

69 Merrill Street 15-D-19

MUNICIPAL

X
January 22, 1979 ✓

(2)
Mrs. Rosina DiBiase
69 Merrill Street
Portland, Maine 04101

Dear Mrs. DiBiase Re: 69 Merrill Street, Portland, Maine NCP-MN 15-D-19

This is to inform you, as owner or agent of the property located at 69 Merrill Street, Portland, Maine, that we have released the First Floor Apartment from posting.

Therefore, you may rent the apartment to others or occupy it yourself.

If any additional information is desired, visit or call this office.

Sincerely yours,
Joseph E. Gray, Jr., Director
Neighborhood Conservation

By Lyle D. Noyes
Lyle D. Noyes,
Chief of Housing Inspections

Inspector Kevin Carroll

K. Carroll

VW

Note: 2nd & 3rd floors remain "posted against occupancy" @

X

ADMINISTRATIVE HEARING DECISION

City of Portland
Department of Neighborhood Conservation
Housing Inspections Division
Telephone: 775-5451 - Ext. 448 - 358

Date January 19, 1979

Mrs. Rosina DiBiase
69 Merrill Street
Portland, Maine 04101

Re: Premises located at 69 Merrill Street, Portland, Maine NCP-MN 15-D-19

Dear **Mrs. DiBiase:**

You are hereby notified that a reinspection and your request for additional time

on Jan. 17, 1979, regarding our "Notice of Housing Conditions" at the above referred premises resulted in the decision noted below.

XX Expiration time extended to March 15, 1979 in order to complete the work in progress to correct the remaining fifteen (15) Housing Code violations as shown on attached list.

Notice modified as follows.

Please notify this office if all violations are corrected before the above mentioned dates, so that a "Certificate of Compliance" may be issued.

In Attendance:

Mrs. Rosina DiBiase
Inspector Carroll

Encl.

Very truly yours,

Joseph E. Gray, Jr., Director
Neighborhood Conservatica

By Lyle D. Noyes
Lyle D. Noyes,
Chief of Housing Inspections

VW

January 19, 1979

Remaining Housing Code Violations to be corrected within time extension granted on attached "Administrative Hearing Decision" NOHC - June 15, 1977

69 Merrill Street, Portland, Maine NCP-MX 15-J-19

1. LEFT MIDDLE & RIGHT MIDDLE EXTERIOR WALL - replace missing downspout. 3a
2. FIRST FLOOR - FRONT HALL STAIRS - replace missing balusters. 3d
- * 3. THIRD FLOOR REAR HALL - install adequate artificial illumination in the rear hall of the third floor. 8c
- * 4. SECOND FLOOR - REAR HALL CEILING - repair inoperative light fixture. 8e

SECOND & THIRD FLOORS

- * 5. PANTRY CEILING - repair inoperative light fixture. 8e
- * 6. KITCHEN CEILING- repair inoperative and loose light fixture. 8e
- * 7. DINING ROOM CEILING - repair inoperative light fixture. 8e
- * 8. BATHROOM - LAVATORY & TUB- install missing potable hot water supply. 6c
- * 9. BATHROOM WINDOW - replace broken counter balance cords allowing window sash to remain elevated when opened. 3c
- * 10. BATHROOM CEILING- repair inoperative light fixture. 8e
11. LIVING ROOM CEILING - repair cracked plaster. 3b
- * 12. LIVING ROOM CEILING - repair exposed electrical wiring. 8e
13. LIVING ROOM CEILING- repair inoperative light fixture. 8e
- * 14. LIVING ROOM WALL - repair inoperative duplex electrical outlet. 8a
- * 15. LIVING ROOM FLOOR - repair broken grills on gas space heater. 9c

* WHEN MAKING YOUR REPAIRS, FIRST PRIORITY IS TO BE GIVEN TO ITEMS WITH ASTERISKS, AS THEY CONSTITUTE EXTREME HAZARDS TO THE HEALTH OR SAFETY OF THE OCCUPANTS OF THIS STRUCTURE.

We suggest you contact the City of Portland Building Inspection Department, 389 Congress St., Tel. 775-5451 to determine if any of the items listed above require a building or alteration permit.

Street File

REFERRAL MEMORANDUM

HOUSING INSPECTIONS DIVISION
DEPARTMENT OF NEIGHBORHOOD
CONSERVATION

To: Building Inspection Department

From: Housing Inspection Department

Date: Jan. 22, 1979

Subject: 69 Merrill Street (15-D-19) Mrs. Rosina DiBiase- owner/occupant (1st floor)

Conditions or Defects: Change of Use

During the recent inspection I noted that the attic of this structure is being converted into a separate (3rd) dwelling unit. There is no indication that a permit has been issued for this change of use.

Kevin Carroll
Kevin Carroll

The responsible department or division is requested to reply on this form and return the form to the Housing Inspections Division, Room _____

Reply: Our records show this as a 2 family dwelling: Apr 29/1949; Not change of use has been applied for to date. This dept will notify the ABOVE that the change of use is illegal until someone applies for all the permits relating to this RENOVATION ETC:

Robert D. Dring
R.D.D.

Instructions: Inspectors will complete this form in triplicate retaining one copy for the tickler file and two copies to the street file. The original will be sent to the responsible division or city department.



CITY OF PORTLAND

R LOVELL BROWN
BUILDING AND INSPECTION DIRECTOR

Jan. 23, 1979

Re: 69 Merrill Street
Assessors Map 15-D-19

Mrs. Rosina DiBiase
69 Merrill Street
Portland, Maine

It has come to the attention of this department that the attic area has been converted into an apartment.

Our records show this dwelling to be a 2 family dwelling to date.

It is necessary that someone apply for a change of use from 2 to 3 family dwelling and apply for all permits relating to the work that has been done, ie, plumbing and electrical, not later than Feb. 9, 1979. The applicant should have with them a floor plan showing the dimensions of the rooms, the locations of the two means of egress.

Failure to comply could result in a fine of \$100.00 to \$1,000.00 for each day of the Violation, Section 122.0-122.2, BOCA Building Code 1975.

Should you have any questions do not hesitate to call this office.

Sincerely,

Hubert Irving
Certified Building Inspector

HI/t

REFERRAL MEMORANDUM

HOUSING INSPECTIONS DIVISION
DEPARTMENT OF NEIGHBORHOOD
CONSERVATION

To: Building Inspection Department

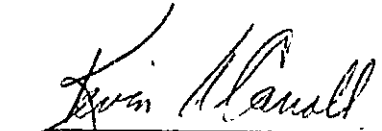
From: Housing Inspection Department *STREET FILE*

Date: Jan. 22, 1979

Subject: 69 Merrill Street (15-D-19) Mrs. Rosina DiBiase- owner/occupant (1st floor)

Conditions or Defects: Change of Use

During the recent inspection I noted that the attic of this structure is being converted into a separate (3rd) dwelling unit. There is no indication that a permit has been issued for this change of use.


Kevin Carroll

The responsible department or division is requested to reply on this form and return the form to the Housing Inspections Division, Room _____

Reply:

Date:

Instructions: Inspectors will complete this form in triplicate retaining one copy for the tickler file and two copies to the street file. The original will be sent to the responsible division or city department.

CERTIFICATE
OF
COMPLIANCE

December 20, 1979 ✓

CITY OF PORTLAND

Department of Neighborhood Conservation
Housing Inspections Division
Telephone: 775-5451 - Extension 448 - 358

Mrs. Rosina DiBiase
69 Merrill Street
Portland, Maine 04101

Re: Premises located at 69 Merrill Street, Portland, Maine NCP-MN 15-D-19

Dear Mrs. Rosina:

A re-inspection of the premises noted above was made on 12/11/79
by Housing Inspector Carroll.

This is to certify that you have complied with our request to correct the violation of the Municipal Codes relating to housing conditions as described in our "Notice of Housing Conditions" dated June 15, 1977.

Thank you for your cooperation and your efforts to help us maintain decent, safe and sanitary housing for all Portland residents.

In order to aid in the preservation of Portland's existing housing inventory, it shall be the policy of this department to inspect each residential building at least once every five years. Although a property is subject to re-inspection at any time during the said five year period, the next regular inspection of this property is scheduled for December 1984.

Sincerely yours,
Joseph E. Gray, Jr., Director
Neighborhood Conservation

By Lyle D. Noyes
Lyle D. Noyes,
Chief of Housing Inspections

Inspector K. Carroll

K. Carroll

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ADMINISTRATIVE HEARING DECISION

NOC 6-15-77

City of Portland
Department of Neighborhood Conservation
Housing Inspections Division
Telephone: 775-5451 - Ext 448 - 358

Date January 19, 1979

Mrs. Rosina DiBiase
69 Merrill Street
Portland, Maine 04101

Re: Premises located at 69 Merrill Street, Portland, Maine NCP-MN 15-D-19

Dear Mrs. DiBiase:

You are hereby notified that a reinspection and your request for additional time

on Jan. 17, 1979, regarding our "Notice of Housing Conditions" at the above referred premises resulted in the decision noted below.

XX Expiration time extended to March 15, 1979 in order to complete the work in progress to correct the remaining fifteen (15) Housing Code violations as shown on attached list.

Notice modified as follows.

OK
BY Φ
DATE 12/1/79

Please notify this office if all violations are corrected before the above mentioned dates, so that a "Certificate of Compliance" may be issued.

In Attendance:

Mrs. Rosina DiBiase

Inspector Carroll

Encl

VV

Very truly yours,

Joseph E. Gray, Jr., Director
Neighborhood Conservation

By Lyle D Noyes
Lyle D. Noyes,
Chief of Housing Inspections

January 19, 1979

Remaining Housing Code Violations to be corrected within time extension granted on attached "Administrative Hearing Decision" NOHC - June 15, 1977

69 Merrill Street, Portland, Maine NCP-MN 15-D-19

- ~~7-11-79~~ 1. ~~LEFT MIDDLE & RIGHT MIDDLE EXTERIOR WALL - replace missing downspout. 3a~~
~~2. ~~FIRST FLOOR - FRONT HALL STAIRS - replace missing balusters. 3d~~~~
~~* 3. ~~THIRD FLOOR REAR HALL - install adequate artificial illumination in the rear hall of the third floor. 8c~~~~
~~7-16-79~~ 4. ~~SECOND FLOOR - REAR HALL CEILING - repair inoperative light fixture. 8e~~
- SECOND & THIRD FLOORS
- ~~* 5. ~~PANTRY CEILING - repair inoperative light fixture. 8e~~~~
~~* 6. ~~KITCHEN CEILING - repair inoperative and loose light fixture. 8a~~~~
~~* 7. ~~DINING ROOM CEILING - repair inoperative light fixture. 8e~~~~
~~7-16-79~~ 8. ~~BATHROOM - LAVATORY & TUB - install missing potable hot water supply. 6c~~
~~7-16-79~~ 9. ~~BATHROOM WINDOW - replace broken counter balance cords allowing window sash to remain elevated when opened. 3c~~
~~* 10. ~~BATHROOM CEILING - repair inoperative light fixture. 8e~~~~
~~7-16-79~~ 11. ~~LIVING ROOM CEILING - repair cracked plaster. 3b~~
~~* 12. ~~LIVING ROOM CEILING - repair exposed electrical wiring. 8e~~~~
~~* 13. ~~LIVING ROOM CEILING - repair inoperative light fixture. 8e~~~~
~~* 14. ~~LIVING ROOM WALL - repair inoperative duplex electrical outlet. 8a~~~~
~~7-16-79~~ * 15. ~~LIVING ROOM FLOOR - repair broken grille on gas space heater. 9c~~

* WHEN MAKING YOUR REPAIRS, FIRST PRIORITY IS TO BE GIVEN TO ITEMS WITH ASTERISKS, AS THEY CONSTITUTE EXTREME HAZARDS TO THE HEALTH OR SAFETY OF THE OCCUPANTS OF THIS STRUCTURE.

We suggest you contact the City of Portland Building Inspection Department, 389 Congress St., Tel. 775-5451 to determine if any of the items listed above require a building or alteration permit.

2nd & 3rd posted

NOTICE OF HOUSING CONDITIONS

DU, 2

City of Portland
 Department of Neighborhood Conservation
 Housing Inspections Division
 Tel. 775-5451 - Ext. 448 - 358
 Mrs. Rosina DiBiase
 53 Melbourne Street 69 MERRILL ST.
 Portland, Maine 04101

Ch.-Bl.-Lot: 15-D-19
 Location: 69 Merrill Street
 Project: NCP-MN
 Issued: June 15, 1977
 Expired: August 15, 1977

Dear Mrs. DiBiase:

An examination was made of the premises at 69 Merrill Street, Portland, Maine, by Housing Inspector Carroll. Violations of Municipal Codes relating to housing conditions were found as described in detail below.

In accordance with provisions of the above mentioned Codes, you are requested to correct these defects on or before August 15, 1977. You may contact this office to arrange a satisfactory repair schedule if you are unable to make such repairs within the specified time. We will assume the repairs to be in progress if we do not hear from you within ten days from this date and, on reinspection within the time set forth above, will anticipate that the premises have been brought into compliance with Code Standards. Please contact this office if you have any questions regarding this Notice.

Your cooperation will help this Department in its goal to maintain all Portland residents in decent, safe and sanitary housing.

Very truly yours,

Joseph E. Gray, Jr. Director
 Neighborhood Conservation

Inspector K. Carroll
 K. Carroll

By Lyle D. Noyes
 Lyle D. Noyes
 Chief of Housing Inspections

EXISTING VIOLATIONS OF CHAPTER 307 - "MINIMUM STANDARDS FOR HOUSING" - Section(s)

- | | |
|--|----|
| 1. LEFT MIDDLE EXTERIOR WALL ^{RIM} replace missing downspout. | 3a |
| 2. FRONT ENTRANCE DOOR replace missing knob. | 3a |
| 3. FRONT ENTRANCE DOOR replace missing glass. | 3c |
| 4. FRONT EXTERIOR PORCH replace missing handrail. | 3c |
| 5. FRONT CELLAR WINDOW replace broken glass. | 3d |
| 6. RIGHT FRONT EXTERIOR WALL repair broken corner moulding. | 3c |
| 7. REAR YARD clean up the yard by removing and properly disposing of all litter and debris. | 3a |
| 8. RIGHT FRONT CELLAR WINDOW replace broken glass. | 3d |
| 9. FRONT FRONT CELLAR CHIMNEY remove illegal electrical splices. | 3c |
| 10. RIGHT FRONT CELLAR OIL TANK enclose imposed fuel feed line with fire proof material. | 8c |
| 11. RIGHT FRONT CELLAR determine the reason and remedy the condition which causes signs of leakage in the fuel tank filler. | 9c |
| 12. LEFT FRONT CELLAR CHIMNEY enclose exposed electrical wiring. | 9c |
| 13. RIGHT MIDDLE CELLAR FURNACE secure loose oil burner motor. | 8c |
| 14. RIGHT FRONT CELLAR CHIMNEY repair or replace loose and cracked bricks and mortar. | 3c |
| 15. REAR FRONT CELLAR CHIMNEY repair hole in chimney. | 3c |

continue
 vv

- ~~* 16. CELLAR FLOOR - clean up the cellar floor by removing and properly disposing of all litter and debris.~~
- ~~* 17. FIRST FLOOR - FRONT HALL WALL - replace loose and missing plaster.~~ 4b
- ~~* 18. FIRST FLOOR - FRONT HALL CEILING - repair cracked plaster.~~ 3b
- ~~* 19. FIRST FLOOR - FRONT HALL CEILING - repair inoperative light fixture.~~ 5b
- ~~* 20. FIRST FLOOR - FRONT HALL STAIRS - replace missing balusters.~~ 6e
- ~~* 21. FIRST FLOOR - FRONT HALL WALL - repair or remove exposed electrical wires.~~ 3d
- ~~* 22. FIRST FLOOR - FRONT HALL WALL - remove or secure loose and peeling wallpaper.~~ 8e
- ~~* 23. SECOND FLOOR - FRONT HALL WALL - repair or replace loose and missing plaster.~~ 3b
- ~~* 24. THIRD FLOOR - REAR HALL CEILING AND WALL - repair cracked plaster.~~ 3b
- ~~* 25. THIRD FLOOR - REAR HALL - install adequate artificial illumination in the rear hall of the third floor.~~ 3b

- ~~* 26. SECOND FLOOR - REAR HALL STAIRS - replace missing balusters.~~ 8c
- ~~* 27. SECOND FLOOR - REAR HALL CEILING - repair cracked plaster.~~ 3d
- ~~* 28. SECOND FLOOR - REAR HALL CEILING - repair inoperative light fixture.~~ 2b
- ~~* 29. SECOND FLOOR - REAR HALL FLOOR - remove garbage - clean up the rear hall floor by removing and properly disposing of all garbage and rubbish.~~ 8e
- ~~* 30. FIRST FLOOR - REAR HALL CEILING - repair inoperative light fixture.~~ 4e

FIRST & THIRD FLOORS

- ~~* 31. KITCHEN WINDOW - replace broken glass.~~
- ~~* 32. KITCHEN WINDOW - repair inoperative sash.~~ 3c
- ~~* 33. KITCHEN CEILING - repair inoperative light fixture.~~ 3c
- ~~* 34. KITCHEN WALL - repair inoperative duplex electrical outlet.~~ 8e
- ~~* 35. PANTRY CEILING - repair loose light fixture.~~ 8a
- ~~* 36. PANTRY CEILING - determine the reason and remedy the condition which causes signs of leakage.~~ 8e
- ~~* 37. PANTRY WALL - remove illegal electric extension cord.~~ 3b
- ~~* 38. PANTRY SINK - repair leaking wasteline.~~ 8c
- ~~* 39. KITCHEN FLOOR - repair holes in floor.~~ 6d
- ~~* 40. HIT REAR - BEDROOM CEILING - repair inoperative light fixture.~~ 3b
- ~~* 41. LEFT FRONT - BEDROOM WALL - repair inoperative and broken duplex electric outlet.~~ 8e
- ~~* 42. LEFT FRONT - BEDROOM WALL - repair broken plaster.~~ 3b
- ~~* 43. DINING ROOM WINDOW - replace broken glass.~~ 3c
- ~~* 44. DINING ROOM WINDOW - secure loose glass by replacing points and/or reglazing window.~~ 3e
- ~~* 45. DINING ROOM WALL - remove exposed electrical wiring.~~ 8c
- ~~* 46. DINING ROOM DOOR - repair loose, broken and inoperative door.~~ 8c
- ~~* 47. BEDROOM CEILING - determine the reason and remedy the condition which causes signs of leakage and sagging of the ceiling.~~ 3b
- ~~* 48. BEDROOM CEILING - repair inoperative light fixture.~~ 3b
- ~~* 49. LIVING ROOM - FRONT WINDOW - replace broken glass.~~ 8e
- ~~* 50. LIVING ROOM DOOR - repair broken panel.~~ 3e

SECOND & THIRD FLOORS

- ~~* 51. PANTRY SINK - install missing potable hot water supply.~~ 6e
- ~~* 52. PANTRY SINK - repair or replace the broken and missing faucet and supply line.~~ 6a
- ~~* 53. PANTRY CEILING - repair inoperative light fixture.~~ 6a
- ~~* 54. PANTRY AND KITCHEN WINDOWS - replace broken counter balance cords allowing window sash to remain elevated when opened.~~ 8e
- ~~* 55. KITCHEN CEILING - repair inoperative and loose light fixture.~~ 3c
- ~~* 56. KITCHEN DOOR - repair broken panel in door.~~ 8e
- ~~* 57. LEFT REAR - BEDROOM CEILING - repair inoperative light fixture.~~ 3b
- ~~* 58. HIT FRONT - BEDROOM CEILING - remove loose and peeling paint.~~ 8e
- ~~* 59. DINING ROOM CEILING - repair inoperative light fixture.~~ 3b

continued

FIRST & THIRD FLOORS CONT.

- ~~11/17/77 60. DINING ROOM CEILING - determine the reason and remedy the condition which causes signs of leakage.~~
- ~~11/17/77 61. DINING ROOM WINDOW - replace broken glass.~~
- ~~5* 62. BATHROOM - LAVATORY AND TUB - install missing potable hot water supply.~~
- ~~9* 63. BATHROOM WINDOW - replace broken counter balance cords allowing window sash to remain elevated when opened.~~
- ~~11/17/77 64. BATHROOM TUB - determine the reason and remedy the condition which causes leakage in the vestibule.~~
- ~~10* 65. BATHROOM CEILING - repair inoperative light fixture.~~
- ~~11 66. LIVING ROOM CEILING - repair cracked plaster.~~
- ~~12* 67. LIVING ROOM CEILING - repair exposed electrical wiring.~~
- ~~13* 68. LIVING ROOM CEILING - repair inoperative light fixture.~~
- ~~14* 69. LIVING ROOM WALL - repair inoperative duplex electrical outlet.~~
- ~~15* 70. LIVING ROOM FLOOR - repair broken grills on gas space heater.~~
- ~~* 71. LIVING ROOM WINDOW - replace broken glass.~~

THIRD FLOOR

- ~~11/17/77 72. RIGHT FRONT BEDROOM WALL AND CEILING - replace or repair cracked plaster.~~
- ~~73. RIGHT FRONT BEDROOM WINDOWS - repair inoperative windows.~~
- ~~74. RIGHT FRONT BEDROOM DOOR - repair broken door.~~
- ~~75. RIGHT MIDDLE BEDROOM WALL AND CEILING - determine the reason and remedy the condition which causes signs of leakage.~~
- ~~76. RIGHT MIDDLE BEDROOM WINDOW - replace missing counter balance cords allowing sash to remain elevated when opened.~~
- ~~77. RIGHT MIDDLE BEDROOM DOOR - replace missing knob.~~
- ~~78. RIGHT REAR BEDROOM CEILING - repair or replace broken plaster.~~
- ~~79. RIGHT REAR BEDROOM WALL - remove or secure the loose and peeling wallpaper.~~
- ~~80. RIGHT REAR BEDROOM WALL - repair or replace the cracked and broken plaster.~~
- ~~81. RIGHT REAR BEDROOM WINDOW - replace broken glass.~~
- ~~82. RIGHT REAR BEDROOM CHIMNEY - enclose exposed flue hole.~~
- ~~83. LEFT REAR BEDROOM WALL AND CEILING - repair cracked plaster.~~

* WHEN MAKING YOUR REPAIRS, FIRST PRIORITY IS TO BE GIVEN TO ITEMS WITH ASTERISKS, AS THEY CONSTITUTE EXTREME HAZARDS TO THE HEALTH OR SAFETY OF THE OCCUPANTS OF THIS STRUCTURE.

We suggest you contact the City of Portland Building Inspection Department, 389 Congress Street, Tel. 775-5451 to determine if any of the items listed above require a building or alteration permit.

REINSPECTION RECOMMENDATIONS

INSPECTOR Cannell

LOCATION 69 Merrill
 PROJECT MN
 OWNER Di Bease

NOTICE OF HOUSING CONDITIONS		HEARING NOTICE		FINAL NOTICE	
Issued	Expired	Issued	Expired	Issued	Expired
<u>6/15/77</u>	<u>8/15/77</u>				

A reinspection was made of the above premises and I recommend the following action:

DATE			
<u>12/1/79</u>	<u>ⓐ</u>	ALL VIOLATIONS HAVE BEEN CORRECTED Send "CERTIFICATE OF COMPLIANCE" <u>✓</u>	POSTING RELEASE <u>12/1/79</u>
<u>1/1/79</u>	<u>ⓐ</u>	SATISFACTORY Rehabilitation in Progress Time Extended To: <u>WTX to 3/15/79</u>	<u>2nd 12/1/79</u>
		Time Extended To:	
		Time Extended To:	
		UNSATISFACTORY Progress Send "HEARING NOTICE"	BY <u>P</u> DATE <u>12/1/79</u>
		"NOTICE TO VACATE" POST Entire POST Dwelling Units	"FINAL NOTICE"
		UNSATISFACTORY Progress "LEGAL ACTION" To Be Taken	

INSPECTOR'S REMARKS:
1/17/79 ⓐ Re/co - SP - Release let from posting - WTX to 3/15/79 on remaining violations - also Ref. to Bdly. Insp. regarding change of use from 2 DU to 3 DU without permit ⓐ
7-16-79 ⓐ all but Elec work completed - Electrician has in in 2 weeks - estimates 2-3 days work - OK to 8/15/79 ⓐ
12/1/79 ⓐ Re/let - All violations corrected voluntarily send COC ⓐ - Release and from party

INSTRUCTIONS TO INSPECTOR:

3

Inspection Services
Samuel P. Hoffses
Chief



Planning and Urban Development
Joseph E. Gray Jr.
Director

CITY OF PORTLAND

August 25, 1994

DIBIASE JAMES JR
14 LARCHWOOD W
SOUTH PORTLAND ME 04106

Re: 69 Merrill St
CBL: 014- - L-019-001-01
DU: 3

Dear Mr. DiBiase:

The Housing Inspections Division of the Department of Planning and Urban Development has recently completed an overall inspection of the above referred property.

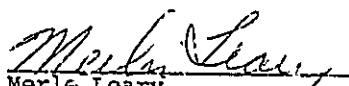
Congratulations are extended to you for the general condition of your property which was found to meet the standards established by the City's Housing Code. We did, however, note the following items that could cause future problems:

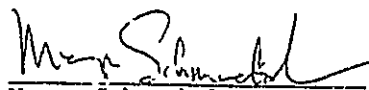
- | | | |
|----|----------------------------|--------|
| 1. | INT - FURNACE - | |
| | FLU: HAS EXCESSIVE SOOT | 114.30 |
| 2. | INT - CELLAR - | |
| | STAIRS HAVE A BROKEN TREAD | 109.20 |

Good maintenance is the best way to protect the value of your property and neighborhood.

Please feel free to call on us if we can be of assistance to you.

Sincerely,


Merle Leary
Code Enforcement Officer


Marge Schmuckal
Asst. Chief of Inspection Services

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

November 2, 1948

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, November 12, 1948 at ten-thirty o'clock in the forenoon to hear the appeal under the Zoning Ordinance of Mrs. James DiBiase requesting exception to the Ordinance to permit construction of addition to store attached to dwelling house at 73 Merrill Street.

This permit is not issuable because the store is a non-conforming use in the Apartment House Zone where it is located and as such is not allowed to be increased in volume, as set forth in Section 14-A of the Zoning Ordinance. Also, the addition is proposed only about three feet from the side lot line, whereas a distance from that line of at least ten feet is specified by Section 30 of the Ordinance for any new work in the Apartment House Zone.

This appeal is taken under Section 17E of the Zoning Ordinance which provides that the Board of Appeals, by unanimous vote of its members, may permit exceptions in specific cases so as to grant reasonable use of property where necessary to avoid confiscation and without substantially departing from the intent and purpose of the Zoning Ordinance, subject always to the rule that said Board shall give due consideration to promoting public health, safety, convenience and welfare, encouraging the most appropriate use of land and conserving property values, that it shall permit no building or use injurious, noxious, offensive or detrimental to a neighborhood, and that it shall prescribe appropriate conditions and safeguards in each case.

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

BOARD OF APPEALS

Robert L. Gatchell

Chairman



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CITY OF PORTLAND, MAINE
LEGAL DEPARTMENT

November 8, 1948

TO THE BOARD OF APPEALS:

The Board of Appeals will hold a public hearing in the Council Chamber, Friday, November 12, 1948 at ten-thirty o'clock in the forenoon to hear the following appeals:

Mrs. James DiBiase - 73 Merrill Street - Addition to store attached to dwelling which is not permissible because store is presently non-conforming use.

John Donnelly & Sons - 170 York Street - Erection of outdoor advertising sign 12' x 50' not permissible in Limited Business Zone.

(see attached notices for complete details)

Mrs. Catherine McIntyre - 46 Myrtle Street - erection of fire escape not permissible because it would be closer than the minimum side yard distance of ten feet required in case of an apartment house in a Limited Business and Apartment House Zone where property is located.

Mrs. Viola E. Rooney - 20 Cedar Street - Proposed new addition to building 12' x 21' to replace present addition 12' x 30' is not permissible because it will be erected only five feet from the side lot line whereas a minimum distance of 10 feet is required for any new work in an Apartment House Zone.

At the same time the Municipal Officers will also hold a public hearing on the following appeals:

Randall & McAllister - Construction of coal storage shelter at 77 Commercial Street is not permissible because the structure, proposed to be 33' x 40' would be of Third Class or wooden frame construction which is not allowable in Fire District #1. Also west side of structure would be closer than 5' to the side property line.

Robert L. Getchell

Chairman

M

C
O
P
Y

WARREN McDONALD
INSPECTOR OF BUILDINGS

On reply refer
to File

CITY OF PORTLAND, MAINE

Department of Building Inspection

FU AP 73 Merrill Street-I

October 28, 1948

C. DiBiase Company
551 Congress Street
Mr. James DiBiase
73 Merrill Street

Subject: Application for permit for construction of addition to store attached to dwelling at 73 Merrill Street

Gentlemen:

We are unable to issue the permit for the proposed addition because the store is a non-conforming use in the Apartment House Zone where it is located and as such is not allowed to be increased in volume, as set forth in Section 14-A of the Zoning Ordinance. Also the addition is proposed only about three feet from the side lot line, whereas a distance from that line of at least ten feet is specified by Section 8-C of the Ordinance for any new work in the Apartment House Zone.

Mr. DiBiase has expressed a desire to exercise his appeal rights and therefore an outline of the appeal procedure is being sent to each of you and the case is being certified to the Assistant Corporation Counsel, who acts as clerk for the Board of Appeals. Since the notices of this appeal are required to be sent to all owners of property within five hundred feet of the lot on which the store is located at least ten days in advance of the date of the hearing of the appeal, it is necessary that the appeal be filed before close of business on Friday, October 29 if the appeal is to be considered at the meeting of the Board of Appeals on November 12.

Very truly yours,

(Signed) WARREN McDONALD

AJS/G

Inspector of Buildings

Enclosure: Outline of appeal procedure to each addressee

CC: Edward T. Gignoux
Assistant Corporation Counsel

C
O
P
Y



(A) APARTMENT HOUSE ZONE
APPLICATION FOR PERMIT

PERMIT ISSUED
Permit No. 001

Class of Building or Type of Structure Third Class

Portland, Maine, September 22, 1943

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

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

Location 73 Merrill Street Within Fire Limits? yes Dist. No. 3
Owner's or Lessee's name and address Rosina DiBiasa, 73 Merrill Street Telephone _____
Contractor's name and address C. DiBiasa & Co, 22 Monument Square Telephone 2-1029
Architect _____ Plans filed no No. of sheets _____
Proposed use of building Dwelling and store No. families 2
Other buildings on same lot _____
Estimated cost \$ 150. Fee \$ 1.00

Description of Present Building to be Altered

Material frame No. stories 2 1/2 Heat _____ Style of roof _____ Roofing _____
Last use Store and dwelling No. families 2

General Description of New Work

To construct new roof, framing and all, over the existing roof and the original one story store and the temporary roof over narrow addition constructed under permit 42/693. This framing is to consist of 2x4 roof joists running parallel to Merrill Street not more than 18" O.C. on span of about 13', these roof joists to get a bearing on a nailing strip against the adjoining dwelling, the ~~existing~~ boarding having been removed and no less than 2x4 nailing strip to be used and the joists to get a bearing over the plate of the outside wall opposite the dwelling. Joists to be bridged with not less than 1x3 cross-bridging. Along the southerly edge of new roof a gutter is to be provided and one or more conductors to take care of the roof drainage and to be connected to the sewer or the roof water otherwise disposed of so that water from the new roof will not run upon the adjoining property or upon the public sidewalk or so as to do damage to this or any other building.

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.

Details of New Work

Is any plumbing work involved in this work? _____
Is any electrical work involved in this work? _____ Height average grade to top of plate _____
Size, front _____ depth _____ No. stories _____ Height average grade to highest point of roof _____
To be erected on 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 asphalt roofing Class C Flat, Leb.
No. of chimneys _____ Material of chimneys _____ of lining _____
Kind of heat _____ Type of fuel _____ Is gas fitting involved? _____
Framing lumber—Kind _____ Dressed or full size? _____
Corner posts _____ Sills _____ Girt or ledger board? _____ Size _____
Material columns under girders _____ Size _____ Max. on centers _____
Studs (outside walls and carrying partitions) 2x4-16" O. C. Girders 6x8 or larger. Bridging in every floor and flat roof span over 8 feet. Sills and corner posts all one piece in cross section.
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 _____

Total 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 above work require removal or disturbing of any shade 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? _____

Signature of owner Rosina DiBiasa

INSPECTION COPY

CERTIFICATE OF OCCUPANCY
REQUIREMENT IS WAIVED

3752311

9
Permit No. 43/957

Location 73 Merrill St.

Owner Bosnia Di Base

Date of permit 7/22/43

Notif. closing-in

Inspn. closing-in

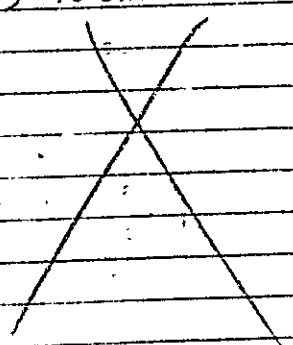
Final Notif.

Final Inspn. 6/7/45

Cert. of Occupancy issued None

NOTES

7/22/44 - Work done.
Plumbing/sewer from gutter
on roof down water in
concrete wall base.
Building about 15' in
from front of building
down to back of ground
water. Plumbing to pump
to sidewalk - A.P.
7/19-45 same condition





Original Permit No. 43/692

Amendment No. 1
AUG 18 1943

AMENDMENT TO APPLICATION FOR PERMIT

Portland, Maine, August 11, 1943

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for an amendment to Permit No. 43/692 pertaining to the building or structure comprised in the original application in accordance with the Laws of the State of Maine, the Building Code of the City of Portland, plans and specifications, if any, submitted herewith, and the following specifications:

Location 73 Merrill Street Within Fire Limits? yes Dist. No. 3
 Owner's or Lessee's name and address RODINO DiBIASE, 73 Merrill Street
 Contractor's name and address R. DiBisce & Co., 22 Monument Square 3, 1933
 Plans filed as part of this Amendment no No. of Sheets _____
 Is any plumbing work involved in this work? _____ Is any electrical work involved in this work? _____
 Increased cost of work _____ Additional fee 25
 Framing Lumber: Kind? _____ Dresser or Full Size? _____

Description of Proposed Work

This amendment is filed to correct the estimated cost of the job, reducing it from the original shown to \$ 190.

Approved:

Chief of Fire Department.

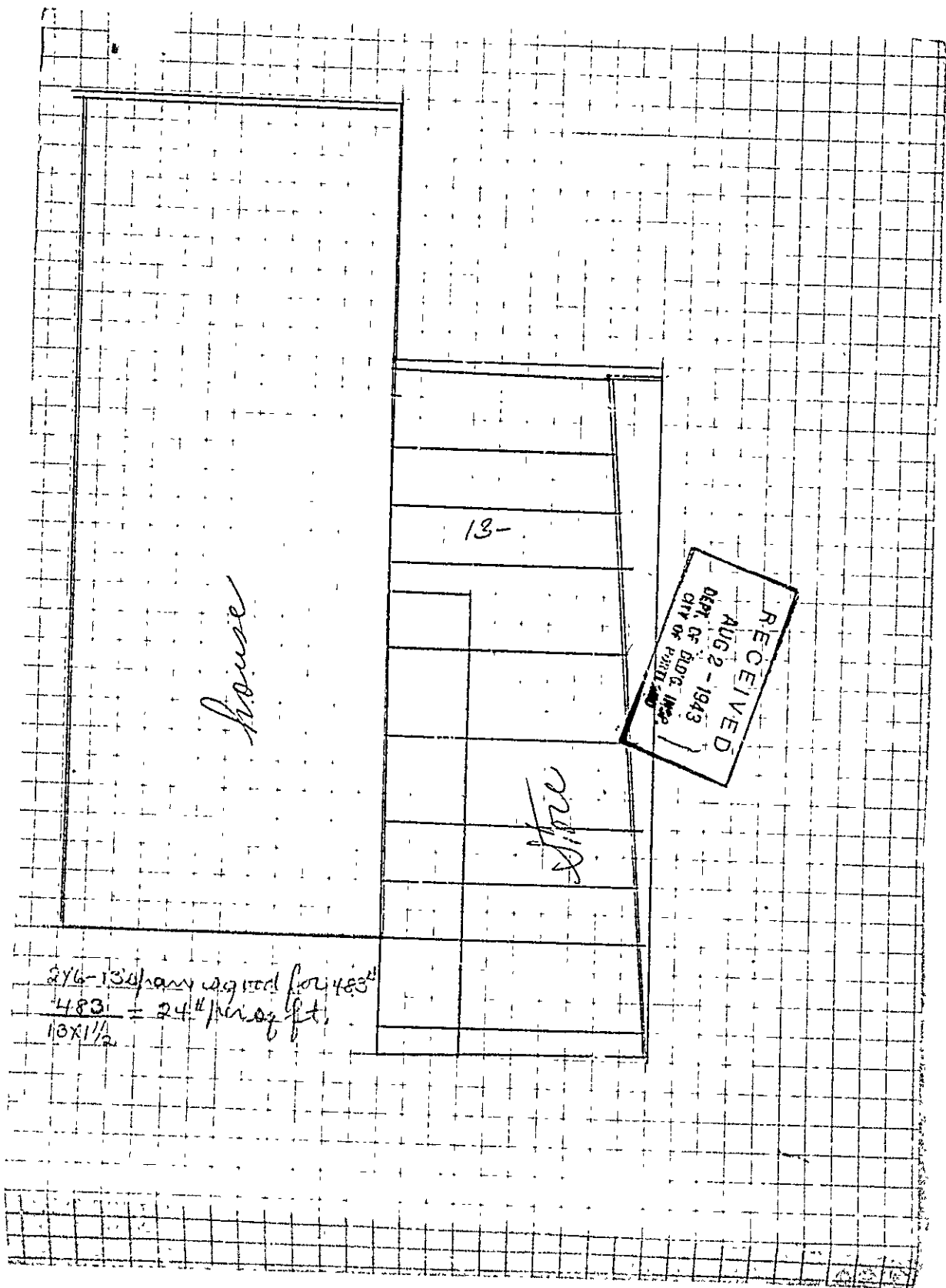
Commissioner of Public Works

Rosina DiBisce

Signature of Owner Rosina DiBisce

Approved: 8/13/43 - Wm J
Inspector of Buildings

INSPECTION COPY



house

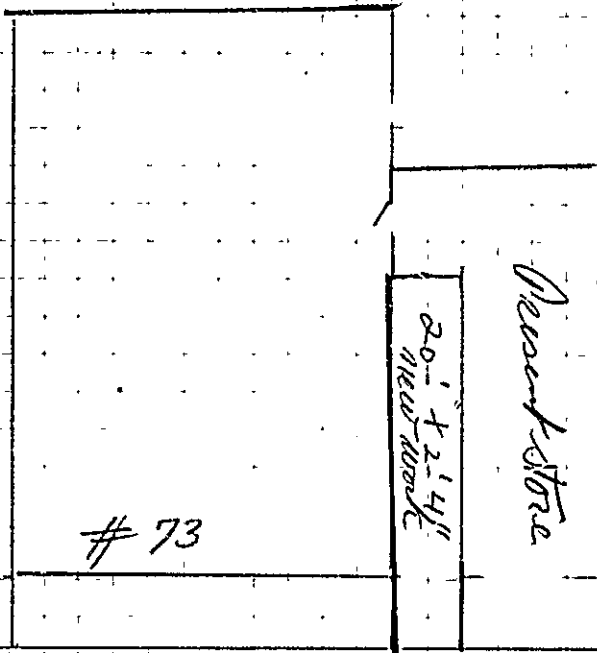
13-

store

RECEIVED
Aug 2 - 1943
DEPT. OF BLDG. INSP.
CITY OF PORTLAND

276-130 have agreed for 483"
483 = 24" per sq ft.
13x1 1/2

RECEIVED
JUN 14 1943
DEPT. OF PUBLIC WORKS
CITY OF PORTLAND



73

20' x 21 1/2'
New store

New store

Merrill St.



APPLICATION FOR PERMIT

PERMIT ISSUED
Permit No. 713

Class of Building or Type of Structure Third Class

Portland, Maine, June 14, 1943

JUL 30 1943

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

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

Location 73 Merrill Street Within Fire Limits? yes Dist. No. 3

Owner's or Lessee's name and address Rosina DiBiase, 73 Merrill Street Telephone _____

Contractor's name and address C. Poirer & Co., 22 Monument Sq. Telephone 3-1023

Architect _____ Plans filed yes No. of sheets 1

Proposed use of building dwelling house with store attached No. families 2

Other buildings on same lot _____

Estimated cost \$ 300 Fee \$ 1.00

Description of Present Building to be Altered

Material wood No. stories _____ Heat _____ Style of roof _____ Roofing _____

Last use dwelling house - store No. families _____

General Description of New Work

To build one story frame addition 28' x 20' to fill in space between house and dwelling-rafters now run lengthwise (front to rear)

*Must pitch roof toward street
what foundation?*

$$15 \times 80 = 1200$$

$$1200 \times 10 \times 1.5 = 18000$$

$$\frac{18000}{1100} = 16.3 \text{ sq. ft.}$$

5 of 2x8 ds = 15'2"
not more than 16'0" C.

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.

Details of New Work

Is any plumbing work involved in this work? _____ Pool sustained 7/19/43

Is any electrical work involved in this work? _____ Height average grade to top of plate _____

Size, front _____ Depth _____ No. stories _____ Height average grade to highest point of roof _____

To be erected on solid or filled land? _____ earth or rock? _____

Material of foundation _____ Thickness, top _____ bottom _____ cellar _____

Material of underpinning _____ Height _____ Thickness _____

Kind of roof flat Rise per foot 2" Roof covering Asphalt roofing Class C. Und. Lab.

No. of chimneys _____ Material of chimneys _____ of lining _____

Kind of heat _____ Type of fuel _____ Is gas fitting involved? _____

Framing lumber—Kind spruce or hemlock Dressed or full size? dressed

Corner posts _____ Sills 4x6 Girt or ledger board? _____ Size _____

Material columns under girders _____ Size _____ Max. on centers _____

Studs (outside walls and carrying partitions) 2x4-16" O. C. Girders 6x8 or larger. Bridging in every floor and flat roof span over 8 feet. Sills and corner posts all one piece in cross section.

Joists and rafters: 1st floor 2x8, 2nd _____, 3rd _____, roof 2x8

On centers: 1st floor 18", 2nd _____, 3rd _____, roof 18"

Maximum span: 1st floor 10', 2nd _____, 3rd _____, roof 10'

If one story building with masonry walls, thickness of walls? _____ height? _____

If a Garage

No. cars now accommodated on same lot _____, to be accommodated _____

Total 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 above work require removal or disturbing of any shade 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

Signature of owner Rosina DiBiase
Rosina DiBiase

INSPECTION COPY

33472

3/6-93

75 Merrill St.

Primo Di Biase

Date of permit: 4/20/43

Notif. closing-in

Inspn. closing-in

Final Notif.

Final Inspn. 11/12/48

Cert. of Occupancy issued

NOTES W.P. Beal
and 11/19/48

7/28/43 - no work started

8/2/43 - same - A.G.

8/23/43 - work has been done

No. 1000 ft. under permit

Construction of addition Center

Plan to add in addition is

build up of former wall

Remainder of former

wall has been removed

Vertical text on left margin, possibly "Permit No."

Table with multiple columns and rows, containing various entries and dates. The text is mostly illegible due to high contrast and noise. Some visible words include "Permit", "Inspection", and "Date".



City of Portland, Maine

Sustained 7/19/43
43/51

Chairman Libby	<u>Yes</u>
Mr. Berry	<u>Yes</u>
Mr. Harrison	<u>Yes</u>
Dr. Leighton	<u>Abst</u>
Mr. Harry Libby	<u>Yes</u>

Appeal to the Municipal Officers to Change the Deci

Inspector of Buildings Relating to the Property Owned
by Rosina DiBiase at 75 Merrill Street

June 30, 19 43

To the Municipal Officers:

Your appellant, Rosina DiBiase

who is the owner of property at 75 Merrill 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 13, 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-ozating from the intent and purpose of the Zoning Ordinance.

The decision of the Inspector of Buildings denies a permit to cover construction of a one story addition to the existing retail store attached to the dwelling house on the above property the addition to be about 28 inches wide by 20 feet deep and to fill in an open space between dwelling and store because the addition would increase the volume of the store which is an existing non-conforming use and the new work would extend closer than five feet to the street line of Merrill Street, contrary to the provisions of the ordinance in the Apartment House Zone where the property is located.

The reasons for the appeal are as follows: The main part of the present store is only ten feet wide and the additional 28 inches of width is very necessary to the continued operation of the store. The present store front is at the street line of Merrill Street, and since the new work closer than five feet to the street line would be on the side toward the appellant's dwelling, it is the belief that this encroachment in the front yard would not be onxious or detrimental to any-one.

Noted...
Mr. Francis D. ...

(Signed) Rosina DiBiase

34/27D

appeal sustained
7/19/43

43/51

098
M.C.
S.M.W.

, that the appeal under the Zoning Ordinance of Rosina DiBiasse at 73 Merrill Street, relating to the construction of a proposed addition to the retail store there constituting an increase in volume of a non-conforming use and with the new work of the addition closer to the street line of Merrill Street than ordinarily permitted in the Apartment House zone where the property is located, be sustained and that a building permit be granted said appellant subject to full compliance with all terms of the Building Code;

BECAUSE enforcement of the ordinance in this specific case involves unnecessary hardship by needlessly preventing a small enlargement of the store; and desirable relief may be granted without substantially derogating from the intent and purpose of the ordinance in that the proposed addition could hardly prove obnoxious or detrimental to the neighborhood and the location of it would not interfere with light and air or increase the fire hazard to the neighboring property.