

HARRY M. SHWARTZ, PRESIDENT

TELEPHONE 3-4131

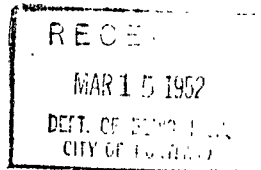
SIDNEY P. SHWARTZ, TREASURER

INDUSTRIAL
RESIDENTIAL
APPRAISALS
PROPERTY MANAGEMENT

DAVID SHWARTZ & SONS, INC.

REAL ESTATE
602 CONGRESS STREET
PORTLAND 3, MAINE

March 15, 1952



Mr. Warren McDonald, Inspector of Buildings
City Hall Building
Portland, Maine

Dear Mr. McDonald:

Re: Avon Place Garage

Thank you very much for your letter of March 11th, addressed to Sidney P. Schwartz, regarding proposed change of use of garage building situated on Avon Place. In your letter you refer to the property as being numbered 12-16 Avon Place, whereas actually the property in question includes Nos. 12-20 Avon Place as shown on files of the City Assessors. The property in recent years has also been called Nos. 5 and 7 Avon Place.

Mr. Edward E. Blanchard, local plastering contractor, intends to purchase the property in question and use same in connection with his own business, and not as a public repair and storage garage. He will likely alter same so as to provide office space in a portion of the building, and store his contractor's stock, equipment and materials on the premises. He will probably leave the small apartment on the second floor intact, which may possibly be occupied by one of his employees as caretaker. Mr. Blanchard will also store his own commercial vehicles in the building which will undoubtedly be less in number than those that were stored in the premises during the year 1938.

Mr. Blanchard understands of course that any alterations to the building must necessarily comply with the requirements of the Building Code of the City of Portland, and he will naturally submit them to you for approval before commencement of any such work.

In connection with storage of his own commercial type vehicles, we enclose herewith affidavit signed by Mrs. Rose d'Almeida who operated the garage in question in conjunction with her husband, Jose d'Almeida, continuously for a period of sixteen years from 1933. Mr. d'Almeida died on April 15, 1948, and his wife operated the garage alone for two years thereafter. During the entire sixteen years of their operation of the Avon Garage, Mr. and Mrs. d'Almeida lived in the apartment on the second floor of the building.

HARRY M. SHWARTZ, PRESIDENT

TELEPHONE 3-4161

SIDNEY P. SHWARTZ, TREASURER

INDUSTRIAL
RESIDENTIAL
APPRAISALS
PROPERTY MANAGEMENT

DAVID SHWARTZ & SONS, INC.
REAL ESTATE
602 CONGRESS STREET
PORTLAND 3, MAINE

-2-

We trust that we have supplied you with the information you require and that you will find the enclosed affidavit in order. If so, Mr. Blanchard would appreciate a letter from you advising him that upon completion of his purchase of the property no question will arise as to his being able to use the building for the purposes described above. Mr. Blanchard's address is Edward E. Blanchard, 30 Market Street, Portland, Maine.

With many thanks to you for courtesies extended in connection with this matter, we are

Very truly yours,

DAVID SHWARTZ & SONS, INC.

By *Harry M. Schwartz*

HMS:eh
Enclosure



0.114

(10) APARTMENT HOUSE ZONE

APPLICATION FOR PERMIT

Class of Building or Type of Structure Second Class
Portland, Maine, December 1, 1950

17 1830
02353
DEC 6 1950
CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to effect alter ~~repeal~~ ~~demolish~~ 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 5-7 Avon Place (on 2325 Irving St) Within Fire Limits? Yes Dist. No. _____
Owner's name and address John G. Clark, 5-7 Avon Place Telephone _____
Lessee's name and address _____ Telephone _____
Contractor's name and address Charles Hill, 531 Cumberland Avenue Telephone _____
Architect _____ Specifications _____ Plans Yes No. of sheets 1
Proposed use of building Storage Garage No. families _____
Last use _____ No. families _____
Material brick No. stories 2 Heat _____ Style of roof _____ Roofing _____
Other buildings on same lot _____
Estimated cost \$ 500. Fee \$ 2.00

General Description of New Work

To remove column in basement and provide 2 I-beams as per plan

Former permit issued to Burnham Mc L. but work not done by them. Their permit surrendered to contractor Hill who filed this new application and rejected architect's plan.

12/6/50

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 Charles Hill

Details of New Work

Is any plumbing involved in this work? _____ Is any electrical work involved in this work? _____
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 _____

Portland, ME

December 1, 1950



APARTMENT HOUSE ZONE
APPLICATION FOR PERMIT

Class of Building or Type of Structure Second Class

Portland, Maine, October 4, 1950

PERMIT ISSUED
01871
OCT 5 1950
CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect alter repair or demolish the following building structure 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 ~~5-7 Avon Place~~ 5-7 Avon Place (12-16) Within Fire Limits? yes Dist. No. _____
Owner's name and address John C. Clark, 52 Marginal Way Telephone _____
Lessee's name and address _____ Telephone _____
Contractor's name and address Burnham-McLellan, 52 Marginal Way Telephone 2-5951
Architect _____ Specifications _____ Plans yes No. of sheets 3
Proposed use of building Storage Garage No. families _____
Last use _____ " _____ No. families _____
Material brick No. stories 2 Heat _____ Style of roof _____ Roofing _____
Other buildings on same lot _____
Estimated cost \$ 500. Fee \$ 2.00

General Description of New Work

To remove column in basement and provide 2 I-beams as per plan.

*Work not done by this contractor
See permit issued to another 17/6/50*

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** Burnham-McLellan

Details of New Work

Is any plumbing involved in this work? _____ Is any electrical work involved in this work? _____
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

John C. Clark
Burnham-McLellan

Signature of owner by: *John C. Clark*

INSPECTION COPY

NOTES

Permit No.	50/1871
Location	57 Avenue Place
Owner	John P. Clark
Date of permit	10/5/50
Notif. closing-in	
Inspn. closing-in	
Final Notif.	
Final Inspn.	
Cert. of Occupancy Issued	

10-19-50. Work well along but by another contractor, Charles Hill, 2-4254, not according to plan. Permit issued, in fact had no plans. Has used single 18" WF on 22' span instead of 2 on 15'-9" span. Job workmen to stop work after strengthening it satisfactory, until matter has been straightened out. c/c

10-21-50. Mr Hill called will get engineer to make plan with statement of design and apply for new permit. c/c

11-2-50 Nothing has been done. Mr Clark said he would get in touch with Mr Hill right away. c/c

11-14-50. Mr Hill said Mr Weislander working on this and it will be in by Nov. 20, 50. c/c

11-22-50. Called Mr Hill, Mr Weislander has given figures and he is trying to find what steel can be obtained. Said he would apply for permit. Mon. Nov. 27th c/c

11-28-50. Mr Weislander in office has his figures but can do nothing until Mr Hill tells him what steel he can get. c/c

11-29-50. Letter sent. c/c

AP 5-7 Avon Place-I

12/5/50/ATH

November 28, 1950

Mr. Charles A. Hill
531 Cumberland Avenue
Mr. John C. Clark
5-7 Avon Place

Copies to: Mr. Fred C. Weislander
98 Probly Street
Miller & Seal, Inc.
465 Congress Street

Gentlemen:

Our inspector has found work going on at 5-7 Avon Place in violation of the Building Code. A building permit was issued on October 5 upon application by Burnham-McLellan, contractors, in the name of Mr. Clark as owner. This permit called for removing a column in the basement and providing two 10-inch wide flange I-beams on span of 15' 9" to take the place of the column to be removed and two Lally columns, one under either end of the two steel beams.

On October 19 our inspector found that Mr. Hill was doing the work, that he apparently had no copy of the plan by Miller & Seal, Inc. on which the permit was issued, that he was using only one 10-inch beam and the span of it would be 22 feet.

Whether or not Mr. Hill has the permit which was issued for this job, the job is still in violation of the Building Code in that no permit has been issued for the work in the way it is evidently being done. Our inspector rightfully required that all work be stopped except enough to make the situation temporarily safe. We stated that Mr. Hill would get a designer to make a new plan showing the work the way it is proposed now, that he would clear up the matter of inconsistency in the application for the permit already issued or apply for a new permit. Subsequently we learned that Mr. Fred Weislander was designing the job, that there was a question as to what steel could be procured and that Mr. Hill would apply for his permit no later than November 27. That was not done.

We shall expect this matter to be thoroughly cleared up to show us the plans compliance with the Building Code and to have the building permit applied for before December 5, 1950 or we shall be compelled to take action as directed by law without further notice.

Very truly yours,

Farran McDonald
Inspector of Buildings

WMD/G

Denied 2/4/47
47/8

City of Portland, Maine
Board of Appeals

—ZONING—

Decision

Public hearing was held on the 14th day of February, 1947,
on petition of Leon V. Walker, Trustee, et al., of property at
5 Aton Place, seeking to be permitted an exception to the regulations of
the Zoning Ordinance relating to this property.

To cover alterations in and change of use of the major and repair garage in the buildings at the above location to retail and/or wholesale plumbing, heating and contracting uses, or other retail and/or wholesale business uses, and garage use for storage of three commercial vehicles. The application for the permit to cover such change of use has been made and denied by the Building Inspector because the property is located in an Apartment House Zone where under Section 7A of the Ordinance, both the present use as a major garage and the proposed wholesale business uses are uses non-conforming with the provisions of the Ordinance in that Zone. Under Section 13A of the Ordinance, the present major garage use is allowed to continue because it existed in 1938 when the Ordinance was adopted. Because a General Business Zone is the most restricted Zone in which the existing major garage use is allowable and because the proposed wholesale business use is not an allowable use in a Limited Business Zone, which is the Zone next greater in degree of restriction to a General Business Zone, Section 13A of the Ordinance does not allow the change.

It is, therefore, determined that exception to the Zoning Ordinance may not be permitted in this specific case.

Edw. J. Colby
Helen C. Frost
B. William Hallworth
R. C. Gifford
St. Francis Brown

Board of Appeals

47/8

February 14, 1947

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF Leon V. Walker, et al
AT 5 Avon Place, Portland, Maine

Public hearing on above
appeal was held before
the BOARD OF APPEALS
today.

Present for City

Board of Zoning Appeals members:-

- Edward T. Colley
- Helen G. Frost
- B. William Holbrook
- R. L. Getchell
- N. Franzts Jensen

VOTE

	Yes	No
Mr. Colley	()	(x)
Ms. Frost	()	(x)
Holbrook	()	(x)
Getchell	()	(x)
Mr. N. Jensen	()	(x)
	()	()
	()	()
	()	()

Municipal Officers:-

City officials:-

47/8

50 Avon Street,
Portland 3, Maine.
12 Feb. 1947

Edward L. Colley, Chairman
Board of Appeals.

My dear Sir:-

I the undersigned owner, and resident of the property located at No. 50 Avon Street, Portland, wish hereby to register my protest against the suggested change in the zoning plan regarding Avon Place.

Respectfully submitted,

Perley W. Emery

47/8

WILLIAM DELUE ANDERSON, M.D.
TWENTY-NINE DEERING STREET
PORTLAND, MAINE

February
Tenth
1947.

Mr. Edward T. Colley
Chairman Board of Appeals
Portland, Maine.

Dear Sir:

As I expect to go out-of-town this week
wish to express my view in writing in regard to
the use of the buildings at 5 Avon place for
business purposes.

In this area we purchased our homes and
pay our taxes on them in a residential neighborhood,
and I believe they should be kept as such.

Allowing one business firm entrance only
broadens the path for other concerns, and would
allow this site in the future to be used for
purposes perhaps not as desirable as the one
proposed.

This is an area where people want to live,
central in our city and I would propose using this
property for living quarters, still keeping the
area residential.

Respectfully yours

Wm D. Anderson

P.S. In thirty-one years this is my first
protest.

lea/a.

February
11th,
1947.

Board of Appeals
Portland,
Maine.

Mr. Edward T. Colley

Dear Sir:

As I shall be unable to be present at the hearing in regard to the use of the property at 5 Avon Place, wish to enter a complaint as to why the use of any business in that area would lessen the value of my property and have a tendency to injure my business.

I use my property as a rooming house, and have occupants who have to sleep during the day, so know that with the extra heavy trucking, which any business firm would demand, I would run a risk of losing my tenants.

At present, Avon Street is a very busy traffic area, and I do not think any business should be brought into it, but we should be allowed to keep it as is, a residential area.

Very truly yours,

*Mrs. Grace M. DeWitt
48 Avon St.
City*

47/8

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

February 3, 1947

To Whom It May Concern:

The Board of Appeals will hold a public hearing at the Council Chamber, City Hall, on Friday, February 14, 1947, at ten-thirty o'clock in the forenoon upon the appeal under the Zoning Ordinance of Leon V. Walker, Trustee, et al., relating to proposal to cover alterations in and change of use of the major and repair garage in the buildings at 5 Avon Place for retail and/or wholesale plumbing, heating and contracting uses, or for retail and/or wholesale business uses, and garage use for storage of three commercial vehicles.

This property is located in an Apartment House Zone where under Section 7A of the Ordinance, both the present use as a major garage and the proposed wholesale business uses are uses non-conforming with the provisions of the Ordinance in that Zone. Under Section 13A of the Ordinance, the present major garage use is allowed to continue because it existed in 1938 when the Ordinance was adopted. Because a General Business Zone is the most restricted Zone in which the existing major garage use is allowable and because the proposed wholesale business use is not an allowable use in a Limited Business Zone, which is the Zone next greater in degree of restriction to a General Business Zone, Section 13A of the Ordinance does not allow the change.

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

Edward F. Colley
Chairman

47

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

February 10, 1947

TO THE MEMBERS OF THE BOARD OF APPEALS:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, February 14, 1947 at ten-thirty o'clock in the forenoon upon the following appeals under the Zoning Ordinance:

S. R. Bartholomew - Lot No. 1 Emmons Street - Allowable Use
(See attached notice for details)

✓ Leon V. Walker - 5 Avon Place - Change of Use
(See attached notice for details)

Ridlon's Garage, Inc. - 329 St. John Street - Allowable Use
(See attached notice for details)

Mrs. Bernice K. Clark - 25-27 Clifton Street - Allowable Use
(See attached notice for details)

In addition to the above "use" appeals, Joseph F. Coyne, 50 Tyng Street, has made application for building permit to cover construction of one-story addition 3-1/2 feet by 4 feet at the side of the dwelling house at this address. Said permit has been denied because under the Zoning Ordinance the dwelling is located in an Apartment House Zone where Section 70 provides that there shall be a side yard or space between the side of the dwelling and the side lot line of no less than 10 feet in width. Appellant is requesting permit for variation in such open or yard space as provided under Section 154 of the ordinance.

BOARD OF APPEALS

Edward T. Colley
Chairman

47/8

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

February 10, 1947

Leon V. Walker, Trustee, et al.
57 Exchange Street
Portland, Maine

Dear Mr. Walker:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, February 14, 1947 at ten-thirty o'clock in the forenoon upon your appeal under the Zoning Ordinance relating to your proposal to cover change of use of the major and repair garage in the buildings at 5 Aron Place to retail and/or wholesale business uses, and garage use for storage of three commercial vehicles.

Please be present or be represented at this hearing in your behalf.

BOARD OF APPEALS

Edward T. Colley
Chairman

cc: Mr. Ralph Young
389 Stevens Avenue
Portland, Maine

AP 5 Avon Place-I

February 3, 1947

Mr. Leon Walker, Tr. under will of
Carolyn Weston
57 Exchange Street
Mr. Ralph Young
385 Stevens Avenue

Subject: Application for building permit to cover
change of use of the Repair and Major Garage
and dwelling house at 5 Avon Place to retail
and/or wholesale business and garage used for
storage of three motor vehicles, retaining the
single apartment as at present

Gentlemen:

As explained to Messrs. Young and Stephens in the office, this permit for change of use is not issuable under the Zoning Ordinance because the property is located in an Apartment House Zone where under Section 7A of the ordinance, both the present use and the Major and Repair Garage and the proposed use as a wholesale business and garage for storage of more than one commercial vehicle are uses non-conforming with the provisions of the ordinance in that zone. Under Section 13A of the ordinance, the present Major and Repair Garage use is allowed to continue because it existed in 1938 when the ordinance was adopted. Because a General Business Zone is the most restricted zone in which the existing Major and Repair Garage is allowable and because the proposed wholesale business and storage of more than one commercial vehicle is not an allowable use in a Limited Business Zone, which is the zone next greater in degree of restriction to a General Business Zone, Section 13A does not allow the change.

It is understood that a variance appeal to the Board of Appeals is desired seeking the change, nevertheless, and, in fact, has already been filed to help the owner and prospective purchaser to the end that the question may be settled at the earliest possible date. So that you may be apprised of the full appeal procedure, however, I am enclosing an outline of the appeal procedure to each of you.

When Messrs. Stephens and Young were in the office, there was considerable uncertainty as to just how the building would be used, as to what part might be used for the wholesale business and what part used for the storage of the three commercial vehicles or trucks. Also, it was not determined whether or not physical alterations might be desired in the building.

It would be best to get these questions of location in the building of the wholesale business and of the truck storage together with the amount of floor area desired for those purposes. It would also be well to determine upon any physical alterations to be made, especially if they could be termed structural alterations as Section 13A of the ordinance makes granting of such an appeal rather an exact process making it quite clear that the particular location and amount of space occupied by non-conforming uses and the question as to whether or not there are to be structural alterations, essential features for the consideration of the Board of Appeals. If these features are not rather accurately determined before the public hearing, and communicated to the Board, any favorable action might not be broad enough to meet the needs of the prospective purchaser, and he might find himself still unable to get the building permit for exactly what he wants.

Very truly yours,

WHD/S

Inspector of Buildings

Encl: Outline of appeal procedure to each addressee
CC: Edward H. Stevens, c/o Alton T. Maxin, 165 Congress Street
Barnett L. Shur, Corporation Counsel

me

INQUIRY BLANK

ZONE "A"
FIRE DIST. 1

CITY OF PORTLAND, MAINE
DEPARTMENT OF BUILDING INSPECTION

Date 12/10/46

Verbal
By Telephone

LOCATION Arden Place OWNER Siron Walker Trustee
MADE BY Harold Ross TEL. 2-2479
3-9111

ADDRESS 124 Eastmouth Street

PRESENT USE OF BUILDING Repair + Storage Garage
CLASS OF CONSTRUCTION 2nd + 3rd NO. OF STORIES 3
2 + basement

*with
12/11*

REMARKS: Jesse Rosenberg, agent negotiating sale
of buildings Cell business to be conducted
during daytime.

INQUIRY: 1- Is it permissible to use basement of this
building now used for storage of automobiles
for storage of cases of bottled drinks (Moxie)
and empty cases? Garage use to continue as
at present in rest of building.

ANSWER: 1- Probably OK, since floor above is of con-
crete providing required separation, but
would have to check this and let him know
definitely.

Since a storage warehouse is a permissible use
in the Limited Business Zone, which is the zone next
greater in degree of restriction to the General Business Zone
where the repair garage is conforming the use of the

DATE OF REPLY 12/10/46 REPLY BY A.J. Sears

12/11/46

(over)

File

12-16 Lion & Stephen St. (col 123)
18-50 " " " " (" 7)

INQUIRY BLANK

ZONE A

FIRE DIST. 1

CITY OF PORTLAND, MAINE
DEPARTMENT OF BUILDING INSPECTION

Verbal
By Telephone

DATE 3/26/46

LOCATION ¹²⁻¹⁶ Avon Place (col 123) OWNER Samuel Walker

MADE BY H. V. Jonah TEL. None

ADDRESS 75 Forest Avenue

PRESENT USE OF BUILDING Public Garage

CLASS OF CONSTRUCTION Second Class NO. OF STORIES 2

REMARKS:

INQUIRY: Can this building be continued in use as a repair garage? Or is use legal under the Building Code and zoning Ordinance?

*OK
Wm
3/26/46*

ANSWER: Yes, it was a use existing at time of adoption of 1926 Building Code and likewise was in existence at time of adoption of zoning Ordinance. Use for Body Repair Shop questionable on account of noise Mr. Jonah said he would be making no such repairs

DATE OF REPLY 3/26/46 REPLY BY A. J. Sears

Mr. Leon W. Walker-----2

August 14, 1941

The Building Code also provides: "Every existing freight elevator, operating in an open shaftway, or where approach to elevator at any floor level is not otherwise protected against persons falling into the shaftway or being injured by operation of hatchway doors, shall have provided around floor openings hatch gates, which shall close automatically with the movement of the elevator from the floor level by which the gates are located."

You will see from this quotation that even though the brick walls were not removed hatch gates are required at all places where the walls at the various floors are open in such a way that persons might fall in the shaftway. These brick walls extend the entire length of one side of the shaftway except for one opening in the wall at each floor level. Obviously if the brick wall in the first story were removed it would be necessary to protect the entire side of the shaftway with automatic gates and the same wall/area in the cellar if there is any pit beneath the elevator into which a person might fall or to protect a person from walking beneath the elevator on its way down.

Will you be kind enough to consider this letter as a formal order as directed by the Building Code to cover inspection, report and repair or improvement if found necessary of the elevator mechanism and safety devices, and to cover provision of the automatic hatch doors and the hatch gates? Of course, if the elevator car were removed and both floors closed over, all these questions would disappear.

Will you also be kind enough, after considering this matter, to advise me if you desire the building permit applied for to be issued?

Very truly yours,

WicD/H

Inspector of Buildings

CC: Joseph Almeida
5 Avon Place

Rept. 9929C-I

August 14, 1941

Mr. Leon V. Walker,
57 Exchange Street,
Portland, Maine

Dear Mr. Walker:

Your tenant at 5 Avon Place, Joseph Almeida, who has a copy of this letter, has applied for a permit in your name as owner, giving himself as contractor to cover certain alterations in the building. These would consist in moving an existing eight inch brick wall at the side of the present elevator well both in the basement and on the first floor, supporting the work overhead with a steel I-beam.

As far as the particular structural work involved is concerned, it appears to be in compliance with Building Code requirements provided the new steel beam to be introduced is fireproofed with a two-inch thickness of concrete or equivalent, but the application has brought to my attention certain conditions about the existing elevator which are deficient and which would have to be taken care of whether the alteration proposed is done or not. On this basis it seemed best to tell you of the entire situation and await assurances from you before issuing the permit.

With regard to the elevator mechanism I remember some trouble with it years ago, but I have been unable to put my hand on the transactions at that time. At the present time, however, the safety of the hoisting equipment is greatly in doubt. Under such circumstances Section 706-b of the Building Code instructs me to direct the owner to have an inspection made by a competent person to determine the condition of all mechanical parts, safety devices and appurtenances of the elevator, a report in writing of the conditions found to be made to this office, any defective or unsafe conditions found by the inspection to be corrected of course, and all of this at the expense of the owner of the elevator.

I was unable to get clear to the top of the building to examine the sheaves, but the elevator is powered by an old automobile motor set up on the second floor. The arrangement appears to be a makeshift, and I feel quite sure that if any factor of safety originally existed that it has all but disappeared at the present time. I realize that this elevator is not used frequently, but it is the only means of getting motor vehicles or anything else heavy to the second story. I feel then that I must require the inspection indicated above by a competent elevator man to determine the true condition and safety, if the elevator is to be continued in the shaft or used in any way whatever.

The Building Code provides with regard to existing elevators that, if there is no fire-resistive enclosing walls for the shaft, the opening at each floor shall be protected by metal covered hatch doors operated by the movement of the elevator in such a way that the doors will always be closed when the elevator is not at the particular floor where they exist.



(A) APARTMENT HOUSE ZONE
APPLICATION FOR PERMIT

Class of Building or Type of Structure Second Class Permit No. _____

Portland, Maine, July 31, 1963

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

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

Location 5 Avon Place Within Fire Limits? yes Dist. No. 1

Owner's or Lessee's name and address Leon V. Walker, 57 Exchange Street Telephone _____

Contractor's name and address Joseph Almeida, 56 Avon Place Telephone 3-1963

Architect _____ Plans filed yes No. of sheets 1

Proposed use of building Major Garage No. families _____

Other buildings on same lot _____

Estimated cost \$ 255 Fee \$ 1.00

Description of Present Building to be Altered

Material brick No. stories 2 Heat steam Style of roof flat Roofing tar

Last use Major Garage No. families _____

General Description of New Work

To remove existing 8" brick wall on one side of present elevator well in basement and on first floor, supporting same with I-beams as per plan submitted

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? _____ CERTIFICATE OF OCCUPANCY REQUIREMENT IS WAIVED

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 _____

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) 2x4-10" 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? yes

Signature of owner Leon V. Walker Almeida

INSPECTION COPY

9812



APARTMENT HOUSE
APPLICATION FOR PERMIT PERMIT 153

Class of Building or Type of Structure Second Class 1927
NOV 21 1934

Portland, Maine, November, 20, 1934

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

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

Location 5 Ave Place Ward 5 Within Fire Limits? yes Dist. No. 1
Owner's or lessee's name and address Lane & Walker, 57 Exchange St. Telephone _____
Contractor's name and address Albert Peterson, Eastland Hotel Room 292 Telephone 2-5411
Architect's name and address Webster & Libby
Proposed use of building Garage No. families _____
Other buildings on same lot _____
Plans filed as part of this application? yes No. of sheets 1
Estimated cost \$ 200. Fee \$.75

Description of Present Building to be Altered

Material brick No. stories 2 1/2 Heat steam Style of roof flat Roofing T&G
Last use Garage No. families _____

General Description of New Work

To provide one new double door (10'0" opening) in basement of building

CERTIFICATE OF OCCUPANCY
REQUIREMENT IS WAIVED

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

Size, front _____ depth _____ No. stories _____ Height average grade to top of plate _____
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 _____
Material of underpinning _____ Height _____ Thickness _____
Kind of Roof _____ Rise per foot _____ Roof covering _____
No. of chimneys _____ Material of chimneys _____ of lining _____
Kind of heat _____ Type of fuel _____ Is gas fitting involved? _____
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? yes

INSPECTION COPY
Signature of owner Lane & Walker By Albert Peterson
Oliver T. Sanborn
WARDEN OF BUREAU



PERMIT ISSUED

Permit No. 9157

APPLICATION FOR PERMIT TO REPAIR BUILDING

2d & 3d Class Building

FEB 27 1933

Portland, Maine, February 27, 1933

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to repair the following described building in accordance with the Laws of Maine, the Building Code of the City of Portland, and the following specifications:

Location 5 Avon Place Ward 5 Within fire limits? yes Dist. No. 1

Owner's name and address Leon V. Walker, Trustee, 57 Exchange St. Telephone

Contractor's name and address Brown & Berry, Inc. 22 Monument St. Telephone F 4695

Use of building Garage and one family dwelling house

No. stories 2 Height ft., Gross area sq. ft., Style of roof

Type of present roof covering

General Description of New Work

To Repair after Fire to former condition. No alterations.

CERTIFICATE OF OCCUPANCY REQUIREMENT IS WAIVED.

2d floor timbers 2x6 beside existing timbers
plaster board ceiling lot

If Roof Covering is to be Repaired or Renewed

When last repaired? Area then repaired sq. ft.

Are repairs or renewal due to damage by fire? yes If so, what area damaged? sq. ft.

Area of roof to be repaired now? sq. ft.

Type of roofing to be used No. plies

Trade name and grade of roof covering to be used

Estimated cost \$ 900. Fee \$ 1.00

Leon V. Walker, Trustee
By Brown & Berry, Inc.

Signature of owner

By E. E. ...

INSPECTION COPY

9516A



Location, Ownership and detail must be correct, complete and legible.
 Separate application required for every building.
 Plans must be filed with this application.

Application for Permit for Alterations, etc.

To the Inspector of Buildings: Portland, August 2, 1919 191

The undersigned applies for a permit to alter the following-described building:

Location Avon Place Ward 6 in fire limits? yes
 Name of Owner or Lessee Western Estate Address 57 Exchange St
 " Contractor C. B. Hoyett & Son " 192 Brackett St
 " Architect, _____ " _____

Description of Present Bldg:

Material of Building is brick Style of Roof flat Material of Roofing tar & gravel
 Size of Building is 33 feet long; 40 feet wide. No. of Stories 2
 Cellar Wall is constructed of stone is _____ inches wide on bottom and batters to _____ inches on top.
 Underpinning is brick is _____ inches thick; is _____ feet in height.
 Height of Building 20ft Wall, if Brick; 1st 2d 3d 4th 5th
 What was Building last used for? garage No. of Families? _____
 What will Building now be used for? public garage

DETAIL OF PROPOSED WORK

Repair after fire to comply with the building ordinance.

Estimated Cost \$ 750.

IF EXTENDED ON ANY SIDE

Size of Extension, No. of feet long? _____; No. of feet wide? _____; No. of feet high above sidewalk? _____
 No. of Stories high? _____; Style of Roof? _____; Material of Roofing? _____
 Of what material will the Extension be built? _____ Foundation? _____
 If of Brick, what will be the thickness of External Walls? _____ inches; and Party Walls _____ inches.
 How will the extension be occupied? _____ How connected with Main Building? _____

WHEN MOVED, RAISED OR BUILT UPON

No. of Stories in height when Moved, Raised, or Built upon? _____ Proposed Foundations _____
 No. of feet high from level of ground to highest part of Roof to be? _____
 How may feet will the External Walls be increased in height? _____ Party Walls _____

IF ANY PORTION OF THE EXTERNAL OR PARTY WALLS ARE REMOVED

Will an opening be made in the Party or External Walls? _____ in _____ Story.
 Size of the opening? _____ How protected? _____
 How will the remaining portion of the wall be supported? _____

Signature of Owner or Authorized Representative

Chas. B. Hoyett & Son
192 Brackett St.

Address _____

PERMIT MUST BE OBTAINED BEFORE BEGINNING WORK



Location, Ownership and detail must be correct, complete and legible.
 Separate application required for every building.
 Plans must be filed with this application.

Application for Permit for Alterations, etc.

Portland, 8-4-14 191

To the
 INSPECTOR OF BUILDINGS:

The undersigned applies for a permit to alter the following-described building:—

Location, Avon Place Wd. ?
 Name of owner is? C. F. Libby Address, City
 Name of mechanic is? Chas. B. Howatt & Son 192 Brackett St
 Name of architect is? "
 Material of building is? Wood Style of roof? Pitch Material of roofing? Shingles
 Size of building, feet front? ; feet rear? ; feet deep? ; No. of stories?
 Size of L, feet long? ; feet wide? ; feet high? ; No. of storeis? ; roof?
 No. of feet in height from sidewalk to highest point of roof? Material of foundation?
 Thickness of external walls? Party walls? Distance from line of street? Width of street?
 What was the building last used for? Stable How many families? Number of stores?
 Nature of egress? Size of lot front? ; rear? ; deep?
 Building to be occupied for Garage after alteration. Estimated cost?

Descrip-
 tion of
 Present
 Bldg.

PERMIT MUST BE OBTAINED BEFORE BEGINNING WORK.

DETAIL OF PROPOSED WORK.

to remodel and repair.

IF EXTENDED ON ANY SIDE.

Size of extension, No. of feet long? ; No. of feet wide? ; No. of feet high above sidewalk?
 No. of stories high? ; style of roof? ; material of roofing?
 Of what material will the extension be built? Foundation?
 If of brick, what will be the thickness of external walls? inches; and party walls inches.
 How will the extension be occupied? How connected with main building?
 Distance from lot lines:— Front? ; side? ; side? ; rear?

WHEN MOVED, RAISED OR BUILT UPON.

Number of stories in height when moved, raised or built upon? Proposed foundations?
 Number of feet high from level of ground to highest part of roof to be?
 Distance back from line of street? Distances from lot lines when moved?
 Distance from next buildings when moved? ; front? ; side? ; side? ; rear?
 How many feet will the external walls be increased in height? Party walls?

IF ANY PORTION OF THE EXTERNAL OR PARTY WALLS ARE REMOVED.

Will an opening be made in the party or external walls? in story.
 Size of the opening? How protected?
 How will the remaining portion of the wall be supported?

Signature of owner or
 authorized representative,

Chas. B. Howatt & Son

Address,

192 Brackett St