



PORTLAND MAINE

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Jeff Levine, AICP, Director

Marge Schmuckal, Zoning Administrator

March 7, 2013

Drummond Woodsum
84 Marginal Way, Suite 600
Portland, ME 04101-2480

Attn: Kimberly Sweatt

RE: 47-49 Boyd Street – 022-I-003 (the “Property”) – R-6 Zone

Dear Ms. Sweatt,

I am in receipt of your request for a determination letter concerning the Property. The Property is located entirely within the R-6 Residential Zone. Research of our Inspection Services records indicate the last approved use for the Property as a six (6) residential dwelling unit building. Therefore the legal approved zoning use of the Property is six (6) residential dwelling units. I have not been given any paperwork indicating the actual number of dwelling units currently in the building.

I have attached copies of permits from the Inspection Services record that document the approved use. There is no certificate of occupancy on file. The building was constructed well before the basis of the City’s Land Use Zoning Ordinance of June 5, 1957. The absence of a certificate of occupancy for the building constructed in the early 1900’s would not be considered unusual or a violation.

I am not aware of any code violations from other code reviewing authorities. There are no open violations in regard to the Property that are show in our files.

If you have any questions regarding this matter, please feel free to call me at (207) 874-8695. You have the right to appeal my decision concerning this matter. If you wish to exercise your right to appeal, you have 30 days from the date of this letter in which to appeal. If you should fail to do so, my decision is binding and not subject to appeal. Please contact this office for the necessary paperwork that is required to file an appeal.

Very truly yours,

Marge Schmuckal
Zoning Administrator

enclosures



APPLICATION FOR PERMIT

Class of Building or Type of Structure

Portland, Maine, Sept. 23, 1971

FILED
ISSUED
223
CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect alter repair demolish install the following building structure or equipment in accordance with the Laws of the State of Maine, the Building Code and Zoning Ordinance of the City of Portland, plans and specifications, if any, submitted herewith and the following specifications:

Location 47-49 Boyd St. Within Fire Limits? _____ Dist. No. _____

Owner's name and address Frank P. Briggs, 4 Orchard St. Telephone _____

Lessee's name and address _____ Telephone _____

Contractor's name and address Owner Telephone _____

Architect _____ Specifications _____ Plans yes No. of sheets 2

Proposed use of building Apartment house No. families 6

Last use _____ " " _____ No. families _____

Material _____ No. stories _____ Heat _____ Style of roof _____ Roofing _____

Other buildings on same lot _____

Estimated cost \$ 1500. Fee \$ 6.00

General Description of New Work

To erect a non-bearing partition on second floor to provide hallway - to remove one set of front stairs and one set of rear stairs

To change one front door to window and also rear door to window

sent to
Rec'd from
9/27/71
10/1/71

It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and in the name of the heating contractor. **PERMIT TO BE ISSUED TO** owner

Details of New Work

Is any plumbing involved in this work? _____ Is any electrical work involved in this work? _____

Is connection to be made to public sewer? _____ If not, what is proposed for sewage? _____

Has septic tank notice been sent? _____ Form notice sent? _____

Height average grade to top of plate _____ Height average grade to highest point of roof _____

Size, front _____ depth _____ No. stories _____ solid or filled land? _____ earth or rock? _____

Material of foundation _____ Thickness, top _____ bottom _____ cellar _____

Kind of roof _____ Rise per foot _____ Roof covering _____

No. of chimneys _____ Material of chimneys _____ of lining _____ Kind of heat _____ fuel _____

Framing Lumber-Kind _____ Dressed or full size? _____ Corner posts _____ Sills _____

Size Girder _____ Columns under girders _____ Size _____ Max. on centers _____

Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.

Joists and rafters: 1st floor _____, 2nd _____, 3rd _____, roof _____

On centers: 1st floor _____, 2nd _____, 3rd _____, roof _____

Maximum span: 1st floor _____, 2nd _____, 3rd _____, roof _____

If one story building with masonry walls, thickness of walls? _____ height? _____

If a Garage

No. cars now accommodated on same lot _____, to be accommodated _____ number commercial cars to be accommodated _____

Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? _____

Miscellaneous

Will work require disturbing of any tree on a public street? _____

Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are _____

APPROVED:
[Signature]
10/1/71



APPLICATION FOR PERMIT

B.O.C.A. USE GROUP

B.O.C.A. TYPE OF CONSTRUCTION

ZONING LOCATION PORTLAND, MAINE, Jan 18, 1974

To the DIRECTOR OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect, alter, repair, demolish, move or install the following building, structure, equipment or change use in accordance with the Laws of the State of Maine, the Portland B.O.C.A. Building Code and Zoning Ordinance of the City of Portland with plans and specifications, if any, submitted herewith and the following specifications:

LOCATION 49. Boyd St. Fire District #1 #2

1. Owner's name and address F. Briggs, same Telephone:

2. Lessee's name and address

3. Contractor's name and address owner Telephone

4. Architect

Proposed use of building eight apartments Specifications

Last use seven apartments Plans

Material

Other buildings on same lot

Estimated contractual cost \$..... No. of sheets

..... No. families

..... No. families

..... Style of roof

..... Roofing

..... Fee \$ 5.00

FIELD INSPECTOR—Mr. Cartwright

GENERAL DESCRIPTION

This application is for: @ 775-5451 Change of use as above. Closing of one door on first floor only, as per plan.

Dwelling

Garage

Masonry Bldg.

Metal Bldg.

Alterations

Demolitions

Change of Use

Other

Stamp of Special Conditions

Refunded April 19, 1974

NOTE TO APPLICANT: Separate permits are required by the installers and subcontractors of heating, plumbing, electrical and mechanicals.

PERMIT IS TO BE ISSUED TO 1 2 3 4

Other:

DETAILS OF NEW WORK

Is any plumbing involved in this work?

Is any electrical work involved in this work?

Is connection to be made to public sewer?

If not, what is proposed for sewage?

Has septic tank notice been sent?

Form notice sent?

Height average grade to top of plate

Height average grade to highest point of roof

Size, front

depth

No. stories

solid or filled land?

earth or rock?

Material of foundation

Thickness, top

bottom

cellar

Kind of roof

Rise per foot

Roof covering

No. of chimneys

Material of chimneys

of lining

Kind of heat

fuel

Framing Lumber—Kind

Dressed or full size?

Corner posts

Sills

Size Girder

Columns under girders

Size

Max. on centers

Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.

Joists and rafters: 1st floor

2nd

3rd

roof

On centers: 1st floor

2nd

3rd

roof

Maximum span: 1st floor

2nd

3rd

roof

If one story building with masonry walls, thickness of walls?

height?

IF A GARAGE

No. cars now accommodated on same lot

to be accommodated ... number commercial cars to be accommodated ...

Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building?

APPROVALS BY:

DATE

BUILDING INSPECTION—PLAN EXAMINER

ZONING:

BUILDING CODE:

Fire Dept.:

Health Dept.:

Others:

MISCELLANEOUS

Will work require disturbing of any tree on a public street?

Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? YES

Signature of Applicant A P B...

Phone # 775-0809

CITY OF PORTLAND, MAINE

Department of Building Inspection

49 Boyd Street

Jan. 21, 1974

Mr. F. P. Briggs
4 Orchard Street

Dear Mr. Briggs:

In checking your application to change the use of this building at the above named location from six families to eight families, we find that we are unable to continue processing your application because 8,000 sq. feet is required for eight families (1,000 sq. feet per family), in the R-6 Residential Zone in which this property is located, whereas this lot has only 7,020 sq. feet. You do have appeal rights however, and if you so desire we will write you a certification letter denying this permit so that you may go before the Board of Appeals for this use. You can change from six to seven apartments if you so desire by changing your application and giving us a plot plan showing us one additional parking place (8' x 18'), for the location of a motor vehicle. If you decide to appeal for eight apartments it will be necessary to show us parking space for two additional motor vehicles.

If you will let us know what you plan to do we will be glad to go ahead on your appeal request or in the case of the seven apartments, continue processing your application as soon as a plot plan is submitted.

Very truly yours,

A. Allan Soule
Asst. Dir. Building & Inspection Services

AAS:m

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

Permit No: 03-1513	Issue Date:	CBL: 022 I003001
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Location of Construction: 47 Boyd St	Owner Name: Hodges Donna E & Paul H Jts	Owner Address: 30 Pierce St	Phone:
Business Name:	Contractor Name: Avery Services, Inc.	Contractor Address: 7 Thomas Drive Westbrook	Phone 2077728687
Lessee/Buyer's Name	Phone:	Permit Type: HVAC	Zone:

Past Use: Multi - Family - Legal use: six (6) dwelling units only	Proposed Use: Install Empire comfort system Model DV-25-2SG NAT in Apt. B - No change of use permitted	Permit Fee: \$30.00	Cost of Work: \$612.00	CEO District: 1
		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Dented	INSPECTION: Use Group: Type	

Proposed Project Description: Install Empire comfort system Model DV-25-2SG NAT in apt. B- no change of use permitted	Signature:	Signature:
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		
<input type="checkbox"/> <input type="checkbox"/> Approved w/Condition <input type="checkbox"/>		

Date Applied For:

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..	Special Zone or Reviews		Historic Preservation
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Not in District or Landma
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Does Not Require Revie
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Approved w/Condition
	Maj <input type="checkbox"/> MM <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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 APPLICAN	ADDRESS	DATE	PHO
RESPONSIBLE PERSON IN CHARGE OF WORK, TIT		DATE	PHO