

City of Portland, Maine - Building or Use Permit Application

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

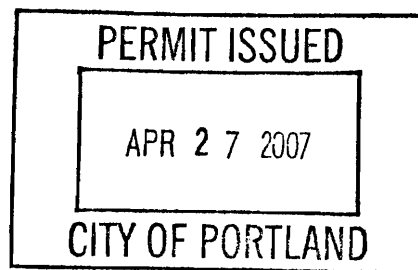
Permit No: 07-0274	Issue Date:	CBL: 135 E012001
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Location of Construction: 476 STEVENS AVE	Owner Name: ROCK PROPERTIES LLC	Owner Address: 45 WADSWORTH ST	Phone:
Business Name:	Contractor Name: Mike Walker	Contractor Address: 182 Concord Street Portland	Phone 2078717107
Lessee/Buyer's Name	Phone:	Permit Type: Alterations - Commercial	Zone: B1

Past Use: Restaurant -	Proposed Use: Restaurant - Renovations - Remodeling Pizza Shop	Permit Fee: \$320.00	Cost of Work: \$30,000.00	CEO District: 5
Proposed Project Description: Renovations - Remodeling Pizza Shop		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: A2 Type: 3B DBX-2003	
		Signature: <i>Greg C...</i>	Signature: <i>JMB 4/27/07</i>	
PEDESTRIAN ACTIVITIES DISTRICT (PAID.)				
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied				
Signature: _____ Date: _____				

Permit Taken By: ldobson	Date Applied For: 03/19/2007	Zoning Approval		
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<p>1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</p> <p>2. Building permits do not include plumbing, septic or electrical work.</p> <p>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..</p>	<p align="center">Special Zone or Reviews</p> <input type="checkbox"/> Shoreland <i>MA</i> <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan <input type="checkbox"/> Major <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/>	<p align="center">Zoning Appeal</p> <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	<p align="center">Historic Preservation</p> <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
	<p>Date: <i>4/20/07</i></p>	<p>Date: <i>4/19/07</i></p>	<p>Date: _____</p>



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

BUILDING PERMIT INSPECTION PROCEDURES

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.**

N/A **CERIFICATE OF OCCUPANICES MUST BE ISSUED AND PAID FOR, BEFORE THE SPACE MAY BE OCCUPIED**

[Signature]
Signature of Applicant/Designee

4/27/07
Date

[Signature]
Signature of Inspections Official

4/27/07
Date

CBL: 135-E-12

Building Permit #: 07-0274

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK**CITY OF PORTLAND**

Please Read
Application And
Notes, If Any,
Attached

BUILDING INSPECTION**PERMIT ISSUED**

Permit Number: 070274

APR 27 2007

CITY OF PORTLANDThis is to certify that ROCK PROPERTIES LLC Mike Walkerhas permission to Renovations - Remodeling of a ShopAT 476 STEVENS AVE135 E012001

provided that the person or persons who perform or supervise the construction of this permit shall comply with all of the provisions of the Statutes of the State 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 APPROVALSFire Dept. Greg Cross

Health Dept. _____

Appeal Board _____

Other _____

Department Name

Jeanie Bourke 4/27/07
Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

City of Portland, Maine - Building or Use Permit

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

Permit No: 07-0274	Date Applied For: 03/19/2007	CBL: 135 E012001
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Location of Construction: 476 STEVENS AVE	Owner Name: ROCK PROPERTIES LLC	Owner Address: 45 WADSWORTH ST	Phone:
Business Name:	Contractor Name: Mike Walker	Contractor Address: 182 Concord Street Portland	Phone (207) 871-7107
Lessee/Buyer's Name	Phone:	Permit Type: Alterations - Commercial	

Proposed Use: Restaurant - Renovations - Remodeling Pizza Shop	Proposed Project Description: Renovations - Remodeling Pizza Shop
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Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Marge Schmuckal **Approval Date:** 04/20/2007

Note:**Ok to Issue:**

- 1) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.
- 2) All the conditional use requirements for restaurants shall be met and maintained during the continuance of your approved use. Please note that this office considers deliveries to your business as having to meet the limited hours of operation listed in the ordinance from 6:00 am to 11:00 pm
- 3) Separate permits shall be required for any new signage.

Dept: Building **Status:** Approved with Conditions **Reviewer:** Jeanine Bourke **Approval Date:** 04/27/2007

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.
- 2) All penetrations through rated assemblies must be protected by an approved firestop system installed as tested in accordance with ASTM 814 or UL 1479, per IBC 2003 Section 712.
- 3) Separate permits are required for any electrical, plumbing, or HVAC systems. Separate plans may need to be submitted for approval as a part of this process.
- 4) This restaurant must meet the City of Portland food code

Dept: Fire **Status:** Approved with Conditions **Reviewer:** Capt Greg Cass **Approval Date:** 04/24/2007

Note:**Ok to Issue:**

- 1) A separate permit is required for the hoods.
- 2) A plan showing all proposed seating including aisle widths is required prior to issuing a C-O

Comments:

3/20/2007-amachado: Spoke to Mike Walker, the contractor. The proposed use was unclear on the application. He told me that Joseph Pompeo wanted to have a pizza restaurant again. This is a conditional use and Joseph Pompeo needs to apply for a conditional use from the ZBA.

3/26/2007-amachado: Application returned, sent to wrong address. I called Joe Pompeo to find out the correct address.

3/27/2007-amachado: Joe's wife came in to pick up the conditional use application. I went over with her what she needed.

3/29/2007-amachado: Joe came in and asked exactly what he needed to do. I went over the conditional use appeal application process with him, and told him exactly what he needed to submit by April 2, at noon to get on the agenda for the April 19th ZBZ meeting.

Location of Construction: 476 STEVENS AVE	Owner Name: ROCK PROPERTIES LLC	Owner Address: 45 WADSWORTH ST	Phone:
Business Name:	Contractor Name: Mike Walker	Contractor Address: 182 Concord Street Portland	Phone (207) 871-7107
Lessee/Buyer's Name	Phone:	Permit Type: Alterations - Commercial	

3/20/2007-amachado: Spoke to Joe Pompeo. Told him that he needed to do a conditional use appeal. Mailed him an application. Permit on hold until conditional use appeal heard.

4/26/2007-jmb: Left voicemail w/Mike W. With questions on the bathrooms, 2nd unit and # of seats

4/27/2007-jmb: Mike W. Came in with seating plan, demising wall between units and foyer entrance, ok to issue



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>476 STEVENS AVE.</u>		
Total Square Footage of Proposed Structure <u>2800 SQ FT.</u>		Square Footage of Lot
Tax Assessor's Chart, Block & Lot Chart# Block# Lot# <u>135 E 12</u>	Owner: <u>ROCK PROPERTIES</u>	Telephone: <u>Cell 603-5622</u>
Lessee/Buyer's Name (If Applicable)	Applicant name, address & telephone: <u>JOSEPH POMPEO 45 WORDSWORTH ST PORTLAND ME 04103</u>	Cost Of Work: \$ <u>30,000.-</u> Fee: \$ <u>320</u> C of O Fee: \$ _____
Current legal use (i.e. single family) <u>N/A</u> If vacant, what was the previous use? <u>SAME pizza - restaurant.</u> Proposed Specific use: <u>SAME</u> Is property part of a subdivision? <u>NO</u> If yes, please name _____ Project description: <u>Remodeling Pizza shop / update</u>		
Contractor's name, address & telephone: Who should we contact when the permit is ready: <u>Mike Walker 182 Concord St.</u> Mailing address: _____ Phone: <u>650-3724</u> <u>Applicant</u> <u>Joseph Pompeo 45 Wordsworth St.</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.

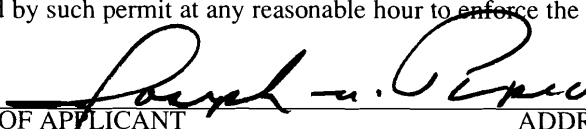
In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information or to download copies of this form and other applications visit the Inspections Division 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.

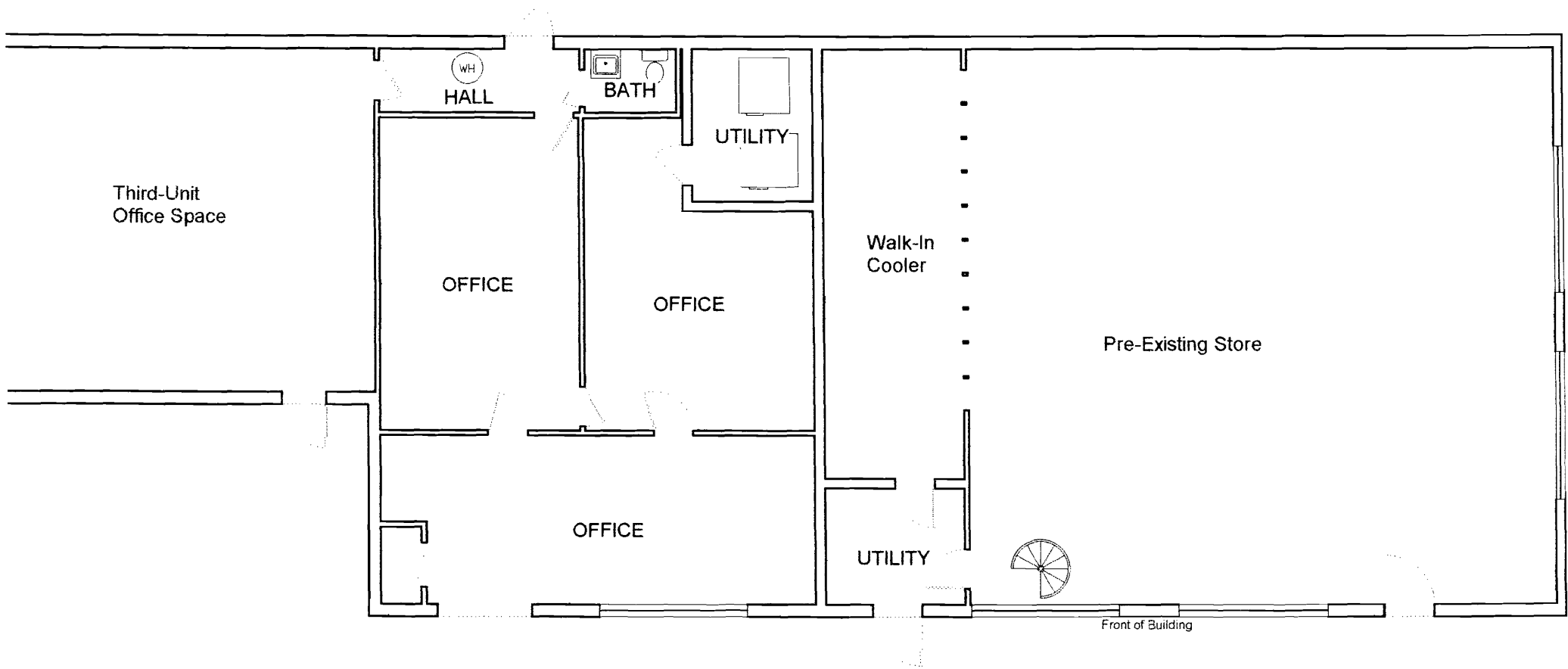
Signature of applicant: Joseph Pompeo Date: 7/19/17

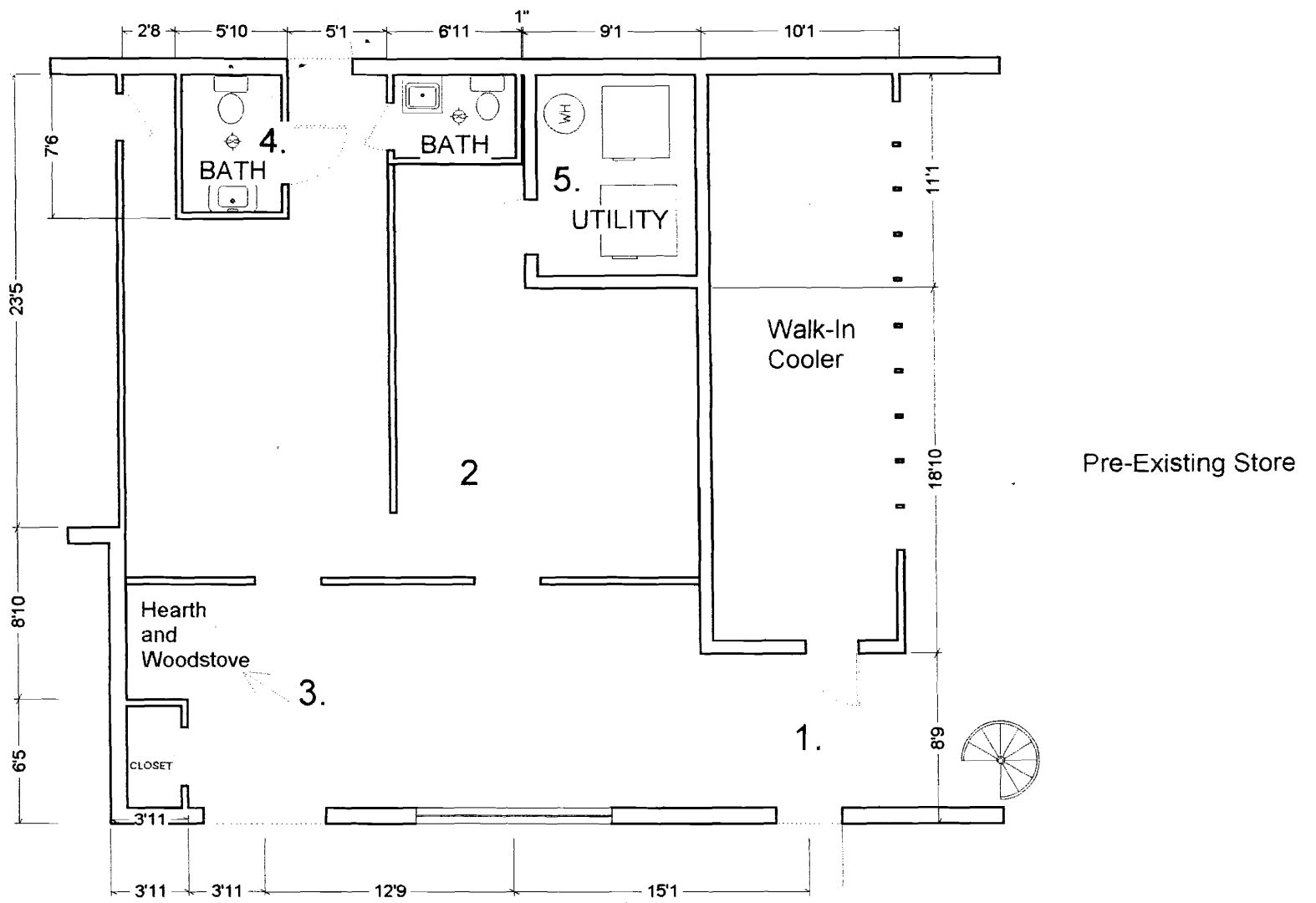
This is not a permit; you may not commence ANY work until the permit is issued.

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

Location of Construction: <u>5 Brentwood Street</u>		Owner: <u>Rocco Pompeo</u>		Phone:	Permit No:
Owner Address:		Lease/Buyer's Name: <u>Joseph H. Pompeo</u>		Phone: <u>774-6844</u>	
Contractor Name:		Address:		Business Name: <u>Pompeo's Brick Oven Pizza</u>	Permit Issued:
Past Use: <u>Retail Food Shop</u>		Proposed Use: <u>Same w/sit down restaurant</u>		Phone:	
Proposed Project Description: <u>Conditional Use Appeal</u>		COST OF WORK: <u>\$</u>		PERMIT FEE: <u>\$ 50.00 Appeal fee</u>	Zone: <u>B-1</u>
		FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group: Type:	
		Signature:		Signature:	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"/>
		PEDESTRIAN ACTIVITIES DISTRICT (P.U.D.) Action: Approved <input type="checkbox"/> Approved with Conditions: <input type="checkbox"/> Denied <input type="checkbox"/>		Date:	
Permit Taken By: <u>Vicki Dover</u>		Date Applied For: <u>9-10-96</u>			
<p>1. This permit application doesn't preclude the Applicant(s) from meeting applicable State and Federal rules.</p> <p>2. Building permits do not include plumbing, septic or electrical work.</p> <p>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..</p>					
<p>APPEAL SUSTAINED <u>10-3-96</u></p>					
<p>CERTIFICATION</p> <p>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 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</p>					
SIGNATURE OF APPLICANT 		ADDRESS:		DATE: <u>9-10-96</u>	PHONE:
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE				PHONE:	

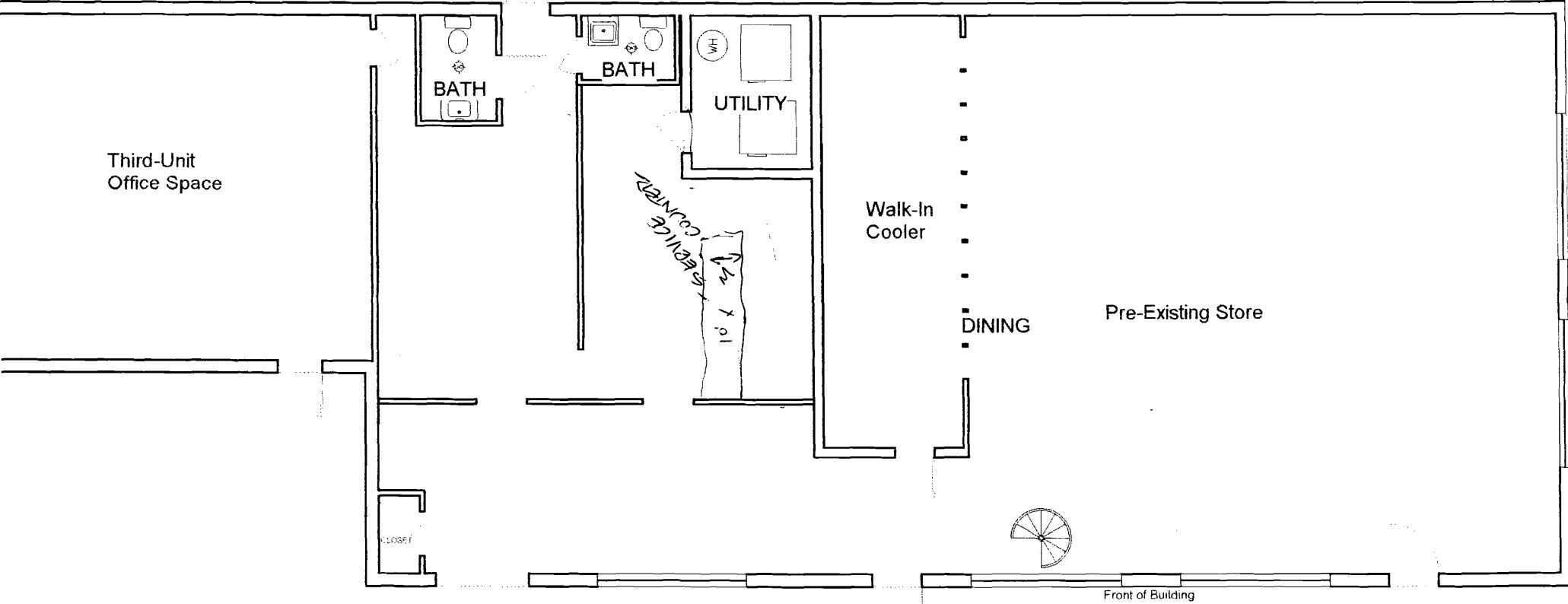
Original Conditions





Front of Building

After Changes



Inspection Services
P. Samuel Hoffses
Chief



Planning and Urban Development
Joseph E. Gray Jr.
Director

CITY OF PORTLAND

Joseph N. Pompeo
3 Brentwood Street
Portland, ME 04103

July 5, 1996

RE: 5 Brentwood Street

Dear Mr. Pompeo,

This letter is just a reminder. On 3.12/96 you applied for a permit to change the use from a barbershop to a restaurant with interior renovations at the above location. I spoke to you on the phone informing you that a conditional use appeal was required for this new proposed use, and later sent you the paperwork that is required for such an appeal.

As of this date, I have not received an appeal application. Please note that no action will happen to your permit until further notice from you. If we do not hear from you within 6 months of your original application, that application will expire with no action taken on it.

If you have any questions regarding this matter, please do not hesitate to call.

Sincerely,

Marge Schmuckal
Zoning Administrator

cc to: P. Samuel Hoffses, Chief of Codes Enforcement
Joseph Gray, Jr., Dir. of Planning & Urban Dev.
Kevin Carroll, Codes Enforcement Officer

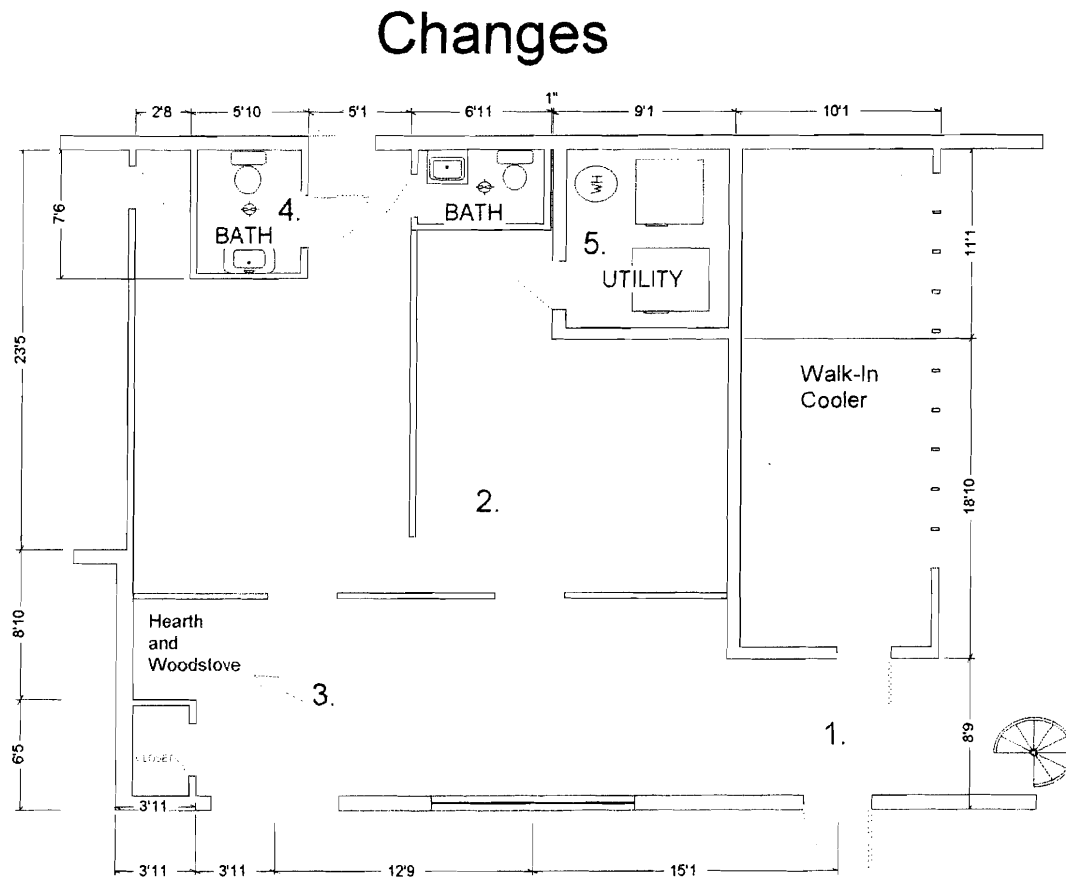
Building Specs:

Exterior Load Bearing Walls are 10' high, and constructed of 10" Concrete Blocks.
Interior Ceiling is suspended from the trusses 8'2" above the floor.
Building is constructed on a concrete slab.
There are no Interior Load Bearing Walls.

Changes to be Made:

To convert the existing office space to a Dining Facility the following changes must be made:

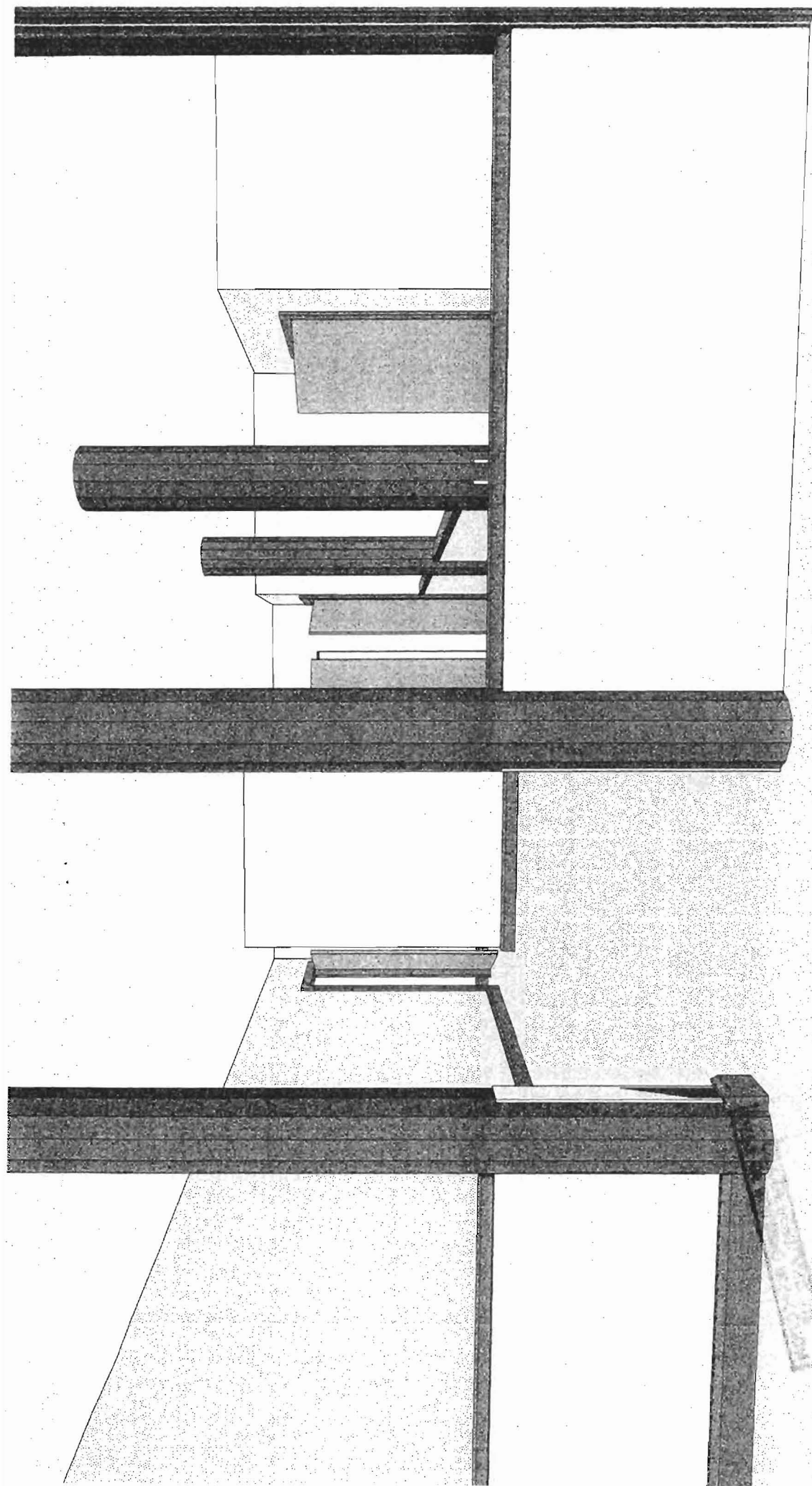
1. Removal of the portion of the two walls located between the end of the walk-in cooler, and the Front outside wall.
2. Replacement of interior walls with $\frac{1}{2}$ height walls.
3. Construction of Brick Hearth and Installation of a Wood-Stove
4. Construction of a 5'x7' Uni-Sex Handicap Accessible Bathroom.
5. The water heater is moved into the Utility room.



Front of Building

Estimated Cost:

1.	Removal of existing walls, and replacement with ½ height walls.	\$3000
2.	Construction of Hearth and Installation of Wood-Stove.	\$1500
3.	Construction of New Bathroom, and Moving the water heater	\$5000
<hr/>		
	Total	\$9500



David Davis
Catherine
Alexander
Book of

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

B-1 Neighborhood Business Zone (Restaurant):

Conditional Use Appeal

DECISION

Date of public hearing: 4.19.07

Name and address of applicant:

1. Joe Pompeo
45 Wordsworth St.
Portland, ME

Location of property under appeal:

476 Stevens Ave

For the Record:

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

1. Joe Pompeo
(see above)
2. Tony Donovan
27 Riverside Blvd.
Portland, ME
3. Barbara Wood.

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

- outside photographs
- application letter
- application forms
- warranty deed
- real estate tax
- traffic analysis report
- building inspection application
- tax map
- drawing map.
- letter from Cent. Sq. Baptist regarding parking.
- outside sketches showing architecture.
- proposed floor plan
- letter from Tony Donovan.

Findings of Fact and Conclusions of Law:

A. Conditional Use Standards pursuant to Portland City Code §14-163(a):

1. The use applied for is a restaurant.

Satisfied Not Satisfied

Reason: (u)
oral testimony + application letter
indicated restaurant use.
no opposition

2. Maximum total floor area for use of the public shall be one thousand (1,000) square feet.

Satisfied Not Satisfied

Reason: (u)
740 S.F.

3. The hours of operation shall be limited to between 6:00 a.m. and 11:00 p.m. each day.

Satisfied Not Satisfied

Reason: (u)
testimony & written application

4. Food service and consumption are the primary function of the restaurant.

Satisfied Not Satisfied

Reason: (u)
testimony & written application

5. There shall be no drive-through service.

Satisfied Not Satisfied

Reason:

testimony: written application

6. The use will generate no more than 100 peak hour vehicle trips per 2000 sq. ft. of space. (Note: the city traffic engineer shall require a traffic study when it calculates the proposed use will generate in excess of a total of 50 peak hour vehicle trips.)

Satisfied Not Satisfied

Reason:

Traffic Analyst Report.
submitted by Traffic Engineer

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

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

Yes No

Reason:

no evidence presented regarding unique/distinctive char. of classic pizza place.

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

Yes No

Reason:

Right of way is very busy, lots of traffic/parking. But in event parking requirements of 5 spots.

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

Yes ___

No

Reason:

Impact is very similar to other restaurants in area, no traffic. Already has signs, other restaurants (there)

Conclusion: (check one)

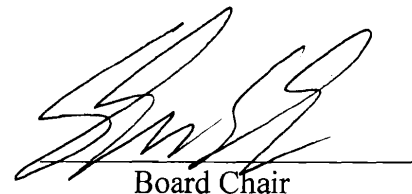
Option 1: The Board finds that all of the standards (1 through 6) described in section A above have been satisfied and that not all of the conditions (1 through 3) described in section B above are present, and therefore GRANTS the application.

___ Option 2: The Board finds that the 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:

___ Option 3: The Board finds that the standards (1 through 6) described in section A above have NOT all 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:

4/19/07


Board Chair



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

*Lee Urban- Director of Planning and Development
Marge Schmuckal, Zoning Administrator*

March 20, 2007

Joseph Pompeo
45 Wordsworth Street
Portland, ME 04103

RE: 476 Stevens Avenue – 135 E012 – B-1 – Conditional Use Appeal connected to
permit #07-0274

Dear Mr. Pompeo,

Here is the Conditional Use Appeal Application. I also included the Application Process for the Zoning Board of Appeals and the meeting schedule. For your application to be complete, you need to make sure that you include the items from a. through i. on the application process sheet. In your cover letter (item b.) you need to make sure that you show how you are meeting the four conditions under section 14-163(a). Also in the cover letter, make sure that you address the three standards at the bottom of the Conditional Use Application. When your application is complete, we will submit a traffic analysis form to the traffic engineer, and he will determine if you need to do a traffic study as part of the application process.

Please feel free to call me at 874-8709 if you have any questions.

Sincerely,

Ann B. Machado
Zoning Specialist
(207) 874-8709

Fire Checklist

Line 1

Joseph N. Pompeo

45 Wordsworth St.

Portland ME 04103

Line 2

Food Service

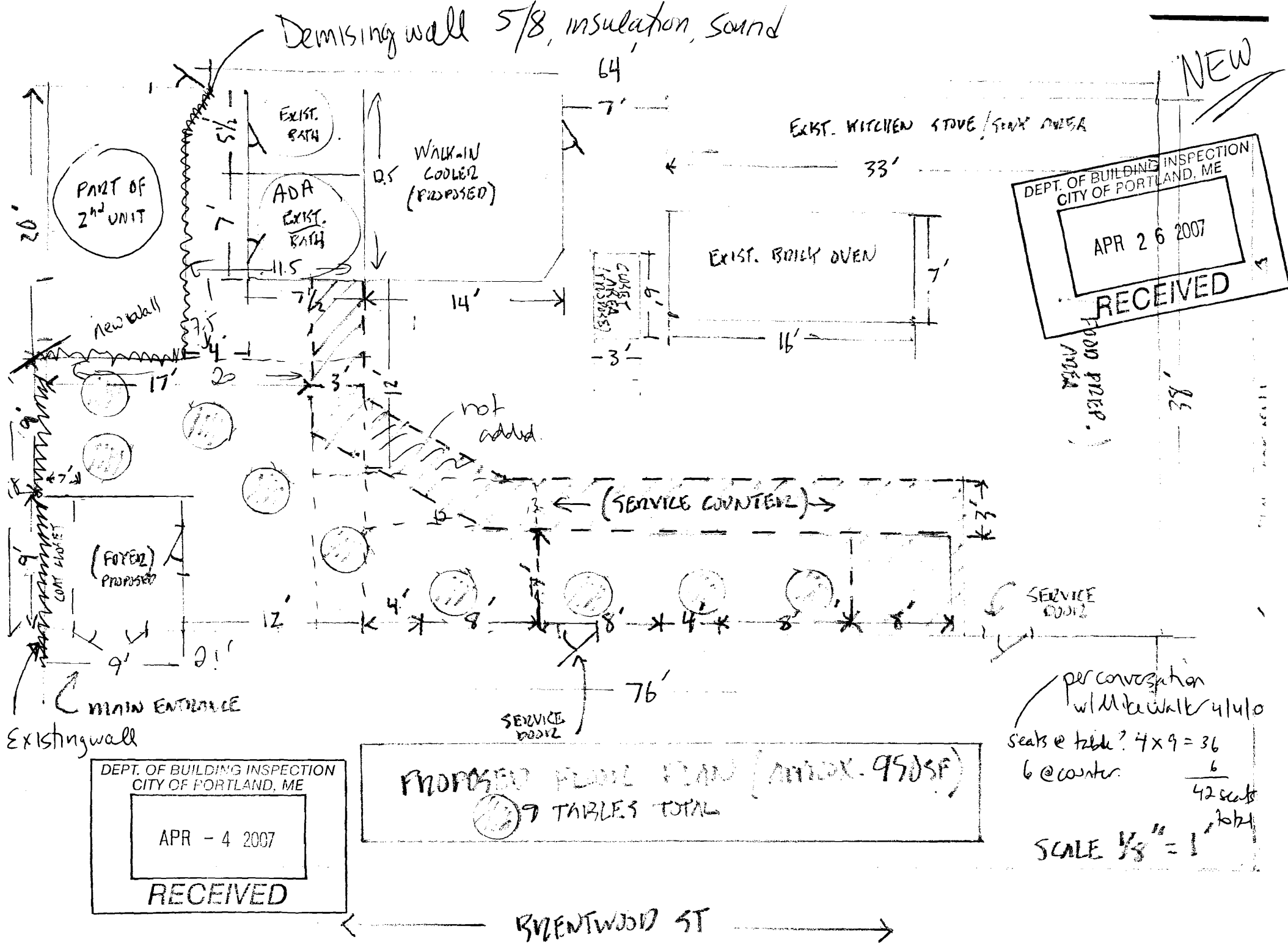
Line 3

2800 square feet

Lines 4-7 N/A

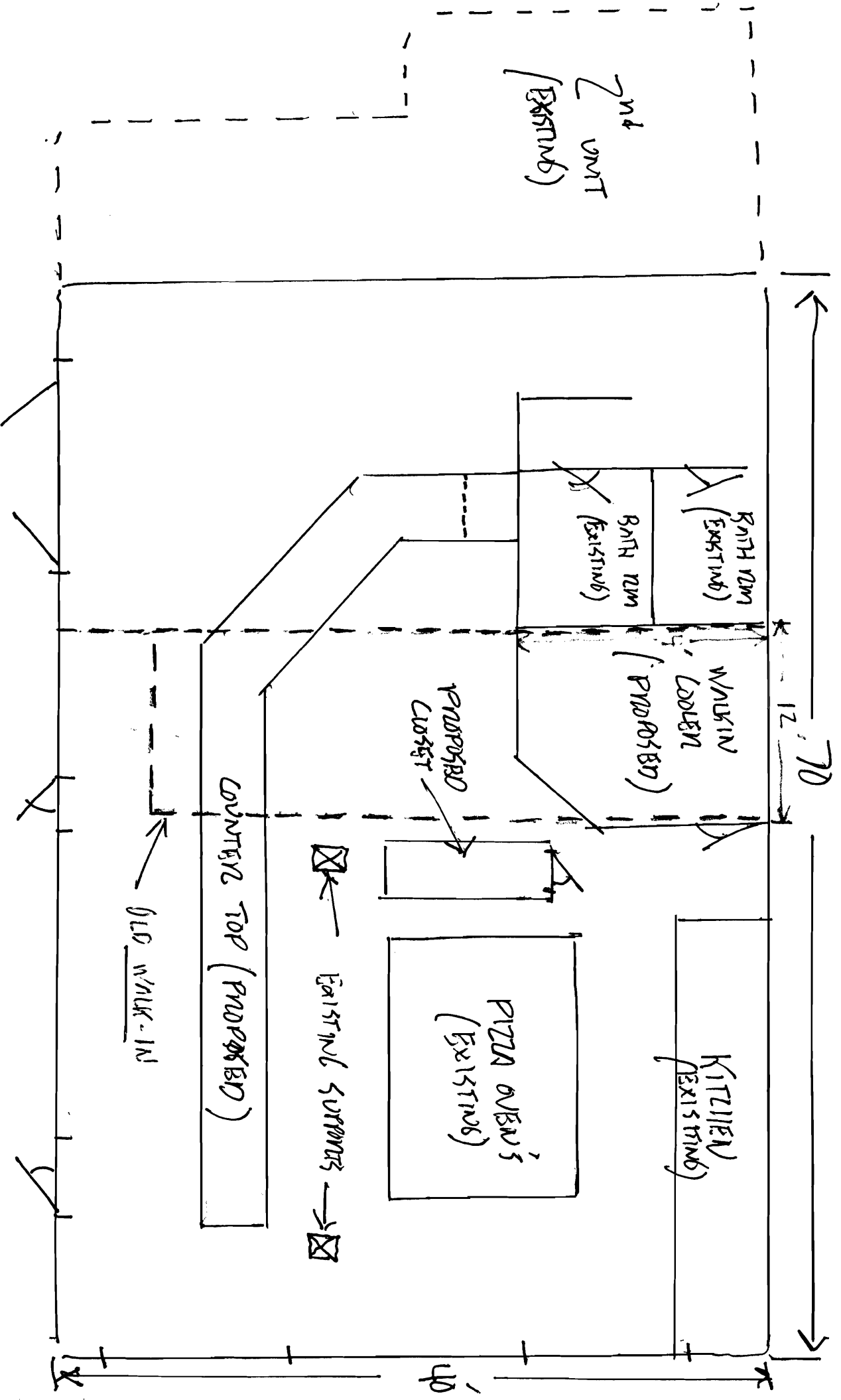
Remodel updating includes :

- 1) Updating Electrical/Lighting per Code
- 2) Changing out + dropped ceiling
- 3) Install Solid Surface Ceiling (1/2 MDO)
- 4) New Counter Configuration
- 5) New relocated walk in cooler (see page 1 + 2)
- 6) Improve plumbing per Code.

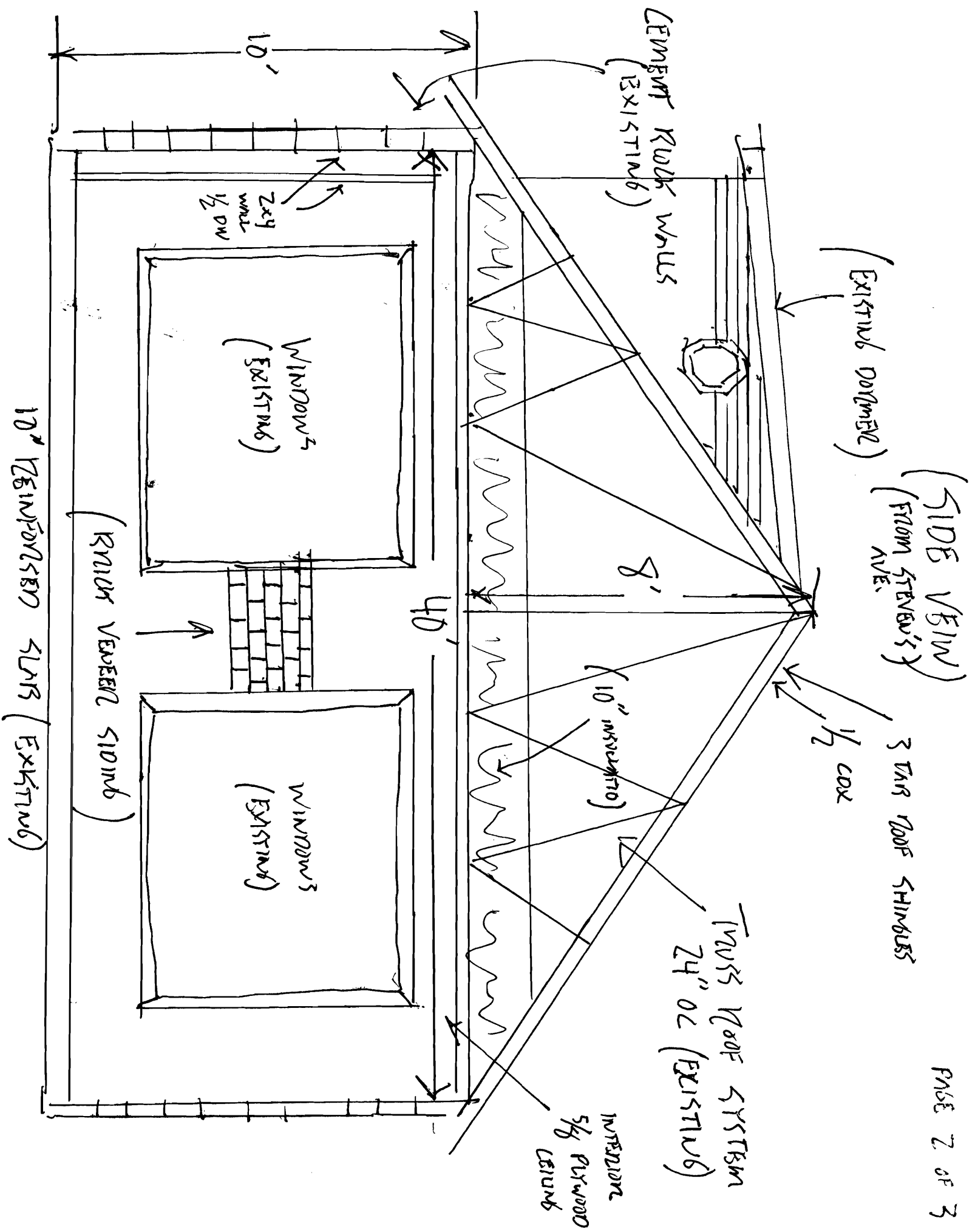


per conversation
with the walk in cooler
seats @ table? 4 x 9 = 36
6 @ counter. $\frac{6}{42 \text{ seats total}}$
SCALE 1/8" = 1'

(TOP VIEW)
FLOOR PLAN



↓ (RENTWOOD ST.) ↓



3 of 3

(SIDEVIEW)

PAGE 3 OF 3

2x6 HEADER

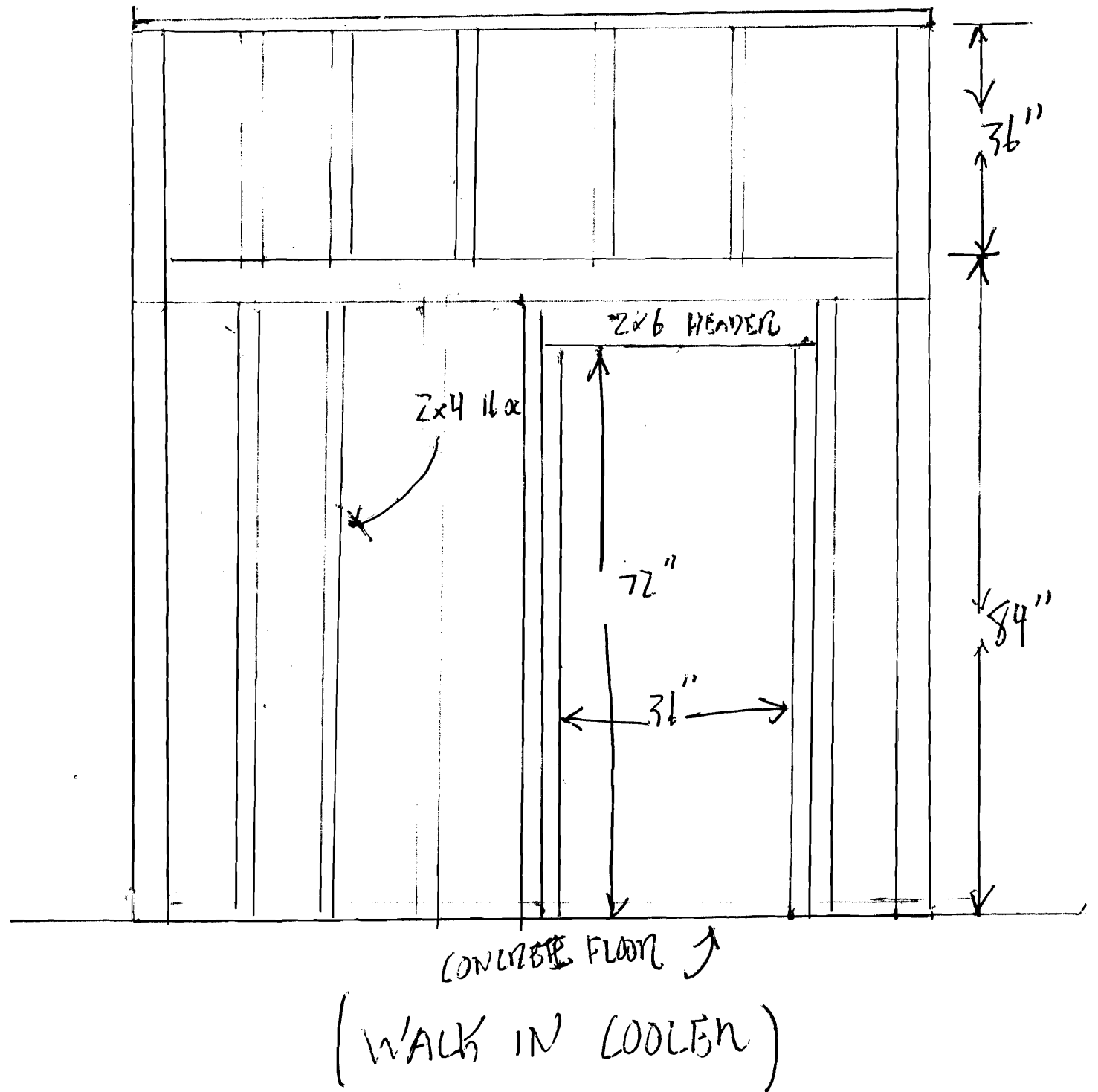
5/8 PLYWOOD

1/2 MDD

INSULATION

1/2 MDD PAINTED

3 1/2



construction, reconstruction, alteration or moving of any building or structure, but shall merely authorize the preparation, filing and processing of applications for any permits or approvals which may be required by the codes and ordinances of the city, including but not limited to a building permit, a certificate of occupancy, subdivision approval and site plan approval.

(f) *Limitations on conditional use permits.* No conditional use permit shall be valid for a period longer than six (6) months from the date of issue, or such other time as may be fixed at the time granted not to exceed two (2) years, unless the conditional use has been commenced or is issued and construction is actually begun within that period and is thereafter diligently pursued to completion; provided, however, that one (1) or more extensions of said time may be granted if the facts constituting the basis of the decision have not materially changed, and the two-year period is not exceeded thereby. A conditional use permit shall be deemed to authorize only the particular use for which it was issued and such permit shall automatically expire and cease to be of any force or effect if such use shall for any reason be discontinued for a period of twelve (12) consecutive months or more.

(g) *Appeals from board decisions.* Appeals from any decision of the board of appeals or, where applicable, the planning board respecting a conditional use permit shall be to superior court. (Code 1968, § 602.24.D; Ord. No. 437-74, 7-1-74; Ord. No. 407-83, 2-2-83; Ord. No. 467-83, § 2, 4-20-83; Ord. No. 237-83, 10-17-83)

Sec. 14-475. Reserved.

