

415 Pd.
11-17-76

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

APPLICATION FOR A CONDITIONAL USE APPEAL

George H. Larracey, owner of property at 200-206 Auburn st.

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

Portland, hereby respectfully petitions the Board of Appeals to permit:

Building permit and Certificate of Occupancy for changing the use of this building from a single family dwelling with barber shop to a two family dwelling with a barber shop which is not issuable under the Zoning Ordinance because the property is located in the R-3, Residential Zone where the proposed use is not allowable, unless authorized by the Board of Appeals under provisions of Sec. 602.4.A.5.c 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 602.24 D (3) 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.

George H. Larracey Jr.
APPELLANT

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

CONDITIONAL USE APPEAL

Findings of Fact

The applicant is George H. Larracey and he is interested in 2-family dwelling
the property located at 200-206 Auburn St. as with barber shop

The owner of the property is George H. Larracey and his address is
204 Auburn St.. The property is located in a R-3 Zone.

The present use of the property is single family dwelling with barber shop.

The applicant respectfully petitions the Board of Appeals for a conditional
use permit to permit 2 family dwelling with barber shop

Further Findings of Fact

Appearances

The names and addresses of those appearing in support of the application
are: George Larracey

David ~~Mac~~ McClurin - Peterson Realty

and the names and addresses of those appearing in opposition to the application are:

Exhibits

The documentary evidence presented to the Board, including, but not by
of limitation, plans, specification, photographs, etc. consisted of the following:

photo

REASONS FOR DECISIONS

The proposed building or use (~~will~~/~~will not~~) be in harmony with the general purpose, goals, objectives and standards of the Land Development Plan, the Zoning Ordinance and the Site Plan Ordinance, as evidenced by: _____

barber shop is grandfathered

The proposed building or use (~~will~~/~~will not~~) have a substantial adverse effect, including monetary, upon adjacent property, the character of the neighborhood, the traffic conditions, utility facilities and other matters affecting the public health, safety and general welfare, because of the following: _____

The proposed building or use (~~will~~/~~will not~~) be constructed, arranged and operated so as to interfere with the development and use of neighboring property in accordance with the applicable zoning regulations as demonstrated by: _____

The proposed building or use (~~will~~/~~will not~~) be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools, as evidenced by: _____

and the persons or agencies responsible for the establishment of the proposed use (~~will~~/~~will not~~) provide adequately for such services as shown by: _____

The proposed building or use (~~will~~/will not) result in the destruction, loss or damage of any natural, scenic or historic feature of major importance, because of the following: _____

The proposed building or use (will/~~will not~~) comply with all standards imposed on it by the regulations applicable to the zone in which the use will be located and any additional standards relating to the specific conditional use as demonstrated by the following: _____

The proposed building or use at the particular location requested (is/is not) necessary or desirable to provide a service or a facility which is in the interest of the public convenience or which (will/will not) contribute to the general welfare of the neighborhood or community, as demonstrated by: _____

not applicable

The public goals described above (can/can not) be met by the location of the proposed building or use at some site or in some area which may be more appropriate than the proposed site, because of the following: _____

n.a.

All steps possible (have/have-not) been taken to minimize any adverse effects of the proposed buildings or use on the immediate vicinity through building design, site design, landscaping and screening as evidenced by: _____

no exterior change except front steps

SPECIFIC RELIEF GRANTED

After a public hearing on Dec. 1, 1976, the Board of Appeals find that all of the conditions required by the Ordinance (do/do not) exist with respect to this property and that a conditional use should _____ be granted in this case.

It is therefore determined that a conditional use _____ be granted
in this case by:

W. Carl Eckman

Jacqueline Cohen

Ernie D. Snow

Thomas Murphy

76



APPLICATION FOR PERMIT
DEPARTMENT OF BUILDING INSPECTIONS SERVICES
ELECTRICAL INSTALLATIONS

Date Dec. 17, 19 76
Receipt and Permit number A 2042

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: 204 Auburn St.
OWNER'S NAME: George Larracey

ADDRESS: same

OUTLETS: (number of)
Lights 1-30
Receptacles _____
Switches _____
Plugmold _____ (number of feet)
TOTAL _____

FIXTURES: (number of)
Incandescent _____
Fluorescent _____ (Do not include strip fluorescent)
TOTAL _____
Strip Fluorescent, in feet _____

FEES
3.00

SERVICES:
Permanent, total amperes _____
Temporary _____

METFRS: (number of) _____

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 (total number of kws) _____

APPLIANCES: (number of)
Ranges _____
Cook Tops _____
Wall Ovens _____
Dryers _____
Fans _____
Water Heaters _____
Disposals _____
Dishwashers _____
Compactors _____
Others (denote) _____
TOTAL _____

1.50

MISCELLANEOUS: (number of)
Branch Panels _____
Transformers _____
Air Conditioners _____
Signs _____
Fire/Burglar Alarms _____
Circus, Fairs, etc. _____
Alterations to wires _____
Repairs after fire _____
Heavy Duty, 220v outlets _____
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:
FOR PERFORMING WORK WITHOUT A PERMIT (304-9)
TOTAL AMOUNT DUE: 4.50

INSPECTION:
Will be ready on _____, 19____; or Will Call
CONTRACTOR'S NAME: Wayne Willette
ADDRESS: 159 Lantern Lane So. Windham, Me.
TEL.: 892-8984
MASTER LICENSE NO.: 3369
LIMITED LICENSE NO.: _____

SIGNATURE OF CONTRACTOR:
Wayne Willette
INSPECTOR'S COPY Hope Larracey

October 4, 1976

204 Auburn Street

Peterson Realty, Inc.
Att: David W. McElwain
400 Western Avenue
So. Portland, Me. 04106

Dear Mr. McElwain:

In reply to your letter of October 4th, 1976 in which you ask, can the purchaser of the property at the above named location continue as a home occupation the existing barber shop that is now in operation?

Mr. Wilfred E. Henderson's appeal to install a barber shop as a home occupation in an addition on the side of his dwelling was sustained on March 13, 1972 under Section 602.24.E7 of the Zoning Ordinance which was then in effect. If this use has been continuous since that date, then this business may continue at this location.

I would call to your attention Section 602.17F of the Zoning Ordinance which states, if a non-conforming use (which we now classify as home occupation) of a building is discontinued for a period of twelve months, such discontinuance shall constitute an abandonment of the use and the building and shall not hereafter be occupied or used except in conformity with the provisions of this ordinance.

Very truly yours,

A. Allan Soule
Asst. Dir. Building & Inspection Services

AAS:m

10/4/76

Peterson Realty, Inc.
400 Western Avenue
South Portland Me.
04106

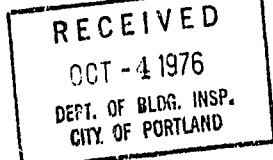
Mr. A. Allan Soule
Assistant Director
Building and Inspection Services
City Hall
Portland, Maine 04111

Pl: 207 Auburn Street
Portland, Maine

Dear Mr. Soule;

I am requesting information for Mr. + Mrs. Wilfred
E. Henderson of said address. They conduct a 'home
occupation' barber shop there, and are in the process
of selling the property.

The question is, can the purchaser of said property
continue to conduct the same barber shop operation
there?



Regards
David W. McEwain
Partner Associate
Peterson Realty, Inc.

CITY OF PORTLAND, MAINE
Application for Permit to Install Wires

Permit No. 55244
 Issued 8-23-71
 Portland, Maine Aug. 23, 1971

To the City Electrician, Portland, Maine:

The undersigned hereby applies for a permit to install wires for the purpose of conducting electric current, in accordance with the laws of Maine, the Electrical Ordinance of the City of Portland, and the following specifications:

(This form must be completely filled out — Minimum Fee, \$1.00)

Owner's Name and Address Henderson 204 Auburn St. Tel.

Contractor's Name and Address Marino's Elect. 68 Taft Ave. Tel. 774-3129

Location Same Use of Building

Number of Families Apartments Stores Number of Stories

Description of Wiring: New Work Additions Alterations

Pipe Cable Metal Molding BX Cable Plug Molding (No. of feet)

No. Light Outlets Plugs Light Circuits Plug Circuits

FIXTURES: No. Light Switches Fluor Lighting (No. feet)

SERVICE: Pipe Underground Wires 3 Size 1/2" x 1/5"

METERS: Relocated Added Total No. Meters

MOTORS: Number Phase H. P. Amps Volts Starter

HEATING UNITS: Domestic (Oil) No. Motors Phase H.P.

Commercial (Oil) No. Motors Phase H.P.

Electric Heat (No. of Rooms)

APPLIANCES: No. Ranges Watts Brand Feeds (Size and No.)

Elec. Heaters X Watts

Refrigerator Miscellaneous X Watts Extra Cabinets or Panels

Transformers Air Conditioners (No. Units) Signs (No. Units)

Will commence 8/23 19 71 Ready to cover in 19 .. Inspection Will Call

Amount of Fee \$ 5.00 Signed A.J. Marino

DO NOT WRITE BELOW THIS LINE

SERVICE METER GROUND

VISITS: 1 2 3 4 5 6

7 8 9 10 11 12

REMARKS:

INSPECTED BY [Signature]
 (OVER)

204 Auburn Street

February 11, 1976

Mr. Wilfred E. Henderson
204 Auburn Street
Portland, ME 04103

In reply to your letter of February 9, I would call to your attention that your property is located in an R-3 Residential Zone, where hairdressing is allowed as a home occupation in the Zoning Ordinance is as follows.

"An occupation conducted within a dwelling unit by a resident thereof which is customarily incidental and secondary to the residential use of the unit when such use does not occupy more than 25% of the dwelling unit devoted to living quarters, except that the area of the dwelling unit devoted to living quarters shall not be reduced below 900 square feet by this provision; which requires no display of goods, no stock in trade, no commodity sold on the premises; not more than one person not a resident of the dwelling unit to which the occupation is accessory employed, and which does not interfere with the peace and quiet of the neighborhood. The office of a lawyer, doctor, dentist, architect or engineer shall be considered as a home occupation provided that it conforms with the restrictions set forth above. The lodging of not more than two roomers without providing meals shall be considered as a home occupation. Barber shops, beauty parlors, tea rooms, tourist homes, and animal hospitals shall not be considered as home occupations, except that hairdressing may be so considered when no person, not a resident of the dwelling unit to which the hairdressing is accessory is employed and when not more than two hair dryers are located or operated on the premises."

I would call to your attention that this definition of a home occupation distinctly states that a beauty parlor shall not be considered as a home occupation.

204 Auburn St.
Portland, Maine
Feb 9, 1976

Dear Mr. Jule

I have a Home And Barber Shop attached at
204 Auburn St Portland, Maine. I have a chance to
sell it to a Hairdresser and I would like some
information what the requirements are. She is
going to live in the house. I have had a Barber
shop here 4 years.

Hoping to hear from you soon on all
details

Yours truly

W. Fred C. Henderson

204 Auburn St

Portland, Maine 04103

200-206 Auburn Street

March 23, 1972

cc to: Corporation Counsel

Wilfred E. Henderson
204 Auburn Street

Dear Mr. Henderson:

Building permit and certificate of occupancy to construct a 15' x 23' addition at the above named location for establishing a barber shop under the qualifications for a (home occupation) are not issuable under the Zoning Ordinance for the following reasons:

1. Such a use is not permitted under Section 602.4A of the ordinance applying to the R-3 Residential Zone in which this property is located.

2. The addition which is to be located about 22' back from the street line would be an unlawful encroachment upon the 40' setback area required by Section 602.21 of the Ordinance applying to that part of Auburn Street where the property is located.

We understand that you would like to exercise your appeal rights in this matter. Accordingly you or your authorized representative should come to this office in Room 113, City Hall to file the appeal on forms which are available here. A fee of \$15.00 for a variance appeal shall be paid at this office at the time the appeal is filed.

Very truly yours,

Malcolm G. Ward
Plan Examiner

MGW:m

83 STANBROOK AVE.

PERMIT TO INSTALL PLUMBING

Date Issued **5-17-72**
 Portland Plumbing Inspector
 By **ERNOLD R. GOODWIN**

Address **204 Auburn St.** PERMIT NUMBER **403**
 Installation For: **Barber Shop**
 Owner of Bldg.: **Wilfred Henderson**
 Owner's Address: **Same**
 Plumber: **Roland H. Shaw** Date: **5-17-72**
 NEW REPL. **216 Middle Rd. Falmouth**

App. First Insp.
 Date _____
 By _____
 App. Final Insp.
 Date _____
 By _____
 Type of Bldg.
 Commercial
 Residential
 Single
 Multi Family
 New Construction
 Remodeling

NEW	REPL.	NO.	FEE
		SINKS	
2		LAVATORIES	
1		TOILETS	4.00
		BATH TUBS	2.00
		SHOWERS	
		DRAINS FLOOR SURFACE	
		HOT WATER TANKS	
		TANKLESS WATER HEATERS	
		GARBAGE DISPOSALS	
		SEPTIC TANKS	
		HOUSE SEWERS	
		ROOF LEADERS	
		AUTOMATIC WASHERS	
		DISHWASHERS	
		OTHER	
TOTAL			6.00

Building and Inspection Services Dept. Plumbing Inspection



APPLICATION FOR PERMIT

Class of Building or Type of Structure

Portland, Maine, March 20, 1972

R3 RESIDENCE BY ZONING

PERMIT ISSUED

APR 7 1972
0394

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 204 Auburn St. Within Fire Limits? Dist. No.
 Owner's name and address Wilfred E. Henderson, same Telephone
 Lessee's name and address Telephone
 Contractor's name and address To be decided Telephone
 Architect Specifications Plans yes No. of sheets 3
 Proposed use of building dwelling & barber shop No. families 1
 Last use dwelling No. families
 Material wood No. stories 1 1/2 Heat Style of roof Roofing
 Other buildings on same lot
 Estimated cost \$ 2500. Fee \$ 9.00

General Description of New Work

To construct an addition 15' x 23' - to be used as a barber shop as per plan

PERMIT ISSUED WITH LETTER

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 legal fee.

Appeal sustained 4/13/72

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 owner

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:

O.K. W/L C.S. 4/17/72

Miscellaneous

Will work require disturbing of any tree on a public street?
 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 301

INSPECTION COPY

Signature of owner Wilfred E. Henderson

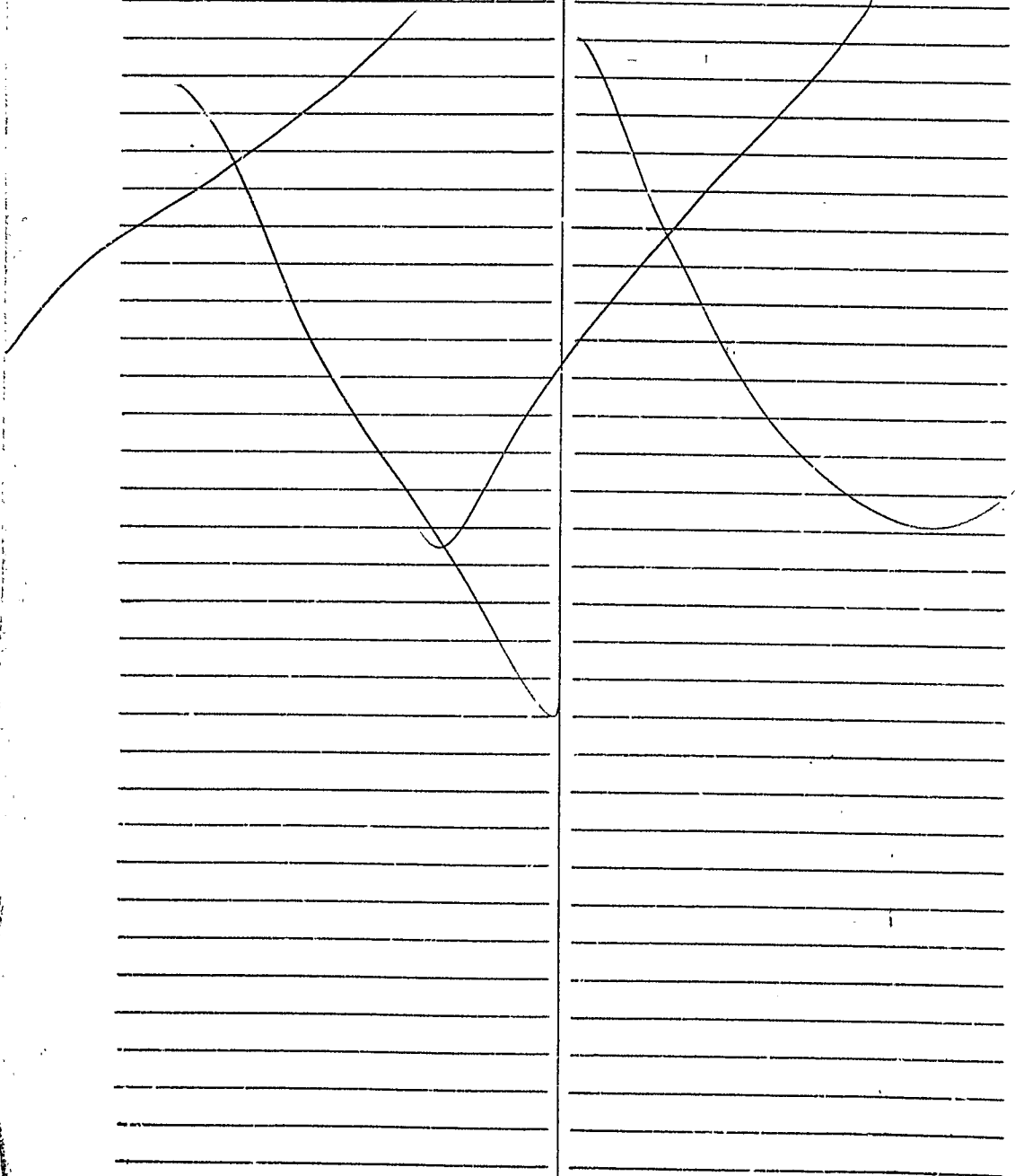
NOTES

8/25/72 work started
[Signature]

5-10-72 work about
completed. [Signature]

5-17-72 line permitting
to close in. [Signature]

6-5-72 Work complete.
[Signature]



Permit No. 7210394
 Location 204 Auburn St
 Owner Alfred E. Henderson
 Date of permit 4/18/72
 Notif. closing-in
 Inspn. closing-in
 Final Notif.
 Final Inspn.
 Cert. of Occupancy issued
 Staking Out Notice 5 AM
 Form Check Notice

PERMIT TO INSTALL PLUMBING

10671

PERMIT NUMBER

Date Issued Sept. 15, 1961
 Address 206 Auburn Street
 Installation For Mrs. Katherine Herrick
 Owner of Bldg. Mrs. Katherine Herrick
 Owner's Address: 206 Auburn Street

By J. P. Welch Plumber: William P. Blake, Inc. Date: 9-15-61
 PORTLAND PLUMBING INSPECTOR

	NEW	REPL.	PROPOSED INSTALLATIONS	FEE	
				NUMBER	FEE
APPROVED FIRST INSPECTION			SINKS		
			LAVATORIES		
Date <u>Sept-15-61</u>			TOILETS		
By <u>JOSEPH P. WELCH</u>			BATH TUBS		
APPROVED FINAL INSPECTION			SHOWERS		
			DRAINS		
Date <u>Sept. 15-61</u>			HOT WATER TANKS		
By <u>JOSEPH P. WELCH</u>			TANKLESS WATER HEATERS		
			GARBAGE GRINDERS		
By			SEPTIC TANKS		
<input type="checkbox"/> COMMERCIAL	<u>1</u>		HOUSE SEWERS	<u>1</u>	<u>2.00</u>
<input checked="" type="checkbox"/> RESIDENTIAL			ROOF LEADERS (Conn. to house drain)		
<input checked="" type="checkbox"/> SINGLE					
<input type="checkbox"/> MULTI FAMILY					
<input type="checkbox"/> NEW CONSTRUCTION					
<input type="checkbox"/> REMODELING					

PORTLAND HEALTH DEPT. PLUMBING INSPECTION TOTAL ▶ 2.00

PERMIT TO INSTALL PLUMBING

10670

PERMIT NUMBER

Date Issued Sept 14 1961
 Address 206 Auburn Street
 Installation For: Mrs. Katherine Harvick
 Owner of Bldg. Mrs. Katherine Harvick
 Owner's Address: 206 Auburn Street
 Plumber: William P. Blain, Inc. Date: 9-15-61

APPROVED FIRST INSPECTION		NEW	REPL	PROPOSED INSTALLATIONS	NUMBER	FEE
Date <u>Sept 14-61</u>				SINKS		
By <u>JOSEPH P. WELCH</u>				LAVATORIES		
APPROVED FINAL INSPECTION				TOILETS		
Date <u>Sept 15-61</u>				BATH TUBS		
By <u>JOSEPH P. WELCH</u>				SHOWERS		
		1		DRAINS <u>basement floor drain</u>	1	2.00
				HOT WATER TANKS		
				TANKLESS WATER HEATERS		
				GARAGE GRINDERS		
				SEPTIC TANKS		
				HOUSE SEWERS		
				ROOF LEADERS (Conn. to house drain)		

- TYPE OF BUILDING
- COMMERCIAL
 - RESIDENTIAL
 - SINGLE
 - MULTI FAMILY
 - NEW CONSTRUCTION
 - REMODELING

PORTLAND HEALTH DEPT. PLUMBING INSPECTION TOTAL ▶ 2.00

3

3-20-72
Pd. # 15.00

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

Granted

4-13-72

VARIANCE APPEAL

Wilfred E. Henderson, owner of property at ~~XXX~~ 200-206 Auburn St. under the provisions of Section 24 of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board of Appeals for a variance from the provisions of said Ordinance to permit; and certificate of occupancy to construct a 15' x 23' addition at the above named location for establishing a ~~XXXXXXXXXX~~ barber shop under the qualifications for a (home occupation). This permit is presently not issuable under the Zoning Ordinance for the following reasons: (1) Such a use is not permitted under Sec. 602.4A of the Ordinance applying to the R-3 Residential Zone in which this property is located. (2) The addition which is to be located about 22' back from the street line would be an unlawful encroachment upon the 40' setback area required by Sec. 602.21 of the Ordinance applying to that part of Auburn St. where the property is located.

LEGAL BASIS OF APPEAL: Such variance may be granted only if the Board of Appeals finds that the strict application of the provisions of the Ordinance would result in undue hardship in the development of property which is inconsistent with the intent and purpose of the Ordinance; that there are exceptional or unique circumstances relating to the property that do not generally apply to other property in the same zone or neighborhood, which have not arisen as a result of action of the applicant subsequent to the adoption of this Ordinance whether in violation of the provisions of the Ordinance or not; that property in the same zone or neighborhood will not be adversely affected by the granting of the variance; and that the granting of the variance will not be contrary to the intent and purpose of the Ordinance.

Wilfred E. Henderson
APPELLANT

DECISION

After public hearing held April 13, 1972, the Board of Appeals finds that all of the above conditions do exist with respect to this property and that a variance should be granted in this case.

It is, therefore, determined that a variance from the provisions of the Zoning Ordinance should be granted in this case.

W. Bluff
W. C. Estabrook
Gene D. [unclear]
Board of Appeals

200-206 Auburn Street

March 23, 1972

cc to: Corporation Counsel

Wilfred E. Henderson
204 Auburn Street

Dear Mr. Henderson:

Building permit and certificate of occupancy to construct a 15' x 23' addition at the above named location for establishing a barber shop under the qualifications for a (home occupation) are not issuable under the Zoning Ordinance for the following reasons:

1. Such a use is not permitted under Section 602.4A of the ordinance applying to the R-3 Residential Zone in which this property is located.

2. The addition which is to be located about 22' back from the street line would be an unlawful encroachment upon the 40' setback area required by Section 602.21 of the Ordinance applying to that part of Auburn Street where the property is located.

We understand that you would like to exercise your appeal rights in this matter. Accordingly you or your authorized representative should come to this office in Room 113, City Hall to file the appeal on forms which are available here. A fee of \$15.00 for a variance appeal shall be paid at this office at the time the appeal is filed.

Very truly yours,

Malcolm G. Ward
Plan Examiner

MGW:m

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

April 3, 1972

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in Room 209, City Hall, Portland, Maine on Thursday, April 13, 1972 at 4:00 p.m. to hear the appeal of Wilfred E. Henderson requesting an exception to the Zoning Ordinance to permit and certificate of occupancy to construct a 15' x 23' addition for establishing a barber shop under the qualifications for a (home occupation), at 200-206 Auburn Street.

This permit is presently not issuable under the Zoning Ordinance for the following reasons: (1) Such a use is not permitted under Section 602.4A of the Ordinance applying to the R-3 Residential Zone in which this property is located. (2) The addition which is to be located about 22' back from the street line would be an unlawful encroachment upon the 40' setback area required by Sec. 602.21 of the Ordinance applying to that part of Auburn St. where the property is located.

This appeal is taken under Section 24 of the Zoning Ordinance which provides such variance may be granted only if the Board of Appeals finds that the strict application of the provisions of the Ordinance would result in undue hardship in the development of property which is inconsistent with the intent and purpose of the Ordinance; that there are exceptional or unique circumstances relating to the property that do not generally apply to other property in the same zone or neighborhood, which have not arisen as a result of action of the applicant subsequent to the adoption of this Ordinance whether in violation of the provisions of the Ordinance or not; that property in the same zone or neighborhood will not be adversely affected by the granting of the variance; and that the granting of the variance will not be contrary to the intent and purpose of the Ordinance.

All persons interested either for or against this appeal will be heard at the above time and place, this notice of required public hearing having been sent to the owners of property within 500 ft. of the property in question as required by Ordinance.

BOARD OF APPEALS

William B. Kirkpatrick
Chairman

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

April 3, 1972

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in Room 209, City Hall, Portland, Maine on Thursday, April 13, 1972 at 4:00 p.m. to hear the appeal of Maine Medical Center requesting an exception to the Zoning Ordinance to permit and certificate of occupancy to change the use of the dwelling to four doctors offices at 19 Bramhall Street.

This permit is presently not issuable under the Zoning Ordinance because such a use is not allowable in the R-6 Residential Zone in which the property is located unless authorized by the Board of Appeals under the provisions of Section 602.7A.7.c. of the Ordinance.

This appeal is taken under Section 24 of the Zoning Ordinance which provides that such permit may be granted only if the Board of Appeals finds that such use of the premises will not adversely affect property in the same zone or neighborhood and will not be contrary to the intent and purpose of the Zoning Ordinance.

All persons interested either for or against this appeal will be heard at the above time and place, this notice of required public hearing having been sent to the owners of property within 500 ft. of the premises in question as required by Ordinance.

BOARD OF APPEALS

William B. Kirkpatrick
Chairman

April 10, 1972

Wilfred E. Henderson
204 Auburn St.
Portland, Maine 04103

April 13, 1972

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

April 3, 1972

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in Room 209, City Hall, Portland, Maine on Thursday, April 13, 1972 at 4:00 p.m. to hear the appeal of Wilfred E. Henderson requesting an exception to the Zoning Ordinance to permit and certificate of occupancy to construct a 15' x 23' addition for establishing a barber shop under the qualifications for a (home occupation), at 200-206 Auburn Street.

This permit is presently not issuable under the Zoning Ordinance for the following reasons: (1) Such a use is not permitted under Section 602.4A of the Ordinance applying to the R-3 Residential Zone in which this property is located. (2) The addition which is to be located about 22' back from the street line would be an unlawful encroachment upon the 40' setback area required by Sec. 602.21 of the Ordinance applying to that part of Auburn St. where the property is located.

This appeal is taken under Section 24 of the Zoning Ordinance which provides such variance may be granted only if the Board of Appeals finds that the strict application of the provisions of the Ordinance would result in undue hardship in the development of property which is inconsistent with the intent and purpose of the Ordinance; that there are exceptional or unique circumstances relating to the property that do not generally apply to other property in the same zone or neighborhood, which have not arisen as a result of action of the applicant subsequent to the adoption of this Ordinance whether in violation of the provisions of the Ordinance or not; that property in the same zone or neighborhood will not be adversely affected by the granting of the variance; and that the granting of the variance will not be contrary to the intent and purpose of the Ordinance.

All persons interested either for or against this appeal will be heard at the above time and place, this notice of required public hearing having been sent to the owners of property within 500 ft. of the property in question as required by Ordinance.

BOARD OF APPEALS

William B. Kirkpatrick
Chairman

PROCEDURE OF ZONING APPEALS

LOCATION 225 204 Auburn St.
 OWNER Wilfred E. Henderson
 FEE PAID FOR APPEAL \$15.00
 PLANS & INFORMATION _____

DATE

INITIAL

DATE OF HEARING 4/13

\$15. APPEAL (Conditional
 (Variance)

Certificate Letter _____

3/23

M.W.

List of streets - 500' _____

M.W.

Envelopes - Mail out Monday, 10 days before hearing Date _____

4-3

C

Letters mailed out _____

"

"

Appeal folders (2) _____

Date

"

Notice to owner of property of hearing date - Monday before hearing _____

4-10

"

Notice to prospective owner (if any) - Monday before hearing _____

Date

4-10

"

Notice to lawyer, sign hanger, etc. (if any) Monday before hearing _____

Date

4/10

Pictures and sketch _____

4/13

M.W.

\$5.00 APPEAL

Notice to abutting property owners (Monday before hearing - Date _____

Appeal folders (2) _____

Notice to owner of property (Monday before hearing - Date _____

Notice to prospective owner (Monday before hearing - Date _____

Notice to lawyer (if any) _____

Pictures and sketch _____

DOCKET - Mailed to appeal board no later than Monday before hearing - Date _____

4-10

Corp. Counsel Office - Large folder sent upstairs with appeal papers

Office Copy of Appeal - One copy of appeal put in small folder with

Inspection Copy of application with all plans and letters

All papers for appeals - Docket, Corp. Counsel folders and office

folders should be completed Monday before hearing

CITY OF PORTLAND, MAINE
Application for Permit to Install Wires

Permit No. 58707

Issued

Portland, Maine May 16, 1972

To the City Electrician, Portland, Maine:

The undersigned hereby applies for a permit to install wires for the purpose of conducting electric current, in accordance with the laws of Maine, the Electrical Ordinance of the City of Portland, and the following specifications:

(This form must be completely filled out — Minimum Fee, \$1.00)

Owner's Name and Address William Beardslee Tel. _____
 Contractor's Name and Address J. E. Edwards Tel. _____
 Location 204 Auburn St. Use of Building _____
 Number of Families _____ Apartments _____ Stores _____ Number of Stories _____
 Description of Wiring: New Work _____ Additions Alterations _____
 Pipe _____ Cbl. _____ Metal Molding _____ BX Cable _____ Plug Molding (No. of feet) _____
 No. Light Outlets 12 Plugs 10 Light Circuits 6 Plug Circuits _____
 FIXTURES: No. _____ Fluor. or Strip Lighting (No. feet) _____
 SERVICE: Pipe _____ Cable _____ Underground _____ No. of Wires _____ Size _____
 METERS: Relocated _____ Added _____ Total No. Meters _____
 MOTORS: Number _____ Phase _____ H. P. _____ Amps _____ Volts _____ Starter _____
 HEATING UNITS: Domestic (Oil) _____ No. Motors _____ Phase _____ H.P. _____
 Commercial (Oil) _____ No. Motors _____ Phase _____ H.P. _____
 Electric Heat (No. of Rooms) _____
 APPLIANCES: No. Ranges _____ Watts _____ Brand Feeds (Size and No.) _____
 Elec. Heaters _____ Watts _____
 Miscellaneous _____ Watts _____ Extra Cabinets or Panels _____
 Transformers _____ Air Conditioners (No. Units) _____ Signs (No. Units) _____
 Will commence _____ 19. _____ Ready to cover in _____ 19. _____ Inspection _____ 19. _____
 Amount of Fee \$ 2.00

Signed

J. E. Edwards

DO NOT WRITE BELOW THIS LINE

SERVICE	METER	GROUND
VISITS: 1	2	3
4	5	6
7	8	9
10	11	12

REMARKS:

INSPECTED BY

F. H. H.

(OVER)

CE 108



(RC) GENERAL RESIDENCE ZONE

APPLICATION FOR PERMIT

PERMIT ISSUED

Permit No. 00-3

Class of Building or Type of Structure Third Class

SEP 13 1949

Portland, Maine, August 25, 1949

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

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

Location 204 Auburn Street Within Fire Limits? no Dist. No.

Owner's or Lessee's name and address A. A. McIntyre, 204 Auburn St. Telephone 1-5777

Contractor's name and address Owner Telephone

Architect Plans filed yes No. of sheets

Proposed use of building Garage, storehouse and poultry house No. families

Other buildings on same lot dwelling house, service station

Estimated cost \$ 50. Fee \$.50

Description of Present Building to be Altered

Material frame No. stories 1 Heat Style of roof Roofing

Last use barn, etc. - poultry house No. families

General Description of New Work

To demolish existing poultry house 10' x 38', and use material

To build one story frame addition 10'6" x 15' on end of existing poultry house on rear of barn

This building now to be demolished has always been and is now being used as a poultry house and is in bad structural condition.

INSPECTION NOT COMPLETED

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.

Details of New Work

Is any plumbing work involved in this work?

Is any electrical work involved in this work? Height average grade to top of plate

Size, front depth No. stories Height average grade to highest point of roof 12'

To be erected on solid or filled land? solid earth or rock? earth

Material of foundation cedar posts Thickness, top bottom cellar

Material of underpinning Height Thickness

Kind of roof flat Rise per foot 3" Roof covering Asphalt roofing Class C Und. Lab.

No. of chimneys Material of chimneys of lining

Kind of heat Type of fuel Is gas fitting involved?

Framing lumber-Kind second hand Dressed or full size?

Corner posts 4x4 Sills 6x8 Girt or ledger board? Size

Material columns under girders Size Max. on centers

Studs (outside walls and carrying partitions) 2x4-16" O. C. Girders 6x8 or larger. Bridging in every floor and flat roof span over 8 feet. Sills and corner posts all one piece in cross section.

Joists and rafters: 1st floor 2x6, 2nd, 3rd, roof 2x6

On centers: 1st floor 16", 2nd, 3rd, roof 16"

Maximum span: 1st floor 10'6", 2nd, 3rd, roof 10'6"

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

If a Garage

No. cars now accommodated on same lot, to be accommodated

Total number commercial cars to be accommodated

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

Miscellaneous

Will above work require removal or disturbing of any shade 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

INSPECTION COPY

Signature of owner A. A. McIntyre

3699

Nov. 6, 1942

Mr. Warren McDonald
Inspector of Buildings
Portland, Maine

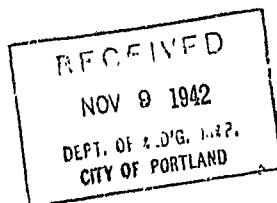
Dear Sir

In regard to your letter on the new regulations of moving former refreshment stand to rear of property to be used for a poultry house. I have eight (8) acres of land here which I intend to cultivate about half or 4 acres, next summer. & have already engaged a man to do the plowing.

We have only 15 hens & 4 ducks. This is all the live stock we own at present.

I think that you would find it would add to the appearance of the place to have this building moved, as it looks out of place at present.

Sincerely



Alexander McIntyre
204 Auburn St
Portland Me.

Rept. 2484D-I

October 31, 1942

Mr. A. A. McIntyre,
204 Auburn Street,
Portland, Maine

Subject: Relocation of building to
be used as a poultry house.

Dear Sir:

Some recent court decisions with regard to uses of property sometimes known as farm uses, especially with regard to the keeping of domestic animals such as hens, cows, and the like, and the increasing tendency on the part of a number of people to start in keeping such domestic animals, has forced us to establish a definite ruling with regard to the keeping of such animals in order that the Zoning Law may be applied as impartially as possible all over the city.

This ruling has received the informal approval of the Appeal Board, and under it, as applied to your proposition at 204 Auburn Street, I can only issue the permit to move the former refreshment stand to the rear of the property and use it for a poultry house, if the major portion of the property is customarily used for cultivating the soil.

If that is the case will you be kind enough to notify me in writing to the effect that more than half of the property is customarily cultivated for the raising of crops. If that is not the case the only way I know of to find out whether you can have the building in the rear of the property as a poultry house, is by appeal to the Municipal Officers under the Zoning Law, seeking a variance in the precise terms of the Law.

To follow this appeal course it is necessary to file a formal appeal on forms which will be furnished at this office. A payment of a fee of five dollars is required which is not refundable whether the appeal is successful or not. The fee is for the purpose of notifying the owners of property within 500 feet of the premises in question as to the required public hearing and the nature of the appeal.

In event half or more than half of the property is being used for cultivation of the soil, you should also state what other domestic animals are kept on the property and how many of each, if any at the present time.

Please advise what you propose to do under these circumstances.

Very truly yours,

VMCD/II

Inspector of Buildings



(NOT GENERAL RESIDENCE ZONE) PERMIT ISSUED

APPLICATION FOR PERMIT

Permit No. 1279

Class of Building or Type of Structure Third Class NOV 9 1942

Portland, Maine, October 30, 1942

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

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

Location 201 Auburn Street Within Fire Limits? no Dist. No.

Owner's or Lessee's name and address A. A. McIntyre, 201 Auburn Street Telephone 4-5774

Contractor's name and address City Telephone

Architect Plans filed yes No. of sheets 1

Proposed use of building poultry house No. families

Other buildings on same lot

Estimated cost \$ Fee \$.50

Description of Present Building to be Altered

Material wood No. stories 1 Height no Style of roof flat Roofing asphalt

Last use present refreshment stand No. families

General Description of New Work

To move building 8' x 12' to rear of property and use same for poultry house

INSPECTION NOT COMPLETED

41/216 lapsed

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.

Details of New Work

Is any plumbing work involved in this work?

Is any electrical work involved in this work? Height average grade to top of plate

Size, front depth No. stories Height average grade to highest point of roof

To be erected on solid or filled land? solid earth or rock? earth

Material of foundation cedar posts Thickness, top bottom cellar

Material of underpinning Height Thickness

Kind of roof Rise per foot Roof covering

No. of chimneys Material of chimneys of lining

Kind of heat Type of fuel Is gas fitting involved?

Framing lumber—Kind Dressed or full size?

Corner posts Sills Girt or ledger board? Size

Material columns under girders Size Max. on centers

Studs (outside walls and carrying partitions) 2x4-16" O. C. Girders 6x8 or larger. Bridging in every floor and flat roof span over 8 feet. Sills and corner posts all one piece in cross section.

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

Total number commercial cars to be accommodated

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

Miscellaneous

Will above work require removal or disturbing of any shade 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

Signature of owner Alexander McIntyre

INSPECTION COPY

3/7/41

This heater has been installed without permit. Front of heater is located about 2' from outside wall of boiler room with a wooden door directly in front of heater. Heater is coal fired - A.G.S.

Not Paid Paid 4/11/41



FILL IN COMPLETELY AND SIGN WITH INK

Permit No. _____

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

Portland, Maine, Mar 6, 1940

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 264 Auburn St. Use of Building Service Station No. Stories 1 New Building
 Existing "
 Name and address of owner of appliance A.A. McIntyre 204 Auburn St.
 Installer's name and address Carl Jordan 571 Cumberland Ave. Telephone _____

General Description of Work

To install Hot Water Heating System

IF HEATER, POWER BOILER OR COOKING DEVICE

Is appliance or source of heat to be in cellar? no If not, which story first Kind of Fuel coal

Material of supports of appliance (concrete floor or what kind) concrete

Minimum distance to wood or combustible material, from top of appliance or casing top of furnace, 5'

from top of smoke pipe 3' from front of appliance 3' concrete from sides or back of appliance 12" concrete

Size of chimney flue 8x8 Other connections to same flue none

IF OIL BURNER

Name and type of burner _____ Labeled and approved by Underwriters' Laboratories?

Will operator be always in attendance? _____ Type of oil feed (gravity or pressure) _____

Location oil storage _____ No. and capacity of tanks _____

Will all tanks be more than seven feet from any flame? _____ How many tanks fireproofed? _____

Amount of fee enclosed? 1.00 (\$1.00 for one heater, etc., 50 cents additional for each additional heater, etc., in same building at same time)

ORIGINAL Rec'd from City Dept. 4/12/41

Signature of Installer Carl Jordan

Carl Jordan

Rept. 8951C-1

March 13, 1941

Mr. Carl A. Jordan,
571 Cumberland Avenue,
Portland, Maine

Dear Sir:

Although you filed application for a building permit to cover installation of a hot water heating system for A. A. McIntyre in his new building at 204 Auburn Street, on March 6th, you did not pay the fee so that the permit could not legally be issued. Now we find that you have actually installed the heater without a permit. On your application you said that the front of the appliance would be three feet from a concrete block wall. Actually you have set the front of the appliance so that the fuel door is only two feet from a wooden door in the outside wall of the boiler room. The Building Code provides that an absolute clearance of at least four feet must be provided between the front of such an appliance and any combustible material.

It seems to me that you have some explaining to do both to the owner who has a copy of this letter and to this department.

Now that you have gone so far without a permit it will be necessary for you to relocate the heater so that the front of it is at least four feet from any and all combustible material and pay the fee for the permit at least by March 28, 1941.

Very truly yours,

W McD/H
CC: A. A. McIntyre
204 Auburn Street

Inspector of Buildings



FILL IN COMPLETELY AND SIGN WITH INK

Permit No. _____

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine, Mar. 6, 1940

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 204 Auburn St. Use of Building Service Station No. Stories 1 New Building Existing "

Name and address of owner of appliance A. A. McIntyre 204 Auburn St.

Installer's name and address Carl Jordan 571 Cumberland Ave. Telephone _____

General Description of Work

To install Hot Water Heating System

IF HEATER, POWER BOILER OR COOKING DEVICE

Is appliance or source of heat to be in cellar? no If not, which story first Kind of Fuel coal

Material of supports of appliance (concrete floor or what kind) concrete

Minimum distance to wood or combustible material, from top of appliance or casing top of furnace, 5'

from top of smoke pipe 3' from front of appliance 3' concrete block from sides or back of appliance 12" concrete

Size of chimney flue 8x8 Other connections to same flue none

IF OIL BURNER

Name and type of burner _____ Labeled and approved by Underwriters' Laboratories? _____

Will operator be always in attendance? _____ Type of oil feed (gravity or pressure) _____

Location oil storage _____ No. and capacity of tanks _____

Will all tanks be more than seven feet from any flame? _____ How many tanks fireproofed? _____

Amount of fee enclosed? 1.00 (\$1.00 for one heater, etc., 50 cents additional for each additional heater, etc., in same building at same time.)

INSPECTION COPY _____ Signature of Installer Carl Jordan 8616

DEPT. OF PUBLIC WORKS

571 Cumberland Ave.
Portland Maine
January 2, 1941.

Mr. Warren McDonald
Building Ins.

Dear Sir:- Please find enclosed redraft
of floor framing for the Mc Intyre filling station
Cubron St. as you requested.

I am mortising the floor timbers into the sill
and girder, to make it possible to bring the level of the
office floor down, otherwise it would be 24"
higher than the laboratory floor, as the laboratory floor
is but 2" higher than the ground level.

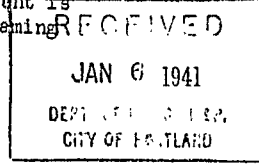
Yours respectfully
Carl A. Jordan

P.S. the boiler room floor will be 16" lower than
the office floor. Other details in your letter of 12/3/40
will be complied with

AJS:

Pls. note change in floor framing, and see if you can find anything wrong with
it. Note he is putting in a center girder. I think no amendment is
needed because of the way the permit was issued with this framing
to be reported on later.

wmc 1/6/41



Memorandum from Department of Building Inspection, Portland, Maine

204 Auburn St.-Owner, A. A. McIntyre--Contractor, Carl Jordan--BP 40/1981, Amdt. No. 1.
12/30/40

To: Owner and Builder:

In approving amendment Chief Sanborn says: "Boiler room floor is to be 12" below office floor. No petroleum products or alcohol may be kept in the office under this condition unless additional safety measures are taken". If it is the intention to keep petroleum products or alcohol in the office, please decide on safety measures and get them approved by Chief Sanborn before proceeding with the work.

Apparently an arbor effect is proposed over walk. If this framing is to be attached to the building then the foundation of the arbor should extend 4 ft. below grade of ground to get below frost. Office floor framing does not comply-necessary to space 2x8's 12" on centers use 2x10. Every concrete block required to have brand of manufacturer cast in each block, brand having previously having been registered at this office.

C. A. A. McIntyre, 204 Auburn

(Signed) Warren McDonald
Inspector of Buildings

*This applies to
this fire door to
solder room*

The following minimum requirements have been established to cover fire doors required by the Building Code between houses and garages attached thereto or incorporated therein:

The wooden core of the door shall be covered all over, including all edges, with galvanized metal no less than No. 26 gauge or with new tin, all joints to be locked joints, all nailing to be covered by the fold-over of the joints, and no solder to be used. The frame and sill or threshold shall be covered on both sides of the opening in a similar manner, the sheet metal to be lapped and flashed beneath the fire resistive covering on the garage side of the common partition. The self-closing device shall be a door check, a spring, weight or other device so installed and operative as to keep the door tightly closed at all times except when passage is desired through the doorway. As regards the raising of the threshold of the door 6 inches above the level of the garage floor it is well to check up with the Building Department in each particular case as occasionally there is a situation where such a raised threshold is obviously not necessary.

Where such fire doors are in locations which make a good appearance desirable, paneled doors, which are manufactured and covered to look as well as wooden doors and which satisfy Building Code requirements are on the market.

W. A. ...
Inspector of Buildings