

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CIN OF PORTLAND

Please Read Application And Notes, If Any, Attached

INSPECTION PERMIT

Permit Number 061265

This is to certify that JOYCE JOHN M & LINDA UTS
has permission to Change of use from Single Family Home to Single Family Home w/ Nail Salon
AT 31 PINELOCH DR L 396 D017001

PERMIT ISSUED
SEP 26 2006
CITY OF PORTLAND

provided that the person or persons who accept 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 procured before this building or part thereof is altered 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 APPROVALS

Fire Dept. _____
Health Dept. _____
Appeal Board _____
Other _____
Department Name

Janie Soule 9/21/06
Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

City of Portland, Maine - Building or Use Permit Application

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

Permit No: 06-1265	Issue Date:	CBL: 396 D017001
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Location of Construction: 31 PINELOCH DR	Owner Name: JOYCE JOHN M & LINDA R JTS	Owner Address: 31 PINELOCH DR	Phone: 878-174
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Business Name:	Contractor Name:	Contractor Address:	Phone:
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Lessee/Buyer's Name:	Phone:	Permit Type: Change of Use Home Occupation	Zone: R-2
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Past Use: Single Family Home	Proposed Use: Single Family Home/ Change of use from Single family Home to Single Family Home w/ Nail Salon	\$225.00	\$500.00	5
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FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: R3 Type: 5B IRC-2003
Signature:	Signature: MMB 9/21/06

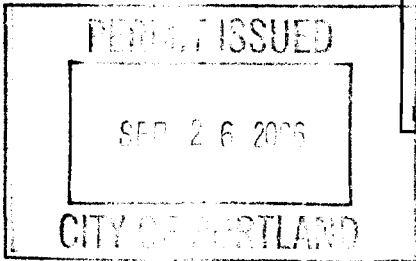
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)

Action: Approved Approved w/Conditions Denied

Signature: _____ Date: _____

Permit Taken By: Idobson	Date Applied For: 08/28/2006	Zoning Approval
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Special Zone or Reviews <input type="checkbox"/> Shoreland <i>NA</i> <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 checked="" type="checkbox"/> Date: <i>9/8/06</i>	Zoning Appeal <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 Date: <i>9/7/06</i>	Historic Preservation <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>[Signature]</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



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>31 P. ineloch Drive</u>		
Total Square Footage of Proposed Structure <u>150 SF</u>		Square Footage of Lot
<input checked="" type="checkbox"/> Assessor's Chart, Block & Lot Chart# <u>396</u> Block# <u>D</u> Lot# <u>17</u>		owner: <u>John M Joyce</u> Telephone: <u>8781714</u>
Lessee/Buyer's Name (If Applicable)	Applicant name, address & telephone: <u>Same</u>	Cost Of Work: \$ <u>500</u> Fee: \$ _____ C of O Fee: \$ _____
Current Specific use: <u>Storage SFH</u> If vacant, what was the previous use? Storage SFH <u>Storage</u> Proposed Specific use: <u>Nail Salon</u>		
Project description: <u>Change of use from SFH to SFH w/Home OCC</u>		
Contractor's name, address & telephone: <u>Same</u>		
Who should we contact when the permit is ready: <u>John Joyce</u> Mailing address: _____ Phone: <u>8781714</u> <u>31 P. ineloch Dr.</u> <u>Portland ME 04103-</u>		

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 visit us on-line at www.portlandmaine.gov, stop by the Building Inspections 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: <u>John M Joyce</u>	Date: <u>Sept 1, 06</u>
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This is not a permit; you may not commence ANY work until the permit is issued.

City of Portland, Maine - Building or Use Permit

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

Permit No: 06-1265	Date Applied For: 08/28/2006	CBL: 396 D017001
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Location of Construction: 31 PINELOCH DR	Owner Name: JOYCE JOHN M & LINDA R JTS	Owner Address: 31 PINELOCH DR	Phone:
Business Name:	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use Home Occupation	

Proposed Use: Single Family Home/ Change of use from Single family Home to Single Family Home w/ Nail Salon	Proposed Project Description: Change of use from Single family Home to Single Family Home w/ Nail Salon
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Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Marge Schmuckal **Approval Date:** 09/08/2006**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) Separate permits shall be required for any new signage using the home occupation guidelines.
- 3) This property shall remain a single family dwelling with a nail salon home occupation with the issuance of this permit and the subsequent issuance of a certificate of occupancy. 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:** 09/21/2006**Note:** **Ok to Issue:**

- 1) 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.

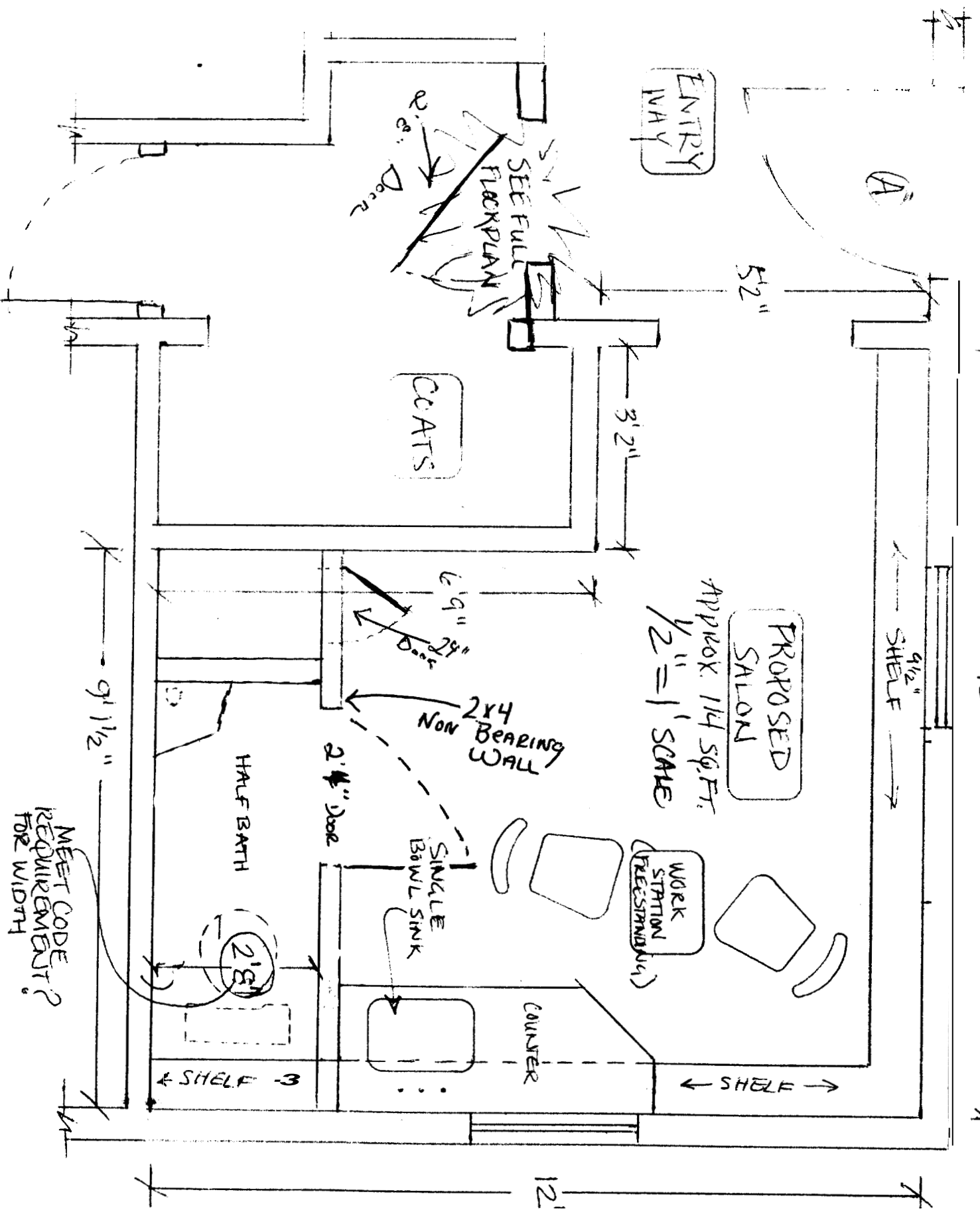
Comments:

0910812006-mes: ZBA approved the nail salon conditional use on 9/7/06

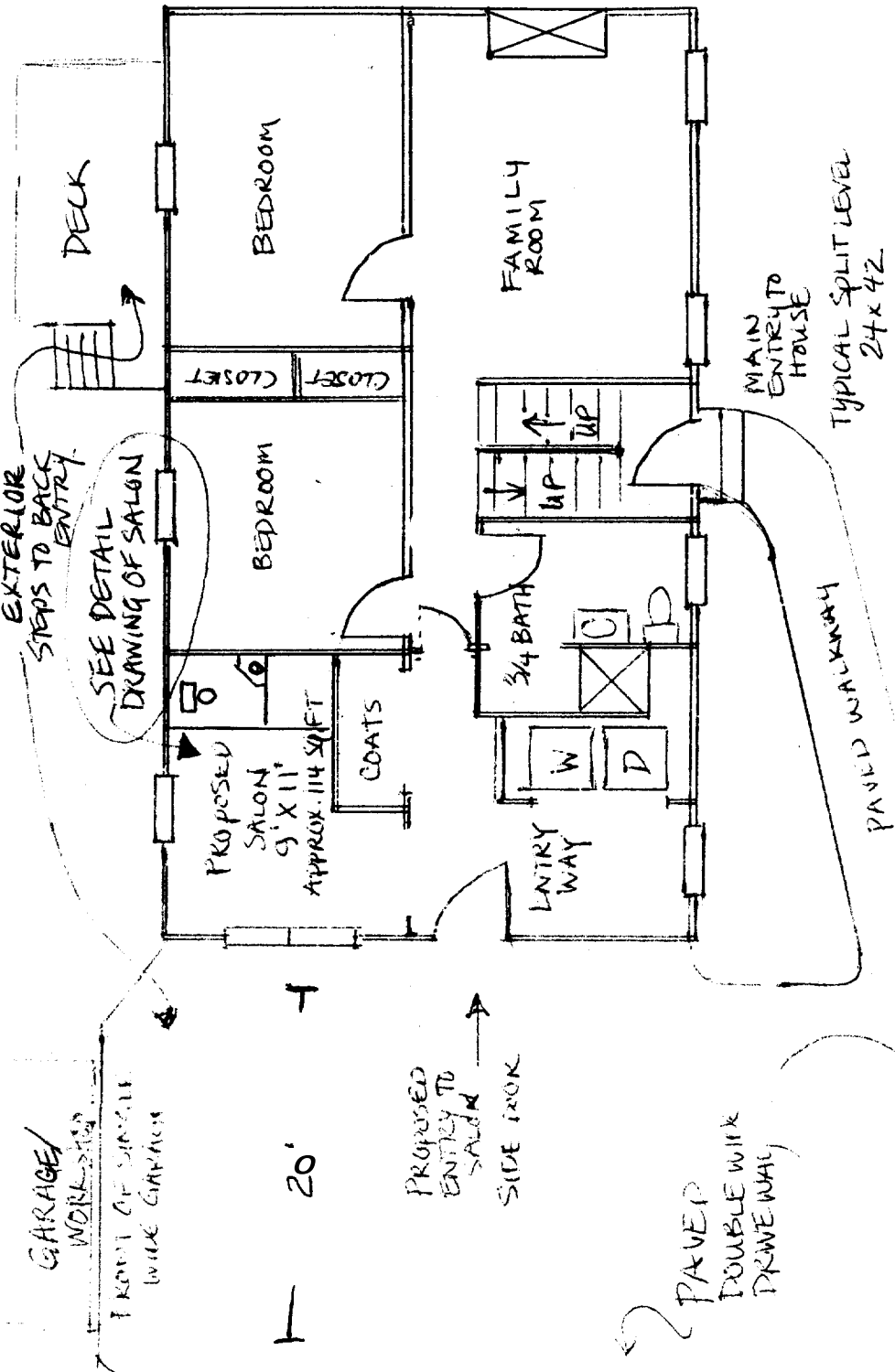
Building a 2x4x10' partition wall with a 32" Door to the Bathroom and a 24" Door to the Closet. This is a non Bearing wall with 2x4 Headers

Also a 4' 2x4 partition (non Bearing) wall with a 2x4 header and a 32" Door

6/24/06 PREPARED FOR: LINDA SUYCE
PINEBROOK DRIVE
PARAZMUD, ME



MEET CODE
REQUIREMENT?
FOR WIDTH



GROUND FLOOR
 EXISTING HOUSE PLAN OF:

LINDA JOYCE
 PINELECH DRIVE
 PORTLAND, ME

APPROX. SCALE 1/8" = 1' 6-2-7-06

PINELECH DRIVE

GARAGE/
 WORKSHOP

FRONT OF PORCH
 WIDE GRAPHS

20'

PROPOSED
 ENTRY TO
 SALON
 SIDE PORCH

PAVED
 DOUBLE WALK
 DRIVEWAY

16'

70' Long

members present: Catherine Alexander (acting chair), Philip Saucier, David Dore, Peter Coyne, Peter Thornton

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

members Absent: Kate Knox - Bill Helt is no longer on the ZBA Due to being appointed to the P.B.

called to order at 6:30 APPEAL AGENDA

The Board of Appeals will hold a public hearing on Thursday, September 7, 2006, at 6:30 p.m. on the second floor in Room 209 at the Portland City Hall, 389 Congress Street, Portland, Maine, to hear the following Appeal:

trjbled to October 5th Distinct in Oct.

1. Old Business:

A. Variance Appeal:

57 Center Street, Justin O'Reilly, Daniel Steele, Laurence Kelly, owners Tax Map #038 Block C Lot #030 in the B3 Downtown Business Zone is seeking a Variance Appeal under section 14-220 (h) of the City of Portland Zoning Ordinance. Appellants are requesting a Variance from the required 35' minimum building height. The proposed addition is 14' high and matches the existing height at the rear of the property. Representing the Appeal are the owners. Owners requested to table for 30 days. Board voted 6-0 without prejudice. (Kate Knox had to recuse herself). Owners requested to table the meeting from June 1, 2006 to this date.

Granted Appeal 4-1

2. New Business:

A. Interpretation Appeal:

255-257 York Street, Stephen Morrison owner Tax Map #058 Block D Lots 009.012 and 013 in the R-6 Residential Zone The Appellant is seeking an Interpretation Appeal regarding section 14-433 of the City of Portland Zoning Ordinance, and a Zoning Determination letter given by Marge Schmuckal. The appellant is requesting to divide the duplex units at 255-257 York Street into two separate lots. Representing the appeal is Tom Jewell of Jewell & Boutin, P.A.

Granted 5-0

B. Conditional Use Appeal:

31 Pineloch Drive, Linda & John Joyce, owners, Tax Map #396 Block D Lot #017 in the R2 Residential Zone is seeking a Conditional Use Appeal under section 14-410 (a) of the City of Portland Zoning Ordinance. Appellant is requesting a change of use for a home occupation. The intended occupation is a nail salon. A nail salon is not listed in Section 14-410 (b) but is similar as a hairdresser; which is listed. Representing the Appeal is the owner.

3. Other Business:

4. Adjournment: 8:30 pm

CITY OF PORTLAND, MAINE
ZONING³ BOARD OF APPEALS

R-2 Residential Zone Nail Salon Home Occupation:

Conditional Use Appeal

DECISION

Date of public hearing:

9-7-06

Name and address of applicant:

Linda Joyce

Location of property under appeal:

31 Pineloch Dr.
041103

For the Record:

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

Linda Joyce

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

Findings of Fact and Conclusions of Law:

A. Conditional Use Standards pursuant to Portland City Code §14-410:

1. The proposed use is a home occupation that is not listed in 14-410 (b) but is similar to and no more objectionable than those home occupations listed in that paragraph [which includes “hairdressers”]. This provision shall not include veterinarians, kennels, animal raising, funeral homes, retail uses including antique shops, restaurants, dancing studios, towing services, repair and painting of automobiles as home occupations.

Satisfied Not Satisfied

Reason:

2. The proposed home occupation shall not occupy more than five hundred (500) square feet of floor area or more than twenty five (25) percent of the total floor area of such a dwelling unit, whichever is less.

Satisfied Not Satisfied

Reason:

3. There shall be no outside storage of goods and materials nor shall there be exterior displays, or display of goods visible from the outside.

Satisfied Not Satisfied

Reason:

4. Storage of materials related to the home occupation shall count as a part of the occupancy limitations in standard 2 above, but shall not constitute a dominant part of such occupancy provided, however, storage of such materials or products in garages or other accessory structures is prohibited.

Satisfied Not Satisfied

Reason:

5. Exterior signs shall be limited to one (1) nonilluminated sign not exceeding a total area of two (2) square feet, affixed to the building and not projecting more than one (1) foot beyond the building.

Satisfied Not Satisfied

Reason:

6. Any exterior alterations to the residence shall be compatible with the architecture of the building and maintain the residential appearance by virtue of exterior materials, lighting, and signs.

Satisfied Not Satisfied

Reason:

7. Any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard.

Satisfied Not Satisfied

Reason:

8. The home occupation shall not produce offensive noise, vibration, smoke, dust or other particulate matter, odorous matter, heat, humidity, glare or other objectionable effects.

Satisfied Not Satisfied

Reason:

9. There shall be no more than one (1) nonresident employed in the home occupation.

Satisfied X Not Satisfied

Reason:

10. No traffic shall be generated by the home occupation in greater volumes than would normally be expected in a residential neighborhood.

Satisfied X Not Satisfied

Reason:

11. No motor vehicle exceeding a gross vehicle weight of six thousand (6,000) pounds shall be stored on the property in connection with the home occupation.

Satisfied X Not Satisfied

Reason:

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 X

Reason:

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

Yes ___ No X

Reason:

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

Yes ___ No X

Reason:

Conclusion: (check one)

X Option 1: The Board finds that all of the standards (1 through 11) 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 all of the standards (1 through 11) 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 not all of the standards (1 through 11) described in section A above have 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: 9-7-06

Cathy D. Allen
Board Chair