

City of Portland, Maine - Building or Use Permit Application

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

Permit No: 09-0539	Issue Date:	CBL: 295 C003001
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Location of Construction: 135 WARREN AVE	Owner Name: TANNER CHARLES V III	Owner Address: 131 WARREN AVE	Phone:
Business Name: Seavey	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Commercial	Zone:

Past Use: Vacant - Kleen Oil Company	Proposed Use: Commercial - Retail - used furniture store ("A Little Shop of Everything")- Change of use from oil company to retail - install fire door	Permit Fee: \$105.00	Cost of Work: \$105.00	CEO District: 5
Proposed Project Description: Change of use from oil company to retail - install fire door		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type:	
		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: Ldobson	Date Applied For: 06/01/2009	Zoning Approval		
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<ol style="list-style-type: none"> 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 <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:	Zoning Appeal <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:	Historic Preservation <input 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:
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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

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Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Ann Machado **Approval Date:** 06/04/2009

Note: The change of use requires one parking space which exists.

Ok to Issue:

- 1) This permit is being issued with the condition that any exterior storage for the use follow the conditons listed under section 14-229.14 of the ordinance.
- 2) This permit is being issued with the condition that the 1-877-TWO JUNK sign must be removed from the wall/fence.
- 3) This property has two buildings on it. The rear buuilding is a single family home. With the issuance of this permit and the certificate of occupancy, the use of the front building shall remain retail. Any change of use shall require a separate permit application for review and approval.

Dept: Building **Status:** Approved with Conditions **Reviewer:** Jeanine Bourke **Approval Date:** 05/17/2010

Note:

Ok to Issue:

- 1) This is a Change of Use ONLY permit. It does NOT authorize any construction activities.
- 2) Separate permits are required for any electrical, plumbing, sprinkler, fire alarm HVAC systems, heating appliances, commercial hood exhaust systems and fuel tanks. Separate plans may need to be submitted for approval as a part of this process.
- 3) This permit is being issued based on the correction of zoning, building and life safety violations noted in letters dated 12/18/09, 2/19/10 and 4/5/10. The property and business shall remain in compliance with all municipal codes in order for the continued approval of the business license.

Dept: Fire **Status:** Approved with Conditions **Reviewer:** Ben Wallace Jr. **Approval Date:** 06/09/2009

Note: Before the second floor can be used for anything other then storage, it must have a second remote means of egress.

Ok to Issue:

Dotty's e-mail: seaveysmoving@aol.com

- 1) The stairway (vertical opening) cannot connect more than 2 adjacent stories (one floor pierced only). The basement stair door shall be replaced a rated fire door and 5/8 type x sheetrock installed on the stairwell walls, or a floor can be built in that location to recover the space and eliminate the vertical stair shaft.
- 2) The second floor can be used for storage only, it must have signage and a barrier installed to prohibit public access.
- 3) Second floor and basement is storage only.
- 4) All construction shall comply with NFPA 101

Comments:

2/19/2010-jmb: Gave permit file to Danielle in legal, she created a letter and sent. Gave file back to inspections

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1/19/2010-jmb: Dottie S. Called Ann on 1/19 inquiring about getting a permit for the storage containers and what the sign at the bottom of the stair should say restricting access. Dottie said she would be in the next day to apply. I left a vmsg for Dottie S. On 1/20 about setting up the inspection and that no applications for permit were submitted. Inspected with police escort, John S. Was on site and 3 of the moving business trucks were there. John said Dottie was sick, he gave me her # and I spoke to her about the permits, signage and inspecting the inside. She said she would be in Mon. Or Tues. To apply. She called John to tell him to allow access inside. The yard was considerably cleaner, two storage containers remain on her side and one on the Tanner side. There are vehicles stored behind the business inbetween the two structures, they are snow covered and hard to identify, except for the camper/truck. The basement storage has been reduced, is clear around the furnace, just need 3' in front of the electric panels. The basement stairs and door have been removed and sheetrock is installed on both sides of the door opening, but not under the stair stringer. I took photos of the inside and outside. John spoke with the police about their presence being bad for business and suggested that if we inform them when we are coming to inspect that he will stay away from the property. 1/26/10 Dottie S. Came into the office to get information to apply for the storage containers. She met with Ann M. And we made copies of the plot plan from the previous permit application. I reviewed the violations off the letter and made notes for Dottie for the remaining corrections and made a copy for our records. Dottie said she would be back in on 1/28 with the application..../jmb 1/29 Dottie left a vmsg and I called back. The property owner (Charlie Tanner) is not available until Sunday to find the property lines for the plot plan, she will be in early next week..../jmb 2/5/10 Left vmsg for Dottie S. As for lack of permit application and to avoid another notice being sent..../jmb 2/10/10 Spoke with Dottie S., she has been sick and is "not avoiding us" will have the information drawn up, asked to have it in by 2/12/10, she promised by Monday the latest. Informed the case would go to Corp Counsel if she does not come in by Monday. Monday is a holiday, left a vmsg to make it on Friday.../jmb 2/19/10 Emailed Danielle in legal due to no submittal of application for permit, she requested the file for follow up and sent a letter.../jmb 2/22/10 Dottie S. Left a msg to call, I returned and left a msg.../jmb

2/24/2010-jmb: Called Dottie several times this week, left vmsg to call. Also spoke with Charlie T. On 2/22 about his storage containers and getting a permit. He is aware of the March 8th date for compliance.

-jmb:

3/8/2010-jmb: Dottie applied for the 2 storage containers on the right side, and Charlie T. Applied for one container on the left side.

3/16/2010-jmb: Permit for storage container on left side applied by Charlie T. Is denied due to non conforming use (SFH). He will sell contents to Dottie S. So she can use for retail business.

3/17/2010-jmb: Dottie S. Applied for the 20'x8' storage container on the left side.

4/1/2010-jmb: Reinspected for the remaining violations and found some outstanding and new things as a result some of the corrective work. Sent follow up letter to Dottie S. And Charlie T.

5/17/2010-jmb: Reinspected remaining violations, all corrected. Inspected setbacks to storage containers on the right side, they do not comply, located within the side and rear setbacks. They will be moved to be compliant. Ok to issue

12/2/2009-jmb: Met Dottie S. On site with Ann M. To access the property for permitting and licensing.

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6/19/2009-jmb: This permit is after the fact, the property is currently occupied as a retail second hand shop. Spoke with Dottie S. To verify if the interior basement stairs will be removed and filled in with joists and flooring. She is removing the door and filling in with a sheetrock wall so there will be no access. She will submit a detail. On further review, this is a mixed use building M & S-1 and 3 hour fire separation is required as Table 503 does not allow either use above the first floor, so it cannot be nonseparated. Also spoke with Ann M. About outside storage in the B-4 zone. She will address this in the conditions. Spoke with Keith G. About the outside burning at the rear dwelling by the owner, he will address this through the fire company and municipal code.

6/19/2009-jmb: Dottie left a message about enclosing the wall at the basement door, it is a 26"x80" wall built of 2x4 and sheetrock on both sides.

6/25/2009-jmb: Spoke with Dottie about getting a drawing for the wall. Also discussed the code for use as M & S of a 5B building not being allowed unless separated with 3 hour fire rated assemblies. She is storing in the basement and 2nd floor. Also discussed the zoning ordinance for outdoor storage of merchandise etc. Jon R. Wen to the property this week and said there is a tent which would also need a permit, probably temporary. She is busy next week, and will get back to us for a meeting.

6/26/2009-jmb: Dottie S. Came into the office and Ann & I met with her. We discussed zoning and retail use as typically operated inside and having merchandise outside is licensed by the clerks office for sidewalk areas only. I also reviewed the M & S separation requirements from Table 302.3.2 and realized that it might qualify for no separation if the storage area is less than 1000 sf., which Dottie confirmed on the plan including the basement and 2nd floors. Question if they will be allowed to use the 2nd floor.

12/8/2009-jmb: Met PD officer on site to take photos of violations

12/14/2009-jmb: Confirmed with Tammy that due to the size of the structure and the occupant load storage only will be allowed on the 2nd floor and the basement not to exceed 1000 Sq ft.

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