

Beckett Street

57-67-BLCKETT STREET

CITY OF PORTLAND, MAINE
DEPARTMENT OF BUILDING INSPECTION

January 29, 1957

Mr. Norman Winch
Health Dept.

With relation to permit applied for to demolish a building or portion of building at 57-67 Beckett St. it is unlawful to commence demolition work until a permit has been issued from this department.

Section 6 of the ordinance for rodent and vermin control provides: "It shall be unlawful to demolish any building or structure unless provision is made for rodent and vermin eradication. No permit for the demolition of a building or structure shall be issued by the Building Inspector until and unless provisions for rodent and vermin eradication have been carried out under supervision of a pest control operator registered with the Health Department.

The building permit for demolition cannot be issued until the provisions of this section have been satisfied. It is the obligation of owner or demolition contractor or both to take up with the Health Department the matter of complying with this section, being prepared to inform that department what registered pest control operator is to be employed.

Very truly yours,

Warren McDonald
Inspector of Buildings

WmcD/H

Eradication of this building has been completed.

Edward Stoughton
Health Director

Date

1/30/57



(A) APARTMENT HOUSE

APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, Jan. 25, 1957

PERMIT TO DEMOLISH
JAN 25 1957
00127

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to ~~erect~~ ~~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 57-67 Beckett St. Within Fire Limits? yes Dist. No. _____
 Owner's name and address City of Portland Telephone _____
 Lessee's name and address _____ Telephone _____
 Contractor's name and address L. P. Murray, Shore Road, Cape Elizabeth Telephone _____
 Architect _____ Specifications _____ Plans no No. of sheets _____
 Proposed use of building _____ No. families _____
 Last use garages and offices No. families _____
 Material wood & brick No. stories 2 Heat _____ Style of roof _____ Roofing _____
 Other buildings on same lot _____
 Estimated cost \$ _____ Fee \$ 1.00

General Description of New Work

To demolish 2-story wood and brick garage and office building.

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

1/29/57 Ordination letter sent.

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** L. P. Murray

Details of New Work

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

If a Garage

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

APPROVED:

Miscellaneous

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

City of Portland

Signature of owner by: *L. P. Murray*

INSPECTION COPY

Sustained 11/4/40
40/75



City of Portland, Maine

Appeal to the Municipal Officers to Change the Decision of the

Inspector of Buildings Relating to the Property Owned

Liberty Real Estate Assoc. at 55-57 Beckett Street
corner Wilson Street

October 28, 1940

To the Municipal Officers:

Your appellant, Liberty Real Estate Assoc.

who is the owner of property at 55-57 Beckett Street
corner Wilson Street

respectfully petitions the Municipal Officers of the City of Portland to change the decision of

the Inspector of Buildings relating to this property, as provided by Section 10, Paragraph c,

of the Zoning Ordinance, on the ground that the enforcement of the ordinance in this case

involves unnecessary hardship and because relief may be granted without substantially der-

ogating from the intent and purpose of the Zoning Ordinance

The decision of the Inspector of Buildings denies a permit to cover
erection of a projecting sign, oval in shape and about 12 square feet
in area and extending over the sidewalk of Beckett Street because such
a sign is not ordinarily allowable under the precise terms of the ordinance
in the Apartment House Zone where the property is located.

The reasons for the appeal are as follows: The proposed sign would be
erected in approximately the same location as a smaller sign for the same
purpose, the smaller sign having been removed several months ago. A new
agency for selling gas and oil has recently been established in the building
and all concerned find it necessary to advertise the products to be sold. It
is the belief that the proposed sign will not be obnoxious or detrimental
to the neighborhood.

55-53 Wilson
46-48 Beckett
49 Beckett unless by Robinson

Liberty Real Estate Assoc.

American Oil Company
By (Signed) John F. Concannon

Appeal

November 6, 1940

J. C. Weidman, Agent
Sun Oil Company
93 Kensington Street,
Portland, Maine

Dear Sir:

On November 4, 1940, the Municipal Officers voted to sustain conditionally the appeal of Clifford B. & Marie C. Bruns at 48-52 Veranda Street, corner of Sherwood Street, you as an agent for the Sun Oil Company being the actual moving party in the appeal. The conditions of sustaining the appeal are as follows:

1. That all requirements of the Building Code be complied with.
2. That detailed plans of the proposed establishment, including the materials of construction, height and size of building, and location and arrangement of buildings, pumps, driveways, floodlights, signs, approaches and other substantial appurtenances of the proposed establishment, be approved by the Committee on Zoning and Building Ordinance Appeals before building permits or licenses to store gasoline or oil on the premises are issued.
3. That, before building permits, licenses to store gasoline or oil on the premises are issued, the appellant owners and the applicants for such permits or licenses shall enter into an agreement, approved by the Corporation Counsel of the City of Portland, binding such petitioners, their heirs and assigns, and said applicants to refrain from storing or allowing to be stored on these premises any commercial vehicles, to refrain from conducting or allowing to be conducted there any retail business or service other than that appealed for.

It is now in order for you to submit the detailed plans of the proposed establishment as indicated in paragraph two of the conditions and to have prepared and executed the agreement indicated in paragraph three of the conditions.

The detailed plans should be filed at this office for consideration of the Appeals Committee and when the approval of the Committee has been given upon the plans and all details, you will be notified and can then have your contractor apply for the necessary building permit based on these approved plans, the agreement of paragraph three filed with the application for the permit and the permit will then be in line for issuance as soon as approved by the Chief of the Fire Department and checked against the Building Code.

Very truly yours,

WAD/H

Inspector of Buildings

CC: Clifford B. & Marie C. Bruns
115 Sherwood Street

2 PUBLIC HEARING ON THE APPEAL UNDER THE ZONING ORDINANCE OF LIBERTY REAL ESTATE
ASSOCIATION FOR A PROJECTING SIGN AT 55-57 BECKETT ST., CORNER WILSON ST. 40/75

November 1, 1940

A public hearing on the above appeal was held before the Committee on Zoning and Building Ordinance Appeals today. Present for the city were Councillors Eskilson and Ward and the Inspector of Buildings.

Mr. Jancannon of the American Oil Company appeared in support of the appeal and there were no opponents present.

Warren McDonald

40/75

Room 21, City Hall
October 28, 1949

To Whom It May Concern:

The Committee on Zoning and Building Ordinance Appeals of the Municipal Officers will hold a public hearing at the Council Chamber, City Hall on Friday, November 4, 1949 at two o'clock in the afternoon upon the appeal under the Zoning Ordinance of Liberty Real Estate Association relating to the erection of a projecting sign proposed to be attached to the building owned by the Association at 55-57 Beckett Street, corner Wilson Street, to project over the public sidewalk of Beckett Street.

The Inspector of Buildings is unable to issue a permit to cover erection of a sign which would be an oval sign, about 12 square feet in area and illuminated by light brackets reflecting from both sides of the proposed sign because the property is located in an Apartment House Zone where such a sign is not ordinarily allowable. The appellant states that several months ago a smaller but smaller sign was taken down from this same location, and states that the proposed sign is necessary to advertise the products sold on the property.

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

COMMITTEE ON ZONING AND BUILDING
ORDINANCE APPEALS

W. Earle Eskilson, Chairman

CC: Mamie Cinamon
255 Fore Street,

Nettie E. Pierce
579 Congress Street

40775

November 4, 1940

To The Municipal Officers:

The Committee on Zoning and Building Ordinance Appeals to which was referred the appeal under the Zoning Ordinance of Liberty Real Estate Association at 55-57 Backett Street, corner Wilson Street, relating to the erection of an advertising sign projecting over the public sidewalk contrary to the precise terms of the ordinance in the Apartment House Zone where the property is located, reports that the appeal ought to be sustained.

COMMITTEE ON ZONING AND BUILDING
ORDINANCE APPEALS

Chairman

40/75

that the appeal under the Zoning Ordinance of Liberty Real Estate Association at 55-57 Beckett Street, corner of Wilson Street, relating to the erection of an advertising sign projecting over the public sidewalk contrary to the precise terms of the ordinance in the Apartment House Zone where the property is located, be sustained and that a building permit be granted to said appellant association subject to full compliance with all terms of the Building Code;

BECAUSE enforcement of the ordinance in this specific case would cause unnecessary hardship by needless interference with advertising the business in the building; and desirable relief may be granted without substantially derogating from the intent and purpose of the ordinance in that the proposed sign would not be obnoxious or detrimental to the neighborhood.

Wc/75

Room 21, City Hall
October 29, 1940

Liberty Real Estate Assoc.
49 Beckett Street,
Portland, Maine.

Gentlemen:

The Committee on Zoning and Building Ordinance Appeals of the Municipal Officers will hold a public hearing at the Council Chamber, City Hall on Friday, November 2, 1940 at two o'clock in the afternoon upon your appeal under the Zoning Ordinance, filed in your name by the American Oil Company as your agent, relating to erection of a projecting sign over the public sidewalk of Beckett Street, contrary to the terms of the Zoning Ordinance in the Apartment House zone where your property is located.

Please be represented at this hearing in support of your appeal. The American Oil Company has a copy of this notice and that company is understood to be the moving party in this appeal.

COMMITTEE ON ZONING AND BUILDING
ORDINANCE APPEALS

W. Earle Eskilson, Chairman

CC: American Oil Co.
Attention John F. Conannon
142 High Street

November 6, 1940

American Oil Company,
142 High Street,
Portland, Maine

Attention Mr. John E. Concasque

Gentlemen:

On November 4, 1940, the Municipal Officers voted to sustain the appeal under the Zoning Ordinance relating to the erection of a projecting sign at 55-57 Beckett Street, corner of Wilson Street, the appeal having been filed in the name of the Liberty Real Estate Association, owner of the property.

It is now in order for you to have the bonded sign hanger of your selection apply for the permit furnishing full information as to the fastenings, size, material, etc., of the proposed sign.

Mr. Wilson, sign hanger, has been in touch with this office but has neither filed a formal application for the permit, nor has he completed his bond requirements.

Very truly yours,

WMO/H
CCs. Liberty Real Estate Assoc.
c/o Abraham Robinson
55 Beckett Street

Inspector of Buildings



City of Portland, Maine

40/53
Reports not ready
but laid on the
table on 1/3/40
until 1/15/40
mmw

Appeal to the Municipal Officers to Change the Decision of the
Inspector of Buildings Relating to the Property Owned

by Liberty Real Estate Assoc. at 61 Bockett Street

Wished for and
given leave to
withdraw
without prejudice
1/15/40

December 16, 1939

To the Municipal Officers:

Your appellant, Liberty Real Estate Association
owner of property at 61 Bockett Street

respectfully petitions the Municipal Officers of the City of Portland to change the decision of
the Inspector of Buildings relating to this property, as provided by Section 14, Paragraph d
of the Zoning Ordinance, on the ground that the enforcement of the ordinance in this case
involves unnecessary hardship and because relief may be granted without substantially detri-
menting from the intent and purpose of the Zoning Ordinance.

The decision of the Inspector of Buildings denies a permit to convert
the use of this building from that of a public storage and repair garage
to that of a warehouse because the building is located in an Apartment
House Zone where the proposed use is a non-conforming use which would not
be permitted by the Zoning Ordinance in a Limited Business Zone, which
zone is next greater in degree of restriction to a General Business Zone
which is the most restricted zone in which the existing non-conforming
use would be allowed.

The reasons for the appeal are as follows: The building was at the time of
adoption of Zoning Ordinance used as public storage and repair garage which
use is permitted in a General Business Zone. Contemplated use is as warehouse
which is also permitted in the General Business Zone. The building is not
adapted to any use other than general business. It represents a large
investment and is subject to substantial taxes. Unless it may be used for
general business, it is of little value. Contemplated use is no less desirable
in some respects than previous use and may be found to be more desirable.

Liberty Real Estate Association

Notice returned from Annie M Smith
78 Morrison Street

By: _____

61 Bockett Street

46/3

January 16, 1940

To The Municipal Officers:

The Committee on Zoning and Building Ordinance Appeals to which was referred the appeal under the Zoning Ordinance of Liberty Real Estate Association at 61 Beckett Street, relating to conversion of a part of that building from use as a garage to a warehouse, the favorable and conditional report of this Committee having been laid on the table on January 3, 1940, reports that the appellant association has requested in writing leave to withdraw the appeal without prejudice and that the appellant association ought to be given leave to withdraw the appeal without prejudice.

COMMITTEE ON ZONING AND BUILDING
ORDINANCE APPEALS

Chairman

To the Municipal Officers of the City of Portland:

Liberty Real Estate Association, which is the owner of property at 61 Beckett Street, in Portland, Maine, has previously made application to the Inspector of Buildings to convert the use of its building there located from that of a public storage and repair garage to that of a warehouse and/or public storage and repair garage, and upon his denial of a permit therefor, has appealed to the Municipal Officers of the City of Portland to change his decision.

Liberty Real Estate Association has determined not to make such change of use and, therefore, requests that it be permitted to withdraw its said application to said Inspector of Buildings and its said appeal from his decision thereon to the Municipal Officers of the City of Portland.

Dated this eleventh day of January, 1940.

LIBERTY REAL ESTATE ASSOCIATION

By

Treasurer

40/3

January 3, 1940

To The Municipal Officers:

The Committee on Zoning and Building Ordinance Appeals to which was referred the appeal under the Zoning Ordinance of Liberty Real Estate Association at 61 Beckett Street, relating to converting the use of the building from that of a public, storage and repair garage to that of a warehouse contrary to the precise terms of the Zoning Ordinance in the Apartment House Zone where the property is located, reports that the appeal ought to be sustained conditionally.

COMMITTEE ON ZONING AND BUILDING
ORDINANCE APPEALS

Chairman

40/3

City of Portland, Maine
IN BOARD OF MUNICIPAL OFFICERS

January 3, 1940

To the Municipal Officers:

The Committee on Zoning and Building Ordinance Appeals to which was referred the appeal under the Zoning Ordinance of Liberty Real Estate Association at 61 Beckett Street, relating to converting the use of the building from that of a public, storage and repair garage to that of a warehouse contrary to the precise terms of the Zoning Ordinance in the Apartment House Zone where the property is located, reports that the appeal ought to be denied.

COMMITTEE ON ZONING AND BUILDING
ORDINANCE APPEALS

Chairman

, that the appeal under the zoning ordinance of Liberty Real Estate Association at 61 Beckett Street, relating to conversion of the use of the two story brick building there from that of public, storage and repair garage to that of a warehouse, contrary to the precise terms of the Ordinance in the Apartment House Zone where the property is located, be sustained and a building permit be granted to said appellant association, subject to the following conditions:

1. That the conversion for warehouse use shall be confined to the first story only of the two-story brick building at 61 Beckett Street;
2. That goods or materials of highly inflammable or explosive nature, or of such a nature that the handling or storage of them would be objectionable or detrimental to the neighborhood by reason of the emission of odor, dust or noise shall not be taken into or stored in the building;
3. That goods or materials shall not be transferred from vehicle to building or from building to vehicle except when vehicle involved is wholly within the walls of the building, shall not be stored, even temporarily, on any public sidewalk or street, and goods or materials for which the owners of this building or the tenants of that part of the building allowed hereunder to be used as a warehouse are responsible, shall not be transferred from vehicle to vehicle, from vehicle to public sidewalk or street or from public sidewalk or street to vehicle;
4. That no motor vehicle and no so-called "trailer" for a commercial motor vehicle shall be stored or parked in that part of the building allowed hereunder to be used as a warehouse, except long enough only to load thereon goods or materials stored in the warehouse and to unload therefrom goods or materials to be stored in the warehouse; that no commercial vehicle under the control of the owners of this building or tenants of the warehouse part of the building shall at any time be parked on any public street or sidewalk in the neighborhood where

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-2-
this building is located;

5. That no commercial vehicle shall be driven to, or into, or from the warehouse part of this building, and no operations, connected with operation of this building as a warehouse, shall be conducted or allowed to be conducted in or about this building or the neighborhood in which it is located except in the daylight hours of week-days only between 8 o'clock in the morning and 5 o'clock in the afternoon;

6. That before the above permit is granted the corporation owning the building shall agree in writing for itself, its successors and assigns to acceptance of, and compliance with all of the above conditions, and to assume responsibility for compliance therewith by all tenants of the warehouse part of the building;

BECAUSE, enforcement of the Ordinance in this specific case would cause unnecessary hardship by needlessly restricting the use of the building; and desirable relief may be granted without substantially derogating from the intent and purpose of the Ordinance in that the proposed use limited by conditions as above would decrease the fire hazard in the neighborhood and would improve conditions in the neighborhood as to the emission of odor, fumes, dust, smoke, vibration and noise.

4013

IN THE MATTER OF
APPEAL CONCERNING USE OF
PREMISES AT NO. 61 BECKETT STREET

1. Description of location and surrounding property

The property owned by Liberty Real Estate Association is situated in the block bounded northerly by Moody Street, Southerly by Wilson Street, Easterly by Vesper Street and Westerly by Beckett Street. The approximate area of the property is 24,128 square feet. The assessed value of the land is \$3,950.00 and of the building \$17,150.00, making a total assessed value of \$21,100.00. The land of the corporation comprises all of the above named block excepting a strip of land approximately fifty feet in depth along the entire southerly side of Moody Street.

The entire area of this strip of land which is not owned is approximately 8,000 square feet and the same is divided into three lots belonging to different owners. The property at the southeasterly corner of Moody and Beckett Streets consists of 2,000 square feet of land assessed at \$42.00 and a two-family dwelling assessed at \$1,625.00. The next easterly property consists of approximately 2,000 square feet of land assessed at \$375.00 and a three-flat house assessed at \$2,525.00, and the next easterly property which is situated at the southwesterly corner of Moody and Vesper Streets consists of approximately 4,000 square feet of land assessed at

\$700.00 with a two-family dwelling house assessed at \$1,400.00. The aggregate assessed value of these three properties is, therefore, \$7,050.00.

The entrances to the building on which the present appeal is based are on Beckett Street and directly across Beckett Street from these entrances is a large lot with ten metal garages, each for three or four automobiles and capable in the aggregate of holding thirty-four automobiles. Other buildings in the immediate neighborhood, excepting for a grocery store and private garages, are two-family and three-flat houses of substantially the same kind and value as those on Moody Street adjoining the property of this corporation.

2. Description of building subject to appeal and use of same

The property of Liberty Real Estate Association was formerly owned by the Portland Railroad Company and was for many years used by it as one of its car barns. The buildings have since been used as public garages. The building adjoining Wilson Street and extending from Beckett Street to Vesper Street has been for many years and is now occupied as a public commercial garage. The portion of the property subject to this appeal is a two-story brick building lying between the above described commercial garage and the above described dwellings on Moody Street. It extends from Beckett Street to Vesper Street and has been for a considerable number of years used by the Post Office Department for storage and repair of trucks. In the course of this use of the building, trucks have been coming and going throughout the twenty-four hours of each day. The building is equipped with an adequate sprinkler system so that fire hazard is at a minimum.

The owners of the property now seek permission to change the use of this building from a public storage and repair garage to a warehouse. It has entered into an agreement to lease the same to a responsible concern as soon as such use may be permitted. The prospective lessee contemplates receiving merchandise from a manufacturer, storing it in the building and from time to time filling orders for the manufacturer from that merchandise. It will not be used as a truck terminal and it is very doubtful if any use of the building will be made excepting during usual business hours of the day and then only as it is necessary to store or take out merchandise in accordance with the arrangement above outlined. The contemplated use must be less frequent and therefore less objectionable to the neighborhood than the previous use of the property either as a car barn or as a post office garage or as a public commercial garage.

The situation in which the owner of this building finds itself is not that of the owner who owns land and seeks to erect a structure thereon contrary to the provisions of the zoning ordinance. The building, although located in an apartment house zone which comprises most of the easterly end of the city, was there for years before the passage of the zoning law and has always been used for purposes which are only permitted in a general business zone. The nature of the structure is such that it is impractical to use it excepting for general business purposes. It cannot and should not be made into an apartment house and its size and construction are such that it is not adaptable for small business uses. Unless the owners may be permitted to continue the use of this building for general business purposes, even

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though the nature of the general business be from time to time changed, the building is of little, if any, value. It is obvious that it cannot continue to be used as a car barn, because by reason of changes in the transportation system there is no demand for such use. It cannot continue to be used as a post office garage because after the construction of the new post office a new garage was constructed near the post office for that purpose and only one such garage is required.

3. Investment in property and mortgages thereon and taxes paid to the City of Portland

The present owner of this property purchased the same some years before the enactment of the zoning laws and paid a very substantial price therefor. It is now subject to a first mortgage to the Maine Savings Bank of between \$8,000.00 and \$9,000.00 and subject to a second mortgage to the members of the corporation for \$30,000.00, which represents their investment therein. To deny the present appeal will destroy the value of the property to such an extent that the second mortgage will become worthless and it will be doubtful whether or not sufficient value will remain to pay the first mortgage.

The following schedule represents the amount paid to the City of Portland since 1932 in taxes on the property of the Liberty Real Estate Association situated in the block under consideration:

1932
1933
1934
1935
1936
1937
1938
1939

\$1,088.64
1,093.92
1,025.15
1,050.76
1,044.24
1,009.20
1,004.36
1,004.36

4. Conclusion

The present owner respects the desires of the neighborhood to be protected against any use of the property which will be prejudicial. The corporation has previously had opportunity to lease its building for use as a truck terminal and after considering the nature of that business and its probable effect upon the neighborhood has withdrawn its application for that change of use and refrained from attempting to establish such business in its building. It has since endeavored to lease the property to be used as a public garage but without success. It may at some future time find a tenant for such business and so does not wish to relinquish its right to make that use of its property. It is, however, convinced that the present proposed change of use is in keeping with previous use, is no more undesirable than the use previously made of the property and may prove more desirable. It cannot afford to continue to have its property unoccupied and unproductive of revenue, because in so doing it will become unable to pay the taxes thereon to the City of Portland and fulfill its obligations to its mortgagees and must in time lose its investment therein. It, therefore, very earnestly requests that the City of

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Westland approve and authorize the proposed change of use and that
this be done promptly, to the end that it may proceed with its
agreement for lease for use as a warehouse.

40/2

PUBLIC HEARING ON THE APPEAL UNDER THE ZONING ORDINANCE OF LIBERTY REAL ESTATE
ASSOCIATION AT 61 BECKETT STREET

December 23, 1939

A public hearing on the above appeal was held before the Committee on Zoning and Building Ordinance Appeals today. Present for the city were Councillors Eskilson and Martin and the Inspector of Buildings.

Clark D. Chapman, attorney, appeared for the appellunt association in support of the appeal. He read and filed a brief of the case which is attached.

Mr. Eskilson asked him how many times a day the building would be opened if used for a warehouse. Mr. Chapman referred the question to Raymond J. Callahan, agent for the prospective tenants, who said that probably the building would be opened several times daily.

Mr. Eskilson then asked if there would be sufficient space inside the building to do all loading and unloading inside. Mr. Callahan answered in the affirmative. When asked if it would be necessary to park trucks on the public street, he answered in the negative. Mr. Eskilson asked if the appeal was sustained could the work in the building, opening, closing, loading and unloading, etc. be confined to the hours between eight o'clock in the morning and five o'clock in the afternoon. Mr. Callahan said that it could.

Margaret Scully of 27 Vesper Street wanted to know what kind of material would be stored there and whereabouts in the building. Mr. Chapman said that the material would not be inflammable but neither Mr. Chapman nor Mr. Callahan could tell exactly what material would be stored other than it would be so-called "dry freight". Mr. Callahan said that the stored would all take place on the ground floor of the brick building at 61 Beckett.

Mrs. Annie M. Heinson of 655 Congress Street, owning property at the corner of Vesper and Wilson complained of the nuisance which the garage in the building had been in the past, but it turned out that she was not talking about the part of the building involved in this appeal.

Charles H. O'Brien of 94 Beckett Street inquired if later on the wall between the two parts of the building could not be removed and the entire structure used for a warehouse. Mr. Eskilson replied that such alterations could not be made, even though this appeal was sustained, without an additional building permit which would require another appeal. Mr. O'Brien said that all of the people in the neighborhood had been pleased to see the post office garage discontinued and that they all wanted to get rid of and keep out nuisances in the building; that there are a lot of children around and they were likely to be hurt with trucks going and coming. He wanted to know what guarantee could be given that trucks would go and come at reasonable hours, and said that he would be satisfied if the owner would agree in writing not to have trucks coming and going at unseasonable hours. Later on in the discussion Mr. O'Brien claimed that undoubtedly the majority of the property owners present were opposed to sustaining the appeal in any way.

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Appeal at 61 Beckett Street - Liberty Real
Estate Assoc.

Mr. Bowdren of 95 Beckett Street spoke in opposition to the appeal.

I. Ray Libby of 45 Beckett Street said that he was an owner of a public garage and realized the difficulties that the owner of this building was facing due to the difficulty of making public garage property pay a revenue under present conditions. Garage charges have been cut in half. He believes the "Hill" section to be the best part of the city, and if warehouses are allowed there the ultimate result upon the remaining residential property would be very bad. What would prevent hauling trailers up there and leaving them on the street?

At this point Mr. Eskilson read a typical agreement that had been entered into by a successful appellant at another location to illustrate the method that the appeal board had taken in past instances to allow conditional appeals.

C. B. Rodway of 69 Vesper Street said that all people in that neighborhood looked forward to the time when these large buildings would be removed. He said that he hated to see any encouragement which would tend to prolong the existence of these buildings; that if the buildings are removed now the neighborhood would progress as a residential area.

William T. O'Brien said that he believed in encouraging people to keep up their taxable property, and that he had no objections to the building being used as a warehouse if the owner was tied down to certain restrictions. He said he wanted the building to remain as taxable property.

Margaret Scully inquired who Mr. Callahan represented, and Mr. Callahan said he represented the Griggs-Turner Co. which were prospective tenants in the building.

Mrs. Bessie Averback of 75 Wilson Street vociferated her objections to the entire proposition.

At the request of Mr. Eskilson more than 20 persons stood as being either property owners or residents in the neighborhood of the building under discussion.

Letters received by the Committee and filed herewith were from George G. & Marion Kent, Mrs. E. H. Thomes against sustaining the appeal and from E. H. Carr who was not unalterably opposed to the warehouse but felt that great care should be taken to restrict its use for the benefit of the neighborhood.

Warren McDonald

40/3

50 Morning St.
Portland, Maine.
December 28, 1939.

Board of Municipal Officers
City of Portland
Committee on Zoning and Bldg.
Ordinance Appeal
Room 21 - City Bldg.
Portland, Maine.

Gentlemen:

Attention: N. Earle Skilson, Chairman.

As an owner of property located within 500 ft. of #61 Beckett St., I am interested in the appeal of the Liberty Real Estate Assn. As I shall be unable to attend the hearing on this appeal, I am taking the liberty of writing.

It is not my intention to try to block use of real estate where that use will not prove a detriment to surrounding property. I simply ask that if the appeal be allowed, the Municipal Officers or their representative retain full power to regulate the use of the property so that no nuisance is created. To my mind, a blanket right to utilize the building as a warehouse might conceivably mean a line of trucks parked in front of adjacent property, night work with attendant noise and disorder, increased insurance costs on adjacent buildings because of greater fire hazard and general lessening in marketable and rental value of all properties for blocks around.

I, therefore, ask that some caution be employed in granting the desired permit.

Very truly yours,

E. Carr
E. H. Carr

Rec'd 12/29/39

[Handwritten signature]

EHC/W

Room 21, City Hall
December 26, 1939

Liberty Real Estate Assoc.
428 Masonic Bldg.
c/o Clark Chapman
Portland, Maine

Gentlemen:

The Committee on Zoning and Building Ordinance Appeals of the Municipal Officers will hold a public hearing at the Council Chamber, City Hall on Friday, December 29, 1939 at two o'clock in the afternoon upon your appeal under the Zoning Ordinance relating to change of use of the two story building at 61 Beckett Street.

Please be represented at this hearing in support of your appeal.

COMMITTEE ON ZONING AND BUILDING
ORDINANCE APPEALS

W. Earle Eskilson, Chairman

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CITY OF PORTLAND, MAINE
BOARD OF MUNICIPAL OFFICERS
COMMITTEE ON ZONING AND BUILDING ORDINANCE APPEALS

Room 21, City Hall
December 18, 1939

To Whom It May Concern:

The Committee on Zoning and Building Ordinance Appeals of the Municipal Officers will hold a public hearing at the Council Chamber, City Hall on Friday, December 29, 1939 at two o'clock in the afternoon upon the appeal under the Zoning Ordinance of Liberty Real Estate Association at 61 Beckett Street, relating to a proposed change of use of the building there from use as a public, storage and repair garage to use as a warehouse.

The Inspector of Buildings was unable to issue the required permit to cover this conversion of use, because the property is located in an Apartment House Zone where both the present use and the proposed use are non-conforming with the precise allowances of the Ordinance and where this change from the present non-conforming use to the proposed non-conforming use is not allowable.

The appellant association sets forth in its appeal that the building is not adaptable to any other use than that of general business; that unless the building may be used for general business, it is of little value; and that the contemplated use as a warehouse is no less desirable in the neighborhood effected than the present use as a garage and may be found to be more desirable.

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

COMMITTEE ON ZONING AND BUILDING
ORDINANCE APPEALS

W. Earle Eskilson, Chairman



APPLICATION FOR PERMIT
DEPARTMENT OF BUILDING INSPECTIONS SERVICES
ELECTRICAL INSTALLATIONS

Date June 21, 1982
 Receipt and Permit number A77812

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: 67-69 Beckett Street

OWNER'S NAME: Mr. Ross ADDRESS: same

FEE\$

OUTLETS:

Receptacles _____ Switches _____ Plugmold _____ ft. TOTAL _____

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 _____

Commercial _____

Heavy Duty Outlets, 220 Volt (such as welders) 30 amps and under _____

over 30 amps _____

Circus, Fairs, etc. _____

Alterations to wires x _____ 3.00

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: 3.00

INSPECTION:

Will be ready on 6-21, 1982; or Will Call _____

CONTRACTOR'S NAME: Mancini's Elec.

ADDRESS: 179 Sheridan St.

TEL: 774-5829

MASTER LICENSE NO.: 2436

LIMITED LICENSE NO.: _____

SIGNATURE OF CONTRACTOR
Carl Mancini

INSPECTOR'S COPY — WHITE

OFFICE COPY — CANARY

CONTRACTOR'S COPY — GREEN

