

518-524 DELRING AVENUE



Full cut # 920R - Half cut # 9202R - Third cut # 9203R - Fifth cut # 9205R

CITY OF PORTLAND, MAINE

Application for Permit to Install Wires

Permit No. 531

Issued 6-8-73

Portland, Maine June 8, 1973

To the City Electrician, Portland

The undersigned hereby apply for 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 Dan Tapp Tel. 772-115

Contractor's Name and Address C. A. Deslaurier Tel. 829-3123

Location 522 Deering Ave. Use of Building office

Number of Families 1 Apartments 0 Stores 0 Number of Stories 1

Description of Wiring: New Work 0 Additions yes Alterations 0

Pipe 0 Cable 0 Metal Molding 0 BX Cable 0 Plug Molding (No. of feet) 0

No. Light Outlets 14 Plugs 0 Light Circuits 0 Plug Circuits 0

FIXTURES: No. 0 Fluor. or Strip Lighting (No. feet) 0

SERVICE: Pipe 0 Cable 0 Underground 0 No. of Wires 0 Size 0

METERS: Relocated 0 Added 0 Total No. Meters 0

MOTORS: Number 0 Phase 0 H. P. 0 Amps 0 Volts 0 Starter 0

HEATING UNITS: Domestic (Oil) 0 No. Motors 0 Phase 0 H.P. 0

Commercial (Oil) 0 No. Motors 0 Phase 0 H.P. 0

Electric Heat (No. of Rooms) 0

APPLIANCES: No. Ranges 0 Watts 0 Brand Feeds (Size and No.) 0

Elec. Heaters 0 Watts 0

Miscellaneous 0 Watts 0 Extra Cabinets or Panels 0

Transformers 0 Air Conditioners (No. Units) 0 Signs (No. Units) 0

Will commence 19 Ready to cover in 19 Inspection 19

Amount of Fee \$ 3.00

Signed Christopher A. Deslaurier

DO NOT WRITE BELOW THIS LINE

SERVICE 0 METER 0 GROUND 0

VISITS: 1 0 2 0 3 0 4 0 5 0 6 0

7 0 8 0 9 0 10 0 11 0 12 0

REMARKS:

INSPECTED BY 7-11-73
(OVER)

LOCATION *Dorring Av 522*
 INSPECTION DATE *6/11/73*
 WORK COMPLETED *6/11/73*
 TOTAL NO. INSPECTIONS
 REMARKS:

FEE FOR WIRING PERMITS EFFECTIVE JULY 31, 1963

WIRING

1 to 30 Outlets \$ 2.00
 31 to 60 Outlets 3.00
 Over 60 Outlets, each Outlet .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
 Three Phase

MOTORS
 Not exceeding 50 H.P. 2.00
 Over 50 H.P. 4.00

HEATING UNITS
 Domestic (Oil) 3.00
 Commercial (Oil) 4.00
 Electric Heat (Each Room) 2.00

APPLIANCES
 Ranges, Cooking Tops, Ovens, Water Heaters, Disposals, Built-in Dishwashers, Dryers, and any permanent built-in appliance — each 4.00
 Electric Heat (Each Room) .75

MISCELLANEOUS
 Temporary Service, Single Phase 1.50
 Temporary Service, Three Phase

City of Chicago, Illinois

522 Deering Avenue

May 7, 1973

The Marley Company
12 Revere Street

cc to: Dan Toppi
12 Revere Street

Gentlemen:

This office is unable to issue a permit to construct a 14' x 30' addition on right side of existing building as per plans because the estimated cost given on the application does not, in our estimation, reflect the true cost of the work involved.

Very truly yours,

R. Lovell Brown
Director

RLB:m

B1 BUSINESS



APPLICATION FOR PERMIT

Class of Building or Type of Structure

Portland, Maine, May 5, 1973

PERMIT ISSUED

MAY 10 1973

00483

CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect alter repair demolish install the following building structure equipment in accordance with the Laws of the State of Maine, the Building Code and Zoning Ordinance of the City of Portland, plans and specifications, if any, submitted herewith and the following specifications:

Location 522 Deering Ave. Within Fire Limits? Dist. No.
 Owner's name and address Dan Topol 12 Revere St. Telephone
 Lessee's name and address Telephone
 Contractor's name and address The Marley Co., 12 Revere St. Telephone 774-148
 Architect Specifications Plans No. of sheets 2
 Proposed use of building offices No. families
 Last use " No. families
 Material No. stories Heat Style of roof Roofing
 Other buildings on same lot
 Estimated cost \$3,000. Fee \$ 9.00

General Description of New Work

To construct 14' x 30' addition on right side of existing bldg. as per plan

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 8' Height average grade to highest point of roof 10'
 Size, front 14' depth 30' No. stories 1 Is lid or filled land? earth or rock?
 Material of foundation concrete block 8" Thickness, top bottom cellar
 Kind of roof shed Rise per foot 2" Roof covering rolled roofing - double coverage
 No. of chimneys none Material of chimneys of lining Kind of heat fuel
 Framing Lumber-Kind spruce Dressed or full size? Corner posts 4x4 Sills 2x10 box
 Size Girder no 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 2x10 2nd 3rd roof 2x8
 On centers: 1st floor 16" 2nd 3rd roof 16"
 Maximum span: 1st floor 2nd 3rd roof
 If one story building with masonry walls, thickness of walls? height?

If a Garage

No. cars now accommodated on same lot, to be accommodated, number commercial cars to be accommodated.
 Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building?

Miscellaneous

Will work require disturbing of any tree on a public street?
 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

APPROVED:

5/4/73 ZONING DEPT. M.G.W.
 O.K. - 5/10/73 - Allen

CS 301

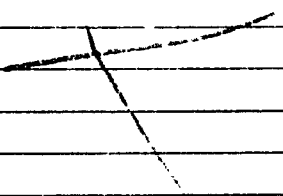
INSPECTION COPY

Signature of owner by:

Marley Co.

NOTES

6-4-73 O.K. to
 Plan foundation
 8-13-73 Work started
 completed
 10-16-73 Same. OK
 11-6-73 Work completed
 2-11-74 Completed



Permit No. 121 / 483
 Location 3022 Riverside Ave.
 Owner & Co. Inc.
 Date of permit 10/10/73
 Notice closing in
 Inspn. closing in
 Final Notif.
 Final Inspn.
 Cert. of Occupancy issued
 Staking Out Notice
 Form Check Notice

Type of Bldg.

☐ Commercial

☐ Residential

☐ Single

☐ Multi Family

☐ New Construction

☐ Remodeling

PERMIT NUMBER 12878

Address 522 Deering Avenue
 Installer on For office
 Owner of Bldg: Daniel J. Toppi
 Owner's Address: 12 Bowers Street
 Plumber: Ballard (M. W. Quinn) Inc. Date: 10-2-67
135 Marginal Hwy NO. FEE

NEW	REPL			
		SINKS		
		LAVATORIES		
		TOILETS		
		BATH TUBS		
		SHOWERS		
		DRAINS FLOOR SURFACE		
		HOT WATER TANKS		
1		TANKLESS WATER HEATERS	1	2.00
		GARBAGE DISPOSALS		
		SEPTIC TANKS		
		HOUSE SEWERS		
		ROOF LEAKERS		
		AUTOMATIC WASHERS		
		DISHWASHERS		
		OTHER		
		TOTAL	1	2.00

Building and Inspection Services Dept.: Plumbing Inspection

INSPECTION COPY

NOTES

Permit No. 611997
 Location 5th & Downing Streets
 Owner Laurel & John H. H. H.
 Date of permit 10/3/67
 Approved [Signature]

1	Full Pipe	
2	Veget. Pipe	
3	Kind of Heat	
4	Turner, Rigby & Supports	
5	Name & Address	
6	Stack Length	
7	4" 80 lb. 1" 100 lb.	
8	Bottom Connection	
9	Height of Stack	
10	Valve in	
11	Capacity of	
12	Tank R. in	
13	Tank Un. in	
14	Oil Buys	
15	Instruction Card	
16	Low Water Shut-off	

10/4 met architect of J. D. B. B.
 coming from Boston
 10/8/67 met ready

For New access parking lot 522 Leering Avenue

February 10, 1967

Mr. Daniel S. Toppi
12 Levere Street
Portland, Maine

cc to: Mr. Bruce Dalton
Planning Director
cc to: Public Works Department

Dear Mr. Toppi:

A communication from Planning Department Director Dalton reveals that your proposed entrance from Leering Avenue was reconsidered and approved by the Planning Board.

As the parking lot has been previously approved under a permit from this department, there is no permit required for the construction of the driveway. You will however, need a permit from the Public Works Department for the curb cuts.

Under Section 501.2.2 of the Building Code a permit is not required for the detached direction sign as shown on your plan.

Therefore you may proceed as soon as the necessary permits have been secured from the City of Portland Public Works Department.

Very truly yours,

Gerald E. Mayberry
Director of Building & Inspection Services

me ke

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Bruce Dalton, Planning Director
FROM: Gerald E. Mayberry, Building & Inspection Services Director
SUBJECT: Extending parking lot entrance at 522 Deering Avenue

DATE: Oct. 24, 1966

Owner Daniel S. Toppi wishes to provide an entrance to his parking lot from Deering Avenue as shown by the attached plan. Although this has been conditionally approved by the Traffic Engineer, Mr. George Capelle, Planning Board approval is also required when access to parking areas is available from more than one street as per Section 14-J-1 of the Zoning Ordinance.

Mr. Toppi's reason for this second access is that his tenants have a tendency to travel the wrong way on a one way section of Deering Avenue to get to the Revere Street entrance.

Gerald E. Mayberry

GEN:m

attachment

7. of 3. - 522 Deering Avenue Feb. 14, 1966

Mr. Daniel Toppi
1. Bevere Street

Dear Mr. Toppi:

Please consider this letter as a temporary certificate of occupancy for the second floor at 522 Deering Avenue.

When the first floor offices are completed and the parking lot in the rear we will issue a complete certificate.

Very truly yours,

Nelson Cartwright
Field Inspector

NC:m

AP - 522 Deering Ave.

December 22, 1965

Megquier & Jones Co.
33 Pearl Street

cc: Daniel S. Toppi
12 Revue Street

Gentlemen:

Permit to erect a metal fire escape on side of building from second floor to ground at the above named location is being issued subject to plan submitted with application and the following Building Code restriction:

The top railing shall be extended on the same plane as the stair and returned horizontally to the outmost ladder stringer.

Very truly yours,

Archie L. Sedgins
Deputy Director

ALS/h

(COPY)

CITY OF PORTLAND, MAINE
Department of Building Inspection



Certificate of Occupancy

LOCATION #522 Deering Ave.

Issued to Daniel S. Toppi
12 Rovers St.

Date of Issue May 27, 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. 65/1136, 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

First and Second Floors

APPROVED OCCUPANCY

Offices—first floor

(2) apartments—second floor.

Limiting Conditions:

This certificate supersedes
certificate issued

Approved:

Nelson F. Cartwright
(Date) Inspector

H. E. Mayberry
Inspector of Buildings

Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.



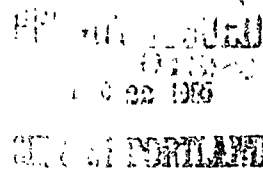
APPLICATION FOR PERMIT

Class of Building or Type of Structure

Second Class

Portland, Maine,

December 22, 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 522 Deering Ave. Within Fire Limits? Dist. No.
Owner's name and address Daniel S. Toppi, 12 Havana St. Telephone
Lessee's name and address Telephone
Contractor's name and address Lequien & Jones Co., 32 Pearl St. Telephone 772-7453
Architect Specifications Plans YES No. of sheets 1
Proposed use of building Dwelling and Office No. families 2
Last use Dwelling No. families 2
Material brick No. stories 2 Heat Style of roof Roofing
Other buildings on same lot
Estimated cost \$ 450.00 Fee \$ 3.00

General Description of New Work

To erect metal fire escape on side of building from second floor to ground (drop ladder) as per plan.

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:

[Signature]

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

CS 301

INSPECTION COPY

Signature of owner by:

Daniel S. Toppi

Lequien & Jones Company

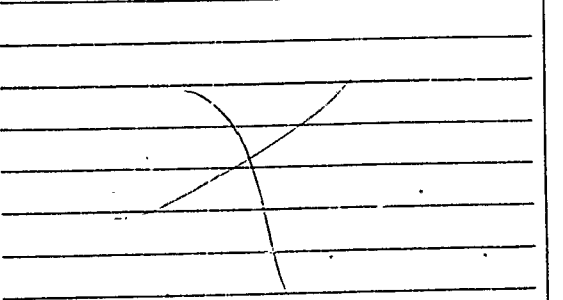
[Signature]

[Signature]

Permit No. 6571392
Location 5322 Leving Ave.
Owner Amuel M. Leppa
Date of permit 12/24/65
Notif. closing-in _____
Inspn. closing-in _____
Final Notif. _____
Final Inspn. _____
Cert. of Occupancy issued _____
Staking Out Notice _____
Form Check Notice _____

NOTES

2-16A-66 Completed
E55



CITY OF PORTLAND, MAINE
Application for Permit to Install Wires

Permit No. 56217

Issued

Portland, Maine

September 29, 1967

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 Daniel S. Toppi, 12 Revere Street, Portland
Contractor's Name and Address Ballard Oil, 135 Marginal Way, Portland
Location 522 Deering Avenue, Portland Use of Building Residence and Office

Number of Families Apartments Stores Number of Stories

Description of Wiring: New Work ☒ Additions Alterations ☒

Wiring of high pressure gun type burner to code.

Pipe Cable Metal Molding BX Cable Plug Molding (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 1 Phase 1 H. P. 1/8 Amps 3.0 Volts 115 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 Extra Cabinets or Panels

Transformers Air Conditioners (No. Units) Signs (No. Units)

Will commence 10-20 1967 Ready to cover in 19 Inspection 11-1 19 67

Amount of Fee \$ 7- Ballard Oil & Equipment Co.

Signed L. W. Jordan

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

L. W. Jordan
(OVER)

LOCATION *Deering Av. 522*
INSPECTION DATE *1/29/68*
WORK COMPLETED *1/29/68*
TOTAL NO. INSPECTIONS *1*
REMARKS:

FEE S 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	1.00
--	------

TEMPORARY WORK (limited to 6 months from date of permit)

Service, Single Phase	1.00
Service, Three Phase	2.00

Amend.#1 - 522 Deering Ave.

December 22, 1965

Mr. Daniel S. Toppi,
12 Revere Street

cc: Leland Gray,
518 Deering Ave.

Dear Mr. Toppi:

Amendment to permit to change use of building at the above named location from two family to two family on the second floor and offices on the first floor is being issued with the addition of a metal fire escape providing egress from the bedroom of the apartment facing Deering Avenue.

Should off-street parking be provided at this location a separate permit will be required as well as a plan showing proposed arrangement and compliance with the Zoning Ordinance.

Very truly yours,

ALS/h

Archie L. Seekins
Deputy Director

A.P.- 522 Deering Ave. Dec. 17, 1965

Daniel S. Toppi
12 Revere Street

772 - 0115

Dear Mr. Toppi:

Permit to make alterations to the first floor to provide offices at the above named location is not issuable at this time.

A change of use is involved with the addition of offices on the first floor.

As stated in our letter of October 19, 1965, a combination dwelling house required the egress requirements as for a tenement house. An outside fire escape would be needed to meet this requirement.

We will need drawings and details of the fire escape also indication of two means of egress from each of the two apartments on the second floor.

Very truly yours,

Archie L. Seekins
Deputy Building Inspection Director

ALS:m



B1 BUSINESS ZONE
APPLICATION FOR AMENDMENT TO PERMIT

Amendment No. #1

Portland, Maine, December 14, 1965

PERMIT ISSUED

DEC 22 1965

CITY of PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for amendment to Permit No. 65/1136 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 522 Deering Ave. Within Fire Limits? Dist. No.
Owner's name and address Daniel J. Toppi, 12 Levee St. Telephone
Lessee's name and address Telephone
Contractor's name and address Leland Gray, 518 Deering Ave. Telephone
Architect Plans filed No. of sheets
Proposed use of building Dwelling and office No. families 2
Last use Dwelling No. families 2
Increased cost of work 1500. Additional fee 1.00

Description of Proposed Work

To make alterations to first floor as per plan for new offices

Details of New Work Toppi

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
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:

INSPECTION COPY

CS-105

Signature of Owner Daniel J. Toppi

Approved: Gerald E. Mayberry

Inspector of Buildings



APPLICATION FOR PERMIT

Class of Building or Type of Structure Second Class

Portland, Maine, October 14, 1965

PERMIT ISSUED

OCT 15 1965

CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect alter repair demolish install the following building structure equipment in accordance with the Laws of the State of Maine, the Building Code and Zoning Ordinance of the City of Portland, plans and specifications, if any, submitted herewith and the following specifications:

Location 522 Deering Ave. Within Fire Limits? _____ Dist. No. _____
Owner's name and address Daniel S. Toppi, 12 Revere St. Telephone _____
Lessee's name and address _____ Telephone _____
Contractor's name and address Leland Gray, 518 Deering Ave. Telephone _____
Architect _____ Specifications _____ Plans YES No. of sheets 2
Proposed use of building Dwelling No. families 2
Last use _____ " _____ No. families 2
Material brick No. stories 2 Heat _____ Style of roof _____ Roofing _____
Other buildings on same lot _____
Estimated cost \$ 3500.00 Fee \$ 8.00

General Description of New Work

To make (2) apartments on second floor, with alterations as per plan.

It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and in the name of the heating contractor. **PERMIT TO BE ISSUED TO** owner

Details of New Work

Is any plumbing involved in this work? _____ Is any electrical work involved in this work? _____
Is connection to be made to public sewer? _____ If not, what is proposed for sewage? _____
Has septic tank notice been sent? _____ Form notice sent? _____
Height average grade to top of plate _____ Height average grade to highest point of roof _____
Size, front _____ depth _____ No. stories _____ solid or filled land? _____ earth or rock? _____
Material of foundation _____ Thickness, top _____ bottom _____ cellar _____
Kind of roof _____ Rise per foot _____ Roof covering _____
No. of chimneys _____ Material of chimneys _____ of lining _____ Kind of heat _____ fuel _____
Framing Lumber—Kind _____ Dressed or full size? _____ Corner posts _____ Sills _____
Size Girder _____ Columns under girders _____ Size _____ Max. on centers _____
Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.
Joists and rafters: 1st floor _____, 2nd _____, 3rd _____, roof _____
On centers: 1st floor _____, 2nd _____, 3rd _____, roof _____
Maximum span: 1st floor _____, 2nd _____, 3rd _____, roof _____
If one story building with masonry walls, thickness of walls? _____ height? _____

If a Garage

No. cars now accommodated on same lot _____, to be accommodated _____ number commercial cars to be accommodated _____
Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? _____

APPROVED:

[Signature]

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

Daniel S Toppi

CS 201

INSPECTION COPY

Signature of owner

by:

[Signature]

NOTES

11-18-65 Framing well along. *AD*

12-2-65 Same *AD*

2-14-66 Apts on 2nd floor O.K. to

U.S.G. *F. 95*

Hold for Amend. offices on 1st floor & parking lot *AD*

5-26-66 Completed *AD*

12-3
Permit No. 65/1136 12-11
Location 522 Dennis Ave.
Owner Daniel S. Shapiro
Date of permit 10/19/65
Notif. closing-in
Inspn. closing-in
Final Notif.
Final Insp.
Cert. of Occupancy issued 5/27/66. *AD*
Sinking Out Notice
Form Check Notice

Parking lot separate parcel *AD*

PERMIT TO INSTALL PLUMBING

154

ate	Address <u>522 Boering Avenue</u>		PERMIT NUMBER
Issued <u>12-17-65</u>	Installation For: <u>Hend Realty Company</u>		
Portland Plumbing	Owner of Bldg: <u>Hend Realty Company</u>		
Inspector	Owner's Address: <u>Myers Street</u>		
By <u>E. Goodwin</u>	Plumber: <u>C. B. Hanneford</u>	Date: <u>12-17-65</u>	
App. First Insp.	New Rep'l	No.	Fee
Date <u>12-17-65</u>	☒	1	52.00
By	☒	1	2.00
App. Final Insp.			
Date <u>MAR -7 1966</u>			
By <u>ERNEST</u>			
Type of Bldg.			
☐ Commercial			
☐ Residential			
☐ Single			
☐ Multi Family			
☐ New Construction			
☐ Remodeling			
		TOTAL	54.00

PORTLAND HEALTH DEPT. PLUMBING INSPECTION

PERMIT TO INSTALL PLUMBING

not finished

15810
PERMIT NUMBER

ate
Issued 12/7/65
Portland Plumbing
Inspector
By E. R. Goodwin

Address 522 Downing Avenue
Installation For: 1 Office & 2 units.

Owner of Bldg. Bond

Owner's Address: 47th St.

Plumber: C. B. Harnford

Date: 12/1/65

App. First Insp.

Date 12-7-65

ERNOLD R. GOODWIN

BY PLUMBING INSPECTOR

App. Final Insp.

Date FEB 14 1966

ERNOLD R. GOODWIN

City of Portland

☐ Commercial

☐ Residential

☐ Single

☐ Multi Family

☐ New Construction

☐ Remodeling

New	Rep		No.	Fee
1	1	SINKS	2	4.00
1	1	LAVATORIES	2	4.00
1	1	TOILETS	1	2.00
1	1	BATH TUBS	2	1.20
		SHOWERS		
		DRAINS		
		HOT WATER TANKS		
		TANKLESS WATER HEATERS		
		GARBAGE GRINDERS		
		SEPTIC TANKS		
		HOUSE SEWERS		
		ROOF LEADERS		
		OTHER		

TOTAL 7 11.20

PORTLAND HEALTH DEPT. PLUMBING INSPECTION

CITY OF PORTLAND, MAINE

Application for Permit to Install Wires

Permit No. 54416

Issued

Portland, Maine

11/15, 1965

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 Bond Realty - 12 Revere St
 Contractor's Name and Address John E. Allen Inc Tel. 891-4831
 Location 522 Denney Ave Use of Building Office & Apts
 Number of Families 2 Apartments 2 Stores 0 Number of Stories 2
 Description of Wiring: New Work ☒ Additions ☐ Alterations ☒

Pipe Cable ☒ Metal Molding BX Cable Plug Molding (No. of feet)
 No. Light Outlets 23 Plugs 45 Light Circuits Plug Circuits
 FIXTURES: No. 37 Light Switches 3 Fluor. or Strip Lighting (No. feet) 24
 SERVICE: Pipe ☒ Cable Underground No. of Wires 3 Size 2
 METERS: Relocated ☒ Added Total No. Meters 2
 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. Range: 2 Watts Brand Feeds (Size and No.) 6-3
 Elec. Heaters 1 Watts
 Miscellaneous Watts Extra Cabinet: or Panels
 Transformers Air Conditioners (No. Units) Signs (No. Units)
 Will commence 11/16 1965 Ready to cover in 19 Inspection 11/19
 Amount of Fee \$

Signed

DO NOT WRITE BELOW THIS LINE

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

REMARKS:

INSPECTED BY

F. W. Hubbard
(OVER)

Blue TAG
11/9/66

LOCATION *Deering Av 522*
INSPECTION DATE *1/19/66*
WORK COMPLETED *1/19/66*
TOTAL NO. INSPECTIONS *1*
REMARKS:

FEE 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)

14811

PERM'T NUMBER

Date Issued	1/13/65	Address	502 E. 1st St. - Portland, Ore.	PERMIT NUMBER	1-10-65
PORTLAND PLUMBING INSPECTOR		Installation For	B.I.T.		
By J.F. Welch		Owner of Bldg.	A.O.		
		Owner's Address	121-13		
		Plumber:	Water Meter Co.	Date:	1/13/65
APPROVED FIRST INSPECTION	#W	REPL	PROPOSED INSTALLATIONS	NUMBER	FEE
			SINKS		
Date 1/13/65		1	LAVATORIES	1	2.00
		1	TOILETS	1	2.00
By G.P. Johnson		1	BATH TUBS	1	2.00
APPROVED FINAL INSPECTION			CLOWERS		
Date 1/20/65 EW			DRAINS		
			HOT WATER TANKS		
By JOSEPH P. WELCH			TANKLESS WATER HEATERS		
CHIEF PLUMBING INSPECTOR			GARBAGE GRINDERS		
☐ COMMERCIAL			SEPTIC TANKS		
☐ RESIDENTIAL			HOUSE SEWERS		
☐ SINGLE			ROOF LEADERS (Conn. to house drain)		
☐ MULTI FAMILY					
☐ NEW CONSTRUCTION					
☐ REMODELING					
PORTLAND HEALTH DEPT. PLUMBING INSPECTION				TOTAL ▶	10.00



APPLICATION FOR PERMIT

Class of Building or Type of Structure Garage

Portland, Maine, May 2, 1955

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to construct garage on lot 1 of lot 1 in block 1 of lot 1 in district 1 of the City of Portland, Maine, in accordance with the Ordinance of the City of Portland, Maine, the Building Code and Zoning Ordinance of the City of Portland, Maine, and the specifications of any plans submitted herewith and the following specifications:

Location 500 Leering Ave. Within 1 feet of lot Dist. No. 1
Owner's name and address Eva L. Wyman, 500 Leering Ave. Telephone 1-1111
Lessee's name and address _____ Telephone _____
Contractor's name and address E. L. Swanson, 100 Leering Ave. Telephone 1-1111
Architect _____ Specification _____ Plans yes No. of sheets 1
Proposed use of building 1-car garage No. families 1
Last use _____ No. families _____
Material wood No. stories 1 Height 12' Style of roof gabled Roofing asphalt
Other buildings on same lot dwelling house Fee \$ 4.10
Estimated cost \$ 100.

General Description of New Work

To construct 1-car frame garage 12' x 24'.

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 E. L. Swanson

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 7' 4" Height average grade to highest point of roof 12'
Size, front _____ depth _____ No. stories _____ solid or filled land? _____ earth or rock? _____
Material of foundation concrete slab Thickness, top _____ bottom _____ cellar _____
Material of underpinning _____ Height _____ Thickness _____
Kind of roof pitch-gable Rise per foot 5 1/2" Roof covering asphalt Kind of heat _____ fuel _____
No. of chimneys _____ Material of chimneys _____ of lining _____ Kind of heat _____ fuel _____
Framing lumber—Kind hemlock Dressed or full size? _____
Corner posts 4x4 Sills 2x4 Girt or ledger board? _____ Size _____
Girders _____ Size _____ Columns under girders _____ Size _____ Max. on centers _____
Studs (outside walls and carrying partitions) 2x4 O. C. Bridging in every floor and flat roof span over 8 feet.
Joists and rafters: 1st floor concrete 2nd _____ 3rd _____ roof 2x6
On centers: 1st floor _____ 2nd _____ 3rd _____ roof 24"
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 0, to be accommodated 1 number commercial cars to be accommodated 0
Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? no

APPROVED:

OK-5/9/55-aj.s.

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

Eva L. Wyman

Signature of owner _____

INSPECTION COPY

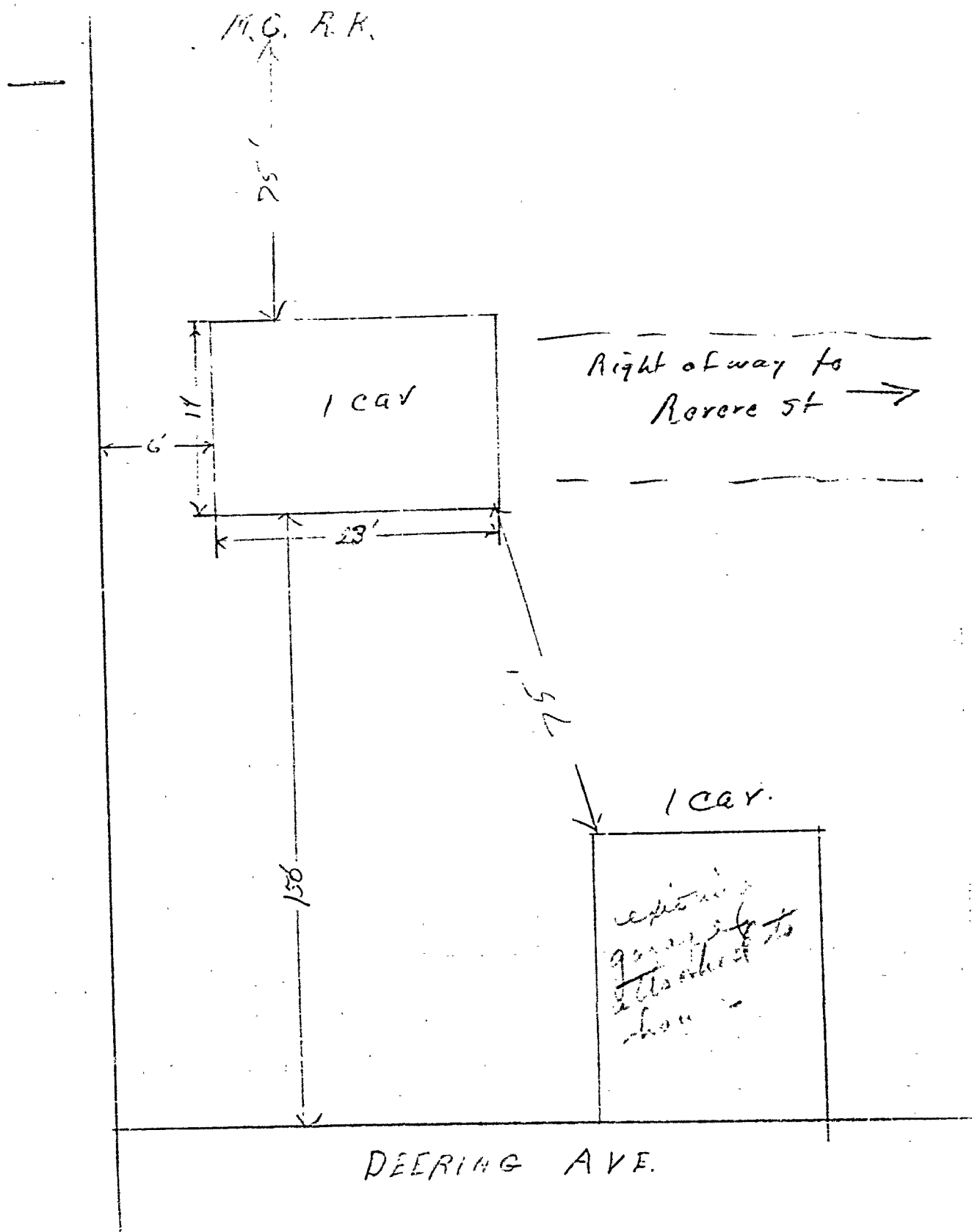
NOTES

5-9-55 Stake out ok. *AP*
 5-17-55 Slab poured *AC*
 6-1-55 " " *AP*
 6-25-55 " " *AP*

Permit No. *55/631*
 Location *522 Downing Ave.*
 Owner *Eva M. Johnson*
 Date of permit *5/9/55*
 Notif. closing in _____
 Inspn. of closing _____
 Final Notif. _____
 Final Inspn. _____
 Cert. of Occupancy issued _____

6-17

5-11



STATEMENT ACCOMPANYING APPLICATION FOR BUILDING PERMIT

for garage Date 5/6/55
at 522 Deering Ave.

1. In whose name is the title of the property now recorded? Eva P. Wiman
2. Are the boundaries of the property in the vicinity of the proposed work shown clearly on the ground, and how? fence
3. Is the outline of the proposed work now staked out upon the ground? yes
If not, will you notify the Inspection Office when the work is staked out and before any of the work is commenced? _____
4. What is to be maximum projection or overhang of eaves or drip? _____
5. Do you assume full responsibility for the correctness of the location plan or statement of location filed with this application, and does it show the complete outline of the proposed work on the ground, including bay windows, porches and other projections? yes
6. Do you assume full responsibility for the correctness of all statements in the application concerning the sizes, design and use of the proposed building? yes
7. Do you understand that in case changes are proposed in the location of the work or in any of the details specified in the application that a revised plan and application must be submitted to this office before the changes are made?
yes

E. J. Wiman



Location, Ownership and detail must be correct, complete and legible.
Separate application required for every building.
Plans must be filed with this application.

Application for Permit for Alterations, etc.

To the
INSPECTOR OF BUILDINGS:

Portland, ~~May~~ 19, 1918 191

The undersigned applies for a permit to alter the following-described building:—

Location 522 Deering Avenue Ward 8 in fire-limits? No
Name of Owner or Lessee Dr. E. W. Piles Address 522 Deering Ave.
" Contractor George E. Sears " 22 Cottage St., Woodfords
" Architect _____
Description of Building Material of Building is brick Style of Roof pitch Material of Roofing shingles
Size of Building is 40 feet long: 40 feet wide. No. of Stories 2
Cellar Wall is constructed of stone is _____ inches wide on bottom and batters to _____ inches on top.
Underpinning is brick is _____ inches thick: is _____ feet in height.
Height of Building 28 ft. Wall, if Brick: 1st. _____ 2d. _____ 3d. _____ 4th. _____ 5th. _____
What was Building last used for? dwelling No. of Families? one
What will Building now be used for? dwelling Estimated Cost, \$ 200.00

DETAIL OF PROPOSED WORK

Build piazza on one side:

To comply with the Building Ordinance

IF EXTENDED ON ANY SIDE

Size of Extension, No. of feet long? 22; No. of feet wide? 10; No. of feet high above sidewalk? 8 ft.
No. of Stories high? one; Style of Roof? pitch; Material of Roofing? Asphalt
Of what material will the Extension be built wood Foundation? iron posts
If of Brick, what will be the thickness of External Walls? _____ inches; and Party Walls _____ inches.
How will the extension be occupied? piazza How connected with Main Building? Joined

WHEN MOVED, RAISED OR BUILT UPON

No. of Stories in height when Moved, Raised or Built upon? _____ Proposed Foundations _____
No. of feet high from level of ground to highest part of Roof to be? _____
How many feet will the External Walls be increased in height? _____ Party Walls _____

IF ANY PORTION OF THE EXTERNAL OR PARTY WALLS ARE REMOVED

an opening be made in the Party or External Walls? _____ in _____ Story.
of the opening? _____ How protected? _____
will the remaining portion of the wall be supported? _____

Signature of Owner or
Authorized Representative

Address

Geo E. Sears
22 Cottage St.
Woodfords

PERMIT MUST BE OBTAINED BEFORE BEGINNING WORK

522 Deering Ave.
515-24

FINAL REPORT

..... 191
Has the work been completed in accordance with
this application and plans filed and approved?

.....
Law been violated? Doc. No. of 191 ..

Nature of violation?

.....

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PERMIT GRANTED

June 19, 1918 191

Permit filled out by

Permit number

on 522 Deering Avenue

Violation removed, when? 191

Estimated cost of alterations, etc., \$.....

.....
Inspector of Buildings.

PLUMBING APPLICATION

Department of Human Services
Division of Health Engineering
(207) 269-3326

PROPERTY ADDRESS	
Town Or Plantation	
Street	
Subdivision Lot #	
PROPERTY OWNERS NAME	
Last	First
Applicant Name	
Mailing Address of Owner Applicant (If Different)	

0175 PORTLAND	*** 05170 ***
Date Paid	10 13 83
FEE	
Local Plumbing Inspector Signature	

Owner/Applicant Statement

I certify that the information submitted is correct to the best of my knowledge and understand that any falsification is reason for the Local Plumbing Inspector to deny a Permit.

Caution: Inspection Required

I have inspected the installation authorized above and found it to be in compliance with the Maine Plumbing Rules.

Signature of Owner Applicant

Date

Local Plumbing Inspector Signature

Date Approved

NOV 3 1983

PERMIT INFORMATION

This Application is for:

1. ☒ NEW PLUMBING
2. ☐ RELOCATED PLUMBING

Type Of Structure To Be Served:

1. ☒ SINGLE FAMILY DWELLING
2. ☐ MODULAR OR MOBILE HOME
3. ☐ MULTIPLE FAMILY DWELLING
4. ☐ OTHER - SPECIFY: _____

Plumbing To Be Installed By:

1. ☒ MASTER PLUMBER
2. ☐ OIL BURNERMAN
3. ☐ MFG'D HOUSING DEALER/MECHANIC
4. ☐ PUBLIC UTILITY EMPLOYEE
5. ☐ PROPERTY OWNER

LICENSE #

Number	Hook-Ups And Piping Relocation	Number	Column 2 Type of Fixture	Number	Column 1 Type of Fixture
	HOOK-UP: to public sewer in those cases where the connection is not regulated and inspected by the local Sanitary District.		Hosebibb / Silcock		Bathtub (and Shower)
			Floor Drain		Shower (Separate)
			Unna	3	Sink
	HOOK-UP: to an existing subsurface wastewater disposal system.		Drinking Fountain		Wash Basin
			Indirect Waste	2	Water Closet (Toilet)
			Water Treatment Softener, Filter, etc.		Clothes Washer
	PIPING RELOCATION: of sanitary lines, drains, and piping without new fixtures.		Grease Or Separator		Dish Washer
			Dental Cuspidor		Garbage Disposal
			Bidet		Laundry Tub
	Hook-Ups (Subtotal)		Other _____	2	Water Heat
\$	Hook-Up Fee		Fixtures (Subtotal) Column 2	7	Fixtures (Subtotal) Column 1
				0	Fixtures (Subtotal) Column 2
				7	Total Fixtures
				\$	Fixture Fee
				\$	Hook-Up Fee
				\$	Permit Fee Total

SEE PERMIT FEE SCHEDULE FOR CALCULATING FEE

TOWN COPY

Docket No. CV-83-170

Carl O. Cradford
Justice, Superior Court

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS



MICHAEL E. WESTORT
Chairman

EUGENE S. MARTIN
Secretary

JACQUELINE COHEN
TIMOTHY E. FLAHERTY
THOMAS J. MURPHY
MERRILL S. SELTZER
GAIL D. ZAYAC

May 3, 1983

Ellsworth T Rundlett III
522 Deering Avenue
Portland, Maine 04103

RE: Appeal at 253-259 Deering Ave. Corner 109-119 Falmouth Street

Dear Mr. Rundlett:

Attached is the decision of the Board of Appeals regarding your petition to change use of the building at the above named location from residential to attorney's offices. Please note that your appeal was granted.

Also, before your permit can be issued, you must pay the permit fee itself. Please make all checks payable to City of Portland.

Very truly yours,

Malcolm G Ward
Malcolm G Ward
Zoning Enforcement Officer

MGW/t

CITY OF PORTLAND, MAINE

CONDITIONAL USE APPEAL

Findings of Fact

PART I (Procedural)

1. The applicant is Mr. Ellsworth T. Rundlett, III and is interested in the property located at 253-259 Deering Ave. Cor. 109-119 Falmouth St.
2. The owner of the property is Mr. Ellsworth T. Rundlett, III and his address is 522 Deering Avenue, Portland, Maine 04103.
3. The property is located in a R-5 Zone.
4. The present use of the property is dwelling.
5. The applicant respectfully petitions for a conditional use to permit Change of Use of the dwelling, at the above named location,
to attorney's offices not issuable under the Zoning Ordinance because
the proposed use is not allowable in the R-5 Residential Zone in which
this property is located unless authorized by the Board of Appeals
under the provisions of Sec. 604.6.5.d (See attached remand Order from Superior Court)
6. The names and addresses of those appearing in support of the application are: Ellsworth Rundlett, atty
Dana Charles, Atty.
7. The names and addresses of those appearing in opposition to the application are: Frank De Long - 79 Fessenden St.
Brewster Brans - 14 Woodmont St.; Katherine Sullivan - 18 Woodmont St.
John Nichols - 9 Woodmont St.
8. The documentary evidence presented to the Board, including, but not by way of limitation, plans, specifications, photographs, etc., consisted of the following: _____

PART II (Basis for Conditional Use Treatment)

1. The use proposed is designated as a conditional use in the zone where the property is located by §604.6.5.d of the Ordinance.
☒ Yes ☐ No

2. All specified requirements for the use as a conditional use (space, bulk, performance standards, etc.) are determined to be met by applicant.
☒ Yes ☐ No

If no, specify: _____

PART III (Consideration of Any Negative Aspects of Use)

1. Are there unique or distinctive characteristics or effects associated with the proposed conditional use?
☐ Yes ☒ No

If yes, specify: _____

(If the Board has answered "yes" to the above question, the Board must also make the following finding:)

2. Will there be an adverse impact upon the health, safety, or welfare of the public or the surrounding area which impact differs substantially from the impact which would normally occur from such a use in that zone?

☐ Yes

☐ No

If yes, state reasons: _____

(If both questions in Part II are answered in the affirmative and either of the questions in Part III is answered in the negative, the Board should grant the Appeal.)

SPECIFIC RELIEF GRANTED

After a public hearing on April 28, 1983, the Board determines that a conditional use (is/~~is not~~) granted in this matter for the reasons stated above.

Dated: _____, 198

Eugene J. Martin

Joqueline Co.

James E. Staher

Thomas J. Murphy

Merrill A. Schatz

AVE.

BRIGHTON

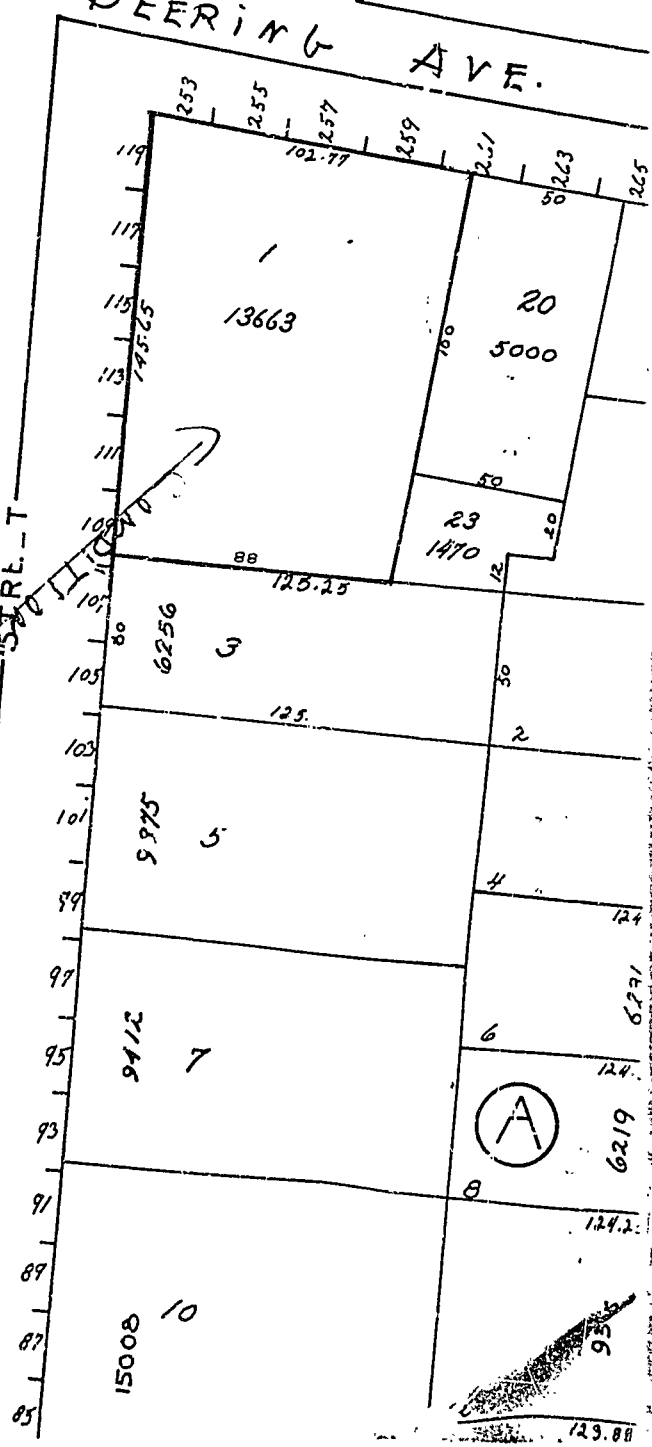
DEERING AVE.

FALMOUTH STREET

SHEET 114A-A

H. J. U. C.

AMERICAN OFFICES



STATE OF MAINE
CUMBERLAND, ss

CLERK OF THE
SUPERIOR COURT
CIVIL ACTION
DOCKET NO. CY-83-170

APR 5 1983

RICHARD S. EMERSON, JR., DWIGHT A.
FIFIELD and ELLSWORTH T. RUNDLETT
III,

Plaintiffs

vs

CITY OF PORTLAND, a body politic
and corporate and JOSEPH E. GRAY, JR.,
in his capacity as Director of
Planning and Urban Development for the
City of Portland,

Defendants

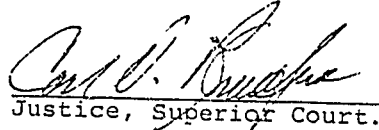
ORDER

After consideration of the stipulation entered into by the
Plaintiffs and the Defendants, and after consideration of the
applicable standards set forth in the Community School, Inc. v.
Zoning Board of Appeals of the Town of Camden case, 369 A.2d
1146 (1977), this Court hereby orders as follows:

1. That the within action be remanded to the Zoning Board
of Appeals of the City of Portland for a rehearing on Plaintiffs
application for a conditional use appeal for the premises of
257 Deering Avenue in the City of Portland to be used as law
offices in accordance with the City of Portland Zoning Ordinances,
specifically Section 602.6.5.d.
2. The Zoning Board of Appeals is hereby ordered to con-
sider the Plaintiffs application for a conditional use appeal
in accordance with the standards and principles set forth in the
case of Community School, Inc. v. Zoning Board of Appeals of the
Town of Camden, supra, and the precedent cases cited therein.
3. The Plaintiff shall bear the costs of such rehearing
including the application fee which is required by the City of
Portland in accordance with its usual practice.

DATED: 4/4/83

CHILD S. EMERSON
RUNDLETT &
FIFIELD
ATTORNEYS AT LAW
22 DEERING AVENUE
P. O. BOX 41
JUDYFORDS STATION
PORTLAND, MAINE
04103
207-773-0275


Justice, Superior Court.

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS



MICHAEL E. WESTORT
Chairman

EUGENE S. MARTIN
Secretary

JACQUELINE COHEN
TIMOTHY E. FLAHERTY
THOMAS J. MURPHY
MERRILL S. SELTZER
GAIL D. ZAYAC

April 13, 1983

253-259 Deering Avenue Corner 109-119 Falmouth Street

Mr. Ellsworth T. Rundlett, III
522 Deering Avenue
Portland, Maine 04103

Dear Mr. Rundlett:

Building Permit and Certificate of Occupancy to Change the Use of the dwelling, at the above named location, to attorney's offices are not issuable under the Zoning Ordinance because the proposed use is not allowable in the R-5 Residential Zone in which this property is located unless authorized by the Board of Appeals under the provisions of Section 604.6.5.d (See attached remand order from Superior Court).

We understand that you would like to exercise your appeal rights in this matter. Accordingly, you or your authorized representative should come to this office, Room 317, City Hall, to file the appeal on forms which are available here. A fee of \$50.00 for a Conditional Use Appeal shall be paid at this office at the time the appeal is filed. If fee has been paid, and appeal filed prior to this letter, then consider this letter as a matter of formality, Section 602.24.D.

Very truly yours,

Malcolm G. Ward
Zoning Enforcement Officer

MGW/jmr

STATE OF MAINE
CUMBERLAND, ss

CLERK OF THE
SUPERIOR COURT
CIVIL ACTION
DOCKET NO. CV-83-170

73 APR 5 1983

RICHARD S. EMERSON, JR., DWIGHT A.
FIFIELD and ELLSWORTH T. RUNDLETT
III,

Plaintiffs

vs

CITY OF PORTLAND, a body politic
and corporate and JOSEPH E. GRAY, JR.,
in his capacity as Director of
Planning and Urban Development for the
City of Portland,

Defendants

ORDER

After consideration of the stipulation entered into by the Plaintiffs and the Defendants, and after consideration of the applicable standards set forth in the Community School, Inc. v. Zoning Board of Appeals of the Town of Camden case, 369 A.2d 1146 (1977), this Court hereby orders as follows:

1. That the within action be remanded to the Zoning Board of Appeals of the City of Portland for a rehearing on Plaintiffs application for a conditional use appeal for the premises of 257 Deering Avenue in the City of Portland to be used as law offices in accordance with the City of Portland Zoning Ordinances, specifically Section 602.6.5.d.
2. The Zoning Board of Appeals is hereby ordered to consider the Plaintiffs application for a conditional use appeal in accordance with the standards and principles set forth in the case of Community School, Inc. v. Zoning Board of Appeals of the Town of Camden, supra, and the precedent cases cited therein.
3. The Plaintiff shall bear the costs of such rehearing including the application fee which is required by the City of Portland in accordance with its usual practice.

DATED: 4/4/83

CHILD S. EMERSON,
RUNDLETT &
FIFIELD
ATTORNEYS AT LAW
22 DEERING AVENUE
P O BOX 41
DOORFORDS STATION
PORTLAND MAINE
04103
207-773-0275

Carl D. Kinsley
Justice, Superior Court.

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

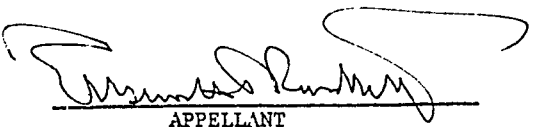
APPLICATION FOR A CONDITIONAL USE APPEAL

Mr. Ellsworth J. Rundlett, III, owner of property at 253-259 Deering Ave. Corner
109-119 Falmouth Street
under the provisions of Section 602.24 D of the Zoning Ordinance of the City of
Portland, hereby respectfully petitions the Board of Appeals to permit:

Change of Use of the dwelling, at the above named location, to attorney's offices not
issuable under the Zoning Ordinance because the proposed use is not allowable in the
R-5 Residential Zone in which this property is located unless authorized by the Board
of Appeals under the provisions of Section 604.6.5.d (See attached remand order from
Superior Court).

LEGAL OPINION: Such permit may be granted only if the Board of Appeals finds
that the conditions imposed by Section 602.24 D (3) of the Zoning Ordinance have been
met. (See reverse side hereof for said conditions.)

Site Plan approval (is/is not) required by the Site Plan Ordinance. If site plan
approval is required, a preliminary or final site plan is attached hereto as Exhibit A.


APPELLANT

602.24.D.3 Conditions for Conditional Uses

a. Authorized Uses

A conditional use permit may be issued for any use denominated as a conditional use in the regulations applicable to the zone in which it is proposed to be located.

b. Standards

Upon a showing that a proposed use is a conditional use under this chapter, a conditional use permit shall be granted unless the Board determines that:

- (1) there are unique or distinctive characteristics or effects associated with the proposed conditional use, and
- (2) that there will be an adverse impact upon the health, safety, or welfare of the public or the surrounding area; and
- (3) that such impact differs substantially from the impact which would normally occur from such a use in that zone.

25.7 Verring Ave.

117 A-1

+ (61)

117 A-19

Elizabeth S. Zinner

201 Verring Ave. 04103

20

Gerald L. & Nicki Sattler

23

265 Verring Ave. 04103

2

Margaret G. & Richard E. Lauck

10.8 Hessenden St. 04103

4

Lindsay J. Lawrence

10.5 Hessenden St. 04103

0

6

Ruth G. Di Philippo

10.1 Hessenden St. 04103

8

Margaret L. & Eric V. Batchelor

9.6 Hessenden St. 04103

9

Sally M. & Gabriel Walker Jr.

9.2 Hessenden St. 04103

11

Linda M. Pearson

8.8 Hessenden St. 04103

+

117 A - 13

Washed June 1 Gaud.

1106) 70 gms / 1 unit
18 ————— 19103

18

Flamingo Motel
76 1/2 W. 1st St. N. Miami

76 44 1103

16

Paul J. ...

76 1/2 0410.2

Robert C Mac Donald

70. Mac Donald
22 04103

22

10. *Cardale* *Thomas*

10. Oatdale St. 24103

15

Robert L. G. Allen B. Higgins
67. Flammoria 04103

6.9. 1941. 04103

21

Donna M. Cummings

14
River Road, East Limerick, Maine
Lawrence C. P. B.

14

Lawrence C. Butler

77. Wilmington St. 0412.3

10

W. G. B. - 1870

71 Old B. B. Scarborough - 04024

73

737

117 A - 5

Carla B & Jeffrey G Tozier
99 Hamden St. 04103

3

Mildred E. Carr

105 8th

04103

117 B - 1

Ellis W & Helen M Coates
Marden Cove Lane Cape Cod 04107

2

Norman S & Helen D Cheney
283 Velling Ave. 04103

3

Marla H & Shelly Chorney
287 Velling Ave. 04103

4

Anastasia B Rindt
291 Velling Ave. 04103

5

Raymond J & Caroline D Burnham
293 Velling Ave. 04103

24

Adam & Hilary Schwartz
97 Pitt St. 04103

7

Kathleen M & William J Chicoine
3 High Meadow Drive, Durham 04103

X

117 B- 25

July 27 1891
115 Missions St 04103

8
Richard G. & Yelbrook Gordon Dodge
98 Pitt St 04103

10
Michael D. & Margaret Jean Williams
93 Henderson St 04103 x

12
Paul C. & Marij Hamner Bell
91 Henderson St 04103

14
James E. & Robert D. North
85 Henderson St 04103

16
Edward D. & Margaret M. Seymour
83 Henderson St 04103

18
Alice W. & Henry B. Perry III
79 Henderson St 04103

20
David W. Morris Jr.
82 Whitwood St 04102

21 William D. & Mary Jane McCalman
72 Pitt St 04103

x

117 B- 14

Jennie B. & Little M. Mayfield
76 Pitt St. 04103

17
Anna Elizabeth & William 110 Top
86 Pitt St. 04103

15

Op - repeat

13
Paul A. Maniscalco
90 Pitt St. 04103

11
Asher & Lea Markuse
92 Pitt St. 04103

9

Edge repeat

7

Chimney repeat

81 C- 1

Thomas & Frobey Jr. & Christine
122 Pitt St. 04103

3
 Sylvia D. Gunning
130 Pitt St. 04103

x

81 C- 3 - *Henry* ⁺

⁴
(*Robert C & Elaine B. Holson*
81 *Brighton Ave* 04102
⁵

6 *City of Ireland*

81 D - 1

Francis & Johanna M. Schwann
4 *Woodmont St* 04102

²
Dorothy & Henry A. Shaw
60 *Brighton Ave* 04102

⁴
Allan M. Stevens & Kenneth Burnell
133 *Hatmouth St* 04102

⁷
Ann P. Menaghan
141 *Hatmouth St* 04102

⁵
✓ *Muriel R. Blum*
14 *Woodmont St* 04102

8 *Ann P. & Thomas J. Menaghan*
141 *Hatmouth St* 04102

⁺

81 D - 8

James D Sullivan

153 Woodmont St 04102

11

Ann Marie & Thomas H Monaghan

153 Hobnuth St 04102

12

John D & Jennie F Myers

157 Hobnuth St 04102

13

Richard J & Clytie M Canidolo

22 Woodmont St 04102

14

Vivian M Whitland - City of Portland

15

Joseph J & Goldie G Kendrick

26 Woodmont St 04102

81 F -

1

Paul J & Joan Jahn

4 Kenwood St 04102

2

3

John C Michler

29 Woodmont St 04102

4

+

F-6

81 F-5

X

James Smaha
12 Kenwood St. 04102

Margaret E. Robert J. Sawtelle
21 Woodmont St. 04102

John C. Clark
14 Kenwood St. 04102

Alice E. Thomas J. Smith
25 Woodmont St. 04102

114-A-1 University of Maine
96 H. Smith St.

51 E-1

View of Mt. Agassiz

Scott M. & Terry J. Jacobson
150 H. Smith St. 04102

12 View of Mt. Agassiz

14

15

X

51E-16

Katherine A. O'm

51 Center St. 04102

115 A-1

City of Portland

X

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS



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Chairman

EUGENE S. MARTIN
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GAIL D. ZAYAC

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, April 28, 1983 at 3:30 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 Ordinance.

Mr. Ellsworth T. Rundlett, III, owner of property at 253-259 Deering Avenue Corner 109-119 Falmouth Street, under the provisions of Section 602.24.D of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board or Appeals to permit Change of Use of the dwelling, at the above named location, to attorney's offices not issuable under the Zoning Ordinance because the proposed use is not allowable in the R-5 Residential Zone in which this property is located unless authorized by the Board of Appeals under the provisions of Section 604.6.5.d (See attached remand order from Superior Court).

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals finds that the conditions imposed by Section 602.24 D (3) of the Zoning Ordinance have been met.

Eugene S. Martin
Secretary

CHILDS EMERSON RUNDLETT & FIFIELD

ATTORNEYS AT LAW
522 DEERING AVENUE
PORTLAND, MAINE 04103

DANA W. CHILDS
RICHARD S. EMERSON JR.
ELLSWORTH T. RUNDLETT III
DWIGHT A. FIFIELD

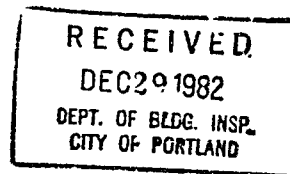
Dec. 29, 1982

TELEPHONE
207-773-0275

MAILING ADDRESS

P O BOX 6641
WOODFORDS STATION
PORTLAND, MAINE 04101 6641

Hon. Gail D. Zayac
Chairperson
Zoning Board of Appeals for the City of Portland
City Hall
Portland, Maine



Re: Application for Conditional Use

Dear Chairperson Zayac and Members of the Zoning Board of Appeals:

Attached please find an Application for a Conditional Use Appeal pursuant to Section 602.24 D of the Zoning Ordinance of the City of Portland.

We are requesting that a conditional use permit be granted to our firm to occupy the premises at 257 Deering Avenue as law offices. We submit the following summary information for your consideration:

OWNERS: Richard S. Emerson, Dwight A. Fifield, Ellsworth Rundlett

LOCATION: 257 Deering Avenue, at intersection of Brighton Avenue, Falmouth Street, and Deering Avenue

PRESENT USE: Residence

FORMER USE: Doctor's offices, Dean's residence

NEIGHBORING USES: University of Maine, residential single and multi-family dwellings, dentist's office across the street

PARKING: Plans for spaces to accommodate firm partners, secretaries, and clients
(See attached plans)

USE OF BUILDING: Offices for 4 attorneys, two secretaries, receptionist, storage space, conference room, and filing space
(see attached plans)

OBJECTIONS FROM NEIGHBORHOOD RESIDENTS: None to our knowledge

HOURS OF USAGE: Primarily 9-5, five days per week

Hon. Gail D. Zayac
Dec. 29, 1982
Page two

MAJOR STRUCTURAL CHANGES: None planned except
in interior

LANDSCAPE CHANGES: None planned of major

SIGNS: Tasteful signs planned whic' wi
neighborhood beauty

NOISE FACTORS: None

IMPACT ON CITY SERVICES: Nor an
 er aud
 xph

IMPACT ON SCHOOLS: None

Pictures of the property hearing which we anticipate will be presented at that time. We will be present at that next application, and then it.

ETF

Er 9.12

[illegible]