



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 20 Custom House Wharf

Issued to Russell Hunnewell

Date of Issue June 27, 1985

This is to certify that the building, premises, or part thereof, at the above location, built—altered—changed as to use under Building Permit No. 85-609, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy of use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

APPROVED OCCUPANCY

Entire

Grocery Store

Limiting Conditions:

This certificate supersedes
certificate issued

Approved:

6-27-85

(Date)

Inspector

Inspector of Buildings

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

CITY OF PORTLAND, MAINE
Department of Building Inspection



Certificate of Occupancy

LOCATION 20 Custom House Wharf

Issued to **Russell Hunnewell**

Date of Issue **June 27, 1985**

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Approved:

6-27-85

(Date)

Arthur Abbott
Inspector

R. H. Hedges
Inspector of Buildings

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

APPLICATION FOR PERMIT

PERMIT ISSUED

B.O.C.A. USE GROUP

B.O.C.A. TYPE OF CONSTRUCTION 0 609

JUN 12 1985

ZONING LOCATION W-1 PORTLAND, MAINE 6/3/85

CITY OF PORTLAND

To the CHIEF 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 20 Custom House Wharf 64101
 1. Owner's name and address Russell, Hunnewell 8 Portland Spring, Maine. Fire District #1 #2
 2. Lessee's name and address Telephone 998-4849
 3. Contractor's name and address Telephone 773-9348
 Telephone Rest.

Proposed use of building Grocery Store No. of sheets
 Last use Food Take Out No. families
 Material No. stories Heat Style of roof No. families
 Other buildings on same lot Pooling

Estimated contractual cost \$
 FIELD INSPECTOR—Mr. @ 775-5451
 Change of Use from Food Take Out to Grocery Store.
 Appeal Fees \$
 Base Fee
 Late Fee
 TOTAL \$ 25.00

ISSUE PERMIT TO 20 CUSTOM HOUSE WHARF

Stamp of Special Conditions

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

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?

APPROVALS BY: _____ DATE _____
 BUILDING INSPECTION—PLAN EXAMINER—
 ZONING: OK M. D. [Signature]
 BUILDING CODE:
 Fire Dept. James J. [Signature]
 Health Dept.
 Others:

MISCELLANEOUS
 Will work require disturbing of any tree on a public street?
 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 Applicant Russell Hunnewell Phone #
 Type Name of above Russell Hunnewell MS 2 3 4
 Other and Address

FIELD INSPECTOR'S COPY APPLICANT'S COPY OFFICE FILE COPY
[Signature]

NOTES

6-14-85 Checked OK *ad*
6-27-85 - Issue C.O. *ad*

[Empty lined area]

[Large crossed-out lined area]

[Large crossed-out lined area]

Permit No. 85-1619
Location 21st St & 1st Ave
Owner Lowell Greenwald
Date of permit 6-3-85
Approved 6-13-85
Dwelling Charles Jones
Garage
Alteration

20 CUSTOM HOUSE WHARF

1



20 CUSTOM HOUSE WHARF

1





APPLICATION FOR PERMIT
DEPARTMENT OF BUILDING INSPECTIONS SERVICES
ELECTRICAL INSTALLATIONS

Date Dec. 9, 19 85
 Receipt and Permit number D 05320

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: 20 Custom House Wharf

OWNER'S NAME: Port Hole Restaurant ADDRESS: same

	FEES
OUTLETS:	
Receptacles _____ Switches _____ Plugmold _____ ft. TOTAL _____	
FIXTURES: (number of)	
Incandescent _____ Fluorescent _____ (strip) TOTAL _____	
Strip Fluorescent _____ ft. _____	
SERVICES:	
Overhead <input checked="" type="checkbox"/> Underground _____ Temporary _____ TOTAL amperes <u>100</u>	3.00
METERS: (number of) <u>1</u>	.50
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 _____	
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: 3.50
 min 5.00

INSPECTION:

Will be ready on _____, 19__; or Will Call

CONTRACTOR'S NAME: Sea coast Electric

ADDRESS: Avitt St. Long Island

TEL: 774-6179

MASTER LICENSE NO.: 03088 SIGNATURE OF CONTRACTOR: _____

LIMITED LICENSE NO.: _____ Harry G. Papkes

INSPECTOR'S COPY — WHITE

OFFICE COPY — CANARY

CONTRACTOR'S COPY — GREEN

ELECTRICAL INSTALLATIONS -

INSPECTIONS: Service by Libbey
Service called in 12-10-85
Closing-in _____ by _____

PROGRESS INSPECTIONS: _____ / _____ / _____
_____ / _____ / _____
_____ / _____ / _____
_____ / _____ / _____
_____ / _____ / _____

Permit Number 05320
Location: 50 Paxson House W.D.
Owner: Pat Hill P.A.
Date of Permit: 12-9-85
Final Inspection: 12-10-85
By Inspector: Libbey
Permit Application Register Page No. 96

CODE COMPLIANCE COMPLETED

DATE: 12-10-85

DATE:	REMARKS:

copy 9 J m

x

CITY OF PORTLAND, MAINE

389 CONGRESS STREET
PORTLAND, MAINE 04101
(207) 775-5451



DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

P. SAMUEL HOFFSES, CHIEF
INSPECTION SERVICES DIVISION

20 Custom House Wharf

The Port Hole Restaurant
20 Custom House Wharf
Portland, Maine 04101

Dear Mr. Hunnewell:

This is in reply to your inquiry concerning possible expansion of your restaurant on Custom House Wharf into the area now occupied by the Casco Bay Lines which would enable your restaurant to have access to the rest rooms and space now being used by the transportation district soon to be vacated by their relocation to the Maine State Pier for the new Ferry Terminal location.

I have been advised by the Associate Corporation Counsel, Mr. Charles A. Lane, that your proposed expansion would be viewed as an increase in a nonconforming use pursuant to Section 14-382 of the City Zoning Ordinance (Portland Land Use Code). Because of this, you would be required to seek a variance to permit the increase under Section 14-473 (c) of the City Zoning Ordinance.

Sincerely,

Warren J. Turner
Zoning Enforcement Inspector

Enclosures: Variance Application Forms

cc: Merrill S. Saltzer, Chairman, Board of Appeals
Joseph E. Gray, Jr., Director, Planning & Urban Development
Charles A. Lane, Associate Corporation Counsel
Alexander Jaegerman, Chief Planner
P. Samuel Hoffses, Chief, Inspection Services
Arthur Rowe, Code Enforcement Officer

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Warren Turner, Zoning Enforcement Inspector
FROM: Charles A. Lane, Associate Corporation Counsel
DATE: March 8, 1988
RE: PORT HOLE RESTAURANT

This is in response to you memorandum dated February 29, 1988.

I have reviewed the issue regarding the expansion of the Port Hole Restaurant with David A. Lourie, Corporation Counsel. The expansion would be viewed as an increase in an unconforming use pursuant to §14-382. The applicant would be able to seek a variance to permit the increase under §14-473(c).



Charles A. Lane

CAL/baj

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS



MERRILL S. SELTZER
Chairman

JOSH C. KNOX
Secretary

PETER F. MORELLI
THOMAS F. JEWELL
DAVID L. SILVERNAIL
MICHAEL E. WESTORT
CHRISTOPHER DINAN

November 7, 1988

20 Custom House Walk

Mr. Russell Honeywell
The Porthole Restaurant
20 Custom House Walk
Portland, Maine 04101

Dear Mr. Honeywell:

This is in reference to your application for a building permit to authorize your Porthole Restaurant to expand into an area formerly occupied by the Casco Bay Lines in the W-1 Waterfront Zone. We are unable to issue this permit for alterations because it would represent an expansion of a nonconforming use which requires approval of the Board of Appeals.

If you wish to apply for an Interpretation Appeal, the enclosed forms should be used in making such an application to the Board of Appeals for consideration of your request. The enclosed forms contain the method for applying for an Interpretation Appeal. If you wish to be included on the agenda for the December 1st meeting of the Board of Appeals, please have the material in this office on or before 12 noon, November 14th.

Sincerely,

Warren J. Turner
Zoning Enforcement Inspector

/el

Enclosure: Interpretation Appeal Forms

cc: Merrill S. Seltzer, Chairman, Board of Appeals
Joseph E. Gray, Jr., Director of Planning & Urban Development
Alexander Jaegerman, Chief Planner
P. Samuel Hoffes, Chief of Inspection Services
Arthur Rowe, Code Enforcement Officer
Charles A. Lane, Associate Corporation Counsel

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS



MERRILL S. SELTZER
Chairman

JOHN C. KNOY
Secretary

PETER F. MORELLI
THOMAS F. JEWELL
DAVID L. SILVERNAIL
MICHAEL E. WESTORT
CHRISTOPHER DINAN

20 Custom House Wharf

November 17, 1988

Mr. Russell Hunnewell
The Porthole Restaurant
20 Custom House Wharf
Portland, Maine 04101

Dear Mr. Hunnewell:

Receipt of your application for an interpretation appeal is acknowledged. If granted by the Board of Appeals, your restaurant may be expanded into the area formerly occupied by the Casco Bay Lines. A restaurant use is permitted in the W-1 Waterfront Zone, but the waterfront referendum which was approved by the voters on May 5, 1987 stipulates that only marine related uses be permitted within the W-1 Waterfront Zone.

This appeal is scheduled for consideration by the Board of Appeals at its regular meeting scheduled for Thursday evening, December 1, 1988, at 7 P.M. in Room 209, City Hall, Portland, Maine. Your interpretation appeal is being requested because you wish to expand your restaurant into the area formerly occupied by the Casco Bay Lines. Restaurants are required to have rest room facilities by State Law. Restaurant uses were permitted in the W-1 Waterfront Zone prior to the approval of the Waterfront Referendum.

The Board of Appeals may reverse the action by the Building Inspector if the Board finds that said action is based on an erroneous interpretation of the City Zoning Ordinance.

Sincerely,

Warren J. Turner

Warren J. Turner
Zoning Enforcement Inspector

cc: Merrill S. Seltzer, Chairman, Board of Appeals
Joseph E. Gray, Jr., Director, Planning & Urban Development
Alexander Jaegerman, Chief Planner
P. Samuel Hoffses, Chief, Inspection Services
Arthur Rowe, Code Enforcement Officer
Charles A. Lane, Associate Corporation Counsel

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS



MERRILL S. SELTZER
Chairman

JOHN C. KNOX
Secretary

PETER F. MORELLI
THOMAS F. JEWELL
DAVID L. SILVERNAIL
MICHAEL E. WESTORT
CHRISTOPHER DINAN

March 22, 1989

RE: 20 Custom House Wharf

Mr. Russell Hunnewell
20 Custom House Wharf
Portland, Maine 04101

Dear Mr. Hunnewell:

Receipt of your application for a miscellaneous appeal to permit expansion of restaurant to include new bathroom facilities and prep room is acknowledged.

This request for a variance will be scheduled for review at the meeting of the Board of Appeals on Thursday evening, April 6, 1989, at 7 P.M. in Room 209, City Hall, Portland, Maine. You or your authorized representative should attend this meeting.

A copy of the agenda for this meeting will be sent to you as soon as copies become available for distribution.

Sincerely,

William D. Giroux
Zoning Codes Enforcement Inspector

/cl

cc: Merrill S. Seltzer, Chairman of the Board of Appeals
Joseph E. Gray, Jr., Director of Planning and Urban Development
Alexander Jaegerman, Chief Planner
P. Samuel Hoffses, Chief of Inspection Services
Warren J. Turner, Administrative Assistant
Charles Lane, Associate Corporation Counsel
Arthur Addato, Code Enforcement Officer

PERMIT # 001890 CITY OF Portland BUILDING PERMIT APPLICATION MAP # _____ LOT# _____

Please fill out any part which applies to job. Proper plans must accompany form.

Owner: Russell Honeywell/The Porthole Restaurant

Address: 20 Custom House Wharf, Portland

LOCATION OF CONSTRUCTION: 20 Custom House Wharf

CONTRACTOR: owner SUBCONTRACTORS: 773-9348

ADDRESS: _____

Est. Construction Cost: \$50,000 Type of Use: restaurant

Part Use: _____

Building Dimensions: L _____ W _____ Sq. Ft. _____ # Stories _____ Lot Size _____

Is Proposed Use: Seasonal _____ Condominium _____ Apartment _____

Conversion - Explain: Interior renovations and closing in section

COMPLETE ONLY IF THE NUMBER OF UNITS WILL CHANGE as per attached plans.

Residential Buildings Only: _____

Of Dwelling Units: _____ # Of New Dwelling Units _____

- Foundation:
1. Type of Soil: _____
 2. Set Backs - Front _____ Rear _____ Side(s) _____
 3. Footings Size: _____
 4. Foundation Size: _____
 5. Other _____

- Floor:
1. Sills Size: _____ Sills must be anchored.
 2. Girder Size: _____
 3. Lally Column Spacing: _____ Size: _____
 4. Joists Size: _____ Spacing 16" O.C.
 5. Bridging Type: _____ Size: _____
 6. Floor Sheathing Type: _____ Size: _____
 7. Other Material: _____

- Exterior Walls:
1. Studding Size _____ Spacing _____
 2. No. windows _____
 3. No. Doors _____
 4. Header Sizes _____ Span(s) _____
 5. Bracing: Yes _____ No _____
 6. Corner Posts Size _____
 7. Insulation Type _____ Size _____
 8. Sheathing Type _____ Size _____
 9. Siding Type _____ Weather Exposure _____
 10. Masonry Materials _____
 11. Metal Materials _____

- Interior Walls:
1. Studding Size _____ Spacing _____
 2. Header Sizes _____ Spacing _____
 3. Wall Covering Type _____
 4. Fire Wall if required _____
 3. Other Materials _____

White-Tax Assesor Yellow-GPCOG White Tag-CEO

For Official Use Only

Date: October 27, 1988

Subdivision: Yes / No

Name: _____

Lot: _____

Block: _____

Permit Expiration: _____

Ownership: Public Private

Inside Fire Limits: _____

Blgd Code: _____

Time Limit: _____

Estimated Cost: \$50,000

Value Structure: _____

Fee: \$270.00

- Ceiling:
1. Ceiling Joists Size: _____
 2. Ceiling Strapping Size _____ Spacing _____
 3. Type Ceiling: _____
 4. Insulation Type _____ Size _____
 5. Ceiling Height: _____

- Roof:
1. Truss or Rafter Size _____ Span _____
 2. Sheathing Type _____
 3. Roof Covering Type _____
 4. Other _____

Chimneys: _____ Number of Fire Places _____

Heating: _____ Type of Heat: _____

Electrical: _____ Service Entrance Size: _____ Smoke Detector Required Yes _____ No _____

- Plumbing:
1. Approval of soil test if required Yes _____ No _____
 2. No. of Tubs or Showers _____
 3. No. of Flashes _____
 4. No. of Lavatories _____
 5. No. of Other Fixtures _____

- Swimming Pools:
1. Type: _____
 2. Pool Size: _____ x _____ Square Footage _____
 3. Must conform to National Electrical Code and State Law.

Zoning: _____ District W-1 Street Frontage Req. _____ Provided _____

Required Setbacks: Front _____ Back _____ Side _____

Review Required: _____

Zoning Board Approval: Yes _____ No _____ Date: _____

Planning Board Approval: Yes _____ No _____ Date: _____

Conditional Use: _____ Variance _____ Site Plan _____ Subdivision _____

Share and Floodplain Mgmt _____

Other: (Explain) _____

Date Approved: 10/27/88

Permit Received By: _____

Signature of Applicant: Russell Honeywell Date: 10/27/88

Signature of CEO: _____ Date: 1-29-89

Inspection Date: _____

PERMIT ISSUED WITH LETTER

177 M.A. Pudda

4-19-89 - Prep. work in progress.
5-9-89 - WIP / Framing positions. OK aa
5-10-89 - WIP / OK
6-9-89 - WIP / OK accord. to plan and permits. Saw
code requirements for hood - dust work.
7-6-89 - Saw check list to owner of work remaining.
10-23-89 - OK - aa

PERMIT ISSUED
WITH LETTER

10-23-89
10-23-89



CITY OF PORTLAND, MAINE

389 CONGRESS STREET
PORTLAND, MAINE 04101
(207) 874-8300

DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

P. SAMUEL HOFFSES, CHIEF
INSPECTION SERVICES DIVISION

April 7, 1989

Mr. Russell Honeywell (Porthole Rest.)
20 Custom House Wharf
Portland, ME 04101

Re: 20 Custom House Wharf

Dear Sir:

Your application to make interior renovations has been reviewed and a permit is herewith issued subject to the following requirement:

1. This permit is being issued with the understanding that the maximum seating be 67 and that the interior renovation be limited to plan submitted and approved at Exhibit A at the Zoning Board of Appeal meeting.

April 6, 1989 signed by Chairman of the Board and Corporation Counsel.

If you have any questions regarding this requirement, please do not hesitate to contact this office.

Sincerely,


P. Samuel Hoffses
Chief, Inspection Services

PSH/imr



CITY OF PORTLAND, MAINE

389 CONGRESS STREET
PORTLAND, MAINE 04101
(207) 775-5451

DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

P. SAMUEL HOFFSES, CHIEF
INSPECTION SERVICES DIVISION

Date 26/January/1988

Address Russell Honeywell
20 Custom House Wharf
PTLD, ME

Re: 20 Custom House Wharf

Dear Sir:

Your application to make interior renovations
at _____ has been reviewed and a permit is herewith
issued subject to the following requirement(s):

1. Any existing fire alarm or security system shall be maintained and be expanded to include this shell
2. Set party wall shall have a fire rating of at least one (1) hr.

If you have any questions regarding these requirement(s), please do not hesitate to contact this office.

Sincerely,

P. Samuel Hoffses
Chief, Inspection Services

cc:

J.T. COLLIER

KEARNS, SHEPARD & READ

ATTORNEYS AT LAW

LOWER VILLAGE CENTER

P. O. BOX 1092

KENNEBUNKPORT, MAINE 04046

(107) 887-3936

January 10, 1989

ALAN E. SHEPARD
BRUCE M. READ

MARK A. KEARNS
10F COUNCIL

Warren J. Turner
Zoning Enforcement Inspector
City of Portland
389 Congress Street
Portland, ME 04101

Re: Russell Hunnewell d/b/a The Port Hole Restaurant

Dear Warren:


To follow up on our telephone conversation yesterday, I am enclosing a revised plan for Mr. Hunnewell's proposed use of vacant space adjacent to the Port Hole. As we have discussed on a number of occasions, the only purpose to be served by the proposed construction is to permit the use of existing bathroom facilities and to rearrange the equipment and appliances in the Port Hole kitchen.

I have marked with a yellow high-lighter the area which we propose to encompass. You will note that this is a significantly smaller area than our earlier proposal. As I told you, I have been working closely with David Lourie on this proposal. I explained to him that we would be submitting these revised plans and he indicated that it was possible that you would approve them outright, thus avoiding the necessity of going back before the Board of Appeals. I emphasize again that we are not looking to increase Mr. Hunnewell's seating space in the restaurant. The sole purpose of this construction will be to incorporate the old Casco Bay Lines restrooms and to permit the relocation of certain elements of the Port Hole's kitchen.

Please call me if you need additional information or if you have any questions whatsoever. Thank you for your attention to this matter.

Yours truly,

KEARNS, SHEPARD & READ


Bruce M. Read

BMR/dmc
cc Russell Hunnewell
Charles H. McLaughlin, IV, Esq.

RECEIVED

JAN 12 1989

DEPT. OF BUILDING INSPECTIONS
CITY OF PORTLAND

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS



MERRILL S. SELTZER
Chairman

JOHN C. KNOX
Secretary

PETER F. MOFELLI
THOMAS F. JEWELL
DAVID L. SILVERNAIL
MICHAEL E. WESTORT
CHRISTOPHER DINAH

20 Custom House Walk

February 27, 1989

Mr. Russell Honeywell
The Perthole Restaurant
20 Custom House Walk
Custom House Wharf
Portland, Maine 04101

Dear Mr. Honeywell:

We are enclosing a copy of the recent zoning text amendment to Section 14-382 of the City Zoning Ordinance pertaining to the increase of nonconforming uses. This text amendment was adopted by the City Council on February 22, 1989 with an emergency preamble making it effective upon passage.

This amendment has been indicated as being applicable to pending proceedings so as to avoid undue hardship and the City Council specified that no such pending proceeding shall be barred from relief hereunder as a "successive application."

We understand that you may wish to go back to the Board of Appeals for a determination by that Board in view of the recently adopted zoning text amendment. The way the City Council Order is phrased, the Board is the only way that your nonconforming use may be extended. We shall need a revised plan showing the proposed expansion of your restaurant use, for the minimum necessary.

Sincerely,

Warren J. Turner

Warren J. Turner
Administrative Assistant

Enclosure: City Council Order re zoning text amendment for nonconforming uses

cc: Merrill S. Seltzer, Chairman, Board of Appeals
Joseph E. Gray, Jr., Director, Planning & Urban Development
Alexander Jaegerman, Chief Planner
P. Samuel Hoffses, Chief, Inspection Services
Hugh Irving, Code Enforcement Officer
William Giroux, Zoning Enforcement Officer
Charles A. Lane, Associate Corporation Counsel

(4) 27-2/22/89

AMENDMENT TO PORTLAND CITY CODE
S14-382 (INCREASE IN NONCONFORMING USE OF BUILDING PROHIBITED)

BE IT ORDAINED BY THE CITY COUNCIL IN THE CITY OF PORTLAND, MAINE
IN CITY COUNCIL ASSEMBLED THAT PORTLAND CITY CODE 14-382 BE AND
HEREBY IS AMENDED TO READ AS FOLLOWS:

Sec. 14-382. Increase in nonconforming use of building
prohibited.

(a) A lawful nonconforming building may be maintained or
repaired, but no alterations, modifications or additions shall be
made to it, except as provided in this division:

(b) A-a-building whose use is wholly nonconforming shall not be
altered so as to increase the cubical content or the degree of
nonconformity; and-

(c) No alterations, modifications or additions shall be made so
as to increase the cubical content or the degree of nonconforming
use, nor shall a nonconforming use or part of a building be
extended to any other part of such building unless such part was
clearly arranged and designed for such nonconforming use prior to
June 5, 1957, or such extension of a nonconforming use is solely
for the purpose of bringing the use into compliance with health
or safety codes, or to correct a condition that may not
technically be in violation, but which is determined by the
Board of Appeals to constitute a health or safety problem. In
either case, the expansion shall be limited to the minimum
necessary to accomplish that purpose.

BE IT FURTHER ORDAINED THAT this curative amendment shall take
effect as an emergency and shall be applicable to pending
proceedings so as to avoid undue hardship, and no such pending
proceeding shall be barred from relief hereunder as a
"successive application".

14-382.NONCONF.DAL.S
2.2.89

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AMENDMENT TO PORTLAND CITY CODE
#14-382 (INCREASE IN NONCONFORMING
USE OF BUILDING PROHIBITED)
(COUNCILORS ESTHER B. CLENNOT AND
PETER E. O'DONNELL)

IN THE CITY COUNCIL

December 12, 1958

Given first reading. Motion to table Community Develop-
ment Committee for review, passed, 9 Yeas.

February 22, 1989 - Removed from the table. Motion
to amend with a substitute amendment, passed, 8 Yeas,
and passed, as amended, 8 Yeas.

A TRUE COPY. - ATTEST

Jane Duroni
JANE DURONI
CITY CLERK, PORTLAND, MAINE

DATED 2/24, 1989

Attest: *Jane Duroni*
City Clerk

LOT#

Public
Private

guilted Yes No

No

Paragon

Provided

Side Side

Date

Date

Sub-division

Date 3/20/89

Date

8th CIVIC 1987

PERMIT # _____ CITY OF Portland BUILDING PERMIT APPLICATION

MAP # _____ LOT # _____

Please fill out any part which applies to job. Proper plans must accompany form.

Owner: Russell Honeywell / cont. person Bruce Read 967-3936

Address: Porthole Restaurant 20 Cust. m House Wharf 04101

LOCATION OF CONSTRUCTION _____

CONTRACTOR: _____ SUBCONTRACTORS: _____

ADDRESS _____

Est. Construction Cost: _____ Type of Use: _____

Past Use: _____

Building Dimensions: L _____ W _____ Sq. Ft. _____ # Stories _____ Lot Size _____

Is Proposed Use: _____ Seasonal _____ Condominium _____ Apartment _____

Conversion - Explain: Misc. Appeal permit expansion of Rest. to inc. new bathroom facilities

COMPLETE ONLY IF THE NUMBER OF UNITS WILL CHANGE prep room

Residential Building Only:

Of Dwelling Units _____ # Of New Dwelling Units _____

Foundation:

1. Type of Soil: _____
2. Set Backs - Front _____ Rear _____ Side(s) _____
3. Footings Size: _____
4. Foundation Size: _____
5. Other _____

Floor:

1. Sills Size: _____ Sills must be anchor _____
2. Girder Size: _____
3. Lally Column Spacing: _____ Size: _____
4. Joists Size: _____ Spacing: 16" O.C.
5. Bridging Type: _____ Size: _____
6. Floor Sheathing Type: _____ Size: _____
7. Other Material: _____

Exterior Walls:

1. Studding Size _____ Spacing _____
2. No. windows _____
3. No. Doors _____
4. Header Sizes _____ Span(s) _____
5. Bracing: Yes _____ No _____
6. Corner Posts Size _____
7. Insulation Type _____ Size _____
8. Sheathing Type _____ Size _____
9. Siding Type _____ Weather Exposure _____
10. Masonry Materials _____
11. Metal Materials _____

Interior Walls:

1. Studding Size _____ Spacing _____
2. Header Sizes _____ Span(s) _____
3. Wall Covering Type _____
4. Fire Wall if required _____
5. Other Materials _____

For Official Use Only	
Date: <u>March 20, 1989</u>	Subdivision, Yes / No _____
Inside Fire Limits _____	Name _____
Bldg Code _____	Lot _____
Time Limit _____	Block _____
Estimated Cost _____	Permit Expiration: _____
Value Structure _____	Owner's Use: _____ Public _____
Fee: <u>\$50.00</u>	

Ceiling:

1. Ceiling Joists Size: _____
2. Ceiling Strapping Size _____ Spacing _____
3. Type Ceilings: _____
4. Insulation Type _____ Size _____
5. Ceiling Height: _____

Roof:

1. Truss or Rafter Size _____ Span _____
2. Sheathing Type _____ Size _____
3. Roof Covering Type _____
4. Other _____

Chimneys:

Type: _____ Number of Fire Places _____

Heating:

Type of Heat: _____

Electrical:

Service Ent _____ Size: _____ Smoke Detection Required Yes _____ No _____

Plumbing:

1. Approval of soil test if required Yes _____ No _____
2. No. of Tubs or Showers _____
3. No. of Flushes _____
4. No. of Lavatories _____
5. No. of Other Fixtures _____

Swimming Pools:

1. Type: _____
2. Pool Size: _____ x _____ Square Footage _____
3. Must conform to National Electrical Code and State Law.

Zoning:

District: W1 Street Frontage Req. _____ Provided _____

Required Setbacks: Front _____ Back _____ Side _____ Side _____

Review Required:

Zoning Board Approval: Yes _____ No _____ Date: _____
 Planning Board Approval: Yes _____ No _____ Date: _____
 Conditional Use: _____ Variance _____ Site Plan _____ Subdivision _____
 Shore and Floodplain Mgmt _____ Special Exception _____
 Other: _____ (Explain) _____
 Date Approved: 4-10-89

Permit Received By Latini

Signature of Applicant [Signature] Date 3/20/89

Signature of CEO _____ Date _____

Inspection Dates _____

White-Tax Assessor

Yellow-GPCOG

White-Tug-CEO

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CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS



20 Custom House Wharf

MERRILL S. SELTZER
Chairman

JOHN C. KNICK
Secretary

PETER F. MORELLI
THOMAS F. JEWELL
DAVID L. SILVERNAIL
MICHAEL E. WESTORT
CHRISTOPHER DINAH

April 7, 1989

Mr. Russell Hunnewell
The Porthole Restaurant
20 Custom House Wharf
Portland, Maine 04101

Dear Mr. Hunnewell:

At the meeting of the Board of Appeals on Thursday evening, April 6, 1989, the Board voted by a vote of six in favor to one opposed to grant your miscellaneous appeal for permission to expand your restaurant at the above address in the W-1 Waterfront Zone. Such expansion as approved by the Board of Appeals is shown on the approved floor plan which was signed by the Chairman of the Board of Appeals and dated April 6, 1989.

The Board found that health and safety problems, not necessarily technical violations exist and that relief should be limited to the plan provided as Exhibit A of the application, as outlined thereon. Section 14-382.

Sincerely,

William D. Giroux
Zoning Enforcement Officer

Enclosure: Copy of Board's Decision

cc: Merrill S. Seltzer, Chairman, Board of Appeals
Joseph E. Gray, Jr., Director, Planning & Urban Development
P. Samuel Hoffses, Chief, Inspection Services
Bruce M. Read, Attorney, P. O. Box 102, Kennebunkport, Maine 04046
Arthur Addato, Code Enforcement Officer
Charles A. Lane, Associate Corporation Counsel

PLUMBING APPLICATION

Department of Human Services
Division of Health Engineering
(207) 269-3826

PROPERTY ADDRESS

Town or Plantation: Rose Hill
Street Subdivision Lot #: 1000 Main St, Rose Hill

PROPERTY OWNERS NAME

Last: White First: Robert

Applicant Name: R. White

Mailing Address of Owner/Applicant (if Different): 1000 Main St, Rose Hill

PORTLAND PERMIT # 3,405 TOWN COPY

Date Permit Issued: 5.4.89 Fee: \$24.00 Check Fee Cash Fee

L.P.I. # 123

Local Plumbing Inspector Signature: _____

Owner/Applicant Statement

I certify that the information submitted is correct to the best of my knowledge and understand that any falsification is reason for the Local Plumbing Inspector to deny a Permit.

Signature of Owner/Applicant: _____ Date: _____

Caution: Inspection Required

I have inspected the installation authorized above and found it to be in compliance with the Maine Plumbing Rules.

Local Plumbing Inspector Signature: _____ Date Approved: May 26 1989

PERMIT INFORMATION

This Application is for:

1. NEW PLUMBING
2. RELOCATED PLUMBING

Type Of Structure To Be Served:

1. SINGLE FAMILY DWELLING
2. MODULAR OR MOBILE HOME
3. MULTIPLE FAMILY DWELLING
4. OTHER - SPECIFY: Commercial

Plumbing To Be Installed By:

1. MASTER PLUMBER
2. OIL BURNERMAN
3. MFG'D. HOUSING DEALER/MECHANIC
4. PUBLIC UTILITY EMPLOYEE
5. PROPERTY OWNER

LICENSE # 123

Hook-Up & Piping/Relocation Maximum of 1 hook-Up	Number	Column 2 Type of Fixture	Number	Column 1 Type of Fixture
HOOK-UP: to public sewer in those cases where the connection is not regulated and inspected by the local Sanitary District.		Hosebibb / Silcock		Bathub (and Shower)
		Floor Drain		Shower (Separate)
OR		Urinal		Sink
		Drinking Fountain		Wash Basin
HOOK-UP: to an existing subsurface wastewater disposal system.		Indirect Waste		Water Closet (Toilet)
		Water Treatment Softener, Filter, etc.		Clothes Washer
PIPING RELOCATION: of sanitary lines, drains, and piping without new fixtures.		Grease/Oil Separator		Dish Washer
		Dental Cuspidor		Garbage Disposal
		Bidet		Laundry Tub
		Other: _____		Water Heater
Number of Hook-Ups & Relocations		Fixtures (Subtotal) Column 2		Fixtures (Subtotal) Column 1
Hook-Up & Relocation Fee				Fixtures (Subtotal) Column 2
SEE PERMIT FEE SCHEDULE FOR CALCULATING FEE				
Total Fixtures				
Fixtures Fee				
Hook-Up & Relocation Fee				
Permit Fee - (Total)				

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS



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THOMAS F. JEWELL
DAVID L. SILVERNAIL
MICHAEL E. WESTORT
CHRISTOPHER DINAN

20 Custom House Wharf

April 7, 1989

Mr. Russell Hunnewell
The Porch Restaurant
20 Custom House Wharf
Portland, Maine 04101

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Enclosure: Copy of Board's Decision

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Arthur Adlato, Code Enforcement Officer
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