

DEPARTMENT DIRECTOR
Lee D. Urban



DIVISION DIRECTORS
Mark B. Adelson
Housing & Neighborhood Services

Alexander Q. Jaegerman
Planning

John N. Lufkin
Economic Development

DEPARTMENT OF PLANNING AND DEVELOPMENT
POSTING NOTICE

February 13, 2003

James Company, LLC
1041 Ocean Avenue
Portland, Maine 04103

Location: 1041 Ocean Avenue
CBL: 415-B-002

CERTIFIED MAIL: 70033110000260635748
HAND DELIVERED AND POSTED AT UNIT

Dear James Company, LLC;

An inspection at your property on 1041 Ocean Avenue occurred on February 2, 2004 it was confirmed at that time that an illegal unit has been added above the auto body garage located at the above stated property address. This office has no record of a building permit being issued to this location to alter the existing legal use at this time of a "auto garage". It does not make any reference to an apartment above the garage.

The property is in violation of Section 14-52 of the Portland Zoning Ordinance as stated below;

Section 14-52 Conformity Required: *No building or structure shall be erected, altered, enlarged, rebuilt, removed or used, and no premises unless in conformity with the provisions of this article.*

This is also a Violation in pursuant to Section 107.1 of the 1999 BOCA Building Code: *An application shall be submitted to the code official for the following activities, and these activities shall not commence without a permit being issued in accordance with Section 108.0 (see attached); construct or alter a structure, construct an addition, demolish or move a structure, make a change in occupancy, install or alter any equipment which is regulated by this code, move a lot line which affects an existing structure.*

Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 1-15 of the Code and in Title 30-A of M.R.S.A. Section 4452 and Section 14-57 of the Portland Zoning Ordinance. This constitutes an appealable decision pursuant to Section 121.5 of the City of Portland Building Code.

You have thirty (30) days in which to vacate this unit and remove all kitchen facilities. A re-inspection will occur on March 12, 2004. You will be contacted with a time to meet with me on site to confirm the discontinuation of the illegal unit.

You have the right to appeal this decision (section 14-472). If you wish to pursue an appeal you may contact Marge Schmuckal, Zoning Administrator at 874-8695 to appear before the Zoning Board of Appeals.

DUE TO THE FACT THAT YOU HAVE IGNORED THE VIOLATION NOTICE SENT TO YOU ON JULY 2, 2003, CONSIDER THE UNIT TO BE POSTED IN PURSUANT TO SECTION 6-120 OF THE PORTLAND HOUSING CODE. THE ILLEGAL UNIT IS TO BE TOTALLY VACATED AND NOT TO BE OCCUPIED UNDER AND CURMISTANCES. THE ILLEGAL UNIT IS TO BE SECURED FROM VANDALISM.

Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible penalties as provided for in section 1-15 of the Code in Title 30-A of M.R.S.A ss 4452. This portion is appealable pursuant to Section 6-127 of the Code.

CITY OF PORTLAND
Fire Department
380 Congress Street
Portland, Maine 04101

Fire Inspection Violations

Business	Location	Number	Inspection Type
OCEANSIDE AUTO CLINIC	1041 OCEAN AVE	65397-0-0	FP Routine Inspection
Owner/Manager	CBL	Inspector	
JAMES COMPANY LLC	415 B002001	CHRISTOPHER CHAMPAGNE	Shift: 003 Unit: E11

Code	Type	Location	Inspection Date	Target Compliance	Actual Compliance
1	Fire extinguishers required		6/11/08	7/15/08	
2	Means of egress per 7.5	EXITS MUST COMPLY	6/11/08	7/15/08	
3	Utilities shall comply with 9.1	HEATING SYSTEM INSTALLATION MUST COMPLY	6/11/08	7/15/08	
4	Debris inside building	GENERAL CLUTTER IN BUILDING, BLOCKING EXITS	6/11/08	7/15/08	
5	Unnecessary debris outside of struc	CARS, TIRES, MISC. STORED ALL AROUND BLDG.	6/11/08	7/15/08	
6	Open electrical junction box	OPEN ELECTRICAL BOXES THROUGHOUT	6/11/08	7/15/08	
7	Improper wiring, not code	PROVIDE LETTER OF COMPLIANCE FROM LICENSED ELECTRICIAN	6/11/08	7/15/08	
8	Gas cylinder not properly secured	LOOSE GAS CYLINDER IN BUILDING	6/11/08	7/15/08	
9	spray area not protected	SPRAY BOOTH REQUIRE AUTOMATIC FIRE PROTECTION SYSTEM.	6/11/08	7/15/08	
10	Approved safety can required	DISPOSAL OF HAZ-MAT LIQUID	6/11/08	7/15/08	
11	boiler protection required	FURNACE NOT IN PROTECTED ENCLOSURE	6/11/08	7/15/08	
12	Hole in ceiling needs repair	HOLES IN CEILING	6/11/08	7/15/08	
13	Structure needs repair	SUPPORT FOR REAR STAIRS BROKEN	6/11/08	7/15/08	
14	obstructed egress	FRONT DOOR.	6/11/08	7/15/08	
15	Exits clearly visible or conspicuou	FRONT DOOR.	6/11/08	7/15/08	
16	Approved safety can required	IMPROPER DISPOSAL OF FLAMBLE LIQUIDS	6/11/08	7/15/08	

(DEP : Jim Gaseo)

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Economic Development

**DEPARTMENT OF PLANNING AND DEVELOPMENT
NOTICE OF VIOLATION**

July 2, 2003

James Company, LLC
1041 Ocean Avenue
Portland, Maine 04103

Location: 1041 Ocean Avenue
CBL: 415-B-002

CERTIFIED MAIL: 70020510000333123659

Dear James Company, LLC;

It has come to the attention of this office that an illegal unit has been added above the auto body garage located at the above stated property address. This office has no record of a building permit being issued to this location to alter the existing legal use at this time of a "auto garage". I have included the documentation from the permit and certificate of occupancy issued back in June/July of 1995 from this office. It does not make any reference to an apartment above the garage.

The property is in violation of Section 14-52 of the Portland Zoning Ordinance as stated below;

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You have thirty (30) days in which to vacate this unit and remove all kitchen facilities. A re-inspection will occur on August 4, 2003. You will be contacted with a time to meet with me on site to confirm the discontinuation of the illegal unit.

You have the right to appeal this decision (section 14-472). If you wish to pursue an appeal you may contact Marge Schmuckal, Zoning Administrator at 874-8695 to appear before the Zoning Board of Appeals.

If you have any questions you may contact me at 874-8707 to discuss this matter further.

Sincerely,

Jodine L. Adams
Code Enforcement Officer

Cc: Marge Schmuckal, Zoning Officer, Michael J. Nugent, Inspection Services Manager

DEPARTMENT DIRECTOR
Lee D. Urban



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Sincerely,

Jonathan Reed
Code Enforcement Officer

Cc: Marge Schmuckal, Zoning Officer, Michael J. Nugent, Inspection Services Manager



From: Benjamin Wallace
To: Mike Menario
Date: 6/12/2008 2:24:44 PM
Subject: 1041 Ocean Ave

Hi Mike,
I've attached the violation list for yesterday's inspection at Oceanside Auto Clinic. Will you send me what you have also?
Thanks,
Ben

CC: Gregory Cass

Planning _____
PPD _____
Zone _____
Taxes _____
Fire _____

City Clerk's Office
389 Congress Street
Portland, Maine 04101
(207)-874-8557

License fee \$515 plus costs
Application fee \$30 new \$20 renewal
Total Due _____
License Expires 9/30/ _____

SCRAP METAL RECYCLING FACILITIES PERMIT APPLICATION
CHAPTER 31, PORTLAND CITY CODE §31-1 et. seq.

Please check one: (Corporation/ LLC/ Non-profit org. _____) (Sole Proprietor _____) (Partnership _____)

Property Owner's Name: _____ Phone: _____

Property Owner's Address: _____ Zip _____

*If the property is owned by more than one entity please supplement above information on an additional sheet of paper.

Business Name: _____ Phone: _____

Location Address: _____ Zip _____

Mailing Address: _____ Zip _____

Contact Person: _____ Phone: _____

Manager of Business _____ Home Phone # _____

Does the issuance of this license benefit any City employee? _____ Yes _____ No
If yes, please list name(s) of employee(s) and City Department(s): _____

Have applicant, partners, associates, or corporate officers ever been arrested, indicted, convicted or court martialed for any violation of law? _____ If yes, please explain: _____

Have any of the applicants, including the corporation if applicable, ever held a business license with the City of Portland? _____ Yes _____ No. If yes, please list business name(s) and location(s): _____

Is any principal officer under the age of 18? _____ Yes _____ No

Please list items or general type of items for sale, if any: _____

SOLE PROPRIETOR / PARTNERSHIP INFORMATION: (if corporation, leave blank)
Name of Owner(s): _____ Date of Birth _____ Residence Zip Code _____
Name of Owner(s): _____ Date of Birth _____ Residence Zip Code _____
Name of Owner(s): _____ Date of Birth _____ Residence Zip Code _____

CORPORATE / LLC / NON-PROFIT ORGANIZATION APPLICANTS: (if sole proprietor, leave blank)

Corporation Name: _____

Corporation Mailing Address: _____ ZIP _____

Contact Person: _____ Phone Number: _____

PRINCIPAL OFFICERS: (if more space is needed, please attach a separate page)

Name _____	Title _____	Date of Birth _____	Residence Zip Code _____
Name _____	Title _____	Date of Birth _____	Residence Zip Code _____
Name _____	Title _____	Date of Birth _____	Residence Zip Code _____
Name _____	Title _____	Date of Birth _____	Residence Zip Code _____
Name _____	Title _____	Date of Birth _____	Residence Zip Code _____
Name _____	Title _____	Date of Birth _____	Residence Zip Code _____



Please provide the following information and check all items for which information has been submitted. **20 COPIES MUST BE SUBMITTED WITH THIS APPLICATION FOR DISTRIBUTION TO CITY DEPARMENTS.** Incomplete packets will not be accepted.

- The maximum storage height of any piles of metal or other material.
- A map of the location of any areas on the site used for processing, preparing or storage of materials.
- A map of the location of any sand and/or gravel aquifer and/or any sand and gravel aquifer recharge area as described on the Maine Geological Survey significant aquifer map for the Portland West Quadrangle (GSM Map No. 99-11) or as mapped by a State of Maine certified geologist or other competent professional.
- A map of the location of any residences, schools, public parks, public playgrounds, public bathing beaches, churches, or cemeteries within 500 feet of the area where metal and/or materials will be stored or processed.
- A map of the boundaries of the 100-year floodplain.
- A map of any sand or gravel aquifer on or adjacent to the site as mapped by the Maine Geological Survey or by a licensed geologist.
- A map of any waterbody, watercourse or wetland on or within 300 feet of the site.
- A site plan that complies with chapter 14, section 525(b) as files for approval by the Portland Planning Department/Board.
 **Please note date of site plan submission at Planning Office, 4th floor, City Hall: _____, 200__
- Results and data from on-site and off-site soil sampling and testing, which testing complies with the Rules attached hereto.
- Results and data from on-site and off-site groundwater sampling and testing, which testing complies with the Rules attached hereto.
- A depiction of any and all screening of the site.
- Other information.*

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above license and further agrees that any misstatement of material fact may result in refusal of license or revocation if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license. It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto.
I/We, hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority.
I/We, hereby waive any rights to privacy with respect thereto.

Signature _____ Title _____ Date _____

04/05/05	Jonathan Reed	1041 OCEAN AVE	415 B00200	0	Complaint	Social Services/General Assi
						GA inspection. See Irving James on site. Tenant is Evelyn Higgins.
04/05/05	Arthur Rowe	1041 OCEAN AVE	415 B00200	0	Complaint	Social Services/General Assi
						GA inspection. See Irving James on site. Tenant is Evelyn Higgins.
03/16/04	Tom Markley	1041 Ocean Ave	415 B00200	0	Complaint	Inspection
10:00 AM						Re-inspect posted apartment with owner
03/16/04	Marland Wing	1041 Ocean Ave	415 B00200	0	Complaint	Inspection
10:00 AM						Re-inspect posted apartment with owner
03/12/04	Irving James	1041 OCEAN AVE	415 B00200	0	Dist3	Inspection
02/13/04	Marland Wing	1041 Ocean Ave	415 B00200	0	Prmt	Inspection
02/13/04	Tom Markley	1041 Ocean Ave	415 B00200	0	Prmt	Inspection
02/04/04	Arthur Rowe	1041 OCEAN AVE	415 B00200	1201	Complaint	Inspection
6:00 AM	JAMES COMPANY LLC					met with Tom Leary DPW re:sewage complaint
02/04/04	Jonathan Reed	1041 OCEAN AVE	415 B00200	1201	Complaint	Inspection
6:00 AM	JAMES COMPANY LLC					met with Tom Leary DPW re:sewage complaint
02/02/04	Jonathan Reed	1041 OCEAN AVE	415 B00200	545	Complaint	Inspection
	Irving James					with Jon Reed
02/02/04	Tom Markley	1041 OCEAN AVE	415 B00200	545	Complaint	Inspection
	Irving James					with Jon Reed
08/04/03		1041 OCEAN AVE	415 B00200	0	Complaint	Inspection
	JAMES COMPANY LLC					
07/02/03		1041 OCEAN AVE	415 B00200	1201	Complaint	Inspection
	JAMES COMPANY LLC					hand deliver notice of violation illegal unit
04/15/03		1041 OCEAN AVE	415 B00200	1201	Complaint	Inspection
	JAMES COMPANY LLC					complaint
04/15/03	Marland Wing	1041 OCEAN AVE	415 B00200	1201	Complaint	Inspection
	JAMES COMPANY LLC					complaint

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DEPARTMENT OF PLANNING AND DEVELOPMENT
NOTICE OF VIOLATION

July 2, 2003

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1041 Ocean Avenue
Portland, Maine 04103

Location: 1041 Ocean Avenue
CBL: 415-B-002

CERTIFIED MAIL: 70020510000333123659

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If you have any questions you may contact me at 874-8707 to discuss this matter further.

Sincerely,

Jodine L. Adams
Code Enforcement Officer

Cc: Marge Schmuckal, Zoning Officer, Michael J. Nugent, Inspection Services Manager

This page contains a detailed description of the Parcel ID you selected. Press the **New Search** button at the bottom of the screen to submit a new query.

Current Owner Information

Card Number	1 of 1
Parcel ID	415 B002001
Location	1041 OCEAN AVE
Land Use	SINGLE FAMILY
 Owner Address	 JAMES COMPANY LLC 7 MILL POND DR WINDHAM ME 04062
 Book/Page	 18273/69
Legal	415-B-2 419A-A-2 OCEAN AVE 1043-1045 23560 SF

Current Assessed Valuation

Land	Building	Total
\$80,000	\$132,600	\$212,600

Property Information

Year Built 1938	Style Bungalow	Story Height 1	Sq. Ft. 1038	Total Acres 0.541		
Bedrooms 2	Full Baths 1	Half Baths 1	Total Rooms 5	Attic Full Finsh	Basement Full	

Outbuildings

Type GARAGE-WD/CB	Quantity 1	Year Built 1990	Size 30X60	Grade C	Condition A
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Sales Information

Date 10/01/2002	Type LAND + BLDING	Price \$237,000	Book/Page 18273-69
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Picture and Sketch

[Picture](#) [Sketch](#) [Tax Map](#)

[Click here to view Tax Roll Information.](#)

Any information concerning tax payments should be directed to the Treasury office at 874-8490 or [e-mailed](#).

Now Search!



415 - B - 2

1041 Ocean

City of Portland, Maine - Building or Use Permit Application 389 Congress Street, 04101, Tel: (207) 874-8703, FAX: 874-8716

Location of Construction: **1041 Ocean Ave. Portland** Owner: **Tom Villedor** Phone: **773-0982** Permit No: **9506576**

Owner Address: **1041 Ocean Ave. Portland** License/Buyer's Name: **Tom Villedor** Phone: **773-0982** Business Name: **Tom Villedor**

Contractor Name: **Tom Villedor** Address: **1041 Ocean Ave. Portland** Phone: **773-0982**

Part Use: **residential garage** Proposed Use: **adding storage for auto repair** COST OF WORK: **\$ 000** PERMIT FEE: **\$ 25.00**

Proposed Project Description: **for change of use only** FIRE DEPT. Approved Denied INSPECTION GROUP Approved Denied Use Group: S-17, p. 5

Signature: **[Signature]** Signature: **[Signature]** PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: Approved Denied Approved with Conditions Denied

Permit Taken By: **Leland** Date Applied For: **6/21/95** Signature: **[Signature]** Date: **[Date]**

1. This permit application doesn't preclude the Applicant(s) from meeting applicable State and Federal rules.
2. Building permit do not include plumbing, septic or electrical work.
3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work.

no details



CERTIFICATION
I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provisions of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT: **[Signature]** ADDRESS: **[Address]** DATE: **6/21/95** PHONE: **[Phone]**

RESPONSIBLE PERSON IN CHARGE OF WORK SITE: **[Signature]** PHONE: **[Phone]**

When Permit, Deck, Green-Assessor's, Cemetery, D.P.W., Fish-Public File, Heavy Card-Inspector

City of Portland
Permit Issued: **JUN 28 1995**

- Zone: **CBL**
- Zoning Appeal
 - Variance
 - Miscellaneous
 - Conditional Use
 - Interpretation
 - Approved
 - Denied
 - Historic Preservation
 - Non-Ft District or Landmark
 - Does Not Require Review
 - Requires Review

Action: Approved Approved with Conditions Denied

Date: **6/22/95**

CEO DISTRICT **6**

CC: Sam Hoffses, Chief of Inspection Services
Malcolm Ward, Zoning Enforcement Officer
Joseph E. Gray, Jr., Director Planning & Urban Development
John Vandaloski, Assistant Director of Inspection Services
File

MW/mb

Stincerely,
Marland Wing
Marland Wing,
Code Enforcement Officer

Section: 602.12.A, of the municipal code of the City of Portland,
and service of motor vehicles) from your residence is in violation of
You are hereby ordered to cease operations at this location and remove
the twelve (12) junk vehicles in the rear of the premises no later than thirty
(30) days from receipt of this letter.
Failure to comply with this order can lead to referral to the Portland
Corporation Counsel Office for legal action.

Loc: 1043-1045 Ocean Avenue

1043
Avenue
04103

November 9, 1982

JOSEPH E. GRAY, JR.
DIRECTOR OF PLANNING
AND URBAN DEVELOPMENT

CITY OF PORTLAND



PS Form 3800, Apr. 1976

RECEIPT FOR CERTIFIED MAIL
P 258 792 598

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(Jim Hoover)

PAUL J. VILLAGGI
1043-1045 OCEAN AVE,
PORTLAND, ME 04103

POSTAGE	POSTMASTER FOR FEES
OPTIONAL SERVICES	
RETURN RECEIPT SERVICE	
REGISTERED MAIL	
SPECIAL DELIVERY	
POSTMAN ON DATE	
TOTAL POSTAGE AND FEES	

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Sincerely,

Jonathan Reed
Code Enforcement Officer

Cc: Marge Schmuckal, Zoning Officer, Michael J. Nugent, Inspection Services Manager

This data is provided by the Assessor's Office and is current as of June 7, 2006

Fees \$0.00

New

Scheduling

CBL 415 B002001 CARD 1 of 1

Property Address

1041 OCEAN AVE

Owner: Name 1 JAMES COMPANY LLC

Property Type

RESIDENTIAL

Name 2

Description

415-B-2 419A-A-2
OCEAN AVE 1043-1045

Mailing Address
7 MILL POND DR
WINDHAM ME 04062

23560 SF

View Complaint

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Date/Time	Staff/Contact	Street	Parcel ID	Appl ID	Appl Type	Type
07/13/06	Jeanne Bourke	1041 Ocean Ave	415 B00200	7566	Complaint	Inspection
6:00 AM						Please schedule an inspection for next week 1) Illegal Apartment 2) Illegal
05/22/06	Arthur Rowe	1041 OCEAN AVE	415 B00200	0	Hous	Inspection
						This is a two person re-inspection for a NOV to determine compliance.
05/22/06	Jonathan Reed	1041 OCEAN AVE	415 B00200	0	Hous	Inspection
						This is a two person re-inspection for a NOV to determine compliance.
05/18/06	Arthur Rowe	1041 OCEAN AVE	415 B00200	0	Prnt	Inspection
						Going to property to take water sample and test for possible failed septic.
05/18/06	Jonathan Reed	1041 OCEAN AVE	415 B00200	0	Prnt	Inspection
						Going to property to take water sample and test for possible failed septic.
04/06/06	Arthur Rowe	1041 OCEAN AVE	415 B00200	7155	Complaint	Inspection
6:00 AM						Neighbor complained of smell. Went to home and lady there showed him th
04/06/06	Jonathan Reed	1041 OCEAN AVE	415 B00200	7155	Complaint	Inspection
6:00 AM						Neighbor complained of smell. Went to home and lady there showed him th
03/08/06	Arthur Rowe	1041 OCEAN AVE	415 B00200	0	Prnt	Inspection
						complaint 11:00 a.m.
03/08/06	Jonathan Reed	1041 OCEAN AVE	415 B00200	0	Prnt	Inspection
						complaint 11:00 a.m.
03/07/06	Mike Nugent	1041 OCEAN AVE	415 B00200	7015	Complaint	Inspection
	John Goodwin					Septic is backing up and running into the neighbors yard. There is also an il
03/07/06	Jonathan Reed	1041 OCEAN AVE	415 B00200	7015	Complaint	Inspection
	John Goodwin					Septic is backing up and running into the neighbors yard. There is also an il

Site & Yard

- 1. Tires - Used
- 2. Cars - Junk
- 3. discarded parts
- 4. discarded 5 gal containers
- * debris throughout property

Building Components

Appt. / Housing

July 2, 03
12/11/03
Feb 13, 04

- 1. Permit: Spray Booth
- 2. Plumbing violations
- 3. Electrical "
- 4. Permit: Junk Yard
- 5. Bear stamming, broken support beam
- 6. Stack for furnace, missing first studs through outside wall.

- 1. Spray Booth - IN USE
- 2. Apt Upstairs - illegal
- 3. Junk Car - No his.
- 4. electrical issues - Romex etc.
- 5. Plumbing not code -
- 6. Junk Permit - Done
- 7. Bear stamming broken need repair:
- 8. tiers
- 9. lifts: not addr.
- 10. steam 10' or less:

- 11. Fiberglass & Mason painting
- ~~12. ...~~
- 13. Furnace stack not code:
- 14,

1041 Ocean Ave.

DEP - Randy Mc Mullin 822-6343
 Paper: Tim Wright 822-6336