38 DEERING STREET



# CITY OF PORTLAND, MAINE
## Application for Permit to Install Wires

Permit No. 2330
Issued
Portland, Maine November 8, 1974

*To the City Electrician, Portland, Maine:*

The undersigned hereby applies for a permit to install wires for the purpose of conducting electric current, in accordance with the laws of Maine, the Electrical Ordinance of the City of Portland, and the following specifications:

*(This form must be completely filled out — Minimum Fee, $1.00)*

Owner's Name and Address [illegible] Tel. 799-3457
Contractor's Name and Address Electric Doctor, So. Portland Tel. 799-1521
Location 38 Deering St. Use of Building
Number of Families 1 Apartments Stores Number of Stories
Description of Wiring: New Work Additions Alterations ✓

Pipe ✓ Cable ✓ Metal Molding BX Cable Plug Molding (No. of feet)
No. Light Outlets Plugs Light Circuits Plug Circuits
FIXTURES: No. Fluor. or Strip Lighting (No. feet)
SERVICE: Pipe Cable Underground No. of Wires Size
METERS: Relocated Added Total No. Meters
MOTORS: Number 2 Phase 1 H. P. Amps Volts 110 Starter —
HEATING UNITS: Domestic (Oil) — No. Motors 2 Phase H.P.
Commercial (Oil) No. Motors Phase H.P.
Electric Heat (No. of Rooms)
APPLIANCES: No. Ranges Watts Brand Feeds (Size and No.)
Elec. Heaters Watts
Miscellaneous Watts Extra Cabinets or Panels
Transformers Air Conditioners (No. Units) Signs (No. U
Will commence 19 Ready to cover in 19 Inspection 19
Amount of Fee $

Signed Norman R. Thurston

DO NOT WRITE BELOW THIS LINE

SERVICE METER GROUND
VISITS: 1 11-15-74 2 11-18-74 3 4 5 6
7 8 9 10 11 12
REMARKS: Roof Hook Oh

INSPECTED BY Kelley

CS 283 (OVER)

FILL IN AND SIGN WITH INK

# APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT 1101

PERMIT ISSUED
NOV 13 1974
CITY OF PORTLAND

*Portland, Maine,* Nov 8, 1974

*To the* INSPECTOR OF BUILDINGS, PORTLAND, ME.

*The undersigned hereby applies for a permit to install the following heating, cooking or power equipment in accordance with the Laws of Maine, the Building Code of the City of Portland, and the following specifications:*

Location 38 Deering St Use of Building dwelling No. Stories 2 New Building Existing

Name and address of owner of appliance Donald Files, same

Installer's name and address Union Oil Co. 62 Ocean St, So Portland Telephone 799-1521

## General Description of Work

To install replace boiler in existing system

## IF HEATER, OR POWER BOILER

Location of appliance basement Any burnable material in floor surface or beneath? no

If so, how protected? Kind of fuel? oil

Minimum distance to burnable material, from top of appliance or casing top of furnace ad

From top of smoke pipe ad From front of appliance ad From sides or back of appliance ad

Size of chimney flue 10" Other connections to same flue gas water heater

If gas fired, how vented? Rated maximum demand per hour

Will sufficient fresh air be supplied to the appliance to insure proper and safe combustion? yes

## IF OIL BURNER

Name and type of burner Texaco Labelled by underwriters' laboratories? yes

Will operator be always in attendance no Does oil supply line feed from top or bottom of tank? bottom

Type of floor beneath burner conc Size of vent pipe 1¼

Location of oil storage basement Number and capacity of tanks 1-275

Low water shut off Make No.

Will all tanks be more than five feet from any flame? yes How many tanks enclosed? none

Total capacity of any existing storage tanks for furnace burners

## IF COOKING APPLIANCE

Location of appliance Any burnable material in floor surface or beneath?

If so, how protected? Height of Legs, if any

Skirting at bottom of appliance? Distance to combustible material from top of appliance?

From front of appliance From sides and back From top of smokepipe

Size of chimney flue Other connections to same flue

Is hood to be provided? If so, how vented? Forced or gravity?

If gas fired, how vented? Rated maximum demand per hour

## MISCELLANEOUS EQUIPMENT OR SPECIAL INFORMATION

Amount of fee enclosed? 5.00

*APPROVED:*

O.K. 11-12-74 NFC

cs 300

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

*Signature of Installer*

INSPECTION COPY

Permit No. 74/1101

Location 38 Dixie Lee Dr

Owner Donald Gfeller

Date of permit 11/12/74

Approved

NOTES

11-18-74 Completed

Needs

# PERMIT TO INSTALL PLUMBING

Address 38 Deering St. AUG - 1972 PERMIT NUMBER 614

Installation For:

Owner of Bldg.: D Donald & Janice Files

Owner's Address: Same

Plumber: Robert Curley Date: 8-3-72

52 Chapel St. So. Port.

Date Issued 8-3-72

Portland Plumbing Inspector

By ERNOLD R. GOODWIN

App. First Insp.

Date AUG 8 - 1972

By

App. Final Insp.

Date AUG 15 1972

By

Type of Bldg.

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

| NEW | REPL | | NO | FEE |
|---|---|---|---|---|
| 2 | | SINKS | | 4.00 |
| 2 | | LAVATORIES | | 4.00 |
| 2 | | TOILETS | | 1.20 |
| 1 | | BATH TUBS | | 2.00 |
| 1 | | SHOWERS | | .60 |
| | | DRAINS FLOOR SURFACE | | |
| | | HOT WATER TANKS | | |
| | | TANKLESS WATER HEATERS | | |
| | | GARBAGE DISPOSALS | | |
| | | SEPTIC TANKS | | |
| | | HOUSE SEWERS | | |
| | | ROOF LEADERS | | |
| | | AUTOMATIC WASHERS | | |
| | | DISHWASHERS | | |
| | | OTHER | | |
| | | | | |
| | | | TOTAL | 11.80 |

AUG 10 1972

Building and Inspection Services Dept., Plumbing Inspection

# PERMIT TO INSTALL PLUMBING

Address 38 Deering St. PERMIT NUMBER 343

Installation For Multi

Owner of Bldg Donald Files

Owner's Address. 87 Scott Dyer Rd. Cape Elizabeth

Plumber: Northern Utilities Date: 4-18-72

| NEW | REPL | 5 Temple St. | NO | FEE |
|---|---|---|---|---|
| | | SINKS | | |
| | | LAVATORIES | | |
| | | TOILETS | | |
| | | BATH TUBS | | |
| | | SHOWERS | | |
| | | DRAINS FLOOR SURFACE | | |
| | 1 | HOT WATER TANKS | | 2.00 |
| | | TANKLESS WATER HEATERS | | |
| | | GARBAGE DISPOSALS | | |
| | | SEPTIC TANKS | | |
| | | HOUSE SEWERS | | |
| | | ROOF LEADERS | | |
| | | AUTOMATIC WASHERS | | |
| | | DISHWASHERS | | |
| | | OTHER | | |
| | | | | |
| | | TOTAL | 1 | 2.00 |

Date Issued 4-18-72

Portland Plumbing Inspector

By ERNOLD R. GOODWIN

App. First Insp.

Date

By

App. Final Insp.

Date 4-19-72

By

Type of Bldg.

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

Building and Inspection Services Dept., Plumbing Inspection

R6 RESIDENCE ZONE

PERMIT ISSUED
SEP 24 1965
CITY OF PORTLAND

# APPLICATION FOR PERMIT

*Class of Building or Type of Structure* Second Class

*Portland, Maine,* September 7, 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 38 Deering Street Walter Weyrauch Within Fire Limits? _____ Dist. No. _____

Owner's name and address Harry Weisberg, Birch Knolls, Cape Elizabeth Telephone _____
36 Richardson St.

Lessee's name and address _____ Telephone _____

Contractor's name and address Robert Jackman, 58 Cross St. Telephone _____

Architect _____ Specifications _____ Plans yes No. of sheets 1

Proposed use of building Doctor's Office and apartments No. families 3

Last use " No. families _____

Material brick No. stories 2½ Heat _____ Style of roof _____ Roofing _____

Other buildings on same lot _____

Estimated cost $ 400. Fee $ 3.00

## General Description of New Work

To construct metal fire escape right hand side of building (in jog) from third floor to ground as per plan

Permit issued with Memo

State Fire Dept. 9/22/65
Portland Fire Dept. 9/24/65

*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 Jackman

## 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 _____

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 _____

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

Kind and thickness of outside sheathing of exterior walls? _____

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:*
D. E. Ge. W / owner
Carl P. Johnson
CHIEF OF FIRE DEPT.

## 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

Walter Weyrauch and Harry Weisberg
Robert Jackman

*Signature of owner* By: Robert M Jackman

INSPECTION COPY

Permit No. 6516021

Location 38 Devonia Street

Owner Mr. Theisfeld Water Heater Replaced

Date of permit 12/1/66

Notif. closing-in

Inspn. closing-in

Final Notif.

Final Inspn.

Cert. of Occupancy issued

Staking Out Notice

Form Check Notice

| NOTES | |
|---|---|
| 10-24-66 | Not started |
| 12-24-66 | " " |
| 12-31-66 | To put on next week |
| 2-4-66 | Not done |
| 3-1-66 | " " |
| 4-12-66 | " " |
| 6-10-66 | " " |
| 6-29-66 | " " |
| 8-3-66 | " " |
| 9-16-66 | Top plat Sewer up |
| 11-17-66 | All ready for drop included |
| 12-7-66 | Completed |

Memorandum from Department of Building Inspection, Portland, Maine

A.P.- 38 Deering Street

Sept. 24, 1965

Mr. Robert Jackman
53 Cross Street

cc to: Harry Weisberg, 36 Richardson St.
cc to: Walter Feyrauch, Birch Knolls,
Cape Elizabeth

Dear Mr. Jackman:

Permit to construct a metal fire escape in jog on right side of building to serve the third floor is being issued subject to plans received with application and subject to the following:

It is necessary that there be a 3/4" through bolt installed at the top fastening of each bracket.

Very truly yours,

Gerald P. Fay erry
Deputy Building Inspection Director

GPF:m

OS-27

# CITY OF PORTLAND, MAINE
## Application for Permit to Install Wires

Permit No. 54022
Issued .....
Portland, Maine July 6, 1945

*To the City Electrician, Portland, Maine:*

The undersigned hereby applies for a permit to install wires for the purpose of conducting electric current, in accordance with the laws of Maine, the Electrical Ordinance of the City of Portland, and the following specifications:

*(This form must be completely filled out — Minimum Fee, $1.00)*

Owner's Name and Address [illegible] Tel. .....
Contractor's Name and Address [illegible] Tel. [illegible]
Location 32 Danforth St. Use of Building three apts.
Number of Families ... Apartments 3 Stores ... Number of Stories 3
Description of Wiring: New Work ... Additions ... Alterations ...
.....
Pipe ... Cable ... Metal Molding ... BX Cable ... Plug Mold'g (No. of feet) ...
No. Light Outlets ... Plugs ... Light Circuits ... Plug Circuits ...
FIXTURES: No. ... Light Switches ... Fluor. or Strip Lighting (No. feet) ...
SERVICE: Pipe ... Cable ... Underground ... No. of Wires Size ...
METERS: Relocated ... Added ... Total No. Meters ...
MOTORS: Number ... Phase ... H. P. ... Amps ... Volts ... Starter ... ...
HEATING UNITS: Domestic (Oil) ... No. Motors ... Phase ... H.P. ...
Commercial (Oil) ... No. Motors ... Phase ... H.P. ...
Electric Heat (No. of Rooms) ...
APPLIANCES: No. Ranges 3 ... Watts ... Brand Feeds (Size and No.) #6 ...
Elec. Heaters ... Watts ...
Miscellaneous ... Watts ... Extra Cabinets or Panels ...
Transformers ... Air Conditioners (No. Units) ... Signs (No. Units) ...
Will commence ... 19 ... Ready to cover in ... 19 ... Inspection July 6 1945
Amount of Fee $ 2.00 ...
Signed [illegible]

DO NOT WRITE BELOW THIS LINE

SERVICE ... METER ... GROUND ...
VISITS: 1 ... 2 ... 3 ... 4 ... 5 ... 6 ...
... 7 ... 8 ... 9 ... 10 ... 11 ... 12 ...
REMARKS:

INSPECTED BY F W Hurd

CS 283

(OVER)

LOCATION [illegible] S.T. - 38

INSPECTION DATE 7/21/[illegible]

WORK COMPLETED 8/5/63

TOTAL NO. INSPECTIONS 1

REMARKS:

## FEES FOR WIRING PERMITS EFFECTIVE JULY 31, 1963

| | | |
|---|---|---|
| **WIRING** | | |
| 1 to 30 Outlets | (including switches) | $ 2.00 |
| 31 to 60 Outlets | (including switches) | 3.00 |
| Over 60 Outlets, each Outlet | (including switches) | .05 |
| (Each twelve feet or fraction thereof of fluorescent lighting or any type of plug molding will be classed as one outlet). | | |
| **SERVICES** | | |
| Single Phase | | 2.00 |
| Three Phase | | 4.00 |
| **MOTORS** | | |
| Not exceeding 50 H.P. | | 3.00 |
| Over 50 H.P. | | 4.00 |
| **HEATING UNITS** | | |
| Domestic (Oil) | | 2.00 |
| Commercial (Oil) | | 4.00 |
| Electric Heat (Each Room) | | .75 |
| **APPLIANCES** | | |
| Ranges, Cooking Tops, Ovens, Water Heaters, Disposals, Dishwashers, etc. — Each Unit | | 1.50 |
| **TEMPORARY WORK** (Limited to 6 months from date of permit) | | |
| Service, Single Phase | | 1.00 |
| Service, Three Phase | | 2.00 |
| Wiring, 1-50 Outlets | | 1.00 |
| Wiring, each additional outlet over 50 | | .02 |
| Circuses, Carnivals, Fairs, etc. | | 10.00 |
| **MISCELLANEOUS** | | |
| Distribution Cabinet or Panel, per unit | | 1.00 |
| Transformers, per unit | | 2.00 |
| Air Conditioners, per unit | | 2.00 |
| Signs, per unit | | 2.00 |
| **ADDITIONS** | | |
| 5 Outlets, or less | | 1.00 |
| Over 5 Outlets, Regular Wiring Rates | | |

# CITY OF PORTLAND, MAINE
## Application for Permit to Install Wires

Permit No. 5490
Issued June 30, 1965

Portland, Maine

*To the City Electrician, Portland, Maine:*

The undersigned hereby applies for a permit to install wires for the purpose of conducting electric current, in accordance with the laws of Maine, the Electrical Ordinance of the City of Portland, and the following specifications:

*(This form must be completely filled out — Minimum Fee, $1.00)*

Owner's Name and Address Harry Wiesberg 32 Deering St Tel.
Contractor's Name and Address Robertson Cyr Electric Tel. 774-5727
Location 32 Deering St Use of Building Rental Office
Number of Families 3 Apartments 3 Stories Number of Stories 3
Description of Wiring: New Work Additions Alterations 4

Pipe Cable Metal Molding BX Cable Plug Molding (No. of feet)
No. Light Outlets 5 Plugs 4 Light Circuits Plug Circuits
FIXTURES: No. 4 Light Switches Fluor. or Strip Lighting (No. feet)
SERVICE: Pipe Cable Underground No. of Wires Size
METERS: Relocated Added Total No. Meters
MOTORS: Number Phase H. P. Amps Volts Starter
HEATING UNITS: Domestic (Oil) No. Motors Phase H.P.
Commercial (Oil) No. Motors Phase H.P.
Electric Heat (No. of Rooms)
APPLIANCES: No. Ranges Watts Brand Feeds (Size and No.)
Elec. Heaters Watts
Miscellaneous Watts
Transformers Air Conditioners (No. Units) Extra Cabinets or Panels
Will commence 19 Ready to cover in 19 Inspection July 5 1965
Amount of Fee $2.00

Signed

DO NOT WRITE BELOW THIS LINE

SERVICE METER GROUND
VISITS: 1 2 3 4 5 6
7 8 9 10 11 12
REMARKS:

CS 203

INSPECTED BY F.W. Gerken

(OVER)

LOCATION Deerling Sst 38

INSPECTION DATE 7/15/65

WORK COMPLETED 7/15/65

TOTAL NO. INSPECTIONS 1

REMARKS:

## FEES FOR WIRING PERMITS EFFECTIVE JULY 31, 1963

| | | |
|---|---|---|
| **WIRING** | | |
| 1 to 30 Outlets | (including switches) | $ 2.00 |
| 31 to 60 Outlets | (including switches) | 3.00 |
| Over 60 Outlets, each Outlet | (including switches) | .05 |
| (Each twelve feet or fraction thereof of fluorescent lighting or any type of plug molding will be classed as one outlet). | | |
| **SERVICES** | | |
| Single Phase | | 2.00 |
| Three Phase | | 4.00 |
| **MOTORS** | | |
| Not exceeding 50 H.P. | | 3.00 |
| Over 50 H.P. | | 4.00 |
| **HEATING UNITS** | | |
| Domestic (Oil) | | 2.00 |
| Commercial (Oil) | | 4.00 |
| Electric Heat (Each Room) | | .75 |
| **APPLIANCES** | | |
| Ranges, Cooking Tops, Ovens, Water Heaters, Disposals, Dishwashers, etc. — Each Unit | | 1.50 |
| **TEMPORARY WORK** (Limited to 6 months from date of permit) | | |
| Service, Single Phase | | 1.00 |
| Service, Three Phase | | 2.00 |
| Wiring, 1-50 Outlets | | 1.00 |
| Wiring, each additional outlet over 50 | | .02 |
| Circuses, Carnivals, Fairs, etc. | | 10.00 |
| **MISCELLANEOUS** | | |
| Distribution Cabinet or Panel, per unit | | 1.00 |
| Transformers, per unit | | 2.00 |
| Air Conditioners, per unit | | 2.00 |
| Signs, per unit | | 2.00 |
| **ADDITIONS** | | |
| 5 Outlets, or less | | 1.00 |
| Over 5 Outlets, Regular Wiring Rates | | |

A.P.- 38 Deering St.

June 22, 1965

Walter C. Weyrauch
249 Ocean House Road, Cape Elizabeth
Barry Weisberg
36 Richardson Street

cc to: Fred Cormier
P. O. Box 2125
South Portland

Gentlemen:

Appeal under the Building Code having been sustained, building permit to change use of second story of building at the above named location from doctors' offices to two apartments is issued herewith subject to the following conditions:

1. As a condition of the appeal, the automatic fire detection and alarm system is to be extended to all rooms in the first story that are not presently so protected. A separate permit issuable only to the actual installer is required from this department for this work.

2. A second means of egress by means of a metal fire escape is to be provided for the third floor apartment. A separate permit issuable only to the erector is also required for this installation.

3. The lights in all public halls and stair halls are to be placed on the owners' meter and controlled by an automatic time switch so as to be burning continuously throughout the hours of darkness.

4. Handrails are to be installed on at least one side of all stairways and on both sides where stairs are over 40 inches wide.

5. A certificate of occupancy is required from these departments before either of the new apartments are occupied.

Very truly yours,

Albert J. Sears
Building Inspection Director

AJSim

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Robert W. Donovan, Assistant Corporation Counsel DATE: June 16, 1955

FROM: Albert J. Sears, Building Inspection Director

SUBJECT: Building Code appeal at 38 Deering Street

This building was converted under Zoning Ordinance and Building Code appeals in 1947 from a single family dwelling to doctors' offices in first and second stories and a single apartment in third story. The new owners wish to abandon the office use in the second story and provide two apartments there. This will make three apartments in the building, as well as the offices in the first story, and a one-hour fire separation is therefore required between the office use and the apartments under the provisions of Section 203-b-3 of the Building Code.

There already is an automatic fire detection and alarm system in the building which covers the cellar and all public halls and stair halls up through the building. The owner is offering to extend this system to all rooms in the first story not presently covered in lieu of the required fire separation. This is the same basis on which several appeals have been granted recently by the Municipal Officers in similar circumstances. The Fire Department is agreeable to the appeal being sustained on this basis.

AJS/h

Director of Building Inspection

CS 120

A.P.- 38 Deering St.

June 16, 1965

Walter C. Meyrauch
249 Ocean House Road, Cape Elizabeth
Harry Weisberg
36 Richardson Street

cc to: Corporation Counsel
cc to: Fred Cormier
P. O. Box 2125, So. Portland

Gentlemen:

A building permit to authorize change of use of second story from two suites of doctor's offices to two apartments (thus making the occupancy of the building as doctor's offices in the first story, two apartments in the second story, and one apartment in the third story) is not issuable under the Building Code because the one-hour fire-resistive separation required by Section 203-b-3 between the business use in the first story and the three apartments in the stories above is not to be provided.

We understand that you would like to ask the Municipal Officers (City Council) for relief from compliance with this requirement of the Code as permitted by Section 115-a-1 thereof, and as compensation therefor would extend the automatic fire detection and alarm system already installed in the building to cover all rooms in the first story not already covered. Accordingly you should come to this office in Room 110, City Hall, to file the appeal on forms that are available here.

Very truly yours,

Albert J. Sears
Building Inspection Director

AJS:m

A.P.- 38 Deering St.

June 14, 1965

Mr. Fred Cormier
P. O. Box 2125
South Portland, Maine

cc to: Walter C. Meyrauch
249 Ocean House Road, Cape Elizabeth, Maine
cc to: Harry Weisberg
36 Richardson Street

Dear Mr. Cormier:

Building permit for converting two suites of doctors' offices in second story of building at the above named location to two apartments, thus making the building occupied by doctors' offices in the first story, two apartments in the second story, and one apartment in the third story, is not issuable under the Building Code for the following reasons:

yes 1. Because there are to be more than two apartments in the building, Section 203-b-3 requires that there shall be a separation of at least one-hour fire resistance between the offices in the first story and the apartments in the second and third stories. To do this it will be necessary to provide covering of all first story ceilings, and to construct partitions around all stairways in first story, of at least one-hour fire resistance. Because of the difficulty and hardship involved in so doing, the owners have the right to request the Municipal Officers (City Council) for relief from complying with this requirement. In a number of similar cases relief has been granted if an automatic fire detection and alarm system is installed throughout the cellar, in all first story rooms and spaces, and in all public halls and stair halls throughout the building. Our records appear to indicate that there already is an automatic alarm system in the building and, if this is so, it is likely that you might need only to extend it to all rooms in the first story to satisfy this requirement. Please let us know if you are desirous of filing an appeal on this basis, so that we may write a certification letter on which it can be based.

Plans Submitted, Some Need

2. A second means of egress is required from the third story and we need to have information as to how this will be provided.

yes 3. All public halls and stair halls are required to be equipped with lights on the owners' meter and controlled by an automatic time switch so as to be burning throughout the hours of darkness. Indication that this is to be done is needed.

yes 4. Handrails are required on at least one side of all stairways and on both sides where stairs are over 40 inches wide.

Please let us know how you wish to proceed in all these matters. In the meantime it is unlawful to proceed with alterations until a permit authorizing them has been issued.

Very truly yours,

Albert J. Sears
Building Inspection Director

AJS:m

3/8 DEERING St. WALTER WETZAUCH, HARRY WEISBERG. } OWNERS
FRED CORMIER — CONT.
P.O. BOX 2125, SOUTH PORTLAND.

CHANGE OF USE — TO MAKE 2 APPARTMENTS ON 2ND FLOOR.

| | | |
|---|---|---|
| ZONE | R-6 | OK |
| EXISTING USE | CHANGE OF USE FROM 4 DOCTORS OFFICES - PRESENTLY 4 / APPARTMENT ON 3RD FL. | CHANGE OF USE. |
| TO 2 DOCTOR'S OFFICES 1ST FL — 2 APPARTMENTS ON 2ND FL & 1 APPT ON 3RD FL. | | |
| AREA PER FAMILY | REQD 3000 SQ FT | |
| LOT AREA | REQD 4,500 SQ FT — 4038 SQ FT — | OK. LOT AREA |
| LOT FRONTAGE | REQD 45' — 45' — | OK |
| OFF-STREET PARKING | REQD 1 SPACE | OFF STREET PARKING. |
| FIRE DISTRICT | #1 | |
| CLASS OF CONSTRUCTION | 2ND CLASS | |

| SECTION 203 | SECTION 212 | |
|---|---|---|
| b-3 - 1-Hour separation between 1st & 2nd FLOOR. | e-4.4 - AS 203 C2 | 1-HR SEPERATION BETWEEN 1ST & 2ND FLOOR. HALLWAY LIGHTS |
| b-2 - Exterior walls less than 5' from a property line - separations of 2-hr min / standard fire resistance minimum allowance | E-5.2. HAND RAILS ON AT LEAST ONE SIDE, AND ON BOTH SIDES OF STAIRS MORE THAN 40" WIDE, IN EITHER CASE TO EXTEND THE FULL LENGTH OF EACH RUN AND TO PROJECT NOT MORE THAN 3½" ON EITHER SIDE INTO THE REQUIRED WIDTH. | HAND RAILS |
| OR e-3 - Hallways, stairways and all parts of ouiside of egress shall be lighted from sunset to sunrise each day - on owners meter & controlled by an automatic time switch. | C-5.3 - MAXIMUM RISER OF EXISTING STAIRS TO BE 8½" | RISERS |
| OR f-2 - OR f-3 - heating plant enclosed for 1-hr if more than 6 apartments | E-5.9 PLATFORMS OR LANDINGS AT EACH TURN EQUAL IN LEAST DIMENSION TO WIDTH OF STAIRS, BEGINNING OR INTERMEDIATE LANDINGS IN STRAIGHT RUNS OF STAIRS NOT LESS THAN 3' IN DEPTH. | LANDINGS. |

Cont.

APARTMENT #1 — 6-Sc

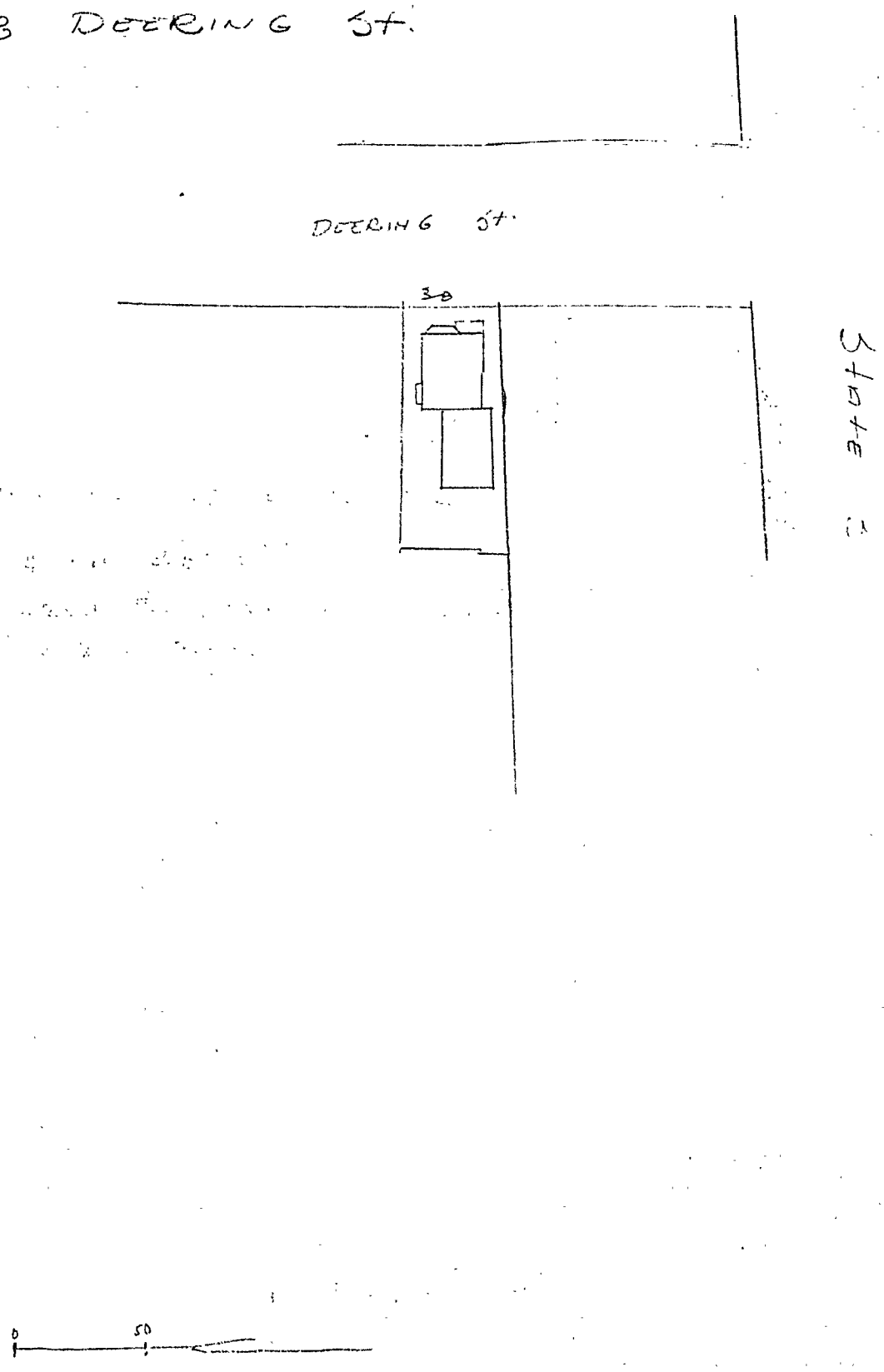
APARTMENT #2

DOOR FROM REAR HALLWAY OPENING INTO BATHROOM — ELIMINATE →

APPEAL SUSTAINED 10-6-47 TO USE 3RD FLOOR APARTMENT WITHOUT FIRE ESCAPE BUT WITH FIRE DETECTION & ALARM SYSTEM FROM CELLAR TO 3RD FLOOR.

APARTMENT ON 3RD FLOOR WILL NEED TO HAVE 2 MEANS OF EGRESS. FIRE ESCAPE WILL BE NEEDED.

378 DEERING St.




0 50

(COPY)

CITY OF PORTLAND, MAINE
Department of Building Inspection

# Certificate of Occupancy

LOCATION #38 Deering St.

Issued to Walter Weyrauch and Harry Weisberg
Birch Knolls Cape Eliz.-36 Richardson St. Date of Issue December 8 1966

**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. 65/643 , 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

APPROVED OCCUPANCY

Doctor's Offices and
Apartment House.
First floor-Doctor's Offices
Second Floor-Two Apartments.
Third Floor-One apartment.

Limiting Conditions:

This certificate supersedes
certificate issued

Approved:

Nelson F. Cartwright
(Date) Inspector

Gerald E. Mayberry
Inspector of Buildings

CS 147

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.

R6 RESIDENCE ZONE

PERMIT ISSUED
00643
JUN 22 1965
CITY of PORTLAND

# APPLICATION FOR PERMIT

*Class of Building or Type of Structure* Second Class

*Portland, Maine,* June 7, 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 38 Deering St. Within Fire Limits? ..... Dist. No. .....

Owner's name and address Walter Weyrauch and Harry Weisberg, Birch Knolls Cape E.36 Richardson St. Telephone 799-3944

Lessee's name and address ..... Telephone .....

Contractor's name and address Fred Cormier, P.O. Box 2125 South Portland Me. Telephone 799-0655

Architect ..... Specifications ..... Plans no No. of sheets .....

Proposed use of building Doctor's Offices & Apartment House No. families 3

Last use " & Apartment No. families 1

Material brick No. stories 2½ Heat ..... Style of roof ..... Roofing .....

Other buildings on same lot .....

Estimated cost $ 1000.00 Fee $ 5.00

## General Description of New Work

To partition off for one bathroom on second floor. (existing window)
2x4 studs 16 " o.c. covered with sheetrock.

To change use of second story from doctor's offices to two apartments making use of building as follows:
First story -Doctors' Offices.
Second story-Two apartments.
Third story-One apartment.

Permit Issued with Letter

Approved by Municipal Officers 6/21/65

*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*** 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 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:*

.....

.....

.....

## 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

Walter Weyrauch and Harry Wesiberg
Fred Cormier

CS 301

INSPECTION COPY

*Signature of owner* by: Alfred E. Cormier

Permit No. 65/643

Location 38 Deering Street

Owner Walter Weynault & Harry Weisberg

Date of permit 6/3-w/65

Notif. c'osing-in

Inspn. closing-in

Final Notif.

Final Inspn.

Cert. of Occupancy issued 12/6/66 - WEW

Staking Out Notice

Form Check Notice

NOTES

6-30-65 Electrical Fire Escape & Alarm System - Lights Fin

7-15-65 Same Fin

12-7-66 Plumbing Fin

Granted 6/21/65
1/74

# City of Portland, Maine
## Municipal Officers
## BUILDING CODE

June 15, 1965

*To the Municipal Officers:*

Your appellants, Walter C. Weyrauch and Harry Weisberg, who are the owners of property at 38 Doering Street, respectfully petitions the Municipal Officers of the City of Portland to permit an exception to the provisions of the Building Code relating to this property, as provided by Section 115, Paragraph A of said Building Code, to change use of second story from two suites of doctor's offices to two apartments (thus making the occupancy of the building as doctor's offices in the first story, two apartments in the second story, and one apartment in the third story). This permit is presently not issuable under the Building Code because the one-hour fire-resistive separation required by Section 203-b-3 between the business use in the first story and the three apartments in the stories above is not to be provided.

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

Harry Weisberg
Appellant

After public hearing held on the 21st day of June, 1965, the Municipal Officers find that an exception is granted.

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

J Weston Walch
Dana E Bell Jr
Ralph Agnegian
Harold L Alpert
Clifton H Files
Donald B Finn

MUNICIPAL OFFICERS

June 22, 1965

Mr. Walter C. Weyrauch
Mr. Harry Weisberg
38 Deering Street

Gentlemen:

Enclosed please find copy of the decision of the Municipal Officers relating to your request to change use of second story from two suites of doctor's offices to two apartments without providing the one-hour fire-resistive separation required by Section 203-b-3 between the business use in the first story (doctor's offices) and the three apartments in the stories above in the building at 38 Deering Street.

Please note that this appeal was granted.

Very truly yours,

Robert W. Donovan
Assistant Corporation Counsel

h

COPY

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Robert W. Donovan, Assistant Corporation Counsel DATE: June 16, 1965

FROM: Albert J. Sears, Building Inspection Director

SUBJECT: Building Code appeal at 38 Deering Street

This building was converted under Zoning Ordinance and Building Code appeals in 1947 from a single family dwelling to doctors' offices in first and second stories and a single apartment in third story. The new owners wish to abandon the office use in the second story and provide two apartments there. This will make three apartments in the building, as well as the offices in the first story, and a one-hour fire separation is therefore required between the office use and the apartments under the provisions of Section 3-b-3 of the Building Code.

There already is an automatic fire detection and alarm system in the building which covers the cellar and all public halls and stair halls up through the building. The owner is offering to extend this system to all rooms in the first story not presently covered in lieu of the required fire separation. This is the same basis on which several appeals have been granted recently by the Municipal Officers in similar circumstances. The Fire Department is agreeable to the appeal being sustained on this basis.

Albert J. Sears
Director of Building Inspection

AJS/h

CS 120

ALBERT J. SEARS
INSPECTOR OF BUILDINGS

CITY OF PORTLAND, MAINE
Department of Building Inspection

A.P.- 38 Hearing Dt.
June 15, 1965

Walter S. Meyrauch
249 Ocean House Road, Cape Elizabeth
Harry Welsberg
36 Richardson Street

cc to: Corporation Counsel
cc to: Fred Corder
P. O. Box 2125, So. Portland

Gentlemen:

A building permit to authorize change of use of second story from two suites of doctor's offices to two apartments (thus making the occupancy of the building as doctor's offices in the first story, two apartments in the second story, and one apartment in the third story is not issuable under the Building Code because the one-hour fire-resistive separation required by Section 203-b-3 between the business use in the first story and the three apartments in the stories above is not to be provided.

We understand that you would like to ask the Municipal Officers (City Council) for relief from compliance with this requirement of the Code as permitted by Section 115-A-1 thereof, and as compensation therefor would extend the automatic fire detection and alarm system already installed in the building to cover all rooms in the first story not already covered. Accordingly you should come to this office in Room 110, City Hall, to file the appeal on forms that are available here.

Very truly yours,

Albert J. Sears
Building Inspection Director

AJS:m

## PERMIT TO INSTALL PLUMBING

Date Issued 6/8/65

PORTLAND PLUMBING INSPECTOR

By

APPROVED FIRST INSPECTION

Date 6/10/65

APPROVED FINAL INSPECTION

Date 8/17/65

By [illegible] M. GOODMAN

TYPE OF BUILDING

- ☐ COMMERCIAL
- ☐ RESIDENTIAL
  - ☐ SINGLE
  - ☐ MULTI FAMILY
- ☐ NEW CONSTRUCTION
- ☐ REMODELING

Address [illegible] 8/13 and finish

Installation For: [illegible]

Owner of Bldg. [illegible]

Owner's Address: 215 Ocean House Road

Plumber: Louis C. Anderson, Jr.

PERMIT NUMBER 15273

Date: 6/8/65

| NEW | REPL. | PROPOSED INSTALLATIONS | NUMBER | FEE |
|---|---|---|---|---|
| 2 | ✓ | SINKS | 2 | 1.00 |
| 1 | ✓ | LAVATORIES | 1 | 2.00 |
| 1 | ✓ | TOILETS | 1 | 2.00 |
| 2 | | BATH TUBS | 2 | 2.40 |
| 1 | | SHOWERS | 1 | .60 |
| | | DRAINS | | |
| | | HOT WATER TANKS | | |
| | | TANKLESS WATER HEATERS | | |
| | | GARBAGE GRINDERS | | |
| | | SEPTIC TANKS | | |
| | | HOUSE SEWERS | | |
| | | ROOF LEADERS (Conn. to house drain) | | |
| | | TOTAL ▶ | | 11.20 |

PORTLAND HEALTH DEPT. PLUMBING INSPECTION

FILL IN AND SIGN WITH INK

# APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

RECEIVED
MAY 27 1957
CITY OF PORTLAND

*Portland, Maine,* May 24, 1957

*To the* INSPECTOR OF BUILDINGS, PORTLAND, ME.

*The undersigned hereby applies for a permit to install the following heating, cooking or power equipment in accordance with the Laws of Maine, the Building Code of the City of Portland, and the following specifications:*

Location 38 Deering Street Use of Building Doctor's office building No. Stories 3 New Building x Existing "

Name and address of owner of appliance Mrs. Geraldine Travers, 303 Highland Avenue, So. Portland, Maine

Installer's name and address Ballard Oil Co., 135 Marginal Way, Port. Telephone

## General Description of Work

To install Gravity hot water oil fired heating boiler with Ballard Gun-type burner.

## IF HEATER, OR POWER BOILER

Location of appliance Basement Any burnable material in floor surface or beneath? None

If so, how protected? Kind of fuel? # 2 oil

Minimum distance to burnable material, from top of appliance or casing top of furnace 30"

From top of smoke pipe 26" From front of appliance 5' From sides or back of appliance 5'

Size of chimney flue 10 x10 Other connections to same flue None

If gas fired, how vented? Rated maximum demand per hour 2.0 GPH

Will sufficient fresh air be supplied to the appliance to insure proper and safe combustion? Yes

## IF OIL BURNER

Name and type of burner Ballard Gun-type/model SA2. Labelled by underwriters' laboratories? Yes

Will operator be always in attendance? No Does oil supply line feed from top or bottom of tank? Bottom

Type of floor beneath burner Concrete Size of vent pipe 1 1/4"

Location of oil storage Basement Number and capacity of tanks 1-275 existing

Low water shut off Not required Make No.

Will all tanks be more than five feet from any flame? Yes How many tanks enclosed? None

Total capacity of any existing storage tanks for furnace burners None

## IF COOKING APPLIANCE

Location of appliance Any burnable material in floor surface or beneath?

If so, how protected? Height of Legs, if any

Skirting at bottom of appliance? Distance to combustible material from top of appliance?

From front of appliance From sides and back From top of smokepipe

Size of chimney flue Other connections to same flue

Is hood to be provided? If so, how vented? Forced or gravity?

If gas fired, how vented? Rated maximum demand per hour

## MISCELLANEOUS EQUIPMENT OR SPECIAL INFORMATION

Replacing old boiler and burner.

Amount of fee enclosed? 2.00 ($2.00 for one heater, etc., 50 cents additional for each additional heater, etc., in same building at same time.)

APPROVED: 5.27.57

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

BALLARD OIL & EQUIPMENT CO.

*Signature of Installer* R.J. Cole

Richard J. Cole, Manager
Oil Burner Department

C17 MAINE PRINTING CO.

INSPECTION COPY

6-7

Permit No. '57/726

Location 38 Greenig St.

Owner Thos Kendrick Hagers.

Date of permit 5-/27/57

Approved 6-7-57 [illegible]

NOTES

...) APARTMENT HOUSE ZONE

# APPLICATION FOR PERMIT

PERMIT ISSUED
027887
OCT 16 1947

*Class of Building or Type of Structure* Installation

*Portland, Maine,* October 13, 1947

*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 38 Deering Street Within Fire Limits? yes Dist. No. 1B

Owner's name and address T. J. Trayers, 261 Highland Avenue, So.Portland Telephone

Lessee's name and address Telephone

Contractor's name and address York Electrical Co., 222 Middle St. Telephone

Architect Specifications Plans no No of sheets

Proposed use of building Apts. and doctor's offices No. families

Last use " " No. families

Material brick No. stories 3 Heat Style of roof Roofing

Other buildings on same lot

Estimated cost $ Fee $ 1.00

## General Description of New Work

To install automatic fire alarm using Protectowire lines of fire-detecting wire (made by The Protectowire Co) not more than 15' apart nor more than & 7'6" 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 off halls or under stairs, all hazardous rooms and attached garage, 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 substential cabinet of no less than 14 gauge steel or well-seasoned wood at least 3/4" thick with hinged door and catch and located not less than 6" nor 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 end how to secure servicing if system gets out of order.

*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 York Electrical Co.

## Details of New Work

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

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:

## 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

T. V. Trayers
York Electrical Co.

ON COPY

*Signature of owner* By: W. S. Hillsley

Permit No. 47/2787

Location 8 Doheny St.

Owner J. J. Thayer

Date of Permit 10/26/42

Notif. closing-in

Inspn. closing-in

Final Notif.

Final Inspn. 12-11-42

Cert. of Occupancy issued

NOTES

# City of Portland, Maine
## Municipal Officers
## —BUILDING CODE APPEAL—

September 18, , 19 47

*To the Municipal Officers:*

Your appellant, Mrs. Geraldine E. Trayers , who is the owner of property at 38 Deering Street , respectfully petitions the Municipal Officers of the City of Portland to permit an exception to the provisions of the Building Code relating to this property, as provided in Section 115, Paragraph a of the Building Code, on the ground that the enforcement of the Code in this case involves practical difficulty or unnecessary hardship and desirable relief may be granted without substantially departing from the intent and purpose of the Building Code.

Application for amendment to building permit seeking to avoid construction of outside fire escape from Third Floor of building at 38 Deering Street is not issuable because there is now and proposed only one means of egress from the third floor by way of the existing interior stairway, contrary o Section 202e of the Building Code in that the building with use of the third floor apartment would be a combination dwelling having living quarters above the second story in which case the Building Code requires the same as to means of egress as for an apartment house — two well-separated stairways or one stairway and outside fire escape.

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

Appellant offers in lieu of fire escape the standard fire detection and alarm system.

An exception is necessary to avoid practical difficulty or unnecessary hardship and desirable relief may be granted without substantially departing from the intent and purpose of the Building Code.

Geraldine E. Trayers
*Appellant*

City of Portland, Maine
Municipal Officers

# —BUILDING CODE APPEAL—

Decision

Public hearing was held on the 3rd day of October, 19 47,
on petition of Mrs. Geraldine E. Treyers, owner of property at
38 Deering Street, seeking to be permitted an exception to the provisions of the
Building Code relating to this property.

Application for amendment to building permit seeking to avoid construction of outside fire escape from third floor of building at 38 Deering Stfeet is not issuable because there is now and proposed only one means of egress from the third floor by way of the existing interior stairway, contrary to Section 202e of the Building Code in that the building with use of the third floor apartment would be a combination dwelling having living quarters above the second story in which case the Building Code requires the same as to means of egress as for an apartment house — two well-separated stairways or one stairway and outside fire escape.

Appellant offers in lieu of fire escape the standard fire detection and alarm system.

The Board finds that an exception is necessary in this case so as to avoid practical difficulty or unnecessary hardship and desirable relief may be granted without substantially departing from the intent and purpose of the Building Code.

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

Edward J. Colley
Helen C. Frost
Robert K. Gerrish
B. Rowe Galbraith
H. Francis Gowen
Gerald A. Cole

*Municipal Officers*

47/56

October 6, 1947

HEARING ON APPEAL UNDER THE BUILDING CODE OF Mrs. Geraldine Trayers

AT 38 Deering Street

Public hearing on above appeal was held before the Municipal Officers today.

Present for City

Board of Zoning Appeals members:-

VOTE

| Yes | No | Municipal Officers:- |
|---|---|---|
| (x) | ( ) | Edw. T. Colley |
| (x) | ( ) | Helen C. Frost |
| (x) | ( ) | Robert L. Getchell |
| (x) | ( ) | B. William Holbrook |
| (x) | ( ) | Gerald A. Cole |
| (x) | ( ) | N. Francis Jensen |
| ( ) | ( ) | |
| ( ) | ( ) | |
| ( ) | ( ) | |

City officials:-

NO OPPOSITION

#766

CITY OF PORTLAND, MAINE

MUNICIPAL OFFICERS

September 29, 1947

Ada B. Currier
40 Deering Street

Chancery Office
Diocese of Portland
317 Congress Street (216-220 Congress )

The Municipal Officers will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, October 3, 1947 at ten-thirty o'clock in the forenoon relating to the appeal under the Building Code of Mrs. Geraldine E. Trayers concerning application for amendment to building permit seeking to avoid construction of outside fire escape from third floor of building at 38 Deering Street.

This permit is not issuable because there is now and proposed only one means of egress from the third floor by way of existing interior stairway, contrary to Section 202e of the Building Code in that the building with use of the third floor apartment would be a combination dwelling having living quarters above the second story, in which case the Building Code requires the same as to means of egress as for an apartment house — two well-separated stairways or one stairway and outside fire escape. Appellant offers in lieu of fire escape the standard fire detection and alarm system.

If you wish to be heard either for or against this appeal, please be present or be represented at this hearing.

Yours truly,

MUNICIPAL OFFICERS

Herman E. Libby
Chairman

M

47/66

CITY OF PORTLAND, MAINE

MUNICIPAL OFFICERS

September 29, 1947

Mrs. Geraldine E. Trayers
261 Highland Avenue
South Portland, Maine

Dear Mrs. Trayers:

The Municipal Officers will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, October 3, 1947 at ten-thirty o'clock in the forenoon relating to your appeal under the Building Code concerning means of egress from third floor of building at 38 Deering Street.

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

Yours truly,

MUNICIPAL OFFICERS

Herman B. Libby
Chairman

M

47/666

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

September 30, 1947

TO THE BOARD OF APPEALS:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, October 3, 1947 at ten-thirty o'clock to hear the following appeals under the Zoning Ordinance:

Grace A. Sthen - 960 Washington Avenue - construction of garage and addition thereto for use in connection with wholesale egg business. (See attached notice for further details)

E. E. Marston - 828 Riverside Street - locating automobile trailer on the rear of this lot and use of the trailer by owner of property. (see attached notice for further details)

Ervin C. Duran - 204 Spring Street - building permit for construction of three story open piazza 5'x18' for fire escape on rear of building at this address is not issuable under the Zoning Ordinance because work is proposed closer to side and rear lot lines than is allowable under the Ordinance.

Alice M. Love - 65 Merrill Street - building permit to authorize construction of one-story sun parlor attached to side of new addition at above address is not issuable under the Zoning Ordinande because the wall of the proposed sun parlor would be closer to the street line than is allowable.

St. John Apartments, Inc. - 504-570 St. John Street - Amendment to proposed apartment house permits at above address to cover locating four proposed apartment houses of the total number of seven is not issuable under the Zoning Ordinance because the front wall of each of these four apartment houses is proposed only 10' from the street line instead of the minimum of 15' required.

Dr. Rupert S. Lovejoy - 366 Westbrook Street - building permit to cover extending sidewalls upward and thus raising the roof on the northwest side of the dwelling house at the above address is not issuable under the Zoning Ordinance because the proposed new work would be only 2-1/2' feet from the side lot line where the Ordinance requires no less than 5'.

Alfred H. Milliken - 47 Ocean Avenue - construction of one-story addition to existing store at above address is not issuable under the Zoning Ordinance because the front of the

17/6



proposed addition would be only about two feet from the street line of Ocean Avenue instead of the 15 per cent of the depth of the lot which would amount to about 7 feet, and the front wall of the addition would be closer to the street of Ocean Avenue than an exterior wall of the building used for habitation on the next adjoining lot, and one corner of the proposed addition would be about 11 feet from the rear property line instead of the minimum of 12 feet required.

Trustees of Dalton Memorial Chapel and Burnham Hall - 15-21 Vernon Place - permit to construct 3-story apartment house at the above address is not issuable under the Zoning Ordinance because the space between the north end of theproposed building and the northerly side property line would be only about 5' instead of the minimum of 10' required. Also space between the northerly wall of the present brick apartment house on the property and the southerly wall of the proposed apartment house is only about 6' while the minimum space between the two buildings should be 20'. Proposed rear yard space scales only 2' where the depth of the lot requires a minimum depth of 10' for the greater part of the length of the building and for the balance the rear yard depth scales only 10' where 12-1/2' would be required.

BOARD OF APPEALS

Edward T. Colley
Chairman

TO THE MUNICIPAL OFFICERS:

At the above time and place, the Municipal Officers will also hear the following appeal under the Building Code:

Geraldine E. Trayers - 38 Deering Street - application for amendment to building permit seeking to avoid construction of outside fire escape from Third Floor of building at the above address is not issuable because there is now and proposed only one means of egress from the third floor.

MUNICIPAL OFFICERS

Herman B. Libby
Chairman

WARREN McDONALD
INSPECTOR OF BUILDINGS

On reply refer
to File 47/2147-Amdt. #1-I
~~(32 Deering St., Travers,~~
FU

CITY OF PORTLAND, MAINE
Department of Building Inspection

September 15, 1947

Mrs. Geraldine S. Travers
261 Highland Avenue
So. Portland, Maine

Re Subject: Alteration of single family dwelling house at 32 Deering Street to doctor's offices and one apartment on third floor, application for amendment to building permit seeking to avoid construction of outside fire escape from third floor otherwise required by the Building Code, and proposed variance appeal seeking this exception

Dear Mrs. Travers:

As per my letter of August 28 in connection with change of first two stories to doctors' offices, I am unable to issue a permit to use the third floor for a single apartment because there is now and you propose only one means of egress from that third floor by way of the existing interior stairway, this being contrary to Section 202e of the Building Code in that your building with use of the third floor apartment would be a combination dwelling having living quarters above the second story in which case the Building Code requires the same as to means of egress as for an apartment house—two well-separated stairways or one stairway and outside fire escape.

You have indicated that you desire to seek exception from the Board of Municipal Officers, which is your right under Section 3 of the Building Code, since you are making a change of use of the former single family dwelling house; and it is understood that you claim enforcement of the Building Code in this particular case involves unnecessary hardship and that desirable relief may be granted without substantially departing from the intent and purpose of the Code.

Accordingly, there is enclosed an outline of the appeal procedure. While you have not said so in your application for amendment to the building permit, I suppose that you intend to offer in your appeal as compensation for the insufficient number of means of egress, a standard automatic fire detection and alarm system,-otherwise it is difficult to see how the Board could allow the exception as being substantially in conformity with the intent and purpose of the Building Code.

If you do intend to offer the standard fire detection and alarm system as a substitute for the second means of egress, you should bear in mind that the automatic detection part of the system would have to cover entire cellar, all public and stair halls, all closets off halls or under stairs, and all hazardous rooms and attached garages. I believe there are none of the latter in or attached to your building. Installation of such an alarm system requires a separate permit from this department which is to be applied for by and is issuable only to the actual installer. If there are to be any doctors' laboratories in the building, it is barely possible that they would have to be included under the classification of hazardous rooms as regards coverage by the fire detection system.

Very truly yours,

(Signed) WARREN McDONALD
Inspector of Buildings

WMcD/S
Encl: Outline of appeal procedure
CC: Miller & Beal, Inc., 465 Congress Street
Burnham-McLellan, 491½ Congress Street
Edward T. Gignoux, Assistant Corporation Counsel

COPY

Edward T. Gignoux
Assistant Corporation Counsel ----- 2 September 15, 1947

The Municipal Officers could allow omission of this second means of egress, if they see fit, without conflict with the State Law because this is not an apartment house.

McG

BP 47/2147-Amt. #1-I
(33 Deering St., Trayers)

September 15, 1947

Mrs. Gordon [illegible] Trayers
251 Highland Avenue
So. Portland, Maine

Subject: Alteration of single family dwelling house at 33 Deering Street to doctor's offices and one apartment on third floor, application for amendment to building permit seeking to avoid construction of outside fire escape from third floor otherwise required by the Building Code, and proposed variance appeal seeking this exception

Dear Mrs. Trayers:

As per my letter of August 21 in connection with change of first two stories to doctors' offices, I am unable to issue a permit to use the third floor for a single apartment because there is no [illegible] you propose only one means of egress from that third floor by way of the existing interior stairway, this being contrary to Section 205e of the Building Code in that your building [illegible] use of the third floor apartment could be a combination dwelling having living quarters above the second story in which case the Building Code requires the same as to means of egress as for an apartment house—two well-separated stairways or one stairway and outside fire escape.

You have indicated that you desire to seek an exception from the Board of Municipal Officers, which is your right under Section 11F of the Building Code, since you are making a change of use of the former single family [illegible]lling house, and it is understood that you desire enforcement of the Building Code in this particular case involves unnecessary hardship and that desirable relief may be granted without substantially departing from the intent and purpose of the Code.

Accordingly, there is enclosed an outline of the appeal procedure. While you have not sold on your application for amendment to the building permit, I suppose that you intend to offer in your appeal as compensation for the insufficient number of means of egress, a standard automatic fire detection and alarm system,—otherwise it is difficult to see how the Board could allow the exception as being substantially in conformity with the intent and purpose of the Building Code.

If you do intend to offer the standard fire detection and alarm system as a substitute for the second means of egress, you should bear in mind that the automatic detection part of the system would have to cover entire cellar, all public and stair halls, all closets off halls or under stairs, and all hazardous rooms and attached garages. I believe there are none of the latter in or attached to your building. Installation of such an alarm system requires a separate permit from this department which is to be applied for by and is issuable only to the actual installer. If there are to be any doctors' laboratories in the building, it is barely possible that they would have to be included under the classification of hazardous rooms as regards coverage by the fire detection system.

Very truly yours,

Inspector of Buildings

LMcD/S
Encl: Outline of appeal procedure
CC: Miller & Boal, Inc., 465 Congress Street
Burnham-McClellan, 491½ Congress Street
Edward T. Gignoux, Assistant Corporation Counsel

The Municipal Officers could allow omission of this second means of egress, if they see fit, without conflict with the State Law because this is not an apartment house.

WMcD

# APPLICATION FOR AMENDMENT TO PERMIT

SEPT 1947

OCT 20 1947

*Amendment No.* 47/2147-A1

*Portland, Maine,* Sept. 8, 1947

*To the* INSPECTOR OF BUILDINGS, PORTLAND, ME.

*The undersigned hereby applies for an amendment to Permit No.* 47/2147 *pertaining to the building or structure comprised in the original application 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 38 Deering Street Within Fire Limits? yes Dist. No. 1B

Owner's name and address Timothy J. & Geraldine Travers, 261 Highland Ave. So. Portland Telephone 4-1672

Lessee's name and address Telephone

Contractor's name and address Telephone

Architect Plans filed No. of sheets

Proposed use of building 4 doctors' offices and one apartment on third floor No. families 1

Increased cost of work Additional fee .25

## Description of Proposed Work

To omit rear fire escape and use third floor for apartment

Appeal sustained 10/6/47

## Details of New Work

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

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

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

Approved:

Geraldine E. Travers
*Signature of Owner*

Approved: 10/20/47 WMA
Inspector of Buildings.

INSPECTION COPY

AP 38 Deering Street-I

August 28, 1947

Burnham-McLellan
491½ Congress Street
Timothy J. & Geraldine Trayers
261 Highland Avenue
So. Portland, Maine

Subject: Building permit for alterations in single family dwelling house at 38 Deering Street and change the use to doctors' offices in first two stories and a single apartment on third floor

Dear Madam & Gentlemen:

Though I am aware that probably only three suites of doctors' offices will be finished off immediately and the third floor apartment is in doubt, I am issuing the permit based on the owner's original application to cover four doctors' offices on first two stories and a single apartment on the third floor, but subject to the conditions following, because otherwise the owners might lose some of their rights under the zoning appeal recently sustained to grant the use of entire first and second floors for four doctors' offices:

1. If the owners decide that they want to use the third floor apartment before the required certificate of occupancy is issued so that the doctors' offices can be put into use, the alterations indicated on third floor and the construction of the outside fire escape should be covered by amendment to this permit or by a separate permit. If the owner decides not to use the third floor for any purpose, it is likely that the stair well at third floor level will have to be permanently floored over with opportunity for a hatchway and cover about 2' x 3' in the wall to give access at time of need to the third floor. If that is the decision, then an amendment should be filed to cover the flooring over of the third floor well.

2. Means of ventilating the two inside toilet rooms on first and second floors are under the control of the Plumbing Inspector associated with the Board of Health.

3. Presumably there is a handrail on at least one side full length of the existing front stairs from first to second floor. A similar handrail is required on the new rear stairs, full length. The new rear exit doorway is shown as though the threshold of the door were at the grade of the ground in the rear of the building, there being no indication of platform or steps. If that is the case, all is satisfactory, but if there is even a single step down at this new rear doorway, the new door should not be swung outward over it. If platform and steps are intended, they should be shown upon the plan with foundations down below frost. This rear door is not required to swing outwards because such a small number of people would evidently depend upon it for egress.

4. The working door of the pair of entrance doors at first story front entrance is required to have a vestibule lock set which is of such a type that any person on the inside could readily open the door manually by turning the usual knob or pressing on the usual thumb latch without requiring a key or any special knowledge. If the vestibule doors at the entrance have locks of any kind, the working door should be similarly equipped with a vestibule lockset.

5. The public halls in first and second stories, the front stairs and the new rear stair hall require adequate artificial lighting so that a way to a place of safety in the open air will be suitably illuminated at all times when the building is occupied and the means of egress would otherwise be in darkness. When apartment is provided on third floor, electric lights are required in the front hall at all three levels controlled by a single switch outside of the apartment in the third floor hall at the top of the stairs.

6. No closets are permitted under any of the stairs in the building.

7. Should the owners decide to use the third floor for an apartment, it is possible on account of the small number of persons accommodated there that the Municipal Officers, acting as a Board of Appeals under the Building Code, might be willing to accept an automatic fire detection and alarm system in lieu of the outside fire escape. While I could not commit the Board in any way in this matter, if the owner would like to try that proposal, amendment to this permit now issued should be applied for stating that it is proposed to omit the rear fire escape, whereupon I will be compelled to deny the amendment and thus the basis for the variance appeal would be set up. This is not to be taken as any committing of the Board to such a grant, but merely an effort to show the owners their full opportunities.

8. In any event before any of the doctors' offices are actually occupied for business or the third floor apartment is occupied, the Building Code requires that a certificate of occupancy stipulating and authorizing the use intended shall be issued. When all features controlled by the Building Code are finished, owner or contractor should notify this office for final inspection.

9. The contractor will be notifying this office of readiness for closing-in inspection before any of the work is covered from view and before that time he or the architect should go thoroughly over the framing of the building as far as seen, the chimneys as far as they can be seen and all places where firestops ought to be thus to make good any defects before the time of closing-in inspection, as that will be the time that our inspector will be checking over any of these features which may appear.

Very truly yours,

Inspector of Buildings

WMcD/S

CC: Miller & Beal, Inc.
465 Congress Street.

Application 38 Deering St. (Trayers)

I have looked over rear stairs 1st to second, talked with Mr. Beal about the job and then with Mrs. Trayers.

Burnham-McLellan will be the contractor and architect and owner will have them make new application when plans are finished and estimated, they to furnish estimate of cost.

We can allow the windows in east wall without any fire resistive windows because the window AJS and I talked about would not expose the hospital storage building next door particularly.

Mr. Beal is to work out some sort of passageway from foot of rear stairs, first story to the exterior side door, so that question will not arise as to passing through private quarters of others. Since more than 20 persons would hardly be on firstg floor, I have told him that we were not concerned particularly with two ways out from first story occpants.

I found that rear stairs above winders is much steeper than part below winders-upper part about 7 inch tread and 8 inch rise; lower part about 45 degrees with little more than 8 inch tread. Have told Mr. Beal that upper part is not allowable, but winders can be retained on account of change os use, and we will not object to leaving the stairs below the winders as they are.

We talked about fire escape from third floor and I told him that use of third floor as an apartment even for one or two people makes a combination dwelling which requires two means of egress. We talked about possibility of Board of Appeals allowing omission of fire escape to be compensated for by auto fire alarm. He ~~make~~ make a suggestion to her later, but I asked him to let/come from him rather/from me in anyway, telling him that I would not oppose it if it came to the Board of Appeals. He is to finish the plans based on showing the fire escape.

Have talked with Mrs. Trayers who now understands that we can do nothing more, but will wait for for B-McL to file new application with finished plans and estimated cost.

wmcd 8/16/47

AP 38 Deering Street-I

June 16, 1947

Timothy J. & Geraldine Trayers
261 Highland Avenue
So. Portland, Maine

Subject: Application for building permit to change use of single family dwelling house at 38 Deering Street to use for four suites of doctor's offices and a caretaker's apartment on third floor, and proposed zoning appeal relating thereto

Dear Madam & Sir:

As explained to Mrs. Trayers over the telephone, this building permit is not issuable under the Zoning Ordinance because the property is located in an Apartment House Zone where use for such offices is not included in the list of allowable uses as given in Section 7A of the ordinance.

You have indicated your desire to seek a variance of or exception to the terms of the ordinance in this specific case by means of appeal to the Board of Appeals. Accordingly, there is enclosed an outline of the appeal procedure, and I am told that the best time to file such an appeal at the office of Corporation Counsel is in the afternoon.

The application for the permit is preliminary to get the zoning question settled, and, in event the appeal should be successful, you must bear in mind that architectural plans of all floors and the cellar showing all features controlled by the Building Code and compliance therewith, will have to be filed with the application for the permit, estimated cost of all physical alterations desired or required and the stipulated building permit fee paid. All of this has been explained over the telephone to Mrs. Trayers.

Since you already hold title to the property, it would probably be to your advantage to have these architectural plans made now and blueprints of them filed at this office well in advance of the required public hearing on the appeal—thus to give the Board of Appeals a clear idea as to what they are being asked to grant, and more particularly to find out in advance if outside stairways or fire escapes or other exterior changes may be required to comply with the Building Code and whether or not any such appendages might encroach upon spaces on the lot required to be open by the Zoning Ordinance.

Very truly yours,

Inspector of Buildings

WMcD/S

Encl: Outline of appeal procedure

CC: Edward T. Gignoux
Assistant Corporation Counsel

(A) APARTMENT HOUSE ZONE

# APPLICATION FOR PERMIT

PERMIT ISSUED
02147
AUG 28 1947

*Class of Building or Type of Structure* Second Class

*Portland, Maine,* August 20, 1947

*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 38 Deering Street Within Fire Limits? yes Dist. No. 1B

Owner's name and address Timothy J. & Geraldine Travers, 261 Highland Ave, Sol Portland Telephone

Lessee's name and address Telephone

Contractor's name and address Burnham-McLellan, 491½ Congress Street Telephone 2-5951

Architect Specifications Plans yes No of sheets 3

Proposed use of building 3 doctor's offices and No. families

Last use Dwelling No. families 1

Material brick No. stories 2½ Heat Style of roof Roofing

Other buildings on same lot

Estimated cost $ 3000. Fee $ 4.50

## General Description of New Work

To change Use of building from single family dwelling house to 3 doctor's offices with alterations as per plans.
(Apt. on third floor not to be done at present time or doctor's office rear of second floor)
Stairway to be built.

Permit Issued with Letter

*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.*

## Details of New Work

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

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:*

## 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

Geraldine Travers
Burnham-McLellan

INSPECTION COPY

*Signature of owner* By: Philip M. Burnham

(A) APARTMENT HOUSE ZONE

# APPLICATION FOR PERMIT

*Class of Building or Type of Structure* Second

*Portland, Maine,* June 12, 1947

*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 38 Deering Street Within Fire Limits? yes Dist. No. 1B

Owner's name and address Timonthy J. & Geraldine Travers, 261 Highland Avenue, So. Portland Telephone 4-1672

Lessee's name and address Telephone

Contractor's name and address Telephone

Architect Specifications Plans No of sheets

Proposed use of building 4 doctor's offices and caretaker's apartment No. families 1

Last use Dwelling house No. families 1

Material No. stories Heat Style of roof Roofing

Other buildings on same lot

Estimated cost $ Fee $

## General Description of New Work

To change use of building from single family dwelling house to 4 doctor's offices and caretaker's apartment on third floor.

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.

*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.*

## Details of New Work

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

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:*

## 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

INSPECTION COPY

*Signature of owner* Geraldine Travers

Permit No. 47/ 2147 P

Location 38 Deering St.

Owner Timothy J. & Geraldine Graves

Date of permit 9/ 28 /47

Notif. closing-in 9/8/47 (2 Fl.)

Inspn. closing-in 5/7/47 - partial

Final Notif.

Final Inspn.

Cert. of Occupancy issued

NOTES

INSPECTION NOT COMPLE

10/9/47 - Permission given to close in also Toilet and one bathroom partition

Plumbing Insp. E.S.J.

12/2/46 Tried did not permit inspection CC

Granted 7/10 47/42

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

July 8, , 19 47

*To the Board of Appeals:*

Your appellant, Geraldine Trayers , who is the owner of property at 38 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 17, Paragraph E of the Zoning Ordinance,

Building permit to change use of single family dwelling house at 38 Deering Street to use for four suites of doctor's offices and a caretaker's apartment on third floor is not issuable under the Zoning Ordinance because the property is located in an Apartment House Zone where use for such offices is not included in the list of allowable uses as given in Section 7A of the Ordinance.

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

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

RECEIVED
1947
CITY OF PORTLAND

Geraldine E. Trayers.
*Appellant*

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

Public hearing was held on the First day of August , 19 47 , on petition of Geraldine Trayers , owner of property at 38 Deering Street , seeking to be permitted an exception to the regulations of the Zoning Ordinance relating to this property.

Building permit to change use of single family dwelling house at 38 Deering Street to use for four suites of doctor's offices and a caretaker's apartment on third floor is not issuable under the Zoning Ordinance because the property is located in an Apartment House Zone where use for such offices is not included in the list of allowable uses as given in Section 7A of the Ordinance.

RECEIVED
AUG 4 1947
DEPT. OF WOOD, BLDG.
CITY OF PORTLAND

The Board having found that an exception to the Zoning Ordinance is necessary to allow reasonable use of the property and 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, provided, however, the proposed alterations of these premises are in compliance with the Building Code.

Edward J. Colley — Raymond E. Jensen
Robert K. Gilbert —
S. Clarence Frazier —
Helen C. Frost —

*Board of Appeals*

August 1, 1947

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF GERALDINE TRAYERS

AT 38 Deering Street

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

VOTE

| | Yes | No |
|---|---|---|
| Mr. Colley | (x) | ( ) |
| Mrs. Frost | (x) | ( ) |
| Mr. Getchell | (x) | ( ) |
| N. F. Jensen | (x) | ( ) |
| R. E. Jensen | (x) | ( ) |
| | ( ) | ( ) |
| | ( ) | ( ) |
| | ( ) | ( ) |
| | ( ) | ( ) |

Present for City

Board of Zoning Appeals members:-

Edw. T. Colley
Helen C. Frost
Robert L. Getchell
N. F. Jensen
Raymond E. Jensen

Municipal Officers:-

RECEIVED
AUG 4 1947
DEPT. OF BLD'G. INSP.
CITY OF PORTLAND

City officials:-

Albert Knudsen for appellant

WARREN McDONALD
INSPECTOR OF BUILDINGS

On reply refer
to File 38 Deering Street-I

FU

CITY OF PORTLAND, MAINE
Department of Building Inspection

June 16, 1947

Timothy J. & Geraldine Trayers
261 Highland Avenue
So. Portland, Maine

Subject: Application for building permit to change use of single family dwelling house at 38 Deering Street to use for four suites of doctor's offices and a caretaker's apartment on third floor, and proposed zoning appeal relating thereto

Dear Madam & Sir:

As explained to Mrs. Trayers over the telephone, this building permit is not issuable under the Zoning Ordinance because the property is located in an Apartment House Zone where use for such offices is not included i the list of allowable uses as given in Section 7A of the ordinance.

You have indicated your desire to seek a variance of or exception to the terms of the ordinance in this specific case by means of appeal to the Board of Appeals. Accordingly, there is enclosed an outline of the appeal procedure, and I am told that the best time to file such an appeal at the office of Corporation Counsel is in the afternoon.

The application for the permit is preliminary to get the zoning question settled, and, in event the appeal should be successful, you must bear in mind that architectural plans of all floors and the cellar showing all features controlled by the Building Code and compliance therewith, will have to be filed with the application for the permit, estimated cost of all physical alterations desired or required and the stipulated building permit fee paid. All of this has been explained over the telephone to Mrs. Trayers.

Since you already hold title to the property, it would probably be to your advantage to have these architectural plans made now and blueprints of them filed at this office well in advance of the required public hearing on the appeal—thus to give the Board of Appeals a clear idea as to what they are being asked to grant, and more particularly to find out in advance if outside stairways or fire escapes or other exterior changes may be required to comply with the Building Code and whether or not any such appendages might encroach upon spaces on the lot required to be open by the Zoning Ordinance.

Very truly yours,

Warren McDonald

Inspector of Buildings

WMcD/S

Encl: Outline of appeal procedure

CC: Edward T. Gignoux
Assistant Corporation Counsel

COPY



CITY OF PORTLAND, MAINE

BOARD OF APPEALS

July 28, 1947

Mrs. Geraldine Trayers
261 Highland Avenue
South Portland, Maine

Dear Mrs. Trayers:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine at ten-thirty o'clock in the forenoon on Friday, August 1, 1947 to hear your appeal under the Zoning Ordinance relating to use of property at 38 Deering Street.

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

Yours truly,

BOARD OF APPEALS

Edward T. Colley
Chairman

M

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

July 22, 1947

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine at ten-thirty o'clock in the forenoon on Friday, August 1, 1947 concerning the appeal under the Zoning Ordinance of Geraldine Trayers relating to change of use of single family dwelling house at 38 Deering Street to use for four suites of doctor's offices and a caretaker's apartment on third floor.

This permit is not issuable under the Zoning Ordinance because the property is located in an Apartment House Zone where use for such offices is not included in the list of allowable uses as given in Section 7A of the Ordinance.

The appellant gives the reason for this appeal: "An exception is necessary in this case so as to grant reasonable use of this property and to avoid confiscation and can be granted without substantially departing from the intent and purpose of the Ordinance.

This appeal is taken under Section 17E 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

INQUIRY BLANK

ZONE

FIRE DIST.

CITY OF PORTLAND, MAINE
DEPARTMENT OF BUILDING INSPECTION

Verbal
By Telephone

Date 11/6/47

LOCATION 38 Deering St OWNER Mrs. Cynthia Grayes

MADE BY Zahl Hubbard & P TEL.

ADDRESS

PRESENT USE OF BUILD. : Dwelling - Multiple family

CLASS OF CONSTRUCTION NO. OF STORIES

REMARKS:

INQUIRY:

ANSWER:

DATE OF REPLY 6/11/47 REPLY BY

BI 76

(A) APARTMENT HOUSE ZONE
FILL IN COMPLETELY AND SIGN WITH INK

PERMIT ISSUED

Permit No. 1015
SEP 5 1945

# APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

*Portland, Maine,* Aug 31, 1945

*To the* INSPECTOR OF BUILDINGS, PORTLAND, ME.

*The undersigned hereby applies for a permit to install the following heating, cooking or power equipment in accordance with the Laws of Maine, the Building Code of the City of Portland, and the following specifications:*

Location 38 Deering St Use of Building Res. No. Stories 3 ~~New Building~~ Existing "

Name and address of owner of appliance Mrs Jane Bourgeois

Installer's name and address Ernest Farnum 70 Free St Portland Telephone 38187

**General Description of Work**

To install Oil Burner Heating Equipment

NOTIFICATION BEFORE LATHING OR CLOSING-IN IS WAIVED

CERTIFICATE OF OCCUPANCY REQUIREMENT IS WAIVED

**IF HEATER, POWER BOILER OR COOKING DEVICE**

Is appliance or source of heat to be in cellar? ___ If not, which story ___ Kind of Fuel ___

Material of supports of appliance (concrete floor or what kind) ___

Minimum distance to wood or combustible material, from top of appliance or casing top of furnace, ___

from top of smoke pipe ___ from front of appliance ___ from sides or back of appliance ___

Size of chimney flue ___ Other connections to same flue ___

**IF OIL BURNER**

Name and type of burner Petro P-9-70 Labeled and approved by Underwriters' Laboratories? Yes

Will operator be always in attendance? No Type of oil feed (gravity or pressure) ~~Gravity~~ Pressure

Location oil storage Cellar No. and capacity of tanks 1-275 gal.

Will all tanks be more than seven feet from any flame? Yes How many tanks fireproofed? None

Amount of fee enclosed? 1.00 ($1.00 for one heater, etc., 50 cents additional for each additional heater, etc., in same building at same time.)

*Signature of Installer* Ernest Farnum per EB Bartlett

INSPECTION COPY

Permit No. 45/1045

Location 38 Deering St

Owner Mrs. June Conneen

Date of Permit 9/5/45

Post Card sent

Notif. for inspn.

Approval Tag issued 9-21-45 Vhm

Oil Burner Check List (date)

1. Kind of heat H.W. Water
2. Label ✓
3. Anti-siphon ✓
4. Oil storage ✓
5. Tank distance ✓
6. Vent Pipe ✓
7. Fill Pipe ✓
8. Gauge ✓
9. Rigidity ✓
10. Feed safety ✓
11. Pipe sizes and material ✓
12. Control valve ✓
13. Ash pit vent ✓
14. Temp. or pressure safety ✓
15. Instruction card ✓
16.

System - T Pipe

NOTES

9-28-45 Jm Boothby says this is a Gravity H.W. Wtg