

Location of Construction: 33 Arthur Street, Portland 04103		Owner: James & Denise Shea		Phone: 878-3362		Permit No:	
Owner Address:		Leasee/Buyer's Name:		Phone:		Business Name:	
Contractor Name:		Address:		Phone:		Permit Issued:	
Past Use:		Proposed Use:		COST OF WORK:		PERMIT FEE:	
				\$		\$***	
Proposed Project Description:  Miscellaneous Appeal		FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group: Type:		Zoning Approval: Zone: R-3 CBL: 340-M-20	
Signature: PEDESTRIAN ACTIVITIES DISTRICT (R.U.D.)		Signature:		Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied		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 <input type="checkbox"/> major <input type="checkbox"/> minor <input type="checkbox"/> mm <input type="checkbox"/>	
Permit Taken By: Vicki Dover		Date Applied For: 11/25/96		Signature:		Date:	
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.		Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied	
**Fee waived as per Mr. Ganley		APPEAL DENIED 1/9/97		Historic Preservation <input type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review		Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied	
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		CERTIFICATION		Signature: Denise M. Shea		Date:	
33 Arthur Street, Portland, ME 04103		ADDRESS:		DATE: 11/25/96		PHONE:	
Denise M. Shea		Denise Shea		ADDRESS:		PHONE:	
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE		White-Permit Desk		Green-Assessor's		Canary-D.P.W. Pink-Public File Ivory Card-Inspector	
CEO DISTRICT #17		K. Carroll					

James & Denise Shea  
33 Arthur Street  
Portland, Maine 04103  
November 22, 1996

City of Portland  
Board of Appeals  
389 Congress Street  
Portland, Maine 04101

To Whom it May Concern:

This letter is regarding a fence and its placement on our property at 33 Arthur Street, Portland.

In June of 1996, we removed an about 52 foot long, 4 foot high fence, as well as a 50 foot pine tree on the left side of our house, which is on a corner lot and very open to the street. As a matter of safety for our children and pets, as well as privacy, we replaced the old fence with about 35 feet of 6 foot stockade fencing.

On July 11th, we were notified by your inspectors of Land Use Ordinance 14-426, fences within 25 feet of a street shall not be more than 4 feet in height. We feel there is nothing wrong with its placement, since it sets in about 13 feet into our yard away from Homestead Ave. and the front part facing Arthur Street is the required 25 feet back from the stop sign so as not to obstruct view at the intersection. So, on July 18th, a traffic engineer did determine there were no site line of view problems and we were clear to maintain fence at present height.

But due to other property owners knowing of this ordinance and complaints being made, we are now requesting an appeal and seeking the zoning boards permission to keep our fence at its present height.

Enclosed are photos and any other information you may need to review this matter.

Your consideration regarding this situation is greatly appreciated.

Sincerely,

  
James & Denise Shea

BORROWER

THIS MORTGAGE is made this 26th day of August 1988, between the Mortgagor, James G. Shea and Denise M. Shea (herein "Borrower"), and the Mortgagee, Homeowners Federal Savings and Loan Association, a corporation organized and existing under the laws of the United States of America, whose address is 21 Milk Street, Boston, MA 02109 (herein "Financial Institution"). BORROWER, in consideration of the indebtedness herein recited, grants and conveys to Financial Institution and Financial Institution's successors and assigns, including without limitation MAINE STATE HOUSING AUTHORITY, the following described property located in the County of Cumberland State of Maine:

A certain lot or parcel of land situated in the said City of Portland, in that part formerly Deering and beginning at an iron stake at the northeast corner of Homestead Avenue and Arthur Street; thence southeasterly along the easterly side of Arthur Street a distance of eighty-three and three one hundredths (83.03) feet to an iron stake; thence northeasterly a distance of fifty-seven and six one hundredths (57.06) feet to an iron stake; thence in a northwesterly direction a distance of eighty-three and three one hundredths (83.03) feet to an iron stake on the easterly side of Homestead Avenue; thence in a southwesterly direction a distance of fifty-four and seventy-nine one hundredths (54.79) feet to an iron stake and the point of beginning.

Meaning and intending hereby to convey a part of lot 6 and part of lot 7 as per plan recorded in Cumberland County Registry of Deeds in Plan Book 16, Page 9.

Excepting therefrom a certain Lot with any buildings thereon situated on the Southeasterly side of Homestead Avenue and being more particularly described in a Deed from John A. Olson, et al. to Martin H. Lyden, et al. dated June 11, 1957 and recorded in said Registry in Book 2356, Page 493.

which has the address of 33 Arthur Street, Portland (Street) (City) Maine 04103... (herein "Property Address"); (Zip Code)

TO HAVE AND TO HOLD such property unto Financial Institution and Financial Institution's successors and assigns, including without limitation MAINE STATE HOUSING AUTHORITY, forever, together with all the improvements now or hereafter erected on the property, and all easements, rights, appurtenances, rents, royalties, mineral, oil and gas rights and profits, water, water rights, and water stock, and all fixtures now or hereafter attached to the property, all of which, including replacements and additions thereto, shall be deemed to be and remain a part of the property covered by this Mortgage and all of the foregoing, together with said property (or the leasehold estate if this Mortgage is on a leasehold) are herein referred to as the "Property".

TO SECURE to Financial Institution the repayment of the indebtedness evidenced by Borrower's note dated August 26, 1988 (herein "Note"), in the principal sum of Ninety Thousand and 00/100 Dollars (\$90,000.00), with interest thereon, providing for monthly installments of principal and interest, with the balance of the indebtedness, if not sooner paid, due and payable on September 1, 2018; and the payment of all other sums, with interest thereon, advanced in accordance herewith to protect the security of this Mortgage; and the performance of the covenants and agreements of Borrower herein contained.

Borrower covenants that Borrower is lawfully seized of the estate hereby conveyed and has the right to grant and convey the Property, that the Property is unencumbered, and that Borrower will warrant and defend generally the title to the Property against all claims and demands, subject to any declarations, easements or restrictions listed in a schedule of exceptions set forth in or attached to this Mortgage.

Borrower and Financial Institution further covenant and agree as follows:  
1. Payment of Principal and Interest. Borrower shall promptly pay when due the principal of and interest on the indebtedness evidenced by the Note and late charges as provided in the Note, and the principal of and interest on any Future Advances secured by this Mortgage.



This is a photo of the tree we removed, which was right along the side of Homestead Ave. and neighbors driveway, and much higher than our new fence.

CITY OF PORTLAND  
INSPECTIONS DIVISION

This building at 33 Arthur St  
has been inspected today 7/11/90 and found  
satisfactory for lathing or closing in  
to be unsatisfactory. (See instructions reverse side)

Dave Jordan Inspector of Buildings.

It is UNLAWFUL TO OCCUPY any new or altered building until a certificate that  
same has been built or altered according to law has been procured from the Inspector  
of Buildings.

THIS TAG IS TO BE KEPT IN CONSPICUOUS PLACE UNTIL THE ABOVE  
CERTIFICATE HAS BEEN PROCURED.

Please call Impact Services  
874-8696 (evening hours) or  
Wing & Schmitt (874-8300)

or myself Dave Jordan  
(874-8300 ext 8709)

RF's stockaid fence on corner lot  
see Att. sheet SM 14-426

CITY OF PORTLAND  
INSPECTIONS DIVISION  
This building at 33 Arthur St.  
has been inspected today, 7/17/76, and found  
satisfactory for lathing and closing in  
to be unsatisfactory. (see instructions reverse side.)  
Inspector of Buildings  
Dwe Jordan  
It is UNLAWFUL TO OCCUPY any new or altered building until a certificate that  
same has been built or altered according to law has been procured from the Inspector  
of Buildings.  
THIS TAG IS TO BE KEPT IN CONSPICUOUS PLACE UNTIL THE ABOVE  
CERTIFICATE HAS BEEN PROCURED.

No. 40's King Street found no  
(Site line at view) problem's  
Clear to maintenance at  
present position. Thanks  
8/14/8300 Jordan  
Ext 8709 CEO

MORTGAGE LOAN INSPECTION PLAN

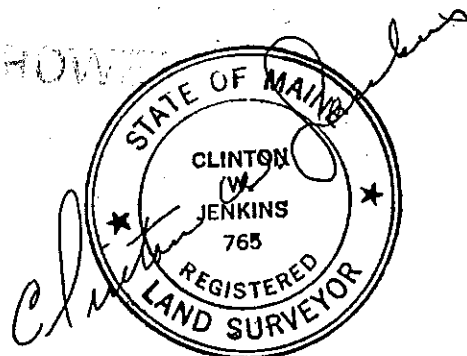
TO THE LENDING INSTITUTION AND ITS TITLE INSURER

I HEREBY CERTIFY THAT THE LOCATION OF THE DWELLING SHOWN ON THIS PLAN DOES CONFORM WITH THE LOCAL ZONING LAWS IN EFFECT AT THE TIME OF CONSTRUCTION. THE PROPERTY DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD ZONE.

THIS PLAN WAS NOT MADE FROM AN INSTRUMENT SURVEY. THE CERTIFICATIONS ARE FOR MORTGAGE PURPOSES ONLY. THIS PLAN APPLIES ONLY TO CONDITIONS EXISTING AS OF THE DATE SHOWN HEREDN, AND DOES NOT SHOW ANY POSSIBLE CONFLICTS WITH ABUTTING DEEDS. THIS PLAN IS NOT FOR RECORDING.

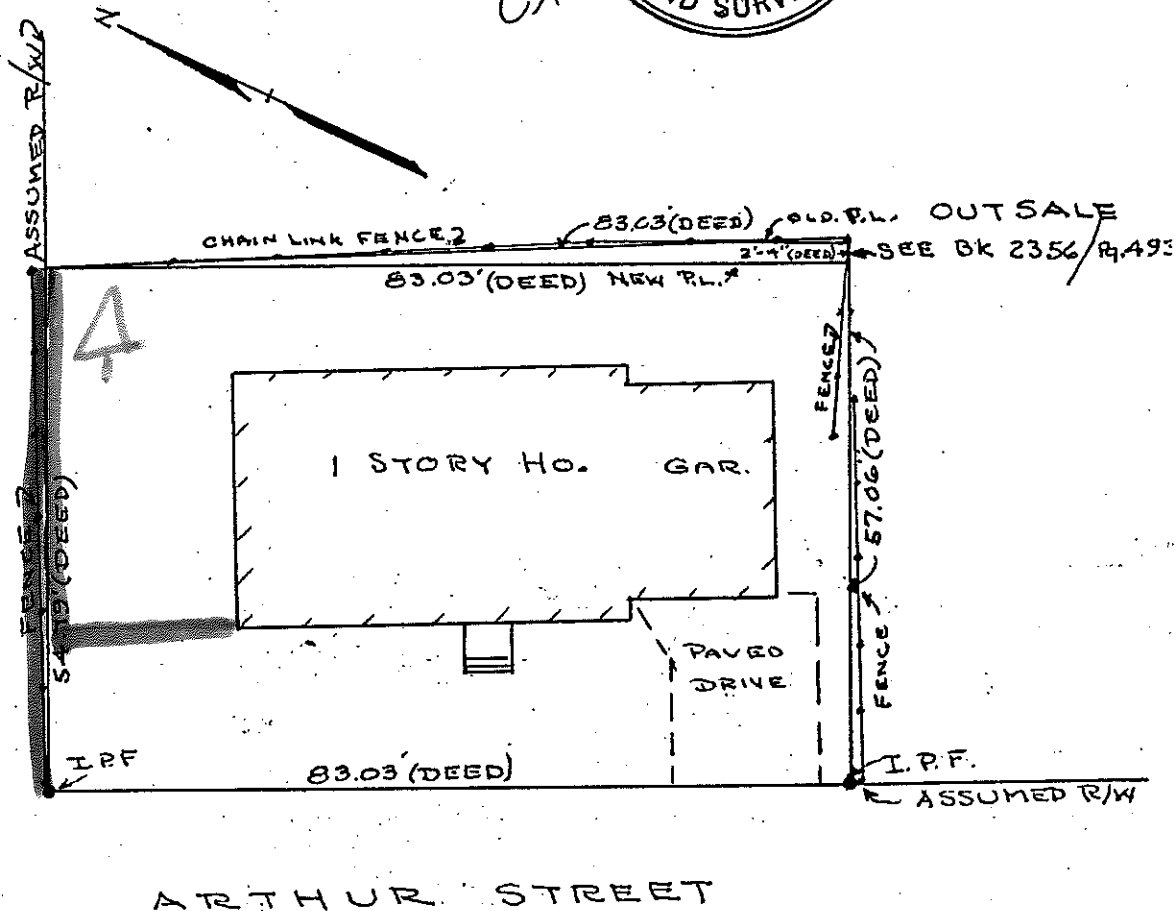
THIS IS NOT A LAND BOUNDARY SURVEY.

DATE JULY 28, 1988 PROJ. 88272  
BOOK/ 2352 PAGE 77  
COUNTY CUMBERLAND SCALE 1"=20'  
CL-3668



**4** old tree  
**old fence**  
**NEW FENCE**

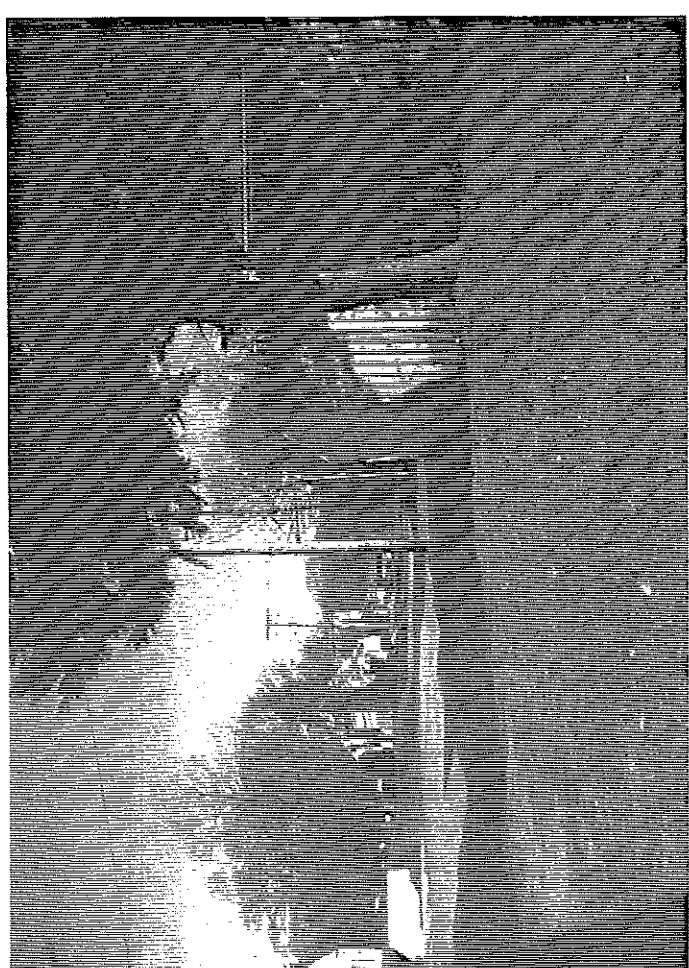
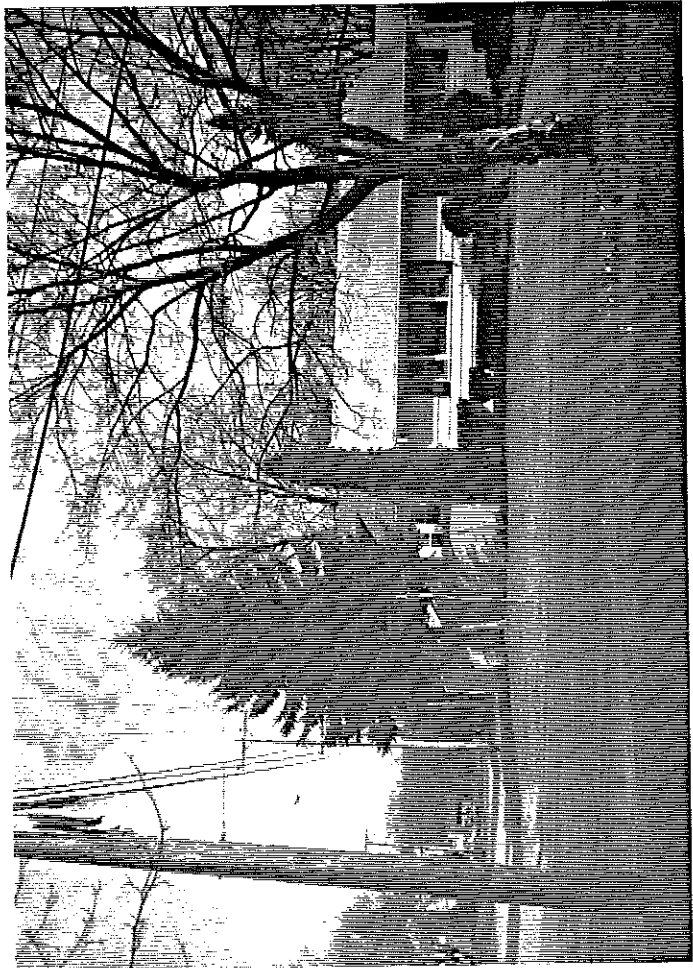
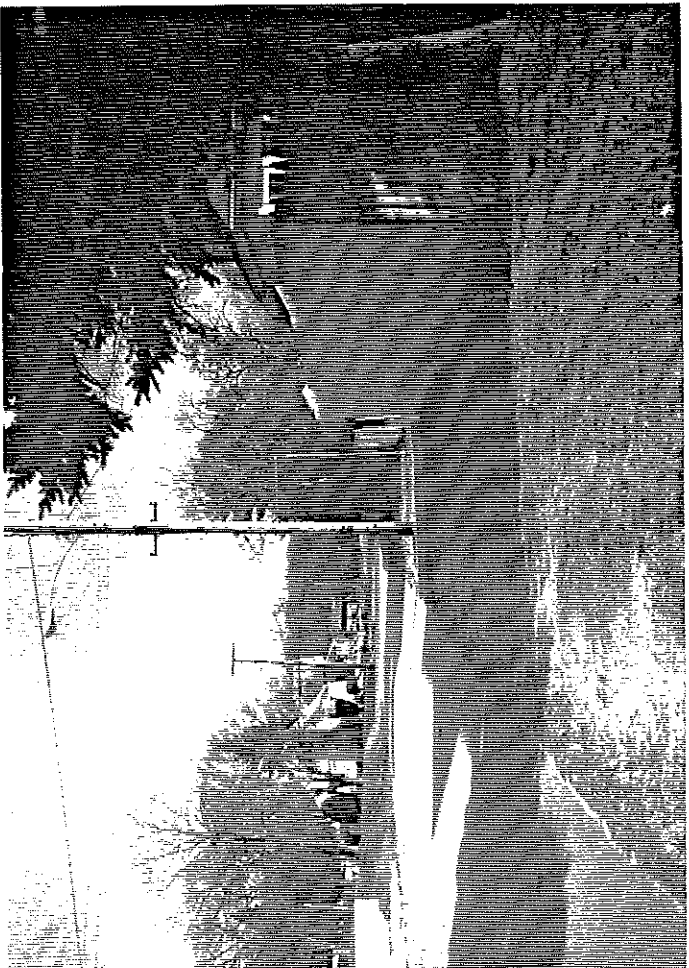
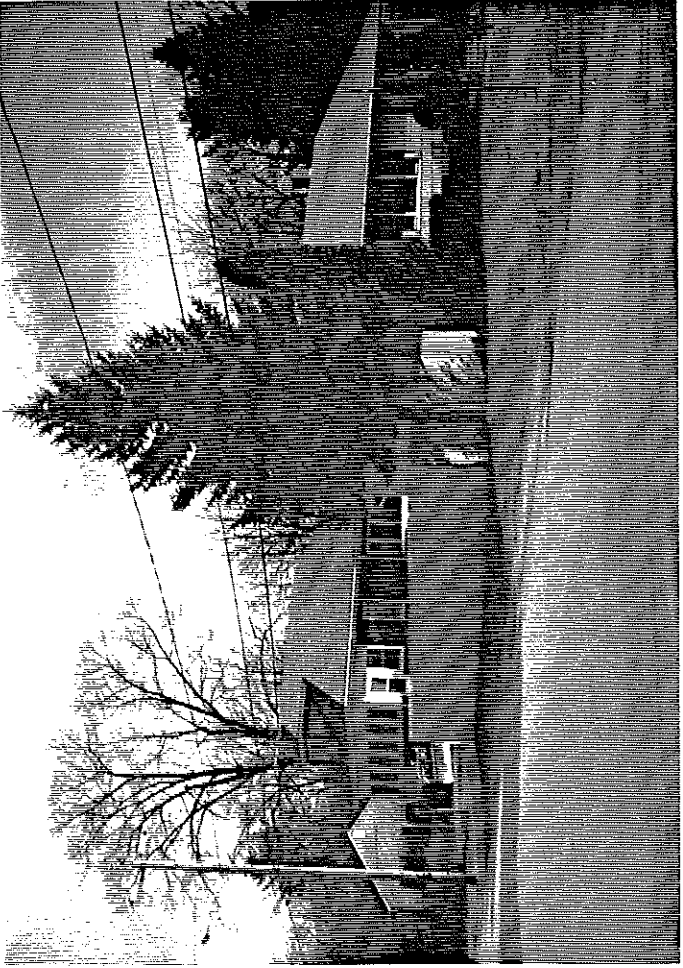
HOMESTEAD AVENUE



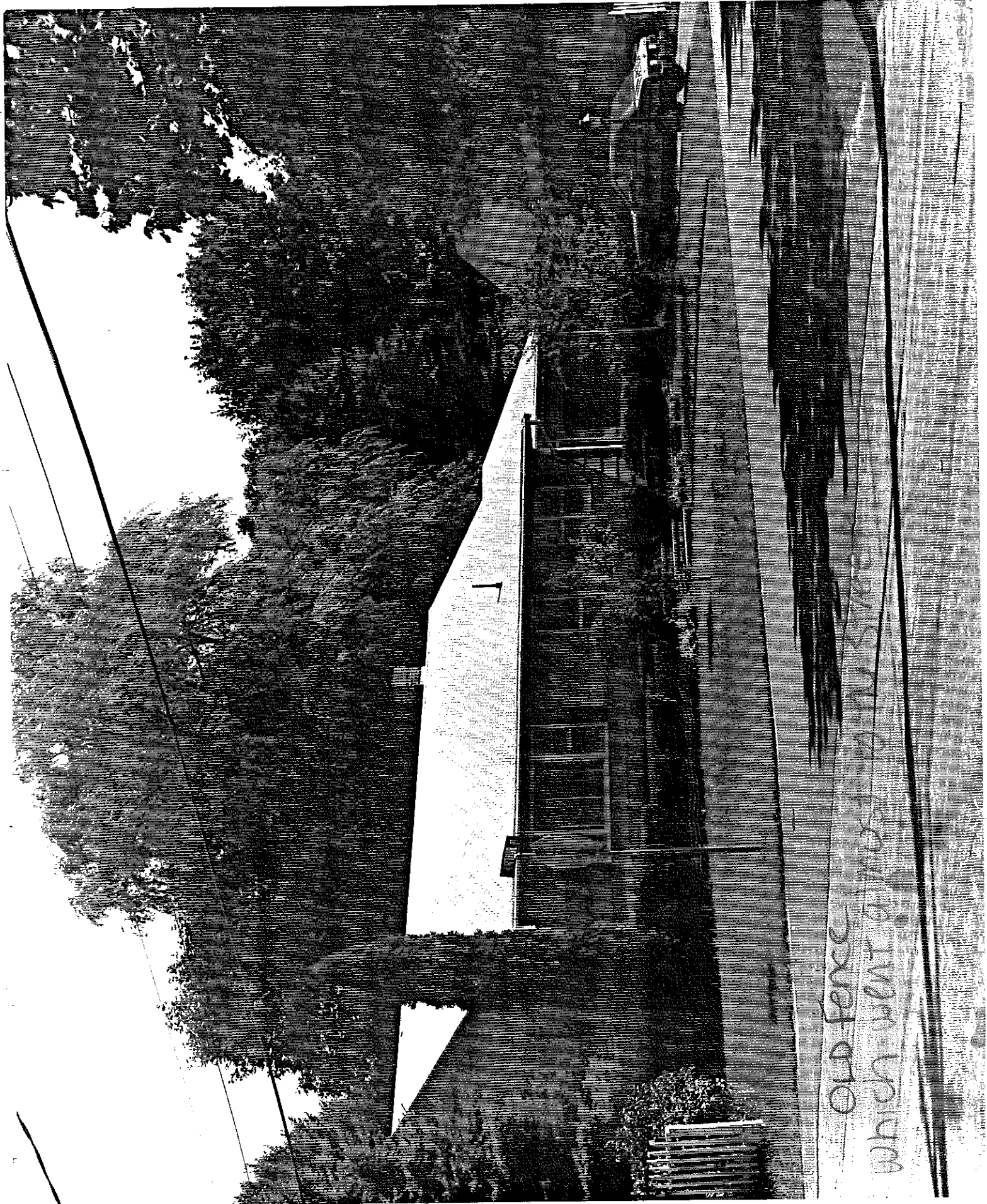
NOTE:  
ADDITIONAL REFERENCE SEE MAP BOOK 16, Pg. 19.

PROPERTY OF ELLEN J. OLSON ESTATE.  
LOCATED AT # 33 ARTHUR ST., PORTLAND, MAINE.

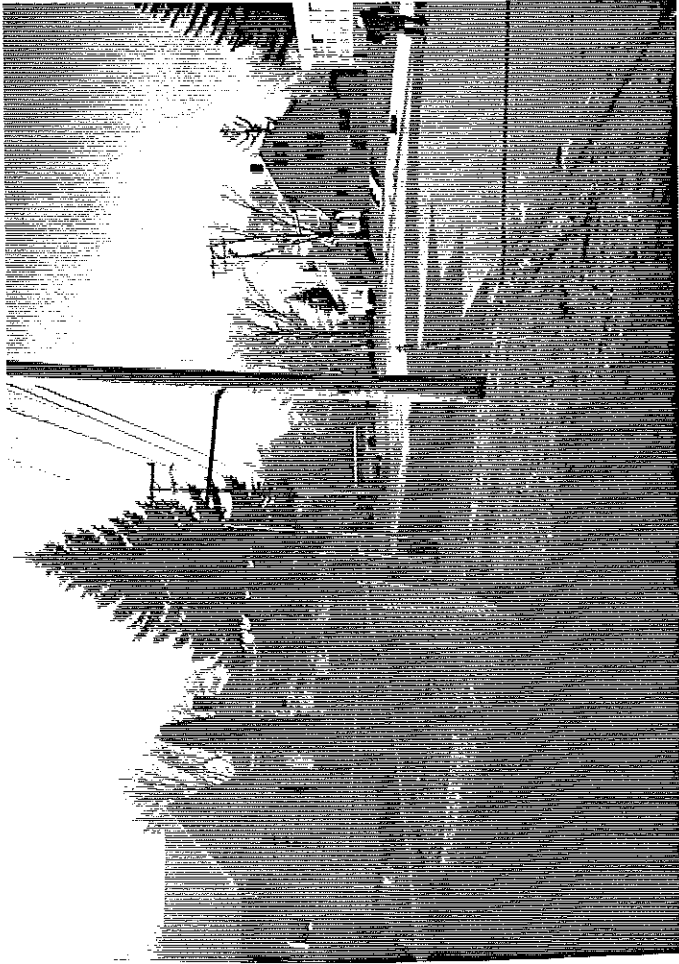
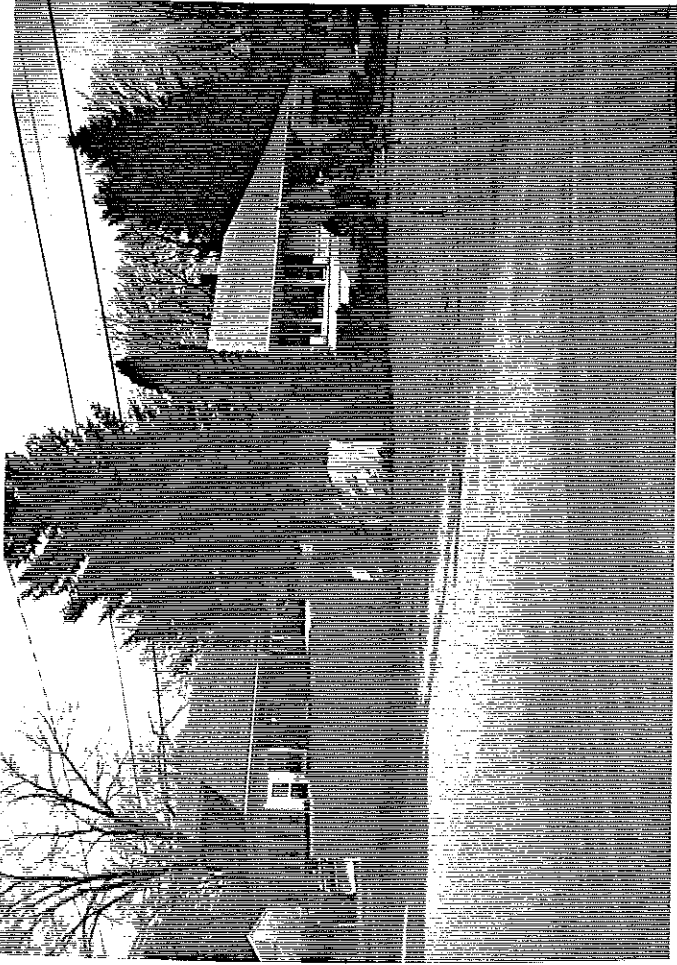
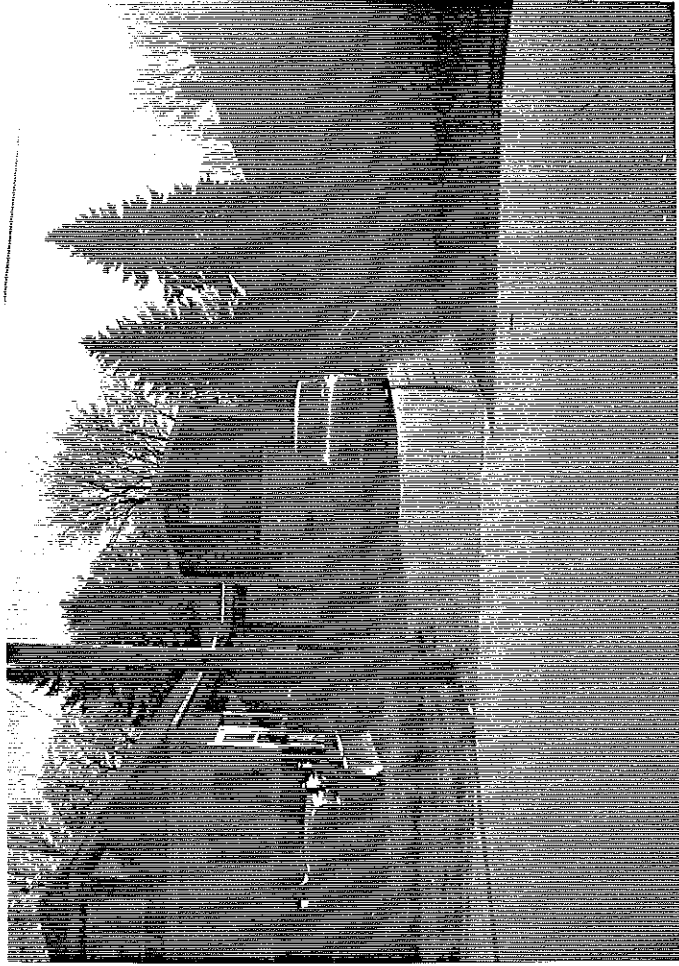
PURCHASER - JAMES C. AND DENISE M. SHEA.



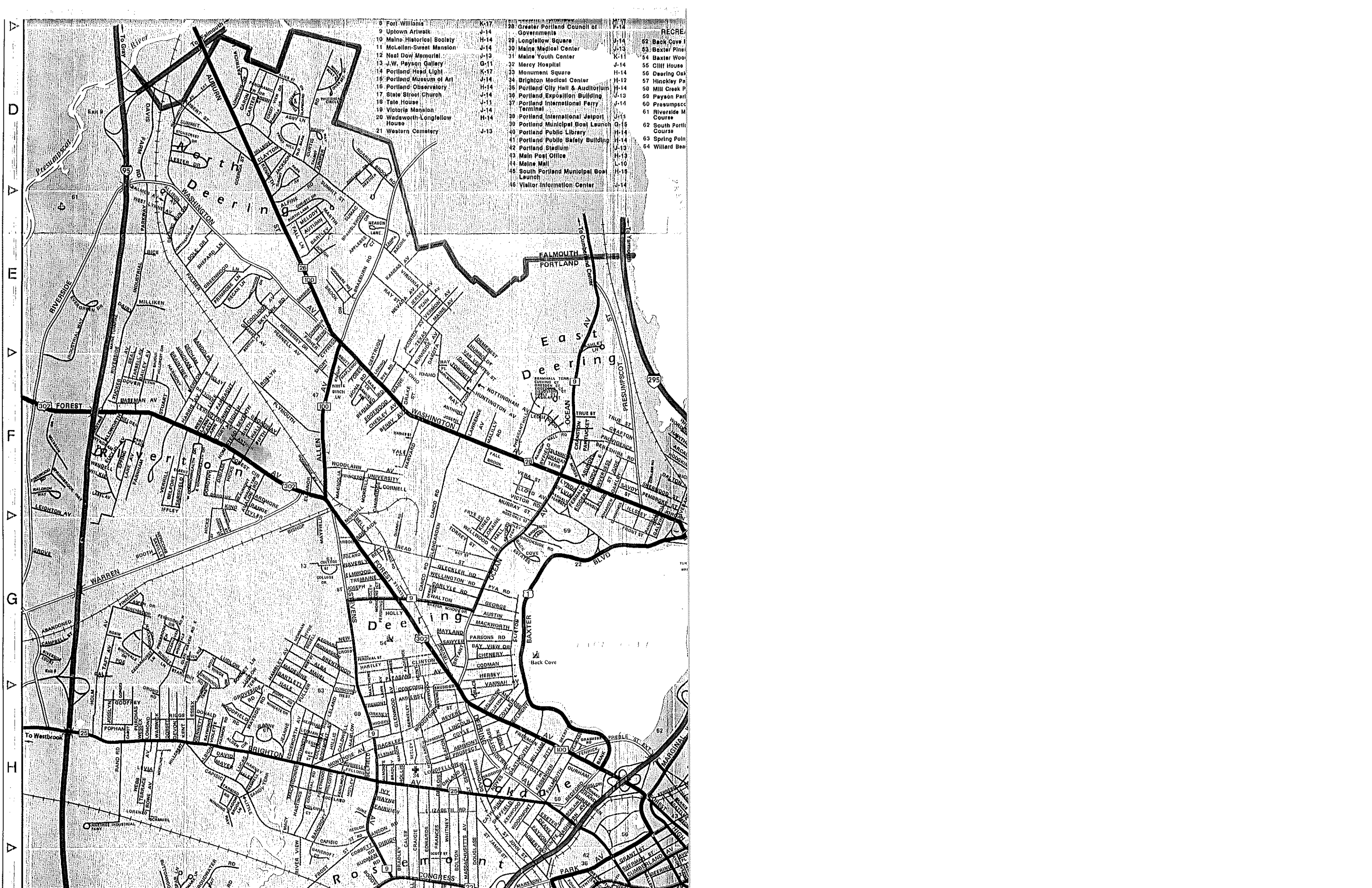




— Old fence  
which went almost to the size







- |                               |      |  |      |
|-------------------------------|------|--|------|
| 8 Fort Williams               | K-17 | 38 Greater Portland Council of Governments | P-12 |
| 9 Uptown Artwalk              | J-14 | 39 Longfellow Square                       | J-14 |
| 10 Maine Historical Society   | H-14 | 40 Maine Medical Center                    | J-13 |
| 11 McLellan-Sweet Mansion     | J-14 | 41 Maine Youth Center                      | K-11 |
| 12 Neal Dow Memorial          | J-13 | 42 Mercy Hospital                          | J-14 |
| 13 J.W. Payson Gallery        | G-11 | 43 Monument Square                         | H-14 |
| 14 Portland Head Light        | K-17 | 44 Brighton Medical Center                 | H-12 |
| 15 Portland Museum of Art     | J-14 | 45 Portland City Hall & Auditorium         | H-14 |
| 16 Portland Observatory       | H-14 | 46 Portland Exposition Building            | J-13 |
| 17 State Street Church        | J-11 | 47 Portland International Ferry Terminal   | J-14 |
| 18 Tate House                 | J-14 | 48 Portland International Jetport          | J-11 |
| 19 Victoria Mansion           | H-14 | 49 Portland Municipal Boat Launch          | G-15 |
| 20 Wadsworth-Longfellow House | H-14 | 50 Portland Public Library                 | H-14 |
| 21 Western Cemetery           | J-13 | 51 Portland Public Safety Building         | H-14 |
|                               |      | 52 Portland Stadium                        | J-13 |
|                               |      | 53 Main Post Office                        | H-13 |
|                               |      | 54 Maine Mall                              | L-10 |
|                               |      | 55 South Portland Municipal Boat Launch    | H-15 |
|                               |      | 56 Visitor Information Center              | J-14 |

- RECREATION
- 57 Back Cove Park
  - 58 Baxter Pine
  - 59 Baxter Woods
  - 60 Cliff House
  - 61 Deering Oaks
  - 62 Hinckley Park
  - 63 Mill Creek Park
  - 64 Payson Park
  - 65 Presumpscot River
  - 66 Riverside Municipal Course
  - 67 South Portland Municipal Course
  - 68 Spring Point
  - 69 Willard Beach