

52-15 EASTERN PROMENADE

47

STANDARD



APPLICATION FOR PERMIT
DEPARTMENT OF BUILDING INSPECTIONS SERVICES
ELECTRICAL INSTALLATIONS

Date 5-3, 19 79
 Receipt and Perm't number A24062

To the CHIEF ELECTRICAL INSPECTOR, Portland, Maine:

The undersigned hereby applies for a permit to make electrical installations in accordance with the laws of Maine, the Portland Electrical Ordinance, the National Electrical Code and the following specifications:

LOCATION OF WORK: 45 Eastern Prom. (basement for fire alarm system)
 OWNER'S NAME: Portland House ADDRESS: same

	FEES
OUTLETS: Receptacles _____ Switches _____ Plugmold _____ ft. TOTAL <u>XXX</u>	<u>XXXX</u>
FIXTURES: (number of) Incandescent _____ Fluorescent _____ (not strip) TOTAL _____ Strip Fluorescent _____ ft. _____	
SERVICES: Overhead _____ Underground _____ Temporary _____ TOTAL amperes _____	
METERS: (number of) _____	
MOTORS: (number of) Fractional _____ 1 HP or over _____	
RESIDENTIAL HEATING: Oil or Gas (number of units) _____ Electric (number of rooms) _____	
COMMERCIAL OR INDUSTRIAL HEATING: Oil or Gas (by a main boiler) _____ Oil or Gas (by separate units) _____ Electric Under 20 kws _____ Over 20 kws _____	
APPLIANCES: (number of)	
Ranges _____ Water Heaters _____	
Cook Tops _____ Disposals _____	
Wall Ovens _____ Dishwashers _____	
Dryers _____ Compactors _____	
Fans _____ Others (denote) _____	
TOTAL _____	
MISCELLANEOUS: (number of)	
Branch Panels _____	
Transformers _____	
Air Conditioners Central Unit _____	
Separate Units (windows) _____	
Signs 20 sq. ft. and under _____	
Over 20 sq. ft. _____	
Swimming Pools Above Ground _____	
In Ground _____	
Fire/Burglar Alarms Residential <u>X</u> _____	<u>3.00</u>
Commercial _____	
Heavy Duty Outlets, 220 Volt (such as welders) 30 amps and under _____	
over 30 amps _____	
Circus, Fairs, etc. _____	
Alterations to wires _____	
Repairs after fire _____	
Emergency Lights, battery _____	
Emergency Generators _____	
INSTALLATION FEE DUE: _____	
FOR ADDITIONAL WORK NOT ON ORIGINAL PERMIT DOUBLE FEE DUE: _____	
FOR REMOVAL OF A "STOP ORDER" (304-16.b) _____	
TOTAL AMOUNT DUE: _____	<u>3.00</u>

INSPECTION:
 Will be ready on _____, 19__ ; or Will Call X
 CONTRACTOR'S NAME: ABC Elec.
 ADDRESS: 56 Clinton St.
 TEL.: 775-0903
 MASTER LICENSE NO.: On File SIGNATURE OF CONTRACTOR: [Signature]
 LIMITED LICENSE NO.: _____

INSPECTOR'S COPY - - WHITE
 OFFICE COPY - CANARY
 CONTRACTOR'S COPY - GREEN

CITY OF PORTLAND, MAINE

MEMORANDUM

DATE: 4/5/79

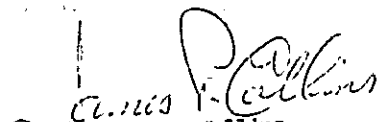
TO: Mr. Leon Bornstein

FROM: Fire Prevention Bureau

SUBJECT: 45 Eastern Prom

Approval is hereby given for a building permit
from this Department subject to the following requirements/reasons:

- 1) This system shall be installed as approved by this office.


Lt. James P. Collins
Fire Prevention Bureau



APPLICATION FOR PERMIT

B.O.C.A. USE GROUP

B.O.C.A. TYPE OF CONSTRUCTION 0222

ZONING LOCATION PORTLAND, MAINE, 4-4-79

PERMIT ISSUED

APR 9 1979

CITY of PORTLAND

To the DIRECTOR OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE

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

LOCATION 45 Eastern Promenade Fire District #1 [], #2 []
1. Owner's name and address Portland House - same Telephone
2. Lessee's name and address Telephone
3. Contractor's name and address ABC Electric - 56 Clinton St., Port. Telephone 775-0903
4. Architect Specifications Plans No. of sheets
Proposed use of building apartment complex (fire alarm system) No. families
Past use same No. families
Material No. stories Heat Style of roof Roofing
Other buildings on same lot
Estimated contractual cost \$ Fee \$ 15.00

FIELD INSPECTOR—Mr. GENERAL DESCRIPTION

This application is for: @ 775-5451 Fire alarm system for complete building.
Dwelling Ext. 234
Garage
Masonry Bldg. Stamp of Special Conditions
Metal Bldg.
Alterations
Demolitions
Change of Use
Other

SENT TO FIRE DEPT. 4-6-79
RECD FROM FIRE DEPT. 4-6-79

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

PERMIT IS TO BE ISSUED TO 1 [] 2 [] 3 [x] 4 []

Other:

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) 2x4-15" 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?

APPROVALS BY: DATE MISCELLANEOUS
BUILDING INSPECTION—PLAN EXAMINER Will work require disturbing of any tree on a public street? ..
ZONING:
BUILDING CODE: Will there be in charge of the above work a person competent
Fire Dept. J. James to see that the State and City requirements pertaining thereto
Health Dept. D. Collins are observed?
Others:

Signature of Applicant J.P. Bernstein Phone #

Type Name of above Leon Bernstein, Elec. 1 [] 2 [] 3 [x] 4 []

Other
and Address

FIELD INSPECTOR'S COPY

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

CONDITIONAL USE APPEAL
Fidelity Bank

Walter M. Jeffords (The owner of property at 33-45 Eastern Promenade under the provisions of Section 24 of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board of Appeals to: permit and certificate of occupancy to make alterations on the ground floor of this building at the above named location for a private club. This permit is presently not issuable under the Zoning Ordinance because the property is located in an R-6 Residential Zone where the proposed use is not allowable unless authorized by the Board of Appeals under provision of Section 602.7a:8.h of the Ordinance.

LEGAL BASIS OF APPEAL: 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 Ordinance.

J. J. [Signature], Attorney
APPELLANT

DECISION

After public hearing held November 11, 1971, 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.

It is, therefore, determined that permit should be issued in this case.

[Signature]
[Signature]
[Signature]
BOARD OF APPEALS

November 8, 1971

Walter M. Jeffords & Trustees
(The Fidelity Bank)
5 Temple St.

cc to: Fish Point Club
45 Eastern Prom.

November 11, 1971

33-45 Eastern Promenade

Oct. 20, 1971

Walter M. Jeffords & Trustees
(The Fidelity Bank)
5 Temple Street

cc to: Fish Point Club,
45 Eastern Promenade
cc to: City Manager
cc to: Corporation Counsel

Gentlemen:

Building permit and certificate of occupancy to make alterations on the ground floor of this building at the above location for a private club is not issuable under the Zoning Ordinance because the property is located in an R-6 Residential Zone where the proposed use is not allowable unless authorized by the Board of Appeals under provision of Section 602.7a.3.h of the Ordinance.

We understand you would like to exercise your appeal rights in this matter. Accordingly you or your authorized representative should come to this office in Room 113, City Hall to file the appeal on forms which are available here. A fee of \$15.00 for a conditional use appeal shall be paid at this office at the time the appeal is filed.

Very truly yours,

A. Allan Soule
Assistant Director

AAS:R

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

November 1, 1971

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in Room 209, City Hall Portland Maine on Thursday November 1, 1971 at 4:00 p.m. to hear the appeal of Walter M. Jeffords & Trustees (The Fidelity Bank) requesting an exception to the Zoning Ordinance to permit and certificate of occupancy to make alterations on the ground floor of this building for a private club at 33-45 Eastern Promenade.

This permit is presently not issuable under the Zoning Ordinance because the property is located in an R-6 Residential Zone where the proposed use is not allowable unless authorized by the Board of Appeals under provision of Section 602.7a.8.h of the Ordinance.

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

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 ft. of the premises in question as required by Ordinance.

Chairman

BOARD OF APPEALS

PERMIT TO INSTALL PLUMBING

Date Issued **Sept. 7, 1973**
 Portland Plumbing Inspector
 By **ERNOLD R GOODWIN**

Address **45 Eastern Prom Apt J & K** PERMIT NUMBER **3294**
 Installation For **mult.**
 Owner of Bldg **Portland House Corp.**
 Owner's Address **same**
 Plumber: **Franklin Blake** Date: **9-7-73**

App. First Insp.
 Date **10/19/73**
 By **EM**

NEW	REPL	195 St. John Street	NO	FEE
2		SINKS	2	4.00
2		LAVATORIES	2	4.00
2		TOILETS	2	2.60
2		BATH TUBS	2	1.20
		SHOWERS		
		DRAINS FLOOR SURFACE		
		HOT WATER TANKS		
		TANKLESS WATER HEATERS		
		GARBAGE DISPOSALS		
		SEPTIC TANKS		
		HOUSE SEWERS		
		ROOF LEADERS		
		AUTOMATIC WASHERS		
2		DISHWASHERS	2	1.20
		OTHER		

App. Final Insp.
 Date **Oct 2 1973**
 By **ERNOLD R GOODWIN**
 Type of Bldg.

- Commercial
- Residential
- Single
- Multi Family
- New Construction
- Remodeling

TOTAL 10 13.00

Building and Inspection Services Dept: Plumbing Inspection

A/P -33-47 Eastern Promenade

Nov. 16, 1967

Corian Construction Co.
30 Lake Street
White Plains, New York

cc to: J. D. Crumbles, 5 Temple Street
cc to: Robert Gass, 5 Temple Street

John H. Robbins
30 Lake Street, White Plains, N.Y.

Gentlemen:

A check of your plans reveals that more information will be needed to show City of Ithaca Building Code compliance before permit for the superstructure of this building can be issued as follows:

1. As the specifications recently received at this office have omitted building specialties we are unable to get any information as to the type of plastic that you propose to use for balcony dividers. Although this building is located in the least restricted fire zone (fire zone 3) it is necessary that information on this product is known to check compliance with Building Officials Conference of America Code Section 2000 covering plastic construction. This code section has formerly been adopted by reference.
2. In order to comply with means of egress Section 402.5.1.4 stairwell number 2 will need to extend from the first garage level to the second garage level so that in case of an emergency persons can go directly out-of-doors at the ground level. The extension of the stairway and passageway to the exterior door will need to be closed off from the garage by two hour fire rated walls and Class B labeled doors with self closing devices. Any locking device on the exterior door will need to be of the vestibule latch set type. The function of this lock being that although locked from the outside can always be opened from within.
3. The brick facing will need to be bonded to the reinforced concrete foundation with approved dovetail anchors of either number 6 gauge wire galvanized after bending or 1" wide by 1/8" thick dovetail cavity wall ties located at not over every fifth brick joint and at not over 2 feet on centers.
4. The face brick will need to be tied to the concrete block backing and the spiral steel by approved 3/16 diameter galvanized wire lap ties at every fifth joint vertically and at not over 2 feet o.c. horizontally. These ties may be of the adjustable type. Continuous track or ladder type concrete block reinforcing is not approved for tying the brick facing to the concrete block backing.
5. The elevator shaftway will need to have windows or skylights glazed in accordance with Section 2102.3.2 of this code.
6. The fire chief will need to be consulted as to provisions for access to this building through the stairtower penthouses in case of emergency.

Horian Construction Co.
John E. McKinnis
J. D. Grumbles
Robert Cass

Page 2

Nov. 16, 1967

7. It is called to your attention that the sanitary sewer line will need to be extra heavy cast iron pipe from the building to the city sewer in the street or to a manhole outside of the building.

8. The wash and vent piping under 2½ inches inside diameter must be either extra heavy cast iron or type L (hard) copper pipe. Galvanized pipe may be used on vents after the vent pipe has risen at least 6 inches above the flood rim of the highest fixture at each floor level.

The mechanical plans are now being checked with specifications which were just received and you will be notified as soon as possible as to any code discrepancies. We felt that it was important that you receive the information stated in paragraphs 7 and 8 in order to plan your rough-in as the foundation was being constructed.

Very truly yours,

Gerald E. Hayterry
Director Building & Inspection Services

GEM:m

JOHN M. KOKKINS, A.I.A.
ARCHITECT

30 Lake Street
White Plains, N. Y. 10603
(914) 428-2711

November 27, 1967

City of Portland, Maine
Department of Building Inspection
City Hall
389 Congress Street
Portland, Maine

Att: Mr. Gerald E. Mayberry, Director

RE: Portland House
45 Eastern Promenade

Dear Sir:

In reply to your letter of the 16th of this month, please be informed as follows:

1. Balcony dividers shown on our drawing A-7 are of corrugated plastic, "Corrulux," made by Johns-Manville, having flamability rating as per ASTM: D-635-63 and meeting U. S. Federal Government Spec. LP5066. This material is in general use for similar purposes throughout the country.

2. At our last meeting at your office on September 25, 1967, we made an analysis of the Code requirements pertaining to required exits from Garage levels # 1, # 2, and # 3. The only change indicated at the time was the elimination of a doorway from the 1st garage level to stairway No. 3 and, in lieu of that, the installation of a pedestrian door on the overhead garage door. Our plans now show this change.

In addition to the intercommunicating ramps, our plans now show two independent exits from each garage level either directly to the outdoors, or, as in the case of garage Vest. No. 2, into a fireproof corridor which in turn leads directly to outdoors. In our view, the extension of the stairwell No. 2 to garage level No. 2 will not in any way improve the exit facilities from this level. We respectfully, therefore, ask that you reconsider your request stated in par. 2. of your letter

3. Brick facing on concrete foundation walls is very limited in this project. Our specification page 3A-5 para. 3A-07 and Page 5A-10 para. 5A-10-C-3 call for slots and dovetail anchors respectively. The anchors are 1" X 4" 14 gauge corrugated galvanized iron spaced approximately 30" horizontally and 16" vertically in agreement with Federal Specification.

City of Portland , Maine
Department of Building Inspection
Page 2
November 27, 1967

4. Following Federal Specifications and general practice our specifications Page 5A-10-E-1 calls for $\frac{1}{4}$ " or $\frac{3}{16}$ " "Z" type galvanized iron or zinc alloy ties spaced 30" horizontally and 16" vertically. We enclose herewith copy of a sketch also showing said "Z" type tie. The sketch also shows $\frac{3}{16}$ " galvanized steel tie at the spandrel beam as per your oral request. We trust that this meets with your approval.

5. Paragraph 5 of your letter refers to a section in the Building Code (2102.3.2) which obviously refers to non-fireproof buildings of low rise in which the elevator machinery is located at the bottom of the shaft. In our case, the building is fireproof and the machinery is located at the top of the shaft. There is a 1'-0" X 2'-0" smoke hole with iron grating at the top of the shaft on the elevator machine room floor. (DWG. A-3) This is required standard practice in every part of the country. We respectfully request reconsideration on this point also.

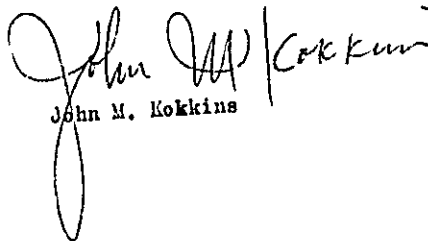
6. We shall comply with your suggestion in Para. 6 of your letter.

7. We are complying with your suggestion in Para. 7 of your letter.

8. We are using F & W fittings which are made of extra heavy cast iron as you will note in our plumbing drawings.

Trusting that the above meet with your consent and that we will soon have the remainder of your comments for final approval. I remain,

Respectfully yours,


John M. Kokkins

CITY OF PORTLAND, MAINE
MEMORANDUM

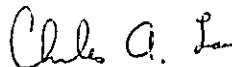
TO: Allan Soule, Deputy Director of Building Inspections

DATE: 6/20/72

FROM: Charles A. Lane, Assistant Corporation Counsel

SUBJECT: 25-45 Eastern Promenade

This is to inform you that the attorney representing the petitioner in the above-captioned matter has informed me that he will request permission to withdraw his appeal, without prejudice, and will submit a new appeal to the Board after new plans have been drawn up.



Charles A. Lane
Assistant Corporation Counsel

CAL:hif

Pd #15

Withdrawn

6-20-72

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

CONDITIONAL USE APPEAL

The Fidelity Bank &
Walter M. Jeffords, Jr., owner of property at 25-45 Eastern Promenade
under the provisions of Section 24 of the Zoning Ordinance of the City of Portland,
hereby respectfully petitions the Board of Appeals to: permit and certificate of
occupancy for the use of the premises at the above named location as an
off-street parking lot for 19 passenger cars. This permit is presently not
issuable under the Zoning Ordinance because the proposed use is not allowable
in the R-6 Residential Zone in which this property is located unless authorized
by the Board of Appeals as provided by Section 602.A.8.d. of the Zoning
Ordinance.

LEGAL BASIS OF APPEAL: 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 Ordinance.

A. D. Newberry, attorney
APPELLANT

DECISION

After public hearing held _____, the Board of Appeals finds
that such use of the premises will _____ adversely affect property in the same
zone or neighborhood and will _____ be contrary to the intent and purpose of the
Ordinance.

It is, therefore, determined that permit should _____ be issued in this case.

BOARD OF APPEALS

25-45 Eastern Promenade

May 16, 1972

The Fidelity Bank & Walter M. Jeffords, Jr.
Trustees, 45 Eastern Promenade

cc to: Corporation Counsel
cc to: Blue Rock Industries,
Att: Edwin Arsenault,
58 Main St. Westbrook

Gentlemen:

A certificate of occupancy for the use of the premises at the above named location as an off-street parking lot for 19 passenger cars is not issuable under the Zoning Ordinance because the proposed use is not allowable in the R-6 Residential Zone in which this property is located unless authorized by the Board of Appeals as provided by Section 602.A.8.d of the Zoning Ordinance.

We understand that you would like to exercise your appeal rights in this matter. Accordingly you or your authorized representative should come to this office in Room 113, City Hall to file the appeal on forms which are available here. A fee of \$15.00 for a conditional use appeal shall be paid at this office at the time the appeal is filed.

If fee has been paid and the appeal filed prior to this letter then consider this letter as a matter of formality.

I would take this opportunity to call your attention to Section 602.14.1.2 of the Zoning Ordinance which states: where such off-street parking shall abut a lot in residential use, a chain link, or picket or sapling fence not less than 48 inches in height, shall be provided and maintained between such off-street parking and that part of the lot line involved.

Very truly yours,

A. Allan Soule
Assistant Director

AAS:m

June 12, 1972

The Fidelity Bank & Walter Jeffords, Jr.
Trustees
45 Eastern Promenade
Portland, Maine 04101

June 15, 1972

cc to: Blue Rock Industries
Att: Edwin Arseneault
58 Main St. Westbrook, Maine 04092

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

June 5, 1972

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in Room 209, City Hall, Portland, Maine on Thursday, June 15, 1972 at 4:00 p.m. to hear the appeal of The Fidelity Bank & Walter M. Jeffords, Jr. requesting an exception to the Zoning Ordinance to permit and certificate of occupancy for the use of the premises as an off-street parking lot for 19 passenger cars at 25-45 Eastern Promenade.

This permit is presently not issuable under the Zoning Ordinance because the proposed use is not allowable in the R-6 Residential Zone in which this property is located unless authorized by the Board of Appeals as provided by Section 602.7A.8.d of the Zoning Ordinance.

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

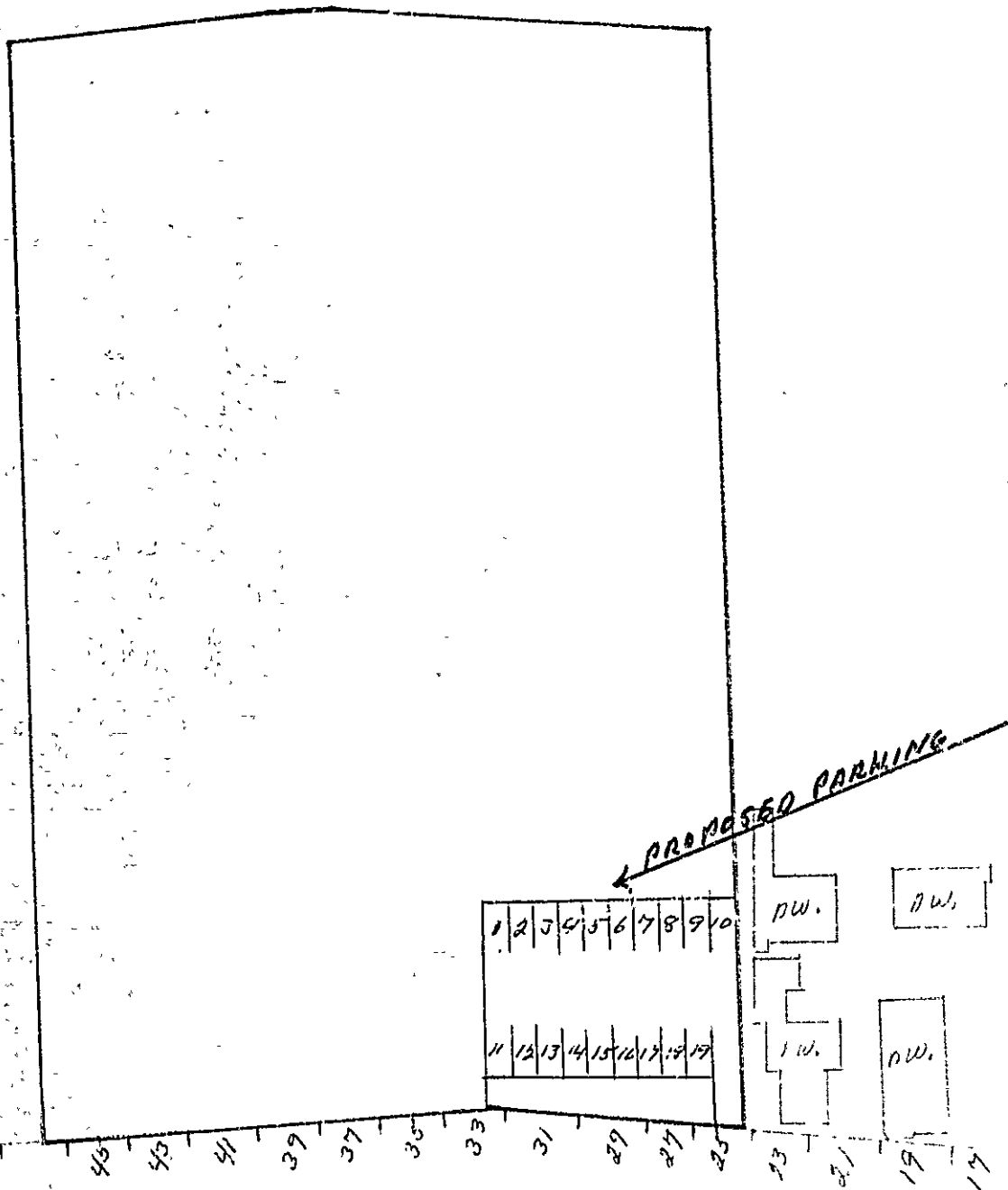
All persons interested either for or against this appeal will be heard at the above time and place, this notice of required public hearing having been sent to the owners of property within 500 feet of the premises in question as required by Ordinance.

BOARD OF APPEALS

William B. Kirkpatrick
Chairman

25-45 EASTERN PROMENADE P. 1 P. 8

5/30/42. M.G.W.



EASTERN PROMENADE

VASSER ST.

BECKETT ST.

MUN. JOY

25-45 Eastern Promenade

May 16, 1972

The Fidelity Bank & Walter M. Jeffords, Jr.
Trustees, 45 Eastern Promenade

cc to: Corporation Counsel
cc to: Blue Rock Industries,
Att: Edwin Arsenault,
58 Main St. Westbrook

Gentlemen:

A certificate of occupancy for the use of the premises at the above named location as an off-street parking lot for 19 passenger cars is not issuable under the Zoning Ordinance because the proposed use is not allowable in the R-6 Residential Zone in which this property is located unless authorized by the Board of Appeals as provided by Section 602.4.6.d of the Zoning Ordinance.

We understand that you would like to exercise your appeal rights in this matter. Accordingly you or your authorized representative should come to this office in Room 113, City Hall to file the appeal on forms which are available here. A fee of \$15.00 for a conditional use appeal shall be paid at this office at the time the appeal is filed.

If fee has been paid and the appeal filed prior to this letter then consider this letter as a matter of formality.

I would take this opportunity to call your attention to Section 602.14.E.2 of the Zoning Ordinance which states: where such off-street parking shall abut a lot in residential use, a chain link, or picket or sapling fence not less than 48 inches in height, shall be provided and maintained between such off-street parking and that part of the lot line involved.

Very truly yours,

A. Allan Soule
Assistant Director

AAS:im

BLUE ROCK INDUSTRIES

Westbrook, Maine

36
30
36

99
97
10
87

PROJECT

Parking lot for
Portland House

SUBJECT

PAGE

DETAIL

DATE

COMPUTED BY

45 Eastern Promenade
Portland, Me
1.12 9/1/80

102 x 76

Guard Road 99'

10 Parking Spaces
9x18

9 Parking Spaces
9x18

sidewalk

Eastern Prom
5/1/80

EXISTING
ENTRANCE
AS IS

10
5
18

Have 13 spaces new
R05 112

RECEIVED
MAY 8 1972
DEPT. OF BLDG. INSP.
CITY OF PORTLAND

45 Eastern Promenade

May 9, 1972

Blue Rock Industries
Att: Edwin J. Arsenault
58 Main Street, Westbrook

Dear Mr. Arsenault:

In checking your application for a parking lot for 20 passenger vehicles at the above location we find we are unable to continue processing your request until further information is provided as follows:

1. We are unable to determine the location of this lot. Your plan would seem to indicate that this is to be located beside the Portland House on the Eastern Promenade. Your plans show that this is to be located on Fore Street.

2. How far from the side and rear lot lines will this parking lot be located?

3. Does this land now belong to the Portland House or is this property that they propose to buy?

4. I am enclosing a summary of zoning requirements for off-street parking areas.

If you have any questions on these parking requirements please do not hesitate to call me here at this office at City Hall.

Very truly yours,

A. Allan Soule
Assistant Director

AAS:m

APPLICATION FOR CERTIFICATE OF OCCUPANCY FOR USE OF PREMISES

Portland, Maine May 8, 1972

Location 45 Eastern Promenade

Zone R-6

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 Parking lot

as set forth on the attached site plan (made by Blue Rock Industries whose address is 58 Main St, Westbrook) 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) Portland&K House

Lessee (name, address and phone number) _____

Is proposed use to be accessory to a building or other use on this lot? yes
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? 20?, 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)? _____
Ard, 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)? no

Do you propose to remove or disturb any tree on a public street? no
If so, have you secured on the site plan the written approval of the Director of Parks and Recreation? _____

Signature of Owner _____
By Edwin T. Crumpall
(duly authorized thereto)
Blue Rock Industries

\$5.00 fee

THIS IS NOT A CERTIFICATE OF OCCUPANCY

To:

COMMENCING the above proposed use of the premises would be IN VIOLATION of the Zoning Ordinance unless a Certificate of Occupancy is first procured from the Department of Building Inspection.

However, improvement of the premises according to the site plan and the above application may now proceed without further authorization, but subject to the conditions indicated below--notice of readiness for final inspection to be given to this department when the premises have been placed in compliance with the requirements:-

(Date) _____

Inspector of Buildings

APPLICATION FOR CERTIFICATE OF OCCUPANCY FOR USE OF PREMISES

Portland, Maine May 8, 1972

Location 15 Eastern Promenade

Zone R-6

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 Parking lot

as set forth on the attached site plan (made by Blue Rock Industries whose address is 58 Main St. Westbrook) 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) Portland House

Lessee (name, address and phone number) _____

Is proposed use to be accessory to a building or other use on this lot? yes
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? 20, 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)? no

Do you propose to remove or disturb any tree on a public street? no
If so, have you secured on the site plan the written approval of the Director of Parks and Recreation? _____

Signature of Owner _____

\$1.00 fee

By [Signature]
(duly authorized thereto)

Blue Rock Industries

THIS IS NOT A CERTIFICATE OF OCCUPANCY

To:

COMMENCING the above proposed use of the premises would be IN VIOLATION of the Zoning Ordinance unless a Certificate of Occupancy is first procured from the Department of Building Inspection.

However, improvement of the premises according to the site plan and the above application may now proceed without further authorization, but subject to the conditions indicated below—notice of readiness for final inspection to be given to this department when the premises have been placed in compliance with the requirements:-

(Date) _____

Inspector of Buildings

APPLICATION FOR CERTIFICATE OF OCCUPANCY FOR USE OF PREMISES

Portland, Maine May 8, 1972

Location 15 Eastern Promenade Zone R-6

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 Parking lot

as set forth on the attached site plan (made by Blue Rock Industries whose address is 58 Main St., Westbrook) 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) Portland House

Lessee (name, address and phone number) _____

Is proposed use to be accessory to a building or other use on this lot? yes
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? 20, 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)? yes

Do you propose to remove or d'sturb any tree on a public street? no
If so, have you secured on the site plan the written approval of the Director of Parks and Recreation? _____

Signature of Owner _____

\$5.00 fee

By _____
(duly authorized thereto)

THIS IS NOT A CERTIFICATE OF OCCUPANCY

To:

COMMENCING the above proposed use of the premises would be IN VIOLATION of the Zoning Ordinance unless a Certificate of Occupancy is first procured from the Department of Building Inspection.

However, improvement of the premises according to the site plan and the above application may now proceed without further authorization, but subject to the conditions indicated below--notice of readiness for final inspection to be given to this department when the premises have been placed in compliance with the requirements:-

(Date) _____

Inspector of Buildings

APPLICATION FOR CERTIFICATE OF OCCUPANCY FOR USE OF PREMISES

Portland, Maine May 8, 1972

Location 45 Eastern Promenade Zone R-6

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 Parking lot

as set forth on the attached site plan (made by Blue Back Industries whose address is 58 Main St, Westbrook) 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) Portland House

Lessee (name, address and phone number) _____

Is proposed use to be accessory to a building or other use on this lot? yes
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? 20, 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)? no

Do you propose to remove or disturb any tree on a public street? no
If so, have you secured on the site plan the written approval of the Director of Parks and Recreation? _____

Signature of Owner _____

5.00 fee

By _____
(duly authorized thereto)

THIS IS NOT A CERTIFICATE OF OCCUPANCY

To:

COMMENCING the above proposed use of the premises would be IN VIOLATION of the Zoning Ordinance unless a Certificate of Occupancy is first procured from the Department of Building Inspection.

However, improvement of the premises according to the site plan and the above application may now proceed without further authorization, but subject to the conditions indicated below—notice of readiness for final inspection to be given to this department when the premises have been placed in compliance with the requirements:-

(Date) _____

Inspector of Buildings

PROCEDURE OF ZONING APPEALS

DATE INITIAL

LOCATION 25-415 EASTERN PROMENADE

OWNER WALTER M. JEFFORDS, JR.

FEE PAID FOR APPEAL _____

PLANS & INFORMATION _____

DATE OF HEARING _____

\$15. APPEAL (Conditional
(Variance)

Certificate Letter _____

List of streets - 500' _____

Envelopes - Mail out Monday, 10 days before hearing Date _____

Letters mailed out _____

Appeal folders (2) _____ Date _____

Notice to owner of property of hearing date - Monday before hearing _____

Notice to prospective owner (if any) - Monday before hearing _____ Date _____

Notice to lawyer, sign hanger, etc. (if any) Monday before hearing _____ Date _____

Pictures and sketch _____

6/19
5/30 MFW

\$5.00 APPEAL

Notice to abutting property owners (Monday before hearing - Date _____

Appeal folders (2) _____

Notice to owner of property (Monday before hearing - Date _____

Notice to prospective owner (Monday before hearing - Date _____

Notice to lawyer (if any) _____

Pictures and sketch _____

DOCKET - Mailed to appeal board no later than Monday before hearing - Date _____

Corp. Counsel Office - Large folder sent upstairs with appeal papers _____

Office Copy of Appeal - One copy of appeal put in small folder with
Inspection Copy of application with all plans and letters

All papers for appeals - Docket, Corp. Counsel folders and office
folders should be completed Monday before hearing

47 Eastern Promenade
The Portland House

April 5, 1972

Walter M. Jeffords, Jr.
c/o Northern Utilities
5 Temple Street
Portland, Maine

cc to: Manager of the Portland
House, 5 Temple Street
cc to: Supt. of the Portland House
47 Eastern Promenade
cc to: Arthur Hughson, Health
Director, City Hall

Gentlemen:

It has come to the attention of this department that the ventilation system venting both the toilet rooms and the kitchenettes at the Portland House are being shut off during the evening hours. This action is in direct conflict with the spirit and intent of the Portland Building Code and its State Plumbing Code.

Inside toilet rooms and inside kitchenettes are required to be vented in one of two ways, either by a system of mechanical ventilation operated on a 24 hour basis or by a gravity system which is also operated on a continuous basis.

Please therefore be guided accordingly.

Very truly yours,

Earle S. Smith
Plan Examiner

ESS:m

BUILDING INSPECTION SERVICES

IN OFFICE MEMO

FROM Mr. D.W. CHARLIN
ADDRESS "PORTLAND HOUSE"

DATE 4/10/77

RECEIVED BY R.L. BROWN

NOTE: FILE A COMPLAINT

FORM - LACK OF

PROPER VENTING AS

MAIN FANS ARE TURNED

OFF 11:30 PM TO 6 AM.

- CAUSED STAGNANT AIR

IN BATHS & ROOMS -

VIOLATES SPIRIT INTENT OF Bldg Code

4.5 lumber
5-1 pencil

~~Mr.~~ Mr. P. Lovell Brown,
Superintendent of Bldg. Inspc -
City Hall
Portland Me.

Dear Sir -

Since my phone call to you
this morning - ~~I have been asked~~ a ⁴⁵
group of tenants of "Portland House" E.P. Pat
have asked me to write you in some
detail concerning ~~the~~ the full important
matter of ventilation for this 11 story
high rich apartment house.

We - the tenants - agree ~~with you~~ that
the building code regarding ^{regarding} ventilation
has been altered to. We also feel that
you will agree with us that if the
Electric fan equipment is shut off
^{+ not used for} 8 hours every night from 11.30 to 1.30
that a condition ^{exists} ~~exists~~ throughout the
whole building, due to hot and stagnant
air - that ~~is~~ not only makes
sleeping a problem ~~but~~ but create
an actual health hazard. This condition
did not exist until 2 months ago when
the fans were operated by a time clock basis,
many complaints have been made to
the owner and local management

Management here in Portland on this matter and have been listened to with bored indifference. We feel that the time has now come ~~to~~ for concerted action on the part of the tenants to create ~~some~~ ^{enough} pressure from some source to force this ~~indifferent~~ ^{indifferent} ~~landlord~~ ^{whether} ~~individual~~ Mr. Walter Jefferts kindly - or the gas Co. he owns - to give his 90 tenants healthy clean air to live & sleep in at night as well as in the day time -

If you feel that our approach should be directed to the Health & Welfare Dept. in Aquata I am sure some of the tenants would be glad to go ~~to the Dept.~~ if they would give us a hearing. There are approximately 90 tenants ~~in~~ in the house etc etc.

W. S. Chaplin Jr. Sign a petition.

Will feel such a hearing necessary.

1/11/71 Ivancevic telephoned that some solution for the heating of
"C" apartment bathrooms would be found and that the ventilation
problem was being worked on.

PORTLAND HOUSE
40 EASTERN PROMENADE
PORTLAND, MAINE 04101

24 March 1971

Mr Walter C Ivancevic
c/o Northern Utilities Inc
5 Temple Street
Portland

Dear Mr Ivancevic:

Mrs Phoenix and I moved to Portland House eight four months ago. Shortly after we arrived I discovered to my surprise, and, discomfort, that there was no provision for heating the two bathrooms. In one of them, the smaller, that is no great hardship but the larger one is unnecessarily and perhaps unhealthfully cold in the morning. In our California apartment the two bathrooms had electric wall heaters and Maine winters are certainly no warmer than those in California. I spoke repeatedly about the need for additional heat, talking with Mrs Larson, Mr Stewart, Mr Dickerson and Mr Casady but none of them seemed to have any authority in the matter. So, finally I called Mr Stewart and Mr Dickerson to the apartment to show them that the kitchen ventilator, instead of sucking out kitchen air was blowing dirty air into the kitchen and I took that occasion to show Mr Stewart my suggested solution of the bathroom heat problem. To install a wall heater would be a rather expensive job and I am perfectly willing to spare Portland House that expense; what I want is the replacement of the light switch with a combination switch and outlet - something I have had done in my New Hampshire house - so I can plug in a portable electric heater first thing in the morning before shaving and bathing. I have the portable heater. Mr Stewart said he would see what could be done. Later in the day he told me you had said the same could not make the change but that I could have it done at my expense if I wished. It does not seem to me that this is a fair decision; if I pay the cost of the necessary electricity to provide heat not provided by the building it is not asking too much to request the owner to make it possible for me to plug in a heater. Will you be good enough, therefore, to re-examine the question.

There is one other matter to which I wish you would give thought, namely, mechanical ventilation during the night. When the wind is so strong that no windows can be opened or when the wind is on the other side of the house so no air enters through the windows, the only ventilation comes by virtue of the ventilating fans serving kitchen and bathroom; if the fans are not operating the air becomes stale and sleep is not restful. I cannot believe that the cost of operating the fans for 24 hours a day would be financially disastrous to Portland House; the result would be a great service to us and to at least one of our neighbors who recently complained to me of lack of air at night.

Yours truly,

Spencer Phoenix

Mr. + Mrs. Phoenix are leaving Portland House 8 months before their lease is up - paying heat - because they can't stand the conditions of ventilation + other things -



APPLICATION FOR PERMIT

Class of Building or Type of Structure: _____

Portland, Maine, Oct. 13, 1971

PERMIT NO. 110

NOV 15 1971

1438 CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

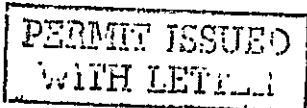
The undersigned hereby applies for a permit to erect alter repair demolish install the following building structure equipment in accordance with the Laws of the State of Maine, the Building Code and Zoning Ordinance of the City of Portland, plans and specifications, if any, submitted herewith and the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

Location: 45 Eastern Promenade Within Fire Limits? Dist. No.
Owner's name and address: Walter M Jeffords & Trustees, (The Fidelity Bank) Telephone
Lessee's name and address: Fish Point Club, 45 Eastern Promenade Telephone
Contractor's name and address: Lessee Telephone
Architect Specifications Plans No. of sheets
Proposed use of building: Apt. house No. families
Last use " " No. families
Material No. stories Heat Style of roof Roofing
Other buildings on same lot
Estimated cost \$ 6,000. Fee \$ 18.00

General Description of New Work

To make alterations as per plans and memo submitted.

Approved submitted 11/17/71



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

Fish Point Club

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?

Miscellaneous

Will work require disturbing of any tree on a public street?
Will there be in charge of the above work a person competent see that the State and City requirements pertaining thereto observed? YES

APPROVED:

AK-11/15/71 - zoning - Allen
O.K. E.S. W/L 11/15/71

CS 301

INSPECTION COPY

Signature of owner

By:

Fish Point Club
John O. Newbury - (NEWBURY)
their attorney 773-6

NOTES

2-17-72 work started but going slow

2-28-72 work on front porch started, window removed as per plan. *OK*

5-31-72 work going well. *OK*

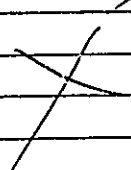
7-28-72 work going slow. *OK*

9-25-72 Drive cut through, not same as before. *OK*

12-11-72 SAME AS LASTING. *OK*

5-8-73 job NOT COMPLETED. *OK*

7-5-73 job incomplete. *OK*



Permit No. 71/1438

Location 45 Eastern Promenade

Owner Frank Pout Club

Date of permit 11/16/71

Notif. closing-in

Inspn. closing-in

Final Notif.

Final Inspn.

Cert. of Occupancy Issued

~~Sealing Out Notice~~ S A X X

Form Check Notice

to
are

411

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: R. Lovell Brown, Director of Building & Inspections
FROM: John E. Menario, City Manager
SUBJECT: Portland House

DATE: Aug. 26, 1969

*Keep in file
for reading
reference only
This must be appeal
board finally
R. U.S.*

At the last afternoon Council meeting I discussed with the members of the City Council in executive session the Portland House and the very difficult position of their requesting a building permit in order to complete a dining room for residents of the establishment.

I explained to the members of the City Council the entire history of the facility and told them that the matter of issuance ~~of~~ the denial of it is certainly a gray area since the Code is not definitive in terms of an assessor's use and since there is no precedent. I stated for the members of the Council my understanding of the hearing before the Zoning Board of Appeals when the residents from the area expressed grave concerns regarding the facility in regard to the traffic generating problems and the off-street parking problems and sighted that specifically in cases where a restaurant or similar dining facility may be housed. It is my understanding that at the hearing those representing the owner or the owner himself indicated that the facility would not include a restaurant or any such similar facility. The question is now one of judgement.

The members of the City Council were not inclined to offer any guidance on the matter and I told them that if the matter was left to my discretion I perhaps would instruct you to deny the building permit placing the burden of proof on the owner of the facility to document his position as to why the permit ought to be issued rather than placing that burden on our shoulders attempting to justify why it ought not to be denied.

In the meantime, however, I am suggesting that the owners of the facility place their position in writing. I am no longer prepared to explain their position to the Council or to the general public nor do I want to place you in such a position. I therefore suggest that when the owners contact you that you indicate that our present position is one of researching the case and that we request and require that their position be placed in a letter to you explaining the type of facility which they wish to install, the dimensions of that facility, and the use of that facility and to answer such specific questions as to the general use of the facility for guests and members of the general public and to how that may be controlled.

I am not inclined to lay out for them exactly our concern other than attempting to be as cooperative as possible but would place the matter entirely within their lap and see in what manner they respond. In the meantime, I want to make it very clear that no permit is to be issued for the plans which have been submitted to you until I am involved actively in that decision and will stand ready to accept whatever responsibilities are required.


John E. Menario
City Manager

JEM:eg
cc: Patricia E. Meally, Admin. Asst. to the Corporation Counsel

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Patricia Meally, Administrative Assistant
FROM: R. Lovell Brown, Director Building Inspection
SUBJECT: Reference to 45 Eastern Promenade

DATE: Aug. 14, 1969

In reference to your memo of August 7, 1969 and our request for an administrative review of the tenants dining club at the above address I submit the following:

Mr. Jeffords came in to see me at my request and has tried to give us additional information on the dining club facility. The dining club itself is for tenants only and will seat about 26 persons. According to Mr. Jeffords there is a likelihood that the tenants may wish to have an occasional guest and it is understood that this could happen, however there will be no "off-street" persons coming in to pay or use the facility. The reading room or so-called lounge previously is a lounge reading room only which is common to many such apartment complexes and/or hotel type buildings. The kitchen facilities (plans to be submitted at a later date by installer of same) is to provide for the dining club tenants. The egress and ingress are denoted by arrows on the plan and are within the building itself with no other entrance.

This office feels that this facility should be classified as an accessory use and allowable, however we would appreciate, as requested previously, your comments and review.

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: R. Lovell Brown, Director of Building Inspections
FROM: Patricia E. Meally, Administrative Assistant
SUBJECT: Request for Building Permit - 45 Eastern Promenade for "Tenants Lounge"

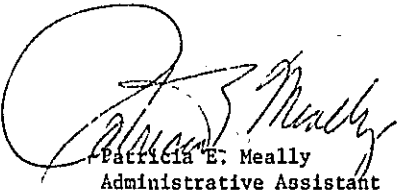
DATE: Aug. 7, 1969

This office suggests that the application for a building permit in the above matter should contain more information on its face and the accompanying plans should be clearly identified as to uses proposed in each area.

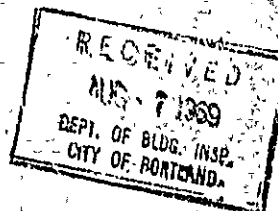
Means of egress and ingress should also be identified and particularly as to whether you enter these areas from the main building or from a separate entrance.

The reference to lounge on the building permit and dining club on the prints are vague and indefinite and, therefore, the applicant should be required to expand the permit to show the use of each area and these uses should be placed on the print together with the information as to accesses.

Upon receipt of this information, we will be pleased to again review this request in the light of its compliance with the Zoning Ordinance.


Patricia E. Meally
Administrative Assistant

M:b



3:30 P. M.
July 30, 1969

Reference to the Portland House request for permit at 45 Eastern Promenade to provide a tenants lounge as per plan for tenants only on the first floor.

As there has been a great deal of concern about the dining club possibility at The Portland House, I have taken it upon myself to make some long distance calls to other Building Inspectors. This afternoon I called Mr. Vincent Demaise, the Director of the Building Inspection Department for the City of Providence, R. I. He is also Second Vice President to BOCA and a known authority on Building and Zoning Codes. I asked him in the course of our conversation about whether he had run into a similar condition of an apartment complex, such as this that asked for a dining club area. His answer was they had no buildings of that magnitude down there and no dining club with as few people as 25 which this has. In their case they did have one similar condition, where there was a separate round building with a connecting corridor but it contained more than 50 people for a similar activity. Mr. Demaise felt that this would be classified as an accessory use where it was denoted for tenants only and according to him would be allowable.

The next call I made was to Mr. Richard Thume, the Commissioner of Building and Inspection Department for the City of Boston. I presented to him the conditions and use to which this request was for and his feeling was that in order to clear the air and make certain of this awkward position of use he would suggest that it be submitted to the Board of Appeals, even though it is stated that it is limited to tenant use and their guests. According to him, Boston has nothing of this nature because when you get 50 or more rooms in an apartment complex they call it an assembly hall dining facility and treat it as such, where there are more people than what we are talking about here.

RLB

33-45 Eastern Promenade

Oct. 20, 1971

Walter M. Jeffords & Trustees
(The Fidelity Bank)
5 Temple Street

cc to: Fish Point Club,
45 Eastern Promenade
cc to: City Manager,
cc to: Corporation Counsel

Gentlemen:

Building permit and certificate of occupancy to make alterations on the ground floor of this building at the above location for a private club is not issuable under the Zoning Ordinance because the property is located in an R-6 Residential Zone where the proposed use is not allowable unless authorized by the Board of Appeals under provision of Section 602.7a.8.h of the Ordinance.

We understand you would like to exercise your appeal rights in this matter. Accordingly you or your authorized representative should come to this office in Room 113, City Hall to file the appeal on forms which are available here. A fee of \$15.00 for a conditional use appeal shall be paid at this office at the time the appeal is filed.

Very truly yours,

A. Allan Soule
Assistant Director

AAS:m

45 Eastern Promenade

Nov. 15, 1971

Walter M. Jeffords & Trustees
Fish Point Club
45 Eastern Promenade

Dear Mr. Jeffords:

Permit to make alterations as per plans and memo submitted is being issued herewith subject to the following Building Code requirement:

The exit door is required to be equipped with a "vestibule latchset". This simply means that the occupants of the club may at any time during the day or night open this door from the inside without having to use a key or any special knowledge but by merely turning the usual knob will allow them to exit from this area.

Very truly yours,

Earle S. Smith
Plan Examiner

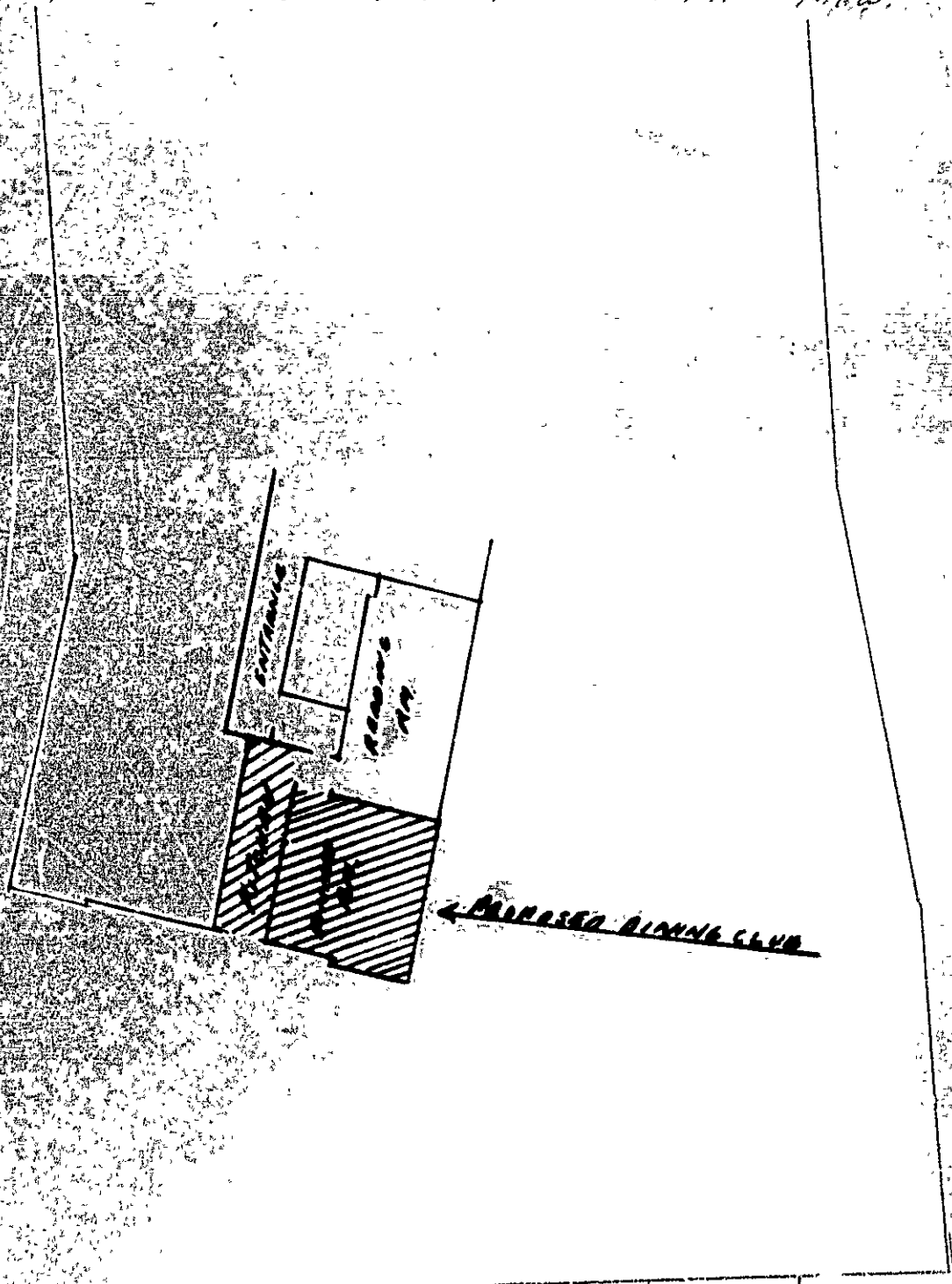
ESS:km

U.S. EASTERN PROM.

J-A-14

11/1/71

MED.



45

43

41

39

37

35

33

RAILWAY CORRIDOR

FISH POINT CLUB, a non-profit corporation, desires to operate a non-profit social and recreational facility at Portland House, 45 Eastern Promenade, Portland, Maine, open exclusively to residents of Portland House and their bona fide guests accompanying them, and subject to the other provisions of Section 602.7A of the Zoning Ordinance as to this type of conditional use. No exterior signs relating to the Club facilities shall be erected. The service areas for making deliveries to the Club facilities are the same as those for making deliveries to Portland House. The only exterior change required in Portland House will be the creation of an emergency fire exit door where one of the windows is now located (see attached plan of door). We understand that the Planning Board has determined that adequate off-street parking is available. The location, design and operation of the Club facilities will not adversely affect the value of surrounding properties. Portland House contains more than fifty dwelling units. Liquor will not be sold or stored in the Club facilities. Entrance to the Club facilities will be only through the lobby of Portland House. The area of the Club facilities (see attached plan) does not exceed five per cent of the gross floor area of Portland House. The purpose of Fish Point Club in operating these Club facilities is to promote fellowship, social living, proper recreation, civic responsibility and neighborhood responsibility. Meals may be available on the Club

facilities for residents of Portland House and their bona fide guests accompanying them at such time as an adequate dining room space and kitchen facilities are available (see attached plan).

The Club facilities will be located in the suite of rooms shown on the attached plan located on the ground floor in the corner of the structure fronting on the Eastern Promenade and the driveway to the underground garage.

DATED: October 4, 1971

Respectfully submitted,

FISH POINT CLUB

By: _____


Its Attorney

B15-pd 5/23/67
Granted 6/15/67
67/33

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

VARIANCE APPEAL

Walter M. Jeffords, Jr., owner of property at 33-17 Eastern Promenade under the provisions of Section 24 of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board of Appeals for a variance from the provisions of said Ordinance to permit: construction of a 13-story masonry apartment house. This permit is presently not issuable under the Zoning Ordinance for the following reasons: (1) This building which is located in the R-6 Residence Zone and I-3b Industrial Zone will have about one-third of its area in the I-3b Industrial Zone which does not permit this use under Section 13-A-32 of the Ordinance; (2) The building is proposed only 14 feet from the left side lot line instead of the minimum of 25 feet required by Section 13-C-1 applying to that section of the building that is located in the I-3b Industrial Zone; (3) This building being 13 stories and about 128 feet high in the R-6 Residence Zone exceeds the limit of 5 stories or 65 feet as required by Section 7-B-5 and 14 stories and about 140 feet high in the I-3b Industrial Zone exceeds the limit of 4 stories or 45 feet as required by Section 13-C-3 of the Ordinance.

LEGAL BASIS OF APPEAL: 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.

Walter M. Jeffords, Jr.
APPELLANT

DECISION

After public hearing held June 15, 1967, the Board of Appeals finds that all of the above conditions do exist with respect to this property and that a variance should be granted in this case.

Therefore, determined that a variance from the provisions of the Zoning Ordinance should be granted in this case.

William B. [Signature]
Thomas M. [Signature]
John H. [Signature]
BOARD OF APPEALS

A.P. - 33-47 Eastern Promenade 12, 1967
May 22, 1967

Walter K. Jeffords, Jr.
5 Temple Street

cc to: J. D. Grumbles, 5 Temple Street
cc to: Robert Cass, 5 Temple Street
cc to: Corporation Counsel

Dear Mr. Jeffords:

cc: Mr. Robert Cass
5 Temple Street

Building permit for erection of a 13-story masonry apartment house building at the above named location for 112 families is not issuable under this Zoning Ordinance for the following reasons:

1. This building which is located in the R-6 Residence Zone and I-3b Industrial Zone will have about one-third of its area in the I-3b Industrial Zone which does not permit this use under Section 13-A-32 of the Ordinance. June 13, 1967

2. The building as you face it from the street will be located only 14 feet from the left side lot line instead of the minimum of 25 feet required by Section 13-C-1 applying to that section of the building that is located in the I-3b Industrial Zone.

3. This building being 13 stories and about 128 feet high in the R-6 Residence Zone exceeds the limit of 5 stories or 65 feet as required by Section 7-B-5 and 14 stories and about 140 feet high in the I-3b Industrial Zone exceeds the limit of 4 stories or 45 feet as required by Section 13-C-3 of the Ordinance.

We understand that you would like to exercise your appeal rights in this matter. Accordingly you or your authorized representative should come to this office in Room 113, City Hall to file the appeal on forms which are available here. A fee of \$15.00 shall be paid at this office at the time the appeal is filed.

Very truly yours,

Gerald E. Hayberry
Director of Building & Inspection Services

GEN:ms

June 12, 1967

Mr. Walter H. Jeffords,
5 Temple Street

cc: Mr. Robert Gass
5 Temple Street

Dear Mr. Jeffords:

June 15, 1967

June 10, '07

My reference to appeal on reverse side of this sheet.

I am mostly out of town five days a week and could not attend meeting as scheduled.

I am of the opinion, of the location where houses are or will be purchased and removed for the coming apartment block, that the whole matter of decision, is in the bag.

Murphy Hill and Eastern Promenade is an a residential part of the City of Fort Lauderdale for the individual home owners.

But this project turns a section as stated here in into a semi commercial section that in time will lead to others.

It has all been figured out, concerning a larger turn over of tax money, whereas the home ^{owner} can shoot his mouth off to no avail.

The apartment block in that location should never be allowed.

Let 'em build near the opposite side of Jack Junior High School

Yours truly,

John J. Lieman

DATE: June 16, 1967

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF WALTER M. JEFFORDS, JR.

AT 33-47 Eastern Promenade

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

BOARD OF APPEALS

	VOTE	
	YES	NO
Franklin G. Hinkley William B. Kirkpatrick	(x)	()
Ralph L. Young	(x)	()
Harry M. Schwartz	(x)	()

Record of Hearing

Opposed: Mr. and Mrs. Howard G. Reiche, 46 Eastern Promenade
Helen and Margaret Scully, 27 Vespter Street
Julia and Mary Cocoran, 25 Morning Street
Charles Ferrante, 11 Vesper Street
Daniel T. Haley, 19A Eastern Promenade
13 or 14 others

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

June 5, 1967

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, June 15, 1967, at 4:00 p.m. to hear the appeal of Walter M. Jeffords, Jr. requesting an exception to the Zoning Ordinance to permit construction of a 13-story masonry apartment house at 33-47 Eastern Promenade.

This permit is presently not issuable under the Zoning Ordinance for the following reasons: (1) This building which is located in the R-6 Residence Zone and I-3b Industrial Zone will have about one-third of its area in the I-3b Industrial Zone which does not permit this use under Section 13-A-32 of the Ordinance; (2) The building is proposed only 14 feet from the left side lot line instead of the minimum of 25 feet required by Section 13-C-1 applying to that section of the building that is located in the I-3b Industrial Zone; (3) This building being 13 stories and about 128 feet high in the R-6 Residence Zone exceeds the limit of 5 stories or 65 feet as required by Section 7-B-5 and 14 stories and about 140 feet high in the I-3b Industrial Zone exceeds the limit of 4 stories or 45 feet as required by Section 13-C-3 of the Ordinance.

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

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 property in question as required by Ordinance.

BOARD APPEALS

Franklin G. Hinckley

Chairman

h



FILL IN AND SIGN WITH INK

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine, July 1, 1968

PERMIT ISSUED 630 JUL 1 1968 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 37-47 Eastern Promenade Use of Building apartments No Stories 11 New Building 2 sub-base Existing Name and address of owner of appliance Walter H. Jeffords, 5 Temple St. Installer's name and address Wilbur F. Blake, Inc., 9 Forest St. Telephone 775-3185

General Description of Work

To install 2- gas forced Hydrotherm MR-10500 (heating) / MR-1200 MCI (hot water) plus 4 modules in fireproof boiler room -

IF HEATER, OR POWER BOILER

Location of appliance basement Any burnable material in floor surface or beneath? no If so, how protected? Kind of fuel? gas Minimum distance to burnable material, from top of appliance or casing top of furnace 6' 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? Will operator be always in attendance? Does oil supply line feed from top or bottom of tank? Type of floor beneath burner Size of vent pipe Location of oil storage Number and capacity of tanks Low water shut off Make No. Will all tanks be more than five feet from any flame? How many tanks enclosed? Total capacity of any existing storage tanks for furnace burners

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

all installed in fire proofed boiler room. automatic shut-off

(man in charge - Daniel Walker)

Amount of fee enclosed? 3.00 (\$2.00 for one heater, etc., \$1.00 additional for each additional heater, etc., in same building at same time.)

APPROVED: O.K. E.P.S. 7/1/68

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

Signature of Installer BY: Wilbur F. Blake, Inc. Stewart Y. Blake, Inc. Eng.

CS 300

INSPECTION COPY

NOTES

4/8/69 - Work done P.S.R.

[Blank lined area with a large 'X' drawn across it]

Approved

Date of permit

Owner

Location

Permit No. 68/630

4/19/69

Walter J. [unclear]

Eastern [unclear]

[Blank lined area on the left side of the page]

[Blank lined area on the right side of the page]

Walter J. [unclear]

94
33-47 Eastern Promenade
(Portland House)

Feb. 4, 1970

Mr. J. D. Grumbles
5 Temple Street

Dear Mr. Grumbles:

It has come to my attention that the temporary sign advertising the Portland House and located on the canopy section has been there long past the temporary time agreement limit.

At this time I shall have to enforce the Code requirements and ask that the sign be removed immediately. If you should need further advice to any other structure you may wish to install please contact this office so that we may advise you properly.

Very truly yours,

R. Lovell Brown
Director Building & Inspection Services

RLB:m

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: R. Lovell Brown, Director of Bldgs. & Inspections
FROM: John E. Menario, City Manager
SUBJECT: Portland House - Sign

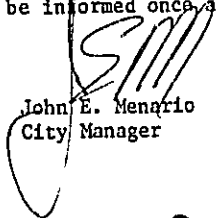
DATE: Feb. 3, 1970

You may recall several months ago the problems associated with the sign on the Portland House indicating rents available and all of the correspondence which we have jointly written on the matter.

I personally think it reflects extremely poor judgement on the part of the owners to allow the sign to continue knowing full well that it was upsetting to the neighborhood and particularly to one of the more frequent complainers even though they knew they were going to be requesting further assistance from the City through variances and other zone changes which would allow for the formal installation of a dining room.

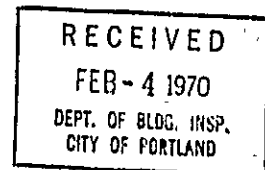
Since the matter of judgement, however, is not one of our responsibilities, I think it is important that we now review factually the duration that the sign was allowed to be erected. It is my recollection that the Building Codes did allow for a six month period in which a sign could be displayed. It's my recollection that this has now existed well beyond the six month period but would ask that you review the files to make certain.

If that is the case and they are now beyond the legal limits, I will insist that they be ordered to immediately dismantle the sign. I will leave this matter to your discretion in terms of timing and I need not be informed once action is taken.


John E. Menario
City Manager

JEM:eg

*See letter to Grumbles.
2/4/70
rws*



37-47 Eastern Promenade

Dec. 31, 1970

Portland House
Northern Utilities
5 Temple Street

cc to: Chief Cremo, Fire Department

Gentlemen:

A cursory inspection of the boiler room at the Portland House reveals that the inlet in the outside wall which was designed to provide air for combustion has been cut off by a piece of plywood which is plugging the opening up tight.

It was also noted that air for combustion was being provided through the fire door of the boiler room which was chained open.

The plywood should be removed from the opening and the door to the boiler room should remain shut. This is a fire door and is there for the protection of the tenants in the event of a conflagration. Please be guided accordingly.

Very truly yours,

Earle S. Smith
Plan Examiner II

ESS:m

May 20, 1969

Mary T. Corcoran, Secretary
Munjoy South Association
25 Morning Street
Portland, Maine

Dear Miss Corcoran:

This office has reviewed your letter of May 7, 1969, addressed to our City Manager concerning the matter of permits for the Portland House, and the following are my understandings of the questions you raise insofar as the provisions of the Zoning Ordinance are concerned.

1. We are advised by our Director of Building Inspections that a preliminary certificate of occupancy has been issued for those parts of the structure which have been completed and are ready for occupancy as living quarters, with the question of certain unassigned space being left to a future determination as to compliance with the Zoning Ordinance.

2. The Zoning Ordinance permits not more than two signs on premises of a construction or development project, provided that such signs shall not be in excess of fifteen square feet and shall be removed not later than six months after the completion of the project. We are advised by our Director of Building Inspections that a permit has been requested for the erection of such a sign but that a sign slightly in excess of the allowable size has already been erected on the premises. We do not question that this is in violation of the ordinance but it has been the policy of the city government, while in no way condoning the performance of work without a permit, to allow an owner time within which to process a request to the Board of Appeals for an exception to the ordinance where no immediate danger or hazard exists. If the Board denies the appeal, the owner will then, of course, be required to bring the sign into compliance with the exact terms of the ordinance.

3. In R-6 Residence Zones, the Ordinance requires a minimum front yard space of ten feet, with a provision for averaging this requirement based on front yards of adjoining lots, which in the case of the Portland House would appear to require about an eight foot

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Y

Mary T. Corcoran

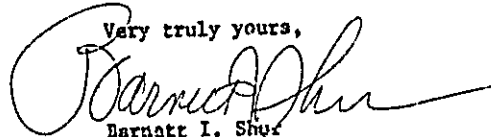
-2-

May 20, 1969

front yard space. Our Director of Building Inspections is reviewing the matter of the canopy which would appear to extend to the street line, with the owner and/or builder and, if an election is also made to seek an exception to the Zoning Ordinance on this issue, the City will likewise take no action pending the decision of the Board of Appeals under its customary practice.

It is not unusual for such problems to arise in large and complicated construction projects, and you may be assured of the City's cooperation in bringing all of these questions to a proper and legal conclusion.

Very truly yours,



Barnatt I. Shur
Corporation Counsel

M:B

cc: John E. Menario, City Manager
R. Lovell Brown, Director of Building Inspections ✓

C
O
P
Y

RECEIVED
MAY 21 1969
DEPT. OF BUILDING
CITY OF PORTLAND