

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

Location of Construction: 66 Deering Run, Portland, ME 04103		Owner: Branda Axelsen		Phone:		Permit No: 980772	
Owner Address:		Lessee/Buyer's Name:		Phone:		BusinessName:	
Contractor Name:		Address:		Phone:		Permit Issued: JUL 17 1998	
Past Use: Single fam w/daycare for 8 children		Proposed Use: Single fam w/daycare for 12 children		COST OF WORK: \$		PERMIT FEE: \$75.00 + \$50.00	
				FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group: Type:	
Proposed Project Description: Daycare for children for up to 12 children Conditional Use Variance/Change Use				Signature:		Signature:	
Permit Taken By: Vicki Dove r		Date Applied For: 5/19/98		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: Approved <input type="checkbox"/> Approved with Conditions: <input type="checkbox"/> Denied <input type="checkbox"/>		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"/>	
				Signature:		Date:	

- 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..

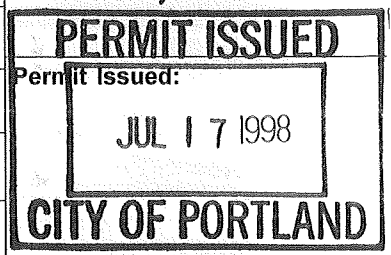
APPEAL SUSTAINED 6/18/98

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

Branda Axelsen
SIGNATURE OF APPLICANT ADDRESS: DATE: PHONE:

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE PHONE:



Zoning Appeal

Variance
 Miscellaneous
 Conditional Use *6/16/98*
 Interpretation
 Approved
 Denied

Historic Preservation

Not in District or Landmark
 Does Not Require Review
 Requires Review

Action:

Approved
 Approved with Conditions
 Denied

Date: *5/19/98*

CEO DISTRICT *#7*

7/27/98 -

COMMENTS

All Conditions met - ah for C of O

R

- C of O -

Single Family Dwelling w/ Day Care

Limitations

Not to Exceed 12 children

	Type	Inspection Record	Date
Foundation:	_____	_____	_____
Framing:	_____	_____	_____
Plumbing:	_____	_____	_____
Final:	_____	_____	_____
Other:	_____	_____	_____



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 66 Deering Run (353-E-007)

Issued to Brenda Axelsen

Date of Issue 30 July 1998

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. 980772, 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

Entire

Single Family Dwelling
w/daycare

Limiting Conditions:

Not to exceed twelve (12) children

This certificate supersedes
certificate issued

Approved:

7/27/98
(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.

BUILDING PERMIT REPORT

DATE: 16 July 98 ADDRESS: 66 Deering Run 353-F-007
REASON FOR PERMIT: Change of use (12) daycare
BUILDING OWNER: Brenda Axelson
CONTRACTOR: Owner
PERMIT APPLICANT: 1
USE GROUP R3/B BOCA 1996 CONSTRUCTION TYPE 5B

CONDITION(S) OF APPROVAL

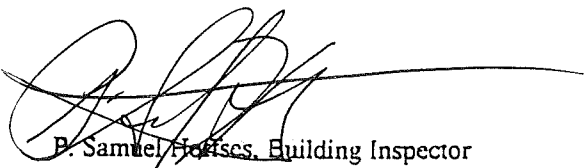
This Permit is being issued with the understanding that the following conditions are met:

Approved with the following conditions: X/

- X/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)
- 2.5 Foundation drain shall be placed around the perimeter of a foundation that consists of gravel or crushed stone containing not more than 10 percent material that passes through a No. 4 sieve. The drain shall extend a minimum of 12 inches beyond the outside edge of the footing. The thickness shall be such that the bottom of the drain is not higher than the bottom of the base under the floor, and that the top of the drain is not less than 6 inches above the top of the footing. The top of the drain shall be covered with an approved filter membrane material. Where a drain tile or perforated pipe is used, the invert of the pipe or tile shall not be higher than the floor elevation. The top of joints or top of perforations shall be protected with an approved filter membrane material. The pipe or tile shall be placed on not less than 2" of gravel or crushed stone, and shall be covered with not less than 6" of the same material.
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 closers. (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 basementsIn 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. (crawl spaces & attics)
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. _____
30. _____
31. _____
32. _____



P. Samuel Horses, Building Inspector

cc: Lt. McDougall, PFD
Marge Schmuckal

CITY OF PORTLAND, MAINE

BOARD OF APPEALS



Brenda Axelsen
66 Deering Run
Portland, ME 04103

July 14, 1998

RE: 66 Deering Run - 353-E-007 - R-2 Zone

Dear Brenda,

As you know at its June 18, 1998 meeting, the Board of Appeals voted 6-0 to grant your request to change the use from a single family with day care for up to 8 children after school to a single family with up to 12 children. A copy of the Board's decision is enclosed for your records.

Your change of use permit will be mailed to you as soon as the review process is completed, which should be very shortly.

Sincerely,

A handwritten signature in cursive script that reads 'Marge Schmuckal'.

Marge Schmuckal
Zoning Administrator


cc: Joseph E. Gray, Dir, PUD
Mark Adelson, Neighborhood and Housing Services
K. Carroll, CEO
File

5-18-98

To: Board of Appeals,

I am presently a licensed home daycare for 6 + 2 children. I am going to be watching school age children 5 & up, which means I can be licensed for 12 children, but in order to do so, I need a certificate of occupancy for 12.

Thank you,
Brenda Arelson



CITY OF PORTLAND, MAINE

BOARD OF APPEALS



CONDITIONAL USE APPEAL APPLICATION

Applicant's name and address: Brenda Axelsen

166 Deering Run Portland, Me. 04103
Applicant's interest in property (e.g., owner, purchaser, etc.):
owner

Owner's name and address (If different): _____

Address of property and Assessor's chart, block and lot number:
353-E-7

Zone: R-2

Present use: _____

Type of conditional use proposed: Day Care before + After School only

Conditional use authorized by: Section 14-78d

NOTE: If site plan approval is required, attached preliminary or final site plan.

The undersigned hereby makes application for a conditional use permit as above described, and certifies that all information herein supplied by his/her is true and correct to the best of his/her knowledge.

STANDARDS:

Upon a showing that a proposed use is a conditional use under this article, a conditional use permit shall be granted unless the board determines that:

- (a) There are unique or distinctive characteristics or effects associated with the proposed conditional use;
- (b) There will be an adverse impact upon the health, safety, or welfare of the public or the surrounding area; and
- (c) Such impact differs substantially from the impact which would normally occur from such a use in that zone.

QUITCLAIM DEED
With Covenant

KNOW ALL MEN BY THESE PRESENTS

THAT BRENDA J. AXELSEN, of Portland, Maine in consideration of One Dollar (\$1.00) and other valuable considerations paid by JAMES V. RUSSO AND BRENDA J. AXELSEN of Portland, in the County of Cumberland and State of Maine, the receipt whereof I do hereby acknowledge, does hereby remise, release, bargain, sell and convey, and forever quitclaim unto the said JAMES V. RUSSO AND BRENDA J. AXELSEN as joint tenants and not as tenants in common, their Heirs and Assigns forever, the following described real estate:

A certain lot or parcel of land, with the buildings thereon, situated in the City of Portland, County of Cumberland and State of Maine, on the westerly side of Washington Avenue, and bounded and described as follows:

Lot 26, containing approximately 12,825 square feet, as shown on the recording plan of Deering Run dated January, 1986, filed in the Cumberland County Registry of Deeds at Plan Book 154, Page 34.

Also conveying all rights, easements, privileges and appurtenances belonging to the granted estate.

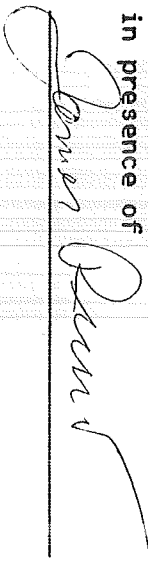
Being the same premises conveyed to the Grantor herein by Deed of Mark Axelsen dated June 19, 1991 and recorded in the Cumberland County Registry of Deeds in Book 9622, Page 230.

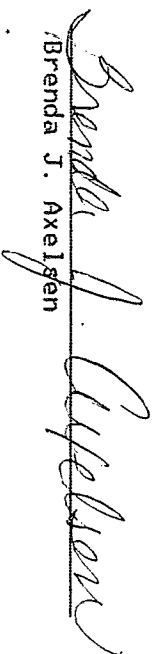
TO HAVE AND TO HOLD the same, together with all the privileges and appurtenances thereunto belonging, to the said JAMES V. RUSSO AND BRENDA J. AXELSEN, as joint tenants aforesaid, their Heirs and Assigns, to their own use and behoof forever.

AND the said Grantor does covenant with the said JAMES V. RUSSO AND BRENDA J. AXELSEN as joint tenants and not as tenants in common, their Heirs and Assigns, that she will Warrant and Forever Defend the premises to JAMES V. RUSSO AND BRENDA J. AXELSEN the said Grantees as joint tenants, their Heirs and Assigns forever, against the lawful claims and demands of all persons claiming by, through, or under her.

IN WITNESS WHEREOF the said BRENDA J. AXELSEN has hereunto set her hand and seal this 2nd day of the month of July, A.D., 1992.

Signed, Sealed and Delivered
in presence of



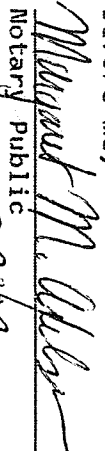

Brenda J. Axelsen

STATE OF MAINE
COUNTY OF CUMBERLAND, ss.

July 2, 1992

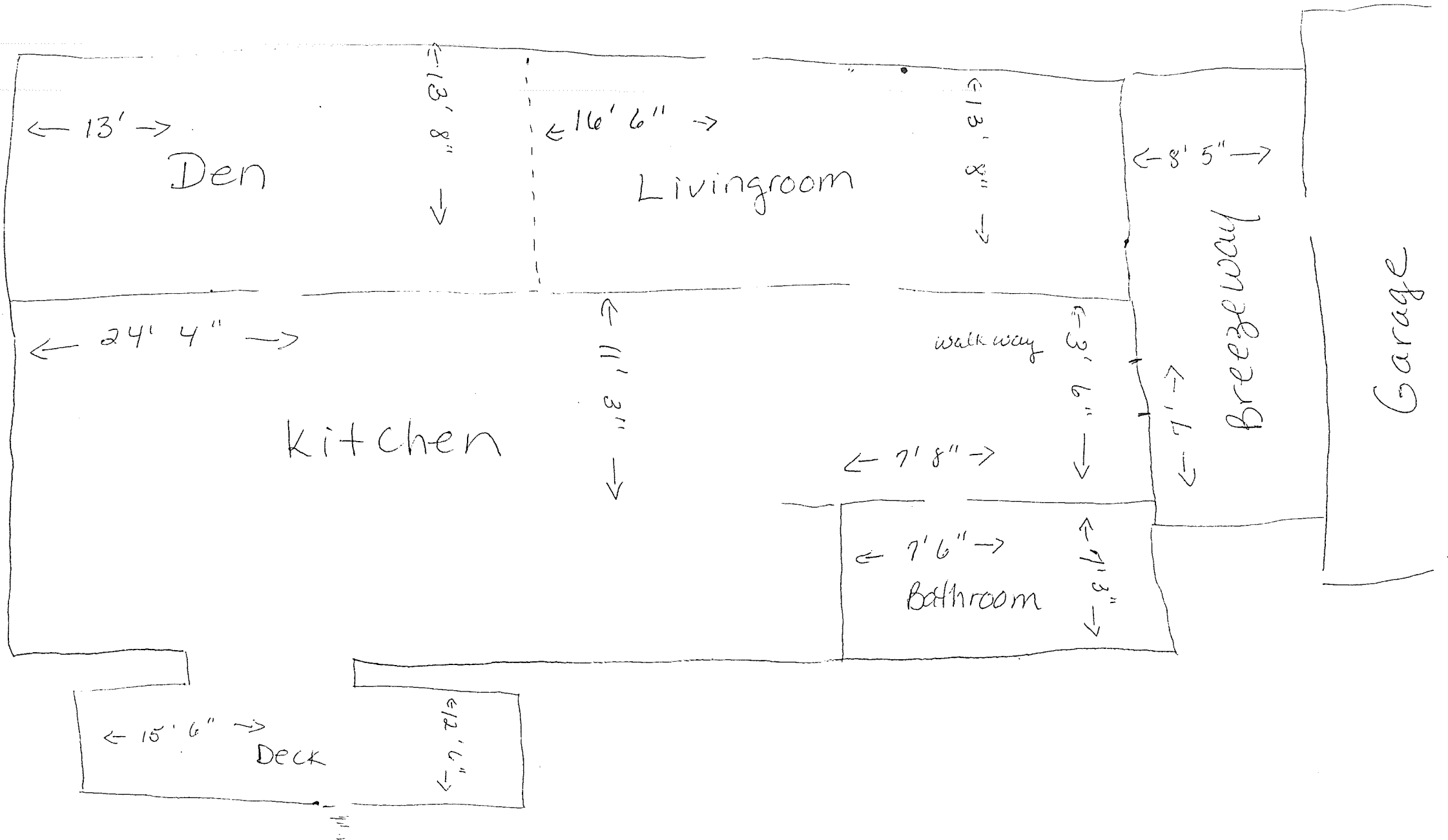
Then personally appeared the above-named Brenda J. Axelsen and acknowledged the foregoing instrument to be her free act and deed.

Before me,

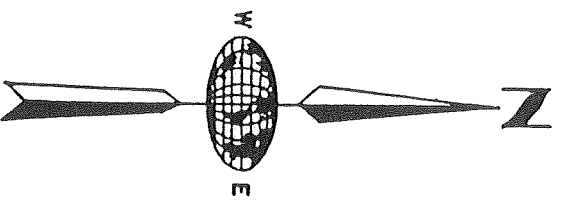

Notary Public

Commission Expires 9-9-2002

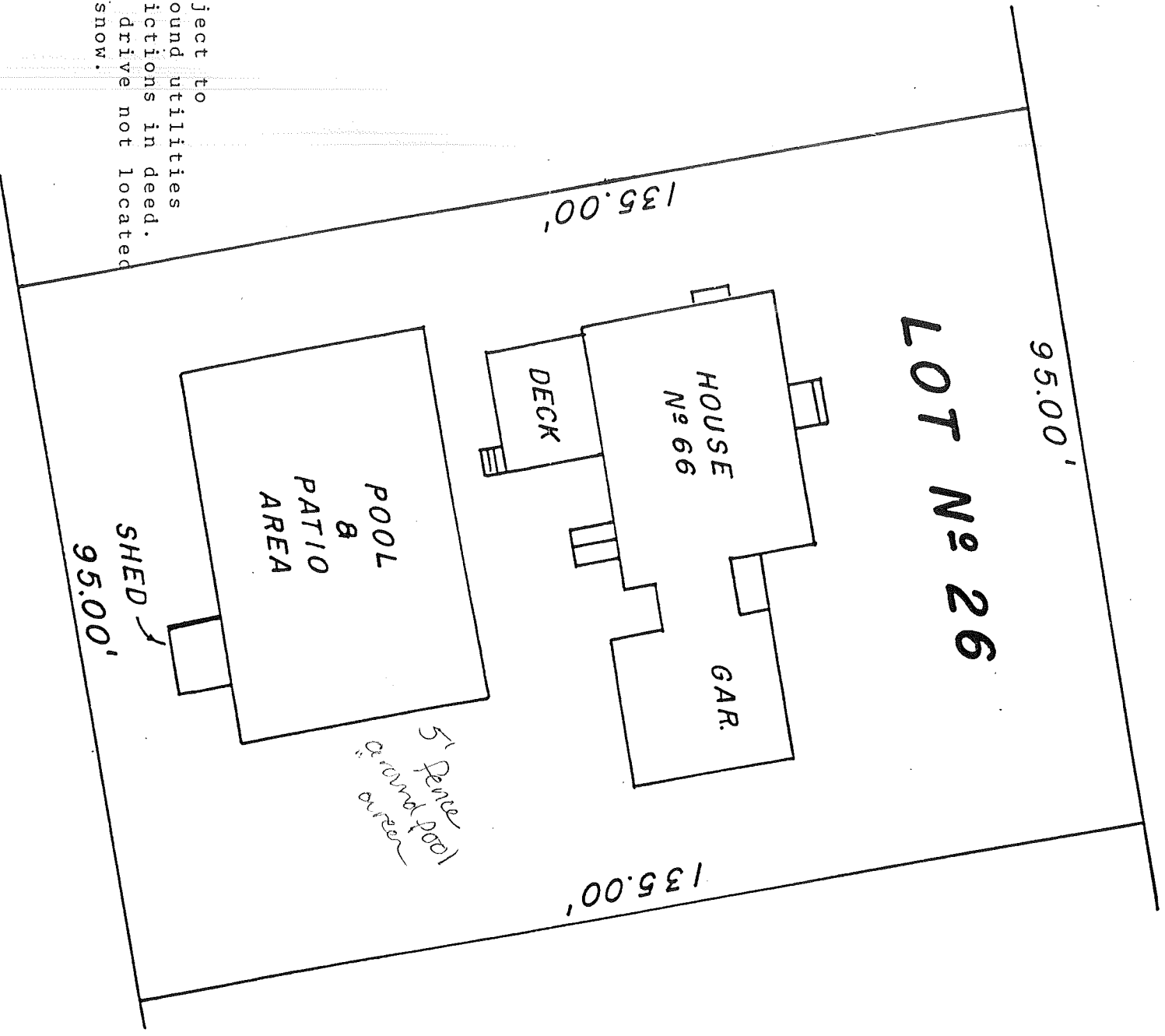
Floor Plan 66 Deering Run, PHS-ME.



NOTE: This is a tape survey and not an instrument survey, therefore this plot plan is for mortgage purposes only. Parcel shown below does not fall in the Federal Flood Hazard Area and conformed to the local zoning regulations at the time of construction. Fence lines not determined by this survey. Plan not to be recorded.



DEERING RUN DRIVE



NOTE: Lot subject to underground utilities & restrictions in deed. Walks & drive not located due to snow.

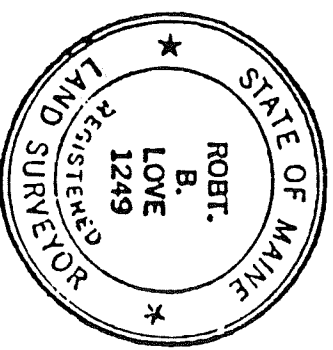
To: Fleet Mortgage & the title insurer, its successors in interest. I hereby certify that I have examined the premises, and all easements, encroachments and buildings are located on the ground as shown and the premises shown hereon are the same as designated in Book 7230, Page 129 at the Cumberland County Registry of Deeds.

MORTGAGE SURVEY PLAN

CLIENT: **JAMES RUSSO**
PORTLAND, MAINE

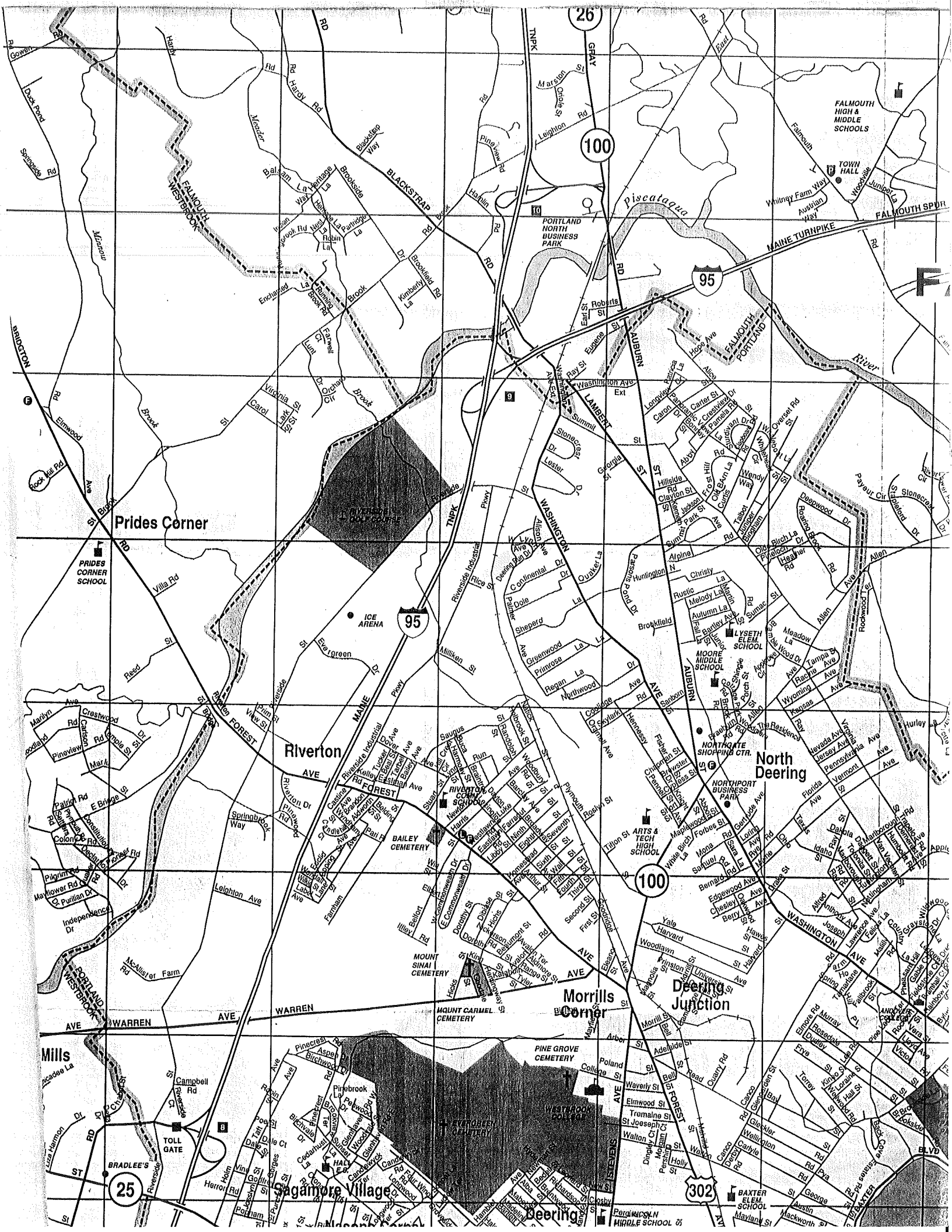
SCALE: 1" = 20' 3 / 24 / 92

Robert B. Love



ATLAS LAND SURVEY
REGISTERED LAND SURVEYORS

ISLAND AVENUE
PEAKS ISLAND, ME. 04108



Prides Corner

PRIDES CORNER SCHOOL

Riverton

North Deering

Deering Junction

Morrills Corner

Sagamore Village

Deering

FALMOUTH HIGH & MIDDLE SCHOOLS

TOWN HALL

PORTLAND NORTH BUSINESS PARK

FALMOUTH PORTLAND

LYSETH ELEM. SCHOOL

MOON MIDDLE SCHOOL

NORTHGATE SHOPPING CTR.

NORTHPORT BUSINESS PARK

ARTS & TECH HIGH SCHOOL

MOUNT SINAI CEMETERY

MOUNT CAMEL CEMETERY

PINE GROVE CEMETERY

BAXTER ELEM. SCHOOL

PORTLAND NORTH BUSINESS PARK

BRADLEE'S

TOLL GATE

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