

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

#15-pd 9/8/66
Granted 7/29/66
66/87

MISCELLANEOUS APPEAL

David Pillsbury, owner of property at 24 Deering Street under the provisions of Section 24 of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board of Appeals to permit: changing use of building from one apartment and one dental office to five apartments. This permit is presently not issuable under the Zoning Ordinance because the area of the lot is only 3,200 square feet instead of the minimum of 5,000 square feet (1,000 per family) required in the R-6 Residence Zone in which the property is located (Section 7-B-8 of the Ordinance).

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals find that enforcement of the terms of the Ordinance would result in undue hardship and desirable relief may be granted without substantially departing from the intent and purpose of the Ordinance.

David B. Pillsbury
APPELLANT

DECISION

At a public hearing held September 29, 1966 the Board of Appeals finds that enforcement of the terms of the Ordinance would result in undue hardship and desirable relief be granted without substantially departing from the intent and purpose of the Ordinance.

Therefore, determined that such permit may be issued.

BOARD OF APPEALS

William D. Hickey
Harry W. Harty
Arthur J. Young



NO RESIDENCE

APPLICATION FOR PERMIT

PERMIT ISSUED
00969
AUG 4 1966
CITY OF PORTLAND

Class of Building or Type of Structure Second Class
Portland, Maine
August 23, 1966

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 St. Within Fire Limits? _____ Dist. No. _____
Owner's name and address David Pillsbury, 24 Deering St. Telephone 794-5327
Lessee's name and address _____ Telephone _____
Contractor's name and address Kenneth Deveau, 1159 Broadway So. Portland Telephone 775-1457
Architect _____ Specifications _____ Plans yes No. of sheets 2
Proposed use of building Apartment House No. families 6
Dental Offices and one apartment No. families 1
Last use _____
Material brick No. stories 2 1/2 Heat _____ Style of roof _____ Roofing _____
Other buildings on same lot _____
Estimated cost \$ 2500.00 Fee \$8.00

General Description of New Work

To Change Use of Building from Dental offices and one apartment to a five apartment house with alterations as per plans.

Sent to Fire Dept. 8/24/66
Rec'd from Fire Dept. _____

Copy retained 9/29/66 Sent to Fire Dept. 8/29/66
and to the Dept. 8/31/66

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 contractor

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 sewerage? _____
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

APPROVED: _____

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

R6 RESIDENCE ZONE



APPLICATION FOR PERMIT

Class of Building or Type of Structure

Second Class

Portland, Maine

June 12, 1967

PERMIT ISSUED

00587

JUL 14 1967

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 21 Deering St. Within Fire Limits? _____ Dist. No. _____
 Owner's name and address David Ellabury, 21 Deering St. Telephone 772-4896
 Lessee's name and address _____ Telephone _____
 Contractor's name and address G. H. P. Telephone _____
 Architect _____ Specifications _____ Plans 7/13/67 No. of sheets _____
 Proposed use of building Apartment No. families 2
 Last use _____ No. families 2
 Material brick No. stories 2 Heat _____ Style of roof _____ Roofing _____
 Other buildings on same lot _____
 Estimated cost \$ _____ Fee \$ 2.00

General Description of New Work

To Change Use of one room on first floor to "Real Estate Office", no alterations.

An occupation conducted within a dwelling unit which does not occupy more than 25% of the dwelling unit devoted to living quarters, except that the area devoted to living quarters shall not be reduced below 900 sq. ft.

Applying under section 7-A-7C

Appeal number 7/13/67

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? _____

APPROVED:

G.H. - 7/14/67 - G.H.

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
 David Ellabury

\$15 - paid 6/16/67
Granted cond.
7/13/67
67/38

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

VARIANCE APPEAL

David Pillsbury, owner of property at 24 Deering 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: establishing a real estate office in the front room on the
first floor. This permit is presently not issuable under the Zoning Ordinance
because such a use is not allowable unless authorized by the Board of Appeals 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.

David B. Pillsbury
APPELLANT

DECISION

After public hearing held July 13, 1967, 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, provided that any sign on the premises
shall be attached to the building or located on the inside of the building and such sign shall not
exceed the minimum size required by the Real Estate Board.
If it is, therefore, determined that a variance from the provisions of the Zoning Ordinance
should be granted in this case, provided that any sign on the premises shall be
attached to the building or located on the inside of the building and such sign shall not exceed the minimum size
required by the Real Estate Board.

Franklin H. Hillery
Harvey M. Gray
Edmund J. ...
BOARD OF APPEALS

(COPY)

CITY OF PORTLAND, MAINE
Department of Building Inspection



Certificate of Occupancy

LOCATION #24 Deering St.

Issued to **David Pillsbury**

Date of Issue **April 9, 1968**

24 Deering St.
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. **66/969**, 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

Entire

Limiting Conditions:

APPROVED OCCUPANCY

**Two apartments—first floor.
Two apartments—second floor.
One apartment—third floor.**

This certificate supersedes
certificate issued

Approved:

Nelson F. Cartwright
(Date) Inspector

A. Allen
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.