

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

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

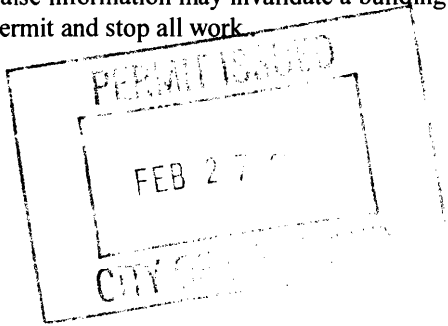
<b>PERMIT ISSUED</b>		
Permit No:	Issue Date:	CBL:
08-0169	FEB 27 2008	129 H012001

Location of Construction: 38 CODMAN ST	Owner Name: FRENCH-COOK JOAN V LIFE IN	Owner Address: 38 CODMAN ST	Phone:
Business Name:	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use Home Occupation	Zone: R-3

Past Use: 2 Family Home	Proposed Use: Change of use from 2 Family Home to Single Family w/ Home Occupation w/ home child care in basement maximum of 5 children	Permit Fee: \$105.00	Cost of Work: \$105.00	CEO District: 4
Proposed Project Description: Single Family w/ Home Occupation w/ home child care in basement maximum of 5 children		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <i>N/A</i>	INSPECTION: Use Group: R-3 Type: SB <i>IRC 2003</i>	
		Signature:	Signature:	
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)				
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied				
Signature: _____ Date: _____				

Permit Taken By: Idobson	Date Applied For: 02/27/2008	<b>Zoning Approval</b>		
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<ol style="list-style-type: none"> <li>This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</li> <li>Building permits do not include plumbing, septic or electrical work.</li> <li>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.</li> </ol>	<b>Special Zone or Reviews</b> <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"/> Date: <i>2/27/08</i>	<b>Zoning Appeal</b> <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: _____	<b>Historic Preservation</b> <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 Date: <i>2/27/08</i>
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**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  
Department of Building Inspection

# Certificate of Occupancy

LOCATION 38 CODMAN ST

CBL 129 H012001

Issued to FRENCH-COOK JOAN V LIFE INTEREST

Date of Issue 02/27/2008

**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. 08-0169, 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

Basement

APPROVED OCCUPANCY

Home Occupation - child care for a maximum number of 5 children  
IRC 2003  
Use Group R-3 Type 5B

Limiting Conditions:

This certificate supersedes certificate issued

Approved:

(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.

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

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

<b>Permit No:</b> 08-0169	<b>Date Applied For:</b> 02/27/2008	<b>CBL:</b> 129 H012001
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<b>Location of Construction:</b> 38 CODMAN ST	<b>Owner Name:</b> FRENCH-COOK JOAN V LIFE IN	<b>Owner Address:</b> 38 CODMAN ST	<b>Phone:</b>
<b>Business Name:</b>	<b>Contractor Name:</b>	<b>Contractor Address:</b>	<b>Phone:</b>
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Change of Use Home Occupation	

<b>Proposed Use:</b> Change of use from 2 Family Home to Single Family w/ Home Occupation w/ home child care in basement maximum of 5 children	<b>Proposed Project Description:</b> Single Family w/ Home Occupation w/ home child care in basement maximum of 5 children
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**Dept:** Zoning      **Status:** Approved with Conditions      **Reviewer:** Tammy Munson      **Approval Date:** 02/27/2008

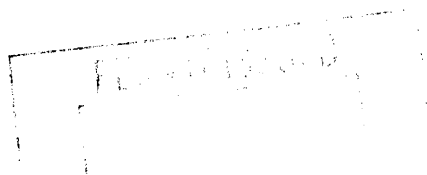
**Note:** **Ok to Issue:**

1) This is NOT an approval for an additional dwelling unit. You SHALL NOT add any additional kitchen equipment including, but not limited to items such as stoves, microwaves, refrigerators, or kitchen sinks, etc. Without special approvals.

**Dept:** Building      **Status:** Approved      **Reviewer:** \_\_\_\_\_      **Approval Date:** \_\_\_\_\_

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

<b>Comments:</b> 2/27/2008-tmm: Please see permit # 07-0755 for construction notes.
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# DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

## BUILDING INSPECTION

### PERMIT

Permit Number: 080169

Please Read Application And Notes, If Any, Attached

This is to certify that FRENCH-COOK JOAN V. LIFE INTEREST

has permission to Single Family w/ Home Occupation w/ no children in basement maximum of 5 children

AT 38 CODMAN ST 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 procured before this building or part thereof is leased or otherwise closed-in. 24 HOUR NOTICE REQUIRED.

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

OTHER REQUIRED APPROVALS

PERMIT ISSUED

FEB 27 2008

Department Name

CITY OF PORTLAND

Fire Dept. \_\_\_\_\_

Health Dept. \_\_\_\_\_

Appeal Board \_\_\_\_\_

Other \_\_\_\_\_

*[Signature]*  
Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD



*Strengthening a Remarkable City, Building a Community for Life* • [www.portlandmaine.gov](http://www.portlandmaine.gov)

Lee Urban - Director of Planning and Development  
Jeanie Bourke - Inspection Division Services Director

February 26, 2008

Martin E. French  
38 Codman Street  
Portland, ME 04103

RE: Stair Headroom Waiver Request – 38 Codman – CBL: 129-H-012001

Permit #: 07-0755

Dear Mr. French,

Thank you for your request for waiver received February 21, 2008. The proposed stair leads to a partial daylight basement that was previously finished. There are no records in this office approving this work. That being said, these are the findings:

1. The basement has 7 foot ceiling height and has been equipped with a code compliant egress window well.
2. The basement has hardwired battery back up smoke detectors and will be used as a home occupation day care, as approved under the provisions of the IRC 2003, and limited to 5 children.
3. The stair has a small section at the turn that is 6'-4", was increased by 3", and was substantially upgraded from the previous stairs to meet current rise and run and guard/handrail requirements.
4. Section 3403.4 does allow an alteration of an existing stairway to be exempt from the new stair requirements. However, a change of use does require code upgrades.
5. Inspections were performed and the upgraded stairs were deemed safe for use.

The Waiver Request is approved for the use of this stairway with the 6'-4" area, and may be utilized for access to the habitable basement under the home day care limitations or any use allowed under the IRC 2003. Future permits may be required.

Yours truly,

A handwritten signature in black ink that reads "Jeanie Bourke".

Jeanie Bourke  
Inspections Division Director



# 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 CADMAN ST PORT, ME 04103</u>		
Total Square Footage of Proposed Structure/Area <u>1050 Sq Ft</u>		Square Footage of Lot <u>1050</u>
Tax Assessor's Chart, Block & Lot Chart#      Block#      Lot#	Applicant * <b>must be owner, Lessee or Buyer</b> * Name <u>MARTIN E FRENCH</u> Address <u>38 CADMAN ST</u> City, State & Zip <u>PORT, ME 04103</u>	Telephone: <u>(207) 780 1498</u>
Lessee/DBA (If Applicable)	Owner (if different from Applicant) Name Address City, State & Zip	Cost Of Work: \$ _____ C of O Fee: \$ _____ Total Fee: \$ _____
Current legal use (i.e. single family) <u>2 unit w/ home occupation</u> If vacant, what was the previous use? _____ Proposed Specific use: <u>Basement Daycare for up to 5 children</u> Is property part of a subdivision? _____ If yes, please name _____ Project description:		
Contractor's name: <u>James Vacca</u> Address: _____ City, State & Zip _____ Telephone: _____ Who should we contact when the permit is ready: _____ Telephone: _____ Mailing address: _____		

**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](http://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: Mary K French Date: 2/27/08

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

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.

*Home  
Occupation  
w/ 5 children  
Max.*

*S  
Max*

- 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.