front and rear outside exit doors in the first story.

Very truly yours,

Warren McDonald
Inspector of Buildings

AJB/C

# City of Portland, Maine
## Board of Appeals
## —ZONING—

Sustained 4/17/53

53/27

Apr 1 3, 1953, 19

*To the Board of Appeals:*

Your appellant, Raymond LeBel, who is the owner of property at 24 Deering Street, respectfully petitions the Board of Appeals of the City of Portland to permit an exception to the regulations of the Zoning Ordinance relating to this property, as provided by Section 18, Paragraph E of said Zoning Ordinance.

Building permit to authorize alteration at the half of duplex building numbered 24 Deering Street for the purpose of establishing dentists' or doctors' offices there is not allowable under the Zoning Ordinance because the property is located in an Apartment House Zone where such a use is not allowable, according to Section 8a of the Ordinance.

The facts and conditions which make this exception legally permissible are as follows:

An exception is necessary in this case to grant reasonable use of property where necessary to avoid confiscation and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

Raymond J. LeBel
*Appellant*

After public hearing held on the 17th day of April, 1953, the Board of Appeals finds that an exception is necessary in this case to grant reasonable use of property where necessary to avoid confiscation and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

It is, therefore, determined that exception to the Zoning Ordinance may be permitted in this specific case.

Edward J. Callery
Bessie B. Gilson
Louis Goldman
John W. Lake
Harry V. Torsey
BOARD OF APPEALS

DATE: APRIL 17, 1953

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF RAYMOND LEBEL

AT 24 DEERING STREET.

Public hearing on above appeal was held before the BOARD OF APPEALS.

| Board of Appeals | VOTE | | Municipal Officers |
|---|---|---|---|
| | Yes | No | |
| EDWARD T. COLLEY | (✓) | ( ) | |
| ~~HELEN G. FROST~~ | ( ) | ( ) | |
| ROBERT L. GETCHELL | (✓) | ( ) | |
| BEN B. WILSON | (✓) | ( ) | |
| ~~WILLIAM H. GIBSON~~ | ( ) | ( ) | |
| Harry K. Torrey | (✓) | ( ) | |
| John W. Lake | (✓) | ( ) | |
| | ( ) | ( ) | |
| | ( ) | ( ) | |

Record of Hearing:

NO OPPOSITION.

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

April 14, 1953

Mr. Fred C. Weislander
98 Preble Street
Portland, Maine

Dear Mr. Weis.

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine on Friday, April 17, 1953 at 10:30 a. m. to hear the appeal of Raymond LeBel under the Zoning Ordinance.

If you are interested either for or against this appeal, please be present at this hearing.

Very truly yours,

Edward T. Colley

Chairman

K

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

April 14, 1953

Dr. Raymond LeBel
198 Lisbon Street
Lewiston, Maine

Dear Dr. LeBel:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine on Friday, April 17, 1953 at 10:30 a. m. to hear your appeal under the Zoning Ordinance.

Please be present or be represented at this hearing in support of your appeal.

Very truly yours,

Edward T. Colley

Chairman

K

WARREN McDONALD
INSPECTOR OF BUILDINGS

On reply refer
to file AP 24 Deering St.

FU

CITY OF PORTLAND, MAINE

Department of Building Inspection

April 3, 1953

✓ Copy to: Corporation Counsel

Dr. Raymond LeBel,
98 Lisbon St.,
Lewiston, Maine

Mr. Fred C. Weislander,
98 Preble St.,
Portland, Maine

Gentlemen:

Building permit is not issuable under the Zoning Ordinance to authorize alterations at the half of duplex building numbered 24 Deering St. for the purpose of establishing dentists' offices there, because the property is located in an Apartment House Zone where such a use is not allowable, according to Section 8a of the Ordinance.

Mr. Weislander has indicated Dr. LeBel's desire to seek an exception by the Board of Appeals; so, there is enclosed an outline of the appeal procedure.

If you desire decision on the appeal at the earliest possible date, the appeal ought to be filed at the office of Corporation Counsel before noon on Saturday, April 4th.

The above statement of use has purposely been made general-not limiting the number of suites of offices proposed-to allow greater freedom to change plans, because granting of an exception like you are seeking, is likely to restrict the permit and certificate of occupancy to exactly what you have asked for.

This letter is written and the exception, if granted, will be subject to full compliance with the Building Code. A print of first floor plan showing alterations on that floor only, has been filed. It would be well for you to have the complete plans filed here by April 10th, so that we may know enough about the proposition to be of the best service to the owner in advance of the public hearing on the appeal.

It is noted that third floor is indicated to be left vacant for the present. It will be in the best interests of the owner to settle this use, at least tentatively, as its use may have a bearing on action on appeal, and certainly will upon application of Building Code to the entire building.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMcD/H
Enc: Outline of Appeal Procedure

COPY

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

April 7, 1953

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine on Friday, April 17, 1953 at 10:30 a. m. Eastern Standard Time to hear the appeal of Raymond LeBel requesting exception to the Zoning Ordinance to authorize alteration at the half of duplex building numbered 24 Deering Street for the purpose of establishing dentists' offices there.

This permit is presently not issuable under the Zoning Ordinance because the property is located in an Apartment House Zone where such a use is not allowable, according to Section 7. of the Ordinance.

This appeal is taken under Section 18E of the Zoning Ordinance which provides that the Board of Appeals, by unanimous vote of its members, may permit exceptions in specific cases so as to grant reasonable use of property where necessary to avoid confiscation and without substantially departing from the intent and purpose of the Zoning Ordinance, subject always to the rule that said Board shall give due consideration to promoting public health, safety, convenience, and welfare, encouraging the most appropriate use of land and conserving property values, that it shall permit no building or use injurious, noxious, offensive or detrimental to a neighborhood, and that it shall prescribe appropriate conditions and safeguards in each case.

All persons interested either for or against this appeal will be heard at the above time and place, this notice of required public hearing having been sent to the owners of property within 500 feet of the premises in question as required by law.

BOARD OF APPEALS

Edward T. Colley

Chairman

K

(A) APARTMENT HOUSE ZONE

# APPLICATION FOR PERMIT

ISSUED
00556
APR 17 1953

*Class of Building or Type of Structure* Second Class

*Portland, Maine,* April 2, 1953

*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 24 Deering Within Fire Limits? yes Dist. No. 1

Owner's name and address Dr. Raymond LeBel, 198 Lisbon St., Lewiston Telephone

Lessee's name and address Telephone

Contractor's name and address not let Telephone

Architect Specifications Plans yes No. of sheets 1

Proposed use of building Dentist's offices (two) No. families

Last use dwelling house No. families 1

Material Brick No. stories 3 Heat Style of roof Roof

Other buildings on same lot

Estimated cost $300. Fee $ 2.00

## General Description of New Work

To change use of first story of hal[illegible]ilding from living quarters to one suite of dentist's offices as per [illegible]ch second and third stories remaining unoccupied as at present.

Permit Issued with Letter

Appeal sustained. 4/17/53

*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*** Fred Weislander, 98 Preble St.

## 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?

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

Material of underpinning Height Thickness

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 Girt or ledger board? Size

Girders Size 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:*
with letter by AGI

## Miscellaneous

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

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

Dr. Raymond LeBel

*Signature of owner* by: Fred A. Weislander

IGN COPY

Per. No. 53/556
Location 24 Deering St.
Owner Rev. Raymond P. LeBel
Date of permit 4/17/53
Notif. closing-in 5-6-53
Inspn. closing-in 5-6-53
Final Notif. 7/7/53
Final Inspn. 7-8-53
Cert. of Occupancy issued 7/8/53

NOTES

~~Inspector when making first inspection or at time of closing-in inspection - in case no plans on each floor on the building are needed in fire stops elements etc. and owner should be notified at once of any in writing~~ [illegible]

5-6-53 [illegible] and walls [illegible] ceiling [illegible] rooms [illegible]. Cellar ceiling to be [illegible] tight [illegible] chimney. [illegible]

5-8-53 [illegible] will notify for final insp. [illegible]

6-1-53 [illegible]

AP 24 Deering St.

April 17, 1953

Dr. Raymond LeBel
198 Lisbon St.
Lewiston, Maine
Mr. Fred C. Weisländer
98 Preble St.

Gentlemen:-

The appeal under the Zoning Ordinance having been sustained, building permit to change the use of the first story of the building at 24 Deering St. from living quarters to one suite of dentist offices, with the upper stories of the building remaining vacant as at present, is issued herewith based on the plans filed with the application for permit.

We understand that you have plans for converting the second story of the building to office space also, but since the plans filed do not show the proposed arrangement and use of rooms in this story, we are unable to include any such work in the permit now being issued. If you are to go ahead with such work in the near future, an amendment to this permit may be filed together with a plan showing the proposed arrangement of rooms and means of egress therefor. Unless this is done, the certificate of occupancy for the building, when issued, will limit occupancy to the first story, with the second and third stories remaining unoccupied.

We would call attention, however, to the fact that the right to change use of the building to dentists' offices as granted by the Board of Appeals will expire unless all of the work or change is substantially completed within one year of the date on which the appeal was sustained. In other words, conversion of the second story, as well as the first, will have to be accomplished within the next year or else it will be necessary to go again to the Appeal Board to secure the right for the conversion.

Very truly yours,

Warren McDonald
Inspector of Buildings

P. S. It may be that the contractor and workmen will be from out of town and not acquainted with our Code. No doubt they will be guided by the architect, but they should bear in mind that notice is required of readiness for inspection before any wall, partition or ceiling covering is put on, but after any plumbing and electrical work in concealed places has been installed and approved by plumbing and electrical inspectors. No interior work whatever is to be covered from view until our inspector has left his green tag at the job.

AJS/G

Also the first story offices are not to be opened to patients or the public until final inspection has shown all in order and the certificate of occupancy has been issued from this department.

AP 24 Deering St.

April 3, 1953

Dr. Raymond LeBel,
199 Lisbon St.,
Lewiston, Maine

Copy to: Corporation Counsel

Mr. Fred C. Weislander,
98 Preble St.,
Portland, Maine

Gentlemen:

Building permit is not issuable under the Zoning Ordinance to authorize alterations at the half of duplex building numbered 24 Deering St. for the purpose of establishing dentists' offices there, because the property is located in an Apartment House Zone where such a use is not allowable, according to Section 8a of the Ordinance.

Mr. Weislander has indicated Dr. LeBel's desire to seek an exception by the Board of Appeals; so, there is enclosed an outline of the appeal procedure.

If you desire decision on the appeal at the earliest possible date, the appeal ought to be filed at the office of Corporation Counsel before noon on Saturday, April 4th.

The above statement of use has purposely been made general-not limiting the number of suites of offices proposed-to allow greater freedom to change in because granting of an exception like you are seeking, is likely to restrict permit and certificate of occupancy to exactly what you have asked for.

This letter is written and the exception, if granted, will be subject to full compliance with the Building Code. A print of first floor plan showing alterations on that floor only, has been filed. It would be well for you to have the complete plans filed here by April 10th, so that we may know enough about the proposition to be of the best service to the owner in advance of the public hearing on the appeal.

It is noted that third floor is indicated to be left vacant for the present. It will be in the best interests of the owner to settle this use, at least tentatively, as its use may have a bearing on action on appeal, and certainly will upon application of Building Code to the entire building.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMcD/H
Enc: Outline of Appeal Procedure

(COPY)

CITY OF PORTLAND, MAINE
Department of Building Inspection

# Certificate of Occupancy

LOCATION 24 Deering St.

Issued to Dr. Raymond LeBel

Date of Issue July 8, 1953

**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. 53/556, 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 |
|---|---|
| First story only | Dentist's Office |

Limiting Conditions:

Second and third stories to remain unoccupied.

This certificate supersedes certificate issued

Approved:

7/8/53 (Date) Insp

Inspector of Buildings

Notice: This cert... owner to owner whe... use of building or premises, and ought to be transferred from ... hands. Copy will be furnished to owner or lessee for one dollar.

LOCATION 24 Deering

DATE 12/5/52

PERMIT

INQUIRY ✓

COMPLAINT

all clerks:

Refer the
Contractor
permit for
demolition at
24 Deering St.

Do not issue
but get all
information you
can as to
location of
"party" walls, and
what the pro-
posed demolition
is.

[signature]

INQUIRY BLANK

ZONE A

FIRE DIST. No

CITY OF PORTLAND, MAINE
DEPARTMENT OF BUILDING INSPECTION

Date 12/5/52

Verbal
By Telephone

LOCATION 24 Dodge ave OWNER Smacha ?

MADE BY ? TEL.

ADDRESS

PRESENT USE OF BUILDING

CLASS OF CONSTRUCTION 2nd class NO. OF STORIES

REMARKS: Half of duplex at 22-24 cor Avon
& 22 different ownership

INQUIRY: 1. What jurisdiction do we have as to having the exterior dividing wall to be enclosed two exterior walls?

2. Could this lot be used as a driveway to the parking lot having frontage on Avon St.?

ANSWER: 1. In Fire Dist affecting exposure of wooden frame but out of doors, but we cannot say who should make good any defects.

2. Driveway not allowed through Apt House as now exists by successful appeal.

DATE OF REPLY 12/5/52 REPLY BY

BI 76

# PERMIT TO INSTALL PLUMBING

PERMIT NUMBER 17536

Address 24 Doering St.
Installation For: dwelling
Owner of Bldg.: David Millsburg
Owner's Address: Come
Plumber: Richard Welty, Jr.
Date: Oct 7, 1970

Date Issued Oct. 7, 1970
Portland Plumbing Inspector
By ERNOLD R. GOODWIN

App. First Insp.
Date
By

App. Fincl Insp.
Date OCT 12 1970
By

**Type of Bldg.**

- ☐ Commercial
- ☐ Residential
- ☐ Single
- ☐ Multi Family
- ☐ New Construction
- ☐ Remodeling

| NEW | REP'L | | NO | FEE |
|---|---|---|---|---|
| | | SINKS | | |
| | | LAVATORIES | | |
| | | TOILETS | | |
| | | BATH TUBS | | |
| | | SHOWERS | | |
| | x | DRAINS FLOOR SURFACE | 1 | |
| | | HOT WATER TANKS | | |
| | | TANKLESS WATER HEATERS | | |
| | | GARBAGE DISPOSALS | | |
| | | SEPTIC TANKS | | |
| | | HOUSE SEWERS | | |
| | | ROOF LEADERS | | |
| | | AUTOMATIC WASHERS | | |
| | | DISHWASHERS | | |
| | | OTHER | | |
| | | | | |
| | | | | |
| | | TOTAL | 1 | 2.00 |

Building and Inspection Services Dept.; Plumbing Inspection

C B S L
M.F.

# CITY OF PORTLAND

DEPARTMENT OF PLANNING & URBAN DEVELOPMENT
INSPECTION SERVICES DIVISION

August 22, 1989

Burnham Realty
P. O. Box 3593
Portland, ME 04104

(PARKSIDE)

DU: 19

Dear Sir:

RE: 15-17 Deering Street
46-B-19-20

The Housing Inspections Division of the Department of Planning and Urban Development has recently completed an overall inspection of the above referred property.

Congratulations are extended to you for the general condition of your property which was found to meet the standards established by the City's Housing Code.

Good maintenance is the best way to protect the value of your property and neighborhood.

Please feel free to call on us if we can be of assistance to you.

Sincerely yours,
Joseph E. Gray, Jr., Director
Planning & Urban Development

By
P. Samuel Hoffses,
Chief of Inspection Services

Code Enforcement Officer
Kathy Taylor for Kevin Carroll (6)

jmr

C M.F.

# CITY OF PORTLAND

DEPARTMENT OF PLANNING & URBAN DEVELOPMENT
INSPECTION SERVICES DIVISION

August 23, 1989

Andrew Berube
22 Merrill Road
Falmouth, ME 04105

(PARKSIDE)

Re: 24 Deering Street
46-C-4

Dear Mr. Berube:

We recently received a complaint and an inspection was made by Code Enforcement Officer Kathy Taylor of the property owned by you at _____, Portland, Maine. As a result of the inspection, you are hereby ordered to correct the following substandard housing conditions:

1. THIRD FLOOR APARTMENT - bathroom - no ventilation. 111-4
2. THROUGHOUT _ interior hallways - miscellaneous rubble. 108-4
3. EXTERIOR SIDE YARD - uncovered trash. 109-4

The above mentioned conditions are in violation of Article V of the Municipal Code of the City of Portland, Maine, and must be corrected on or before September 24, 1989.

Failure to comply with this order may result in a complaint being filed for prosecution in District Court.

Sincerely yours,
Joseph E. Gray, Jr., Director of
Planning & Urban Development

By: _____
P. Samuel Hoffses
Chief of Inspection Services

Kathy Taylor for Kevin Carroll (6)

jmr

d m.F.

CITY OF PORTLAND, MAINE
389 CONGRESS STREET
PORTLAND, MAINE 04101
(207) 874-8300

DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

P. SAMUEL HOFFSES, CHIEF
INSPECTION SERVICES DIVISION

Date: December 7, 1989

Andrew Berube
22 Merrill Road
Falmouth, ME 04105

(PARKSIDE)

RE: 24 Deering Street
46-C-4

Dear Sir:

We recently did a follow-up inspection of a previous inspection done by Kathy Taylor at the above address on 24 Deering Street. Listed below are the items that have not been corrected:

1. THIRD FLOOR APARTMENT - bathroom - no ventilation. 114-4
2. THROUGHOUT - interior hallways - miscellaneous rubble. 108-4
3. EXTERIOR SIDE YARD - uncovered trash. 109-4

The above mentioned conditions are in violation of Article 5 of the Municipal Code of the City of Portland, Maine, and must be corrected on or before December 17, 1989.

Failure to comply with this order may result in a complaint being filed for prosecution in District Court.

Sincerely yours,
Joseph E. Gray, Jr.,
Director of Planning and Urban Development

By P. Samuel Hoffses
P. Samuel Hoffses
Chief of Inspection Services

Rehab Specialist - Gary Hamilton
Neighborhood Conservation Program

jmr