

- 65-67 CARLYLE ROAD

PERMIT TO INSTALL PLUMBING

PERMIT NUMBER **1742**

Date
Issued **10-12-78**
Portland Plumbing Inspector
By **ERNOLD R GOODWIN**

App. First Insp.

Note

By

App. Final Insp.

Date _____

By:

Type of Bldg.

- ☐ Commercial
☒ Residential
☐ Single
☐ Multi Family
☐ New Construction
☐ Remodeling

Plumber	Home owner	Date:	10-12-78
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NEW	REPL	NO.	DATE
	SINKS		

	SINKS		
	LAVATORIES		

	TOILETS		
--	---------	--	--

774	BATH TUBS		
	SHOWERS		

	SHOWERS		
	DRAINS	FLOOR	SURFACE

	DRINKING FOUNTAINS		
	HOT WATER TANKS		

	TANKLESS WATER HEATERS	
--	------------------------	--

	GARBAGE DISPOSALS	
	SEPTIC TANKS	

	SEPTIC TANKS		
***	HOUSE SEWERS	1	2.00

XX	ROOF LEADERS		
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		AUTOMATIC WASHERS		
		DISHWASHERS		

	DISHWASHERS	base fee	3.00
	OTHER		

	OTHER			

	TOTAL	\$ 0.00
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	TOTAL	5.00
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and Inspection Services Dept.: Plumbing Inspection

Building and Inspection Services Dept.: Plumbing Inspection



FILL IN AND SIGN WITH INK

000732

PERMIT ISSUED

AUG 28 1979

CITY of PORTLAND

APPLICATION FOR PERMIT FOR
HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine, 8-27-79

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to install the following heating, cooking or power equipment in accordance with the Laws of Maine, the Building Code of the City of Portland, and the following specifications:

Location 65 Carlyle Rd. Use of Building single fam. No. Stories 1 New Building ☒ Existing ☐
Name and address of owner of appliance Maurice Colton, Jr. - 70 Wellington Rd. 04103
Installer's name and address same owner Telephone (may permit to above)

General Description of Work

To install Forced Hot Water system

IF HEATER, OR POWER BOILER

Location of appliance basement Any burnable material in floor surface or beneath? no
If so, how protected? Kind of fuel? oil
Minimum distance to burnable material, from top of appliance or casing top of furnace 3' all around
From top of smoke pipe From front of appliance From sides or back of appliance
Size of chimney flue 8x8 Other connections to same flue no
If gas fired, how vented? Rated maximum demand per hour
Will sufficient fresh air be supplied to the appliance to insure proper and safe combustion? yes

IF OIL BURNER

Name and type of burner Carlin Labelled by underwriters' laboratories? yes
Will operator be always in attendance? no Does oil supply line feed from top or bottom of tank? bottom
Type of floor beneath burner concrete Size of vent pipe 1 1/2"
Location of oil storage basement Number and capacity of tanks 1-275
Low water shut off? yes Make MacDonald/Miller No.
Will all tanks be more than five feet from any flame? yes How many tanks enclosed? none
Total capacity of any existing storage tanks for furnace burners 1-275

IF COOKING APPLIANCE

Location of appliance Any burnable material in floor surface or beneath?
If so, how protected? Height of Legs, if any
Skirting at bottom of appliance? Distance to combustible material from top of appliance?
From front of appliance From sides and back From top of smoke pipe
Size of chimney flue Other connections to same flue
Is hood to be provided? If so, how vented? Forced or gravity?
If gas fired, how vented? Rated maximum demand per hour

MISCELLANEOUS EQUIPMENT OR SPECIAL INFORMATION

Amount of fee enclosed? 15.00

APPROVED:

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

CS 300

INSPECTION COPY

Signature of Installer

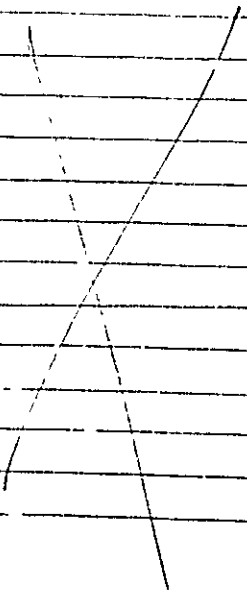
Maurice Colton, Jr.

NOTES

Completed

Permit No. 79/733
 Location 655 Lehigh Ave. 2nd
 Owner Maurice Collins Jr.
 Date of permit 8-27-79
 Approved 8-28-79

1. 1 1/2" FULL PIPE
2. 1 1/4" VENT PIPE
3. 1" VENT PIPE
4. 1" VENT PIPE & Support
5. 1" VENT PIPE
6. 1" VENT PIPE
7. 1" VENT PIPE
8. 1" VENT PIPE
9. 1" VENT PIPE
10. 1" VENT PIPE
11. 1" VENT PIPE
12. Vent pipe & protection
13. Vent pipe & support
14. Vent pipe & support
15. OR
16. Vent pipe & support
17. Vent pipe & support
18. Vent pipe & support
19. Vent pipe & support
20. Vent pipe & support



CERTIFICATE OF APPROVAL

FOR INTERNAL PLUMBING FOR THE TOWN/CITY OF Portland

TOWN/CITY CODE 05170 LPI NUMBER 23 DATE ISSUED 112278
 Month Day Year

No 24004 ic

Certificate of App Number

Installer's Name LEE Last Name M F.I.M.I.

1. Owner
 2. Licensed Master Plumber
 3. Licensed Oil Burnerman
 4. Employees of Public Utilities
 5. Manufactured Housing Dealer
 6. Manufactured Housing Mechanic

Owner Maurice L. LEE
 Address 70 1/2 Castle Road 65 CASTLE ROAD Maine
 Location where plumbing was done and inspected.

THE INTERNAL PLUMBING INSTALLED PURSUANT TO THE ABOVE CERTIFICATE OF APPROVAL NUMBER HAS BEEN TESTED IN MY PRESENCE, FOUND TO BE FREE FROM LEAKS, AND WAS INSTALLED IN COMPLIANCE WITH THE MUNICIPAL AND STATE PLUMBING REGULATIONS.

Emile J. Gosselin

STATE OFFICE USE ONLY

Control Number

Signature of LPI

Date Inspected MAY 23 1979

ORIGINAL—To be sent to: Department of Human Services, Division of Health Engineering, Augusta, Maine 04333

INTERNAL PLUMBING PERMIT FOR THE TOWN/CITY OF Portland

Town/City Code 05170 LPI Number 23 Date Issued 112278 License Number 578
 Month Day Year

No 24004 ip

PERMIT NUMBER

Address of Where Plumbing Is Done 64 CARLYLE ROAD St./Lot Number Street, Road Name/Subdivision St., Rd., Av., Lot

- Issue 1. Owner
 2. Licensed Master Plumber
 3. Licensed Oil Burnerman
 4. Employees of Public Utilities
 5. Manufactured Housing Dealer
 6. Manufactured Housing Mechanic

Name of Owner COLLIER Last Name N F.I.M.I. Mailing Address 70 1/2 Castle Road Zip Code

Type of Construction	1. New 2. Remodeling	3. Addition 4. Remodeling & Addition	5. Replacement of Hot Water Heater 6. Hook-up of Mobile Home	7. Hook-up of Modular Home 8. Other (Specify)
Plumbing To Serve	1. Single (Res) 2. Multi-Fam (Res)	3. Mobile Home 4. Modular Home	5. Commercial 6. School	7. Other (Specify)
Number of Fixtures or Hook-Ups	Sinks <u>1</u> Toilets <u>1</u> Bathrooms <u>1</u> Lavatories <u>1</u> Clothes Washers <u>1</u> Dish Washers <u>1</u> Hot Water Heaters <u>1</u> Floor Drains <u>1</u> Hook-Ups <u>1</u>	DEC 18 1978 MAR 8 1979 MAR 12 1979 MAR 30 1979 APR 9 1979		

This "Internal Plumbing Permit" is invalid if work is not commenced within six(6) months from date of issuance. Upon completion of work a "Certificate of Approval" must be obtained from the LPI.

SCHEDULE OF "FEES"

(See section 1.12 of the Part I Code)

1-10 Fixtures \$2.00 each
 11-20 Fixtures \$1.00 each
 21 Fixtures on up \$.50 each
 Hook-Ups \$2.00 each

NOTE: Hotwater Heater (Tank or Tankless) is a Fixture!

Administrative Fee 1.00
 Total Fee 1.00
 If Double Fee Check ☐ Box ☐

STATE OFFICE USE ONLY

Control Number

Administrative Code

Signature of LPI

HME-211 Rev. 7/78



APPLICATION FOR PERMIT
DEPARTMENT OF BUILDING INSPECTIONS SERVICES
ELECTRICAL INSTALLATIONS

Date Jan. 19, 19 79
Receipt and Permit number A 23209

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: 65 Carlyle Road

OWNER'S NAME: Morris Colton ADDRESS: same 70 Wellington?
774-3766 FEES

OUTLETS:

Receptacles _____ Switches _____ Plugmold _____ ft. TOTAL _____

FIXTURES. (number of)

Incandescent _____ Fluorescent _____ (not strip) TOTAL _____

Strip Fluorescent _____ ft. _____

SERVICES:

Overhead xx Underground _____ Temporary _____ TOTAL amperes 200 .. 3.00

METERS: (number of) 1 .. .50

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 _____ Water Heaters _____

Cook Tops _____ Disposals _____

Wall Ovens _____ Dishwashers _____

Dryers _____ Compactors _____

Fans _____ Others (denote) _____

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 _____

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: 3.50

INSPECTION:

Will be ready on _____, 19 ____; or Will Call xx

CONTRACTOR'S NAME: William J. Shaw

ADDRESS: Churchill Rd. Buxton, Me.

TEL.: no phone

MASTER LICENSE NO.: 2149 SIGNATURE OF CONTRACTOR: William J. Shaw Jr.

LIMITED LICENSE NO.: _____

INSPECTOR'S COPY — WHITE

OFFICE COPY — CANARY

CONTRACTOR'S COPY — GREEN

Permit Number 0000000000

Location 2000 1st St

Owner 1601 2000

Date of Permit 7/1/76

Final Inspection 01/10/11

By Inspector Swartz

Permit Application Register Page No 17

INSPECTIONS: Service by
Service called in
Closing-in by

PROGRESS INSPECTIONS: 2-12-19 / _____ / _____

PG 1

CODE
COMPLIANCE
COMPLETED
DATE 2-26-79

DATE:

REMARKS:

2-12-79 Service not done
where is permit for outlets etc?
OK

Di.

[illegible]



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION

65 Carlyle Road

Issued to **Maurice Colton Jr.**

Date of Issue **July 18, 1979**

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. 78/869, 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.

PORTRION OF BUILDING OR PREMISES

APPROVED OCCUPANCY

Entire

Single Family

Limiting Conditions:

This certificate supersedes
certificate issued

Approved:

7/18/79
(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.

65-67 Carlyle Road

September 29, 1978

Maurice Colton, Jr.
70 Wellington Road
Portland, Maine

cc: Lawrence Merrifield, Sr.
MPD #2
Corham, Maine

Dear Mr. Colton:

Following is the decision of the Board of Appeals regarding your petition to permit construction of a 24x32 dwelling, at the above named location. Please note that your appeal was granted with the conditions listed below:

1. Right side of the house shall be no closer than 12 feet to the lot line.
2. Left side of the house shall be no closer than 6 feet to the lot line.
3. Abutting lines be buffered at a height of not more than 3 1/2 feet within 20 feet of the front property line.
4. Right side line shall be 5 feet from property line to garage.

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

Very truly yours,

Malcolm G. Ward
Building Inspection Supervisor

MGW/r



APPLICATION FOR PERMIT

PERMIT ISSUED

B.O.C.A. USE GROUP 000864
B.O.C.A. TYPE OF CONSTRUCTION

OCT 11 1978

ZONING LOCATION B-5 PORTLAND, MAINE, Aug. 14, 1978

CITY OF PORTLAND

To the DIRECTOR 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 .65... Carlyle Road..... Fire District #1 ☐ #2 ☐

1. Owner's name and address Maurice Colton Jr., -70 Wellington Rd., Telephone 774-3766.

2. Lessee's name and address Telephone

3. Contractor's name and address Lawrence Merrifield Sr., RFD # 2, Gorham Telephone 892-9023.

4. Architect Specifications Plans No. of sheets

Proposed use of building dwelling..... No. families

Last use No. families

Material No. stories Heat Style of roof Roofing

Other buildings on same lot 120.00

Estimated contractual cost \$ 30,000..... Fee \$ 5.00.....

FIELD INSPECTOR—Mr. GENERAL DESCRIPTION appeal fee pd 8-14-78

This application is for: @ 775-5451

Dwelling Ext. 234

Garage To construct single family dwelling

Masonry Bldg. 24 x 32, with free standing garage

Metal Bldg. 14 x 22, 1 car garage

Alterations Stamp of Special Conditions

Demolitions This application is preliminary to get settled the question of zoning appeal. In the event the

Change of Use appeal is sustained the applicant will furnish complete information, calculate cost and pay

Other Register.

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

PERMIT IS TO BE ISSUED TO 1 ☐ 2 ☐ 3 ☐ 4 ☐

Other:

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? ... yes If not, what is proposed for sewage?
Has septic tank notice been sent? Form notice sent?
Height: average grade to top of plate ... 7 ft. 8 in. Height average grade to highest point of roof ... 17 ft.
Size, front ... 32 ... depth ... 24 ... No. stories ... 1 1/2 ... solid or filled land? ... solid ... earth or rock? ... earth ...
Material of foundation ... concrete Thickness, top ... 10 in. 10 in.
Kind of roof ... pitch Rise per foot ... 2/12 ... Roof covering ... 235 lb. asphalt shingles ...
No. of chimneys ... 1 Material of chimney ... brick of lining ... flue ... Kind of heat ... oil ... fuel ...
Framing Lumber—Kind ... spruce Dressed or full size? Corner posts ... 4 x 6 ... Sills ... 2 x 6 ...
Size Girder ... 6 x 12 ... Columns under girders ... 1 x 11 ... Size ... 3 1/2 ... Max. on centers ... 8 ft.
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 ... 2 x 10 ... 2nd ... 3rd ... roof ... 2 x 6 ...
On centers: 1st floor ... 16 ... 2nd ... 3rd ... roof ... 16 ...
Maximum span: 1st floor ... 24 ft. ... 2nd ... 3rd ... roof ... 24 ft. ...
If one story building with masonry walls, thickness of walls? height?

IF A GARAGE

No. cars now accommodated on same lot, to be accommodated 1. number commercial cars to be accommodated ...
Will automobile repairing be done other than minor repairs 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: B-5 10/11/78

BUILDING CODE: 0.16.88

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.:

Dept.:

City:

Signature of Applicant

Maurice Colton Jr.

Phone # ... 8226

Type Name of above ... Maurice Colton Jr.

1 ☒ 2 ☐ 3 ☐ 4 ☐

Other ..
and Address

FIELD INSPECTOR'S COPY

NOTES

Oct 16/78

Location appears OK,
excavation completed, OK,
to place foundation.

Oct 31/78 Foundation
placed:

Nov 14/78 Garage completed;
Starting to place the deck
over the foundation.

Nov 20/78 Not working today!

Nov 21/78 Same

Dec 15 House is all framed & the
sheathing completed:

Dec 18/78 Erecting partitions on the
interior:

Feb 15/79 Working from time to time,
going slow - Drywalling almost complete

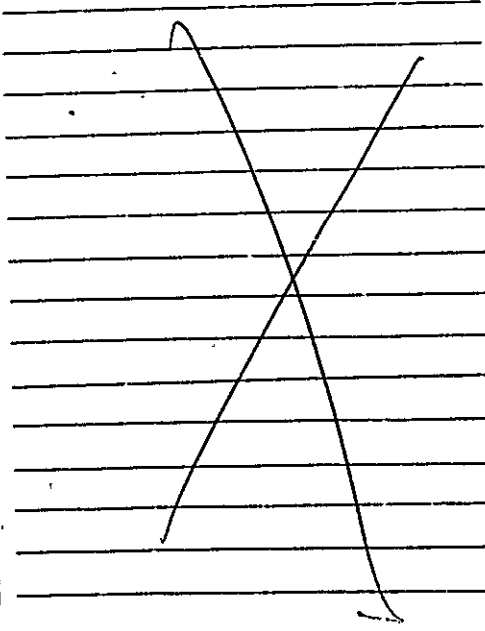
April 79 Nothing - not work going on,
interior incomplete.

May 22/79 about the same.

June 20/79 Still working on the interior
of house.

July 17/79 Final: OK to issue the
Certificate.

Permit No. 78/0869
Location 6.5 Carby Road
Owner Maurice Lott
Date of permit 8-14-78
Approved 10-11-78



CITY OF PORTLAND, MAINE
BOARD OF APPEALS

SPACE AND BULK VARIANCE APPEAL

I. Findings of Fact

- A. Applicant Maurice Colton, Jr.
- B. Property Location 65-67 Carlyle Road
- C. Applicant's Interest in Property:
- (X) Owner
() Tenant
() Other _____
- D. Property Owner same
- E. Owner's Address 70 Wellington Road
- 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
- G. Site Plan Approval required _____
- H. Present Use of Property _____
- I. Section(s) to Which Variance Related 602.6.B.7 & 602.6.B.9
- J. Reasons Why Permit Cannot be Issued Area of lot is only 5,101
sq. ft. instead of 6,000 & width of lot is only 50 ft. instead
of 60 ft.
- K. Requested Variance Would Permit Construction of a 24'x32'
dwelling not issuable under the Zoning Ordinance for reasons
stated above in R-5 Residential Zone in which property is
located.
- L. Notice Sent to _____ Adjacent Property Owners

Advocating Variance

Mr. Donna Childs
(Lawyer)

B. Those Opposing Variance

Mr. Freeman
61 Circle Road

(Attachments, As Necessary)

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

Sanborn Map - Photo - Plot Plan.

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 Flaherty - Murphy - O'Malley Estates

() No/Disagreement with statement Snow - Cohen, Seltzer

Reasons _____

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

(X) 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

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

☒ Yes/Agreement with statement

☐ No/Disagreement with statement

Reasons _____

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 Sept 28, 1978 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) _____

See Attached Sheet

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

Signatures of Board

James O. Malley Chairman
Giair D. Saxe
Dr. Carl E. Kelson
Timothy E. Heford
Thomas J. Murphy

Jaqueline Cohen

Conditions



Left side

12 - no closer than 12' to line

Left side

6' no closer than 6'

Abutting houses be buffered height of roof
3 1/2' within 20' of street ~~from~~ the front property line

Garage right side line 5' from
property line

4-2
Eskilson - Seltzer Opposed to Conditions

5 in Favor O'Malley - Flaherty Murphy
2 opposed Eskilson - Seltzer

APPEAL AGENDA

The Board of Appeals will hold a public hearing in Room 209, City Hall, Portland, Maine on Thursday, September 14, 1978 at 3:30 p.m. to hear the following appeals:

1. Appeals - none
2. Variances
 - A. Space & Bulk Variances
 - 150-152 Harris Avenue - Arthur H. Smith - Building Permit and Certificate of Occupancy to construct a 24x36 dwelling not issuable under the Zoning Ordinance because: 1. The right side yard will be about 10 ft. rather than 14 ft. minimum required by Sec. 602.4.B.2. 2. Area of the lot is only about 6,000 sq. ft. rather than 6,500 sq. ft. minimum required by Sec. 602.4.B.7. 3. Width of the lot is only about 60 ft. rather than 65 ft. minimum required by Sec. 602.4.B.9 of the Ordinance applying to the R-3 Residential Zone in which this property is located.
 - 65-67 Carlyle Road - Maurice Colton, Jr. - Building Permit and Certificate of Occupancy to construct a 24x32 dwelling not issuable under the Zoning Ordinance because: 1. Area of lot is only about 5,101 sq. ft. instead of the 6,000 sq. ft. minimum required by Sec. 602.6.B.7. 2. Width of lot is only about 50 ft. instead of 60 ft. minimum required by Sec. 602.6.B.9 of the Ordinance applying to the R-5 Residential Zone in which property is located.
 - 170-174 Virginia Street - Carmine Ciccone - Building Permit to construct a 20x22 ft. detached garage not issuable under the Zoning Ordinance for the following reasons: 1. Distance between proposed garage, and the dwelling will be 4 ft. rather than 5 ft. minimum required by Sec. 602.4.B.2. 2. Front yard set back will be about 8 ft. rather than 25 ft. minimum required by Sec. 602.4.B.4 of the Ordinance applying to the R-3 Residential Zone in which property is located.
 - B. Dwelling Unit Conversions - none
 - C. Use Variances - none
3. Conditional Uses - none
4. Nonconforming Uses
 - 1279-1287 Congress Street Corner 1-5 Edward Street - Louis Grassi - Building Permit to construct a 16x16 ft. addition on the right rear of the existing building not issuable under the Zoning Ordinance in the R-5 Residential Zone for the following reasons: Section 602.6.B.1 requires a 20 ft. rear yard rather than 17 ft. as shown. 2. Addition would constitute an increase in the existing Nonconforming Use (variety store) unless authorized by the Board of Appeals under the provisions of Sec. 602.17.B.
5. Unfinished Business - none

65-67 Carlyle Road

August 16, 1978

Maurice Colton, Jr.
70 Wellington Road
Portland, Maine

cc: Lawrence Merrifield, Sr.
RFD #2
Gorham, Maine

Building Permit and Certificate of Occupancy to construct a 24' x 32' dwelling, at the above named location, are not issuable under the Zoning Ordinance for the following reasons:

1. The area of the lot is only about 5,701 sq. ft. instead of the 6,000 sq. ft. minimum required by Section 602.6.B.7.
2. The width of the lot is only about 50 ft. instead of the 60 ft. minimum required by Section 602.6.B.9 of the Ordinance applying to the R-5 Residential Zone in which this property is located.

We understand that you would like to exercise your appeal right in this matter. Accordingly, you or your authorized representative should come to this office, Room 113, City Hall, to file appeal on forms which are available here. A fee of \$5.00 for Space and 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 602.24.C.3.b.1.

Very truly yours,

Malcolm G. Ward
Building Inspection Supervisor

MGN/x

Malcolm Ward



CITY OF PORTLAND

WILLIAM J. O'BRIEN, JR.
CORPORATION COUNSEL

September 19, 1978

Mr. Maurice Colton, Jr.
70 Wellington Road
Portland, Maine

Re: Premise at 65-67 Carlyle Road
Space and Bulk Variance Appeal

Dear Mr. Colton:

At the last meeting of the Board of Appeals, it voted to grant your request for a variance at the above-described premises. Immediately following the meeting, the Board asked the office of the Corporation Counsel to review its procedures and specifically, to advise it whether it had correctly applied the provisions of §602.24(C)(3)(a).

Upon review of the applicable material it appears that the Board inadvertently failed to apply the provisions of the section in question properly. Accordingly, its decision is of no effect and the Building Inspector may not issue you a building permit.

The Board has scheduled your request for a variance for rehearing. The rehearing has been scheduled for Thursday, September 28, 1978. You will receive Notice of the time and place of the new hearing.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Chas. A. Lane".

Charles A. Lane
Assistant Corporation Counsel

CAL/sig
cc: Jacqueline Cohen, C.
Board of Appeals
Malcolm Ward ✓

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

SPACE AND BULK VARIANCE APPEAL

I. Findings of Fact

A. Applicant Maurice Colton, Jr.

B. Property Location 65-67 Carlyle Road

C. Applicant's Interest in Property:

- (x) Owner
() Tenant
() Other

D. Property Owner same

E. Owner's Address 70 Wellington Road

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

G. Site Plan Approval required

H. Present Use of Property

I. Section(s) to Which Variance Related 602.6.B.7 & 602.6.B.9

J. Reasons Why Permit Cannot be Issued Area of lot is only 5,101
sq. ft. instead of 6,000 & width of lot is only 50 ft. instead of 60 ft.

K. Requested Variance Would Permit construction of a 24'x32'
dwelling not issuable under the Zoning Ordinance for reasons
stated above in R-5 Residential Zone in which property is
located.

L. Notice Sent to _____ Adjacent Property Owners

Appearances

A. Those Advocating Variance

Mr. Maurice Chilton
Wellington Road

B. Those Opposing Variance

Mr. Freeman
Carbyle Road

(Attachments, As Necessary)

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

Photo - Sanborn Map - City Map Plat Plan
Mr. Freeman - Photo (1) (1) (1)

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

(X) No/Disagreement with statement

Reasons _____

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 Total number on street
J. Cohen in occupation

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 Yes - Esbensen, T. Murphy - O'Malley
Mo - Cohen - Flaherty, Seltzer

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 Yes - Esbensen - Murphy O'Malley - Seltzer - Flaherty
Cohen

V. Specific Relief Granted

After a public hearing held on Sept 14, 1948, 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) None See attached sheet

Disapproval - All conditions required by Ser. 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

Jacqueline Cohen	Opposed
James O'Malley	Chairman
James J. Staley	In Favor
Thomas J. Murphy	In Favor
W. Carl E. Kilian	In Favor
Mary V. [illegible]	In Favor
	Opposed

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

All persons interested either for or against this Space and Bulk Variance appeal will be heard at a public hearing in Room 209, City Hall, Portland, Maine on Thursday, September 28, 1978 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 subject property as required by Ordinance.

Maurice Colton, Jr., owner of property at 65-67 Carlyle Road, under the provisions of Section 602.24 C of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board of Appeals to permit construction of a 24' x 32' dwelling, at the above named location, not issuable under the Zoning Ordinance for the following reasons:

1. The area of the lot is only about 5,101 sq. ft. instead of the 6,000 sq. ft. minimum required by Section 602.6.B.7.
2. The width of the lot is only about 50 ft. instead of the 60 ft. minimum required by Section 602.6.B.9 of the Ordinance applying to the R-5 Residential Zone in which this property is located.

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals finds that the conditions imposed by Section 602.24 C (3)(b)(1) of the Zoning Ordinance have been met.

James F. O'Malley
Secretary

Norman E. & Donna B. Libby - 69 Carlyle Rd.
Bernard & Eunice Freedman - 61 Carlyle Rd.
Louis D. Valle - 64 Wellington Rd. 04103
Byard W. & Rowena M. Metcalf - 74 Wellington Rd.
Irving N. & Mary S. Dodd - 72 Carlyle Rd. 04103
Jessie E. Thompson - 66 Carlyle Rd. 04103
Willi H. & Maria K. Topp - 60 Carlyle Rd.

924
8-14-78

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

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

Maurice Colton, Jr., owner of property at 65-67 Carlyle Road

under the provisions of Section 602.24 C of the Zoning Ordinance of the City of

Portland, hereby respectfully petitions the Board of Appeals to permit: construction of a 24'x32' dwelling not issuable under the Zoning Ordinance because:
1. The area of the lot is only about 5,101 sq. ft. instead of 6,000 sq. ft. required by Sec. 602.6.B.7. 2. The width of the lot is only about 50 ft. instead of 60 ft. minimum required by Sec. 602.6.B.9 of the Ordinance applying to the R-5 Residential Zone in which property is located.

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals finds that the conditions imposed by Section 602.24 C(3)(b)(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.

Maurice Colton, Jr.
APPELLANT

602.24 C(3)(b)(1) 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, shallowness, 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.

f. and)