4 Panel Cadeby 1/2 hour Fire Rated

Email us for details of frames to suit fire doors, give us as much information as possible.

Some planning and fire authorities require Intumescent fire and smoke seals to be fitted to the top and sides of the door, they may also want door stops to be 25mm thick and some form of door closer will be required, please remember that the hinges have to be up to a suitable fire standard.

Product Specs

- Thickness:** 45mm
- Construction:** Hardboard Face with textured grain white primed (semi solid core)
- Guarantee:** 12 Months
- Availability:** If out of stock, 7-14 days.
- Compatibility:** This door is compatible with the (non fire) Cadeby in the White primed section.
- Notes:** Other sizes may be available.
- Fitting tip:** Some doors have a very small frame at all edges and have a designated hinge side and lock side, be careful when fitting.



Enlarge Image

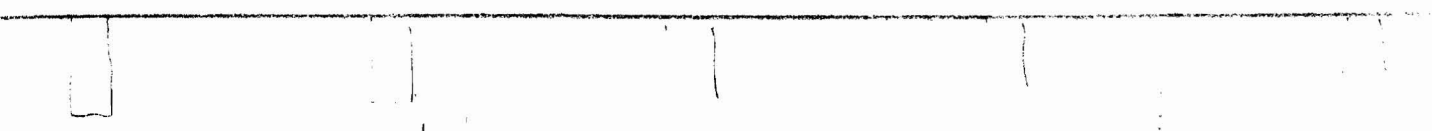
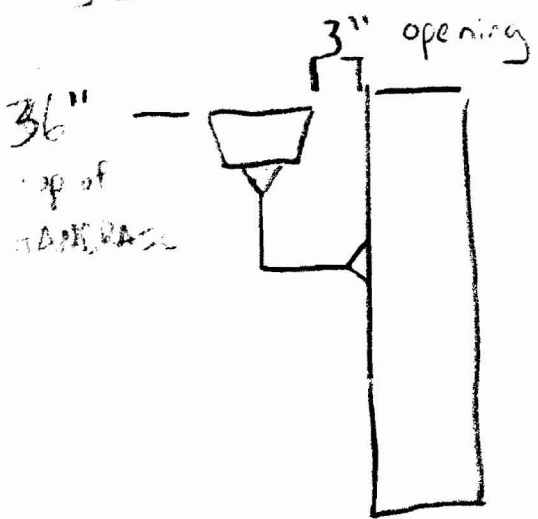
Fire Door For Furnace Room, will be ordered after approval.



* ENTRANCE TO BASEMENT

11/12/77

ABLE TO WITHSTAND 200 lbs of pressure minimum



36"
top of
TANK BASE

200 lbs
pressure

3' x 4' W x 3' 0" H
11/12/77

FLOOR MAX

OVER-
P.O. 11/12/77

. window well big enough for window clearance
.

— 44" MAX

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