

804-806 COMINGS STREET



Full cut # 920R - Half cut # 9202R - Third cut # 9203R - Fifth cut # 9205R

PERMIT TO INSTALL PLUMBING

Date Issued

Portland Plumbing Inspector

By ERNOLD R. GOODWIN

App. First Insp.

Date

By

App. Final Insp.

Date

By

Type of Bldg.

- ☐ Commercial
- ☐ Residential
- ☐ Single
- ☐ Multi Family
- ☐ New Construction
- ☐ Remodeling

Address **804 Congress St.** PERMIT NUMBER **2168**

Installation For **apts.**

Owner of Bldg **Reginald Fouse, Jr.**

Owner's Address **24 Wadsworth St.**

Plumber **Peter Waldecker**

Date **9-30-80**

NEW REPL **16 Jordan Av. S. Port** NO FEE

		SINKS		
		LAVATORIES		
		TOILETS		
		BATH TUBS		
		SHOWERS		
		BATH FLOOR SURFACE		
2		HOT WATER TANKS	2	5.00
		TANKLESS WATER HEATERS		
		GARBAGE DISPOSALS		
		SEPTIC TANKS		
		HOUSE SEWERS		
		ROOF LEAKS		
		AUTOMATIC WASHERS		
		DISHWASHERS		
		OTHER		

TOTAL **6.00**

Building and Inspection Services Dept. Plumbing Inspection

(COPY)

CITY OF PORTLAND, MAINE
Department of Building Inspection



Certificate of Occupancy

LOCATION 804-806 Congress St.

Date of Issue January 7, 1959

Issued to Frank DeRice

This is to certify that the building, ~~premises, or part thereof~~, at the above location, ~~built~~-altered
+changed as to use under Building Permit No. 58/110, has had final inspection, has been found to conform
substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for
occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

Entire

APPROVED OCCUPANCY

Apartment house for
twelve families

Limiting Conditions: Five of required off-street parking
spaces to be located on lot with building
and seven in the leased areas of parking
lot at rear of #769 Congress Street

This certificate supersedes
certificate issued

Approved:

(Date)

Robert E. Cartwright
Inspector

Albert J. Sears
Inspector of Buildings

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



APPLICATION FOR AMENDMENT TO PERMIT

Amendment No. 11

Portland, Maine, October 16, 1958

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for an amendment to Permit No. 58/110, 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 804-806 Congress St. Within Fire Limits? Yes Dist. No. 3
Owner's name and address Frank DeRice, 1122 Decarie Blvd. Mont. real Quebec Telephone
Lessee's name and address Telephone
Contractor's name and address Kenneth L. Thomas, Inc., 135 Franklin St. Telephone 5-1574
Architect Plans filed No. of sheets
Proposed use of building Aptment House No. families
Last use Nurses Home No. families
Increase cost of work Additional fee 50

Description of Proposed Work

To leave right hand doors and steps usable but closed.
To leave left hand exterior pair of swinging doors on and provide new exterior platform covering swing of doors.

Things are done, but amendment never issued.

Details of New Work permit to contractor

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 Part 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 0 feet.
Joists and rafters: 1st floor , 2nd , 3rd , roof
On centers: 1st floor , 2nd , 3rd , roof
Maximum span: 1st floor , 2nd , 3rd , roof

Approved:

Frank DeRice

Kenneth L. Thomas Inc.

Signature of Owner

INSPECTION COPY
CS-105

Approved:

Inspector of Buildings

F. M.

February 3, 1958

cc to: Stevens & Saunders

Mr. Blaine E. Davis
Shore Acres
Cape Elizabeth, Maine
Mr. Kenneth L. Thomas
Town Landing Road
Falmouth Foreside, Maine

Gentlemen:

Building permit for alterations to former Lurges' home at the above named location to provide twelve apartments therein is issued herewith based on plans of W. O. Armitage bearing revision date of 12/26/57, certain details of which are superseded by sheets 6K, 8K, and 9 drawn by Stevens and Saunders which bear date of 1/31/58, and two supplementary sheets indicating parking spaces both on lot with building in question and in parking lot at 769 Congress Street, but subject to the following conditions:

1. The 12 required parking spaces are to be provided in the following manner:
 - a- Five on the lot with the apartment house, with three of them provided on westerly side of building as indicated on supplementary plan #2 and the other two in side yard between building and Bramhall Place, the entrances to both areas to be from Bramhall Place.
 - b- Seven in the leased areas of parking lot at 769 Congress Street as indicated on supplementary plan #1.
2. On the basis of the condition under which the Building Code appeal was sustained, the kitchenettes of apartments 1, 2, 7 and 11 are to be equipped with systems of mechanical ventilation. Other inside kitchenettes and toilet rooms may be vented by gravity ducts, or by mechanical means if desired. A separate permit issuable only to the actual installer is required for installation of any mechanical systems of ventilation. Cross connection of ducts serving toilet rooms and those from kitchenettes is not allowable.
3. If each leaf of the double doors at front entrances is at least 30 inches wide, a vestibule latch set is required only on the working door in each case.
4. Erection of metal fire escape is to be covered by a separate permit on an amendment to the permit now being issued and with application therefor is to be filed a plan showing shop and erection details.
5. The 4x6 sills, all one piece in cross section (not made up of two pieces of 2x6), are to extend around the two outer edges of new platform outside entrance to rear of building near entrance door to apartment 4.

Mr. Blaine Davis & Mr. Kenneth Thomas

(2)

6. There appears to be no indication on plans as to framing of roof over stairway enclosure at third story rear. Permit is issued on basis that a shed roof with no less than 2x6 rafters spaced not over 24 inches on centers and running towards the rear of the lot will be used. If other construction than this is planned, approval is to be secured from this department before roof is framed.
7. A header will probably be needed for support of ceiling timbers where section of bearing partition is to be removed to enlarge living room of Apartment #11. Permit is issued on basis that no less than a 4x8 will be installed for this purpose unless approval is secured for some other type of construction.
8. Partitions & soffit of cellar stairway enclosure are to be covered both sides with 1/2" or perforated gypsum lath and plaster. A Class "C" labelled fire door standard fire-resistant door with solid wood core at least 1 3/8 inches thick, covered all over with galvanized iron with all joints in the covering lapped and locked so as to cover all nailings, is required on opening to enclosure. Door frame is also required to be completely covered with metal and door to be equipped with a liquid closer. An electric light is to be provided in the enclosure.
9. Only a Class "C" labelled door is allowable on entrance to heater room and because the opening is in a masonry wall, the frame is required to be all metal, not wood covered with metal. Door is required to be equipped with either automatic or self-closing hardware.
10. All new partitions bordering on public halls, all new ceilings of such halls, and the soffits of all new stairways are to be covered with plaster on gypsum or metal lath.
11. Where ceilings are to be lowered, all holes in existing plastered ceilings are to be tightly sealed with plaster or gypsum wall board or else all of existing plaster and lath is to be removed from such areas. Firestopping is required at the new ceiling level between studs of all partitions.
12. Height of risers of all new stairways is not to exceed 8 1/2 inches and width of treads is to be no less than 9 inches, these measurements to be taken on the stair points.
13. Ventilation of all inside bath rooms is to be done in such a way as to meet requirements of the Plumbing Code which is enforced by the Health Department.
14. Structural condition and framing of existing second story porch which is to serve as part of means of egress from rear apartments is to be fully investigated and corrections and repairs made if necessary.
15. Notification is to be given this department for inspection before any lath or wall board is applied to walls, partitions or ceilings and no such work is to be done until authorization to do so has been given on a green tag left at the job.
16. A certificate of occupancy is required from this department before any of apartments are put into use. Such a certificate cannot be issued until all essential work has been completed and parking areas on lot with building have been graded and surfaced.
17. Permit is issued on basis that doorway shown in partition between front and rear halls in third story is to be omitted and a solid partition provided as discussed with Mr. Davis.

Very truly yours,

Albert J. Sears - Deputy Inspector of Buildings

AJS:M

INQUIRY BLANK

ZONE _____

FIRE DIST. _____

CITY OF PORTLAND, MAINE
DEPARTMENT OF BUILDING INSPECTION

Date September 5, 1958

~~By Mail~~
By Telephone
~~By Mail~~

LOCATION 804 Congress Street OWNER DeRice

MADE BY Megquier & Jones Cliff Tupper TEL. 3-6471

ADDRESS 33 Pearl Street

PRESENT USE OF BUILDING Apartments NO. STORIES 3

LAST USE OF BUILDING _____ CLASS OF CONSTRUCTION _____

REMARKS _____

INQUIRY Can the proposed fire escape on rear of building be equipped with a drop ladder instead of a counterbalanced stairway?

Can fire escape be 24" wide?

ANSWER Told Mr. Tupper that metal fire escape can be 24 inches wide and have drop ladder taking off not over 10 feet above grade

DATE OF REPLY 9/5/58 REPLY agst

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Carl P. Johnson, Chief of Fire Department
FROM: Albert J. Sears, Deputy Inspector of Buildings
SUBJECT: Permit for erection of metal fire escape on building at 804-806 Congress Street.

DATE October 14, 1958

The fire escape is being installed as an emergency means of egress for second floor apartments in this building which is being altered for an apartment house. There are two special conditions which need to be considered concerning this installation. The main electrical service enters the building near the point where platform is to be located, it being placed away from the main building to provide clearance from the service. However, it appears likely that in the location proposed a person standing on the platform could reach out and touch the wires. Would this create a hazardous condition which should be avoided?

A wood platform is proposed on the roof of the rear portion of building leading from egress door to new fire escape. However, the pitch of the roof is about 3 inches in 12 inches and platform is to follow the slope of roof. Is this too steep for safety, particularly in the winter under slippery conditions?

Very truly yours,

Deputy Inspector of Buildings

AWJ/jg

INTEROFFICE CORRESPONDENCE

CITY OF PORTLAND, MAINE
FIRE DEPARTMENT

To: Mr. Albert J. Sears, Deputy Inspector of Buildings DATE: October 20, 1958
FROM: Carl F. Johnson, Chief of Fire Department
SUBJECT: Alteration of plans at 804 Congress Street

Mr. Simond and Mr. Tupper were at this office this afternoon and have agreed to alter plans of fire escape at 804 Congress Street so as to have the wires on the building as far from the balcony as possible.

The plans also showed that a cat walk will be provided on the roof leading to fire escape.

Carl F. Johnson



APPLICATION FOR PERMIT

Class of Building or Type of Structure 2nd class

Portland, Maine, Oct. 13, 1958

PERMIT
11518

OCT 22 1958

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 804 Congress St Within Fire Limits? yes Dist. No. _____
Owner's name and address: Frank DeRice, 1122 Decarie Blvd. Montreal Quebec Telephone _____
Lessee's name and address: _____ Telephone _____
Contractor's name and address Megouier & Jones, 33 Pearl St. Telephone 3-6471
Architect _____ Specifications _____ Plans _____ No. of sheets _____
Proposed use of building Apartment House No. families _____
Last use Nurses Hc No. families _____
Material brick No. stories 3 Heat _____ Style of roof _____ Roofing _____
Other buildings on same lot _____
Estimated cost \$ 400.00 Fee \$ 2.00

General Description of New Work

To erect metal fire escape from second floor to ground as per plan.

Rec'd to Fire Dept. 10/14/58
Rec'd from Fire Dept. 10/15/58

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 contractor

Details of New Work

Is any plumbing involved in this work? _____ Is any electrical work involved in this work? _____
Is connection to be made to public sewer? _____ If not, what is proposed for sewage? _____
Has septic tank notice been sent? _____ Form notice sent? _____
Height average grade to top of plate _____ Height average grade to highest point of roof _____
Size, front _____ depth _____ No. stories _____ solid or filled land? _____ earth or rock? _____
Material of foundation _____ Thickness, top _____ bottom _____ cellar _____
Material of underpinning _____ Height _____ Thickness _____
Kind of roof _____ Rise per foot _____ Roof covering _____
No. of chimneys _____ Material of chimneys _____ of lining _____ Kind of heat _____ fuel _____
Framing Lumber—Kind _____ Dressed or full size? _____ Corner posts _____ Sills _____
Size Girder _____ Columns under girders _____ Size _____ Max. on centers _____
Kind and thickness of outside sheathing of exterior walls? _____
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:

Carl P. Johnson
CHIEF OF FIRE DEPT.
OK-10/22/58-AGP

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

Frank DeRice
Megouier & Jones

Signature of owner by Frank DeRice

INSPECTION COPY

25/1518
Permit No. 804-L
Locate 806
On Shed Rd. N. W.
permit 10/1
dl. closing-in
inspn. closing-in
Final Notif.
Final Inspn.
Cere. of Occupancy Issued
Staking Out Notice
Form Check Notice

NOTES

1-6-57
Camp Site

Supplementary Amendment To Agreement.

February 3, 1959.

WHEREAS one certain indenture was made the first day of December, 1957, between Domenic Marino of Portland in the County of Cumberland and State of Maine, hereinafter referred to herein as the Lessor, and Frank Derice of Montreal in the Province of Quebec, Canada, hereinafter referred to herein as the Lessee, and

WHEREAS, in said lease premises to be leased are described as "sufficient in size to provide for parking area for five automobiles.", and

WHEREAS it is now desired between the above-named Lessor and the above-named Lessee that the premises to be leased be sufficient to provide a parking area for seven automobiles instead of five automobiles as originally agreed upon;

NOW THEREFORE, it is mutually understood and agreed that the third paragraph in said lease shall be deleted in its entirety and that there be substituted therefor the following:

"A black top surface area to the rear of buildings owned by the Lessor at 769 Congress Street, Portland, sufficient in size to provide for a parking area for seven automobiles."

In all other respects the agreement as entered into on the first day of December, 1957, is hereby confirmed.

IN WITNESS WHEREOF, the said Lessor has hereunto set his hand and seal, and the Lessee has hereunto set his hand and seal by Blaine E. Davis, of Cape Elizabeth in said County of Cumberland, his agent duly authorized, all as of the day and year first above written.

Witness

William F. Howe
Donald E. E. E. E.

Domenic Marino

FRANK DERICE

By *Blaine E. Davis*
His Agent duly authorized.

Frank Derice

January 9, 1958

A - 804-806 Congress St.

Mr. Frank DeRice
Blaine I. Davis
Shore Acres, Cape Elizabeth, Maine
Stevens and Saunders-Att: J.C. Saunders
187 Middle Street

cc to: Mr. Kenneth L. Thomas
Town Landing Road
Palmouth, Maine

Gentlemen:

Examination of plans filed with application for permit for alterations to former nurses' home at the above named location to provide twelve apartments therein discloses variances from and questions as to compliance with Zoning Ordinance and Building Code requirements as listed below. Before a permit can be issued it is necessary that revised or supplementary plans indicating compliance be furnished for checking and approval. Details in question are as follows:

1. Proposed arrangement of the four parking spaces shown between Bramhall Street sidewalk and side of building does not appear feasible because it is doubtful if there is enough room to provide either the required 32 foot width or the 18 foot depth required for the four spaces, that arrangement of driveway approaches would permit parking of four motor vehicles, and that area could be graded and surfaced so as to prevent drainage of water onto Bramhall Street sidewalk. It may be possible to surface this area so that access will be available for fewer cars from Bramhall place, providing the other parking spaces elsewhere, and so as to prevent drainage of water onto the sidewalk.
2. Since inside kitchenettes of apartments 1, 2, 7 and 11 are more than 70 square feet in area, venting by ducts through the roof is not permissible under Section 212-d-1 of the Building Code, but windows at least 3 square feet in area opening directly to the outside air or into an air shaft are required. It may be that arrangement of partitions can be changed so as to keep the area of these kitchenettes within the limits where duct ventilation is allowable.
3. Since a window opening directly to the outside air cannot be provided for third story front hall as specified by Section 203-d-5.5, it is necessary that a skylight having a minimum area of 24 square feet with a ventilator having a minimum area of 50 square inches be provided.

Mr. Frank Leitch - Stevens & Saunders 2

4. Arrangement of means of egress for apartments 11 & 12 in third story cannot be approved either by this department or the Fire Department. Both entrances to apartment 11 are into the kitchenette and would both be blocked should a fire occur there. Occupants of any room in apartment 12 would have to pass the door to front stairhall in order to reach rear stairway.
5. Type of locking devices on the double 20 inch doors at front entrance is required to be such that the full width of opening will always be available. A vestibule latchset on one door only will not meet this requirement. Some way to overcome this deficiency needs to be worked out.
6. Framing and supports for rear platform and fire escape serving rear second story apartments need to be shown.
7. Framing and foundation of new platform and steps outside entrance to rear of building near entrance door to apartment 4 need to be indicated.
8. All framing details to show adequately construction of rear stairway enclosure above roof of rear section of building and serving third story apartments need to be shown.
9. What is to be provided for header across opening in first story carrying partition in kitchenette of apartment 2 and across that in second story partition in apartment 8?
10. What size header is to be provided over opening where carrying partition is to be removed in bathroom of third story apartment 12?
11. It is questionable if there is room between the foot of the cellar stairs and the foundation wall to provide the enclosure arrangement shown.

In compliance with requirements relating to light and ventilation for inside kitchenettes over 70 square feet in area and for third story front hall involves practical difficulty and unnecessary hardship, the owner has the right to ask the Municipal Officers for relief from compliance with the precise terms of the Building Code, but we are unable in advance to tell whether or not favorable action would be received upon such a request. Should the owner desire to exercise his appeal rights concerning these features, information to that effect should be given this office by Monday, January 20, in order for the appeal to be considered at the next meeting of the Municipal Officers.

Very truly yours,

Albert J. Soars
Deputy Inspector of Buildings

AMS:M

AP - 804-806 Congress Street- Conference at office of
Corporation Sounsels on Dec. 27, 1958

As a result of Building Inspectors letters of Dec. 23, Messrs Davis, Thomas, Donovan and McDonald discussed the situation on the above job. Both men expressed their regrets at having violated the ordinances. Mr. Davis delivered the lease of part of the Marino property which Mr. Donovan said was in good order.

Having found that in the blue print which Mr. Davis had with him that there were no site plans of the DeRice property at 804-806 Congress St. or of the portion of the Marino property to be used for auxiliary parking, Mr. Davis phoned Mr. Saunders of the firm Stevenson Saunders and engaged that firm to make site plans for both locations.

Mr. Davis is to bring architectural floor plans into the office the first thing Monday morning so that we can get busy checking them, and as soon as possible will furnish the site plans or prints of them, the one at Bramhall Street to bear the approval of the Traffic Engineer as to curb cuts and approaches over the curb.

Mr. Thomas agreed to be careful in the future not to start any work requiring a permit without making absolutely sure that the permit was issued and on the job.

Mr. Davis desires that we shall send no more information about the job to Mr. Armitage, since he said that he would not go back to him to have any plans made.

Warren McDonald

South Portland, Maine

WILLIAM O. ARMITAGE - Architect
December 26, 1957

Phone 3-0958

Warren McDonald
Department of Building Inspection
Portland, Maine

Re: Property 804-806 Congress Street, Portland, Maine.
Frank DeRice

Dear Warren;

In order that there will be no misunderstanding, regarding my part in preparing Plans on the above captioned Project, I feel I should advise you of my position.

I was employed by Mr. De Rice to measure up the existing building and make plans of the four floors which I did July 10, 1957 and was paid for same.

Later Mr. DeRice wanted to see how the upper floors could be laid out into apartments which I did on September 6, 1957 and was paid.

Some time later when Mr. DeRice was ready to proceed with the work, I gave him a price for making the working plans and supervising the work which he did not accept, he felt they would proceed without my services.

I have had nothing further to do with the job so do not know of their problems except from you letters. Mr. Davis has now asked me to put enough information on the plans to get a permit which I have attempted to do whether I get paid or not is my problem. You should have 8 sheets of plans. Sheets #1 to #4 of the existing building dated 7/10/57 and sheets #5 to #8 made 9/6/57 and revised 12/26/57.

I still do not have anything to do with the work at the site.

Very truly yours,

William O. Armitage
woa/e

AP 804-806 Congress Street

December 24, 1957

Mr. William O. Armitage,
23 Mitchell Road
So. Portland, Maine

Dear Bill:

In getting out the very long letter to you and Mr. Davis yesterday, concerning the DeRice job at 804-806 Congress Street, a little note on the end of your copy was omitted. Here it is:

"Because of your association with building inspection matters, I am sure you will appreciate our position in this matter. Mr. Davis has reported a number of times that he was unable to get the necessary plans from you. That and your relationship with him or Mr. DeRice is not the concern of this department. It is urged that all of you get together and take quick and certain steps to clear up the whole situation."

Very truly yours,

Warren McDonald
Inspector of Buildings

WMCD/H

Reg. Mail - Return Receipt

AP 804-806 Congress Street
Violation of the Building Code in Connection with
Proposed Change of Use of Nurses' Home to Apt. House

December 23, 1957

Mr. Kenneth L. Thomas
Town Landing Road
Falmouth Foreside, Maine

cc to: Mr. Blaine Davis
Shore Acres, Cape Elizabeth, Maine
Corporation Counsel

Dear Mr. Thomas:

An inspector from this office has found that you or the men in your employ or men under your direction have carried on extensive physical alterations, of such a nature as to require a building permit from this department before the work is commenced, in the building owned by Mr. Frank DeRice at 804-806 Congress Street, without issuance of a permit to authorize the work as required by law.

This letter represents notice of violation of the Building Code, as authorized and directed by Section 109 of the Building Code (copy enclosed).

You are hereby required to stop all work of any nature in connection with this project, either by yourself, or by men in your employ, or by men under your direction; and to see to it that no further work on this project is carried on by yourself, by men in your employ or by men under your direction, until this order to stop work is lifted and a permit has been issued from this department to authorize such work.

You are further directed to appear at the Office of Corporation Counsel, Room 208, City Hall, at 2:30 P.M., Friday, December 27 to see what can be done about this violation short of proceedings in court, if possible.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMCB/H
Enc: Copy of Section 109 of
Bldg. Code

Dear Mr. Davis:

To say that I was astonished to learn that you had permitted the contractor to proceed with the work after this long time of waiting, and as far as I can recollect, with every effort we of this department could muster, to help you and Mr. DeRice, would be putting it mildly.

While we have chosen to go after Mr. Thomas, it is true that both you and Mr. DeRice are liable for violation of both Building Code and Zoning Ordinance. In view of this, please be present at the Corporation Counsel's Office at 2:30 P.M. on Friday, December 27th when Mr. Thomas is to appear. A resume of the entire job and where it now stands are the subjects of another letter.

Warren McDonald

December 23, 1957

AP - 804-806 Congress Street

Resumé of developments relating to proposed change of use of
the former nurses dormitory to a multi-apartment building

Mr. Elaine L. Davis
Shore Acres
Cape Elizabeth
Mr. William O. Armitage
23 Mitchell Road
So. Portland

cc to: Mr. Frank DeRice
1122 Decarie Blvd.
Montreal, Quebec
Corporation Counsel

Gentlemen:

In view of the violations of both Building Code and Zoning Ordinance which have taken place in connection with the above proposal, it seems best to set down the developments from the beginning, thus to "pave the way" for seeing what can be done to clear up this unfortunate situation at the earliest possible time:

1. Mr. Davis filed application for the permit on October 14th including a blueprint by Mr. Armitage showing the proposed first floor only, and giving Kenneth L. Thomas Company as the contractor.
2. Our letter of October 18th jointly to Messrs Davis and DeRice with a copy to Messrs Thomas and Armitage, showing at least two deficiencies as regards compliance with the Zoning Ordinance and at least eight deficiencies relating to compliance with the Building Code -- with the statement revised plans would be necessary to show compliance with the laws before a permit could be issued.
3. On or before October 25 Mr. Davis came into the office, talked with me personally, said that Mr. DeRice would like to file a Zoning Appeal seeking a variance with regard to the area of the lot and with regard to the off-street parking spaces required, and giving verbal assurances with regard to the Building Code deficiencies -- all of the latter consisting of the statement that Mr. Armitage would revise the plans to show the necessary details for compliance with the Zoning Ordinance, Mr. Davis saying however, that there is a sound concrete floor in the cellar in reply to item No. 10.
4. Our certification letter with regard to the Zoning Appeal was dated October 25th, reciting that the lot contains only 7000 sq. feet while the Zoning Ordinance requires at least 12,000 in view of the proposed twelve apartments; and that twelve off-street parking spaces are required where Mr. Davis said the lot would accommodate only eight spaces.

Mr. Blaine M. Davis - Mr. William O. Armitage - - - - -2

5. On November 4th Mr. Davis filed the Zoning Appeal in the name of Mr. Davis seeking the variances as above on the basis that strict application of the provisions of the ordinance would result in practical difficulties or unnecessary hardship which are inconsistent with the intent and purpose of the ordinance.
6. We asked Mr. Davis for the site plan required by the Zoning Ordinance to show the outlines of the lot and the size and location of all proposed parking spaces. He replied that the first floor plan shows the outline of the lot, and that he would later furnish the site plans showing the parking spaces. Check of the first floor plan on the ground disclosed some slight discrepancies as to the outline of the lot, and raised the question as to whether or not anything like eight parking spaces could be provided.
7. The required public hearing on the zoning appeal was held on November 15, but the Board deferred action because of uncertainty as to whether or not a sufficient number of parking spaces could be provided on the same lot or elsewhere. Mr. Davis was out of town and sent his agent to the hearing who made some suggestion of acquiring the building and lot adjoining. Assistant Corporation Counsel Donovan was requested to contact Mr. Davis and see what could be worked out.
8. A conference of Messrs Davis, Donovan and McDonald in the Corporation Counsel office developed the possibility of purchasing a nearby repair garage, or, as an alternative, leasing a portion of the parking space already used by Roma Cafe at the rear of its Congress Street location.
9. Mr. Davis came into the Building Department and said that the garage could not be secured at a reasonable figure, but that the owner of Roma Cafe would lease as many car spaces as necessary to make up the difference between twelve spaces and the number that can be accommodated on the lot where the apartment house is proposed. He still had no site plan to show the number of parking spaces possible, and that site plan still has not been filed in his writing. In these conferences and over the phone Mr. Davis said that he was doing all he could to get the site plan and the detailed plan of alteration for the proposed apartment house layout; but for one reason or another Mr. Armitage had not produced them as requested.
10. On November 29th the Board of Appeals, though no site plan had been produced, thought to help the owner in his development and granted the appeal subject to the condition that each of the required twelve parking spaces as cannot be established on the same lot as the building in question will be provided and maintained on the premises at 769-777 Congress Street under a duly executed lease.
11. On December 13th we received application by The Katz Company for a permit to install the heating plant and oil burner equipment. Issuance of this was withheld waiting information so that we could issue the construction permit, especially in view of the fact that the heater, smokepipe and oil storage tanks are required by the Building Code to be enclosed in a fire resistive room, the materials of the construction of which, and the location of which we had not been informed about.

Mr. Elaine L. Davis - Mr. William O. Armitage ----- 3

12. On December 20th our inspector found that the contractor had seen fit to perform extensive work not only in the first story but also on the two floors above, though no permit had been issued necessarily because we had never been able to get the plans which we are required to do before any permit can be issued. A large difference appears here in that up to December 10 we had understood from Mr. Davis that only the work on the first floor and any work in the basement required thereby was to be done at the present time -- the second and third floors to await the desires of the owner. Still, we find the contractor working on some basis on both second and third floors as well as the first story. Inasmuch as we have not received any plans, it is natural to assume that the contractor has done either.
13. Today, December 23rd, because of these violations and the fact that the heater, oil burning equipment, smokepipe and fuel oil tanks must be enclosed in a fire resistive heater room concerning which we have no information, we have notified the Litz Company by phone that we are unable to issue the heating permit and that they are not to proceed with the work of installation. We have notified Mr. Thomas of the violation, as required under the Building Code, and instructed him to come to the Corporation Counsel's Office at 2:30 P.M., Friday, December 27th, giving a copy of the notice to Mr. Davis and requesting that he appear at the same time.

To get this unfortunate situation cleared up, in event court proceeding are not necessary, the following steps are required:

- have made the necessary site plan showing each specific parking space (at least 8 feet wide and 14 feet long each) as they will be located on the lot with the access thereto from the street.
- from the above site plan, determine how many parking spaces will be necessary to be leased from Mr. Marino. Provide the plan of his parking area showing the outline of the lease to Mr. Deice on the plan including the details as to size and location of the parking space with access thereto.
- have the lease of this space drawn and executed and file a certified copy at this office for approval by the Corporation Counsel.
- have the architectural plans of cellar, second and third floor prepared and the first floor plan corrected -- all to show compliance with Building Code requirements -- and file prints with the building plans, the site plan and the plan of the Marino parking area showing the Deice lease and for what term, at this office.
- all plans and the lease will be checked at this office, and, if all is found in order, the permit will be issued. Until the permit is issued it is not lawful to proceed with any further work of any description in or on the building.

In view of the entire situation, it is expected that the above steps as far as checking the plans, etc. against the requirements in this office, will be completed before January 3, 1958.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMOE/H

October 25, 1957

AP 804-806 Congress Street
Proposal to change former nurses' dormitory to an apartment house and zoning appeal relating thereto

Copies to Mr. Frank DeStice
1122 Decarie Blvd.
Montreal, Quebec
Corporation Counsel

Mr. Blaine E. Davis
Shore Acres
Cape Elizabeth, Maine

Mr. W. O. Armitage
23 Mitchell Rd. So. Portland
Mr. Kenneth L. Thomas
27 Ocean St. So. Portland

Dear Mr. Davis:

Under the Zoning Ordinance the permit to commence alterations in and change of use of the former nurses' dormitory at 804-806 Congress St. to an apartment house, which will eventually accommodate 12 dwelling units (the immediate proposal is to provide six apartments on the first floor with future plans for six more on the floors above) is not issuable because:

--the lot contains about 7000 square feet while Section 90a of the Ordinance, applying in the B-2 Business Zone where the property is located and referring to the requirements in R-6 Residence Zones (Section 7B9) provides that the lot shall contain at least 1000 square feet per dwelling unit --in this case 12,000.

--the open spaces on the lot will accommodate eight parking spaces, eight ~~six~~ feet wide by 18 feet long, with the necessary access driveways, while Section 90, referring to Section 14a provides that one off-street parking space shall be required for each dwelling unit--12.

Very truly yours,

Warren McDonald
Inspector of Buildings

Wich/E

TB

October 18, 1957

AP - 804-806 Congress Street

Mr. Blaine E. Davis
Shore Acres
Cape Elizabeth, Maine
Mr. Frank Leice
1122 Decarie Blvd.
Montreal, Quebec

cc to: F. Kenneth L. Thomas, Inc.
135 Franklin Street
cc to: Mr. W. O. Armitage
23 Mitchell Road
St. Portland, Maine

Gentlemen:

Examination of plan and application for permit for changing use of first story of former nurses' home at the above named location to living quarters for six families discloses variances from zoning ordinance and building code requirements as listed below. Before a permit can be issued for the proposed alterations it is necessary that a revised plan indicating compliance with requirements be furnished for checking and approval. Details in question are as follows:

1. Under the recent revision of the zoning ordinance at least one off-street parking space not less than eight feet wide and 18 feet long is required to be provided for each apartment on the lot on which the building is located or within 100 feet of the lot measured along the street lines. If you do not have room to do this, as appears likely, the only recourse is to ask the Board of Appeals for relief from compliance with this requirement, since a permit cannot be issued for the change of use without the required parking spaces being provided unless authorization for the omission is given by that board.
2. The zoning ordinance also specifies that the number of apartments in the building shall be no greater than one for each 1000 square feet of lot area. Since the lot on which the building is located contains about 7000 square feet, this question will not arise until more than seven apartments are to be provided, but we thought you should be aware of this requirement while making further plans for use of the building.
3. Ventilation by ducts through the roof or by mechanical ventilation is required for kitchenettes in apartments #3 and #4 unless the area of the archway openings in the partition between them and the living-rooms is to be at least 60 per cent of the total area of those partitions. See Section 203-d-5.3 of the Building Code.
4. Similar ventilation is required for kitchenettes of apartments #1 and #2. See Section 212-d-1.2.
5. Ventilation in compliance with requirements of the Plumbing Code is required for the inside bathrooms of apartments #1, #2, #5 and #6. See Section 212-d-1.
6. Lights in front and rear public halls are required to be provided in accordance with Section 203-e-3.

the Lessor or his duly authorized agent in writing of his intent to renew said lease on or before October 1, 1960.

2. The Lessor covenants and agrees that he will, during the term of this lease, keep the demised property clear of snow and ice.

3. The Lessee covenants and agrees to quit and deliver up the premises to the Lessor, peaceably and quietly, at the end of the term aforesaid, in as good order and condition (reasonable use and wearing thereof, and damage by the ele-

Change from the skyline to update Congress St
10/17/57

AP - 504-506 Congress Street

7. Unless already equipped so that both sections of the narrow doors at the front entrance can always be opened from the inside without the use of a key by pressure on a bar or lever or by turning the usual knob, they will need to be made to so operate, since a single door of this pair is less than 30 inches wide - See Section 212-a-2.3.

8. All new partitions bordering public halls front and rear are required to be covered on both sides by plaster on incombustible lath. See Section 203-f-1.

9. How is building to be heated? While questions will not arise until more than six apartments are to be provided, it will be necessary when additional apartments are installed to have a single heating plant enclosed by partitions and ceiling of one-hour fire resistance - See Sections 203-f-3 and 203-h-1.

10. Is there a sound concrete floor in cellar meeting specifications of Section 203-i-2?

Ver. truly yours,

Albert J. Sears
Deputy Inspector of Buildings

AJS:H

2. The Lessor covenants and agrees that he will, during the term of this lease, keep the demised property clear of snow and ice.

3. The Lessee covenants and agrees to quit and deliver up the premises to the Lessor, peaceably and quietly, at the end of the term aforesaid, in as good order and condition (reasonable use and wearing thereof, and damage by the old-

Change from Nurses Home to Apts at 804-806 Congress St

10/17/57

1. 3/58

1- zoning; B-2 zone - Use allowable but does not, unless permitted apply. Off. street parking required - do apply

2. Special + General Use Requirements:

SECTION 203

a - O.K.
b - O.K.
c - second class or O.K.
d - 53 - Chimneys to
kitchens of Apts 3 + 4
are not 60% of area of
partition so ventilation
required.

e - 3 - Light down front and
rear halls.

f - 1 - New hallway partitions
must be plastic or masonry
with 1/2" thick

g - Future enclosure of
heater.

h - O.K.

i - How heated?

j - Is there a second com-
municable floor in cellar?

k - O.K.

SECTION 212

a - O.K.
b - O.K.
c - O.K.
d - 1, 2 - Ventilation re-
quired for kitchens
of Apts. 1 + 2.
e - Ventilation required
for bath rooms of Apts
1, 2, 5 + 6.

f - Type of hardware on
+ swing of front doors.
Width of front doors.

g - O.K.

h - O.K.

i - How heated?

j - O.K.

k - O.K.

9-2308

10-2308

the Lessor or his duly authorized agent in writing of his intent to renew said lease on or before October 1, 1960.

2. The Lessor covenants and agrees that he will, during the term of this lease, keep the demised property clear of snow and ice.

3. The Lessee covenants and agrees to quit and deliver up the premises to the lessor, peaceably and quietly, at the end of the term aforesaid, in as good order and condition (reasonable use and wearing thereof, and damage by the ele-

RECEIVED
OCT 24 1957
CITY OF BOSTON
DEPARTMENT OF CITY PLANNING

10/15/57

Any Correspondence
please send to
Mr. Blaine L. Davis
Share Acres Cape Elizabeth Me

the Lessor or his duly authorized agent in writing of his intent to renew said lease on or before October 1, 1960.

2. The Lessor covenants and agrees that he will, during the term of this lease, keep the demised property clear of snow and ice.

3. The Lessee covenants and agrees to quit and deliver up the premises to the Lessor, peaceably and quietly, at the end of the term aforesaid, in as good order and condition (reasonable use and wearing thereof, and damage by the ele-

... 1. if not made at 2000 Congress St. 11/13/57

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Conditions:
such of the required 12 parking spaces as can not
be established on the same lot as the dwelling house
will be provided and maintained on the premises at
767-777 Congress St. under a duly executed lease.

20' under 27' +
5.2' in drainage
channels
4-5' in drainage
under road stairs

No 9410
open
do not
use
fire

to be agreed upon between
the Lessor or his duly authorized agent in writing of his intent to renew said
lease on or before October 1, 1960.

2. The Lessor covenants and agrees that he will, during the term of this
lease, keep the demised property clear of snow and ice.

3. The Lessee covenants and agrees to quit and deliver up the premises to
the Lessor, peaceably and quietly, at the end of the term aforesaid, in as good
order and condition (reasonable use and wearing thereof, and damage by the ele-

7000 1/2

Change to 12 Apartments at 204 2nd Congress Street

1/3/58

- 1-Working: - Appeal retained concerning deficiency in area of 1st floor.
- 2- Special and General See comments.

SECTION 203	SECTION 212
a-Apt. House for 12 families	a- O.K.
b- O.K.	b- O.K.
c- O.K.	c- O.K.
d-5- Are there glass panels in doors to central hall first story? - O.K. What about glass panels in front door first story? - O.K. What about light and air for front hall 3rd story? - ?	d-1- Inside kitchenettes in Apts. 1, 2, 7, 11 are more than 70 sq ft. in area, same as only part of 1st story not allowable. Kitchenettes of Apts 9 & 10 which have doors opening to outside and do not need to have vents through roof. Vents for inside bath rooms subject to approval of Health Dept.
e- O.K.	e-25- Type of locks on outside front doors, each lock to be 20" wide e-52- Hand rail on stairs e-53- Height of stairs & width of tread of stairs - O.K. e-55- Any door existing under front stairs

in
A-
to
notify
aid
this

(over)

AP

2. The lessor covenants to keep the devised property clear of snow and ice.
3. The Lessee covenants and agrees to quit and deliver up the premises to the lessor, peaceably and quietly, at the end of the term aforesaid, in as good order and condition (reasonable use and wearing thereof, and damage by the elements) as when received.

File 100-4

THIS INDENTURE made this first day of December, A. D. 1957, between
Domenic Marino of Portland in the County of Cumberland and State of Maine,

Change to 12 Apartments at 804-806 Congress Street
1/6/58

2- Special + General Requirements (cont'd)

SECTION 203	SECTION 212
f-O.K.	f-O.K.
g-O.K.	g-O.K.
h-O.K.	h-O.K.
i-1 Any windows? ?	i-O.K.
i-2 Sound cellar floor? ?	
j- Special Allowances	j-O.K.

Statement of Design

2- Miscellaneous:

- a- Framing of rear platform and fire escape details.
- b- Framing + foundation of new rear entrance platform.
- c- What about platform outside extreme rear exit doors? - none needed.
- d- Framing and supports of new rear hall in third story.
- e- Header across new opening in carrying partition first story in kitchen of Apt. #2?
- f- Same in Apt. #8 in second story?
- g- Same in Apt. #12 bathroom in third story?

AP

0-11/7/58 12/1/58

Filed

THIS INDENTURE made this first day of December, A. D. 1957, between
Domenic Marino of Portland in the County of Cumberland and State of Maine,
hereinafter referred to herein as the Lessor, and Frank DeLice of Montreal
in the Province of Quebec, Canada, hereinafter referred to herein as the Lessee,
WITNESSETH:

That the Lessor, for and in consideration of the covenants and agreements
hereinafter mentioned to be kept and performed by the Lessee, does hereby lease,
 demise, and let unto the said Lessee the premises in said Portland, known and
 described as follows:

A black top surface area to the rear of buildings owned by the Lessor at
 769 Congress Street, Portland, sufficient in size to provide for a parking area
 for five automobiles.

It is mutually understood and agreed between the above-named Lessor and the
 above-named Lessee that said area shall be appropriately marked by colored surface
 materials at the expense of the said Lessee and that said area shall be sufficient
 in size to accommodate five individual parking areas each not less than 9' x 18'
 with suitable means of ingress and egress from said spaces also provided.

TO HAVE AND TO HOLD for a term of three years, beginning at twelve o'clock
 midnight on the thirtieth day of November, 1957, and ending at twelve o'clock
 midnight on the thirtieth day of November, 1960.

1. The Lessee, in consideration of said demise, covenants and agrees with
 the Lessor to pay as rent for said demised premises on the basis of five dollars
 (\$5.00) per month or a part thereof, for each and every car space occupied by the
 Lessee, his agents, tenants, or assigns; said five dollar (\$5.00) payment being
 payable in arrears, said payments to be made at the Lessor's place of business in
 said Portland. The Lessee shall have the right to renew the lease for an addi-
 tional five years at the expiration of this lease for an amount then and there
 to be agreed upon between the parties. Provided, however, the Lessee shall notify
 the Lessor or his duly authorized agent in writing of his intent to renew said
 lease on or before October 1, 1960.

2. The Lessor covenants and agrees that he will, during the term of this
 lease, keep the demised property clear of snow and ice.

3. The Lessee covenants and agrees to quit and deliver up the premises to
 the Lessor, peaceably and quietly, at the end of the term aforesaid, in as good
 order and condition (reasonable use and wearing thereof, and damage by the ele-

ments and inevitable accident excepted) as the same were on December 1, 1957.

The Lessee also agrees to repair any damage to said premises caused by the Lessee, his agents and employees, and not make or suffer any waste thereof.

4. It is further mutually understood and agreed that the use of said parking area is to be limited exclusively to the use of five tenants of other premises owned by the Lessee, being located at No. 802-804 Congress Street.

5. It is further mutually understood and agreed that no such tenant shall be permitted the use of any of the five parking spaces except that either said Lessee or his duly authorized agent shall have notified the Lessor in writing as to the name of the specific tenant to occupy a specific parking area and the said Lessee hereby covenants and agrees that he will at all times provide a list of such tenants to use such parking area to the Lessor in writing.

6. All personal property on said leased premises shall be at the risk of the Lessee only, and the Lessor shall not be liable for any damage either to person or property sustained by the agents of the Lessee.

7. The Lessee further covenants and agrees to hold the Lessor harmless from any loss, cost, liability, or damage by reason of any claims which may be made or judgment recovered because or on account of any injury or damage to persons, property, or rights, or in connection in any way with the use and occupation of the Lessee, or his tenants of the premises herein leased.

8. The Lessee shall be responsible for any and all repairs to the premises during the term of the lease.

9. The covenants and agreements herein contained shall bind and inure to the benefit of the parties hereto, their representatives, heirs, successors, and assigns.

IN WITNESS WHEREOF, the said Lessor has hereunto set his hand and seal, and the Lessee has hereunto set his hand and seal by Elaine M. Davis, of Cape Elizabeth in said County of Cumberland, his agent duly authorized, all as of the day and year first above written.

Witness

Frank DeH. E.

Blaine E. Davis

Frank DeH. E.

FRANK DEH. E.

By Blaine E. Davis
his Agent duly authorized

State of Alaska

December 1, 1957

Cumberland, ss.

personally appeared the above-named Lovenic Marino and acknowledged the foregoing instrument to be his free act and deed.

Before me,

John J. [Signature]
Justice of the Peace

I hereby ratify and confirm the act of my above agent duly authorized.



APPLICATION FOR PERMIT

Class of Building or Type of Structure 2nd class
Portland, Maine, Dec. 20, 1957

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 804-806 Congress St. Within Fire Limits? yes Dist. No. 3
Owner's name and address Frank Sedice, 1122 Decarie Blvd, Montreal, Quebec Telephone
Lessee's name and address Simonds Construction Co. Inc. 482 Congress Telephone 3-5123
Contractor's name and address Plans no No. of sheets
Architect Specifications No. families
Proposed use of building Apartment house No. families
Last use Nurses home Roofing
Material brick No. stories 3 Heat Style of roof
Other building on same lot Fee \$ 5.00
Estimated cost \$ 1000.00

General Description of New Work

To construct an outside brick chimney on side of building towards Bramhall Street
16" x 16" flue-tile flue lining.

*Refused 1/3/58 - permit not issued as yet for
alteration to above address.
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 contractor*

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 at least No. stories below grade solid or filled land? earth or rock?
Material of foundation concrete Thickness, top bottom cellar
Material of underpinning Height Thickness
Kind of roof Rise per foot Roof covering Kind of heat fuel
No. of chimneys Material of chimneys of lining Corner posts Sills
Framing Lumber—Kind Dressed or full size? Size Max. on centers
Size Girder Columns under girders Kind and thickness of outside sheathing of exterior walls?
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 , height?
If one story building with masonry walls, thickness of walls?

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?

AP

APPROVED:

INSPECTION COPY

Signature of owner

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
Simonds Construction Co. Inc.

John H. Simonds Pres & Treas
F.M.
F.M.

Permit No. 577
Location 804-806 Canyon St
Owner Shack's Roofing Inc
Date of permit 12/15/57
Notif. closing-in _____
Inspn. closing-in _____
Final Notif. _____
Final Inspn. _____
Cert. of Occupancy issued _____
Sinking Out Notice _____
Form Check Notice _____

NOTES



FILL IN AND SIGN WITH INK

APPLICATION FOR PERMIT FOR
HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine, Dec. 13, 1957

PERMIT 100111

100111

FEB 3 1958

100111

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

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 804-806 Congress St. Use of Building Apartment House No. Stories 3 New Building
Name and address of owner of appliance Frank Derice, 24 E. Over St. Existing
Installer's name and address H.J. Katz, 7 Washington Ave. Telephone 3-8343

General Description of Work

To install Oil burning unit in connection with forced hot water (conversion)

IF HEATER, OR POWER BOILER

Location of appliance Basement Any burnable material in floor surface or beneath? none
If so, how protected? Kind of fuel? oil
Minimum distance to burnable material, from top of appliance or casing top of furnace 35' 2' over 5'
From top of smoke pipe 2' From front of appliance over 4' From sides or back of appliance
Size of chimney flue 18x18 Other connections to same flue none
If gas fired, how vented? Rated maximum demand per hour
Will sufficient fresh air be supplied to the appliance to insure proper and safe combustion? yes

IF OIL BURNER

Name and type of burner Retro-guntype Labelled by underwriters' laboratories? yes
Will operator be always in attendance? Does oil supply line feed from top or bottom of tank? bottom
Type of floor beneath burner concrete Size of vent pipe 1 1/2 inch each
Location of oil storage Basement Number and capacity of tanks 2-275 gal.
Low water shut off Make No.
Will all tanks be more than five feet from any flame? yes How many tanks enclosed? none
Total capacity of any existing storage tanks for furnace burners none

IF COOKING APPLIANCE

Location of appliance Any burnable material in floor surface or beneath?
If so, how protected? Height of Legs, if any
Skirting at bottom of appliance? Distance to combustible material from top of appliance?
From front of appliance From sides and back From top of smokepipe
Size of chimney flue Other connections to same flue
Is hood to be provided? If so, how vented? Forced or gravity?
If gas fired, how vented? Rated maximum demand per hour

MISCELLANEOUS EQUIPMENT OR SPECIAL INFORMATION

Permit Issued with Letter

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-2/3/58-ajl

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
H.J. Katz Co.

Signature of Installer by: H.J. Katz Co.

C17 MAINE PRINTING CO.

INSPECTION COPY

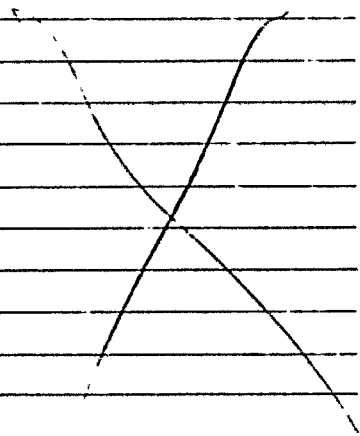
F.M.

NOTES

Permit No. 58, 111
 Location 84406 Chino St
 Owner Frank & Alice
 Date of permit 8/3/58
 Approved _____

7-17-58 Remote Emer Switch ?

Completed in 1 hr



CITY OF PORTLAND, MAINE
BOARD OF APPEALS

VARIANCE APPEAL

*Granted
Conditionally 11/29/57
57/134*
November 4, 1957

Frank DeRice, owner of property at 804-806 Congress Street, under the provisions of Section 23 of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board of Appeals for a variance from the provisions of said Ordinance to permit: Alterations in and change of use of the former nurses' dormitory at 804-806 Congress St. to an apartment house, which will eventually accommodate 12 dwelling units (the immediate proposal is to provide six apartments on the first floor with future plans for six more on the floors above). A permit for alterations in and change of use of the dwelling is not issuable because (1) the lot contains about 7000 square feet while Section 9Ca of the Ordinance, applying in the B-2 Business Zone where the property is located and referring to the requirements in R-6 Residence Zones (Section 7B9) provides that the lot shall contain at least 1000 square feet per dwelling unit—in this case 12,000. (2) the open spaces on the lot will accommodate eight parking spaces, eight feet wide by 18 feet long, with the necessary access driveways, while Section 9D, referring to Section 14a provides that one off-street parking space shall be required for each dwelling unit.

LEGAL BASIS OF APPEAL: Such variance may be granted only if the Board of Appeals finds that the strict application of the provisions of the Ordinance would result in practical difficulties or unnecessary hardship in the development of property which are inconsistent with the intent and purpose of the Ordinance; that the granting of the variance is necessary in order to avoid confiscation and permit reasonable use of property; that there are exceptional or unique circumstances relating to the property that do not apply generally to other property in the same zone or neighborhood, which have not arisen as a result of action of the appellant subsequent to the adoption of the Ordinance; that property in the same zone or neighborhood will not be adversely affected by the granting of the variance; and that the granting of the variance will not be contrary to the intent and purpose of the Ordinance.

Frank DeRice
By: Blaine E. Davis
APPELLANT

DECISION

After public hearing held November 29, 1957, the Board of Appeals finds that all of the above conditions do exist with respect to this property and that a variance should be granted in this case, on the condition that such of the required 12 parking spaces as can not be established on the same lot as the dwelling house will be provided and maintained on the premises at 767-777 Congress Street under a duly executed lease.
~~XX~~

It is, therefore, determined that a variance from the provisions of the Zoning Ordinance should be granted in this case, on the condition that such of the required 12 parking spaces as can not be established on the same lot as the dwelling house will be provided and maintained on the premises at 767-777 Congress Street under a duly executed lease.

Franklin H. Whipple
Harry H. Brown
Joseph T. Seng
BOARD OF APPEALS

JOHN M.
TOR OF

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

November 12, 1957

Proposed

Mr. Elaine E. Davis
Shore Acres
Cape Elizabeth, Maine

Dear Mr. Davis:

The Board of Appeals will hold a public hearing
in the Council Chamber at City Hall, Portland, Maine, at
4:00 p.m., on Friday, November 15, 1957, to hear the appeal
of Frank DeRice under the Zoning Ordinance.

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

BOARD OF APPEALS

Franklin G. Hinckley

Chairman

S

WARREN McDONALD
INSPECTOR OF BUILDINGS

ALBERT J. SEARS
DEPUTY INSPECTOR OF BUILDINGS

CITY OF PORTLAND, MAINE
Department of Building Inspection.

October 25, 1957

AP 804-806 Congress Street
Proposal to change former nurses' dormitory to an apartment house and zoning appeal relating thereto

Copies to Mr. Frank DeRice
1122 Decarie Blvd.
Montreal, Quebec
Corporation Counsel ✓

Mr. Blaine E. Davis
Shore Acres
Cape Elizabeth, Maine

Mr. W. O. Armitage
23 Mitchell Rd. So. Portland
Mr. Kenneth L. Thomas
27 Ocean St. So. Portland

Dear Mr. Davis:

Under the Zoning Ordinance the permit to commence alterations in and change of use of the former nurses' dormitory at 804-806 Congress St. to an apartment house, which will eventually accommodate 12 dwelling units (the immediate proposal is to provide six apartments on the first floor with future plans for six more on the floors above) is not issuable because:

--the lot contains about 7000 square feet while Section 9Ca of the Ordinance, applying in the B-2 Business Zone where the property is located and referring to the requirements in R-6 Residence-Zones (Section 7B9), provides that the lot shall contain at least 10000 square feet per dwelling unit --in this case 12,000.

--the open spaces on the lot will accommodate eight parking spaces, eight feet wide by 18 feet long, with the necessary access driveways, while Section 9D, referring to Section 14a provides that one off-street parking space shall be required for each dwelling unit--12.

Very truly yours,

Warren McDonald
Inspector of Buildings

W McD/B

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

November 5, 1957

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine, on Friday, November 15, 1957, at 4:00 p.m. to hear the appeal of Frank DeRice requesting an exception to the Zoning Ordinance to permit alterations in and change of use of the former nurses' dormitory at 804-806 Congress Street to an apartment house, which will eventually accommodate 12 dwelling units.

This permit is not issuable because: (1) The lot contains about 7000 square feet while Section 9Ca of the Ordinance applying in the B-2 Business Zone where the property is located and referring to the requirements in R-6 Residential Zones (Section 7B9), provides that the lot shall contain at least 1000 square feet per dwelling unit in this case 12,000. (2) The open spaces on the lot will accommodate eight parking spaces, eight feet wide by 18 feet long, with the necessary access driveways, while Section 9D, referring to Section 14a provides that one off-street parking space shall be required for each dwelling unit.

This appeal is taken under Section 23 of the Zoning Ordinance which provides that the Board of Appeals by unanimous vote may grant such a variance if it finds that the strict application of the provisions of the Ordinance would result in practical difficulties or unnecessary hardship in the development of property which are inconsistent with the intent and purpose of the Ordinance; that the granting of the variance is necessary in order to avoid confiscation and permit reasonable use of property; that there are exceptional or unique circumstances relating to the property that do not apply generally to other property in the same zone or neighborhood, which have not arisen as a result of action of the appellant subsequent to the adoption of the Ordinance; that property in the same zone or neighborhood will not be adversely affected by the granting of the variance; and that the granting of the variance will not be contrary to the intent and purpose of the Ordinance.

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 the Ordinance.

BOARD OF APPEALS

Franklin G. Hinckley

Chairman

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

November 5, 1957

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine, on Friday, November 15, 1957, at 4:00 p.m. to hear the appeal of Frank DeRice requesting an exception to the Zoning Ordinance to permit alterations in and change of use of the former nurses' dormitory at 804-806 Congress Street to an apartment house, which will eventually accommodate 12 dwelling units.

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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 the Ordinance.

BOARD OF APPEALS

Franklin G. Hinckley

Chairman

Appeal of Franklin Place at 501 506 Congress Street

11/4/57

- | | |
|--|---|
| ✓ Bramhall Court - Entire ✓ | ✓ Taugham Street - 237 to end ✓
- 220 to end ✓ |
| ✓ Bramhall Street - 37 to end ✓
- 36 to end ✓ | ✓ Wescott Street - Entire ✓ |
| ✓ Knichell Street - 255 to end ✓
- 298 to end ✓ | |
| ✓ Charles Street - 1 to 11 ✓ | |
| ✓ Congress Street - 763 to 854 ✓
- 762 to 851 ✓ | |
| ✓ Crescent Street - 1 to 21 ✓
- 2 to 18 ✓ | |
| ✓ Cumberland Ave. - 541 to end ✓
- 538 to end ✓ | |
| ✓ Steering Avenue - 1 to 45 ✓
- 10 to 46 ✓ | |
| ✓ Ellsworth Street - Entire ✓ | |
| ✓ Grant Street - 136 to 178 ✓ | |
| ✓ Hill Street - Entire ✓ | |
| ✓ Macmillan Road - Entire ✓ | |
| ✓ Neal Street - 168 to 186 ✓ | |
| ✓ Russell Street - Entire ✓ | |
| ✓ Sherman Street - 127 to end ✓
- 124 to end ✓ | |
| ✓ Trowbridge Place - Entire ✓ | |

Brachett St

(25)

- 275-279 Alice H. W. P. ... Mrs 138 Eastern Prom.
 291-293 Carrie E. Stahl, 272 Spring St.
 295 Frances W. Spencer 296 Brachett
 297 Arthur W. & Charles H. ... 415 Cong. St.
 299-301 "
 303 Doris R. ... 521 Central Ave.
 305-307 Philip W. & Antie J. ... 247 Vaughan St.
 309-313 Carl D. ... 311 Brachett St.
 315 Ina M. McCausland 315 Brachett St.
 317-323 ... 321 "
 325-329 Dup
 331 Agnes E. & Kenneth C. ... 331 Brachett St.
 335-337 Mary Davis 335 Brachett St.
 298-302 Mary E. Thompson 298 Brachett St.
 Ellen S. Anderson
 304-306 Barbara C. & Julie 306 Brachett St.
 302 Louise M. & Thomas ... 302 Brachett
 308-326 Dup
 328-332 Dup
 334-336 Dup

Charles St

- 1-7 Agnes M. Kierstead 35 Tate St.
 9 Frederick A. Pickering, Jr. 9 Charles St.
 11 Emma M. Libby 44 Sheffield St.

Congress St

- 763-765 Otis J. Dougherty 763 Cong. St.
 767-771 Congress Land Co 769 "
 773-775 Emily S. & Frank S. Bond ... Yarmouth, Me.
 777 Edith B. & Wm. Olson 777 Cong. St.
 779-781 Hannah J. & Fred L. ... 779 "
 783-785 Myrtle B. & Mauro S. ... 779 Cong. St.
 787-789 Percival P. ... 92 West St.
 803-803a "
 805-805a Myer D. Brown 121 Williams St.
 807-809 "

1-45

Rec'd of are

18-17

19

21-25

31-57

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Congress St. Cont.

(23)

811 E. Lillian Whittemore 811 Cong. St.
812 Virginia C. + Kenneth A. 813 " "
815-817 Clarence J. Trechman 133 Falmouth St.

819 " "
821-825 Archie + Lillian Teresian 44 Cedar St.
827-831 Charles E. Crapine 829 Cong. St.
833-835 Mary B. Merwin + 835 Cong. St.
Lillian + L. L. Loring

837-839 Dorothy B. Matt 837 Cong. St.
841 Bessie A. Davis 841 " "

843-845 Leo W. Gray 845 Cong. St.
847-851 Sylvia D. Greenberg 40 Morris Greenberg
853-855 " " 12 Exchange St.

762 John W. Deering, Jr., (NR) P.O. Box 692
764-768 Margaret Cantrale 91 Flora St.

770-774 Leroy Serinity, Inc 70 Catherine Hwy, Texas, State Rd.
776 Gedaliah + Elie M. Lurie 776 Cong. St. Phil.

778-780 " "
782 Catherine P. + Dexter W. Clements 784 Cong. St.

784 " "
790 Edna C. + Knud C. Peterson 148 Dartmouth St.

792 " "
794-800 Lugs
804-806 " "
808 Irving C. Rice 808 Cong. St.

810 Lugs
812 " "

814-816 " "
818 " "

820 " "
828-836 ~~Virginia~~ Cong. Lugs
838 Lillian M. MacInt 838 Cong. St.

Agnes Ann Cary
840-842 Doreige M. + Peter J. Pompea 842 Cong. St.

844 Myron Frankelmann 19 Spruce St.
846-848 Vera B. + Jennie R. Mitchell 848 Cong. St.

852-854 Rosario Rossetti, (NR) Old Orchard Beach
me

1-45 Deering Ave.
 15-17 Ma. & A. Simpson 15 Deering ave.
 19 Mary O. Cannon 19 " "
 21-25 Marion D. & Martha Wilton - Hurn 32 Ellsworth St.
 31-37 Pauline E. Peters 145 Sherman St.
 39 Michael W. Leppen - Hurn 39 Deering ave.
 39 near
 41-45 Ida Jackson Dup

10-46

10-12 Dup
 14-16 Thomas J. Brown Dup
 18 Dup
 20-24 John J. & Annie L. Fox 22 Deering ave.
 26-28 Ethel M. Marston (MR) 266 West Rd, Westbrook
 30 John E. Joyce 30 Deering ave.
 32-34 Arthur A. Newcomb 34 Deering ave.
 36-38 Mitchell E. & Katherine A. Westart 38 Deering ave.
 40 Ludwig A. & Patricia C. Teras 40 " "
 42-44 Mary & Frankman Dup
 46 Daniel T. Dora Scler 46 Deering Ave

Ellsworth St

1-5 Chipman Corp Dup
 7-9 Helen Millett Chipman Dup
 17 Dup
 19-21 Margaret M. Lipp 19 Ellsworth St
 23 Arthur A. Palmer 23 Ellsworth St
 25-27 Gladys P. - Dup
 28-30 Theresa A. Connolly 25 Ellsworth St
 31-33 Russell E. Magowan 228 Orickett St
 35-37 Mary Nappi 204 Vianda St. ✓
 39 Dup
 41 Mr. & Mrs. Horsford Dup
 45-47 " "
 2-6 Dup
 10-14 Arthur E. Davis Dup
 16-18 Mildred E. Stult 19 Hill St
 21-28 Alice C. & Harold Cummings 93 Fulmouth St
 30-32 Dup
 34-38 Edward J. Kane 34 Ellsworth St

804-806 Congress St (23) ①

Bramhall Court

- Maine Eye & Ear Infirmary 79 Bramhall St.
 7 Irving C. Rice 808 Cong St.
 9 Florence D. Ashley 810 " "
 11 Grace Kay & Bernard B. Tillet 812 Cong St.
 13-15 C. Harb. Waterman, Jr 6 Bramhall St.
 17 Lysandro Avello NR Westbrook, Me
 19 Sleep
 2-6 Edna M. Applebee & Emma A. McKenney 38 Bramhall
 8-10 Grace Ellen Burnham 10 Bramhall Place
 12-14 Chapman Corp 415 Cong St.
 16-18 Josephine McKenney 6 Bramhall Place
 20 Arthur C. Dares 12 Ellsworth St

Bramhall Street

- 37 Portland Water District 16 Casco St.
 43-45 Elsie E. Mayfield 321 Brackett St.
 47 Adeline A. & James A. Rayer 47 Bramhall St.
 49-51 " " "
 53 Eva & Abel J. Lerasseur 53 Bramhall St.
 57-63 Sleep
 55 Helen B. & J. Lester Whipple 55 Bramhall St.
 73-71 Sleep
 36-40 Sleep
 42 John J. & Eliza B. Hammett 325 Brackett St.
 44 Mabel E. Humphries 25 Green St, Bath, Me
 46-48 Madeline B. & Beatrice M. Connor 46 Bramhall
 50-52 Martine J. & Theresa L. Joyce 52 Bramhall St.
 54-56 Melrose H. Hatherton, (NR) Frank L. Rawson To Summit
 60 Allouaine Trading Corp 6 Free St, Sumner, So. Casco
 62-64 Messel L. & Walter Messel 64 Bramhall St.
 66-68 Sleep
 72-80 Oliver

Crescent St

(18)

1-3 Helen M. Chynoweth
 5-7 " " 7 Ellsworth St
 9-11 Beatrice A. Hatchinson 9 Crescent St
 13-15 Gladys W. McCrumb 15 " "
 19-21 Lillotta D. Kirschbaum 19 " "
 2-6 Joseph B. Kahill, Hrs
 8 Walter Messer 8 Crescent St
 10-12 Dup 64 Bramhall St
 14-18 " "
 21-23 Veterans office

Cumberland Ave

541-543 Eleanor J. & Arthur L. Lee 541 Cumberland Ave
 545-547 Freda M. Merrill 15 Summer St, Yarmouth, Me
 549-551 Aaron Davidson 61 Sherman St
 553 " "
 555-557 Ruth L. Sylvester 555 Cumberland Ave
 559 Aaron Davidson
 561-563 Lillian E. & Joseph Marcus 61 Sherman St
 565-569 Lena Mae Clark 571 Cumberland Ave
 537-540 Theresa Clancy 537 Cumberland Ave
 542 Corn E. P. Worthington 542 Cumberland Ave
 544 Cary Kent Co
 546-548 Abraham S. Davidson Memorial 61 Dup
 550 Blanchard St. & Lillian Tillotson 17 Volcott St
 554 Florence J. Colby 552 Cumberland Ave
 556-558 Dup
 560-562 Mary E. & Carl F. Fiore 560 Cumberland Ave

Deering Ave

1-45
 1-5- Perennial Planting Dup
 7-9 Rev & Mrs A. Galt or Galt 9 Deering Ave
 11-13 Lena Mae Clark Dup

165-186 Neal St.

168-172 Francis A. Cameron 124 Hayes St.
174-176 Eleanor C. Campbell 176 Neal St.
178 Chas. C. Cameron & Secreta M. 178 Neal St.
180 Jennie Proctor Rose 180 Neal St.
182-186 Wm. H. Wilson & Odell M. 760 Cong. St.

(23) Russell St.

1-3

Dup.

3-7

James & Alice Kearns 7 Russell St.

9-11

James & Blanche Blackburn 9 Russell St.

13

Nellie A. Thurston 11 " "

15-17

Jane E. & Leo L. Emma Conant 15 Russell St.

19

Dup.

2-4

Dup.

6-8

Martin J. & Theresa J. Dup.

10

Batista M. & Helen M. Dup.

12-14

Mabel E. Humphries Dup.

16-20

Dup.

(127-129) Sherman St.

127-129

Becht

131-133

Mary Smith 121 Grant St.

135

Herbald Melvin Tapp, et al. 135 Sherman St.

137-139

Dup.

141-143

Heva & Bella A. Zimelman 143 Sherman St.

145-147

Richard E. Pitanga Dup.

(124 to end)

124-126

Catherine J. Pitanga

128

Leo J. & Helena J. Pitanga

130

Dup.

132-134

Immaculate Tetheran Church

136-138

Wm. H. Wilson

20-24

James C. & Helen J. Datteste

26

Margaret B. Tetheran

28-30

Donald A. Briens

32-34

Leo J. & Margaret D. Tetheran

36-40

Edith M. Wilson

124. To end

124-126	Robert & Francis Foss	124 Sherman St
128-130	Margaret Russell	130 Sherman St
132-134	Dante & Conetta & Joanne	132 " "
136-138	Elmer Finch & Lucy D.	136 Sherman St
140	John L & Bernice S. Hickey	140 " "
142	Walter J. Russell	142 Sherman St
144-148	Dup	

~~Alice H. O. Plummer Mrs. Deep~~
Mrs.

(3) Francis Allen Cameron 124 Hayes St.
 (9) Eleanor C. Campbell 176 Neal St.
~~James B. Little~~
 (4) Edward A. & Rita M. Thibodeau Trowbridge Place
 Chas. L. & Christina M. Campbell Trowbridge Place
 Norman E. & Annie A. Scott Trowbridge Place
 (C) Florence Swarganski & " "
 (10-12) ~~Henry Swartz Inc~~

237-5 encl

237-243	Barbara E. Leslie	306	Brackett St
249-255	Ante + Phil James	(Dup)	
257	Phineas W. Rooley	257	Vaughan St
259	Eva Emery Foster	259	" "
261-263	Pearl A. + Clarence E. Baithitt	261	Vaughan St
265-267	Bernard B. Baithitt		
269-273	Dup		

220-ent

220-246	Port-Allen Dist. songs	
250-252	Carl O. Moody	311 Brackets St.
254-256	Frances P. O'Connell	258 Vaughan St.

Vaughan St (Cont)

258- 11up
 260-262 Margaret Tolman 260 Vaughan St
 264-268 ~~Gertrude & James D McFenzi~~ 11up
 over

Wescott St

1-7 11up
 9 11up
 11 mess

2-6 Russell E. Magon 228 Brackett St.
 8 Rosa A. + Wm L. King 8 Wescott St.
 10-12 Phyllis D. + Richard D. Valtz 17 Stearns Rd.
 14 Mark Costello 14 Wescott St.
 16 11up
 18 "

DELIVERING
EMPLOYEE

☒ Deliver ONLY to addressee
☒ Show address where delivered

Received from the Postmaster the Registered or Insured Article, the number of which appears on the face of this return receipt.

1. *Wm. Kenneth Adams*
(Signature or name of addressee)

2. _____
(Signature of addressee (agent) - Agent should enter addressee's name on line ONE above)

Date of delivery *12/24/57* 19*57*

Form 3811
Rev. 4-54

U.S. GOVERNMENT PRINTING OFFICE: 19-12423-3



B2 BUSINESS ZONE

APPLICATION FOR PERMIT

Class of Building or Type of Structure 2nd class
Portland, Maine, Oct. 14, 1957

PERMIT ISSUED

FEB 9 1958

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 804-806 Congress St. Within Fire Limits? ☒ Yes Dist. No. 3
Owner's name and address Frank DeRice, 1122 Decarie Blvd. Montreal Quebec Telephone
Lessee's name and address Kenneth L. Thomas, Inc. 135 Franklin St. Telephone 5-1574
Contractor's name and address Specifications Plans ☒ Yes No. of sheets 1
Architect No. families
Proposed use of building Apartment House No. families
Last use Nurses Home
Material brick No. stories 3 Heat Style of roof Roofing
Other building on same lot
Estimated cost \$ 10,000 Fee \$ 10.00

General Description of New Work

To change use of first story from nurses quarters to 6 apartments-first floor.
2nd and 3rd floors to remain vacant for present.
To make alterations as per plan.

Appeal Estimated cost \$ 10,000

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 contractor

Details of New Work

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

If a Garage

No. cars row 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?

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
Frank DeRice
Kenneth L. Thomas Co.

APPROVED:

Carl P. Johnson

CHIEF OF FIRE DEPT.

with letter by AGJ

Signature of owner by:

INSPECTION COPY

C16-254-134-Mark

Blair E. Davis F.M.

NOTES
 3-17-58 Went over
 4-1-58 Same
 4-23-58 OK to close
 in 1st floor only
 after wiring insp
 4-25-58 To re-frame
 stair well headers &
 trimmers to make
 6' clearance Third
 floor
 5-1-58 Framing under
 way 2nd floor rear
 porch
 5-19-58 O.K. to close
 in all floors
 7-17-58 Finish work
 still going on
 Fire escape not started
 Basement fire doors
 not on
 8-19-58 Same - finish
 work inside
 9-15-58 Same
 10-27-58 Interior of
 bldg & hds all OK
 & completed
 Fire escape & grading
 for parking not done
 11-13-58 Fire escape
 & parking completed
 Needs catwalk from
 porch to fire escape
 Phoned B. Davis
 11-17-58 Still no
 catwalk

Permit No. 68/1100
 Location 44 S. 8th St. Chicago
 Owner Charles R. Davis
 Date of permit 3/3/58
 Inspn. closing in 3/3/58
 Final Inspn. 10/15/58
 Cert. of Occupancy issued 11/15/59
 Staking Out Notice 11/15/59
 Form Check Notice 11/15/59

Inspector's Report
 1. Is any building involved in this work?
 2. Is connection to be made to public sewers?
 3. Is the work to be done in a public place?
 4. Is the work to be done in a public place?
 5. Is the work to be done in a public place?
 6. Is the work to be done in a public place?
 7. Is the work to be done in a public place?
 8. Is the work to be done in a public place?
 9. Is the work to be done in a public place?
 10. Is the work to be done in a public place?

City of Portland, Maine
Municipal Officers
BUILDING CODE

January 19

1958

Granted
Committee
1/20/58

58/7

To the Municipal Officers:

Your appellant, **Frank DeRose**, who is the **owner** of property at **834-836 Congress Street**, respectfully petitions the Municipal Officers of the City of Portland to permit an exception to the provisions of the Building Code relating to this property, as provided by Section 115, Paragraph A of said Building Code. To allow ventilating the kitchenettes of apartments # 1, 2, 7, and 11 by installing ducts through the roof at the former nurseries here at 834-836 Congress Street. This permit is not issuable because Section 317-d-1 of the Building Code requires windows at least 3 square feet in area opening directly to the outside air or into an airstream.

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

An exception may be granted if the Municipal Officers find that enforcement of the terms of the Code would involve practical difficulty and unnecessary hardship and desirable relief may be granted without substantially departing from the intent and purpose of the Building Code.

Frank DeRose

By:

Appellant

After public hearing held on the 20th day of January, 1958, the Municipal Officers find that an exception is necessary in order to avoid practical difficulty and unnecessary hardship and desirable relief may be granted without substantially departing from the intent and purpose of the Building Code, provided that the kitchenettes are ventilated by adequate mechanical means.

It is, therefore, determined that exception to the Building Code may be permitted in this specific case, provided that the kitchenettes are ventilated by adequate mechanical means.

Perley J. Lessard

Ben B. Wilson

Harold E. Frank

Sumner T. Bernstein

H. Merrill Luthe

Ira E. Ball, Sr.

MUNICIPAL OFFICERS

DATE: Jan. 20, 1958

HEARING ON APPEAL UNDER THE BUILDING CODE OF FRANK DeRICE
AT 804-806 Congress St.

Public hearing on the above appeal was held before the Municipal Officers

BOARD OF APPEALS

VOTE

MUNICIPAL OFFICERS

Perley J. Lessard
Ben B. Wilson
Harold E. Frank
H. Merrill Luthe
Sumner T. Bernstein
Ira E. Ball, Sr.

Yes

(X)
(X)
(X)
(X)
(X)
(X)
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No

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Record of Hearing:

No opposition.

January 15 1958

Your appellant, Frank DeRiCe

, who is the owner of

Your appellant, Frank DeRide, respectfully petitions the Municipal Officers of the City of Portland to permit an exception to the provisions of the Building Code relating to this property, as provided by Section 115, Paragraph A of said Building Code. To allow ventilating the kitchenettes of apartments # 1, 2, 7, and 11 by installing ducts through the roof at the former nurses home at 804-806 Congress Street. This permit is not issuable because Section 212-d-1 of the Building Code requires windows at least 3 square feet in area opening directly to the outside air or into an airshaft.

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

An exception may be granted if the Municipal Officers finds that enforcement of the terms of the Code would involve practical difficulty and unnecessary hardship and desirable relief may be granted without substantially departing from the intent and purpose of the Building Code, provided that the applicant

Francis DeRice

Bye:

Appellants

After public hearing held on the 20th day of January, 1958, the Municipal Officers find that an exception is necessary in order to avoid practical difficulty and unnecessary hardship and desirable relief may be granted without substantially departing from the intent and purpose of the Building Code, provided that the kitchenettes are ventilated by adequate mechanical means.

It is, therefore, determined that exception to the Building Code may be permitted in this specific case, provided the kitchenettes are ventilated by adequate mechanical means.

MUNICIPAL OFFICERS



(B) LIMITED BUSINESS ZONE
APPLICATION FOR PERMIT

Class of Building or Type of Structure Second Class
Portland, Maine, March 11, 1948

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to alter, repair, remodel or demolish the following building situated at ~~104 Congress Street~~ 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 104 Congress Street Within Fire Limits? yes Dist. No. 2
Owner's name and address Maine Eye & Ear Infirmary, 70 Commercial Street Telephone
Lessee's name and address Telephone
Contractor's name and address J. L. Miller, 150 St. John Street Telephone 2-7220
Architect Specifications Plans No. of sheets
Proposed use of building Nurses Home No. families
Last use " " No. families
Material brick No. stories 2 Heat Style of roof Roofing
Other buildings on same lot
Estimated cost \$ 65 Fee \$.50

General Description of New Work

To cut in opening 2' x 7' between reception hall and reception room on first floor.

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 J. L. Miller

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

Maine Eye & Ear Infirmary

Signature of owner by: J. L. Miller

INSPECTION COPY

Permit No. 48/ 273
Location 804 Congress St.
Owner Maine Eye & Ear Infirmary
Date of permit 3/12/48
Notif. closing-in _____
Inspn. closing-in _____
Final Notif. _____
Final Inspn. 3/30/48
Cert. of Occupancy issued none

NOTES

PERMIT ISSUED
90273
12 1948

AND

SS



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 Portland, 127 11th, 1916.
INSPECTOR OF BUILDINGS:

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

Location, 804 Congress St. Ward, 7 In fire-limits? no

Name of Owner or Lessee, Maine Eye and Ear Infirmary Address, 79 Bramhall St.

" " Contractor, Cobb & Webster " 105 Preble St.

Descrip- " " Architect, _____
tion of Material of Building is brick Style of Roof, hip Material of Roofing, tin
Size of Building is 50 feet long; 50 feet wide. No. of Stories, 2 1/2
Present Cellar Wall is constructed of Stone is _____ inches wide on bottom and batters to _____ inches on top.
Bldg. Underpinning is Brick is _____ inches thick; is _____ feet in height.
Height of Building, _____ Wall, if Brick; 1st, _____ 2d, _____ 3d, _____ 4th, _____ 5th, _____
What was Building last used for? nurse's home No. of Families? _____
Building to be occupied for _____ Estimated Cost, \$ 200

DETAIL OF PROPOSED WORK

Balcony and exterior stairs

IF EXTENDED ON ANY SIDE

Size of Extension, No. of feet long? 24, 6; No. of feet wide? 8, 12; No. of feet high above sidewalk? 8'
No. of Stories high? one Style of Roof? flat Material of Roofing? asphalt
Of what material will the Extension be built? wood Foundation? roof.
If of Brick, what will be the thickness of External Walls? _____ inches; and Party Walls _____ inches.
How will the Extension be occupied? balcony 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 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

Cobb & Webster
105 Preble St.

PERMIT MUST BE OBTAINED BEFORE BEGINNING WORK