

60-64 BANGOR TH STREET



Full cut # 0201 - 1/2 cut # 0202H - Third cut # 0203H - Fifth cut # 0205H

A.P. 58 and rear 60 Danforth Street

Feb. 18, 1964

Fox & Ginn, Inc.
50 Danforth Street

Gentlemen:

Permits for demolition of dwellings at the above named location are being issued herewith to Mr. Viola. If vacant land left after demolition of the buildings is to be used for off-street parking, a certificate of occupancy authorizing such a use is required from this department before it may be legally established.

To secure such a certificate it is necessary to file an application at this office together with a layout plan showing location and width of driveways to the lot, type of paving, drainage, bumper guards or guard curbs, and all other details required by the Zoning Ordinance, for checking and approval by this department. When work necessary to provide such compliance has been completed, the certificate of occupancy can be issued.

Very truly yours,

Albert J. Sears
Building Inspection Director

AJS:m

CITY OF PORTLAND, MAINE
DEPARTMENT OF BUILDING INSPECTION

Fox & Ginn Inc.
50 Danforth St.
Portland Maine

February 12, 1964

Gentlemen:

With relation to permit applied for to demolish a building or portion of building at #A.60 Danforth 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 Inspector 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,

Albert J. Sears

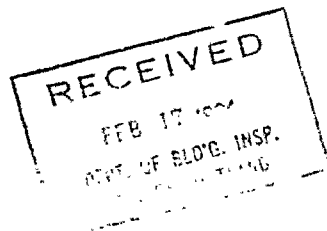
Albert J. Sears
Director of Building Inspection

AJS/h

Eradication of this building has been completed.

Edward Cook

2-13-64



I-2 INDUSTRIAL ZONE

~~R-3 RESIDENCE ZONE~~



APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class
Portland, Maine, February 12, 1964

RECEIVED
FEB 13 1964
CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

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

Location R. 60 Danforth St. Within Fire Limits? _____ Dist. No. _____
Owner's name and address Fox & Ginn, Inc., 50 Danforth St. Telephone _____
Lessee's name and address _____ Telephone _____
Contractor's name and address Santino J Viola, 84 Payson St. Telephone _____
Architect _____ Specifications _____ Plans _____ No. of sheets _____
Proposed use of building _____ No. families _____
Last use Dwelling No. families 2
Material frame No. stories 1 1/2 Heat _____ Style of roof _____ Roofing _____
Other buildings on same lot _____
Estimated cost \$ _____ Fee \$ 5.00

General Description of New Work

To demolish existing 1 1/2-story frame dwelling. Permit Issued with Lett.

Do you agree to tightly and permanently close all sewers or drains connecting with public or private sewers from this building or structure to be demolished, under the supervision and to the approval of the Dept. of Public works of the City of Portland

Land to be used for parking. Evacuation letter sent 2-12-64

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

Details of New Work

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

If a Garage

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

APPROVED:
with letter by AGJ

Miscellaneous

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

Fox & Ginn Inc.
Santino J Viola

CS 301

INSPECTION COPY

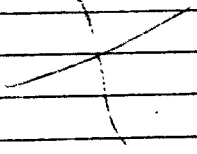
Signature of owner by: Santino J Viola

7M

Permit No. 624171
Location 1160 Lincoln St. West
Owner Ford + Gordon Inc
Date of permit 3/11/64
Notif. closing-in _____
Inspn. closing-in _____
Final Notif. _____
Final Inspn. _____
Cert. of Occupancy issued _____
Staking Out Notice _____
Form Check Notice _____

NOTES

2-19-64 Down to
collar hole to spot
in spring JK



CITY OF PORTLAND, MAINE
MEMORANDUM

DATE: July 27, 1960

TO: Mr. William Dickson, Planning Director
FROM: Albert J. Sears, Building Inspection Director
SUBJECT: History of off-street parking lot of Fox and Ginn at 60-62 Danforth Street

Our records indicate that this lot was established unlawfully sometime in 1953 or before. On August 13, 1958 we wrote to Fox and Ginn notifying them of the violation of the Zoning Ordinance and ordering them to discontinue the unlawful use. This notice they chose to ignore and at conference with Bob Donovan on Nov. 19, 1958, it was decided to take action on the violation until adoption of the proposed revisions to the Zoning Ordinance which were then under consideration.

After the revised ordinance became effective on Feb. 19, 1959, I wrote again to Fox & Ginn and their attorney, Mr. Philip Willard on March 10, 1959 notifying them of the necessity of getting approval of the Board of Appeals for such a use and outlining the steps which needed to be taken to get the matter before the Board. This letter resulted in a visit from Mr. C. L. Fox of Bangor and his attorney Mr. Merton Henry resulting in a promise of immediate action toward filing of an appeal. After several telephone calls and more letters including a report of the violation to the Corporation Counsel, we were finally successful in having an application for a certificate of occupancy on which a zoning appeal could be based filed on Nov. 13, 1959. The appeal was sustained on Dec. 3, 1959 and on Dec. 4, 1959 I wrote the owners of the property authorizing them to proceed with completion of work on the lot by providing the features required by the Zoning Ordinance and shown on the plan on which appeal was based so that a certificate of occupancy could be issued.

From that time until the present as far as can be determined no effort has been made to make the lot comply with requirements although it has been constantly in use. Our inspector has called the matter to the attention of the owners a number of times and received promises of immediate action without results. His record indicates that as late as the 18th of this month nothing had been done. Our dealings with these people have been very unsatisfactory from the beginning.

Very truly yours,

granted 12/3/59

59/109

DATE: December 3, 1959

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF NEILMARK CORP.

AT 60-04 Lanforta Street

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

BOARD OF APPEALS

NOTE

	Yes	No
Franklin G. Hinckley	(S)	()
Joseph I. Gough	(S)	()
Harry M. Swartz	(S)	()

Record of Hearing:

Opposed: Margaret Costello - 58 Lanforta Street

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

NOV. 20, 1959

Neilmark Corp., owner of property at 60-64 Denforth Street, under the provisions of Section 24 of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board of Appeals to: A: Grant a variance from the provisions of said Ordinance to permit: Parking of 21 passenger cars and 5 commercial motor vehicles within about 15 feet of the dwelling on the front of the adjoining lot at 58 Denforth Street and within about 5 feet of the tenant house on the rear of the same lot and about 5 feet from the dwelling on the adjoining lot at 17 High Street Court. This permit is not issuable because a minimum distance of 25 feet from such building is not to be provided as specified by Section 14-6 of the Ordinance, and 5 commercial motor vehicles are proposed instead of a minimum of one.

B: Permit use of the open land at this location for off-street parking of 21 passenger cars and 5 commercial motor vehicles. This permit is presently not issuable because all the lot area except the four percent which is in an I-2b Industrial Zone, is located in an R-6 Residence Zone in which the use of land for an off-street parking lot is not allowable unless authorized by the Board of Appeals as provided by Section 7-A-7d of the Ordinance.

LEGAL BASIS OF APPEAL COVERING VARIANCE (A ABOVE): 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.

LEGAL BASIS OF APPEAL COVERING CONDITIONAL USE (B ABOVE): 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.

Neilmark Corp.
Appellant
APPELLANT

DECISION

After public hearing held December 3, 1959, the Board of Appeals finds that the conditions set forth under A and B above do not exist with respect to this property and that the petition should not be granted.

It is, therefore, determined that a variance from the provisions of the Zoning Ordinance should not be granted and that permit for such conditional use should not be issued.

Harry M. Roberts
BOARD OF APPEALS

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

November 23, 1959

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine, on Thursday, December 3, 1959, at 4:00 p.m. to hear the appeal of Neilmark Corp. requesting an exception to the Zoning Ordinance to permit use of the open land at 60-64 Danforth Street for the off-street parking of 21 passenger cars and 5 commercial motor vehicles.

This permit is presently not issuable because of the following reasons:

- A. Parking is proposed within about 15 feet of the dwelling on the front of the adjoining lot at 58 Danforth Street and within about 5 feet of the tenement house on the rear of the same lot, as well as within about 5 feet of the dwelling on the adjoining lot at 17 High Street Court, instead of a minimum distance of 25 feet from such buildings being provided as specified by Section 14-G of the Ordinance.
- B. All of the lot area, except the four percent which is in an I-2b Industrial Zone, is located in an R-6 Residence Zone in which the use of land for an off-street parking lot is not allowable unless authorized by the Board of Appeals as provided by Section 7-A-7d of the Ordinance.

This appeal is taken under Section 24 of the Zoning Ordinance which provides:

Section A. 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 the 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; and

Section B. 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 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 feet of the premises in question as required by the Ordinance.

BOARD OF APPEALS

Franklin G. Hinckley

Chairman

ALBERT J. SEARS
INSPECTOR OF BUILDINGS

CITY OF PORTLAND, MAINE

Department of Building Inspection

CO-60-64 Danforth Street

November 16, 1959

Philip G. Willard, Esq.
477 Congress Street

cc to: Neilings Corp.
57 Danforth Street
/cc to: Corporation Council

Dear Mr. Willard:

As you are aware, a certificate of occupancy for use of the open land at the above named location (Assessors' Lot Nos. 40-C-5, 6 & 20) for the off-street parking of 21 passenger cars and 5 commercial motor vehicles as indicated on plot plan filed with application for certificate is not issuable under the Zoning Ordinance for the following reasons:

1. All of the lot area, except the four per cent which is in an I-2b Industrial Zone, is located in an R-6 Residence Zone in which the use of land for an off-street parking lot is not allowable unless authorized by the Board of Appeals as provided by Section 7-A-7d of the Ordinance.
2. Parking is proposed within about 15 feet of the dwelling on the front of the adjoining lot at 58 Danforth Street and within about 5 feet of the tenement house on the rear of the same lot, as well as within about 5 feet of the dwelling on the adjoining lot at 17 High Street Court, in violation of a minimum distance of 25 feet from such buildings being provided as specified by Section 14-G of the Ordinance.

We understand that the owner of the property would like to exercise his appeal rights concerning these discrepancies. Accordingly we are certifying the case to the Corporation Counsel, in Room 208, City Hall, to whose office you should go to file the appeal. In order for consideration to be given at the next meeting of the Board of Appeals it is important that the appeal be filed not later than Friday, November 20th.

Very truly yours,

Albert J. Sears
Inspector of Buildings

AJS/jg

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

November 30, 1959

Philip G. Willard, Esquire
477 Congress Street
Portland, Maine

Dear Mr. Willard:

The Board of Appeals will hold a public hearing on
Thursday, December 3, 1959, at 4:00 p.m. in the Council Chamber
of the City Hall, Portland, Maine, to hear the appeal of Neilmark
Corporation under the Zoning Ordinance.

Please be present or be represented at this hearing
in support of this appeal.

BOARD OF APPEALS

Franklin C. Hinckley

Chairman

R6 RESIDENCE ZONE

CITY OF PORTLAND, MAINE
DEPARTMENT OF BUILDING INSPECTION
COMPLAINT

CS-66



INSPECTION () BY

COMPLAINT NO. 58/76 Date Received August 4, 1958

Location 1-3 PALERMO ROAD
60-4 Danforth Street Use of Building Parking lot by Fox & Ginn
Owner's name and address FOX & GINN, INC., 50 DANFORTH ST. truckers
Mr. W. J. Pramon, 162 High Street Telephone _____
Tenant's name and address _____ Telephone _____
Complainant's name and address _____ Telephone _____

Description: Sign on lot indicates its use for employees of Fox & Ginn only. Appears to be of recent establishment especially the new gravel fill on lot in rear.

NOTES: 8/12/58 - See Section 1
9/11/58 - Mr. Fox & Ginn
11/19/58 - Post is being used for multiple trucks - Mr.
11/19/58 - At conference with Messrs. Fox & Ginn, Pramon and Mr. [unclear] it was decided that no action should be taken on this violation until Mr. [unclear] as to the [unclear] of the [unclear]
3/10/59 - Letter to owner and his attorney about need for appeal - AJS
3/18/59 - Mr. Fox from Bangor and Mr. Pramon & [unclear] me about this matter. Letter sent requirements and they are to have plan prepared and file application for code locate & [unclear] to get appeal proceedings started - AJS
4/16/59 - Called Mr. Fox at local office and asked him to convey message to Mr. Fox in Bangor that we would like him to get application for code locate if necessary and appeal filed - AJS
4/21/59 - letter written to Fox & Ginn, 50 Danforth St. - FU - to AJS - 5/6/59
6/2/59 -

Location: 60-61 Danforth Street

LOCATION 60-64 Danforth

DATE 9/4/59

PERMIT _____

INQUIRY _____

COMPLAINT X

AJS:

John Purdy of Fox & Ginn came in,
got a copy of the duplicated instructions
about cert. of occ.; said they had the
matter of site plan cleared up, and that he
would file application for C. O. shortly
with request for appeal procedure.

When I read Sect. 7A7d, ~~xxxxxxx~~
with its phrase: "subject to the requirements
of Sect. 14", I began to wonder if the
Board has ~~xxx~~ authority to vary the
requirements of Section 14, especially
14E.

Note of Purdy's action has been
made on insp. copy of complt.

wncd 9/4/59

10/21/59
Mr. Purdy said that he
gave papers to Mr. Willard
to file application for
C.O. - ~~xxx~~

11/16/59
11/18/59 - App. for C.O.
filed by Mr. Willard
Letter of Certification
sent to Mr. Willard by
AJS

~~1/12/59~~ ~~2/11/59~~
~~5/25/59~~ ~~6/8/59~~ ~~3/20/59 to AJS~~
~~3/30/59 to OJ~~
 August 13, 1958
~~4/10/59 to OJ~~
 set ahead to ~~4/20/59~~ 9/21/59

FU - 8/20/58 AAS

Cpt. 60-64 Danforth Street

3-6489

Fox & Ginn, Inc.
50 Danforth Street

cc to: Philip Willard, Esq.
477 Congress Street

Gentlemen:

An inspector from this office reports that the lot at this location and the one directly behind it having frontage on Palermo Road, which you are reported to own or control, has erected upon it a sign indicating that the lot is to be used for parking by your employees, that a new gravel surface has been provided and that the lot is apparently being used for parking of motor vehicles.

These lots, made vacant by demolition of buildings formerly located thereon, cannot lawfully be used for any purpose until a certificate of occupancy has been procured from this department under the Zoning Ordinance. Such a certificate of occupancy could not be issued, if applied for, because the property is in an R-6 Residential Zone where a decision of the Superior Court has declared that the Zoning Ordinance does not permit such a parking lot. Under these circumstances the apparent use of the lot is in violation of the Zoning Ordinance and is to be discontinued without delay, let us say before August 20, 1958. No one of course has the power to authorize continuance of a violation of law for any period whatever. However, if the unlawful use of these premises is permanently discontinued before that date, we shall not find it necessary to seek assistance of the Corporation Counsel of the City to compel compliance.

Very truly yours,

Mr. Willard 2-1901

Warren McDonald
Inspector of Buildings

AJS/jg

4/10/59 - Talked with Mr. Fox in Portland office
 6/29/59 - Another letter to Mr. Willard - AJS
 8/20/59 - Letter to Asst. Corp. Counsel

A 13 - 9/17/59

FU - 8/20/58 AAS

August 13, 1958

Cplt. 60-64 Danforth Street

Fox & Ginn, Inc.
50 Danforth Street

cc to: Philip Willard, Esq.
477 Congress Street

Re: Fox & Ginn, Inc.

An inspector from this office reports that the lot at this location and the one directly behind it having frontage on Palermo Road, which you are reported to own or control, has erected upon it a sign indicating that the lot is to be used for parking by your employees, that a new gravel surface has been provided and that the lot is apparently being used for parking of motor vehicles.

These lots, made vacant by demolition of buildings formerly located thereon, cannot lawfully be used for any purpose until a certificate of occupancy has been procured from this department under the Zoning Ordinance. Such a certificate of occupancy could not be issued, if applied for, because the property is in an R-6 Residential Zone where a decision of the Superior Court has declared that the Zoning Ordinance does not permit such a parking lot. Under these circumstances the apparent use of the lot is in violation of the Zoning Ordinance and is to be discontinued without delay, let us say before August 20, 1958. No one of course has the power to authorize continuance of a violation of law for any period whatever. However, if the unlawful use of these premises is permanently discontinued before that date, we shall not find it necessary to seek assistance of the Corporation Counsel of the City to compel compliance.

Very truly yours,

Warren McDonald
Inspector of Buildings

AJS/jg

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Barnett I. Shur, Corporation Counsel
FROM: Warren McDonald, Inspector of Buildings
DATE: September 19, 1958
SUBJECT: New parking lot established unlawfully at 60-64 Danforth Street.

Fox & Ginn, Inc. have purchased or are in the process of purchasing from the City by tax deed three lots of land at this location (Assessors' Lot Nos. 40-c-5, 6 & 20) which at one time were the property of Udell Bramson. They have proceeded to grade the lots and are using them for parking of their employees cars as well as for a number of their commercial motor vehicles, including trailer trucks.

This property is located in an R-6 Residence Zone where off-street parking for more than three motor vehicles, excluding all commercial motor vehicles, was originally an allowable use under Section 7-A-7 of the Zoning Ordinance. However, under your instructions we have been holding that this section of the Ordinance is not applicable because of the injunction in force against issuance of a permit for a parking lot in the R-6 Residence Zone in the vicinity of Sarleton, Neal & Pine Streets.

On August 13, 1958 after this use of the land was called to our attention, we wrote Fox and Ginn with a copy to their attorney, Philip Willard, informing them of the application of the Zoning Ordinance and ordering them to desist. They are of course in violation of the Ordinance in that they are operating this lot without certificate of occupancy and have never even attempted to apply for such a certificate, which of course we could not issue. Neither has any attempt been made to comply with any requirements of the Ordinance for a legal parking lot. The parking of any commercial motor vehicles at all is also another violation.

Inspection of the premises recently indicates that the lot is apparently being used for this unlawful purpose to a greater extent than when the violation was first called to their attention. We have heard nothing from them since the letter was sent except that Mr. Willard mentioned something about it when he phoned about another matter.

In view of the uncertainty as to the application of the Zoning Ordinance to the situation, we do not know what the next step should be in attempting to secure compliance and are therefore presenting the matter to your department for consideration and action. As far as we have been able to determine, no deed has yet been recorded perhaps because of a possible cloud on the title. Other real estate in this vicinity occupied by Fox & Ginn is held in the name of the Neilmark Corporation of Bangor and it may be that the property in question is so held.

Very truly yours,

AJS/jg

Inspector of Buildings

Alt. 2/7/59 - 60-64 Danforth St.

March 10, 1959

Fox & Cinn, Inc.
50 Danforth St.

cc to Corporation Counsel

Philip Willard, Esq.
477 Congress St.

Gentlemen:

Last August we wrote you concerning the unlawful use of parking of motor vehicles being conducted on the premises at 60-64 Danforth Street and 1-3 Palermo Road, the property being located in an R-6 Residence Zone where such a parking lot is not allowable. Further action by this department has been delayed pending adoption of a revision of the Zoning Ordinance in which a change in the restrictions on parking lots in such a zone was contemplated.

The new ordinance which has now been adopted and which became effective on February 19, 1959 permits parking lots of this nature in the R-6 Zone only after authorization of the Board of Appeals. It is therefore necessary that you take steps without further delay to seek approval of the Board of Appeals for such a use at this location.

Appeal proceedings cannot be started until there has been filed at this office an application for a certificate of occupancy for use of the premises as a parking lot. With this application, to be filled out over the counter at this office, needs to be furnished a plot plan showing all details of the lot in compliance with Zoning Ordinance requirements and bearing the approval of the City Traffic Engineer as regards the location and width of the driveway approaches to the lot. A summary of Zoning Ordinance requirements relating to off-street parking and an outline of the procedure to be followed and the information to be furnished in filing this application are enclosed for your convenience. Failure of action on your part toward this end by March 20, 1959 will make it necessary for us to report the matter to the Corporation Counsel for whatever action he may deem appropriate.

Very truly yours,

Albert J. Sears
Inspector of Buildings

AJS/11

FU- Mr. Sears-5/10/59

58/74

Cplt. -60-64 Danforth Street

April 21, 1959

Fox & Cinn, Inc.
50 Danforth Street

cc to: Philip G. Willard, Esq.
477 Congress Street
cc to: Corporation Counsel

Gentlemen:

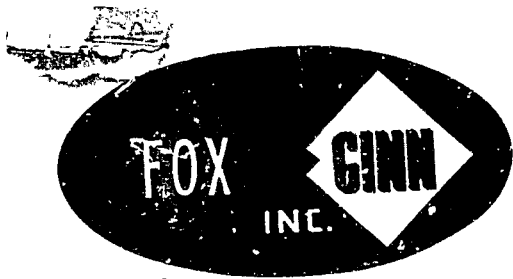
When Mr. Fox called at this office about a month ago in regard to the unlawful parking operations being carried on at the above named location, it was my understanding that he was to have a plot plan prepared and filed with an application for a certificate of occupancy on which a zoning appeal could be based. To date, we have heard nothing further from you in regard to this matter.

In view of the fact that this violation of the Zoning Ordinance has been one of rather long standing, it is important that steps be taken without delay to correct it. We shall therefore expect to have application for certificate of occupancy together with all necessary plans and information filed at this office before May 6, 1959 so that action can be taken to place the matter before the Board of Appeals for consideration.

Very truly yours,

Albert J. Sears
Inspector of Buildings

AJS:m



General Offices

12 HOWARD LANE
BANGOR, MAINE

MOTOR EXPRESS LINES

S E R V I N G M A I N E A N D B O S T O N
C O N N E C T I N G T O A L L P O I N T S B E Y O N D

April 25, 1959

Terminals

BANGOR
5608

SKOWHEGAN
GREENWOOD 4-3581

LEWISTON
7-0641

PORTLAND
SPRUCE 3-6489

BOSTON
DUNKIRK 7-9400

City of Portland, Maine
Department of Building Inspection
Portland, Maine

Attention: Albert J. Sears, Inspector of Buildings

Dear Mr. Sears:

In answer to your letter of April 21, 1959, regarding our parking facilities on Danforth Street, will say that, after leaving your office with Mr. Philip Willard, he was supposed to handle the matter from there on lining up the information that we needed to bring this matter before the Board of Appeals for consideration.

While I was in Portland yesterday, I attempted to get in touch with Mr. Willard to see what progress he had made, but I was unable to contact him. I will, however, see that this matter gets taken care of just as soon as possible.

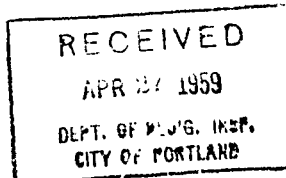
Thank you very much for bringing this matter to my attention.

Very truly yours,

FOX & GINN, INC.

C. J. Fox
C. J. Fox, Sr.
President

CLF:rch



Cplt.-60-64 Danforth St.

June 29, 1959

Fox & Ginn, Inc.
Philip Willard Esq.
477 Congress Street

cc to: Philip Willard, Esq.
cc to: Corporation Counsel

Gentlemen:

In spite of our letters of March 10, 1959 and April 21, 1959 concerning the violation of the Zoning Ordinance in using the lot at 60-64 Danforth for off-street parking of motor vehicles without authorization of the Board of Appeals, we are still awaiting the filing of the application and plans needed before appeal proceedings can be started. We understand that a dispute has arisen between the owner and the maker of the plot plan which has not yet been resolved, but we cannot continue any longer to accept this as a reason for delay in filing of an application for a certificate of occupancy. It is therefore necessary either that the unlawful use of the land in question be discontinued at once or that the application together with all information needed to allow appeal proceedings to be started be filed at this office on or before July 9, 1959. Failure to do so will make it necessary for me to report the violation to the Corporation Counsel for whatever action he may deem advisable.

Very truly yours,

Albert W. Sears
Inspector of Buildings

AJS:m

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Robert W. Donovan, Asst. Corporation Counsel
FROM: Albert J. Sears, Inspector of Buildings
SUBJECT: Unlawful parking lot owned by Fox & Ginn at 60-64 Darforth Street.

DATE August 20, 1959

You are well acquainted with the history of efforts made to get these people to file a zoning appeal to see if the Board of Appeals will authorize a parking lot at this location. I have received no answer at all from my last letter sent on June 29th to Fox & Ginn, with a copy to Philip Willard, their attorney, at your suggestion. It seems to me that this matter should not be allowed to drift along any longer, for there apparently is no good reason why they could not have acted long ago. I suggest that they be given an ultimatum to produce or else that legal action be taken.

Very truly yours,

Inspector of Buildings

AJS/jg

Handwritten scribble

April 23, 1954

Handwritten note:
OK to proceed
in writing
4/23/54

C
O
P
Y

Mr. Udell Bramson
Attorney
122 High Street
Suite 634
Portland, Maine

Dear Mr. Bramson:

Your letter of inquiry dated April 5, 1954 with respect to the use of the property at 64 Danforth Street was received by this office. Without ascertaining anything about the ownership of the property in question, I can advise you that this land is now in a Limited Business zone. This zone extends to a depth of 100 feet south of Danforth Street. Within this zone parking is a permissible use. I should advise you, however, that this location is at some distance from the stores on Congress Street and is liable only to be used by persons driving to work. As such, the fee to be derived from the rental of car space will be, undoubtedly very low.

Very sincerely yours,

Roger L. Creighton
Planning Director

rlc:ydc

cc: Dr. Edward E. Colby
Director
Health Department
Mr. Warren McDonald, Director ✓
Department of Building Inspection

RECEIVED
APR 23 1954
DEPT. OF BLDG. INSP.
CITY OF PORTLAND

ATH



APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, Jan. 23, 1953

PERMIT ISSUED
00005
JAN 23 1953
CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to ~~erect~~ alter ~~reside~~ ~~demolish~~ install the following building ~~or~~ ~~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 64 Danforth St. Within Fire Limits? _____ Dist. No. _____
 Owner's name and address ~~City of Portland~~ Udell Bramson, 142 High St. Telephone _____
 Lessee's name and address _____ Telephone _____
 Contractor's name and address Antonio Labbe, 276 Valley St. Telephone _____
 Architect _____ Specifications _____ Plans no No. of sheets _____
 Proposed use of building _____ No. families _____
 Last use apartment house No. families 6
 Material wood No. stories 3 1/2 Heat _____ Style of roof _____ Roofing _____
 Other buildings on same lot _____
 Estimated cost \$ _____ Fee \$ 1.00

General Description of New Work

To demolish 3 1/2-story frame apartment house 40' x 40'.
 Do You agree to tightly and permanently close all sewers or drains connecting with public or private sewers from this building or structure to be demolished, under the supervision and to the approval of the Department of Public Works of the City of Portland? Yes

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** Antonio Labbe

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? _____
 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 _____
 Material of underpinning _____ Height _____ Thickness _____
 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 _____ Girt or ledger board? _____ Size _____
 Girders _____ Size _____ 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:

Miscellaneous

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

Udell Bramson

Signature of owner by: Antonio Labbe

NOTES

~~4/6/53 - Antonio C. ...
 270 Dallas
 Webster
 45 Jackson St So.P
 Planned by ...
 in ...
 most likely the ...
 city is not ...~~

Method of removal ...
 surgical conditions ...
 of ...
 could ...
 parts of ...
 removed first ...
 ...
 of ...
 down ...
 can ...
 procedure ...
 in ...
 Patton ...
 Dallas 4-6882
 4-9-53 ...
 6-8-53 ...
 7-16-53 ...
 9-7-53 ...
 9-25-53 ...
 10-30-53 ...
 12-1-53 ...

Permit No. 53/91
 Location 644 ...
 Owner ...
 Date of permit 1/23/53
 Notf. closing in
 Insps. closing in
 Final Notf.
 Final Insp. 12-29-53
 Cert. of Occupancy issued
 12-31-53

4/6/53
 4/7/53
 4/8/53
 4/9/53
 4/10/53
 4/11/53
 4/12/53
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 4/26/53
 4/27/53
 4/28/53
 4/29/53
 4/30/53

Form 3800-5 (Rev. 3-31)

10458

Postmaster pay

Receipt for Registered Article No.

POSTMARK

Fee paid 50 cents, Class Registered

Declared value 100 Surcharge paid, \$

Return R. rate for 100 Spl. Del'y fee

Delivery restricted to addressee

to person or order. Fee paid

Accepting employee will place his initials in space

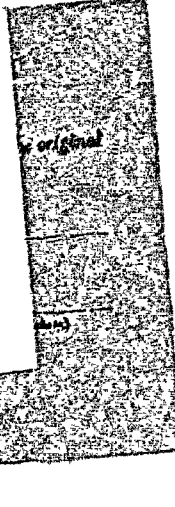
including restricted delivery

NOTICE TO SENATOR - This notice is not to be used as an affidavit. Penalties and sanctions apply to those of officers in violation of this notice.

Arthur H. Davis
(Name of addressee)

C. O. and State of address

Date of delivery 1/11/19



64 Danforth St.

Registered Mail
Return Receipt

April 7, 1953

Mr. Antonio Labbe
276 Valley St.

Copy for Mr. Labbe
to give to Mr. Webber

Dear Mr. Labbe:-

The building at 64 Danforth St., which you are reported to own or control and which you are demolishing under a building permit, has been found to be weakened so as to be unsafe or dangerous because of the methods used in demolishing.

As authorized and directed by Sect. 109 of the Building Code (copy enclosed), you and Mr. Webber are hereby ordered to take immediately whatever steps are necessary to correct these dangerous conditions, certainly before April 9th, 1953, and to so plan and proceed with the further work of demolition to avoid similar dangerous conditions.

The directions contained in this letter as regards methods of demolition apply to the building in the rear, which is also being demolished, as well as this building now in danger at the street frontage.

It is necessary that the building be demolished absolutely from the top down and that no further supports of any character be removed from the building until the weights and loads which they are carrying have been removed.

From my telephone conversation with you, it appears that you may have found a sale for some of the material, at least many of the bricks in the underpinning and perhaps also some of the studs or uprights in supporting partitions, and thereupon you have removed these materials without regard to the safety of the rest of the structure. That practice must be discontinued. Though you told me over the phone that no supporting partitions had been removed, it looked very much to me this morning as though the greater part of the uprights of at least one supporting partition at the rear of the first story, had been removed and perhaps other supporting partitions.

Incidentally, if you and Mr. Webber, and these orders and directions apply to Mr. Webber, as well as yourself, are removing this building with your own hands, you are showing little regard for your own safety because you can imagine the result if you so weaken the lower supports of the building that a collapse should occur while you are prying and tagging at and letting fall the higher parts of the building.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMCB/S

Enclosure: Copy of Sect. 109 of the Building Code



APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, May 10, 1952

PERMIT ISSUED
MAY 9 1952
00854

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect alter ~~repairs~~ ~~the following building structure~~ ~~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 61 Hanforth Street Within Fire Limits? yes Dist. No. _____
 Owner's name and address Udell Bramson, 142 High Street Telephone _____
 Lessee's name and address _____ Telephone _____
 Contractor's name and address Robert Corrier, 1002 Brighton Avenue Telephone _____
 Architect _____ Specifications _____ Plans _____ No. of sheets _____
 Proposed use of building _____ No. families _____
 Last use Apartment house No. families 6
 Material wood No. stories 3 Heat _____ Style of roof _____ Roofing _____
 Other buildings on same lot _____ Fee \$ 1.00
 Estimated cost \$ _____

General Description of New Work

To demolish 3-story frame apartment house approximately 50' x 70'.
~~To demolish 3-story frame apartment house approximately 50' x 70'.
 To demolish 3-story frame apartment house approximately 50' x 70'.
 To demolish 3-story frame apartment house approximately 50' x 70'.~~
 Do You agree to tightly and permanently close all sewers or drains connecting with public or private sewers from this building or structure to be demolished, under the supervision and to the approval of the Department of Public Works of the City of Portland?
 YES

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 Robert Corrier

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? _____
 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 _____
 Material of underpinning _____ Height _____ Thickness _____
 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 _____ Girt or ledger board? _____ Size _____
 Girders _____ Size _____ Columns under girders _____ Size _____ Max. on centers _____
 Studs (outside walls and carrying partitions) 2x4-2x6 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? _____

Miscellaneous

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

Udell Bramson

Signature of owner by: Robert Corrier

APPROVED:

INSPECTION COPY

Permit No. 521654

Location 64 Danforth St.

Owner William W. Squawson

Date of permit 5/10/52

Notif. closing-in

Inspn. closing-in

Final Notif.

Final Inspn.

Cert. of Occupancy issued

NOTES

Notes section with a large 'X' drawn across the lines.

Main notes section with multiple horizontal lines for writing.

Mr. Warren McDonald
Director, Building
Inspection

February 28, 1952

Mr. Edoll Branson
Attorney at Law
142 High Street
Room 634
Portland, Maine

Dear Mr. Branson:

Confirming our telephone conversation of this date, this is to inform you that your property at 64-66 Danforth Street is in an Apartment Zone. In this zone, garage space for or parking or storage of, more than 3 motor vehicles, is authorized only by the Board of Appeals. Repair or service garages or garage space for the storage of more than one commercial motor vehicle are not allowable uses.

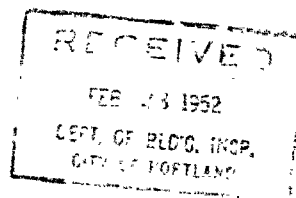
For information on side yards, front yards, and back yards, I would refer you to the Building Inspector, Mr. McDonald, whom you should see for a building permit in any case.

Very sincerely yours,

Roger W. Croighton
Planning Director

RLC:5

✓ cc: Mr. Warren McDonald
Director
Building Inspection



C
O
P
Y

Mr. Warren McDonald, Director
Building Inspection

File

February 27, 1952

Mr. Udell Branson
Attorney at Law
142 High Street
Room #634
Portland, Maine

Dear Mr. Branson:

In reply to your request, of February 25th, this is to inform you that your property at 64-66 Danforth Street is in a Limited Business Zone.

In this zone filling stations, service or major garages, or parking or storage of motor vehicles (except not more than one commercial vehicle) are permitted. Repair garages are not permitted.

For information on side yards, front yards, and back yards, I would refer you to the Building Inspector, Mr. McDonald; whom you should see for a building permit in any case.

Very sincerely yours,

Roger J. Creighton
Planning Director

RJC:yds

Encl.

cc: Mr. Warren McDonald
Director, Building Inspection

RECEIVED
FEB 27 1952
BUILDING INSPECTION

Handwritten notes:
Nancy
G. D. in
at 64-66 Danforth
Collection & new
7th St. removal
4/27/52

C
O
P
Y

C O P Y

UDELL BRANSON
ATTORNEY AT LAW

142 High Street
Room 634
Portland, Maine

February 25, 1952

City of Portland Planning Board
City Hall
Portland, Maine

Gentlemen:

I have a mortgage on the property at 64-66 Danforth Street.
I have a party who is interested in building a garage there, and I
was wondering whether or not this would be permissible under the
zoning laws. Frontage is about sixty feet.

Kindly advise.

Very truly yours,

/s/ Udell Branson
Udell Branson

UB/1st



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.

Portland, 6-8-14 191

To the
 INSPECTOR OF BUILDINGS:

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

Location, 62-64 Danforth St Wd. _____
 Name of owner is? Chas. E. B. Hebo H. Y. King Address, Oxford Bldg.
 Name of mechanic is? _____
 Name of architect is? _____
 Material of building is? Wood Style of roof? Flat Material of roofing? T & G.
 Description of Present Bldg. Size of building, feet front? _____; feet rear? _____; feet deep? _____; No. of stories? _____
 Size of L, feet long? _____; feet wide? _____; feet high? _____; No. of stories? _____; roof? _____
 No. of feet in height from sidewalk to highest point of roof? _____ Material of foundation? _____
 Thickness of external walls? _____ Party walls? _____ Distance from line of street? _____ Width of street? _____
 What was the building last used for? _____ How many families? _____ Number of stores? _____
 Nature of egress? _____ Size of lot front? _____; rear? _____; deep? _____
 Building to be occupied for Dwelling after alteration. Estimated cost? \$ 1500.00

PERMIT MUST BE OBTAINED BEFORE BEGINNING WORK.

DETAIL OF PROPOSED WORK.

~~Remodal present shed into dwelling and build on piazza -~~
~~Also necessary alterations and repairs.~~

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? _____
 Distance from lot lines:— Front? _____; side? _____; side? _____; rear? _____

WHEN MOVED, RAISED OR BUILT UPON.

Number of stories in height when moved, raised or built upon? _____ Proposed foundations? _____
 Number of feet high from level of ground to highest part of roof to be? _____
 Distance back from line of street? _____ Distances from lot lines when moved? _____
 Distance from next buildings when moved? _____; front? _____; side? _____; side? _____; rear? _____
 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.

Chas. E. B. King

Address,

Oxford Building

60-464
62-4 Danforth St

FINAL REPORT.

.....191
Has the work been completed in accordance with
this application and plans filed and approved?

Law been violated? Doc. No. ... of 191...

Nature of violation?

60-464
62-4
Danforth St

PERMIT GRANTED.

Permit filled out by 6-8-1914

Permit number

Location 62-64 Danforth St.

Violation removed when? 191

Estimated cost of alterations, etc., \$

Inspector of Buildings.