

5-7 Denny's Engine  
See 757-787



## CITY OF PORTLAND

DEPARTMENT OF PLANNING & URBAN DEVELOPMENT  
INSPECTION SERVICES DIVISION

January 8, 1985

Mr. Michael D. Sangillo  
61 Carleton Street  
Portland, ME 04102

RE: 5 Deering Avenue - Mixed Use R-3-M

Dear Sir:

Your application to construct a 21' x 50' one story addition to the existing store with two apartments (appeal 11/15/84) at the above location has been reviewed, and a building permit is herewith granted subject to the following requirements.

1. If the exterior walls of this building have a fire separation of less than 15 feet, a minimum of 1 hour fire resistance exterior wall will be required (please advise).
2. A mixed use shall be completely separated, both horizontally and vertically, by fire separation walls, floors and ceiling assemblies having a fire resistance rating corresponding to the highest fire grading prescribed in table 1402 for separate uses. Each part of the building shall be separately classified to use. 1½ hr. rating will be required.
3. The vertical openings (stairways) shall be enclosed with 1 hour fire rated construction including fire doors with self-closers
4. Emergency escape - Every sleeping room below the fourth story in buildings of Use Groups R and I-1 shall have at least one operable window or exterior door approved for emergency egress or rescue. The units must be operable from the inside opening without the use of separate tools. Where windows are provided as a means of egress or rescue, they shall have a sill height not more than 44 inches above the floor. All egress or rescue windows from sleeping rooms must have a minimum net clear opening of 5.7 sq. feet. The minimum net clear opening height dimension shall be 24 inches. The minimum net clear opening width dimension shall be 20 inches.

Bars, grilles or screens placed over emergency escape windows shall be releasable or removable from the inside without the use of a key, tool or excessive force.

# APPLICATION FOR PERMIT

**PERMIT ISSUED**

B.O.C.A. USE GROUP .....  
 B.O.C.A. TYPE OF CONSTRUCTION ..... 01620 ..... JAN 8 1971  
 ZONING LOCATION ..... PORTLAND, MAINE ..... OCT. 22, 1971

**CITY OF PORTLAND**

To the CHIEF OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE

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

LOCATION .. 5 Deering Avenue .. Fire District #1 ☐ #2 ☐  
 1. Owner's name and address .. Michael D. Sangillo- 61 Carlton St. Telephone W775-2230  
 2. Lessee's name and address ..... Telephone .. H. 775-1223  
 3. Contractor's name and address .. Brady Constr. Inc. - Biddeford Pool .. Telephone .....  
 Proposed use of building .. drum shop ..... No. of sheets .....  
 Last use .. same ..... No. families .....  
 Material ..... No. stories ..... Heat ..... Style of roof ..... Roofing .....  
 Other buildings on same lot .....  
 Estimated contractual cost \$48,000.00 .....  
 FIELD INSPECTOR—Mr. ....  
 @ 775-5451  
 Appeal Fees \$ 50.00  
 Base Fee 25.00 Change of Use  
 Late Fee .....  
 TOTAL \$ 250.00

To construct 31' x 50' 1 story addition to existing store for 2 apartments. Change of Use. Stamp of Specifications

**NOTE TO APPLICANT:** Separate permits are required by the installers and subcontractors of heating, plumbing, electrical and mechanicals

## 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 .....  
 Stud. (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 repair to cars habitually stored in the proposed building? .....

## APPROVALS BY

## DATE

## MISCELLANEOUS

BUILDING INSPECTION—PLAN EXAMINER .....

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

ZONING .....

BUILDING CODE .....

Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? .....

Fire Dept. ....

Health Dept. ....

Others: .....

Signature of Applicant .....

Phone # .....

same

Type Name of above .....

Michael D Sangillo

1 ☐ 2 ☐ 3 ☐ 4 ☐

Other .....

and Address .....

6

FIELD INSPECTOR'S COPY

APPLICANT'S COPY

OFFICE FILE COPY

**CITY OF PORTLAND, MAINE**  
ZONING BOARD OF APPEALS



5 Deering Avenue

MERRILL S. SELTZER

Chairman

JACQUELINE COHEN

Secretary

EUGENE S. MARTIN

TIMOTHY E. FLAHERTY

ROBERT J. CAUDREAU

PAULETTE P. PARKER

MICHAEL E. WESTORT

November 19, 1984

Michael D. Sangillo  
61 Carleton Street  
Portland, ME 04102

Dear Mr. Sangillo:

As you know, at its meeting of November 15, 1984, the Board of Appeals voted to permit erection of a second floor on the existing building for two dwelling units and approved the lack of off-street parking for two passenger cars.

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

You may now come in to this office to pay for the building permit.

Sincerely,

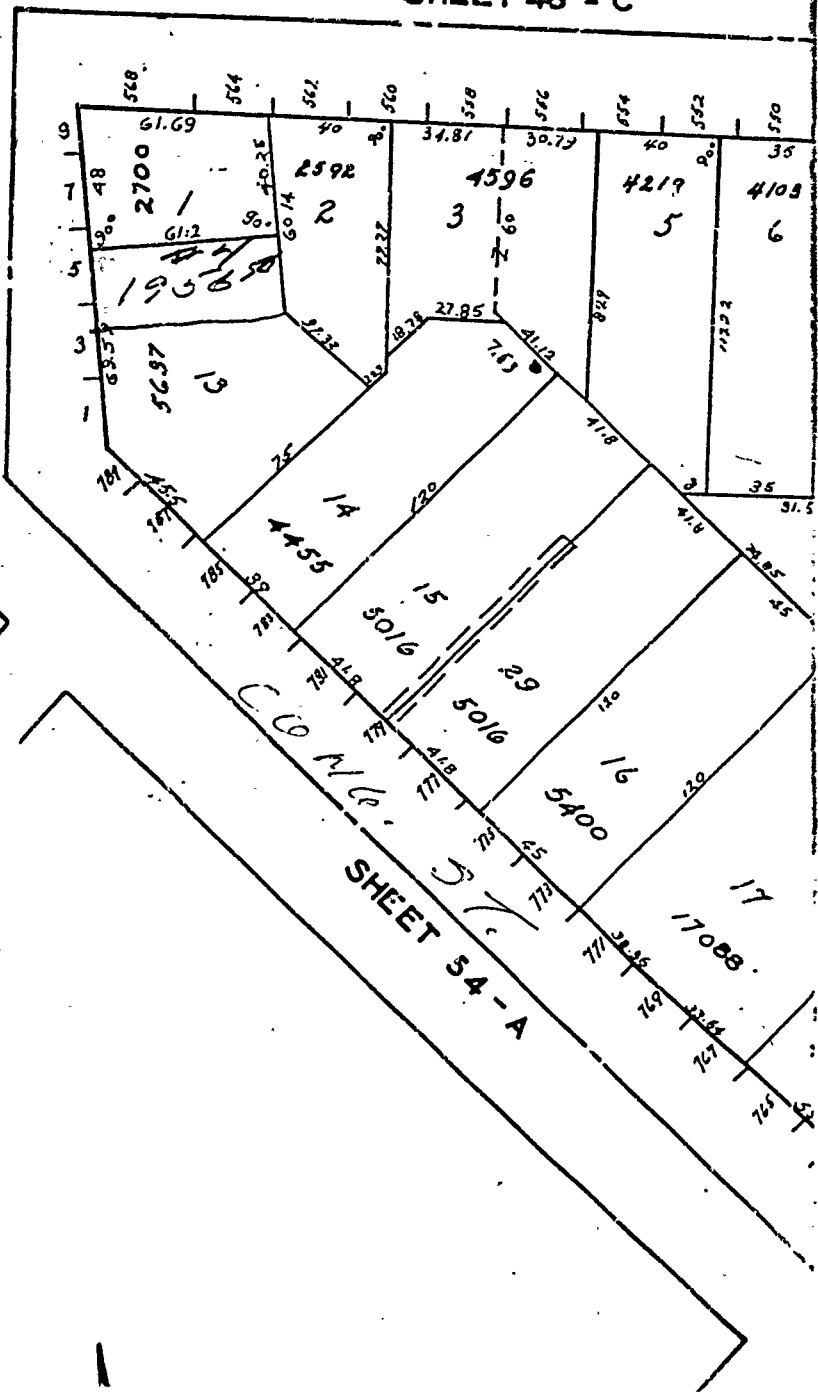
Kathleen A. Taylor  
Secretary

enclosure

AVENUE

C O N D B - A U T E  
SHEET 48 - C

DEERING



CITY OF PORTLAND, MAINE  
BOARD OF APPEALS

SPACE AND BULK VARIANCE APPEAL

I. Findings of Fact

A. Applicant Michael D. Sangillo

B. Property Location 5 Deering Avenue

C. Applicant's Interest in Property:

(X) Owner

( ) Tenant

( ) Other

D. Property Owner same

E. Owner's Address 61 Carleton Street, Portland, ME 04102

F. Zone (Circle One):

R-1 R-2 R-3 R-5 R-6 R-4

R-P B-1 B-2 B-3 A-B

I-P I-1 I-2 I-2b I-3 I-3b I-4

RPZ W-1

*R-6 applies*

G. Site Plan Approval required \_\_\_\_\_

H. Present Use of Property flum shop

I. Section(s) to Which Variance Related 14-139.2, 14-332

J. Reasons Why Permit Cannot be Issued insufficient lot size,  
insufficient off-street parking

K. Requested Variance Would Permit addition of second floor for  
two dwelling units, and no additional off-street parking

L. Notice Sent to \_\_\_\_\_ Adjacent Property Owners

II. Appearances

A. Those Advocating Variance

Michael Sanguillo (owner)  
John Peterson (attorney)  
Paul Brady (contractor)

B. Those Opposing Variance

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Attachments, As Necessary)

III. Exhibits (Any documents, photos, plans, further findings of fact, etc. presented to the Board as part of its records)

\_\_\_\_\_  
\_\_\_\_\_

IV. Reasons for Decisions - Undue Hardship (The following checklist relates with the Board of Appeals hardship definitions for Space and Bulk variances as contained in Section 602.24C 3.b.(1) (a) through (e)

- A. The parcel is exceptional due to physical characteristics or topographic features which amount to more than a mere inconvenience

(☒) Yes/Agreement with statement

( ) No/Disagreement with statement

Reasons Bldg covers most of parcel - poor physical  
boundary after other lots - restricted

- B. If yes, the unique physical conditions: (Check One)  
Sec. 602.24C 3.b.(1) (b)

(☒) Existed at the time of the enactment of the provision from which a variance is sought; or

( ) Were caused by natural forces; or

( ) Were the result of governmental action

- C. Pertinent ordinance provision deprives owner of substantial use or enjoyment of property in the manner commonly enjoyed by owners of property subject to the same provisions (Sec. 602.24C 3.b. (1) (c))

☒ Yes/Agreement with statement

☐ No/Disagreement with statement

Reasons

Economic hardship

- D. As evidenced by affirmative answers to either IV. A. or IV. C. above, the variance will not create a special privilege for the applicant. Sec. 602.24C 3.b. (1) (d)

☒ Yes/Agreement with statement

☐ No/Disagreement with statement

Reasons

- E. The variance will not adversely affect neighborhood property in the same zone and will not be detrimental to the general public health and safety Sec. 602.24C 3.b. (1) (e)

☒ Yes/Agreement with statement

☐ No/Disagreement with statement

Reasons

V. Specific Relief Granted

After a public hearing held on Nov. 15, 1984, the Board of Appeals finds that: (Check One)

- ☒ Approval - All of the conditions required by Sec. 602.24C 3.b.(1) exist with respect to this property, as evidenced by affirmative responses to all statements set forth in IV. A. through IV. E above, and that a space and bulk variance be granted in this case.

Conditions of Approval (If any)



( ) Disapproval - All conditions required by Sec.602.24C 3.b. (1) do not exist with respect to this property, as evidenced by one or more negative responses to statements set forth in IV. A. through IV. E. above, and that a space and bulk variance should not be granted in this case.

VI. Signatures of Board

Approved: Michael A. Lett Chairman  
Eugene S. Martin  
William E. Hahnel  
Robert J. Anderson  
Pauline J. Parker  
\_\_\_\_\_  
\_\_\_\_\_

Opposed  
Robert E. Carter

**CITY OF PORTLAND, MAINE**

**ZONING BOARD OF APPEALS**



Deering Avenue

EUGENE S. MARTIN  
Chairman

MERRILL S. SELTZER  
Secretary

JACQUELINE COHEN  
TIMOTHY E. FLAHERTY  
THOMAS J. MURPHY  
PAULETTE P. PARKER  
MICHAEL E. WESTORT

October 24, 1984

Michael D. Sangillo  
61 Carleton Street  
Portland, ME 04102

cc: Brady Construction  
Biddeford Pool, ME

Dear Mr. Sangillo:

Building permit and certificate of occupancy to erect a second floor on the existing building at the above-named location for two dwelling units are not issuable under the Zoning Ordinance because the area of this lot is only about 1,956 sq. ft. rather than the 2,000 sq. ft. (1,000 sq. ft. per family) minimum required by Section 14-139.2 applying to the B-2 Business Zone in which this property is located (R-6 requirements).

Off-street parking for two passenger cars will not be provided on this lot as required by Section 14-332.

We understand you would like to exercise your appeal rights in this matter. Accordingly, you or your authorized representative should come to this office, Room 315, City Hall, to file the appeal on forms which are available here.

A fee of \$50 for a Space & Bulk 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 14-473

Sincerely,

  
Malcolm G. Ward  
Zoning Enforcement Officer

MGW/kat

Applicant: *MICHAEL O. SPANGLING* Date: *10/23/84*  
Address: *5 DEERING AVE.*  
Assessors No.: *47-A-4*

CHECK-LIST AGAINST ZONING ORDINANCE

Date -

Zone Location - *R-2*

Interior or corner lot -

Use -

Sewage Disposal -

Rear Yards -

Side Yards -

Front Yards -

Projections -

Height -

Lot Area -

Building Area -

Area per Family -

Width of Lot -

Lot Frontage -

Off-street Parking -

Loading Bays -

Site Plan -

Shoreland Zoning -

Flood Plains -

*1,955.5'*

*14-413*

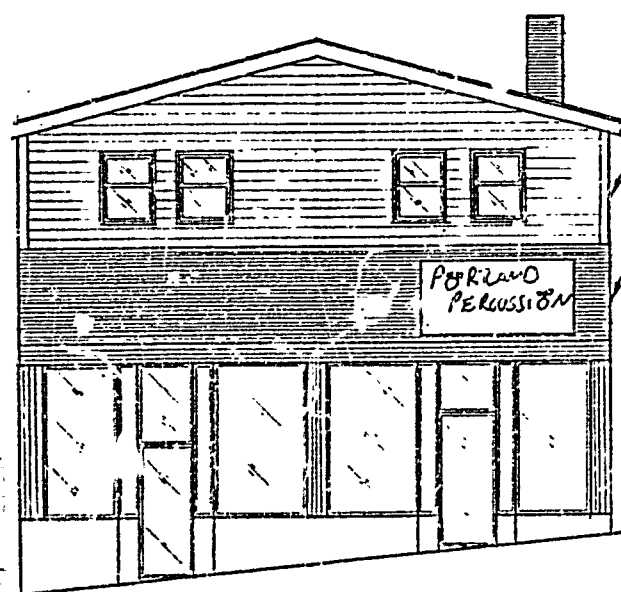
*14-139.1*  
*Lot Area - 1956' - 2000' 16 REQ.*  
*(1000 PER UNIT)*

*14-332*  
*Off-street Parking - 1 2 REQ.*

PROPOSED ADDITION TO PORTLAND PERCUSSION

5 DEERING AVE. BRAMHALL SQ.

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OCT 2 2 1904  
CLERK OF BLDG INSP  
CITY OF PORTLAND

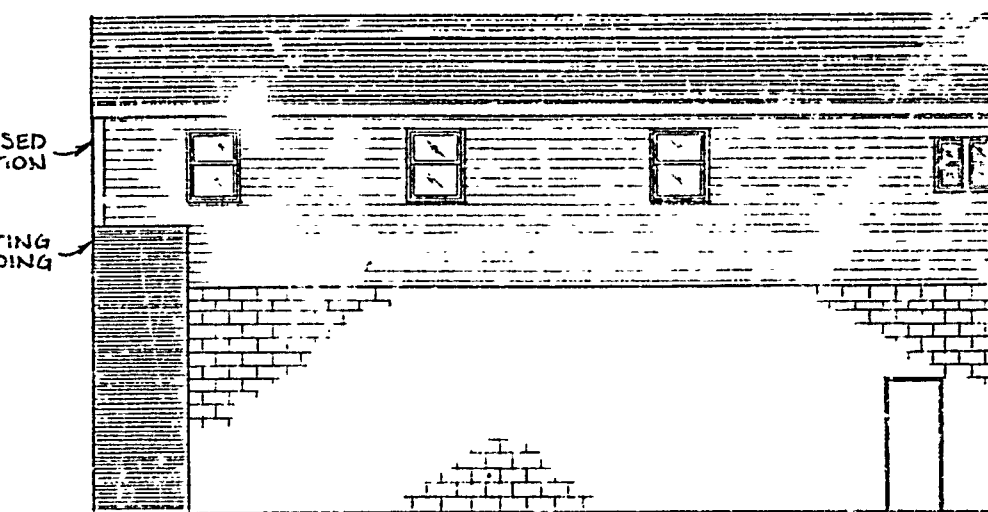


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ADDITION

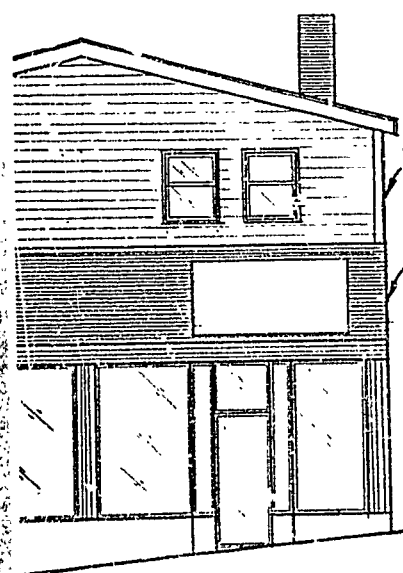
EXISTING  
BUILDING

FRONT VIEW

CONGRESS ST. EXPOSURE



SIDE VIEW

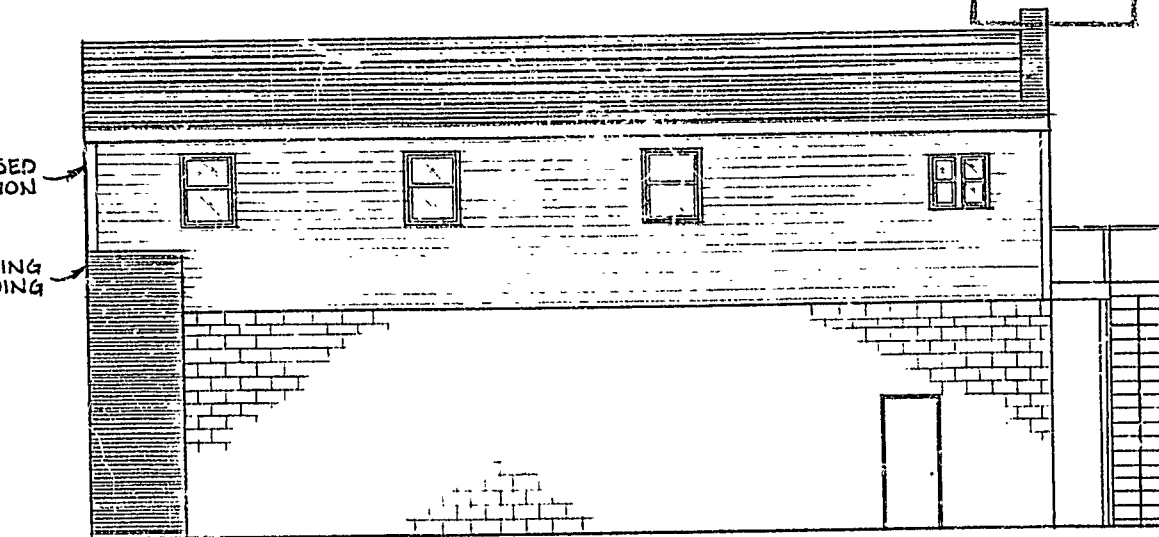


FRONT VIEW

DESS ST. EXPOSURE

PROPOSED  
ADDITION

EXISTING  
BUILDING



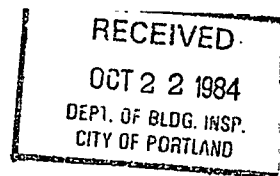
SIDE VIEW

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OCT 22 1984

DEPT. OF BLDG. INSP.  
CITY OF PORTLAND

TO PLANNING BOARD:



ENCLOSED IN THESE PACKETS YOU WILL SEE IN DETAIL WHAT I PROPOSE TO DO TO IMPROVE THE EXISTING BUILDING AT BRAMHALL SQUARE. COMPLETE WITH PICTURES FLOOR PLANS, ARTISTS SKETCHES, ETC.

FIRST, I'LL GIVE YOU THE OBVIOUS REASONS TO WHICH I HAVE APPLIED FOR A VARIANCE. FOR THE ZONING LAW IN MY AREA, IT REQUIRES 1000 SQ FT PER UNIT OR 2000 SQ FT. MY LOT HAS 1955.5 SQ FT. THAT'S 44.5 SQ FT. SHORT, WHICH BECAUSE OF THE WAY THESE LOTS WERE DESIGNED, AND BOUGHT AND SOLD, I CANNOT ADD ANY MORE FOOTAGE FROM MY NEIGHBORS LOTS (SEE LOT PLAN)

THE OTHER PROBLEM IS PARKING, IN THE OUTLINE IT REQUIRES MINIMUM SPACE OF 9' X 19' PER UNIT, WHICH IF YOU KNOW THAT AREA OF TOWN, THE LAYOUT OF LOTS, ETC. IS A PHYSICAL IMPOSSIBILITY, HOWEVER, MOST OF THE WEST END IS LEFT WITHOUT PARKING ON THEIR PROPERTY, OR AT THEIR APTS. AND HAVE TO RESORT TO PARKING ON THE STREET OR PAY TO PARK IN A PRIVATE LOT, SUCH AS MYSELF. (I PRESENTLY LIVE ON CARLTON ST. + HAVE TO PAY TO PARK AT WEST ST. MED. ASS.) HOWEVER, AT BRAMHALL SQUARE, PARKING ISN'T QUITE AS BAD AS SAY, CONGRESS ST., BECAUSE WE HAVE ALLOEYER AVE. AND CUMBERLAND AVE TO PARK. (PART OF COVERNESS)

I PRESENTLY OPERATE A SUCCESSFUL BUSINESS WHICH DEPENDS ON PEOPLE BEING ABLE TO PARK, TO LOAD + UNLOAD DRUMS + TACCS., AND HAVEN'T FOUND PARKING A SERIOUS PROBLEM, ~~AND~~ I HAVE PARKED THERE SOMETIMES SEVERAL TIMES A DAY FOR 3 YEARS! ALSO THERE IS A LARGE PARKING GARAGE JUST A BLOCK DOWN CONGRESS STREET WHICH HAS AMPLE PARKING SPACES TO RENT. ALSO NONE, OR ALMOST NONE OF THE EXISTING ROWS IN THIS NEIGHBORHOOD OFFER PARKING FOR THEIR TENANTS, BECAUSE THE PHYSICAL LAYOUT OF LOTS + BUILDINGS JUST WERE NOT SET UP OR BUILT THAT WAY! ENOUGH ABOUT PARKING.

I PRESENT MY CASE TO THE BOARD AND WILL ATTEMPT TO PRESENT ALL OF THE POSITIVE REASONS WHY I FEEL THIS PROPOSED UNIT ADDITION TO MY BUILDING IS A GOOD IDEA, AND I FEEL IS ALSO IN THE BEST INTEREST OF THE CITY OF PORTLAND ALSO.

-NEXT PAGE-

- 1) IMPROVED OVERALL LOOKS TO BRAMHALL SQ. SECTION OF TOWN
- 2) MORE HOUSING UNITS FOR THE CITY, WHICH WE BOTH KNOW IT DESPERATELY NEEDS
- 3) MORE TAX REVENUE FOR CITY
- 4) POSSIBLE INITIATIVE TO AREA OWNERS TO IMPROVE THEIR PROPERTY, MAKING A BETTER LOOKING NEIGHBORHOOD.

I FEEL THAT WITHOUT THE VARIANCE I WOULD BE DERIVED OF IMPROVING, AND MAKING THE BEST USE OF MY PROPERTY, WHICH IS WHY I HAVE PROPOSED A 2 UNIT ADDITION TO MY EXISTING BUSINESS, SO I CAN LIVE IN 1 UNIT, RENT THE OTHER UNIT, AND VACATE MY EXISTING RENT.

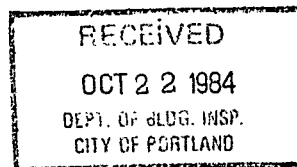
I HAVE TO BUILD TWO APTS. BECAUSE THE COST OF THE ADDITION MAKES IT FINANCIALLY UNFEASIBLE TO BUILD AS A ONE UNIT, AND VERY UNPRACTICAL AN APARTMENT 32' X 50' JUST FOR 2 PEOPLE IS RIDICULOUS! ALSO, I COULD NOT MAKE THE MORTGAGE PAYMENT WITHOUT THE INCOME FROM THE SECOND APT.

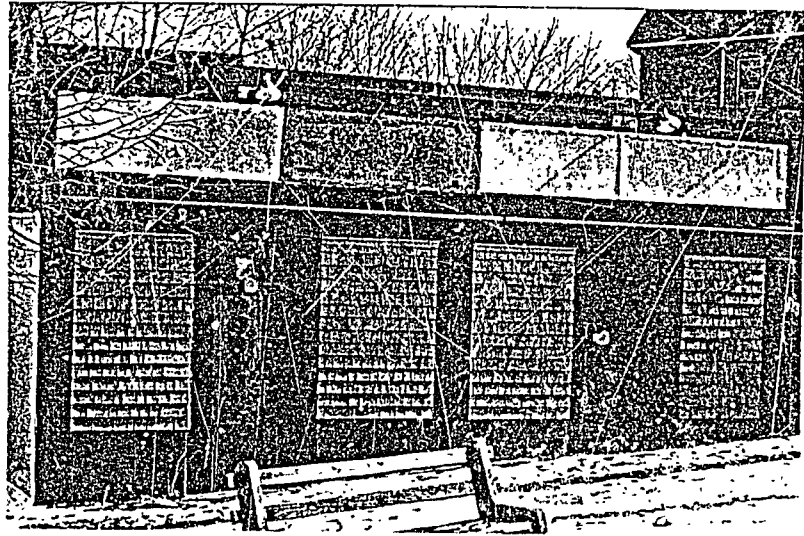
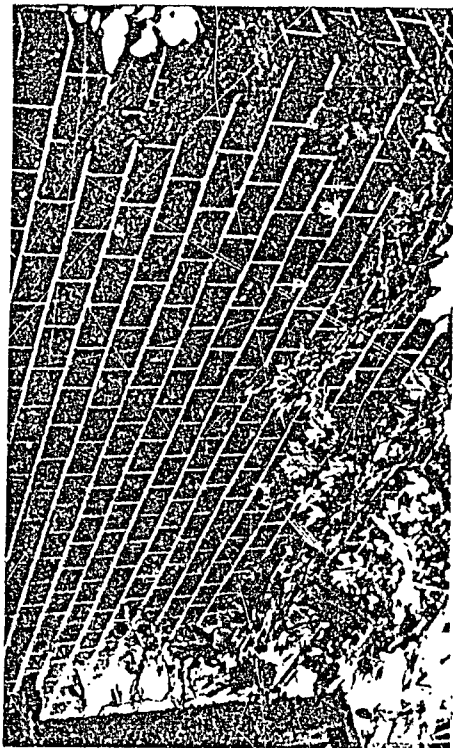
THEREFORE, I COME BEFORE YOU WITH MY CASE WITH HOPES THAT YOU WILL SEE THE BENEFIT OF THIS ADDITION TO BOTH MYSELF, THE NEIGHBORHOOD, AND THE CITY.

THANK YOU,

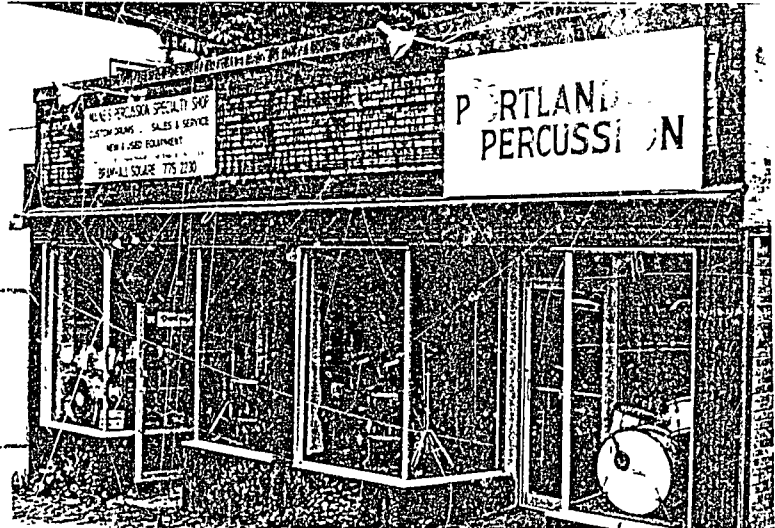
10/22/84

Michael D. Longill

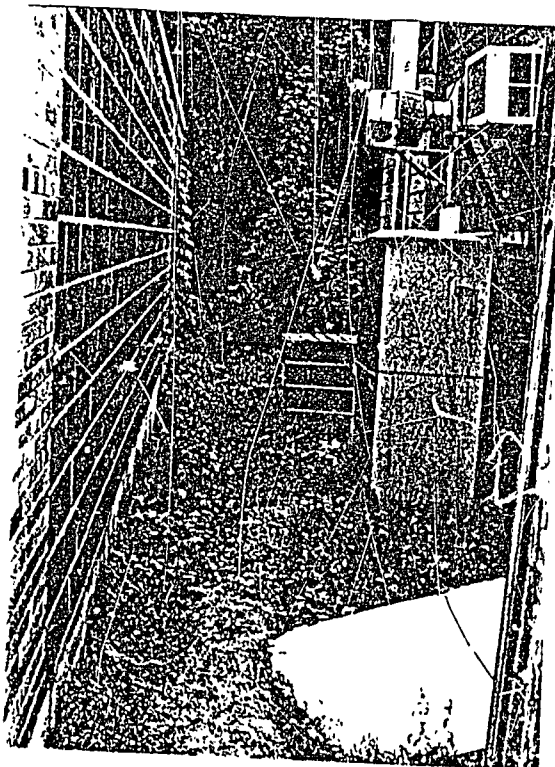
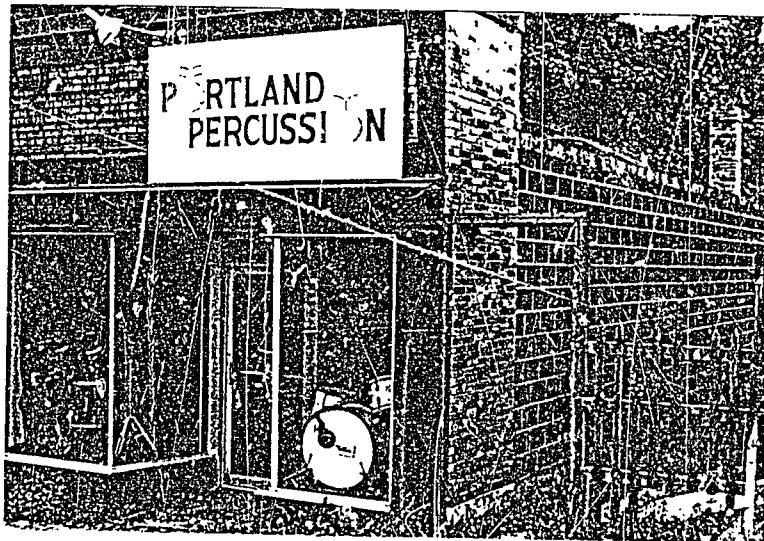




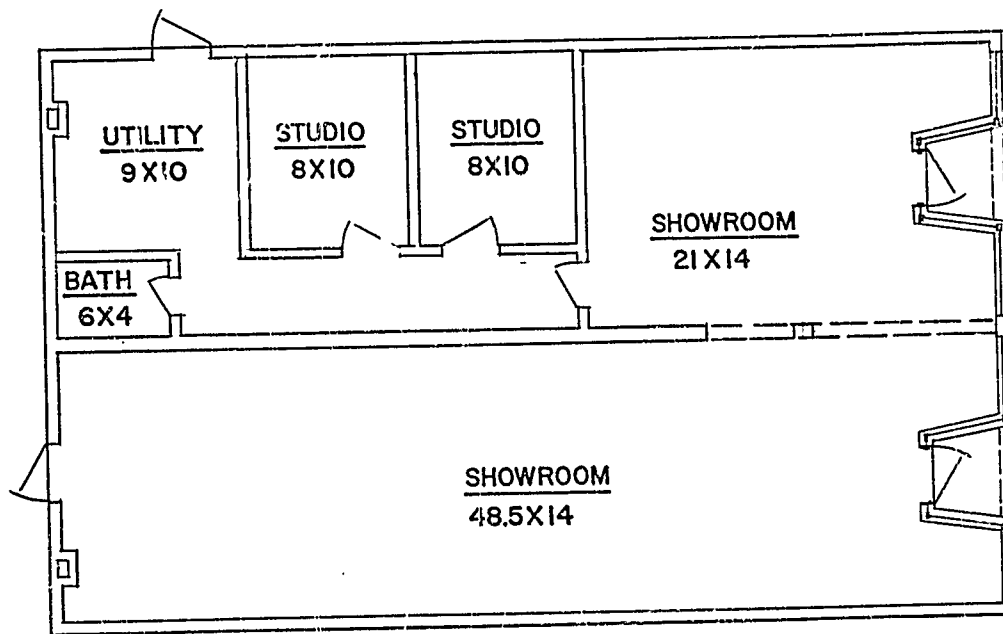
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CITY OF PORTLAND







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DEPT OF BLDG INSP  
CITY OF PORTLAND

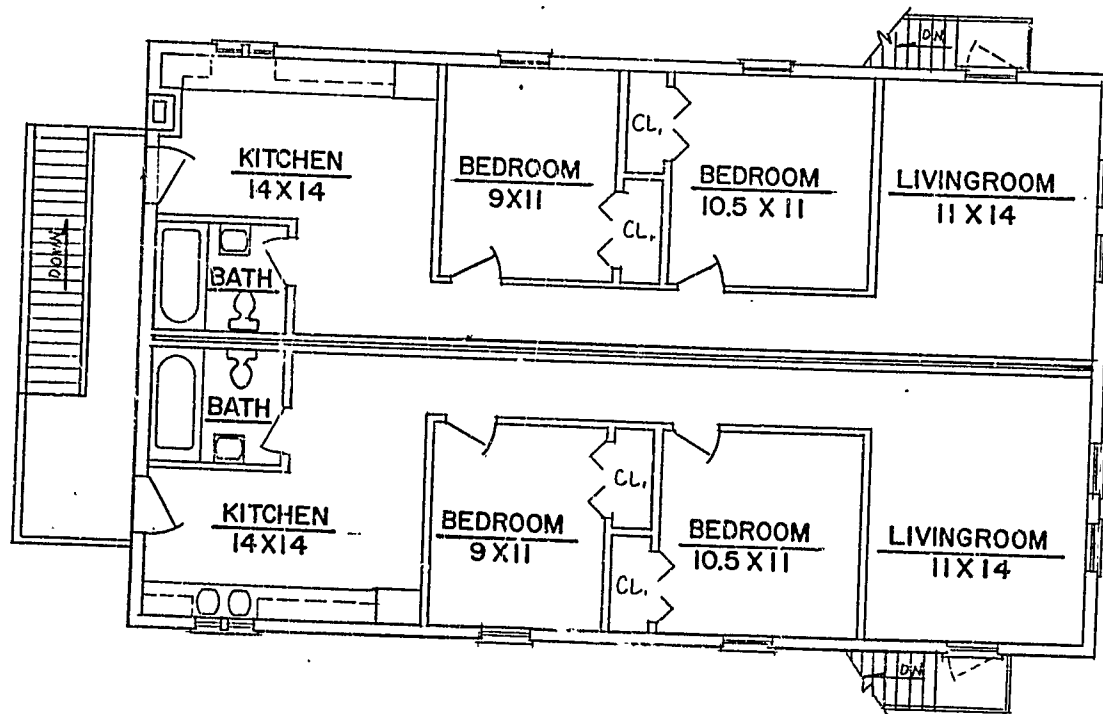


EXISTING FLOOR PLAN  
1/8" = 1'-0"

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CLERK OF SUPD. INSP.  
CITY OF PORTLAND

PORTLAND PERCUSSION  
5 DEERING AVE.  
PORTLAND, MAINE

7



PROPOSED NEW ADDITION  
SECOND FLOOR PLAN  
 1/8" = 1'-0"

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 CITY OF PORTLAND

PORTLAND PERCUSSION  
 5 DEERING AVE.  
 PORTLAND, MAINE



# FINANCIAL ANALYSIS STATEMENT

PORTLAND PERCUSSION

EST.

	Yearly Expenses Before Conversion*	Yearly Expenses After Conversion
Yearly mortgage or loan debt service (exclude equity)		
Amount of Mortgage <u>3864.00</u> 322 Per month		\$9600?
Dates of Term <u>DEC 27 1983 TO DEC 27 1988</u> 5 YEAR		15 YEARS
Interest Rate <u>14%</u>		15%
Total Cost of Conversion <u>60,000</u>		
Real Estate Taxes <u>\$787</u>		\$1200?
Insurance (exclude personal property) <u>\$590</u>		\$1000
Water and Sewer (only renter(s) costs) <u>\$95</u>		\$200
Heat (only if you pay tenant(s) heat costs) <u>\$1000</u>		TENANT PAYS
Electricity (only if you pay tenant(s) electricity costs) <u>\$450</u>		11
Legal <u>\$500</u>		
Audit		
Trash removal <u>\$350</u>		
Maintenance <u>\$850</u>		
Repairs <u>\$1000</u>		
Snow Removal <u>SNOW REMOVERS</u>		
Lawn Care <u>NONE</u>		
Supplies <u>\$700</u>		NONE
Payroll <u>\$8000</u>		
Reserve for replacement <u>INSURANCE COVERS</u>		
Reserve for vacancy <u>\$1000</u>		
Advertising <u>\$4000</u>		
Management and bookkeeping <u>\$150.00</u>		
TOTAL YEARLY COST <u>\$23,336</u>		PROPOSED 40000
TOTAL RENTAL INCOME <u>\$4800</u>		\$4800
No. of Apartments <u>2</u>		
Rents Apartment 1		
Apartment 2		
Apartment 3		

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OCT 22 1984

CLERK OF CLERK INSP.  
CITY OF PORTLAND

★ THESE FIGURES REPRESENT PRESENT COSTS OF MY STORE

MY APT COSTS ARE 300 MO. OR \$3600.00

**CITY OF PORTLAND, MAINE**

ZONING BOARD OF APPEALS



5 Deering Avenue

EUGENE S. MARTIN  
Chairman

MERRILL S. SELTZER  
Secretary

JACQUELINE COHEN  
TIMOTHY E. FLAHERTY  
THOMAS J. MURPHY  
PAULETTE P. PARKER  
MICHAEL E. WESTORT

All persons interested either for or against this Space & Bulk Variance Appeal will be heard at a public hearing in Room 209, City Hall, Portland, Maine on Thursday, November 15, 1984 at 3:30 p.m. This notice of required public hearing has been sent to the owners of property directly abutting and directly across a street or alley from the property as required by Ordinance.

Michael D. Sangillo, owner of the property at 5 Deering Avenue, under the provisions of Section 14-473 of the Zoning Ordinance of the City of Portland, Maine hereby respectfully petitions the Board of Appeals to permit erection of a second floor on the existing building at the above-named location for two dwelling units, not allowed because the area of the lot on which this building is located is only 1,956 sq. ft. rather than the 2,000 sq. ft. minimum (1,000 sq. ft. per family) required by Section 14-139.2 applying to the B-2 Business Zone in which this property is located (R-6 requirement applies). Also, off-street parking for two passenger cars will not be provided on this lot as required by Section 14-332 of the Ordinance.

**LEGAL BASIS OF APPEAL:** Such permit may be granted only if the Board of Appeals finds that the conditions imposed by Section 14-473 of the Zoning Ordinance have been met.

Merrill S. Seltzer  
Secretary

11/2/84  
kat

**CITY OF PORTLAND, MAINE**  
ZONING BOARD OF APPEALS



5 Deering Avenue

EUGENE S. MARTIN  
Chairman

MERRILL S. SELTZER  
Secretary

JACQUELINE COHEN  
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**LEGAL BASIS OF APPEAL:** Such permit may be granted only if the Board of Appeals finds that the conditions imposed by Section 14-473 of the Zoning Ordinance have been met.

Merrill S. Seltzer  
Secretary

11/2/84  
kat

\* 54

5 Deering Ave

47-A-4

S+B

- 47-A-1 Joseph R. Parent % Jane Peterson, 7 Colonial Drive Scan 04074  
2 Donald E. Johnson 18 Reed St. Westbrook 04092  
13 Joseph A. + Norma C. DiPerro 59 Marcelle Ave. SP

~~54-A-7~~  
54-A-7 Reginald F. + Sandra J. Rouse Jr. 24 Wadsworth St. 04103

54-F-1 MMC

2 Barbara Doughty 63 Pearson Rd 04103

53-C-40 John J. + Margaret K. Hayden 318 Brighton Ave.



CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

SPACE AND BULK VARIANCE ( OTHER THAN FOR DWELLING UNIT CONVERSIONS)

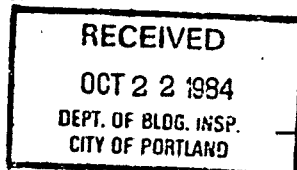
Michael D. Sangillo, owner of property at 5 Deering Avenue

under the provisions of Section 14-473(c) of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board of Appeals to permit:

construction of a second floor on the existing building at the above-named location for two dwelling units, not allowed because the area of this lot is only about 1,956 sq. ft. rather than the 2,000 sq. ft. (1,000 sq. ft. per family) minimum required by Section 14-139.2 applying to the B-2 Business Zone in which this property is located (R-6 requirements). Also, off-street parking for two passenger cars will not be provided on this lot as required by Section 14-332.

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals finds that the conditions imposed by Section 14-473 (c)(1) 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.



Michael D. Sangillo  
APPELLANT

Sec. 14-473 (c)(2) a Space and Bulk Variances/other than for Dwelling Unit Conversions:

(a) The subject lot or parcel is exceptional as compared to other lots or parcels subject to the same provision by reason of unique physical condition, including irregularity narrowness, ~~inability~~ narrowness, or substandard or marginal size; exceptional topographical features; and other extraordinary physical conditions peculiar to and inherent in the lot or parcel in question, which amount to more than a mere inconvenience to the owner.

(b) The aforesaid unique physical condition existed at the time of the enactment of the provision from which a variance is sought or were created by natural forces or were the result of governmental action.

(c) The carrying out of the strict letter of the provision from which a variance is sought would deprive the owner of the lot or parcel in question of substantial use and enjoyment of this property in the manner commonly enjoyed by owners of other lots or parcels subject to the same provision.

(d) The hardship is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots or parcels subject to the same provision.

(e) Property in the same zone or neighborhood will not be adversely affected by the granting of the variance and the granting of the variance will not create conditions which would be detrimental to the public health or safety.

CITY OF PORTLAND, MAINE  
MEMORANDUM

TO: Chairman and Members of the Board of Appeals

DATE: 11/9/84

FROM: Warren J. Turner, Zoning Specialist *Warren J. Turner*

SUBJECT: Agenda for November 15th 1984 Meeting

1. VARIANCES:  
SPACE AND BULK

72-78 Pine Street, corner of 186-194 Clark Street-  
Pine Street Associates (David Cope)

This variance was previously granted by the Board of Appeals, but the variance expired before action could be taken to initiate a building permit and proceed with the project. The change of use proposed involves the conversion of a garage building to 14 units of apartments with offstreet parking to be provided on the first or ground floor. Located within a B-2 Business Zone, the residential density is determined by the adjacent R-6 Residence Zone (1,000 sq. ft. of land area per family). The lot size is 9,568 sq. ft. instead of the 14,000 sq. ft. required for 14 dwelling units required by Section 14-139.2 of the Zoning Ordinance; condition of the prior approval was that parking be provided within the building.

Estimated cost of conversion: \$625,000

837-843 Brighton Avenue, corner of 2-22 Raymond Road-Glenwood Square  
Baptist Church

A variance for lot size is requested.

A site plan has been received for a new church to be added in the R-3 Residence Zone in front of the existing residential type structure which has been used as an accessory building (Sunday School) to the Church since October 1972 and more recently for Church use since the fire occurred in the main building on the opposite side of Brighton Avenue. The lot is only 28,432 sq. ft. in area.

From Oct. 3, 1940 through 1971 or 1972 the existing building was used as a convalescent home for about ten patients and changed to a convalescent home from a single family by Meda Weston on June 21, 1946. In April, 1984, the records show it as a Sunday School building. It is recommended this item be tabled pending Planning Board approval of the conditional use. Section 14-90.1.e. of the ordinance requires a minimum of two (2) acres for a conditional use as a church to be reviewed by the Planning Board. Adequate parking will be provided for 32 cars in accordance with the formula of 1 car space for every five fixed seats in the sanctuary. The existing church structure (next to Chapman School) would be demolished.

5 Deering Avenue-Michael D Sangillo

Two apartment units would be added in a second story addition. The total land area is 1,956 sq. ft. instead of the 2,000 sq. ft. minimum (based on 1,000 sq. ft. per family R-6 Residence Zone density requirements) Offstreet parking for two passenger cars will not be provided. Variance is also sought by the applicant.

96-100 India Street-Roger Gendron

Roger Gendron option holder, is requesting a variance to change 96-100 India Street from 8 units to 12 apartment units. Based on 1,000 sq. ft. of land per unit, the lot size should be 12,000 sq. ft. instead of 7,878 sq. ft. which is the existing lot size. According to R-6 Zoning requirements, seven apartment units would be the maximum for this size lot. Such a change of use may be granted only if Section 14-473 of the ordinance has been met.

The section of the building at 96 India St. was the subject of a fire in which a child was a fatality. This section has not been restored for occupancy since the fire. It is badly in need of restoration. There was also a fire there in 98-100 in 1974. Building code and Fire Prevention code requirements should be met regardless of the number of units granted.

Twelve (12) offstreet parking spaces will not be provided on this lot, but a lease has been arranged with Philip Levinsky for 12 spaces at 261 Congress Street. Levinsky's has an increase demand for parking since completion of their recent store expansion on the India St. side.

At the time of the recent zone change for Tommy's and Levinsky's parking requirement based on total amount of retail floor area was 36 car spaces for their store alone: 17 were to be provided adjacent to the Shopping Plaza and 19 on the corner of Congress and Smith Streets.

At the time a law-suit was filed by the City, there were 12 units located within the subject building. The Assessor's records for 1983 show twelve units in 96-100 India Street. The City's law-suit is still pending and at the time of the fire, it was discovered that several illegal units existed in 96-100 India Street. Details concerning the fatal fire are contained in attached copies of news articles obtained from local newspaper files.

Enclosure

Agenda for Nov. 15th

News articles (copies)

cc: Joseph E. Gray, Jr., Director, Planning and Urban Development  
David Lourie, Corporation Counsel  
Alexander Jaegerman, Chief Planner  
P. Samuel Hoffses, Chief, Inspection Services  
Malcolm Ward, Code Enforcement Officer  
Warren J. Turner, Zoning Specialist  
Each case file

**CITY OF PORTLAND, MAINE**

ZONING BOARD OF APPEALS



APPEAL AGENDA

EUGENE S. MARTIN  
Chairman

MERRILL S. SELTZER  
Secretary

JACQUELINE COHEN  
TIMOTHY E. FLAHERTY  
THOMAS J. MURPHY  
PAULETTE P. PARKER  
MICHAEL E. WESTORT

The Board of Appeals will hold a public hearing in Room 209, City Hall, Portland, Maine on Thursday, November 15, 1984 at 3:30 p.m. to hear the following appeals:

1. Unfinished Business: None
2. Nonconforming Uses: None
3. Conditional Uses: None
4. Appeals: None
5. Variances:

a. Space & Bulk

72-78 Pine Street, corner of 186-194 Clark Street - Pine Street Associates - To permit change of use of the building at this location from a garage to 14 dwelling units with parking on the ground level, not allowed because the area of the lot is only about 9,568 sq. ft. rather than the 14,000 sq. ft. minimum (1,000 sq. ft. per family) required by Section 14-139.2 of the Ordinance applying to the B-1 Business Zone in which this property is located (R-6 Residential Zone requirements apply).

837-843 Brighton Avenue, corner of 2-22 Raymond Road - Glenwood Square Baptist Church - To permit construction of a 2,850 sq. ft. addition to the existing building for church use, not allowed because the lot on which this building is located is only 28,432 sq. ft. rather than the 2-acre minimum required by Section 14-90.1.e of the Ordinance applying to the R-3 Residential Zone in which this property is located.

5 Deering Avenue - Michael D. Sangillo - To permit erection of a second floor on the existing building at the above-named location for two dwelling units, not allowed because the area of the lot is only 1,956 sq. ft. rather than the 2,000 sq. ft. minimum (1,000 sq. ft. per family) required by Section 14-139.2 applying to the B-2 Business Zone in which this property is located (R-6 Residential Zone requirements apply). Also, off-street parking for two passenger cars will not be provided on this lot as required by Section 14-332 of the Ordinance.

(continued...)

APPEAL AGENDA  
November 15, 1984  
page 2

96-100 India Street - Roger Cendron - To permit change of use of the three row houses at this location from eight to twelve dwelling units, not allowed because:

- (1) The lot on which this building is located is only about 7,878 sq. ft. rather than the 12,000 sq. ft. minimum required (1,000 sq. ft. per family) by Section 14-139.2 of the Ordinance applying to the R-6 Residential Zone in which this property is located.
- (2) Twelve off-street parking spaces will not be provided on this lot as required by Section 14-332.1. However, the appellant has a letter of commitment to lease 12 parking spaces at 261 Congress Street under the provisions of Section 14-343, joint use of parking facility.

b. Use Appeals: None

c. Dwelling Unit Conversions: None

/kat

# PLUMBING APPLICATION

Department of Human Services  
Division of Health Engineering  
(207) 289-3826

**PROPERTY ADDRESS**

Town Or Plantation: PORTLAND

Street: 5 DEERIE AVE

Subdivision Lot #:

**PROPERTY OWNERS NAME**

Last: PORTLAND First: PERCIVAL

Applicant Name: EADERY MICHAEL

Mailing Address of Owner/Applicant (if Differing): BOX 516 BUDGET

PORTLAND PERMIT # 894 TOWN COPY

Date Permit Issued: 2-5-85 \$  ☐ Double Fee Charged

L.P.I. #

*for installation of fixtures*

**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.

E. Eadery 2-5-85  
Signature of Owner/Applicant Date

5/17/85  
Local Plumbing Inspector Signature Date Approved

## PERMIT INFORMATION

<b>This Application is for</b> 1. <input checked="" type="checkbox"/> NEW PLUMBING 2. <input type="checkbox"/> RELOCATED PLUMBING	<b>Type Of Structure To Be Served:</b> 1. <input type="checkbox"/> SINGLE FAMILY DWELLING 2. <input type="checkbox"/> MODULAR OR MOBILE HOME 3. <input checked="" type="checkbox"/> MULTIPLE FAMILY DWELLING 4. <input type="checkbox"/> OTHER - SPECIFY: <u></u>	<b>Plumbing To Be Installed By:</b> 1. <input checked="" type="checkbox"/> MASTER PLUMBER 2. <input type="checkbox"/> OIL BURNERMAN 3. <input type="checkbox"/> MFG'D. HOUSING DEALER/MECHANIC 4. <input type="checkbox"/> PUBLIC UTILITY EMPLOYEE 5. <input type="checkbox"/> PROPERTY OWNER LICENSE # <u>10,224,11</u>
---	---	--

	Column 2 Type Of Fixture	Column 1 Type Of Fixture
MAR 18 1985 HOOK-UP: to public sewer in those areas where the connection is not regulated and inspected by the local Sanitary District.	Hosebibb / Silcock	2 Bath tub (and Shower)
MAR 27 1985	Floor Drain	Shower (Separate)
	Urinal	2 Sink
	Drinking Fountain	2 Wash Basin
APR 2 - 1985	Indirect Waste	2 Water Closet (Toilet)
APR 23 1985	Water Treatment Softener, Filter, etc.	2 Clothes Washer
PIPING RELOCATION: of sanitary lines, drains, and piping without new fixtures.	Grease/Oil Separator	Dish Washer
	Dental Cuspidor	Garbage Disposal
	Bidet	Laundry Tub
	Other: <u></u>	2 Water Heater
Hook-Ups (Subtotal)	Fixtures (Subtotal) Column 2	Fixtures (Subtotal) Column 1
\$		
SEE PERMIT FEE SCHEDULE FOR CALCULATING FEE		Fixtures (Subtotal) Column 2
		Total Fixtures
		\$ 34.
		\$
		\$ 34.





**APPLICATION FOR PERMIT**  
**DEPARTMENT OF BUILDING INSPECTIONS SERVICES**  
**ELECTRICAL INSTALLATIONS**

Date March 21 19 85  
Receipt and Permit number D 01631

To the CHIEF ELECTRICAL INSPECTOR, Portland, Maine:

The undersigned hereby applies for a permit to make electrical installations in accordance with the laws of Maine, the Portland Electrical Ordinance, the National Electrical Code and the following specifications:

LOCATION OF WORK: 5 Deering Avenue - 2nd floor - Apts 5A & 5B  
OWNER'S NAME: Portland Percussion ADDRESS: same

OUTLETS: work is for both apartments		FEES
Receptacles	Switches	Plugmold
ft. TOTAL <u>31-60</u>		5.00
FIXTURES: (number of)		
Incandescent <u>8</u>	Flourescent	(not strip) TOTAL <u>8</u>
Strip Flourescent		ft. TOTAL
SERVICES:		
Overhead <u>X</u>	Underground	Temporary
TOTAL amperes <u>200</u>		3.00
METERS: (number of) <u>3</u>		1.50
MOTORS: (number of)		
Fractional		
1 HP or over		
RESIDENTIAL HEATING:		
Oil or Gas (number of units)		
Electric (number of rooms) <u>8</u>		8.00
COMMERCIAL OR INDUSTRIAL HEATING:		
Oil or Gas (by a main boiler)		
Oil or Gas (by separate units)		
Electric Under 20 kws	Over 20 kws	
APPLIANCES: (number of)		
Ranges <u>2</u>	Water Heaters <u>2</u>	
Cook Tops	Disposals	
Wall Ovens	Dishwashers	
Dryers <u>2</u>	Compactors	
Fans	Others (denote)	
TOTAL		9.50
MISCELLANEOUS: (number of)		
Branch Panels		
Transformers		
Air Conditioners		
Separate Units (windows)		
Signs 20 sq. ft. and under		
Over 20 sq. ft.		
Swimming Pools Above Ground		
In Ground		
Fire Burglar Alarms Residential		
Commercial		
Heavy Duty Outlets, 220 Volt (such as welders) 30 amps and under		
over 30 amps		
Circus, Fairs, etc.		
Alterations to wires		
Repairs after fire		
Emergency Lights, battery		
Emergency Generators		
INSTALLATION FEE DUE:		
FOR ADDITIONAL WORK NOT ON ORIGINAL PERMIT ..... DOUBLE FEE DUE:		
FOR REMOVAL OF A "STOP ORDER" (304-16.b) .....		
TOTAL AMOUNT DUE:		30.00

INSPECTION:

Will be ready on ready, 19 85; or Will Call \_\_\_\_\_

CONTRACTOR'S NAME: Kirk Ordway

ADDRESS: 122 Elm St. So. Portland

TEL: \_\_\_\_\_

MASTER LICENSE NO.: 8667

LIMITED LICENSE NO.: \_\_\_\_\_

SIGNATURE OF CONTRACTOR:

*Kirk Ordway*

INSPECTOR'S COPY — WHITE

OFFICE COPY — CANARY

CONTRACTOR'S COPY — GREEN



Permit Number 61437Permit Number 61437

Location	Activity
0	Delivery Unit

Owner Portland Telephone

Date of Permit 0-21-03

Final Inspector 2202

By Inspector L. J. [Signature]

Permit Application Register Page No. 50

INSPECTIONS: Service ✓ by Trilby  
Service called in 3-21-85  
Closing-in 3-21-85 by Trilby

PROGRESS INSPECTIONS: 3-25-85 1 0

CODE  
COMPLIANCE  
COMPLETED

DATE 3-25-55

DATE:

REMARKS:



CITY OF PORTLAND, MAINE  
Department of Building Inspection

## Certificate of Occupancy

LOCATION

5 Deering Avenue  
Date of Issue

September 23, 1966

Issued to Michael D Sangillo

**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. 85-1520, 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

APPROVED OCCUPANCY

2 families

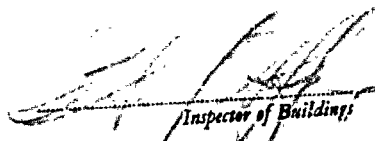
Limiting Conditions:  
Entire addition

This certificate supersedes  
certificate issued

Approved:

(Date)

Inspector

  
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.



CITY OF PORTLAND, MAINE  
Department of Building Inspection

## Certificate of Occupancy

LOCATION

5 Deering Avenue

Date of Issue

September 25, 1986

Issued to Michael D. Sangillo

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. 85-1520, 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

APPROVED OCCUPANCY

Limiting Conditions: Entire addition

2 families

This certificate supersedes  
certificate issued

Approved:

(Date)

Inspector

Inspector of Buildings

Note: 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.



## CITY OF PORTLAND

DEPARTMENT OF PLANNING & URBAN DEVELOPMENT  
INSPECTION SERVICES DIVISION

January 8, 1985

Mr. Michael D. Sangillo  
61 Carleton Street  
Portland, ME 04102

RE: 5 Deering Avenue - Mixed Use R-3-M

Dear Sir:

Your application to construct a 21' x 50' one story addition to the existing store with two apartments (appeal 11/15/84) at the above location has been reviewed, and a building permit is herewith granted subject to the following requirements.

1. If the exterior walls of this building have a fire separation of less than 15 feet, a minimum of a 1 hour fire resistance exterior wall will be required (please advise).
2. A mixed use shall be completely separated, both horizontally and vertically, by fire separation walls, floors and ceiling assemblies having a fire resistance rating corresponding to the highest fire grading prescribed in table 1402 for separate uses. Each part of the building shall be separately classified to use. 1 1/2 hr. rating will be required.
3. The vertical openings (stairways) shall be enclosed with 1 hour fire rated construction including fire doors with self-closers
4. Emergency escape - Every sleeping room below the fourth story in buildings of Use Groups R and I-1 shall have at least one operable window or exterior door approved for emergency egress or rescue. The units must be operable from the inside opening without the use of separate tools. Where windows are provided as a means of egress or rescue, they shall have a sill height not more than 44 inches above the floor. All egress or rescue windows from sleeping rooms must have a minimum net clear opening of 5.7 sq. feet. The minimum net clear opening height dimension shall be 24 inches. The minimum net clear opening width dimension shall be 20 inches.

Bars, grilles or screens placed over emergency escape windows shall be releasable or removable from the inside without the use of a key, tool or excessive force.

Michael D. Sangillo  
January 8, 1985  
page 2

Exceptions:

- a. Grade floor windows may have a minimum net clear opening of 5 square feet.
  - b. In buildings of Use Group R-3, where the sleeping room is provided with a door to a corridor having access to two remote exits in opposite directions, then an outside window or an exterior door for emergency escape from each such sleeping room is not required.
5. Sleeping areas and dwelling units: In addition to any automatic fire alarm system required by Sections 1716.3.2 and 1716.3.3, a minimum of one single station smoke detector shall be installed in each guest room, suite or sleeping area in buildings of Use Groups R-1 and I-1 and in dwelling units in the immediate vicinity of the bedrooms in buildings of Use Group R-2 or R-3. When actuated, the detector shall provide an alarm suitable to warn the occupants within the individual unit (see Section 1717.3.1). In buildings of Use Groups R-1 and R-2 which have basements, an additional smoke detector shall be installed in the basement. In buildings of Use Group R-3, smoke detectors shall be required on every story of the dwelling unit including basements. In dwelling units with split levels, a smoke detector installed on the upper level shall suffice for the adjacent lower level, provided the lower level is less than one full story below the upper level. If there is an intervening door between the adjacent levels, a smoke detector shall be installed on both levels. All detectors shall be installed in an approved location. Where more than one detector is required to be installed within an individual dwelling unit, the detectors shall be wired in such a manner that the actuation of one alarm will actuate all the alarms in the individual unit.
6. Your stairs must have a rise of no more than 7 inches and a tread of at least 11 inches.

If you have any questions on these requirements, please call this office.

Sincerely,

P. Samuel Hoffses  
Chief of Inspection Services

PSH/kat  
Enclosure

01620  
APPLICATION FOR PERMIT  
(R-3) (M)  
17.182 5.7

PERMIT ISSUED

JAN 8 1985

CITY of PORTLAND

B.O.C.A. USE GROUP

B.O.C.A. TYPE OF CONSTRUCTION

PORTLAND, MAINE

ZONING LOCATION

To the CHIEF OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE  
The undersigned hereby applies for a permit to erect, alter, repair, demolish, move or install the following building, structure, equipment or change use in accordance with the Laws of the State of Maine, the Portland B.O.C.A. Building Code and Zoning Ordinance of the City of Portland with plans and specifications, if any, submitted herewith and the following specifications:

- LOCATION 5 Deering Avenue  
1. Owner's name and address Michael D. Sangillo- 61 Carlton St.  
2. Lessee's name and address Telephone W775-2230  
3. Contractor's name and address Brady Construction-Biddeford Pool Telephone H.775-1223

Proposed use of building drum shop  
Last use same  
Material same  
Other buildings on same lot  
Estimated contractual cost \$48,000.00  
Roofing  
Style of roof  
Heat  
No. of stories  
No. of sheets  
No. families  
No. families  
Appeal Fees \$ 50.00  
Base Fee \$ 25.00 Change of Use  
Late Fee  
TOTAL \$ 250.00

FIELD INSPECTOR-Mr.

@ 775-5451

Appeal sustained 11/5/84

Stamp on Special Conditions  
PERMIT ISSUED WITH LETTER

To construct 31' x 50' 1 story addition to existing store for 2 apartments. Change of Use  
This application is preliminary to get settled the question of zoning appeal. In the event the appeal is sustained the applicant will furnish complete information, estimated cost and pay fee.

NOTE TO APPLICANT: Separate permits are required by the installers and subcontractors of heating, plumbing, electrical and mechanicals.

DETAILS OF NEW WORK

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

A GARAGE

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

MISCELLANEOUS

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

APPROVALS BY:

BUILDING INSPECTION-PLAN EXAMINER  
ZONING  
BUILDING CODE  
Fire Dept.  
Health Dept.  
Others:

Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed?  
Signature of Applicant  
Type Name of above  
Michael D. Sangillo  
Other  
and Address  
Phone # same  
1 2 3 4

PERMIT ISSUED WITH LETTER  
FIELD INSPECTOR'S COPY

APPLICANT'S COPY

OFFICE FILE COPY

6 MB. MALS94C

NOTES

Start - No start  
May - " "  
Unable to contact owner or  
get in.  
June - work started and  
progressing OK according  
to plan.

Cladding in work continues  
Finish work and  
interior division  
into 2 apartments  
accomplished.

Cosmetic details,  
etc. etc. - window  
trim.

5-19-86 Made final  
inspection with  
owner. Everything  
OK except back  
stairway.

9-25-86 OK - Issue  
C of O.

FIRST FLOOR - COMMERCIAL USE  
SECOND FLOOR - TWO APARTMENTS

Permit No. 851620  
Location 5 Downing Ave  
Owner Michael Vangelis  
Date of permit 10-22-84  
Approved 1-8-85  
Dwelling Address  
Garage  
Alteration

# City of Portland, Maine – Building or Use Permit Application 339 Congress Street, 04101, Tel: (207) 874-8703, FAX: 874-8716

Location of Construction: 3-5 Deering Ave		Owner: Michael Sangillo		Phone: 878-5884		Permit No: 961223 <b>PERMIT ISSUED</b> DEC 13 1996 <b>CITY OF PORTLAND</b>
Owner-Address: Lessee: 3-5 Deering Ave- Ptld ME		Leasee/Buyer's Name: Haknuman Asian Groc Store		Phone: 879-5994		
Contractor Name: Burr Signs		Address: 10 Ruttonwood St- So Ptld ME		Phone: 799-1183		
Past Use:		Proposed Use: retail store w sign		COST OF WORK: \$ PERMIT FEE: \$33		
Proposed Project Description:  erect sign 10'x4'				FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied INSPECTION: Use Group: Type: Signature: <i>[Signature]</i> Signature: <i>[Signature]</i> PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: Approved <input type="checkbox"/> Approved with Conditions: <input type="checkbox"/> Denied <input type="checkbox"/> Signature: _____ Date: _____		Zone: CBL: Zoning Approval: <i>[Signature]</i> 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"/> minor <input type="checkbox"/> mm <input type="checkbox"/>
Permit Taken By: L Chase		Date Applied For: 12/3/96				

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..

## 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: *[Signature]* ADDRESS: \_\_\_\_\_ DATE: 12/3/96 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

Action:  
☐ Approved  
☐ Approved with Conditions  
☐ Denied

Date: 12/10/96

CEO DISTRICT

5

D. Jordan



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

Location of Construction: <b>3-5 Deering Ave</b>		Owner: <b>Michael Sanfilippo</b>		Phone: <b>879-5824</b>		Permit No: <b>961223</b>	
Owner-Address: <b>lessee:</b>		Leasee/Buyer's Name: <b>Hakuman Asian Groc Store</b>		Phone: <b>877-5994</b>		Business Name:	
<b>3-5 Deering Ave- Portland ME</b>		<b>10 Suttowood St- So Portland ME 04106</b>		<b>799-1183</b>			
Contractor Name: <b>Burr Signs</b>		Address:		Phone:		Permit Issued: <b>DEC 13 1996</b>	
Past Use:		Proposed Use: <b>retail store &amp; sign</b>		COST OF WORK: <b>\$</b>		PERMIT FEE: <b>\$33</b>	
				FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group: Type:	
Proposed Project Description: <b>erect sign 10'x4'</b>				Signature:		Signature: <i>[Signature]</i>	
				PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		Zoning Approval: 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	
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied				Signature:		Date:	
Permit Taken By: <b>L. Chase</b>		Date Applied For: <b>12/3/96</b>					

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..

**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 *[Signature]*

ADDRESS:

DATE: *12/3/96*

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

CEO DISTRICT

**5**

# COMMENTS

12-19-96 - Signage Appears completed Close X

Type	Inspection Record	Date
Foundation:		
Framing:		
Plumbing:		
Final: <input checked="" type="checkbox"/>		12-19-96
Other:		

SIGNAGE

PLEASE ANSWER ALL QUESTIONS

ADDRESS: 305 Deering Ave. ZONE: B-2  
OWNER: Holmman Asian Grocery Store  
APPLICANT: Burr Signs

ASSESSOR NO.:

SINGLE TENANT LOT? YES ☒ NO ☐

MULTI TENANT LOT? YES ☐ NO ☐

FREESTANDING SIGN? YES ☐ NO ☒ DIMENSIONS \_\_\_\_\_  
(ex. pole sign..)

MORE THAN ONE SIGN? YES ☐ NO ☐ DIMENSIONS \_\_\_\_\_

BLDG. WALL SIGN? YES ☒ NO ☐ DIMENSIONS 4'x10' = 40'  
(attached to bldg)

MORE THAN ONE SIGN? YES ☐ NO ☒ DIMENSIONS \_\_\_\_\_

LIST ALL EXISTING SIGNAGE AND THEIR DIMENSIONS: \_\_\_\_\_  
none

LOT FRONTAGE (FEET) 30'

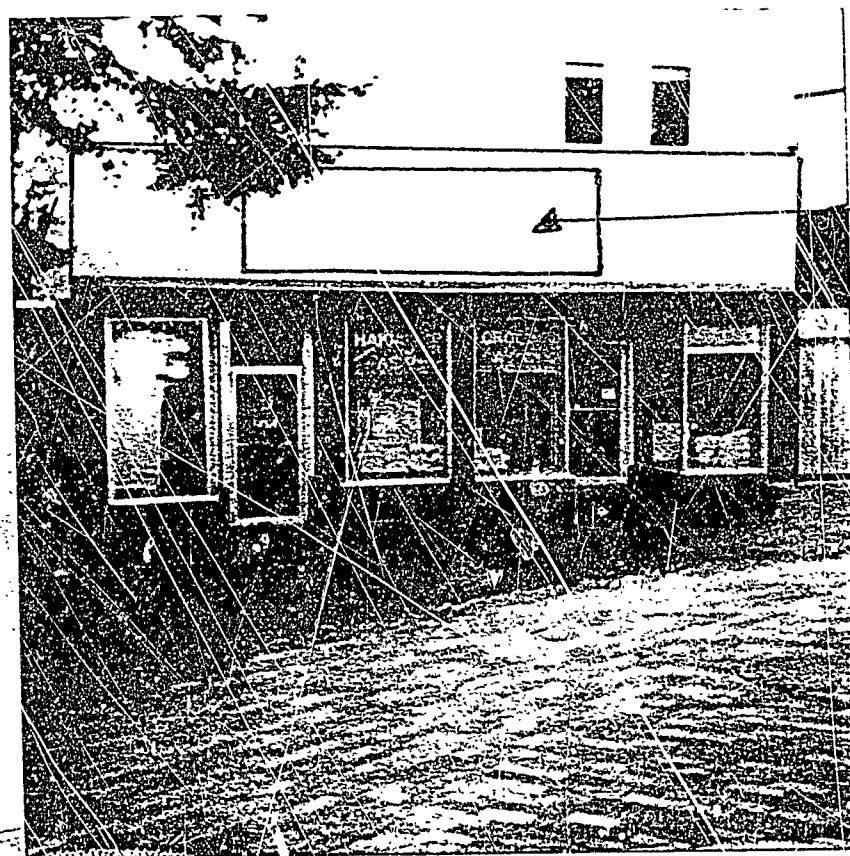
BLDG FRONTAGE (FEET) 30' x 2 = 60' MAX

AWNING YES ☒ NO ☐ IS AWNING BACKLIT? YES ☐ NO ☐

HEIGHT OF AWNING: \_\_\_\_\_

IS THERE ANY COMMUNICATION, MESSAGE, TRADEMARK OR SYMBOL ON IT? \_\_\_\_\_

A SITE SKETCH AND BUILDING SKETCH SHOWING EXACTLY WHERE EXISTING AND NEW SIGNAGE IS LOCATED MUST BE PROVIDED. SKETCHES AND/OR PICTURES OF THE PROPOSED SIGNS ARE ALSO REQUIRED.



PROPOSED  
LOCATION  
of  
4'x10' 40¢  
non-illuminated  
sign

B-2  
ZONE

30'

BUILDING FRONTAGE  
SINGLE TENANT

Intense  
Blue

10 1/2"

**HAKNUMAN'S**  
**Asian Grocery Store**  
ଅମ୍ଭ ନିଜେ ବଜାର କରିବା

Secured to  
building w/  
Shields & lags

4'x10'  
non-illuminated  
wall mount sign

GERMANIA

OWNERS CONSENT AND AGREEMENT

I, X MICHAEL SUBITO, being the owner of the premises located at  
(print property owners name)  
345 Deering Ave. in Portland, Maine, hereby give consent to the  
(print property address)

erection of a certain sign/awning/banner owned by Frank Khvon  
(print lessee's name)

over the sidewalk or on building from said premises as described in

application to the Division of Inspection Services.

And in consideration of the issuance of said permit, owner of said premises, in event said sign shall cease to serve the purpose for which it was erected or shall become dangerous and in event the owner of said sign shall fail to remove said sign or make it permanently safe in case the sign still serves the purpose for which it was erected, hereby agrees for himself or itself, for his heirs, its successors, and his or its assigns, to completely remove said sign.

X [Signature]  
Signature of Property Owner

X 12/1/96  
Date

[Signature]  
Signature of Lessee

12/2/96  
Date



NORTH EAST INSURANCE COMPANY  
HOME OFFICE, SCARBOROUGH, MAINE 04070-1418

NEW

Renewal of Number

BUSINESSOWNERS POLICY  
DECLARATIONS

Policy No. 75180120

Named Insured and Mailing Address (No., Street, Town or City, County, State, Zip Code) Batal Insurance Agency  
2083

HAKNUMAN ASIAN GROCERY STORE  
C/O FRANKLIN KHUON  
18 FIELDSTONE LANE  
SANFORD, ME 04073

Form Applicable  
☐ Standard ☒ Special

Policy Period: From 05/01/96 to 05/01/97 at 12:01 A.M. \* Standard Time at your mailing address shown above. \*Exceptions: 12:00 noon in Maine, Michigan, New Hampshire, North Carolina, Puerto Rico and Virginia.

IN RETURN FOR THE PAYMENT OF THE PREMIUM, AND SUBJECT TO ALL THE TERMS OF THIS POLICY, WE AGREE WITH YOU TO PROVIDE THE INSURANCE AS STATED IN THIS POLICY.

BUSINESS DESCRIPTION					
Form of Business:	<input checked="" type="checkbox"/> Individual	<input type="checkbox"/> Joint Venture	<input type="checkbox"/> Partnership	<input type="checkbox"/> Organization (Any Other)	
Business Description:	GROCERY STORES - NOC				
DESCRIBED PREMISES					
PREM. NO.	BLDG. NO.	LOCATION	MORTGAGE HOLDER NAME AND ADDRESS		
001	001	3-5 DEERING AVENUE PORTLAND, ME			
PROPERTY					
Limits of Insurance for Buildings • Actual Cash Value - Buildings Option (Y/N) • Automatic Increase - Building Limit (Percent) Business Personal Property	PREM. NO.	BLDG. NO.	PREM. NO.	BLDG. NO.	PREM. NO.
	001	001			
	\$		\$		\$
	\$	40,000	\$		\$
Deductible \$ 250					
Optional Coverages - Applicable only if an "X" is shown in the boxes below:			Limits of Insurance		
1. <input checked="" type="checkbox"/> Outdoor Signs	\$	2,000	per occurrence		
2. <input checked="" type="checkbox"/> Exterior Grade Floor Glass		Included			
3. <input type="checkbox"/> Burglary and Robbery (Standard Form only) or	\$	10,000	Inside the Premises		
<input checked="" type="checkbox"/> Money and Securities (Special Form only)	\$	2,000	Outside the Premises		
4. <input checked="" type="checkbox"/> Employee Dishonesty	\$	5,000	per occurrence		
5. <input type="checkbox"/> Mechanical Breakdown		Included			
6. <input type="checkbox"/> Other (specify)					
LIABILITY AND MEDICAL PAYMENTS					
Except for Fire Legal Liability, each paid claim for the following coverages reduces the amount of insurance we provide during the applicable annual period. Please refer to Paragraph D.4. of the Businessowners Liability Coverage Form.					
			Limits of Insurance		
Liability and Medical Expenses	\$	300,000			
Medical Expenses	\$	5,000	per person		
Fire Legal Liability	\$	100,000	any one fire or explosion		
FORMS AND ENDORSEMENTS					
Forms and Endorsements made part of this policy at time of issue:					
SEE SCHEDULE ATTACHED					
PREMIUM					
Annual Premium \$	738	Payable: \$	at inception: \$	1st Install.: \$	2nd Install.

Countersigned: 05/03/96

ORIGINAL By

*Edward B. Batal*  
Authorized Representative

THESE DECLARATIONS, TOGETHER WITH THE COVERAGE FORM(S), COMMON POLICY CONDITIONS AND FORMS, AND ENDORSEMENTS, IF ANY, ISSUED TO FORM A PART THEREOF, COMPLETE THE ABOVE NUMBERED POLICY.

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