

**City of Portland, Maine – Building or Use Permit Application** 389 Congress Street, 04101, Tel: (207) 874-8703, FAX: 874-8716

Location of Construction: <b>Derby Road</b>		Owner: <b>Fred W. and Florence M. Jones</b>		Phone: <b>883-4071</b>		Permit No:	
Owner Address: <b>143 Fogg Road, Scarborough, ME</b>		Leasee/Buyer's Name:		Phone:		BusinessName:	
Contractor Name:		Address:		Phone:		Permit Issued:	
Past Use: <b>Vacant lot</b>		Proposed Use:		COST OF WORK: \$		PERMIT FEE: \$ 50.00	
				FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group:    Type:	
Proposed Project Description: <b>Variance Appeal</b>		Signature:		Signature:		Zone: <b>3</b> CBL: <b>142-D-7</b> <b>R-3</b> <b>144-D-9</b>	
		PEDESTRIAN ACTIVITIES DISTRICT (P.U.D.)		Action:    Approved <input type="checkbox"/> Approved with Conditions: <input type="checkbox"/> Denied <input type="checkbox"/>		Zoning Approval: <b>141LA-9</b>	
Permit Taken By: <b>Victoria A. Dover</b>		Date Applied For: <b>December 14, 1995</b>		Signature:		Date:	
						Special Zone or Reviews: <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan    maj <input type="checkbox"/> minor <input type="checkbox"/> mm <input type="checkbox"/>	

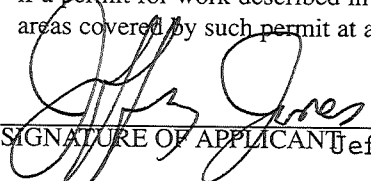
1. This permit application doesn't preclude the Applicant(s) from meeting applicable State and Federal rules.
2. Building permits do not include plumbing, septic or electrical work.
3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..

Correspondence: Mr. Jeffrey Jones, Attorney  
 Oak Hill Professional Bldg.  
 P. O. Box 1270  
 243 U.S. Route One  
 Scarborough, ME 04070-1270

**APPEAL SUSTAINED** 1-4-96

**CERTIFICATION**

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provisions of the code(s) applicable to such permit

SIGNATURE OF APPLICANT:  **Jeffrey W. Jones**    P.O. Box 1270, 243 US Rte One    ADDRESS:    12/8/95    DATE:    883-4167    PHONE:

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE    PHONE:

White-Permit Desk    Green-Assessor's    Canary-D.P.W.    Pink-Public File    Ivory Card-Inspector

**Zoning Appeal**

Variance  
 Miscellaneous  
 Conditional Use  
 Interpretation  
 Approved  
 Denied


**Historic Preservation**

Not in District or Landmark  
 Does Not Require Review  
 Requires Review

**Action:**

Approved  
 Approved with Conditions  
 Denied

Date: \_\_\_\_\_

**CEO DISTRICT** 

**CITY OF PORTLAND, MAINE**

BOARD OF APPEALS



January 9, 1996

Jeffrey W. Jones, Attorney  
Oak Hill Professional Building  
P. O. Box 1270  
243 U.S. Route One  
Scarborough, Maine 04074-1270

RE: Derby Road  
Portland, Maine

Dear Mr. Jones,

As you know, at its meeting of January 4, 1996, the Board of Appeals voted to allow the sale of the lots as is with the conditions that: 1) the two lots remain under the same ownership and 2) the property can only be used for a single family residence.

A copy of the Board's decision is enclosed for your records.

Also enclosed is a Certificate of Variance Approval. It is necessary that this certificate be recorded in the Cumberland County Registry of Deeds within 90 days in order for the variance to be valid.

Sincerely,

Marge Schmuckal  
Asst. Chief, Code Enforcement Division

cc: Joseph E. Gray, Dir. PUD  
P. Samuel Hoffses, C, Code Enf Div  
A. Rowe, CEO  
Fred and Florence Jones  
143 Fogg Road  
Scarborough, ME 04074  
File

FINDINGS OF FACT  
ALL APPEALS

TYPE OF APPEAL

Variance

1. Name of Applicant Jeffery W. Jones, on Behalf of Fred & Florence Jones, owners.
2. Address of Applicant Scarborough.
3. Right of applicant to appeal.  
Owner
- Option to Purchase \_\_\_\_\_
4. Location of property under appeal Derby Road.
5. Zone in which the property is located R-3
6. Present use of property Vacant lot
7. Proposed use if the appeal is granted.

8. Names and addresses of those appearing in support of the application:

Jeffery Jones (Attorney)  
Fred Jones

9. Names and addresses of those appearing in opposition to the application:

10. Listing of the documentary evidence presented to the Board (e.g., plans, photos, maps, etc.)

VARIANCES

A variance may be granted if the Board finds that it will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the Ordinance would result in "undue hardship". The following questions must all be answered, with supporting findings of fact, in order to grant the appeal.

1. Can the land yield a reasonable return (not the highest return) without the granting of a variance?

No \_\_\_\_\_ deny the appeal)

Yes  \_\_\_\_\_

Reasons (including evidence) 7-0

2. Are there factors which are unique to this property, and not to the general conditions of the neighborhood, which create a need for a variance?

Yes  \_\_\_\_\_

No \_\_\_\_\_ (deny the appeal)

Reasons (including evidence) 7-0

3. Will the granting of the variance alter the essential character of the locality?

Yes  \_\_\_\_\_ (deny the appeal)

No \_\_\_\_\_

Reasons (including evidence) 6-1

4. Is the hardship a result of action taken by the applicant or a prior owner (self-created hardship)?

Yes \_\_\_\_\_ (deny the appeal)

No  \_\_\_\_\_

Reasons (including evidence) 7-0

If the appeal is granted, does the Board wish to impose conditions which will further the intent and purpose of this Ordinance?

Yes \_\_\_\_\_  
No       X      

70

Specific Conditions \_\_\_\_\_

Reasons \_\_\_\_\_

Date of Public Hearing 1/4/98

Motion Move to grant variance for the relief from sec. 403 to allow the sale of the lots as is, (including conditions) and findings of fact)

- + (1) 2 lots being under same ownership
- (2) only a single family residence.

Votes in Favor

Lammert Bartsch

Elizabeth L. Budek

Jessie [unclear]

[unclear]

Votes Opposed

[Signature]

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_




**CERTIFICATE OF VARIANCE APPROVAL**

I, Matthew D. Manahan, the duly appointed Chairman of the Board of Appeals for the City of Portland, Cumberland County and State of Maine, hereby certify that on the 4th day of January, 1996, the following variance was granted pursuant to the provisions of 30-A M.R.S.A. Section 4353(5) and the City of Portland's Code of Ordinances.

1. Property Owner: Fred and Florence Jones
2. Property: Cumberland County Registry Book 2645, Page 97  
(Last recorded 11/20/61 Deed in Chain of Title)  
141-A-9 and 142-D-7, Derby Road, Portland, Maine
3. Variance and Conditions of Variance: To grant relief of Section 14-403, minimum requirements for street improvements, with the conditions that:
  1. The two lots are to remain under common ownership
  2. The use for this property shall only be for a single family residence.

IN WITNESS WHEREOF, I have hereto set my hand and seal this 9th day of January, 1996.

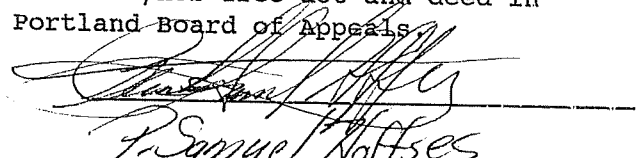
  
Matthew D. Manahan, Chairman

Matthew D. Manahan  
(Printed or Typed Name)  
Chairman, Zoning Board of Appeals  
City of Portland

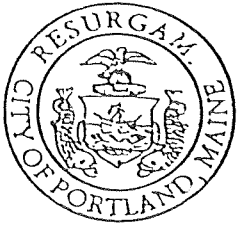
*Added per conversation w/ Vicki J.S.*

STATE OF MAINE  
Cumberland, ss.

Then personally appeared the above-named Matthew D. Manahan and acknowledged the above certificate to be his/her free act and deed in his/her capacity as Chairman of the Portland Board of Appeals.

  
F. Samuel Noffes  
(Printed or Typed Name)  
Notary Public

PURSUANT TO 30-A M.R.S.A. SECTION 4353(5), THIS CERTIFICATE MUST BE RECORDED BY THE PROPERTY OWNER IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS WITHIN 90 DAYS FROM FINAL WRITTEN APPROVAL FOR THE VARIANCE TO BE VALID. FURTHERMORE, THIS VARIANCE IS SUBJECT TO THE LIMITATIONS SET FORTH IN SECTION 14-474 OF THE CITY OF PORTLAND'S CODE OF ORDINANCES.



CITY OF PORTLAND  
Planning and Urban Development Department

MEMORANDUM

TO: Nadeen Daniels, City Clerk

FROM: Marge Schmuckal, Asst. Chief, Code Enforcement Division

SUBJECT: Actions taken by the Board of Appeals on January 4, 1996

DATE: January 8, 1996

The meeting was called to order at 3:50 p.m. All seven Board members were present to hear the following appeals:

1. Unfinished Business:

Variance:

19 Juniper Street, Andrew and Shirley Dunham, owners, the Board voted 6-0 to table rendering a decision at this time as to allow the owners to present more information. Due to a conflict of interest, Lee Lowery was excused from participating in the hearing process. R-2 Zone

Interpretation Appeal:

167-169 Danforth Street, Robert Santomenna, attorney, on behalf of the Danforth Street Realty, Inc., owners, the Board voted 6-0 to grant validating the pre-existing, non-conforming use containing 10 dwelling units. Due to a conflict of interest, Lee Lowery was excused from participating in the hearing process. R-6 Zone

3 Marginal Way, 3 Marginal Way Associates, owners, the Board voted 6-0 to reverse the interpretation of Section 14-181 to allow for a car rental service. Based on evidence submitted by the appellant this use is seen as falling under retail establishment use. There will be no maintenance done on site. Due to a conflict of interest, Matthew Manahan was excused from participating in the hearing process. B-2 Zone

The Board recessed at 5:25 p.m.

At 7:00 p.m. the Board met to continue the Board of Appeals meeting.

2. New Business:

Variance:

Derby Road, Jeffery W. Jones, attorney, on behalf of Fred and Florence Jones, owners, the Board voted 6-1 to allow the owners relief from Section 14-403 allowing the sale of the lots as is with the conditions that: a) the two lots remain under the same ownership and b) the property can only be used for a single family residence. R-3 Zone

56 Rackleff Street, Paul and Suzanne Cooper, owners, the Board voted unanimously to deny legalizing the third unit which is now an illegal unit. R-5 Zone

3. The meeting was adjourned at 9:55 p.m.

Enclosure: Agenda for January 4th meeting  
Copy of Board's decisions  
Tapes (2) of meeting

cc: Joseph Gray, Dir, PUD  
P. Samuel Eoffses, C, Code Enf Div  
Charles A. Lane, Corp. Counsel  
Matthew D. Manahan, Chairman, BofA



CITY OF PORTLAND, MAINE

BOARD OF APPEALS



VARIANCE APPEAL APPLICATION

Applicant's name and address: Fred W. and Florence M. Jones  
143 Fogg Road, Scarborough, Maine 04074

Applicant's interest in property (e.g. owner, purchaser, etc.):  
Owner

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

Address of property and Assessor's chart, block, and lot number:  
Derby Road 141-A-9 and 142-D-7

Zone: R-3 Present Use: Unimproved Lot

Variance from: Section 14- 403

Note: If site plan approval is required, attach preliminary or final site plan.

The undersigned hereby makes application for a variance 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.

Dated: 12-5-95

Jeffrey Jones, Esq.  
Signature of Applicant  
Attorney for Fred + Florence Jones

Except as specifically provided by the Ordinance, a variance may be granted by the Board only where strict application of the Ordinance, or a provision thereof, to the petitioner and his property would cause undue hardship. In order for the Board to find "undue hardship", the applicant must answer all of the following questions, and provide supporting evidence. The Board will consider this evidence in deciding whether to grant the appeal.

1. Can the land yield a reasonable return (not the highest return) without the granting of a variance?

Yes \_\_\_\_\_ (deny the appeal)  
No   x  

Reasons Without a variance, it renders the land unmarketable. The cost of improvement (street, curb & sewer) for just one lot is untenable.

2. Are there factors which are unique to this property, and not to the general conditions of the neighborhood, which create a need for a variance?

Yes   x    
No \_\_\_\_\_ (deny the appeal)

Reasons These lots were created in 1919, Plan of Woodfords Park. The lot is landlocked and unmarketable but for unimproved "Derby Road."

3. Will the granting of the variance alter the essential character of the locality?

Yes \_\_\_\_\_ (deny the appeal)  
No   x  

Reasons The locality is R-3 residential. The proposed use is as a single family residence.

4. Is the hardship a result of action taken by the applicant or a prior owner (self-created hardship)?

Yes \_\_\_\_\_ (deny the appeal)  
No   x  

Reasons The applicant has owned this land since 1961 without any change in the land's condition. The hardship is a direct result of the amendment to the Zoning Ordinance in 1984.

It is up to the applicant to decide whether to file an appeal after reviewing the above requirements.

**JONES & WARREN, P. A.**

ATTORNEYS AT LAW

A Professional Association

JEFFREY W. JONES

Oak Hill Professional Building  
P. O. Box 1270  
243 U.S. Route One  
Scarborough, ME 04070-1270  
(207) 883-4167  
FAX (207) 883-3866

December 5, 1995

City of Portland  
Board of Appeals, Rm. 315  
389 Congress Street  
Portland, Maine 04101

RE: Variance Appeal Application of Fred and Florence Jones  
14~~1~~-A-9; 14~~2~~-D-7

Dear Sirs:

I am writing on behalf of my clients, Fred and Florence Jones, requesting a variance appeal from Section 14-403.

Fred and Florence Jones are owners of two adjoining lots located on the unimproved street, known as Derby Road (See attached Exhibit A). Derby Road is shown on both the City of Portland street map, as well as the City of Portland Assessor's office map, and is located off Carlyle Road (See attached Exhibit B). Derby Road was created by the Plan of Woodfords Park in 1919, recorded in Plan Book 14, Page 32 (See attached Exhibit C). For your convenience I have combined Assessor's Plans 141 and 142 into a 2-scale drawing, showing my client's two lots along Derby Road (See attached Exhibit D). As you can see, the lots are landlocked, but for access along Derby Road. My clients are an elderly couple who now wish to sell this land as one large lot for their retirement. Unfortunately, in 1984, Section 14-403 was amended, which prohibits the sale of this lot unless the applicant also brings up to city specifications, Derby Road, and provides sewage, storm drains, pavements, curbs, and other such items. If the variance were granted the lot would have an approximate value of \$25,000.00-\$35,000.00. Without the variance, the land would have no value being a landlocked parcel without access, or the cost of improvements to Derby Road would make any return on this investment unfeasible.

I have tried to be as brief as possible in this letter, despite the somewhat complex issues involved. If you would like further

City of Portland  
December 6, 1995  
Page Two

information or have any questions please feel free to give me a  
call at any time. Thank you.

cordially,



Jeffrey W. Jones, Esq.

JWJ/sls  
Enclosure

cc: Mr. Fred Jones

*111 2nd St. Portland 3-*

# Warranty Deed

JOINT TENANCY

From

Florence E. Libbey

To

Fred W. Jones et al

Dated October 11, 1961

State of Maine.

ss. Registry of Deeds.

Received NOV 20 1961 19

at H., M., and

recorded in Book, Page

Attest:

Register.

FROM THE OFFICE OF

CHARLES A. BARTLETT  
445 Congress St.  
Portland, Maine

LORING, SHORT & HARMON, LAW STATIONERS  
PORTLAND, MAINE

*111 2nd St. Portland*  
*10th St*

# Quit-Claim Deed

WITH COVENANT

FROM

STANLEY R. HODGKINS

TO

FRED W. JONES, ET AL

Dated September 12, 1967

State of Maine.

ss. Registry of Deeds

Received OCT 13 1967 19

at H., M., and

recorded in Book Page

ATTEST:

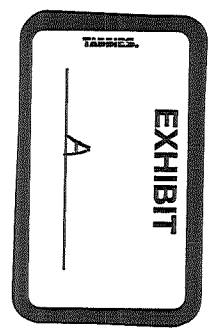
REGISTER

FROM THE OFFICE OF

Philip R. Webb, Esq.  
Portland, Maine

L. L. MARTIN, PORTLAND, ME. — OFFICE FURNITURE AND SUPPLIES  
TYPEWRITERS, ADDING MACHINES, FILING CABINETS, SAFES, ETC.

MARTIN'S FORM NO. 2 — STANDARD REGISTRY FORM



# Know All Men by These Presents,

**That** I, Florence E. Libbey of Portland in the County of Cumberland and State of Maine

**in consideration of** One Dollar and other valuable considerations

**paid by** Fred W. Jones and Florence M. Jones, both of Hendersonville in the State of North Carolina

**the receipt whereof** I **do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said** Fred W. Jones and Florence M. Jones

**as joint tenants and not as tenants in common, their heirs and assigns, and to the survivor of them and the heirs and assigns of the survivor of them forever.**

A certain lot or parcel of land situated in said Portland bounded and described as follows:

Beginning at the point of intersection of the southwesterly side of Carlyle Road with the southeasterly side line of Derby Road; thence running southeasterly by said Carlyle Road one hundred (100) feet to a point; thence running southwesterly at right angles to said Carlyle Road one hundred forty-eight and eighty-one hundredths (148.81)<sup>feet</sup> to a point; thence running northwesterly one hundred and nineteen hundredths (100.19) feet to a point on the southeasterly side line of Derby Road; thence running northeasterly by said Derby Road one hundred fifty-four and ninety-nine hundredths (154.99) feet to the point of beginning.

The above described premises represent lots numbered 220, 221, and 222 as shown on a plan of Woodfords Park made by Percy H. Richardson, dated October, 1919, and recorded in Cumberland County Registry of Deeds, Plan Book 14, Page 32.

Do have and in hold the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said

----- Fred W. Jones and Florence M. Jones -----

as joint tenants and not as tenants in common, their heirs and assigns, and to the survivor of them and the heirs and assigns of the survivor of them, to their own use and behoof forever.

And I do covenant with the said Grantees, as aforesaid, that I am lawfully seized in fee of the premises, that they are free of all encumbrances;

that I have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that I and my heirs shall and will Warrant and Defend the same to the said Grantees, their heirs and assigns and the survivor of them, and the heirs and assigns of the survivor of them forever, against the lawful claims and demands of all persons.

In Witness Whereof, I the said Florence E. Libbey, being unmarried

and

wife of the said

joining in this deed as Grantor, and

relinquishing and conveying my right by descent and all other

rights in the above described premises, have hereunto set my

hand and seal this Eleventh day of October

in the year of our Lord one thousand nine hundred and sixty-one.

Signed, Sealed and Delivered

in presence of

*Charles P. Jarrett*

*Florence E. Libbey*

State of Maine, Cumberland ss. October 11 1961

Personally appeared the above named

----- FLORENCE E. LIBBEY -----

and acknowledged

the foregoing instrument to be her free act and deed.

Before me,

*Charles P. Jarrett*

Justice of the Peace.

~~Notary Public~~



REGISTRY OF DEEDS, CUMBERLAND COUNTY, MAINE NOV 20 1961

Received at 1 H 52 M P.M., and recorded in

BOOK 2645 PAGE 97

*Israel R. L.*

Register



17056  
**Know All Men by These Presents,**

**That** I, STANLEY R. HODGKINS, of Portland, in the County of Cumberland and  
State of Maine

in consideration of ----- One Dollar and other Considerations -----

paid by FRED W. JONES and FLORENCE M. JONES, both of said Portland

the receipt whereof I do hereby acknowledge, do hereby ~~release,~~  
~~bargain, sell and convey~~ and forever quit-claim unto the said FRED W. JONES and  
FLORENCE M. JONES as joint tenants and not as tenants in common, and their heirs  
and assigns, and the survivor of them, and the heirs and assigns of the survivor  
of them forever

~~heirs and assigns forever,~~

All my right, title and interest in and to the following described real estate  
situated in Portland in the County of Cumberland and State of Maine and more  
particularly described as follows:

" Land Rear of Walton Street Nos. 95-101, Portland, Maine, City Assessors  
Plan on file in Assessors Office, City Hall, Plan 142-D-7, Area 6975  
square feet."

Being the same premises conveyed to me by the City of Portland in deed recorded  
in Cumberland County Registry of Deeds, Book 2439 Page 375.



To have and to hold the same, together with all the privileges and appurtenances thereunto belonging, to the said Fred W. Jones and Florence M. Jones as joint tenants and not as tenants in common, and their heirs and assigns, and the survivor of them and the heirs and assigns of the survivor of them forever

~~heirs and assigns forever.~~

that I will Warrant and Forever Defend the premises to them the said Grantees, their heirs and assigns forever, against the lawful claims and demands of all persons claiming by, through or under me.

In Witness Whereof. I, the said Stanley R. Hodgkins

and Alice S. Hodgkins

wife of the said Stanley R. Hodgkins

joining in this deed as Grantor, and relinquishing and conveying her rights by descent and all other rights in the above described premises, have hereunto set our hands and seals this twelfth day of September in the year of our Lord one thousand nine hundred and sixty-seven.

Signed, Sealed and Delivered in presence of

*Martina E. Downs*  
*to lock*

*Stanley R. Hodgkins*  
*Alice S. Hodgkins*



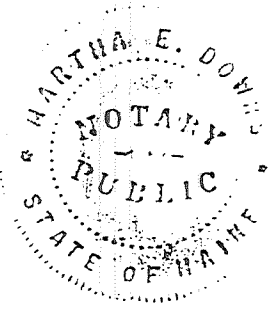
State of Maine. Cumberland ss. September 12, 1967.

Personally appeared the above named Stanley R. Hodgkins

and acknowledged the above instrument to be his free act and deed.

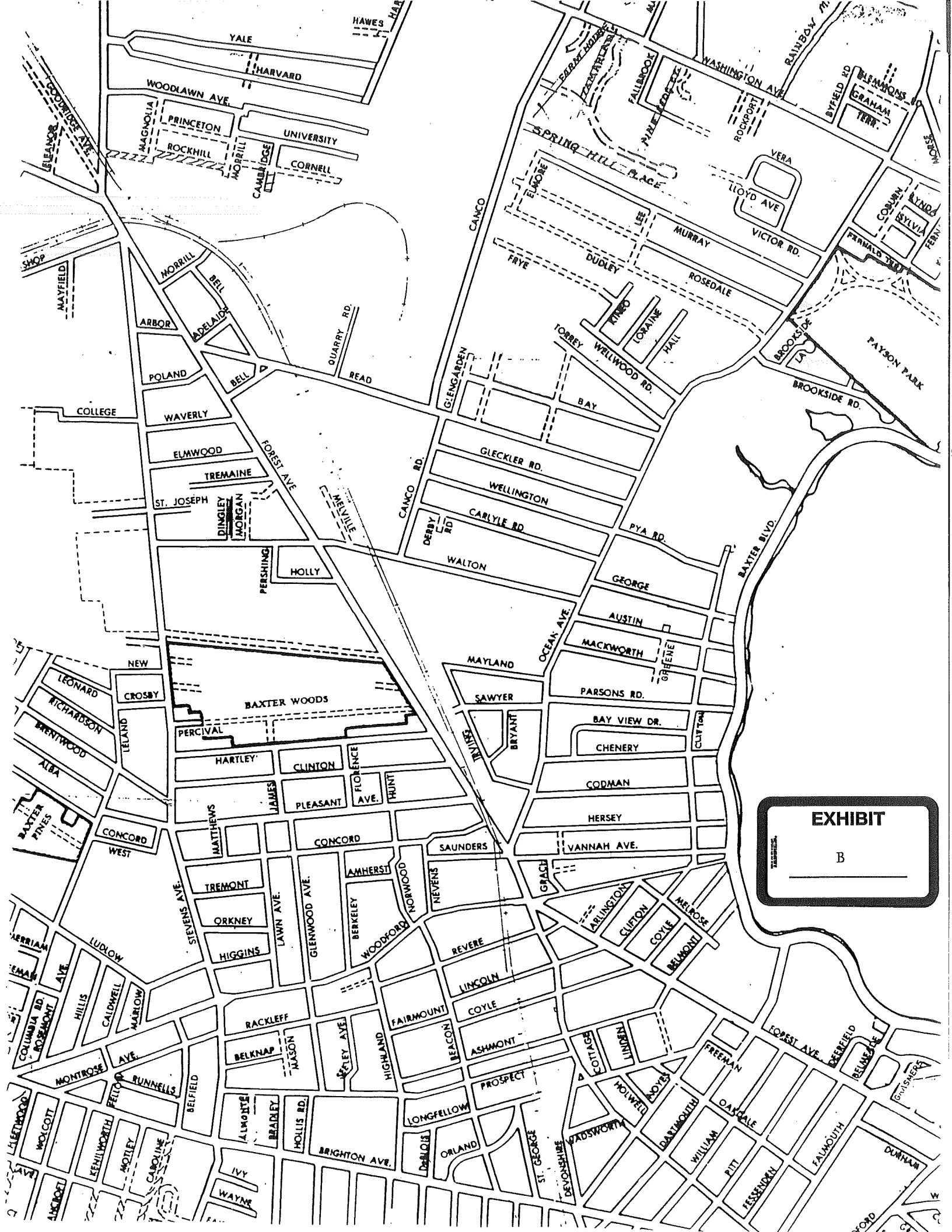
Before me, *Martina E. Downs*

~~Justice of the Peace~~  
Notary Public



REGISTRY OF DEEDS, CUMBERLAND COUNTY, MAINE OCT 16 1967

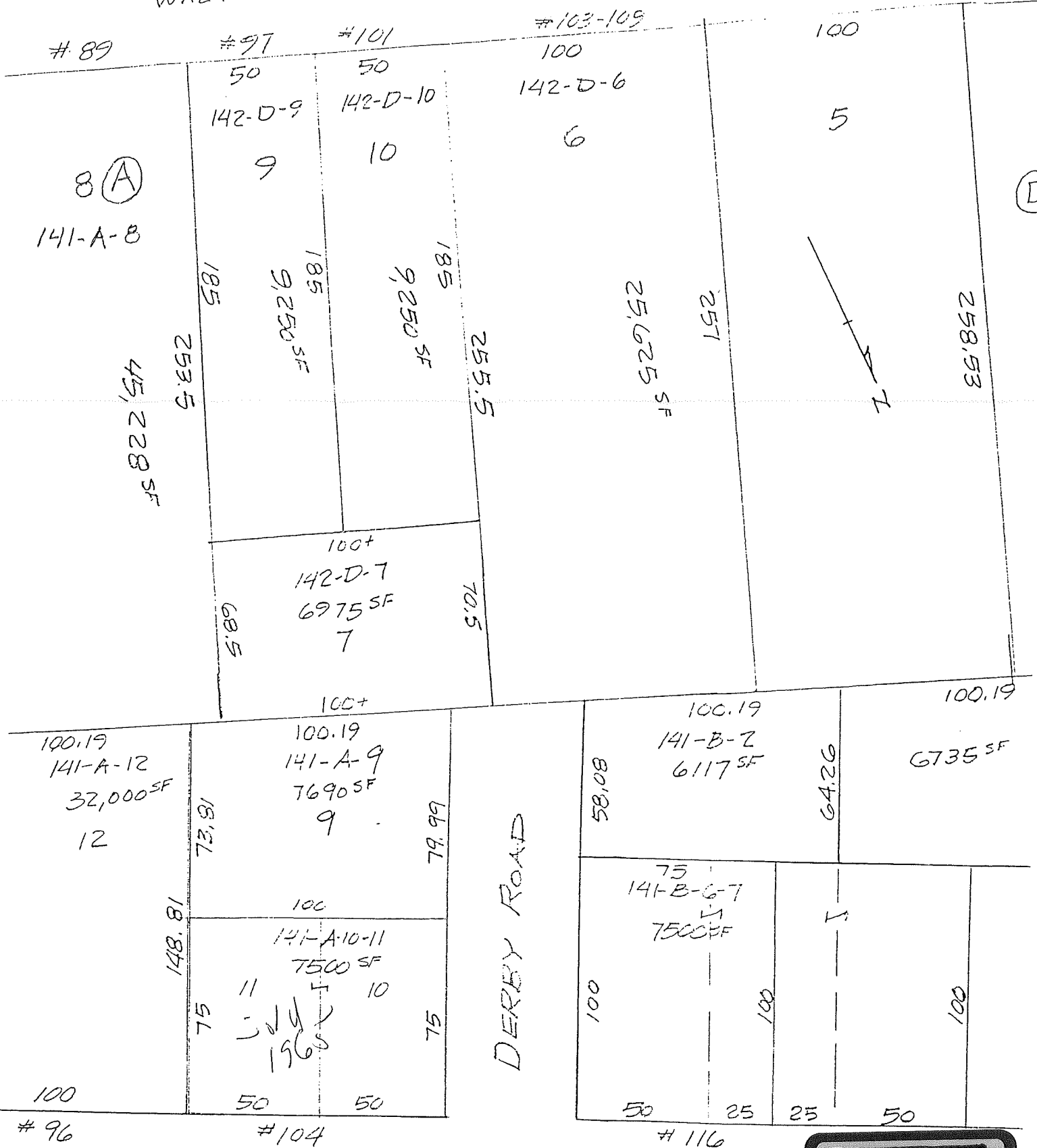
Received at 2 H 35 PM, and recorded in BOOK 3016 PAGE 34 *Samuel R. Johnson* Register



**EXHIBIT**  
B

WALTON

51



8 (A)  
141-A-8

#97  
50  
142-D-9  
9

#101  
50  
142-D-10  
10

#103-109  
100  
142-D-6  
6

100  
5

100+  
142-D-7  
6,975 SF  
7

100.19  
141-A-12  
32,000 SF  
12

100.19  
141-A-9  
7,690 SF  
9

100.19  
141-B-2  
6,117 SF

100.19  
6,735 SF

100  
141-A-10-11  
7,500 SF  
10

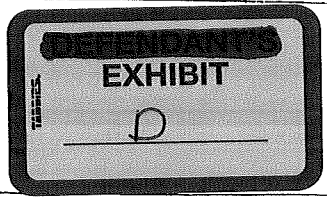
75  
141-B-6-7  
7,500 SF

100  
#96

50  
#104

#116

CARLYLE ROAD



12/13/95

Fred Jones  
143 Fogg Rd.  
Scarborough, Me. 04074

Dear Fred;

In response to your request for a budget estimate to construct approximately 150 l.f. of roadway to City of Portland specifications, a typical cost is between \$275 and \$325 per l.f.

Included in this price would be earth excavation, gravels, storm drain, sanitary sewer, water line, house services, pavement, granite curb, excavation and conduit for underground electric, telephone and cable TV.

Items not included in the above budget price are; permits, fees, engineering, inspection, bond, ledge, and any items that are not typical of this type of construction, such as deep trench excavations or large diameter pipe.

I realize our pricing covers a wide range, but until an approved site plan is available, the above numbers are our "best guess" based on our experience constructing subdivisions in Portland.

Please call if we can answer any questions or be of further assistance.

Sincerely;

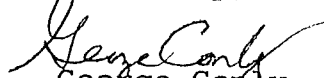
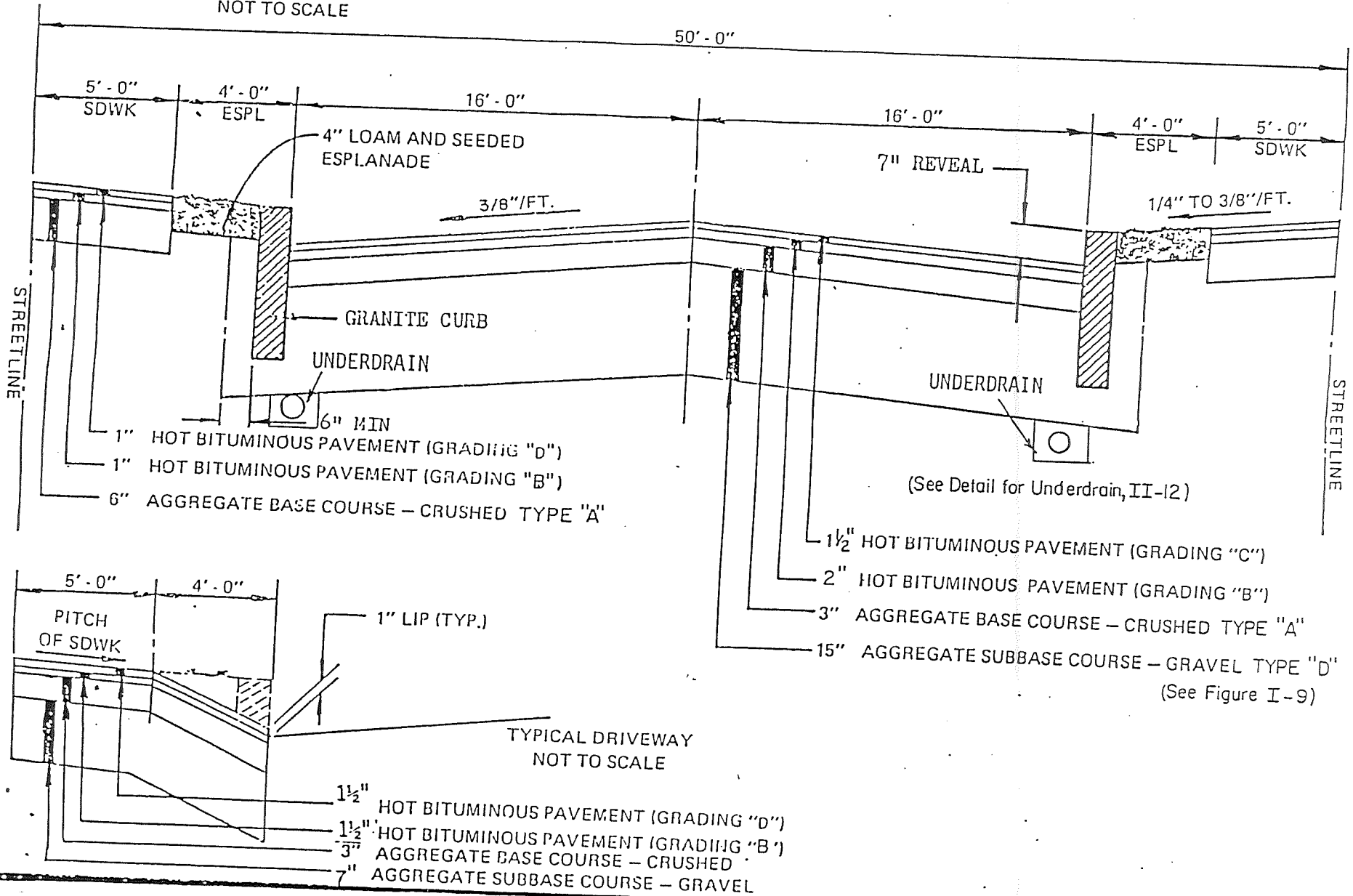
  
George Conly  
Estimator

FIG. I-1

RESIDENTIAL STREET SECTION

NOT TO SCALE



Mark  
Stimson  
REALTORS<sup>®</sup> SM

---

PORTLAND

---

December 22, 1995

Mr. Fred Jones  
143 Fogg Road  
Scarborough, Maine 04074

Dear Mr. Jones,

The purpose of this letter is to give you an estimated opinion of market value of your land off Derby Road in Portland. The combined square footage of your two lots is approximately 12,165. Their present value, since they are back lots and virtually inaccessible, is negotiable. If they could be reached via Derby Road, if it were an improved street, it is my opinion that the land would be most likely to sell for approximately \$ 24,000.00.

Please let me know what is decided about accessing this land.

Sincerely,

  
Jane Leonard



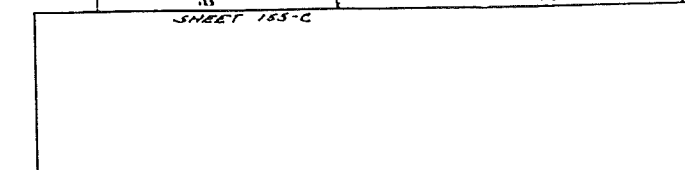
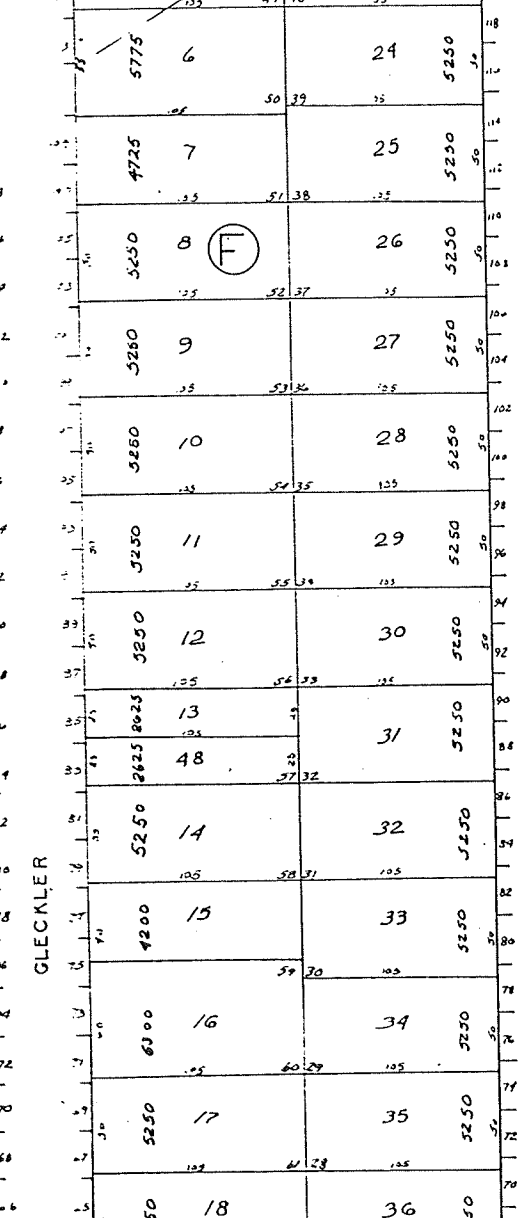
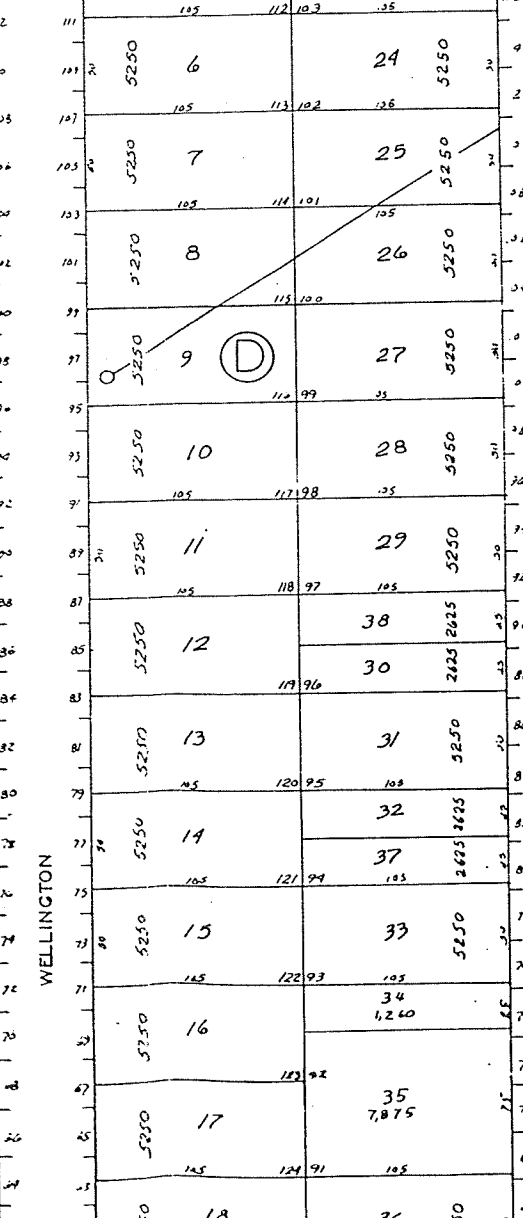
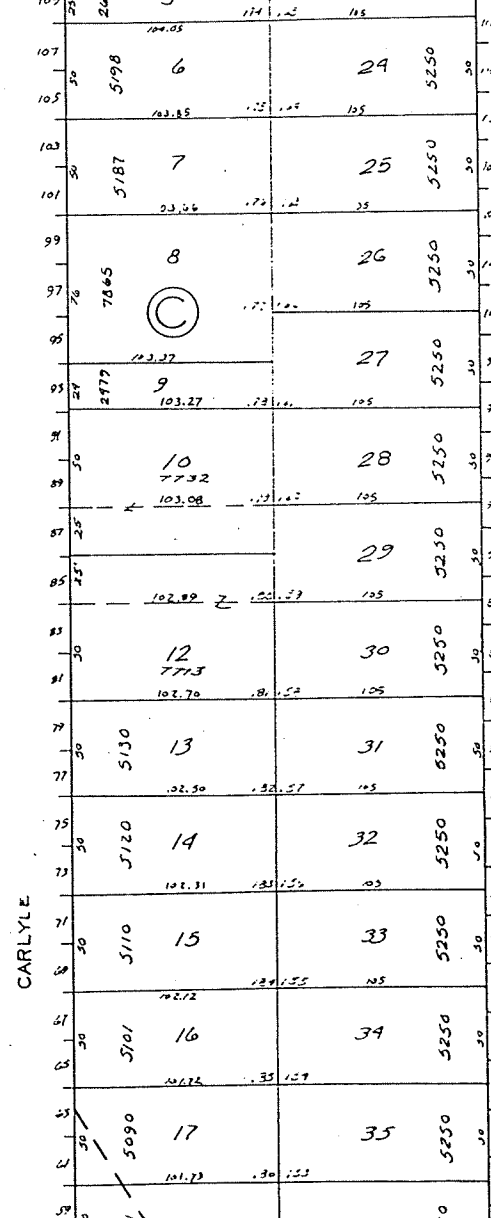
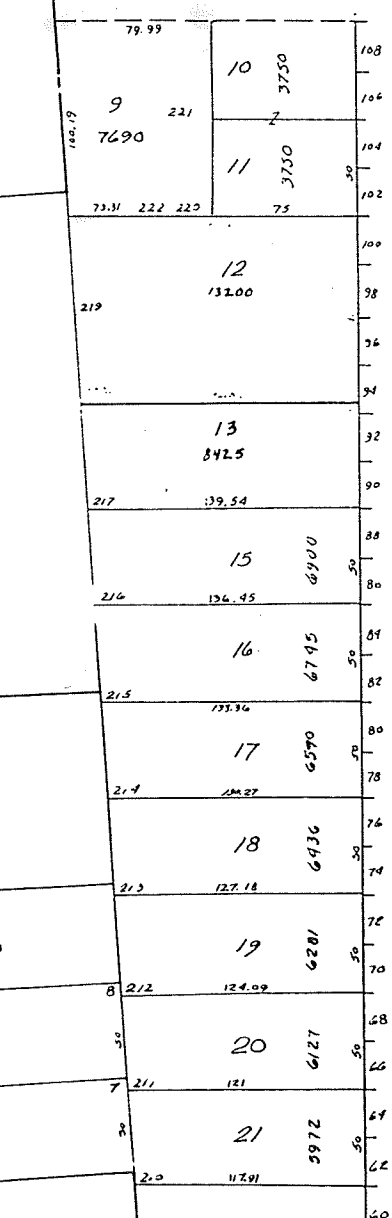
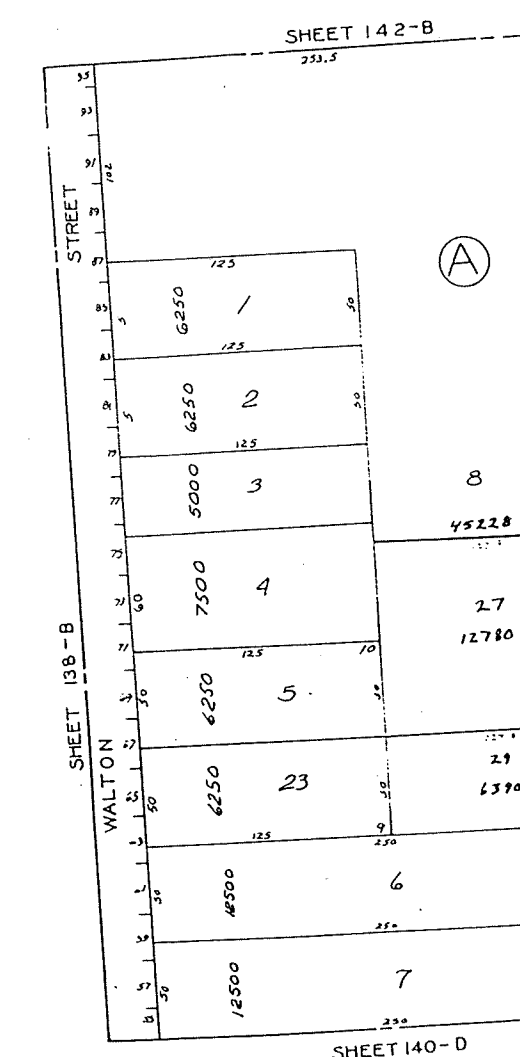
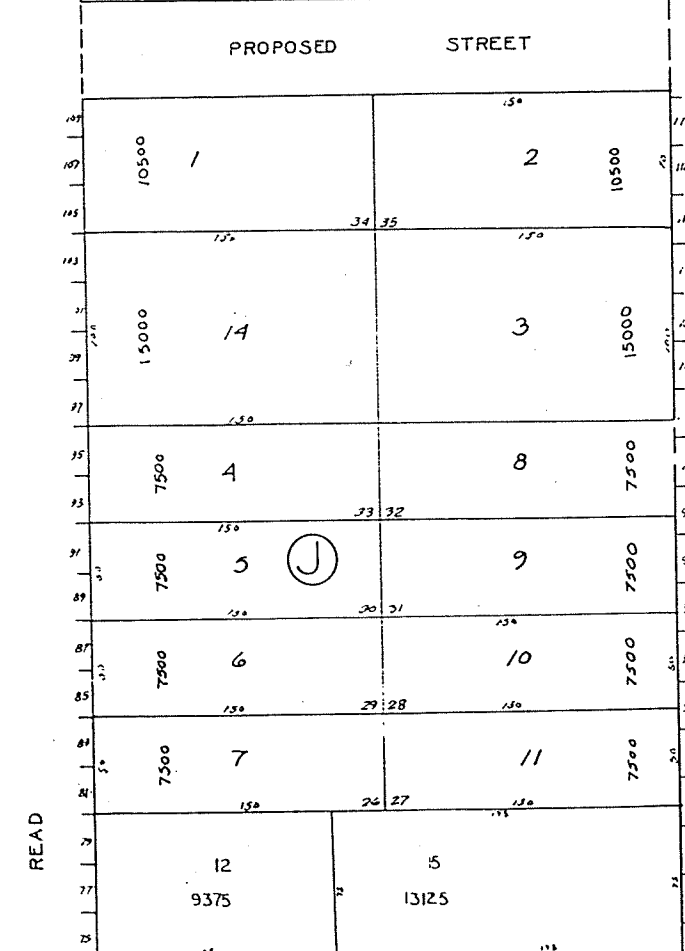
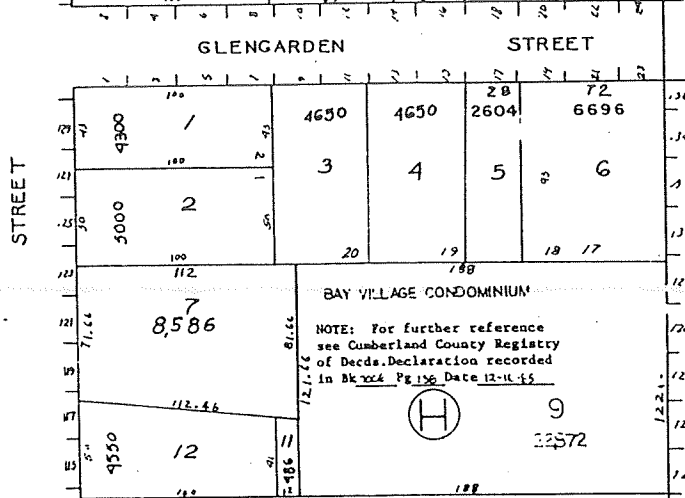
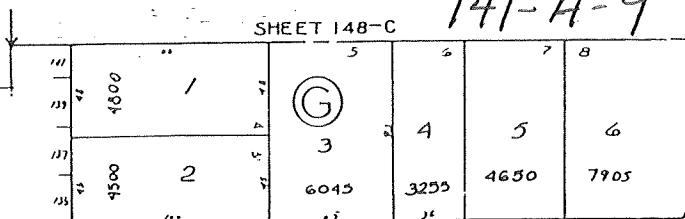
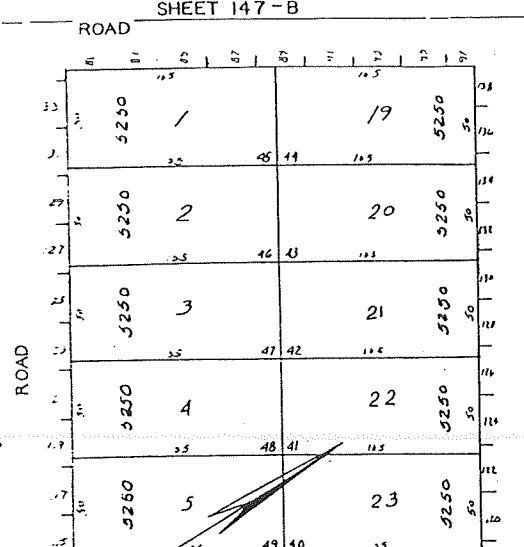
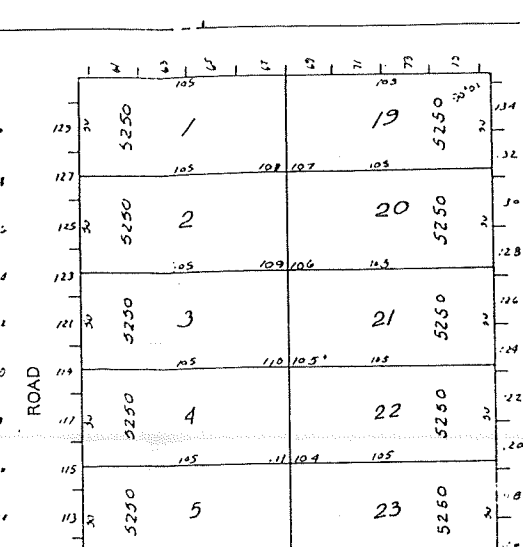
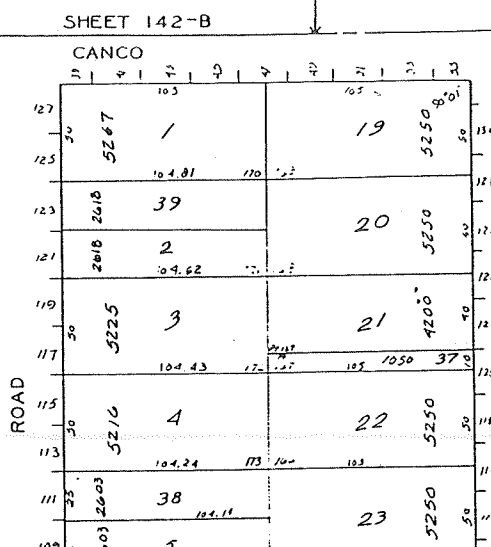
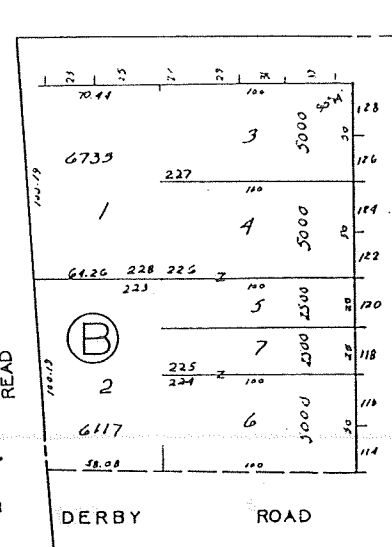
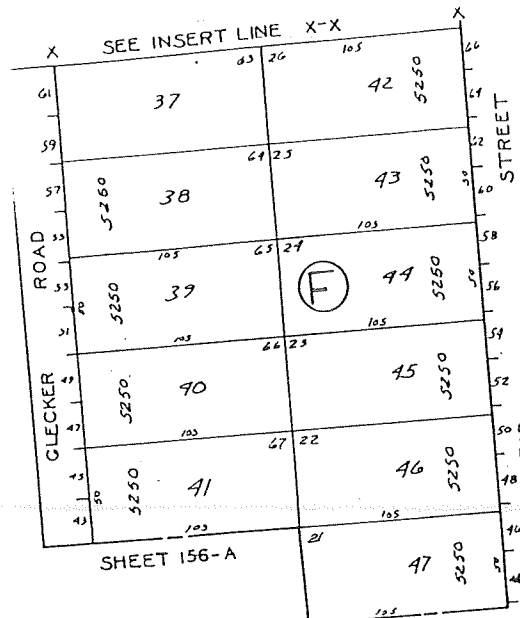


12

16	Vete House	H-14	53	Back Cove Park	H-13
18	Victoria Mansion	J-11	54	Baxter Park	H-11
20	Wadsworth-Longfellow House	J-14	55	Portland City Hall	O-12
			56	Cliff House Block	K-17
			57	Deering Oaks Park	H-13
			58	Hindley Park	L-16
			59	Mill Creek Park	K-16
			60	Payson Park	G-13
			61	Presumpscot Park	H-11
			62	Riverside Municipal Golf Course	E-10
			63	South Portland Municipal Golf Course	L-12
			64	Spring Point Shoreway	J-16
			65	Willard Beach	J-16

13

14



BAY VILLAGE CONDOMINIUM  
NOTE: For further reference see Cumberland County Registry of Deeds Declaration recorded in Bk 104 Pg 156 Date 12-11-85

50.

G L E C K L E R

R O A D

105.107	106	105	104	103	102	101	100	99	98	97	96	95	94	93	92	91
5250																
108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124
50.																

50.

W E L L I N G T O N

C A N C O

105.169	168	167	166	165	164	163	162	161	160	159	158	157	156	155	154	153
5250																
170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186
5043	50.															

50.

C A R L Y L E

100.227	226	225	224	DERBY ROAD	221	220	219	218	217	216	215	214	213	212	211	210
5000					5499	5000										
70.44	228	223			222											
6735	64.26	6117	58.08		5190	7363	7208	7054	6900	6745	6590	6436	6281	6127	5972	
100.19		100.19			100.19	50.10										

Harriet M. Bailey \* A.R. & E.A. Doten \* Greta M. Moore - Trustee

Woodlands Park

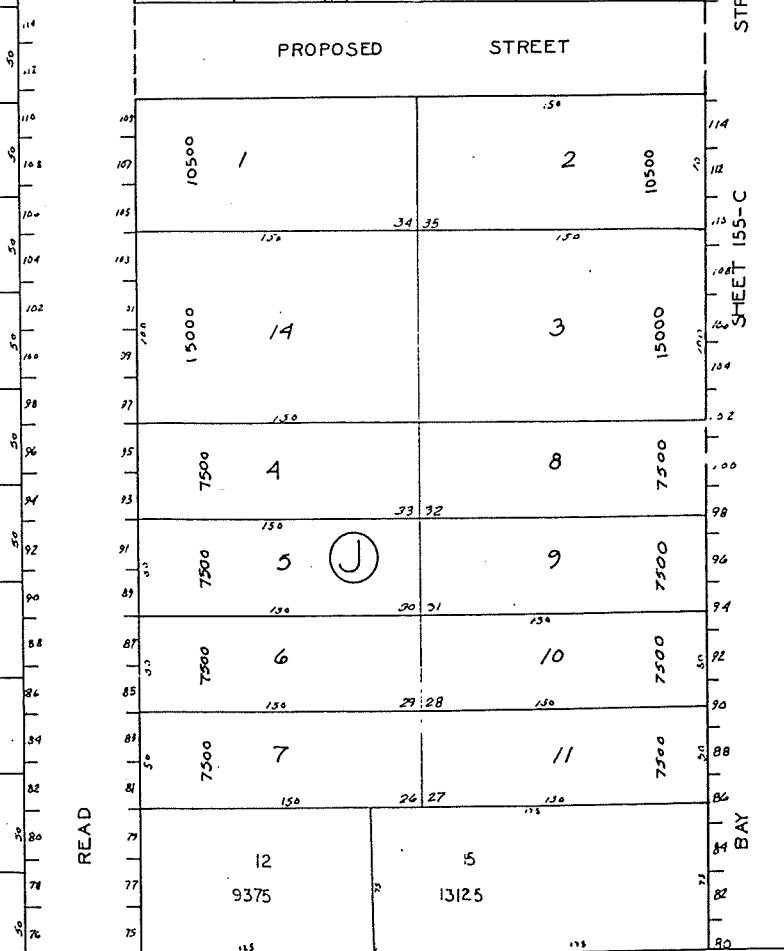
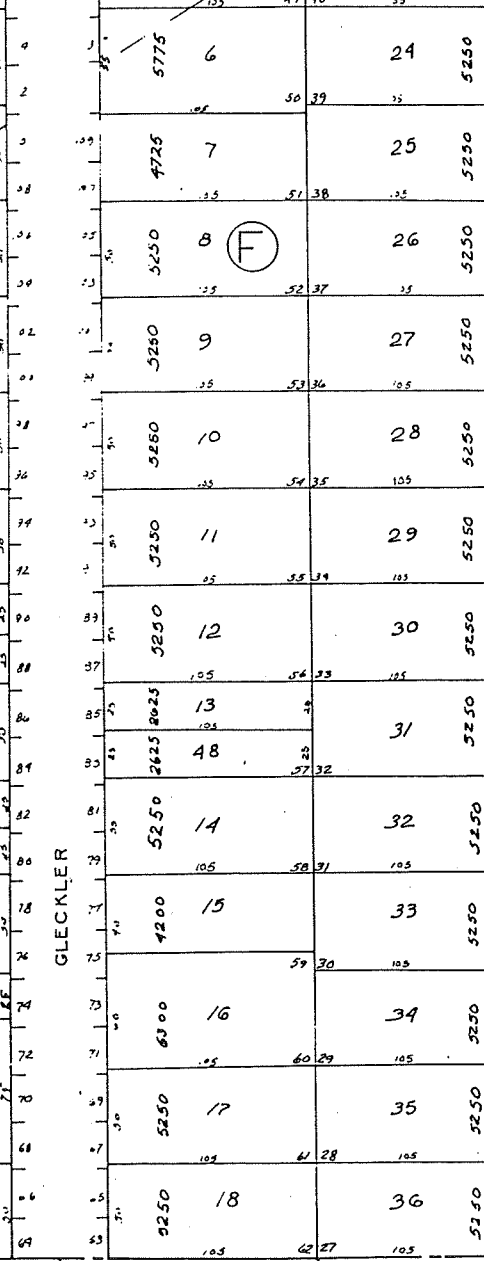
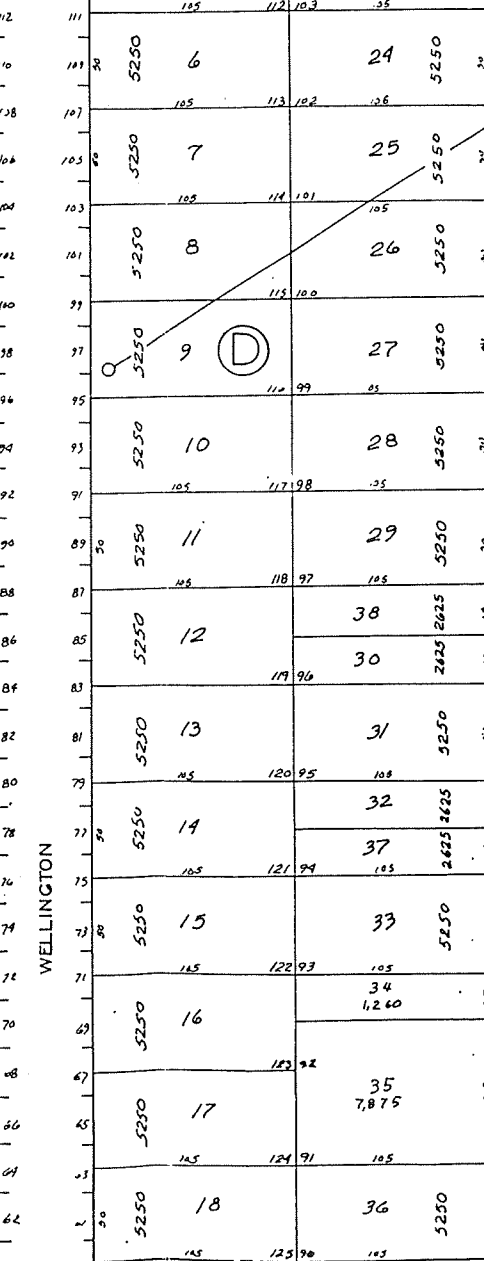
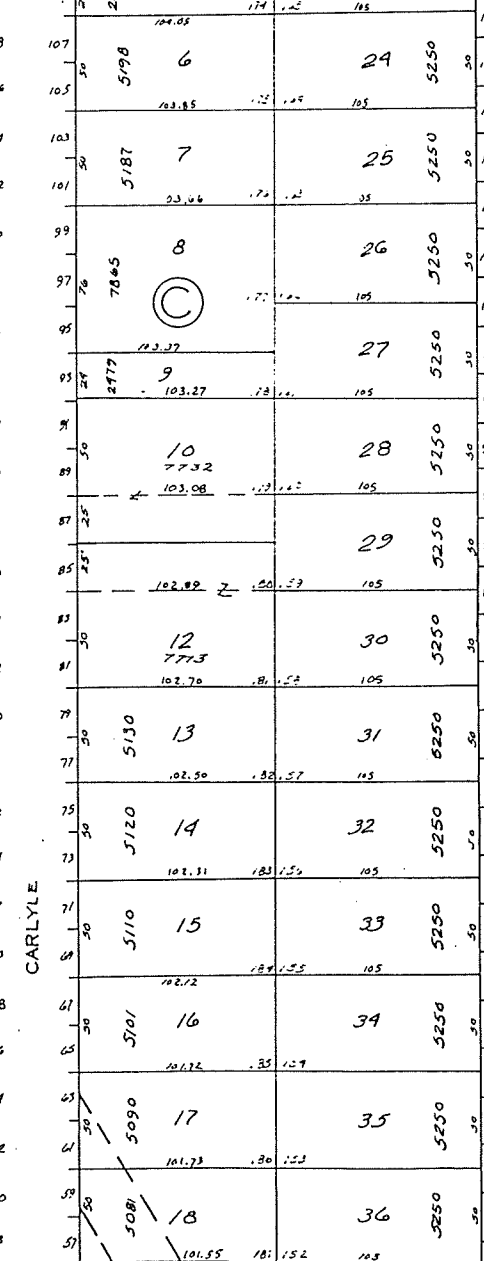
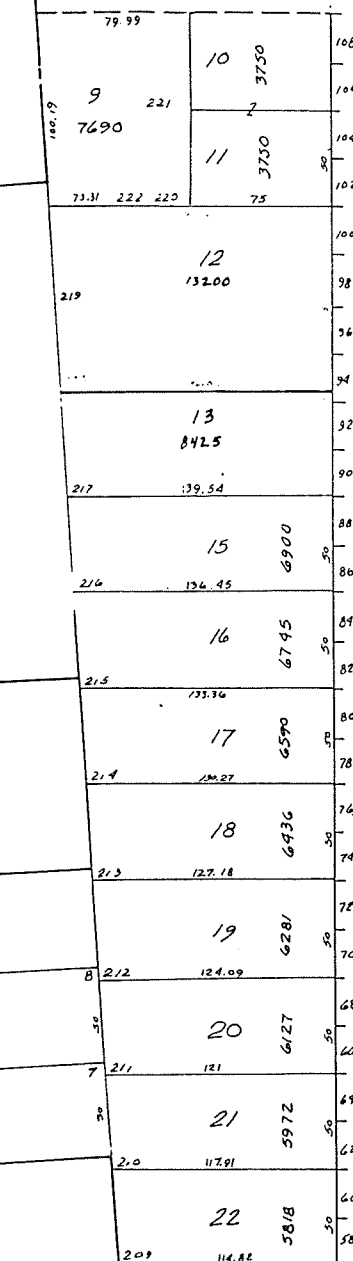
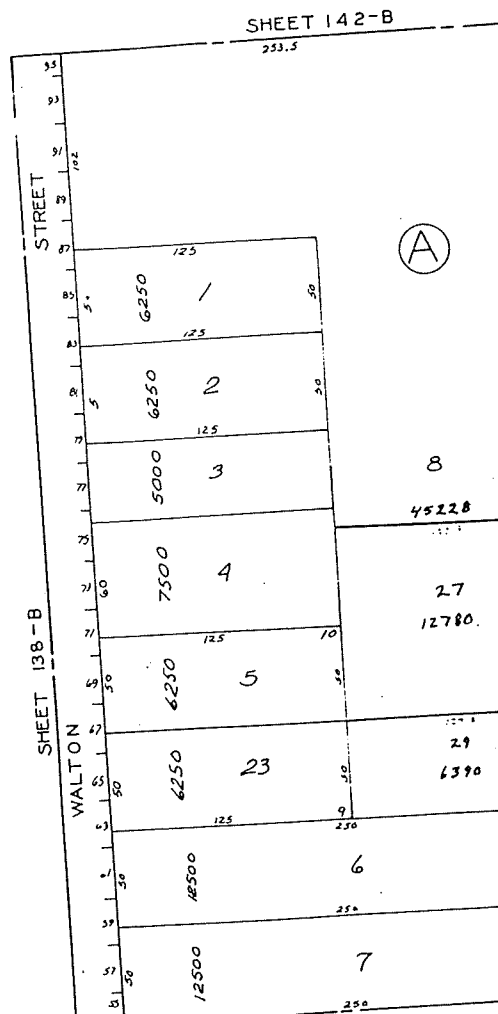
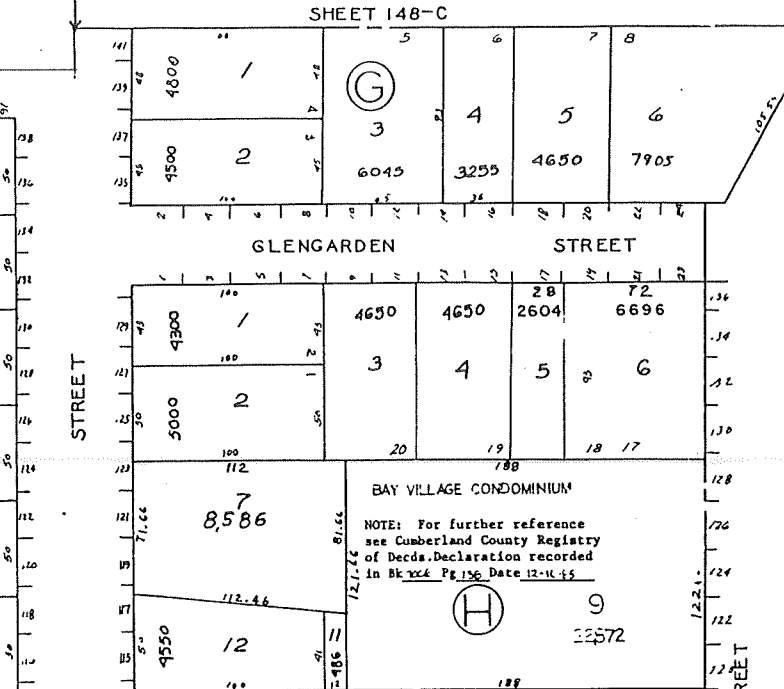
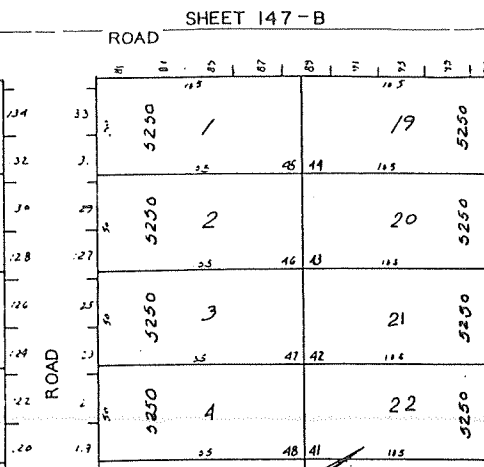
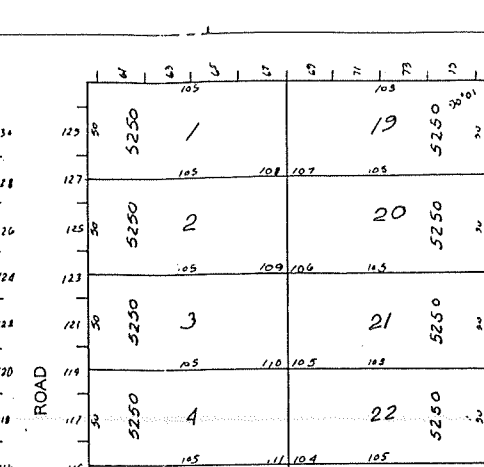
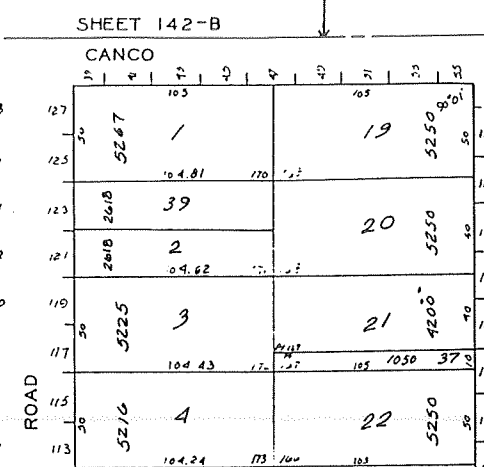
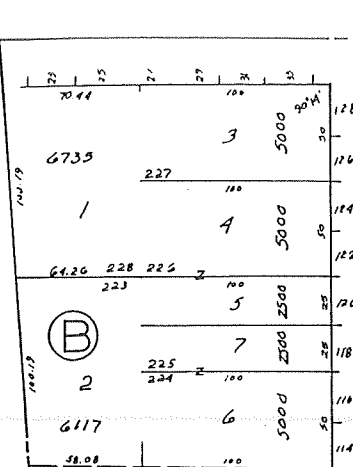
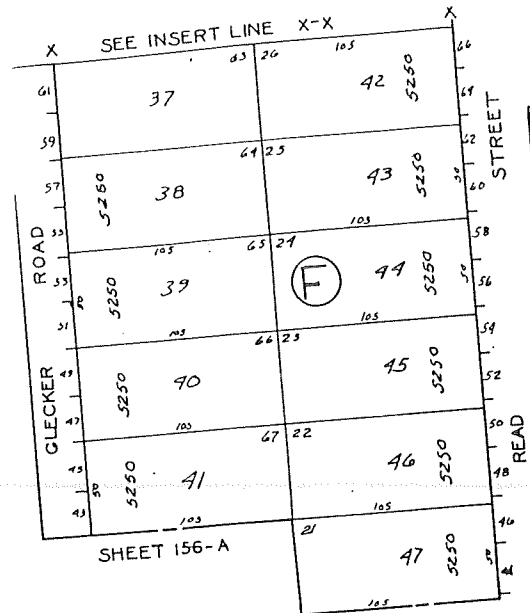
E.G. McDuffie

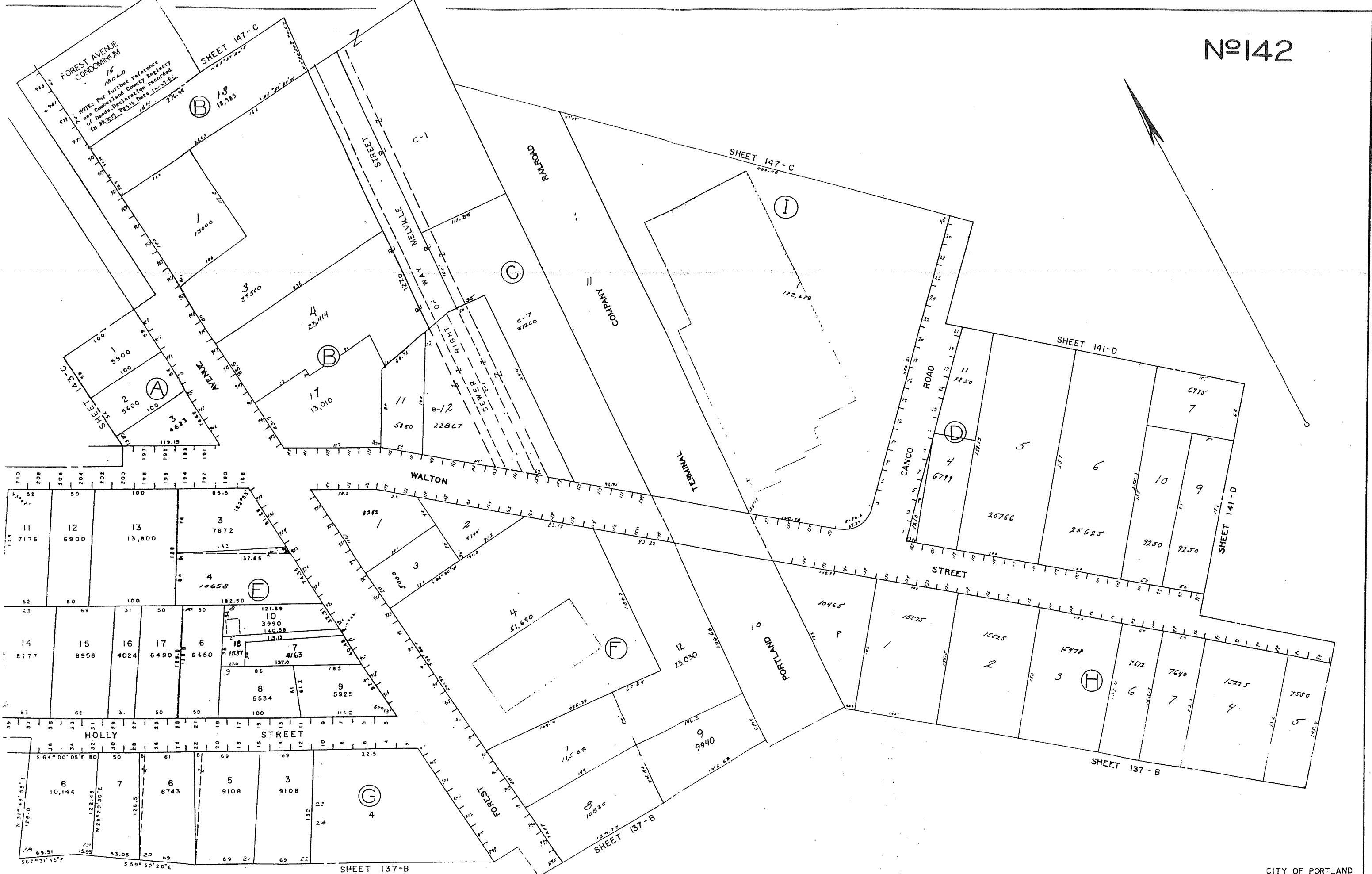
F.W. Rogers

WOODFORDS  
 PORTLAND MAINE

THE OTIS H. PERRY L.

State of Maine, Cumberland County, ss. Registry Clerk,  
 do hereby certify that on December 17, 1924, at the County Clerk's Office,  
 in and for said County, Book 14, Page 32,  
 the following was recorded:





CITY OF PORTLAND, MAINE

BOARD OF APPEALS



December 22, 1995

Jeffrey W. Jones, Attorney  
Oak Hill Professional Building  
P. O. Box 1270  
243 U.S. Route One  
Scarborough, Maine 04070-1270

RE: Derby Road  
Portland, Maine

Dear Mr. Jones,

Receipt of your application for a Variance Appeal of the property located on Derby Road, Portland, Maine, is acknowledged.

This appeal is scheduled for review before the Board of Appeals on Thursday, January 4, 1996 at 7:00 p.m., Room 209, City Hall, Portland, Maine. You must plan to attend to answer any questions which the Board members may have concerning this appeal.

A copy of the January 4, 1996 agenda is enclosed for your information.

Sincerely,

Marge Schmuckal  
Zoning Administrator

cc: Matthew D. Manahan, Chairman, Board of Appeals  
Joseph E. Gray, Director, Planning & Urban Development  
P. Samuel Hoffses, Chief, Code Enforcement Division  
Charles A. Lane, Associate Corp. Counsel  
A. Rowe, Code Enforcement Officer  
Fred and Florence Jones  
143 Fogg Road  
Scarborough, ME 04074

# CITY OF PORTLAND, MAINE

BOARD OF APPEALS



## DERBY ROAD

All persons interested either for or against this Space and Bulk Variance will be heard at a public hearing in Room 209, City Hall, Portland, Maine on Thursday, January 4, 1996 at 7:00 p.m. This notice of required public hearing has been sent to the owners of property directly abutting and directly across the street or alley from the property as required by the ordinance.

Jeffery W. Jones, attorney, on behalf of Fred and Florence Jones, owners of the property on Derby Road which is in the R-3 Zone, under the provisions of Section 14-403 of the Zoning Ordinance of the City of Portland, Maine hereby respectfully petitions the Board of Appeals relief from Section 14-403 which would allow the sale of the lots as is.

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 an appeal will be granted if the Board of Appeals finds that the conditions imposed by Section 14-403 of the Zoning Ordinance have been met.

MATTHEW D. MANAHAN  
CHAIRMAN

Cumberland County



Registry of Deeds  
Portland, Maine

142 FEDERAL STREET  
P.O. BOX 7230  
PORTLAND, MAINE 04112-7230  
207-871-8389  
FAX (207) 772-4162

JOHN B. O'BRIEN, Registrar  
MARY F. CAHILL, Deputy Registrar

DATE: 1-19-96

TO WHOM IT MAY CONCERN:

WE ARE RETURNING THE ENCLOSED DOCUMENT(S) FOR THE FOLLOWING REASONS

- ( ) NO SIGNATURE
- ( ) NAME MUST BE TYPED OR PRINTED BELOW SIGNATURE LINE
- (X) CORPORATE NAME MUST BE TYPED AT SIGNATURE LINE FOR INDEXING
- ( ) MUST HAVE THE ORIGINAL DOCUMENT
- ( ) NEED DOCUMENT FOR RECORDING
- ( ) NO NOTARIZED AFFIDAVIT OR ACKNOWLEDGEMENT
- ( ) INSUFFICIENT FUNDS (Amount should be \$ \_\_\_\_\_)
- ( ) WRONG COUNTY
- ( ) CHECK NOT SIGNED
- ( ) CHECK MUST BE MADE PAYABLE TO CUMBERLAND COUNTY REGISTRY OF DEEDS (Third party checks are not acceptable.)
- ( ) NO DECLARATION OF VALUE FORM (When transferring property, we must have a Maine Transfer Tax Declaration Form filled out showing the amount of tax required to be paid or the reason it is exempt. A copy of the tax form is enclosed for your convenience.)
- ( ) NO TAX MAP AND LOT NUMBER (The Maine Transfer Tax Form requires that the Tax Map Number and the Lot Number be included if available. ALL municipalities in Cumberland County have tax maps and the information is available through their offices. It is not available at the Registry of Deeds.)
- ( ) MAXIMUM NUMBER OF NAMES ON ASSIGNMENT EXCEEDS TWENTY (20). Only twenty names are allowed to be indexed per assignment.
- ( ) OTHER