

70-76 COYLE STREET

SHAW-WALKER

Full cut # 920R - Half cut # 9202R - Third cut # 9203R - Fifth cut # 9205R

CITY OF PORTLAND, MAINE  
DEPARTMENT OF BUILDING INSPECTION

May 10, 1964

Forest Ave. Realty, Inc.  
550 Forest Ave.

Gentlemen:

With relation to permit applied for to demolish a building or portion of building at 74 Coyle Street (apt. house) 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 provision 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.

*Reginald Foster*

RECEIVED

MAY 10 1964

OF BUILDING INSPECTION

5-15-64 J.S.K.



# APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, May 15, 1964

PERMIT ISSUED

18 1964

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 74 Coyle Street Within Fire Limits?      Dist. No.       
Owner's name and address Forest Ave. Realty Co., 550 Forest Ave. Telephone       
Lessee's name and address      Telephone       
Contractor's name and address Ernest Asselyn, 106 William St. Telephone       
Architect      Specifications      Plans      No. of sheets       
Proposed use of building      No. families       
Last use existing Apartments No. families 4  
Material frame      No. stories 2 1/2 Heat      Style of roof      Roofing       
Other buildings on same lot      Fee \$ 5.00  
Estimated cost \$     

## General Description of New Work

To demolish existing 2 1/2 story frame dwelling  
building &  
Land to be used for future existing parking lot

*Ordination Notice Sent 5/15/64*

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** owners

## 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      dation      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:

OK- 5/18/64- ajs

## Miscellaneous

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

CS 301

INSPECTION COPY

Signature of owner

By: [Signature]

*PH*

Permit No. 641.53-9  
Location 741 Ogden St  
Owner Theresa Lee Realty  
Date of permit 5/18/64  
Notif. closing-in \_\_\_\_\_  
Inspr. closing-in \_\_\_\_\_  
Final Notif. \_\_\_\_\_  
Final Inspr. \_\_\_\_\_  
Cert. of Occupancy issued \_\_\_\_\_  
Staking Out Notice \_\_\_\_\_  
Form Check Notice \_\_\_\_\_

NOTES

10/20/64 - 660 N. 1st St  
1841

74 E. 1st St 2/25/58  
AJS  
C. W. Clark  
2/25/58  
C. W. Clark  
to appeal

AJS-

Please prepare certification letter.

Mrs. Finkleman actually signed this application and talking with me she said the carport would be three feet from the rear line, that the house is now 15 feet from the rear line. Since the lot is about 72 feet wide at the rear and the house about 47 feet wide, I figured that the encroachment of the house plus the encroachment of the carport would equal more than 30 per cent of the required rear yard, therefore their request for appeal. Please see who is the actual owner and address the owner accordingly.

Mr. McDonald

Hold Znaphead  
see letter  
mm

Appeal sustained 3/2 7/1/58

5/6/58

Hold for more information. See letter 4/7/58

November 14, 1958

AP-70-76 Coyle Street

Mr. Daniel Finkleman  
74 Coyle Street

Dear Mr. Finkleman:

A period of over six months having elapsed since the granting of the zoning appeal relating to the construction of a garage on the rear of your dwelling at the above named location, the rights granted under that appeal have expired, as specified by Section 24 of the Zoning Ordinance. If you wish to proceed with the work at some future date, it will be necessary to again secure authorization from the Board of Appeals before a permit for the addition can be issued.

Very truly yours,

AJS/jg

Albert J. Sears  
Deputy Inspector of Buildings

May 6, 1958

AP - 70-76 Coyle Street

Mr. Daniel Finkleman  
74 Coyle Street

Dear Mr. Finkleman:

Now that the Zoning Appeal has been sustained involving construction of a one story garage to be attached to the rear of your dwelling at the above named location, it is necessary before a permit can be issued that the permit application be completed by furnishing information as to the foundation and framing of addition including what is to be provided for required protection on garage side of wall adjoining dwelling and type of door to be installed on any opening in this wall. It is also necessary that the location of the proposed addition be staked out on the ground for checking by this department.

Very truly yours,

Albert J. Sears  
Deputy Inspector of Buildings

AJS:M



February 16, 1958

AP - 70-76 Coyle Street

Mr. Daniel Finkelman  
74 Coyle Street

cc to: Mr. Hyman Finkelman  
19 Spruce Street  
Corporation Counsel

Dear Mr. Finkelman:

We are unable to issue a permit for construction of a one-story addition 12 feet by 18 feet for garage use on rear of two family dwelling at 70-76 Coyle Street because it would increase the occupancy of the required rear yard, which is already occupied by a portion of the existing dwelling to an extent greater than the 30 per cent of its area permitted to be occupied by Section 18 of the Zoning Ordinance as applied to the R-3 Residential Zone in which the property is located.

We understand you would like to exercise your appeal rights concerning this discrepancy. Accordingly we are certifying the case to the Corporation Counsel, to whose office you should go to file the appeal. This appeal is required to be filed in the name of the actual owner of the property, who according to records of the Assessors' Department is your father, Hyman Finkelman.

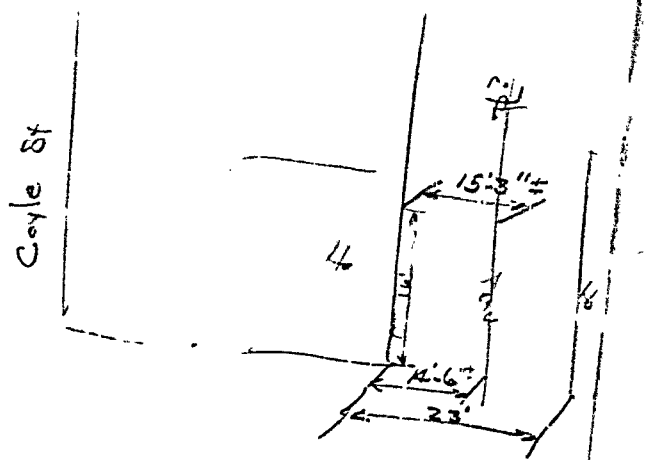
Very truly yours,

Warren McDonald  
Inspector of Buildings

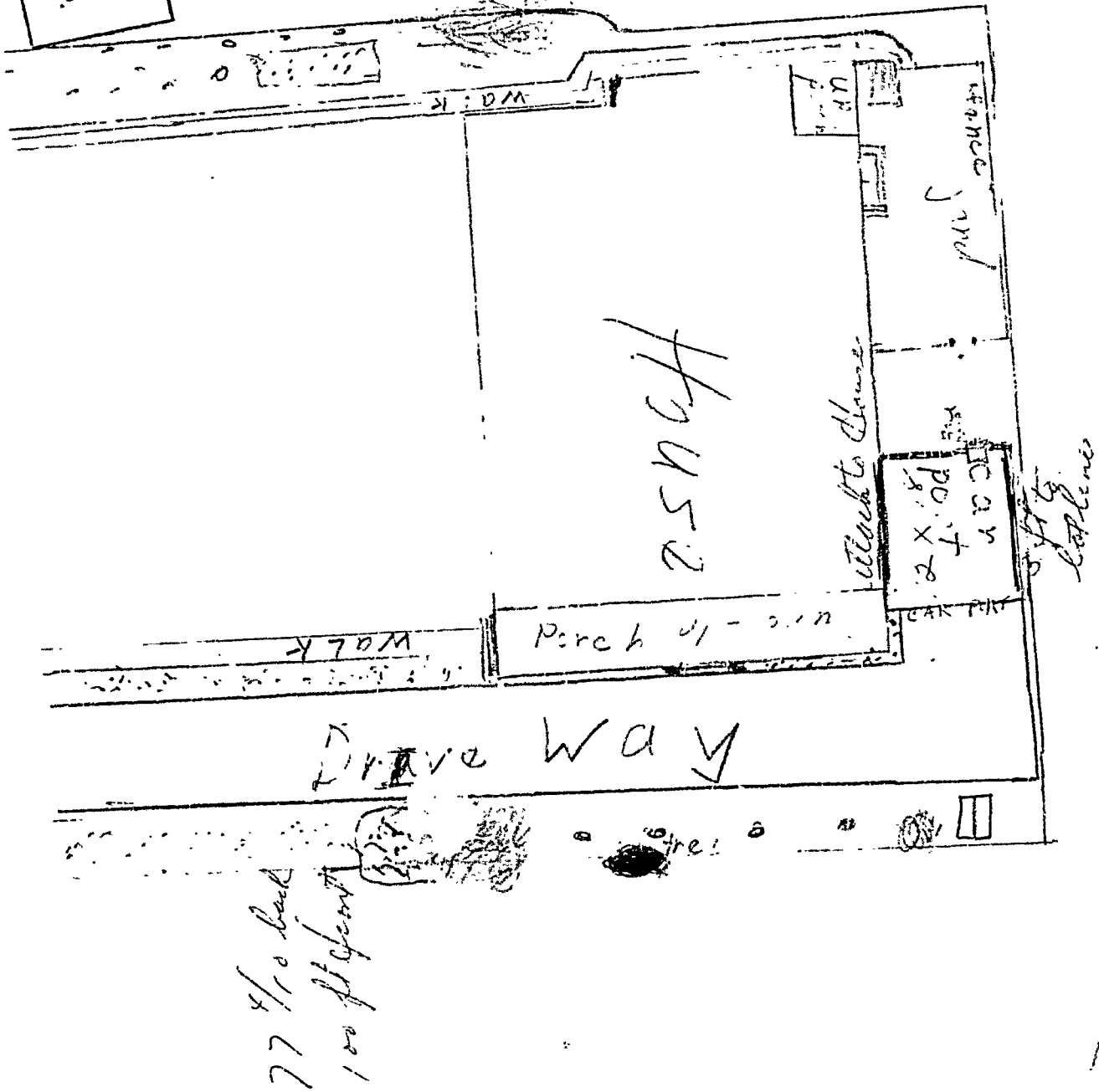
WMCD:M

74 Coyle Street

2-26-50



RECEIVED  
FEB 25 1968  
DEPT. OF BLD'G. INSP.  
CITY OF PORTLAND





# APPLICATION FOR PERMIT

Class of Building or Type of Structure... Third Class

Portland, Maine, February 25, 1958

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 ... 74 Coyle Street ... Within Fire Limits? ... Dist. No. ...  
Owner's name and address ... Daniel Finkelman, 74 Coyle Street ... Telephone ...  
Lessee's name and address ... Telephone ...  
Contractor's name and address ... Telephone ...  
Architect ... Specifications ... Plans Yes ... No. of sheets ...  
Proposed use of building ... Dwelling ... No. families 2 ...  
Last use ... " ... No. families 2 ...  
Material frame ... No. stories ... 3 ... Heat ... Style of roof ... Roofing ...  
Other building on same lot ... none ...  
Estimated cost \$ 300 ... Fee \$ 2.00

## General Description of New Work

To construct 1-story 12'x18' addition for attached garage on rear of building

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

Permit not issued. See letter 5/2/58

Appeal sustained

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 ...  
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 ...  
Size Girder ... Columns under girders ... Size ... Max on centers ...  
Kind and thickness of outside sheathing of exterior walls? ...  
Studs (outside walls and carrying partitions) 2x4-16" C. 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

ON COPY

Signature of owner

Daniel Finkelman

PH

58/

74 Eagle St.

14 May 1941  
Jimmie Dickelmeier

2/158

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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8-17

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153

11

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[illegible]

minutes  
1, 2, 3, 4  
56.39

DATE: May 2, 1958

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF Daniel Finkelman

AT 70-76 Coyle Street

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

BOARD OF APPEALS

VOTE

MUNICIPAL OFFICERS

Franklin G. Hirkley  
Joseph T. Gough, Jr.  
Ralph L. Young

Yes	No
(X)	( )
(X)	( )
( )	( )
( )	( )
( )	( )
( )	( )
( )	( )

Record of Hearing:

No opposition.

CITY OF PORTLAND, MAINE  
BOARD OF APPEALS

MISCELLANEOUS APPEAL

April 15, 19 58

Daniel Finkelman, owner of property at 70-76 Coyle Street,  
under the provisions of Section 23 of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board of Appeals to permit construction of a one-story addition 12 feet by 13 feet for garage use on rear of two family dwelling. This permit is not issuable because the addition would increase the occupancy of the required rear yard, which is already occupied by a portion of the existing dwelling to an extent greater than the 30 per cent of its area permitted to be occupied by Section 18 of the Zoning Ordinance as applied to the R-3 Residential Zone in which the property is located.

LEGAL BASIS OF APPEAL:

Such permit may be granted only if the Board of Appeals finds that enforcement of the terms of the Ordinance would involve practical difficulty or unnecessary hardship and desirable relief may be granted without substantially departing from the intent and purpose of the Ordinance.

Daniel Finkelman  
APPELLANT

DECISION

After public hearing held May 2, 19 58, the Board of Appeals finds that enforcement of the terms of the Ordinance would involve practical difficulty or unnecessary hardship and desirable relief may be granted without substantially departing from the intent and purpose of the Ordinance.

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

Franklin G. Hurlley  
Alfred L. Young  
Frederick J. Sargent  
BOARD OF APPEALS

WARREN McDONALD  
INSPECTOR OF BUILDINGS

ALBERT J. SEARS  
DEPUTY INSPECTOR OF BUILDINGS

CITY OF PORTLAND, MAINE  
Department of Building Inspection

February 26, 1958

AP - 70-76 Coyle Street

Mr. Daniel Finkelman  
74 Coyle Street

cc to: Mr. Hyman Finkelman  
19 Spruce Street ✓  
Corporation Counsel

Dear Mr. Finkelman:

We are unable to issue a permit for construction of a one-story addition 12 feet by 18 feet for garage use on rear of two family dwelling at 70-76 Coyle Street because it would increase the occupancy of the required rear yard, which is already occupied by a portion of the existing dwelling to an extent greater than the 30 per cent of its area permitted to be occupied by Section 18 of the Zoning Ordinance as applied to the R-3 Residential Zone in which the property is located.

We understand you would like to exercise your appeal rights concerning this discrepancy. Accordingly we are certifying the case to the Corporation Counsel, to whose office you should go to file the appeal. This appeal is required to be filed in the name of the actual owner of the property, who according to records of the Assessors' Department is your father, Hyman Finkleman.

Very truly yours,

Warren McDonald  
Inspector of Buildings

WMCD:M



CITY OF PORTLAND, MAINE  
BOARD OF APPEALS

April 26, 1958

Mr. Daniel Finkelman  
74 Coyle Street  
Portland, Maine

Dear Mr. Finkelman:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine, on Friday, May 2, 1958, at 4:00 p.m. to hear your appeal under the Zoning Ordinance.

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

BOARD OF APPEALS  
Franklin G. Hinckley  
Chairman

CITY OF PORTLAND, MAINE  
BOARD OF APPEALS

April 29, 1938

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine, on Friday, May 2, 1938, at 4:00 p.m. to hear the appeal of Daniel Vinkelmann requesting an exception to the zoning ordinance to permit construction of a one-story addition 12 feet by 18 feet for garage use on the rear of the two family dwelling at 70-76 Coyle Street.

This permit is presently not issuable because the addition would increase the occupancy of the required rear yard, which is already occupied by a portion of the existing dwelling to an extent greater than the 30 per cent of its area permitted to be occupied by Section 18 of the Zoning Ordinance as applied to the R-3 Residential Zone in which the property is located.

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

BOARD OF APPEALS

Franklin C. Hinckley

Chairman

5

Copies to: Orland F. Trites - 66 Coyle St. - Portland, Maine  
Wendell R. Doherty - 15 Belmont Street - Portland, Me.  
Arthur Spear - 35 Belmont Street - Portland, Maine  
Barbara Scribner - 455 Congress Street - Portland, Me.  
Robert F. Morris - 1600 Forest Avenue - Portland, Me.



FILL IN AND SIGN WITH INK

APPLICATION FOR PERMIT FOR  
HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine, Oct. 1, 1956

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 74 Coyle St. Use of Building 2-family dwelling No. Stories ~~New Building~~ Existing "  
Name and address of owner of appliance Daniel Finkelman, 74 Coyle St.  
Installer's name and address Community Oil Co., 204 Kennebec St. Telephone

## General Description of Work

To install oil burning equipment in connection with existing steam heating system  
(conversion).

## IF HEATER, OR POWER BOILER

Location of appliance Any burnable material in floor surface or beneath?  
If so, how protected? Kind of fuel?  
Minimum distance to burnable material, from top of appliance or casing top of furnace  
From top of smoke pipe From front of appliance From sides or back of appliance  
Size of chimney flue Other connections to same flue  
If gas fired, how vented? Rated maximum demand per hour  
Will sufficient fresh air be supplied to the appliance to insure proper and safe combustion?

## IF OIL BURNER

Name and type of burner Sun Ray Labelled by underwriters' 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 Size of vent pipe 1 1/4"  
Location of oil storage basement Number and capacity of tanks 1-275 gal.  
Low water shut off yes Make Watts No. 89A  
Will all tanks be more than five feet from any flame? yes How many tanks enclosed?  
Total capacity of any existing storage tanks for furnace burners 1-275 gal.

## IF COOKING APPLIANCE

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

## MISCELLANEOUS EQUIPMENT OR SPECIAL INFORMATION

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

APPROVED:

INSPECTION COPY

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

Community Oil Co.

Signature of Installer by: William S. Wood

1 Fill Pipe  
2 Vent Pipe  
3 Kind of Heat  
4 Burner Rating & Supports  
5 Name & Label  
6 Stack Control  
7 High Limit Control  
8 Remote Control  
9 Piping Sizing & Protection  
10 Valves in Supply Line  
11 Capacity of Tanks  
12 Tank Rating & Supports  
13 Tank Distance  
14 Oil Gauge  
15 Instruction Card  
16 Low Water Shut-off

NOTES

10-17  
C-7

Permit No. 561647  
Location 74 Cedar St.  
Owner Donald F. Sullivan  
Date of permit 10/2/56  
Approved 10/10/56



FILL IN AND SIGN WITH INK

APPLICATION FOR PERMIT FOR  
HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine, Nov. 6, 1954

PERMIT ISSUED

NOV 5 1954

CITY of PORTLAND

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 74 Coyle St. Use of Building 2-family dwelling No. Stories 2 ~~3~~ Building Existing "  
Name and address of owner of appliance Daniel Finkelman, 74 Coyle St.  
Installer's name and address Community Oil Co., 204 Lennebec St. Telephone 7-7461

General Description of Work

To install oil burning equipment in connection with existing steam heating system  
(conversion)

IF HEATER, OR POWER BOILER

Location of appliance Any burnable material in floor surface or beneath?  
If so, how protected? Kind of fuel?  
Minimum distance to burnable material, from top of appliance or casing top of furnace  
From top of smoke pipe From front of appliance From sides or back of appliance  
Size of chimney flue Other connections to same flue  
If gas fired, how vented? Rated maximum demand per hour  
Will sufficient fresh air be supplied to the appliance to insure proper and safe combustion?

IF OIL BURNER

Name and type of burner Labelled by underwriters' 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 Size of vent pipe 1"  
Location of oil storage basement Number and capacity of tanks 1-275 gal.  
Low water shut off yes Make Watts No. 69A  
Will all tanks be more than five feet from any flame? yes How many tanks enclosed?  
Total capacity of any existing storage tanks for furnace burners none

IF COOKING APPLIANCE

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

MISCELLANEOUS EQUIPMENT OR SPECIAL INFORMATION

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

APPROVED:

*[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

Community Oil Co.

Signature of Installer by: *[Signature]*

C17-254-1M MARKS

INSPECTION COPY

- 1 Fill Pipe
- 2 Vent Pipe
- 3 Kind of Heat
- 4 Burner Rigidity & Supports
- 5 Name & Label
- 6 Stack Construction
- 7 High Limit Control
- 8 Remote Control
- 9 Piping Support & Protection
- 10 Valves in Supply Line
- 11 Capacity of Tank
- 12 Tank Rigidity & Supports
- 13 Tank Distance
- 14 Oil Gauge
- 15 Instruction Card
- 16 Low Water Shut-off

## NOTES

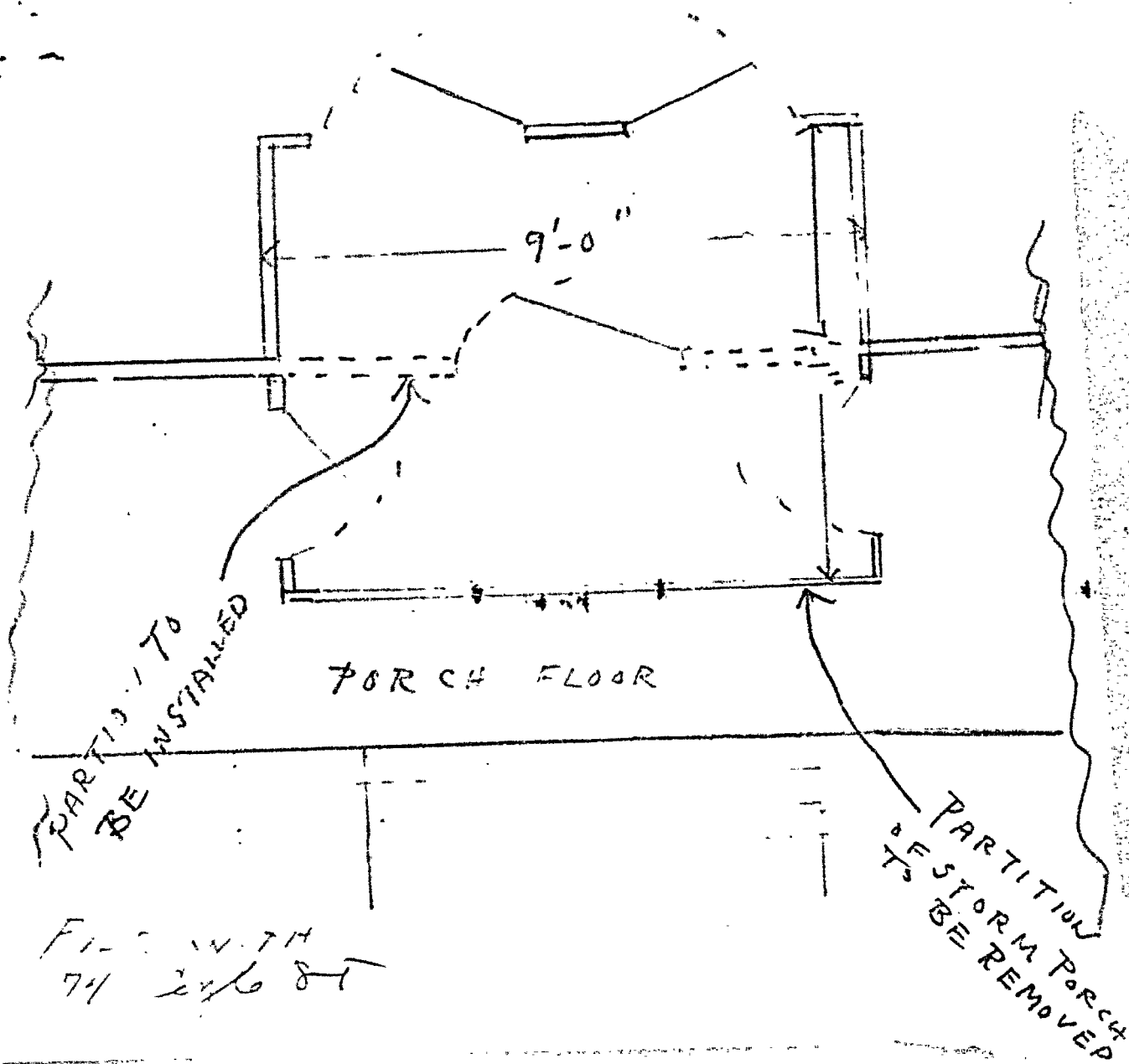
Permit No. 534/1979  
Location 74 Cole St.  
Owner David Finkelstein  
Date of permit 11/8/54  
Approved 1-24-55, 1979

445

Permit No. 531410  
Location 74 Maple St.  
Owner Edmund J. Sullivan  
Date of permit 8/21/53  
Notif. closing in \_\_\_\_\_  
Inspn. closing in \_\_\_\_\_  
Final Notif. \_\_\_\_\_  
Final Inspn. 9/17/53  
Cert. of occupancy issued \_\_\_\_\_

NOTES

7/14/53 1st 2nd to  
3rd in condition  
281



FILE IN 74  
74 24/6 8T



*File*

INQUIRY BLANK

ZONE R A A

FIRE DIST. 720

CITY OF PORTLAND, MAINE  
DEPARTMENT OF BUILDING INSPECTION

Verbal  
By Telephone

Date 3/21/51

LOCATION 74 So. Commercial St. OWNER \_\_\_\_\_

MADE BY Mr. J. J. [illegible] TEL. 9-1759

ADDRESS Edw. [illegible] 542 Commercial St.

PRESENT USE OF BUILDING Warehouse

CLASS OF CONSTRUCTION 3d C NO. OF STORIES \_\_\_\_\_

REMARKS: \_\_\_\_\_

INQUIRY: Can this building be used as a warehouse?

*OK  
with  
3/21/51*

ANSWER: No. Not permitted in this zone.

DATE OF REPLY 3/21/51 REPLY BY PH

City of Portland, Maine  
Board of Appeals

—ZONING—

September 27, 1950

Denied  
11/3/50  
50/117

To the Board of Appeals.

Your appellant, John H. Frye, Jr., who is the owner of property at 74 Coyle Street, respectfully petitions the Board of Appeals of the City of Portland to permit an exception to the regulations of the Zoning Ordinance relating to this property, as provided by Section 18, Paragraph E of said Zoning Ordinance.

Building permit to change the two-family dwelling house at 74 Coyle Street to a three-family apartment house with one apartment on each of the three floors, is not issuable under the Zoning Ordinance because this property is located in a Residence AA Zone, in which type of zone, the proposed three-apartment use is not allowable according to Section 13A of the Zoning Ordinance.

The facts and conditions which make this exception legally permissible are as follows:

An exception is necessary in this case to grant reasonable use of property where necessary to avoid confiscation and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

E. Virginia Frye  
Appellant

After public hearing held on the 13th day of October, 1950, the Board of Appeals finds that an exception is not necessary in this case to grant reasonable use of property where necessary to avoid confiscation and can not be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

It is, therefore, determined that exception to the Zoning Ordinance may not be permitted in this specific case.

Edward J. Colley  
Chairman, Board of Appeals

BOARD OF APPEALS

DATE: November 3, 1950

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF JOHN E. FRYE, JR.

AT 74 Coyle Street

Public hearing on above appeal was held before the Board of Appeals on Oct. 13, 1950

<u>Board of Appeals</u>	<u>VOTE</u>		<u>Municipal Officers</u>
	Yes	No	
Mr. Colley	( )	(x)	
Mr. Lake	( )	(x)	
Dr. Holt	( )	(x)	
Mr. Moore	( )	(x)	
Mrs. Frost	(-)	(-)	
	( )	( )	
	( )	( )	
	( )	( )	
	( )	( )	

Record of Hearing:

Opposition from neighborhood

Robert P. Preti, representing Mr. Frye

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

October 3, 1950

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, October 13, 1950 at 10:30 a. m. to hear the appeal of John H. Frye, Jr. requesting exception to the Zoning Ordinance to permit changing the two-family dwelling house at 74 Coyle Street to a three family apartment house with one apartment on each of the three floors.

This permit is presently not issuable because this property is located in a Residence Aa Zone where the proposed three-apartment use is not allowable according to Section 13A of the Ordinance.

This appeal is taken under Section 18F of the Zoning Ordinance which provides that the Board of Appeals, by unanimous vote of its members, may permit exceptions in specific cases so as to grant reasonable use of property where necessary to avoid confiscation and without substantially departing from the intent and purpose of the Zoning Ordinance, subject always to the rule that said Board shall give due consideration to promoting public welfare, encouraging the most appropriate use of land and conserving property values, that it shall permit no building or use injurious, noxious, offensive or detrimental to a neighborhood, and that it shall prescribe appropriate conditions and safeguards in each case.

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 law.

BOARD OF APPEALS

Edward T. Colley

Chairman

RECEIVED

OCT 10 1950

9 A.M.

Mr. Hester

In objection

Paul K. Stenif  
53 Clifton St  
Portland, Me.

WARREN McDONALD  
INSPECTOR OF BUILDINGS

On reply to Coyle Street  
to file

CITY OF PORTLAND, MAINE

Department of Building Inspection  
October 25, 1950

FU  
Mr. John H. Frye, Jr.  
74 Coyle Street  
Portland, Maine

Copies to: Robert F. Preti, Esq. with outline of appeal/  
119 Exchange Street, Room 504  
Mark Barrett, Assistant Corporation Counsel

Dear Mr. Frye:

C  
Building permit to change the two family dwelling house at 74 Coyle Street to a three family apartment house with one apartment on each of the three floors, application for the permit having been filed by your attorney, Robert F. Preti, is not issuable under the Zoning Ordinance because the property is located in a Residence A1 Zone, in which type of zone, the proposed three apartment use is not allowable according to Section 13A of the Zoning Ordinance.

Mr. Preti has indicated your desire to seek an exception in this specific case from the Board of Appeals; so, there is enclosed an outline of the appeal procedure.

O  
Before you file this appeal, it seems best to notify you that the appeal clause of the Ordinance, Section 18E, implies that such an exception may only be granted by the Board where necessary to avoid confiscation and when it may be established that the exception may be granted with substantially departing from the intent and purpose of the Zoning Ordinance.

P  
Building Code requirements for a three family apartment house would have to be satisfied also, and we have no information as to this building to show compliance with the Building Code for a three family apartment house.

Y  
We do have a two year old report (August 20, 1948) that the third floor of this dwelling was even then being used for a separate apartment which would be the third in the building. I trust this report was a false one and that the building is not already being used for the third apartment. At any rate it is important that you have prepared architectural plans at least of the third floor showing in the usual manner the complete arrangement of the third floor and the various features controlled by the Building Code, such as the number, location, width and pitch of stairs from the third floor, the head room of the third floor living quarters (distance from floor to ceiling), the overall area of each window in third floor finished rooms and the comparison of the total overall window area in each room with the floor area of that room. Whoever makes the plan may refer to Section 203 of the Building Code applying to the class of use known as hotels, tenement and lodging houses, to Section 212 which contains general requirements for all uses, but should particularly note the exceptions allowed in the case of conversion of existing dwellings, in Section 203j of the Building Code.

Very truly yours,

Warren McDonald  
Inspector of Buildings

WMC/D/G

Enclosure: Outline of appeal procedure

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

October 3, 1950

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, October 13, 1950 at 10:30 a. m. to hear the appeal of John H. Frye, Jr. requesting exception to the Zoning Ordinance to permit changing the two-family dwelling house at 74 Coyle Street to a three family apartment house with one apartment on each of the three floors.

This permit is presently not issuable because this property is located in a Residence AA Zone where the proposed three-apartment use is not allowable according to Section 13A of the Ordinance.

This appeal is taken under Section 18E of the Zoning Ordinance which provides that the Board of Appeals, by unanimous vote of its members, may permit exceptions in specific cases so as to grant reasonable use of property where necessary to avoid confiscation and without substantially departing from the intent and purpose of the Zoning Ordinance, subject always to the rule that said Board shall give due consideration to promoting public welfare, encouraging the most appropriate use of land and conserving property values, that it shall permit no building or use injurious, noxious, offensive or detrimental to a neighborhood, and that it shall prescribe appropriate conditions and safeguards in each case.

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 law.

BOARD OF APPEALS

Edward T. Colley

Chairman

M



Permit No. 50/

Location: 74' Under 8th

Owner *John H. Jones*

Date of permit 1/3/0

Notif. closing-in

**Insom. Cloisin/clin**

Local News

Final North.

**Final Inspn.**

## NOTES

750. 40133421



A. 74 Coyle Street

September 25, 1950

Mr. John H. Frye, Jr.  
74 Coyle Street  
Portland, Maine

Copies to: Robert F. Preti, Esq. with outline of appeal/  
119 Exchange Street, Room 504  
Mark Barrett, Assistant Corporation Counsel

Dear Mr. Frye:

Building permit to change the two family dwelling house at 74 Coyle Street to a three family apartment house with one apartment on each of the three floors, application for the permit having been filed by your attorney, Robert F. Preti, is not issuable under the Zoning Ordinance because the property is located in a Residence A1 Zone, in which type of zone, the proposed three apartment use is not allowable according to Section 13A of the Zoning Ordinance.

Mr. Preti has indicated your desire to seek an exception in this specific case from the Board of Appeals; so, there is enclosed an outline of the appeal procedure.

Before you file this appeal, it seems best to notify you that the appeal clause of the Ordinance, Section 18B, implies that such an exception may only be granted by the Board where necessary to avoid confiscation and when it may be established that the exception may be granted with substantially departing from the intent and purpose of the Zoning Ordinance.

Building Code requirements for a three family apartment house would have to be satisfied also, and we have no information as to this building to show compliance with the Building Code for a three family apartment house.

We do have a two year old report (August 20, 1948) that the third floor of this dwelling was even then being used for a separate apartment which would be the third in the building. I trust this report was a false one and that the building is not already being used for the third apartment. At any rate it is important that you have prepared architectural plans at least of the third floor showing in the usual manner the complete arrangement of the third floor and the various features controlled by the Building Code, such as the number, location, width and pitch of stairs from the third floor, the head room of the third floor living quarters (distance from floor to ceiling), the overall area of each window in third floor finished rooms and the comparison of the total overall window area in each room with the floor area of that room. Whoever makes the plan may refer to Section 203 of the Building Code applying to the class of use known as hotels, tenement and lodging houses, to Section 212 which contains general requirements for all uses, but should particularly note the exceptions allowed in the case of conversion of existing dwellings, in Section 203j of the Building Code.

Very truly yours,

Warren McDonald  
Inspector of Buildings

WMCB/G

Enclosure: Outline of appeal procedure

AP 74 Coyle Street-I

November 21, 1950

Mr. John Frye  
74 Coyle Street  
Portland, Maine

Copy to: Robert F. Preti, Esq.  
119 Exchange Street

Dear Mr. Frye:

We are advised by the Board of Appeals under the Zoning Ordinance that your recent appeal seeking the right to change the 2-family dwelling house at 74 Coyle Street to a 3-family apartment house, has been denied.

Under these circumstances, of course, it is unlawful for you to use or permit the use of the building for more than two apartments or dwelling units, irrespective of any use to which the building may have been put in the past.

Very truly yours,

Warren McDonald  
Inspector of Buildings

WMcd/G



(RAA) RESIDENCE ZONE - AA  
CITY OF PORTLAND, MAINE  
DEPARTMENT OF BUILDING INSPECTION

Complaint No. 48/94

COMPLAINT

INSPECTION COPY

Date Received August 20, 1948

Location 70-76 Coyle Street Use of Building Office Office--3-2573

Owner's name and address John H. (Jr.) & E. Virginia Frye, 74 Coyle Street Telephone Home--3-2209

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

Complainant's name and address AJS Telephone \_\_\_\_\_

Description: It is reported that an apartment has been finished off and rented in third story of this building.

11/21/50 - verified apt. did  
for permit to change  
to 3 bedrooms and  
that appeared  
but apt. had been  
demanded on 1/5/52

See letter  
2/2/52

4..AA) RESIDENCE ZONE - AA

Complaint No. 48/94

Location 70-76 Coyle Street

Date Received 8/20/48

Date Disposed of

NOTES



(RAA) RESIDENCE ZONE - AA  
CITY OF PORTLAND, MAINE  
DEPARTMENT OF BUILDING INSPECTION

Complaint No. 48/94

COMPLAINT

Date Received August 20, 1948

INSPECTION COPY

Location 70-76 Coyle Street Use of Building Office--3-2573  
Office--3-2209

Owner's name and address John H. (Jr.) & E. Virginia Frye, 74 Coyle Street Telephone Home--3-2209

Tenant's name and address --- Telephone ---

Complainant's name and address AJS

Description: It is reported that an apartment has been finished off and rented in third story of this building.

*11/2/50 - no Frye at 74 Coyle  
for permit - a single  
to a second floor and  
third floor  
but of fact was  
demanded on 11/3/50*

*See letter  
in*

