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36

Roberts  
St

CITY OF PORTLAND, MAINE  
ZONING BOARD OF APPEALS



JOHN C. KNOX

MATTHEW D. MANAHAN  
THOMAS F. JEWELL  
EARL R. MacDONALD  
WILLIAM E. NELESKI, Jr.  
REBECCA SARGENT  
MICHAEL E. WESTCOT

September 28, 1993

RE: 36 Roberts Street


Ms. Jerry DeRoche  
36 Roberts St.  
Portland, Maine 04102

Dear Ms. DeRoche:

As you know, at its meeting of September 23, 1993, the Board of Appeals voted to grant your appeal regarding a change of use from a two family dwelling to a two family dwelling with day care for twelve children.

A copy of the Board's decision is enclosed.

Sincerely,

  
William D. Giroux  
Zoning Administrator

/el

cc: Joseph E. Gray, Jr., Director of Planning and Urban Development  
P. Samuel Hoffses, Chief of Inspection Services  
Arthur Rowe, Code Enforcement Officer



CITY OF PORTLAND

CONDITIONAL USE APPEAL

DECISION

For the Record

Names and addresses of witnesses (proponents, opponents and others):

Ms. Terry DeRoche \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Exhibits admitted (e.g., renderings, reports, etc.):  
\_\_\_\_\_  
\_\_\_\_\_

Findings of Fact

1. The proposed conditional use is / is not (circle one) permitted under Section 14- 118 of the Zoning Ordinance, for the following reason(s): \_\_\_\_\_

2. The proposed conditional use does / does not (circle one) meet all special standards, conditions or requirements, if any, applicable thereto, for the following reason(s): \_\_\_\_\_

3-A. There are are not (circle one) unique or distinctive characteristics or effects associated with the proposed conditional use, for the following reason(s): \_\_\_\_\_

3-B. There will will not (circle one) be an adverse impact on the health, safety or welfare of the public or the surrounding area, for the following reason(s): \_\_\_\_\_



3-C. The impact does/does not (circle one) differ substantially from the impact which would normally occur from such a use in that zone, for the following reason(s): \_\_\_\_\_

Conclusion\*

After public hearing on 9/23, 1993, and for the reasons above-stated, the accompanying application is hereby (check one)

granted.

granted subject to the following condition(s):  
\_\_\_\_\_  
\_\_\_\_\_

denied.

Dated: 9/23, 19

[Signature]  
Secretary of the Board

\* The application may be denied only if EITHER the finding for #1 or 2 above is in the negative OR the findings for #'s 3-A, 3-B and 3-C above are each in the affirmative.



CITY OF PORTLAND, MAINE  
ZONING BOARD OF APPEALS



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WILLIAM E. NELESKI, Jr.  
REBECCA SARGENT  
MICHAEL E. WESTORT

September 1, 1993

RE: 36 Roberts St.

Ms. Jerry A. DeRoche  
36 Roberts St.  
Portland, Maine 04102


Dear Ms. DeRoche:

Receipt of your application for a conditional use regarding the change of use from a two family dwelling to a two family dwelling with a day care for twelve children at 36 Roberts Street, is acknowledged.

This appeal will be scheduled for review before the Board of Appeals on Thursday evening, September 23, 1993, at 7:00 P.M. in Room 209, City Hall, Portland, Maine. You must plan to attend to answer any questions which the Board members may have concerning this appeal.

We will send you a copy of the September 23rd agenda as soon as copies become available for distribution.

Sincerely,

  
William D. Giroux  
Zoning Administrator

/el

cc: John C. Knox, Chairman, Board of Appeals  
Joseph E. Gray, Jr., Director of Planning and Urban Development  
Charles A. Lane, Associate Corporation Counsel  
P. Samuel Hoffses, Chief of Inspection Services  
Arthur Rowe, Code Enforcement Officer

CITY OF PORTLAND, MAINE  
ZONING BOARD OF APPEALS



36 Roberts Street

JOHN C. KNOX

MATTHEW D. MANAHAN  
THOMAS F. JEWELL  
RAY M. JOHNSON  
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REBECCA SARGENT  
MICHAEL E. WESTORT

All persons interested either for or against this Conditional Use Appeal will be heard at a public hearing in Room 209, City Hall, Portland, Maine on Thursday evening, September 23, 1993 at 7:00 p.m. This notice of required public hearing has been sent to the owners of property within 500 feet of the property in question as required by the Ordinance.

Ms. Jerry A. DeRoche, owner of the property located at 36 Roberts Street, under the provisions of Section 14-474 of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board of Appeals to permit a change of use of the two family dwelling at the above named location to a two family dwelling with day care for twelve(12) children. For more detailed information, please come to Room 315 at City Hall weekdays from 7:00 a.m. to 4:00 p.m.

**LEGAL BASIS OF APPEAL:** Such appeal will be granted if the Board of Appeals finds that the conditions imposed by Section 14-474 of the Zoning Ordinance have been met.

John C. Knox  
Chairman

/el

9/1/93



36 Roberts Street  
Portland, Maine 04102

City of Portland  
Board of Appeals  
389 Congress Street  
Portland, Maine 04102

Members of the Board:

Attached please find all required documents pertaining to an appeal. I would like a date at your earliest possible convenience, to ask about having a license from the city for a home daycare.

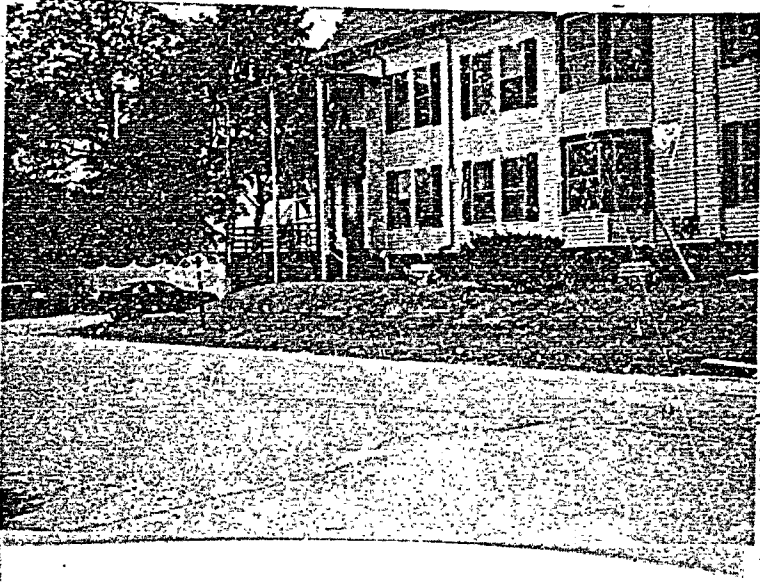
My home daycare has existed for a while without any complaints from surrounding neighbors. The parents use my side entrance so parking does not seem to have been a problem.

I'll be waiting to hear from you.

Sincerely,

*Jerry A. DeRoche*  
Jerry A. DeRoche





THOMAS F. JEWELL

RAY M. JOHNSON  
JOHN C. KNIX  
MATTHEW D. MAHAHAN  
DEWEY A. MARTIN, JR.  
REBECCA SARGENT  
MICHAEL E. WESTORT

CONDITIONAL USE APPEAL APPLICATION

Applicant's name and address: Jerry A. De Roche  
36 Roberts St. Portland, Me. 04102  
Applicant's interest in property (e.g., owner, purchaser, etc.):

Owner's name and address (if different): Same

Address of property and Assessor's chart, block and lot number:  
34/36 Roberts St. Portland, Me. 04102

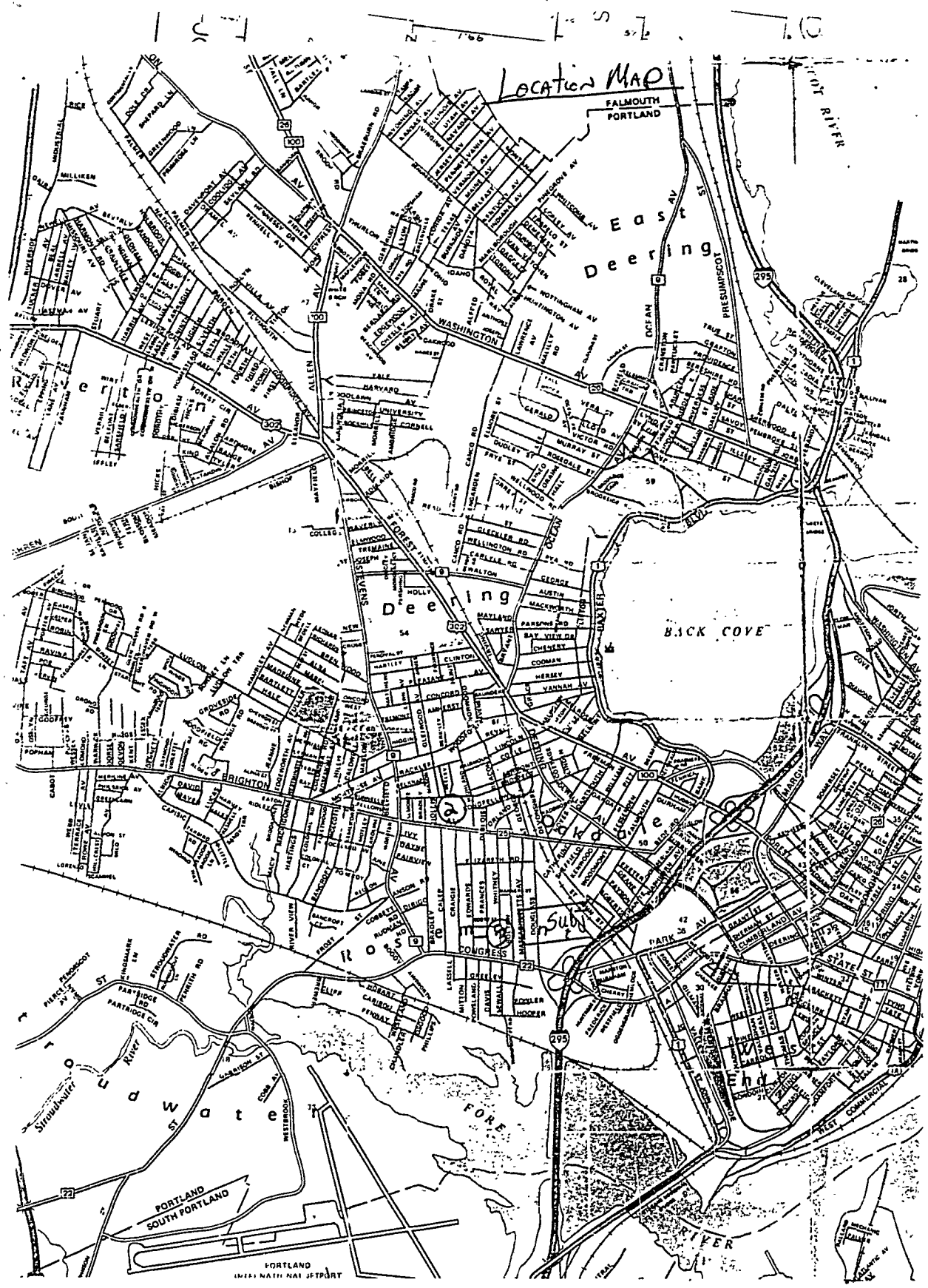
Zone: R-5 Present use: 2nd Floor Daycare

Type of conditional use proposed: \_\_\_\_\_

Conditional use authorized by: Section 14- \_\_\_\_\_

NOTE: If site plan approval is required, attach preliminary or final site plan. Jerry A. De Roche August 25, 1993

The undersigned hereby makes application for a conditional use permit as above described, and certifies that all information herein supplied by him/her is true and correct to the best of his/her knowledge and belief.



Location Map

East Deering

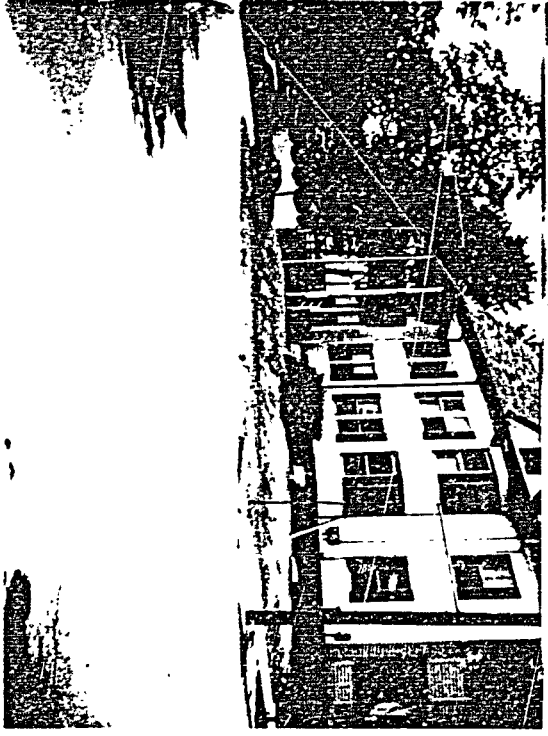
Deering

BACK COVE

Sub

PORTLAND SOUTH PORTLAND

PORTLAND (WEST NORTH EAST SOUTH)

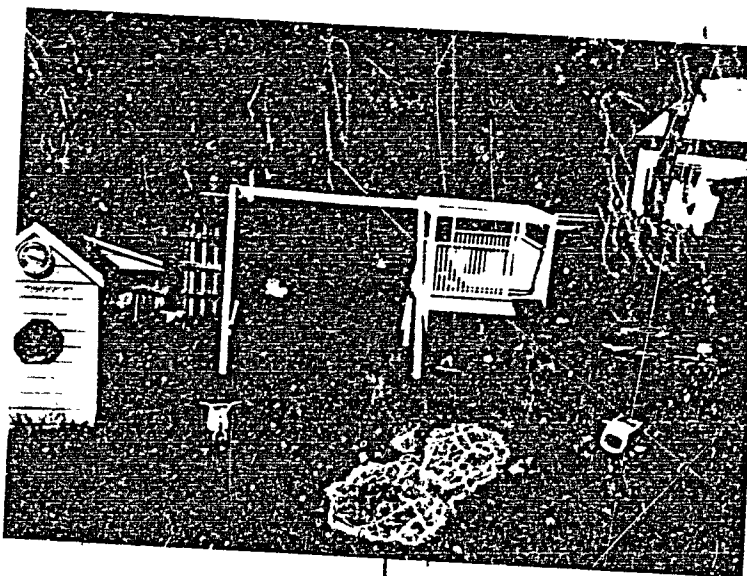




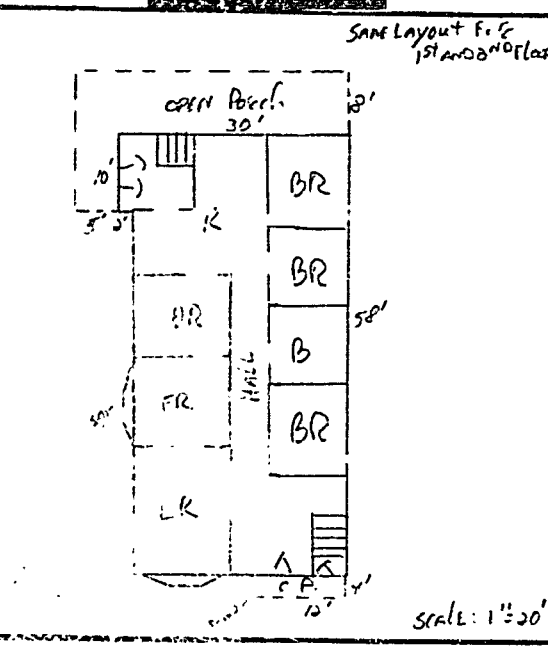
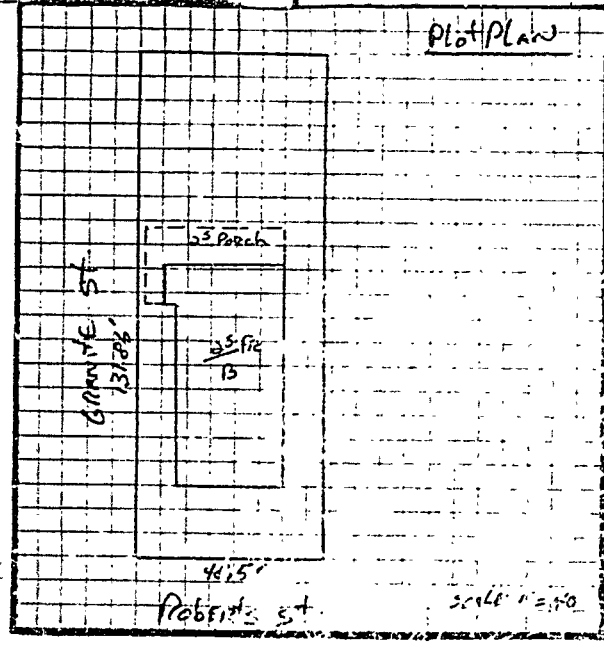
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WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That I, LAWRENCE P. DEROCHE, of Westbrook, County of Cumberland, and State of Maine, and whose mailing address is 99 Elmwood Avenue, Westbrook, Maine 04092, IN CONSIDERATION OF ONE DOLLAR and other valuable considerations, paid by JERRY A. DEROCHE, of Portland, County of Cumberland and State of Maine, and whose mailing address is 36 Roberts Street, Portland, Maine, 04191, the receipt whereof I do hereby acknowledge, do hereby GIVE, GRANT, BARGAIN, SELL, AND CONVEY unto the said Jerry A. DeRoche, her heirs and assigns forever, the following described real estate located in the County of Cumberland and State of Maine:

A certain lot or parcel of land, with the buildings thereon, situated in the City of Portland, County of Cumberland and bounded and described as follows: Beginning at a stake at the intersection of the westerly sideline of Roberts Street with the northerly sideline of Granite Street; thence in a northerly direction and along said westerly sideline of Roberts Street, a distance of fifty (50) feet to a stake; thence in a westerly direction and on a line at right angles with said Roberts Street a distance of ninety-eight and four-tenths (98.4) feet to a stake; thence in a southerly direction a distance of fifty (50) feet to a stake on the northerly sideline of Granite Street; thence in an easterly direction and along the said northerly sideline of Granite Street, a distance of ninety-seven and four-tenths (97.4) feet to the point of beginning; said lot containing forty-eight hundred and ninety-five (4895) square feet and being lot numbered twenty-two (22) on Plan of City Lots on Washburn Avenue and Roberts Street, which plan is on file in the office of the City Engineer.

Also another certain lot or parcel of land, with the buildings thereon, situated in said Portland, bounded and described as follows: Beginning at the westerly corner of land now or formerly of Walter H. Small on Granite Street in said Portland; thence northerly by said Small's land fifty (50) feet to land now or formerly of Sarah W. Roberts; thence westerly by said Roberts' land thirty (30) feet to a point; thence at right angles southerly fifty (50) feet to Granite Street; thence by said Granite Street easterly thirty (30) feet to the point of beginning.

For a more particular description of this property, see Cumberland County Registry of Deeds, Book 3223, Page 296.

Being the same premises conveyed to the Grantor herein by deed of Anne C. Bumham Cote dated March 20, 1974 and recorded in the said Registry in Book 3563, Page 47.

TO HAVE AND TO HOLD the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to the said Jerry A. DeRoche, her heirs and assigns, to them and their use and behoof forever.

AND I DO COVENANT with the said Grantee as aforesaid, that I am lawfully seized in fee of the premises, that they are free of all encumbrances except as aforesaid; that I have good right to sell and convey the same to the said Grantee to hold as aforesaid, and that I and my heirs shall and will WARRANT AND DEFEND the same to the said Grantee, her heirs and assigns, against the lawful claims and demands of all persons.



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PORTLAND, MAINE

PRC-380

MARKET ADJUSTMENT		TOTAL GROSS VALUE	
14	MARKET ADJUSTMENT	TOTAL GROSS VALUE	
13	COST & DESIGN FACTOR	TOTAL GROSS VALUE	
12	GRADE	TOTAL GROSS VALUE	
11	GROUND FLOOR AREA	TOTAL GROSS VALUE	
10	UNHEATED AREA (-)	TOTAL GROSS VALUE	
9	UNFINISHED AREA (-)	TOTAL GROSS VALUE	
8	BSMT GARAGE NO. OF CARS	TOTAL GROSS VALUE	
7	WOOD COAL BURNING	TOTAL GROSS VALUE	
6	METAL FR. STACKS - OPENINGS	TOTAL GROSS VALUE	
5	W.F.P. STACKS - OPENINGS	TOTAL GROSS VALUE	
4	FIN. BSMT LIVING AREA	TOTAL GROSS VALUE	
3	REC HOOD	TOTAL GROSS VALUE	
2	STONE TRIM	TOTAL GROSS VALUE	
1	BRICK TRIM	TOTAL GROSS VALUE	
18	1 SEE DETAILED REPORT	TOTAL GROSS VALUE	
17	2 SEE DETAILED REPORT	TOTAL GROSS VALUE	
16	MISCELLANEOUS IMPROVEMENTS	TOTAL GROSS VALUE	
15	BASE VALUE	TOTAL GROSS VALUE	
14	C & D FACTOR	TOTAL GROSS VALUE	
13	GRADE FACTOR	TOTAL GROSS VALUE	
12	SUB TOTAL	TOTAL GROSS VALUE	
11	OTHER FEATURES	TOTAL GROSS VALUE	
10	ATTIC	TOTAL GROSS VALUE	
9	PLUMBING	TOTAL GROSS VALUE	
8	HEATING	TOTAL GROSS VALUE	
7	BASEMENT	TOTAL GROSS VALUE	
6	BASE PRICE	TOTAL GROSS VALUE	
5	25 Mt. Bay	TOTAL GROSS VALUE	
4	30 Carport	TOTAL GROSS VALUE	
3	35 Mt. Stoop	TOTAL GROSS VALUE	
2	36 Art. Greenhouse	TOTAL GROSS VALUE	
1	50 Utilin. Bmt.	TOTAL GROSS VALUE	
0	99 Mt. Value	TOTAL GROSS VALUE	

TYPE CODE	QTY	VR	SIZE	CONO	RATE	BASE VALUE	MA	MOD CODES	TRUE VALUE
RC1	Carport								
RC2	Carport								
RC3	Carport								
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RC7	Carport								
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ADDITION CODES	DESCRIPTION	AMOUNT	DATE	NUMBER
599	DELETE 601-608			
465				
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ADDITION CODES	DESCRIPTION	AMOUNT	DATE	NUMBER
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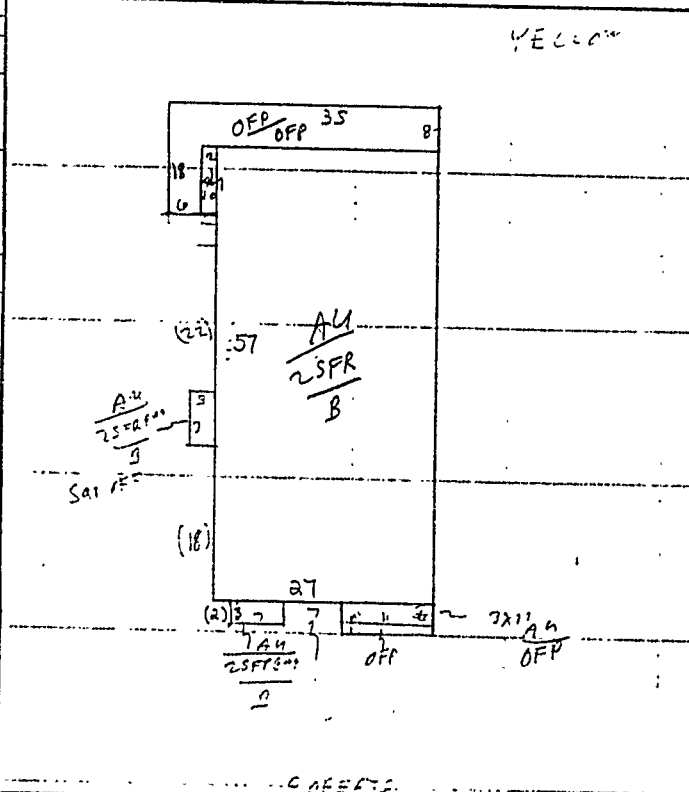


NOTES



**VECCO**

DWELLING <input checked="" type="radio"/> OTHER <input type="radio"/>		STORY HEIGHT 10 15 <u>20</u> 25 30	
EXTERIOR WALLS 1 FRAME 4 BLOCK 7 STONE 2 BRICK 5 STUCCO 8 ASBESTOS 3 MAS & FRAME 6 ALUM/VINYL 9 CONCRETE			
STYLE 1 RAISED RANCH 7 CONDO MANSION 2 SPLIT LEVEL 8 CONTEMP. 1 GAMBREL 3 RANCH 9 TOWNHSE/ROW 15 GARRISON 4 CAPE 10 COTTAGE 16 OTHER 5 OLD STYLE 11 BUNGALOW 6 COLONIAL 12 DUPLEX		AGE ERECTED <u>914</u> EST <u>21</u> REMODELED <u>1979</u>	
LIVING ACCOMMODATIONS TOTAL ROOMS <u>12</u> BED ROOMS <u>06</u> FAMILY ROOMS <u>0</u> FULL BATHS <u>2</u> HALF BATHS <u>0</u> ADD'L TOYAL <u>18</u> NO. KITCHEN <u>0</u> YES <u>1</u> NO. BATH REMODELED <u>0</u> YES <u>1</u> NO <u>1</u>			
BASEMENT NONE CRAWL PART FULL HEATING NONE BASIC CENTRAL AIR COND HEATING FUEL TYPE NONE GAS ELEC COAL SOLAR HEATING SYSTEM TYPE NONE WARM AIR ELEC HOT-WATER STEAM ATTIC NONE UNFIN PT FIN FULL FIN FULL FIN/WH		INTERIOR CONDITION BETTER SAME POORER	
PHYSICAL CONDITION EX. GO AV FR PR VP UN			
SFLA		CONDO LEVEL <u>---</u> CONDO TYPE <u>---</u> 1-INTERIOR 2-CORNER	
OTHER FEATURES 1 BRICK TRIM 2 STONE TRIM 3 REC ROOM 4 FIN BSMT LIVING AREA 5 WB FP STACKS OPENINGS 6 METAL FP. STACKS OPENINGS 7 WOOD COAL BURNING 8 BSMT GARAGE NO. OF CARS 9 UNFINISHED AREA (-) 10 UNHEATED AREA (-)		RESIDENTIAL POOLS RC1 Carport RC2 Canopy RG1 Frame/Stone Detached Garage RG2 Brick/Stone Detached Garage RS1 Frame Shed RS2 Me. Shed RP1 Plastic Liner RP2 Prefabricated Vinyl RP3 Reinforced Concrete RP4 Fiberglass RP5 Gunite	
GROUND FLOOR AREA GRADE FACTOR AA A B <u>(C)</u> D E [ ] COST & DESIGN FACTOR <u>H 0.25 MC</u>		ADDITION CODES 10 1st Frame 15 Frame Bay 20 1st Max 25 Mas. Bay 34 Stone Patio 11 OFF 16 Frame OH 21 OMP 30 Carport 35 Mas. Stopp 12 EFF 17 1st Frame 22 EMP 31 Wood Deck 38 Att. Greenhouse 13 Frame Garage 18 Unfin. Attic 23 Mas. Garage 32 Canopy 50 Unfin. Bsmt. 14 Frame Utility 19 Fin Attic 24 Mas. Utility 33 Cont. Patio 59 Misc. Value	
CDU EX VG GO AV <u>(FR)</u> PR VP UN <u>I 2.05</u>		DWELLING COMPUTATIONS BASE PRICE BASEMENT HEATING PLUMBING ATTIC ADDITIONS OTHER FEATURES SUB TOTAL GRADE FACTOR C & D FACTOR BASE VALUE MARKET ADJ TRUE VALUE	
MARKET ADJUSTMENT		TOTAL GROSS VALUE	



**NOTES**

471
472
473
474

**BUILDING PERMIT RECORD**

NUMBER	DATE	AMOUNT	DESCRIPTION
461			
462			
463			
464			
465			

**ADDITIONS**

ADD	CD	LWR	1ST	2ND	3RD	AREA
601	A1	<u>50</u>	<u>15</u>	<u>15</u>	<u>18</u>	
602	A2		<u>11</u>	<u>11</u>		
603	A3		<u>11</u>	<u>18</u>		
604	A4		<u>11</u>			
605	A5	<u>50</u>	<u>15</u>	<u>15</u>	<u>18</u>	
606	A6					
607	A7					
608	A8					

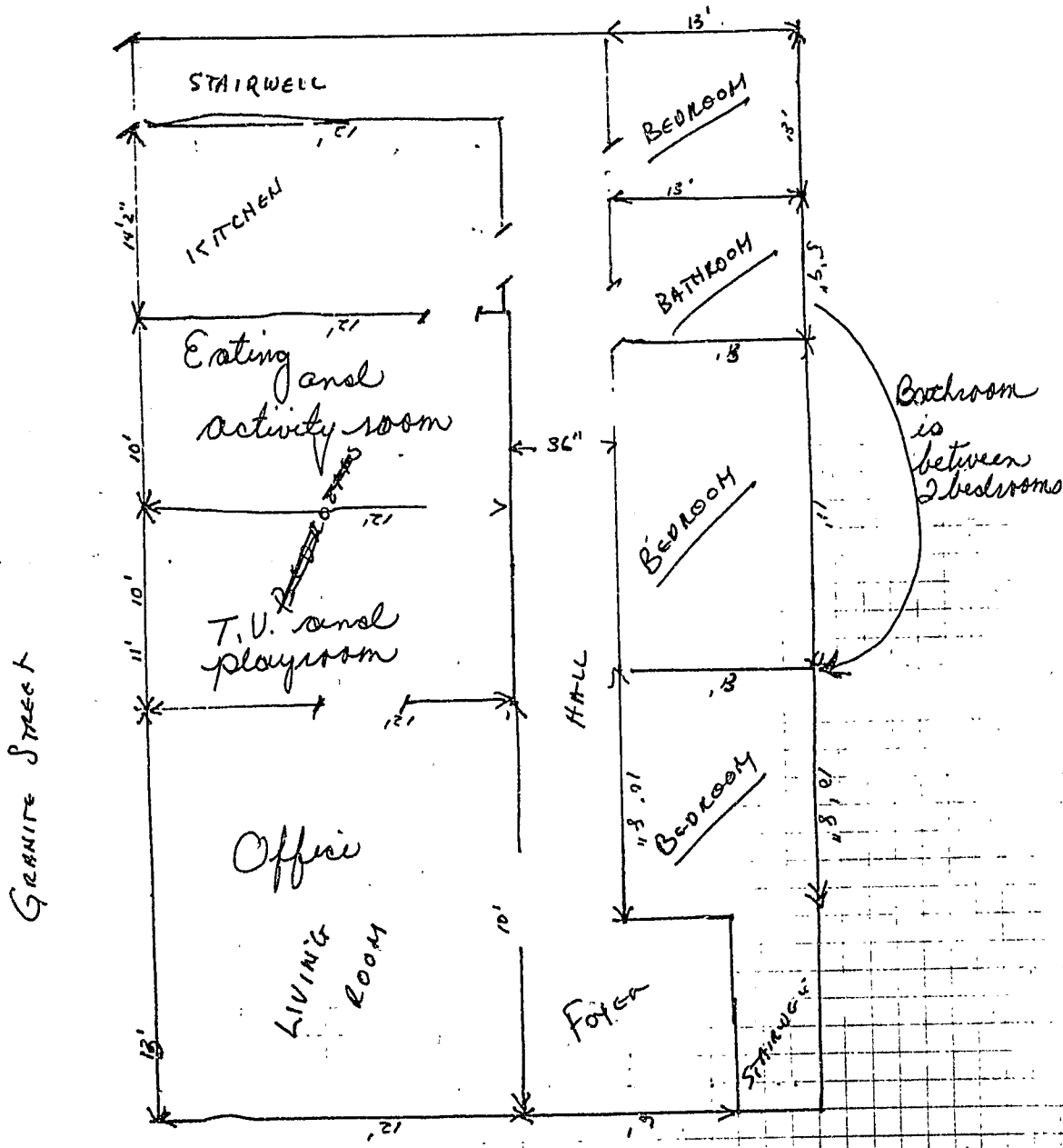
**OTHER BUILDINGS & YARD IMPROVEMENTS**

TYPE CODE	QTY	YR	SIZE	G	COND	RATE	BASE VALUE	MA	MOD CODES	TRUE VALUE
801										
802										
803										
804										
810	MISCELLANEOUS IMPROVEMENTS									
800	1 SEE DETAILED CARD 2 SEE DETAILED REPORT									



RFP#00	SUBJECT	PORTLAND, MAINE COMP 1 *****	COMP 2 *****	COMP 3 *****	COMP 4 *****	COMP 5 *****
CHRT/LTR/VEL	066 A F	131 E	125 C	124 U	125 W	066 A F
LOT/UNIT	011 001	000 001	004 001	005 001	005 001	001 001
CD/LD	01/01	01/01	01/01	01/01	01/01	01/01
ROUTE	049-D	008-L	123-0	045-D	050-D	059-D
ST NBR	3436	0017	0050	0211	0129	0080
PROP ADOP	ROBERTS FL	ERENT-000	LINCOLN ST	COYLE ST	COYLE ST	ROBERTS RD
LAND USE	12	12	12	12	13	13
LIVING UNIT	2	2	2	2	2	3
ZONING	R5	R5	R5	RE	R5	RE
NBHD	111C	111C	1110	1110	111C	1110
GROUP	003	003	003	003	003	003
TOTAL ACRES	0.14	0.26	0.19	0.11	0.15	0.15
DWELLING						
STORY	2-0	2-0	2-0	2-0	2-0	2-0
ATTIC	UNFINISHED	FULL FINISH	PT FINISHED	UNFINISHED	FULL FINISH	FULL FINISH
BASEMENT	FULL	FULL	FULL	FULL	FULL	FULL
EXT WALL	ALUM/VINYL	ASBESTOS	ALUM/VINYL	ALUM/VINYL	ALUM/VINYL	ALUM/VINYL
STYLE	OLD STYLE	OLD STYLE	OLD STYLE	OLD STYLE	OLD STYLE	OLD STYLE
YP BLT/RCM	1914/74	1900/	1996/	1927/	1896/	1900/
ED/FH/TF	06/0/12	06/1/12	06/0/10	06/0/12	06/0/15	07/0/15
HEATING	05/0/H	05/0/STM	05/0/ST	05/0/H	05/0/ST	05/0/STM
FE/HF/AF/TF	2-0,2/10	2-0,2/10	2-0,2/10	2-0,2/10	2-0,2/10	2-0,2/10
PHYS/INT COND	AV /SAME	AV /SAME	FP /SAME	AV /SAME	AV /SAME	AV /SAME
UNF AREA	0	0	0	0	0	0
CFLA	1,559	1,152	1,440	1,574	1,215	1,124
SFLA	2,202	3,068	3,168	3,446	3,400	3,062
PIPEPLACE	0,0/0	0,0/0	1,2/0	2,2/0	0,0/0	2,4/0
RECKROOM	0	0	0	0	0	0
FIN ESMT SF	0	0	0	0	0	0
ESMT GARAGE	0	0	0	0	234	261
OPEN PORCH	724	140	0	0	0	0
ENCL PORCH	0	0	0	0	0	0
ATTCH GAR	0	0	0	300	0	0
DECK/PATIO	0	0	160	0	0	0
CGST DATA						
GRADE CGU	C +05	C +05	C +05	C +05	C +05	C +05
CDU	FP	FP	FP	AV	AV	AV
PCR	187,800	159,800	196,400	196,200	195,700	199,400
PCT GOOD	0.60	0.60	0.60	0.65	0.65	0.65
PCLD	112,700	95,800	110,300	127,500	127,200	129,600
POOL AREA	0	0	0	0	374	0
DETACH GAR	0	0	0	0	0	0
OTH CBLY	0	0	4,300	0	0	0
TOTAL CBGY	0	10,200	4,300	0	3,900	0
GROSS VAL	0	0	0	0	0	0
TOTAL LAND	26,200	30,500	31,200	27,500	30,000	30,200
TOTAL IMPR	112,700	190,000	117,300	127,500	131,100	129,600
TOTAL CGST	140,900	130,500	140,500	155,000	161,100	159,800
VALUATION						
SALL BITE		12/90	10/90	05/90	07/90	02/90
SALL PRICE		127,879	149,500	159,000	152,000	166,000
PRF EST	151,501	150,157	170,417	182,694	171,602	170,790
LYD EST	134,219					
ADD SALL		134,203	170,609	130,607	172,879	147,770
PMT EST	170,400					
FCC						
DISTANCE		30	48	67	74	82

2ND FLOOR - CURRENTLY



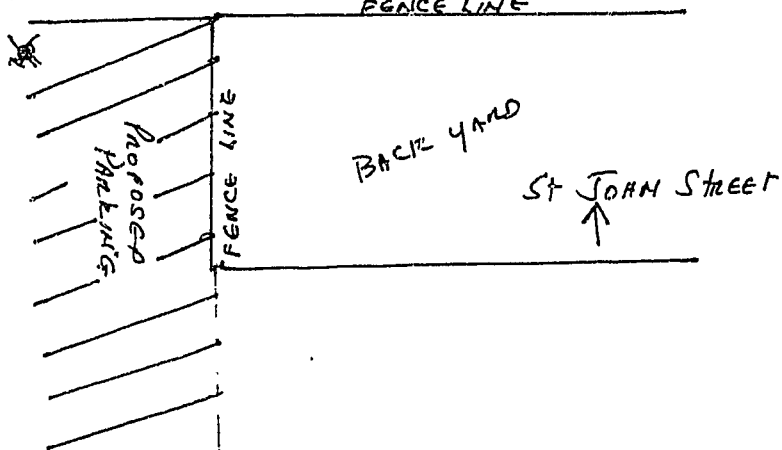
Granite Street

Roberts Street

Not to scale  
MEASUREMENTS EXACT



DWELLING IN RELATION TO LOT  
FENCE LINE



GRANITE STREET

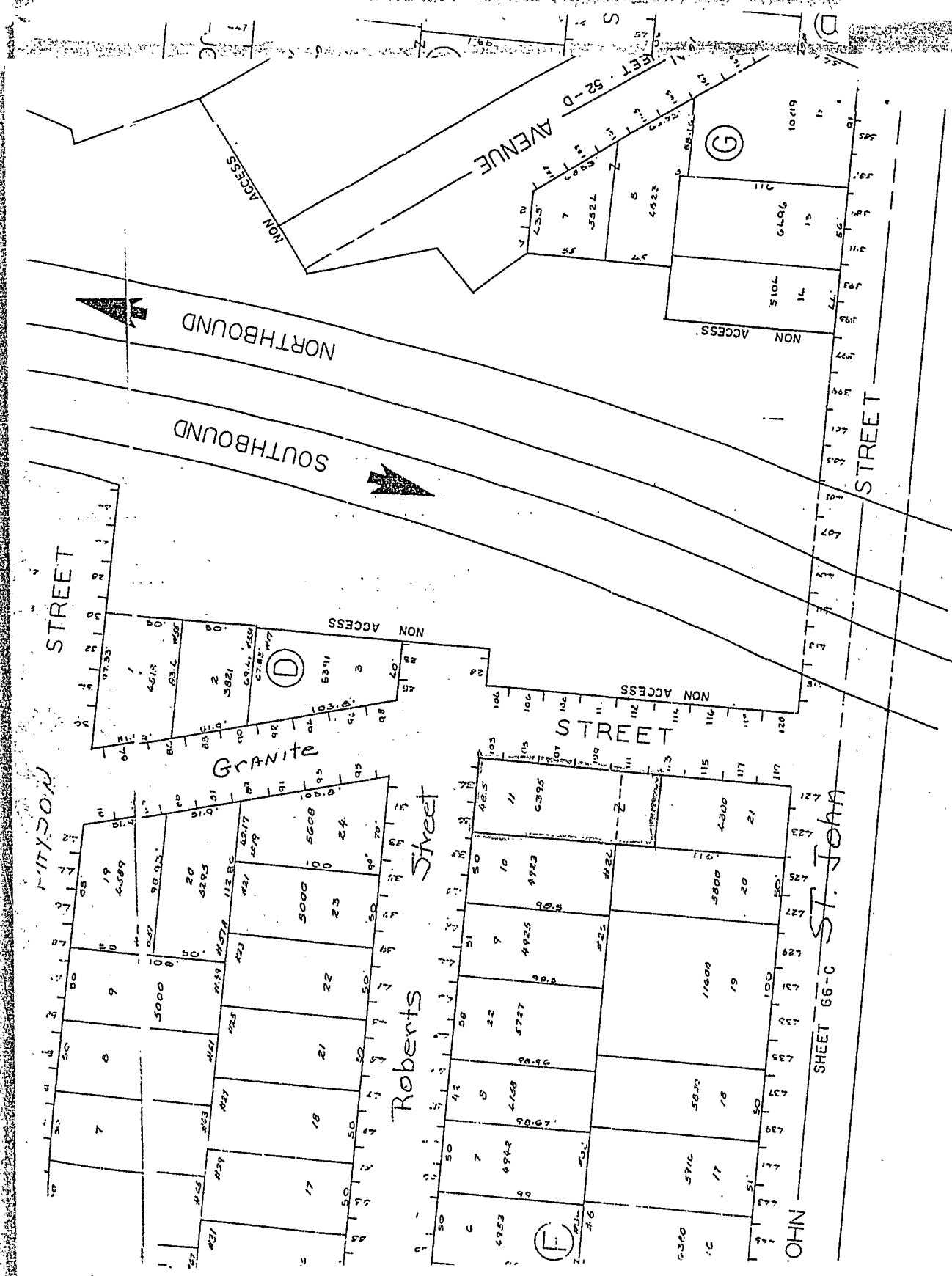
DWELLING

CURRENT PARKING AVAILABLE  
FOR 6 AUTOMOBILES - TO  
BE EXPANDED TO SPACE FOR 9.

ROBERTS STREET

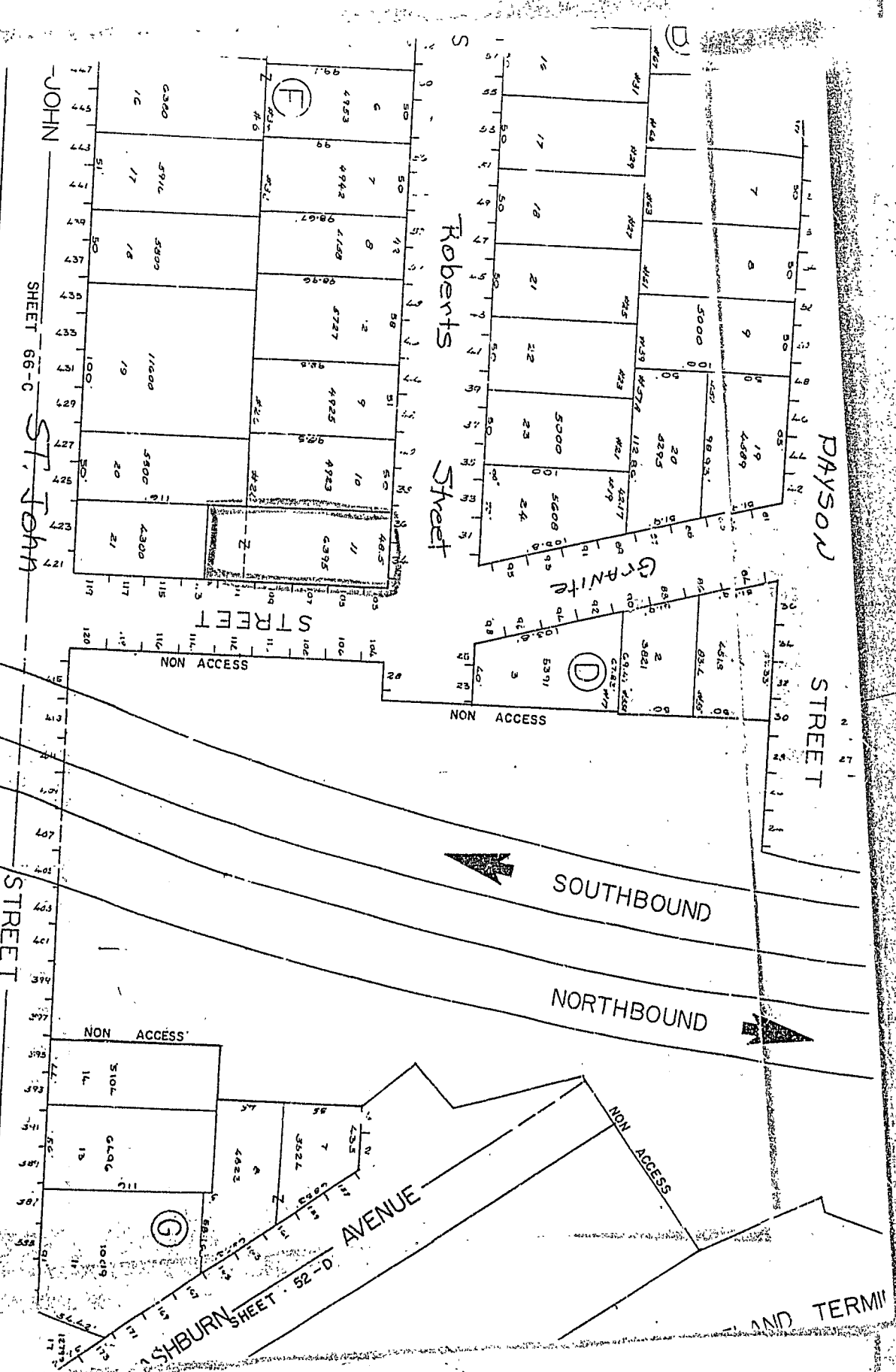
NOT TO SCALE  
MEASUREMENTS EXACT





ST. JOHN STREET

SHEET 66-C





PLANCBL  
KNOTE

City of Portland, Maine  
Department of Planning & Urban Development

04 FEB 91  
09:24

CBL Listing for Post Cards:  
Fill with '\*' for all

INVALID CURSOR POSITION  
Format - (CCC-1-BB-LLL)

C - Chart 1 - Chart letter B - Block L - Lot

52-H  
66-D 66-F  
66A-A 66A-B 66A-C 66A-D 66A-F

Continue

Cancel

Done

Labels please  
36 Roluts St  
Thank you, Liz