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*Penny St. Louis Littell- Director of Planning and Urban Development
Marge Schmuckal, Zoning Administrator*

October 15, 2009

Cory R. Fellows
The Wishcamper Companies, Inc.
Three Canal Plaza
Portland, ME 04101

RE: 77 Pine Street (71-83 Pine Street) – 055-A019 – (the “Property”) – R-6 Zone with
a Historic Overlay

Dear Mr. Fellows,

I am in receipt of your request to determine the parking requirement applicable to the
Property.

The Property is located within an R-6 Zone with a Historic Overlay. The Property was
developed in 1976 and 1977 for thirty-nine (39) dwelling units. On November 10, 1976
the owner/developer was granted a Space & Bulk Variance appeal for both the lot size
per dwelling unit and required off-street parking. The Land Use Ordinance at that time
required one off-street parking space for each dwelling unit or 39 parking spaces. The
appeal granted allowed no off-street parking to be provided on the Property.

I have enclosed copies of the appeal actions for the Property.

If you have any other questions regarding this matter, please do not hesitate to contact me
at 874-8695.

Very truly yours,

A handwritten signature in black ink that reads "Marge Schmuckal".

Marge Schmuckal
Zoning Administrator

CC: file

Enclosures

APPEAL AGENDA

The Board of Appeals will hold a public hearing in Room 209, City Hall, Portland, Maine on Wednesday, November 10, 1976 at 3:00 p.m. to hear the following appeals:

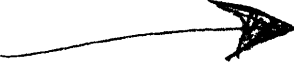
1. Appeals - none
2. Variances

A. Space & Bulk Variances -

9-15 Byfield Rd. cor. 1-7 Graham Terrace - Barbara Murphy
To permit construction of a one story 22'x14' detached garage at the above named location which is not issuable under the Zoning Ordinance because the distance between the proposed garage and side lot line would be about 18' rather than the 20' minimum required by Sec. 602.4.B.3 of the Ordinance applying to the R-3 Residential Zone in which the property is located.

1559-1565 Westbrook St - Michael Pawlik-To permit construction of a 32'x15' attached garage on the right side of existing dwelling which is not issuable under the Zoning Ordinance because the distance between the proposed garage and the side lot line will be about 5' rather than the 10' required by Sec. 602.2.B.2 of the Ordinance applying to the R-1, Residential Zone in which the property is located. *OK*

214-220 State Street, cor. 32-36 Deering St. - Masada Trust To permit building permit to change the use of this building from school use to an apartment house with 17 dwelling units which is not issuable under the Zoning Ordinance in the R-6, Residential Zone in which this property is located because the area of the lot is only about 9,240 sq. ft. instead of the minimum of 21,000 sq. ft. (1,000 sq. ft. per family) Sec 602.7B.8 Off street parking spaces for 4 cars are to be provided instead of the minimum of 17 spaces (one for each family housed). Sec. 602.14B.1 *OK*

 71-83 Pine St. cor. 4-16 West St. - Public School Assoc. *55-A-19*
To permit change of use of this building at the above named location from school use to an apartment house with 39 dwelling units which is not issuable under the Zoning Ordinance in the R-6 Residential Zone in which this property is located because the area of the lot is only about 20,318 sq. ft. instead of the minimum of 39,000 required by Sec. 602.7B.8
No off street parking will be provided on this property on which building is located which is contrary to Sec. 602.14B.1 which requires 39 parking spaces be provided (one for each family housed). *OK*

OLD Butler School

CITY OF PORTLAND, MAINE
MEMORANDUM

Arthur H. Duffett, City Clerk

DATE: 11-23-76

A. Allan Soule, Asst. Director, Building & Inspection Services

SUBJECT: Board of Appeals - Meeting of November 10, 1976

Set forth below is a report of action taken by the Board of Appeals at the above described meeting.

SPACE AND BULK VARIANCES

9-15 Byfield Rd. cor. 1-7 Graham Terrace- Barbara Murphy The Board tabled the appeal at the above named location to permit construction of a one story 22'x14' detached garage.

1559-1565 Westbrook St. - Michael Pawlik The Board granted the appeal to construct a 32'x15' attached garage on the right side of existing dwelling at the above address.

214-220 State Street, cor. 32-36 Deering St. - Masada Trust The Board granted the change of use of this building from school use to an apartment house with 17 dwelling units.

71-83 Pine St. cor. 4-16 West St. -Public School Assoc. The Board granted the change of use of this building at the above named location from school use to an apartment house with 39 dwelling units.

USE VARIANCES

1335-1339 Washington Ave.- 375-393 Allen Ave.- Northport Realty Trust The Board granted the change of use and permission to make alterations on the left side of former department store to radio and TV studios at the above named location.

CONDITIONAL USE

13-23 Carleton St. - Butler School Associates The Board granted permission to permit off street parking for 34 passenger cars at the above named location.

rear 13-23 Carleton St. - Butler School Associates The Board granted permission to permit off street parking for 15 passenger cars at the above named location.

28-32 Walnut St. cor. 25-27 Willis St. - Anne M. Theriault The Board tabled the permit to allow off street parking for 6 passenger cars at the above named location.

NONCONFORMING USES

79-81 Mellen St. -Joseph Nappi The Board granted permitssion to construct an addition 37'x8' at the above named location with certain conditions.

This page contains a detailed description of the Parcel ID you selected. Press the **New Search** button at the bottom of the screen to submit a new query.

Current Owner Information

Card Number	1 of 1
Parcel ID	055 A019001
Location	77 PINE ST
Land Use	TWENTY-ONE PLUS FAMILY
Owner Address	BUTLER PAYSON COMPANY 100 STATE ST PORTLAND ME 04101
Book/Page	NCFY02/
Legal	55-A-19 PINE ST 71-83 WEST ST 2-16 16726 SF

Current Assessed Valuation

Land	Building	Total
\$228,000	\$1,494,100	\$1,722,100

Building Information

Bldg #	Year Built	# Units	Bldg Sq. Ft.	Identical Units
1	1900	39	44458	1

Total Acres	Total Buildings	Sq. Ft.	Structure Type	Building Name
0.384	44458		APARTMENT - GARDEN	BUTLE SCHOOL CLOSED

Exterior/Interior Information

Section	Levels	Size	Use
1	B1/B1	7992	APARTMENT
1	01/01	11090	APARTMENT
1	02/03	11090	APARTMENT
1	A1/A1	7992	SUPPORT AREA

Height	Walls	Heating	A/C
9		HW/STEAM	NONE
10	BRICK/STONE	HW/STEAM	NONE
10	BRICK/STONE	HW/STEAM	NONE
4	BRICK/STONE	HW/STEAM	NONE
		NONE	NONE
		NONE	NONE
		NONE	NONE
		NONE	NONE

Building Other Features

Line	Structure Type	Identical Units
1	ELEVATOR - ELEC. PASSENGER	1

Yard Improvements

Year Built	Structure Type	Length or Sq. Ft.	# Units
1980	ASPHALT PARKING	1300	1



THE WISHCAMPER
COMPANIES, INC.

Three Canal Plaza
Portland, ME 04101

Telephone: (207) 774-5101
Facsimile: (207) 774-5110

Cory R. Fellows
Vice President

VIA HAND DELIVERY

September 21, 2009

Ms. Marge Schmuckal
Zoning Administrator
Portland City Hall
389 Congress Street
Portland, ME 04101

RE: 77 Pine Street Parking Requirement

Dear Ms. Schmuckal:

The purpose of this letter is to request written documentation of the parking requirement applicable to the subject property, also known as the Butler School. A check for the \$150 processing fee is enclosed. I am making this request on behalf of the executor of the estate that owns the property.

As you know, the Butler School was redeveloped into senior housing during the late 1970's. It is my understanding that the parking requirement was established at that time through an appeal process.

Thank you in advance for your assistance. Please do not hesitate to contact me with any questions.

Sincerely,

Cory R. Fellows

SEP 22 2009

FAX



To: Cory R. Fellows

Fax Number: 774-5110

From: Marge Schmuckel

Fax Number:

Date: 10/15/09

Regarding: 77 Pine St. Determination LTR

Total Number Of Pages Including Cover: 4

Phone Number For Follow-Up: 874-8695

Comments:

Cory,
Attached is a copy of my Determination
Letter - The original one in the mail to
you -

Marge

City Of Portland, Maine

Inspections Division Services

389 Congress St Room 315 Portland Me 04101-3509

Phone: (207) 874-8703 or (207) 874-8693

Fax: (207) 874-8716

<http://www.portlandmaine.gov/>



City of Portland GIS

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CITY OF PORTLAND, MAINE
Department of Building Inspections

Original Receipt

7-22 2007

Received from Mr. Koch

Location of Work 77 Pine St

Cost of Construction \$ _____ Building Fee: _____

Permit Fee \$ _____ Site Fee: _____

Certificate of Occupancy Fee: _____

Total: 150

Building (IL) ___ Plumbing (I5) ___ Electrical (I2) ___ Site Plan (U2) ___

Other Final Determination

CBL: _____

Check #: _____ Total Collected \$ 150

**No work is to be started until permit issued.
Please keep original receipt for your records.**

Taken by: [Signature]

WHITE - Applicant's Copy
YELLOW - Office Copy
PINK - Permit Copy