

216-248 BRACKET ST.

SHAW-WALKER  
2203-16

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

December 20, 1971

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in Room 209, City Hall, Portland, Maine on Thursday, December 30, 1971 at 4:00 p.m. to hear the appeal of Elmer Martin requesting an exception to the Zoning Ordinance to permit to extend the non-conforming use (fitting and finishing or artificial limbs) from 244 Brackett St. to 246-248 Brackett St.

This permit is presently not issuable under Section 602.17B of the Zoning Ordinance.

This appeal is taken under Section 24 of the Zoning Ordinance which provides such variance may be granted only if the Board of Appeals only if the Board of Appeals finds that the strict application of the provisions of the Ordinance would result in undue hardship in the development of property which is inconsistent with the intent and purpose of the Ordinance; that there are exceptional or unique circumstances relating to the property that do not generally apply to other property in the same zone or neighborhood, which have not arisen as a result of action of the applicant subsequent to the adoption of this Ordinance whether in violation of the provisions of the Ordinance or not; 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 ft. of the property in question as required by Ordinance.

BOARD OF APPEALS

William B. Kirkpatrick  
Chairman

246-248

#15.0 pd 12-10-71

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

VARIANCE APPEAL

Elmer Martin, owner of property at 246-248 Brackett St.  
under the provisions of Section 24 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: to extend the non-conforming use (fitting  
and finishing artificial limbs) from 244 Brackett St. to 246-248  
Brackett St.. This permit is presently not issuable under Section  
602.17B of the Zoning Ordinance.

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 undue hardship in the development of property which is inconsistent with the  
intent and purpose of the Ordinance; that there are exceptional or unique circum-  
stances relating to the property that do not generally apply to other property in  
the same zone or neighborhood, which have not arisen as a result of action of the  
applicant subsequent to the adoption of this Ordinance whether in violation of the  
provisions of the Ordinance or not; 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.

x Elmer A. Martin  
APPELLANT

DECISION

After public hearing held December 30, 1971, 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.

It is, therefore, determined that a variance from the provisions of the Zoning  
Ordinance should be granted in this case.

W. B. K... ..  
Harry D. ... ..  
W. Cecil ... ..  
Board of Appeals

246-248 Brackett Street

Dec. 15, 1971

Cc to: Corporation Counsel

Elmer Martin  
244 Brackett Street

Dear Mr. Martin:

Building permit to extend the non-conforming use (fitting and finishing of artificial limbs) from 244 Brackett Street to the building at the above named location is not issuable under Section 602.17B of the Zoning Ordinance.

We understand you would like to exercise your appeal rights as provided under Section 602.24c.3 of the Ordinance. Accordingly you or your authorized representative should come to Room 113, City Hall to file the appeal on forms which are available here. A fee of \$15.00 for a variance appeal shall be paid at this office at the time the appeal is filed.

Very truly yours,

Malcolm G. Ward  
Plan Examiner

MGW:m

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

*Embroidered  
2 Iron Customers  
and Customers  
Room 228-240 T  
242 U. Brackett St.*

December 20, 1971

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This permit is presently not issuable under Section 602.17B of the Zoning Ordinance.

This appeal is taken under Section 24 of the Zoning Ordinance which provides such variance may be granted only if the Board of Appeals only if the Board of Appeals finds that the strict application of the provisions of the Ordinance would result in undue hardship in the development of property which is inconsistent with the intent and purpose of the Ordinance; that there are exceptional or unique circumstances relating to the property that do not generally apply to other property in the same zone or neighborhood, which have not arisen as a result of action of the applicant subsequent to the adoption of this Ordinance whether in violation of the provisions of the Ordinance or not; 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 ft. of the property in question as required by Ordinance.

*Elmer Martin. Dear Sir.*

BOARD OF APPEALS

William B. Kirkpatrick  
Chairman

*If more help is hired  
there should be parking area available. There at 2 cars +  
customers in this block now 16 hours daily 5 days a week 80 hours in all.*

*for Cars that Park in  
Main St. Howard St.  
The only objection I have is not much space  
front of my house at 2404 242 Brackett St*

**CITY OF PORTLAND, MAINE**  
**Application for Permit to Install Wires**

Permit No. *55259*  
 Issued

Portland, Maine *Aug. 26* 1971

To the City Electrician, Portland, Maine:

The undersigned hereby applies for a permit to install wires for the purpose of conducting electric current, in accordance with the laws of Maine, the Electrical Ordinance of the City of Portland, and the following specifications:

*(This form must be completely filled out - Minimum Fee \$1.00)*

Owner's Name and Address *Oliver Martin Braggett Portland Maine*  
 Contractor's Name and Address *Yarmouth Fuel Company Tel. 846-5507*  
 Location *246 Brook St* Use of Building *Apart. not House*  
 Number of Families *2* Apartments *2* Stores *1* Number of Stories *3*  
 Description of Wiring: New Work  Additions Alterations

Pipe Cable Metal Molding BX Cable Plug Molding (No. of feet)  
 No. Light Outlets Plugs Light Circuits Plug Circuits  
 FIXTURES: No. Fluor. or Strip Lighting (No. feet)  
 SERVICE: Pipe Cable Underground No. of Wires Size  
 METERS: Relocated Added Total No. Meters  
 MOTORS: Number *4* Phase H. P. Amps Volts Starter  
 HEATING UNITS: Domestic (Oil) No. Motors Phase H.P.  
 Commercial (Oil) No. Motors Phase H.P.  
 Electric Heat (No. of Rooms)  
 APPLIANCES: No. Ranges Watts Brand Feeds (Size and No.)  
 Elec. Heaters Watts  
 Miscellaneous Watts Extra Cabinets or Panels  
 Transformers Air Conditioners (No. Units) Signs (No. Units)  
 Will commence *8/26* 1971 Ready to cover in *9/1* 1971 Inspection 19  
 Amount of Fee \$ *2.00*

Signed *Ronald J. Allard Mgr.*

DO NOT WRITE BELOW THIS LINE

SERVICE		METER		GROUND	
VISITS: 1	2	3	4	5	6
	7	8	9	10	11
					12

REMARKS:

INSPECTED BY *[Signature]* (OVER)



FILL IN AND SIGN WITH INK

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine, August 26, 1971

PERMIT ISSUED

AUG 30 1971

1032 CITY OF PORTLAND

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 246 Brackett St. Use of Building 2 family & store No. Stories Existing Building Existing "
Name and address of owner of appliance Elmer Martin, 246 Brackett St.
Installer's name and address P. Rauben & Co., 252 Brackett St. Telephone

General Description of Work

To install forced hot water heating system and oil burner equipment in place of steam to heat entire building

IF HEATER, OR POWER BOILER

Location of appliance basement Any burnable material in floor surface or beneath? no
If so, how protected? Kind of fuel? oil
Minimum distance to burnable material, from top of appliance or casing top of furnace 2 ft.
From top of smoke pipe 18" From front of appliance over 4' From sides or back of appliance over 4'
Size of chimney flue 10 x 10 Other connections to same flue no
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?

IF OIL BURNER

Name and type of burner Texaco fire Chief. Labelled by underwriters' laboratories? yes
Will operator be always in attendance? Does oil supply line feed from top or bottom of tank?
Type of floor beneath burner cement Size of vent pipe 1 1/2"
Location of oil storage basement Number and capacity of tanks 275 gal. existing
Low water shut off Make No.
Will all tanks be more than five feet from any flame? yes How many tanks enclosed?
Total capacity of any existing storage tanks for furnace burners

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

Amount of fee enclosed? building at same time.) \$10. etc., in same

APPROVED:

C. J. E. R. H. 8/26/71

P. Rauben & Co.

Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed?

P. Rauben & Co.

Signature of Installer

CS 300

INSPECTION COPY

~~McConigle~~  
~~P 12~~  
~~100~~

1/4/63

Mr. Michael - 775-3414  
~~345~~ Brackett. St. - 246-248  
2 apt + store beneath  
TV <sup>repair</sup> + used furniture  
grocery store + garage  
Brackett. near Carleton

---

J.V. Sales + Retail Service  
O.K.  
Used furniture store not  
allowable without recourse  
to appeal. J.C.W.



CITY OF PORTLAND  
HEALTH DEPARTMENT  
HOUSING DIVISION



Loc: 244 Brackett Street  
Loc w/i S  
Bldg: Fire Elec Other  
Issued July 11, 1956  
Expires August 11, 1956

Mr. Joseph Shata  
244 S. Collet Street  
Portland, Maine

Dear Sir:

On Feb 11, 1956 an examination was made of the premises located at 244 Brackett Street, Portland, Maine. 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

**## Electrical Equipment**  
Owner and have repaired all defective electric wiring and electrical equipment throughout the structure.

- a) Replace the missing pull chain on the kitchen fixture in the second floor apartment.
- b) Repair or replace the loose fixture in the bedroom of the second floor apartment.
- c) Repair or replace the short-circuited fixture in the bedroom of the second floor apartment.

**## Structural Repairs**  
Repair and put in good order all dilapidated and hazardous parts of the structure as follows:

- a) Patch the loose window panes in the bedroom windows of the second floor apartment.
- b) Repair or replace the loose, cracked or missing plaster on the ceilings in the third floor front and rear hallways.
- c) Repair or replace the loose and broken balusters on the inside front hallway first and second floors.
- d) Repair or replace the loose or broken treads on the cellar stairs.

**## Sanitation and Insect/Vermin Conditions**  
a) accomplish a general cleanup of the interior by removing and properly disposing of the rubbish, trash, and debris.

The above mentioned conditions are in violation of the City Ordinance "Minimum Standards for Continued Occupancy" and must be corrected on or before August 11, 1956.

To: Housing Division, Health Department  
From \_\_\_\_\_

Date \_\_\_\_\_

This is to inform you that deficiencies of which this Department has been notified, have been corrected to our satisfaction.

Remarks \_\_\_\_\_

Loc. \_\_\_\_\_  
Loc w/i S \_\_\_\_\_  
Bldg: Fire Elec Other \_\_\_\_\_  
Issued \_\_\_\_\_  
Expires \_\_\_\_\_

Signature \_\_\_\_\_

(Please return to Housing Division of Health Department when corrections have been COMPLETED)



FILL IN AND SIGN WITH INK

### APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine, August 19, 1953

01889  
ELECTION

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 246 Brackett St. Use of Building Dwelling - 2 fam. No. Stories        New Building Existing "      "  
Name and address of owner of appliance Mrs. Rebecca Shatz, 246 Brackett St.  
Installer's name and address Harris Oil Co., 202 Commercial St. Telephone 2-8304

#### General Description of Work

To install oil burning equipment in connection with existing steam heat (conversion)

#### IF HEATER, OR POWER BOILER

Location of appliance        Any burnable material in floor surface or beneath?         
If so, how protected?        Kind of fuel?         
Minimum distance to burnable 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         
Will sufficient fresh air be supplied to the appliance to insure proper and safe combustion?       

#### IF OIL BURNER

Name and type of burner Delco Labelled by underwriter's 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  
Location of oil storage basement 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        Any burnable material in floor surface or beneath?         
If so, how protected?        Kind of fuel?         
Minimum distance to wood or combustible material from top of appliance         
From front of appliance        From sides and back        From top of smoke pipe         
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

1 1/2" vent  
McDonnell-Willer #67 low water cut-off

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 8-19-53. JMB

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

By: J. J. Harris  
Harris Oil Co.

Signature of Installer

INSPECTION COPY

PV

## ELECTRICAL PERMIT City of Portland, Me.



To the Chief Electrical Inspector, Portland Maine:  
The undersigned hereby applies for a permit to make electrical installations  
in accordance with the laws of Maine, the City of Portland Electrical Ordinance,  
National Electrical code and the following specification:

Date 23 September 1996

LOCATION: 248 Brackett St

Permit # 7765

OWNER John McIntyre ADDRESS 3rd Floor Apt

		TOTAL EACH FEE			
<b>OUTLETS</b>	Receptacles	Switches	Smoke Detector		.20
<b>FIXTURES</b>	(number of)				
	incandescent	fluorescent			.20
	fluorescent strip				.20
<b>SERVICES</b>					
	Overhead		TTL AMPSTO	800	15.00
	Underground			800	15.00
<b>TEMPORARY SERV.</b>					
	Overhead		AMPS OVER	800	25.00
	Underground			800	25.00
<b>METERS</b>	(number of)	No tenant for over 1 year		1	1.00
<b>MOTORS</b>	(number of)				2.00
<b>RESID/COM</b>	Electric units				1.00
<b>HEATING</b>	oil/gas units				5.00
<b>APPLIANCES</b>	Ranges	Cook Tops	Wall Ovens		2.00
	Water heaters	Fans	Dryers		2.00
Disposals	Dishwasher	Compactors	Others (denote)		2.00
<b>MISC. (number of)</b>	Air Cond/win				3.00
	Air Cond/cent				10.00
	Signs				5.00
	Pools				10.00
	Alarms/res				5.00
	Alarms/com				15.00
	Heavy Duty				2.00
	Outlets				
	Circus/Carnv				25.00
	Alterations				5.00
	Fire Repairs				15.00
	E Lights				1.00
	E Generators				20.00
	Panels				4.00
<b>TRANSFORMER</b>	0-25 Kva				5.00
	25-200 Kva				8.00
	Over 200 Kva				10.00
				TOTAL AMOUNT DUE	
				MINIMUM FEE	25.00
				MINIMUM FEE/COMMERCIAL	35.00
				TOTAL AMOUNT DUE	25.00

INSPECTION: Will be ready Ready or will call \_\_\_\_\_

CONTRACTORS NAME T.A. Napolitano *Please call Tim*  
 ADDRESS P.O. Box 230 So. Ptd  
 TELEPHONE 799-0538  
 MASTER LICENSE No. 7765 SIGNATURE OF CONTRACTOR *T.A. Napolitano*  
 LIMITED LICENSE No. \_\_\_\_\_

