

Portland, Maine



Yes. Life's good here.

Planning & Urban Development Department

*Jeff Levine, AICP, Director*

*Ann Machado, Acting Zoning Administrator*

December 10, 2014

Camden National Bank  
c/o Bernstein Shur  
100 Middle Street  
PO Box 9729  
Portland, ME 04104-5029

Re: 69 High Street - Parkside Properties LLC – 040-A-030 – the “Property” - R-6 Residential Zone with a Historic Overlay Zone

To Whom It May Concern:

The Property is located within a R-6 Residential Zone with a Historic Overlay Zone. Our records show a building permit issued in May 1960 which states the existing use of the building as eleven dwelling units. In February 1965, a permit was approved to change one room of the basement apartment to a real estate office. An appeal was sustained by the Zoning Board of Appeals on 3/18/65 for this use. The existing and proposed use on this permit was for thirteen residential dwelling units. However on 2/13/09 zoning staff called the owner to inquire how many dwelling units were in the building. The reply was eleven residential dwelling units with no commercial office in the basement. Any extra dwelling units and the approved commercial unit have been removed without permits. Therefore, the current legal use of the Property is eleven (11) residential dwelling units.

I am not aware of any pending or threatened violations against the Property.

If you have any questions regarding this matter, please do not hesitate to contact me.

Yours truly,

A handwritten signature in black ink, appearing to read "A. Machado".

Ann B. Machado  
Acting Zoning Administrator  
[amachado@portlandmaine.gov](mailto:amachado@portlandmaine.gov)  
207.874.8709



# APPLICATION FOR PERMIT

Class of Building or Type of Structure  
Portland, Maine,

16 RESIDENCE ZONE

Third Class

May 10, 1960

PERMIT ISSUED

MAY 10 1960

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/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 69 High St. Within Fire Limits? yes Dist. No. \_\_\_\_\_  
 Owner's name and address Charles L. Arroy, 210 1 Windham Maine Telephone \_\_\_\_\_  
 Lessee's name and address \_\_\_\_\_ Telephone \_\_\_\_\_  
 Contractor's name and address owner Telephone 3-1621  
 Architect \_\_\_\_\_ Specifications \_\_\_\_\_ Plans no No. of sheets or 16-2-1823  
 Proposed use of building Apartment House No. families 11  
 Last use \_\_\_\_\_ " " \_\_\_\_\_ No. families 11  
 Material frame No. stories 3 Heat \_\_\_\_\_ Style of roof \_\_\_\_\_ Roofing \_\_\_\_\_  
 Other buildings on same lot \_\_\_\_\_  
 Estimated cost \$ \_\_\_\_\_ Fee \$ 2.00

### General Description of New Work

To install fire alarm system using "protectowire" lines of fire-detecting (made by Protectowire Co.) not more than 15' apart nor more than 6" from any wall or partition extending to ceiling, to cover entire basement or cellar and sub-cellar if any, all public and stair halls, all closets or halls or under stairs, all hazardous rooms, if any--gongs of such tone, strength of signal, number and location as to arouse all persons for whose protection intended--current by dry batteries of capacity to ring all gongs simultaneously at full signal strength, to operate system for at least one year, installed in substantial cabinet of no less than 1/4 gauge steel or well-seasoned wood at least 3/4" thick with hinged door and catch and located not less than 6" or more than 6' above floor in dry, clean place where temperature will not go below 40 degrees F, nor above 100 degrees--test button rigidly fastened in place, conveniently located to permit and capable of testing entire system frequently. Alarm silencing switch, if provided, will be so arranged that alarm will sound if switch is thrown to "silent" position when alarm is not sounding. Installer will fasten to control box full instructions as to operation and testing of system and where and how to secure servicing if system gets out of order. (2) 4" Edwards gongs F-404 to be installed in first and third floor halls.

Sent to the Dept. 5-10-60

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

Permit Issued with Letter

### 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

cars now accommodated on same lot \_\_\_\_\_, to be accommodated \_\_\_\_\_ number commercial cars to be accommodated \_\_\_\_\_  
 in automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? \_\_\_\_\_

APPROVED:

*[Handwritten signature]*

### Miscellaneous

Will work require disturbing of any tree on a public street? no



RE RESIDENCE ZONE

APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class
Portland, Maine, Feb. 17, 1965

PERMIT ISSUED

002541
MAR 26 1965

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect alter repair demolish install the following building structure 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 69 High Street
Owner's name and address Portor D. Leighton, 124 Coach Rd., S. Portland
Lessee's name and address
Contractor's name and address
Architect
Proposed use of building apt. house & real estate office
Material Frame No. stories 3 Heat Style of roof Roofing
Estimated cost \$ Fee \$ 2.00 paid. 3-25-65

General Description of New Work

To change use of one room in basement apartment. 3-room basement apartment to Real Estate Office, without alterations.

This application is preliminary to get settled the question of zoning appeal, in event the appeal is sustained the applicant will furnish complete information, the estimated cost and will pay legal fee.

APPEAL SUSTAINED 5/15/65

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 382 Cottage St., So. Portland Leighton Agency

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?

APPROVED:

O.N. 3/26/65-ajl

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

Granted 3/18/65  
105/20

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

VARIANCE APPEAL

Porter D. Leighton, owner of property at 69 High Street

under the provisions of Section 24 of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board of Appeals for a variance from the provisions of said Ordinance to permit: Establish a real estate office in basement apartment of the building at the above location. This permit is presently not issuable because such a use is not allowable in the R-6 Residence Zone in which the property is located.

LEGAL BASIS OF APPEAL: Such variance may be granted only if the Board of Appeals finds that the strict application of the provisions of the Ordinance would result in undue hardship in the development of property which is inconsistent with the intent and purpose of the Ordinance; that there are exceptional or unique circumstances relating to the property that do not generally apply to other property in the same zone or neighborhood, which have not arisen as a result of action of the applicant subsequent to the adoption of this Ordinance whether in violation of the provisions of the Ordinance or not; that property in the same zone or neighborhood will not be adversely affected by the granting of the variance; and that the granting of the variance will not be contrary to the intent and purpose of the Ordinance.

Porter D. Leighton  
APPELLANT

DECISION

After public hearing held March 18, 1965, the Board of Appeals finds that all of the above conditions do exist with respect to this property and that a variance should be granted in this case.

It is, therefore, determined that a variance from the provisions of the Zoning Ordinance should be granted in this case.

Franklin J. Hinckley  
Henry M. Smith  
Joseph J. ...  
BOARD OF APPEALS



(COPY)

CITY OF PORTLAND, MAINE  
Department of Building Inspection

# Certificate of Occupancy

LOCATION 69 High Street

Issued to Porter D. Leitch of 24 Ocean Ave., 55. Portland, Maine

Date of issue March 26, 1965

This is to certify that the building, premises, or part thereof, at the above location, ~~has been~~ changed as to use under Building Permit No. 65/290 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 Basement Apartment

Real Estate Office

Limiting Conditions:

This certificate supersedes  
certificate issued

Approved:

(Date)

Inspector

Inspector of Buildings

*Albert S. Dand*

Note: 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.

# BERNSTEIN SHUR

COUNSELORS AT LAW

207-774-1200 main  
207-774-1127 facsimile  
bernsteinshur.com

100 Middle Street  
PO Box 9729  
Portland, ME 04104-5029

Tabatha J. Berube  
Paralegal  
207 228-7377 direct  
tberube@bernsteinshur.com

November 14, 2014

Ann Machado  
Zoning Administrator  
Planning & Urban Development  
CITY OF PORTLAND  
389 Congress Street  
Portland, ME 04101

RECEIVED

NOV 18 2014

Re: Parkside Properties, LLC  
69 High Street, Portland, Maine  
40-A-30

Dept. of Building Inspections  
City of Portland Maine

Dear Ann:

*R-b, hisbrz arby*

Please issue a letter to Camden National Bank c/o Bernstein Shur confirming what zone the building and improvements located at the above property are located in and that the entire building is in compliance with all applicable Municipal zoning and land-use codes, regulations and ordinances, that there currently are no pending or threatened violations against it and also please attach all copies of Certificates of Occupancy that have been issued along with any other filings.

Enclosed please find our check in the amount of \$150 to cover the fee related to issuing this letter. Thank you very much for your assistance in this matter. Please call me if you have any questions.

Sincerely yours,

*Tabatha J. Berube*  
Tabatha J. Berube

cc: Hawley R. Strait, Esq.

**CITY OF PORTLAND**  
**DEPARTMENT OF PLANNING & URBAN DEVELOPMENT**

389 Congress Street  
 Portland, Maine 04101

**INVOICE OF FEES**

<b>Application No:</b> 0000-2087	<b>Applicant:</b> PARKSIDE PROPERTIES LLC
<b>Project Name:</b> 69 HIGH ST	<b>Location:</b> 69 HIGH ST
<b>CBL:</b> 040 A030001	<b>Application Type:</b> Determination Letter
<b>Invoice Date:</b> 11/19/2014	

<b>Previous Balance</b>	-	<b>Payment Received</b>	+	<b>Current Fees</b>	-	<b>Current Payment</b>	=	<b>Total Due</b>	<b>Payment Due Date</b>
\$0.00		\$0.00		\$150.00		\$150.00		\$0.00	On Receipt

**Previous Balance** **\$0.00**

<b>Fee Description</b>	<b>Qty</b>	<b>Fee/Deposit Charge</b>
Zoning Determinations	1	\$150.00
		<u>\$150.00</u>
<b>Total Current Fees:</b>	+	<b>\$150.00</b>
<b>Total Current Payments:</b>	-	<b>\$150.00</b>
<b>Amount Due Now:</b>		<b>\$0.00</b>

**CBL** 040 A030001  
**Bill To:** PARKSIDE PROPERTIES LLC  
 PO BOX 10250  
 PORTLAND, ME 04104

**Application No:** 0000-2087  
**Invoice Date:** 11/19/2014  
**Invoice No:** 47319  
**Total Amt Due:** \$0.00  
**Payment Amount:**

Make checks payable to the *City of Portland*, ATTN: Inspections, 3rd Floor, 389 Congress Street, Portland, ME 04101.  
 Check the status of your permit or schedule an inspection on-line at <http://www.portlandmaine.gov/792/Permit-Status>

[Click Here to Pay On Line](#)