



CITY OF PORTLAND, MAINE  
Department of Building Inspection

# Certificate of Occupancy

LOCATION 421 Warren Ave

Issued to Your Home, Inc.

Date of Issue March 25, 1999

**This is to certify** that the building, premises, or part thereof, at the above location, built — altered — changed as to use under Building Permit No. 4/24/85, <sup>Application Dated</sup> has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

Lot

APPROVED OCCUPANCY

Unimproved parking lot for the sale and display of mobile homes

**Limiting Conditions:**

**TEMPORARY OCCUPANCY**

Temporary Occupancy permit expires June 1, 1999. At that time all site work shall be completed including, but not limited to the planting of two trees, and installation of front sidewalk, per site plan requirements

This certificate supersedes  
certificate issued

Approved:

(Date)

Inspector

Inspector of Buildings

Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.



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296-A-006

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PREGARY  
WOOD

NOT TO BE USED  
TO CONSTRUCT  
BUILDING  
CODE  
COMPLIANCE

Exhibit A

## APPLICATION FOR CERTIFICATE OF OCCUPANCY FOR USE OF PREMISES

421  
~~423~~  
Location 425 Warren Avenue Portland, Maine April 29, 1985  
Zone \_\_\_\_\_

To the INSPECTOR OF BUILDINGS, Portland, Maine

The undersigned hereby applies for a certificate of occupancy to allow the use of the above named premises for unimproved parking lot for the sale and display of mobile homes as set forth on the attached ~~site~~ plan (made by E. C. Jordan whose address is Congress St.) to show compliance with the Zoning Ordinance according to the intended use and the zone in which the property is located; and in accordance with the following pertinent information:-

Owner (name, address and phone number) Your Home Inc. - P. O. Box 6681 04101

Lessee (name, address and phone number) \_\_\_\_\_

Is proposed use to be accessory to a building or other use on this lot? no  
If so, what is use of building or other use \_\_\_\_\_If off-street parking is sought, what is proposed maximum number of vehicles to be parked—passenger cars? N/A, commercial vehicles? \_\_\_\_\_Have you secured on the site plan the written approval of existing and proposed entrances to and exits from the premises for vehicles over public sidewalks by the Traffic Engineer (Dept. of Public Works)? \_\_\_\_\_  
And, if access to the premises is available from more than one street, have you secured similar approval by the Planning Board? \_\_\_\_\_Have you shown on the site plan the true location of all trees on the public street along the frontage of the premises (both streets if a corner lot)? \_\_\_\_\_Do you propose to remove or disturb any tree on a public street?  
If so, have you secured on the site plan the written approval of the Director of Parks and Recreation? \_\_\_\_\_

**FAX TRANSMISSION**

**FROM**

**ALFRED J. WAXLER**

Mail:  
P.O. Box 6681  
04101

Phone (207) 773-5853  
Fax (207) 772-7354

**PORTLAND, MAINE**

**DATE:** February 4, 1999

**TIME:** 3:30 P.M.

**NUMBER CALLED:** Fax 874-8716

**To:** Marge Schmuckal

**RE;** Certificate of Occupancy 421 Warren Ave.

**From:** Alfred J. Waxler

**AT:** 11065 2nd St. E.

Treasure Island, Fl. 33706

(727) 363-1433

E-mail: awaxle72@worldnet.att.net

B-4  
Zone

~~Four~~

Four pages will follow.

4-11-4

411-421 Warren Ave

# 296-A-6,

301-J-10

302-A-1

303-A-8 1/10

304-B-28

305-D-1

February 4, 1999

MEMO TO:

Marge Schmuckal

FROM:

Al Waxler

Please find the affidavit of David Lourie filed in March of 1987. He refers to the Certificate of Occupancy filed for in April of 1985. This is also enclosed.

I also included the first and last page of the Bond for identification purposes.

Since I am bonded there is no reason to withhold the certificate of occupancy

STATE OF MAINE  
CUMBERLAND, ss.

SUPERIOR COURT  
Civil Action  
Docket No. CV 87-105 ✓

ALFRED J. WAXLER

Plaintiff

v.

CITY OF PORTLAND,  
Joseph E. Gray, Jr.,  
Jane Durgin, and  
Robert B. Ganley

Defendants

AFFIDAVIT OF DAVID A. LOURIE  
IN SUPPORT OF MOTION FOR  
SUMMARY JUDGMENT

I David A. Lourie, hereby state and depose as follows:

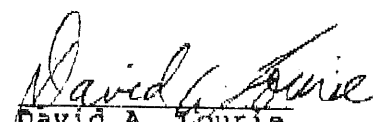
1. That I am counsel for City of Portland in the above captioned action.
2. I obtained the attached Application for Certificate of Occupancy, dated April 29, 1985 from the Building Inspection Department.
3. I was provided with the attached December 11, 1985 letter of Alexander Jaegerman, Chief Planner to Plaintiff, by Mr. Jaegerman.
4. I was provided by Mr. Hoffses with the attached copy of the December 18, 1985 letter of Plaintiff Waxler to P. Samuel Hoffses.
5. No Rule 80B appeal was taken by Plaintiff from the decision of the Planning Staff of December 11, 1985 denying Site Plan approval.
6. No appeal was taken by Plaintiff to the City Council, nor did he seek direct review in any other way the decision of

-2-

the Planning Staff to deny his Site Plan until the property was brought into compliance with the Subdivision law.

7. No Rule 80B appeal was taken with respect to the alleged failure to act of P. Samuel Hoffses with respect to the Certificate of Occupancy subsequent to the Waxler letter of December 18, 1985.

DATED at Portland this 10th day of March, 1987

  
David A. Lourie

March 10, 1987

Personally appeared the above named David A. Lourie and made oath that the above facts are true and correct and made upon his own personal knowledge to accept as indicated above, and his free act and deed.

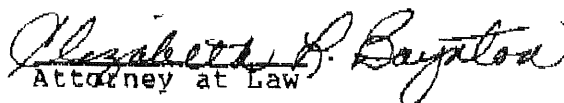
  
Attorney at Law

Exhibit A

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If so, have you secured on the site plan the written approval of the Director of Parks and Recreation? \_\_\_\_\_



**From:** Sarah Hopkins  
**To:** Schmuckal, Marge  
**Date:** Wed, Mar 24, 1999 2:33 PM  
**Subject:** Re: Good Ole Al Waxler

Site work includes two trees on "the grassy knoll" and sidewalk. The letter of credit expires in October. I vote to give him a temp C of O.

-s

>>> Marge Schmuckal 03/24 12:35 PM >>>

Sarah, When does the bond expire on Al's project on Warren Ave? He still needs to put in a sidewalk. Are there any other site issues that he needs to complete? Al is pushing for a temp. Cof O and he says he has Blue Rock scheduled for the middle to end of April to do that work. If we do this temp. Cof O, we have got to be sure that the bond last long enough for him to get it in. Any other comments or words of wisdom on this one? Thanks