

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

| | | | | | | | |
|--|--|---|--|---|--|---|--|
| Location of Construction: 1053 Forest Ave | | Owner: Lefevre, John | | Phone: 797-4838 | | Permit No: 980673 | |
| Owner Address: 72 Auburn St Pctld, ME 04103 | | Lessee/Buyer's Name: | | Phone: | | BusinessName: | |
| Contractor Name: John Lefevre | | Address: 72 Auburn, ME 04103 | | Phone: 797-4838 | | <div style="border: 2px solid black; padding: 5px; text-align: center;"> PERMIT ISSUED Permit Issued: JUN 23 1998 CITY OF PORTLAND </div> | |
| Past Use: vacant | | Proposed Use: restaurant | | COST OF WORK: \$ 32,000.00 PERMIT FEE: \$ 180.00 | | | |
| Proposed Project Description: Change Use Renovate 2400 Sq Ft Int/Ext Reno | | FIRE DEPT. <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied Signature: <i>[Signature]</i> | | INSPECTION: Use Group: <i>[Handwritten]</i> Type: | | Zone: CBL: 146-Z-009 | |
| | | | | PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: Approved <input type="checkbox"/> Approved with Conditions: <input type="checkbox"/> Denied <input type="checkbox"/> 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: SP | | Date Applied For: 15 June 1998 | | | | | |

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..

Zoning Appeal

Variance
 Miscellaneous
 Conditional Use
 Interpretation
 Approved
 Denied

Historic Preservation

Not in District or Landmark
 Does Not Require Review
 Requires Review

Action:

Approved
 Approved with Conditions
 Denied

Date: _____

PERMIT ISSUED WITH REQUIREMENTS

PERMIT ISSUED WITH REQUIREMENTS

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

SIGNATURE OF APPLICANT _____ ADDRESS: _____ DATE: 15 June 1998 PHONE: _____

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

CEO DISTRICT 6

COMMENTS

6-25-98 spoke with owner. Shub will start within 2 weeks

9-21-98 spoke to Restaurant operator about license and hand sinks will bring in amended plan (T)

Plumbing + Framing OK - Fire rating OK

2/3/99 ~~Spring~~ Self closers on bathrooms

Seal wood surfaces in food service.

need gap in pipe on dipping well - cross connections

Register cover for heat supply in washroom area

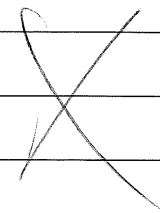
Cross connection @ 3 Bay sink - need new spring

Items to complete

Discussed this w/

owner of restaurant

2/12/99 - All corrected OK to issue C.O.



Inspection Record

| | Type | Date |
|-------------|------|---------|
| Foundation: | N/A | |
| Framing: | OK | |
| Plumbing: | OK | |
| Final: | OK | 2/12/99 |
| Other: | | |

CITY OF PORTLAND, MAINE

Department of Building Inspection



Certificate of Occupancy

LOCATION 1053 Forest Ave 146-E-009

Issued to John Lefevre

Date of Issue February 12, 1999

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. 980673, 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

APPROVED OCCUPANCY

Front

Restaurant
Use Group A-3
Construction Type 2B
Boca 96

Limiting Conditions:

This certificate supersedes certificate issued

Approved:

2/12/99 *Tammy Munson*

(Date)

Inspector

[Signature]

Inspector of Buildings

[Handwritten initials] A.R. 1195

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.

BUILDING PERMIT REPORT

DATE: 6/22/98 ADDRESS: 1053 Forest St 146-E-009

REASON FOR PERMIT: Change of use

BUILDING OWNER: John H F V L

CONTRACTOR: Same

PERMIT APPLICANT: _____

USE GROUP A-3 BOCA 1996 CONSTRUCTION TYPE 2B

CONDITION(S) OF APPROVAL

This Permit is being issued with the understanding that the following conditions are met:

Approved with the following conditions: *1, *17, *18, *19, *20, *24, *27, *28, *29, *30, *31, *32

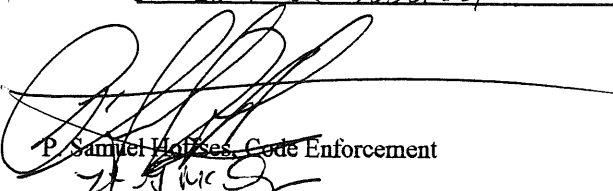
- *1. This permit does not excuse the applicant from meeting applicable State and Federal rules and laws.
2. Before concrete for foundation is placed, approvals from the Development Review Coordinator and Inspection Services must be obtained. (A 24 hour notice is required prior to inspection)
3. Precaution 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".) Handrail grip size shall have a circular cross section with an outside diameter of at least 1 1/4" and not greater than 2".
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. (Over 3 stories in height requirements for fire rating is two (2) hours.)
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. 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".
- 22. 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.
- 23. Ventilation shall meet the requirements of Chapter 12 Sections 1210. Of the City's Building Code.
- *24. All electrical, plumbing and HVAC permits must be obtained by a Master Licensed holders of their trade.
- 25. All requirements must be met before a final Certificate of Occupancy is issued.
- 26. 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).
- *27. Ventilation of spaces within a building shall be done in accordance with the City's Mechanical Code (The BOCA National Mechanical Code/1993).
- *28. Please read and implement the attached Land Use-Zoning report requirements.
- 29. Plans shall be submitted to the Portland Fire Dept for hood systems.
- *30. Licenses must be obtained from The City's Clerk's office and The States Dept. of Human Services, Div. of Eating and Lodging.
- *31. Kitchen Exhaust equipment must be installed in accordance with, Chapter 5 of The City's mechanical Code /1993 (The BOCA National Mechanical Code /1993).
- *32. All requirements must be completed before a Certificate of occupancy will or can be issued



P. Samuel Hoffses, Code Enforcement

cc: Lt. McDougall, PFD
Marge Schmuckal

LAND USE - ZONING REPORT

ADDRESS: 1053 Forest DATE: 6/19/98

REASON FOR PERMIT: change of use to ALBW

BUILDING OWNER: John LeFevre C-B-L: 146-E-9

PERMIT APPLICANT: owner

APPROVED: with conditions DENIED: _____

#7 #9

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 _____ 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.
8. Separate permits shall be required for future decks and/or garage.

⑦
⑧

Other requirements of condition If there is an increase in the amount of square footage for this change of use that results in over 5,000^{sq}, it will be necessary to undertake a site plan review.

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

1) See enclosed Purchase and Sale Agreement

2) Owner will general contract project

3) See enclosed plot/site plan

4) See enclosed building plans

We are going to remodel the front 2500 square feet into a restaurant. The following is an explanation of the renovation process.

- replace front doors and windows with thermopane doors & windows. Doors will allow handicap access. Each door measures 36". One emergency door with lighted exit sign.
- Aluminium studs will be used as a stud wall against the cement block walls. It will be insulated and painted, tiled, or wallpapered.
- Floor surfaces will be tiled and/or carpeted.
- Ceiling will remain the same. It is a steel truss wooden ceiling.
- Plumbing and drainage will be modified to accommodate plan.
- HVAC is currently in place
- Building is already equipped with a sprinkler system.

04/30/98 10:28 207 871 1288

BOULOS BROKERAGE

002/004



One Canal Plaza, Portland, Maine 04111 (207) 773-1333

CONTRACT FOR THE SALE OF REAL ESTATE

Date April 21, 1998

RECEIVED OF: John Lefevre and/or Assign

c/o Form Systems, 72 Auburn St., Portland, ME 04103

Ten Thousand and 00/100 Dollars (\$ 10,000.00) upon acceptance and in part payment of the purchase price of the following described real estate, situated in the municipality of Portland

County of Cumberland State of Maine and located at 1033 Forest Avenue

being (all/part of) the property owned by the Seller(s) at the above address, and described as follows: County's Registry of Deeds Book Page and further described as: A 1.20± acre parcel improved with a 13,476± s.f. one-story building located at the corner Forest Avenue and Bell Street

Upon the terms and conditions indicated below.

PERSONAL PROPERTY: The following items of personal property are included in this sale (if applicable): None

PURCHASE PRICE: The TOTAL purchase price being \$15,000.00 to be deposited within thirty (30) days of the effective date of this contract and the balance of \$10,000.00 upon acceptance, an additional \$5,000.00 to be paid in cash or certified check at closing.

EARNEST MONEY/ACCEPTANCE: The Bowlos Company non-interest bearing account and act as Escrow Agent until closing. This title shall be valid until MAY 4, 1998

TITLE: That a deed, conveying good and merchantable or insurable title in accordance with standards adopted by the Maine Bar Association be delivered to the Purchaser(s) and this transaction shall be closed and the Purchaser(s) shall pay the balance due and execute all necessary documents before June 30, 1998

DEED: That the property shall be conveyed by a deed, and shall be free and clear of all encumbrances except building and zoning restrictions of record, restrictive covenants and conditions of record and usual public utilities access

POSSESSION/OCCUPANCY: Possession/occupancy of premises shall be given to Purchaser(s) immediately at closing unless otherwise agreed by both parties in writing.

RISK OF LOSS: Until the transfer of title, the risk of loss or damage to said premises by fire or otherwise, is assumed by the Seller(s) unless otherwise agreed in writing. Said premises shall then be in substantially the same condition as in present, excepting reasonable use and wear

PROVISIONS: The following items shall be provided as of the date of closing: a. Real Estate Taxes based on the municipality's list year. Seller is responsible for any unpaid taxes for prior years.

INSPECTIONS: The Purchaser(s) is encouraged to seek information from professionals regarding any specific issue of concern. Purchaser(s) acknowledges receipt of disclosures form attached hereto. The Agent makes no warranties regarding the condition, permitted use or value of the Seller's real or personal property. This Contract is subject to the following inspections, with the results being satisfactory to the Purchaser(s):

Table with columns: TYPE OF INSPECTION, YES, NO, RESULT REPORTED, TYPE OF INSPECTION, YES, NO, RESULT REPORTED. Rows include: a. General Building, b. Sewage Disposal, c. Water Quality, d. Radon Air Quality, e. Radon Water Quality, f. Asbestos Air Quality, g. Lead Paint, h. Pests, i. ADA, j. Wetlands, k. Environmental Scan, l. Other.

The use of days is intended to mean from the effective date of this Contract. All inspections will be done by inspectors chosen and paid for by the Purchaser(s). If the result of any inspection or other condition specified herein is unsatisfactory to the Purchaser(s), Purchaser(s) may declare the Contract null and void by notifying Seller(s) in writing within the specified number of days, and any earnest money shall be returned to the Purchaser(s). If the Purchaser(s) does not notify the Seller(s) that an inspection is unsatisfactory within the time period set forth above, this contingency is waived by the Purchaser(s). In the absence of inspection(s) mentioned above, the Purchaser(s) is relying completely upon Purchaser's own opinion as to the condition of the property.

FINANCING: This contract is subject to an approved commercial mortgage of \$0. The purchase price prevailing rate and terms acceptable to Purchaser.

If Seller, or Seller agent, is not notified to the contrary in writing within 30 days of the effective date of this contract then the financing condition shall be deemed to have been waived by Purchaser(s).

The Purchaser(s) is under a good-faith obligation to seek and accept financing on the above-described terms. The Purchaser(s) acknowledges that a breach of this good-faith obligation to seek and accept financing on the above-described terms will be a breach of this Contract.

Seen and agreed to: [Signatures]

Applicant: John Lefevre

Date: 6/19/98

Address: 1053 Forest Ave

C-B-L: 146-E-9

CHECK-LIST AGAINST ZONING ORDINANCE

Date - Existing

Zone Location - B-2

Interior or corner lot - ~~CHA~~

Proposed Use/Work - change of use for new rest, ≈ 2400 sq total

Sevage Disposal -

- Lot Street Frontage -

Front Yard -

Rear Yard -

Side Yard -

Projections -

Width of Lot -

Height -

Lot Area -

Lot Coverage/ Impervious Surface -

same NO change

Area per Family -

Off-street Parking - @ 150 #

$$\left. \begin{array}{l} 25' \times 58' = 1450 \\ 18' \times 7.5' = 135 \\ \hline 1585 \# \end{array} \right\}$$

10,560 sq ft
11 SPACES
req.

19 SPACES
shown

Loading Bays -

Site Plan - N/A

Shoreland Zoning/ Stream Protection -

N/A

Flood Plains -

N/A

NO change
Existing

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

**Building or Use Permit Pre-Application
Attached Single Family Dwellings/Two-Family Dwelling
Multi-Family or Commercial Structures and Additions Thereto**

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

NOTEIf 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 (include Portion of Building): 1053 FOREST AVE, PORTLAND, ME | | | |
| Total Square Footage of Proposed Structure 13476 | | Square Footage of Lot 52438 | |
| Tax Assessor's Chart, Block & Lot Number 146 E 9 | | Owner: JOHN LEFEVRE 72 AUBURN STREET PORTLAND, ME 04103 | Telephone#: 797-4838 |
| Chart# 147 Block# A Lot# 27 | | Owner's Address: 72 Auburn St Portland 04103 | Lessee/Buyer's Name (If Applicable) |
| | | Cost Of Work: \$32,000 | Fee \$180. ⁰⁰ |
| Proposed Project Description:(Please be as specific as possible) BLIMPIE AND CHOWDERHEAD RESTAURANT RENOVATE 2400 SQUARE FEET. <i>Int/Ext Reno</i> | | | |
| Contractor's Name, Address & Telephone JOHN LEFEVRE - 72 AUBURN STREET PORTLAND, ME 04103 | | Rec'd By <i>JP</i> | 797-4838 |
| Current Use: VACANT | | Proposed Use: RESTAURANT | |

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/Site Plan

Minor or Major site plan review will be required for the above proposed projects. The attached checklist outlines the minimum standards for a site plan.

4) Building Plans

Unless exempted by State Law, construction documents must be designed by a registered design professional.

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: <i>John Lefevre</i> | Date: <i>6/15/98</i> |
|---|----------------------|

Building Permit Fee: \$25.00 for the 1st \$1000.cost plus \$5.00 per \$1,000.00 construction cost thereafter.

Additional Site review and related fees are attached on a separate addendum

