

REFERRAL MEMORANDUM

To: Department of Building Inspections  
R. L. Brown & Marge Schmuckel  
From: Lyle D. Noyes, Neighborhood Conservation  
Subject: Renovation- Conversion- Building Permits


HOUSING INSPECTIONS DIVISION  
DEPARTMENT OF NEIGHBORHOOD  
CONSERVATION

Date: September 19, 1978

Conditions or Defects:

A routine housing inspection of the three (3) family house at 44 Deering Avenue revealed extensive renovations and reported conversions to increase the number of dwelling units being made. As no building or other permits were displayed, we felt you should be made aware of the situation. We are concerned because the structure was "posled" sometime ago by this department, as it was unfit for habitation. Please investigate and let us know of any action you take.

cc: T. A. Valleau, Assistant City Manager

  
\_\_\_\_\_  
Lyle D. Noyes,  
Chief of Housing Inspections

The responsible department or division is requested to reply on this form and return the form to the Housing Inspections Division, Room \_\_\_\_\_

Reply:

Date:

\_\_\_\_\_  
Instructions: Inspectors will complete this form in triplicate retaining one copy for the tickler file and two copies to the street file. The original will be sent to the responsible division or city department.

(COPY)



CITY OF PORTLAND, MAINE  
Department of Building Inspection

## Certificate of Occupancy

LOCATION #44 Deering St.

Issued to Mrs. Geraldine Wolf  
10 Congress Square

Date of Issue April 14, 1965

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. 64/1438, 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

Entire

APPROVED OCCUPANCY

Five family apartment house.

Limiting Conditions:

This certificate supersedes  
certificate issued

Approved:

(Date) Nelson F. Cartwright  
Inspector

Albert J. Sears  
Inspector of Buildings

CS 147

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.

A.I.- 44 Deering St.

Dec. 29, 1964

Mrs. Geraldine Wolf  
10 Congress Square  
Bibro & Clark  
52 Edgewood Avenue

Dear Mrs. Wolf & Gentlemen:

Permit to erect a metal fire escape on side of building at above location from third floor to ground as per your plans is being issued subject to compliance with conditions of approval by the Fire Department as follows:

"The application for a permit for the installation of a fire escape at 44 Deering Street is approved by this office. It is recommended that a door be installed on the only stairway to the third floor at the second floor level if possible; the door is to be self closing with a one-hour rating."

Very truly yours,

Gerald E. Fayberry  
Deputy Building Inspection Director

GEM:m

CITY OF PORTLAND, MAINE  
FIRE DEPARTMENT

To: Mr. Albert J. Sears, Building Inspector

DATE: December 23, 1964

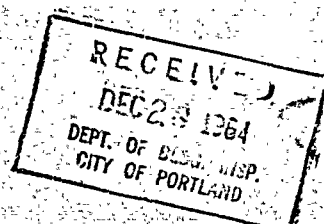
FROM: Haswell M. Bruns, District Chief

SUBJECT: Fire escape at 44 Deering Street.

The application for a permit for the installation of a fire escape at 44 Deering Street is approved by this office. It is recommended that a door be installed on the only stairway to the third floor at the second floor level if possible; the door is to be self closing with a one-hour rating.

Have any previous arrangements been made for the installation of night lights (on the owner's meter)?

*Haswell M. Bruns*  
Haswell M. Bruns  
District Chief







# APPLICATION FOR PERMIT

Class of Building or Type of Structure Second Class  
Portland, Maine, December 22, 1964

PERMIT ISSUED  
DEC 20 1964  
CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

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

Location 44 Deering St. Within Fire Limits? \_\_\_\_\_ Dist. No. \_\_\_\_\_

Owner's name and address Mrs. Geraldine Wolf, 10 Congress Square Telephone \_\_\_\_\_

Lessee's name and address \_\_\_\_\_ Telephone \_\_\_\_\_

Contractor's name and address Bibro & Clark, 58 Edgewood Ave. Telephone \_\_\_\_\_

Architect \_\_\_\_\_ Telephone 797-5194

Proposed use of building Apt. House Specifications \_\_\_\_\_ Plans yes No. of sheets 1

Last use Dwelling No. families 5

Material brick No. stories 2 1/2 Heat \_\_\_\_\_ Style of roof \_\_\_\_\_ No. families 1

Other buildings on same lot \_\_\_\_\_ Roofing \_\_\_\_\_

Estimated cost \$ 900.00 Fee \$ 5.00

## General Description of New Work

To erect metal fire escape on side of building from third floor to ground as per plan.

Permit Issued with Letter:

Sent to Fire Dept. 12/22/64  
Reg'd with Fire Dept. 12/22/64

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

## Details of New Work

Is any plumbing involved in this work? \_\_\_\_\_ Is any electrical work involved in this work? \_\_\_\_\_

Is connection to be made to public sewer? \_\_\_\_\_ If not, what is proposed for sewage? \_\_\_\_\_

Has septic tank notice been sent? \_\_\_\_\_ Form notice sent? \_\_\_\_\_

Height average grade to top of plate \_\_\_\_\_ Height average grade to highest point of roof \_\_\_\_\_

Size, front \_\_\_\_\_ depth \_\_\_\_\_ No. stories \_\_\_\_\_ solid or filled land? \_\_\_\_\_ earth or rock? \_\_\_\_\_

Material of foundation \_\_\_\_\_ Thickness, top \_\_\_\_\_ bottom \_\_\_\_\_ cellar \_\_\_\_\_

Kind of roof \_\_\_\_\_ Rise per foot \_\_\_\_\_ Roof covering \_\_\_\_\_

No. of chimneys \_\_\_\_\_ Material of chimneys \_\_\_\_\_ of lining \_\_\_\_\_ Kind of heat \_\_\_\_\_ fuel \_\_\_\_\_

Framing Lumber—Kind \_\_\_\_\_ Dressed or full size? \_\_\_\_\_ Corner posts \_\_\_\_\_ Sills \_\_\_\_\_

Size Girder \_\_\_\_\_ Columns under girders \_\_\_\_\_ Size \_\_\_\_\_ Max. on centers \_\_\_\_\_

Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.

Joists and rafters: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof \_\_\_\_\_

On centers: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof \_\_\_\_\_

Maximum span: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof \_\_\_\_\_

If one story building with masonry walls, thickness of walls? \_\_\_\_\_ height? \_\_\_\_\_

## If a Garage

No. cars now accommodated on same lot \_\_\_\_\_, to be accommodated \_\_\_\_\_ number commercial cars to be accommodated \_\_\_\_\_

Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? \_\_\_\_\_

APPROVED:  
  
 CHIEF OF FIRE DEPT.

## Miscellaneous

Will work require disturbing of any tree on a public street? no

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

Mrs. Geraldine Wolf  
 Bibro & Clark Waldemar J. Bibro

CS 301  
 INSPECTION COPY  
 Signature of owner by: \_\_\_\_\_

2.14

Permit No. 644 1.6.63

Location 44 Dennis Street

Owner Mrs. Bessie May

Date of permit 1/23/63

Notif. closing-in

Inspn. closing-in

Final Notif.

Final Inspn.

Cert. of Occupancy issued

Staking Out Notice

Form Check Notice

NOTES

3-4-65 Completed RB

7

PERMIT TO INSTALL PLUMBING

14859  
PERMIT NUMBER

Date Issued 2/2/65  
PORTLAND PLUMBING INSPECTOR

Address 14 Doering Street  
Installation For: Dr. Hole  
Owner of B'dg. Same  
Owner's Address: Wayside Road  
Plumber: William Hiles Date: 2/2/65

By J.P. Welch

APPROVED FIRST INSPECTION  
Date Feb 3, 1965

By Welch - G. ...  
APPROVED FINAL INSPECTION  
Date Feb. 3 - 1965

By JOSEPH P WELCH  
TYPE OF BUILDING  
 COMMERCIAL BUILDING INC.  
 RESIDENTIAL  
 SINGLE  
 MULTI FAMILY  
 NEW CONSTRUCTION  
 REMODELING

NEW	REPL	PROPOSED INSTALLATIONS	NUMBER	FEE
		SINKS		
		LAVATORIES		
		TOILETS		
		BATH TUBS		
		SHOWERS		
		DRAINS		
		HOT WATER TANKS		
		TANKLESS WATER HEATERS		
		GARBAGE GRINDERS		
		SEPTIC TANKS		
		HOUSE SEWERS		
		ROOF LEADERS (Conn. to house drain)		
		House Drain	1	\$2.00

PORTLAND HEALTH DEPT. PLUMBING INSPECTION TOTAL ▶ \$2.00





AP - 14, Dearing Street

October 29, 1964.

New England Realty  
c/o Dr. Lloyd B. Wolf  
10 Congress Square - Rm. 202

cc: Mr. John O'Neal  
87 Beckett St.

Gentlemen:

Building permit for changing use of building at the above named location from a single family dwelling to an apartment house for five families is issued herewith based on plans filed with application for permit but subject to the following conditions:

1. The metal fire escape to be erected to serve the upper stories of the building is not covered by this permit, but is to be covered by an amendment to this permit or a new permit taken out by the erector of the structure. With application therefor will need to be filed a plan showing location on building and all details of construction in compliance with Building Code requirements.
2. If not existing, handrails are to be provided on at least one side of all stairways. Where there are winding treads, a handrail is required in any case for the full length of the stairway on the side where the greatest width of treads occurs.
3. The window serving the front bedroom of Apt. #5 in third story is to be increased in size to at least twice its present area if possible.
4. An operable skylight not less than 9 square feet in area is to be provided to serve the living room of Apt. #5 in the third story.
5. Another skylight of equal size is to be installed to serve the kitchen area of this same apartment.
6. Separate permits issuable only to the actual installers are required from this department for installation of any heating equipment or systems of mechanical ventilation.
7. Notice is to be given this department for inspection before any new covering is applied to walls, partitions or ceilings.
8. A certificate of occupancy is required from this department before any apartment may lawfully be put into use.

Very truly yours,

Director of Bldg. Inspection

A.P. - 44 Deering Street

July 1, 1964

Mrs. Geraldine Wolf  
10 Congress Square

cc to: Warren McDonald  
9 Kenilworth Street

Dear Mrs. Wolf:

Check against the Building Code of plans for alterations to half of duplex building at the above named location to provide five apartments there discloses an important variance from its requirements. This is the failure of window area in third story rooms to equal at least one-twelfth of the floor area of the rooms. Were it not for the fact that these rooms have been used previously for living quarters, the Building Code would require window area equal at least to one-tenth of the floor area.

While this discrepancy is subject to appeal to the Municipal Officers, the discrepancy is so great, particularly for the bedroom where the existing window is so small as to have an area equal to only about one-twentieth of the floor area, I feel unable to recommend to the Municipal Officers that this requirement of the Code be waived. I have talked with the Housing Inspection Director, who enforces the City Housing Code, requirements of which will apply to this building as soon as work is completed and which has the same minimum area requirement of one-twelfth of the floor area. He also feels that he would be unwilling to recommend waiver of this requirement. While approval of this Department and that of the Health Department are not necessarily needed for favorable action to be taken on a Building Code appeal, our opinions and recommendations are usually requested.

It is suggested that the feasibility be explored of enlarging the windows in this story to provide at least one-twelfth, and if possible one-tenth, of the floor area of the rooms. However, if you still wish to file an appeal asking a waiver of compliance with window area requirements, we will write a certification letter on which an appeal can be based.

Very truly yours,

Albert J. Sears  
Building Inspection Director

AJS:m







A.P. 44 Deering Street

May 1, 1964

Dr. Lloyd E. Woolf  
Room 202  
10 Congress Square

cc to: Warren McDonald  
9 Kenilworth Street

Dear Dr. Woolf:

Your appeal under the zoning Ordinance involving a change of use of that half of duplex building at the above named location has been sustained. Before further action towards issuance of a building permit authorizing the change can be taken by this department, it is necessary that the application already filed be completed by furnishing an estimated cost of the work, paying a permit fee based thereon, and filing plans adequate to show compliance with Building Code requirements applying to the new use.

Rights granted by the Appeal Board will expire unless work on the project is started within six months of the date on which the appeal was sustained.

Very truly yours,

Albert J. Sears  
Building Inspection Director

AJS:m

44 Cleerung St

Change of use to 5 Apartments at 44 Cleerung Street 4/15/64

- Zoning: - R-6 Zone - Use O.K.
- sect. 7-B-2 - Side yard of 10' required.
- sect. 7-B-6 - 40% of lot area may be occupied  
 40% of 2932' = 1173' } Existing, so O.K.  
 House area = 1212'
- sect. 7-B-8 - Area per family - 1000'  
 5 x 1000 = 5000' }  
 Actual: 2972' } ?
- sect. 14-B-1 - One off-street parking space required.

2932  
 40  
 117280

Fire escape is to be about one foot from side lot line which abuts a 4' wide right of way.

A.P. - 44 Deering Street

April 15, 1964

New England Realty  
Room 202  
10 Congress Square

cc to: Warren McDonald  
9 Kenilworth Street  
cc to: Corporation Counsel

Gentlemen:

Building permit and certificate of occupancy authorizing change of use of that half of duplex building at the above named location from a single family dwelling to an apartment house for five families, including the erection of a metal fire escape to serve the upper stories of the building, are not issuable under the Zoning Ordinance for the following reasons:

1. The proposed fire escape is to project to within about one foot of the side lot line, which abuts a four-foot wide right-of-way, and thus will encroach unlawfully upon the ten-foot side yard area required by Section 7-2-2 of the Ordinance for the R-6 Residence Zone in which the property is located.
2. The area of the lot on which the building is located is only about 3000 square feet instead of the 5000 square feet (1000 square feet per family) required by Section 7-1-3.
3. The one off-street parking space required by Section 11-5-1 is not to be provided because of lack of space at the side of the building for a driveway to reach open space at rear of the building.

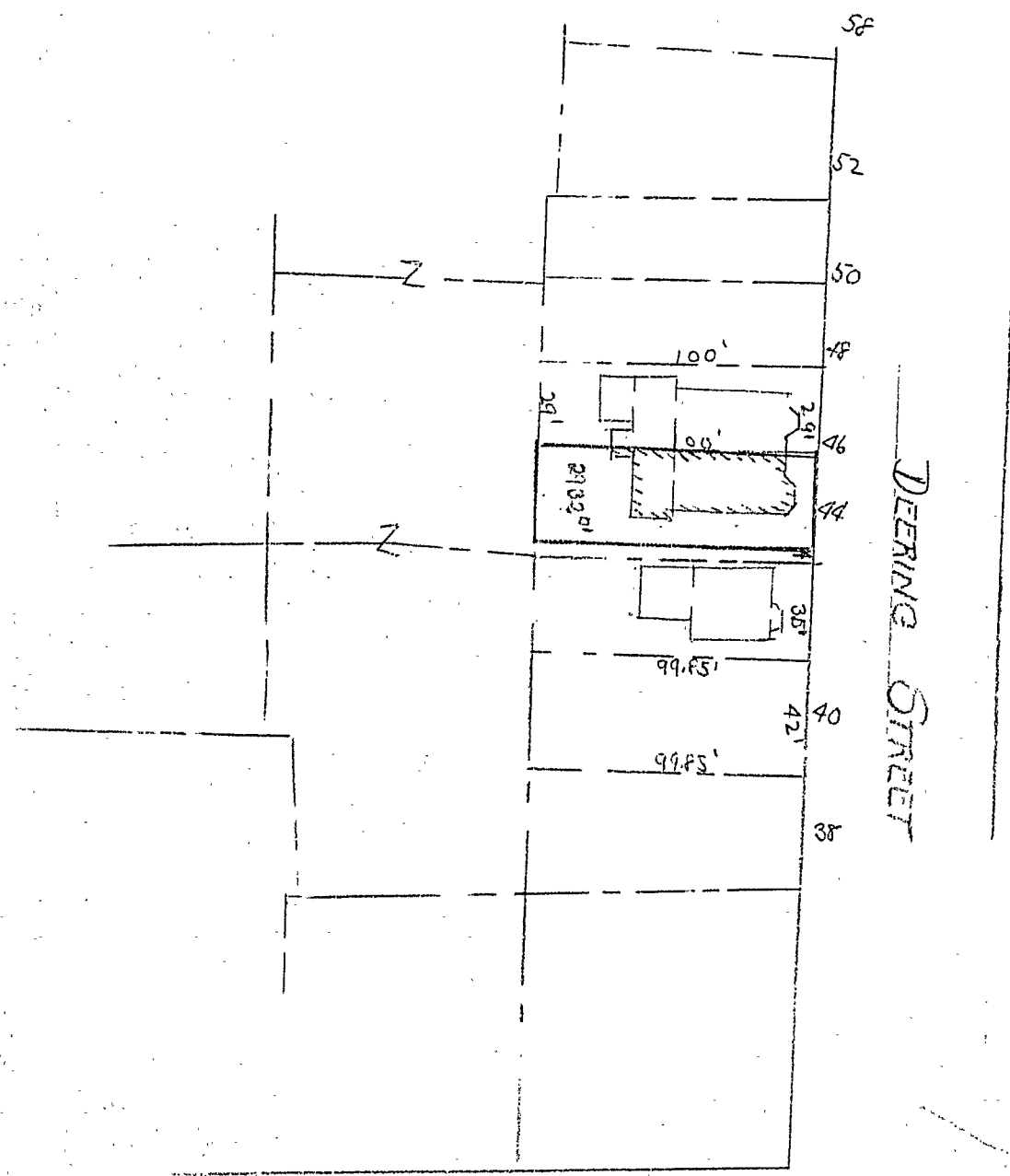
We understand that you would like to exercise your appeal rights in this matter. Accordingly we are certifying the case to the Corporation Counsel, to whose office in Room 208, City Hall, an authorized representative should go to file the appeal. It should be understood that even though the zoning appeal is sustained, it will still be necessary to meet requirements of the Building Code applying to the new use. Since no information has as yet been furnished in this regard, we are not able to tell at this time what questions may arise in this connection.

Very truly yours,

Albert J. Seurs  
Building Inspection Director

-AJS:m

42-Deering St  
47-C-13



STATE STREET





R6 RESIDENCE ZONE

# APPLICATION FOR PERMIT

Class of Building or Type of Structure Second Class

Portland, Maine, April 14, 1964

**PERMIT ISSUED**

OCT 30 1964

CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

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

Location 44 Deering Street Within Fire Limits? Yes Dist. No. 10  
 Owner's name and address Northwest New England Realty, 10 Congress Sq. Telephone 8-77-3820  
 Prospective owner Room 202  
 Lessee's name and address Mrs. Geraldine Wolf, 10 Congress Sq. Telephone 772-2030  
 Contractor's name and address John Neal, 87 Beddett St. Telephone 772-2030  
 Architect \_\_\_\_\_ Specifications \_\_\_\_\_ Plans yes No. of sheets 1  
 Proposed use of building Apartment house No. families 5  
 Last use Dwelling No. families 1  
 Material brick No. stories 2 1/2-2 Heat \_\_\_\_\_ Style of roof \_\_\_\_\_ Roofing \_\_\_\_\_  
 Other buildings on same lot \_\_\_\_\_  
 Estimated cost \$ 15,000. Fee \$ 30.00

### General Description of New Work

Fee \$ 30.00  
pd 6/18/64

To alter single family dwelling house to make five (5) apartments as per plans ~~and to erect metal fire escape.~~

Appeal sustained 4/30/64

~~This application is preliminary to get settled the question of zoning appeal. In event the appeal is sustained the applicant will furnish complete information, the estimated cost and will pay legal fee.~~

### Permit Issued with Letter

Sent to Fire Dept. 6/19/64  
Rec'd from Fire Dept. 6/24/64

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

### Details of New Work

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

### If a Garage

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

APPROVED:

with letter by [Signature]  
Carl P. Johnson  
CHIEF OF FIRE DEPT.

### Miscellaneous

Will work require disturbing of any tree on a public street? no  
 Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? yes

New England Realty

CS 301

INSPECTION COPY

Signature of owner By: Wainwright Donald

PK

NOTES

1/18/65 - Let C.T. to  
 close in 1st floor ceilings.  
 Went over table with  
 Contractor. E. & S.  
 3-4-65 O.K. to close  
 in entire bldg. *JD*  
 ✓ 1 Finish collar enclosure  
 ✓ 2 Hand rail.  
 ✓ 3 Finish 3rd floor.  
 ✓ 3-15-64 Finishing off  
 3rd floor. *JD*  
 4-14-65 Completed *JD*

X

2006 3.12 3.22

Permit No. 417/1438

Location 44 Beving Street

Owner New England Electric

Date of permit 10/30/64

Notif. closing-in

Inspn. closing-in

Final Notif.

Final Inspn.

Cert. of Occupancy issued 4/14/65

Staking Out Notice

Form Check Notice

*Granted 4/30/64  
64/51*

DATE: April 30, 1964

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF Geraldine G. Wolf

AT 44 Deering Street

Public Hearing on the above appeal was held before the Board of Appeals.

BOARD OF APPEALS

Franklin G. Hinckley  
Ralph L. Young  
Harry M. Schwartz

VOTE

YES	NO
(x)	( )
(x)	( )
(x)	( )

Record of Hearing

Granted.

No opposition.

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

MISCELLANEOUS APPEAL

Geraldine G. Wolf  
~~No. 200-100-1000~~, owner of property at 44 Deering Street  
under the provisions of Section 24 of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board of Appeals to permit: certificate of occupancy authorizing change of use of half of duplex building from a single family dwelling to an apartment house for five families, including the erection of a metal fire escape to serve the upper stories of the building. This permit is presently not issuable under the Zoning Ordinance for the following reasons: 1) The proposed fire escape is to project to within about one foot of the side lot line, which abuts a four-foot wide right-of-way, and thus will encroach unlawfully upon the ten-foot side yard area required by Section 7-B-2 of the Ordinance for the R-6 Residence Zone in which the property is located; 2) The area of the lot on which the building is located is only about 3000 square feet instead of the 5000 square feet (1000 square feet per family) required by Section 7-B-8; 3) The one off-street parking space required by Section 14-B-1 is not to be provided because of lack of space at the side of the building for a driveway to reach open space at rear of the building.

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals finds that enforcement of the terms of the Ordinance would result in undue hardship and desirable relief may be granted without substantially departing from the intent and purpose of the Ordinance.

~~XXXXXXXXXXXX~~

By Geraldine G. Wolf  
APPELLANT

DECISION

After public hearing held April 30, 1964 the Board of Appeals finds that enforcement of the terms of the Ordinance would result in undue hardship and desirable relief may be granted without substantially departing from the intent and purpose of the Ordinance.

It is, therefore, determined that such permit may be issued.

BOARD OF APPEALS

Harry M. Abbott  
John B. Lacey  
William B. Kufstaler



April 27, 1964

Mr. Warren McDonald  
9 Kentworth Street  
Portland, Maine

Dear Mr. McDonald:

April 30, 1964,

, relating to 44 Daering Street.

April 27, 1964

Mrs. Geraldine G. Wolf  
167 Wayside Road  
Portland, Maine

Dear Mrs. Wolf:

April 30, 1964,

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

April 27, 1964

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine, on Thursday, April 30, 1964, at 4:00 p. m. to hear the appeal of Geraldine G. Wolf requesting an exception to the Zoning Ordinance to permit certificate of occupancy authorizing change of use of half of duplex building from a single family dwelling to an apartment house for five families, including the erection of a metal fire escape to serve the upper stories of the building at 44 Deering Street.

This permit is presently not issuable under the Zoning Ordinance for the following reasons: 1) The proposed fire escape is to project to within about one foot of the side lot line, which abuts a four-foot wide right-of-way, and thus will encroach unlawfully upon the ten-foot side yard area required by Section 7-B-2 of the Ordinance for the R-6 Residence Zone in which the property is located; 2) The area of the lot on which the building is located is only about 3000 square feet instead of the 5000 square feet (1000 square feet per family) required by Section 7-B-8; 3) The one off-street parking space required by Section 14-B-1 is not to be provided because of lack of space at the side of the building for a driveway to reach open space at rear of the building.

All persons interested either for or against this appeal will be heard at the above time and place.

BOARD OF APPEALS

Franklin G. Hinckley

Chairman

cc: Michael J. McDonough, 57 Sherman Street  
Myron Finkelman, 19 Spruce Street

ALBERT J. SEARS  
INSPECTOR OF BUILDINGS

CITY OF PORTLAND, MAINE  
Department of Building Inspection

A.P. - 24 Deering Street

April 15, 1964

New England Realty  
Room 202  
10 Congress Square

cc to: Warren McDonald  
9 Kenilworth Street  
cc to: Corporation Counsel

Gentlemen:

Building permit and certificate of occupancy authorizing change of use of that half of duplex building at the above named location from a single family dwelling to an apartment house for five families, including the erection of a metal fire escape to serve the upper stories of the building, are not issuable under the Zoning Ordinance for the following reasons:

1. The proposed fire escape is to project to within about one foot of the side lot line, which abuts a four-foot wide right-of-way, and thus will encroach unlawfully upon the ten-foot side yard area required by Section 7-B-2 of the Ordinance for the R-5 Residence Zone in which the property is located.
2. The area of the lot on which the building is located is only about 3000 square feet instead of the 5000 square feet (1000 square feet per family) required by Section 7-B-8.
3. The one off-street parking space required by Section 14-D-1 is not to be provided because of lack of space at the side of the building for a driveway to reach open space at rear of the building.

We understand that you would like to exercise your appeal rights in this matter. Accordingly we are certifying the case to the Corporation Counsel, to whose office in Room 208, City Hall, an authorized representative should go to file the appeal. It should be understood that even though the zoning appeal is sustained, it will still be necessary to meet requirements of the Building Code applying to the new use. Since no information has as yet been furnished in this regard, we are not able to tell at this time what questions may arise in this connection.

Very truly yours,

Albert J. Sears  
Building Inspection Director

AJS:m





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

Date Aug 18, 19 89  
 Receipt and Permit number 00625

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: 44 Deering St.  
 OWNER'S NAME: Bruce Bornstein ADDRESS: \_\_\_\_\_

	FEES
OUTLETS: Receptacles _____ Switches _____ Plugmold _____ ft. TOTAL _____	
FIXTURES: (number of) Incandescent _____ Fluorescent _____ (not strip) TOTAL _____	
Strip Fluorescent _____ ft. _____	
SERVICES: Upgrade service from 60 to 100 _____	
Overhead <input checked="" type="checkbox"/> Underground _____ Temporary _____ TOTAL amperes <u>100</u>	3.00
METERS: (number of) <u>6</u> _____	3.00
MOTORS: (number of) Fractional _____	
1 HP or over _____	
RESIDENTIAL HEATING: Oil or Gas (number of units) _____	
Electric (number of rooms) _____	
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 _____	
Cook Tops _____	
Wall Ovens _____	
Dryers _____	
Fans _____	
TOTAL _____	
MISCELLANEOUS: (number of) Branch Panels _____	
Transformers _____	
Air Conditioners Central Unit _____	
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 _____	
FOR ADDITIONAL WORK NOT ON ORIGINAL PERMIT _____ INSTALLATION FEE DUE: _____	
FOR REMOVAL OF A "STOP ORDER" (304-16.b) _____ DOUBLE FEE DUE: _____	
TOTAL AMOUNT DUE: _____	6.00

INSPECTION: Will be ready on \_\_\_\_\_, 19\_\_\_\_; or Will Call

CONTRACTOR'S NAME: Leon Bornstein/AEC Electric

ADDRESS: 56 Clinton St., Portland

TEL: 775-0903

MASTER LICENSE NO.: 00328

LIMITED LICENSE NO.: \_\_\_\_\_ SIGNATURE OF CONTRACTOR: [Signature]

INSPECTOR'S COPY — WHITE  
 OFFICE COPY — CANARY  
 CONTRACTOR'S COPY — GREEN

