

811 CONGRESS STREET

SHAW-WALKER

First cut # 9201 - Second cut # 9202R - Third cut # 9203R - Fifth cut # 9205R

811-813 Congress St.

April 29, 1969

Archie Tevanian
44 Cedar Street

Dear Mr. Tevanian:

An inspector from this department on April 29th reports that you have not completed the requirements for your parking lot on the above named location as of this date. See our letter to you on October 23, 1968 in which we stated that this lot cannot legally be used for parking until a certificate of occupancy is issued from this department. It is important that the requirements stated in this letter be met and that you notify this office of readiness for another inspection so that, if all is found in order, the required certificate of occupancy can be issued.

Very truly yours,

A. Allan Soule
Assistant Director of Building Inspection Dept.

AAS:2

BP - 811-813 Congress St.

October 23, 1968

Mr. Archie Tevanian,
44 Cedar Street

Dear Mr. Tevanian:

On August 5, 1968 we issued to you a permit for an off-street parking lot at 811-813 Congress Street.

This permit was issued on the condition that a 4-foot high fence would be provided along the rear lot line. The fence may be chain linked, picket or sapling. If vehicles are closer than 10 feet to the street line, then a bumper guard 20 inches high or curb at least 6 inches in height and anchored 5 feet from the street line is required.

We find upon inspection that these things have not been done and that cars are parking over the sidewalk.

We will expect you to have this work done on or before November 6, 1968 at which time we will make another inspection.

A Certificate of Occupancy is required from this department before this lot can legally be used for parking and this certificate cannot be issued until the above conditions have been met.

Very truly yours,

R. Lovell Brown
Director

h

811-813 - Congress

St

1/10/15

A. 1. 2.

B. 1. 2.

63 2-37, 38

B-2

Deer

RL

12

817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000

Congress St

APPLICATION FOR CERTIFICATE OF OCCUPANCY FOR USE OF PREMISES

Location Portland, Maine Zone

To the INSPECTOR OF BUILDINGS, Portland, Maine

The undersigned hereby applies for a certificate of occupancy to allow the use of the above named premises for

as set forth on the attached site plan (made by whose address is) to show compliance with the Zoning Ordinance according to the intended use and the zone in which the property is located; and in accordance with the following pertinent information:-

Owner (name, address and phone number)

Lessee (name, address and phone number)

Is proposed use to be accessory to a building or other use on this lot? no
If so, what is use of building or other use

If off-street parking sought, what is proposed maximum number of vehicles to be parked--passen ars? , commercial vehicles?

Have you secured on the site plan the written approval of existing and proposed entrances to and exits from the premises for vehicles over public sidewalks by the Traffic Engineer (Dept. of Public Works)?
And, if access to the premises is available from more than one street, have you secured similar approval by the Planning Board?

Have you shown on the site plan the true location of all trees on the public street along the frontage of the premises (both streets if a corner lot)?

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

Signature of Owner

By (fully authorized thereto)

THIS IS NOT A CERTIFICATE OF OCCUPANCY

To:

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

However, improvement of the premises according to the site plan and the above application may now proceed without further authorization, but subject to the conditions indicated below--notice of readiness for inspection to be given to this department when the premises have been placed in compliance with the requirements:- A 4 foot high fence shall be erected along the rear lot line. The fence shall be made of chain link or equivalent material. If vehicles are located closer than 10 feet from the street line, a sign shall be placed 40 inches high on the rear fence stating "No Parking" in white letters on a black background. (Date: 8/1/68)

Inspector of Buildings

RECEIVED 9-10-68 Nothing done

10-21-68

Not finished yet some goods
done - no more to do in it
- single -

10/21/68 - Mr. Teravien was in about four around
nothing. He is trying to buy some fence but would
like more time. I gave him until Dec 14th. I told
him what the old state of New York would stand as
the required state. He will also put 2 bumper
cush. down on front. I think at best he
spoke to him by phone before we could carry
more with us. He was willing to do what was
right. Alla.

10-21-68-

Bob and Hugh started out to get in the
for the first time, 10000,

4-29-69 Nothing done AD

10-21-68

Not going out yet. Some people
were in the office today.
- Hight -

10/31/68 - Mr. Swanson was in about 10:00 am.
He is trying to buy some fence but we let
him know that I gave him about \$140. I told
him that the old state of Ohio would stand as
the required state. He will also put 2 bumper
cushions down on front. I think it best to
show him by phone before we would say
more later as he seems willing to do what we
want. Allen.

10-31-68-

Not and thought about going to Tinian
for the 1st of Nov.

H-29-69 Nothing done. Ad

November 1, 1968

Popkins Zakarian
65 Center Street

Re: B.P. 811-813 Congress Street
(letter enclosed which was addressed to
Mr. Archie Tevanian)

Dear Mr. Zakarian:

Enclosed is the letter to Mr. Tevanian which you submitted to me yesterday for my review. I have gone over this with Mr. Soule who takes care of most of our zoning problems and he pointed out that Mr. Tevanian had that morning been in to see him and asked for an additional amount of time to achieve the requirements of this letter.

These requirements are those required by the Code which Mr. Tevanian was made aware of when applying for the permit for this parking area. When he left this office he seemed to be satisfied that an extension of time would be satisfactory to him to complete this work.

I hope this will clarify his situation to you. As I said to you yesterday the door swings two ways down here, please don't hesitate to drop in and see me from time to time.

Respectfully yours,

Bob Brown
Director of Building Inspection

BLB:m



B2 BUSINESS ZONE
CITY OF PORTLAND, MAINE
DEPARTMENT OF BUILDING INSPECTION
COMPLAINT

INSPECTION COPY

COMPLAINT NO. 68/60

Date Received July 23, 1968

Location:

811-813 Congress St.

Location 811-813 Congress Street Use of Building Parking lot

Owner's name and address Archie Teyanian, 14 Congress Street Telephone

Tenant's name and address Telephone

Complainant's name and address Office Telephone

Description: Vacant lot being used for parking lot - no permit

NOTE: 7-25-68 Phone Mrs Teyanian - asked
her to come in & we would explain
requirements to make legal parking
lot.

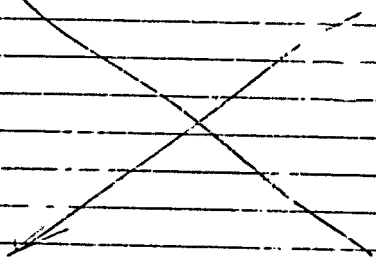
Refer to A. Soule.

11-6-68 Nothing done as yet - will work
again in 4 weeks -

11-9-68 Same JK

1-2-69 Same JK

2-12-69 - Will take care of this! JK



Alt. 69/60- 811-613 Congress Street -

July 31, 1968

Archie Tevanian
44 Cedar Street

Dear Mrs. Tevanian:

An inspector for this department reports that the vacant lot at the above named location reported to be owned by you is being used for a parking lot.

Parking in a B-2 Business Zone in which this property is located is allowable under the Zoning Ordinance; but, before this property can be used for this use it will be necessary for you to apply at this office, Room 113, City Hall for a certificate of occupancy to park vehicles here.

We would need a plot plan of the lot showing the parking spaces to be provided when you apply for this certificate of occupancy.

Enclosed is a summary of the Zoning Ordinance regulations for off-street parking. Section C & D marked in red would apply to your lot.

Now that this matter has been brought to your attention it is hoped that we may have your cooperation in removing these vehicles, or that you take the above steps to make this a legal use so that further action by this and other departments will not become necessary.

Very truly yours,

A. Allan Soule
Deputy Director of Building Inspection

AAS:m



B2 BUSINESS ZONE

APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, July 20th 1965

PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

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

Location 811-813 Congress Street Within Fire Limits? _____ Dist. No. _____
Owner's name and address Archie Tevanian, 44 Cedar St. Telephone _____
Lessee's name and address _____ Telephone _____
Contractor's name and address Sam Serota, 43 Walton Street Telephone _____
Architect _____ Specifications _____ Plans _____ No. of sheets _____
Proposed use of building _____ No. families _____
Last use _____ Apartment house No. families 4
Material frame _____ No. stories 2½ Heat _____ Style of roof _____ Roofing _____
Other buildings on same lot _____
Estimated cost \$ _____ Fee \$ 2.00
3.00 8/16/65

General Description of New Work

To demolish existing 2½ story frame apartment house

Land to be left vacant

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

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 Sam Serota

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? _____

APPROVED:

OK - 7/20/65 - ags

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 to safety are observed? yes

Archie Tevanian

CS 301

INSPECTION COPY

Signature of owner By: Sam Serota P.H.

Permit No. 651732
Location 811-11.3 Quigley Street
Owner Charlie L. L. L.
Date of permit 7/20/65
Notif. closing-in
Inspn. closing-in
Final Notif.
Final Inspn.
Cert. of Occupancy issued
Staking Out Notice
Form Check Notice

NOTES

8-12-65 Down &
graded

X

CITY OF PORTLAND
HEALTH DEPARTMENT
HOUSING DIVISION



Loc. 811 Congress St.
Loc w/1 S
Bldg X Fire X Elec Other
Issued October 21, 1957
Expires November 21, 1957

Mrs. Lillian Whittenmore
811 Congress St.,
Portland, Maine.

Dear Sir:

On July 15, 1957

at 811 Congress St. Portland, Me. an examination was made of the premises located

Non-compliance with the ordinances relating to housing conditions was found as detailed below.

In accordance with the provisions of the above ordinance, you are hereby ordered to correct these defects according to specifications within the time limits allowed. Failure to comply with this notice will necessitate legal action.

Some repairs or improvements required will necessitate permits which are to be obtained from the Building Inspector, Health, Fire or other City Departments. These must be obtained before the work is started.

If any additional information is desired, visit or telephone the Housing Supervisor at this Office, telephone 4-1431, extension 226. Kindly notify this office as soon as all corrections have been completed.

Very truly yours,
Edward W. Colby, M.D.
Health Director

By _____
Housing Supervisor

VIOLATIONS & SPECIFICATIONS

Responsibility of Owner or Agent ** Responsibility of Occupant

STRUCTURAL REPAIRS

Repair or replace the loose, worn, dilapidated and hazardous parts of the structure as follows:

- Repair or replace the cracked, loose or missing plaster on the ceiling of the 3rd floor apartment.
- Repair or replace the loose, worn, dilapidated and hazardous parts of the floor boards on the porch, right side.
- Replace the missing section of the down spout in the rear of the structure.

The above mentioned conditions are in violation of the City Ordinance, "Minimum Standards for Continued Occupancy" and must be corrected on or before November 21, 1957.



LIMITED BUSINESS ZONE
APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class
Portland, Maine, Nov. 1, 1949

PERMIT ISSUED

NOV 4 1949

CITY of PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

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

Location 81 1/2 Congress Street Within Fire Limits? Yes Dist. No. C-4-A-TF
Owner's name and address Lillian Whittier, 311 Congress Street Telephone 5-9903
Lessee's name and address _____ Telephone _____
Contractor's name and address Russell Bornstein, 180 Danforth Street Telephone _____
Architect _____ Specifications _____ Plans _____ No. of sheets _____
Proposed use of building Lodging house Last use " " No. families _____
Material Frame No. stories 3 Heat _____ Style of roof _____ No. families _____
Other buildings on same lot _____ Roofing _____
Estimated cost \$ _____ Fee \$ 1.00

General Description of New Work

To install automatic fire alarm using Spot Fire Lowecator thermostats (Models 101) made by Star Sprinkler Corp. not more than 30' apart nor more than 15' at right angles from any wall or partition extending to ceiling, to cover entire cellar and sub-cellar, if any, all public and stair halls, all closets off halls or under stairs, all hazardous rooms and attached garage, if any. gongs of such tone, strength of signal, number and location as to arouse all persons for whose protection intended-current by dry batteries of capacity to ring all gongs simultaneously at full signal strength, to operate system for at least one year, installed in substantial cabinet of no less than 14 gauge steel or well-seasoned wood at least 3/4" thick with hinged door and catch and located not less than 6" nor more than 6' above floor in dry, clean place where temperature will not go below 40 degrees F. nor above 100 degrees--test button rigidly fastened in place, conveniently located to permit and capable of testing entire system frequently. Alarm silencing switch, if provided, will be so arranged that alarm will sound if switch is thrown to "silent" position when alarm is not sounding. Installer will fasten to control box full instructions as to operation and testing of system and where and how to secure servicing if system gets out of order.

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** Edwards is mfg. Permit Issued with Letter
To install 3-6" bells on 1st, 2nd, 3rd floors in halls; **Permit Issued with Memo**
Were Sent to Fire Chief

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:

OK 11/2/49 Jm

Miscellaneous

Will work require disturbing of any tree or _____
Will there be in charge of the above work _____
see that the State and City requirements are observed? yes

Lillian Whittier

INSPECTION COPY

Signature of owner

BY:

Russell Bornstein

NOTES

12249 "fixed motor
and left - used to have
instructor's part in
electrical - but also to
add "test & eval";

11.23

Permit No. 491191E

Location 811 (on Qu 20 St)

Owner Edna M. Smith

Date of permit 11/4/77

Notif. closing-in

Inspn. closing-in

Final Notif.

Final Inspn.

Cert. of Occupancy issued

AP 811 Congress Street-I

November 4, 1949

Mr. Russell Bornstein
180 Danforth Street
Portland, Maine

Subject: Permit for installation of standard
automatic fire detection and alarm system
at 811 Congress Street

Dear Mr. Bornstein:

It appears that this is your first experience, at least as principal installer, of installing a standard automatic fire detection and alarm system under the Building Code of Portland. If that is true, it seems best to caution you about the many complications which have surrounded such installations since the Building Code first began to control them two or three years ago.

Through the past three or four years we have been compelled to "pioneer" in this matter, and the entire program has to be based upon the provisions in the text of the Building Code in Section 1034 of the Code, copy of which I am enclosing.

If you are not precisely sure that you understand these requirements of the Building Code and that you can proceed to make this installation in compliance therewith and with the application for the permit which you have filed here, it would be best for you to talk the matter over with Mr. Thurlow of this office before starting the work.

Location of control box, type of testing arrangements, location and number and spacing of thermostats and of gongs have all been matters of discussion and reconsideration between this department and installers for a number of years. We cannot go into all that in this letter, and we have been trying through the years to avoid requiring a detailed plan of each layout to be filed with the application for the permit, thus increasing the inconvenience to the installer and the cost to the owner.

It is understood that you are to use the type of system and control box which uses the house current through a transformer for the primary power for ringing the gongs and adequate dry batteries for the standby supply with the excellent arrangement of automatic changeover in case the regular supply of electricity is cut off through storm or otherwise. In such a case if fire should occur the dry batteries to automatically come into play to ring the gongs. With this excellent arrangement there is one stipulation and that is that the test button or switch is to be arranged so that it tests only the battery power as to ringing the gongs without any complications, so that the part, in charge of the building can daily, as he is expected to do, go to the control box and with a simple and single operation of pressing a button or throwing a switch once can test the system as far as the batteries are concerned.

Very truly yours,

WMC/G
CC: Miss Millian Whitemore.
811 Congress Street
Eastern Fire Equipment, Inc.
405 Fore Street

Warren McDonald
Inspector of Buildings

MEMORANDUM FROM DEPARTMENT OF BUILDING INSPECTION, PORTLAND, MAINE
811 Congress Street—Installation of automatic fire alarm system for William
McDonald, owner, installer

When such a system has been installed, the owner and lessee of the building are responsible for keeping the system in working order at all times so that the system may always be on guard to warn the occupants of the building in case a fire starts. To discharge this responsibility and to have good assurance that he will not be held either financially or criminally liable in case of injury or loss of life in his building due to fire, it is my belief that the owner and lessee must see to it that the alarm system is tested every twenty-four hours. This may be done by merely pressing very briefly the test button to see if the bells ring loud and clear.

Most of these systems have dry batteries for their power, and the batteries will deteriorate in time so that they will not ring the alarm bells satisfactorily, if at all. If the batteries are used briefly in this test every day, they will last longer than when tested less frequently. I try to have one of our inspectors test each system once a month, but that is not often enough by a great deal.

Because this is a safety device whenever it is found that the bells do not ring loud and clear or any other defect appears in the system, the owner or his agent should notify immediately some predetermined party who has agreed in advance to come at once and service the system, whether day or night, Sundays or holidays.

It is recommended that the name of such a party and the address and telephone number be posted permanently on or in the control box of the system.

WMcD/G

CC: William McDonald
811 Congress Street

(Signed) WARREN McDONALD

INSPECTOR OF BUILDINGS

City of Portland, Maine
Board of Appeals
—ZONING

September 27,

1949

Sustained
10/14/49
49/88

To the Board of Appeals:

Your appellant, Miss Lillian Whittemore, who is the owner of property at 811 Congress Street, respectfully petitions the Board of Appeals of the City of Portland to permit an exception to the regulations of the Zoning Ordinance relating to this property, as provided by Section 18, Paragraph E of said Zoning Ordinance.

Building permit to include construction of a wooden outside stairway to serve as a fire escape from third and second floors on the side toward Deering Avenue of the dwelling house at 811 Congress Street (it is now proposed to convert this dwelling to a lodging house), is not issuable under the Zoning Ordinance because there would be only about 6' between the proposed stairway and the side property line instead of the minimum of 10' required by the Zoning Ordinance in the limited Business Zone where the property is located.

The facts and conditions which make this exception legally permissible are as follows:

The owner is trying under a building permit to change the building from a dwelling house to a lodging house, and the law requires a second means of egress from both second and third floors. There is no place within the building for this second stairway and this space at the side of the building is the only space available for the structure.

Lillian M. Whittemore
Appellant

After public hearing held on the 14th day of October, 1949, the Board of Appeals finds that an exception is necessary in this case to grant reasonable use of property and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

It is, therefore, determined that exception to the Zoning Ordinance may be permitted in this specific case.

Robert X. Githel
John C. Frost
Wm. H. Hallowell
James S. Moore
John W. Lake
BOARD OF APPEALS

LATE: October 14, 1959

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF MISS LILLIAN WHITTEMORE
AT 811 Congress Street

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

<u>Board of Appeals</u>	<u>Vote</u>		<u>Municipal Officers</u>
	Yes	No	
Mr. Getchell	(x)	()	
Mrs. Forst	(x)	()	
Mr. O'Brien	(x)	()	
Mr. Holbrook	(x)	()	
Mr. Lake	(x)	()	
	()	()	
	()	()	
	()	()	
	()	()	

Record of hearing:

Mr. Nichols, contractor for Miss Whittemore.

Affirmative vote also on September 30, 1949, but laid up for neighbor to be heard. He did not appear

1949
September 30, 1949

Mr. Edgar J. Nickerson, owner of property at 807 - 809 Congress Street, telephoned that he did not receive his notice of the Whittemore appeal in time. Notice correctly mailed and delivered, but put in wrong mailbox at his residence. Did not discover it until Friday noon. He objects most strenuously to a wooden stairway on this location and feels that it would not only look terrible, but obstruct his driveway. Mr. Nickerson is in a mood to hire an attorney on this case.

M.

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

October 11, 1949

Mr. Edgar J. Nickerson
809 Congress Street
Portland, Maine

Dear Mr. Nickerson:

The Board of Appeals will hold a continued public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, October 14, 1949 at 10:30 a. m. to hear the appeal of Miss Lillian Whittemore requesting exception to the Zoning Ordinance to permit construction of outside wooden stairway on the premises at 811 Congress Street.

If you wish to be heard either for or against, this appeal, please be present or be represented at this hearing.

Very truly yours,
Robert L. Getchell
Chairman

M

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

October 11, 1949

Miss Lillian Whittmore
811 Congress Street
Portland, Maine

Dear Miss Whittmore:

The Board of Appeals will hold a continued public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, October 14, 1949 at 10:30. a. m. to hear your request under the Zoning Ordinance for permission to construct wooden outside stairway on the above premises.

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

Very truly yours,

Robert L. Getchell

Chairman

M

cc: Mr. G. L. Nichols
West Scarborough
Maine

49/88

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

September 27, 1949

Mr. Edgar J. Nickerson
809 Congress Street
Portland, Maine

Dear Mr. Nickerson:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, September 30, 1949 at 10:30 a. m. to hear the appeal of Miss Lillian Whittemore requesting exception to the Zoning Ordinance to permit construction of a wooden fire escape on the outside to serve as a fire escape on the dwelling house at 811 Congress Street.

This permit is presently not issuable under the Zoning Ordinance because there would be only about 6' between the proposed stairway and the side property line instead of the minimum of 10' required by the Zoning Ordinance in the Limited Business Zone where the property is located.

If you wish to be heard either for or against this appeal, please be present or be represented at this hearing.

Very truly yours,

Board of Appeals

Robert L. Getchell

Chairman

M

WARREN McDONALD
INSPECTOR OF BUILDINGS

On reply refer

to file 42-111 Congress Street-I

CITY OF PORTLAND, MAINE

Department of Building Inspection

FU

September 26, 1949

Miss William Whittensore
811 Congress Street
Mr. G. L. Nichols
West Scarborough, Maine

Subject: Application for building permit
to include construction of wooden outside
stairway for fire escape on the easterly
side of the building (toward Leaning Avenue)
at 811 Congress Street; and proposed zoning
appeal relating thereto

Dear Madam & Sir:

The building permit to include construction of a wooden outside
stairway to serve as a fire escape on the easterly side (toward Leaning
Avenue) of the dwelling house at 811 Congress Street, now proposed to be
converted to a long term house, is not issuable under the Zoning Ordinance
because there would be only about 6' between the proposed stairway and
the side property line while no less than 10' is required by the Zoning
Ordinance in the Limited Business Zone where the property is located.

On September 17, 1948 the Board of Appeals granted a somewhat similar
appeal to this owner, but in that case the fire escape was proposed to be a
standard metal escape and the distance between it and the side property line
8'. The metal escape was never started.

The owner has expressed a desire to seek an exception from the Board
of Appeals, so there is enclosed, therefore, to each of you an outline of the
appeal procedure.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMCB/G

Enclosure: Outline of appeal procedure to each addressee

CC: Mark Arrett
Assistant Corporation Counsel

C
O
P
Y



APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, September 29, 1949

CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

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

Location 211 Congress Street Within Fire Limits? Yes Dist. No.
Owner's name and address Lillian Whittemore, 211 Congress Street Telephone
Lessee's name and address Telephone
Contractor's name and address G. L. Nichols, West Scarborough, Maine Telephone 4-3263
Architect Specifications Plans Yes No. of sheets 2
Proposed use of building Living house No. families
Past use Dwelling No. families 1
Material frame No. stories 3 Heat Style of roof Roofing
Other buildings on same lot
Estimated cost \$ 1667.75 Fee \$ 2.00 ad. \$ 11

General Description of New Work

To change use of building from dwelling to living house.
To erect wooden fire escape on side of building from third floor to second floor.
To construct new dormer on third floor level for bedroom for the fire escape.
To enclose existing basement stairs and provide a Class C self-closing fire door as per plan.
To cut in a new transom second floor for light in the hall.
To erect partition in rear bedroom third floor as per plan.

Permit Issued with Letter

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 G. L. Nichols

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 automatic repair be done other than minor repairs to cars habitually stored in the proposed building?

Miscellaneous

Will work require disturbing of any tree on a public street? 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 Lillian Whittemore
By: G. L. Nichols

NOTES

12/1/49 - Lm work completed
except providing door closer
on fire door. T/H

12/29/49 Re - fire door
inspection report T/H

12/29/49 - Three bolt for bracket
has not been provided T/H
Must be 3/4" & requires an
inspection before covering. Should be
closer to top of bracket than
present has screw.

2/17/50 - Lm work to be
done on above door T/H

3/2/50 - Work not done T/H

4/3/50 - New hole for
3/4 bolt has been cut
Thru T/H

5-22-50, Mr Nichols said
this will be done right
away and he will notify.

6/12/50 added 5-22-50

A.

Permit No. 4941837

Location 811 Carnegie Bldg.

Owner Ed. L. Smith - 1111 Carnegie

Date of permit 1-25-49

Staff, closing-in

Inspr. closing-in

Final Noil.

Final Inspr. 1-25-49

Cert. of occupancy issued 1-25-49

BP 811 Congress Street-I

November 3, 1947

Mr. C. I. Nichols
West Scarborough, Maine
Miss Lillian Whittemore
811 Congress Street

Subject: Amendment to alteration permit
at 811 Congress Street covering erection
of fire escape and third floor corner

Dear Madam & Sir:

Amendment for the above work is issued herewith based on plan filed
October 31 with the amendment application and subject to the following:

Plan does not show first floor footing extends above grade. The re-
quired distance is 6".

Detail of bracket does not show through bolt as required by the
Building Code in Section 303-g-3. It is necessary that a 3/4" diameter
through bolt be provided.

Detail of corner shows 1' 9" from window sill to platform. The
maximum distance permitted is 1' 6". See Section 303-g-1 of the Building
Code.

Electric lights sufficient in number and location to show the way
to the fire escape by way of the new corner are required. These are to be
on the owner's meter and controlled by an automatic time switch. This
switch and lights to be on the same circuit as the one controlling lights
in stair halls and public halls.

Very truly yours,

Warren McDonald
Inspector of Buildings

ATH/G

P. S. The revised plan does not show satisfactorily what arrangement
is to be where corner is to be cut through cornice, and where the roof plate
of the building is to be cut.

Unless this is done with greatest care the owner can be subjected to
great trouble by way of leakage etc. concerning which the Building Code has
no control.

The matter of cutting the plate is important, and in case of any doubt
on the part of contractor as to replacing the tie and strength of the plate,
he must work out a plan in detail and submit to Mr. Hamilton here before
proceeding with the work.



APPLICATION FOR AMENDMENT TO PERMIT

Amendment No. 1
Portland, Maine, October 31, 1949

PERM
N. 4
CITY (CLAN)

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for amendment to Permit No. 49/1837 pertaining to the building or structure comprised in the original application 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 511 Congress Street Within Fire Limits? yes Dist. No. _____
Owner's name and address Lillian Whittemore, 511 Congress Street Telephone _____
Lessee's name and address _____ Telephone _____
Contractor's name and address G. L. Nichols, Scarborough, Maine Telephone _____
Architect _____ Telephone _____
Proposed use of building Lozings house Plans filed yes No. of sheets 1
Last use dwelling No. families _____
Increased cost of work _____ No. families 1
Additional fee .25

Description of Proposed Work

To erect wooden fire escape on side of building third floor to second floor as per plan.
To construct new dormer on third floor for headroom for the Fire escape as per plan.

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 _____
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 _____

Approved: _____
Permit Issued with Letter

Lillian Whittemore

Permit Issued with Letter

Signature of Owner by:

Approved: [Signature]
Inspector of Buildings

INSPECTION COPY

12 811 Congress Street-1

October 24, 1949

Mr. G. L. Nichols
West Scarborough, Maine
Miss Lillian Whittemore
811 Congress Street

Subject: Building permit for alterations in
the building at 811 Congress Street and change
of use from a dwelling house to a lodging house

Dear Madam & Sir:

The appeal relating to location of the proposed outside stairway having been granted by the Board of Appeals, the building permit is issued to the contractor, herewith, subject to the following conditions. If you are unable or unwilling to abide by these conditions, it is important that you refrain from starting the work and that the permit be returned immediately for adjustment.

1. No work whatever is to be done upon the dormer window or the proposed outside wooden stairway for fire escape until there has been filed here a plan of third floor to scale showing the arrangement of the rooms and hallway and that particular space the egress sash to give access to the fire escape is to take off from. The contractor's plan shows that the rear side of the frame of the stairs would be only 5' 6" from the rear wall of the building, a location, according to the rough sketch which we have of third floor, which would make the window to the fire escape take off from the rear lodging room on third floor. Also must be shown the details where the dormer window will cut through the cornice of the building.

When these additional plans are ready, they should be filed here by the contractor with application for amendment to the permit now issued, whereupon the situation with regard to the corner and the stairway will be again checked against the Building Code. In the meantime if other work is done and it is found that it is not practicable to put in the dormer and the stairway as shown, the loss will have to be at the owner's risk.

When and if the amendment for the outside stairs, and dormer is issued, it will be necessary to hang up the iron drop ladder in different fashion. A round bar must pass through the rails of the ladder, but the round bar should then be held in a section of structural angle on either side, the round bar serving as a hinge pin to pass through holes in the outstanding legs of these angles and the legs of the angles against the 4x6 at the foot of the stairs to be fastened to the 4x6 by bolts clear through the 4x6. Of course the ladder when down will have to be at a suitable angle with the ground to make for easy descending.

2. Because the means of reaching the proposed outside stairway will be so located with relation to the inside stairs and the occupants of the building which both are intended to serve, that a single fire travelling the inside stairs would probably prevent the occupants from reaching the outside fire escape also, a standard automatic fire detection and alarm system is required in the building as drawn to Miss Whittemore's attention in my letter of August 6. This detection and alarm system requires a separate permit from this department which is to be applied for by and is issuable only to the actual installer of it. The detection part of the system is required to cover the entire cellar, all public and stair halls, all closets off halls or under stairs. Together with the other required improvements, the fire alarm system is required to be installed and fully operative before the required certificate of occupancy can be issued to lawfully use the building as a lodging house.

3. Electric lights, sufficient in number and location to show the way to a place of safety at the ground level, are required in the stair halls and public halls, on the owner's meter, and to be controlled by an automatic time switch which will turn the lights on at sunset each night and turn them off automatically at sunrise the next morning, according to its setting for the time of year.

Mr. G. I. N. Nols
Miss Lillian Whittemore

October 24, 1949

4. Plan does not show the enclosure for the cellar stairs correctly in some particulars. The doorway at the foot of the stairs is required to be at least as far from the lowest riser of the stairs as the door is wide instead of right against the lowest riser as shown on the plan. The partitions are to be plastered on perforated 1/2" x 3/4" lath on both sides and where the underside of the stairs is to be plastered, 3" wide strips of metal lath are to be applied over the joints between the perforated lath before the plaster is applied.

The specifications on the plan of the fire door contradict themselves in that a Class C door is indicated and then a door described which is not Class C. The door does not have to be a labelled fire door, but if it does not bear a label of the Underwriters Laboratories, Inc. identifying it as a Class C fire door, then it must be made strictly in accordance with the specifications in Section 303-6-4 for a standard fire resistive door. In any case the frame of the door has to be constructed with a metal covering as stipulated in that section, and the door is required to fit the opening so closely that there will be a crack at the bottom no more than one quarter of an inch. The door is to be made self-closing by means of a liquid door closer.

5. One or more holes in the plastered ceiling in the cellar require patching either with plaster or by cutting in tightly non-burnable wallboard. Cleanout door is to be made operative at the bottom of the chimney flue and the chimney flue cleaned out. If the gas-fired hot water heater in the cellar is connected to a chimney flue with other appliances to it, the gas-fired appliance requires a safety device to automatically shut off all gas if pilot light should be extinguished.

6. All of these matters in the cellar called to attention above are to be completed and ready for inspection when notice is given of readiness for inspection prior to closing-in the partitions around the cellar stairs.

When all features controlled by the building code have been completed, notice of readiness for final inspection is required, whereupon if everything is found in order the certificate of occupancy will be issued without which it is unlawful to use the building as a lodging house.

Very truly yours,

Warren McDonald
Inspector of Buildings

WLSJ/G

CITY OF PORTLAND, MAINE
Department of Building Inspection

(date) September 26, 1948

To: Cliver T. Sanborn
Chief of the Fire Department

Location: 811 Congress Street

From: Warren McDonald
Insptr. of Bldgs.

Subject: Application for permit for
improvement at above location,
required by order of Chief of Fire
Department dated 3/11/47 to Mrs. Lena Cleary
now owned by J. S. Whittemore

While our two departments have done a good job of coordination under
the Safety Ordinance--yours issuing the orders after inspection and ours
issuing permits for improvements to be made,--

The confusion on the part of many people, who come in here,
as to who has ordered them to do what,

The fact that on some jobs a permit has been issued, and the
work done, only to have your inspector find that the situation did
not then satisfy your order under the law,

And, the fact that you are permitted under the Building Code
to exercise discretion as to details of means of egress in an exist-
ing building where there is no substantial increase in number of per-
sons accommodated, while we must proceed under the precise terms of
the Code unless deviation in this connection is approved by yourself--

leads me to the belief that situation ought to be checked before any
permits are issued, preferably by the inspector in your department who made
the inspection on which the original order was based, to see:

1. If the work contemplated will completely satisfy the order.
2. To see, if possible, whether or not there may be some more
economical way of satisfying the order, and, if so, to recommend
that way to the owner.

To that end there is attached for your consideration applications
for permits at the above location.

Remarks relating to this particular job:

When application for fire escape was made to satisfy your order, it was dis-
covered that the lawful use of this side of the duplex building, owned by two separate
owners, is only a dwelling house, so that the Building Code goes into the matter of
change of use and protective features extensively. Nevertheless it seems best to
send the attached application for wooden outside stairway on the east side of the
building from third floor and second floor to the ground for your approval, since
after our certificate of occupancy is issued the Safety Ordinance would then apply.

It is the plan to construct a dormer to reach the fire escape from third floor
and to construct a partition inside to form a new public hall from the present hall to
reach the dormer. Access to fire escape from second floor is to be through a common bath-
room, which contractor says has been approved by Captain Flaherty.

The wooden fire escape would be too close to the side property line under the Zoning Ordina-
ance, and the owner is filing a zoning appeal to be heard on Friday morning, Sept. 30, so it would be
appreciated if you will return the permit with your Inspector of Buildings
approval or comments before Thursday night. The Building Code will require an automatic fire
alarm system on account of relative location of means of egress.

1P 811 Congress Street-I

September 26, 1949

Miss Lillian Whittmore
811 Congress Street
Mr. G. L. Nichols
West Scarborough, Maine

Subject: Application for building permit
to include construction of wooden outside
stairway for fire escape on the easterly
side of the building (toward Seering Avenue)
at 811 Congress Street; and proposed zoning
appeal relating thereto.

Dear Madam & Sir:

The building, suit to include construction of a wooden outside
stairway to serve as a fire escape on the easterly side (toward Seering
Avenue) of the building at 811 Congress Street, now proposed to be
converted to a lodging house, is not issuable under the zoning ordinance
because there would be only eight feet between the proposed stairway and
the side property line while no less than 10' is required by the zoning
ordinance for the building business zone where the property is located.

In letter of 17, 1948 the Board of Appeals granted a somewhat similar
appeal to this owner, but in that case the fire escape was proposed to be a
standard metal escape and the distance between it and the side property line
8'. The metal escape was never installed.

The owner has expressed a desire to seek an exception from the Board
of Appeals, so there is enclosed, therefore, to each of you an outline of the
appeal procedure.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMD/C

Enclosure: Outline of appeal procedure to each addressee

CC: Mark Barrett
Assistant Corporation Counsel

AP 811 Congress St. I

September 3, 1949

Miss Lillian Whittemore,
811 Congress St.

Subject: Alterations of Dwelling House at
811 Congress St. and to change to Lodging
House.

Mr. G. L. Nichols,
West Scarborough

Dear Madam and Sir:

Some delay is likely to occur in issuing the permit which Mr. Nichols has applied for, the question being whether the Fire Department can approve the establishment without two means of egress from second and third floors.

While I feel that I can issue the permit under the allowances of the Building Code, as explained in my letter of August 6, and in conversation at this office with the owner, there is also the question of compliance with the Safety Ordinance which the Fire Department administers. Naturally it is necessary to avoid a situation whereby this department approves the situation with only one stairway by virtue of the installation of the automatic fire alarm; and then after the change has been made have the fire department feel that a fire escape or other second means of egress must be supplied from second and third floors to satisfy the Safety Ordinance, which applies to all existing lodging houses and will apply to this building as soon as it is occupied as a lodging house.

Where the application indicates partitioning-off hall on third floor, I presume the contractor really meant to say that a partition is to be built in rear bedroom on third floor, as that is the work shown on the plan instead of in the hall.

Very truly yours,

Inspector of Buildings.

3 48/110 I
Red 9/2/49/T

August 6, 1949

Miss Lillian Whittemore
811 Congress Street
Portland 4, Maine

Subject: Proposed change of use of dwelling house at 811 Congress Street to Lodging House.

Dear Madam:

A check of conditions at your dwelling house at 811 Congress Street reveals the following deficiencies in the building and improvements required to be made by the Building Code if the building is to be changed in use to a lodging house.

If you decide that you want to go ahead with the change, it is necessary that you file at this office application for a building permit, indicating in what manner you will make good the deficiencies and make the improvements listed.

1. With reference to Section 203e1 of the Building Code, two means of egress to a place of safety at the ground level are required from second and third floors, but the building has only one stairway. Your agent has applied for a permit to erect a fire escape from third and second floors to the ground, but even if this were done, a standard automatic fire alarm would be required as well as the fire escape because a fire travelling the existing stairs in about the center of the building would be likely to prevent occupants of some of the rooms on second and third floors from reaching the fire escape.

However, if you would be satisfied to have only one lodger in each room on second and third floor and no cooking appliances in any of those rooms, a special allowance in Section j (e)(2) would make it possible for you to meet the requirements by only installing the automatic fire detection and alarm system without the fire escape.

2. Electric lights suitable in number and location to adequately illuminate the way out from third floor hall to the front door in first story will be required; all of these lights to be on the owner's meter and controlled by an automatic time switch capable of turning these lights on automatically at sunset each night and turning them off at sunrise the next morning. See Section 203e2.

3. The stairs between first floor and cellar are required to be enclosed in the cellar or separated from the cellar by partitions rated as having one-hour fire resistance with a standard fire resistant door and frame (as described in Section 203e4) in the enclosure at the foot of the stairs, the door to be made self-closing by means of a liquid door closer. See Section 203f3.

This type of partition is constructed by using no less than 2x2 studs upright, not more than 16 inches from center to center, and covering on both sides with plaster on metal lath or on perforated gypsum lath. Sometimes, instead of building these partitions clear down to the cellar floor, it is easier to support them on the stair construction, leaving the space under stairs open, in which case the under side of the stairs must be covered with plaster on similar lath. If perforated gypsum lath is used under stairs, however, 3" wide strips of metal lath must be used over joints of lath before plaster is applied.

August 6, 1949

Miss Lillian Whittmore-----2

4. Stairs from third to second floor require a handrail on one side, full length of stairs.

There is a door at second floor level at foot of these stairs. If there is any type of lock or fastening on this door which could possibly be set so that persons from third floor could not quickly open the door merely by turning the usual knob--then such lock or fastening must be removed.

In fact it would contribute to safety of persons using the stairs if the door were removed.

5. If lodgers are to be permitted use of the cellar a handrail is required on one side of cellar stairs, full length. In any event an electric light inside the new cellar stair enclosure.

6. One or more holes in plastered ceiling of cellar require patching either with plaster or by cutting in tightly non-burnable wallboard.

Cleanout door at bottom of chimney flue requires "freeing" or a new one, and chimney flue thoroughly cleaned out if needed.

If gas-fired hot water heater in cellar is connected to a chimney flue with other appliances connected to it check must be made to see if appliance is equipped with safety device to automatically shut off all gas if pilot light should be extinguished.

7. Rear bedroom on third floor is about 20 percent short of the required window area--no less than 1/12th of the floor area of the room. Perhaps this can be corrected by enlarging existing window or cutting in an additional one.

8. Second floor stair hall has no window in it. This deficiency may be met by cutting in an opaque glass panel of suitable size high up in partition between hall and front bedroom and making goggle in third floor hall openable if it is not so now.

Very truly yours,

Inspector of Buildings.

WMD/B

CC: Oliver T. Sanborn
Chief of Fire Department

3 copies sent to Miss Whittmore 8/15/49



APPLICATION FOR AMENDMENT TO PERMIT

Amendment No. 1

Portland, Maine, October 17 1948.

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for amendment to Permit No. 48/1700 pertaining to the building or structure comprised in the original application 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 811 Congress Street Within Fire Limits? yes Dist. No. 19
Owner's name and address Lillian Whittimore, Ameroseoggin d. d. Falmouth Foreside Telephone
Lessee's name and address Telephone
Contractor's name and address Maine Metals, Inc., 169 Front St., So. Portland Telephone 4-6442
Architect Plans filed yes No. of sheets 1
Proposed use of building Lodging house No. families
Last use " " No. families
Increased cost of work \$22,295 Additional fee \$2.00, 25.

Description of Proposed Work

To erect metal fire escape from third floor to second floor on east side of building as per plan.

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
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 feet.
Joists and rafters: 1st floor , 2nd , 3rd , roof
On centers: 1st floor , 2nd , 3rd , roof
Maximum span: 1st floor , 2nd , 3rd , roof

Approved:

Lillian Whittimore
Maine Metals, Inc.

Signature of Owner by: F. Leroy Cramer

Approved:

INSPECTION COPY



(B) LIMITED BUSINESS ZONE
APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class
Portland, Maine, August 24, 1948

PERMIT ISSUED
0170
CITY of PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND MAINE

The undersigned hereby applies for a permit to erect ~~and operate~~ the following building ~~and~~ 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 211 Congress Street Within Fire Limits? yes Dist. No. 1B
Owner's name and address Lillian Whittmore, Amersocoggin Rd., Paimouth, Painesville, Ohio Telephone _____
Lessee's name and address _____ Telephone _____
Contractor's name and address Maine Metals, Inc. 169 Front St., So. Portland Telephone 4-6442
Architect _____ Specifications _____ Plans yes No. of sheets 1
Proposed use of building Lodging house No. families _____
Last use _____ No. families _____
Material wood No. stories 3 Heat _____ Style of roof _____ Roofing _____
Other buildings on same lot _____
Estimated cost \$ 165 Fee \$ 2.00

General Description of New Work

To construct metal fire escape second floor to ground on east side of building as per plan.

53-0-17
change

not built
see letter
app 9/26/48

CERTIFICATE OF OCCUPANCY
REQUIREMENT IS WAIVED

9/17/48

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 Maine Metals, Inc.

Memo Sent to Fire Chief

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

Lillian Whittmore
Maine Metals, Inc.

Signature of owner by: F. Leroy Cramer

INSPECTION COPY

NOTES

1926 Bureau of Census
1941 Census of Housing
1944 Census of Housing
Inspr 8/1/48

More information on the
1st floor apt. at 1000
3rd and 4th floors & small
apartment at 1000
2nd floor 11 rooms & bath - all
rented to one person
3rd floor - 2 rooms & bath -
not to be used as hotel
owner can enter for
ground for use as a hotel
3rd floor

Inspr 8/1/48
and of floor
entire of floor of
inspr 8/1/48

1948/1700.92.44
Date of permit 9/22/48
Notif. closing-in
Inspr. closing-in
Final Notif.
Final Inspn.
Cert. of Occupancy issued

AP 811 Congress Street-I

9/23/48/WMcD

September 3, 1948

Lillian Whittemore
811 Congress Street
Portland, Maine

Subject: Question of use of the east half of the duplex
building at 811 Congress Street

Dear Madam:

It appears certain that this half of the duplex building which you own was converted from a single family dwelling house to a lodging house by a former owner without first securing the building permit therefor, without making the improvements required for a lodging house and without procuring a certificate of occupancy to cover that use. Thus use of the building as a lodging house is unlawful under the Building Code, and while you evidently are not responsible for the change, you have to bear the responsibility of non-compliance if use of the lodging house is continued.

You told me that you are using the first floor for your own apartment exclusively--three rooms including kitchen, also one small alcove room with toilet in basement; that second floor has four rooms and bath and that you are renting some of these rooms to three lodgers; that there are two furnished rooms on third floor but that you had not planned to rent them until you could extend the fire escape to the third floor.

As long as you occupy the first floor for your own apartment and rent to not more than four lodgers the rooms above, the Building Code will not classify the building as a lodging house. If, however, you should rent to more than four lodgers the building would be classified as a lodging house, you would be required to get a permit to cover that use, to make improvements required for that use by the Building Code whereupon the certificate of occupancy would be issued.

If you should decide on the latter course architectural floor plans of cellar and the three floors above will be required to be filed with your application for permit, the plans to show the proposed arrangement and the method of complying with the requirements for a lodging house.

Please let me know no later than September 22 what course you will pursue.

Very truly yours,

Inspector of Buildings

WMCD/G

CC: Oliver T. Sanborn
Chief of the Fire Department

AP 811 Congress Street-I

September 3, 1948

Lillian Whittmore
811 Congress Street
Portland, Maine

Subject: Application for building permit by Maine Metals,
Inc. to cover construction of metal fire escape on the
east side of the building at 811 Congress Street and
proposed zoning appeal relating thereto

Dear Madam:

After our discussion the other day I found that you would have only about 8' between the fire escape proposed on the easterly side of the building and the easterly side lot line. Under these circumstances the building permit for the fire escape is not issuable because the property is located in a Limited Business Zone where the Zoning Ordinance requires at least 10' from the fire escape to the side lot line.

The Chief of the Fire Department has directed you to provide this fire escape for the safety of the occupants of the building and the location proposed appears to be the only one which would work out to that end. Under such circumstances the Board of Appeals which has authority to grant an exception in such a case, is likely to give favorable consideration to your appeal, and I understand that you desire to file such an appeal with the Board.

Therefore, there is enclosed an outline of the appeal procedure.

Very truly yours,

Inspector of Buildings

WHCB/G

Enclosure: Outline of appeal procedure

CC: Maine Metals, Inc.
169 Front Street
South Portland, Maine

P. S. I also talked ^{over} with you the matter of use of the building and another letter on this subject is being written to you.

CC: Oliver T. Sanborn
Chief of the Fire Department

Edward T. Gignoux
Assistant Corporation Counsel

City of Portland, Maine
Board of Appeals
—ZONING—

September 7, 1948

Sustained
9/17/48

48.70

To the Board of Appeals:

Your appellant, Lillian Whittmore, who is the owner of property at 811 Congress Street, respectfully petitions the Board of Appeals of the City of Portland to permit an exception to the regulations of the Zoning Ordinance relating to this property, as provided by Section 17, Paragraph E of the Zoning Ordinance,

Permit to cover construction of metal fire escape on the east side of the building at 811 Congress Street is not issuable under the Zoning Ordinance in the Limited Business Zone where property is located because there will be only about 8' from the fire escape to the easterly side lot line whereas at least 10' is required.

The facts and conditions which make this exception legally permissible are as follows:—

An exception is necessary in this case to grant reasonable use of property and to comply with order of Fire Department in view of the fact that the location proposed appears to be the only feasible one.

Lillian W. Whittmore
Appellant

City of Portland, Maine
Board of Appeals

—ZONING—

Decision

Public hearing was held on the 17th day of September, 19 48 ,
on petition of Lillian Whittemore, owner of property at
811 Congress Street, seeking to be permitted an exception to the regulations of
the Zoning Ordinance relating to this property.

Permit to cover construction of metal fire escape on the east side of the
building at 811 Congress Street is not issuable under the Zoning Ordinance
in the Limited Business Zone where property is located because there will
be only about 8' from the fire escape to the easterly side lot line whereas
at least 10' is required.

The Board finds that, an exception is necessary in this case to grant reasonable
use of property and can be granted without substantially departing from the
intent and purpose of the Zoning Ordinance.

It is, therefore, determined that exception to the Zoning Ordinance may be permitted
in this specific case.

Robert L. Little
Helmer C. Frost
John W. Lake
Edw. J. Colley

Edw. J. Colley

Board of Appeals

481

September 17, 1948

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF EDWARDIAN WHITTEMORE
AT 811 Congress Street

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

Present for City

Board of Zoning Appeals members:-

VOTE

Yes No

Mr. Getchell	(x)	()
Mrs. Frost	(x)	()
Mr. Colley	(x)	()
Mr. Holbrook	(x)	()
Mr. Lake	(x)	()
	()	()
	()	()
	()	()
	()	()

Municipal Officers:-

City officials:-

ONLY FEASIBLE LOCATION

CITY OF PORTLAND, MAINE
LEGAL DEPARTMENT

September 14, 1948

TO THE BOARD OF APPEALS:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, September 17, 1948 at ten-thirty o'clock in the forenoon to hear the following appeals:

Nekail Amergian - 69 Oxford Street - electric sign over public sidewalk in Apartment House Zone
(see attached copy of notice to public)

Lillian Whittmore - 211 Congress Street - metal fire escape on east side of dwelling not permissible because only 8' from side lot line instead of 10' as required in Limited Business Zone.

Idesl Clemons - 219 Anderson Street - construction of wooden roof over a 40-foot long section of loading platform at rear of building not permissible under the Building Code because property is located within Fire District No. 1B where Section 404 of the Code does not permit roof of wooden construction.

NOTE: Above is Building Code appeal)

Very truly yours,

ROBERT L. GUTHRIE

CHAIRMAN

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

September 14, 1948

Mr. Edger J. Nickerson
809 Congress Street
Portland, Maine

Dear Sir:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, September 17, 1948 at ten-thirty o'clock in the forenoon to hear the appeal under the Zoning Ordinance of Lillian Whittemore relating to premises at 811 Congress Street.

Appellant is asking for permission to erect a metal fire escape on east side of this dwelling where there will be only 8' from the fire escape to the side property line instead of 10' as required by the Zoning Ordinance.

If you wish to be heard in connection with this appeal, please be present or be represented at this hearing.

Very truly yours,

Robert L. Gatchell

Chairman

M

W. DONALD
ARCHITECT OF BUILDINGS

On reply refer
to File

FU

CITY OF PORTLAND, MAINE
Department of Building Inspection

Sept 3, 1945

*Letter written
to Congress St.
10/1/45*

Subject: Application for building permit by Maine Metals,
Inc. to cover construction of metal fire escape on the
east side of the building at 811 Congress Street and
proposed zoning a peal relating thereto

Dear Madam:

After our discussion the other day I found th t you would have only about
8' between the fire escape proposed on the easterly side of the building and the
easterly side lot line. Under these circumstances the building permit for the
fire escape is not issuable beca e the property is located in a Limited Business
Zone where the Zoning Ordinance requires at least 10' from the fire escape to
the side lot line.

The Chief of the Fire Department has directed you to provide this fire
escape for the safety of the occupants of the building and the location proposed
appears to be the only one which would work outto that end. Under such circum-
stances the Board of Appeals which has authority to grant an exception in such
a case, is likely to give favorable consideration to your appeal, and I under-
stand that you desire to file such an appeal with the Board.

Therefore, there is enclosed an outline of the appeal procedure.

Very truly yours,

Inspector of Buildings

WMcD/G

Enclosure: Outline of appeal procedure

CC: Maine Metals, Inc.
169 Front Street
South Portland, Maine

Oliver T. Sanborn
Chief of the Fire Department

Edward T. Gignoux
Assistant Corporation Counsel

P. S. I also talked over with you the matter of use of the building and
another letter on this subject is being written to you.

C
O
P
Y



FILL IN AND SIGN WITH INK

APPLICATION FOR PERMIT FOR
HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine, August 26, 1948

PERMIT ISSUED
AUG 27 1948
CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to install the following heating, cooking or power equipment in accordance with the Laws of Maine, the Building Code of the City of Portland, and the following specifications:

Location 311 Congress Street Use of Building Lodging house No. Stories ☒ New Building
Existing "☐
Name and address of owner of appliance William Whittenore, 311 Congress Street
Installer's name and address Harris Oil Company, 202 Commercial St. Telephone 2-8304

General Description of Work

To install oil burning equipment in connection with existing gravity hot water heating system

IF HEATER, OR POWER BOILER

Location of appliance or source of heat Type of floor beneath appliance
If wood, how protected? Kind of fuel
Minimum distance to wood or combustible material, from top of appliance or casing top of furnace
From top of smoke pipe From front of appliance From sides or back of appliance
Size of chimney flue Other connections to same flue
If gas fired, how vented? Rated maximum demand per hour

IF OIL BURNER

Name and type of burner Johnson Labelled by underwriter's laboratories? yes
Will oil burner be always in attendance? Does oil supply line feed from top or bottom of tank? bottom
Type of floor beneath burner concrete
Location of oil storage cellar Number and capacity of tanks 1-275 gal.
If two 275-gallon tanks, will three-way valve be provided?
Will all tanks be more than five feet from any flame? yes How many tanks fire proofed?
Total capacity of any existing storage tanks for furnace burners none

IF COOKING APPLIANCE

Location of appliance Kind of fuel Type of floor beneath appliance
If wood, how protected?
Minimum distance to wood or combustible material from top of appliance
From front of appliance From sides and back From top of smokepipe
Size of chimney flue Other connection to same flue
Is hood to be provided? If so, how vented?
If gas fired, how vented? Rated maximum demand per hour

MISCELLANEOUS EQUIPMENT OR SPECIAL INFORMATION

Amount of fee enclosed? 2.00 (\$2.00 for one heater, etc., 50 cents additional for each additional heater, etc., in same building at same time.)

APPROVED:

OK 8-26-48 V. Pratt

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

Harris Oil Company

Signature of Installer

by:

Andrew R. Sides

INSPECTION COPY

Permit No. 48/1524

Location 811 Congress St.

Owner Lillian Whittemore

Date of permit 9/27/48

Approved J. S. 48 J. S. N

NOTES

advised the
1000 in 1000
1500

- 1 Fill Pipe
- 2 Vent Pipe
- 3 Kind of Heat
- 4 Burner Rigidity & Supports
- 5 Name & Label
- 6 Stack Control
- 7 High Limit Control
- 8 Remote Control
- 9 Piping Support & Protection
- 10 Valves in Supply Line
- 11 Capacity of Tanks
- 12 Tank Rigidity & Supports
- 13 Tank Distance
- 14 Oil Gauge
- 15 Instruction Card

1-8 48. Teller to
a Mrs. G. W. T.
and told her about
a small leak
in the fuel line and