

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 Fire station exists at site now -

need for larger facility

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 A need for a unique facility

in the area.

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 The Historic Preservation Commission approved

plans in relation to the station. Several public

V. Specific Relief Granted

After a public hearing held on Aug 11 1974, 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)

include conditions as made Planning

Board, esp. lighting

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

VI. Signatures of Board

Steve Zshulman Chairman
Regina Lata
Thomas Murphy
James O'Malley
Gail D. Snow

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

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

City of Portland, Maine, owner of property at 124-136 Congress Street, Corner of
100-104 St. Lawrence Street
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:

(See Attached Page)

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.


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.

(Continued from page one)

Construction of a two-story masonry building 72 feet x 135 feet for municipal use (Fire Station and Neighborhood Facility for Recreation) at the above named location is not issuable under the Zoning Ordinance in the R-6 Residential Zone in which this property is located, for the following reasons:

1. A rear yard distance of only about 5 feet is to be provided instead of the minimum of 20 feet required (Section 602.7.B.1) and a front yard distance of only 3 feet is to be provided instead of the minimum of 10 feet required (Section 602.7.B.4).
2. The side lot line on the left as you face the building from the street is only 5 feet instead of the 10 feet required (Section 602.7.B.2).
3. Construction of this building will bring the area of the lot occupied by the building to about 52% of the total area, which is in excess of the allowable occupancy of 40% specified by Section 602.7.B.6.
4. Off Street parking spaces for 7 cars are to be provided instead of the minimum of 21 spaces required. (Section 602.14.B.7).

Mrs. Jacqueline Cohen August 5, 1976

Board of Appeals

I won't be able to attend the meeting
Wednesday Aug. 11, 1976 at 3 P.M. so I am
writing you this letter ⁱⁿ regard to Fire Station etc.
We live next to the land where the city plans
to build a fire station and neighborhood
center.

The rear of that building is only 5 ft. instead
of 20 ft. I object to this being only 5 ft.

The church that was on that site had a
good size piece of land on either side of
building, which was landscaped. The new
building will only have 5 ft. instead of
10 ft. on side toward St. Lawrence St.

It will take up 52% of the area where
it should be 40%. It is a good size building
with very little land around it. It with very
little landscaping.

Where we are the abutting neighbor I
object to having the building so close to us.
I hope we will have a favorable reply.

Thank you.

Jennie and Morris Slovsky

The rear of building will be too close
to us, and side toward St. Lawrence St.
is too far out to sidewalk. We have ~~the~~ building
there ^{in rear} and 5 ft. isn't wide enough. It should be 20 ft.

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 Wednesday, August 11, 1976 at 3:00 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.

The City of Portland, owner of property at 124-136 Congress Street, corner of 100-104 St. Lawrence Street, 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: The construction of a two-story masonry building 72 feet x 135 feet for municipal use (Fire Station and neighborhood facility for recreation) at the above named location. This permit is not allowable for the following reasons:

1. A rear yard distance of only about 5 feet is to be provided instead of the minimum of 20 feet required (Section 602.7.B.1) and a front yard distance of only 3 feet is to be provided instead of the minimum of 10 feet required (Section 602.7.B.4).
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4. Off Street Parking spaces for 7 cars are to be provided instead of the minimum of 21 spaces required. (Section 602.14.B.7).

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.

Jacqueline Cohen
Secretary.

Portland Renewal Authority
Bantum Realty, 32 Carignan Ave. S.P.
Jennie and Morris Glovesky, 96 St. Lawrence St., Ptd. Me.
Alphonse and Rose Mangino, 137 Congress St., Ptd., Me.
First Free Methodist Church, 138 Congress St., Ptd., Maine

76 St. Lawrence St.
Portland, Me. 04101

/ Building Inspection Dept.
to Mr. Malcolm Ward
Room 113 City Hall
389 Congress St.
Portland, Maine 04111



JULY 4, 1776

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 #202, City Hall, Portland, Maine on Wednesday, August 11, 1976 at 2:00 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.

The City of Portland, owner of property at 124-136 Congress Street, corner of 100-104 St. Lawrence Street, 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: The construction of a two-story masonry building 72 feet x 135 feet for municipal use (Fire Station and neighborhood facility for recreation) at the above named location. This permit is not allowable for the following reasons:

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

Jacqueline Cohen
Secretary.

Portland Renewal Authority
Bantam Realty, 122 Carignan Ave. S.P.
Jennie and Morris Glovesky, 96 St. Lawrence St., Ptd. Me.
Alphonse and Rose Mangino, 137 Congress St., Ptd., Me.
First Free Methodist Church, 138 Congress St., Ptd., Maine

CITY OF PORTLAND, MAINE
BUILDING & INSPECTION SERVICES

Date April 11, 1974

With relation to permit applied for to demolish a church
at 124-132 Congress St it is unlawful
to commence demolition work until a permit has been issued from
this department.

Section 6 of the Ordinance for rodent and vermin control
provides: "It shall be unlawful to demolish any building or
structure unless provision is made for rodent and vermin
eradication. No permit for the demolition of a building or
structure shall be issued by the Building Inspection Department
until and unless provisions for rodent and vermin eradication
have been carried out under supervision of a pest control
operator registered with the Health Department.

The building permit for demolition cannot be issued until the
provisions of this section have been satisfied. It is the
obligation of owner or demolition contractor or both to take
up with the Health Department the matter of complying with this
section, being prepared to inform that department what registered
pest control operator is to be employed.

Very truly yours,

R. Lovell Brown
Director

Owner: City of Portland Contractor: D&J Excavating
Address: _____ Address: RFD 1, Westbrook

Health Department comments: 4-12-74 No Evidence of Rodent or Vermin Activity
Wm Church

Copies to:

Health (Mr. Blain) 2
Health (Mr. Noyes) 1
Public Works 1
Fire Department 1

APPLICATION FOR PERMIT
B.O.C.A. USE GROUP _____
B.O.C.A. TYPE OF CONSTRUCTION _____
ZONING LOCATION PORTLAND, MAINE APR 11 1974
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, struc-
ture, 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 specifica-
tions:

LOCATION 124-132 Congress St Fire District #1 ☐ #2 ☐
1. Owner's name and address City of Portland Telephone _____
2. Lessee's name and address _____ Telephone _____
3. Contract or name and address D&J Excavating, 11 Hillside Drive, RFD 1, Westbrook 892-4776
4. Architect _____ Specifications _____ Plans _____ No. of sheets _____
Proposed use of building _____ No. families _____
Last use church Style of roof _____ Roofing _____
Material _____ No. stories _____ Feet _____
Other buildings on same lot _____ Fee \$ 10.00
Estimated contractual cost \$ _____

FIELD INSPECTOR—Mr. _____ GENERAL DESCRIPTION
This application is for: 6 775-5451 to demolish church. Gas co notified.
Dwelling _____ Est. 234
Garage _____
Masonry Bldg. _____ Stamp of Special Conditions
Metal Bldg. _____
Alterations _____
Demolitions _____
Change of Use _____
Other _____

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

Permit is to be issued to 1 ☐ 2 ☐ 3 ☒ 4 ☐
Rec'd from Health Dept. 4-12-74 Other: _____

DETAILS OF NEW WORK
Is any plumber 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 _____ Kind of heat _____ fuel _____
No. of chimneys _____ Material of chimneys _____ of lining _____ Corner posts _____ Sills _____
Framing Lumber—Kind _____ Dressed or full size? _____ Size _____ Max. on centers _____
Size Girder _____ Columns under girders _____ Bridging in every floor and flat roof span over 8 feet.
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 _____ height? _____
If one story building with masonry walls, thickness of walls? _____

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? _____
APPROVALS BY: _____ DATE _____ MISCELLANEOUS
BUILDING INSPECTION—PLAN EXAMINER _____ Will work require disturbing of any tree on a public street? _____
ZONING: _____ Will there be in charge of the above work a person competent
BUILDING CODE: G.W. E.B. 4/12/74 to see that the State and City requirements pertaining thereto
Fire Dept.: _____ are observed? _____
Health Dept.: _____
Others: _____ Signature of Applicant Donald Vance Phone # _____
Type Name of above _____ Donald Vance _____ 1 ☐ 2 ☐ 3 ☒ 4 ☐
and Address _____

FIELD INSPECTOR'S COPY

PERMIT ISSUED

APR 12 1974

CITY of PORTLAND

NOTES

Permit No. 74/286
Location 124-132 Congress St
Owner City of Portland
Date of Permit 4/11/74
Approved _____

Notes

4-16-74 Started - down Rd
4-23-74 Half done
4-30-74 Down & graded
4-1-74

INQUIRY BLANK

ZONE "B"

FIRE DIST. #3

CITY OF PORTLAND, MAINE
DEPARTMENT OF BUILDING INSPECTION

Verbal

By Telephone

Date

June 9, 1952

LOCATION

corner of St. Lawrence St
126 Congress Street, OWNER Congress St. Methodist Church

MADE BY

Edward J. Wallace

TEL. 5-0678

ADDRESS

Ramsdell Road, Falmouth Foreside, Me.

PRESENT USE OF BUILDING

Church

NO. STORIES

LAST USE OF BUILDING

Same

CLASS CONSTRUCTION

Resid

REMARKS

INQUIRY 1- What restrictions are there concerning construction of an addition about 50' long on the side of the church towards St. Lawrence Street for use as living quarters, including an office, for the pastor of the church?

ANSWER

1- Wall of addition can be located no closer to St. Lawrence Street than the front wall of the existing dwelling on the adjoining lot on St. Lawrence Street. Rear wall of addition would have to be kept at least 25% of the depth of the lot, or about 20', from the rear lot line. Explained appeal rights if what is desired cannot be worked out within these limits.

DATE OF REPLY

6/9/52

REPLY BY

A. J. S.



FILL IN AND SIGN WITH INK

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine, October 20, 1949

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

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 125 Congress St. Use of Building Church No. Stories 1 New Building Existing "
Name and address of owner of appliance Congress Street Methodist Church, 125 Congress St.
Installer's name and address A. E. Moody, 479 Auburn Street. Telephone 2-6072

General Description of Work

To install steam heating system and oil burning equipment (replace one oil boiler,

IF HEATER, OR POWER BOILER

Location of appliance or source of heat basement Type of floor beneath appliance concrete
If wood, how protected? Kind of fuel oil
Minimum distance to wood or combustible material, from top of appliance or casing top of furnace 10"
From top of smoke pipe 10" From front of appliance over 4' From sides or back of appliance over 31"
Size of chimney flue 15x12 Other connections to same flue none
If gas fired, how vented? Rated maximum demand per hour

IF OIL BURNER

Name and type of burner 1 atm Labelled by underwriter's laboratories? yes
Will operator be always in attendance? Does oil supply line feed from top or bottom of tank? bottom
Type of floor beneath burner concrete Number and capacity of tanks 2-275 gal.
Location of oil storage basement If two 275-gallon tanks, will three-way valve be provided?
Will all tanks be more than five feet from any flame? yes How many tanks fire proofed?
Total capacity of any existing storage tanks for furnace burners none

IF COOKING APPLIANCE

Location of appliance Kind of fuel Type of floor beneath appliance
If wood, how protected?
Minimum distance to wood or combustible material from top of appliance
From front of appliance From sides and back From top of smokepipe
Size of chimney flue Other connections to same flue
Is hood to be provided? If so, how vented?
If gas fired, how vented? Rated maximum demand per hour

MISCELLANEOUS EQUIPMENT OR SPECIAL INFORMATION

Amount of fee enclosed? \$2.00 (\$2.00 for one heater, etc., 50 cents additional for each additional heater, etc., in same building at same time.)

ED: 10-28-49 [Signature]

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

ON COPY

Signature of Installer [Signature]

Permit No. 49/1864 12-8

Location 126 Congress St.

Owner Congress St. Methodist Church

Date of permit 10/28/49

Approved 12-12-49

NOTES

1. Fill Pipe ☒
2. Vent Pipe ☒
3. Elbow of Hot Steam ☒
4. Burner R. A. H. C. Supports ☒
5. Name of Job ☒
6. Stack ☒
7. High into ☒
8. Remains of old ☒
9. Flue ☒
10. Valve ☒
11. Cap ☒
12. Tank ☒
13. Tank ☒
14. Oil ☒
15. Unstated ☒
16. ☒



Location, Ownership and detail must be correct, complete and legible.
Separate application required for every building.
Plans must be filed with this application.

Application for Permit for Alterations, etc.

To the

Portland, Me., June 2, 1924 19

INSPECTOR OF BUILDINGS:

The undersigned applies for a permit to alter the following described building:—

Location Cor. Congress & St. Lawrence (See 174132 (Original Sheet)) Ward 1 in fire-limits? no
Name of Owner or Lessee, Congress St. M. E. Church Address Congress St.
" " Contractor, Everett Bldg Co " 109 Commercial
" " Architect, _____ " _____
Material of Building is wood Style of Roof, pitch Material of Roofing, asphalt
Size of Building is 80ft feet long; 60ft feet wide. No. of Stories, 2
Cellar Wall is constructed of stone is _____ inches wide on bottom and batters to _____ inches on top.
Underpinning is brick is _____ inches thick; is _____ feet in height.
Height of Building 28ft Wall, if Brick; 1st, _____ 2d, _____ 3d, _____ 4th, _____ 5th, _____
What was Building last used for? church No. of Families? _____
What will Building now be used for? church

Description of Present Bldg.

PERMIT MUST BE OBTAINED BEFORE BEGINNING WORK

Detail of Proposed Work

Build addition 6x18 feet one story high to be used as kitchen.
all to comply with the building ordinance

Estimated Cost \$ 1200.

If Extended On Any Side

Size of Extension, No. of feet long? _____; No. of feet wide? _____; No. of feet high above sidewalk? _____
No. of Stories high? _____; Style of Roof? _____; Material of Roofing? _____
Of what material will the Extension be built? _____ Foundation? _____
If of Brick, what will be the thickness of External Walls? _____ inches; and Party Walls _____ inches.
How will the extension be occupied? _____ How connected with Main Building? _____

When Moved, Raised or Built Upon

No. of Stories in height when Moved, Raised, or Built upon? _____ Proposed Foundations _____
No. of feet high from level of ground to highest part of Roof to be? _____
How many feet will the External Walls be increased in height? _____ Party Walls _____

If Any Portion of the External or Party Walls Are Removed

Will an opening be made in the Party or External Walls? _____ in _____ Story.
Size of the opening? _____ How protected? _____
How will the remaining portion of the wall be supported? _____

Signature of Owner or
Authorized Representative

Address

J. M. McLaughlin
69. Main St.
Everett Building Co

100

Inspection Services
P. Samuel Hoffses
Chief



Planning and Urban Development
Joseph E. Gray Jr.
Director

CITY OF PORTLAND

August 15, 1995

HARMON JAMES E
59 CURTIS RD
PORTLAND ME 04103

Re: 130 Cumberland Ave
CBL: 021- - F-011-001-01
DU: 3

Dear Mr. Harmon:

You are hereby notified, as owner or agent, that an inspection was made of the above referenced property. Violations of Article V of the Municipal Ordinance (Housing Code) were found as described in detail on the attached "Housing Inspections Report".

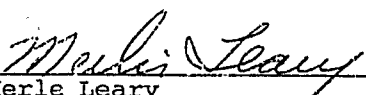
In accordance with the provisions of the above mentioned Code, you are hereby ordered to correct those defects within sixty (60) days. If you are unable to make such repairs within the specified time, you may contact this office to arrange a satisfactory repair schedule. If we do not hear from you within ten (10) days from this date, we will assume the repairs to be in progress and, on re-inspection within the time set forth above, will anticipate that the premises have been brought into compliance with the Housing Code Standards.

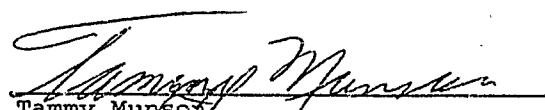
Please Note: You should consult this department to insure that any corrective action you should undertake complies with the building, plumbing, electrical, zoning and other Articles of the City Code.

Please contact this office if you have any questions regarding this order.

Your cooperation will aid this department in it's goal to maintain decent, safe, and sanitary housing for all of Portland's residents.

Sincerely,


Merle Leary
Code Enforcement Officer


Tammy Munson
Code Enfc. Offr./ Field Supv.

HOUSING INSPECTION REPORT

Location: 130 Cumberland Ave
Housing Conditions Date: August 15, 1995
Expiration Date: October 14, 1995

Items listed below are in violation of Article V of the Municipal Codes, "Housing Codes", and must be corrected before the expiration date:

1.	EXT - FRONT - CHIMNEY IS MISSING BRICKS & MORTAR	108.50
2.	INT - 1ST FLR - REAR HALL WALL HAS BROKEN PLASTER	108.20
3.	INT - CELLAR - STAIRWAY HAS BROKEN PLASTER	108.20
4.	INT - CELLAR - THERE IS AN ACCUMULATION OF LITTER & DEBRIS	108.40
5.	INT - 2ND FL; APT #2 - BATHROOM LAVATORY IS LEAKING HOT WATER	111.10
6.	INT - 3RD FL; APT #3 - FRONT STAIRWAY IS MISSING A RAILING	108.40
7.	INT - 3RD FL; APT #3 - MIDDLE BEDROOM WALL HAS BROKEN PLASTER	108.20
8.	INT - 3RD FL; APT #3 - LIVING ROOM, BEDROOM WINDOWS ARE MISSING SCREENS	108.30

PRIORITY VIOLATION: #7

It was noted that there was possible asbestos of a non-friable nature in the cellar.